



Finance Committee Report

City of Newton In City Council

Tuesday, September 6, 2016

Present: Councilors Gentile (Chair), Brousal-Glaser, Rice, Blazar, Fuller and Lappin

Absent: Councilors Ciccone and Norton

Also present: Councilors Albright, Auchincloss, Baker, Crossley, Danberg, Hess-Mahan, Kalis, Laredo, Leary, Lennon, Schwartz, and Yates

City staff present: Josh Morse (Commissioner of Public Buildings), Jim McGonagle (Commissioner of Public Works), Shane Mark (Director of Operations; Public Works), Lou Taverna (City Engineer), David Olson (City Clerk/Clerk of the Council), Maureen Lemieux (Chief of Staff/Chief Financial Officer), and David Wilkinson (Comptroller)

#265-16 Request for \$240,850 to fund bond sale costs

HIS HONOR THE MAYOR requesting authorization to appropriate and expend two hundred eight thousand eight dollars (\$208,000) from Fiscal Year 2017 Revenue and transfer the sum of thirty-two thousand eight hundred fifty dollars (\$32,850) from the following account to fund bond issuance costs associated with the City's July 2016 bond sale:

From:

Interest Payments NNHS

0110772-582A51..... \$32,850

To:

Bond Sale Costs..... \$32,850

0110701-5316

[08/01/16 @ 12:50]

Action: Finance Approved 6-0 as Amended – Appropriate \$240,850 from FY 2017 Revenue

Note: Chief of Staff Maureen Lemieux presented the request to approve funding for the bond issuance costs from the July bond sale. A letter (attached) from the Mayor requesting an amendment to fund the entire cost of the bond sale with Fiscal Year 2017 Revenue, which the Committee received. The premium received from the bond sale is enough to cover the costs associated with the sale. Ms. Lemieux further explained that the 2017 Revenue monies are essentially unanticipated revenue received due to the premiums from the bond sale and have not been dedicated to any another purpose.

The City opted to refinance the bonds in July instead of doing it in January of next year because the market was right. The city saved approximately \$13 million dollars over the remaining life of the sold bonds. The Administration has no intention of further bond sales this year as the optimum time to

sell bonds is when they are seven or eight year old and none of the City's bonds meet that criteria. With that, Councilor Fuller moved approval as amended, which carried by a unanimous vote.

#269-16 **Transfer \$800,000 to fund the recently negotiated Patrolman's Association contract**
HIS HONOR THE MAYOR requesting authorization to transfer the sum of eight hundred thousand dollars (\$800,000) from Fiscal Year 2017 Wage Reserve to fund the Fiscal Year 2015 and Fiscal year 2016 retroactive payments of the recently negotiated contract with the Newton Patrolman's Association, as well as Fiscal Year 2017 current year adjustments. [08/01/16 @ 4:19 PM]

Action: **Finance Held 6-0**

Note: At the request of Chief of Staff Maureen, the item was held for a future discussion because additional funds are needed to fund the retroactive payments included in the new contract with the Patrolman's Association. Committee members requested a copy of the Memorandum of Agreement between the City and the Association before the item is discussed. Councilor Lappin moved hold on the item, which carried unanimously.

Referred to Public Facilities and Finance Committees

#276-16 **\$100,000 transfer for cleanup of 70 Crescent Street site**
HIS HONOR THE MAYOR requesting authorization to transfer the sum of one hundred thousand dollars (\$100,000) from Fiscal Year 2017 Budget Reserve to fund the cleanup of the 70 Crescent Street housing project site. [08/01/16 @ 12:50]

Public Facilities Approved 6-0-1 (Lappin abstaining; Lennon not voting)

Action: **Finance Approved 4-0-2 (Blazar and Lappin abstaining)**

Note: The Committee met jointly with the Public Facilities Committee to discuss this item. Commissioner of Public Buildings Josh Morse presented the request for \$100,000 from Budget Reserve to fund the environmental cleanup resulting from petroleum contamination from an underground storage tank of the 70 Crescent Street site. The city's Licensed Site Professional (LSP) consultant presented two cleanup options. The first option is to excavate the contaminated soil from the site. Some of the contaminated soil is located underneath the building at 70 Crescent Street, which means that the City would have to wait until the building is demolished or do an immediate initial excavation and a subsequent excavation once building is demolished. The estimated cost for the excavation is between \$124,000 and \$133,000.

