

CITY OF NEWTON

IN BOARD OF ALDERMEN

FINANCE COMMITTEE AGENDA

MONDAY, FEBRUARY 10, 2014

**7 PM**  
**Room 222**

**Chairman's Note: The Committee will meet jointly with the Public Facilities Committee to discuss Docket Items #40-14, #38-14, and #39-14.**

**ITEMS TO BE DISCUSSED:**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#40-14 HIS HONOR THE MAYOR requesting authorization to transfer the sum of one million three hundred eight thousand four hundred ninety-three dollars from the Operating Sewer Reserve Fund to the following projects:

Project Area 2 Design for the Auburndale, Lower Falls, and West Newton areas, and \$181,500

Project Areas 3 & 4 inspection and assessment for the Lower Falls, Newton Centre, Newtonville, and Chestnut Hill areas. \$1,126,993

[01/27/14 @ 12:53 PM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#38-14 HIS HONOR THE MAYOR requesting authorization to transfer the sum of two hundred seventy-five thousand dollars (\$275,000) from Budget Reserve for Snow and Ice Removal to the Public Works Department. [01/27/14 @ 12:53 PM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#39-14 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of one hundred thousand dollars (\$100,000) from the Stormwater Surplus Fund to conduct an assessment of the City's stormwater system and to develop a stormwater Infrastructure Improvement Plan. [01/27/14 @ 12:53 PM]

#37-14 HIS HONOR THE MAYOR requesting authorization to settle a legal claim and transfer the sum of seventy-five thousand dollars (\$75,000) from the Liability Self Insurance Fund to the Law Department Judgment and Settlements Account for the purpose of repairing the basement of property on Union Street damaged by the City. [01/27/14 @ 12:54 PM]

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The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, please contact the Newton ADA Coordinator, Joel Reider, at least two days in advance of the meeting: [jreider@newtonma.gov](mailto:jreider@newtonma.gov) . or 617-796-1145. For Telecommunications Relay Service dial 711.

#35-14 HIS HONOR THE MAYOR requesting authorization to transfer the sum of forty thousand dollars (\$40,000) from accrued saving in the Executive Department's Salary Accounts to fund the remainder of the design of the Manet Road Emergency Communications Facility including site modifications and tower optimization. 01/27/14 @ 12:53 PM]

#36-14 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of sixteen thousand nine hundred eighteen dollars and seventy-eight cents (\$16,918.78) from Fiscal Year 2014 Budget Reserve for the settlement of a loss of function and disfigurement claim. [01/29/14 @ 11:42 AM]

#432-13 COMPTROLLER requesting that the Board of Aldermen select a qualified public accounting firm to complete the City's annual financial audit for Fiscal years 2014 to 2018. [12-04-13 @ 10:42 AM]

Re-appointment by His Honor the Mayor

#32-14 JAMES E. SHAUGHNESSY, 12 Northgate Road, Chelmsford, re-appointed to the City of Newton Board of Assessors for a term to expire February 1, 2017. (60 days - 04/14/14) [01/22/14 @ 12:45 PM]

Re-appointment by His Honor the Mayor

#33-14 ELIZABETH DROMEY, 15 Horace Road, Belmont, re-appointed to the BOARD OF ASSESSORS for a term expiring on February 1, 2016. (60 days - 04/14/14) [01/22/14 @ 12:45 PM]

**ITEMS NOT TO BE DISCUSSED:**

**REFERRED TO LAND USE AND FINANCE COMMITTEES**

#79-12(2) COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of nine hundred ten thousand one hundred seventy-nine dollars (\$910,179) from the Community Preservation Fund to the Planning & Development Department for a grant to Myrtle Village, LLC, to create 7 units of permanently affordable rental housing at 12 and 18-20 Curve Street, West Newton, as described in the proposal submitted in August – October 2013. [11/06/13 @ 4:08 PM]

**LAND USE APPROVED 7-0 on 02-04-14**

#34-14 ALD. FULLER requesting a discussion with the Executive Office regarding the current status and challenges related to the City of Newton pension and retiree healthcare (OPEB) systems. [01/11/14 @ 5:22 PM]

**REFERRED TO FINANCE AND APPROPRIATE COMMITTEES**

#403-13 HIS HONOR THE MAYOR submitting the FY15-FY19 Capital Improvement Plan and Long Range Projection pursuant to section 5-3 of the Newton City Charter. [10/21/13 @ 9:59 AM]

**REFERRED TO FINANCE AND PROGRAMS & SERVICES COMMITTEE**

- #402-13 ALD. FULLER, GENTILE, RICE and LINSKY requesting a Home Rule Petition to amend Article 9 of the Charter to clarify that Neighborhood Area Councils shall maintain and control their own financial accounts and records, independent of City finances; and to further clarify that such independent financial accounts and records shall remain subject to City audit. [10/28/13 @ 10:18 AM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #288-13 PUBLIC FACILITIES & FINANCE COMMITTEES requesting that the Administration update the Board of Aldermen when a funding source is determined for the Zervas Elementary School Feasibility Study. [07-11-13 @ 10:10 AM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #41-13 ALD. CROSSLEY, FULLER AND SALVUCCI requesting a discussion with the administration to review how the city inventories, plans for, budgets and accounts for needed smaller capital expenditures (currently set at under \$75,000), which are excluded from the Capital Improvement Plan (CIP); how to make these non-CIP capital maintenance items visible, and how to integrate them with the overall planning, CIP, and budgeting processes. [01/14/13 @ 5:02 PM]

**REFERRED TO ZONING & PLANNING, LAND USE & FINANCE COMMITTEES**

- #273-12 ALD. CROSSLEY & HESS-MAHAN requesting a restructuring and increase in fees for permits charged by the Inspectional Services Department and fees charged by the Planning Department and City Clerk to assure that fees are both sufficient to fund related services provided and simple to administer.

**REFERRED TO FINANCE AND APPROPRIATE COMMITTEES**

- #257-12 RECODIFICATION COMMITTEE recommending (1) review of the Fees, Civil Fines/Non-Criminal Disposition contained in Chapter 17 LICENSING AND PERMITS GENERALLY and Chapter 20 CIVIL FINES/NON-CRIMINAL DISPOSITION CIVIL FINES to ensure they are in accordance with what is being charged and (2) review of the acceptance of G.L. c. 40 §22F, accepted on July 9, 2001, which allows certain municipal boards and officers to fix reasonable fees for the issuance of certain licenses, permits, or certificates.

**REFERRED TO PROG & SERV, PUB. FAC., ZAP, AND FINANCE COMMITTEES**

- #256-12 ALD. HESS-MAHAN, SANGIOLO & SWISTON proposing and ordinance promoting economic development and the mobile food truck industry in the City of Newton. [08/06/12 @4:46 PM]

**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

- #254-12 (3) PROGRAMS & SERVICES COMMITTEE proposing an ordinance to require a fee, charged to consumers, for the use of paper bags at certain retail establishments in the City of Newton. [01/10/14 @ 3:36 pm]
- #248-12 RECODIFICATION COMMITTEE recommending that **ARTICLE IV. PURCHASES AND CONTRACTS, Secs. 2-182 through 2-205**, be amended to make it consistent with state law.
- #247-12 RECODIFICATION COMMITTEE recommending that Chapter 18 MEMORIAL FUNDS AND TRUSTS be reviewed relative to the consequences and practices of special legislation passed by the General Court in 2007, Chapter 75 of the Acts of 2007, in which the City sought and was granted an exemption from G.L. Chapter 44 §54, which intent was to allow the City greater flexibility in terms of investments.

