

CITY OF NEWTON  
IN BOARD OF ALDERMEN  
FINANCE COMMITTEE AGENDA

MONDAY, MARCH 11, 2013

7:00 PM  
Room 222

**ITEMS SCHEDULED FOR DISCUSSION:**

**Chairman's Note: The Committee will meet jointly with the Zoning and Planning Committee at 8 PM to discuss creation of a housing trust.**

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

- #74-13      HIS HONOR THE MAYOR requesting authorization to transfer the sum of one hundred thirty six thousand dollars (\$136,000) from current year salary savings from attrition in various departments' salary accounts to the Elections Department. One hundred twenty eight thousand dollars (\$128,000) would be used to fund the cost of a special primary and special election to fill the vacancy resulting from the resignation of Senator John Kerry and eight thousand dollars (\$8,000) would be used to fund temporary staffing for the Elections Department. [02/11/13 @ 5:14 PM]  
**PROGRAMS & SERVICES APPROVED AS AMENDED 5-0 on 03/06/13**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #104-13      HIS HONOR THE MAYOR requesting authorization to appropriate the sum of two hundred fifty thousand dollars (\$250,000) from Free Cash to the Public Works Snow/Ice Removal Account. [02/25/13 @ 6:32 PM]  
**PUBLIC FACILITIES APPROVED 5-0 on 03/06/13**
- #102-13      HIS HONOR THE MAYOR requesting authorization to transfer the sum of ten thousand dollars (\$10,000) from the Sewer Fund Expenses account to the Sewer Fund Debt account in order to rectify an error in the preparation of the Fiscal Year 2013 Sewer Fund Budget. [02/25/13 @ 6:32 PM]
- #100-13      HIS HONOR THE MAYOR requesting authorization to award a contract term exceeding three years, including any renewal, extension, or option pursuant to Mass General Law Chapter 30B, Section 12 in order to issue a request for proposals for fund management services for the John C. Chaffin Fund with a contract term of three years and an option to renew for two additional three year terms. [02/25/13 @ 6:32 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 have a special accommodation need, please contact the Newton ADA Coordinator Trisha Guditiz, 617-796-1156, via email at [TGuditiz@newtonma.gov](mailto:TGuditiz@newtonma.gov) or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting date.

- #101-13 HIS HONOR THE MAYOR requesting authorization to transfer and expend the sum of one thousand five hundred fifty three dollars (\$1,553.12) as follows:

FROM: Receipts Reserved Fund  
 (14K101IV-5901) .....\$509.92  
 Federal Grant Fund  
 19V1142013-5901 .....\$1,043.20

TO: Bicycle Racks  
 (C114015-58529).....\$1,553.12

[02/25/13 @ 6:32 PM]

- #103-13 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of six hundred twenty thousand dollars (\$620,000) from 2012 Free Cash to the School Department for the purpose of funding additional appropriations in the School Department. The request reflects the amount the City received in Fiscal Year 2012 Net Unanticipated Revenue as a result of a change in the Medicaid Direct Services reimbursements. [02/25/13 @ 6:32 PM]

#### ITEMS NOT SCHEDULED FOR DISCUSSION:

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

- #316-12(2) COMMUNITY PRESERVATION COMMITTEE recommending the  
 (#55-13) appropriation of four hundred seventy-five thousand dollars (\$475,000) to the Planning and Development Department to continue the Newton Homebuyer Assistance Program as described in the proposal amended in December 2012.  
 [01/25/13 @ 12:33 PM]

**ZONING & PLANNING APPROVED 6-0 ON 02/11/13**

- #209-10(4) HIS HONOR THE MAYOR requesting that the Board of Aldermen establish an irrevocable Other Post Employment Benefits Trust Agreement. [02/25/13 @ 6:32 PM]

##### **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]

- #40-13 DIRECTOR OF PLANNING requesting amendment to City of Newton Ordinances Chapter 26-30. **Licenses for café furniture on sidewalks.** by deleting the licensing fee from 26-30(c) and approving a new license fee structure in Chapter 12 by replacing the current annual café furniture license fee of \$25 with a fee of \$100 for the initial application and a \$50 annual fee for renewal and giving the Health and Human Services Department the authority to collect the fees.  
 [01/16/13 @ 3:44 PM]

- #15-13      FINANCIAL AUDIT ADVISORY COMMITTEE requesting review and acceptance of the revised City of Newton Investment Policy. [12/18/12 @ 9:31 AM]

**REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES**

- #428-12      ALD. CICCONE & FULLER requesting a discussion with the Executive Office and the Police Department regarding police staffing and overtime costs. [12/07/12 @ 1:34 PM]

- #412-12      HIS HONOR THE MAYOR requesting a discussion regarding updating the City's departmental fees and fines. [11/27/12 @ 12:45 PM]

**REFERRED TO FINANCE AND APPROPRIATE COMMITTEES**

- #322-12      HIS HONOR THE MAYOR submitting the FY14-FY18 Capital Improvement Program pursuant to section 5-3 of the Newton City Charter. [10/09/12 @ 2:38 PM]

**REFERRED TO PUBLIC SAFETY/TRANSPORTATION & FINANCE COMMITTEES**

- #281-12      HARRY SANDERS requesting creation of an ordinance to allow pawnbrokers in the City of Newton pursuant to G.L. c. 140 section 70 with potential for non-fixed location of business. Secured property storage would not entail retail walk-in; model would entail possible satellite locations enabling the possibility of integrating Newton students. [08-31-12 @ 12:25 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. [09-10-12 @ 1:17 PM]

