



Finance Committee Report

City of Newton In City Council

Monday, June 12, 2017

Present: Councilors Gentile (Chair), Ciccone, Norton, Brousal-Glaser, Rice, Blazar, Fuller, and Lappin
Also present: Councilor Sangiolo

City staff present: Susan Dzikowski (Comptroller), Jim McGonagle (Commissioner of Public Works), Maureen Lemieux (Chief of Staff/Chief Financial Officer), Bruce Proia (Fire Chief), David MacDonald (Police Chief), Joseph Mulvey (Chief Information Officer), Josh Morse (Commissioner of Public Buildings), Liam Hurley (Assistant Superintendent, Chief Financial and Administrative Officer; School Department), Phil McNulty (Director of the Library), and Jeffrey Herrmann (Library Board of Trustees)

#169-17 Transfer \$45,000 to settle claims filed against the City

HIS HONOR THE MAYOR requesting authorization to transfer the sum of forty-five thousand dollars (\$45,000) from the Law Department's Full-time Salaries Account to the Law Department's Claims/Settlements Account to provide funding for claims filed against the City. [05/30/17 @ 2:28 PM]

Action: Finance Approved 6-0 (Norton and Blazar not voting)

Note: Chief of Staff Maureen Lemieux presented the request to transfer \$45,000 from the Law Department's salaries account to the judgements and settlements account to ensure that there is enough money in the account to fund any settlements reached before the end of the fiscal year. Ms. Lemieux feels this is the best use of the unused funds in the salaries account, as there are only a few thousand dollars left in the judgement and settlements account and it is impossible to predict if, and when, the City will reach a settlement. In addition, any unspent funds in the judgement and settlements account will rollover into Fiscal Year 2018. The Committee members had no questions and Councilor Lappin moved approval, which carried unanimously.

Referred to Public Safety & Transportation and Finance Committees

#174-17 Transfer \$340,000 to fund Police and Fire overtime

HIS HONOR THE MAYOR requesting authorization to transfer the sum of three hundred forty thousand dollars (\$340,000) from the full-time salaries accounts in various department to fund Police and Fire Department overtime. [05/30/17 @ 2:38 PM]

From:	Human Resources Full-time Salaries	\$150,000
	Planning Department Full-time Salaries	\$20,000
	Inspection Services Full-time Salaries	\$70,000
	Library Salaries	\$100,000
To:	Police Department Overtime	\$110,000
	Fire Department Overtime	\$230,000

Public Safety Approved 5-0 on 06/07/17

Action: Finance Approved as Amended 8-0 @ \$440K-additional \$100k from Budget Reserve to Fire Overtime

Note: The Mayor submitted the attached request to amend the docket item by including an additional transfer of \$100,000 from Budget Reserve to the Fire Department's overtime account. Ms. Lemieux expects that the Police Department will only need between \$60,000 and \$70,000 of the requested \$110,000 barring an emergency event. The Fire Department overtime is likely to run close to \$300,000 by the end of the fiscal year, which would leave a buffer of around \$30,000 in the Fire overtime account.

Fire Chief Proia explained that the overtime is over budget because of the addition of a rescue truck to the department this fiscal year. The Chief hired five candidates in July 2016 to ensure that the department would meet minimum manning requirements; however, the candidates did not get into the Fire Academy until April 2017 leaving the department undermanned. Chief of Police MacDonald stated that there were some anomalies this year that resulted in increased overtime costs; such as the Independence Day fireworks, a few retirements, loss of some grant funding, injuries, and additional training for active shooter events. In addition, it is an accreditation year, which means additional officer training. The most consistent need for overtime shifts are a result of the two vacant dispatcher positions and overtime payments resulting from officers covering school crossing locations because crossing guards are not available. The Chief is looking at solutions to the crossing guard shortage but it is difficult because the crossing guards often quit or call in sick as the cold weather sets in. The City added a \$250 bonus this year for all crossing guards that take less than three sick days per year.

There was some concern that the overtime funds were not coming from the Police and Fire salary accounts. Ms. Lemieux explained that the funds are available for transfer in the listed departments due to vacancies but is not available for transfer in either Police or Fire. The Administration increased the overtime accounts in both departments for the upcoming fiscal year. If the requested funds are not used, they will drop to Free Cash on July 1, 2017. Councilor Ciccone moved approval as amended, which carried by a vote of eight in favor and none opposed.

Referred to Public Safety & Transportation and Finance Committees

#175-17 Appropriate \$150,000 from Cable Fees for video cameras for 30 traffic signals
HIS HONOR THE MAYOR requesting authorization to appropriate and expend eighty thousand four hundred seventy-seven dollars (\$80,477) from Cable TV Capital Franchise Fees and sixty-nine thousand five hundred twenty-three dollars (\$69,523) from Cable TV Operating Franchise Fees for the installation of video cameras on approximately 30 traffic signals in Newton. [05/30/17 @ 2:38 PM]

Public Safety Approved Subject to Second Call 5-0 on 06/07/17

Action: Finance Approved 7-0-1 (Lappin abstaining)

Note: Members of the Emergency Management Committee Police Chief MacDonald, Fire Chief Proia, Commissioner of Public Works Jim McGonagle and Commissioner of Public Buildings Josh Morse joined the Committee for discussion of the request for funds to purchase and install video cameras on

30 traffic signals in Newton. The City's Emergency Management Committee feels that the cameras are an invaluable tool in emergency management particularly the ability to monitor large-scale events within the City like the Boston Marathon. The cameras will also help the Police Department with post incident investigations by taking some of the guesswork out of determining fault and liability for accidents. The cameras would provide constant intersection monitoring that could help during any Amber Alerts or other missing person investigation. The City can use the cameras to identify vehicles involved in hit and runs or that cause damage to private and city property. The cameras are also beneficial to the Public Works Department, as they can assist in traffic management by monitoring intersections remotely negating the need for an employee to go to the intersection.