**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

- #185-12 ALD. BAKER, BLAZAR, SANGIOLO, LINSKY, ALBRIGHT & DANBERG requesting that the Board of Aldermen adopt a RESOLUTION to His Honor the Mayor asking that, when the Mayor seeks future Board approval for bonding the cost of additional capital facilities or equipment for the schools, he include in that funding request, as well as in the city-wide Capital Improvement Plan, the estimated costs needed for funding the capital technology needs of the Newton Schools, including the appropriate portions of the estimated project costs of the School Committee's three-year district-wide technology plan not anticipated to be funded by the Information Technology Department budget; the anticipated technology grants from Boston College for the elementary schools; and/or estimated revenue from the E-rate Technology Reimbursement Program.  
**PROGRAMS & SERVICES APPROVED 6-0 on 07/11/12**

**REFERRED TO ZONING AND PLANNING AND FINANCE COMMITTEES**

- #102-11 ALD. HESS-MAHAN, JOHNSON, COMMISSIONER LOJEK, AND CANDACE HAVENS requesting an amendment to Chapter 17 to establish a fee for filing a notice of condo conversion. [03-29-11 @ 4:55PM]  
**ZONING & PLANNING APPROVED 6-0 on 6/10/13**

**REFERRED TO ZONING AND PLANNING AND FINANCE COMMITTEES**

- #95-11 ALD. HESS-MAHAN proposing an ordinance requiring that a notice of conversion to condominium ownership be filed with the Inspectional Services Department and that the property be inspected to determine compliance with all applicable provisions of the state and local codes, ordinances and the rules and regulations of all appropriate regulatory agencies. [03-24-11 @ 9:30AM]  
**ZONING & PLANNING APPROVED 6-0 on 6/10/13**
- #41-11(2) ALD. CICCONE requesting implementation of the fees associated with the Winter Overnight Parking Pilot Program. [09/19/13 @ 3:49 PM]

#276-10

**REFERRED TO LAND USE & FINANCE COMMITTEES**

ALD. FULLER, CROSSLEY, DANBERG, LINSKY requesting a review of guidelines for mitigation fund provisions to maximize the use of such funds on behalf of the city together with mechanisms by which the city can better track such funds to ensure they are used in a timely fashion.

Respectfully submitted,

Leonard J. Gentile, Chairman

#40-14



SETTI D. WARREN  
MAYOR

City of Newton, Massachusetts  
Office of the Mayor

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swarren@newtonma.gov

January 27, 2014

Honorable Board of Aldermen  
Newton City Hall  
1000 Commonwealth Avenue  
Newton Centre, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to transfer the sum of \$1,308,493 from the City's Operating Sewer Reserve Fund to the following projects:

- \$181,500 - Project Area 2 Design for the Auburndale, Lower Falls, and West Newton areas, and
- \$1,126,993 – Project Areas 3 & 4 Inspection and Assessment for the Lower Falls, Newton Centre, Newtonville, and Chestnut Hill areas.

Both projects are intended to reduce sewer infiltration and inflow sources and provide improvements to the City's sewer infrastructure. The current balance in the operating reserve is \$2,952,519.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Setti D. Warren".

Setti D. Warren  
Mayor

RECEIVED  
Newton City Clerk  
2014 JAN 27 PM 12:53  
David A. Olson, CMC  
Newton, MA 02459



City of Newton



DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE COMMISSIONER

1000 Commonwealth Avenue  
Newton Centre, MA 02459-1449

Setti D. Warren  
Mayor

January 9, 2014

To: Mayor Setti D. Warren

From: David F. Turocy, Commissioner

Via: Robert R. Rooney, Chief Operating Officer  
Maureen Lemieux, Chief Financial Officer

Re: Docket Item Request  
Sewer CIP Project Area 2 Design, Auburndale, Lower Falls, and West Newton

Public Works requests an appropriation of \$181,500 from sewer reserve funds to complete the Sewer CIP Project Area 2 Design, for the Auburndale, Lower Falls and West Newton areas. We currently have \$938,048 in the capital reserve and \$2,952,519 in the operating reserve.

Weston & Sampson Engineers, Inc. (W&S) was selected to perform this work. This project consists of construction design work intended to ultimately reduce sewer infiltration and inflow sources and provide improvements to sewer structures in the Project 2 area. The Weston & Sampson scope of services is as follows:

- Design of under-drain access point repairs
- Design of sewer manhole and pipeline rehabilitations
- Utility location investigations
- Development of construction documents (contract plans and specifications)
- Development of construction cost estimates
- Provide bid evaluations and recommendation for bid award

Please forward this request to the Board of Aldermen for their consideration.

Thank you.

David F. Turocy  
Commissioner Public Works

cc: Lou Taverna, City Engineer  
Ted Jerdee, Acting Utilities Director  
Ron Mendes, DPW Business Manager

City of Newton



DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE COMMISSIONER

1000 Commonwealth Avenue  
Newton Centre, MA 02459-1449

Setti D. Warren  
Mayor

January 9, 2014

To: Mayor Setti D. Warren

From: David F. Turocy, Commissioner

Via: Robert R. Rooney, Chief Operating Officer  
Maureen Lemieux, Chief Financial Officer

Re: Docket Item Request  
Sewer CIP Project 3 & 4 Inspection and Assessment,  
Lower Falls, Newton Centre, Newtonville and Chestnut Hill Area

Public Works requests an appropriation of \$1,126,993 from sewer reserve funds to complete the Sewer CIP Project Areas 3 & 4 Inspection and Assessment, for the Lower Falls, Newton Centre, Newtonville, and Chestnut Hill areas. We currently have \$938,048 in the capital reserve and \$2,952,519 in the operating reserve.

Weston & Sampson Engineers, Inc. (W&S) was selected to perform this work. This project consists of inspection and assessment work intended to ultimately reduce sewer infiltration and inflow sources and provide improvements to sewer structures in the Project 3 & 4 areas. The Weston & Sampson scope of services is as follows:

- Inventory of existing sewer conditions and data collection
- Sewer location map development
- Physical survey of sewer manholes for detection of infiltration and inflow
- Sewer flow isolation
- Sewer television inspection, including light and heavy cleaning of sewer pipes
- Preparation of access database
- Preparation of cost effectiveness analysis and transportation and treatment cost
- Preparation of draft and final reports

Please forward this request to the Board of Aldermen for their consideration.

Thank you.

David F. Turocy  
Commissioner Public Works

cc: Lou Taverna, City Engineer  
Ted Jerdee, Acting Utilities Director  
Ron Mendes, DPW Business Manager

