

CITY OF NEWTON

IN BOARD OF ALDERMEN

FINANCE COMMITTEE AGENDA

MONDAY, OCTOBER 22, 2012

7 PM
Room 222

ITEMS SCHEDULED FOR DISCUSSION:

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#319-12 ALD. FULLER, LAPPIN AND SALVUCCI requesting a discussion of the benefits and drawbacks of using a Construction Manager at Risk and the most effective ways of managing construction and controlling costs. [10/02/12 @ 10:57 AM]

#318-12 HIS HONOR THE MAYOR requesting authorization to expend seventy thousand dollars (\$70,000), which represents the first year of a five-year, \$350,000 reimbursement grant from the United States Food and Drug Administration for the purpose of strengthening, standardizing, and documenting food safety inspection and community outreach activities of the Health and Human Services Department. [10/09/12]

#304-12 HIS HONOR THE MAYOR requesting authorization to expend up to fifty thousand dollars (\$50,000) in gifts for the purpose of furthering the ideals of the Commission on Disabilities. [09/24/12 @ 5:48 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#321-12 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of six hundred ninety-five thousand five hundred fifty-eight dollars (\$695,558) from bonded indebtedness for the purpose of completing design services through the construction administration phase of the Carr School Building renovation project. [10/09/12 @ 2:37 PM]

PUBLIC FACILITIES APPROVED 7-0 on 10/17/12

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 APPROVED 6-0-1 (Crossley abstaining) on 10/17/12

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.

ITEMS NOT SCHEDULED FOR DISCUSSION:

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 FACILITIES AND FINANCE COMMITTEES

- #320-12 ALD. SALVUCCI AND GENTILE requesting a discussion with the Engineering Division of the Public Works Department regarding the billing and collecting of street opening permit fees. [09/28/12 @ 10:28 AM]
- #317-12 HIS HONOR THE MAYOR submitting the FY14 - FY18 Five-Year Financial Forecast for Board of Aldermen review/acceptance. [10/09/12 @ 2:38 PM]
- #303-12 HIS HONOR THE MAYOR requesting authorization to expend a State Brownfields Program Reimbursable Grant in the amount of twenty-two thousand one hundred fifty eight dollars (\$22,158) and authorization to transfer the sum of twenty-two thousand one hundred fifty-eight dollars (\$22,158) from Budget Reserve for the purpose of purchasing environmental insurance to support the creation of a multi-purpose recreational pathway through a 99-year lease between the City and the Massachusetts Bay Transportation Authority (MBTA) for an unused MBTA Right of Way parallel to Needham Street. [09/24/12 @ 5:00 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]
- #280-12 ALD. CROSSLEY, ALBRIGHT, JOHNSON & MERRILL requesting that (A) the City accept G.L. c. 59 section 5N of the Acts of 2012 and (B) create an ordinance establishing a program to allow veterans to volunteer to provide services in exchange for a reduction in real property tax obligation. [09-10-12 @ 6:44 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 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 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]
- #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 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]

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

#318-12

Telephone
(617) 796-1100

Telefax
(617) 796-1113

TDD
(617) 796-1089

E-mail
arren@newtonma.gov

October 9, 2012

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

RECEIVED
NEWTON CITY CLERK
2012 OCT -9 PM 2:37
David A. Olson, CMC
Newton, MA 02459

Ladies and Gentlemen:

The U.S Food and Drug Administration (FDA) has awarded the City's Health and Human Services Department a five year, \$350,000 reimbursement grant, for purposes of strengthening; standardizing; and documenting food safety inspection and community outreach activities of the department.

A copy of the grant award and budget are attached.

The purpose of this communication is to request that the Board of Aldermen authorize the expenditure of \$70,000, which represents the first year of the five year grant award. All subsequent year grant expenditure budgets will be included in the grant and revolving fund section of the City's annual operating budget.

Thank you for your attention to this important matter.

Sincerely,

Setti D. Warren
Mayor

Cc: Maureen Lemieux, Chief Financial Officer
Dori Zaleznik, Commissioner of Health and Human Services

City of Newton



Setti D. Warren
Mayor

HEALTH AND HUMAN SERVICES DEPARTMENT

Dori Zaleznik, MD., Commissioner
1294 Centre Street
Newton, MA 02459-1544

Telephone 617.796.1420 Fax 617.552.7063



Public Health
Prevent. Promote. Protect.

