

CITY OF NEWTON
IN BOARD OF ALDERMEN
FINANCE COMMITTEE REPORT

MONDAY, SEPTEMBER 13, 2010

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

Also present: Ald. Crossley, Lappin, Lennon, and Schnipper

City staff present: David Wilkinson (Comptroller), Dave Turocy (Deputy Commissioner of Public Works), Robert Rooney (Chief Operating Officer), Heidi Black (Administrator of High School Construction and Strategic Planning; School Department), Donnalyn Khan (City Solicitor), Ouida Young (Associate City Solicitor), Stephanie Gilman (Public Buildings Commissioner), Arthur Cabral ((Budget and Project Specialist; Public Buildings Department), Maureen Lemieux (Chief Financial Officer), Elizabeth Dromey (Director of Assessing), Greg Andrews (Deputy Director of Assessing), Jayne Colino (Director of Senior Services), Lynne Fineman (Senior Services Department), Kelly Byrne (Executive Secretary of Retirement), and David Tannozzini (Energy Officer; Public Buildings)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#247-10 **HIS HONOR THE MAYOR** requesting that the budget for the Newton North High School construction project be amended by transferring funds from the Phase I accounts to Phase II accounts in the sum of one million twenty-five thousand nine hundred ninety-four dollars (\$1,025,994) to focus resources on demolition phase of the project, as follows:

Funds from Phase I

Construction Manager at Risk	\$1,025,994
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Funds to Phase II

Consultant (Testing, Abatement, Landscaping)	\$290,000
Architectural Services	\$460,000
Construction Project Management	\$150,522
Unallocated Contingency	\$125,472

Total: \$1,025,994

PUBLIC FACILITIES APPROVED AS AMENDED 7-0 @ \$1,200,994 ON 9/13/10

ACTION: APPROVED AS AMENDED 8-0 @ \$1,200,994

NOTE: The Public Facilities Committee and Finance Committee met jointly to discuss this item. The Board of Aldermen received and approved a similar request in January of this year requesting a reallocation of funds. At that time, it was made clear that there would be a need to reallocate money again in September. The Mayor is requesting that reallocation to provide additional funding for consulting, architectural services, project management, and unallocated contingency for Phase II of the high school project. The Mayor's Office provided a graph of the projected costs of Phase II of the project through August 2011 labeled Enclosure B,

which was attached to the agenda. The funds to be reallocated to the architectural services and project management are intended to carry those services to the completion of the project. The architectural services fee will be based on time and material from this point forward instead of a contractual fee. The Mayor's Office looked at what was remaining in the project in terms of architectural services and determined that it would be beneficial to the City to go with time and material payments instead of a lump sum payment.

The Mayor also submitted a request to amend the item to reallocate \$175,000 of the \$280,000 in the classroom furnishings line item to the furnishings, fixtures, and equipment (FF&E) line item. Heidi Black of the School Department explained that the reallocation is necessary in order to purchase some of the final items needed for the school. The classroom furnishings line item cannot be used to purchase fixtures and equipment. The reallocation to the furnishings, fixtures, and equipment line item will allow the School Department to purchase some science equipment, document cameras, a copier, and scanner. The School Department reused over 50% of the classroom furniture that was in the old school, which created a surplus in the classroom furniture line item. Ald. Danberg moved approval of the amendment in Finance, which carried unanimously and Ald. Salvucci moved approval of the amendment in Public Facilities, which carried unanimously.

Phase I of the project is essentially complete except for a few items remaining on the punch list. It is expected that there will be no need to reallocate any money after this. The entire project including the demolition and athletic fields should be complete by August 2011 contingent upon sodding the fields instead of seeding them. If there are savings, some of it will be used to sod the fields. If the fields are sodded, it will allow the school to use them quicker than if seeded and allow the project to be completed by August 2011 generating additional savings.

It is hopeful that there may be some additional savings within the project; however, it is too early to determine if and how much. A chart summarizing the project including the unobligated balance was provided as part of the material attached to the agenda. Trip Elmore from Turner Construction stated that Turner Construction, Dimeo Construction and Dore and Whittier work to manage the line items within the budget to conserve money. The project requires certain professionals be available on a daily basis to ensure that the project stays on track. Ald. Ciccone moved approval as amended of the item in the Finance Committee, which carried unanimously. Ald. Salvucci moved approval as amended of the item in the Public Facilities Committee, which carried unanimously.

