Programs & Services Committee Agenda

City of Newton
In City Council

Wednesday, November 19, 2025

7:00 PM

The Programs & Services Committee will hold this meeting as a virtual meeting on Wednesday, November 19, 2025 at 7:00 pm that the public may access virtually via Zoom. To attend this meeting via Zoom use this link: https://newtonma-gov.zoom.us/j/87478596698 or call 1-646-558-8656 and use the Meeting ID: 874 7859 6698.

You may also:

1. **Watch a live broadcast of the meeting on NewTV's government channel (Comcast 9, RCN 13, 614 (HD), Verizon 33).**
2. **View a live stream on NewTV's YouTube channel at: https://www.youtube.com/channel/UCQvNeCJkA3PftuLLvfAh3cQ**

Items Scheduled for Discussion:

#287-25 **Appointment of Ellen Penso to the Council on Aging**
HER HONOR THE MAYOR appointing Ellen Penso, 39 Murray Road, West Newton as a member of the Council on Aging for a term of office set to expire on October 20, 2027. (60 Days: 12/05/2025)
Programs & Services Held 6-0 (Councilor Baker Not Voting) on 11-05-2025

#314-25 **Requesting a Home Rule Petition**
HER HONOR THE MAYOR requesting a Home Rule Petition to allow the City of Newton to post legal notice of public hearings online in lieu of publishing legal notice in a newspaper.

#327-25 **Creation of Older Adult Services gift account**
HER HONOR THE MAYOR requesting the creation of a Department of Older Adult Services gift account with an upper limit of one million dollars ($1,000,000) to

fund affordable programs, events, scholarships and critical social services to help older residents continue to thrive.

#25-24 **Develop a Code of Conduct for the Newton City Council**

COUNCILOR ALBRIGHT requesting the development of a code of conduct for Newton City Councilors. This code should set expectations for the behavior of councilors to each other, to city staff and the public. It should also set expectations for the work councilors are elected to do.

Programs & Services Held 6-0-1 (Councilor Humphrey Abstained) on 11-05-2025

Respectfully Submitted,
Josh Krintzman, Chair

Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

Telephone
(617) 796-1100
Fax
(617) 796-1113
TDD/TTY
(617) 796-1089
Email
rfuller@newtonma.gov

September 29, 2025

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

To the Honorable City Councilors:

I am pleased to appoint Ellen Penso of 39 Murray Road, Newton as a member of the Council on Aging. Ellen Penso's term of office shall expire on October 20, 2027 and the appointment is subject to your confirmation. Ellen Penso's term has been changed to stagger the terms in accordance with Council on Aging ordinance.

Thank you for your attention to this matter.

Warmly,

Ruthanne Fuller

Ruthanne Fuller
Mayor

Newton, MA Boards & Commissions

Submit Date: Aug 21, 2025

Application Form

Profile

Ellen
First Name

Middle Initial

Penso
Last Name

[redacted]
Email Address

39 Murray Rd
Home Address

Suite or Apt

West Newton
City

MA
State

02465
Postal Code

What Ward do you live in?

☑ Ward 4

Home: [redacted]
Primary Phone

Mobile: [redacted]
Alternate Phone

Employer

Job Title

Which Boards would you like to apply for?

Council on Aging: Submitted

Ethnicity

☑ Caucasian/Non-Hispanic

Gender

☑ Female

Interests & Experiences

Please tell us about yourself and why you want to serve.

Why are you interested in serving on a board or commission?

I am currently on the advisory council of the Council on Aging. I am an active participant of the Senior Center and I have been so since 2017. I feel that I bring the concerns of the seniors I speak with to the Council. I am also a nursing home ombudsman through Springwell and I am knowledgeable about housing issues for seniors in the community.

Upload a Resume

ELLEN M. PENSO, MD

39 Murray Rd. West Newton, MA 02465
[redacted]

Place of Birth: Miami Beach, Fla.

