

# League of Women Voters of Newton

# Newsletter

Volume 9 Issue 6

June/July 2003

## LWV Examines U.S.A. P.A.T.R.I.O.T. Act

by Deb Crossley and Priscilla Leith

The U.S.A. P.A.T.R.I.O.T. Act, which broadly expands the power of federal authorities to search records and detain citizens without cause, was signed into law about six weeks after the September 11, 2001 attacks in New York, Washington and Pennsylvania. Many in Congress now say that an aggrieved Congress acted too hastily and passed this law without sufficient reading and debate. This year, Leagues across the country have expressed concerns about the U.S.A. P.A.T.R.I.O.T. Act, and how its implementation threatens certain civil liberties and First Amendment freedoms guaranteed by our Constitution.

In Newton, Newton Dialogues on Peace and War, a citizen group formed shortly after the September 11 attacks, have petitioned the Board of Aldermen to pass a resolution in opposition to provisions of this Act. Citywide discussion has arisen as a result. The petition was referred to the Programs and Services Committee of the BOA, which held a public hearing on June 4, followed by a working session June 18.

In preparation for these meetings, the Newton League contacted the National League, because we would be taking action under an LWVUS position on individual liberties. We learned that LWVUS had been hearing from many state and local leagues across the country that were concerned about the same issue. Some Leagues have passed resolutions of their own advocating that their members of Congress work for repeal of sections of the Act; other Leagues have mounted educational efforts to inform citizens about the impacts of implementing this law. Hearing from state Leagues

To: Program & Services Committee  
of the Newton Board of Aldermen,

Re: Local Response to the USA P.A.T.R.I.O.T. Act, Item #188-03  
June 18, 2003



The League of Women Voters supports protection of individual rights guaranteed by the Constitution.

The LWV is concerned that the recent adoption of the USA P.A.T.R.I.O.T. Act and several executive orders may unconstitutionally authorize the federal government to infringe upon fundamental liberties, in violation of the right to privacy, due process, the right to counsel, protection against unreasonable searches and seizures and basic First Amendment freedoms. The LWV is further concerned that this Act allows them to do so without evidence of wrongdoing.

The LWV opposes the following provisions of the USA P.A.T.R.I.O.T. Act:

- nonconsensual releases of student and faculty records from public schools and institutions of higher learning,
- obtaining library records and bookstore records;
- indefinite detainment of citizens without disclosure of names or filing of charges;
- eavesdropping on confidential communications between lawyers and their clients;

Furthermore, we oppose any effort to repeal the Sunset provisions that call for review of the P.A.T.R.I.O.T. Act within 5 years.

The LWV supports the "Right to Read Act", currently in the House (Bernard Sanders, I-VT) and a similar bill in the Senate (Barbara Boxer, D-CA). These advocate repeal of those sections of the USA P.A.T.R.I.O.T. Act that allow federal monitoring of library and bookstore records.

The LWV encourages congressional oversight of the Executive and Judicial branches, specifically that Congress be informed of implementations of the USA P.A.T.R.I.O.T. Act. The LWV believes that our system of checks and balances is important, and asks that all unnecessary secrecy between Executive and Judicial branches be eliminated.

We ask that the Newton Board of Aldermen respectfully request the Mayor to instruct city departments and officers of the city to respect the constitutional rights of Newton citizens, including the principles of equality, due process of law, freedom of religion, speech, and association, individual privacy and open government.

Sincerely,

Amelia S. Koch, *President*

(including MA) at this year's Council, the LWVUS elevated lobbying efforts to protect civil liberties to a "level 3" priority status.

On the evening of June 18 we were able to present the following statement to the BOA Programs & Services Committee, chaired by Alderman Marcia Johnson.

