

CITY OF NEWTON  
IN BOARD OF ALDERMEN  
FINANCE COMMITTEE REPORT

MONDAY, MARCH 28, 2011

Present: Ald. Gentile (Chairman), Ciccone, Linsky, Salvucci, Danberg, Fuller and Freedman

Absent: Ald. Rice

City officials present: Lou Taverna (City Engineer), David Turocy (Acting Commissioner Public Works), Marie Lawlor (Assistant City Solicitor), and Robert DeRubeis (Commissioner of Parks and Recreation)

Appointment by His Honor the Mayor

#87-11      MATTHEW CHAO, 48 Hollis Street, Newton Corner, appointed as a member of the NEWTON TAXATION AID COMMITTEE for a term of office to expire May 1, 2012 (60 days 5/20/11). [03-14-11 @5:30 PM]

**ACTION:**      **APPROVED 5-0 (Ciccone, Freedman not voting)**

**NOTE:**      Mr. Chao is being appointed as a member of the Newton Taxation Aid Committee. The ordinance section related to the establishment and appointment of members to the committee is attached.

The Chairman explained that due to a disability it would be difficult for Mr. Chao to attend a Finance meeting and requested that committee members waive the policy requiring new appointees to appear before the committee.

Mr. Chao's resume is attached and it highlights his experience in providing social services and providing services to disabled persons, as required by the ordinance. Ald. Danberg moved approval, which carried unanimously.

Re-appointment by His Honor the Mayor

#88-11      ROSEMARY LARKING, 1600 Washington Street, West Newton, re-appointed as a member of the NEWTON TAXATION AID COMMITTEE for a term of office to expire May 1, 2013 (60 days 5/20/11). [03-14-11 @5:40 PM]

**ACTION:**      **APPROVED 5-0 (Ciccone, Freedman not voting)**

**NOTE:**      Ms. Rosemary Larking is being reappointed for a two-year term of office to the Taxation Aid Committee. The Committee felt it unnecessary for Ms. Larking to be present for the reappointment discussion, as she is well known to most Committee members. Ms. Larking provided a detailed resume to the Committee, which is attached. The resume details Ms. Larking's experiences and qualifications to serve on the Taxation Aid Committee and Ald. Salvucci moved approval, which carried unanimously.

#110-03(2) CITY ENGINEER requesting approval of the following Order and Schedule of Sewer Assessments for completed Common Sewer Extension in Dedham Street and Meadowbrook Road. [03/10/11 @ 8:54 AM]

<u>S-B-L</u>	<u>OWNER/ADDRESS</u>	<u>BK./PG.</u>	<u>AMT</u>
81-1-11	Thomas F. & Louise L. Weiner 580 Dedham St	27204/150	\$3,367.25
81-1-12	Denning E. Dahl & Debra J. Small 572 Dedham St	30372/526	\$3,278.06
81-1-13	Alan C. & Gail E. Epstein 564 Dedham St	12961/707	\$3,184.42
81-1-14	Lawrence T. Perera Kurt F. Somerville, Trs. 146 Beverley Rd Trust 556 Dedham St	30689/509	\$3,384.57
83-36-4	Charles River Country Club Inc. 483-655 Dedham St	4445/44 LC	\$16,139.00
81-1-1A	Leon Sheinfield, Tr. MLS Trust 7 Meadowbrook Rd	12542/084	\$217.46
81-10-7	Richard S. & Lynn H. Raisman Raisman Realty Trust 8 Meadowbrook Rd	33289/239	\$99.98

**ACTION:** **APPROVED 7-0**

**NOTE:** City Engineer Lou Taverna explained that the sewer main extension in Dedham Street was completed in 2003 and this request is to assess the sewer betterment to the property owners. Committee members questioned how the betterments were assessed. The attached ordinances states how and at what rate the property owner is assessed. Per the ordinance, the City must pay at least 50% of the sewer main construction cost. However, the City usually pays between 80 and 90% of the cost. The assessment rates have not been amended in a number of years, therefore, they have not kept pace with the rise in construction costs. The Committee recently docketed to increase the fixed uniform rates assessed upon owners. It was suggested that the City Engineer and Public Works Commissioner meet and determine an appropriate rate before the Public Facilities Committee began discussion on the item.