Education:

Undergraduate Education: University of Florida 1969-1973
BS Zoology 1973
Medical Education: University of Miami, Miami Florida 1973-1977
MD 1977
Residency Program: Tufts/New England Medical Center Obstetrics and Gynecology Program 1977-1981

Employment:

Private Practice in Obstetrics and Gynecology 1981-2017. Active Staff of Newton-Wellesley Hospital 1983-2017. Retired 2017

Certification:

Board Certification: American Board of Obstetrics and Gynecology 1986-present
Fellow of the American College of Obstetricians and Gynecologists 1986-present
Commonwealth of MA Board of Registration in Medicine - Active License

Membership: Massachusetts Medical Society 1983-present

Additional Experience:

Volunteer with Springwell (West Suburban Elder Services) Money Management Program 2000- 2016
Ombudsman Maristhill Nursing Home 2019- present
Chair of the Northeast Mycological Federation Foray 2016
Clinical Teaching Associate Tufts University School of Medicine

#314-25

Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

Telephone
(617) 796-1100
Fax
(617) 796-1113
TDD/TTY
(617) 796-1089
Email
rfuller@newtonma.gov

October 15, 2025

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

Dear Honorable Councilors:

I respectfully submit this docket item to your Honorable Council requesting the approval of a Home Rule Petition for the Mayor to file with the General Court requesting Special Legislation so the City of Newton can post legal notice of public hearings online in lieu of publishing legal notice in a newspaper.

Notice of certain public hearings must be published in a printed newspaper according to State statutes. For example, M.G.L. c. 40A requires the notice of a public hearing for a zoning amendment or special permit to be published in a newspaper of general circulation in Newton. However, last year the Commonwealth approved Special Legislation authorizing "Print-Free Digital Legal Notices" for the Towns of Arlington, Lexington and Lincoln.

The public has largely turned to postings on the City's website to find public hearing notices rather than relying on notices in printed paper. The proposed Special Legislation would result in cost savings and greater efficiencies for the public hearing notice process. Also, importantly, nothing in the proposed Special Legislation affects direct notice to abutters, as required under statute or ordinance and such notices will continue.

Attached is a memo from Director of Planning & Development Barney Heath, City Solicitor Alissa Giuliani and Acting City Clerk Cassidy Flynn on the request, including a draft of the proposed legislation. They will be available at the appropriate City Council meeting to answer any questions.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller

Ruthanne Fuller
Mayor

#314-25

Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459

Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Barney Heath
Director

MEMORANDUM

TO: Mayor Ruthanne Fuller
Jonathan Yeo, Chief Operating Officer

FROM: Barney Heath, Director, Department of Planning and Development
Jennifer Caira, Deputy Director of Planning & Development
Alissa O. Giuliani, City Solicitor
Cassidy Flynn, Acting City Clerk

DATE: October 14, 2025

RE: Docket Request—Home Rule Petition to Allow Legal Notice Publications Online

The Planning and Development and Law Departments respectfully request that you submit a docket item to our Honorable City Council for consideration of filing a Home Rule petition with the General Court requesting Special Legislation that will allow the City of Newton to post legal notice of public hearings online in lieu of publishing legal notice in a newspaper.
Pursuant to statutes, notice of certain public hearings must be published in a printed newspaper. For example, M.G.L. c. 40A requires the notice of a public hearing for a zoning amendment or special permit to be published in a newspaper of general circulation in Newton. However, the public has largely turned to postings on the City's website for notice of public hearing notices, and general meeting information for the City's boards and commissions, rather than relying on notices in printed paper.

The proposed Special Legislation would result in cost savings and greater efficiencies for the public hearing notice process. Also, it is important to note that nothing in the proposed Special Legislation affects direct notice to abutters, as required under statute or ordinance.
Last year, the Commonwealth approved Special Legislation authorizing "Print-Free Digital Legal Notices" for the Towns of Arlington, Lexington, and Lincoln. I have attached a draft of the proposed legislation. Thank you for your consideration of this matter.

AN ACT AUTHORIZING PRINT-FREE DIGITAL LEGAL NOTICES IN THE CITY OF NEWTON

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding subsection (b) of section 13 of Chapter 4 of the General Laws, wherever the City of Newton and their subdivisions, committees, boards, commissions, bodies, or officers are required by statute, ordinance, by-law, regulation or judicial order to publish a legal notice in a newspaper or newspaper of general circulation, such requirement may be met through one or more of the following means:

(i) A print newspaper of local or general circulation;

(ii) A newspaper's website;

(iii) Websites reporting local news and opinion which satisfy all criteria for digital publication as set forth in said subsection (b) of said section 13 of chapter 4;

(iv) A statewide website that may be maintained as a repository for such notices; or

(v) A city-wide website that may be maintained as a repository for such notices.

SECTION 2. Nothing set forth in this act shall be construed to alter or amend the time or timing of publication of legal notices set forth in the General Laws.

