

CITY OF NEWTON

IN BOARD OF ALDERMEN

FINANCE COMMITTEE AGENDA

MONDAY, JANUARY 25, 2010

7 PM
Aldermanic Chamber &
Room 222

CHAIRMAN'S NOTE: After the joint public hearing on Docket Item #412-09 with the Zoning & Planning Committee and Planning Board, the Committee will convene in Room 222 to take up the following items:

ITEMS SCHEDULED FOR DISCUSSION:

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#13-10 HIS HONOR THE MAYOR requesting authorization to appropriate and expend one hundred thousand dollars (\$100,000) from Budget Reserve for the purpose of supplementing the Law Department legal assistance account. [12/22/09 @ 10:09 AM]

PROG & SERV HELD \$50,000 AND APPROVED \$50,000 6-0 on 01/20/10

#25-10 ALD. ALBRIGHT, LINSKY & JOHNSON requesting that the increase in Resident Sticker Parking Fees recently approved through Ordinance Z-48 be postponed for those residents on streets that have the Tiger Parking Permit Program restrictions until the Tiger Parking Permit Program is eliminated. [01/11/10 @ 11:53 AM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#420-09 HIS HONOR THE MAYOR requesting acceptance of and authorization to expend a grant of seven hundred ninety-nine thousand six hundred dollars (\$799,600) from the U.S. Department of Energy to be used to replace the heating system in Cabot, Zervas Elementary Schools and Emerson Community Center; replace the automatic temperature control system in the Newton Free Library and replace the HVAC system in both the Crafts and Elliot Street Garages. [12/15/09 @ 4:05 PM]

PUBLIC FACILITIES APPROVED 7-0 on 01/20/10

#26-10 HIS HONOR THE MAYOR requesting a transfer of twenty-five thousand dollars (\$25,000) from the severance budget in the Human Resources Department to the Executive Department for the purpose of covering current year severance expenses. [01/12/10 @ 4:50 PM]

- #27-10 HIS HONOR THE MAYOR requesting authorization to appropriate and expend one hundred twenty-five thousand dollars (\$125,000) from Budget Reserve for the purpose of supplementing the unemployment account in the Human Resources Department. [01/12/10 @ 4:50 PM]

ITEMS NOT SCHEDULED FOR DISCUSSION:

- #422-09 MAYOR-ELECT WARREN requesting to create two full time positions in the Executive Department: a Performance Analyst (H09) and a Budget Analyst (H06) for seventy-seven thousand six hundred thirty-four dollars (\$77,634) from wage reserve to fund these two positions for the second half of this fiscal year. [12/15/09 @ 4:05 PM]

REFERRED TO COMM. ON COMM. PRES. AND FINANCE COMMITTEES

- #28-10 COMMUNITY PRESERVATION COMMITTEE recommending that the sum of \$362,500, including \$2,500 for City of Newton legal costs, be appropriated from the fiscal 2010 community housing and general reserves of the Community Preservation Fund and expended under the direction and control of the Planning and Development Department, to create two units of perpetually affordable rental housing at 2148-2150 Commonwealth Avenue. [01/11/10 @ 4:23 pm]
- #207-07(5) ALD. FREEDMAN AND JOHNSON proposing that the city's Financial Management Guidelines adopted under Board Order #207-07 be amended to require that any proposed capital expenditure above a certain amount have a cost-benefit or a return-on-investment analysis performed prior to approval by the Board of Aldermen. [12/21/09 @ 5:55 PM]

REFERRED TO ZONING & PLANNING AND FINANCE COMMITTEES

- #391-09(2) ALD. DANBERG, MANSFIELD, VANCE & HESS-MAHAN requesting the establishment of a municipal parking mitigation fund whose proceeds, derived from payments-in-lieu of providing off-street parking spaces associated with special permits, will be used solely for expenses related to adding to the supply of municipal parking spaces, improving existing municipal parking spaces, or reducing the demand for parking spaces.

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

- #376-09 HIS HONOR THE MAYOR submitting the FY11-15 Capital Improvement Program, totaling \$140,377,285 and the FY10 Supplemental Capital budget, which require Board of Aldermen approval to finance new capital projects over the next five years.

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #363-09 ALD. SANGIOLO requesting a discussion to increase the tobacco seller license fee. [09/13/09 @ 1:07 PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #360-09(2) PROGRAM & SERVICES COMMITTEE requesting a discussion to explore possible sources of revenue to fund an off leash dog park system in the City. [11/06/09 @ 10:44 AM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #358-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend fifty five thousand dollars (\$55,000) from tax revenue from the local option meals tax to restore funding to the Senior Transportation Program. [10/09/09 @ 5:25 PM]
- #269-09 COMPTROLLER submitting FY2009 Budgetary Basis Annual Financial Report. [09/01/09 @ 4:45 PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #130-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend from Cable Receipts the sum of twenty-four thousand nine hundred eighteen dollars (\$24,918) for the purpose of purchasing equipment to provide for archived web casting of the Board of Aldermen and School Committee meetings. [4/28/09 @ 6:02 PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #87-09 ALD. SANGIOLO, BRANDEL, FREEDMAN AND HESS-MAHAN requesting a Home Rule Petition to allow the City of Newton to require elected officials to contribute a higher percentage rate for health insurance benefits than is required for other employee groups. [03-10-09 @ 9:17 AM]
PROGRAM & SERVICES APPROVED 5-1-1 (Baker opposed; Merrill abstaining; Parker not voting) on 4/15/09

REFERRED TO PS&T, PUBLIC FACILITIES & FINANCE COMMITTEES

- #60-09 ALD. SANGIOLO, GENTILE AND HARNEY requesting the installation of traffic islands on CONCORD STREET to be funded with the Cabot, Cabot and Forbes Traffic Mitigation Fund for Lower Falls (Ward 4). [02/03/09 @ 1:01 PM]

ITEM RECOMMITTED TO PUB. FAC. AND FINANCE COMM. ON 02-17-09**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #13-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend three hundred eighty-five thousand dollars (\$385,000) from bonded indebtedness to the Public Works Department for the purpose of replacing both the salt shed and the Quonset hut at Crafts Street. [12-30-08 @ 5:04 PM]
- #354-08 ALD. COLETTI requesting monthly report on cash and receivable reconciliations by Treasurer and status of Consultant work in Treasurer's Office. [09-30-08 @ 1:54 PM]
- #352-08 ALD. COLETTI requesting discussion monthly reports from the Chief Budget Officer and Comptroller on the status of the Health Insurance Trust Fund. [09-30-08 @ 1:54 PM]

#348-08 ALD. COLETTI requesting discussion on the Executive Department submission of a new 5-year forecast for FY2010 budget preparation. [09-30-08 @ 1:54 PM]

REFERRED TO POST AUDIT & OVERSIGHT AND FINANCE COMMITTEES

#300-08 ALD. JOHNSON AND SWISTON requesting discussion with Mayor David Cohen and Superintendent Jeffrey Young as to the procedures that are in place to ensure accountability of their staff in respect to adherence to the authorization of purchasing and expenditures policy and procedures. [07-21-08 @ 9:03 AM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#274-08 ALD. JOHNSON AND SANGIOLO proposing a RESOLUTION to His Honor the Mayor requesting that he create a plan to move the Child Care Commission to a self-sustaining model for FY2010. [07-17-08 @ 9:53 AM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#273-08 ALD. JOHNSON proposing a RESOLUTION to His Honor the Mayor requesting that the Executive and Human Resources Departments develop a comprehensive human capital strategy for the city to include: performance management, talent development, succession planning, and compensation. [07-17-08 @ 9:53 AM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#272-08 ALD. JOHNSON proposing a RESOLUTION to His Honor the Mayor that he work with the Board of Aldermen, School Department, and School Committee in order to determine the most effective and efficient way to organize the Human Resources Departments. [07-17-08 @ 9:53 AM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#270-08 ALD. JOHNSON proposing a RESOLUTION to His Honor the Mayor requesting that he work with the Board of Aldermen, School Department, and School Committee in order to determine the most effective and efficient way to organize the Information Technology Departments. [07-17-08 @ 9:53 AM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#258-08 ALD. SANGIOLO requesting discussion with the Executive Department regarding reorganization of senior transportation services and establishment of intra-village transportation systems. [07-08-08 @ 1:29 PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#207-08 ALD. BRANDEL AND SANGIOLO proposing that the following question be put before the Newton voters:
“Shall the City of Newton be allowed to exempt from the provisions of Proposition 2 ½ the amounts required to pay for the bond issuance in order to fund Newton North High School?” [05-21-08 @ 12:58 PM]

REFERRED TO COMM. PRES., PUB FAC & FINANCE COMMITTEES

- #147-08 COMMUNITY PRESERVATION COMMITTEE recommending that the sum of \$359,400, including \$2,000 for legal costs, be appropriated from the FY'08 Community Preservation Fund's historic resources and general reserves, for a project to rehabilitate and expand storage space for the research library and archives at the Newton History Museum, to preserve the existing collections, and enhance public access to the collections. [04-01-08 @ 4:10 PM]
COMMUNITY PRESERVATION APPROVED 6-0 on 4-29-08
(A) DESIGN FUNDS ESTIMATE \$37,500.00 – BOA APPROVED ON 07/21/08
(B) BALANCE OF PROJECT ESTIMATE \$321,900.00 – HELD

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

- #89-08 ALD. PARKER requesting the following:
 A) review of the maintenance practices for buildings, parks and other properties owned by the City (including School Department facilities and grounds)
 B) development of a comprehensive maintenance plan that includes regular schedules for preventive maintenance for each specific site or facility
 C) a RESOLUTION requesting that implementation of said maintenance plan be funded using operating budget funds.
 [02-13-08 @ 12:07 PM]
- #207-07(4) ALD. COLETTI proposing that the city's Financial Management Guidelines adopted under board order #207-07 be amended to allow the adjustment of self-funded health insurance plan rates in the event that rates and any accumulated excess resources not meet actual resource requirements. [7-2-08 @ 12:12 PM]
- #207-07(2) ALD. COLETTI proposing that the city's Financial Management Guidelines adopted under board order #207-07 be amended, effective FY10, as follows:
 (A) total resources devoted to all forms of employee compensation shall not exceed the estimated growth in total general fund revenue for the following fiscal year;
 (B) funds for salary and wage adjustments shall not exceed the difference between total estimated revenue growth and resources needed to fund growth in health/dental and life insurance benefits and growth in the actuarial required contribution for the city's retirement system for each fiscal year;
 (C) if collective bargaining contracts are not resolved at the time of budget submission, funds budgeted for such contracts shall be held in "municipal and compensation" reserve. [7-2-08 @ 12:12 PM]

REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES

- #83-07 ALD. YATES requesting that the City of Newton take all possible steps to persuade the General Court to adopt the proportion of Governors Municipal Partnership that would allow the City to reduce employee health insurance costs by joining the Group Insurance Commission. [02-27-07 @ 10:21 PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE 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.

REFERRED TO ZONING & PLANNING AND FINANCE COMMITTEES

- #48-06 ALD. HESS-MAHAN, BURG, JOHNSON, DANBERG, PARKER & WEISBUCH proposing that the city provide financial incentives to rent accessory apartments to low- to moderate-income households at affordable rates that can serve housing affordability goals.
- #29-06 ALD. JOHNSON AND PARKER requesting creation of a Citizen Financial Advisory Committee to work with city officials and staff to facilitate bench markers, strategic planning, and other initiatives to improve the financial operation of the City.
(President's Note: While not formally referred to the Long Range Planning Committee, this item might usefully be discussed there in light of prior discussions of similar issues.)

Respectfully Submitted,

Leonard J. Gentile, Chairman



David B. Cohen
Mayor

City of Newton, Massachusetts
Office of the Mayor

#13-10 Telephone (617) 796-1100
Telefax (617) 796-1113
TDD (617) 796-1089
E-mail dcohen@newtonma.gov

December 21, 2009

09 DEC 22 AM 10:09
CITY CLERK
NEWTON, MA 02159

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 appropriate one hundred thousand dollars (\$100,000) from budget reserve for the purpose of supplementing the Law Department legal assistance account.