**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 an 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      ALD. HESS-MAHAN, SANGIOLO, DANBERG, KALIS, CROSSLEY proposing an ordinance relating to plastic bag reduction that would add a fee to single-use plastic and paper bags that are not at least 40% post-consumer recycled content, at certain retail establishments in Newton. [07/18/12 @ 4:34 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. [06/11/12 @ 11:23 PM]  
**PROG & SERV APPROVED 6-0 on 07/11/12**
- #102-12      HIS HONOR THE MAYOR requesting authorization to appropriate the sum of five hundred thousand dollars (\$500,000) from cable contract receipts for the purpose of constructing Phase I of III to connect all city facilities with high-speed fiber infrastructure for continued reliance on the IT network. [04-09-12 @ 3:40 PM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #54-12(2)      PUBLIC FACILITIES COMMITTEE proposing that Chapter 26, Section 71 (b)(1) & (2) and Section 73(c)(2) of the City of Newton Ordinances be amended by increasing the assessment minimum from five hundred dollars (\$500) to no more than two thousand dollars (\$2,000). [10/17/12]

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

- #39-12      HIS HONOR THE MAYOR requesting authorization to establish a revolving account with an annual expenditure limit of \$2,000,000 for the purpose of receiving funds collected by the Newton Schools Foundation in connection with the sale of naming rights for Newton Public School buildings and facilities and to be distributed for the sole purpose of public school education technology and curriculum purposes. [01/30/12 @ 4:18 PM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #383-11(4)      HIS HONOR THE MAYOR recommending that Section 29-80 (b)(1) of the City of Newton Revised Ordinances, 2007 be amended by revising the stormwater rates as follows: single-family residences \$25 per year, two-family residences \$37.50 per year, and multi-family (3 units or more), commercial, industrial, and institutional properties (to include non-profits) would be charged at a rate of \$25 per Equivalent Residential Unit of 2,600 square feet of impervious surface on the property to take effect on July 1, 2012. [04-09-12 @ 2:39 PM]
- #140-11      ALD. HESS-MAHAN requesting acceptance of MGL Chapter 59 §5c which allows communities to shift the tax burden away from homeowners who live in lower than average valued single and multi-family homes to owners of higher valued homes, second homes, and most apartment buildings. {04-15-11 @ 3:07 PM]

**REFERRED TO PROG & SERV, PUB FACIL. & FINANCE COMMITTEES**

- #130-11      PAUL COLETTI, ALD. SANGIOLO, DANBERG, & JOHNSON  
requesting Home Rule Legislation to create a Capital Preservation Fund for the City of Newton modeled on the Community Preservation Fund to address the capital needs of the City. [04/11/11 @9:42 PM]  
**PUBLIC FACILITIES NO ACTION NECESSARY 6-0 (Lennon not voting) on 10/18/11**  
**PROGRAMS & SERVICES APPROVED 5-0-3 (Fischman, Baker, Blazar abstaining) on 03/21/12**
- #130-11(A)      PROGRAMS & SERVICES COMMITTEE requesting the Finance Committee review alternate proposed Home Rule Legislation language related to the creation of a Capital Preservation Fund.  
**PROGRAMS & SERVICES APPROVED & REFERRED TO FINANCE 7-0-1 (Blazar abstaining) on 03/21/12**

**REFERRED TO PUBLIC SAFETY&TRANS & FINANCE COMMITTEES**

- #363-10(2)      ALD. ALBRIGHT proposing a trial of parking meter free Saturdays between Thanksgiving and New Year for the shopping areas to support shopping at local businesses in Newton. [02-10-12 @9:13 AM]  
**PS & T VOTED NO ACTION NECESSARY on 02/06/13**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #311-10(A) HIS HONOR THE MAYOR requesting an appropriation in the amount of three million three hundred thirty-five thousand dollars (\$3,035,000) from bonded indebtedness for the purpose of funding the FY 2011 Capital Improvement Plan projects as follows: [11/29/ 10 @ 3:23 PM]  
Architectural Design and Engineering/ Next Scheduled Fire Station      \$400,000  
A-2 - HELD 6-0 \$270,000 for final design bidding and construction admin on 12/08/10

**REFERRED TO LAND USE & FINANCE COMMITTEES**

- #276-10 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.

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

- #245-06 ALD. JOHNSON AND HESS-MAHAN requesting an amendment to the City Charter to require the Mayor annually to prepare and submit to the Board of Aldermen a long-term financial forecast of anticipated revenue, expenditures and the general financial condition of the City, including, but not limited to identification of any factors which will affect the financial condition of the City; projected revenue and expenditure trends; potential sources of new or expanded revenues; anticipated municipal needs likely to require major expenditures; and a strategic plan for meeting anticipated municipal needs, to include, but not be limited to, any long or short-term actions that may be taken to enhance the financial condition of the City.