The Public Safety and Transportation Committee approved the request subject to second call because they wanted to see a draft policy and a list of the intersections where the cameras will be located. The requested policy and list were attached to the agenda. Committee members questioned if there are plans to use the video cameras to issue tickets for traffic violations. Police Chief MacDonald stated that there is currently no intention of monitoring the cameras or automatically issuing tickets for common traffic violations; however, there may be cases where the police would issue a citation for a violation that resulted in an accident. There was a suggestion that the Chief should add a statement to that effect to the draft policy. Chief MacDonald will work on the draft language and provide a new draft (attached) to the Councilors before the next full Council meeting. The policy is still a work in progress and members of the Emergency Management Committee, the Law Department, and Executive Office will review the policy.

Each of the members of the Emergency Management Committee submitted intersections on the draft list based on where they thought the most appropriate locations are for cameras. The list of locations is not final and the members will whittle it down to thirty intersections. The cameras are unlikely to be obvious to the public, but the proposed locations are areas where the public has no expectation of privacy. Committee members felt that it is important to inform the public that there are now cameras at certain intersections. The Emergency Management Committee has not discussed if and how the public will be informed but will in the near future.

Some Committee members were concerned that the cable franchise fees were not an appropriate funding source for the purchase of these video cameras. Chief of Staff Maureen Lemieux stated that the Law Department deemed the use appropriate. There was a request for written verification from the Law Department of the appropriateness. In addition, Councilors would like a list of the requirements for the use of the cable franchise funding. Ms. Lemieux and Comptroller Sue Dzikowski will provide the requested information. With that, Councilor Ciccone moved approval with the understanding that a new draft policy that includes language related to ticketing. The motion carried by a vote of seven in favor and one abstention.

#172-17 Transfer \$210,000 to fund technology enhancements

HIS HONOR THE MAYOR requesting authorization to make the following transfers from the full-time salaries accounts in various department to fund system enhancements to

Voice Over Internet Protocol (VoIP), improvements to the Storage Area Network, and enhancements to the City's fiber infrastructure. [05/30/17 @ 2:38 PM]

From:	Executive Full-time Salaries	\$30,000
	Assessing Full-time Salaries	\$20,000
	Treasury Full-time Salaries	\$10,000 \$16,000
	Human Resources Full-time Salaries	\$50,000
	IT Full-time Salaries	\$100,000 \$94,000

To: IT System Enhancements \$210,000

Action: Finance Approved as Amended 8-0

Note: Chief Information Officer Joe Mulvey presented the request to transfer a total of \$210,000 to the Information Technology (IT) Department for some IT system improvements. The Mayor submitted the attached request to amend the item by reducing the transfer from IT full-time salaries by \$6,000 and increasing the transfer from Treasury full-time salaries by \$6,000. The request includes \$100,000 for additional wiring for the Voice over Internet Protocol (VoIP) phone system at Police Headquarters, the Police Annex and a couple of fire stations and to purchase additional phones. Mr. Mulvey expects to use approximately \$40,000 of the request to replace a portion of the Storage Area Network. In addition, the remaining monies will fund necessary enhancements to the City's fiber system for improvements like a new the radio communication system, local college collaboration and the video cameras for traffic signals.

The requested transfers are from salary accounts in several departments. Councilor Sangiolo is concerned about the length of the vacancies particularly the vacancy in IT. The Senior Network Engineer position has been open for a year. She also requested a list of all of the vacant positions within the City. Chief of Staff Maureen Lemieux agreed to provide the list and assured Councilor Sangiolo and the Committee that vacant positions are not held open to generate funds for projects. Mr. Mulvey added that he has not found a qualified candidate for the Senior Network Engineer but he expects to recruit a candidate this upcoming year. There was a statement that the Human Resources Department should help IT in the recruiting for the position. There were no further questions or comments and Councilor Lappin moved approval as amended, which carried unanimously.

Referred to Programs & Services and Finance Committees

#173-17 **Appropriate \$57,676 from E-Rate Funds to purchase technology for schools**

HIS HONOR THE MAYOR requesting authorization to appropriate and expend fifty-seven thousand six hundred seventy-six dollars (\$57,676) from E-Rate reimbursement funds to purchase technology for the Newton Public Schools. [05/30/17 @ 2:38 PM]

Programs & Services Approved 3-0 (Hess-Mahan, Sangiolo, Schwartz not voting) on 06/07/17

Action: Finance Approved 8-0

Note: Assistant Superintendent of Schools Liam Hurley presented the request to appropriate \$57,676 in E-Rate reimbursement funds from the Federal Communications Commission to provide funding for school technology. The School Department plans to use the funds collected during Fiscal Year 2017 to upgrade information technology infrastructure by replacing two district network core switches, which will establish links between all schools, the Education Center and the Police Station. The replacement switches will allow the School Department to leverage the citywide fiber network for bi-directional redundancy and load balancing. In addition, the upgrades will increase network performance within each of the elementary schools. Councilor Lappin moved approval of the item, which carried unanimously.