The Committee expressed much appreciation for our work framing this issue and incorporated some of our wording into the resolution. The Committee voted unanimously to support a resolution in opposition to the USA PATRIOT Act, but requested Chairperson Johnson to temper the resolution and simplify the language. The chair has called upon the League to assist in this effort. ■

## LWVN Officers and Directors 2003-2004

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Vice President	Bonnie Carter	617 969-0686
Vice President	Deborah Crossley	617 244-7597
Vice President	Andrea Kelley	617 964-4609
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Local Action	Beth Lowd	617 332-1978
Unit Organization	Ruth Neiberg	617 969-9329
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Environmental Issues	Linda Walden	617 559-9987

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President	Amelia Koch	617 244-2647
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### Committee Members

Pat Acton	617 965-5572
Liz Lieberman	617 244-4402
Linda Morrison	617 332-6539

The LWVN Newsletter is published nine times per year. The League of Women Voters is a non-partisan political organization open to all citizens of voting age. For more information about the League of Women Voters, call 617-964-0014.

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[www.newtoncitizens.com/lwv](http://www.newtoncitizens.com/lwv)

# A Great Time of Year

*The following is an excerpt from the President's Annual Meeting Report of June 11, 2003*

This is a great time of the year. A time to look back on all we've accomplished and celebrate, a time to appreciate all of the people who have worked so hard, a time to imagine what we can build on for the coming year.

Last years Recommended Local Program priorities included working to defeat the proposed constitutional amendment called the Defense of Marriage Act and committing to observing the Election Commission, the implementation of the Community Preservation Act, and continuing efforts to increase affordable housing in the city. Well I'm pleased to report that I think we did a pretty good job at all three.

Holly Gunner, who wears many hats besides her League hat, has been a passionate and tireless opponent of the Defense of Marriage act. She kept us informed of the many critical lobbying opportunities and then put together an educational and moving forum on the subject. The legislature sidestepped a vote killing, the first effort, but there continues to be new efforts. We are also awaiting the results of a lawsuit before the state Supreme Court on behalf of several couples, including two Newton residents, which would end the ban on marriage for same sex couples.

Thanks to efforts by Deb Crossley, AnnaMaria Abernathy, Priscilla Leith, Jody Klein, and Sue Rosenbaum we observed the CPA proceedings, we read the proposals and have offered written comments to the committee on most of the proposals submitted to date. The flow of funds from the CPA is changing the face of the city. The League should be proud of its work in helping to pass the CPA and in supporting its implementation. There is a great need for continued vigilance at the state level where the various legislators have proposed using CPA funds for other purposes and at the local level where articulate non-partisan viewpoints are always needed.

Thanks to Deb Crossley and Janet Stearns and to League member Josephine McNeil for their vital and continuing efforts to expand affordable housing opportunities in Newton. Passage of the CPA has proved to be an excellent new tool and has already contributed to the success of several affordable housing projects. LWVN members have advocated for project funding from the CPA, we are active on the tax equity study group, and we participate with U-Chan (United Citizens for Housing Affordability in Newton). Janet Stearns put together a stellar and well-attended forum on Chapter 40B legislation at the library this spring. Janet also follows state legislation on housing for LWVN and organizes Legislative roundtable.

Welcome to the new League Year!



## Welcome New Member

Deborah Atwood  
17 Vineyard Road  
Newton 02459  
617 964-7374  
[dza17@attbi.com](mailto:dza17@attbi.com) [comcast.net](http://comcast.net)

Katherine Gekas  
87 Ardella Avenue  
Newton 02465  
617-964-3117  
[Katerine@gekass.com](mailto:Katerine@gekass.com)

# League Members Urge the Governor to Veto the Clean Elections Repeal

*Beth Lowd, LWVMA Campaign Finance Specialist, LWVN Director*

League members throughout the Commonwealth have been expressing their outrage at the recent actions of the state Senate to repeal the Clean Elections Law. The repeal "vote" was not by roll call, a cowardly way to slip through the repeal of a law that two-thirds of the voters put in place in 1998.

The Clean Elections Law has never been allowed to work. During the 2002 election cycle, the Legislature refused to fund the law in a timely and adequate fashion, prompting a rebuke from the Supreme Judicial Court for their "blatant and flagrant disregard" of their constitutional duties. The sale of state property was the court's only recourse to raise the needed funds, but the money came too late for most candidates to opt in to the system.

Members are urged to call or write Governor Mitt Romney, asking him to veto the repeal. (Address is State House, Boston, MA 02133; e-mail is [Goffice@state.ma.us](mailto:Goffice@state.ma.us); Phone: (617) 725-4005 FAX: (617) 727-9725. In addition, please contact Senator Cynthia Creem and Representatives Ruth Balser, Kay Khan, and Peter Koutoujian to ask them to help sustain the veto.

