

CITY OF NEWTON

IN BOARD OF ALDERMEN

FINANCE COMMITTEE AGENDA

MONDAY, MARCH 26, 2012

7 PM
Room 222

ITEMS TO BE DISCUSSED:

- #73-12 HIS HONOR THE MAYOR requesting acceptance of Massachusetts General Law Chapter 200A, Section 9A, Disposition of Unclaimed Property in order to have any unclaimed funds escheat to the City as revenue to the to the General Fund instead of allowing these funds to escheat to the Commonwealth. 03/12/12 @ 4:09 AM]
- #74-12 HIS HONOR THE MAYOR requesting authorization to accept, appropriate, and expend the sum of fifty thousand dollars (\$50,000) received from the Town of Wellesley, as a condition of a special permit issued by Wellesley, to provide improvements at the intersection of Washington Street and Concord Street in Newton Lower Falls
- #75-12 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of two million dollars (\$2,000,000) from FY12 Free Cash to provide additional funding of the Rainy Day Stabilization Fund. [10/31/11 @2:48 PM]
- #76-12 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of two hundred fifty thousand dollars (\$250,000) from the March 12, 2012 Declaration of Overlay Surplus as declared by the Chairman of the Board of Assessors to the Assessing Department Revaluation Account to support expert services required for such items as utility valuation and testimony for cases before the Appellate Tax Board. [03/12/12 4:09 PM]

Item recommitted on March 19, 2012:

REFERRED TO PUBLIC FACILITIES & FINANCE COMMITTEES

- #89-11 FINANCE COMMITTEE recommending that **Sec. 29-72(b) Same— Assessments upon owners of estates passed by new sewers.** of the City of Newton Rev Ordinances, 2007, be amended to increase the fixed uniform rates assessed upon owners of all estates passed by new sewers to rates that more accurately represent the estimated average cost of installing such sewers.
PUBLIC FACILITIES APPROVED 8-0 ON 03/21/12

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 Guditz, 617-796-1156, via email at TGuditz@newtonma.gov or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting date.

Public hearing to be assigned for April 9, 2012:

- #77-12 HIS HONOR THE MAYOR proposing pursuant to Sec. 6-2 an amendment to Chapter 9 of the City of Newton Revised Ordinances, 2007 by creating Article II to establish a Financial Information Systems Department. [03/12/12 @ 4:09 PM]
N. B. The Board shall not more than 30 days from 03/19/12 hold a public hearing on the proposed new city agency and shall report no later than the second regular meeting of the Board of Aldermen following the hearing either that it approves or that it disapproves of the plan; said reorganization shall become effective ninety days after the date it is received by the Board unless the Board has prior to that date voted to disapprove the plan or unless a later effective date is specified in the plan.

To be referred to Zoning and Planning Committee for further discussion

REFERRED TO ZONING AND PLANNING AND FINANCE COMMITTEES

- #102-11 ALD. HESS-MAHAN, JOHNSON, COMMISSIONER LOJEK & CANDACE HAVENS requesting an amendment to Chapter 17 to establish a fee for filing a notice of condo conversion. [03-29-11 @ 4:55PM]
ZAP APPROVED 7-0 on 06/13/11

To be referred to Zoning and Planning Committee for further discussion

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]
ZAP APPROVED 7-0 on 06/13/11

REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES

- #262-11 HIS HONOR THE MAYOR requesting amendments to Chapter 17 of the City of Newton Ordinances, 2007 to increase fees for permits issued by the Fire Department. [08/29/11 @ 3:50 PM]
PUBLIC SAFETY VOTED NO ACTION NECESSARY 5-0 ON 3/21/12

ITEMS NOT TO BE DISCUSSED:

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #54-12 ALD. SALVUCCI, BLAZAR AND FULLER requesting the creation of a revolving fund into which 50% of all betterment income shall be deposited to be used exclusively for individual requests for betterments. [02/02/12 @ 10:21 AM]
PUBLIC FACILITIES HELD 7-1 (Salvucci opposed) on 03/21/12

REFERRED TO ZONING & PLANNING AND FINANCE COMMITTEES

- #79-12 COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of nine hundred thirty eight thousand sixty-three dollars (\$938,063) to the Planning & Development Department for the creation of seven units of affordable rental housing at 12 and 18-20 Curve Street, West Newton, as described in the proposal submitted by Myrtle Village, LLC. [03/01/12 @ 5:00 PM]