Referred to Public Facilities and Finance Committees

#176-17 **Appropriate \$350,000 for replacement of the Mondo Track at South High School**
HIS HONOR THE MAYOR requesting authorization to appropriate the sum of three hundred fifty thousand dollars (\$350,000) from bonded indebtedness for the purpose of funding the replacement costs of the Mondo Track at Newton South High School.
[05/30/17 @ 2:38 PM]
Public Facilities Approved 7-0 on 06/07/17
Action: **Finance Approved 8-0**

Note: Commissioner of Public Buildings Josh Morse explained that the requested funds are necessary to replace the failing indoor track in the large gym at Newton South High School. At the request of the Public Facilities Committee, Mr. Morse provided the Councilors with quotes from two contractors that range from \$290,000 up to \$418,000. Mr. Morse is confident that the requested \$350,000 is enough to replace the track. The Public Buildings Department is working with the Athletic Director at Newton South High School and coordinating the project with the School Department. The hope is to complete the track replacement before the start of the basketball season. There was a suggestion that the Newton North High School Director may have some insight, as he has been in the position for a number of years and has experience with track replacements. With that, Councilor Brousal-Glaser moved approval, which carried unanimously.

Referred to Programs & Service, Public Facilities and Finance Committees

#178-17 **Appropriate \$500,000 for renovations to the Newton Free Library**
HIS HONOR THE MAYOR requesting authorization to appropriate the sum of five hundred thousand dollars (\$500,000) from bonded indebtedness for the purpose of funding renovations at the Newton Free Library to include expansion of the Children's Room and other improvements to the First Floor. [05/30/17 @ 2:38 PM]
Programs & Services Approved 6-0 on 06/07/17
Public Facilities split the item into Part A and Part B. Part A – \$75,000 for design and soft costs. Part B - \$425,000 for construction costs
Public Facilities Approved Part A 7-0 and Held Part B 7-0 on 06/07/17
Action: **Finance Approved Part A 8-0 and Held Part B 8-0**

Note: The Public Facilities Committee split the request for funding for renovations to the Newton Free Library into Part A and Part B in order to approve \$75,000 for design and soft costs and hold the remaining \$425,000 for construction. The Public Facilities Committee would like to see the designs for the Children's Room and other first floor improvements before construction commences. Members of the Finance Committee agreed with splitting the item in order to review plans and have a refined cost for construction.

Director of the Library Phil McNulty, President of the Library Board of Trustees Jeff Herrmann and Commissioner of Public Buildings Josh Morse reviewed Part A of the request with the Committee. Commissioner Morse assured the Committee that \$75,000 was enough to complete both conceptual and specific design for the project. The designer will incorporate the project into the already complete master plan for the library, which the Library Board of Trustees funded. The Children's Room was the highest priority item in the master plan. The children's room is often at capacity and children are sometimes unable to participate in programs.

Chief of Staff Maureen Lemieux, Councilor Blazar, Councilor Albright, Commissioner Morse, Director McNulty and Mr. Hermann will meet with City Clerk David Olson on Thursday, June 15, 2017 to discuss the archive space in the Library. The City's archives are located adjacent to the existing Children's Room and are likely to need to relocate as part of a separate archives project. With that, Councilor Ciccone moved approval of Part A and hold on Part B, which carried unanimously.

#181-17 Accept and expend a \$4,981 grant to support the Newton Talks Project

HIS HONOR THE MAYOR requesting authorization to accept and expend a grant in the amount of four thousand nine hundred eighty-one (\$4,981) from the State Historical Records Advisory Board to support the Newton Talks Project. [05/30/17 @ 2:38 PM]

Action: **Finance Approved 8-0**

Note: Director of the Library Phil McNulty presented the request for acceptance of \$4,981 grant from the State Historical Records Advisory Board to provide support for the Newton Talks Project. The Newton Talks Project is an ongoing joint project with the Library, Historic Newton, Senior Services, and the Veterans' Agent to collect and record oral histories provided by Newton veterans. It is a very positive project and provides invaluable information. The grant will provide equipment, transcription and audio file restorations for enhanced recordings. The Committee was pleased that the City received the grant and Councilor Fuller moved approval, which carried by a vote of eight in favor and none opposed.

#142-17 Funding for a Public Information Plan for site clean-up at the Horace Mann School

HIS HONOR THE MAYOR requesting authorization to transfer the sum of fifteen thousand dollars (\$15,000) from the following accounts to the Public Building Department for the development of a public information plan regarding the site clean-up at the Horace Mann School for an oil leak that occurred in 1998. [05/08/17 @ 6:49 PM]

Comptroller Wage & Salary Reserve

(0110498-5197)	\$5,375
Comptroller Budget Reserve	
(0110498-5790)	\$3,810
Free Cash	
(01-3497)	\$5,815

Action: Finance Held 8-0

Note: The Chair asked that the Committee hold the item as there is a neighborhood meeting scheduled on Thursday, June 15, 2017 to discuss the site cleanup at Horace Mann School. Councilor Norton moved hold on item, which carried unanimously.

