

CITY OF NEWTON  
IN BOARD OF ALDERMEN  
FINANCE COMMITTEE AGENDA

MONDAY, JULY 20, 2009

7:45 pm  
Room 222

**ITEMS SCHEDULED FOR DISCUSSION:**

Appointment by His Honor the Mayor

#200-09 JOAN E. HARRINGTON, 157 Lowell Avenue, Newtonville, appointed as a TRUSTEE of the NEWTON READ FUND for a term to expire June 1, 2012 (60 days 9/11/09). [07/01/09 @ 10:49 AM]

Appointment by His Honor the Mayor

#199-09 LOIS McMULLIN, 11 Meigh Road, Chestnut Hill, appointed as a TRUSTEE of the NEWTON READ FUND for a term to expire June 1, 2012. (60 days 09/11/09) [06/26/09 @ 11:02 AM]

#204-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend five thousand nine hundred fifty-two dollars and fifty-six cents (\$5,952.56) from Budget Reserve to settle a claim that arose from a City truck striking a private vehicle on January 1, 2009. [7/7/09 @ 4:31 PM]

#206-09 HIS HONOR THE MAYOR requesting that **§27-9 Hotel, lodging house and motel excise tax.** of the City of Newton Revised Ordinances of 2007 be amended by increasing from 4% to 6% the local excise tax pursuant to GL chapter 64G §3A, accepted by the City in 1985 and recently amended to provide for this increase. If adopted prior to August 31, 2009, this increase would become effective October 1, 2009, generating for FY10 an estimated \$366,666 in new revenue. [7/7/09 @ 4:31 PM]

#207-09 HIS HONOR THE MAYOR requesting acceptance of GL64L, which authorizes a local option meals tax of 0.75%. If adopted prior to August 31, 2009, this tax would become effective October 1, 2009, generating for FY10 an estimated \$800,000 in new revenue. [7/7/09 @ 4:31 PM]

**REFERRED TO PS&T., FINANCE AND PROG & SERV. COMMITTEES**

#273-04(3) ALD. GENTILE requesting home rule legislation to reclassify the two "dedicated fire apparatus mechanic" positions from Group 1 to Group 2 in the State Retirement System. [02/13/09 @ 4:11 pm]

**PUBLIC SAFETY & TRANSPORTATION MOTION TO APPROVE FAILED TO CARRY 3-3-1 (Fischman, Ciccone, Coletti; Harney, Danberg and Linsky opposed; Swiston abstaining) on 04-15-09**  
**PROGRAM & SERVICES APPROVED 5-0-1 (Freedman abstaining; Brandel and Sangiolo not voting) on 04-15-09**

#202-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend two hundred twenty-four thousand, two hundred thirty-two dollars (\$224,232) from Wage Reserve to the payroll accounts of Public Buildings, Public Works, and Parks and Recreation Departments for retroactive salary payments pursuant to the agreement reached with the Newton Municipal Employees Association. [7/7/09 @ 4:31 PM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#36-08(2) HIS HONOR THE MAYOR requesting to amend docket item #36-08 by appropriating an additional one hundred nine-thousand six hundred twenty-seven dollars (\$109,627) from Budget Reserve for the fuel tank replacements at the Elliot Street DPW yard. [04/28/09 @ 6:02 PM]

**PUBLIC FACILITIES APPROVED 5-0-2 (Gentile and Lennon abstaining) on 5-20-09**  
**HELD 6-0 on 06-08-09**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#178-09 HIS HONOR THE MAYOR requesting to appropriate and expend from Capital Stabilization the sum of thirty eight thousand six hundred dollars (\$38,600) to the Building Department for the balance of the cost to replace the emergency generator at the Peirce Elementary School. [6/09/09 @ 5:08 PM]

*Note: A letter from His Honor the Mayor was received on 06/12/09 requesting to amend this appropriation from Capital Stabilization to the Building Department from \$38,600 to \$43,850.*

**PUBLIC FACILITIES APPROVED 8-0 on 06-17-09**

**CHAIRMAN'S NOTE:** The Chairman is prepared to begin discussion on the following item. A portion of the funds for this project will likely be voted on at this meeting in order to place the order for the fuel tanks. The balance of this request may be held for a future discussion as clarification is still necessary.

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#179-09 HIS HONOR THE MAYOR requesting to appropriate and expend from bonded indebtedness the sum of four hundred five thousand dollars (\$405,000) to Department of Public Buildings for the purpose of replacing two underground fuel tanks at the Crafts Street DPW yard. [06-09-09 @ 5:08 PM]

**PUBLIC FACILITIES APPROVED 4-0 on 07-08-09**

*Note: A letter from His Honor the Mayor was received on 07/16/09 requesting to amend this appropriation from bond authorization to the Department of Public Buildings from \$405,000 to \$453,000.*

#201-09 HIS HONOR THE MAYOR requesting acceptance of and authorization to expend a grant of fifty-nine thousand, nine hundred seven dollars (\$59,907) from the Federal FY09 American Recovery and Reinvestment Act (ARRA) Byrne Justice Assistance Grant Program to be used for tactical team staff development and equipment purchases for tactical field operations. [7/7/09 @ 4:31 PM]

**NOTE:** The Comptroller has prepared a "First Call Report" for the following six items (see attached memo dated July 20, 2009)

#203-09 HIS HONOR THE MAYOR requesting a transfer of funds in the amount of sixty-seven thousand, five-hundred dollars (\$67,500) from payroll accounts to expense accounts in the Treasury Department to (A) \$17,500 to restore parking ticket contract administration funds previously-transferred to cover an urgent staff vacancy in FY09 and (B) \$50,000 to cover an outstanding invoice payable to bond counsel for FY09. [7/7/09 @ 4:31 PM]

#205-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend two thousand six-hundred twenty-one dollars (\$2,621) from Budget Reserve to fund actual FY10 salaries for the Retirement Board staff, which amount was inadvertently omitted from the FY10 budget. [7/7/09 @ 4:31 PM]

**REFERRED TO PROGRAM AND SERVICES AND FINANCE COMMITTEES**

#177-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend from E-rate Receipts the sum of two hundred one thousand four hundred ninety seven dollars and fifteen cents (\$201,497.15) for the purpose of implementing the School Department wireless technology plan for Newton South, as well as district-wide management. [06/09/09 @ 5:09 PM]

