

CITY OF NEWTON

IN BOARD OF ALDERMEN

FINANCE COMMITTEE REPORT

MONDAY, JANUARY 12, 2009

Present: Ald. Coletti (Chair), Salvucci, Parker, Lennon, Johnson, Schnipper, Freedman and Gentile

Also Present: Ald. Harney

City Staff: Susan Burstein (Chief Budget Officer), James Reardon (Acting Treasurer/Collector), Dave Wilkinson (Comptroller), Kelly Byrne (Director of Retirement Department), Paul Bianchi (Newton Police Department), Josh Morse (HVAC Technologist Public Buildings Department), Art Cabral (Budget and Project Specialist Public Buildings Department), David Turocy (Deputy Commissioner Public Works Department), Marie Lawlor (Assistant City Solicitor) and Sandy Pooler (Chief Administrative Officer)

REFERRED TO PROGRAM & SERVICES AND FINANCE COMMITTEES

#465-08 NEWTON RETIREMENT BOARD and ALDERMEN HARNEY, GENTILE AND SANGIOLO requesting the Newton Retirement Board seeking aldermanic adoption and mayoral approval of special legislation that would authorize it to award to Frank Albano a superannuation retirement allowance in accordance with GL. c.32, Sec. 5 notwithstanding the provisions of G.L. c.32, Sec. 3(6)(e) requiring a former member who re-enters active service to remain in active service for at least two consecutive years before becoming eligible to receive a retirement allowance. [11-17-08 @ 10:26 PM]

ACTION: **APPROVED 7-0-1 (Ald. Freedman abstaining)**

NOTE: Dave Wilkinson, Comptroller joined the Committee for discussion on this item.

Mr. Wilkinson indicated that Mr. Albano began working for the City in 1978 in the Parks and Recreation Department. Mr. Albano left the employment of the City in 2003. At that time, Mr. Albano removed his money from the retirement system. In 2003, Mr. Albano returned to the City working for only one month due to a family illness. As a result Mr. Albano having met the requirements of the City for the appropriate years of service, completing 18 years and reaching the age of 55 years old was entitled to a superannuation retirement based on information he received from the Retirement Board.

Unfortunately, Public Employee Retirement Administration Commission (PERAC) denied his application for retirement and indicated to the Retirement Board that when a person leaves public employment and remove their money and buy back their previous service there is a two-year waiting period before they can apply for retirement benefits. The Retirement Board inquired through PERAC for verification of Mr. Albano's rights and through negotiations with PERAC it was determined that special legislation was the only way to waive the two-year waiting period in order for Mr. Albano to qualify for his pension.

Marie Lawlor, Assistant City Solicitor prepared a memorandum requesting for Home Rule Petition Summary of Facts and Issue, dated January 9, 2009 for the Program and Services Committee for their review.

Committee members approved and recommended special legislation be prepared and adopted by the Board of Aldermen in order to assist Mr. Albano in securing his pension.

REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES

#397-07 ALD. JOHNSON AND COLETTI requesting to increase the fee for dogs being off-leash except where dogs are legally able to be off-leash. [12-04-07 @ 12:22 AM]

PROGRAM & SERVICES APPROVED 5-0-1 (Ald. Sangiolo not voting, Hess-Mahan abstaining) on 01-7-09

ACTION: APPROVED 8-0

NOTE: Marie Lawlor, Assistant City Solicitor once again joined the Committee for discussion on this item.

Ms. Lawlor provided Committee members with a copy of the draft Ordinance and a redlined Ordinance Section 3-26 'Restraint of Dogs', both are attached to this report.

Program and Services Committee discussed this item on January 7, 2009 and had prepared a draft Ordinance indicating a new fine for first offense as well as subsequent offenses would be established as \$50.00 per offense. Program and Services Committee suggests fines listed were excessive and over the amount which is allowable by the state and therefore, the Committee agreed on instead of having a sliding scale for various offenses, the fine would be set at \$50.00 per offense.

#9-09 HIS HONOR THE MAYOR appointing JAMES REARDON as TREASURER/COLLECTOR of the City of Newton, effective immediately, pursuant to Sections 3-3(b) of the City Charter. [12-30-08 @ 5:05 PM]

ACTION: APPROVED 8-0

NOTE: Committee members received a letter dated December 30, 2008 from the Executive Department appointing Mr. Reardon as Treasurer/Collector of the City of Newton effective immediately.

Mr. Reardon has been serving as Acting Treasurer/Collector since July 28, 2008. Mr. Reardon was also the City's Deputy Collector since 2001. He has over twenty-five years experience in the financial sector and was previously the Treasurer/Collector in the town of Canton. Mr. Reardon obtained a Bachelors Degree from the University of Notre Dame and a Masters Degree in Business Administration from Anna Maria College.

David Wilkinson, Comptroller and Finance Committee Chairman, Alderman Paul Coletti served on the selection committee for a new Treasurer/Collector ultimately making the recommendation that Mr. Reardon be appointed Treasurer/Collector of the City of Newton.

Mr. Reardon's term will expire in December 2009. January 1, 2010 he will continue to serve in this capacity until he is re-appointed or the Mayor makes another recommendation for this position.

Mr. Reardon, Acting Treasurer/Collector was present this evening and answered Committee members' questions. Committee members wished him well and also expressed their concerns on the timely reconciliations of cash and receivables as well as the preparedness of the bond rating information regarding the sale of bonds that will take place in April 2009.