Mr. Taverna explained that the betterment assessment for the Dedham Street sewer extension was not requested in 2003, when the work was completed. Therefore, he is requesting the above betterment assessment for the sewer extension. It is similar to the recent request for sewer betterment assessments on Wood End Road, which was completed in 2006. During the Committee discussion for those assessments, the Committee requested a review of all sewer main extensions to determine if there were other betterment assessments that were missed. The review was done and three additional sewer main extensions that had not been assessed were discovered including the above request and the two below requests. The Committee asked for

assurance that the sewer main extensions would be assessed at the completion of the project and not years later. Mr. Taverna stated that the betterment assessments would be done at the completion of any sewer main extension project. With that, Ald. Freedman moved approval, which carried unanimously.

#111-03(2) CITY ENGINEER requesting approval of the following Order and Schedule of Sewer Assessments for completed Common Sewer Extension in Hancock Street and Grove Street. [03/10/11 @ 8:54 AM]

<u>S-B-L</u>	<u>OWNER/ADDRESS</u>	<u>BK./PG.</u>	<u>AMT</u>
43-28-12	David S. Delorie & Joyce Boudreau 153 Hancock St	19181/125	\$2,905.00
43-28-13	John M. & Karen E. Reilly 191 Grove St	28841/102	\$80.00

**ACTION:** **APPROVED 7-0**

**NOTE:** City Engineer Lou Taverna stated that the sewer main extension in Hancock and Grove Streets was completed in 2003. This is a request to assess the betterments for the project. Similar to the above docket item, the betterment assessments were not done when the project was completed. Ald. Salvucci moved approval of the betterment assessments, which carried unanimously.

#236-09(2) CITY ENGINEER requesting approval of the following Order and Schedule of Sewer Assessments for completed Common Sewer Extension in California Street. [03/10/11 @ 8:54 AM]

<u>S-B-L</u>	<u>OWNER/ADDRESS</u>	<u>BK./PG.</u>	<u>AMT</u>
11-05-16	John Fantasia 337 California St	11715/369	\$2,748
11-05-17	Edward & Karen Bianchi 345 California St	19975/07	\$1,422
11-05-18	John Purcell 349 California St	23278/304	\$1,290
11-05-19	Paul & Clarissa Ferolito 355 California St	16620/362	\$1,169

**ACTION:** **APPROVED 7-0**

**NOTE:** The request is to assess sewer extension betterments to four properties on California Street. The sewer extension was completed in 2009 at a cost of \$135,000. The property owner of 337 California petitioned the City in 2009 for the extension because of a failing septic system. It was an emergency due to the close proximity of the Charles River to the septic system. The extension work was completed in 2009 and that section of California Street was repaved in 2010.

Several members inquired if all four of the properties connected to the sewer extension. Mr. Taverna explained that often the owners do not connect at the time of the extension but wait until their septic system is failing or the property is placed on the market for sale. The City installs stubs in the extensions for later house connections to avoid tearing up the street again. Ald. Danberg moved approval, which carried unanimously.

#78-11        HIS HONOR THE MAYOR requesting authorization to accept and appropriate a gift of \$50,000 for the creation and maintenance of off-leash dog areas. [02/28/11 @6:47 PM]

**ACTION:**        **APPROVED SUBJECT TO SECOND CALL 6-0-1 (Gentile abstaining)**

**NOTE:**        The request is to authorize the acceptance of a \$50,000 gift from a family fund for the creation and maintenance of off-leash dog areas. The funds are being donated subject to restrictions, which can be found in the attached letter from the administrators of the fund.

The Chairman raised concern regarding the restriction related to the disbursement of the funds. The restriction states that a request for the use of funds must be made in writing to the Commissioner of Parks and Recreation Department from one specific individual. It is very unusual for one person to be designated as the requestor instead of a group, committee, board, or commission. Assistant City Solicitor Marie Lawlor stated that the Law Department has vetted the letter and restrictions and although, the language is unusual there is no reason that it cannot be done. The individual named may designate a successor in writing to submit requests per the restrictions. If something were to happen to the individual before naming a successor, the fund administrators would designate another individual. The fund administrators have already compromised once by changing the restriction language to give the Commissioner of Public Works final discretion on the use of the money.

Commissioner of Parks and Recreation Robert DeRubeis is comfortable working with the individual named as requestor. The individual is a member of the Off-Leash Area Working Group and the Commissioner believes that recommendations for the use of the money would be a group decision in practice. The Commissioner added that it is unlikely that the \$50,000 would last long as the fencing for two parks costs \$14,000, which would come from the fund.