Here are some arguments you can use, formulated by the Clean Elections Coalition, of which the LWVMA is a member:

1) We believe that a law supported by 1.1 million voters deserves a full debate and roll call vote by both bodies of the Legislature. We are angered that the Senate has taken this action through an outside section to the budget, thereby bypassing the committee process and avoiding full debate in both bodies of the Legislature. We believe that voters deserve the opportunity to know how their elected officials voted on this critical reform measure in order to hold them accountable for their votes.

2) The problems that gave rise to the need for Clean Elections, namely the lack of competition and accountability on Beacon Hill, are worse now than when the law was passed in 1998. Two-thirds of the legislative races in Massachusetts were uncontested in the 2002 election cycle. This means that candidates have no need to campaign or debate and little to no accountability to voters. Massachusetts still ranks second to last in the nation in the percentage of contested legislative races; only Arkansas holds a worse record. Our state needs Clean Elections so that voters can have more choices on the ballot and more accountability on Beacon Hill.

## Fight to Keep Clean Elections

*The following letter appeared in the  
Newton Tab, June 18, 2003*

The League of Women Voters of Newton commends state Senator Cynthia Creem, who took a strong stand against Senate repeal of the Clean Elections law. Well over two-thirds of Newton citizens voted for the law when it passed in 1998.

The repeal was passed as a Senate budget amendment without a roll-call vote. This action fails two requirements of real democracy, open debate and a recorded vote.

The League of Women Voters deplores this action. If the budget conference committee does not repudiate it, we urge citizens to contact Governor Romney to express their outrage and to ask him to veto the repeal. As a candidate, he promised to stand up to the special interests and bring reform to Beacon Hill. Here is his opportunity to act on behalf of reform!

Sincerely,

Amelia Koch, *President*

League of Women Voters of Newton

*Continued on page 7*

## Membership Application

Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Email \_\_\_\_\_

- ☐ I would like to join the League of Women voters of Newton. Enclosed is my check for \$50 payable to LWVN.
- ☐ **Lifetime membership \$1000**
- ☐ I would like to receive materials about the League.
- ☐ I would like to be contacted by a League member to talk about LWVN.

**Mail this form (and your check, if joining) to:**  
Andrea Kozinetz Holtz at 8 Stoney Brae Road,  
Newton Highlands, MA 02461

## Committees - in - Action

*E d u c a t i o n*

Focus	Renovations, increasing high school enrollments, school financing, testing & standards	
Members	Ann Grantham Susie Heyman Andrea Kelley Andrea Kozinetz Anne Lerner	Robin Maltz Fran Osten Beverly Spencer Beth Wilkinson
Contact	Jody Klein Chair	617 552-7844

*H u m a n   R i g h t s*

Focus	League outreach, relevance and support for the human rights of Newton's diverse populations	
Members	Sharon Balfour Jody Klein	Susie Heyman Linda Morrison
Contact	Holly Gunner, Chair	617 964-0767

*L o c a l   A c t i o n*

Contact	Deb Crossley Chair	617 244-7597
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## OBSERVER CORPS

<i>Community Preservation Committee</i>	AnnaMaria Abernathy Deb Crossley Jody Klein Priscilla Leith
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<i>Election Commission</i>	Bonnie Carter Nancy Criscitiello
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<i>Finance Committee</i>	Ruby Ajanee Amelia Koch Ben Weisbuch
--------------------------	--

<i>Newton Citizen Commission on Energy</i>	Deb Crossley, LWVN Representative
--	--------------------------------------

<i>Parks and Recreation Commission</i>	Priscilla Leith
--	-----------------

<i>School Committee</i>	Andrea Kelley Andrea Kozinetz
-------------------------	----------------------------------

<i>Zoning and Planning Committee, Board of Alderman</i>	Judy Jaffe
---	------------

*N o m i n a t i n g   C o m m i t t e e*

Members	Nancy Crowley	Deb Hirsch
Contact	Fran Seasholes Chair	617 969-5927

You may call committee contact or a Board officer or director to learn more about current committee work. All are welcome to participate.