#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]

ACTION: **HELD 8-0**

NOTE: James Reardon, Acting Treasurer/Collector and Ald. Scott Lennon, Chair of Audit Finance Sub-Committee provided Committee members with an update.

Committee members reviewed items and updates with Ald. Lennon and Mr. Reardon that included the cash and receivable reconciliations, update from the work of the MUNIS consultant and two additional consultants who are assisting the Treasurer's office in completing a procedures manual. The procedures manual will provide the beginning of MUNIS training so that the reconciliation of work can be completed in both the water receivables and the cash reconciliation.

Ald. Coletti informed the Committee that Mr. Reardon is making great progress in regards to preparing financial statements for review by the auditors in order to certify the comprehensive annual financial report and to prepare the City of Newton the timely sale of bonds in April 2009.

This item will be discussed in future Finance Committee meetings with Mr. Reardon informing Committee members on progress he has made in order to meet an April 2009 deadline for the sale of bonds.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#12-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend two hundred twenty five thousand dollars (\$225,000) from bonded indebtedness to the Building Department for the purpose of replacing a boiler at City Hall. [12-24-08 @ 1:54 PM]

**PUBLIC FACILITIES APPROVED 6-0 (Ald. Lennon not voting)
on 01-07-09**

ACTION: **APPROVED 6-0-2 (Ald. Parker and Johnson not voting)**

NOTE: Committee members received an Analysis of General Fund Heating Oil Expenditures dated January 12, 2009 and a letter from Art Cabral dated January 9, 2009 both are attached to this report.

Art Cabral, Budget and Project Specialist Public Buildings Department and Josh Morse, HVAC Technologist Public Buildings Department joined the Committee for discussion on this item.

Mr. Cabral's letter refers to questions asked by Committee Chair, Ald. Coletti who requested information on the status of the boilers at City Hall. Mr. Cabral explained to the Committee members the existing oil tank is a 7600-gallon tank installed in 1994. There are currently two boilers at City Hall. Presently, one of boilers is in disrepair and has a crack in three sections. The City proposes to install a dual burn boiler. The Public Buildings Department is proposing to install the burner during the week of January 26, 2009. Two of the leaking sections in the boiler will have to be totally disassembled and the cost to replace the three out of the eight sections of the boiler that exists would cost approximately 60-70% of a new boiler. Mr. Cabral explained when boilers are dismantled there is no guarantee that any other sections of the boiler might not crack. The present cracks seemed to originate from a small leak located in one of the sections.

The gas supply going into City Hall is adequate but it was necessary for a new meter to be installed in order to measure the amount of gas being piped into the new boiler the co-filer boiler.

In Mr. Cabral's, letter based on condition and reliability there are an additional fifteen boilers may require replacement in the near future.

The proposed boiler will allow the City the capability to co-fire and burn both oil and natural gas in City Hall which will rectify the issues with the heat in City Hall. Mr. Morse indicated he has taken over the responsibility of overseeing these boiler replacements.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#11-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend three hundred ninety-four thousand dollars (\$394,000) from bonded indebtedness for the design work for the rehabilitation of Fire Station #7. [12-24-08 @ 1:55 PM]

PUBLIC FACILITIES APPROVED 5-1 (Ald. Salvucci opposed, Lennon not voting) on 01-07-09

ACTION: APPROVED AS AMENDED @ \$344,000 7-1 (Ald. Salvucci opposed)

NOTE: The Finance Committee requested from Commissioner Parnell and the Executive Department that they consider the possibility of beginning the design phase for the replacement of station #7.

Committee members recently approved the total package in order to accept the bids for the work that is being done at station #4 (Crafts Street).

A letter dated December 15, 2008 was supplied as backup information from Commissioner Parnell to the Committee regarding the following fees:

Architectural and consultants	\$275,000
Clerk	\$ 75,000
Testing	\$ 25,000
Contingency (5%)	\$ 18,750
Total	\$393,750

Committee members expressed their concern about the requests being higher than expected for the initial design work for this project. Ald. Gentile specifically is concerned by adopting this large amount of money may send the wrong message to people who may propose to bid on the design work submitting a higher bid based on the estimate which was set aside by the City.

It is Ald. Gentile's hope to hold some of this money back to ensure these funds are available to start the design phase and hold back on either the clerk of the works cost or additional monies required for this project until an architect is hired.

The Committee debated the merits of Ald. Gentile's request and ultimately the decision was made to reduce the appropriation from \$394,000 to \$344,000 assuming \$50,000 was for the cost of the architecture or from the clerk of the works which would be reduced from this project until after an architect is selected.

#10-09 HIS HONOR THE MAYOR requesting that the sum of one hundred twelve thousand three hundred fifty nine dollars fifty-nine cents (\$112,359.59) be transferred from the Human Resources Department severance funds account to various departments for severance costs that are the result of the layoffs at the end of FY08. [12-30-08 @ 5:04 PM]

ACTION: **APPROVED 7-0-1 (Ald. Coletti not voting)**

NOTE: Committee members were provided with an updated letter from the Executive Department, dated January 12, 2009 requesting to change the amount for the Public Buildings Department severance cost from \$11,400.26 to \$15,636.00, attached to report.