The second option is a chemical injection into the contaminated soil through drilling or injection wells. This option takes a little longer to remediate the contamination but does not require soil removal or finding a site to accept the contaminated soil. In addition, the injections can be done immediately, as there is no need to wait for the building to be demolished. Three months after the injections, the LSP takes groundwater samples to test the effectiveness of the treatment. Although the chemical injections take time to work, the project timeline allows for this approach. If the tests do not show that the chemical injections are working, Commissioner Morse would recommend soil removal

but there have been excellent results with the injection approach. This approach also requires post-remedial soil sampling with a push drill rig. The estimated cost for the injection method is \$58,000.

Both methods require three to four clean groundwater samples after remediation to demonstrate compliance with the Department of Environmental Protection (DEP) list of contaminated sites. Commissioner Morse explained that the previous groundwater samples have been clean. The City may have to work with DEP regarding where construction can take place over the three or four years of testing. Due to the significant savings in using the chemical injection approach and the project timeline, the Administration is recommending the chemical injection method.

A couple of Councilors felt that the soil excavation was the less risky option in terms of the project timeline especially if after testing; the conclusion is that the injections are not working. Commissioner Morse responded that the LSP is recommending the injection method, which is also the DEP's preferred method. There is no delay in construction with the injection method. The City will not be building on the site for the next six months; therefore, the City has the luxury of time. If the initial tests show that the injections are not working, the City would remove the soil. It is likely that some of the contaminated material would be gone as a result of the injections and the excavation could take place during the demolition of the building, which would save money. Members of both Committees asked that Commissioner Morse check with other communities that have used the injection method to see if mitigation was successful. In addition, the Councilors would like the Commissioner to provide some additional information on the chemical injection process and the Material Safety Data Sheets (MSDS) on the chemicals used in the injection. Commissioner Morse agreed to provide the requested information.

Councilor Danberg moved approval in the Public Facilities Committee, which carried by a vote of six in favor with one abstention. Councilor Fuller moved approval of the item in the Finance Committee, which carried by a vote of four in favor with two abstentions.

Referred to Public Facilities and Finance Committees

#279-16

\$125,000 for additional funding for Aquinas Window Project

HIS HONOR THE MAYOR requesting authorization to appropriate one hundred twenty-five thousand dollars (\$125,000) from bonded indebtedness for the purpose of providing additional funding for the Aquinas Window/PCB Abatement Project.
[08/01/16 @ 12:50 PM]

Public Facilities Approved 8-0 as amended @ \$300,000 on 09/06/16

Action:

Finance Approved 6-0 as amended @ \$300,000

Note: The Committee met jointly with the Public Facilities Committee to discuss this item. Commissioner of Public Buildings Josh Morse presented the request for additional funding for the Aquinas School windows and abatement of the PCBs around the windows. Commissioner Morse explained that there is a request to amend the requested funding of \$125,000 to \$300,000. The letter from the Mayor requesting the amendment is attached. Since the item was docketed, elevated levels

of lead and arsenic were discovered in the soil requiring remediation in the area of the planned Pre-K playground on the Walnut Park side of the building. The high arsenic levels are likely due to past use of arsenic-containing insecticides on trees and plants in that area. The arsenic remediation will require the removal of the top 12" of soil in the playground area.

The window replacement, the PCB abatement, and arsenic abatement will be complete by the start of Pre-School on Monday, September 12, 2016. When school starts, it is likely that there will be a stockpile of soil in the Jackson Road parking lot to be removed to a certified landfill as soon as possible. The Public Buildings Department will secure the soil by placing a poly sheet under and over the soil and fencing off that area of the parking lot. Commissioner Morse added that the arsenic abatement requires the removal of four trees, which the City will replace once the project is complete. With that, Councilor Albright moved approval in Public Facilities Committee and Councilor Fuller moved approval in Finance Committee and both motions carried unanimously.