The Commissioner believes that the fund administrators are very comfortable with the individual named as someone to oversee the use of the money. The individual is known to one of the administrators and it was the individual who approached the fund administrators regarding making a donation. Although the gift is not without conditions, it is a good thing for the City to receive \$50,000.

The Chairman requested that Commissioner DeRubeis speak with the individual to determine if the fund administrators would be willing to compromise and change restriction that requires the recommendation be given by the individual to the recommendation be given by the Off-Leash Area Working Group. The concern is that the current restriction is inconsistent with the City's policies regarding gifts and fund raising money. The Chairman would be more comfortable accepting the gift if a group was designated instead of an individual. Other

members of the Committee were worried that if the City asked for the change it would jeopardize the gift. The Commissioner will speak with the individual regarding the change and to determine whether the individual thinks it is plausible before approaching the fund administrators.

Ald. Linsky moved approval of the item subject to second call in the hopes that a response from the Commissioner would be available before the next Board of Aldermen meeting. Commissioner DeRubeis fully expects to have the response well before the Board meeting. The Committee voted in favor of the motion. Ald. Gentile abstained in order to review the response before making a decision.

The Committee adjourned at 8:17 p.m. and all other items before the Committee were held without discussion. Draft Board Orders for the above items are attached.

Respectfully submitted,

Leonard J. Gentile, Chairman

CITY OF NEWTON

IN BOARD OF ALDERMEN

ORDINANCE NO. X-81

March 15, 2004

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

That the City of Newton Revised Ordinances of 2001, be and are hereby amended by adding a new Section 27-30 as follows:

**Sec. 27-30 Aid to elderly and disabled taxation fund; Taxation fund Committee.**

(a) There is hereby established within the city a taxation aid committee consisting of the chairman of the board of assessors, the city collector-treasurer and three residents of the city appointed by the mayor with the approval of the board of aldermen, who shall serve without compensation. The appointed members shall serve for three year terms and no appointed member shall serve for more than three consecutive terms. One (1) of the initial appointees shall be for a term of one (1) year; one (1) of the initial appointees shall be for a term of two years; and (1) of the initial appointees shall serve for a term of three years. At no time shall all three appointed members be of the same sex.

The appointed members of the committee shall, so far as practicable, be selected so as to provide representation from persons with experience in dealing with senior citizens and disabled persons, including, but not limited to, persons with direct professional experience in providing social services to elderly and disabled persons; persons with experience in the field of geriatric medicine; representatives of religious organizations; veterans organizations; and organizations providing services to elderly and disabled persons.

Annually, the chairperson of the committee shall issue a report to the board of aldermen detailing the activities of the committee, including, but not limited to, the total amount of money collected and disbursed, number of people assisted and information concerning the investment of funds.

Approved as to legal form and character:

DANIEL M. FUNK

Under Suspension of Rules

**Matthew Chao 48 Hollis Street Apt. 2 Newton, MA 02158**

**QUALIFICATIONS**

Excellent written and oral communications skills.  
Extensive experience with telecommunications and word-processing software, Internet, and PC/laptop support.  
Ability to focus on problems and work towards solutions.

**EXPERIENCE**

Supervised convicted felons in state prison work environment.  
Conducted research into topics on rehabilitation.  
Disseminated information on adaptive computers, employment, and recreation for persons with disabilities.  
Managed office of small computer company; provided technical support and installed systems.  
Beta tested PC-based version of Kurzweil Personal Reader for Xerox Imaging Systems over 16-week period.  
Wrote technical review for **Add-ons: The Ultimate Guide To Peripherals For The Blind Computer User.**  
Provided vocational rehabilitation services to persons with physical and mental disabilities.

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CITY CLERK  
NEWTON, MA 02159

**EMPLOYMENT**

1992-Present Shop Instructor; Bay State Correctional Center; Norfolk, MA  
1989-1990 Account Representative; Talking Computer Systems; Watertown, MA  
1990 Instructor; Carroll Center for the Blind; Newton, MA  
1986-1987 Project Specialist; Mass. Rehabilitation Commission, Boston, MA  
1983-1986 Information Specialist; Information Center for Individuals with Disabilities; Boston, MA  
1979-1983 Vocational Rehabilitation Counselor; Mass. Rehabilitation Commission; Norwood, MA

**EDUCATION**

1987-1988 BOSTON COLLEGE LAW SCHOOL; Newton, MA  
1977-1980 SPRINGFIELD COLLEGE; Springfield, MA  
GRADUATE SCHOOL OF EDUCATION Master of Education and Certificate of Advanced Study (CAS), Rehabilitation Counseling Education.  
1973-1977 BRANDEIS UNIVERSITY; Waltham, MA  
Bachelor of Arts Degree, European History. Rose Schlow Memorial Award for Outstanding Student.