David Wilkinson, Comptroller also provided Committee members with a FY09 Accounts Charged for FY08 End of Year Layoff dated January 12, 2009, attached to report. Mr. Wilkinson's chart indicated which department had a layoff and who received these monies to be appropriated into their personnel accounts.

Committee members reviewed the documents and approved without hesitation.

#353-08 ALD. COLETTI requesting monthly report by Executive Office before Post Audit and Oversight Committee on snow and salt expenditure from November 2008 through April 2009. [09-30-08 @ 1:54 PM]

ACTION: **HELD 8-0**

NOTE: David Turocy, Deputy Commissioner of Public Works Department joined the Committee for discussion on this item.

Mr. Turocy presented an updated snow report dated January 9, 2009 covering the winter season expenditures thorough January 8, 2009, attached to report.

Mr. Turocy's letter indicated that \$1,347,292 spent (expended, encumbered and to be processed) broken down as follows:

Labor/Parts/Etc.	\$385,741
Plow Contractors	\$421,897
Salt/Sand	\$539,654

Mr. Turocy stated that currently there is \$1,073,448 available for future snowstorms as the year progresses.

After reviewing the provided information, Committee members thanked Mr. Turocy and the item was held to a future date.

#351-08 ALD. COLETTI requesting discussion on the status of School Building Authority reimbursements to the City of \$46.6 million for the Newton North High School project. [09-30-08 @ 1:54 PM]

ACTION: **HELD 7-0-1 (Ald. Lennon not voting)**

NOTE: Susan Burstein, Chief Budget Officer and Sandy Pooler, Chief Administrative Officer joined the Committee for discussion on this item.

Ms. Burstein, Mr. Pooler and David Wilkinson, Comptroller confirmed that the City has received over \$21 million dollars in its first payment from the School Building Assistance Bureau.

The Committee was quick to commend Ms. Burstein, Mr. Pooler, and Mr. Cabral for the work completed along with Turner Construction and Dimeo Construction in order to receive the necessary information by the state in order to certify and begin the payout of \$46.6 million and expected reimbursements to the City.

A motion was first made to vote No Action Necessary. Ald. Gentile suggested that the Committee continue to hold this item until all monies have been received.

#349-08 ALD. COLETTI requesting discussion on preparation and submission of a new Capital Improvement Plan by the Executive Office. [09-30-08 @ 1:54 PM]

ACTION: **HELD 7-0-1 (Ald. Freedman not voting)**

NOTE: Susan Burstein once again joined the Committee for discussion on this item.

Ms. Burstein explained to the Committee that she would have a new capital improvement plan in place the week of January 12-16, 2009 and will provide it to the members of the Board of Aldermen.

A motion was to hold this item pending this information from Ms. Burstein.

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]
POST AUDIT & OVERSIGHT HELD on 11-25-08

ACTION: HELD 8-0

NOTE: Finance Committee members briefly discussed this item tonight to open the invitation to Re Cappoli, Chief Procurement Officer, School Department and perhaps Sandy Guryan, Asst. Superintendent, Budget and Finance in for a discussion to request information on the procedure of sending an item out to bid.

Committee members expressed their concern regarding the windows at the Country Side School, the previous year bill for the repair of the dispatch computer and server as well as many items in the Fire Department which contracts have been released without first following the procedure to go out to bid. Committee members plan to discuss with Ms. Cappoli the procedures that are in place to ensure employees are complying with Chapter 30 of the Public Bidding Laws.

This item is held until the next Finance Committee meeting to be held on January 26, 2009.

#299-08 HIS HONOR THE MAYOR requesting that the Board of Aldermen accept the provisions of §18 of Chapter 32B of the General Laws which requires all eligible municipal retirees to enroll in Medicare, the acceptance of which will allow the City to enroll them in health insurance plans that supplement Medicare coverage for cost savings to both retirees and the City. [08-04-08 @ 12:35 PM]

ACTION: HELD 6-0-2 (Ald. Freedman and Salvucci not voting)

NOTE: Committee members will continue to receive updates to ensure that approximately ten workers in the City who prior to 1986 have not had Medicare deductions deducted from their pay. Therefore, the City has made a special arrangement with these employees to ensure they are receiving Medicare coverage that is very similar to the one most employees currently receive. Retired employees in the City of Newton are eligible and participate in the Medicare program.

Mr. Pooler will continue working with Finance Committee members to discuss plans on retirees in the City, who are eligible and who participate in the Medicare program minimizing the City's expenditures on health insurance costs.

#299-08(2) HIS HONOR THE MAYOR requesting that the Board of Aldermen accept the provisions of §19 of Chapter 32B (as amended) of the General Laws to allow all subscribers for whom the City provides health insurance to transfer to the Group Insurance Commission (GIC) pursuant to Section 19(e) of Section 32B, which authorizes the City to engage in so-called coalition bargaining re the issue of the City joining the GIC. [08-04-08 @ 12:35 PM]

ACTION: **HELD 6-0-2 (Ald. Freedman and Salvucci not voting)**

NOTE: There was a requirement that this item be discussed and approved by October 2008 in order for the health insurance transfer to be implemented in July 2009.

The Executive Department continues to request the opportunity to bargain with the unions between now and October 2009 in order to consider the cost and savings to join the GIC plan in July 1, 2010. There is additional work needing completion before the City can consider going with the state health insurance plan.