**PROGRAM & SERVICES APPROVED 7-0 on 07-08-09**

#176-09 HIS HONOR THE MAYOR requesting authorization to accept and expend from Eagle Investment Systems, LLC the sum of seven thousand two hundred ninety six dollars (\$7,296) for the purpose of installing two accessible curb cuts for pedestrians on Wells Avenue. [06/09/09 @ 5:08 PM]

- #33-05(2) HIS HONOR THE MAYOR requesting authorization to appropriate and expend from the *Arborpoint at Woodland Station* traffic mitigation receipts reserve account sixty-four thousand, six hundred twenty dollars (\$64,620) to defray the costs of upgrading the traffic signal equipment at the intersection of Washington Street and Commonwealth Avenue pursuant to Condition #8 of Comprehensive Permit #20-04. [7/7/09 @ 4:31 PM]
- #155-09 HIS HONOR THE MAYOR requesting authorization for the Comptroller to transfer personnel funds as necessary between departments at year-end to prevent any departmental deficiencies in payroll accounts and to transfer up to one million dollars from departmental personnel savings to the wage reserve to fund the retroactive portion of any settlement with the two bargaining units with unsettled contracts. [05/26/09 @ 5:51 PM]

**REFERRED TO PUBLIC FACILITIES & FINANCE COMMITTEES**

- #265-08 HIS HONOR THE MAYOR requesting authorization to appropriate and expend one hundred fifty thousand five hundred eighty seven dollars (\$150,587) from capital stabilization for the purpose of restoration of the exterior of the Jackson Homestead. [7-8-08 @ 5:17 PM]  
**RECOMMITTED TO PUB FAC & FINANCE COMMITTEES ON 10-20-08  
PUBLIC FACILITIES APPROVED 1-0-3 (Lennon, Albright and Mansfield abstaining, Salvucci and Gentile not voting) on 10-22-08  
FINANCE APPROVED AS AMENDED 4-2-1 @ \$122,976 (Lennon and Gentile opposed; Johnson abstaining) on 10-27-08**

**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

- #260-08 ALD. SANGIOLO proposing the establishment of a revolving account to receive contributions and rental income to go directly to fund branch libraries for each individual branch. [07-08-08 @ 1:29 PM]  
**PROGRAM AND SERVICES APPROVED AS AMENDED 5-0-3 (Baker, Freedman and Hess-Mahan abstaining) on 09-03-08  
HELD 6-0 (Johnson not voting) on 09-22-08**

**ITEMS NOT SCHEDULED FOR DISCUSSION:**

**REFERRED TO CMTE ON COMMUNITY PRES AND FINANCE COMMITTEE**

- #151-09 THE COMMUNITY PRESERVATION COMMITTEE recommending that two million forty-six thousand dollars (\$2,046,000) be appropriated and expended from the Community Preservation Fund's community housing and general reserves to create ten permanently affordable homeownership units of community housing at 192 Lexington Street. [05/11/09 @ 2:04 PM]  
**COMMUNITY PRESERVATION APPROVED 3-0-2 (Ciccione and Yates abstaining) on 06-23-09**

**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 AND SERVICES APPROVED 5-1-1 (Baker opposed; Merrill abstaining; Parker not voting) on 04-15-09**

**REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE on 05-04-09****REFERRED TO PUBLIC FACILITIES & FINANCE COMMITTEES on 02-17-09**

- #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]  
**PUBLIC SAFETY & TRANSPORTATION HELD 6-0 (Ciccione and Coletti not voting) on 06-17-09**  
**PUBLIC FACILITIES HELD 3-0 (Mansfield not voting) on 07-08-09**

**ITEM RECOMMITTED TO PUB. FAC. AND FINANCE COMMITTEES 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]  
**PUBLIC FACILITIES APPROVED 4-0-2 (Gentile and Mansfield abstaining) on 01-07-09**  
**FINANCE APPROVED 2-1-3 (Gentile opposed; Parker, Lennon and Freedman abstaining) on 02-09-09**
- #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]  
**HELD 6-0 on 02-09-09**
- #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]  
**HELD 7-0 (Johnson not voting) on 04-13-09**

- #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]  
**HELD 6-0 on 02-09-09**
- #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]  
**HELD 5-0 on 03-23-09**

**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 5-0 on 11-25-08**  
**FINANCE HELD 8-0 on 01-12-09**  
**POST AUDIT & OVERSIGHT HELD 6-0 (Harney not voting) on 04-16-09**
- #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]  
**HELD 6-0-2 (Freedman and Salvucci not voting) on 01-12-09**

**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 PROG. & SERV., ZONING & PLANNING, PUB. FACIL.**

**PUB. SAFETY 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]  
**PUBLIC FACILITIES NO ACTION NECESSARY 5-0 (Albright, Lappin and Salvucci not voting) on 6-17-09**  
**PUBLIC SAFETY & TRANSPORTATION REFERRED TO PROGRAM & SERVICES AND FINANCE COMMITTEES APPROVED 7-0 (Coletti not voting) on 06-17-09**

**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]  
**PROGRAM & SERVICES APPROVED 5-0-1 (Merrill abstaining; Freedman, Sangiolo not voting) on 06-17-09**

**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]  
**ITEM RECOMMITTED TO FINANCE COMMITTEE on 11-3-08**

**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

- #261-08 ALD. SANGIOLO requesting discussion with the Executive Department regarding moving the Director of Arts in the Parks' salary to the Arts in the Parks revolving account. [07-08-08 @ 1:29 PM]  
**PROGRAM AND SERVICES HELD 7-0 (Baker not voting) on 09-17-08**

**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

- #259-08 ALD. SANGIOLO requesting discussion with the Executive Department regarding moving the salaries of the Parks & Recreation Commissioner and the Recreation Programs Director to the revolving accounts for various programs. [07-08-08 @ 1:28 PM]  
**PROGRAM AND SERVICES HELD 7-0 (Baker not voting) on 09-17-08**

**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]  
**PROGRAM & SERVICES HELD 7-0 (Freedman not voting) on 06-03-09**