Clerk's Note: The Finance Committee voted 8-0 and the Public Facilities Committee voted 7-0 on a roll call to enter into Executive Session in order to discuss the threat of litigation related to the Newton North High School Project.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#231-10 HIS HONOR THE MAYOR requesting authorization to transfer the sum of thirty thousand dollars (\$30,000) from the Angier School Boiler Replacement Project to the Williams School Boiler Replacement Project. [08/02/10 @ 5:02 PM]

PUBLIC FACILITIES HELD 7-0 ON 9/13/10

ACTION: FINANCE HELD 7-0

NOTE: The Public Facilities Committee and Finance Committee met jointly to discuss this item. The Public Buildings Department would like to transfer \$30,000 from the Angier School boiler replacement to the Williams School boiler replacement project. The boiler project at the Angier School is complete and there is approximately \$40,000 remaining in the account. The Board of Aldermen approved \$200,000 on March 1, 2010 for the costs related to replacing the boiler at Williams Elementary School. When the Williams School boiler bids came in, they exceeded the budget for the project. The department is rebidding the project with a less expensive boiler than the original bid in the hope that the bids will come in lower but would like the additional money to cover the bids if they come in higher. The Public Buildings Department would also like to include an alternate in the re-bid for an additional boiler, as the installation of two boilers at the same time would be cost effective.

Members of both Committees had several questions regarding the transfer that included what the differences are between the more expensive boiler and the less expensive boiler and the actual cost of the proposed boiler. The Committee requested further information on the estimated cost of installing two new boilers in Williams School and the significant difference in the cost of the Angier School boiler replacement project and the bids for the Williams School boiler replacement project. The Committees opted to hold the item to give the Public Buildings Department an opportunity to answer the questions concerning the item.

#219-10(2) HIS HONOR THE MAYOR appointing Rositha Durham as CHIEF PROCUREMENT OFFICER, pursuant to Sec. 3-3(a) of the City Charter, effective August 30, 2010 (30-day Board action date 10/7/10). [09/01/10 @ 4:38 PM]

ACTION: APPROVED 8-0

NOTE: The Chief Procurement Officer, Rositha Durham, joined the Committee for the discussion of her appointment as Chief Procurement Officer. Ms. Durham has extensive experience in purchasing and procurement. The resume attached to the Committee agenda provided the highlights of Ms. Durham's career and education. She worked in Somerville as the Purchasing Director and Chief Procurement Officer for the past five years, where she had a staff of four people. The Purchasing Director in Somerville is responsible for all school and municipal purchases or procurements. Ms. Durham took a lead role in negotiating with vendors during City emergencies. She was also responsible for ensuring that the City of Somerville complied with Massachusetts General Laws and City ordinances relating to municipal bids and purchases.

Ms. Durham was also heavily involved with Somerville's performance management program. The Mayor of Somerville wanted departments to be responsible for projects and accomplishing goals through performance management. The Purchasing Department participated in the program and assisted other departments in accomplishing their goals. Ms. Durham is very pleased to be working for the City of Newton. The Committee congratulated

Ms. Durham on her appointment. Ald. Ciccone moved approval of the appointment, which carried unanimously.

#201-10 HIS HONOR THE MAYOR requesting authorization to transfer the unobligated balances held by the City in two special appropriation accounts, totaling fifty thousand nine hundred sixty-six dollars and twenty-six cents (\$50,966.26), from Bradford Development's Sedimentation Chamber Fund and Traffic Mitigation Fund [special permit nos. 514-99(2) and 515-99(2)) and board order nos. 131-05 and 289-03(5)] to the Law Department's Judgment and Settlement Account and authorization for the City Solicitor to settle a claim brought by the developer and its successor to recover the unexpended funds in these two special appropriation accounts in accordance with the above special permits. [6/14/10 @6:13PM]

ACTION: **HELD 8-0**

NOTE: Associate City Solicitor Ouida Young referred the Committee to supporting documents provided as part of the agenda. The Mayor is requesting authorization to return \$50,966.26 in mitigation funds received from Bradford Development pursuant to conditions within Special Permits #514-99(2) and #515-99(2) for the development of The Residences on Route 9. The mitigation funds were to be used to allay drainage and traffic issues in the neighborhood of the development.