*E d u c a t i o n   C o m m i t t e e   U p d a t e*

## NNHS Task Force Review

*By Bev Spencer*

The Newton North Task Force, met 16 times between January and May of this year. During this time there were also several meetings seeking public comment. The Task Force toured Newton North and also visited the newly renovated areas of Newton South. They heard presentations related to all aspects of the Newton North renovation project - financial, educational, safety and construction.

Once all the above information had been presented to the Task Force, a number of options were then considered. Ultimately five options were deemed worthy of consideration and were evaluated by the Task Force, applying an agreed upon set of criteria.

The information presented to the Task Force led them to conclude that the current physical condition of Newton North is unacceptable and that if the quality of the academic program is to be maintained, significant improvements are necessary. In addition, the Task Force found the "original \$39 million plan is inherently flawed" and that to actually complete that work would cost \$70 million. The increase is due to: renovation costs being higher; relocation costs not having been factored in originally; and safety-related costs existing that were not previously budgeted. From the standpoints of safety, educational feasibility and financing, it is not possible to renovate with students in the building.

The five options considered and evaluated by the Task Force were;

1. The original project with its \$39 million budget;
2. The original project's scope of work at its current cost of \$70 million;
3. A "small hybrid" - 40,000 square foot addition at a cost of \$79 million;
4. A "large hybrid" - 169,000 square foot addition at a cost of \$84 million;
5. A new building - 417,000 square feet with a pool at a cost of \$102 million.

Task Force members were asked to look at the options in the context of cost and to apply the following criteria: 1. Meets educational objectives; 2. Aesthetic appeal; 3. Financing feasibility; 4. Construction feasibility; 5. Timetable; 6. Disruption; 7. Useful life; and 8. Community acceptance.

Twenty-eight members of the Task Force voted on the options and a majority (20) voted for the "Large Hybrid" option which includes renovation of areas such as the auditorium, gym, theaters, pool, Main Street, cafeteria, etc. as well as construction of an addition with new classrooms - general as well as science and career-technical ones. The major criteria noted as supportive of this choice were: meeting educational objectives; minimizing disruption; financing feasibility; and construction feasibility. The other votes of the Task Force: 4 for a new building; 2 for the "Small Hybrid"; 2 for the original project. If School Building Assistance Program funds were definitely reimbursable for a new building, the votes for a new building rise from 4 to 11.

As part of its final report, the Task Force included comments re the financing of the project. Acknowledging the City's historical preference for 10-year bonds and low debt per capita, it was still recommended that the City in this case consider a longer term bond. It was also pointed out that interest rates are now lower than when the original financing plan was created and revenue growth has been higher than projected. Thus, in the Task Force's opinion, borrowing could be done in such a way as to preserve the "AAA" bond rating. The City's chief budget officer gave his opinion, conditional upon further careful study, that it would be possible to fund a \$70 - \$80 million project without any additional revenue sources.

*Continued on page 7*



## Observer Corps

# Action of the Finance Committee of the Board of Aldermen

## FINANCE COMMITTEE MEETING

MAY 12, 2004, ROOM 222

*Committee Members present:* Coletti, Bullwinkle, Stewart, Ciccone and Schnipper; *absent:* Lipof and Parker

Vote tallies are listed as For/Against/Abstained/Absent

Most of the meeting was dedicated to 2004 Budget Review.

**Item #197-03.** The Committee voted 5,0,1,2 to authorize to accept \$12,000 received from the Governor's Highway Safety Bureau. These funds would be used to fund overtime costs for additional traffic safety enforcement, specifically targeting seatbelt enforcement.

**Item #198-03.** The Committee voted 6,0,0,2 to appropriate \$230,101.64 for first of the three payments on a lease of technology for Newton North High School. The source of funding will be \$69,840 from E-rate account and \$160,261.64 from free cash. Future lease payment would be made from Free Cash.

## Community Preservation Fund Allocations

**Item #119-03.** The Committee voted 6,0,0,2 to appropriate \$23,718 from CPF in order to continue improvements to an 8,000 square foot parcel of land at Memorial-Spaulding School. This land will serve as an outdoor classroom and will be used by teachers, school staff and students to enhance classroom curriculum and by the neighborhood to enjoy passive recreation.