October 5, 2012

Maureen Lemieux
Chief Financial Officer
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

Dear Ms. Lemieux:

I am requesting acceptance by the Mayor and the Board of Aldermen of a five-year \$350,000 reimbursement grant from the federal Food and Drug Administration (FDA) to the City of Newton Health Department. The grant is entitled, "City of Newton Prototype Program for Complying with Nine FDA Program Standards", and the grant is for work to strengthen, standardize, and document our food safety inspection program with outreach to the community. The award for this year through June 30, 2013 is \$70,000. A copy of the award letter and proposed budget is appended to this letter.

Sincerely,

Dori Zaleznik, MD
Commissioner

DZ:bm

Close Form

RESEARCH & RELATED BUDGET - SECTION C, D, & E, BUDGET PERIOD 1

* ORGANIZATIONAL DUNS: 0765768260000

* Budget Type: Project Subaward/Consortium

Enter name of Organization: City of Newton

* Start Date: 09/01/2012 * End Date: 08/31/2013 Budget Period 1

C. Equipment Description

List items and dollar amount for each item exceeding \$5,000

	Equipment item	* Funds Requested (\$)
1.	Field equipment and dedicated computer for Standards Coordinat	2,000.00
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.	Total funds requested for all equipment listed in the attached file	
	Total Equipment	2,000.00

Additional Equipment:

D. Travel

	Funds Requested (\$)
1. Domestic Travel Costs (Incl. Canada, Mexico and U.S. Possessions)	
2. Foreign Travel Costs	
Total Travel Cost	

E. Participant/Trainee Support Costs

	Funds Requested (\$)
1. Tuition/Fees/Health Insurance	
2. Stipends	
3. Travel	
4. Subsistence	
5. Other <input type="text"/>	
<input type="text"/> Number of Participants/Trainees	
Total Participant/Trainee Support Costs	

RESEARCH & RELATED Budget {C-E} (Funds Requested)

Close Form

RESEARCH & RELATED BUDGET - SECTION F-K, BUDGET PERIOD 1

* ORGANIZATIONAL DUNS: 0765768260000

* Budget Type: [X] Project [] Subaward/Consortium

Enter name of Organization: City of Newton

* Start Date: 09/01/2012 * End Date: 08/31/2013 Budget Period 1

F. Other Direct Costs	Funds Requested (\$)
1. Materials and Supplies	500.00
2. Publication Costs	
3. Consultant Services	
4. ADP/Computer Services	30,000.00
5. Subawards/Consortium/Contractual Costs	
6. Equipment or Facility Rental/User Fees	
7. Alterations and Renovations	
8. Standards Coordinator	35,000.00
9. Advertising for Standards Coordinator position and program	250.00
10. Materials for outreach program	500.00
Total Other Direct Costs	66,250.00

G. Direct Costs	Funds Requested (\$)
Total Direct Costs (A thru F)	70,000.00

H. Indirect Costs	Indirect Cost Type	Indirect Cost Rate (%)	Indirect Cost Base (\$)	* Funds Requested (\$)
1.				
2.				
3.				
4.				
Total Indirect Costs				

Cognizant Federal Agency (Agency Name, POC Name, and POC Phone Number)

I. Total Direct and Indirect Costs	Funds Requested (\$)
Total Direct and Indirect Institutional Costs (G + H)	70,000.00

J. Fee	Funds Requested (\$)

K. * Budget Justification Budget Justification.pdf (Only attach one file.) [Add Attachment] [Delete Attachment] [View Attachment]

RESEARCH & RELATED BUDGET - Cumulative Budget

		Totals (\$)
Section A, Senior/Key Person		39,600.00
Section B, Other Personnel		4,550.00
Total Number Other Personnel	10	
Total Salary, Wages and Fringe Benefits (A+B)		44,150.00
Section C, Equipment		10,000.00
Section D, Travel		
1. Domestic		
2. Foreign		
Section E, Participant/Trainee Support Costs		
1. Tuition/Fees/Health Insurance		
2. Stipends		
3. Travel		
4. Subsistence		
5. Other		
6. Number of Participants/Trainees		
Section F, Other Direct Costs		295,850.00
1. Materials and Supplies	14,500.00	
2. Publication Costs		
3. Consultant Services		
4. ADP/Computer Services	80,000.00	
5. Subawards/Consortium/Contractual Costs		
6. Equipment or Facility Rental/User Fees		
7. Alterations and Renovations		
8. Other 1	175,000.00	
9. Other 2	14,250.00	
10. Other 3	12,100.00	
Section G, Direct Costs (A thru F)		350,000.00
Section H, Indirect Costs		
Section I, Total Direct and Indirect Costs (G + H)		350,000.00
Section J, Fee		