Condition #4 in both special permits required Bradford Development to contribute a total of \$50,000 towards a sedimentation chamber to resolve off-site drainage problems. The conditions also required that the City appropriate the money within five years of the date of the payment to the City or refund the money. The City received the money in October 2005. Condition #28 in Special Permit #514-99(2) and Condition #30 in #515-99(2) required that Bradford Development give a total of \$25,000 for traffic improvements in the Langley Road, Jackson Road, Florence Street area. Included in the two conditions was language requiring the City to use the money within five years from the date of the issuance of the certificate of occupancy for any building within the development. Bradford Development Corporation, which is now Cardinal Funding Group, LLC and Robert Fox have filed a lawsuit for the return of the money.

The City did appropriate the funds for the study, design, and installation of a sedimentation chamber. The City hired a company to design and locate the chamber; however, after study it was determined that the chamber would not improve the drainage system and the chamber could not be located within an existing easement at the Hampton Place condominium complex. The City Engineer Lou Taverna then asked for an extension of time in which to use the funds for alternative drainage improvements. The developer agreed to extend the time to expend the funds until June 30, 2006. A design was done for an open channel at the Hampton Place condominium complex to address the drainage issue; however, the residents were opposed to the design. The open channel design would have required the City to take an easement, remove trees, and provide additional funding. The City Engineer feels that with regular maintenance of the drainage system will resolve the drainage problems in the area. The City spent \$16,550 of the money given to the City for the sedimentation chamber by June 30, 2006,

leaving \$33,450 in the sedimentation chamber fund. . The City Engineer is recommending that no type drainage improvements be implemented in the area; therefore, the \$33,450 should be returned to the developer.

The City received \$25,000 for traffic mitigation from the developer when the first building permits were issued; however, the conditions of the special permits state that the funds need to be expended five years from the date of the issuance of the first occupancy permit, which was February 13, 2002. Although the Mayor and the Board appropriated the \$25,000 for traffic improvements from the mitigation fund, the funds were not used by February 13, 2007, as required in the conditions. The City did undertake a project at the intersection of Daniel Street and Jackson Road. The Department of Public Works expended \$7,483.74 for in-house design work on the project by the February 13, 2007 date but the project was not completed until the fall of 2009. The developer has agreed to cover the cost of \$7,483.74 in design work but is seeking the return of the remaining \$17,516.26.

The City Solicitor is of the opinion that the court would order the City to refund all of the money remaining in both accounts plus interest. The developer is willing to forego interest in order to settle the claim. Therefore, the City Solicitor is recommending that the Board of Aldermen approve the appropriation of \$50,966.26 necessary to settle the claim.

John Gallagher, Esq. from the Law Office of Warren Brody, P.C. was present to represent the developer. The Chairman requested that Mr. Gallagher ask the developer if there was any way that they would be willing to let the City retain use of the funds in the traffic mitigation fund for a future project in the area. The Chairman is aware that the developer is within their rights to ask for the money to be returned but it would be a gesture of goodwill, as the traffic mitigation money was intended for an improvement to the neighborhood. The Chairman supports the return of the remaining sedimentation chamber fund money. Mr. Gallagher stated that he will speak with his clients and should have an answer for the City by tomorrow afternoon.

The Committee held the item for the developer's response to the Chairman's request. The Committee will also be docketing an item requesting a report on the expenditure of mitigation funds related to special permits and a mechanism to keep the Board updated on the special permit mitigation funds. The Comptroller and City Clerk/Clerk of the Board provided information on the status of the mitigation funds after the meeting, which is attached. There was some discussion in Committee on docketing an item to provide a process for establishing mitigation funds resulting from special permit conditions.

#202-10 HIS HONOR THE MAYOR requesting authorization to transfer forty thousand dollars (\$40,000) from FY2011 Budget Reserve to the Treasury Department.
[6/14/10 @6:20PM]

ACTION: **APPROVED 5-0 (Freedman, Linsky and Rice not voting)**

NOTE: The transfer of the funds to the Treasury Department will allow the department to hire a much-needed permanent full-time employee. The Treasury Department has made several

improvements in its operations since January of this year and the addition of another full-time person will add to the improvements by providing a better management structure within the department. The improvements include a contract that has been executed with the Village Bank to provide coin-counting services to the City instead of the counting taking place in the Treasurer's Office and the purchase of software to improve customer service within the department. Ald. Danberg moved approval of the item, which carried by a vote of five in favor and three not voting.