- #213-08 ALD. LINKSY, JOHNSON, ALBRIGHT, FREEDMAN, HARNEY, HESS-MAHAN, VANCE, MANSFIELD & PARKER requesting the evaluation of the following in conjunction with the contemplated conversion of general fund monies from operational budget uses to debt service use in regard to the Newton North High School project:
- (a) the impact on city and/or school services,
  - (b) the process by which criteria and prioritization will be established when choices need to be made between services, and
  - (c) whether additional revenue will be required in the form of debt exclusions or otherwise. [04-29-08 @ 11:26 AM]

**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]  
**PROGRAM & SERVICES HELD 7-0 (Parker not voting) on 03-04-09**

**REFERRED TO PUB. SAFETY & TRANSPORTATION & FINANCE COMMITTEES**

- #174-08(2) PUBLIC SAFETY/TRANSPORTATION COMMITTEE proposing changes to the rate structure and/or enforcement hours for parking meters as well as installation of additional meters citywide. [06-18-08 @ 8:00 PM]  
**PUBLIC SAFETY & TRANSPORTATION HELD 7-0 on 04-15-09**

**REFERRED TO COMMUNITY PRESERVATION & 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**  
**(B) BALANCE OF PROJECT ESTIMATE \$321,900.00**  
**Voice vote APPROVED Motion to amend docket to add referral to Public Facilities Committee on 5-19-08.**  
**FINANCE APPROVED (A) Design Funds at \$37,500 6-0 on 07-21-08**  
**FINANCE HELD (B) Balance of Project on 07-21-08**

**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]  
**PROGRAMS AND SERVICES HELD 6-0 (Freedman not voting) on 04-09-08**



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

- #54-08(3) PUBLIC FACILITIES COMMITTEE offering a RESOLUTION to His Honor the Mayor requesting that he request and receive from the State Treasurer a review of the project plans and a review of the project's finance plan and submit said reviews to the Board of Aldermen in order to preserve cost-saving options.  
**PROGRAMS & SERVICES APPROVED 4-2-1 (Baker and Hess-Mahan opposed; Merrill abstaining; Parker not voting) on 03-12-08**  
**PUBLIC FACILITIES APPROVED 5-3 (Gentile, Salvucci, Schnipper opposed) on 02-20-08**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #33-08 ALD. COLETTI requesting review of the scope of work and performance of Turner Construction and review of proposed 18-month extension of the Turner Construction contract. Included in discussion will be the process for review of future invoices of Dimeo and other vendor invoices by Turner. [01-15-08 @ 11:14]  
**PUBLIC FACILITIES NO ACTION NECESSARY 7-0 on 12-03-08**  
**HELD 6-0 on 12-08-08**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #31-08 ALD. COLETTI proposing a RESOLUTION to His Honor the Mayor expressing a no confidence vote pertaining to the current status of the Newton North High School Construction Project and related Financing Plan. [01-15-08 @ 11:14 AM]

**REFERRED TO PUB. SAFETY & TRANS. AND FINANCE COMMITTEES**

- #30-08 ALD. COLETTI requesting a list of current vacancies in the Police, Fire and Public Works Departments, with specific discussion in Committee relative to Police Department vacancies. [01-15-08 @ 11:15 AM]  
**PUBLIC SAFETY & TRANSPORTATION HELD 7-0 on 01-21-09**  
**HELD 8-0 on 09-08-08**

**ITEM RECOMMITTED TO PUBLIC FACILITIES AND FINANCE ON 6/19/08****REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #11-08 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$1,200,000 from bonded indebtedness for the purpose of funding the installation of four modular classrooms. [01-02-08 @ 4:53 P.M.]  
**B) \$1,225,000 from bonded indebtedness**  
*NOTE: Letter received from Mayor on 1/4/08 requesting that appropriation amount be amended to \$1.3 million. Letters received 5/7 and 5/21 requesting that the funding source to capital stabilization for costs incurred for design work and the remaining \$1,225,000 from bonded indebtedness be voted no action necessary. Part A) \$75,000 from Capital Stabilization approved on 6/19/08.*
- #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]  
**HELD 8-0 on 09-08-08**

#207-07(3) ALD. COLETTI proposing that the sum of \$300,000 be removed from various municipal and school department budgets for FY09 and placed in a separate "employee compensation" reserve account until the Mayor and School Committee present to the Board of Aldermen performance pay plan policies. [7-2-08 @12:12 PM]

**HELD 8-0 on 09-08-08**

#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]

**HELD 5-0 (Parker and Johnson not voting) on 02-23-09**

**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]

**PROGRAM & SERVICES HELD 6-0 on 02-04-09**

**ITEM RECOMMITTED TO PUB. FACILITIES & FINANCE COMMITTEES 3/19/07**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#76-07 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$300,000 from Free Cash for the purpose of conducting a study of the municipal buildings throughout the city. [02-27-07 @ 4:16 PM]

**PUB FACILITIES APPROVED 6-0-1 (Gentile abstaining) on 03-07-07**

**FINANCE MOTION TO APPROVE FAILED TO CARRY 2-4-1 (Lennon, Salvucci, Gentile and Coletti opposed; Linsky abstaining) on 3-12-07**

**PUBLIC FACILITIES APPROVED AS AMENDED 5-0 @ \$250,000 on 10-15-07**

#453-06 LEON JR. AND MARION D. SEMONIAN, 373 Dedham Street, requesting total abatement of betterment assessment in the amount of \$2,690 (assessed for sidewalk/curbing/road improvements to Countryside Road and Patten Circle). [11-16-06 @ 11:02 AM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #345-06 ALD. SCHNIPPER requesting that the contingency on smaller Public Buildings projects be increased from 5% to at least 8%.

**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

- #267-06(3) ALD. PARKER, BURG, LINSKY, FISCHMAN, HESS-MAHAN, VANCE, HARNEY, JOHNSON, & DANBERG proposing Home Rule Legislation authorizing the City of Newton to apply the ordinance proposed in item #267-06(2) to assets held by the City's retirement system.

**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.

**PROGRAM & SERVICES HELD 8-0 on 11-05-08**

- #93-06(2) ROBERT E. & ANNE M. SULLIVAN, 391 Dedham Street, applying for abatement of a street betterment assessment in the amount of \$15,880 levied by the Board of Aldermen in Board Order #93-06 which improved Countryside Road by the laying out, grading and acceptance of it as a public way. [07-02-07 @ 2:24 PM]

**HELD 5-0 on 02-11-08**

**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

- # 35-06 ALD. JOHNSON AND HESS-MAHAN requesting discussion with the School Department and School Committee members regarding the results of the studies addressing compensation for management and executive personnel and organizational structure of central administrative salaries.