Respectfully submitted,

Leonard J. Gentile, Chairman



SETTI D. WARREN  
MAYOR

City of Newton, Massachusetts  
Office of the Mayor

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(617) 796-1100

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(617) 796-1113

TDD  
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E-mail  
[swarren@newtonma.gov](mailto:swarren@newtonma.gov)

March 1, 2013

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

Re: Amendment to Docket Item #74-13: appropriation for Special Election funding

Ladies and Gentlemen:

I write to request that your Honorable Board amend Docket #74-13 *HIS HONOR THE MAYOR requesting authorization to transfer the sum of one hundred thirty six thousand dollars (\$136,000) from current year salary savings from attrition in various departments' salary accounts to the Elections Department. One hundred twenty eight thousand dollars (\$128,000) would be used to fund the cost of a special primary and special election to fill the vacancy resulting from the resignation of Senator John Kerry and eight thousand dollars (\$8,000) would be used to fund temporary staffing for the Elections Department. [02/11/13 @ 5:14 ]* by adding an additional appropriation of \$35,000 from June 30, 2012 Free Cash to fund the Special Election for the Alderman at Large seat in Ward 1.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Setti D. Warren".

Setti D. Warren  
Mayor

Cc: Maureen Lemieux, Chief Financial Officer  
Peter Koutoujian, Sr., Interim Executive Secretary for the Elections Commission  
Donnalyn Kahn, City Solicitor

RECEIVED  
Newton City Clerk  
2013 MAR -1 PM 12:48  
David A. Olson, CMC  
Newton, MA 02459

1 March 2013

**City of Newton, Massachusetts**  
**Special Primary/Election Costs**  
**April 30, 2013 & June 25, 2013**

- |   |                 |
|---|-----------------|
| • Poll workers, Police Details, Ballots for Primary   | \$62,500        |
| • Poll workers, Police Details, Ballots for Election  | \$62,500        |
| • Ballots, Add'l workers, Postage - Alderman-at-Large | \$35,000        |
| • Salary for temporary and interim employees          | <u>\$11,000</u> |

**Total Cost: \$171,000**

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Newton City Clerk  
2013 MAR - 1 PM 12:48  
David A. Olson, CMC  
Newton, MA 02459

**Enclosure A**



SETTI D. WARREN  
MAYOR

City of Newton, Massachusetts  
Office of the Mayor

#74-13

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E-mail  
swarren@newtonma.gov

February 11, 2013

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

RECEIVED  
Newton City Clerk  
2013 FEB 11 PM 5:14  
David A. Olson, CMC  
Newton, MA 02459

Ladies and Gentlemen:

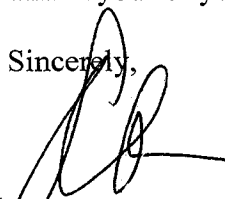
I write to request that your Honorable Board docket for consideration a request to transfer the following amounts from current year salary savings from attrition to the Elections Department to fund the costs of two special elections resulting from the resignation of Senator John Kerry. Because these are State elections they are expected to cost approximately \$60K.- \$65K each. Additionally, the remainder of this request will cover the costs of temporary staffing for the department.

From: Acct # 0110301-511001	\$30,000
From: Acct # 0110498-5197	\$36,000
From: Acct # 0110501-511001	\$20,000
From: Acct # 0110601-511001	\$25,000
From: Acct # 0140105-511002	\$25,000

The sum of \$8,000 should be transferred to Acct # 0111202-5313 Temporary Staffing while the remainder should be allocated to Special Elections Accounts.

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



#104-13

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swarren@newtonma.gov



SETTI D. WARREN  
MAYOR

City of Newton, Massachusetts  
Office of the Mayor

RECEIVED  
Newton City Clerk

2013 FEB 25 PM 6:32

David A. Olson, CMC  
Newton, MA 02459

February 25, 2013

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 \$250,000 from June 30, 2012 Free Cash to Acct # 0140110-5273 Snow/Ice Removal.

The Department of Public Works has now spent just under \$3 million. With the Board's approval of this action \$1.75 million remains in Free Cash and \$500 K in the Inclement Weather Reserve set aside should the City need additional funding for Snow Removal.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Setti D. Warren", with a long horizontal flourish extending to the right.

Setti D. Warren  
Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

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



DEDICATED TO COMMUNITY EXCELLENCE

**Public Works Department**  
**FY13 Snow and Ice Projected Spending Through Thursday March 4, 2013**

**#104-13**

	A	B	C=A+B	D	E=C-D
0140110	DESCRIPTION	ORIGINAL FY13 APPROPRIATION	TRANSFERS AND BOARD ORDERS	REVISED APPROPRIATION	EXPENDED, ENCUMBERED AND TO BE PROCESSED AVAILABLE
511001	SALARY WAGES	\$0	\$10,700	\$10,700	10,632 \$68
511002	FULL TIME WAGES/HOURLY	\$0	\$0	\$0	0 \$0
513001	REGULAR OVERTIME	197,800	\$356,000	\$553,800	541,266 \$12,534
513001A	REGULAR OVERTIME - BUILDINGS/SCHOOLS	30,000	\$22,000	\$52,000	51,607 \$393
513004	WORK BY OTHER DEPARTMENTS - OVERTIME	1,000	\$8,000	\$9,000	8,194 \$806
514311	DRIVING BONUS/STAND-BY SNOW PAY	30,000	\$39,000	\$69,000	68,963 \$37
514318	SNOW WATCH PAY	20,000	\$0	\$20,000	14,479 \$5,521
514321	PROMPTNESS PAY STIPEND	1,200	\$0	\$1,200	1,122 \$78
5273	RENTAL: VEHICLE & EQUIPMENT	200,000	\$400,000	\$600,000	1,556,969 (\$956,969)
5273A	RENTAL: VEHICLE & EQUIPMENT BUILDINGS/SCHOOLS	100,000	\$0	\$100,000	368,925 (\$268,925)
5386	WEATHER FORECAST SERVICE	1,655	\$0	\$1,655	1,655 \$0
5480	GASOLINE	34,425	\$0	\$34,425	8,935 \$25,490
5481	DIESEL FUEL	63,930	\$0	\$63,930	11,633 \$52,297
5484	VEHICLE REPAIR PARTS	75,000	\$0	\$75,000	85,823 (\$10,823)
5532	SAND AND SALT	239,990	(\$25,000)	\$214,990	498,343 (\$283,353)
5712	MEALS	0	\$0	\$0	0 \$0
5783	PRIVATE PROPERTY DAMAGE	5,000	\$0	\$5,000	0 \$5,000
57MEDA	MEDICARE PAYROLL TAX	0	\$0	\$0	7,574 (\$7,574)
<b>TOTALS</b>		<b>\$1,000,000</b>	<b>\$810,700</b>	<b>\$1,810,700</b>	<b>\$3,236,120 (\$1,425,420)</b>