REFERRED TO PUBLIC SAFETY & TRANS AND FINANCE COMMITTEES

- #78-12 HIS HONOR THE MAYOR proposing amendments to Sections 19-9 and 19-199 of the City of Newton Revised Ordinances, 2007 to increase the penalties for handicap parking violations in Section 19-9 and to clarify that handicap parking violation penalties apply not only to spaces on public ways but also to handicap spaces on private property open to public access in accordance with Section 19-199; to update language in Section 19-199 regulating minimum width of handicap spaces; to add language pertaining to cross-hatch areas as required by state law; and to reference governing Architectural Access Board regulations. [03/12/12 @4:09 PM]

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 FINANCE AND APPROPRIATE COMMITTEES

- #383-11 HIS HONOR THE MAYOR submitting the FY13-FY17 Capital Improvement Program pursuant to section 5-3 of the Newton City Charter and the FY12 Supplemental Capital budget, which require Board of Aldermen approval to finance new capital projects over the next several years. [10/31/11 @ 3:12 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #374-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of twenty-five thousand dollars (\$25,000) from FY11 Free Cash for the purpose of repairing/replacing a broken jail cell door and track at Police Headquarters. [10/31/11 @ 2:49 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, PUBLIC FACIL. AND FINANCE COMMITTEES

- #367-10 HIS HONOR THE MAYOR requesting authorization to appropriate an amount not to exceed five million dollars (\$5,000,000) from bonded indebtedness for the following:
- (B) installation of up to six modular classrooms at five elementary schools as well as the addition of permanent classrooms and renovations to the core of F.A. Day Middle School. [11/29/10 @ 3:23 PM]
 - (A) \$75,000 for site plan work for 1 modular at Horace Mann, 2 at Zervas, and 1 at Burr was approved on December 20, 2010.
 - (B1) \$923,375 for installation of 4 modulares was approved on July 11, 2011
 - (B2A) \$86,545 for additional expenses related to the construction and installation of modular was approved on November 21, 2011.
 - (B2B) \$102,117 for design of sprinkler systems at three elementary schools was approved on November 21, 2011.
 - (B2C) Six hundred forty-three thousand five hundred dollars (\$643,500) of the remaining \$3,812,963 for the design and other related expenses associated with the building renovations to F.A. Day Middle School was approved on December 19, 2011.
 - (B2D) One million four hundred seventy-four thousand one hundred ninety-four dollars (\$1,474,194) of the remaining \$3,169,463 for the purpose of funding construction, construction administration and related expenses for the sprinkler system installations at the Burr, Zervas, and Horace-Mann Elementary Schools to be voted 03/05/12.
- #367-10(B2) – \$ 1,695,269 (remaining balance) for renovations to the core of F.A. Day Middle School and sprinkler systems.

REFERRED TO PUBLIC SAFETY & TRANSPORTATION & 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]

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

#73-12

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E-mail
swarren@newtonma.gov

March 12, 2012

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

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to accept Massachusetts General Law Chapter 200A, Section 9A, Disposition of Unclaimed Property.

The City currently has more than \$500,000 in unclaimed checks. The Treasury Department is aggressively completing the tailings process for these unclaimed vendor or payroll checks. This statute must be accepted by the City in order for any unclaimed funds to escheat to the City as revenue to the General Fund, as opposed to allowing these funds to escheat to the Commonwealth.

A copy of a letter from the Massachusetts Department of the State Treasurer, Chapter 200A: Section 9A, and Chapter 4: Section 4, are attached.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

RECEIVED
Newton City Clerk
2012 MAR 12 PM 4:09
David A. Olson, CMC
Newton, MA 02459



City of Newton

Treasury and Collection Department

#73-12



Setti D. Warren
Mayor

James G. Reardon, Treasurer and Collector

1000 Commonwealth Avenue

Newton Centre, MA 02459

Telephone (617) 796-1338

E-Mail jgreardon@newtonma.gov

February 24, 2012

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

Dear Mayor Warren:

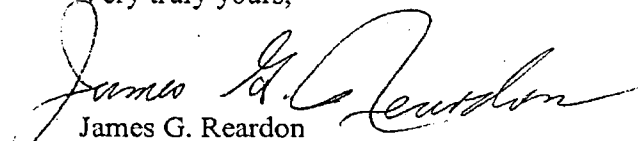
I respectfully request that Massachusetts General Law Chapter 200A, Section 9A, Disposition of Unclaimed Property be submitted to the Board of Aldermen for their acceptance.