This appropriation will pay the legal costs of the law firm of Morgan Brown & Joy, which provides legal services for collective bargaining, labor disputes, and arbitrations.

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen
Mayor

DBC: srb

From: Budget Reserve
0110498-5790 \$100,000
To: Law Dept Expenses
0110801-5309 \$100,000

AW
12/31/2009

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.ci.newton.ma.us



DEDICATED TO COMMUNITY EXCELLENCE

COMPTROLLER'S OFFICE
 DATE: 12/31/2009
 TIME: 12:43:18

CITY OF NEWTON, MASSACHUSETTS
 EXPENDITURE AUDIT TRAIL

PAGE NUMBER: 1
 AUDIT#21

SELECTION CRITERIA: expledger_budget_orgn='0110801' and expledger_budget_acct='5309'
 ACCOUNTING PERIODS: 1/10 THRU 6/10

#10-10 SORTED BY: FUND,SUB FUND,DEPARTMENT,PROGRAM,1ST SUBTOTAL,ACCOUNT
 #10-10 POTALLED ON: FUND,SUB FUND,DEPARTMENT,PROGRAM,1ST SUBTOTAL

PAGE BREAKS ON: FUND

FUND - 01 - GENERAL FUND
 BUDGET CODE - 0110801 - LEGAL

ACCOUNT DATE	T/C	ENCUMBRANC	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION	CUMULATIVE BALANCE
01-01B-14-108-D4-0110801 - LEGAL									
5309			LEGAL SERVICES						
07/01/09	11-1		L0105507-01	109866 OKEEFE MAURA E	142,000.00	.00	.00	BEGINNING BALANCE	
07/28/09	17-1		L0105507-01	109866 OKEEFE MAURA E		800.00	5,000.00	POSTED FROM BUDGET SYSTEM	
07/30/09	21-1		L0105507-01	109866 OKEEFE MAURA E		800.00	-800.00		
08/04/09	21-2		L0105507-01	109866 OKEEFE MAURA E		800.00	-800.00		
08/11/09	21-2		L0105507-01	109866 OKEEFE MAURA E		800.00	-800.00		
08/13/09	17-2		L0105509-01	11828 EPSTEIN AND AVGU		4,000.00	4,000.00		
08/13/09	17-2		L0105510-01	12052 MORGAN,BROWN & J		120,000.00	120,000.00		
08/18/09	21-2		L0105507-01	109866 OKEEFE MAURA E		800.00	-800.00	W-E 8-14-09	
08/25/09	21-2		L0105507-01	109866 OKEEFE MAURA E		800.00	-800.00	W/E 8/22/09	
09/01/09	21-3		L0105507-01	109866 OKEEFE MAURA E		800.00	-800.00	W/E 8/28/09	
09/08/09	21-3		L0105510-01	12052 MORGAN,BROWN & J		43,220.84	-43,220.84	JULY 2009	
09/15/09	21-3		L0105507-01	109866 OKEEFE MAURA E		200.00	-200.00	W-E 9-4-09	
10/08/09	21-4		L0105510-01	12052 MORGAN,BROWN & J		23,965.80	-23,965.80	AUGUST 2009	
10/22/09	21-4		L0105510-01	12052 MORGAN,BROWN & J		26,458.70	-26,458.70	SEPTEMBER 2009	
11/06/09	18-5		L0105507-01	109866 OKEEFE MAURA E		800.00	5,000.00	W-E 11-6-09	
11/10/09	21-5		L0105507-01	109866 OKEEFE MAURA E		540.00	-800.00	W-E 11-6-09	
11/17/09	21-5		L0105507-01	109866 OKEEFE MAURA E		540.00	-540.00	WEEK ENDING 11-13-09	
11/19/09	21-5		L0105510-01	12052 MORGAN,BROWN & J		16,540.42	-16,540.42	OCTOBER 2009	
11/24/09	21-5		L0105507-01	109866 OKEEFE MAURA E		780.00	-780.00	WEEK ENDING 11-20-09	
12/03/09	21-6		L0105507-01	109866 OKEEFE MAURA E		420.00	-420.00	WEEK ENDING 11-27-09	
12/08/09	21-6		L0105507-01	109866 OKEEFE MAURA E		800.00	-800.00	WEEK ENDING 12-4-09	
12/15/09	21-6		L0105507-01	109866 OKEEFE MAURA E		800.00	-800.00	WEEK ENDING 12-11-09	
12/22/09	21-6		L0105507-01	109866 OKEEFE MAURA E		800.00	-800.00	WEEK ENDING 12-18-09	
12/23/09	18-6		L0105507-01	109866 OKEEFE MAURA E		2,560.00	2,560.00	WEEK ENDING 12-18-09	
12/23/09	18-6		L0105507-01	109866 OKEEFE MAURA E		480.00	-480.00	WEEK ENDING 12-26-09	
12/23/09	18-6		L0105507-01	109866 OKEEFE MAURA E		142,605.76	15,894.24	WEEK ENDING 12-26-09	
TOTAL			LEGAL SERVICES		142,000.00	120,605.76	15,894.24		5,500.00
TOTAL 1ST SUBTOTAL - EXPENSES									
					142,000.00	120,605.76	15,894.24		5,500.00
TOTAL PROGRAM - LEGAL									
					142,000.00	120,605.76	15,894.24		5,500.00
TOTAL DEPARTMENT - CITY SOLICITOR									
					142,000.00	120,605.76	15,894.24		5,500.00

* THERE IS A NOTE ASSOCIATED WITH THIS TRANSACTION

COMPTROLLER/S OFFICE
 DATE: 12/31/2009
 TIME: 12:43:18

CITY OF NEWTON, MASSACHUSETTS
 EXPENDITURE AUDIT TRAIL

PAGE NUMBER: 2
 AUDIT#21

SELECTION CRITERIA: expledger.budget_orign='0110801' and expledger.budget_acct='5309'
 ACCOUNTING PERIODS: 1/10 THRU 6/10

#13-10
 SORTED BY: FUND, SUB FUND, DEPARTMENT, PROGRAM, 1ST SUBTOTAL, ACCOUNT
 TOTALED ON: FUND, SUB FUND, DEPARTMENT, PROGRAM, 1ST SUBTOTAL

PAGE BREAKS ON: FUND

FUND - 01 - GENERAL FUND
 BUDGET CODE - 0110801 - LEGAL

ACCOUNT DATE	T/C	ENCUMBRANC REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION	CUMULATIVE BALANCE
TOTAL SUB FUND - MUNICIPAL ANNUAL BUDGET				142,000.00	120,605.76	15,894.24		5,500.00
TOTAL FUND - GENERAL FUND				142,000.00	120,605.76	15,894.24		5,500.00
TOTAL REPORT				142,000.00	120,605.76	15,894.24		5,500.00

* THERE IS A NOTE ASSOCIATED WITH THIS TRANSACTION



David B. Cohen
Mayor

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Office of the Mayor

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NEWTON, MA. 02159

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This appropriation will pay the legal costs of the law firm of Morgan Brown & Joy, which provides legal services for collective bargaining, labor disputes, and arbitrations.

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12/31/2009

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NEWTON, MA. 02159

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To: Law Dept Expenses
0110801-5309 \$100,000

12/31/2009

1000 Commonwealth Avenue Newton, Massachusetts 02459

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COMPROLLER'S OFFICE
 DATE: 12/31/2009
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CITY OF NEWTON, MASSACHUSETTS
 EXPENDITURE AUDIT TRAIL

PAGE NUMBER: 1
 AUDIT21

SELECTION CRITERIA: expledgr.budget_orgn='0110801' and expledgr.budget_acct='5309'
 ACCOUNTING PERIODS: 1/10 THRU 6/10

SORTED BY: FUND, SUB FUND, DEPARTMENT, PROGRAM, 1ST SUBTOTAL, ACCOUNT

TOTALED ON: FUND, SUB FUND, DEPARTMENT, PROGRAM, 1ST SUBTOTAL

PAGE BREAKS ON: FUND

FUND - 01 - GENERAL FUND
 BUDGET CODE - 0110801 - LEGAL

ACCOUNT DATE	T/C	ENCUMBRANC	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION	CUMULATIVE BALANCE
01-01B-14-108-D4-0110801 - LEGAL									
5309		LEGAL SERVICES			.00	.00	.00	BEGINNING BALANCE	
								POSTED FROM BUDGET SYSTEM	
07/01/09	11-1					142,000.00			
07/28/09	17-1	L0105507-01		109866 OKEEFE MAURA E			5,000.00		
07/30/09	21-1	L0105507-01	228443	109866 OKEEFE MAURA E		800.00	-800.00		
08/04/09	21-2	L0105507-01	229079	109866 OKEEFE MAURA E		800.00	-800.00		
08/11/09	21-2	L0105507-01	229334	109866 OKEEFE MAURA E		800.00	-800.00		
08/13/09	17-2	L0105509-01		11828 EPSTEIN AND AUGU			4,000.00		
08/13/09	17-2	L0105510-01		12052 MORGAN, BROWN & J			120,000.00		
08/18/09	21-2	L0105507-01	229760	109866 OKEEFE MAURA E		800.00	-800.00	W-E 8-14-09	
08/25/09	21-2	L0105507-01	230061	109866 OKEEFE MAURA E		800.00	-800.00	W/E 8/22/09	
09/01/09	21-3	L0105507-01	230660	109866 OKEEFE MAURA E		800.00	-800.00	W/E 8/28/09	
09/08/09	21-3	L0105510-01	231189	12052 MORGAN, BROWN & J		43,220.84	-43,220.84	JULY 2009	
09/15/09	21-3	L0105507-01	231710	109866 OKEEFE MAURA E		200.00	-200.00	W-E 9-4-09	
10/08/09	21-4	L0105510-01	233758	12052 MORGAN, BROWN & J		23,965.80	-23,965.80	AUGUST 2009	
10/22/09	21-4	L0105510-01	234844	12052 MORGAN, BROWN & J		26,458.70	-26,458.70	SEPTEMBER 2009	
11/06/09	18-5	L0105507-01		109866 OKEEFE MAURA E			.00		
11/06/09	18-5	L0105507-01		109866 OKEEFE MAURA E			5,000.00		
11/10/09	21-5	L0105507-01	236571	109866 OKEEFE MAURA E		800.00	-800.00	W-E 11-6-09	
11/17/09	21-5	L0105507-01	236897	109866 OKEEFE MAURA E		540.00	-540.00	WEEK ENDING 11-13-09	
11/19/09	21-5	L0105510-01	237326	12052 MORGAN, BROWN & J		16,540.42	-16,540.42	OCTOBER 2009	
11/24/09	21-5	L0105507-01	237988	109866 OKEEFE MAURA E		780.00	-780.00	WEEK ENDING 11-20-09	
12/03/09	21-6	L0105507-01	238618	109866 OKEEFE MAURA E		420.00	-420.00	WEEK ENDING 11-27-09	
12/08/09	21-6	L0105507-01	238726	109866 OKEEFE MAURA E		800.00	-800.00	WEEK ENDING 12-4-09	
12/15/09	21-6	L0105507-01	239442	109866 OKEEFE MAURA E		800.00	-800.00	WEEK ENDING 12-11-09	
12/22/09	21-6	L0105507-01	239893	109866 OKEEFE MAURA E		800.00	-800.00	WEEK ENDING 12-18-09	
12/23/09	18-6	L0105507-01		109866 OKEEFE MAURA E			2,560.00		
12/23/09	18-6	L0105507-01		109866 OKEEFE MAURA E			-60.00		
12/29/09	21-6	L0105507-01	240442	109866 OKEEFE MAURA E		480.00	-480.00	WEEK ENDING 12-26-09	
TOTAL		LEGAL SERVICES			142,000.00	120,605.76	15,894.24		5,500.00
TOTAL 1ST SUBTOTAL - EXPENSES					142,000.00	120,605.76	15,894.24		5,500.00
TOTAL PROGRAM - LEGAL					142,000.00	120,605.76	15,894.24		5,500.00
TOTAL DEPARTMENT - CITY SOLICITOR					142,000.00	120,605.76	15,894.24		5,500.00