#210-10 BOARD OF ASSESSORS requesting an amendment to Senior Citizen Volunteer Program, Sec. 27-20. Establishment; rate; maximum annual reduction. to increase the maximum allowable annual reduction on any real estate tax bill from \$750 to \$1,000 in accordance with the provisions of Chapter 27 §4 of the Acts of 2009.
[07/01/10 @ 3:29 PM]

ACTION: **APPROVED 8-0**

NOTE: The City offers a program to senior citizen taxpayers, which allows them to work for the City to earn a \$750 abatement on their taxes. Additional information on the program was attached to the agenda. The Board of Assessors would like to increase the maximum abatement that senior citizens can earn under the City's property tax work-off program. The current maximum abatement is \$750 and the proposed increase in the abatement is \$1,000. The Director of Assessing Elizabeth Dromey explained that the Assessing Department budgets \$50,000 from the overlay account to fund the program. There are 60 senior citizens currently qualified for the program. However not all of them were placed in a position with the City, If the maximum abatement is increased, the budgeted \$50,000 should be adequate to fund the program next year. On average, the program uses 50 to 60% of the available funds. Ms. Dromey provided the Committee with the attached information that included material on the program, a history of the tax work-off history including the number of participants and the amount worked off each year from 2004 to 2010 and cost projections for 2011 if the maximum allowable abatement is increased.

The senior citizens involved in the program work in fifteen departments throughout the City. Not all of the senior are able to work the maximum number of hours to receive the full abatement; however, some of the senior citizens continue to work as volunteers within a department after reaching the maximum number of hours. Kelly Byrne, Executive Secretary of the Retirement Board, stated that she utilizes the program in her department on an as needed basis and the program is a benefit for her department.

Ald. Rice moved approval of the item, which carried unanimously.

#228-10 HIS HONOR THE MAYOR requesting acceptance of a gift from the Department of Energy Resources as a result of the City of Newton's designation as a Green Community of seven (7) BigBelly Solar Compactors with bottle/can recycling units to be placed in the village squares of West Newton and Upper Falls for a total value of thirty-one thousand six hundred ninety-six dollars (\$31,696).
[08/02/10 @ 5:01 PM]

ACTION: **APPROVED 8-0**

NOTE: David Tannozzini presented the request to accept a gift with a value of \$31,696 from the Department of Energy of seven BigBelly Solar Compactors. The gift was awarded to the City for its designation as a green community. The compactors will be placed in West Newton and Newton Upper Falls. The Committee thanked Ald. Crossley for all of her work obtaining the Green Community Badge. Ald. Ciccone moved approval, which carried unanimously.

#38-10(2) **HIS HONOR THE MAYOR** requesting acceptance of and authorization to expend a grant of one hundred seventy-nine thousand five hundred dollars (\$179,500) to perform a deep energy retrofit of the Lower Falls Community Center from the Department of Energy Resources, as a result of the City of Newton's designation as a Green Community. [08/02/10 @ 5:01 PM]

ACTION: **APPROVED 8-0**

NOTE: The City has received a \$179,500 grant because of its designation as a green community. The grant will be used to enhance the Lower Falls Community Center project. The community center is in the process being renovated through a previous grant. Noresco is also doing some energy enhancements in the center. The grant funds from the Department of Energy will allow additional work to be done for further energy use reduction in the building. It is expected that there will be a 50% reduction in energy use, which will generate approximately \$10,000 in savings. Ald. Danberg moved approval, which carried unanimously.