Telephone: 617-796-1011 • Fax: 617-796-1050 • dturocy@newtonma.gov



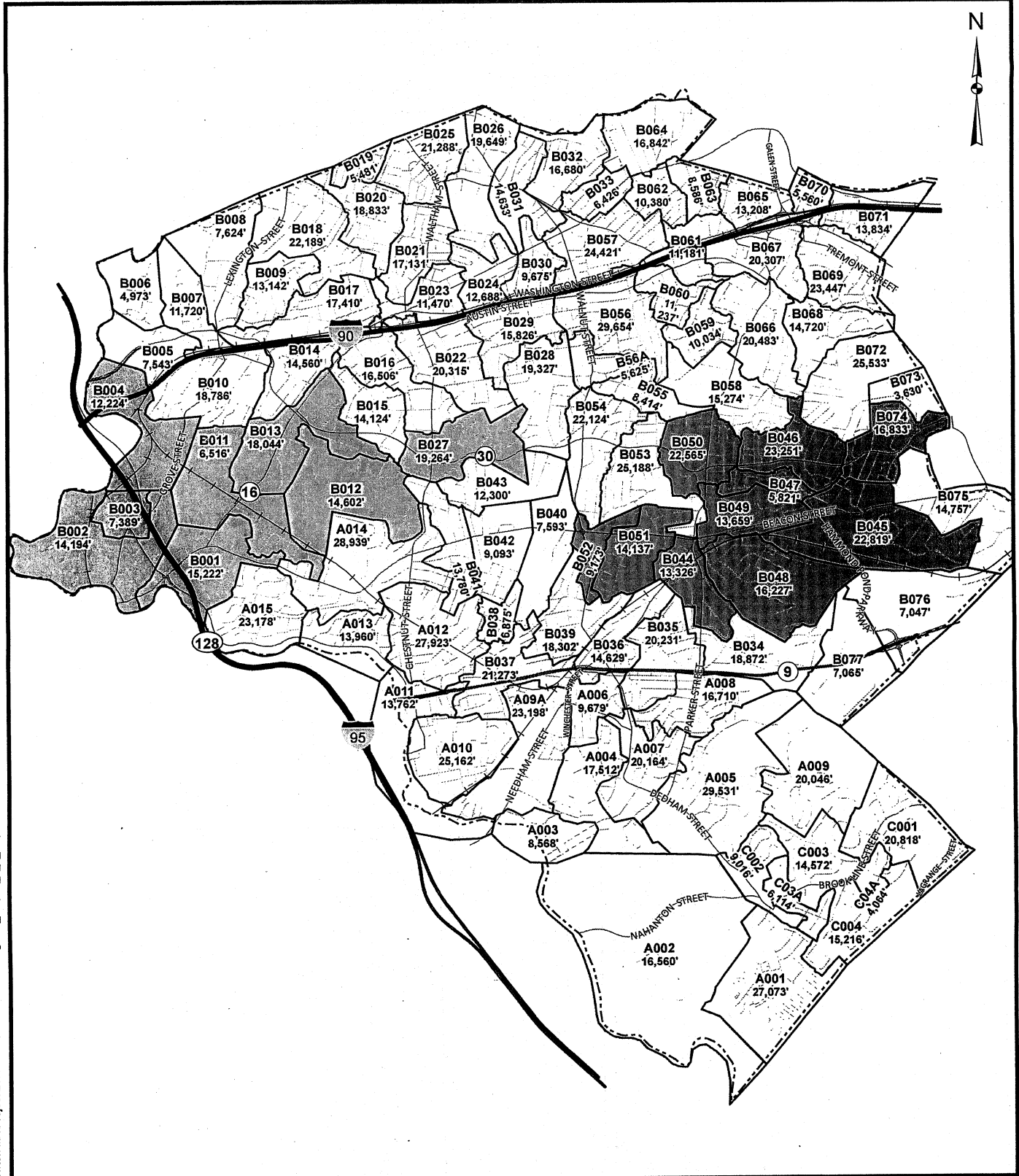
## **Water & Sewer Strategic Plan for Infrastructure Improvements**

### **The Project 2 Design includes the following work:**

- Design of cost effective rehabilitations identified in West Newton/Auburndale areas (subareas B005, B006, B008, B009, B018, B019, B020, B025, B026, and B031 on attached Locus Map)
- The defects were identified during the recently completed CIP Project 2 Investigation and Evaluation Project
- Rehabilitation will include both trenchless and excavate/replace repairs to fix damaged sewer infrastructure and reduce infiltration and inflow to the sewer system
- The Project will produce plans and specifications suitable for public bid
- Design will begin immediately following execution of the Agreement
- Construction is anticipated to begin in July 2014 following completion of CIP Project 1 Rehabilitations



### **The Project 3 & 4 Investigation and Evaluation includes the following work:**

- Investigation of sewer infrastructure in Auburndale/Newton Lower Falls area and Newton Centre area (subareas B001, B002, B003, B004, B011, B012, B013, B027, B044, B045, B046, B047, B048, B049, B050, B051, B052, and B074 on attached Locus Map)
- GIS Map Development
- 1,641 manhole inspections
- 259,869' of flow isolation
- 259,869' of light cleaning and television inspection
- 120 hours of heavy cleaning and television inspection
- 3,728 hours of police details
- Database development
- Hansen data processing
- Transportation and treatment cost development
- Cost-effectiveness analysis
- Data evaluation and analysis
- Draft and Final Reports

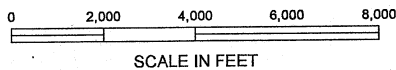


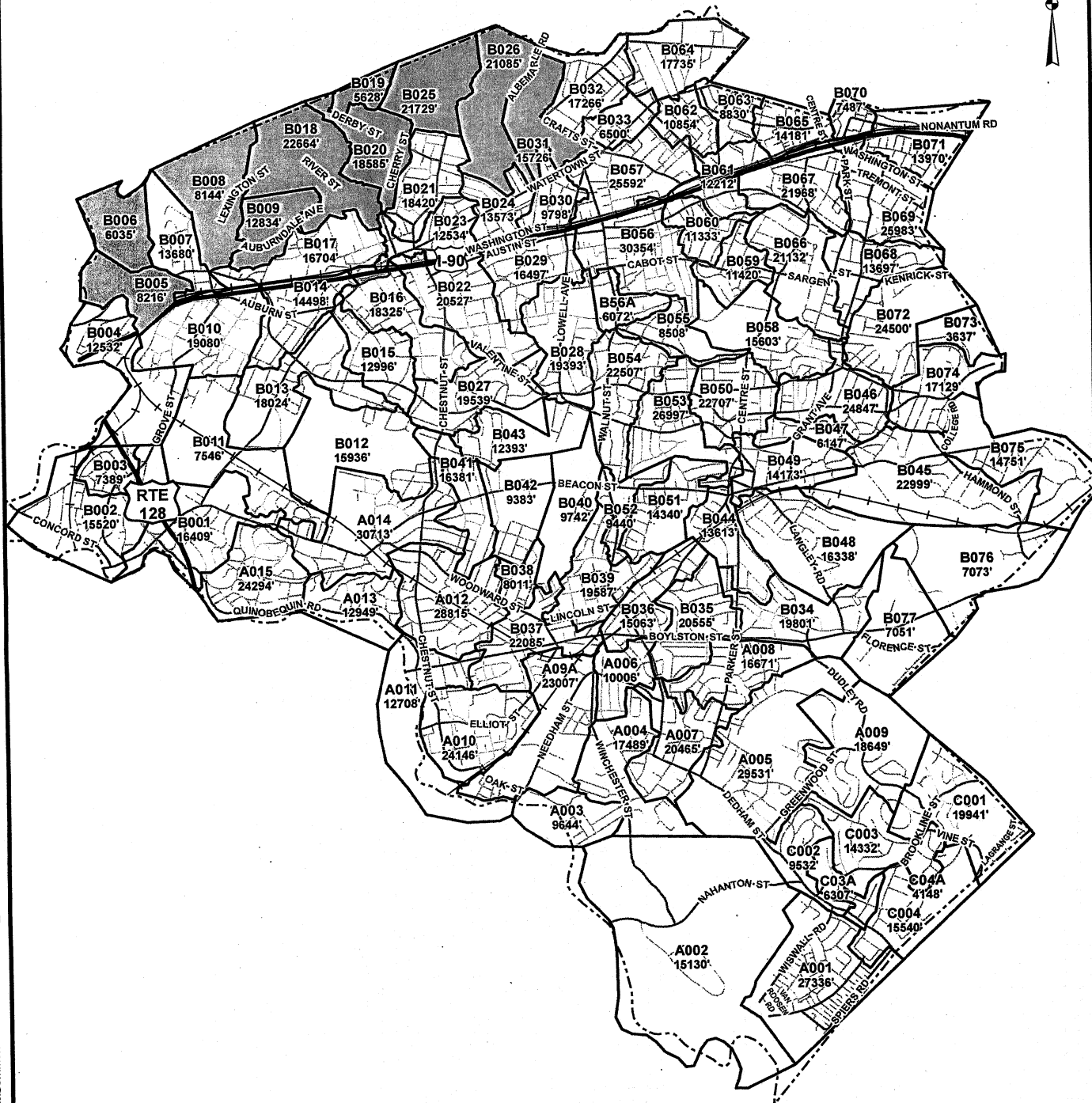
Path: \gisdatsrv\gis\workspace\client\Newton MA\Project2130365 CIP 2 Smoke Testing\CIP\_Project\_3\_4\_Inspection and Assessment\_85x11.mxd User: carj Saved: 11/6/2013

**Legend**

-  Project 3
-  Project 4

**NEWTON, MA**  
**SANITARY SEWER SYSTEM**  
**CIP - PROJECTS 3 & 4**  
**INSPECTION & ASSESSMENT**





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NEWTON, MA  
SANITARY SEWER SYSTEM

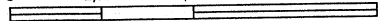
CIP - PROJECT 2  
INSPECTION AND ASSESSMENT

Legend



Project 2 Areas

0 2,000 4,000 6,000 8,000



SCALE IN FEET

Weston & Sampson.