* THERE IS A NOTE ASSOCIATED WITH THIS TRANSACTION

COMPTROLLER'S OFFICE
 DATE: 12/31/2009
 TIME: 12:43:18

CITY OF NEWTON, MASSACHUSETTS
 EXPENDITURE AUDIT TRAIL

PAGE NUMBER: 2
 AUDIT#21

SELECTION CRITERIA: expldgr.budget_orgn='0110801' and expldgr.budget_acct='5309'
 ACCOUNTING PERIODS: 1/10 THRU 6/10

#13-10
 SORTED BY: FUND, SUB FUND, DEPARTMENT, PROGRAM, 1ST SUBTOTAL, ACCOUNT
 TOTALLED ON: FUND, SUB FUND, DEPARTMENT, PROGRAM, 1ST SUBTOTAL

PAGE BREAKS ON: FUND

FUND - 01 - GENERAL FUND
 BUDGET CODE - 0110801 - LEGAL

ACCOUNT DATE	T/C	ENCUMBRANC REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION	CUMULATIVE BALANCE
TOTAL SUB FUND - MUNICIPAL ANNUAL BUDGET				142,000.00	120,605.76	15,894.24		5,500.00
TOTAL FUND - GENERAL FUND				142,000.00	120,605.76	15,894.24		5,500.00
TOTAL REPORT				142,000.00	120,605.76	15,894.24		5,500.00

* THERE IS A NOTE ASSOCIATED WITH THIS TRANSACTION

CITY OF NEWTON, MASSACHUSETTS
GENERAL FUND
BUDGET RESERVE STATUS REPORT
December 31, 2009

#13-10

FY 2010 Original Budget Reserve Appropriation: \$ 750,000
Supplemental Budget Reserve Appropriation: -

Total Budget Reserve Appropriation 750,000

Budget Reserve Appropriations (transfers):

#205-09	Retirement Board salaries	(2,621)
#204-09	Legal settlement-DPW vehicle accident	(5,953)
#286-09	Library overtime	(15,000)
#300-09	Legal settlement: Geary vs City of Newton	(150,000)
#369-09	Legal settlement - sewer claim	(9,982)
#371-09	Military leave compensation - (2) firefighters	(34,305)
#398-09	Public bldg department position upgrade	(3,691)
#387-09	US Senate special elections	(129,800)

Year to date appropriations (transfers) (351,352)

Pending Budget Appropriations:

Banking services	(30,000)
Federal grants audit	(9,200)
Labor counsel supplemental funding	(100,000)
Legal settlement - sewer backup	(10,000)
Pending appropriations	<u>(149,200)</u>

Unobligated Budget Reserve account balance \$ 249,448

MORGAN, BROWN & JOY, LLP

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KEITH H. MCCOWN

DIRECT DIAL (617) 788-5013
kmccown@morganbrown.com

August 19, 2009

ENCUMBRANCE # 60105510
 VENDOR # 13052
 INVOICE # July 2009
 INVOICE DATE 8/15/09
 DUE DATE 9/15/09
 INVOICE AMOUNT \$43,220.84
 ACCOUNT # 01108015309
 PROJ # _____

Daniel Funk, City Solicitor
 Newton City Hall
 Commonwealth Avenue & Walnut Street
 Newton Centre, MA 02459

I hereby certify that the quantity of materials and/or services covered by this invoice have been received as agreed, that they have not been previously paid for and that all the requirements of the contract have been fulfilled.

City of Newton

Approved: *Daniel Funk*

Department Head

For all services and expenses for the month of July, 2009:

Batch Number: 108-12

Miscellaneous Matters	10232.001	\$ 862.42
Police Negotiations	10232.007	\$ 1,800.00
DPW – Miscellaneous	10232.033	\$ 300.00
Police – Miscellaneous	10232.034	\$ 180.00
Fire – Miscellaneous	10232.035	\$ 200.00
DPW-Bad Faith Bargaining Charge	10232.037	\$ 100.00
Fire-Wire Division	10232.052	\$ 925.00
DeSimone & Schroeder	10232.053	\$ 2,971.60
Police-Indemnity Agreements MLRC Chrg.	10232.058	\$ 440.00
DPW – Budget Planning Charge	10232.071	\$ 220.00
Police-Taylor Accrued Vacation Leave	10232.073	\$ 136.00
Fire-Davis-Denial of IOD Leave	10232.074	\$ 80.00
FLSA Issues 2007	10232.078	\$18,567.72
Fire-John Schroeder-Medical Appt.	10232.092	\$ 240.00
Fire-Fran Capello-Return to Full Duty Fr. Injury	10232.093	\$ 220.00
Fire-Matthew Notine-Return to Work Requirements	10232.094	\$ 2,568.00
DPW-Snow Premium	10232.097	\$ 140.00
Fire-Wire Division FLSA Claim	10232.098	\$ 1,385.00
Clerical/Food & Beverage Policy Charge	10232.099	\$ 1,600.00
Police-Quinn Bill 2009	10232.101	\$10,285.10

Total \$43,220.84

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#13-10

FED ID 04-2264216

FOR PROFESSIONAL SERVICES

Daniel Funk, City Solicitor
City of Newton
City Hall
Commonwealth Avenue & Walnut Street
Newton Centre MA 02159

08/19/2009
Client Matter No. 10232-001M
Invoice Number 188661

Miscellaneous Matters

		Hours	
07/08/2009	JMP	Telephone conferences with L. Brathwaite; read letter from A. McDonald re: demand to bargain over temporary hire; review NMEA contract; confer with J. McConnell.	0.60
07/09/2009	JMP	Telephone conferences with Dolores Hamilton re: impact bargaining obligation with NMEA for layoffs and hiring temporary employee; telephone conference with Keith McCown.	0.80
07/14/2009	JMP	Telephone conference and e-mail correspondence with D. Hamilton re: evergreen clause and retirement issue; confer with K. McCown.	0.30
07/16/2009	JMP	Telephone conference with Dolores Hamilton re: impending layoffs for NMEA.	0.30
07/17/2009	JMP	Revise letter re: impending layoffs; telephone conference with Dolores Hamilton.	0.40
07/20/2009	JMP	Review NMEA agreements; telephone conference with T. Daley.	0.50
07/21/2009	JMP	Telephone conferences with T. Daley; revise memorandum of agreement with NMEA.	0.80
		For Current Services Rendered	3.70

740.00

Recapitulation

Timekeeper	Hours	Hourly Rate	Total
James M. Pender	3.70	\$200.00	\$740.00

Daniel Funk, City Solicitor

Miscellaneous Matters

#13-10 (Continued)
08/19/2009

Client Matter No. 10232-001M
Invoice Number 188661

Computerized Research	122.42
Total Expenses Thru 07/31/2009	<u>122.42</u>
Balance Due	<u>\$862.42</u>

Payment Terms: Net 30 days from Invoice Date

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#13-10

FED ID 04-2264216

FOR PROFESSIONAL SERVICES

Daniel Funk, City Solicitor
City of Newton
City Hall
Commonwealth Avenue & Walnut Street
Newton Centre MA 02159

08/19/2009
Client Matter No. 10232-007M
Invoice Number 188662

Police Negotiations

		Hours	
07/02/2009			
	KHM	Review notes and JLMC correspondence.	0.40
	KHM	Travel.	0.50
	KHM	Conference with S. Pooler, Chief Cummings, D. Hamilton to prepare for JLMC 3(a) hearing.	1.10
	KHM	Travel.	0.50
07/09/2009			
	KHM	Telephone conference with S. Pooler regarding status of JLMC process and regarding Quinn Bill issues.	0.40
07/13/2009			
	KHM	Various e-mail exchanges with S. Pooler, D. Hamilton and B. Harrington, telephone conference with B. Harrington regarding JLMC request for 3(a) hearing.	0.50
	KHM	Review notes to prepare for JLMC 3(a) conference.	0.30
07/15/2009			
	KHM	Further e-mail exchange with B. Harrington.	0.20
	KHM	Telephone conference with J. McLaughlin of JLMC regarding 3(a) hearing.	0.30
	KHM	Telephone conferences with D. Hamilton (2) regarding same.	0.40
07/16/2009			
	KHM	Attend prep session and 3(a) conference at JLMC.	3.50
	KHM	Travel to office.	0.40
07/20/2009			
	KHM	E-mail exchanges with S. Pooler, D. Hamilton and JLMC rep B. Harrington regarding 3(a) hearing.	0.30
07/22/2009			
	KHM	E-mail exchange with JLMC regarding 3(a) hearing.	0.20
		For Current Services Rendered	9.00
			<u>1,800.00</u>

Daniel Funk, City Solicitor

Police Negotiations

#13-10 (Continued)

08/19/2009

Client Matter No.

10232-007M

Invoice Number

188662

Recapitulation

Timekeeper
Keith H. McCown

Hours
9.00

Hourly Rate
\$200.00

Total
\$1,800.00

Balance Due

\$1,800.00

Payment Terms: Net 30 days from Invoice Date

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#13-10

FED ID 04-2264216

FOR PROFESSIONAL SERVICES

Daniel Funk, City Solicitor
City of Newton
City Hall
Commonwealth Avenue & Walnut Street
Newton Centre MA 02159

08/19/2009
Client Matter No. 10232-033M
Invoice Number 188663

DPW - Miscellaneous

		Hours		
07/03/2009				
KHM	Telephone conference with D. Hamilton regarding lump sum payment issue involved in negotiations.	0.20		
07/06/2009				
KHM	Draft e-mail to D. Hamilton regarding bargaining issues.	0.50		
KHM	Further e-mail regarding additional issues.	0.40		
07/13/2009				
KHM	Telephone conferences (2) with S. Pooler regarding effect of lump sum payment on overtime.	0.40		
	For Current Services Rendered	1.50		300.00
	Recapitulation			
Timekeeper		Hours	Hourly Rate	Total
Keith H. McCown		1.50	\$200.00	\$300.00
	Balance Due			<u>\$300.00</u>

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FED ID 04-2264216

FOR PROFESSIONAL SERVICES

Daniel Funk, City Solicitor
City of Newton
City Hall
Commonwealth Avenue & Walnut Street
Newton Centre MA 02159

08/19/2009
Client Matter No. 10232-034M
Invoice Number 188664

Police - Miscellaneous

		Hours	
07/01/2009			
KHM	Telephone conference with S. Pooler regarding Quinn Bill issues, other police bargaining issues.	0.40	
07/14/2009			
KHM	Telephone conference with S. Pooler and D. Hamilton regarding pension reform legislation issue (retirement eligible payments).	0.30	
KHM	E-mail J. Pender regarding same.	0.20	
	For Current Services Rendered	0.90	180.00

Recapitulation

Timekeeper	Hours	Hourly Rate	Total
Keith H. McCown	0.90	\$200.00	\$180.00

Balance Due \$180.00

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FOR PROFESSIONAL SERVICES

Daniel Funk, City Solicitor
City of Newton
City Hall
Commonwealth Avenue & Walnut Street
Newton Centre MA 02159

08/19/2009
Client Matter No. 10232-035M
Invoice Number 188665

Fire - Miscellaneous

			Hours		
07/15/2009	JMP	Read Union information requests; e-mail correspondence with Chief LaCroix re: information requests.	0.30		
07/17/2009	JMP	Review City's draft responses to Union's information requests.	0.40		
07/23/2009	KHM	Review release and last chance agreement.	0.30		
		For Current Services Rendered	1.00	200.00	
Recapitulation					
	Timekeeper		Hours	Hourly Rate	Total
	Keith H. McCown		0.30	\$200.00	\$60.00
	James M. Pender		0.70	200.00	140.00
	Balance Due				<u>\$200.00</u>

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FED ID 04-2264216

FOR PROFESSIONAL SERVICES

Daniel Funk, City Solicitor
City of Newton
City Hall
Commonwealth Avenue & Walnut Street
Newton Centre MA 02159

08/19/2009
Client Matter No. 10232-037M
Invoice Number 188666

DPW - Bad Faith Bargaining Charge

		Hours		
07/02/2009	JMP Telephone conference with D. Hamilton re: decision of Labor Relations.	0.30		
07/10/2009	JMP E-mail correspondence and fax to D. Hamilton re: Labor Relations decision.	0.20		
	For Current Services Rendered	0.50		100.00
		Recapitulation		
Timekeeper		Hours	Hourly Rate	Total
James M. Pender		0.50	\$200.00	\$100.00
	Balance Due			<u>\$100.00</u>