Under the present system for disposing of unclaimed property any funds owed for vendor or payroll checks eventually escheat to the Commonwealth if unclaimed after the completion of the tailings process. These funds cannot be reclaimed by the City. Adoption of Ch. 200A, Sec. 9A allows for such unclaimed funds to escheat to the City as revenue to the General Fund. This benefits the City while incurring only minor changes in current procedures with regard to advertising and to the timing of presentation of items.

As stated in the first paragraph of Sec. 9A, the statute must be accepted in the manner provided in Section 4 of Chapter 4. I have enclosed copies of Chapter 200A, Section 9A and Chapter 4, Section 4 for your convenience. I have also enclosed a copy of a determination from the Massachusetts Department of the State Treasurer confirming that funds escheated to the State may not be reclaimed.

Thank you for your attention to this matter.

Very truly yours,


James G. Reardon
Treasurer & Collector

cc: Maureen Lemieux, Chief Financial Officer

Enclosures (3)



THE 187TH GENERAL COURT OF
THE COMMONWEALTH OF MASSACHUSETTS

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PART II	REAL AND PERSONAL PROPERTY AND DOMESTIC RELATIONS (Chapters 183 through 210)	PREV NEXT
TITLE II	DESCENT AND DISTRIBUTION, WILLS, ESTATES OF DECEASED PERSONS AND ABSENTEES, GUARDIANSHIP, CONSERVATORSHIP AND TRUSTS	PREV NEXT
CHAPTER 200A	DISPOSITION OF UNCLAIMED PROPERTY	PREV NEXT
Section 9A	Disposition of abandoned funds by city or town; notice of period during which funds may be claimed; city treasurer authorized to hear claims; appeal; disbursement	PREV NEXT

Section 9A. (a) In any city, town or district that accepts this section in the manner provided in section 4 of chapter 4, there shall be an alternative procedure for disposing of abandoned funds held in the custody of the city, town or district as provided in this section.

(b) Any funds held in the custody of a city, town or district may be presumed by the city, town or district treasurer to be abandoned unless claimed by the corporation, organization, beneficiary or person entitled thereto within 1 year after the date prescribed for payment or delivery; provided, however, that the last instrument intended as payment shall bear upon its face the statement "void if not cashed within 1 year from date of issue". After the expiration of 1 year after the date of issue, the treasurer of a city, town or district may cause the financial institution upon which the instrument was drawn to stop payment on the instrument or otherwise cause the financial institution to decline payment on the instrument and any claims made beyond that date shall only be paid by the city, town or district through the issuance of a new instrument. The city, town or district and the financial institution shall not be liable for damages, consequential or otherwise, resulting from a refusal to honor an instrument of a city, town or district submitted for payment more than a year after its issuance.

(c) The treasurer of a city, town or district holding funds owed to a corporation, organization, beneficiary or person entitled thereto that are presumed to be abandoned under this section shall post a notice entitled "Notice of names of persons appearing to be owners of funds held

by (insert city, town or district name), and deemed abandoned". The notice shall specify the names of those persons who appear from available information to be entitled to such funds, shall provide a description of the appropriate method for claiming the funds and shall state a deadline for those funds to be claimed; provided, however, that the deadline shall not be less than 60 days after the date the notice was either postmarked or first posted on a website as provided in this section. The treasurer of the city, town or district may post such notice using either of the following methods: (1) by mailing the notice by first class mail, postage prepaid, to the last known address of the beneficiary or person entitled thereto; or (2) if the city, town or district maintains an official website, by posting the notice conspicuously on the website for not less than 60 days. If the apparent owner fails to respond within 60 days after the mailing or posting of the notice, the treasurer shall cause a notice of the check to be published in a newspaper of general circulation, printed in English, in the county in which the city or town is located.

(d) In the event that funds appearing to be owed to a corporation, organization, beneficiary or person is \$100 or more and the deadline as provided in the notice has passed and no claim for the funds has been made, the treasurer shall cause an additional notice, in substantially the same form as the aforementioned notice, to be published in a newspaper of general circulation in the county in which the city, town or district is located; provided, however, that the notice shall provide an extended deadline beyond which funds shall not be claimed and such deadline shall be at least 1 year from the date of publication of the notice.