SECTION 3. This act shall take effect upon its passage.

#327-25

Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

Telephone
(617) 796-1100
Fax
(617) 796-1113
TDD/TTY
(617) 796-1089
Email
rfuller@newtonma.gov

October 27, 2025

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

Dear Honorable Councilors:

I respectfully submit this docket item to your Honorable Council requesting the creation of a Department of Older Adult Services gift account to accept funds from a variety of donors. The account will be used to fund affordable programs, events, scholarships and critical social services—helping older residents continue to thrive.

Donations may include room naming opportunities in keeping with practices at other senior centers and libraries across the Commonwealth. The gift account must by law have an upper limit which will be $1,000,000.

Attached is a memo from Director of Older Adult Services Mignonne Murray on the request. She will be available at the appropriate City Council meeting to answer any questions about the request.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller

Ruthanne Fuller
Mayor

#327-25

DEPARTMENT OF OLDER ADULT SERVICES
1000 Commonwealth Avenue
Newton Centre, MA 02459-1449

COOPER CENTER FOR ACTIVE LIVING
CITY OF NEWTON

To: Mayor Ruthanne Fuller
From: Mignonne Murray, Director of Older Adult Services
Date: October 28, 2025
Subj: Request to Docket Item to create a new gift account for Older Adult Services

The Department of Older Adult Services (OAS) requests that you docket with the City Council the creation of a Department of Older Adult Services gift account to accept funds from a variety of donors. The account will be used to fund affordable programs, events, scholarships and critical social services—helping older residents continue to thrive.

Donations may include room naming opportunities in keeping with practices at other senior centers and libraries across the Commonwealth. The gift account must by law have an upper limit which will be $1,000,000.

Sincerely,

Mignonne Murray

Director of Older Adult Services

CC: Jonathan Yeo, Chief Operating Officer

Newton City Council Code of Conduct [Draft]

1. Why Our Code of Conduct Exists
    a. Elevating pre-existing but informal norms and expectations into formal, written standards helps maintain a continuity of expectations for those who are elected long after any current City Councilor has departed from office.
    b. Having an official Code of Conduct reduces the chances of inadvertent offense by creating clear standards that all members have agreed to uphold in advance.
    c. The Councilors wish to protect the image of the institution of the City Council in the eyes of the public by promoting respect, civility, a welcoming atmosphere, and accountability for misconduct.
2. Acknowledgment of this Code
    a. The City Clerk shall have each elected official sign a statement, upon taking the oath of office, that they have received and read this Code of Conduct. This signed acknowledgement will be kept on file and remain easily accessible to everyone, including other officials, municipal employees, and the public. In the event that any member declines to sign the form, that fact shall be noted by the City Clerk on the form.
    b. Signed statement to accept the Code: “I have read and understand the Newton City Council Code of Conduct and will comply with the requirements set forth in this document.”
    c. The acknowledgment process shall be repeated during the term if the Council amends the Code of Conduct with immediate effect.
3. Expected Conduct and Prohibitions
    a. This Code of Conduct exists in addition to the conduct expectations set forth in the City Council Rules and Orders, including Article III Section 3, which governs expected conduct in full City Council meetings. The Code also exists to supplement existing expectations required by state laws, including but not limited to the Conflict of Interest Law and the Open Meeting Law.
    b. Conduct in Relation to City Staff
        i. Treat all staff as professionals and respect the abilities, experience, and dignity of each individual.
        ii. Avoid disrupting City staff from performing their jobs: Follow formal channels of communication and limit individual requests for assistance to reasonable volumes.

iii. While policy disagreements are certainly the domain of reasonable debate and discussion, refrain from criticizing an individual employee during public meetings, whenever possible, and limit public criticisms to the policies instead of the personalities or professionalism. Concerns about staff performance, professionalism, or behavior should only be made to the Mayor (or to the Council President in cases relating to the Office of the Clerk or Office of the Comptroller) through private communication outside of public meetings.

iv. Councilors who interact with City staff must do so in a respectful manner and understand employees who are responsible to the Mayor should not be expected to take direction from any individual Councilor on any matter. The Clerk of the Council, the Comptroller, and their employees are responsible to the Council as a body, through its presiding officer, and should not be expected to take direction from any other individual Councilor on any matter.