Referred to Public Safety & Transportation, Public Facilities, and Finance Committees

#182-17 **Appropriate \$450,000 for additional costs for the Dedham/Nahanton St Project**
HIS HONOR THE MAYOR requesting authorization to appropriate the sum of four hundred fifty thousand dollars (\$450,000) from bonded indebtedness for the purpose of funding additional costs for the Dedham/Nahanton/Brookline Streets Intersection Improvements Project including the relocation of utilities and the realigning of Carlson Avenue and Brookline Street. [06/02/17 @ 9:54 AM]

Public Safety Approved 3-0-2 (Harney, Yates abstaining) on 06/07/17

Public Facilities Approved 6-0-1 (Gentile abstaining) on 06/07/17

Action: Finance Approved 8-0

Note: Commissioner of Public Works Jim McGonagle provided details for the request for an additional \$450,000 for the Dedham/Nahanton/Brookline Streets Intersection Improvements Project. The intent is to use the requested funds to move utilities that are located in the proposed public way at Carlson Avenue and Brookline Streets and to fund the realignment of Carlson Avenue and Brookline Street. The intersections are in the top 5% of vehicle accident sites in Newton. Commissioner McGonagle added that some of the increase to the project is due to escalating costs for traffic signals.

The City worked with Mount Ida College, who was willing to give the City a permanent easement in order to realign the Carlson Avenue intersection. Mount Ida College will also relocate their sign at their expense to accommodate the realigned intersection. The school does benefit, as it creates a safer intersection for their students. A Councilor noted that Mount Ida College did not want anything for the easement unlike another college in the City.

The City will go out to bid for the project in the summer and construction should begin in the fall of 2017. The Council already approved \$1.4 million for the project in April 2017. Councilor Lappin moved approval, which the Committee members supported unanimously.

#170-17 **Approval of various sidewalk/curb betterments**
COMMISSIONER OF PUBLIC WORKS requesting approval of the following mentioned sidewalk/driveway apron and/or curb betterments; said betterments to be levied under

the provisions of MGL Chapter 83, Sec. 26, authorizing the assessment of betterments for construction:

Address	Owner Name	Book/Page	Sec/Block/Lot	Total Cost
10 Kilburn Road	Christopher D. & Gabriele SouthGate	026438/0562	330310019	\$2,006.25
888 Beacon Street	Thomas H. & Xiaonng W. Crowley	029290/0026	620090010	\$2,185.00
184 Ward Street (5 Nobscott Rd)	Marvin B. Krims TR, Krims Realty Trust	031477/0304	730390010	\$3,842.50
538 Ward Street	Robert D. & Phuli Cohan	061708/0391	130320005	\$2,912.50
139 Winchester Street	Robert C. & Eleanor M. Pandorf TRS, Winchester Street Realty Trust	001221/0115	830110011	\$2,847.50
		Total		\$13,793.75

Action: Finance Approved 7-0 (Brousal-Glaser not voting)

Note: Commissioner of Public Works Jim McGonagle reviewed the request to assess five curb betterments that are all part of the requested betterment list instead of the betterments done during a road reconstruction. The betterments all meet the required \$2,000 threshold to qualify for a betterment. Commissioner McGonagle informed the Committee that the Public Works Department addressed the entire outstanding individual betterment request up to April 2017. The Committee congratulated the Commissioner and Councilor Rice moved approval, which carried unanimously.

#171-17 Ordinance Amendment Sec 29-80 Sewer Use Charge

HIS HONOR THE MAYOR requesting an amendment to Section 29-80 Sewer Use Charge of the City of Newton Ordinances by adding the following sentence at the end of Paragraph (a): Notwithstanding the foregoing, seasonal water takers not eligible for an outdoor meter under said Section 29-24, shall pay a charge for the use of sewerage works in proportion to water consumption. [05/30/17@ 3:21 PM]

Action: Finance Held and Referred the Item to Public Facilities 8-0

Note: The Chair asked that the Committee hold the item and refer it to the Public Facilities Committee for an in depth discussion, as the requested amendment to the ordinance is more complicated than it appears. The Committee unanimously approved a motion to hold the item and refer to the Public Facilities Committee.

Referred to Public Facilities and Finance Committees

#177-17 Transfer \$150,000 to remove yard waste at the Rumford Avenue Landfill

HIS HONOR THE MAYOR requesting authorization to transfer the sum of one hundred fifty thousand dollars (\$150,000) from the Public Works Department's Snow and Ice Control Account to the Public Works Department's Processing Recyclables to cover costs

of removing several years' worth of soft yard waste in preparation for the Rumford Solar installation. [05/30/17 @ 2:38 PM]

Public Facilities Approved 6-0 (Albright not voting)

Action: Finance Approved as amended 8-0 @ \$170,000

Note: The Committee received the attached letter from the Mayor requesting an amendment to the item by increasing the requested transfer by \$20,000 for a total transfer of \$170,000. Commissioner of Public Works Jim McGonagle explained that the Public Works Department has expended the budgeted funds for hauling yard waste. The original estimate for the number of cubic yards of waste that the City would require hauling for was 15,000, in actuality the City collected 22,000 cubic yards of waste. The request also includes hauling of some materials remaining from last fiscal year. The yard waste needs to be hauled away in order to install the solar array at the landfill. Going forward, the Public Works Department will no longer store yard waste at the Rumford Landfill but will have it hauled away as soon as it is collected. The Commissioner let the Committee know that the City will be changing its vendor for hauling yard waste to LaRusso. The Committee understood need for the funds and Councilor Ciccone moved approval, which carried by a vote of eight in favor and none opposed.