Payment Terms: Net 30 days from Invoice Date

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FOR PROFESSIONAL SERVICES

Daniel Funk, City Solicitor
City of Newton
City Hall
Commonwealth Avenue & Walnut Street
Newton Centre MA 02159

08/19/2009
Client Matter No. 10232-052M
Invoice Number 188667

Fire-Wire Division

		Hours	
07/01/2009	JMP Telephone conferences with Chief LaCroix, Operations Chief Proia and John Hanson; e-mail correspondence with D. Hamilton.	0.70	
07/09/2009	JMP E-mail correspondence with Dolores Hamilton.	0.20	
07/10/2009	JMP Telephone conference with J. Hanson; e-mail correspondence with D. Hamilton and Operations Chief Proia re: mediation.	0.40	
07/17/2009	JMP Telephone conference with J. Hanson and B. Proia; e-mail correspondence with B. Proia and D. Hamilton.	0.30	
07/20/2009	JMP Review briefs; attend meeting at City Hall with D. Hamilton and B. Proia re: mediation; telephone conference with J. Hanson.	2.80	
	For Current Services Rendered	4.40	880.00

		Recapitulation		Total
Timekeeper		Hours	Hourly Rate	
James M. Pender		4.40	\$200.00	\$880.00

Travel	45.00
Total Expenses Thru 07/31/2009	45.00
Balance Due	<u>\$925.00</u>

Payment Terms: Net 30 days from Invoice Date

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FED ID 04-2264216

FOR PROFESSIONAL SERVICES

Daniel Funk, City Solicitor
City of Newton
City Hall
Commonwealth Avenue & Walnut Street
Newton Centre MA 02159

08/19/2009
Client Matter No. 10232-053M
Invoice Number 188668

DeSimone & Schroeder

		Hours	
07/27/2009	JPM	3.00	
	Researched and compiled facts for brief		
07/28/2009	JPM	4.30	
	Received transcript regarding drafting brief		
07/30/2009	JPM	2.20	
	Drafted brief; reviewed transcript		
	For Current Services Rendered	9.50	1,900.00

	Recapitulation	Hours	Hourly Rate	Total
Timekeeper				
Joseph P. McConnell		9.50	\$200.00	\$1,900.00

Outside Printing	1,071.60
Total Expenses Thru 07/31/2009	1,071.60

Balance Due	<u>\$2,971.60</u>
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Payment Terms: Net 30 days from Invoice Date

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FED ID 04-2264216

FOR PROFESSIONAL SERVICES

Daniel Funk, City Solicitor
City of Newton
City Hall
Commonwealth Avenue & Walnut Street
Newton Centre MA 02159

08/19/2009
Client Matter No. 10232-058M
Invoice Number 188669

Police - Indemnity Agreements MLRC Charge

		Hours	
07/01/2009	JMP	E-mail correspondence with Mark Hickernell re: hearing.	0.20
07/07/2009	JMP	E-mail correspondence with Mark Hickernell; telephone conference with Dolores Hamilton re: hearing dates.	0.20
07/09/2009	JMP	E-mail with M. Hickernell re: indemnity agreements; review briefs of parties to determine possible stipulation of facts to obviate a hearing.	0.80
	JMP	Telephone with Dolores Hamilton; e-mail correspondence with Mark Hickernell re: scheduling of hearing.	0.40
07/23/2009	JMP	E-mail correspondence and telephone conference with Mark Hickernell re: hearing.	0.30
07/29/2009	JMP	E-mail correspondence D. Hamilton and D. Kahn re: scheduling; e-mail correspondence with M. Hickernell.	0.30
		For Current Services Rendered	2.20
			<u>440.00</u>

Recapitulation

Timekeeper	Hours	Hourly Rate	Total
James M. Pender	2.20	\$200.00	\$440.00

Balance Due

\$440.00

Payment Terms: Net 30 days from Invoice Date

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FOR PROFESSIONAL SERVICES

Daniel Funk, City Solicitor
City of Newton
City Hall
Commonwealth Avenue & Walnut Street
Newton Centre MA 02159

08/19/2009
Client Matter No. 10232-071M
Invoice Number 188670

DPW-Budget Planning Charge

		Hours		
07/02/2009	DMC Confer with D. Hamilton; review material from City.	0.60		
07/16/2009	DMC Confer with union counsel and DLR regarding hearing.	0.50		
	For Current Services Rendered	1.10	<u>220.00</u>	
		Recapitulation		
Timekeeper		Hours	Hourly Rate	Total
David M. Connelly		1.10	\$200.00	\$220.00
Balance Due				<u>\$220.00</u>

Payment Terms: Net 30 days from Invoice Date

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#13-10

FED ID 04-2264216

FOR PROFESSIONAL SERVICES

Daniel Funk, City Solicitor
City of Newton
City Hall
Commonwealth Avenue & Walnut Street
Newton Centre MA 02159

08/19/2009
Client Matter No. 10232-074M
Invoice Number 188672

Fire - Davis - Denial of IOD Leave

07/17/2009

JPM Communicate with union attorney and with D. Hamilton.
For Current Services Rendered

Hours

0.40
0.40

80.00

Recapitulation

Timekeeper
Joseph P. McConnell

Hours
0.40

Hourly Rate
\$200.00

Total
\$80.00

Balance Due

\$80.00

Payment Terms: Net 30 days from Invoice Date

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#13-10

FED ID 04-2264216

FOR PROFESSIONAL SERVICES

Daniel Funk, City Solicitor
City of Newton
City Hall
Commonwealth Avenue & Walnut Street
Newton Centre MA 02159

08/19/2009
Client Matter No. 10232-078M
Invoice Number 188673

FLSA Issues 2007

		Hours
07/06/2009		
AAC	Review email correspondence from plaintiffs' counsel regarding R. Moss deposition and other discovery issues	0.30
AAC	Review documents and materials for deposition preparation for D. Hamilton	1.80
AAC	Meet with and prepare D. Hamilton for deposition	5.50
07/07/2009		
AAC	Meet with D. Hamilton for preparation for deposition; attend and defend D. Hamilton deposition at plaintiffs' counsel's office in Southborough; attendant travel	10.30
07/08/2009		
AAC	Email correspondence with R. Moss regarding deposition; email to L. Brathwaite regarding R. Moss deposition; review email from J. Canzoneri regarding R. Moss deposition and completion of D. Hamilton deposition	0.30
AAC	Telephone conference with L. Brathwaite regarding discovery issues and new document requests served by plaintiffs	0.20
DSF	Read transcript of deposition of D. Walsh.	1.00
07/10/2009		
AAC	Telephone conference with D. Hamilton regarding completion of deposition and settlement calculations; email correspondence with R. Moss regarding deposition and deposition preparation; email correspondence with J. Canzoneri regarding various discovery issues and potential of settlement discussions; email to K. McCown regarding status of discovery and potential settlement discussions; begin to read and review deposition of G. Andrews for preparation of R. Moss deposition	1.70
DSF	Communication from A. Carlin regarding settlement discussions with D. Hamilton.	0.10
07/13/2009		
AAC	Conference with K. McCown regarding settlement strategy and calculations for estimate of proposed settlement range	0.50
AAC	Email correspondence with J. Canzoneri regarding deposition of R. Moss and other discovery issues	0.20
AAC	Conference with D. Field regarding settlement discussions and impact of	

FLSA Issues 2007

		Hours
	same on case schedule	0.20
AAC	Review and prepare documents for preparation of L. Brathwaite for his deposition	2.40
KHM	Conference with A. Carlin regarding settlement issues and strategy.	0.50
07/15/2009		
AAC	Email correspondence with plaintiffs' counsel regarding R. Moss deposition, exhibits and computer needed for same	0.20
AAC	Telephone conference with L. Brathwaite regarding R. Moss deposition and deposition preparation for R. Moss and L. Brathwaite	0.20
AAC	Compile documents and other exhibits for preparation of R. Moss for deposition; review privileged and other documents not produced to plaintiffs in R. Moss file	2.30
07/16/2009		
AAC	Meet with R. Moss for deposition preparation; meet with L. Brathwaite for deposition preparation; attendant travel to and from Newton City Hall; review email from plaintiffs' counsel regarding depositions	6.50
07/17/2009		
AAC	Meet with R. Moss in advance of deposition for additional preparation; attend R. Moss deposition; attendant travel; conference with J. Canzoneri regarding settlement issues and potential discussions between the parties regarding same; further conference with R. Moss regarding calculations for settlement; conference with D. Hamilton regarding R. Moss deposition and settlement issues and potential discussions with plaintiffs	6.40
07/20/2009		
AAC	Meet with L. Brathwaite for deposition preparation; attendant travel	7.30
07/21/2009		
AAC	Attend deposition of L. Brathwaite; attendant travel to and from plaintiffs' counsel's office in Southboro	9.00
07/22/2009		
AAC	Telephone conference with L. Brathwaite regarding deposition and gathering of documents responsive to plaintiffs' further discovery requests	0.20
AAC	Read and review deposition transcripts of police department clerks deposed by plaintiffs; compose status update regarding discovery and settlement discussions to K. McCown and D. Field; review notes from conferences with R. Moss and work on potential calculations for damages	3.30
07/27/2009		
KHM	Conference with A. Carlin regarding settlement and summary judgment issues.	0.30
07/28/2009		
AAC	Conference with K. McCown regarding status of case and strategy regarding same	0.30

Daniel Funk, City Solicitor

#13-10 (Continued)

08/19/2009

Client Matter No.

10232-078M

Invoice Number

188673

FLSA Issues 2007

		Hours		
07/29/2009				
	AAC	Conference with D. Field regarding deposition of L. Brathwaite and status of settlement discussions	0.20	
	DSF	Confer with A. Carlin regarding strategy going forward in light of completion of deposition of L. Brathwaite.	0.20	
07/30/2009				
	DSF	Call with L. Brathwaite regarding his deposition.	0.10	
	AAC	Read and analyze G. Andrews deposition transcript for use in settlement negotiations and calculations	1.70	
07/31/2009				
	AAC	Read and analyze deposition transcript of D. Hamilton; review exhibits and other documents produced in case to be used in settlement negotiations	3.60	
		For Current Services Rendered	66.80	13,360.00

Recapitulation

Timekeeper	Hours	Hourly Rate	Total
Keith H. McCown	0.80	\$200.00	\$160.00
Daniel S. Field	1.40	200.00	280.00
Amy Carlin	64.60	200.00	12,920.00

Deposition transcripts	3,873.75
Outside Printing	694.50
Travel	585.00
Delivery Service/Messenger	54.47
Total Expenses Thru 07/31/2009	5,207.72
Balance Due	<u>\$18,567.72</u>

Payment Terms: Net 30 days from Invoice Date

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#13-10

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(617) 367-3125

ATTORNEYS AT LAW
200 STATE STREET
BOSTON, MASSACHUSETTS 02109-2605

FED ID 04-2264216

FOR PROFESSIONAL SERVICES

Daniel Funk, City Solicitor
City of Newton
City Hall
Commonwealth Avenue & Walnut Street
Newton Centre MA 02159

08/19/2009
Client Matter No. 10232-092M
Invoice Number 188674

Fire-Jon Schroeder-Medical Appt. w/ City Physician

			Hours	
07/09/2009	JMP	Telephone conference and e-mail correspondence with Chief LaCroix.	0.30	
07/15/2009	JMP	E-mail correspondence with E. Earle, J. LaCroix and D. Hamilton re: scheduling.	0.20	
07/21/2009	JMP	E-mail correspondence with Chief LaCroix and D. Hamilton re:scheduling of hearing.	0.20	
07/29/2009	JMP	Review AAA notice; telephone conference with E. Earle; telephone conference with Chief LaCroix; e-mail correspondence with Chief LaCroix and Dolores Hamilton.	0.30	
07/30/2009	JMP	E-mail correspondence with E. Earle, Chief LaCroix and Dolores Hamilton.	0.20	
		For Current Services Rendered	1.20	240.00