**Item #162-03.** The Committee voted 5,0,0,3 (Schnipper left) to appropriate \$96,200 from CPF to fund the restoration of 16 historic interior fixtures in the main corridors of City Hall.

**Item #163-03.** The Committee voted 5,0,0,3 to appropriate \$175,660 from CPF to fund the completion of the restoration of the exterior balustrade and cupola of City Hall with historically appropriate finish.

**Item #125-03.** The Committee voted 5,0,0,3 to appropriate \$119,400 from CPF to fund the rehabilitation of historic windows in the Aldermanic Chamber and Memorial Hall at City Hall.

## FINANCE COMMITTEE MEETING

JUNE 9, 2003, ROOM 222

*Committee Members present:* Coletti, Bullwinkle, Stewart, Ciccone, Lipof, Parker, Gerst and Schnipper.

Vote tallies are listed as For/Against/Abstained/Absent

**Item #216-03.** The Committee voted 8,0,0,0 to accept and expend \$3,000 from Charles River District Medical Society to create a grant program through the Human Services Department to provide subsidies for the prescription drug costs of low-income residents of Newton.

**Item #217-03.** The Committee voted 8,0,0,0 to appropriate \$3,938 from Budget Reserve to supplement the salary account of the Inspectional Services department. These funds are necessary to retain a temporary clerk to fill in while one of the administrative employees of the department is out on unanticipated medical leave.

**Item #218-03.** The Committee voted 7,0,0,1 to appropriate \$15,200 from Free Cash to purchase computer hardware for various departments.

**Item #219-03.** The Committee voted 8,0,0,0 to appropriate \$100,000 from Free Cash to add additional funds to the Municipal Liability Self-Insurance Fund.

**Item #220-03.** The Committee voted 6,1,1,0 to approve the increase in Department of Public Works fees to accurately reflect the City's cost of providing services.

**Item #220-03 (2).** The Committee voted 8,0,0,0 to approve the increase in Department of Public Works fees for sewer back-ups to accurately reflect the City's cost of providing services with a 30% discount for low income families.

**Item #221-03.** The Committee voted 6,0,0,2 to appropriate \$24,206 from Budget Reserve to fund payments (over two years) to the East Middlesex Mosquito Control District to conduct mosquito larva control in catch basins in order to control the spread of West Nile Virus.

**Item #222-03.** The Committee voted 8,0,0,0 to appropriate \$25,000 from Free Cash to fund lighting upgrades at various school buildings. These funds constitute the City's matching funds to the Nstar donation for the continuation of a program in which the utility company pays around 50% to 80% of the cost of new energy efficient light fixtures.

**Item #223-03.** The Committee voted 8,0,0,0 to appropriate \$55,000 from the Capital Stabilization Fund to repair lavatories in various school buildings (specifically at the Day and Brown Middle Schools.) ■

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the Newton Planning and Development Department

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## LWVMass Convention

*By Bonnie Carter*

Four Newton League delegates, Bonnie Carter, Amy Koch, Priscilla Leith, and Beth Lowd, attended the LWVMassachusetts Convention on May 16 and 17. The main event was adoption of the state program for the coming biennium. We adopted two studies: one about voting systems and one about ballot questions. The latter was stimulated by last fall's experience with the bilingual education question. The study will look at initiative petitions for ballot questions—funding, signature requirements, and the use of paid signature gatherers. If you are interested in participating in either of these studies, let us know.

At the convention, we also elected a new president and board of directors, passed a budget, and attended workshops, as well as heard special guest speakers – Suzanne Bates and Joan Venocchi. We enjoyed networking with members of other local leagues. Look for your Mass Voter for more details. ■

## Clean Elections Repeal *Continued from page 3*

3) Arizona and Maine, states with fully implemented Clean Elections Laws, have shown that Clean Elections Laws work. Since the implementation of the law in these states, there has been a significant rise in the number of contested primary and general elections races. In Maine, 62% of the candidates took part in the system, while 53% did the same in Arizona. A recent General Accounting Office study of Clean Elections showed a rise in voter confidence in government after the implementation of the law. Voters in these two states support Clean Elections because they know that it means more choices at the ballot box and more accountability for their states' political leaders.