SETTI D. WARREN  
MAYOR

City of Newton, Massachusetts  
Office of the Mayor

#38-14

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E-mail  
swarren@newtonma.gov

January 27, 2014

Honorable Board of Aldermen  
Newton City Hall  
1000 Commonwealth Avenue  
Newton Centre, MA 02459

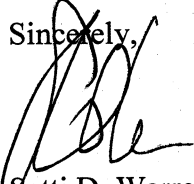
RECEIVED  
Newton City Clerk  
2014 JAN 27 PM 12:53  
David A. Oison, CMC  
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to transfer the sum of \$275,000 from the Acct # 0110400- Reserve for Snow and Ice Removal. As of today's date the City has spent approximately \$2,500,000.

Following this action of the Board, the City will still have \$2,000,000 which has been reserved in Free Cash, as well as more than \$500,000 in the City's Inclement Weather Reserve should additional funds be necessary for snow removal.

Thank you for your consideration of this matter.

Sincerely,  
  
Setti D. Warren  
Mayor



DPW SNOW & ICE		ACCT	DESCRIPTION	BUDGET	TFERS IN	NET BUDGET	PREF/WATCH	12/14 - 12/15	12/17 - 12/18	01/02 - 01/03	01/21 - 01/22	YTD	AVAIL
			**Inches				STANDBY	STORM	STORM	STORM	STORM	EST COSTS	BALANCE
								8.00	6.40	7.50	4.00	28.30	
0140110	511101		PART TIME & 20 HRS/WK	\$ -	\$ -	\$ -	\$ 20,739	\$ 133,020	\$ 54,092	\$ 149,776	\$ 60,000	\$ -	\$ -
0140110	513001		REGULAR OVERTIME	\$ 200,000	\$ -	\$ 200,000	\$ -	\$ 133,020	\$ 54,092	\$ 149,776	\$ 60,000	\$ 417,626	\$ (217,626)
0140110	513001A		REG OVERTIME-BLDG/SCHLS	\$ 33,300	\$ -	\$ 33,300	\$ -	\$ 14,677	\$ 26,804	\$ 13,668	\$ 10,000	\$ 65,169	\$ (31,869)
0140110	513004		WORK BY OTHER DEPTS.	\$ -	\$ -	\$ -	\$ 4,929	\$ 1,354	\$ 1,500	\$ 1,500	\$ 1,500	\$ 4,354	\$ (4,354)
0140110	514311		SNOW STAND-BY PAY	\$ 30,000	\$ -	\$ 30,000	\$ -	\$ 16,677	\$ 7,965	\$ 24,920	\$ 6,000	\$ 60,491	\$ (30,491)
0140110	514318		SNOW WATCH PAY	\$ 20,000	\$ -	\$ 20,000	\$ 7,982	\$ -	\$ -	\$ -	\$ -	\$ 7,982	\$ 12,018
0140110	514321		PROMPTNESS PAY STIPEND	\$ -	\$ -	\$ -	\$ 288	\$ -	\$ -	\$ -	\$ -	\$ 288	\$ (288)
TOTAL PERSONNEL				\$ 283,300	\$ -	\$ 283,300	\$ 33,938	\$ 164,374	\$ 90,215	\$ 189,884	\$ 77,500	\$ 555,911	\$ (272,611)
0140110	5273		RENTAL - VEHICLES (incl)	\$ 98,375	\$ -	\$ 98,375	\$ -	\$ 273,325	\$ 179,905	\$ 273,325	\$ 136,225	\$ 862,780	\$ (764,405)
0140110	5273		RENTAL - VEHICLES (Hourly)	\$ -	\$ -	\$ -	\$ 24,000	\$ 20,130	\$ 12,500	\$ 22,500	\$ 12,500	\$ 91,630	\$ (91,630)
0140110	5273A		RENTAL-VEH BLDG/SCHLS	\$ 100,000	\$ -	\$ 100,000	\$ -	\$ 64,800	\$ 53,625	\$ 64,800	\$ 45,000	\$ 281,925	\$ (181,925)
TOTAL CONTRACTORS				\$ 198,375	\$ -	\$ 198,375	\$ 24,000	\$ 358,255	\$ 246,030	\$ 360,625	\$ 193,725	\$ 1,236,335	\$ (1,037,960)
0140110	52403		MOTOR VEHICLE R-M	\$ 10,212	\$ -	\$ 10,212	\$ 3,081	\$ -	\$ -	\$ -	\$ -	\$ 3,081	\$ 7,131
0140110	52409		PUBLIC PROPERTY R-M	\$ 2,992	\$ -	\$ 2,992	\$ 2,875	\$ -	\$ -	\$ -	\$ -	\$ 2,875	\$ 117
0140110	52410		SOFTWARE MAINTENANCE	\$ 98,750	\$ -	\$ 98,750	\$ 98,750	\$ -	\$ -	\$ -	\$ -	\$ 98,750	\$ -
0140110	5386		WEATHER FORECAST SVS	\$ 1,700	\$ -	\$ 1,700	\$ 1,690	\$ -	\$ -	\$ -	\$ -	\$ 1,690	\$ 10
0140110	5460		GROUPS MAINT SUPPLIES	\$ -	\$ -	\$ -	\$ 1,084	\$ -	\$ -	\$ -	\$ -	\$ 1,084	\$ (1,084)
0140110	5480		GASOLINE	\$ -	\$ -	\$ -	\$ -	\$ 2,513	\$ 2,480	\$ 11,413	\$ 6,176	\$ 22,583	\$ (22,583)
0140110	5481		DIESEL FUEL	\$ -	\$ -	\$ -	\$ -	\$ 8,053	\$ 4,701	\$ 4,225	\$ 3,117	\$ 20,096	\$ (20,096)
0140110	5484		VEHICLE REPAIR PARTS	\$ 64,788	\$ -	\$ 64,788	\$ 86,344	\$ -	\$ -	\$ -	\$ -	\$ 86,344	\$ (21,556)
0140110	5532		SAND & SALT	\$ 335,000	\$ -	\$ 335,000	\$ -	\$ 112,584	\$ 56,292	\$ 112,584	\$ 56,292	\$ 450,336	\$ (115,336)
0140110	5712		REFRESHMENTS/MEALS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
0140110	5783		PRIVATE PROPERTY DAMAGE	\$ 5,000	\$ -	\$ 5,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,000
TOTAL NONPERSONNEL				\$ 518,442	\$ -	\$ 518,442	\$ 193,824	\$ 123,151	\$ 63,474	\$ 128,222	\$ 65,585	\$ 686,839	\$ (168,397)
GRAND TOTAL				\$ 1,000,117	\$ -	\$ 1,000,117	\$ 251,762	\$ 645,780	\$ 399,719	\$ 678,731	\$ 336,810	\$ 2,479,085	\$ (1,478,968)

\* Personnel Costs for 1/21 - 1/22 storm are est.  
 \*\* All Salt Costs est.