Recapitulation

Timekeeper	Hours	Hourly Rate	Total
James M. Pender	1.20	\$200.00	\$240.00

Balance Due \$240.00

Payment Terms: Net 30 days from Invoice Date

TELEPHONE
(617) 523-6666
FACSIMILE
(617) 367-3125

MORGAN, BROWN & JOY LLP
ATTORNEYS AT LAW
200 STATE STREET
BOSTON, MASSACHUSETTS 02109-2605

#13-10

FED ID 04-2264216

FOR PROFESSIONAL SERVICES

Daniel Funk, City Solicitor
City of Newton
City Hall
Commonwealth Avenue & Walnut Street
Newton Centre MA 02159

08/19/2009
Client Matter No. 10232-093M
Invoice Number 188675

Fire-Fran Capello-Return to Full Duty From Injury

		Hours	
07/09/2009	JMP	Confer with J. McConnell and E. Earle about postponement.	0.30
07/22/2009	JMP	E-mail correspondence with D. Hamilton and Chief LaCroix; e-mail correspondence with E. Earle re: scheduling.	0.30
07/23/2009	JMP	E-mail correspondence with Chief LaCroix and D. Hamilton.	0.20
07/24/2009	JMP	E-mail correspondence with AAA; e-mail correspondence with Chief LaCroix and Dolores Hamilton.	0.30
		For Current Services Rendered	1.10
			<u>220.00</u>

Recapitulation

Timekeeper	Hours	Hourly Rate	Total
James M. Pender	1.10	\$200.00	\$220.00

Balance Due

\$220.00

Payment Terms: Net 30 days from Invoice Date

MORGAN, BROWN & JOY LLP**#13-10**

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BOSTON, MASSACHUSETTS 02109-2605

FED ID 04-2264216

FOR PROFESSIONAL SERVICES

Daniel Funk, City Solicitor
City of Newton
City Hall
Commonwealth Avenue & Walnut Street
Newton Centre MA 02159

08/19/2009
Client Matter No. 10232-094M
Invoice Number 188676

Fire-Matthew Notine-Return to Work Requirements

		Hours
07/13/2009		
JMP	Review file; confer with J. McConnell; review arbitration transcript in McGovern case; read City Physician arbitration award; telephone conference and e-mail correspondence with Chief LaCroix.	2.20
07/14/2009		
JMP	E-mail correspondence and telephone conference with Chief LaCroix and L. Burke.	0.60
07/15/2009		
JMP	Review prior arbitration award re: city physician; attend meeting with Chief LaCroix, Chief Proia and L. Burke; telephone conference with D. Hamilton; telephone conference with P. Hynes.	4.80
07/16/2009		
JMP	Telephone conferences with Paul Hynes; e-mail correspondence with City re: case status; telephone conference with Dolores Hamilton.	0.90
07/17/2009		
JMP	Telephone conference with D. Hamilton; telephone conference with P. Hynes re: possible settlement.	0.30
07/20/2009		
JMP	Telephone conference with Paul Hynes re: possible settlement; telephone conference and e-mail correspondence with L. Burke.	0.60
07/21/2009		
JMP	Telephone conferences with P. Hynes re: settlement of arbitration; draft settlement agreement; e-mail correspondence with D. Hamilton, L. Burke and Chief Proia.	2.20
07/22/2009		
JMP	Telephone conference with L. Burke and P. Hynes re: settlement agreement.	0.30
07/27/2009		
JMP	E-mail correspondence with D. Hamilton.	0.20

Daniel Funk, City Solicitor

Fire-Matthew Notine-Return to Work Requirements

07/31/2009

JMP

Review AAA letter; e-mail correspondence with D. Hamilton.

For Current Services Rendered

Hours

0.40

12.50

2,500.00

Recapitulation

Timekeeper

James M. Pender

Hours

12.50

Hourly Rate

\$200.00

Total

\$2,500.00

Travel

68.00

Total Expenses Thru 07/31/2009

68.00

Balance Due

\$2,568.00

MORGAN, BROWN & JOY LLP

#13-10

TELEPHONE
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ATTORNEYS AT LAW

FACSIMILE
(617) 367-3125

200 STATE STREET

BOSTON, MASSACHUSETTS 02109-2605

FED ID 04-2264216

FOR PROFESSIONAL SERVICES

Daniel Funk, City Solicitor
City of Newton
City Hall
Commonwealth Avenue & Walnut Street
Newton Centre MA 02159

08/19/2009
Client Matter No. 10232-097M
Invoice Number 188677

DPW-Snow Premium

			Hours	
07/06/2009				
KHM	Telephone conference with AAA regarding scheduling issues.		0.10	
KHM	Conference call with Arbitrator Holden.		0.40	
KHM	Telephone conference with D. Hamilton regarding scheduling.		0.10	
KHM	Further telephone conference with AAA regarding same.		0.10	
	For Current Services Rendered		0.70	140.00

		Recapitulation		
		Hours	Hourly Rate	Total
Timekeeper				
Keith H. McCown		0.70	\$200.00	\$140.00

Balance Due \$140.00

Payment Terms: Net 30 days from Invoice Date

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(617) 523-6666
FACSIMILE
(617) 367-3125

MORGAN, BROWN & JOY LLP
ATTORNEYS AT LAW
200 STATE STREET
BOSTON, MASSACHUSETTS 02109-2605

#13-10

FED ID 04-2264216

FOR PROFESSIONAL SERVICES

Daniel Funk, City Solicitor
City of Newton
City Hall
Commonwealth Avenue & Walnut Street
Newton Centre MA 02159

Client Matter No.
Invoice Number

08/19/2009
10232-098M
188678

Fire-Wire Division FLSA Claim

		Hours	
07/01/2009			
REM	E-mail to L. Brathwaite re paperwork/payroll records from K. Valente.	0.10	
DSF	Compose correspondence to D. Hamilton regarding settlement demand and recommendations as to response to same.	0.50	
07/07/2009			
DSF	Confer with R. Munoz regarding status of K. Valente document collection and analysis.	0.10	
REM	Call to K. Valente at Fire Department re payroll paperwork; conferred with D. Field re same.	0.50	
07/08/2009			
REM	Call from K. Valente; reviewed additional documents from her; reviewed documents she previously provided; drafted letter to her cataloging those records, our conversations, and what records we still need; conferred with D. Field re same.	2.70	
07/09/2009			
DSF	Revising letter and inventory list of documents received and needed to K. Valente; confer with R. Munoz regarding same.	0.70	
REM	Reviewed changes to draft letter; made additional changes; conferred with D. Field re same; sent e-mail to K. Valente with letter.	1.10	
07/22/2009			
REM	Call to L. Brathwaite re letter to K. Valente about documents needed to assess plaintiffs' settlement demand; conferred with D. Field re same.	0.50	
07/23/2009			
DSF	Communication with R. Munoz regarding status of document search.	0.20	
07/24/2009			
CAB	Proofread answer; ECF filing of answer and notices of appearance (DSF, KM, REM)	1.00	
	For Current Services Rendered	7.40	1,385.00

Daniel Funk, City Solicitor

#13-10 (Continued)

08/19/2009

Client Matter No.

10232-098M

Invoice Number

188678

Fire-Wire Division FLSA Claim

	Recapitulation	Hours	Hourly Rate	Total
Timekeeper				
Daniel S. Field		1.50	\$200.00	\$300.00
Claudia A. Butler		1.00	105.00	105.00
Rachel E. Munoz		4.90	200.00	980.00

Balance Due

\$1,385.00

Payment Terms: Net 30 days from Invoice Date

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(617) 367-3125

MORGAN, BROWN & JOY LLP
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BOSTON, MASSACHUSETTS 02109-2605

#13-10

FED ID 04-2264216

FOR PROFESSIONAL SERVICES

Daniel Funk, City Solicitor
City of Newton
City Hall
Commonwealth Avenue & Walnut Street
Newton Centre MA 02159

08/19/2009
Client Matter No. 10232-099M
Invoice Number 188679

Newton/Clerical/Food & Beverage Policy Charge

		Hours		
07/21/2009				
	KHM	Review numerous background documents.	0.60	
	KHM	E-mail with J. Pender regarding same.	0.20	
07/22/2009				
	KHM	E-mail exchanges with J. Pender regarding new charge, next steps, and further review background materials.	0.50	
	JMP	E-mail correspondence with K. McCown; telephone conference with L. Brathwaite; review new Labor Relations charge and exhibits.	0.80	
07/23/2009				
	JMP	Telephone conference with L. Brathwaite; telephone conference with Lt. E. Aucoin; prepare City's response.	1.40	
07/28/2009				
	JMP	Research labor relations case law; draft City's response to charge.	2.20	
07/29/2009				
	JMP	Draft City's response to charge.	2.30	
		For Current Services Rendered	8.00	1,600.00

Recapitulation

Timekeeper	Hours	Hourly Rate	Total
Keith H. McCown	1.30	\$200.00	\$260.00
James M. Pender	6.70	200.00	1,340.00

Balance Due \$1,600.00

Payment Terms: Net 30 days from Invoice Date

TELEPHONE
(617) 523-6666
FACSIMILE
(617) 367-3125

MORGAN, BROWN & JOY LLP
ATTORNEYS AT LAW
200 STATE STREET
BOSTON, MASSACHUSETTS 02109-2605

#13-10

FED ID 04-2264216

FOR PROFESSIONAL SERVICES

Daniel Funk, City Solicitor
City of Newton
City Hall
Commonwealth Avenue & Walnut Street
Newton Centre MA 02159

08/19/2009
Client Matter No. 10232-101M
Invoice Number 188680

Police/Quinn Bill 2009

		Hours
07/09/2009		
KHM	Telephone conference with D. Funk regarding legal issues and background issues in Quinn Bill funding problem.	0.40
07/14/2009		
KHM	Telephone conference with Mayor Cohen, D. Funk, S. Pooler, D. Hamilton regarding Quinn Bill issues.	0.40
KHM	Conference with numerous partners regarding same.	0.70
KHM	Research and review MGL c. 41 Section 108L, c. 150E, and related case law.	1.70
KHM	Telephone conference with JLMC regarding same.	0.40
KHM	Further conference with D. Connolly and J. Pender regarding same, continue review of research materials.	1.50
KHM	Telephone conference with D. Funk regarding same.	0.40
KHM	Telephone conference with S. Pooler regarding results and recommendations.	0.50
LJD	Confer K. McCown re: Quinn Bill funding issue	0.40
PGB	Attend office conference with K. McCown regarding Quinn bill.	0.70
DMC	Analyze Quinn Bill issues; confer with K. McCown; conference call with S. Pooler.	5.00
JMP	Confer with K. McCown and D. Connelly re: Quinn bill; research declaratory judgment case law.	2.00
DSF	Confer with K. McCown regarding Quinn bill reduction issue.	0.20
07/15/2009		
KHM	Telephone conference with D. Funk regarding Quinn Bill issues.	0.40
KHM	Telephone conference with J. Pender regarding research issues.	0.30
KHM	Telephone conference with D. Connolly regarding results of research.	0.20
KHM	Review e-mail regarding results of research.	0.40
JMP	Telephone conference with Keith McCown re: declaratory relief; confer with D. Connelly re: research.	0.50
07/16/2009		
KHM	Conference with D. Connolly regarding strategy issues, legislative history.	0.50
KHM	Conference with J. Pender regarding same.	0.30
KHM	Telephone conference with D. Funk regarding latest developments.	0.40
KHM	Review and outline various legal issues for further discussion.	0.90

Police/Quinn Bill 2009

		Hours
JMP	Confer with with K. McCown re: declaratory judgment.	0.30
DMC	Review materials and research Quinn/declaratory judgment issue.	1.50
07/17/2009		
KHM	Travel.	0.50
KHM	Conference with S. Pooler, D. Funk, D. Hamilton, D. Connolly, and Mayor Cohen.	2.30
KHM	Travel.	0.50
KHM	Telephone conference with S. Pooler, review draft letter.	0.40
KHM	Review Mashpee complaint, e-mail to City.	0.50
DMC	Prepare for and attend meeting on Quinn Bill.	3.00
07/22/2009		
KHM	Telephone conferences (2) with Mayor Cohen regarding potential amicus brief.	0.10
KHM	Conference with R. Munoz regarding procedural research.	0.20
KHM	Conference with D. Connolly regarding issues involved in amicus filing.	0.40
KHM	Telephone conference with S. Pooler regarding same.	0.30
REM	Researched whether City may file amicus brief in Mashpee case re Quinn bill and procedure for so doing; conferred with K. McCown re same.	0.60
07/23/2009		
KHM	Telephone conference with Mayor Cohen , D. Funk, O. Young regarding ongoing issues.	0.40
KHM	Telephone conference with D. Connolly regarding same.	0.30
DMC	Confer with K. McCown on Quinn Bill issues; research matter.	2.00
07/27/2009		
KHM	Telephone conference with S. Pooler regarding ongoing issues.	0.40
KHM	Telephone conference with Attorney Foskett regarding same (Brookline counsel).	0.60
KHM	Telephone conference with D. Funk regarding same.	0.40
KHM	Review and outline issues as of latest developments.	1.30
07/28/2009		
KHM	Travel.	0.50
KHM	Conference with S. Pooler, D. Funk, Chief Cummings, D. Hamilton and Union reps.	0.90
KHM	Further conference with Mayor Cohen, S. Pooler, et al.	0.50
KHM	Travel.	0.50
07/29/2009		
KHM	Review file, notes, gather case law.	1.30
KHM	Outline facts and legal issues in memo to file.	3.90
KHM	Telephone conference with D. Funk regarding issues.	0.10
KHM	Telephone conference with D. Connolly regarding same.	0.40
07/30/2009		
KHM	Review notes and continue review of issues.	0.60
KHM	Conference with D. Connolly to review numerous issues.	0.90
KHM	Further research case law.	0.70

Daniel Funk, City Solicitor

#13-10 (Continued)

08/19/2009

Client Matter No.