Committee members expressed their concerns of the City's health insurance programs and the monies that are currently available for employees, the establishment of the plans and the appropriate participation in the plans. The Board would like to consider retaining this City's ability to tailor our health insurance plans for teachers and municipal employees.

The recommendation was made to hold this item pending the decision if the state plan would be most effective for the City of Newton.

#246-08 ALD. COLETTI proposing a RESOLUTION to His Honor the Mayor and the School Committee to prohibit immediately the use of any city-owned vehicle for commuting purposes in excess of ten miles from the physical boundaries of Newton and to limit use of city-owned vehicles to circumstances where an emergency response is likely during non-business hours and in which the necessary equipment is carried for such emergency response. [7-2-08 @ 12:12 PM]

ACTION: **APPROVED 5-0-2-1 (Ald. Parker and Johnson abstaining; Ald. Freedman not voting)**

NOTE: Committee members received a final copy of the policy for commuting with City vehicles prepared by the Executive Department effective January 1, 2009, attached to report.

Ald. Coletti's expectation is that this item will be on Second Call at the January 20, 2009 Board of Aldermen meeting when he will provide a full report before this policy is ultimately adopted.

Ald. Coletti stated section 8; page 2 was omitted from the 1992 policy regarding the mileage on commuting to and from work. Many of the Committee members expressed their concerns and perhaps instituting a tighter regulation on the commuting distance these vehicles travel, how much will be supported by the City of Newton taxpayers through an allocation of gas.

The Executive Department has indicated that under the new policy they would leave the discretion to the individual department heads and the Executive Department to oversee the appropriate use of City vehicles and the ability to take these vehicles home.

At approximately, 10:45 pm Ald. Coletti moved for adjournment, which was approved 8-0.

Respectfully Submitted,

Paul E. Coletti, Chairman

Item #397-07 Redlined Ordinance:

Sec. 3-26. Restraint of dogs.

(a) Prohibitions:

- (1) No person owning or harboring a dog shall suffer or allow it to run at large in any of the streets or public places in the city. No person owning or harboring a dog shall allow it upon the premises of anyone other than the owner or keeper of such dog without the permission of the owner or occupant of the premises. No dog shall be permitted in any street or public place within the city unless it is effectively restrained by a chain or leash not exceeding ten (10) feet in length.
- (2) Tot Lots: No person owning or harboring a dog shall suffer or allow a dog, leashed or unleashed, to enter a tot lot as hereinafter defined. For the purposes of this section, the term "tot lot" shall mean an outdoor play area located on land owned or controlled by the city intended for use by young children, the boundaries of which may be designated by a fence and/or sand, ground cover, grass or otherwise, and which may contain play equipment. Without limiting the foregoing, tot lot shall include currently designated tot lots which are listed below. Tot lots are fenced unless otherwise noted.

Albemarle Park

*Angier School (approximately 155' x 30')

*Burr Park (approximately 95' x 75')

Burr School

Carleton Street area

Cabot Park. East Side Parkway

*Crescent Street Playground (approximately 90' x 70')

Davis School Playground

Emerson Playground

Franklin School

Hawthorn Park

** Lower Falls Community Center (approximately 80' x 80')

*Memorial-Spaulding School (approximately 90' x 90')

** Newton Centre Playground, (approximately 115' x 105')

Newton Highlands Playground

Winchester Street (Centre and Needham Streets)

Newton North High School

Newton South High School

*Richardson Playground, Allen Avenue (approximately 150' x 62')

River Street Playground

Sterns Playground

Upper Falls Playground

*Ware's Cove (approximately 200' x 60')

West Newton Common, Elm and Webster Streets

*Williams School (approximately 50' x 60')

* Tot lots which are not surrounded by a fence. Area measurements of non-fenced sites are in excess of ground cover.

** Tot lots which are partially surrounded by a fence.

(b) Penalties: Any owner or keeper of a dog who shall fail to comply with the foregoing provisions of subparagraph (a) shall be punished by a fine of fifty dollars (\$50.00) for each offense.

Deleted: as follows:

Deleted: ¶

¶
(1) for the first offense in a calendar Year
. \$25.00¶

¶
(2) for the second offense in a calendar
year . \$35.00¶

¶
(3) for each subsequent offense in a
calendar year . \$50.00

DRAFT FOR DISCUSSION PURPOSES:

CITY OF NEWTON
IN BOARD OF ALDERMEN

ORDINANCE NO.

January , 2009

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

That the Revised Ordinances of Newton, Massachusetts, 2007, as amended, be and are hereby further amended with respect to Section 3-26 *Restraint of Dogs* as follows:

1. Delete, in subsection (b) Penalties, all language occurring after the word “punished” and insert in its place the following language

“by a fine of fifty dollars (\$50.00) for each offense.”