c. Conduct in Relation to Other Councilors
    i. Treat all members of the City Council with respect, despite differences of opinion; keeping in mind that professional respect does not preclude honest differences of opinion, but does require respect within those differences.
    ii. Consistently use formal titles for referring to or addressing your colleagues during public meetings.
    iii. At all times, avoid making comments on other councilors', staff's, or the public's personal appearances or attire during or in relation to meetings.
    iv. Participate and interact in official meetings with dignity and decorum fitting those who hold a position of public trust.
    v. Recognize your responsibility to attend all meetings to assure a quorum and coordinate with the President or your Committee Chair if you are unable to attend a meeting. If you will be unable to attend a majority of meetings for an extended period of your term, you are encouraged to initiate conversations with the Council President and the Clerk of the Council about your future plans.
d. Harassment Prevention: It is the goal of the City Council to promote an institution that is free of any harassment. Harassment because of one's race, color, national origin, ancestry, age, sex or gender, religious creed, sexual orientation, disability (physical or mental), active or veteran's military status, gender identity and expression, genetic information, or any other

characteristic protected by Federal, state or local law, as well as sexual harassment, will not be tolerated.

e. Safeguarding the Institution of the Council and Respecting the Public Trust
    i. Strive to be well informed about the duties and responsibilities of your office.
    ii. While the Council recognizes that expansive rights to freedom of expression continue when elected to office, City Councilors are expected to maintain civility in all discussions and debates and not tolerate speech that is belligerent, disrespectful, threatening, abusive, or disparaging.
    iii. Demonstrate respect for the public that you serve.
    iv. Safeguard confidential information.
    v. Conduct yourself so as to maintain public confidence in our local government.

4. Addressing and Remediating Violations
    a. It is the duty of all elected officials to self-police and hold themselves accountable to the Code of Conduct.
    b. The enforcement of the Code of Conduct is summarized as follows:
        i. Every Councilor is encouraged, as part of a bystander intervention approach, to speak up and report violations of the Code of Conduct and to offer support to their colleagues, City Staff, or members of the public if they have been victimized by a fellow Councilor.
        ii. It is the role of the Council President to enforce the code of conduct as needed, or to recuse themselves in favor of the Vice President or President Emeritus in case of a conflict of interest for or an accusation against the President.
        iii. Any City Councilor who violates the Code of Conduct during official business ought to be asked promptly by the Committee Chair or presiding officer to make a sincere apology to the victim, although any member of the City Council may raise the matter in the moment as a point of general privilege (or personal privilege if they are the affected individual) pursuant to the rules. The Committee Chair or presiding officer should strive to maintain regular order during such a discussion, but allow the involved individuals to be heard out. If the infraction occurred at a public meeting, the apology should be made in public, ideally at the time of the incident or in a formal discussion at the next scheduled meeting. If the infraction was not witnessed by members of the public, an apology should be made promptly, and the

victim should acknowledge whether the apology has been accepted. A sincere apology should include acknowledgment of the harm and violation, as well as intent to avoid subsequent harm. The Council President or their delegated presiding official should note for the record that the Code of Conduct violation occurred, has been acknowledged, and has been resolved. If the accused individual is unwilling to make an apology or the offended individual does not accept the apology as sincere, this should be noted for the record as well. The Clerk of the Council shall keep the written record with regard to the Code of Conduct and make it available to the public for review, separately from the reports of meetings, at any time.

iv. If the President or their delegated presiding officer for the matter of the violation declines to recognize formally for the record that a violation of the Code of Conduct has occurred, any member of the City Council shall be recognized at any time during a meeting of the full City Council to request a simple majority vote of all elected Councilors other than the alleged violator to instruct the President or their delegated presiding officer to faithfully follow the above procedure for addressing a violation regardless of their personal opinion on the matter during the next scheduled meeting.

v. If any member of the City Council repeatedly violates the tenets of the Code of Conduct, the City Council President, or the Vice President or President Emeritus in case of a conflict of interest for or an accusation against the President, may ask the member to attend a training session to be arranged with the help of the Clerk of the Council's office and the City of Newton Human Resources Department. Such training might be offered in-house or externally by the Massachusetts Municipal Association or another organization the Department or Clerk might recommend.

vi. The Council President shall hold at least one Chair's Meeting each year featuring an agenda item to discuss and self-assess general compliance with the City Council Code of Conduct and to recommend to the Rules Subcommittee consideration of potential amendments to the Code.