Referred to Public Facilities and Finance Committees

#274-16 \$250,000 to purchase a new Gradall truck

HIS HONOR THE MAYOR requesting authorization to appropriate two hundred fifty thousand dollars (\$250,000) from bonded indebtedness to fund the purchase of a new 2016 Gradall truck. [08/01/16 @ 12:50 PM]

Public Facilities Approved 8-0 on 09/06/16

Action: Finance Approved 6-0

Note: The Committee met jointly with the Public Facilities Committee to discuss this item. Commissioner of Public Works Jim McGonagle presented the request for \$250,000 to purchase a new Gradall excavator truck. The new excavator will replace a 1985 excavator that is beyond its useful life and cannot be repaired. The new excavator is in this year's Capital Improvement Plan. Councilor Lappin moved approval of the request in both Public Facilities and Finance Committees. The item was unanimously approved in both Committees.

Referred to Public Facilities and Finance Committees

#277-16 \$530,000 for traffic signal upgrades at Washington and Harvard Streets

HIS HONOR THE MAYOR requesting authorization to appropriate the sum of five hundred thirty thousand dollars (\$530,000) from bonded indebtedness to fund the construction and installation of traffic signal upgrades at the intersection of Washington Street and Harvard Street. [08/01/16 @ 12:50 PM]

Public Facilities Approved 8-0 on 09/06/16

Action: Finance Approved 6-0

Note: The Committee met jointly with the Public Facilities Committee to discuss this item. Commissioner of Public Works Jim McGonagle presented the request for \$530,000 to improve public safety at the intersection of Harvard and Washington Streets. There have been two pedestrian/motor vehicle accidents in the past year. The Public Works Department hired a traffic consultant to study the

intersection who is recommending fully signalized traffic lights at the intersection, as well as curb bump outs to shorten the pedestrian crossing. The consultant does not anticipate any major impact to traffic with the addition of a new signal in this location. There was question from a Public Facilities Committee member related to whether the new signals would be coordinated with the two nearest signalized intersections on Washington Street. Commissioner McGonagle explained that intersections are not coordinated if they are over 1,500' from one another. If traffic issues arise because of the new signals, the nearest traffic signals can be coordinated.

Members of both Committees questioned the budget line item of \$46,500 for an ornamental signal pole. Commissioner McGonagle stated that ornamental signal poles are for village centers and he would like to have further conversations with the Ward Councilors before determining that the signal pole should be standard; however, the Commission supports the use of a standard pole. This project has not been sent out to bid and there is time to removal the line item.

It was pointed out that the Village Café and marijuana facility both contributed to traffic mitigation funds and some of that money may still be available to use on this project. Commissioner McGonagle will look into the possibility. There were no further questions, Councilor Lappin moved approval of the request in both Public Facilities, and Finance Committees and the motions were approved in both committees.

Referred to Public Facilities and Finance Committees

#278-16 **\$200,000 for design of a section of Laundry Brook culvert by the Cabot School**
HIS HONOR THE MAYOR requesting authorization to appropriate and expend two hundred thousand dollars (\$200,000) from the Stormwater Management Fund reserve for the purpose of funding the design of a section of the Laundry Brook culvert adjacent to the Cabot Elementary School. [08/01/16 @ 12:49 PM]
Public Facilities Approved 8-0 as amended @ \$220,000 on 09/06/16
Action: **Finance Approved 6-0 as amended @ \$220,000**