**Participation in Competitive Sports and Challenge Programs**

Member SailBlind/U.S. Blind Sailing Team. Competed on international level in Auckland, New Zealand; Fremantle, Australia; and Newport, Rhode Island.  
Completed Six-Day Sea Course Program at Hurricane Island Outwardbound School.

CITY OF NEWTON  
IN BOARD OF ALDERMEN

, 2011

ORDERED:

That in accordance with the recommendation of His Honor the Mayor and with the confirmation of the Honorable Board of Aldermen, be it known that Matthew Chao, 48 Hollis Street, Newton Corner, is hereby appointed as a member of the Newton Taxation Aid Committee for a term to expire on May 1, 2012.

Under Suspension of Rules  
Readings Waived and Approved

(SGD) DAVID A. OLSON  
City Clerk



Rosemary Larking  
P O Box 620066  
Newton, MA. 02462

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CITY CLERK  
NEWTON, MA. 02159

## WORK EXPERIENCE

**Consultant**, self-employed. Provide information and referral on issues of independent living of disabled persons; conduct workshops in job placement techniques, recreation, legal rights, and adaptive equipment for disabled. June 1, 1982 – present.

**Computer Information Specialist**, Newton-Wellesley Hospital. Set up database and spreadsheets; input data. August 17, 1992 – Sept. 1, 2003

**Community Advocacy Coordinator**, Boston Center for Independent Living, Inc. Developed an active recreation program that was utilized to organize consumers and raise consciousness concerning issues of access, civil rights, and programmatic supports; worked with commissions on disability to organize consumers around state and local issues; represented the agency at numerous meetings; prepared written reports. August 17, 1988 – July 13, 1990.

**Project Director**, “Access to the Best Music” program of the ProArte Chamber Orchestra of Boston. Administered program of outreach designed to make ProArte’s concerts available to elderly and disabled; served as liaison for the Orchestra and agencies whose constituencies are elderly and disabled; coordinated ticket requests and transportation to concerts; supervised volunteers; performed research and writing to meet publicity and fundraising needs of Program. October 3, 1984 – June 30, 1985.

**Assistant Staff Psychologist**, Belchertown State School, Belchertown, MA. Counseled adolescent retarded and physically disabled residents; prepared written reports; acted as resource person to program coordinator. September 13, 1976 – June 25, 1977.

**Consultant**, Regional Advisory Council, Title Iv, E.S.E.A. Advocated for disabled in Massachusetts. June 1975 – July 1979.

EDUCATION

American International College, Springfield, MA. Bachelor of Arts degree;  
Major: sociology, psychology, political science; Minor: English

OTHER TRAINING

SBI training in Microsoft WORD,OUTLOOK,EXCEL and  
POWERPOINT,Dragon Naturally Speaking,Toolbox,and Web Site Design

Lotus Corporation – sponsored training in basic functions of LOTUS 1,2,3,  
November 1986 – July 1987.

Fourth annual conference on adaptive environments, Adaptive Environment  
Center, Boston, MA. March 30 and 31, 1982.

American Coalition of Citizens with Disabilities educational workshop,  
“Public Transportation for Disabled Persons” in Danvers, MA. December 12  
and 3, 1981.

Philosophy Foundation, Boston, MA. Completed course in principles of  
philosophy, September – December, 1981.

Family Service Association, Boston, MA. Completed course in assertiveness  
training in April, 1981.

AWARDS

1991 – 1992 Pilot International Club Northeast-Potomac District “Disabled  
Professional Woman of the Year” Award in May, 1992

Certificate of Appreciation from Partners for Disabled Youth, on August 20,  
1990.

1988-1989 Pilot International Club’s “Professional Disabled Woman of the  
Year” Award in May 1989.

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Certificate of Appreciation from Massachusetts Department of Mental Health, May 1987.

Governor's Citation for outstanding contribution to bringing Music to citizens with special needs. April 3, 1985.