Money in politics affects every issue in our government, from the environment to healthcare to energy. One of the reasons that reforms long sought by the League have not come about is the array of moneyed interests working against them. Each and every League member needs to speak up for reducing the influence of money in political campaigns. Let's let our Clean Elections Law work! ■

## Education Committee *Continued from page 4*

There is, however, a major assumption underlying all financial analysis, which is that the "large hybrid" would be approved as a revision of the original renovation plan and thus still qualify for the 60% SBAP reimbursement.

The Task Force report concludes with concerns vis-a-vis the amount of time that may be given over to "refinement and approval" of their recommended option. While realizing the need for further planning by public officials, the Task Force asserts the "needs and limitations of the Newton North building are clear and pressing."

Shortly after the release of this final report, Mayor Cohen announced that he would put a non-binding referendum question on the ballot relating to this recommendation. ■

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but our work...NEVER!*

# League of Women Voters Encourage Candidates to Encourage Voters

By Bailey Stoler

On June third, the League of Women Voters Newton (LWVN) held their workshop for candidates: "Don't Stand There...Run!" at the Newton Free Library. Among the attendees were 19 candidates for local office, including those for Alderman, School Committee, and Mayor.

The workshop is designed to educate candidates on the logistical aspects of running a local campaign, from fundraising to form filing to donation reporting.

Amelia Koch, President of the LWVN, moderated.

"So how does encouraging candidates encourage voters," Koch asked in her opening remarks?

"Well, the voters of Massachusetts had the fewer choices last September than in more than 25 years. In last September's primaries, only 13 percent of legislative incumbents had major party competition. Voters have expressed their frustration about this issue in subtle ways.

"In 2000, a quarter of all voters in uncontested elections left the ballot blank. But in races where there was more than one major party contender, the number of blank votes drops dramatically - to 6 percent of voters," Koch cited, stressing the importance of citizens taking an active role in government.

One presenter, Denis Kennedy, Director of Public Information in the Massachusetts

Office of Campaign and Political Finance, detailed Massachusetts Campaign Finance Law, which places comparatively strict regulations on campaign donations.

In order to prevent corruption, a limit of \$500 is set for any individual's giving to a campaign. In Massachusetts, campaign donations from corporations are prohibited. Massachusetts maintains a disclosure law for all gifts larger than fifty dollars.

Lois Pines, Massachusetts State Senator for 12 years, spoke of her experiences from the first days of door-to-door campaigning to her upcoming fundraising dinner for presidential candidate, and Newton native, John Kerry.

"I believe there is ONE critical piece of advice I can give. People have to like you," Pines told the candidates. "Go door-to-door and meet the people of your district.

"[Fundraising] parties are good; literature is good. But if you allow your other obligations to undermine your drive to meet the people you plan to represent, then you are undermining your most important asset: yourself."

Other presenters included Edward English, Clerk of the Board of Aldermen; Peter Karg, Executive Secretary of the Election Commission; and Bonnie Carter, Vice President of LWV.

Questions from the audience peppered the presentations and kept the atmosphere

lively and amiable.

Ted Hess-Mahan, candidate for Alderman-at-Large and longtime member of the LWV, said he comes to the workshop every year.

"I think it was very useful," Hess-Mahan said at the night's end. "I always learn something new, and the speakers offer interesting perspectives." ■

## LWVN CALENDAR

### July

- 14 Monday, 6:30, Working Board Meeting  
Newsletter Deadline
- 17 Thursday, 1:00, Environmental Issues  
Committee Meeting, at Deb Crossley's,  
26 Circuit Ave., Newton Highlands,  
617-244-7597
- 29 Tuesday, Last day for candidates to  
submit Nomination Papers to the  
Election Commission
- 30 Wednesday, 7:15, LWVN Board at  
Ruby Ajane's, 161 Sumner St.  
Newton Centre, 617-243-9888

### August

- 13 Wednesday, 7:15, LWVN Board  
Newsletter Deadline

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