#225-10 **HIS HONOR THE MAYOR** requesting acceptance of and authorization to expend a ten thousand dollar (\$10,000) grant from the Fiscal Year 2010 Underage Alcohol Enforcement Grant Program offered by the Massachusetts Executive Office of Public Safety and Security to be used to support overtime costs to monitor the enforcement of sales regulations to intoxicated patrons and to perform compliance checks to enforce laws against alcohol sales to minors. [08/02/10 @ 4:58 PM]

ACTION: **APPROVED 8-0**

NOTE: If accepted, the grant funds will be used to reimburse the Police Department for costs associated with the Underage Alcohol Enforcement Program that was run over the summer. The program included the use of undercover officers as personnel at bars to stop anyone under twenty-one from purchasing alcohol. The Police Department also did compliance checks to make sure that stores, bars and restaurants were not selling alcohol to anyone under twenty one. The Police Department provided information on the grant and a breakdown of the budget for the program, which was attached to the agenda. Ald. Ciccone stated that he had spoken with the Chief of Police regarding the program and learned that it was a success; therefore, he moved approval of the item. The Committee voted in favor of the motion unanimously.

#229-10 **HIS HONOR THE MAYOR** requesting an appropriation in the amount of eight thousand three hundred eighty-six dollars (\$8,386) from FY11 Revenue for the

purpose of increasing the FY'11 State assessment appropriation. [08/02/10 @ 4:59 PM]

ACTION: **HELD 8-0**

NOTE: The item was held for discussion in conjunction with related Docket Item #230-10, which needs to be acted upon in the Programs and Services Committee before the Finance Committee acts on it.

#200-10 PRESIDENT LENNON recommending the appointment of R. LISLE BAKER, 137 Suffolk Road, Chestnut Hill, as the Ward 5-8 aldermanic representative to the ALDERMANIC SCHOLARSHIP FUND for a term to expire 12/31/11. [6/11/10 @2:31PM]

ACTION: **APPROVED 7-0 (Salvucci not voting)**

NOTE: Ald. Baker's appointment as the Ward 5-8 aldermanic representative to the Aldermanic Scholarship fund was approved unanimously without discussion.

#199-10 PRESIDENT LENNON recommending the appointment of ANTHONY J. SALVUCCI, 23 Eddy Street, West Newton as the Ward 1-4 aldermanic representative to the ALDERMANIC SCHOLARSHIP FUND for a term to expire 12/31/11. [6/11/10 @2:31PM]

ACTION: **APPROVED 7-0 (Salvucci not voting)**

NOTE: The Committee approved Ald. Salvucci's appointment as the Ward 1-4 aldermanic representative to the Aldermanic Scholarship Fund unanimously.

All other items were held without discussion and the meeting adjourned at

Respectfully submitted,

Leonard J. Gentile, Chairman

CITY OF NEWTON, MASSACHUSETTS
 RECEIPTS RESERVED FOR APPROPRIATION FUND
 DEVELOPMENT MITIGATION FUND STATUS REPORT
 Fiscal Year ended June 30, 2010

	Beginning Balance	Revenue	Interfund Transfers	Designated for FY 2011	Ending Balance
Riverside Traffic Mitigation Fund (BO#155-00)					
Auburndale Improvements	134,444	584	-	-	135,028
Lower Falls Improvements (1)	97,207	423	(97,556)	-	74
Other Improvements (128 Intersection) (1)	67,474	293	(52,444)	-	15,323
Newton Wellesley Hospital Drainage Mitigation Fund	18,883	89	-	-	18,972
Newton Wellesley Hospital Traffic Mitigation Fund	2,458	11	-	-	2,469
Avalon Bay Chestnut Hill Traffic Mitigation Fund	250,000	-	-	-	250,000
Woodland Station LLC Traffic Mitigation	-	-	-	-	-
Woodland Station LLC Infiltration/Inflow Mitigation	85,380	-	-	-	85,380
Marriott Special Permit - Conservation Area (2)	6,000	-	(6,000)	-	-
Panera Traffic Mitigation (3)	-	25,000	(25,000)	-	-
Panera Bicycle Rack	-	800	-	-	800
Down Under Yoga Bicycle Rack	-	200	-	-	200
Lumiere Bicycle Rack	-	600	-	-	600
Kessler Woods I&I Mitigation Escrow	73,750	-	-	-	73,750

Total Development Mitigation Funds Reserved for Appropriation \$ 735,596 \$ 28,000 \$ (181,000) \$ - \$ 582,596

(1) \$13,508 of the \$150,000 that has been appropriated from this source has been expended.
 (2) \$800 of the \$6,000 that has been appropriated from this source has been expended.
 (3) \$13,508 of the \$25,000 that has been appropriated from this source has been expended.