Approved as to legal form and character:

DANIEL M. FUNK
City Solicitor

Under Suspension of Rules
Readings Waived and Adopted

EXECUTIVE DEPARTMENT
Approved:

(SGD) DAVID A. OLSON
City Clerk

(SGD) DAVID B. COHEN
Mayor

CITY OF NEWTON, MASSACHUSETTS
ANALYSIS OF GENERAL FUND HEATING OIL EXPENDITURES
FIRST SIX MONTHS OF CURRENT YEAR VS FIRST SIX MONTHS OF FY 2008

		FY 2009				FY 2008		
		12/31/2008				12/31/2007	Total FY 2008	% Expended
		Budget	Expended	Balance	% Expended	Expended	Expended	at 12/31
MUNICIPAL BLDG MAINT.	HEATING OIL	\$ 8,000.00	\$ 3,298.42	\$ 4,701.58	41.2%	\$ 83.29	\$ 6,160.87	1.4%
CUSTODY OF SURPLUS BLDG	HEATING OIL	50,000.00	18,510.53	31,489.47	37.0%	12,187.49	68,770.54	17.7%
CITY HALL MAINT/OPERATION	HEATING OIL	60,000.00	21,313.65	38,686.35	35.5%	15,692.57	91,761.49	17.1%
FIRE STATION MAINT.	HEATING OIL	130,000.00	61,786.81	68,213.19	47.5%	13,771.68	85,543.67	16.1%
DPW FACIL MAINT.	HEATING OIL	33,159.00	11,784.00	21,375.00	35.5%	2,784.04	21,944.83	12.7%
SENIOR SERVICES	HEATING OIL	17,117.00	4,098.50	13,018.50	23.9%	1,178.08	11,444.91	10.3%
LIBRARY BUILDING MAINT.	HEATING OIL	8,541.00	6,607.96	1,933.04	77.4%	2,248.19	10,999.46	20.4%
EMERSON COMMUNITY CTR	HEATING OIL	18,628.00	9,634.96	8,993.04	51.7%	4,755.07	15,523.33	30.6%
RECREATION BLDG MAINT.	HEATING OIL	45,232.00	15,577.17	29,654.83	34.4%	8,244.06	35,105.20	23.5%
OPS-UTIL-UN-EL-ANG-UTIL	HEATING OIL	29,236.00	19,692.05	9,543.95	67.4%	3,343.56	50,047.30	6.7%
OPS-UTIL-UN-EL-BOW-UTIL	HEATING OIL	72,495.00	12,817.81	59,677.19	17.7%	9,858.20	54,158.35	18.2%
OPS-UTIL-UN-EL-CAB-UTIL	HEATING OIL	27,599.00	-	27,599.00	0.0%	7,449.50	61,092.99	12.2%
OPS-UTIL-UN-EL-CTY-UTIL	HEATING OIL	53,233.00	10,873.44	42,359.56	20.4%	6,971.89	41,057.93	17.0%
OPS-UTIL-UN-EL-FRK-UTIL	HEATING OIL	50,409.00	12,444.53	37,964.47	24.7%	12,141.08	95,350.14	12.7%
OPS-UTIL-UN-EL-LIN-UTIL	HEATING OIL	72,446.00	19,790.51	52,655.49	27.3%	6,855.67	64,770.90	10.6%
OPS-UTIL-UN-EL-MAS-UTIL	HEATING OIL	82,707.00	-	82,707.00	0.0%	7,403.25	36,801.45	20.1%
OPS-UTIL-UN-EL-MEM-UTIL	HEATING OIL	32,298.00	19,263.96	13,034.04	59.6%	7,496.64	83,391.83	9.0%
OPS-UTIL-UN-EL-PRC-UTIL	HEATING OIL	67,721.00	12,822.95	54,898.05	18.9%	5,861.22	28,236.95	20.8%
OPS-UTIL-UN-EL-UNW-UTIL	HEATING OIL	31,281.00	19,692.05	11,588.95	63.0%	6,658.31	67,147.26	9.9%
OPS-UTIL-UN-EL-WLM-UTIL	HEATING OIL	32,948.00	12,011.30	20,936.70	36.5%	-	61,506.52	0.0%
OPS-UTIL-UN-EL-ZER-UTIL	HEATING OIL	1,403.00	-	1,403.00	0.0%	-	-	0.0%
OPS-UTIL-UN-MS-BIG-UTIL	HEATING OIL	47,541.00	36,691.42	10,849.58	77.2%	8,121.15	100,061.48	8.1%
OPS-UTIL-UN-MS-DAY-UTIL	HEATING OIL	375.00	-	375.00	0.0%	-	-	0.0%
OPS-UTIL-UN-MS-BRN-UTIL	HEATING OIL	88,031.00	74,047.25	13,983.75	84.1%	21,543.01	181,439.83	11.9%
OPS-UTIL-UN-MS-OAK-UTIL	HEATING OIL	50,320.00	38,497.10	11,822.90	76.5%	13,724.44	91,175.37	15.1%
OPS-UTIL-UN-HS-NHS-UTIL	HEATING OIL	1,674.00	-	1,674.00	0.0%	-	-	0.0%
OPS-UTIL-UN-HS-SHS-UTIL	HEATING OIL	2,596.00	1,645.59	950.41	63.4%	378.39	1,025.04	36.9%
OPS-UTIL-UN-UN-EDC-UTIL	HEATING OIL	40,999.00	32,230.74	8,768.26	78.6%	3,839.60	68,401.78	5.6%
TOTALS		\$ 1,155,989.00	\$ 475,132.70	\$ 680,856.30	41.1%	\$ 182,590.38	\$ 1,432,919.42	12.7%

City of Newton



David B. Cohen
Mayor

PUBLIC BUILDINGS DEPARTMENT

A. NICHOLAS PARNELL, AIA, COMMISSIONER

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52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