#168-17 Rescind bond authorizations for Elliot Street Bridge and Harvard St signalization
HIS HONOR THE MAYOR requesting rescission of Council Order #280-16 authorizing the City to borrow one hundred sixty-five thousand dollars (\$165,000) for the Elliot Street Bridge Project and rescission of Council Order #277-16 authorizing the City to borrow five hundred thirty thousand dollars (\$530,000) for the Washington Street @ Harvard Street Signalization Project. [05/30/17 @ 2:38 PM]

Action: Finance Approved 8-0

Note: Chief of Staff Maureen Lemieux stated that this is a request to rescind two bond authorizations that are no longer necessary. The first authorization was a bond authorization of \$165,000 to supplement the Elliot Street Bridge Project funding. The City did not need the full amount of the authorization and was able to cover the additional project costs within the Department of Public Works' budget. The second authorization was for \$530,000 to fund the Washington Street @ Harvard Street Signalization Project. The City received a \$400,000 grant from the State's Complete Streets Grant Program that went towards funding the project. The City used other monies to fund remaining \$130,000 needed to complete the project. Councilor Fuller moved approval of the rescissions, which carried unanimously.

Referred to Public Facilities and Finance Committees

#384-16 Appropriate \$71,000 to build an observation deck on the greenway
HIS HONOR THE MAYOR requesting authorization to appropriate and expend seventy-one thousand dollars (\$71,000) from Free Cash for the purpose of construction of an observation deck on the greenway walking corridor. [10/31/16 @ 2:05 PM]

Public Facilities Held on 11/09/16

Action: Finance Voted No Action Necessary 8-0

Note: The Department of Public Works is working on a less elaborate design for the proposed observation deck along the greenway walking corridor in Newton Upper Falls. The Mayor will docket a new request for funding when the design is complete. Therefore, this item is no longer necessary and the Chair asked for a motion to vote the item no action necessary. Councilor Rice moved no action necessary, which carried unanimously.

Referred to PS&T, Prog & Serv, Public Facilities and Finance Committees

#59-17 **Appropriate \$350,000 for construction of a Parks & Recreation/Police building**
HIS HONOR THE MAYOR requesting authorization to appropriate three hundred fifty thousand dollars (\$350,000) from Overlay Surplus for the purpose of funding the construction of a new combined Parks & Recreation and Police Department facility to be located at the Elliot Street DPW yard. [02-17-17 @ 9:29 AM]

Action: **Finance Voted No Action Necessary 8-0**

Note: The request to construct a new Parks & Recreation and Police Department facility at the Elliot Street Public Works Yard is not ready to move forward. It is the end of the fiscal year and the requested funds will no longer be available for appropriation after June 30, 2017. A new docket item will be filed as the Parks and Recreation operations and equipment currently located at 70 Crescent Street must be relocated soon in order to begin the planned housing and park project at Crescent Street. With that, Councilor Fuller moved no action necessary, which carried unanimously.

#397-16 **Discussion w School Administration re \$1.2 million budget deficit**
COUNCILOR GENTILE requesting a discussion with the School Department and members of the School Committee regarding the \$1.2 million deficit in the School Department budget as outlined in the 2017 Fiscal and Operational Update Memo dated October 24, 2016. [11/16/16 @ 10:48 AM]

Action: **Finance Voted No Action Necessary 8-0**

Note: The School Department closed the \$1.2 million deficit it was facing; therefore, the item requires no further discussion or action. Councilor Ciccone moved the item no action necessary, which carried by a vote of eight in favor and none opposed.

All other items before the Committee were held without discussion and the Committee adjourned at 8:25 PM. Draft Council Orders for the above items that are recommended for City Council action are attached.

Respectfully submitted,

Leonard J. Gentile, Chair

CITY OF NEWTON

IN CITY COUNCIL

2017

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chair Leonard J. Gentile, a transfer of funds in the amount of forty-five thousand dollars (\$45,000) from the Law Department’s Full-time Salaries Account to the Law Department’s Legal Claims/Settlements Account for the purpose of providing funding for claims filed against the City, be and is hereby approved as follows:

FROM:	Law Full-time Salaries (0110201-511001).....	\$45,000
TO:	Legal Claims/Settlements (0110893-57253).....	\$45,000

Under Suspension of Rules
Readings Waived and Approved

(SGD) DAVID A. OLSON
City Clerk

(SGD) SETTI D. WARREN
Mayor

Date: _____



City of Newton, Massachusetts
Office of the Mayor

SETTI D. WARREN
MAYOR

#174-17

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(617) 796-1100

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(617) 796-1089

E-mail
swarren@newtonma.gov

June 12, 2017

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

Ladies and Gentlemen:

I write to request that your Honorable Council amend Docket Item # 174-17 by including an additional transfer of \$100,000 from Acct # 0110498-5790 FY17 Budget Reserve to Acct # 0121002-513001 Fire Overtime. This action should ensure that the Fire Department has significant funding in this account through year end.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor

RECEIVED
NEWTON CITY HALL
2017 JUN 12 PM 2:30
DAVID A. OLSON, CLERK
NEWTON, MA 02459

CITY OF NEWTON

IN CITY COUNCIL

2017

ORDERED:

That, in accordance with the recommendation of the Public Safety & Transportation and the Finance Committees through their respective Chairs Allan L. Ciccone, Jr. and Leonard J. Gentile, a transfer of funds in the amount of three hundred forty thousand dollars (\$340,000) from the full-time salaries accounts in various departments to the Police Department’s Overtime Account and the Fire Department’s Overtime Account purpose of providing funding for claims filed against the City, be and is hereby approved as follows:

From:	Human Resources Full-time Salaries (0110901-511001).....	\$150,000
	Planning Department Full-time Salaries (0111401-511001).....	\$20,000
	Inspection Services Full-time Salaries (0122001-511001).....	\$70,000
	Library Salaries (0160103-511001).....	\$100,000
	Budget Reserve (0110498-5790).....	\$100,000
To:	Police Department Overtime (0120103-513001).....	\$110,000
	Fire Department Overtime (0121002-513001).....	\$330,000

Under Suspension of Rules
Readings Waived and Approved

(SGD) DAVID A. OLSON
City Clerk

(SGD) SETTI D. WARREN
Mayor

Date: _____

DRAFT 6/16/17**I. PURPOSES / OVERVIEW**

The City of Newton shall deploy, operate, and maintain a fixed video camera monitoring system within the jurisdiction of the City of Newton to monitor major thoroughfares and evacuation routes that are deemed critical infrastructure as well as "problem" intersections (i.e. those that have been deemed prone to accidents and traffic concerns). The purpose of the camera program is to protect the health, safety and welfare of those who live and work in, visit, and transact business within the City.