(e) Once the final deadline has passed under subsection (d), the funds owed to the corporation, organization, beneficiary or person entitled thereto shall escheat to the city, town or district and the treasurer thereof shall record the funds as revenue in the General Fund of the city, town or district and the city, town or district shall not be liable to the corporation, organization, beneficiary or person for payment of those funds or for the underlying liability for which the funds were originally intended. Upon escheat, the funds shall be available to the city, town or district's appropriating authority for appropriation for any other public purpose. In addition to the notices required in this section, the treasurer of the city, town or district may initiate any other notices or communications that are directed in good faith toward making final disbursement of the funds to the corporation, organization, beneficiary or person entitled thereto.

Prior to escheat of the funds, the treasurer of the city, town or district shall hear all claims on funds that may arise and if it is clear, based on a preponderance of the evidence available to the treasurer at the time the claim is made, that the claimant is entitled to disbursement of the funds, the treasurer shall disburse funds to the claimant upon receipt by the treasurer of a written indemnification agreement from the claimant wherein the claimant agrees to hold the city, town or district and the treasurer of the city, town or district harmless in the event it is later determined that the claimant was not entitled to receipt of the funds. If it is not clear,

based on a preponderance of the evidence before the treasurer at the time of the claim that the claimant is entitled to disbursement of the funds, the treasurer shall segregate the funds into a separate, interest-bearing account and shall notify the claimant of such action within 10 days. A claimant affected by this action may appeal within 20 days after receiving notice thereof to the district, municipal or superior court in the county in which the city, town or district is located. The claimant shall have a trial de novo. A party adversely affected by a decree or order of the district, municipal or superior court may appeal to the appeals court or the supreme judicial court within 20 days from the date of the decree.

If the validity of the claim shall be determined in favor of the claimant or another party, the treasurer shall disburse funds in accordance with the order of the court, including interest accrued. If the validity of the claim is determined to be not in favor of the claimant or another party or if the treasurer does not receive notice that an appeal has been filed within 1 year from the date the claimant was notified that funds were being withheld, then the funds, plus accrued interest, shall escheat to the city, town or district in the manner provided in this section.

If the claimant is domiciled in another state or country and the city, town or district determines that there is no reasonable assurance that the claimant will actually receive the payment provided for in this section in substantially full value, the superior court, in its discretion or upon a petition by the city, town or district, may order that the city, town or district retain the funds.



THE 187TH GENERAL COURT OF
THE COMMONWEALTH OF MASSACHUSETTS

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PART I

**ADMINISTRATION OF THE GOVERNMENT
(Chapters 1 through 182)**

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TITLE I

**JURISDICTION AND EMBLEMS OF THE COMMONWEALTH, THE
GENERAL COURT, STATUTES AND PUBLIC DOCUMENTS**

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CHAPTER 4

STATUTES

[PREV](#) [NEXT](#)

Section 4

Mode of acceptance of statute by municipality or district

[PREV](#) [NEXT](#)

Section 4. Wherever a statute is to take effect upon its acceptance by a municipality or district, or is to be effective in municipalities or districts accepting its provisions, this acceptance shall be, except as otherwise provided in that statute, in a municipality, by vote of the legislative body, subject to the charter of the municipality, or, in a district, by vote of the district at a district meeting.

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Steven Grossman
Treasurer and Receiver General

The Commonwealth of Massachusetts
Department of the State Treasurer
Unclaimed Property Division
Boston, Massachusetts 02108-1608

Ms. Linda Dubuque
City of Newton
Treasurer's Department
1000 Commonwealth Avenue
Newton, MA 02459

February 22, 2012

Good Day Ms. Dubuque,

I send this letter as a follow up to a recent phone conversation you and I had regarding the Massachusetts unclaimed property escheatment laws. As we discussed on the phone, cities and towns are allowed to, under Chapter 200A Section 9A, retain unclaimed properties which are the result of stale dated municipal checks in lieu of escheating them over to the Commonwealth if the city or town follows the provisions set forth in the aforementioned statute. If a city or town ultimately decides to escheat the property over to the Commonwealth the city or town loses all rights to this property. In addition, to speak specifically on this, there is never, under the current law, the opportunity for property to be reverted back to a city or town once it has been escheated to the Commonwealth.