DPW SNOW & ICE

ACCT	DESCRIPTION	BUDGET	TFERS IN	NET BUDGET	PREP/WATCH STANDBY	NON-PLOW STORMS	12/14 - 12/15 STORM	12/17 - 12/18 STORM	01/02 - 01/03 STORM	01/21 - 01/22 STORM	YTD EST COSTS	AVAIL BALANCE
	Inches per storm...						8.00	6.40	7.50	4.00	28.30	
0140110 511101	PART TIME & 20 HRS/MK	\$ -	-	\$ -	-	-	-	-	-	-	\$ -	\$ -
0140110 513001	REGULAR OVERTIME	\$ 200,000	-	\$ 200,000	\$ 20,739	\$ -	\$ 133,020	\$ 54,092	\$ 149,776	\$ 79,093	\$ 436,720	\$ (236,720)
0140110 513001A	REG OVERTIME-BLDG/SCHLS	\$ 33,300	-	\$ 33,300	\$ -	\$ -	\$ 14,677	\$ 26,804	\$ 13,688	\$ 10,000	\$ 65,169	\$ (31,869)
0140110 513004	WORK BY OTHER DEPTS.	\$ -	-	\$ -	\$ -	\$ -	\$ -	\$ 1,354	\$ 3,088	\$ 1,500	\$ 5,942	\$ (5,942)
0140110 514311	SNOW STAND-BY PAY	\$ 30,000	-	\$ 30,000	\$ 4,929	\$ -	\$ 16,677	\$ 7,965	\$ 26,266	\$ 9,347	\$ 65,184	\$ (35,184)
0140110 514318	SNOW WATCH PAY	\$ 20,000	-	\$ 20,000	\$ 8,940	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 8,940	\$ -
0140110 514321	PROMPTNESS PAY STIPEND	\$ -	-	\$ -	\$ 307	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 307	\$ (307)
	TOTAL PERSONNEL	\$ 283,300	\$ -	\$ 283,300	\$ 34,915	\$ -	\$ 164,374	\$ 90,215	\$ 192,818	\$ 99,940	\$ 582,262	\$ (298,962)
0140110 5273	RENTAL - VEHICLES (inch)	\$ 98,375	-	\$ 98,375	\$ -	\$ -	\$ 273,325	\$ 179,905	\$ 273,325	\$ 136,225	\$ 862,780	\$ (764,405)
0140110 5273	RENTAL - VEHICLES (Hourly)	\$ -	-	\$ -	\$ 24,000	\$ -	\$ 20,130	\$ 12,500	\$ 22,500	\$ 12,500	\$ 91,630	\$ (91,630)
0140110 5273A	RENTAL-VEH BLDG/SCHLS	\$ 100,000	-	\$ 100,000	\$ -	\$ 53,700	\$ 64,800	\$ 64,800	\$ 64,800	\$ 45,000	\$ 281,925	\$ (181,925)
	TOTAL CONTRACTORS	\$ 198,375	\$ -	\$ 198,375	\$ 24,000	\$ 53,700	\$ 358,255	\$ 246,030	\$ 360,625	\$ 193,725	\$ 1,236,335	\$ (1,037,960)
0140110 52403	MOTOR VEHICLE R-M	\$ 10,212	-	\$ 10,212	\$ 3,081	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,081	\$ 7,131
0140110 52409	PUBLIC PROPERTY R-M	\$ 2,992	-	\$ 2,992	\$ 2,875	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,875	\$ 117
0140110 52410	SOFTWARE MAINTENANCE	\$ 98,750	-	\$ 98,750	\$ 161,133	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 161,133	\$ (62,383)
0140110 5386	WEATHER FORECAST SVS	\$ 1,700	-	\$ 1,700	\$ 1,690	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,690	\$ 10
0140110 5460	GROUND MAINT SUPPLIES	\$ -	-	\$ -	\$ 1,084	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,084	\$ (1,084)
0140110 5480	GASOLINE	\$ -	-	\$ -	\$ -	\$ -	\$ 2,513	\$ 2,480	\$ 4,225	\$ 3,117	\$ 12,336	\$ (12,336)
0140110 5481	DIESEL FUEL	\$ -	-	\$ -	\$ 667	\$ -	\$ 8,053	\$ 4,701	\$ 11,413	\$ 6,176	\$ 31,010	\$ (31,010)
0140110 5484	VEHICLE REPAIR PARTS	\$ 64,788	-	\$ 64,788	\$ 87,480	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 87,480	\$ (22,692)
0140110 5532	SAND & SALT	\$ 335,000	-	\$ 335,000	\$ -	\$ 112,584	\$ 112,584	\$ 56,292	\$ 112,584	\$ 56,292	\$ 450,336	\$ (115,336)
0140110 5712	REFRESHMENTS/MEALS	\$ -	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,490	\$ (1,490)
0140110 5783	PRIVATE PROPERTY DAMAGE	\$ 5,000	-	\$ 5,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,000
	TOTAL NONPERSONNEL	\$ 518,442	\$ -	\$ 518,442	\$ 258,010	\$ 112,584	\$ 124,641	\$ 63,474	\$ 128,222	\$ 65,585	\$ 752,515	\$ (234,073)
	GRAND TOTAL	\$ 1,000,117	\$ -	\$ 1,000,117	\$ 316,925	\$ 166,284	\$ 647,270	\$ 399,719	\$ 681,665	\$ 359,250	\$ 2,571,112	\$ (1,570,995)

\* Personnel Costs for 1/21 - 1/22 storm are est.  
 \*\* All Salt Costs est.



SETTI D. WARREN  
MAYOR

City of Newton, Massachusetts  
Office of the Mayor

#39-14

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TDD/TTY  
(617) 796-1089

E-mail  
swarren@newtonma.gov

David A. Olson, CMC  
Newton, MA 02459

2014 JAN 27 PM 12:53

RECEIVED  
NEWTON CITY CLERK

January 27, 2014

Honorable Board of Aldermen  
Newton City Hall  
1000 Commonwealth Avenue  
Newton Centre, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to appropriate the sum of \$100,000 from the Stormwater Surplus Fund to conduct an Assessment of the City's Stormwater System and to develop a Stormwater Infrastructure Improvement Plan (SIIP). A copy of the Scope of Services is attached.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren  
Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

[www.newtonma.gov](http://www.newtonma.gov)



DEDICATED TO COMMUNITY EXCELLENCE

City of Newton



DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE COMMISSIONER  
1000 Commonwealth Avenue  
Newton Centre, MA 02459-1449

Setti D. Warren  
Mayor

January 9, 2014

To: Mayor Setti D. Warren

From: David F. Turocy, Commissioner

Via: Robert R. Rooney, Chief Operating Officer  
Maureen Lemieux, Chief Financial Officer

Re: Docket Item Request  
Stormwater Infrastructure Improvement Plan

Public Works requests an appropriation of \$100,000 from stormwater surplus funds to conduct an Assessment of the City's Stormwater System and to develop a Stormwater Infrastructure Improvement Plan (SIIP).

Weston & Sampson Engineers, Inc. (W&S) was selected to perform this work. Their Scope of Services is attached. The initial assessment will consist of both data/records review as well as physical inspection of stormwater infrastructure. The information gleaned from this assessment will be used to develop a multi-year improvement plan, including a project list with priorities and cost estimates, as well as financial analysis and support for the development of a funding plan.

Please forward this request to the Board of Aldermen for their consideration.

Thank you.

David F. Turocy  
Commissioner Public Works

cc: Lou Taverna, City Engineer  
Ted Jerdee, Acting Utilities Director  
Ron Mendes, DPW Business Manager



# Stormwater Assessment and Stormwater Infrastructure Improvement Plan (SIIP)

## Scope of Services

### Compile and Review Available Data:

W&S will compile and review information related to the city's stormwater system.

### Perform Stream Maintenance Assessment:

W&S will perform a walking stream survey of up to seven (7) miles of stream prioritized by the city for stream maintenance assessment. Photos will be taken to document the condition of the stream at the time of inspection. Each site visit shall include assessment of the following:

- The extent of cleaning and maintenance required, including estimated linear footage as well as a visual estimate of stream sediment to be removed. Types of debris will be noted along with trees and bushes that should be cut back or removed.
- Potential access points for stream maintenance. Preference will be given to access routes that utilize existing roadways and public lands.
- Seasonal conditions best suited for maintenance and cleaning.
- The condition of culverts within inspected stream segments.

### Evaluate Flooding Areas:

W&S will meet with the city to develop a list of specific flooding areas. They will evaluate as many as twenty (20) separate locations. Record drawings for these areas will be reviewed and planning level costs will be developed for each location.

### Develop Project Maps:

W&S will review and compile information collected and display the results on a series of GIS Maps. A visual representation of this wide ranging data will be used to create a list of potential projects; develop rating criteria to prioritize the projects; identify gaps in the available data; and ultimately, to present the SIIP. The maps will also help members of the stormwater committee and the public understand the nature and scope of the city's stormwater issues.