#102-13

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SETTI D. WARREN  
MAYOR

City of Newton, Massachusetts  
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David A. Olson, CMC  
Newton, MA 02459

February 25, 2013

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 \$10,000 Acct # 27A401L1-5316 Sewer Fund Expenses to Acct 27A10772-582F15 Sewer Fund Debt. An error occurred in the preparation of the FY13 Sewer Fund Budget which will be corrected with this action.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Setti D. Warren", written over a horizontal line.

Setti D. Warren  
Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

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



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CITY OF NEWTON, MASSACHUSETTS

CITY HALL

1000 COMMONWEALTH AVENUE

NEWTON CENTRE, MA 02459

TELEPHONE (617) 796-1305

dwilkinson@newtonma.gov

David Wilkinson, Comptroller

January 29, 2013

TO: Mayor Warren & Members of the Board of Aldermen

FROM: David Wilkinson, Comptroller

SUBJECT: Sewer Fund Appropriation Transfer

When we performed our mid-year review of water and sewer fund appropriations, it was noted that the fiscal year 2013 Sewer Fund debt service budget has an error in the line item budget for interest on a fiscal year 2001 Massachusetts Water Pollution Abatement Trust (MWPAT) sewer infiltration and inflow reduction loan.

The amount budgeted for fiscal year 2013 net interest on the \$4 million sewer loan was \$53,100, when it should have been \$63,100.

In order to fully fund the City's fiscal year 2013 interest obligation, I would recommend that the sum of \$10,000 be transferred from Sewer Fund expenses (27A401L1-5316) to Sewer Fund debt service (27A10772-582F15). It appears that the budgeting error occurred because the MWPAT interest subsidy was substituted for the net interest obligation of the City for the February 1, 2013 interest payment.

Thank you.



SETTI D. WARREN  
MAYOR

City of Newton, Massachusetts  
Office of the Mayor

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swarren@newtonma.gov

February 25, 2013

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

Ladies and Gentlemen:

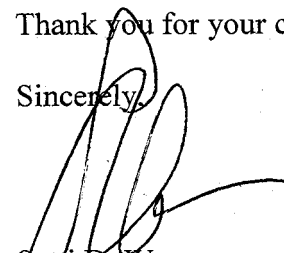
I write to request that your Honorable Board docket for consideration a request to approve a solicitation that seeks to award a contract for a term in excess of three (3) years pursuant to the provisions of M.G.L. c.30B, Section 12.

Specifically, the Treasurer, in collaboration with the Trustees of the John C. Chaffin Education Fund, the Chief Procurement Officer and the Law Department request authorization to issue a request for proposals for fund management services for the John C. Chaffin fund with a contract term of three (3) years and an option to renew for two additional three year terms.

Per the Treasurer's request the current fund manager has recently decided to vacate the municipal trust business and has given the City notice of their intent to exit the current contract.

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



RECEIVED  
Newton City Clerk  
2013 FEB 25 PM 6:32  
David A. Olson, CMC  
Newton, MA 02459

City of Newton



Treasury and Collection Department

James G. Reardon, Treasurer and Collector

1000 COMMONWEALTH AVENUE

NEWTON, MA 02459

TELEPHONE (617) 796-1330

FACSIMILE (617) 796-1343

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

Setti D. Warren  
Mayor

February 15, 2013

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

Dear Mayor Warren:

In collaboration with the Trustees of the John C. Chaffin Education Fund, the Chief Procurement Officer and the Law Department, I am preparing a request for proposals for fund management services for the assets of the John C. Chaffin Education Fund with an initial contract term of three (3) years, and an option to renew for two (2) additional three (3) year terms. The contract will provide the City with the option of terminating the fund manager at any time.

It is my understanding that the Board of Aldermen must vote to approve a solicitation that seeks to award a contract for a term in excess of three (3) years pursuant to the provisions of M.G. L. c. 30B, Section 12. Accordingly, I respectfully request that you docket an item with the Board to seek approval to issue a request for proposals for fund management services for the John C. Chaffin fund with a contract term of three (3) years and an option to renew for two additional three year terms.

In 2008 the Board of Aldermen approved a five (5) year term and an option to renew for an additional five (5) year term (see #310-08 attached herewith). A contract was subsequently awarded to Bank of America. They have recently decided to vacate the municipal trust business and have given notice of their intent to exit the contract. We must, therefore, complete the process of finding an alternative investment manager as soon as possible.

Thank you for your prompt attention to this request.