I hope that this clarifies any questions that you may have regarding municipal escheatments to the Massachusetts Unclaimed Property Division. If you have any further questions, please do not hesitate in contacting me.

My best,

Mark William Bracken, J.D.
Assistant Treasurer
Director, Unclaimed Property Division

Phone: 617.367.0400 • Fax: 617.248.3944 • Office: One Ashburton Place, 12th Floor, Boston, MA 02108-1608
Web: www.findmassmoney.com



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#74-12

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TDD/TTY
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E-mail
swarren@newtonma.gov
RECEIVED
Newton City Clerk
2012 MAR 12 PM 4:09
David A. Olson, CMIC
Newton, MA 02459

March 12, 2012

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

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to accept, appropriate, and expend the amount of \$50,000 received by the City of Newton as a condition of a special permit issued by the Town of Wellesley Planning Board to provide for improvements at the intersection of Washington Street and Concord Street in Newton Lower Falls.

These funds will be supplemented by an additional \$20,000 of Chapter 90 Funds to make improvements to the curbing and accessible curb cuts at this location. The Public Works Department will work with the Public Facilities Committee and the Ward 4 Aldermen to ensure that any proposed changes to curbing are acceptable.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE



Setti D. Warren
Mayor

March 7, 2012

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

From: David F. Turocy, Commissioner Public Works

Subject: Request for Expenditure Authorization of \$50,000 Gift
Traffic Mitigation from # 27 Washington St, Wellesley

In conjunction with the redevelopment of the former Grossman's site, National Development was required by the Town of Wellesley Planning Board to provide the City of Newton with \$50,000 in funds to be used for improvements at the intersection of Washington Street and Concord Street in Newton Lower Falls. The City of Newton has recently received these funds and the Public Works Department would like to apply this gift to construct the associated improvements during the 2012 construction season. The funds would be used at this intersection toward the following items:

- A new overhead mast arm for traffic signals;
- A new traffic signal control cabinet; and
- Repairs to broken signal conduits and removal of existing overhead signal cables.

The above improvements are identical to those described by the Town of Wellesley's special permit conditions for this development. In addition, we are proposing to expend approximately \$20,000 of Chapter 90 funds to supplement this gift in order to make improvements to the curbing and accessible curb cuts at this location. While these funds are not part of this docket item, I wanted to make the Board aware that we are proposing to do additional work via Chapter 90 to make this intersection safer and more efficient. We will work with the Public Facilities Committee and the Ward 4 Aldermen to ensure that any proposed changes to curbing are acceptable.

Please forward this request as a docket item to the Honorable Board of Aldermen.

Sincerely,

David F. Turocy
Commissioner

CC: Clint Schuckel, P.E., Director of Transportation Division



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

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E-mail
swarren@newtonma.gov

March 12, 2012

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

RECEIVED
Newton City Clerk
2012 MAR 12 PM 4:08
David A. Olson, CMC
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to appropriate the sum of \$2,000,000 from Free Cash to the "Rainy Day" Stabilization Fund. Currently, the City's Free Cash Balance is \$4,240,000.

As you know, the City has been the beneficiary of an extremely mild winter, therefore, I would like to take advantage of the situation by continuing to make progress toward the City's target of attaining a "Rainy Day" Reserve in the amount of at least 5% of the Operating Budget.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

From: FREE CASH
01-349) 2,000,000
TO: TRANSFER TO RAINY DAY Fd
0110499-5922A 2,000,000

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

03/15/2012



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#76-12

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E-mail
swarren@newtonma.gov

March 12, 2012

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

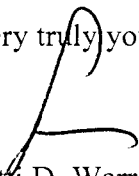
RECEIVED
Newton City Clerk
2012 MAR 12 PM 4:09
David A. Olson, CMC
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to appropriate the sum of \$250,000 from the March 12, 2012 Declaration of Overlay Surplus as declared by the Chairman of the Board of Assessors, Elizabeth Dromey to the Assessing Department Revaluation Account to support expert services required for such items as utility valuation and testimony for cases before the Appellate Tax Board.

Thank you for your consideration of this matter.