Note: The Committee met jointly with the Public Facilities Committee to discuss this item. Commissioner of Public Works Jim McGonagle presented the request for \$200,000 to fund the design of a section of the Laundry Brook Culvert adjacent to the Cabot Elementary School. The Commissioner requested that the Committees amend the item by increasing the request to \$220,000 to fund an addition section of culvert design. The letter from the Mayor requesting the amendment is attached. The repair of Laundry Brook Culvert was moved up the priority list, as it needs to be done prior to the rehabilitation of the Cabot Elementary School. No other storm water projects are being moved to accommodate this project. The funds are available in the Storm Water Management Fund Reserve because of savings in the Dedham Street Storm Water Project. Once the design is complete, the repair work will begin. The estimated cost of the repair to the section of culvert is \$2.8 million. All work related to the culvert repair will be done while school is out of session. Councilor Albright moved approval of the item as amended in Public Facilities Committee, which carried unanimously. Councilor

Lappin moved approval of the item as amended in Finance Committee, which carried by a vote of six in favor and none opposed.

Referred to Public Facilities and Finance Committees

#280-16 \$165,000 for additional funding for the Elliot Street Bridge Project

HIS HONOR THE MAYOR requesting authorization to appropriate one hundred sixty-five thousand (\$165,000) from bonded indebtedness for the purpose of providing additional funding for the Elliot Street Bridge Project. [08/01/16 @ 12:50 PM]

Public Facilities Approved 8-0 on 09/06/16

Action: **Finance Approved 6-0**

Note: The Committee met jointly with the Public Facilities Committee to discuss this item. Commissioner of Public Works Jim McGonagle presented the request for \$165,000 in additional funding for the Elliot Street Bridge Project. The funds are needed to cover the upfront costs of undergrounding the utilities on the bridge and other utility related work. The City is receiving a reimbursement of \$234,000 from Eversource but the City has not received that check and the requested funds are needed to continue work.

The Commissioner gave a brief update on the project. The project may be completed before the anticipated December completion date. The project is not yet over budget but the contractor encountered steel beams in the bridge that had to be removed at an additional cost of \$80,000. The additional costs were funded through the project's contingency funds. Councilor Laredo moved approval as amended in Public Facilities Committee and Councilor Lappin moved approval as amended in the Finance Committee.

Referred to Programs & Services and Finance Committees

#271-16 \$100,000 to fund implementation of early voting procedures

HIS HONOR THE MAYOR requesting authorization to transfer the sum of one hundred thousand dollars (\$100,000) from Budget Reserve to fund the City's compliance with new early voting procedures, which includes the purchase of 15 electronic poll books and associated printers, software licensing, set-up, annual maintenance fee, and funding for poll workers to run the early voting locations, police details, custodial staff and Public Works staff for the early voting days. [08/01/16 @ 12:49 PM]

Programs & Services Approved 7-0 on 09/06/16

Action: **Finance Approved 6-0**

Note: The Committee met jointly with the Programs & Services Committee to discuss this item. City Clerk David Olson presented the request for \$100,000 to fund early voting for the November election. The State Legislature approved early voting for the State General Elections beginning with the November 8, 2016 Presidential/State General Election. Early voting will take place starting at 8:30 AM on Monday, October 24 and ending at 5:00 PM on Friday, November 4, 2016. City Hall will be open Monday October 24, 2016 through Friday, October 28 from 8:30 AM to 8:00 PM for early voting and

again from Monday October 31 through Thursday, November 3. On Friday, November 4, City Hall will be open for early voting from 8:30 AM to 5:00 PM. In addition, the schedule includes early voting at Newton North and Newton South High Schools from Noon to 5:00 PM on Saturday, October 29 and Sunday October 30, as well as City Hall. In order to assist the senior community, there will be early voting sites at residential facilities located throughout the City. The residential facilities will each be open for 3 hours one day each. These sites will be available to all voters during the sites early voting hours. The City's election Commission has approved the early voting schedule.

The funds will be used to purchase 15 electronic poll books, associated equipment and licenses. Funds will also be used to pay poll workers, police details, custodial staff, and Public Works staff during the Early Voting timeframe. The estimated cost of implementing early voting is \$56,000. Unfortunately, early voting is an unfunded mandate from the State; however, the State is offering grants for a city or Town that opens for early voting on the weekends. Mr. Olson has applied for grant funding.