COOPERATIVE AGREEMENTS
Department of Health and Human Services
Food and Drug Administration

Notice of Grant Award

Issue Date: 09/10/2012



Grant Number: 1U18FD004664-01

Principal Investigator(s):
Dori Záleznik, MD

Project Title: City of Newton Prototype Program for Complying with Nine FDA Program Standards

Záleznik, Dori , MD
Commissioner of Health and Human Services
1294 Centre St
Newton, MA 024591544

Budget Period: 09/10/2012 – 06/30/2013
Project Period: 09/10/2012 – 06/30/2017

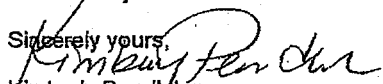
Dear Business Official:

The Food and Drug Administration hereby awards a grant in the amount of \$70,000 (see "Award Calculation" in Section I and "Terms and Conditions" in Section III) to CITY OF NEWTON in support of the above referenced project. This award is pursuant to the authority of PHS Act, Sec 1706, 42 USC 300u-5, as amended; Sec 2(d), PL 98-551 and is subject to the requirements of this statute and regulation and of other referenced, incorporated or attached terms and conditions.

Acceptance of this award including the "Terms and Conditions" is acknowledged by the grantee when funds are drawn down or otherwise obtained from the grant payment system.

If you have any questions about this award, please contact the Grants Management Specialist and the Project Officer listed in the terms and conditions.

Sincerely yours,


Kimberly Pendleton
Grants Management Officer
Office of Acquisitions & Grants Services
Division of Acquisition Support and Grants
Grants & Assistance Team

FOOD AND DRUG ADMINISTRATION

See additional information below

Division of Federal Assistance Financing
DASP/DASF/OS/DHHS
P.O. Box 6021
Rockville, MD 20852
Telephone Number: 877-614-5533

Grantees are asked to register in the Central Contractor Registration (CCR) database. Information about CCR is available at http://www.grants.gov/applicants/register_ccr.jsp. This registration will be required as electronic grant processing is implemented.

SECTION III – TERMS AND CONDITIONS – 1U18FD004664-01

This award is based on the application submitted to, and as approved by, FDA on the above-title project and is subject to the terms and conditions incorporated either directly or by reference in the following:

- a. The grant program legislation and program regulation cited in this Notice of Grant Award.
- b. The restrictions on the expenditure of federal funds in appropriations acts to the extent those restrictions are pertinent to the award.
- c. 45 CFR Part 74 or 45 CFR Part 92 as applicable.
- d. The PHS Grants Policy Statement, including addenda in effect as of the beginning date of the budget period.
- e. An annual Financial Status Report (SF-269) is required. An original and two copies of this report must be submitted to the FDA Grants Management Officer within 90 days after the expiration date of the budget period.
- f. A Final Program Report, Financial Status Report and Invention Statement must be submitted within 90 days after the expiration date of the project period.
- g. This award notice, including the terms and conditions cited below.

Treatment of Program Income:
Additional Costs

SECTION IV – FD Special Terms and Condition – 1U18FD004664-01

Voluntary Retail Standards Conditions of the Award - 1U18FD004664-01

This grant has been selected under the FDA- grants management plan to redistribute grant workloads more evenly throughout the year. Consequently, the initial budget period reflects a 06/30/2013 end date. Subsequent budget periods will begin on 07/01/2012 and will be for a 12-month duration. Although this grant will have a slightly shorter budget period this year, it is awarded the full 12-month level of funds for the budget period. Additional time may be requested at the end of the project period if needed.

Special conditions:

Provide a detailed response to all weaknesses identified in the Summary Statement no later than 6-months from the date of award.

Provide funding certification of the current year's budget for the retail foods regulatory program to demonstrate that these funds have supplemented, and not replaced, State allocations. If a decrease in allocations does occur during the cooperative agreement, a detailed justification must be provided to FDA for approval.