Riverside Traffic Mitigation Fund

Mitigation Fund defined in Condition #24
No time limits on use of money

Special Permit #40-97(2)
Amount: \$249,000

June 2, 1997

Newton Wellesley Hospital Drainage Mitigation Fund

Mitigation fund Defined in condition #23
No time limits on use of money

Special Permit #470-04
Amount: \$16,132

April 19, 2005

Newton Wellesley Hospital Traffic Mitigation Fund

Mitigation Fund Defined in Condition #22

Special Permit #470-04
Amount: \$25,000

April 19, 2005

The Hospital's payment shall be made prior to the issuance of any building permits and shall be used within five (5) years from the date of initial occupancy of the relocated Emergency Department, pursuant to this special permit. The City shall refund, without interest, to the Hospital any monies contributed pursuant to this condition that are not been spent or encumbered against a contract at the end of such five (5) year period.

Avalon Bay Chestnut Hill Traffic Mitigation Fund

Mitigation Fund defined in Condition #6
No time limits on use of money

Comprehensive Permit Issued on appeal by ZBA
Amount: \$250,000

Woodland Station LLC Traffic Mitigation

Mitigation funds defined in Condition #8

Comprehensive Permit #20-04 issued by ZBA
Amount: \$64,620

December 13, 2004

At the time of obtaining a building permit, the petitioner will pay to the City of Newton the sum of \$64,620.00 to be used by the City to defray costs of traffic and traffic control improvements to Washington Street between Commonwealth Avenue and Beacon Street, including without limitation elements of study, planning and implementation costs. In the even the City of Newton does not use such funds for the intended purpose within 5 years of payment, any remaining sums shall be refunded the petitioner.

Woodland Station LLC Infiltration/Inflow Mitigation

Mitigation funds defined in Condition #7

Comprehensive Permit #20-04 issued by ZBA
Amount: \$64,620

Dec. 13, 2004

At the time of obtaining a building permit, the petitioner will pay to the City of Newton the sum of \$85,380.00 to be used by the City to defray costs of storm drainage inflow and infiltration. In the event the City of Newton does not use such funds for the intended purpose within 5 years of payment, any remaining sums shall be refunded the petitioner.

Marriott Special Permit – Conservation Area

Conservation Area funds defined in condition #25

Special Permit #385-08
Amount \$6,000

February 17, 2009

The petitioner shall pay up to six thousand (\$6,000.00) dollars towards the costs for a new wooden bench and logs (materials, and installation) to stabilize the slope below the walking trail in Norumbega Park, which materials shall be subject to the approval of the City's Senior Environmental Planner. The City of Newton shall be responsible for the actual installation of the bench and logs. Any funds not expended for materials and installation shall be refunded to the petitioner.

1. Also condition #26 requires: The petitioner shall issue a letter of credit to the City for an amount not to exceed forty thousand (\$40,000) dollars to be used towards the installation of a painted crosswalk and pedestrian-activated traffic light(s) across Commonwealth Avenue in front of the subject property. The City shall seek to file for and install such signal(s) in an expeditious manner and shall have not longer than four years from the date of approval of this Board Order to obtain the necessary approvals from the City Traffic Engineer, Traffic Council, and other appropriate bodies for installation of such improvements. If within said four years, there is no final determination to install those improvements or if there is a determination that such an installation would be at an unsafe location for a pedestrian crossing, then (a) the petitioner shall provide the sum of twenty thousand (\$20,000) dollars to the City, which shall be used for public improvements in Norumbega Park, such as for a study and/or implementation of pathways to access the shoreline or other features that enhance its use as a public conservation area; and (b) and the letter of credit in the amount of forty thousand (\$40,000) dollars shall be returned to the petitioner and of no further effect with respect to any obligation of the petitioner to the City of Newton. If the City receives approval for installation of the

crosswalk and traffic light, the petitioner shall pay the City the \$40,000 within thirty (30) days of receiving a written request for such payment from the Director of Planning and Development. Any funds not expended for the crosswalk and traffic light shall be refunded to the petitioner.