Sincerely,

  
James G. Reardon  
Treasurer & Collector

cc: Nick Read, Chief Procurement Officer  
Beth Smith, Chaffin Fund Trustee  
Robert J. Waddick, Assistant City Solicitor  
David Wilkinson, Comptroller

#310-08


CITY OF NEWTON  
IN BOARD OF ALDERMEN

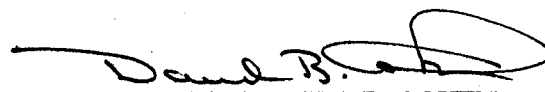
September 15, 2008

## ORDERED:

That in accordance with the recommendation of the Finance Committee through its Chairman, Alderman Paul E. Coletti, requesting authorization pursuant to GL chapter 30B, §12 for the Treasurer's Office to solicit bids and enter in a contract for fund management services for the Chaffin Education Fund for a term of up to five years with an option to renew for up to additional five years.

Under Suspension of Rules  
Readings Waived and Approved  
20 yeas, 0 nays, 4 absent (Ald. Albright, Fischman, Lappin and Sangiolo)

  
(SGD) DAVID A. OLSON  
City Clerk

  
(SGD) DAVID B. COHEN  
Mayor

  
(SGD) PAUL E. COLETTI, Chairman  
Finance Committee

Date: 9/19/08

RECEIVED  
SEP 17 2008  
MAYOR'S OFFICE

## Chapter 18

**MEMORIAL FUNDS AND TRUSTS\***

- Art. I. John C. Chaffin Education Fund, §§ 18-1—18-21**
- Art. II. Horace Cousens Industrial Fund, §§ 18-22—18-46**
- Art. III. Eliot Memorial, §§ 18-47—18-69**
- Art. IV. Read Fund, §§ 18-70—18-91**
- Art. V. Twombly House Fund, §§ 18-92—18-110**
- Art. VI. Arnold S. Daniels, Jr., Fund, §§ 18-111—18-131**
- Art. VII. Conservation Fund, § 18-132—18-139**
- Art. VIII. Newton Commonwealth Fund, §§ 18-140—18-144**
- Art. IX. Oak Hill Park Association Trust, §§ 18-145—18-150**
- Art. X. Kennard Park Trust, §§ 18-151—18-159**
- Art. XI. Nahanton Park Trust Fund, §§ 18-160—18-163**
- Art. XII. Emerson Community Center Trust, §§ 18-164—18-167**
- Art. XIII. Mayor Theodore D. Mann/Fig Newtons® Trust Fund, §§ 18-168—179**
- Art. XIV. Newton Board of Aldermen Scholarship Fund, §§ 18-180—180-189**
- Art. XV. Lawrence W. Gorin (Class of 1955) Scholarship Fund, §§ 18-190—180-195**
- Art. XVI. Mabel Louise Riley Trust Fund, §§ 18-196--18-229**
- Art. XVII. Investment of Funds in Custody of Collector-Treasurer, §§ 18-230--18-232**

**ARTICLE I.****JOHN C. CHAFFIN EDUCATIONAL FUND****Sec. 18-1. Designation.**

The gift by the will of the late John C. Chaffin shall be known as the John C. Chaffin Educational Fund. (Rev. Ords. 1973, § 12-1)

**Sec. 18-2. Board of trustees—Composition; appointment, removal, compensation and terms of members.**

The John C. Chaffin Educational Fund shall be in charge of, and shall be administered by, a board of seven (7) trustees, serving without compensation, one of whom shall be the chairman of the school committee of the city by virtue of his office. The other six (6) shall be appointed by the mayor subject, within fourteen (14) days from the date of appointment, to confirmation by the board of aldermen. Such appointment shall be for life, subject to removal by the mayor by reason of disability, removal from the city or other sufficient cause. (Rev. Ords. 1973, § 12-2)

**Sec. 18-3. Same—Treasurer.**

The city collector-treasurer, by virtue of his office, shall be the treasurer of the John C. Chaffin Educational Fund board of trustees and shall receive and take charge of all money or property arising from or a part of such fund. (Rev. Ords. 1973, § 12-3)

**Cross reference**—City collector-treasurer, Ch. 2, Art. III, Div. 2

**Sec. 18-4. Purpose.**


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\* **Editor's note:** The investment provisions of each article should be read in concert with the provisions of Art. XVII of this chapter.

The income of the John C. Chaffin Educational Fund shall be paid out by the city collector-treasurer as directed by the trustees in expenditures for the benefit of graduates of the city's public high schools or of any school of a higher grade that may be established in the city, who have a thirst for knowledge and are anxious to obtain the benefits of an education at a college or the Massachusetts Institute of Technology, but are financially unable to do so. (Rev. Ords. 1973, § 12-4)

**Editor's note**—This section originally provided that expenditures were to be “. . . for the benefit of graduates of the Newton High School or of any school of a higher grade that may be established in the city . . . .”

#### **Sec. 18-5. Investments.**

The board of trustees of the John C. Chaffin Educational Fund shall have the management of such fund and the same shall be invested by the city collector-treasurer as directed by the trustees in securities which are legal investments for savings banks under the statutes of the commonwealth. (Rev. Ords. 1973, § 12-5; Ord. No. T-281, 7-12-93)

**Cross reference**—Municipal finance regulations, Ch.2, Art. III.

#### **Secs. 18-6—18-21. Reserved.**

### **ARTICLE II. HORACE COUSENS INDUSTRIAL FUND**

#### **Sec. 18-22. Designation.**

The gift bequeathed to the city in trust by the will of the late Horace Cousens shall be known as the Horace Cousens Industrial Fund. (Rev. Ords. 1973, § 12-17)

#### **Sec. 18-23. Board of trustees—Composition; appointment, removal, compensation and terms of members.**

The Horace Cousens Industrial Fund shall be administered by a board of three (3) trustees, who shall serve without compensation and shall be residents of the city, and shall give bond to the city for the faithful performance of their fiduciary duties. At least one of the trustees shall have direct experience as a professional in the social services. At no time shall all three trustees be of the same sex.

