

REPORT OF NEWTON CHARTER STUDY - 1966 and 1967

Support Positions

- * Support of the election of a Charter Commission for the city of Newton.
- * Support reduction in the size of the Board of Aldermen with the present system of electing ward aldermen retained and the residence requirement for the aldermen-at-large dropped.
- * Support retention of the residence requirement for School Committee.
- * Support special elections to fill vacancies in the Board of Aldermen and School Committee unless the vacancy occurs in the last quarter of the term.
- * Support a special election to fill a vacancy in the office of Mayor unless the vacancy occurs in the last 3 to 6 months, in which case the position should be filled by the President of the Board of Aldermen.
- * Support a four-year term for Mayor.
- * Support four-year staggered terms for School Committee.
- * Support the present practice of the appointment of the department heads by the Mayor with aldermanic approval.
- * Support the present practice of allowing the Mayor to dismiss department heads without approval of the Board of Aldermen.

Background

At the 1966 annual meeting of the League of Women Voters of Newton, it was voted to study the Newton City Charter as one of our local items. Several members of the League had been attending the meetings of the Aldermanic Legislative Committee which had been studying the Charter. The two political parties also had groups studying the local government. Each of the above committees presented the League with reports of their study and offered their encouragement and cooperation.

The League Charter Committee held thirty meetings between August 1, 1966, and March 27, 1967. At these meetings we studied the Newton Charter and compared it with those of other communities as well as with the Model City Charter. We examined treatises on good government; we interviewed a number of city officials, city administrative personnel, and academic experts; we consulted members of other interested city organizations as well as local political committees. Unit discussion meetings were held in March.

Consensus (Areas of Agreement - Explanation)

Charter Commission. There was strong consensus for the election of a Charter Commission. Although changes have been made, the Charter of Newton has not had a comprehensive review since 1897. There are statements in it that are unclear and ambiguous. It was felt that the Charter was cluttered with many provisions which are actually in the General Laws and need not be repeated in the Charter. There is a need for streamlining and clarifying the Charter.

1. Should the size of the Board of Aldermen be decreased?
Yes.

2. Should there be residence requirements for at-large Aldermen? - No.

Consensus was reached on reducing the size of the Board of Aldermen. It was felt that a smaller council would be more apt to limit its work to policy and not become involved in administrative detail. Therefore, along with the reduction in the size of the Board of Aldermen, the operation of the Board would be simplified by transferring some of its duties dealing with administrative detail to the Executive Department. Another reason given for reduction in size was that a shorter ballot would make it easier for the electorate to be better informed. At present the Charter stipulates 24 Aldermen, one elected from each of the 8 wards, and two from each ward elected at large. It was felt that the 8 ward Aldermen should be retained so that each area of the city would be assured of representation. The reduction in the size of the Board should be accomplished by reducing the number of Aldermen elected at large and, at the same time, it was felt that the residence requirement of these should be dropped. Thus, the best men in the whole city can be chosen as at-large Aldermen without a ward residence requirement limiting their selection. It is hard to unseat a poor incumbent at-large Alderman if only candidates residing in his own ward can run against him.

3. Should there be residence requirements for School Committee? - Yes.

Newton is a city made up of villages. Each area should be assured of representation by having the whole city vote for one School Committee member from each ward. He should be elected by the whole city to protect him from too much pressure within his own ward. While representing his own ward, a member elected at large would have a city-wide outlook.

4. Should the Mayor have a four-year term? - Yes.

The Mayor needs about a year and a half to learn the job. He needs four years to demonstrate merit and put plans into action.

5. Should the Mayor have the power to appoint his department heads without the approval of the Board of Aldermen? - No.

Requiring the approval of the Board of Aldermen provides a good system of checks and balances. It gives an able department head a greater sense of continuity and security. It reduces the possibility of patronage appointments.

6. Should the Mayor have the power to dismiss his department heads without the approval of the Board of Aldermen? - Yes.

The Mayor is the chief administrator of the city. He must have men at the head of the city departments who he feels are competent and who are willing to follow his direction. It was felt that this combination of requiring aldermanic approval of the appointments but not of the dismissals ensured a flexibility in the operation of the executive.

7. How should a vacancy in the office of Mayor be filled? - The President of the Board of Aldermen should act as Mayor if the vacancy occurs in the last 3 to 6 months. A special election should be held if the vacancy occurs before that.

The present method of having the President of the Board of Aldermen fill a vacancy in the office of Mayor is inadequate.

a. Aldermen may have different qualifications from those needed for Mayor.

b. Aldermen may not want the job, because Mayor is full-time.

c. The vacancy may occur early in the term, and an appointee should not be asked to act as Mayor for a long period.

8. Should the Board of Aldermen have a four-year term? - No consensus reached.

The majority felt that if aldermen have a four-year term, the terms should be staggered. Some members felt that the aldermen should answer to voters more often than every four years.

9. Should the School Committee have a four-year term? - Yes, a four-year staggered term.

The School Committees in Massachusetts are elected by the towns, but act as administrators of State laws and operate locally within the framework established by the State. Hence they enjoy considerable autonomy in setting policy, determining their budget, and maintaining educational excellence. A member of the School Committee needs adequate time to "learn the ropes" and to mesh effectively into the workings of the Committee without frequent interruptions to run for election. There should be no possibility, however unlikely, of overturning the whole committee at one time. For these reasons, a four-year staggered term for School Committee was favored.

10. How should vacancies on the Board of Aldermen and School Committee be filled? - If the vacancy occurs in the last quarter or six months (depending on length) of the term, leave vacant. Otherwise, fill vacancies by special election.

Under the present system, if a vacancy occurs on the Board of Aldermen, the remaining members of the Board may appoint a successor. A vacancy on the School Committee is filled by a joint convention of members of the Board of Aldermen and School Committee with the Mayor presiding. (This is a permissive State law - Sec. 36 of Chap. 43. Newton voters accepted it in November 1954 and may reject it if they so choose.) It was felt that these methods of filling vacancies should be changed for the following reasons:

- a. Once an appointee becomes an incumbent, he has a marked advantage in future elections.
- b. Present method may encourage the practice of picking "one of their own" and perpetuate the group in power.
- c. Special elections are worth the expense, since we believe in government by elected representatives which is part of our democratic process.

Recommendations

The League Charter Committee makes the following recommendations:

1. It should be mandatory in the Charter to have an annual city report made available in various public buildings in designated parts of the city.
2. There should be verbatim records of aldermanic meetings and these records should be made available to the public.
3. The Charter Commission should consider the desirability of putting a code-of-ethics statement in the Charter.

For further League study, the Charter Committee recommends the following:

1. The Executive Department, with special attention given to organization, veto power of the Mayor, boards and commissions, planning.
2. Preliminary elections.
3. Partisan and non-partisan elections.
4. Compensation for the Board of Aldermen.
5. Redrawing of ward lines.

Respectfully submitted,

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