ATT #1 #12-09
#12-09

January 9, 2009

Alderman Paul Coletti
Chairman, Finance Committee
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

Re: Responses to January 9, 2009 questions from Alderman Coletti

Alderman Coletti:

In response to your eight (8) questions regarding boilers and oil tanks the Public Buildings Department would like to offer the following:

Q1. 10 year history on boilers in City

Ans. Over the past ten years the following boilers have been replaced:

- a. Bowen School (1)
- b. Burr School (2)
- c. Countryside School (1)
- d. Horace Mann School (1)
- e. Memorial-Spaulding School (1)
- f. Underwood School (2), one complete, one to be replaced in the coming months
- g. Ward School (1)
- h. Zervas School (1)
- i. Elliot Street Stable (1)
- j. Fire Station #3 (1), to be completed within next several weeks
- k. Fire Station #4 (1)
- l. Newton Cultural Center (2)
- m. Public Buildings Department (1)

Q2. Status on all Projects at City Hall

Ans. The gas conversion project is nearly complete. National grid has changed the meter, and the gas piping will be complete within the next week or so. The new Dual Gas/Oil burner is scheduled to be installed sometime during the week of January 26, 2009

Q3. Size of current oil tank

Ans. The existing oil tank is a 7,600 gallon tank, installed in 1994

Q4. Why is the existing 26 year old boiler in such disrepair?

Ans. The boiler to be replaced has three cracked leaking sections. Two of the leaking sections are at one end of the boiler and the other section at the other end. In order to replace the three sections, the boiler would have to be totally disassembled, the replacement sections installed and the rest of the boiler put back together. The cost to replace the sections is about 60-70% of the cost of a new

boiler. Unfortunately, when disassembling the boiler, there is no guarantee that any other sections would not crack and we would have to do replace those sections. The cracks are believed to have originated from a small leak located in one of the sections. The leak appears to have been directed towards the center of the boiler and thus went undetected. Over time that leak caused an accelerated corrosion rate, which lead to multiple leaks, and even more rapid deterioration.

Q5. What is the size of the oil tank that was replaced?

Ans. The original oil tank that was replaced in 1994 was a 7,800 gallon tank.

Q6. What is the availability of gas in the building?

Ans. The existing gas service was determined by National Grid to be large enough to provide adequate gas service for the operation of the existing boilers and domestic hot water system. As stated above, a new meter was installed by National Grid to allow for the required usage, and the conversion contractors are currently piping the gas to the boiler. The boiler should be on natural gas by the week of January 26th.

Q7. What is the age and condition of the Emergency Generator?

Ans. When we began the demolition of the oil tank in 1994, the roof of the old coal bid was removed, the oil tank taken out and a new Emergency Generator was lowered through the roof opening and placed inside the boiler room. The existing generator is in excellent condition and is approximately 15 years old.

Q8. What is the next boiler to go?

Ans. We have determined, based on condition and reliability, the following boilers as requiring replacement:

- a. City Hall (currently before your committee)
- b. Fire Station #7 (if it fails, once renovation design is begun, replacement boiler to be used in renovated building)
- c. Angier School (request to be sent asap for one, but two will be required within 3-4 years)
- d. Cabot School (only one working boiler in the school)
- e. Countryside School (1)
- f. Horace-Mann School (1)
- g. Memorial-Spaulding School (1)
- h. Oak Hill Middle School (one of the boilers has several leaking sections)
- i. Ward School (1)
- j. Zervas School (only one working boiler in the school)
- k. Upper Falls Community Center (current boiler is in poor shape)
- l. Recreation Headquarters
- m. Burr Park Field House
- n. Crafts Street Stable
- o. Fire Station #10

Should you have any additional questions after the meeting, please feel free to contact our office.

Sincerely,



Arthur F. Cabral
Budget & Project Specialist

CC: Mayor David Cohen
Sandy Pooler, Chief Administrative Officer
Susan Burstein, Chief Budget Officer
A. Nicholas Parnell, ALA, Public Buildings Commissioner
David Olson, Clerk of the Board
Josh Morse, HVAC Technologist, Public Buildings Department



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Office of the Mayor

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dcohen@newtonma.gov

David B. Cohen
Mayor

January 12, 2009

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

Ladies and Gentlemen:

I write to request that your Honorable Board amend docket item #10-09 by changing the amount for the Public Buildings department to \$15,636.10. The total transfer remains the same at \$112,359.59.

Department	Amount
Assessing	3,525.87
Treasury	1,909.69
City Clerk	7,048.27
Public Works	4,093.44
Health and Human Services	5,535.58
Public Buildings	15,636.10
Law	5,377.12
Senior Center	3,418.00
Library	65,815.52
TOTAL	112,359.59