The program may also be used to deter criminal activity and public disorder, reduce fear of crime, identify criminal activity and suspects, identify and gather possible evidence for use in criminal and civil court actions, document police actions, safeguard citizen and police officer rights, aid in Amber alerts or in the search for missing children or elders, assist emergency services personnel when responding to incidents, assist with the monitoring of traffic conditions, otherwise assist Department of Public Works (DPW) officials with the provision of municipal services in order to enhance overall municipal efficiency, and assist with the training of city personnel.

The camera system shall not be used to replace current policing techniques. It is to be used to supplement proven policing techniques and assist in the delivery of public safety, provide Homeland Security surveillance during special events and improve the delivery of municipal services.

II. OPERATION AND MANAGEMENT:**A. *Functions of the Program***

Cameras The deployment of the cameras will enable the City of Newton to view, on an ongoing basis and in real time only, images produced by the Newton Camera Program. The Newton Police Chief, Newton Fire Chief and the Commissioner of Public Works shall have exclusive authority over such images.

- Monitoring and Response** The camera system will be passively monitored (*i.e.*, no personnel shall be assigned specifically to observe video monitor screens) under normal operating conditions 24/7. At other times and for specific purposes, the Police may assign officers to monitor the live images. The images will also be actively monitored at any time the Emergency Operations Center (EOC) is operational at Fire Headquarters.

Police Department personnel, with the approval of the Chief are authorized to view archival footage for investigatory purposes.

For the purposes of assessing the effectiveness of intersection and signalization changes or performing traffic counts before planning roadway changes, DPW or outside traffic consultants may also use the system to perform real time monitoring of traffic congestion.

2. **Installation and Recording** Cameras shall transmit signals when operating to a Digital Video Recorder ("DVR"), which shall be maintained in a secure environment.
3. **Privacy** Cameras will be positioned to monitor areas of the roadway where the public has no expectation of privacy. Cameras will not be used for the purpose of viewing private property. The privacy rights of individuals will be protected in accordance with the 4th amendment to the U.S. Constitution and article 14 of the Massachusetts Declaration of Rights.
4. **Camera Inventory/Log** The City's Information Technology (IT) Department shall create and maintain a camera inventory of all cameras placed into service. The IT Department shall document the date each camera is placed into service and, if applicable, discontinued, its location and the places or activities being monitored.
5. **Monthly Visual Inspection** The IT department shall conduct a visual inspection of all cameras on a monthly basis. IT shall document the visual condition of each camera and lighting in the area of the camera observed during each such inspection.
6. **No Sound Recordings** The Newton Camera Program shall not monitor or record sound unless appropriate court orders are obtained.

B. **IMPERMISSIBLE USES**

It is a violation of this Policy to observe or record footage of areas or people in the following manners and for the following purposes:

1. **Invasion of Privacy** Except pursuant to a court order, it is a violation of this Policy to observe, or record footage of, locations except those that are in public view from a vantage point that is accessible to the general public and where there is no reasonable expectation of privacy. Areas in which there is a reasonable expectation of privacy include the interior of private premises such as a home.
2. **Harassment / Intimidation** It is a violation of this Policy to use the Newton Camera Program to harass and/or intimidate any individual or group.
3. **Use / Observation Based on a Protected Characteristic** It is a violation of this Policy to observe individuals solely because of their race, ethnicity, sexual orientation, gender identity or expression, disability or other classification protected by law.

4. **Personal Use** It is a violation of this Policy to use the program for any personal purpose.
5. **First Amendment Rights** It is a violation of this Policy to use the program for the purpose of infringing upon First Amendment rights.

The Camera Surveillance System shall **not** be used for:

1. prolonged or sustained scrutiny of individuals conducting lawful activities in a public setting or situation, including any activities involving the right to free speech;
2. for the identification of routine traffic violators and subsequent mailing of citations;

C. Violations of the Policy

Anyone who engages in an impermissible use of the Newton Camera program may be subject to:

- a. criminal prosecution,
- b. civil liability, and/or
- c. administrative sanctions, including termination, pursuant to and consistent with the relevant collective bargaining agreements and Department policies.

III. REQUESTS FOR REPRODUCTION

- A. Authority to Request / Permissible Requests** Sworn Police Department personnel of the rank of Sergeant and higher are authorized to make a request to IT for a reproduction of a video recording. Requests for reproduction may be made only for legitimate law enforcement purposes, as part of normal procedures for investigations and the handling of evidence.
- B. Prompt Request** All requests to reproduce a video recording shall be made promptly and in any event as soon as possible to ensure that needed data is not over-written. Requests for reproduction of footage of significant incidents (e.g., an assault, an arrest, an accident, etc.) shall be made prior to the conclusion of the patrol shift during which the incident occurred if possible. All images shall be maintained for seventy-two (72) hours.