Each trustee shall be appointed by the mayor with the approval of the board of aldermen. The trustees shall be subject to removal by the mayor by reason of disability, non-resident status or other good cause.

The term of each appointment shall be three (3) years. However, the initial appointments made under this ordinance shall be shortened in order to provide for staggered terms. These initial appointments shall be made for terms that expire as follows: One appointment to expire June 1, 2000; one appointment to expire June 1, 2001; and one appointment to expire June 1, 2002. (Rev. Ords. 1973, § 12-18; R-305, 3-21-83; Ord. No. V-238, 4-20-99, Ord. No. V-238, 4-20-99)

#### **Sec. 18-24. Same—Investigations and reports on requests for loans.**

All loans from and all investments of the Horace Cousens Industrial Fund shall be investigated and reported on by the board of trustees before any action is taken thereupon. (Rev. Ords. 1973, § 12-19)

#### **Sec. 18-25. Same—Applications and recommendations for loans.**

All applications for loans under the Horace Cousens Industrial Fund shall be made to and filed with the board of trustees of such fund, who shall investigate and make reports and recommendations on all applications for loans from such fund. (Rev. Ords. 1973, § 12-20)

CITY OF NEWTON, MASSACHUSETTS  
PRIVATE PURPOSE TRUST FUNDS  
CHAFIN EDUCATION FUND  
COMPARATIVE BALANCE SHEET  
December 31, 2012

(with comparative totals for September 30, 2012)

	December 31, 2012	September 30, 2012	\$ Change
<b>ASSETS:</b>			
Cash in the custody of the City .....	\$ -	\$ -	\$ -
Investments			
Cash and cash equivalents.....	479,939.68	407,908.80	72,030.88
Fixed income investments.....	1,061,641.84	1,074,835.94	(13,194.10)
Equity investments.....	3,073,103.60	3,110,480.63	(37,377.03)
Real estate investments.....	145,248.81	155,455.93	(10,207.12)
Commodity investments.....	130,312.35	140,125.03	(9,812.68)
Total investments	4,890,246.28	4,888,806.33	1,439.95
Interest and dividends receivable.....	7,610.88	7,850.70	(239.82)
Student loans receivable.....	-	-	-
Total assets.....	4,897,857.16	4,896,657.03	1,200.13
<b>LIABILITIES &amp; FUND BALANCES:</b>			
Due to City of Newton.....	164,453.08	86,453.08	78,000.00
Accrued payroll/expenses.....	-	-	-
Total liabilities.....	164,453.08	86,453.08	78,000.00
Fund Balance Reserved - Non expendable.....	170,799.73	170,799.73	-
Fund Balance Designated - Loan/grant commitments.....	76,000.00	138,500.00	(62,500.00)
Fund Balance Designated - Unrealized investment gains....	879,792.83	950,383.76	(70,590.93)
Fund Balance - Expendable.....	3,606,811.52	3,550,520.46	56,291.06
Total fund balances	4,733,404.08	4,810,203.95	(76,799.87)
Total liabilities and fund balances.....	\$ 4,897,857.16	\$ 4,896,657.03	\$ 1,200.13

CITY OF NEWTON, MASSACHUSETTS  
PRIVATE PURPOSE TRUST FUNDS  
CHAFFIN EDUCATION FUND  
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES  
July 1, 2012 to December 31, 2012

	October 1, 2012 to December 31, 2012	July 1, 2012 to September 30, 2012	Total for Year
<b>REVENUE:</b>			
Investment income.....	\$ 1,200.13	\$ 220,777.24	\$ 221,977.37
Gifts and donations.....	-	-	-
Total revenue.....	<u>1,200.13</u>	<u>220,777.24</u>	<u>221,977.37</u>
<b>EXPENDITURES:</b>			
Administrative.....	-	851.88	851.88
Postage.....	-	-	-
Printing.....	-	-	-
Refreshments.....	-	-	-
Scholarships and awards.....	<u>78,000.00</u>	<u>68,000.00</u>	<u>146,000.00</u>
Total expenditures.....	<u>78,000.00</u>	<u>68,851.88</u>	<u>146,851.88</u>
Excess/(deficiency) of revenue over expenditures.....	<u>(76,799.87)</u>	<u>151,925.36</u>	<u>75,125.49</u>
Fund Balance - Beginning of quarter .....	<u>4,810,203.95</u>	<u>4,658,278.59</u>	<u>4,658,278.59</u>
Fund Balance - End of quarter .....	<u>\$ 4,733,404.08</u>	<u>\$ 4,810,203.95</u>	<u>\$ 4,733,404.08</u>

CITY OF NEWTON, MASSACHUSETTS  
PRIVATE PURPOSE TRUST FUNDS  
CHAFFIN EDUCATION FUND  
CASH FLOW SCHEDULE  
July 1, 2012 - December 31, 2012