### Develop Project List:

W&S will develop a list of potential projects to be included in the SIIP. General projects types will likely include:

- Compliance with the six minimum control measures of the NPDES Phase II Permit
- Compliance with Charles River Total Maximum Daily Loads (TMDLS) for phosphorous and pathogens
- Inspection and rehabilitation of stormwater infrastructure (culverts, pipes, stream channels)
- Design improvements to eliminate local flooding issues

### Develop Project Pricing and Data Gap Analysis:

W&S will develop planning level cost estimates for each proposed project, including all components of the NPDES Phase II Permit. Where insufficient data is available to develop a reasonable cost estimate, W&S will identify the tasks, and the associated cost, required to obtain an estimate. This data gap analysis will identify projects that may not be ready to proceed during the early stages of the Program. It will also identify data gathering tasks that could be added to early phases of the Program to facilitate future projects.

### Develop Project Rating Criteria:

W&S will develop rating criteria and consider project grouping alternatives for the data collected. This process will include detailed discussions with committee members and appropriate staff regarding the city's relative priorities. Using the rating system, W&S will prioritize projects within the Program.

Develop Multi-Year Program

W&S will create a preliminary multi-year SIIP using the project list and pricing from the above. Several factors may be evaluated to determine the appropriate number of years for the program, for example: a fixed annual expenditure; a fixed program length; or limitations on the amount of work that can reasonably be completed per year. The program will be displayed on a series of GIS Maps. The preliminary SIIP will be reviewed by the city. W&S will incorporate any comments and create a Final SIIP for presentation to the city's Public Facilities Committee and the Board of Alderman.

Financial Analysis and Cash Flow

W&S will support the city's Chief Financial Officer and Department of Public Works Staff to analyze the financial impacts of the proposed SIIP, create a cash flow diagram, and assess the program's compatibility with the city's Stormwater Fee. W&S will also evaluate potential sources of grant funding for the SIIP.

Meetings and Presentations

W&S will attend as many as 15 meetings with the city throughout the duration of the project.



SETTI D. WARREN  
MAYOR

City of Newton, Massachusetts  
Office of the Mayor

#37-14

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swarren@newtonma.gov

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Newton City Clerk  
2014 JAN 27 PM 12:54  
David A. Olson, CMC  
Newton, MA 02459

January 27, 2014

Honorable Board of Aldermen  
Newton City Hall  
1000 Commonwealth Avenue  
Newton Centre, MA 02459

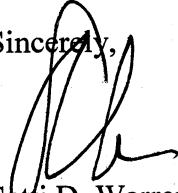
Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to transfer the sum of \$75,000 from the City's Liability Self Insurance Fund to cover costs for the repair of the public sidewalk on a portion of Union Street.

As you will see on the attached request, while in the process of doing sidewalk work on Union Street, it was discovered that a portion of the sidewalk extended directly over the basement of several private properties. The work resulted in damage to these basements. The City has reached an agreement to pay 67% of the cost to repair up to a maximum of \$75,000. A copy of the agreement is attached.

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



DEPARTMENT OF PUBLIC WORKS  
OFFICE OF THE COMMISSIONER  
1000 Commonwealth Avenue  
Newton Centre, MA 02459-1449

Setti D. Warren  
Mayor

January 16, 2014

To: Mayor Setti D. Warren  
From: David F. Turocy, Commissioner of Public Works  
Via: Robert R. Rooney, Chief Operating Officer  
Maureen Lemieux, Chief Financial Officer  
Re: Request to Appropriate Funds for Sidewalk Repair Settlement for Union Street.

Public Works requests authorization to spend up to \$75,000.00 in order to complete repairs to the public sidewalk on Union Street.

In the Spring of 2011, Public Works sawcut the concrete sidewalk on Union Street in Newton Centre as part of a project to upgrade the sidewalk with repairs to broken concrete panels and the installation of a stamped concrete border along the edge of the sidewalk. In the process of cutting through the sidewalk, it was discovered that a portion of the sidewalk extended directly over the basement of several properties and had effectively served as the roof for these basements. The sawcutting resulted in leaks and other associated damage to these basements, as well as compromising the integrity of the basement "roofs".

The City received a low bid of \$75,000 to make repairs to this sidewalk. However, in the process of evaluating the underground structure of these buildings, it was determined that structural improvements were necessary to the support beams in the private portion of the basements. The work to upgrade these beams would be facilitated if done in conjunction with the sidewalk repairs. We have reached agreement with the property owner to allow them to repair the support beams and the sidewalk as a single project. The City will pay a portion of the bill (2/3rds), up to a maximum of \$75,000 as a settlement agreement.

Please docket this item with the honorable Board of Aldermen for consideration.

Thank you.

David F. Turocy  
Commissioner, Public Works

cc: D. Wilkinson, Comptroller  
R. Mendes, DPW Business Manager  
B. Zaniboni, DPW Deputy Commissioner

**AGREEMENT FOR REPAIR OF 81-93 UNION STREET, NEWTON**

This agreement ("Agreement") is made as of the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by and between the Boston Development Group ("BDG"), 93 Union Street, Newton, MA 02459, the Union Realty Trust ("Owner"), u/d/t dated May 1, 1970 and recorded in the Middlesex South Registry of Deeds, Book 11827, Page 443, as amended, with an address of 93 Union Street, Newton, MA 02459 and the City of Newton (the "City"), a municipal corporation existing under the laws of the Commonwealth of Massachusetts with a business address of 1000 Commonwealth Avenue, Newton Centre, MA 02459 .

1. **Project Name/Location:** Sidewalk and Structural Repair/Replacement at 81-93 Union Street, Newton, MA (the "Project").
2. **Scope of Work:** The Work under this Agreement is defined as all work required and necessary to prepare structural plans, details and specifications to replace the existing sidewalks, repairs to the existing supporting structure, new flashing and waterproofing systems at 81-93 Union Street.

The scope of work shall consist of three components:

- A. **Drawings.** As Built Condition Drawings, Architectural and Structural Drawings and Project Specifications shall be prepared by J.D. LaGrasse, J.D. LaGrasse & Associates, Inc., One Elm Square, Andover, MA 01810 ("LaGrasse"). The City shall be provided with a copy of the foregoing Drawings and Specifications for review and comment prior to the commencement of any construction activity.
- B. **Construction Phase.** These services shall be performed by a private contractor selected by BDG after preparation of the Drawings set forth in Paragraph 2A above.

C. **Site Supervision.** LaGrasse shall also provide site inspection and contract administration/supervision services. LaGrasse has provided an estimate for the services set forth above at \$11,000 (\$2,400 for as built conditions drawings; \$4,800 for architectural and structural design; \$4,000 for site inspection during demolition and construction).

3. **Cost of Work.** The parties agree to share all costs associated with this Project on the following basis: BDG shall pay at least 1/3<sup>rd</sup> (one-third) and the City shall pay 2/3<sup>rd</sup> (two-thirds) of all costs and expenses for the Project except that the City's total costs and expenses for design, construction, and all other aspects of the Project shall not exceed Seventy Five Thousand and 00/100 (\$75,000.00) Dollars. Upon execution of this Agreement, both parties shall deliver their proportionate share of the anticipated \$11,000 payment ("Escrow Money") to LaGrasse by check payable to "Bonin & Marashian Clients' Fund" to BDG's attorneys, Mardic Marashian, Bonin & Marashian, 77 Franklin Street, Boston, MA 02110. The Escrow Money shall be held by Bonin & Marashian as escrow agent under this Agreement ("Escrow Agent") in its IOLTA account (non-interest bearing). Escrow Agent shall retain the Escrow Money solely for purposes of paying LaGrasse for services rendered on the Project or shall disburse the Escrow Money upon receipt of instructions mutually given in writing by both BDG and the City.
4. **No Disqualification of Bonin & Marashian as Counsel for BDG.** Bonin & Marashian as Escrow Agent shall not be liable for any action taken or omitted in good faith and believed by it to be authorized or within the rights or powers conferred upon it by this Agreement and it may rely, and shall be protected in acting or refraining from acting in reliance upon any directions, instructions, notice, instrument, request, or other document

believed by it to be genuine and to have been made, sent, signed or presented by both BDG and the City. The parties hereby confirm that Bonin & Marashian shall not, by virtue of its serving as Escrow Agent hereunder, be disqualified from representing BDG in connection with the consummation of the transaction contemplated hereby or in any dispute regarding the disposition of the Escrow Money or any other matter relating or concerning this Agreement or the Project.