IV. RETENTION

(To be determined)

V. SPECIFICATIONS/CAPABILITIES

(To be determined)

VI. DISSEMINATION OF INFORMATION INQUIRIES / FOI REQUESTS

(To be determined)

CITY OF NEWTON

IN CITY COUNCIL

2017

ORDERED:

That, in accordance with the recommendation of the Public Safety & Transportation and the Finance Committees through their respective Chairs Allan L. Ciccone, Jr. and Leonard J. Gentile, the appropriation of eighty thousand four hundred seventy-seven dollars (\$80,477) from CATV Capital Franchise Fees and sixty-nine thousand five hundred twenty-three dollars (\$69,523) for the purpose of installing video cameras on approximately 30 traffic signals be and is hereby approved as follows:

FROM:	CATV Regulation Receipts Capital (14L114C-442036C).....	\$80,477
	CATV Regulation Receipts Operating (14L114A-442036).....	\$69,523
TO:	Cameras for Traffic Signals (C401078-58506)	\$150,000

Under Suspension of Rules
Readings Waived and Approved
24 yeas 0 nays

(SGD) DAVID A. OLSON

City Clerk

(SGD) SETTI D. WARREN

Mayor

Date: _____



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#172-17

Telephone
(617) 796-1100

Telefax
(617) 796-1113

TDD
(617) 796-1089

E-mail
swarren@newtonma.gov

June 12, 2017

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

Ladies and Gentlemen:

I write to request that your Honorable Council amend Docket Item # 172-17 by increasing the transfer from Treasury Acct # 0110701-511001 by \$6,000 and by decreasing the transfer from IT Acct #0111101-511001 by \$6,000.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor

RECEIVED
NEWTON CITY HALL
2017 JUN 12 PM 2:30
DAVID A. DISCH, CMO
NEWTON, MA 02459

CITY OF NEWTON

IN CITY COUNCIL

2017

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chair Leonard J. Gentile, a transfer of funds in the amount of, a transfer of funds in the amount of two hundred ten thousand dollars (\$210,000) from the full-time salaries accounts in various departments to the IT System Enhancements Account for the purpose of funding enhancements to VoIP, the storage area network and fiber infrastructure, be and is hereby approved as follows:

From:	Executive Full-time Salaries (0110901-511001).....	\$30,000
	Assessing Full-time Salaries (0111401-511001).....	\$20,000
	Treasury Full-time Salaries (0122001-511001).....	\$16,000
	Human Resources Full-time Salaries (0160103-511001).....	\$50,000
	IT Full-time Salaries (0110498-5790).....	\$94,000
To:	Technology Enhancements (C11113-58512)	\$210,000

Under Suspension of Rules
Readings Waived and Approved

(SGD) DAVID A. OLSON
City Clerk

(SGD) SETTI D. WARREN
Mayor

Date: _____

CITY OF NEWTON

IN CITY COUNCIL

2017

ORDERED:

That, in accordance with the recommendation of the Programs & Services and Finance Committees through their respective Chairs John B. Rice and Leonard J. Gentile the sum of fifty-seven six hundred seventy-six dollars (\$57,676) be and is hereby appropriated for the purpose of upgrading the School Department’s information technology infrastructure, as follows:

From:	E-Rate Receipts Reserved (14I301-4800).....	\$57,676
To:	School Technology (C301052-585111I)	\$57,676

Under Suspension of Rules
Readings Waived and Adopted

(SGD) DAVID A. OLSON
City Clerk

(SGD) SETTI D. WARREN
Mayor

Date: _____

CITY OF NEWTON

IN CITY COUNCIL

2017

ORDERED:

That, for the purpose of funding the costs of the removal and replacement of the Mondo Track at Newton South High School and any and all other costs associated therewith, there be and hereby is appropriated and authorized to be borrowed under and pursuant to Chapter 44, Section 7(1), of the Massachusetts General Laws, as amended and supplemented or pursuant to any other enabling authority, the sum of three hundred fifty thousand dollars (\$350,000), which term shall not exceed 15 years. Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Under Suspension of Rules
Readings Waived and Approved

(SGD) DAVID A. OLSON
City Clerk

(SGD) SETTI D. WARREN
Mayor

Date _____

CITY OF NEWTON

IN CITY COUNCIL

2017

ORDERED:

That, for the purpose of funding the costs of the renovations at the Newton Free Library to include expansion of the Children’s Room and other improvements to the first floor of the Library and any and all other costs associated therewith, there be and hereby is appropriated and authorized to be borrowed under and pursuant to Chapter 44, Section 7(1), of the Massachusetts General Laws, as amended and supplemented or pursuant to any other enabling authority, the sum of seventy-five thousand dollars (\$75,000), which term shall not exceed 5 years. Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Under Suspension of Rules
Readings Waived and Approved

(SGD) DAVID A. OLSON
City Clerk

(SGD) SETTI D. WARREN
Mayor

Date _____

CITY OF NEWTON

IN CITY COUNCIL

2017

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chair Leonard J. Gentile, the authorization to expend a grant from the State Historical Records Advisory Board in the amount of four thousand nine hundred eighty-one dollars (\$4,981) to be administered by the Director of the Newton Free Library to support the Newton Talks Project, be and is hereby approved.