Nominee for National Hall of Fame for Persons with Disabilities, July 1981

Certificate of Appreciation from Mass. Association of Paraplegics in 1972.

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WRITING EXPERIENCE

Winner, Governor's Litter Olympics Award for winning essay, "Don't Give Litter a Sporting Chance!" June 1977.

Winner, Bicentennial Essay Contest, July 1976; Winner, National Arbor Day Essay Contest, April 1974.

"Equal Rights for the Handicapped", article in WOMAN'S DAY MAGAZINE, February, 1974.

Author of bills passed by Mass. Legislature:

-S.1416: a bill calling on the governor each year to issue a proclamation naming the first Sunday in October as "Independent Living Center Day". Signed into law in 1989.

-H.3423: a bill calling for investigation into the needs of physically handicapped. Signed into law on July 9, 1972.

-H.5716: a bill prohibiting discrimination in admission of blind students to state colleges and universities. Signed into law on June 1, 1972.

-H.5050: a bill eliminating medical verification of disability each time a permanently disabled person votes by absentee ballot; verify disability only once. Signed into law on June 2, 1971.

PUBLIC SPEAKING EXPERIENCE

Guest Speaker, Ward School, Newton, MA. Nov. 5, 2009

Guest Speaker, Cabot School, Newton, MA. Nov. 8, 2007

Guest Speaker, "Understanding Handicaps" Program, Newton Public Schools, Newton, MA. 1985 - 1989.

Conducted sensitivity training for Stavis Company chaircar drivers. December 16, 1987.

Speaker, Horace Mann School, March 26, 1987; Speaker, Bowen School, February 10 and 13, 1987; Speaker, Burr School, February 6, 1987; Speaker, SAR Seminar, University Hospital Boston, MA. April 27, 1986; Speaker Horace Mann School, March 27, 1986; Speaker, Burr School, February 14, 1986; Speaker 7<sup>th</sup> and 8<sup>th</sup> grade, Noble and Greenough School, Dedham, MA. November 18 and 19, 1985  
 Speaker, Heath School, Brookline, A. October 23, 1985.

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LEADERSHIP EXPERIENCE

Vice-chairperson, MAYOR'S COMMITTEE ON ENVIRONMENT THE HANDICAPPED, Newton, MA. 1989 – 1993  
 President, NEWTON-WELLELEY AREA BOARD FOR MENTAL HEALTH AND MENTAL HEALTH AND MENTAL RETARDATION, 1986 to 1987.  
 Vice-President, NEWTON-WELLESLEY AREA BOARD FOR MENTAL HEALTH AND MENTAL RETARDATION, 1985 TO 1986.  
 Legislative chairperson, NEWTON-WELLESLEY AREA BOARD FOR MENTAL HEALTH AND MENTAL RETARDATION, 1984 TO 1985.  
 Vice-chairperson, LUDLOW COUCIL ON THE HANDICAPPED, 1978 TO 1980  
 Founder and president, WHEELS AGAINST RESTRICTIONS, now known as DISABLED OF WESTERN MASS. INC. 1972 TO 1973.

VOLUNTEER EXPERIENCE

NEWTON ELDERLY AND DISABLED TAXATION AID COMMITTEE- 2008-present  
 GOVERNOR'S COUNCIL ON DISABILITY POLICY-1999-Present  
 MAYOR'S COMMITTEE ON ENVIRONMENT OF THE HANDICAPPED, Newton, MA. 1988- Present.  
 WEST-NEWTON NEIGHBORHOOD ADVISORY COMMITTEE- 1993 – 2004  
 MASSACHUSETTS DEVELOPMENTAL DISABILITIES COUNCIL, 1991 –1995  
 NEWTON-WELLESLEY-NEEDHAM-SOUTH NORFOLK AREA BOARD FOR MENTAL RETARDATION, 1989 – 1992  
 REGIONAL ADVISORY BOARD, VERY SPECIAL ARTS, 1988 – 1990.

NEWTON-WELLESLEY AREA BOARD FOR MENTAL HEALTH AND  
MENTAL RETARDATION, 1983 – 1989.

BOARD OF TRUSTEES, BOSTON CENTER FOR INDEPENDENT  
LIVING, INC., 1982 – 1988.

LUDLOW COUNCIL ON THE HANDICAPPED, 1978 – 1980.

MENTAL HEALTH ASSOCIATION OF GREATER SPRINGFIELD,  
1975 – 1981.