Very truly yours,


Setti D. Warren
Mayor

From: Overlay Surplus
01-3497

250,000

To: Revaluation
C106001-1341


250,000

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE


03/15/2012

City of Newton



Setti D. Warren
Mayor

ASSESSMENT ADMINISTRATION

Elizabeth Dromey, Director

#76-12
Telephone
(617) 796-1160
Telefax
(617) 796-1179
tdd-tty
(617) 796-1089
Email
assessing@newtonma.gov
dromey@newtonma.gov

March 12, 2011

David C. Wilkinson, Comptroller
City of Newton
1000 Commonwealth Avenue
Newton Centre, MA 02459

Dear Mr. Wilkinson:

In accordance with Chapter 59, Section 25 of the Massachusetts General Laws, please accept this letter as formal notification of declaration of overlay surplus. This declaration covers the overlay accounts delineated in the table below:

ACCOUNT	AMOUNT DECLARED SURPLUS
FY 2009	\$ 400,000.00
FY 2010	\$ 350,000.00

The total amount declared surplus is **\$750,000**.

Of this amount, I am requesting that \$250,000 be appropriated to the Revaluation Account (C106001) to fund expert witnesses, court costs and legal services to defend utility and telecommunications values that have been appealed.

If you require additional information regarding this matter, please let me know.

Sincerely,


Elizabeth Dromey, Director
Assessment Administration

cc: Mayor Setti D. Warren
Alderman Leonard J. Gentile, Finance Chairman
Maureen Lemieux, Chief Financial Officer
James G. Reardon, Treasurer/Collector

1000 Commonwealth Avenue, Newton, MA 02459-1449

www.newtonma.gov



Setti D. Warren
Mayor

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

#89-11

March 14, 2012

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

From: David F. Turocy, Commissioner of Public Works
Louis M. Taverna, P.E., City Engineer

Subject: Docket Item 89-11
Request for Ordinance Change
Assessments upon owners of estates passed by new sewers
Lots connected to existing sewer system

Docket item 89-11 refers to a change in the method by which sewer extensions are assessed to abutting properties, making each equal to a single family residence. A question was raised by the Board of Aldermen regarding corner lots, which abut more than one street or way, where the proposed sewer extension passes by one street only, or both streets. The current ordinance language allows for assessments based on length of frontage with an Aldermanic waiver "as deemed just and equitable" as follows:

"Where such estates abut upon more than one street or way, such assessments shall be assessed upon one such street or way, and upon so much of such other street as is not exempted by the board of aldermen. The board may exempt from assessment so much of the frontage on such other street as it deems just and equitable."

We propose the following revised ordinance based on the fact it would now be counted as one residential lot, not based on the calculation of length of frontage, and to not charge the owner of the lot more than once when on a corner lot:

"Estates which are presently connected to city sewers shall not be counted as potential sewer units in the uniform unit method calculation, as in no instance will the owner be charged more than once should a sewer service installation pass by the estate."

Should you agree with this ordinance change clarification, please forward this to the City Clerk's office for Board of Aldermen consideration. See Law Department's draft board order attached.

Sincerely,

David F. Turocy
Commissioner

cc: R. Waddick
attachment

CITY OF NEWTON

IN BOARD OF ALDERMEN

ORDINANCE NO.

BE IT ORDAINED BY THE BOARD OF ALDERMEN
OF THE CITY OF NEWTON AS FOLLOWS:

That the Revised Ordinances of Newton, Massachusetts, 2007, as amended, be and are hereby further amended with respect to Chapter 29 Water Sewer and Drains as follows:

In Section 29-72(a), relative to sewer assessments delete the following portion of the second sentence: “The assessment shall be at a fixed uniform rate based upon the estimated average cost of such sewers, both according to the frontage of such estates which is passed by the sewer and according to the area of such estates within a fixed depth of one hundred twenty-five (125) feet from such street or way”

AND insert in place thereof the following provisions:

The assessment shall be made by a uniform unit method which shall be based upon sewerage construction costs divided among the total number of existing and potential sewer units to be served, after having proportioned the cost of special and general benefit facilities. Each sewer unit shall be equal to a single-family residence. Potential sewer units shall be calculated on the basis of zoning then in effect. Existing and potential multi-family, commercial, industrial, and semipublic uses shall be converted into sewer units on the basis of residential equivalents

AND in Section 29-72(a), delete, in their entirety, the third and fourth sentences which provide as follows:

“Where such estates abut upon more than one street or way, such assessments shall be assessed upon one such street or way, and upon so much of such other street as is not exempted by the board of aldermen. The board may exempt from assessment so much of the frontage on such other street as it deems just and equitable.”