Facilities, work, training, and other expenses reimbursed under other funding mechanisms must remain distinct and separate from the cooperative agreement.

Agree to share strategies, documents, and other resources developed using cooperative agreement funds with other programs to advance conformance with the Retail Standards and reduce the occurrence of contributing risk factors associated with foodborne illness. Grantees may be asked to provide summaries of projects that may be publicly shared.

Contribute to the continuous improvement and advancement of the Retail Standards. Contributions may include participation in committee meetings, presentations, promotion of new strategies, and sharing of resources.

Future funding will be dependent on recommendations from the Project Officer. The scope of the recommendation will confirm that acceptable progress has been made in advancing conformance with the Retail Standards, continued compliance with all FDA regulatory requirements, and, if necessary, a corrective action plan has been implemented.

Funding restrictions:

These awards may only be used for advancing conformance with the Retail Standards and other projects that support the intended outcomes of the cooperative agreement program.

Allowable costs include:

- 1) Audiovisual materials such as videotapes, DVDs, public service announcements, etc.
- 2) Consultant services
- 3) Employee salaries, wages and fringe benefits
- 4) Rental, purchasing, calibration, and maintenance of supplies and equipment
- 5) Indirect costs
- 6) Recruitment costs for hiring new employees
- 7) Registration fees
- 8) Purchase or development of IT equipment, software, and support
- 9) Shipping and mailing of equipment and supplies
- 10) Travel
- 11) Speaker fees
- 12) Subcontracting to third parties (other than local/county/tribal agencies) is allowed but limited to 10% of each year's award.

Non-allowable costs:

- 1) Facilities, work, and training reimbursed under other funding mechanisms must remain distinct and separate from the cooperative agreement. The State must be able to account separately for fund expenditures, including employee salaries, wages, and benefits, under the food safety inspection contracts and other funding mechanisms and these cooperative agreements.
- 2) Vehicle purchases are not permitted.
- 3) Cooperative agreement funds may not be utilized for new building construction; however, remodeling of existing facilities is allowed, provided that remodeling costs do not exceed 10% of the grant award amount.
- 4) Please also refer to the HHS Grants Policy Statement for additional information regarding costs.

Reporting requirements:

When multiple years are involved, awardees will be required to submit the Non-Competing Continuation Grant Progress Report (PHS 2590) annually and financial statements as required in the HHS Grants Policy Statement.

A final progress report, invention statement, and the expenditure data portion of the Federal Financial Report are required for closeout of an award, as described in the HHS Grants Policy Statement.

The Federal Funding Accountability and Transparency Act of 2006 (Transparency Act), includes a requirement for awardees of Federal grants to report information about first-tier subawards and executive compensation under Federal assistance awards issued in FY2011 or later. All awardees of applicable HHS grants and cooperative agreements are required to report to the Federal Subaward Reporting System (FSRS) available at www.fsrs.gov on all subawards over \$25,000. See the HHS Grants Policy Statement for additional information on this reporting requirement.

SECTION I - AWARD DATA - 1U18FD004664-01

Award Calculation (U.S. Dollars)

Salaries and Wages \$1,750
 Personnel Costs (Subtotal) \$1,750
 Equipment \$2,000
 Supplies \$500
 Other Costs \$30,750
 Consortium/Contractual Cost \$35,000

Federal Direct Costs \$70,000
 Approved Budget \$70,000
 Federal Share \$70,000
TOTAL FEDERAL AWARD AMOUNT \$70,000

AMOUNT OF THIS ACTION (FEDERAL SHARE) \$70,000

SUMMARY TOTALS FOR ALL YEARS			
YR	THIS AWARD	CUMULATIVE TOTALS	
1	70,000	70,000	70,000
2	70,000	70,000	70,000
3	70,000	70,000	70,000
4	70,000	70,000	70,000
5	70,000	70,000	70,000

* Recommended future year total cost support, subject to the availability of funds and satisfactory progress of the project.

Fiscal Information:

CFDA Number: 93.103
 EIN: 1046001404A4
 Document Number: UFD004664A
 Fiscal Year: 2012

IC	CAN	01	02	03	04	05
FD	6990928	\$70,000	\$70,000	\$70,000	\$70,000	\$70,000

* Recommended future year total cost support, subject to the availability of funds and satisfactory progress of the project.