	October 1, 2012 to December 31, 2012	July 1, 2012 to September 30, 2012	Total for Year
<b>RECEIPTS:</b>			
Transfer of cash from investment account.....	\$ -	\$ -	-
Investment income - cash in custody of the City.....	-	-	-
Loan repayments.....	-	-	-
Total cash receipts.....	-	-	-
<b>DISBURSEMENTS:</b>			
Scholarships and awards.....	78,000.00	68,000.00	146,000.00
Loans .....	-	-	-
Printing.....	-	-	-
Refreshments.....	-	-	-
Postage.....	-	-	-
Administrative.....	-	851.88	851.88
Total cash disbursements.....	78,000.00	68,851.88	146,851.88
Change in cash in cash in the custody of the City.....	(78,000.00)	(68,851.88)	(146,851.88)
Cash in the custody of the City - beginning of quarter .....	(86,453.08)	(17,601.20)	(17,601.20)
Cash in the custody of the City - end of quarter .....	\$ (164,453.08)	\$ (86,453.08)	\$ (164,453.08)

#101-13

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swarren@newtonma.gov



SETTI D. WARREN  
MAYOR

City of Newton, Massachusetts  
Office of the Mayor

RECEIVED  
Newton City Clerk

2013 FEB 25 PM 6:32

David A. Olson, CMC  
Newton, MA 02459

February 25, 2013

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

Ladies and Gentlemen:

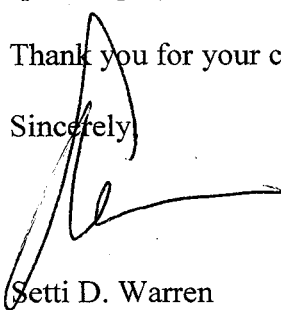
I write to request that your Honorable Board docket for consideration a request to transfer and authorize the expenditure of the following:

\$510 from Receipts Reserved for B Street Bike Rack, and  
\$1,043 from the reimbursement revenue from MAPC for past bicycle racks which were  
purchased through their Regional Bicycle Parking Program.

I have attached the request from the Director of Planning and Development detailing the specific project.

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



Setti D. Warren  
Mayor

# CITY OF NEWTON, MASSACHUSETTS

Department of Planning and Development

#101-13

Telephone  
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TDD/TTY  
(617) 796-1089

## MEMORANDUM

To: Finance Committee of the Board of Aldermen

From: Candace Havens, Director of Planning and Development  
David Koses, Transportation Planning Coordinator

RE: Bicycle Corral

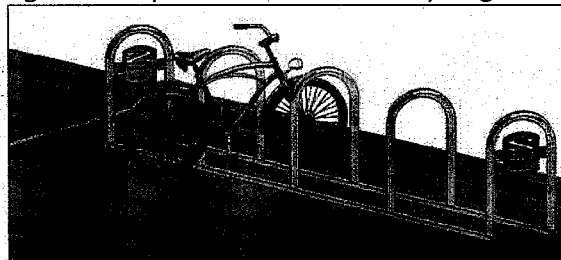
DATE: February 7, 2013

CC: Mayor Setti D. Warren  
David Wilkinson, Comptroller

The City of Newton is committed to continuing to expand and enhance our bicycling infrastructure throughout the City. On January 17, 2013, Traffic Council voted to remove the first parking space on the north/east side of Langley Road, just west of Sumner Street (in front of JP Licks), in order to install a bicycle corral. Because Traffic Council also voted to add a new metered parking space across the street, no parking spaces were lost.

An image of a Bicycle Corral, available from Saris Cycling Group, is shown in Figure 1. This bicycle corral will allow access from the sidewalk or from the street, and will allow for parking for up to 10 bicycles. The quote received, including the hoop racks and rails, wheel stops, traffic delineators, and shipping, is \$1677.00.

Figure 1: Bicycle Corral from Saris Cycling Group



This bicycle corral would be installed by DPW staff in the spring and removed for storage in the winter. It is possible to relocate the bicycle corral to other locations, if future opportunities arise. The following funds are already available toward the purchase of the bicycle corral in Newton Centre:

- \$510.00, which remains available as mitigation from the Special Permit that allowed for the expansion of B Street Restaurant. These funds could only be used for bicycle parking in Newton Centre, and are in account 14K101W.
- \$1043.00, which is in account A18V1142013. This is reimbursement revenue from MAPC for past bicycle racks which were purchased through their Regional Bicycle Parking program.
- \$124.00 is the balance.

#103-13

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swarren@newtonma.gov



SETTI D. WARREN  
MAYOR

City of Newton, Massachusetts  
Office of the Mayor

February 25, 2012

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 \$620,000 from June 30, 2012 Free Cash to the Newton Public School Department. As a result of a change in the distribution of "Medicaid Direct Services" reimbursements, the City of Newton received this amount in FY12 Net Unanticipated Revenue. This request honors the Administration's commitment to appropriate excess education revenue to the Newton Public Schools.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Seth D. Warren", written over the word "Sincerely,".