REGIONAL ADVISORY COUNCIL, SPECIAL EDUCATION, associate  
member, 1975 – 1978

MASS COMMISSION TO INVESTIGATE THE NEEDS OF  
PHYSICALLY HANDICAPPED, 1972 – 1976.

11 MAR 14 P 5 40  
CITY CLERK  
NEWTON, MA. 02159

CITY OF NEWTON  
IN BOARD OF ALDERMEN

, 2011

ORDERED:

That in accordance with the recommendation of His Honor the Mayor and with the confirmation of the Honorable Board of Aldermen, be it known that Rosemary Larking, 1600 Washington Street, West Newton, is hereby reappointed as a member of the Newton Taxation Aid Committee for a term to expire on May 1, 2013.

Under Suspension of Rules  
Readings Waived and Approved

(SGD) DAVID A. OLSON  
City Clerk

public hearings and the anticipated construction date, taking into consideration the availability of funding and, where applicable, the existence of any public health emergency as determined by the health and human services commissioner. (Rev. Ords. 1973, § 18-3; Rev. Ords. 1979, § 29-60; Ord. No. R-153, 6-17-81; Ord. No. T-231, 7-13-92; Ord. No. X-175, 05-26-05)

**Sec. 29-70. Duty of city engineer as to construction of common sewers; plans and profiles thereof.**

The city engineer shall make and prepare all needed specifications describing and governing the work of construction, and shall make plans and profiles of all common sewers showing their locations with reference to other sewers and the street lines. Such plans and profiles shall be filed in the office of the city clerk, and after being so filed, shall be deposited in the office of the engineering division of the department of public works, which shall be deemed a part of the office of the city clerk for the keeping of such plans. The city engineer shall keep an accurate account of the cost and expenses of each common sewer. (Rev. Ords. 1973, § 18-2; Rev. Ords. 1979, § 29-59; Ord. No. 153, 6-17-81; Ord. No. V-289, 3-20-00)

**State law reference**—Provision authorized, G.L. c. 40, § 21(5)

**Sec. 29-71. Installation cost of new public sewers—City to pay fifty percent.**

A minimum of fifty per cent (50%) of the cost of installation of new public sewers shall be paid by the city. (Rev. Ords. 1973, § 18-6; Rev. Ords. 1979, § 29-62; Ord. No. R-153, 6-17-81)

**Sec. 29-72. Same—Assessments upon owners of estates passed by new sewers.**

(a) Assessments of that part of the cost of installation of new public sewers not borne by the city shall be made upon owners of estates the frontage of which is passed in any part by said new sewer. 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, but no assessment in respect to any such estate which by reason of its grade or level or for any other cause cannot be drained into such sewer shall be made, certified or notified until such incapacity is removed. 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.

(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.

(c) No such assessments shall be made upon owners of lots having frontage on any street or way in which a sewer shall have been constructed under bond by the developer of a subdivision pursuant to rules and regulations of the planning board. (Rev. Ords. 1973, § 18-7; Ord. No. 50, 1-20-75; Rev. Ords. 1979, § 29-63; Ord. No. R-153, 6-17-81; Ord. No. T-231, 7-13-92)

**State law reference**—sewer betterments, G.L. c. 83 § 15

**Sec. 29-73. Same—Owners of estates not liable to assessments.**

Owners of estates or parts of estates not liable to assessments as set forth in section 29-72, or not in fact assessed, shall pay for the use of public sewers for the disposal of their sewage from such estates or parts of estates such reasonable sum as the board of aldermen shall determine. (Rev. Ords. 1973, § 18-8; Rev. Ords. 1979, § 29-64; Ord. No. R-153, 6-17-81)

**Sec. 29-74. Same—Plan of estates to be assessed therefor; entry of assessments thereon; assessments to be lien until paid.**

Upon notification by the board of aldermen of the board's intent to lay out or construct a public sewer, the city engineer shall prepare and submit to the board of aldermen plans of the estates to be assessed pursuant to this chapter showing the owners' names, frontages and areas, together with a schedule showing the assessments on the estates abutting and benefited. The amount ascertained, assessed and certified by the mayor and aldermen shall be entered upon the plan prepared for assessment and shall form a lien against the estate until the same is paid. The city clerk shall furnish the city collector-treasurer, the comptroller of accounts and the engineering division of the department of public works with a certified copy of such schedule with the order of the board of aldermen thereon, as approved by the mayor. (Rev. Ords. 1973, § 18-9; Rev. Ords. 1979, § 29-65; Ord. No. R-153, 6-17-81; Ord. No. V-289, 3-20-00)