**PROGRAM & SERVICES NO ACTION NECESSARY 6-0 on 04-18-07**

**HELD 6-0 (Salvucci and Gentile not voting) on 10-27-08**

- #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.)

**ITEM RECOMMITTED ON 3-5-07 TO FINANCE COMMITTEE ONLY:  
REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES**

#23-06 ALD. PARKER AND LINSKY requesting that the City adopt §19 of MGL Chapter 32B to allow retiree coalition bargaining of health care benefits  
**PROGRAM AND SERVICES NO ACTION NECESSARY 4-0-2 (Parker and Merrill abstaining; Sangiolo not voting) on 03-08-06**  
**FINANCE NO ACTION NECESSARY 5-0-3 (Lennon, Linsky and Parker abstaining) on 02-12-07**  
**HELD 8-0 on 09-08-08**

#209-05 ALD. STEWART requesting that the Mayor provide the Board of Aldermen with a list of all salaried City employees who receive additional compensation (other than overtime) along with an explanation of the exact reasons for said additional payments.

**REFERRED TO PROG. & SERVICES AND FINANCE COMMITTEES**

#264-03(3) ALD. JOHNSON AND BAKER requesting update on the work of the Taxation Aid Committee established by the Board of Aldermen in March 2004 in administering aid to the elderly taxation fund.  
**PROGRAM & SERVICES HELD 6-0 (Parker not voting) on 04-23-08**

**REFERRED TO ZONING & PLANNING AND FINANCE COMMITTEES**

#168-02 HIS HONOR THE MAYOR requesting that the Board of Aldermen establish new civil fines under Section 20-21 of the City of Newton Ordinances for the violation of various environmental provisions enforced by the Conservation Commission.  
**ZONING & PLANNING APPROVED 6-0 on 12-13-04**  
**HELD 7-0 on 02-14-05**

**REFERRED TO PUBLIC FACILITIES & FINANCE COMMITTEES**

#55-02 ALD. YATES requesting that the water/sewer discount rate be made available to homeowners who receive Fuel Assistance, Supplementary Security Income, Food Stamps, Supplementary Disability Income, General Relief, Low Income Sewer and Water Assistance, School Breakfast and Lunch and other income based State and Federal programs.  
**PUBLIC FACILITIES APPROVED 6-0 on 06-16-04**

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

#309-01 ALD. PARKER requesting increase in the income eligibility level of the 30% water/sewer discount for low-income senior citizens.

Respectfully Submitted,

Paul E. Coletti, Chairman



David B. Cohen  
Mayor

City of Newton, Massachusetts  
Office of the Mayor

#200-09  
Telephone  
(617) 796-1100  
Telefax  
(617) 796-1113  
TDD  
(617) 796-1089  
E-mail  
dcohen@newtonma.gov

June 26, 2009

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

09 JUL - 1 AM 10:49  
CITY CLERK  
NEWTON, MA 02159

Ladies and Gentlemen:

I am pleased to appoint Ms. Joan E. Harrington of 157 Lowell Avenue in Newton as a Trustee of the Newton Read Fund for a term to expire on June 1, 2012.

Thank you for your time and attention to this matter.

Very truly yours,

David B. Cohen  
Mayor

Cc: Ms. Nancy Perlow, Director, Newton Free Library

1000 Commonwealth Avenue Newton, Massachusetts 02459

[www.ci.newton.ma.us](http://www.ci.newton.ma.us)



DEDICATED TO COMMUNITY EXCELLENCE

#200-09

Application for Committee Appointment  
City of Newton, MA

Please submit this completed application, or a copy of your resume to:  
Mayor David B. Cohen, Newton City Hall, 1000 Commonwealth Avenue, Newton, MA  
02459

Name: JOAN E. HARRINGTON Date: 6/15/09

Home Address: 157 LOWELL AVE 02460 Home Phone: 617-969-5733

Business Address: \_\_\_\_\_ Bus. Phone: \_\_\_\_\_

Email: JH9832@aol.com Fax: \_\_\_\_\_

Occupation, if applicable  
\_\_\_\_\_

Committee(s) you may wish to serve on  
READ COMMITTEE (a library fund)

What Activities or issues interest  
you? Library-associated endeavors: VOLUNTEER IN REF. DEPT.

Relevant expertise, experience and  
education: EXECUTIVE ASS'T TO PRES / CHAIRMAN OF BOARD, INTERLEAF, INC.  
Ass't Director Health Management Program, School of Management, Boston Univ.

MA: Emmanuel College, Boston, MA  
B.S.N., BOSTON COLLEGE, Boston, MA

List your community activities with offices held, if any: Past Trustee NFL (past president);  
Past board member NCSC (non-profit) + past President of Board Past Friends of Library bd.  
member

Please provide the names of three references:

Name	Address	Phone Number
<u>NANCY PERLOW, D.R.</u>	<u>300 HOMER ST.</u>	<u>617-796-1463</u>
<u>ANTHONY J. BIBBO</u>	<u>47 PINE RIDGE RD. WELLSLEY 02481</u>	<u>781-237-1144</u>
<u>ALD. ANTHONY SALUCCI</u>	<u>23 EDDY ST. 02465</u>	<u>857-636-0600</u>

Feel Free to add any additional information in support of this application  
\_\_\_\_\_

**ARTICLE IV. READ FUND**

**Sec. 18-70. Designation.**

The legacy bequeathed to the city by the late Charles A. Read shall be known as the Read Fund. (Rev. Ords. 1973, § 12-55)

**Sec. 18-71. Board of trustees—Composition; appointment, compensation and terms of members; officers.**

The board of trustees of the Read Fund shall consist of five (5) persons who shall serve without compensation. The city librarian and the ward alderman who represents Newton Corner shall each serve as a trustee ex officio. Three (3) additional trustees who are registered voters of the City of Newton shall be appointed by the mayor with the approval of the board of aldermen. At least one of these appointees shall be a resident of the village of Newton Corner. The mayor shall annually appoint one trustee to serve for three (3) years from the first Monday in June next following the appointment. All vacancies in the office of an appointed trustee shall be filled for the balance of the term of that trustee. The board shall choose annually from its members a secretary. The city collector-treasurer shall be treasurer of such board. (Rev. Ords. 1973, § 12-56; Ord. No. T-290, 8-9-93)

**Editor's note**—Ord. No. T-290 provided that trustees in office at the effective date were to serve until their terms expired.