FDA Administrative Data:

PCC: / OC: 4141 / Processed: ERAAPPS 09/06/2012

SECTION II - PAYMENT/HOTLINE INFORMATION - 1U18FD004664-01

PHS policy requires that you be informed that the DHHS Inspector General maintains a toll free telephone number (800-368-5779) for receiving information concerning fraud, waste and abuse under the grants and cooperative agreements. Such reports will be kept confidential and callers may decline to give their names if they choose to remain anonymous.

Payments under this award will be made available through the DHHS Payment Management System (PMS). PMS is administered by the Division of Federal Assistance Financing (DFAF), Office of the Deputy Assistant Secretary, Finance, which will forward instructions for obtaining payments. Inquiries regarding the payment should be directed to:



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#304-12

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

September 24, 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 monetary gifts and donations to be held in a "Receipts Reserved for Appropriations for the Disabled" Account.

Per the request from Candace Havens, Director of Planning and Development, several families made contributions to the Commission on Disability in memory of Gloria Cohen, a longtime member of the Mayor's Committee on Disabilities.

The Commission has not yet determined how it might spend this money, but it is expected to be used to further the ideals of the Commission to serve the disabled.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

RECEIVED
Newton City Clerk
2012 SEP 24 PM 5:48
David A. Olson, CMC
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE



Setti D. Warren
Mayor

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

#304-12
Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Candace Havens
Director

MEMORANDUM

DATE: September 20, 2012

TO: Mayor Setti D. Warren

FROM: Candace Havens, Director of Planning and Development *CH*

SUBJECT: Gift to Commission on Disability

CC: Girard Plante and Rob Caruso, Co-Chairs of the Commission on Disability
Members of the Commission on Disability

As you know, the Commission on Disability has received gifts of approximately \$1,000 that it would like to deposit in an appropriate account. Several families made contributions to the Commission in memory of Gloria Cohen, who was injured in the Korean War and was for many years a member of the Mayor's Committee on Disabilities. I respectfully request that an account be established so that these monies can be accepted for future use by the Commission on Disability. The Commission has not yet determined how it might spend this money, but it is expected to be used to further the ideals of the Commission to serve the disabled.



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#321-12

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(617) 796-1100

Telefax
(617) 796-1113

TDD
(617) 796-1089

E-mail
swarren@newtonma.gov

October 9, 2012

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

Ladies and Gentlemen:

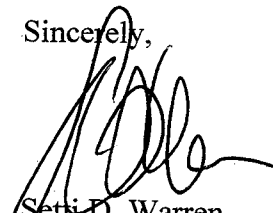
On May 7, 2012 the Board of Aldermen approved a \$300,000 bond authorization (board order #113-12) for purposes of "... evaluation, hazardous materials testing, code review, and schematic design associated with the renovation of the Carr Elementary School."

The City's Public Building Department has now reached the point that they are requesting additional funding for the completion of phase II of the design work for the Carr School building.

Accordingly, I would respectfully recommend that the Board of Aldermen appropriate the sum of \$695,558, to be funded with a bond authorization, for purposes of completing design services through the construction administration phase of the project. The funding recommendation is made at this time in order to renovate the Carr School for occupancy for September 2014. The updated project design budget is attached to this letter as provided by the Public Building Commissioner.

Thank you for your attention to this important matter.

Sincerely,



Setti D. Warren
Mayor

Cc: Maureen Lemieux, Chief Financial Officer
Stephanie Gilman, Commissioner of Public Buildings

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David A. Olson, CMC
Newton, MA 02459

City of Newton



Setti D. Warren
Mayor

PUBLIC BUILDINGS DEPARTMENT

Stephanie Kane Gilman, Commissioner

Telephone (617) 796-1600

FAX (617) 796-1601

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52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

October 3, 2012.

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

RE: Request for Balance of Carr School Renovation Design Funds

Dear Mayor Warren:

The Public Buildings Department respectfully requests \$695,558 from bonded indebtedness to complete Phase II of the design work to renovate the Carr School for September 2014 occupancy, in time for the anticipated start of the Angier School construction work. This funding request is for the balance of design services through Construction Administration and includes:

Architectural and Engineering Services	\$754,900
Testing & Other Professional Services	\$193,250
Contingency (5%)	\$47,408
Total:	\$995,558
Previously Approved	(\$300,000)
Net Request:	\$695,558

The project is scheduled to open for bidding on 4/2/13 and contractor mobilization is scheduled for 6/20/13 although this is based on building occupancy and construction funding/contract process. Construction is scheduled to be substantially complete on 7/21/14 with final completion on 8/15/14. Please do not hesitate to contact me should you have any questions regarding the request for design funds.