5. **Construction Phase Contract Selection and Price.** After LaGrasse prepares the Documents, BDG shall solicit bids from at least three private contractors. Upon receipt of these bids BDG shall select the contractor performing the work on the Project. Upon selection of a contractor for the Project ("Project Contractor"), BDG shall prepare a construction contract ("Construction Contract") between BDG and Project Contractor. The City shall not be a party to the Construction Contract. Upon execution of the Construction Contract, BDG and the City shall each pay its proportionate share of the anticipated payment under the Construction Contract (at least 1/3<sup>rd</sup> BDG; 2/3<sup>rd</sup> City) to the Escrow Agent who shall retain such funds and issue payment(s) to the selected contractor project only upon written approval from LaGrasse, except that the City's total costs and expenses for design, construction, and all other aspects of the Project shall not exceed Seventy Five Thousand and 00/100 (\$75,000.00) Dollars. During the construction phase of the Project, the City shall have access to the construction site for the purpose of observing the work performed in the public way.
6. **The Contract Documents.** The Plans, Specifications, Drawings and other documents to be prepared by LaGrasse along with the Construction Contract are incorporated by reference herein, and are referred to as the "Contract Documents."

7. **Insurance Provisions.** The Project Contractor shall carry and maintain until acceptance of the work such Workers' Compensation, Automobile Liability, Public Liability, Contingent Public Liability, Property Damage and Contingent Property Damage Insurance, as shall protect it and any sub-contractor performing work covered by the Construction Contract from all claims and liability for damages for personal injury, including accidental death, and for property damage which may arise from operations under the Construction Contract whether such operations are by the Project Contractor or by any sub-contractor or by anyone directly or indirectly employed by either of them. The City of Newton, Boston Development Group and Union Realty Trust shall be named as additional insureds under each policy required to be maintained. The amounts of such insurance shall be as follows:

- A. Workers' Compensation Insurance as required by Massachusetts General Law.
- B. Automobile Liability Insurance on all vehicles owned or hired for a.) Bodily Injury in an amount not less than \$500,000.00 for each occurrence, and not less than \$1,000,000.00 aggregate; b.) property Damage in an amount not less than \$250,000.00 each occurrence, and not less than \$500,000.00 aggregate.
- C. Public Liability Insurance and Contingent Public Liability insurance in an amount not less than \$500,000.00 for injuries, including accidental death to any one person, and subject to the same limit for each person, in an amount not less than \$1,000,000.00 \$1,000,000.00 on account of one accident.
- D. Property Damage insurance and Contingent Property Damage Insurance in an amount not less than \$250,000.00 on account of one accident, and in an amount of not less than \$500,000.00 on account of all accidents.



E. General Liability Insurance shall include Contractual Liability Insurance.

Before any work is started, the Project Contractor shall file with BDG, the Owner and the City certificates of insurance evidencing the coverages detailed above, with policy numbers and dates of expiration. The policy or policies obtained by the Project Contractor shall include endorsements waiving any rights of subrogation in favor of the City, BDG and the Owner.

8. **Indemnification.** The Project Contractor shall indemnify, hold harmless and defend the City, BDG and the Owner, and their respective departments, officers, employees, servants, trustees and agents, from and against all actions, causes of actions, claims, demands, damages, costs, loss of services, expenses and compensation, including attorney's fees and interest arising out of or resulting directly or indirectly from the services rendered pursuant to the Construction Contract, provided that any such action, cause of action, claim, demand, damage, cost, loss of service, expense, compensation (1) in any way grows out of bodily injury, sickness, disease or death, or to injury or destruction of tangible property, which (2) is caused in whole or in part by any act or omission of the Project Contractor, any sub-contractor, or anyone directly or indirectly employed by any of them or for whose acts any of them may be liable, regardless of whether or not it is caused by a party indemnified hereunder.
9. **Dispute Resolution.** If a dispute arises out of or relates to this Agreement, or the breach thereof, and if the dispute cannot be settled through negotiation, then any unresolved controversy or claim arising from or relating to this contract or breach thereof shall be settled by arbitration before a panel of one arbitrator. If the parties cannot agree on the selection of an arbitrator the arbitration shall be submitted to and administered by the

American Arbitration Association in accordance with its Construction Industry Arbitration Rules (but before a panel of one arbitrator) and judgment on the award rendered by the arbitrator may be entered in any court having jurisdiction thereof.

- 10. **Property Damage Claim/Release.** In consideration of FIVE THOUSAND 00/100 (\$5,000.00.00) DOLLARS, to be paid by the City to BDG, in addition to any amounts to be paid hereunder by the City for the Project, BDG and the Owner hereby remise, release and forever discharge the said City, its officials and employees of and from all debts, demands, actions, causes of action, amount paid hereunder suits, accounts, covenants, contracts, agreements, damages and any and all claims, demands and liabilities whatsoever of every name and nature, both in law and in equity, which against the said City, its officials and employees that they, their tenants, successors and assigns now have or ever had from the beginning of the world to this date on account of an incident occurring on or about August 27 2011, in which water infiltrated into the basement of the properties at 81-95 Union Street, Newton, Massachusetts, through cuts made in the sidewalk by the City.

In witness whereof, the parties hereto have caused this instrument to be executed in triplicate under seal as of the date set forth above.

**BOSTON DEVELOPMENT GROUP:**

By: \_\_\_\_\_ **Date** \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**UNION REALTY TRUST**

By: \_\_\_\_\_ Date

Name: David T. Zussman a/k/a David Zussman

Title: Trustee

**CITY OF NEWTON:**

By: \_\_\_\_\_ Date

Name: David Turocy

Title: Commissioner of Public Works

I hereby certify that funds in the amount(s) of \_\_\_\_\_  
are available in account(s) # \_\_\_\_\_  
for payment under this Agreement

\_\_\_\_\_  
David Wilkinson  
Comptroller of Accounts

**APPROVED AS TO LEGAL FORM AND CHARACTER**

\_\_\_\_\_  
City Solicitor Date

**AGREEMENT APPROVED**

\_\_\_\_\_  
Robert R. Rooney,  
Chief Operating Officer Date



SETTI D. WARREN  
MAYOR

City of Newton, Massachusetts  
Office of the Mayor

#35-14

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E-mail  
swarren@newtonma.gov

January 27, 2014

Honorable Board of Aldermen  
Newton City Hall  
1000 Commonwealth Avenue  
Newton Centre, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to transfer the sum of \$40,000 from accrued savings in Acct # 0110301-511001 Executive Office - Full Time Salaries to fund the remainder of the design of the new Manet Road Emergency Communications Facility, site modifications, and tower optimization.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren  
Mayor

RECEIVED  
Newton City Clerk  
2014 JAN 27 PM 12:53  
David A. Olson, CMC  
Newton, MA 02459



City of Newton



## PUBLIC BUILDINGS DEPARTMENT

Josh Morse, Interim 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

October 11th, 2013

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

RE: Request for remainder of design funds for the Manet Road Emergency Communications Tower Facility. Docket item 311-10(B)

Dear Mayor Warren:

The Public Buildings Department requests the sum of \$40,000.00 to fund the remainder of the design of the new Manet Road Emergency Communications Facility, site modifications, and tower optimization.

This project will replace the existing building that houses all of the emergency communications equipment for the City of Newton. The existing building is failing, unsafe, and is beyond repair. The new building will be located further from the street, and in a location that is easier to maintain and access. All of the abandoned lines on the tower have been removed, and the existing lines have been re-routed for optimization. A structural analysis has been performed on the tower, and has found it to be safe and conforming to all structural code requirements.

This building is failing, and if is not replaced, we jeopardize the emergency communication equipment within and therefore put Newton in a position that it could lose Police and Fire Department communications for an extended period of time. This work is also essential to ensure that our employees, who need to work on the high voltage equipment in this building, can do so in a safe manner.