**Sec. 18-72. Same—Duties.**

The board of trustees of the Read Fund shall have charge and management of the Read Fund, and shall, except as otherwise provided in section 18-73, invest the principal thereof in such bonds and notes, other than mortgage notes, as may be permitted by law for the investment of the funds of savings banks in the commonwealth. All bonds, however, shall be registered, at least as to the principal thereof, in the name of, and all notes shall be made payable to the order of, the "City of Newton Read Fund", and shall be sold and transferred or endorsed only with the written consent of all the members of the board of trustees. (Rev. Ords. 1973, § 12-57)

**Sec. 18-73. Care of burial lot of Charles A. Read.**

Three hundred dollars (\$300.00) of the principal of the Read Fund shall be invested with the Newton Cemetery Corporation, the income of which shall be applied perpetually to keep in order the burial lot of Charles A. Read. (Rev. Ords. 1973, § 12-58)

**Sec. 18-74. Income for library books.**

The portion of the income for books for the public library at Newton Corner shall be paid to the trustees of the Newton Free Library and shall be called the Read Fund. All books purchased therewith shall be marked "Purchased with the Read Fund." (Rev. Ords. 1973, § 12-59)

**Sec. 18-75. Projects generally.**

The income of the remainder of the legacy under this article shall be expended annually by the board of trustees of the Read Fund, as provided in the will of Charles A. Read, as follows:

First. For an annual sleigh ride or picnic for the children of Newton Corner, not to exceed four

# 200-09

hundred dollars (\$400.00).

Second. For free lectures on scientific subjects at Newton Corner, not to exceed eight hundred dollars (\$800.00).

Third. For books for the public library at Newton Corner, not to exceed six hundred dollars (\$600.00).

Fourth. And the balance to poor widows in any part of Newton. (Rev. Ords. 1973, § 12-60)

**Secs. 18-76—18-91. Reserved.**



CITY OF NEWTON  
IN BOARD OF ALDERMEN

, 2009

ORDERED:

That in accordance with the recommendation of His Honor the Mayor and with the confirmation of the Board of Aldermen be it know that JOAN E. HARRINGTON, 157 Lowell Avenue, Newtonville, appointed as a TRUSTEE of the NEWTON READ FUND for a term to expire June 1, 2012.

Under Suspension of Rules  
Readings Waived and

EXECUTIVE DEPARTMENT  
Date: \_\_\_\_\_

(SGD) DAVID A. OLSON  
City Clerk

(SGD) DAVID B. COHEN  
Mayor



David B. Cohen  
Mayor

City of Newton, Massachusetts  
Office of the Mayor

#199-09 ✓  
Telephone  
(617) 796-1100  
Telefax  
(617) 796-1113  
TDD  
(617) 796-1089  
E-mail  
dcohen@newtonma.gov

June 24, 2009

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

Ladies and Gentlemen:

I am pleased to appoint Ms. Lois McMullin of 11 Meigh Road in Newton as a Trustee of the Newton Read Fund for a term to expire on June 1, 2012.

Thank you for your time and attention to this matter.

Very truly yours,

David B. Cohen  
Mayor

09 JUN 26 AM 11:02  
CITY CLERK  
NEWTON, MA 02159

Cc: Ms. Nancy Perlow, Director, Newton Free Library

1000 Commonwealth Avenue Newton, Massachusetts 02459

[www.ci.newton.ma.us](http://www.ci.newton.ma.us)



DEDICATED TO COMMUNITY EXCELLENCE

#199-09

### Application for Committee Appointment City of Newton, MA

Please submit this completed application, or a copy of your resume to:  
Mayor David B. Cohen, Newton City Hall, 1000 Commonwealth Avenue, Newton, MA  
02459

Name: LOIS McMULLIN Date: 6/18/09

Home Address: 11 MEIGH RD Home Phone: 617-734-9026  
CHESTNUT HILL

Business Address: \_\_\_\_\_ Bus. Phone: \_\_\_\_\_

Email: LMCMULLIN2003@YAHOO.COM Fax: \_\_\_\_\_

Occupation, if applicable  
\_\_\_\_\_

Committee(s) you may wish to serve on  
READ FUND

What Activities or issues interest you?  
\_\_\_\_\_

Relevant expertise, experience and education: RETIRED LIBRARIAN-MASTERS DEGREE IN LIBRARY SCIENCE & HISTORY  
\_\_\_\_\_  
\_\_\_\_\_

List your community activities with offices held, if any: MEMBER-CHESTNUT HILL HISTORIC DISTRICT COMMISSION, SECRETARY-BOARD OF FRIENDS OF

Please provide the names of three references:

Name	Address	Phone Number
<u>NANCY PERLOW</u>	<u>DIRECTOR OF THE NEWTON FREE LIBRARY</u>	
<u>NANCY BRISOM</u>	<u>PRESIDENT-BOARD OF FRIENDS OF LIBRARY</u>	
<u>LYSLE BAKER</u>	<u>BOARD OF ALDERMAN</u>	

Feel Free to add any additional information in support of this application  
\_\_\_\_\_

THE NEWTON LIBRARY CO-CHAIR FRIENDS BOOK + AUTHOR LUNCHEON

CITY OF NEWTON

IN BOARD OF ALDERMEN

, 2009

ORDERED:

That in accordance with the recommendation of His Honor the Mayor and with the confirmation of the Board of Aldermen be it know that LOIS McMULLIN, 11 Meigh Road, Chestnut Hill, appointed as a TRUSTEE of the NEWTON READ FUND for a term to expire June 1, 2012.

Under Suspension of Rules  
Readings Waived and

EXECUTIVE DEPARTMENT

Date: \_\_\_\_\_

(SGD) DAVID A. OLSON  
City Clerk

(SGD) DAVID B. COHEN  
Mayor

#204-09



City of Newton, Massachusetts  
Office of the Mayor

David B. Cohen  
Mayor

Telephone  
(617) 796-1100

Telefax  
(617) 796-1113

TDD  
(617) 796-1089

E-mail  
dcohen@newtonma.gov

July 7, 2009

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

09 JUL -7 PM 4:31  
CITY CLERK  
NEWTON, MA 02159

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to appropriate five thousand nine hundred fifty-two dollars and 56 cents (\$5,952.56) from Budget Reserve for the purpose of settling a claim filed against the City of Newton. The claim arises out of a motor vehicle accident in which a City truck struck another vehicle causing damage to the private vehicle.