Sincerely,

Stephanie Kane Gilman, RA
Commissioner of Public Buildings

SKG: amv
CC: Robert Rooney, Chief Operating Officer
Maureen Lemieux, Chief Financial Officer

concrete wearing surface. Wherever required on driveway and driveway entrances, the wearing course shall be of greater thickness than the sidewalks, but in no case shall the gravel base be less than six (6) inches in depth. (Rev. Ords. 1973, § 19-89)

Sec. 26-69. Heating wires in sidewalks and driveway entrances; permission; approval of plans; rules and regulations.

Upon petition of any owner of an estate, the commissioner of public works, may, after a plan therefor has been approved by the inspector of wires, grant permission for the installation of heating wires in sidewalks and driveway entrances in accordance with rules and regulations for such installations promulgated under the authority hereof by the commissioner of public works and approved by the board of aldermen and in accordance with such terms and conditions as the commissioner of public works shall see fit to impose for the protection of the general public and public property. The expense of such installation, including all necessary excavation and repaving, whether or not performed by the city, shall be borne by the owner of such estate. (Rev. Ords. 1973, § 19-90; Ord. No. 90, 10-6-75)

Sec. 26-70. Sidewalk construction; when to be initiated by city.

(a) Whenever the city undertakes reconstruction of a public way which serves as either an arterial or collector roadway, such project shall include at the sole expense of the city, the construction of sidewalks at all locations within the project area where there are not existing cement concrete or bituminous concrete sidewalks, unless otherwise exempted under subsection (c). The word “reconstruction” shall be interpreted herein to mean any roadway improvement project which includes pavement reclamation or milling. The terms “arterial” and “collector” in this and the following section, shall be interpreted to mean those terms as used in the standards of the American Association of State Highway and Transportation Officials or any similar organization.

(b) The city shall construct sidewalks at its sole expense subject to the availability of funding at all locations which are included on a list of sidewalk snow clearing routes published by the commissioner of public works pursuant to section 26-8A of these ordinances and where there are not existing cement concrete or bituminous concrete sidewalks, unless otherwise exempted under subsection (c).

(c) No sidewalks shall be constructed under this section at those locations where the commissioner of public works determines that construction of a sidewalk is not feasible due to steep grade, site constraints, lack of use, inadequate width of the public way right-of-way or public safety reasons.
(Ord. No. S-324, 5-2-88; Ord. No. V-84, 6-3-96)

Sec. 26-71. Sidewalk construction requested by owners.

(a) Whenever the owner of an estate abutting on a public way requests that a sidewalk be constructed abutting such estate, the city may construct such sidewalk. The commissioner of public works shall receive the petitions of owners requesting the construction of sidewalks and shall prioritize them as follows:

First priority: Requests for sidewalk construction

- (1) on any arterial or collector roadway where there are not existing cement concrete or bituminous concrete sidewalks; or
- (2) at any location that may be deemed by the commissioner of public works or the chief of police to be a potentially serious safety hazard for pedestrians; or
- (3) on any public way which is being resurfaced or reconstructed; or
- (4) on an established pedestrian route to a heavily used destination such as a village center, school, bus stop,

train station, or recreation area.

Second priority: Requests for sidewalk construction at locations where sidewalks already exist on approximately fifty percent (50%) or more of the same side of the public way;

Third priority: All other requests for sidewalk construction.

(b) The owner of the abutting estate shall pay fifty percent (50%) of the total cost of sidewalks constructed under this section in the following manner:

- (1) in the event that said fifty percent (50%) amount is five hundred dollars (\$500) or more, it shall be assessed upon the owner of the abutting estate pursuant to G.L. c. 83, § 26, provided that nothing herein shall prohibit an owner from voluntarily prepaying said fifty percent amount;
- (2) in the event that said fifty percent (50%) amount is less than five hundred dollars (\$500), it shall be paid by the owner prior to construction;
- (3) notwithstanding the provisions of (2) above, in the event that such a sidewalk is constructed together with a curbing installation pursuant to section 26-73(b), and the owner's fifty percent (50%) share for the sidewalk and curbing costs totals five hundred dollars (\$500) or more, it shall be assessed upon the owner of the abutting estate pursuant to G.L. c. 83 §26, provided that nothing herein shall prohibit an owner from voluntarily prepaying said fifty percent (50%) amount.