10232-101M

Invoice Number

188680

Police/Quinn Bill 2009

		Hours	
KHM	Conference with S. O'Connor regarding background facts and research regarding MGL c. 150E section 7(a).	0.50	
KHM	Conference with J. McConnell and J. Pender regarding overall issues involved in Quinn Bill.	1.30	
KHM	E-mail exchange with Attorney Gilman regarding Mashpee litigation (Mashpee counsel).	0.10	
KHM	Conference with J. Pender regarding retiree Quinn Bill payments and e-mail D. Hamilton regarding same.	0.40	
JMP	Confer with Keith McCown re: Quinn bill issues.	0.70	
DMC	Confer with K. McCown regarding Quinn issue.	1.30	
SPO	Communications with K. McCown re: research on G.L. c. 150E as applies to Quinn matter.	0.50	
 07/31/2009			
KHM	Conference with J. Pender and L. Donoghue regarding contract, theories.	0.40	
KHM	Telephone conference with Attorney M. Gilman (Mashpee counsel); review case regarding prior Quinn Bill issues.	0.70	
KHM	Telephone conference with S. Pooler regarding developments in negotiation of possible solution.	0.40	
SPO	Search for Attorney General Opinion Letter for Quinn matter; communications with K. McCown re: same.	0.30	
	For Current Services Rendered	51.10	10,220.00

Recapitulation

Timekeeper	Hours	Hourly Rate	Total
Keith H. McCown	32.10	\$200.00	\$6,420.00
Laurence J. Donoghue	0.40	200.00	80.00
Philip G. Boyle	0.70	200.00	140.00
James M. Pender	3.50	200.00	700.00
David M. Connelly	12.80	200.00	2,560.00
Daniel S. Field	0.20	200.00	40.00
Sean P. O'Connor	0.80	200.00	160.00
Rachel E. Munoz	0.60	200.00	120.00

Travel	65.10
Total Expenses Thru 07/31/2009	65.10

Balance Due	\$10,285.10
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Payment Terms: Net 30 days from Invoice Date

Date sent: **Sat, 26 Dec 2009 10:43:07 -0500**
From: **Susan Albright <susan.albright@tufts.edu>**
To: **dolson@newtonma.gov, dkahn@newtonma.gov**
Copies to: **Steven Linsky <slinsky@newtonma.gov>, Marcia Johnson <mjohnson@newtonma.gov>**
Subject: **help with docket item regarding ordinance z-48**

Hi David and Donnalyn

Back in March 16 2009 the Board passed ordinance Z-48 which raised the fee for resident parking stickers from \$10 to \$25. This was brought to our attention by several residents in the NNHS area. They feel impacted in a way that others in the city are not impacted. During the time of NNHS construction teachers and students using the school are granted "tiger permits" where they are allowed to park for free by permit on the same streets that residents pay fees to park on. I would like to explore delaying or postponing the impact of this ordinance on residents in the NNHS area effected by the tiger permits and the construction of the high school. Some may have already payed the fee and others not. However the permits will probably be in place for at least another year.

Can you help me figure out what would be the best way to stay the implementation of this fee for NNHS area residents? Could the aldermen from the ward docket an item to postpone the implementation for NNHS area residents until the tiger permit parking program is eliminated? I would like to docket something as soon as possible. I'm just trying to figure out the best way.

Thanks for your help.
Susan

Date sent: **Thu, 14 Jan 2010 12:00:24 -0500**
From: **"Ouida C.M. Young" <oyoung@newtonma.gov>**
Subject: **resident parking/Tiger parking**
To: **Susan Albright <susan.albright@tufts.edu>**
Copies to: **dwilkinson@newtonma.gov, cschuckel@newtonma.gov**
Priority: **normal**

Ald. Albright, I think Clint's concern that we should be looking at the Tiger parking program & resident parking fee for 2011 makes sense, but not for this current calendar year.

If we want to look at the resident parking fee for this current calendar year, when the parking spaces won't be available on site until Aug/Sept of 2010 (at the time the new school is going to open with some parking on the east side of the lot), we can still reduce the resident parking fee for those street that have Tiger permits.

The way to have that reduction occur this calendar year is to make the reduced fee retroactive to 1/1/2010. That way, any resident who paid the higher fee would get a refund of the difference between the higher fee and the fee the board decides to set retroactively. I've talked to David Wilkinson about this approach (with thanks, David actually suggested the retroactive fee approach) and it should work. If David wants additional language in the board order beyond stating that the fee is retroactive to a specific date, he can let us know what the appropriate language would be.

As for thinking about 2011 when there will be some parking on the site, you can make the retroactive reduced fee apply for just calendar year 2010. You might still want a reduced fee for 2011 depending on where the Tiger permit spaces are eliminated given the increase in on-site parking. But that decision probably should be made by the board in late summer at which time they also should be looking at modifications to the Tiger program itself.

Hope this helps. Ouida

Ouida C.M. Young
Associate City Solicitor
Newton City Hall
1000 Commonwealth Ave.
Newton Centre, MA 02459
Tel.: (617) 796-1240; Fax: (617) 796-1254

White
11 Calvin Rd.
Newtonville, MA 02460

10 JAN 14 PM 3:50
CITY CLERK
NEWTON, MA. 02159

January 12, 2010

The Newton Board of Aldermen
Newton City Hall
1000 Commonwealth Ave.
Newton, MA 02459

Dear Board Members:

On December 1, my neighbors and I received letters from Police Chief Matthew Cummings indicating that the new Resident Parking Permit fee would increase to \$25.00. Previously the fee was \$10.00. Yes, I remember when there was no charge for parking in front of my home, where I have been paying taxes for more than 40 years. In addition, there actually was sufficient space to park repair service and visitors. It is my understanding that the Board of Aldermen passed Ordinance 19-201 last March, yet this was my first notice of the increased rate.

Living as we do, adjacent to Newton North High School, has certainly increased bus and auto traffic on our streets. In addition, because of the new high school construction, I have had an auto assigned to the parking space (and frequently one, not assigned) in front of my home for the past two years. The space can only accommodate two vehicles. It is also my understanding that once the construction is complete, high school staff/students will continue to be assigned parking on our streets because there will be insufficient onsite parking.

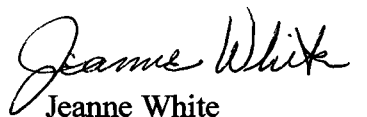
This past summer, Calvin Road was repaved. In order to clearly designate the street from the berm, many of us chose the additional expense of granite curbing.


Given all of these issues and concerns, we are shocked by the nearly 150% increase in the cost of a parking permit. As residents, close to the construction site, we should be remunerated for our inconvenience, not asked to pay for using the parking space in front of our houses, which is legally our space.

We strongly urge Mayor Setti Warren to continue the meetings of the NNHS Liaison Committee. This committee provides a needed and valued voice for our neighborhood as the new high school construction continues.

Thank you for your attention to this letter.

Sincerely,


Jeanne White
11 Calvin Road
Newtonville, MA 02460


Ena Lorant
21 Walden Street
Newtonville, MA 02460

Cc: Mayor Setti Warren
Newton Tab



David B. Cohen
Mayor

City of Newton, Massachusetts
Office of the Mayor

#420-09

Telephone
(617) 796-1100

Telefax
(617) 796-1113

TDD
(617) 796-1089

E-mail
dcohen@newtonma.gov

December 15, 2009

09 DEC 15 PM 4: 05
CITY CLERK
NEWTON, MA. 02159

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 and expend a grant from the U.S. Department of Energy in the amount of \$799,600. This is a federal stimulus grant to fund projects that will enhance energy efficiency and conservation. With these funds we will be able to replace the heating system in Cabot Elementary, Zervas Elementary and the Emerson Community Center; replace the automatic temperature control system in the Newton Free Library; and replace the HVAC systems in both the Crafts Street and Elliot Street Garages. Depending on the final costs for these projects, additional energy conservation measures will be taken at these locations. Detailed budgets for each of these approved projects are attached.

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen
Mayor

DBC: srb

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.ci.newton.ma.us



DEDICATED TO COMMUNITY EXCELLENCE



PUBLIC BUILDINGS DEPARTMENT

A. NICHOLAS PARNELL, AIA, COMMISSIONER

Telephone: (617) 796-1600

Fax: (617) 796-1601

TTY: (617) 796-1089

52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

David B. Cohen
Mayor

November 24, 2009

The Honorable David B. Cohen
Mayor
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

RE: Stimulus Grant Receipt

Dear Mayor Cohen:

I am pleased to inform you that the City of Newton has received a stimulus grant in the amount of \$799,600 from the U. S. Department of Energy. These funds will be used to design and install the following:

1. Cabot Elementary School heating system replacement: \$250,000
New energy efficient heating system equipment would be installed including replacing a failing 30 year-old boiler.
2. Emerson Community Center heating system replacement: \$125,000
New energy efficient heating system equipment would be installed including replacing a failing 26 year-old boiler.
3. Zervas Elementary School heating system replacement: \$225,000
New energy efficient heating system equipment would be installed including replacing the original failing 56 year-old boiler.
4. Newton Free Library ATC replacement: \$175,000
The current automatic temperature control (ATC) system is failing. Automatic temperature settings cannot be controlled. New control systems would be installed.
5. Crafts Street DPW Garage HVAC replacement: \$150,000
The existing 23 year-old heating and cooling equipment would be replaced with energy efficient systems.
6. Elliot Street DPW Garage HVAC replacement: \$125,000
Replacement with energy efficient equipment.

09 DEC 15 PM 4:06
CITY CLERK
NEWTON, MA. 02459

Should funds be available:

7. Additional Energy Conservation Measures: \$149,600

For all six locations, weatherization, lighting retrofits and controls will be installed as detailed in the proposed investment grade audits. The above capital projects and the additional opportunities will be packaged to provide a comprehensive energy saving performance project for the buildings. The total project will be funded by the EECBG grant; utility incentives and utility cost savings by the City.

I respectfully request that you petition the Board of Aldermen to accept this grant so that we may design and have these projects placed out to bid.

If you have any questions or require further information, please contact my office.