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NEWTON, MA. 02159

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

10-09
#10-09

FY09 ACCOUNTS CHARGED FOR FY08 END OF YEAR LAYOFF

BUDGET CODE	ACCOUNT	TOTAL BY DEPT	J/E 91251	REVISED TOTAL BY DEPT	EMPLOYEE
Assessing					
0110601	511001	927.86			Cotoia
0110601	515002	2,598.01			
		3,525.87		3,525.87	
Treasury					
0110701	511001	441.35			Perri
0110701	515002	1,468.34			
		1,909.69		1,909.69	
Clerk					
0110102	515002	7,048.27			McMahon
		7,048.27		7,048.27	
DPW					
0140105	515002	3,463.68			Briggs
0140105	511002	629.76			
		4,093.44		4,093.44	
HHS					
0150101	515002	5,535.58			Joseph
		5,535.58		5,535.58	
Bldgs					
0111501	515002	11,400.26			Milo
		11,400.26		11,400.26	
Bldgs					
0111502	515002	3,630.72			Mitchell
0111502	511002	605.12			
		4,235.84		4,235.84	
Law					
0110801	515002	13,589.55	8,217.43		Farrell/Rush
		13,589.55	8,217.43	5,377.12	
Seniors					
0150202	515002	3,418.00			Kelly/Wentzell
		3,418.00		3,418.00	
0160103	511001	2,217.30			Goldman
		2,217.30		2,217.30	
Library					
0160104	515002	56,364.92			Goldberg/Dopp/Wanger/Tai
0160104	515003	Sick Leave 6,000.00			Goldberg
0160103	515102	Clothing 500.00			Golberg
0160104	515102	Clothing 250.00			Dopp/Tai
0160104	514001	Longevity 483.30			Goldberg/Dopp/Tai
		63,598.22		63,598.22	
TOTAL FROM WORKSHEET		157,104.64		112,359.59	

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CITY CLERK
NEWTON, MA. 02159

City of Newton



DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE COMMISSIONER

1000 Commonwealth Avenue
 Newton Centre, MA 02459-1449

David B. Cohen
 Mayor

January 9, 2009

To: Finance Committee

From: David Turocy, Deputy Commissioner of Public Works 

Subject: Snow and Ice Update

As requested, attached is the Department of Public Works monthly update for Snow and Ice Expenditures. This report covers the winter season through January 8th and shows an amount of \$1,347,292 spent (expended, encumbered, and to be processed) broken down as follows:

Labor/Parts/Etc.	\$385,741
Plow Contractors	\$421,897
Salt/Sand	\$539,654

To date, we have had 26.5" of snow through 7 weather events. We have performed three full plowing operations and an additional one on January 7th that only involved city vehicles for plowing. In addition, we have had numerous sanding operations of differing sizes and scopes.

In very general terms, this expenditure pattern equates to \$50,000 per inch of snow. That is consistent with the last two years and reflects the significant increases we have seen primarily in the cost of salt, although certainly in other labor and fuel costs as well.

cc: T. Daley, DPW Commissioner
 R. Ferrara, DPW Chief of Finance/Budget
 S. Pooler, Chief Admin Officer
 S. Burstein, Chief Budget Officer

Public Works Department
 FY09 Snow and Ice Spending Through Friday, January 9, 2009

		A	B	C=A+B	D	E=C-D
		ORIGINAL FY09 APPROPRIATION	INTERNAL TRANSFERS AND BOARD ORDERS	REVISED APPROPRIATION	EXPENDED, ENCUMBERED AND TO BE PROCESSED	AVAILABLE
0140110	DESCRIPTION					
511001	SALARY WAGES	\$0	\$0	\$0	0	\$0
511002	FULL TIME WAGES/HOURLY	\$0	\$0	\$0	0	\$0
513001	REGULAR OVERTIME	228,727	300,000	\$528,727	257,045	\$271,682
513004	WORK BY OTHER DEPARTMENTS - OVERTIME	23,938	(5,000)	\$18,938	6,587	\$12,351
514311	SNOW STAND-BY PAY/DRIVING BONUS	12,000	65,000	\$77,000	41,799	\$35,201
514318	SNOW WATCH PAY	0	40,000	\$40,000	7,368	\$32,632
52403	MOTOR VEHICLE REPAIR AND MAINTENANCE	10,000	18,000	\$28,000	0	\$28,000
5273	RENTAL: VEHICLE & EQUIPMENT.	302,000	370,000	\$672,000	421,897	\$250,103
5386	WEATHER FORECAST SERVICE	1,075	420	\$1,495	1,495	\$0
5484	VEHICLE REPAIR PARTS	20,000	75,000	\$95,000	71,151	\$23,849
5532	SAND AND SALT	320,000	636,230	\$956,230	539,654	\$416,576
5712	MEALS	0	350	\$350	295	\$55
5783	PRIVATE PROPERTY DAMAGE	3,000	0	\$3,000	0	\$3,000
TOTALS		\$920,740	\$1,500,000	\$2,420,740	\$1,347,292	\$1,073,448

CITY OF NEWTON POLICY FOR COMMUTING WITH CITY VEHICLES

Effective ~~November, 1992~~ January 1, 2009, the following policy shall be in effect for the assignment and use of City vehicles outside the standard ~~work week~~ workweek. The policy expands upon the written policy announced by the Executive Department in 1968 and since modified from time to time. Each employee assigned a City vehicle will sign a statement that he or she has read and understands the policy.

Policies for Use of City Vehicles Outside of Standard Work Week

A. General Policy

Employees assigned vehicles for commuting purposes are governed by the following general policy and philosophy. City vehicles are not personal vehicles and are not for personal use. City vehicles should be viewed as belonging to the citizens of Newton and are assigned for commuting only for purposes consistent to providing services to those citizens.