(c) For those requests for sidewalk construction which are prepaid, the commissioner of public works shall proceed with the construction, subject to availability of funding and in accordance with subsection (d). For those sidewalk construction requests which are not prepaid, the commissioner, acting in accordance with subsection (d), shall periodically forward them to the board of aldermen for its consideration under the betterment laws.

(d) For those requests which are received prior to April 15 of each year, all actions by the commissioner of public works and the board of aldermen pursuant to subsection (c) shall be taken in accordance with the priorities assigned pursuant to subsection (a), provided however, that the commissioner of public works shall have the authority to act upon a *First Priority* request at any time, regardless of date received.

(e) Requests for replacement of an existing bituminous concrete or cement concrete sidewalk which is in good condition with a material which is different from the existing material shall not be approved unless (1) the replacement sidewalk would match the prevailing material of the existing sidewalks on the public way and (2) the owner pays the full construction costs to the city prior to construction or receives a permit from the commissioner of public works for a private contractor to construct the replacement sidewalk at the owner's sole expense. (Ord. V-84, 6-3-96)

Section 26-72. Materials for sidewalk construction.

(a) All sidewalks hereinafter constructed shall consist of either bituminous concrete or cement concrete in accordance with the provisions of section 26-47(c).

(b) The material used at a particular location should match the prevailing material of the existing sidewalks on the public way, as determined by the commissioner of public works. (Ord. V-84, 6-3-96)

Section 26-73. New curbing installation.

(a) Whenever the city undertakes reconstruction of a public way such project shall include the installation of curbing at those locations that the commissioner of public works determines to require curbing for the purpose of

public safety or drainage. The installation of curbing pursuant to this subsection (a) shall be at the sole expense of the city.

(b) Whenever the owner of an estate abutting on a public way requests that curbing be installed abutting such estate, the city may install such curbing. The commissioner of public works shall receive the petitions of owners requesting the installation of curbing and shall prioritize as follows:

First Priority: Request for curb installation

- (1) on any portion of an arterial or collector roadway, where there is not existing curbing; or
- (2) at any location that is deemed by the commissioner of public works or the chief of police to be a potentially serious safety hazard for pedestrians and/or motorists; or
- (3) to alleviate drainage or erosion problems, or where the steepness of the slope of the public way is 3% or greater.

Second Priority: Requests for curb installation at locations where curbing already exists on approximately fifty percent (50%) or more of the same side of the public way.

Third Priority: All other requests for curbing installation, except at those locations where the commissioner of public works determines that such curbing would serve no public purpose.

(c) Whenever curbing is installed pursuant to subsection (b), the owner shall pay fifty percent (50%) of the total cost thereof in the following manner:

- (1) in the event that said fifty percent (50%) amount is five hundred dollars (\$500) or more, it shall be assessed upon the owner of the abutting estate pursuant to G.L. c. 83 §26, provided that nothing herein shall prohibit an owner from voluntarily prepaying said fifty percent (50%) amount;
- (2) in the event that said fifty percent (50%) amount is less than five hundred dollars (\$500), it shall be paid by the owner prior to construction, except as otherwise provided in section 26-71(b)(3).

(d) For those requests for curbing which are prepaid, the commissioner of public works shall proceed with the installation, subject to availability of funding and in accordance with subsection (e). For those curbing installation requests which are not prepaid, the commissioner of public works, acting in accordance with subsection (e) shall periodically forward them to the board of aldermen for its consideration under the betterment laws.

(e) For those requests which are received prior to April 15 of each year, all actions by the commissioner of public works and the board of aldermen pursuant to subsection (d) shall be taken in accordance with the priorities assigned pursuant to subsection (b), provided however, that the commissioner of public works shall have the authority to act upon a *First Priority* request at any time, regardless of date received. (Rev. Ords. 1995, Ord. No. V-84, 6-3-96)

health. There is a sink located in the garage on the property, which is not connected to any type of sewer or septic system. The Health Department deems that the sink should be connected to a septic system or public sewer to dispose of the wastewater.