The remaining funds will be used to purchase four electronic poll pads for each of the City's precincts. Additional information on the electronic poll pads was provided with the Finance Agenda for the meeting. There was some concern related to whether it was possible to hack the poll pads. Mr. Olson assured the Committees that security measures were in place for the electronic poll pads. With that, Councilor Schwartz moved approval in Programs & Services Committee and Councilor Lappin moved approval in the Finance Committee. Both motions carried unanimously.

The Committee adjourned at 8:10 PM.

Respectfully submitted;

Leonard J. Gentile, Chair



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#265-16

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(617) 796-1100

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(617) 796-1113

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(617) 796-1089

E-mail
swarren@newtonma.gov

August 9, 2016

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

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to amend Docket Item # 265-16 *Request for \$240,850 to fund bond sale costs* – by deleting the request to transfer the sum of \$32,850 from Interest Payment/Newton North, and replacing it with a request to find the entire cost of the bond sale with Fiscal Year 2017 Revenue.

The City actually received \$245,691 in Bond Sale Premium, therefore the entire bond sale cost can be covered by the FY2017 Revenue.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor

RECEIVED
Newton City Hall
2016 AUG -9 PM 2:57
David A. Olson, Clerk
Newton, MA 02459





SETTI D. WARREN
MAYOR

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Office of the Mayor

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RECEIVED
NEWTON CITY OFFICE
2016 AUG 30 PM 3:49
David A. Olson, Clerk
Newton, MA 02459

August 30, 2016

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 # 279-16 requesting \$125,000 for additional funding for the Aquinas Window Project by replacing the sum of \$125,000 with the sum of \$300,000.*

During recent final soil testing the City found the presence of elevated Lead and Arsenic levels in the soil that has required DEP Notification and will result in the remediation of the soil in the area of the proposed Pre-K playground on the Walnut Park side of the building. Based on the testing, twelve (12) inches of soil will be removed, disposed of, and replaced. Details are provided in the attached letter from Josh Morse, Commissioner of Public Buildings.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

City of Newton



PUBLIC BUILDINGS DEPARTMENT

Josh Morse, Building Commissioner

Telephone (617) 796-1600

FAX (617) 796-1601

TTY: (617) 796-1608

52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

Setti D. Warren

Mayor

August 30, 2016

Mayor Setti D. Warren
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

RE: Summary of soil issues: Aquinas Window Project

Dear Mayor Warren:

The Public Buildings Department has recently found the presence of elevated Lead and Arsenic levels in the soil that has required DEP Notification and will result in the remediation of this soil in the area of the proposed playground on the Walnut Park side of the building. The soil sampling results were found during the required profiling of the PCB containing soil manifests as part of the original EPA/DEP mandated soil removal portion of the project within 3' of the exterior of the building.

On 12/14/15 we sampled the perimeter of the building, and elevated levels of PCB's and Asbestos were found. This was all that was tested for at the time, because it's what we needed in order to get a plan approved by the DEP.

On 8/9/16 we performed a full screening of the soils, which included testing for a very wide variety of organics, metals, and solid. This was the first time we had a sample with elevated arsenic levels.

On 8/22/16 after completing the soil removal around the perimeter of the building, additional tests showed low levels of arsenic within the acceptable limits. It was also at this time that the decision had been made to place the playground on the Walnut Park side of the building. This was directly adjacent to where we had high levels of arsenic, and we therefore felt it was in the best interest of the children to test the playground area to make sure it was safe. Those results came in later on 8/22/16, and showed elevated arsenic levels.

Today, 8/30/16 we received the test results for the playground area confirming that the contamination does not spread below one foot of depth.

Attached is a spreadsheet of the results of (6) six samples that show the Lead Level to be just at the reportable level of 200 mg/kg in one sample and below in the other five samples. The Arsenic levels in the six (6) samples have levels from between 23 mg/kg to 45 mg/kg, all above the reportable level being 20 mg/kg.

Based upon these preliminary results, an estimated 750 tons of soil at the site will require removal, disposal and replacement.