Sincerely,



A. Nicholas Parnell, AIA
Commissioner of Public Buildings

ANP:dla
Enclosure
CC: Sandy Pooler, Chief Administrative Officer
David C. Wilkinson, Comptroller

09 DEC 15 PM 4: 06
CITY CLERK
NEWTON, MA. 02159



PUBLIC BUILDINGS DEPARTMENT

A. NICHOLAS PARNELL, AIA, COMMISSIONER

Telephone (617) 796-1600

FAX (617) 796-1601

52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

David B. Cohen
Mayor

Budget Justification File (Estimates of work elements attached)

Newton's EECBG project is for energy efficiency retrofits as part of the city's performance contracting program. Investment grade audits will be performed for six facilities with a total area of 210,000 square feet. The cost for the audits will be \$31,500 (per existing audit agreement with Noresco).

Budgeting for construction is based on previous experience and contractor estimates for major anticipated items.

Cabot Elementary School heating system replacement: \$250,000

This school was built in 1929. New energy efficient heating system equipment would be installed including replacing a failing 30 year-old boiler.

Emerson Community Center heating system replacement: \$125,000.

This building was built in 1960. New energy efficient heating system equipment would be installed including replacing a failing 26 year-old boiler.

Zervas Elementary School heating system replacement: \$225,000

This school was built in 1953. New energy efficient heating system equipment would be installed including replacing the original failing 56 year old boiler.

Newton Free Library ATC replacement: \$175,000

The current automatic temperature control (ATC) system is failing. Fan speed and automatic temperature settings cannot be controlled. New control systems would be installed.

Crafts Street DPW Garage HVAC replacement: \$150,000

The existing 23 year old heating and cooling equipment would be replaced with energy efficient systems.

Elliot Street DPW Garage HVAC replacement: \$125,000

The existing facility's HVAC system is 50 years old and would be replaced with energy efficient equipment.

Additional Energy Conservation Measures: \$149,600

For all six locations, weatherization, lighting retrofits and controls will be installed as detailed in the proposed investment grade audits. The above capital projects and the additional opportunities will be packaged to provide a comprehensive energy saving performance project for the buildings. The total project will be funded by the EECBG grant; utility incentives and utility cost savings by the City.

Cabot School - Estimate for Boiler and related equipment Replacement

Boiler and related equipment Demo	\$	39,250
New Boiler and related piping	\$	70,000
Asbestos abatement	\$	5,000
Dual Oil/Natural Gas Burner	\$	27,500
Condensate Return & related boiler room equipment replacement	\$	35,850
Control work	\$	32,500
Hot water piping replacement	\$	10,000
Design / Contract Administration	\$	18,000
Sub Total	\$	238,100
5% Contingency	\$	<u>11,905</u>
Project Cost	\$	250,005 *

Rounded down to \$250,000

Emerson Community Center - Estimate for Boiler and related equipment Replacement

Boiler and related equipment Demo	\$	19,300
New Boiler and related piping	\$	30,000
Asbestos abatement	\$	4,000
Dual Oil/Natural Gas Burner	\$	22,500
Condensate Return & related boiler room equipment replacement	\$	12,500
Control work	\$	9,850
Hot water piping replacement	\$	7,500
Design / Contract Administration	\$	13,400
Sub Total	\$	119,050
5% Contingency	\$	<u>5,953</u>
Project Cost	\$	125,003

Rounded down to \$125,000

Newton Free Library - Estimate for VFD & ATC and related equipment Replacement

Existing ATC & VFD equipment Demo	\$	11,500
New Automatic Temperature Control Equipment	\$	75,000
New VFD Equipment	\$	25,000
Installation of above equipment	\$	42,500
Design / Contract Administration	\$	12,675
Sub Total	\$	166,675
5% Contingency	\$	<u>8,334</u>
Project Cost	\$	175,009

Rounded down to \$175,000

Elliot Street Garage - Estimate for RTU and related equipment Replacement

Existing RTU & equipment Demo	\$	5,000
New RTU Equipment	\$	45,000
New Controls, wiring, piping of Equipment	\$	10,500
New duct work	\$	3,500
Installation of above equipment	\$	42,500
Design / Contract Administration	\$	12,550
Sub Total	\$	119,050
5% Contingency	\$	<u>5,953</u>
Project Cost	\$	125,003 *

Rounded down to \$125,000

Crafts Street Garage - Estimate for RTU and related equipment Replacement

Existing RTU & equipment Demo	\$	10,200
New RTU Equipment	\$	65,000
New Controls, wiring, piping of Equipment	\$	12,500
Installation of above equipment	\$	42,500
Design / Contract Administration	\$	12,675
Sub Total	\$	142,875
5% Contingency	\$	<u>7,144</u>
Project Cost	\$	150,019

Rounded down to \$150,000.

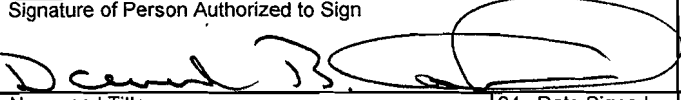
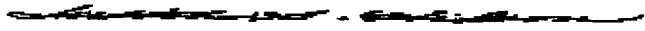
Zervas School - Estimate for Boiler and related equipment Replacement

Boiler and related equipment Demo	\$	30,000
New Boiler and related piping	\$	70,000
Asbestos abatement	\$	5,000
Dual Oil/Natural Gas Burner	\$	27,500
Condensate Return & related boiler room equipment replacement	\$	25,750
Control work	\$	28,000
Hot water piping replacement	\$	7,500
Design / Contract Administration	\$	20,525
Sub Total	\$	214,275
5% Contingency	\$	<u>10,714</u>
Project Cost	\$	224,989

Rounded up to \$225,000

NOT SPECIFIED /OTHER

ASSISTANCE AGREEMENT

1. Award No. DE-SC0002984		2. Modification No.		3. Effective Date 10/21/2009		4. CFDA No. 81.128		
5. Awarded To NEWTON, CITY OF Attn: David Tannozzini 1000 COMMONWEALTH AVENUE NEWTON MA 024591449				6. Sponsoring Office EERE (FORS) U.S. Department of Energy Office of Energy Efficiency & Renewable Forrestal Building 1000 Independence Avenue, SW Washington DC 20585			7. Period of Performance 10/21/2009 through 10/20/2012	
8. Type of Agreement <input checked="" type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement <input type="checkbox"/> Other		9. Authority Energy Independence and Security Act (EISA) of 2007			10. Purchase Request or Funding Document No. 10SC000156			
11. Remittance Address NEWTON, CITY OF Attn: MICHAEL KRUSE 1000 COMMONWEALTH AVENUE NEWTON MA 024591449				12. Total Amount Govt. Share: \$799,600.00 Cost Share : \$400,000.00 Total : \$1,199,600.00		13. Funds Obligated This action: \$799,600.00 Total : \$799,600.00		
14. Principal Investigator David Tannozzini 617-796-1605			15. Program Manager Martha J. Kass Phone: 865-576-0717			16. Administrator Oak Ridge U.S. Department of Energy P.O. Box 2001 Oak Ridge TN 37831		
17. Submit Payment Requests To OR for Oak Ridge/OSTI U.S. Department of Energy Oak Ridge Office Oak Ridge Financial Service Center P.O. Box 6017 Oak Ridge TN 37831				18. Paying Office			19. Submit Reports To See Reporting Requirements Checklist	
20. Accounting and Appropriation Data Block Grants								
21. Research Title and/or Description of Project EECBG THE CITY OF NEWTON MASSACHUSETTS								
For the Recipient				For the United States of America				
22. Signature of Person Authorized to Sign 				25. Signature of Grants/Agreements Officer 				
23. Name and Title David B. Cohen, Mayor			24. Date Signed 10-30-09	26. Name of Officer JUDITH S. WILSON			27. Date Signed 10/21/2009	

NOT SPECIFIED /OTHER

CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED
DE-SC0002984

PAGE OF
2 | 2

NAME OF OFFEROR OR CONTRACTOR
NEWTON, CITY OF

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>DUNS Number: 076576826 TAS::89 0331::TAS Recovery Act Block Grant for ARRA Funding. New award for City of Newton, MA. ASAP: Yes Extent Competed: NOT AVAIL FOR COMP Delivery Location Code: 00522 Oak Ridge Office U.S. Department of Energy Oak Ridge Office 230 Warehouse Road Oak Ridge TN 37830</p> <p>Payment: OR for Oak Ridge/OSTI U.S. Department of Energy Oak Ridge Financial Service Center P.O. Box 6017 Oak Ridge TN 37831</p> <p>Fund: 05796 Appr Year: 2009 Allottee: 30 Report Entity: 471999 Object Class: 41000 Program: 1005115 Project: 2004350 WFO: 0000000 Local Use: 0000000 TAS Agency: 89 TAS Account: 0331</p>				



U.S. DEPARTMENT OF **ENERGY**

To All EECBG Awardees:

Congratulations on your award of a U.S. Department of Energy (DOE) Energy Efficiency and Conservation Block Grant (EECBG). This is an official communication from DOE to provide you with helpful information on next steps. By now you should have received an additional notification by email from the FedConnect system, alerting you that your grant had been awarded. If you did not receive the FedConnect email, rest assured that your grant has been awarded—and please take action on the following administrative actions:

1) FedConnect System

Communications: You can log into FedConnect to view and acknowledge the award. If you did **not** receive email notification and you **are** registered in FedConnect, make sure you click **Join the Team** to see all information concerning the award. If you are **not** registered with FedConnect, you must register in order to view your award information at (<https://www.fedconnect.net>).

Additional Information: For more information on doing business with the federal government through FedConnect, please see the following quick start guide: https://www.fedconnect.net/FedConnect/PublicPages/FedConnect_Ready_Set_Go.pdf. You can contact the FedConnect help desk at 800-899-6665, or via email at Support@FedConnect.net.

Next Steps with FedConnect: You must electronically accept your grant award document in FedConnect within 5 days. You can do this by clicking the "Acknowledge" box which constitutes the Recipient's acceptance of the terms and conditions of the award. Acknowledgement via FedConnect by the Recipient's authorized representative constitutes the Recipient's electronic signature.

2) Automated Standard Application for Payment (ASAP)

NOTE: If your grant requires submittal of invoices for reimbursement of expenses incurred, you do not need to enroll in ASAP.

Enrollment: The ASAP enrollment process is conducted on-line by the grantee. To receive your awarded funds, you must enroll in the US Treasury Department's ASAP system. ASAP.gov sends instructions by email to the individual in your organization who is listed as the Government Business Point of Contact in the Central Contractor Registry (CCR).

Additional ASAP information: Additional information about the ASAP and CCR systems can be found at <http://www.fms.treas.gov/asap/index.html> and <https://www.bpn.gov/ccr/default.aspx>, respectively.

For additional assistance in completing your on-line enrollment, contact the ASAP Customer Support. The servicing customer support center is determined by the time zone the capitol of the state in which the Payment Requestor/Recipient Organization is located:

- If the capitol of the state in which you are located is in the Eastern time zone or the organization is located in Puerto Rico or the Virgin Islands, users should contact the ASAP Customer Support staff at the Philadelphia RFC at (215) 516-8021 from 7:30 am to 5:00 pm Eastern Time.
- If the capitol of the state in which you are located is in the Central time zone, users should contact the ASAP Customer Support staff at the Kansas City RFC at (816) 414-2100 from 7:30 am to 5:00 pm Central Time.
- If the capitol of the state in which you are located is in the Mountain or Pacific time zone (and time zones further west), users should contact all the ASAP Customer Support staff at the San Francisco RFC at (415) 817-7182 from 7:30 am to 5:00 pm Pacific Time.

Payment or drawdown of Recovery Act funds for the DOE's Energy Efficiency and Conservation Block Grant (EECBG) program will be made through the U.S. Department of Treasury's Automated Standard Application for Payment (ASAP) system. The DOE has initiated the ASAP enrollment process for your organization. The individual in your organization that is listed as the Government Business Point of Contact in the Central Contractor Registration (CCR) should have received an e-mail from ASAP.gov which contained instructions on how to complete the ASAP enrollment process.

In order to receive Recovery Act funds, your organization must complete the enrollment process. Upon completion of the enrollment process, staff from the DOE's Oak Ridge Financial Service Center will create your account(s) in ASAP and authorize funds to be drawn. The ASAP account cannot be created, and funds cannot be authorized or drawn, until your organization completes the enrollment process.

NOTE: If your grant requires submittal of invoices for reimbursement of expenses incurred, you do not need to enroll in ASAP.