Under Suspension of Rules
Readings Waived and Approved

(SGD) DAVID A. OLSON
City Clerk

(SGD) SETTI D. WARREN
Mayor

Date _____

CITY OF NEWTON

IN CITY COUNCIL

2017

ORDERED:

That, in accordance with the recommendation Finance Committee through its Chair Leonard J. Gentile, the appropriation of five thousand eight hundred fifteen dollars (\$5,815) from Free Cash and a transfer of funds in the amount of fifteen thousand dollars (\$9,185) from Wage and Salary Reserve and Budget reserve to the Public Buildings Department for the development of a public information plan regarding the site clean-up at the Horace Mann School for an oil leak that occurred in 1998, be and is hereby approved as follows:

From:	Free Cash (Appropriation)	
	(01-3497).....	\$5,815
	Comptroller Wage and Salary Reserve (Transfer)	
	(0110498-5197).....	\$5,375
	Budget Reserve (Transfer)	
	(0111498-5790).....	\$3,810
 To:		
	(0111504-530208).....	\$15,000

Under Suspension of Rules
Readings Waived and Approved

(SGD) DAVID A. OLSON

City Clerk

(SGD) SETTI D. WARREN

Mayor

Date: _____

CITY OF NEWTON

IN CITY COUNCIL

2017

ORDERED:

That, for the purpose of funding the costs of the Dedham/Nahanton/Brookline Streets Intersection Improvement Project including the relocation of utilities, the realigning of Carlson Avenue and Brookline Street and any and all other costs associated therewith, there be and hereby is appropriated and authorized to be borrowed under and pursuant to Chapter 44, Section 7(1), of the Massachusetts General Laws, as amended and supplemented or pursuant to any other enabling authority, the sum of four hundred fifty thousand dollars (\$450,000), which term shall not exceed 30 years. Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Under Suspension of Rules
Readings Waived and Approved

(SGD) DAVID A. OLSON
City Clerk

(SGD) SETTI D. WARREN
Mayor

Date _____

CITY OF NEWTON

IN CITY COUNCIL

2017

ORDERED:

That, in accordance with the recommendation of the Commissioner of Public Works and the Finance Committee, the following mentioned sidewalk/driveway apron and/or curb betterments to be graded and constructed and assessments to be levied under the provisions of MGL Chapter 83, Sec. 26, be and are hereby authorized:

Address	Owner Name	Book/Page	Sec/Block/Lot	Total Cost
10 Kilburn Road	Christopher D. & Gabriele SouthGate	026438/0562	330310019	\$2,006.25
888 Beacon Street	Thomas H. & Xiaonng W. Crowley	029290/0026	620090010	\$2,185.00
184 Ward Street (5 Nobscott Rd)	Marvin B. Krims TR, Krims Realty Trust	031477/0304	730390010	\$3,842.50
538 Ward Street	Robert D. & Phuli Cohan	061708/0391	130320005	\$2,912.50
139 Winchester Street	Robert C. & Eleanor M. Pandorf TRS, Winchester Street Realty Trust	001221/0115	830110011	\$2,847.50
Total				\$13,793.75

Under Suspension of Rules
Readings Waived and Approved by Voice Vote

(SGD) DAVID A. OLSON
City Clerk

(SGD) SETTI D. WARREN
Mayor

Date: _____



City of Newton, Massachusetts
Office of the Mayor

SETTI D. WARREN
MAYOR

#177-17

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TDD
(617) 796-1089

E-mail
swarren@newtonma.gov

June 12, 2017

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

David A. Olson, Clerk
Newton, MA 02459

2017 JUN 12 PM 2:30

RECEIVED
NEWTON CITY CLERK

Ladies and Gentlemen:

I write to request that your Honorable Council amend Docket Item # 177-17 by increasing the transfer from DPW Snow and Ice Overtime Acct # 0140110-513001 to Acct # 0140111-52924 DPW Processing Recyclables by \$20,000. This action should ensure that DPW has significant funding in this account through year end.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor

CITY OF NEWTON

IN CITY COUNCIL

2017

ORDERED:

That, in accordance with the recommendation of the Public Facilities and the Finance Committees through their respective Chairs Deborah J. Crossley and Leonard J. Gentile, a transfer of funds in the amount of one hundred seventy thousand dollars (\$170,000) from the Public Works Department’s Snow and Ice Control Account to the Public Work’s Department’s Processing Recyclables Account, be and is hereby approved as follows:

From:	Snow and Ice Control Overtime (0140110-513001).....	\$170,000
To:	Processing Recyclables (0140111-52924).....	\$170,000

Under Suspension of Rules
Readings Waived and Approved

(SGD) DAVID A. OLSON
City Clerk

(SGD) SETTI D. WARREN
Mayor

Date: _____

CITY OF NEWTON

IN CITY COUNCIL

2017

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chairman Leonard J. Gentile, the following rescissions of the following bond authorization orders, be and are hereby approved as follows:

#280-16 Elliot Street Bridge Project\$165,000

#277-16 Harvard & Washington Streets Project.....\$530,000

Under Suspension of Rules
Readings Waived and Approved

(SGD) DAVID A. OLSON
City Clerk

(SGD) SETTI D. WARREN
Mayor

Date: _____

CITY OF NEWTON

IN CITY COUNCIL

, 2017

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chair Leonard J. Gentile, the following item be and is hereby voted NO ACTION NECESSARY:

#397-16 **Discussion w School Administration re \$1.2 million budget deficit**
COUNCILOR GENTILE requesting a discussion with the School Department and members of the School Committee regarding the \$1.2 million deficit in the School Department budget as outlined in the 2017 Fiscal and Operational Update Memo dated October 24, 2016.

Under Suspension of Rules
Readings Waived and Item Voted NO ACTION NECESSARY

(SGD) DAVID A. OLSON, City Clerk