The City Solicitor recommends this action as a means of closure on this matter. A member of his staff will be available to describe the details of the case.

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen  
Mayor

DBC: srb

From: Budget RESERVE  
0110498-5790 5952.52

To: Legal Responses  
0110893-5725 5952.52

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.ci.newton.ma.us

★  
DEDICATED TO COMMUNITY EXCELLENCE

Raw  
07/09/2009

#204-09

LAW DEPARTMENT



# CITY OF NEWTON, MASSACHUSETTS

CITY HALL

1000 COMMONWEALTH AVENUE

NEWTON CENTRE, MA 02459

TELEPHONE (617) 796-1240

FACSIMILE (617) 796-1254

**CITY SOLICITOR  
DANIEL M. FUNK**

**ASSOCIATE CITY SOLICITORS**

QUIDA C.M. YOUNG      DONNALYN B. LYNCH KAHN

**ASSISTANT CITY SOLICITORS**

RICHARD G. CHMIELINSKI  
EILEEN M. MCGETTIGAN  
MARIE M. LAWLOR  
ANGELA BUCHANAN SMAGULA  
ROBERT J. WADDICK

09 JUL -7 PM 4:31  
CITY CLERK  
NEWTON, MA 02159

July 1, 2009

Mayor David B. Cohen  
City of Newton  
1000 Commonwealth Avenue  
Newton, MA 02459

Re: Delio Corporation v. City of Newton

Dear Honorable Mayor Cohen:

This claim involves a motor vehicle accident at the intersection of Greenlawn Avenue and Homer Street in Newton on January 1, 2009. A City of Newton employee driving a truck with a plow was making a right turn from Greenlawn Avenue onto Homer Street and had a blind spot. He did not see another commercial truck with a plow owned by Delio Corporation traveling down Homer Street. The City vehicle struck the other vehicle causing damage to the vehicle and attached commercial toolbox. There were no personal injuries.

Delio Corporation's insurance company, Commerce Insurance, made a claim for damage to the 2008 Ford truck and commercial toolbox in the amount of \$5,952.56. This amount includes amortization for the age of the toolbox. I believe these amounts are reasonable in light of liability.

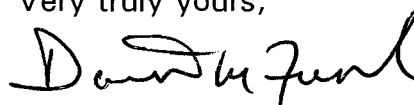
Therefore, I respectfully request that you docket this item seeking to appropriate \$5,952.56 from the Budget and Reserve Account and authorize

#20409

Mayor David B. Cohen  
July 1, 2009  
Page Two

expenditure thereof as full and final settlement of the above claim against the City of Newton.

Very truly yours,



Daniel M. Funk  
City Solicitor

DMF/dab

cc: Donnalyn B. Lynch Kahn  
Associate City Solicitor

09 JUL -7 PM 4:31  
CITY CLERK  
NEWTON, MA. 02459

CITY OF NEWTON  
IN BOARD OF ALDERMEN

, 2009

ORDERED:

That in accordance with the recommendation of the Finance Committee through its Chairman Paul E. Coletti, the sum of five thousand nine hundred fifty-two dollars and fifty-six cents (\$5,952.56) be and is hereby appropriated from Budget Reserve for the purpose of settling a claim that arose from a City truck striking a private vehicle on January 1, 2009.

FROM:	Budget Reserve (01110498-5790).....	\$5952.56
TO:	Legal Expenses (0110893-5725).....	\$5952.56

Under Suspension of Rules  
Readings Waived and ----

(SGD) DAVID A. OLSON  
City Clerk

(SGD) DAVID B. COHEN  
Mayor

Date: \_\_\_\_\_

(SGD) PAUL E. COLETTI, Chairman  
Finance Committee



# 206-09



City of Newton, Massachusetts  
Office of the Mayor

Telephone  
(617) 796-1100

Telefax  
(617) 796-1113

TDD  
(617) 796-1089

E-mail  
dcohen@newtonma.gov

David B. Cohen  
Mayor

July 7, 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 docket for consideration a request to amend Newton Local Ordinance Section 27-9 to increase the, so called, Hotel/Motel excise tax from 4% to 6%. Massachusetts General Law Chapter 64G §3A, which was accepted in 1985, has been amended to provide for this increase. If adopted by your Honorable Board prior to August 31, this increase would become effective October 1. We have estimated that this would generate approximately \$366,666 in new revenue in FY10. I look forward to working with your Honorable Board to determine the most beneficial use of these funds for the citizens of Newton.

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen  
Mayor

DBC: srb

09 JUL - 7 PM 4: 34  
CITY CLERK  
NEWTON, MA. 02159



Chapter 27

TAXATION\*

**Sec. 27-1. Composition, terms of board of assessors.**

The board of assessors shall consist of three (3) persons whose terms of office shall be for the three (3) years from the first day of February in the year of their appointments. (Rev. Ords. 1973, § 20-1)

State law reference—Number, term of assessors, G.L. c. 41, § 24

**Sec. 27-2. Assistant assessors.**

There shall be as many assistant assessors as the work of the assessing department requires and they shall respectively hold office for the term of one year, beginning with the first day of February and until their respective successors are appointed and qualified. (Rev. Ords. 1973, § 20-2)

State law reference—Appointment, term of assistant assessors, G.L. c. 41, § 25A

**Sec. 27-3. Statement of amount of tax list and abatements.**

The board of assessors shall render to the comptroller of accounts, at the time when it delivers any tax list to the city collector-treasurer, a statement of the amount of such tax list so far as the amounts thereof have not been included in any statement previously made to him and shall on or before the first day of each month submit a statement showing the amount of taxes which have been abated during the preceding month, giving the year in which the taxes abated were paid. (Rev. Ords. 1973, § 20-3)

**Sec. 27-4. Disposition of certificates of abatements.**

The board of assessors shall forthwith forward to the city collector-treasurer all certificates of abatements allowed by them. (Rev. Ords. 1973, § 20-4)