B. Specific Guidelines

1. Vehicle use is limited to travel to and from the residence and place of work. The vehicle should be driven over the most direct route taking into account road and traffic conditions. The vehicle should not be utilized for commuting outside the direct route for personal reasons.
2. Passengers shall be limited to City employees and individuals who are directly associated with City work activity (committee members, consultants, contractors, etc.). Family members shall not be transported in City vehicles. If an accident or medical emergency arises necessitating transport of passengers other than City personnel, the employee assigned the vehicle shall notify his immediate supervisor as soon as possible of the nature of the emergency.

Vehicles

3. Vehicle should carry only those items for which the vehicle is designed or utilized. Personal property should not be transported in the vehicle and is the sole responsibility of the operator.
4. Assigned vehicles may be utilized during the work-day for transportation incidental to normal work-day activities.
5. No liability coverage of any kind covers the operator, passengers and property carried in City vehicles, except while used as authorized on City business and/or as allowed under this policy ~~(see. (See~~ (See City Solicitor memorandum attached to and made part of this policy.)
6. The operators of City vehicles must observe and obey all traffic ordinances, rules, and regulations, including having and maintaining a valid driver's license. Operators shall comply with anti-idling rules and laws. Fines or penalties for

moving, parking, or any other violations are the responsibility of the operator. Operators and passengers shall wear seatbelts at all times.

- 7. Employees who have vehicles assigned for commuting are subject to the tax provisions of the 1984 Tax ~~Reform Act~~reform act. Such employees shall file annually with the Treasurer a report of usage for commuting purposes.
- ~~8. Employees assigned vehicles for commuting purposes involving a trip of more than 15 miles one way shall reimburse the City for the additional mileage. Employees who have established commuting patterns of more than 15 miles prior to November, 1992 shall be exempt from this provision.~~
- 8. Emergency road service, for commuting outside the ~~City~~city limits, shall be the responsibility of the employee to whom the vehicle is assigned. It is recommended that employees acquire AAA or some other appropriate emergency road service membership. For vehicles other than sedans, the ~~Superintendent~~Superintendent of Equipment will make a case-by-case determination as to the type of emergency road service required.
- 9. Whenever an employee who is assigned a ~~City~~city vehicle is on vacation or any other leave for more than five consecutive days between March 1 and October 31, the vehicle shall be reassigned by the Department Head or parked in the ~~appropriate~~appropriate City lot. When an employee is on leave for more than two consecutive days between November 1 and February 28, the vehicle shall be reassigned by the Department Head or parked in the appropriate City lot.
- 10. In no event is a City vehicle ever to be utilized to transport alcoholic beverages or controlled substances. Smoking is prohibited in City vehicles.
- 11. All vehicles, except appropriate public safety vehicles, shall be identified with the standard City ~~Seal~~seal and the name of the ~~department~~Department.
- 12. Vehicle use will be monitored on a monthly basis by the Crafts St.reet Garage. Employees assigned vehicles may be required to document reasons for significant month-to-month variances. Other monitoring may entail unannounced visits to sites where vehicles are parked overnight.
- 13. In the event any of the above guidelines are not observed, an employee using a vehicle for personal purposes shall reimburse the City at the prevailing mileage rate and disciplinary action may be taken.

Eligibility

- For an employee to be assigned a vehicle for commuting purposes, the Department Head must find that one or more of the following categories apply:

1. **1. On- Call** — Employee ~~designated~~designed to be generally available to respond to off-hours situations. Normally, this individual would be the direct operations manager — first level supervisor for a line work unit with an assigned responsibility to respond to service disruptions or other extraordinary events outside the normal ~~work week~~workweek.
2. **2. Emergency Availability** — Employee has supervisory responsibility for a line operation ~~which that~~ provides services or maintains facilities on a 24-hour, seven-day schedule. Department operations are characterized by employees who work a six or seven-day week; extended hours; and/or frequent overtime. Employee is called for emergencies ~~which~~which demand his expertise, experience, knowledge, judgment, and command ability.
3. **3. Service Supervision** — Due to the nature of the position, the position responsibilities, and organization of the ~~department~~Department the individual is required to supervise programs and services at night and on weekends to ~~ensure~~ensure proper performance. The key difference between this category and the Normal Work Demand category is the nature of the activity; the amount of the activity; and the fact the activity is demanded by organizational consideration.
4. **4. Normal Work Demand** — Employee normally works a standard ~~work week~~workweek. Employee attends night or evening meetings, or is called upon ~~to the~~ perform duties outside the normal workday for special problems. This category is characterized by the expectations that an employee will average one night meeting per week and/or as many as one other call or assignment per week. This level of activity is considered a normal part of the job.
5. **5. Vehicle Security** — Overnight parking creates potential for threat to vehicle security. Parking convenience is not a factor.

If the Department Head rates the vehicle demand for the position in Category 1, 2, or 3, then the vehicle may be assigned for commuting purposes. If Category 4 applies, a vehicle may be assigned for commuting when Category 5 is also a factor. In assigning vehicles for commuting purposes, Department Heads shall consider the distance between the employees' home and workplace.

Whenever a position becomes vacant the authorization for commuting shall be reevaluated. Other employees not generally authorized to take vehicles home may do so, with the approval of the Department Head, when a specific need arises. A specific need may be a spontaneous demand such as a service inspection or a planned use such as a conference.

Employees assigned vehicles for commuting are to be given copies of this policy which will be maintained on file in his/her department.

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CITY CLERK
NEWTON, MA 02459

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