AND insert in place thereof, the following provision:

Estates which are presently connected to city sewers shall not be counted as existing or potential sewer units in the uniform unit method calculation.

AND delete in its entirety Section 29-72(b) which provides the following:

“(b) The fixed uniform rate to be assessed upon estates is established at one dollar (\$1.00) upon each foot of frontage on any street or way where a sewer is constructed, and twenty-five cents

(\$.25) upon each square foot of area within a fixed depth of one hundred twenty-five (125) feet from such street or way, the same having been so found and determined.”

AND change the heading of Section 29-72 “(c)” to “(b).”



City of Newton, Massachusetts
Office of the Mayor

#77-12

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SETTI D. WARREN
MAYOR

March 12, 2012

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

RECEIVED
Newton City Clerk
2012 MAR 12 PM 4:09
David A. Oison, CMC
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to create a new Financial Information Systems Department, which shall be established for the following purposes:

- (1) Process payroll for the city, including the school department and including retirees;
- (2) Provide to city treasurer data necessary to prepare reporting required by state and federal agencies;
- (3) Generate receivables for the City, including but not limited to Real Estate, Excise, and Personal Property Tax billings;
- (4) Support and train other city departments, including the school department, in use of financial software;
- (5) Implement new financial modules as needed.

This department is intended to be a resource for financial personnel throughout the City by supporting administrators as the City enhances departmental financial processes such as payroll, scheduling, etc.

Draft Ordinance language is attached. Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor



March 16, 2012

Item #77-12 DRAFT FOR DISCUSSION

Insert, after Article VI in Chapter 2 ADMINISTRATION, a new **Article VII, Financial Information Systems Department** as follows:

ARTICLE VII. FINANCIAL INFORMATION SYSTEMS DEPARTMENT

Sec. 2-363 Established.

There is hereby established a financial information systems department in the city.

Sec. 2-364 Director, authority.

The financial information systems department shall be headed by a director who is appointed by the mayor. The director shall be responsible for planning, organizing and controlling the overall activities of financial information systems, and shall act as liaison between the department of financial information systems and other departments of municipal government.

Sec. 2-365 Functions of department.

The financial information systems department shall:

- (1) Process payroll for the city, including the school department and including retirees;
- (2) Provide to city treasurer data necessary to prepare reporting required by state and federal agencies;
- (3) Generate receivables for the city, including but not limited to real estate, excise, and personal property tax billings;
- (4) Support and train other city departments, including the school department, in use of financial software;
- (5) Implement new financial modules as needed.

March 16, 2012
Item #77-21 DRAFT FOR DISCUSSION PURPOSES:

CITY OF NEWTON
IN BOARD OF ALDERMEN

ORDINANCE NO.

March , 2012

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEWTON AS FOLLOWS:

That the Revised Ordinances of Newton, Massachusetts, 2007, as amended, be and are hereby further amended with respect to Chapter 2 ADMINISTRATION as follows:

1. Insert, after Article VI in Chapter 2 ADMINISTRATION, a new **Article VII, Financial Information Systems Department** as follows:

ARTICLE VII. FINANCIAL INFORMATION SYSTEMS DEPARTMENT

Sec. 2-363 Established.

There is hereby established a financial information systems department in the city.

Sec. 2-364 Director, authority.

The financial information systems department shall be headed by a director who is appointed by the mayor. The director shall be responsible for planning, organizing and controlling the overall activities of financial information systems, and shall act as liaison between the department of financial information systems and other departments of municipal government.

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The financial information systems department shall:

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- (2) Provide to city treasurer data necessary to prepare reporting required by state and federal agencies;
- (3) Generate receivables for the city, including but not limited to real estate, excise, and personal property tax billings;
- (4) Support and train other city departments, including the school department, in use of financial software;
- (5) Implement new financial modules as needed.

Approved as to legal form and character:

DONNALYN LYNCH KAHN
City Solicitor

Under Suspension of Rules
Readings Waived and Adopted

EXECUTIVE DEPARTMENT
Approved:

(SGD) DAVID A. OLSON
City Clerk

(SGD) SETTI D. WARREN
Mayor