Kessler Woods I & I Mitigation Escrow

Certificate of Action by Planning Board

August 2, 2004

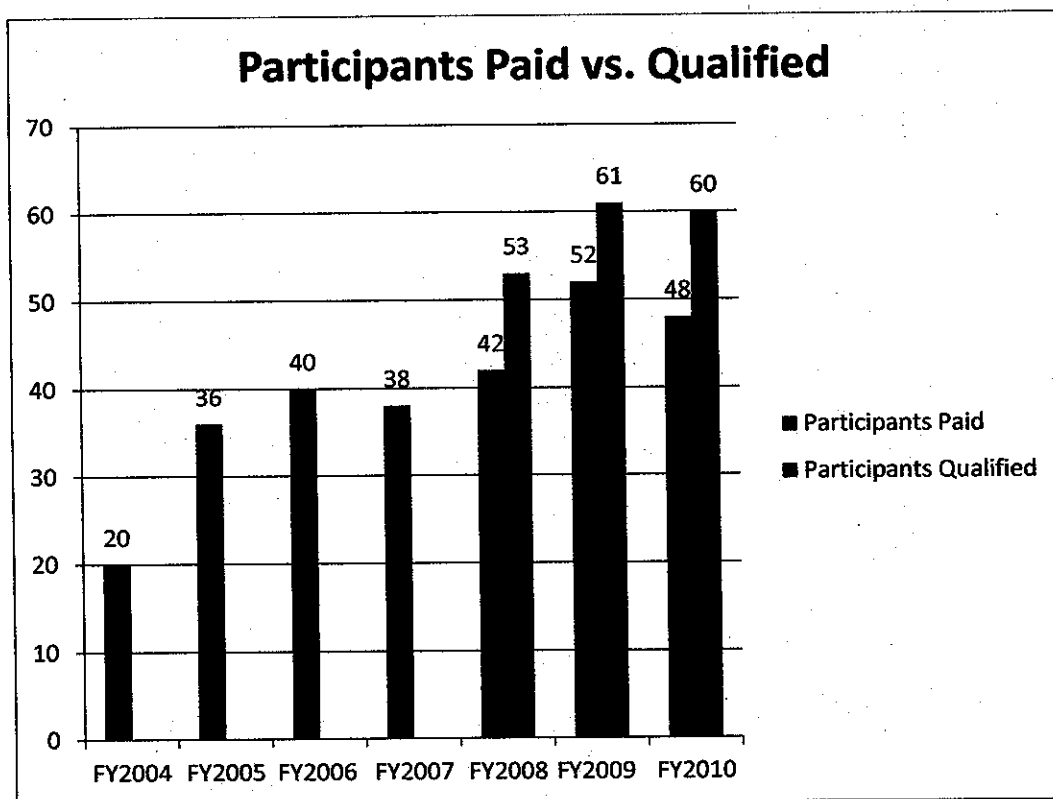
Mitigation escrow defined in condition #16