Seth D. Warren  
Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

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



DEDICATED TO COMMUNITY EXCELLENCE

RECEIVED  
Newton City Clerk  
2013 FEB 25 PM 6:32  
David A. Olson, CMC  
Newton, MA 02459



Setti D. Warren  
Mayor

**City of Newton, Massachusetts**  
Department of Planning and Development  
1000 Commonwealth Avenue Newton, Massachusetts 02459

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Candace Havens  
Director

---

**WORKING SESSION MEMORANDUM**

**DATE:** March 8, 2013  
**TO:** Alderman Leonard J. Gentile, Chairman  
Members of the Finance Committee  
  
**FROM:** Candace Havens, Director of Planning and Development  
James Freas, Chief Planner for Long-Range Planning  
Trisha Kenyon Guditz, Housing Program Manager  
  
**RE:** Affordable Housing Trusts Discussion  
  
**MEETING DATE:** March 11, 2013  
  
**CC:** Board of Aldermen

A handwritten signature in black ink, appearing to be "JH" or similar, located to the right of the "FROM:" section.

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Housing Program Staff will be attending the Zoning and Planning Committee meeting to discuss the concept of a municipal affordable housing trust in anticipation of staff bringing forward a proposal to form such a trust in the City of Newton. Angus Jennings, AICP will be attending as a guest speaker to share his knowledge and experience gained as the manager of the Town of Westford's Affordable Housing Trust.

**Guest speaker**

Mr. Jennings is a planning consultant and the President of the Massachusetts Association of Planning Directors. Until recently, he was the Director of Land Use Management for the Town of Westford where he still works on an interim basis. His responsibilities for the Town included oversight of the Zoning, Planning, Permitting, Conservation and Building Departments, and project management for a range of public policy, infrastructure and community and economic development initiatives.

Mr. Jennings previously served as Principal Planner for Concord Square Planning & Development, Inc., a Boston-based consulting firm which played a major role in the adoption of 40R Smart Growth Zoning legislation in Massachusetts and similar "Incentive Housing Zones" legislation in Connecticut. At Concord Square, he served as project manager for

nearly 30 public-and private-sector contracts, including leading zoning amendments in 10 communities and serving as lead consultant to Federal Realty Investment Trust in securing the first "I-Cubed" infrastructure financing district in Massachusetts. Angus has also served as the Town Planner in Marshfield, MA, and a Planning Assistant for the City of Baltimore, MD.

Mr. Jennings holds a Master's Degree in City and Regional Planning from Cornell University.

## **Background to the discussion**

Over a two-year period, members of the Newton Housing Partnership met to determine if there was more a more predictable, efficient and less time consuming way to provide the financial subsidies necessary to develop affordable rental and ownership housing in Newton. Most affordable housing developers rely on multiple sources of financing to complete a project and a protracted development process adds to the overall cost of development. Streamlining the public funding process is essential since smaller developments, like the ones that typically access City public funds, are the least able to absorb the costs that result from a lengthy development process. The Newton Housing Partnership is recommending that the City consider establishing an affordable housing trust which can shorten the process for securing funds and provide an overall degree of cohesion and continuity that is not currently in place at this time.

## **MUNICIPAL AFFORDABLE HOUSING TRUST BACKGROUND**

### State enabling legislation

The Municipal Affordable Housing Trust Fund Law at MGL c.44, s. 55C was passed by the State legislature in 2005. The purpose of creating a municipal affordable housing trust is to support the creation and preservation of affordable housing in municipalities for the benefit of low-and moderate-income households. Prior to 2005, communities could only create trusts through a home rule petition which required approval from the State legislature.

### Board of Trustees

Trusts are usually managed by a nonprofit organization or a governmental agency and the statute requires that a board of trustees be established to manage and oversee it. The board must include at least five members including the chief executive officer, or designee. (In Newton, the chief executive officer is the mayor.)The remaining trustees are appointed by the chief executive officer subject to confirmation by a municipality's legislative body—in Newton, the Board of Aldermen. Trustees serve for a term not to exceed two years with the exception of the chief executive officer. Generally, board members should include individuals with experience in housing development, planning, architecture, real estate and finance/lending.

### Powers of the Board of Trustees

Under the statute, a trust has broad powers characterized as "...the creation and preservation of affordable housing". Therefore, eligible uses of a trust can include acquisition,

rehabilitation, new construction, preservation and pre-development costs. To this end, a municipal affordable housing trust can:

- Accept and receive real property, personal property, or money by gift, grant, contribution, devise or transfer from a range of entities.
- Purchase, own and manage real estate property.
- Sell, lease, exchange, transfer or convey any personal, mixed, or real property at public auction or by private contract.
- Execute, acknowledge, and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts and other instruments incident to any transaction in which the board uses for the accomplishment of the purposes of the trust.
- Other powers consistent with the creation and preservation of affordable housing.

A municipality can, either by ordinance or by-law, exclude or modify any of the powers identified in the statute and can also grant additional powers to the board if they are consistent with the purposes of the statute.

#### Funding a trust

Trusts are typically capitalized by dedicated, recurring and non-recurring revenue sources. Some possible sources of funding for an affordable housing trust, subject to existing processes such as Aldermanic approval, can include:

- Community Preservation Funds
- Funds derived from inclusionary zoning requirements
- Direct appropriations
- Donations/bequests
- Loan repayments

#### Establishing an affordable housing trust

Establishing an affordable housing trust in Newton requires a majority of the Board of Aldermen to vote to accept the provisions of the enabling legislation. In the same or subsequent action, the Board of Aldermen must specify how many members will constitute the board of trustees and the initial length of their terms (not to exceed two years, except for the chief executive officer). In addition, the Board of Aldermen may specify the composition of the trust board and omit, modify, or add to the powers authorized by the statute. Following the Aldermanic vote(s), individuals are appointed to the board of trustees by the chief executive officer, subject to confirmation by the Board of Aldermen.