**Sec. 27-5. Disposition of certificates of assessments of betterments.**

The board of assessors shall forthwith furnish to the city collector-treasurer and the comptroller of accounts a certificate of all assessments made under any betterment law apportioned by it. (Rev. Ords. 1973, § 20-5)

**Sec. 27-6. Charges to be added to tax list and bills.**

The board of assessors shall add to the annual tax list and bills from a list furnished by the city collector-treasurer prior to August first of each year, all sewer assessments, sewer charges, sewer house connection charges and other betterment assessments apportioned due, and interest, and all other assessments on real estate remaining unpaid on January first, and interest. (Rev. Ords. 1973, § 20-6)

**Sec. 27-7. Notice of taxes due generally; disposition of unpaid tax bills.**

The city collector-treasurer, as soon as possible after receiving any tax list, warrant, tax bills and notices of same,

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\*Cross reference—Administration, Ch. 2

State law references—Assessments of local taxes, G.L. c. 59; collection of local taxes, G.L. c. 60; betterments generally, G.L. c. 80

shall forthwith send such notice to any person assessed, resident and nonresident, of the amount of his tax. If he shall send such notice through the mail, he shall postpay and direct the same to the city or town which was the place of residence of such person on the first day of January of the year in which the tax was assessed, and if to a resident of this city, shall direct it to the street and number of his residence, if possible. He shall keep in his office all tax bills until paid, except as otherwise provided in this chapter. (Rev. Ords. 1973, § 20-8)

**Sec. 27-8. Division of taxes.**

When it becomes necessary to divide a tax, the city collector-treasurer shall return the original bill to the assessors, who shall issue new bills in place thereof to the collector-treasurer, and shall indicate the changes made on the tax list by proper entries and cross references, which shall also appear upon the bills. The original bill shall be canceled and retained by the assessors and the coupon thereof canceled and returned to the collector-treasurer. (Rev. Ords. 1973, § 20-9)

**Sec. 27-9. Hotel, lodging house and motel excise tax.**

Every hotel, lodging house and motel located within the city shall be subject to a local excise tax upon the transfer of occupancy of any room or rooms at the rate of four (4) percent of the total amount of rent for each such occupancy all in accordance with the provisions of G.L. c. 64G, § 3A. (Ord. No. S-126, 10-7-85)  
*Editor's note*—G.L. c. 64G, § 3A was accepted by the city on 10-7-85 and became effective in Newton on November 1, 1985.

**Sec. 27-10. Income eligibility for clause 41A tax deferral program.**

The maximum qualifying gross receipts amount for purposes of the tax deferral program authorized under clause 41A of section 5 of chapter 59 of the General Laws shall be sixty thousand dollars (\$60,000) for the fiscal year beginning July 1, 2005. (Ord. No. X-149, 05-02-05)

**Sec. 27-11. Interest rate for clause 41A tax deferral program.**

The rate of interest that accrues on property taxes deferred by eligible seniors under clause 41A of section 5 of chapter 59 of the General Laws shall be determined each fiscal year, beginning with the fiscal year that begins on July 1, 2006, in accordance with this section. For each such fiscal year, the interest rate shall be the lesser of the following a) Federal Reserve Banks' discount rate charged for primary credit, effective as of June 30 of the prior fiscal year, or b) the statutory rate of eight per cent (8%).  
(Ord. No. X-221, 6-19-06)

**Sections 27-12--27-19. Reserved.**

**ARTICLE II. SENIOR CITIZEN VOLUNTEER PROGRAM**

**Sec. 27-20. Establishment; rate; maximum annual reduction.**

A person who qualifies pursuant to the provisions of this article may volunteer to provide services to the city in accordance with the standards and requirements set forth herein. In exchange for such volunteer services, the city shall reduce the real property tax obligation of such person on tax bills for his principal residence and any reduction so provided shall be in addition to any exemption or abatement for which such person shall be otherwise qualified. Each such volunteer shall receive a rate of or be credited with the current minimum wage of the commonwealth. The maximum allowable annual reduction on any real estate tax bill shall be \$750. (Ord. No. X-47, 4-7-2003)  
*State law reference*—Program for persons over age 60 to provide volunteer services to city in exchange for property tax, G.L. c. 59, § 5K

**Sec. 27-21. Financial Eligibility.**

# 206-09

## The General Laws of Massachusetts

[Search the Laws](#)

## PART I. ADMINISTRATION OF THE GOVERNMENT

## TITLE IX. TAXATION

## CHAPTER 64G. ROOM OCCUPANCY EXCISE

## Chapter 64G: Section 3A. Local excise tax; information concerning amount collected available

Go To:
<a href="#">Next Section</a>
<a href="#">Previous Section</a>
<a href="#">Chapter Table of Contents</a>
<a href="#">MGL Search Page</a>
<a href="#">General Court Home</a>
<a href="#">Mass.gov</a>

Section 3A. Any city or town which accepts the provisions of this section shall be authorized to impose a local excise tax upon the transfer of occupancy of any room or rooms in a bed and breakfast establishment, hotel, lodging house or motel located within such city or town by any operator at a rate up to, but not exceeding, four per cent of the total amount of rent for each such occupancy; provided, however, that the city of Boston is hereby authorized to impose such local excise upon the transfer of occupancy of any room in a bed and breakfast establishment, hotel, lodging house or motel located within said city by any operator at the rate of up to but not exceeding 4.5 per cent of the total amount of rent of each such occupancy. No excise shall be imposed if the total amount of rent is less than fifteen dollars per day or its equivalent or if the accommodation is exempt under the provisions of section two of this chapter. The operator shall pay the local excise tax imposed under the provisions of this section to the commissioner at the same time and in the same manner as the excise tax due the commonwealth. All sums received by the commissioner under this section as excise, penalties or forfeitures, interest, costs of suit and fines shall at least quarterly be distributed, credited and paid by the state treasurer upon certification of the commissioner to each city or town that has adopted the provisions of this section in proportion to the amount of such sums received from the transfer of occupancy in each such city or town. This section shall only take effect in a city or town accepting the provisions of this section by a majority vote of the city council with the approval of the mayor, in the case of a city with a Plan A, Plan B, or Plan F charter; by a majority vote of the city council, in the case of a city with a Plan C, Plan D, or Plan E charter; by a majority vote of the annual town meeting or a special meeting called for the purpose, in the case of a municipality with a town meeting form of government; or by a majority vote of the town council, in the case of a municipality with a town council form of government. The provisions of this section shall take effect on the first day of the calendar quarter following thirty days after such acceptance, or on the first day of such later calendar quarter as the city or town may designate. The city or town, in accepting the provisions of this section, may not revoke or otherwise amend the applicable local tax rate more often than once in any twelve month period.