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

Sincerely,

Josh Morse  
Interim Public Buildings Commissioner

cc: Robert Rooney, Chief Operating Officer  
Maureen Lemieux, Chief Financial Officer  
Adam Gilmore, Director of Project Management



SETTI D. WARREN  
MAYOR

City of Newton, Massachusetts  
Office of the Mayor

#36-14

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TDD/TTY  
(617) 796-1089

E-mail  
swarren@newtonma.gov

January 27, 2014

Honorable Board of Aldermen  
Newton City Hall  
1000 Commonwealth Avenue  
Newton Centre, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to authorize the expenditure of \$16,918.78 from Acct # 0110498-5790 FY14 Budget Reserve for the settlement of a loss of function and disfigurement claim. The Settlement Agreement with all personal information redacted is attached.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren  
Mayor

RECEIVED  
Newton City Clerk  
2014 JAN 29 AM 11:42  
David A. Olson, CMC  
Newton, MA 02459



City of Newton



Setti D. Warren  
Mayor

**DEPARTMENT OF HUMAN RESOURCES**

1000 Commonwealth Avenue  
Newton Centre, MA 02459-1449

Telephone (617) 796-1260  
Fax (617) 796-1272  
TTY (617) 796-1089

December 23, 2013

Mayor Setti D. Warren and  
Honorable Board of Aldermen  
City of Newton  
1000 Commonwealth Avenue  
Newton Centre, MA 02459-1449

[REDACTED]  
City of Newton/ Self- Insurer  
Section 19 Agreement: Loss of Function and Disfigurement  
[REDACTED]

Dear Mayor Warren and Honorable Board of Aldermen,

I respectfully recommend and request your approval to settle [REDACTED] loss of function and disfigurement claim (MGL, Ch 152 S36) in the amount of \$16,918.78 relating to [REDACTED] work injury. This amount includes attorney fees. I have attached a copy of the proposed section 19 agreement which contains detailed information regarding the calculation of this settlement.

I would appreciate your docketing this item with the Board of Aldermen.

Respectfully submitted,

A handwritten signature in cursive script that reads "Mary E. Martin".

Mary E. Martin  
Worker's Compensation Manager

**COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF INDUSTRIAL ACCIDENTS**

**DIA NO.: 5888-10**

**EMPLOYEE:** [REDACTED]

**EMPLOYER:** City of Newton

**INSURER:** City of Newton

**DOI:** [REDACTED]

**SECTION 19 AGREEMENT**

Now come the parties and hereby agree as follows:

1. The employee sustained a calcaneal fracture [REDACTED]
2. The employee is presently receiving section 35 benefits.
3. The employee filed this present claim seeking payment of section 36 loss of function and disfigurement benefits.
4. The self-insurer denied the claim alleging [REDACTED] opinion was not in accordance with the AMA guidelines and disputed the severity of the employee's [REDACTED]
5. At Conciliation [REDACTED] the Conciliator determined the employee was entitled to disfigurement benefits based on [REDACTED] permanent use of a cane and a permanent slight limp. She evaluated the disfigurement benefit at \$1094.70 for the cane and \$7105.55 for the limp.
6. The employee submitted the report from [REDACTED] who opined the employee had a 25% loss of function to his right foot. The Conciliator opined that the employee would be entitled to \$7936.58 for loss of function benefits.



In lieu of further litigation on this claim, the parties further agree as follows:

- The self-insurer will pay Section 36 benefits in the amount of \$8200.25 for disfigurement benefits and \$7936.58 for loss of function benefits.
- The self-insurer will pay an Attorney fee of \$781.95 to Attorney [REDACTED]

This Agreement is without prejudice and each party retains the right to file future claims and assert all defenses.

\_\_\_\_\_  
[REDACTED]  
Employee  
Date:

\_\_\_\_\_  
[REDACTED]  
Employee counsel  
Date:

*Mary Ann Calnan*

\_\_\_\_\_  
Mary Ann Calnan  
Counsel for self-insurer  
Date: October 9, 2013

**FINANCIAL AUDIT ADVISORY COMMITTEE  
AND  
FINANCE COMMITTEE**

**REPORT**

**Monday, January 27, 2014 at 4:00 PM**

Financial Audit Advisory Committee Members Present: Ald. Fuller (Chairman), Ald. Gentile, Ald. Danberg, Gail Deegan, and Howard Merkowitz

Finance Committee Members Present: Ald. Gentile (Chairman), Norton, Salvucci, Rice, Blazar, Fuller and Lappin; absent: Ald. Ciccone

Also present: David Wilkinson (Comptroller), Sue Dzikowski (Director of Finance; School Department), Maureen Lemieux, Ann Cornaro

The Financial Audit Advisory Committee met jointly with the Finance Committee to interview the following three certified public accounting firms for the City of Newton's external auditor:

Melanson, Heath & Company  
Powers & Sullivan, LLC  
Clifton, Larson, Allen, LLC

The Financial Audit Advisory Committee is responsible for making a recommendation to the Finance Committee on the appointment of a firm for the external audit. Therefore, at the conclusion of the interviews, the members of the Financial Audit Advisory Committee discussed the proposals, the interviews, and the pricing. Both the Comptroller and Chair of the Financial Audit Advisory Committee will provide written ranking sheets for the interviews, pricing, and written proposals for each firm. The prices for the firms were very close when equalized for the same number of major programs and would not be a deciding factor in the recommendation.

The members of the Committee unanimously agreed that Clifton, Larson, Allen, LLC (CLA) should be the firm that is recommended to the Finance Committee. The City's current auditors, Sullivan, Rogers & Company, LLC, recently merged with Clifton, Larson, Allen, LLC (CLA). CLA is a national firm that will be providing webinars, training, and education on the Government Accounting Standards Board requirements for governmental audits to their staff and clients, which Committee members viewed as a benefit. The firm's presentation and interview displayed a thorough understanding of Newton's needs and the partners and management staff interacted effectively with members of both Committees during the interview. In addition, if CLA is selected, the firm is proposing to rotate the managing partner in order to provide a fresh pair of eyes for the next audit while the City would still have the historical knowledge within the auditing firm. Gail Deegan reported to the Committee that it is required in the private sector that partners be rotated five years; however, this requirement does not apply to municipalities. There

was a small concern that CLA did not provide any suggestions on how the City could improve its audit process. However, the benefits of choosing CLA far outweighed the minor concern.

The Financial Audit Advisory Committee voted unanimously to recommend Clifton, Larson, Allen, LLC as the external auditor for the City of Newton.

Respectfully submitted,

Ruthanne Fuller, Chair of the Financial Audit  
Advisory Committee

Leonard J. Gentile, Chair of the Finance Committee



SETTI D. WARREN  
MAYOR

City of Newton, Massachusetts  
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January 22, 2014

Honorable Board of Aldermen  
Newton City Hall  
1000 Commonwealth Avenue  
Newton, MA 02459

Ladies and Gentlemen:

I hereby reappoint James E. Shaughnessy of 12 Northgate Road, Chelmsford, MA to the Board of Assessors for a term expiring February 1, 2017.

Thank you for your attention to this matter.

Very truly yours,

Setti D. Warren  
Mayor

RECEIVED  
Newton City Clerk  
2014 JAN 22 PM 12:45  
David A. Olson, CMC  
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

[www.newtonma.gov](http://www.newtonma.gov)



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January 22, 2014

Honorable Board of Aldermen  
Newton City Hall  
1000 Commonwealth Avenue  
Newton, MA 02459

DAVID A. OLSON, CMC  
Newton, MA 02459

2014 JAN 22 PM 12:45

RECEIVED  
Newton City Clerk

Ladies and Gentlemen:

I hereby reappoint Elizabeth Dromey of 15 Horace Road, Belmont, MA as Chair of the Board of Assessors for a term expiring February 1, 2016.

Thank you for your attention to this matter.

Very truly yours,

Setti D. Warren  
Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

[www.newtonma.gov](http://www.newtonma.gov)



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