3) Your Official Point of Contact at DOE

While your EECBG application was under review by the Department, you may have interacted with a DOE staff member serving as an application reviewer, a NEPA officer, or a procurement specialist who reviewed your application. To provide you with the best service "post award", DOE has assigned a Project Officer to each awardee. This individual will be your resource for navigating the post-award process and ultimately putting your funds to use. Your Project Officer's contact information is listed in Block

15 on the cover page of the Award documents for your EECBG grant. When changes are made to your DOE point of contact, they will be communicated to you by an administrative amendment to your grant and transmitted to the person whose email is listed in FedConnect.

To amend your award agreement: Should you need to request an amendment to your award, you **MUST** work with the assigned Contracting Officer or Administrative Contract Specialist and Project Officer.

Contact Us

Should you have additional questions, please contact the procurement office that issued your award at: EEGrants@oro.doe.gov.

For general questions about grants awarded by the Oak Ridge Office, a toll free number has been established to respond to inquiries about audits, ASAP enrollment for payments, terms and conditions of your grant, and Recovery Act reporting requirements. The phone number is:

1-877-496-2310

The menu tree is as follows:

- Press 1: Audits
- Press 2: ASAP enrollment in order to receive funding
- Press 3: Terms or conditions of the grant, or other procurement-related issues
- Press 4: Recovery Act Reporting
- Press 5: repeat the menu.

4) Recovery Act (ARRA) Reporting

As a recipient of an ARRA grant, you are required to submit quarterly information using the OMB sponsored website, www.FederalReporting.gov. The first step in preparation for the required reporting which starts on October 1, 2009, is to register as a recipient in the system. The registration process requires that you have a few pieces of information available including:

- a. Email Address
- b. Award
- c. DUNS Number
- d. CCR Number

The registration process is described in an easy to follow step-by-step guide that can be found at: <http://www.recovery.gov/sites/default/files/FederalReporting-dot-gov%20Registration%20Guide%20v2.pdf>

The Recovery.Gov website also provides a number of other very useful tools that help to define and describe the ARRA Reporting requirements for Award Recipients. The website is: <http://www.recovery.gov/?q=content/recipient-reporting>.

- Recipient FAQ is a very useful link to review (last item on above page):
<http://www.recovery.gov/?q=content/frequently-asked-questions#recipients>

The Department of Energy has provided clarifying information and guidance that can be found at: www.energy.doe/recovery. Using the menu on the left hand side of the screen, the following tabs contain very useful information.

1. OMB Reporting Help:
http://www.energy.gov/recovery/ARRA_Reporting_Requirements.htm
2. DOE Recovery Act Clearinghouse:
<https://recoveryclearinghouse.energy.gov/index.htm>

If you need any additional ARRA Reporting help, please do not hesitate to contact the toll free number 1-877-496-2310, option 4.

5) Performance Reporting to the EECBG Program

Performance and Accountability for Grants in Energy (PAGE) is the system through which all grant recipients are required to report on the progress of projects implemented with grant funds. PAGE creates a local system administrator for every grantee, based on the contact identified in section 8F of the Grant Application Form (SF-424).

DOE has uploaded copies of your official grant documents into the PAGE system. Grantees are expected to report their project progress and financial status in the PAGE system.

Grantee Reporting Accounts: As awarded applications are uploaded into PAGE by DOE, Grantees Contacts (identified in section 8F of the SF424) will receive an email invitation to create a PAGE account. The email invitation is automatically sent from PAGE-Notification@ee.doe.gov containing instructions of how to create a PAGE account.

Reporting Forms: Grantees that do **not** receive an invitation to create a PAGE account in time for the October 30th, 2009 reporting requirement should use the standardized forms (in PDF format) for both the Program Performance Report and Federal Financial Report (see email attachments) and submit them to the procurement office that issued your award (EEgrants@oro.doe.gov). After October 30, 2009, when a grantee receives their PAGE invitation, they will be easily able to create their first quarter reports in PAGE in the preloaded form.

For additional PAGE Information: If you need additional assistance, please visit the reporting hotline at: page-hotline@ee.doe.gov. You can register for additional training

webinars at www.page.energy.gov. The PAGE website also has input screens for grantees to enter and submit their EECBG Program Performance Report and Federal Financial Report (SF-425).

6) Grantee EECS Strategy Submissions

If you received an award to develop a strategy, you have 120 calendar days from the date of award to complete your strategy and return it to DOE for approval to receive the remaining funds. As with the original application, your strategy and project activity documents must include all of the required documents listed in the Funding Opportunity Announcement. You should return your strategy documents to the contact listed in section 3.

7) Additional Post-Award Resources and Guidance

NEW! Davis Bacon Information

Please visit the EECBG website at <http://www.eecbg.energy.gov/davisbacon.html> for frequently asked questions pertaining to Davis Bacon requirements for grantees.

8) Additional Information and Assistance Online

For General information and updates on the EECBG program, please visit:
<http://www.eecbg.energy.gov>

For the latest webinar presentation outlining key next steps for the post-award process, technical assistance resources, and Frequently Asked Questions, visit the EECBG Solution Center: <http://www.eecbg.energy.gov/solutioncenter/webcasts/default.html>

Thank you!

Thank you for your cooperation with us throughout this process. We look forward to successfully partnering with you on energy projects that will create jobs, conserve energy, and move our nation towards a clean energy economy.



PUBLIC BUILDINGS DEPARTMENT

Telephone: (617) 796-1600

Fax: (617) 796-1601

TTY: (617) 796-1089

52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

Setti D. Warren

Mayor

January 22, 2010

Alderman Sydra Schnipper
Chair, Public Facilities Committee
Alderman Lenny Gentile
Chair, Finance Committee
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

RE: Docket Item # 420-09, U.S. Department of Energy Grant

Dear Chairmen:

At the Public Facilities Committee meeting held on January 20, 2010, additional information was requested pertaining to the possible re-use of the proposed new boilers at another facility when the Cabot and Zervas Schools are renovated and/or demolished.

Contingent upon the time that these schools are renovated and/or demolished, most of the new boiler could be relocated to various school facilities throughout the City. At a minimum, the new boiler sections, boiler jacket, oil/gas burner, boiler controls, water feed valves, and condensate return pump set can be re-used should the Cabot and Zervas Schools be renovated and/or demolished within the next 5 – 10 years. Should this occur later, the re-use of the boiler sections could be problematic and not a cost effective re-use of sections. Boiler sections can last anywhere from 10 – 50 years, but re-use after 15 years is not recommended due to their frail nature, tightening of the sections too much, or too many times could and does cause the sections to crack and spring leaks. Typical life of the boiler controls, pumps, burners, boiler jacket, and water feed valves is between 20 – 25 years.

The following schools could potentially re-use portions or all of the proposed boiler and related equipment from the above schools:

1. Lincoln-Eliot
2. Franklin
3. Ward
4. Williams

By copy of this memo to David Olson, Clerk of the Board, copies will be distributed to all members of the Board of Aldermen.

Very truly yours,

Arthur F. Cabral

Interim Commissioner of Public Buildings

AFC:dla

CC: David Olson, Clerk of the Board

Josh Morse, Facilities and Operations Supervisor



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#26-10 Telephone
(617) 796-1100
Facsimile
(617) 796-1113
TDD/TTY
(617) 796-1089
E-mail
swarren@newtonma.gov

January 11, 2010

10 JAN 12 PM 4:50
CITY CLERK
NEWTON, MA 02459

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 transfer twenty-five thousand dollars (\$25,000) from the severance budget in the Human Resources Department to the Executive Department for the purpose of covering current year severance expenses.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

From: HR Salaries	
0110901-515002	\$25,000
To: Executive Salaries	
0110301-515002	\$25,000

SDW
01/15/2010

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

City of Newton, Massachusetts
 General Fund
 Salary and Wage Appropriation Forecast
 Executive and Human Resources Departments
 Fiscal Year 2010

#26-10

		<u>Budget</u>	<u>Period Exp</u>	<u>YTD Expense</u>	<u>Balance</u>	<u>Proj to 6/30</u>	<u>Projected Year End</u>
EXECUTIVE	FULL TIME SALARIES	503,398.00	48,217.65	246,805.40	256,592.60	299,743.53	(43,150.93)
EXECUTIVE	LONGEVITY	1,150.00	-	575.00	575.00	-	575.00
EXECUTIVE	SEVERANCE PAY	-	-	-	-	-	-
CITIZEN ASSISTANCE	FULL TIME SALARIES	74,125.00	7,100.00	36,352.00	37,773.00	53,647.32	(15,874.32)
CITIZEN ASSISTANCE	LONGEVITY	575.00	-	-	575.00	-	575.00
EXECUTIVE DEPARTMENT		579,248.00	55,317.65	283,732.40	295,515.60	353,390.85	(57,875.25)
HUMAN RESOURCES	FULL TIME SALARIES	576,420.00	55,112.00	277,167.69	299,252.31	293,195.84	6,056.47
HUMAN RESOURCES	FULL TIME WAGES	-	-	-	-	-	-
HUMAN RESOURCES	PART TIME > 20 HRS/WK	-	-	-	-	-	-
HUMAN RESOURCES	LONGEVITY	2,225.00	-	2,225.00	-	-	-
HUMAN RESOURCES	SEVERANCE PAY	25,000.00	-	-	25,000.00	-	25,000.00
HUMAN RESOURCES	BONUSES	-	-	-	-	-	-
HUMAN RESOURCES DEPARTMENT		603,645.00	55,112.00	279,392.69	324,252.31	293,195.84	6,056.47



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#27-10 Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

January 11, 2010

10 JAN 12 PM 4:50
CITY CLERK
NEWTON, MA. 02459

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 appropriate one hundred twenty-five thousand dollars (\$125,000) from Budget Reserve for the purpose of supplementing the Unemployment account in the Human Resources Department.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

From: Budget Reserve
(0110498-5790) \$125,000
To: HR Fringe Benefits
(0110901-5702) \$125,000

Row
01/15/2010

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

City of Newton

DEPARTMENT OF HUMAN RESOURCES



Setti D. Warren
Mayor

1000 Commonwealth Avenue
Newton Centre, MA 02459-1449

Telephone (617) 796-1260

Fax (617) 796-1272

TTY (617) 796-1089

Dolores M. Hamilton, Director

January 8, 2010

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

10 JAN 12 PM 4:50
CITY CLERK
NEWTON, MA 02459

Dear Mayor Cohen and Honorable Board of Aldermen:

The Human Resources Unemployment Account has recently seen a large increase in expenditures due to the state and federal extensions of unemployment benefits and the City employees whose positions were eliminated in FY 08 and FY 09. I am writing to you at this time to request an additional appropriation in the amount of \$125,000.00 for unemployment expenses anticipated through the remainder of FY 2010.

Human Resources Unemployment Benefits Account #0110901-5702 \$125,000.00

I respectfully request and recommend a favorable consideration to this request in order to meet the legal obligation of the City of Newton through June 30, 2010.

Sincerely,

Dolores Hamilton
Director of Human Resources

City of Newton, Massachusetts
General Fund

Summary of Monthly and Annual Unemployment Compensation Benefit Expenditures
July 1, 2009 - November 30, 2009
(With comparative activity for the three prior fiscal years)

#27-10

	<u>FY 2010</u>	<u>FY 2009</u>	<u>FY 2008</u>	<u>FY 2007</u>
Appropriation:	119,950	477,290	94,824	101,000
Expenditures:				
July	19,436	19,057	12,269	7,471
August	28,394	20,729	11,925	14,323
September	32,989	22,937	8,132	6,497
October	19,828	17,499	7,150	3,555
November	19,266	14,861	2,400	2,615
December		22,254	53	3,929
January		8,836	1,902	4,416
February		7,323	3,212	1,405
March		7,306	11,804	9,859
April		5,678	10,812	12,994
May		7,185	8,565	7,926
June		7,722	9,051	11,469
Total - fiscal year	N/A	161,387	87,275	86,459
Total - thru November	119,913	95,083	41,876	34,461
% Total annual expenditures paid July - November		58.9%	48.0%	39.9%
% Appropriation expended July - November	100.0%			