The City is required to complete a RAM Plan (Release Abatement Measures Plan) for the MA DEP for the proposed work and that plan is currently being prepared by our Licensed Site Professional (LSP), Lord Associates. They are in the process of preparing the submittal of this plan. The removal of the required soil is scheduled to begin on Thursday of this week and continue through next week.

Based upon the preliminary results, it is anticipated that the removal of the soil from the Playground Site will occur before school begins but could be stock piled in a secured area adjacent to the Jackson Road parking lot until it can be removed to a certified landfill.

Should you have any questions regarding the above, please feel free to contact my office.

Sincerely,

Josh Morse
Public Buildings Commissioner

cc: Maureen Lemieux, Chief Financial Officer
Alex Valcarce, Deputy Commissioner
Dori Zaleznik, Chief Admin Officer

Sample Results Summary with MCP /GW-3 Criteria.											
CLIENT SAMPLE ID	SAMPLING DATE	LAB SAMPLE ID	CAS Number	SI/G3-14	Units	SF-1	SF-2	SF-3	SF-4	SF-5	SF-6
						15-AUG-16 L1625528-01	15-AUG-16 L1625528-02	15-AUG-16 L1625528-03	15-AUG-16 L1625528-04	15-AUG-16 L1625528-05	15-AUG-16 L1625528-06
						Qual	Qual	Qual	Qual	Qual	Qual
General Chemistry											
MCP Total Metals											
Arsenic, Total	7440-38-2	20			mg/kg	45	32	35	28	23	24
Lead, Total	7439-92-1	200			mg/kg	200	120	120	120	89	110
MCP Polychlorinated Biphenyls											
Alpha Analytical Labs provides this custom reporting format as a convenience to our clients. As such, we cannot be held liable for errors or omissions associated with the regulatory standards listed above and/or the sample results highlighted by comparison with the standards (Effective as of June 20, 2014).											
Only compounds detected with reporting limits that exceed the corresponding regulatory standard in at least one sample are included on the summary sheets.											
Refer to the laboratory report in Adobe Acrobat (.PDF) format to check results or read any associated project narrative that may be present. In all cases, the signed, hardcopy Alpha Analytical Labs laboratory report is the official document for reporting laboratory results.											

Sample Results Summary with MCP /GW-3 Criteria.									
CLIENT SAMPLE ID									
SAMPLING DATE									
LAB SAMPLE ID									
CAS Number	SI/G3-14	Units	SF-1	SF-2	SF-3	SF-4	SF-5	SF-6	Qual
General Chemistry									
MCP Total Metals									
Arsenic, Total	7440-38-2	20	45	32	35	28	23	24	
Lead, Total	7439-92-1	200	200	120	120	120	89	110	
MCP Polychlorinated Biphenyls									
<p>Alpha Analytical Labs provides this custom reporting format as a convenience to our clients. As such, we cannot be held liable for errors or omissions associated with the regulatory standards listed above and/or the sample results highlighted by comparison with the standards (Effective as of June 20, 2014).</p> <p>Only compounds detected with reporting limits that exceed the corresponding regulatory standard in at least one sample are included on the summary sheets.</p> <p>Refer to the laboratory report in Adobe Acrobat (.PDF) format to check results or read any associated project narrative that may be present. In all cases, the signed, hardcopy Alpha Analytical Labs laboratory report is the official document for reporting laboratory results.</p>									



SETTI D. WARREN
MAYOR

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Office of the Mayor

#278-16

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September 6, 2016

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 # 278-16 requesting authorization to appropriate and expend two hundred thousand dollars (\$200,000) from the Stormwater Management Fund for the design of a section of the Laundry Brook culvert* by replacing the sum of \$200,000 with the sum of \$220,000.

As designs of the Cabot Elementary School have been refined, it has become apparent that the City should complete improvements to the culvert all the way across Parkview. In order to add this additional section to the culvert design, an extra \$20,000 is required. DPW had updated their request to reflect this adjustment however the actual docket request did not.

Thank you for your consideration of this matter.

Very truly yours,

A handwritten signature in cursive script that reads "Setti D. Warren".

Setti D. Warren
Mayor