The Chairman added that he spoke with the Utilities Division of the Department of Public Works regarding the property. The property owner has been reluctant to allow anyone access to change the water meter. The water usage at the site has also been very low over the past couple of years. There are also curtains in the windows of the garage, which raises the question of whether someone is residing in the garage.

Several Committee members voiced concern regarding granting the sewer extension without getting access to the garage to change the water meter. It was suggested that the City turn off the water to the site until the water meter has been changed.

It was pointed out that the Inspectional Services Department is responsible for zoning enforcement and would be the proper department to notify if there is a question of whether someone is residing in the garage. The Ward Alderman reminded the Committee that at the public hearing several neighbors voiced opposition of the possible development of this site. It was pointed out that the building permit, which was issued for this property to construct a single-family home was rescinded. The property owner will have to petition for a zoning variance to build a single-family home on the site.

Verne Porter, VTP Associates, is the engineer for the project. Mr. Porter has been inside the garage and assured the Committee that there was no one living in the garage. The garage is currently the base of operations for a landscaping company. The site has been a legal commercial garage since 1932. The landscapers wash trucks on the site and the water runoff is running into a dry wall and running down into the street. Mr. Porter added that he does not believe that the petitioner will proceed with the sewer extension if he does not receive a zoning variance for the site.

Ald. Lappin moved hold on the item in order to resolve the water meter situation and determine how to proceed with the petition. The Committee voted unanimously to support the motion of hold.

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]

ACTION: **HELD 7-1 (Salvucci opposed)**

NOTE: The docketors are proposing the creation of a revolving fund to be used exclusively for betterments requested by property owners. There is currently a betterment revolving fund, which was created for the purpose of funding individual betterments but is being used for betterments done in the course of street reconstruction projects. The proposed revolving fund would be funded with 50% of all income collected from completed betterments. The other

50% of collected income would continue to be used for betterments during road reconstruction projects.

Commissioner of Public Works Dave Turocy explained that the betterment funds are being used in accordance with the law. It is more efficient to do curbing and sidewalk betterments during reconstruction. It also allows the Public Works Department to install curbing during reconstruction without using Chapter 90 funds. The sidewalks are installed at no cost to property owners during reconstruction projects. Commissioner Turocy added that when curbing is installed at individual properties the road becomes compromised due to the breaking of the seam of the roadway resulting in quicker deterioration.

There are over two hundred property owners on the betterment request list. The Public Works Department has not provided any individual betterments for the past ten years. The Public Works Department hoped to address some individual betterments over the past summer but unfortunately was unable to get to any of them before the end of the construction season. The Public Works Department is looking at how to prioritize the betterments and determining the best way to stage betterments. In addition, property owners can opt to hire a private contractor to install new curbing and/or a sidewalk.

Commissioner Turocy would like to pursue individual betterment requests for sidewalk installation. One of the Administration's goals is to make Newton more walkable and additional sidewalks would coincide with the walkability goal. Commissioner Turocy stated that he is willing to work with the Committee to ensure that more betterments that are for individual property owners are done. The Chair stated that he spoke with the Mayor regarding the docket item and the Mayor voiced support of the item.

The Commissioner suggested that the Committee consider raising the betterment assessment threshold from \$500 to somewhere between \$1,500 and \$2,000. If the threshold were raised, it would allow the City to get more money up front for the betterments, which in turn would enable the Public Works Department to get more betterments done.

Several Committee members requested the following information from the Commissioner of Public Works:

- The exact number of people awaiting betterments for sidewalk and/or curbing
- The estimated cost of addressing all requested betterments
- How much money is needed to catch up with sidewalk repair
- The estimated cost of the delayed sidewalk repair
- The linear feet of sidewalk in disrepair and where are they located
- What is the condition of the sidewalks
- Information on the plan for the streets in the near future and how that dovetails with sidewalk repair
- How much does it cost to install curb and repair the sidewalks as a block compared to doing them on an individual basis
- Do other communities offer a betterment program

- Is it possible to offer the betterment program without offering the option to pay for the betterment over 20 years

A motion to hold the item until the requested information is available was approved unanimously.

The Committee adjourned at 8:55 PM. All other items before the Committee were held without discussion

Respectfully submitted,

Anthony J. Salvucci, Chairman