Amount: \$73,750 of \$250,000 total

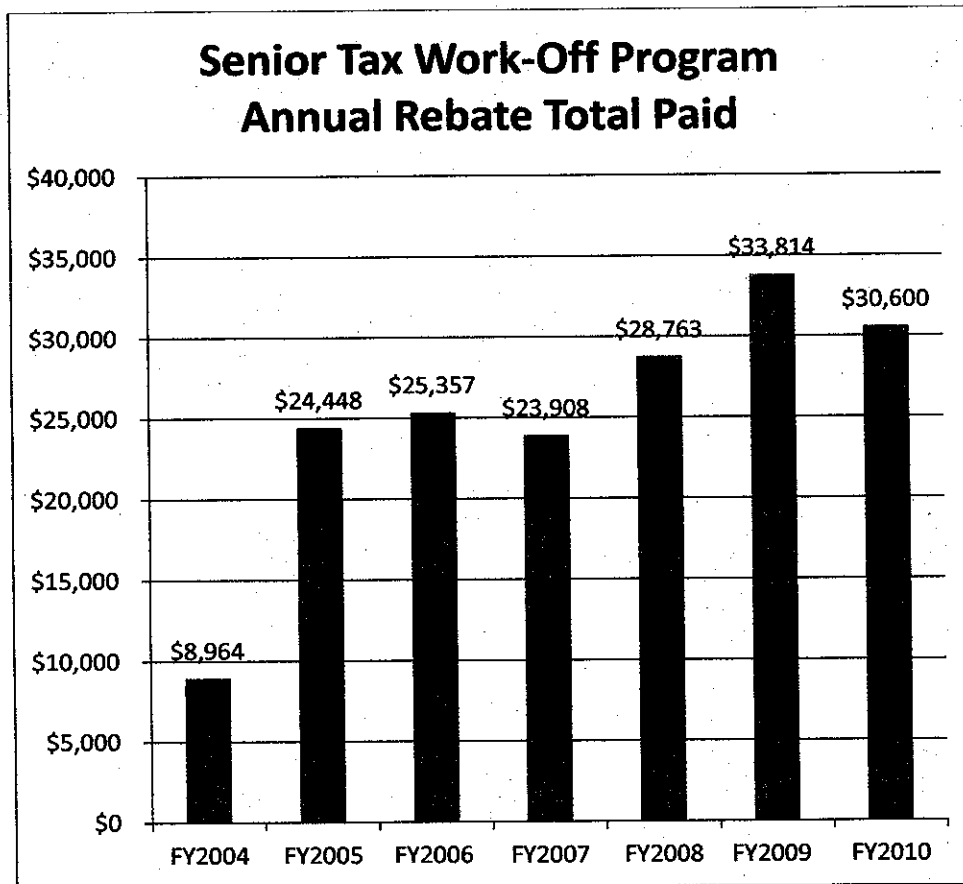
Upon issuance of the street opening and sidewalk crossing permit, Applicant shall pay to the City of Newton, by certified bank check, the amount of \$73,750, which represents 29.5% of the total payment of \$250,000 proposed by Applicant in letters dated June 2, 2004 and June 3, 2004 to provide funding for the city to implement a capital improvement plan (see letter dated June 3, 2005 from J. David Naparstek) to mitigate infiltration/inflow for sewer basin area C, in which this subdivision is located.

SENIOR TAX WORK-OFF PROGRAM

Participation in the Senior Tax Work-Off Program has generally increased annually since 2004, when the program began. Participants who have qualified to be in the program may not have been placed in a "job" due to various circumstances, such as no job available or being unable to do the work required. A few moved away or passed away and did not claim the money.



The annual amount paid has increased or decreased annually due to various factors. Not all participants were able to work the maximum number of hours to receive the full benefit each year. And as above, some did not claim their "pay."



Some participants continued to work in their positions after they had met the maximum allowable for the program, as volunteers.

	<u>Hours</u>	<u>Value @ \$8/hour</u>
	<u>Worked over</u>	
	<u>Max</u>	
FY2008	1695	\$ 13,560.00
FY2009	1998	\$ 15,984.00
<u>FY2010</u>	<u>1723.75</u>	<u>\$ 13,790.00</u>
Total	5416.75	\$ 43,334.00

Seniors work in fifteen City departments. Most jobs are ongoing and last throughout the year, and can provide all the hours needed to receive the maximum benefit, such as the Senior Center or the Library. Some jobs are on an as-needed basis, where senior workers are needed as circumstances require, such as the retirement or elections departments.

SENIOR TAX WORK OFF HISTORY

FISCAL YEAR	\$ WORKED OFF	PARTICIPANTS
2004	\$8,964.34	20
2005	\$24,447.75	36
2006	\$25,357.05	40
2007	\$23,908.48	38
2008	\$28,762.50	42
2009	\$33,814.00	52
2010	\$30,600.00	48
TOTAL	\$175,854.12	276

	TOTAL PARTICIPANTS	Earned MAX \$750	Earned Less than MAX
FY2010	48	32	16

	Earned MAX \$1000	Additional \$
FY2011	32	\$8,000
Estimate 1/2 Participants Who Worked Less than MAX last year will earn MAX this year	8	\$2,000
If all new participants Work Max Number that will reach total appropriation	9	\$9,000
Total New Money if Increase to \$1000 Adopted		\$19,000
Amount Earned Last Year		\$30,600
Total Estimate for FY2011		\$49,600

Alternate Analysis

32 X \$250	\$8,000
16 X \$250	\$4,000
7 New	\$7,000
Last year's	\$30,600
Total Est. 2011	\$49,600