**Sec. 29-75. Same—Collection of assessments therefor; apportionment of assessments.**

The city collector-treasurer, upon receipt of the certified copy of the schedule of assessments pursuant to section 29-74 with the order thereon, shall send notices to the parties named therein with demand of payment of the amount assessed, and such amount shall be due and payable thirty (30) days after the assessment list has been committed to the collector-treasurer, after which time interest shall be charged thereon at the highest rate allowed by law, provided that if at any time before demand for payment by the collector-treasurer under the provisions of Chapter 60 of the General Laws, the owner of land assessed gives notice to the board of assessors to apportion such assessment, or if the board in its discretion makes such apportionment at any time before the proceedings for the enforcement of the collection without such notice to the board, such assessment shall be due and payable as provided by law and the first part of such apportionment, with interest thereon at the highest rate allowed by law, shall be added to the next annual tax bill thereafter. The board of assessors shall furnish to the city collector-treasurer and the comptroller of accounts a certificate of all assessments apportioned as above. (Rev. Ords. 1973, § 18-10; Rev. Ords. 1979, § 29-66; Ord. No. R-153, 6-17-81)

**Sec. 29-76. Discharge of certain waters or substances forbidden.**

(a) No person shall discharge or cause to be discharged into any public sewer any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, unpolluted industrial process waters or any other substances, waters or wastes which the commissioner or the M.W.R.A. has identified as likely, either singly or by interaction with other substances, to:

- (1) harm either the sewerage system or the water treatment process,
- (2) be otherwise incompatible with the treatment process,
- (3) cause a violation of the federal or state discharge permits issued to the commission,
- (4) adversely affect receiving waters,
- (5) endanger life, limb, or public property, or
- (6) constitute a nuisance.

(b) Specifically, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- (1) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid, or gas.



CITY OF NEWTONIN BOARD OF ALDERMEN

, 2011

## ORDERED:

That in accordance with the recommendation of the Finance Committee through its Chairman, Leonard J. Gentile, the following Order and Schedule of Sewer Assessments for completed Common Sewer Extension in Dedham Street and Meadowbrook Road as approved by Board Order #110-03, be and is hereby approved:

<u>S-B-L</u>	<u>OWNER/ADDRESS</u>	<u>BK./PG.</u>	<u>AMT</u>
81-1-11	Thomas F. & Louise L. Weiner 580 Dedham St	27204/150	\$3,367.25
81-1-12	Denning E. Dahl & Debra J. Small 572 Dedham St	30372/526	\$3,278.06
81-1-13	Alan C. & Gail E. Epstein 564 Dedham St	12961/707	\$3,184.42
81-1-14	Lawrence T. Perera Kurt F. Somerville, Trs. 146 Beverley Rd Trust 556 Dedham St	30689/509	\$3,384.57
83-36-4	Charles River Country Club Inc. 483-655 Dedham St	4445/44 LC	\$16,139.00
81-1-1A	Leon Sheinfield, Tr. MLS Trust 7 Meadowbrook Rd	2542/084	\$217.46
81-10-7	Richard S. & Lynn H. Raisman Raisman Realty Trust 8 Meadowbrook Rd	33289/239	\$99.98

Under Suspension of Rules  
Readings Waived and Approved

(SGD) DAVID A. OLSON  
City Clerk

(SGD) SETTI D. WARREN  
Mayor

CITY OF NEWTON  
IN BOARD OF ALDERMEN

, 2011

ORDERED:

That in accordance with the recommendation of the Finance Committee through its Chairman, Leonard J. Gentile, the following Order and Schedule of Sewer Assessments for completed Common Sewer Extension in Hancock Street and Grove Street as approved by Board Order #111-03, be and is hereby approved:

<u>S-B-L</u>	<u>OWNER/ADDRESS</u>	<u>BK./PG.</u>	<u>AMT</u>
43-28-12	David S. Delorie & Joyce Boudreau 153 Hancock St	19181/125	\$2,905.00
43-28-13	John M. & Karen E. Reilly 191 Grove St	28841/102	\$80.00

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City Clerk

(SGD) SETTI D. WARREN  
Mayor

Date \_\_\_\_\_

CITY OF NEWTON  
IN BOARD OF ALDERMEN

, 2011

ORDERED:

That in accordance with the recommendation of the Finance Committee through its Chairman, Leonard J. Gentile, the following Order and Schedule of Sewer Assessments for completed Common Sewer Extension in California Street as approved by Board Order #236-09, be and is hereby approved:

<u>S-B-L</u>	<u>OWNER/ADDRESS</u>	<u>BK./PG.</u>	<u>AMT</u>
1-05-16	John Fantasia 337 California St	11715/369	\$2,748
11-05-17	Edward & Karen Bianchi 345 California St	19975/07	\$1,422
11-05-18	John Purcell 349California St	23278/304	\$1,290
11-05-19	Paul & Clarissa Ferolito 355 California St	16620/362	\$1,169

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Mayor

Date \_\_\_\_\_

**The Leveen Family Fund  
Stephanie K. Meilman, Esq. and Nelson J. Costa, Esq.,  
Administrators  
70 Wells Avenue, Suite 200  
Newton, MA 02459**

February 4, 2011

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

Re: The Leveen Family Fund Gift  
to the City of Newton for the Dogs Off-Leash Program

Dear Mayor Warren:

The Leveen Family Fund wishes to donate fifty thousand dollars (\$50,000.00) to the City of Newton (City) to be used solely toward the creation and maintenance of legal off-leash dog areas in the City. These funds are donated subject to the following restrictions:

1. The funds shall not be spent for any purpose other than toward the creation and maintenance of legal off-leash dog areas in the City of Newton;
2. The funds shall be held for the stated purpose in a separate account within the municipal gift fund of the City of Newton; the City will credit interest earned on any unexpended balance to the separate account, and shall provide an annual report of financial statements to the administrators, Attorney Stephanie K. Meilman and Attorney Nelson J. Costa, of The Leveen Family Fund;
3. The funds shall be disbursed at the discretion of the Commissioner of Parks and Recreation (Commissioner) after receipt by the Commissioner of a specific request in writing from Lee McIntyre (McIntyre), or from such Newton resident as Mr. McIntyre may designate to the City in writing as his successor, for the following purposes:
  - a. The erection of fences at legal off-leash dog areas specified by McIntyre or his successor;
  - b. The purchase of and restocking of "Mutt Mitt" clean up stations within off-leash dog areas specified in the request by McIntyre or his successor;

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- c. The maintenance (such as reseeding and aerating soil) of the fields within legal off-leash dog areas specified in the request by McIntyre or his successor; and
- d. Appropriate signage, as deemed necessary by the Commissioner, for the off-leash dog areas.

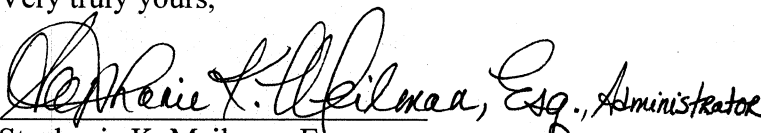
4. At each off-leash area where any funds from this gift are used, the City shall install on the fence or another visible location a permanent plaque of reasonable size and dimension containing the following language:

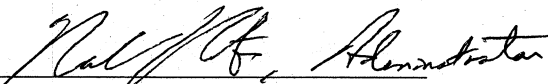
“Gift from The Leveen Family Fund  
Administrators: Stephanie K. Meilman, Esq. and Nelson J. Costa, Esq.”

5. The gift funds shall be disbursed to the City of Newton upon acceptance of the gift and its restrictions by the Board of Aldermen; and

6. In the event that the legal off-leash dog area program is rescinded at any time by the City of Newton, or otherwise ends, any remaining funds in the account shall be returned to The Leveen Family Fund forthwith.

Very truly yours,

  
Stephanie K. Meilman, Esq.  
Administrator

  
Nelson J. Costa, Esq.  
Administrator

CITY OF NEWTON  
IN BOARD OF ALDERMEN

, 2011

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chairman Leonard J. Gentile, the acceptance and authorization to expend a gift of Fifty Thousand Dollars (\$50,000) from the Leveen Family Fund to be used solely toward the creation and maintenance of off-leash areas as detailed in the letter from the Leveen Family Fund dated February 4, 2011, be and is hereby approved.

Under Suspension of Rules  
Readings Waived and Approved

(SGD) DAVID A. OLSON  
City Clerk

(SGD) SETTI D. WARREN  
Mayor

Date \_\_\_\_\_