The commissioner of the department of revenue shall make available to any city or town requesting such information the total amount of room occupancy tax collected in the preceding fiscal year in the city or town requesting the information.

#207-09



City of Newton, Massachusetts  
Office of the Mayor

David B. Cohen  
Mayor

Telephone  
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(617) 796-1089

E-mail  
dcohen@newtonma.gov

July 7, 2009

09 JUL - 7 PM 4: 34  
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 adopt Massachusetts General Law Chapter 64L, which authorizes a local option meals tax of 0.75%. If adopted by your Honorable Board prior to August 31, this tax would become effective October 1. We have estimated that this would generate approximately \$800,000 in new revenue in FY10. I look forward to working with your Honorable Board to determine the most beneficial use of these funds for the citizens of Newton.

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen  
Mayor

DBC: srb



## Chapter 27 of the Acts of 2009

AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR 2010 FOR THE MAINTENANCE OF THE DEPARTMENTS, BOARDS, COMMISSIONS, INSTITUTIONS AND CERTAIN ACTIVITIES OF THE COMMONWEALTH, FOR INTEREST, SINKING FUND AND SERIAL BOND REQUIREMENTS AND FOR CERTAIN PERMANENT IMPROVEMENTS.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is immediately to make appropriations for the fiscal year beginning July 1, 2009, and to make certain changes in law, each of which is immediately necessary or appropriate to effectuate said appropriations or for other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:*

SECTION 1. To provide for the maintenance of the several departments, boards, commissions and institutions and other services, and for certain permanent improvements and to meet certain requirements of law, the sums set forth in sections 2, 2B, 2D and 3, for the several purposes and subject to the conditions specified in sections 2, 2B, 2D and 3, are hereby appropriated from the General Fund unless specifically designated otherwise, subject to the provisions of law regulating the disbursement of public funds and the approval thereof for the fiscal year ending June 30, 2010. All sums appropriated under this act, including supplemental and deficiency budgets, shall be expended in a manner reflecting and encouraging a policy of nondiscrimination and equal opportunity for members of minority groups, women and handicapped persons. All officials and employees of an agency, board, department, commission or division receiving monies under this act shall take affirmative steps to ensure equality of opportunity in the internal affairs of state government, as well as in their relations with the public, including those persons and organizations doing business with the commonwealth. Each agency, board, department, commission or division, in spending appropriated sums and discharging its statutory responsibilities, shall adopt measures to ensure equal opportunity in the areas of hiring, promotion, demotion or transfer, recruitment, layoff or termination, rates of compensation, in-service or apprenticeship training programs and all terms and conditions of employment.

SECTION 1A. In accordance with Articles LXIII and CVII of the Articles of Amendment to the Constitution of the Commonwealth and section 6D of chapter 29 of the General Laws, it is hereby declared that the amounts of revenue set forth in this section by source for the respective funds of the commonwealth for the fiscal year ending June 30, 2010 are necessary and sufficient to provide the means to defray the appropriations and expenditures from such funds for said fiscal year as set forth and authorized in sections 2 and 2B. The comptroller shall keep a distinct account of actual receipts from each such source by each such fund to furnish the executive office for administration and finance and the house and senate committees on ways and means with quarterly statements comparing such receipts with the projected receipts set forth herein and to include a full statement comparing such actual and projected receipts in the annual report for said fiscal year pursuant to section 13 of chapter 7A of the General Laws. The quarterly and

annual reports shall also include detailed statements of any other sources of revenue for the budgeted funds in addition to those specified in this section.

CHAPTER 64L.

**Local Option Meals Excise**

Section 1. As used in this chapter, the following words shall have the meaning assigned to them in paragraph (h) of section 6 of chapter 64H: "honor snack tray", "meals" and "restaurant". "Commissioner", the commissioner of revenue. "Sale", a sale of meals by a restaurant for any purpose other than resale in the regular course of business. "Vendor", shall have the meaning assigned to it in section 1 of chapter 64H.

Section 2. (a) A city or town which accepts this section in the manner provided in section 4 of chapter 4 may impose a local sales tax upon the sale of restaurant meals originating within the city or town by a vendor at a rate of .75 per cent of the gross receipts of the vendor from the sale of restaurant meals. No excise shall be imposed if the sale is exempt under section 6 of chapter 64H. The vendor shall pay the local sales tax imposed under this section to the commissioner at the same time and in the same manner as the sales tax due to the commonwealth.

(b) All sums received by the commissioner under this section shall, at least quarterly, be distributed, credited and paid by the state treasurer upon certification of the commissioner to each city or town that has accepted this section in proportion to the amount of the sums received from the sales of restaurant meals in that city or town. Any city or town seeking to dispute the commissioner's calculation of its distribution under this subsection shall notify the commissioner, in writing, not later than 1 year from the date the tax was distributed by the commissioner to the city or town.

(c) This section shall take effect in a municipality on the first day of the calendar quarter following 30 days after its acceptance by the municipality or on the first day of a later calendar quarter that the city or town may designate.

(d) Notwithstanding any provisions in section 21 of chapter 62C to the contrary, the commissioner may make available to cities and towns any information necessary for administration of the excise imposed by this section including, but not limited to, a report of the amount of local option sales tax on restaurant meals collected in the aggregate by each city or town under this section in the preceding fiscal year, and the identification of each individual vendor collecting local option sales tax on restaurant meals collected under this chapter.

Section 3. Except as provided herein, a sale of a meal by a restaurant is sourced to the business location of the vendor if (1) the meal is received by the purchaser at the business location of the vendor or (2) if the meal is delivered by the vendor to a customer, regardless of the location of the customer. A vendor with multiple business locations in the commonwealth must separately report sales sourced to each location in a manner prescribed by the commissioner. Restaurant meal delivery companies that purchase meals for resale must source their sales to the delivery location indicated by instructions for delivery to the purchaser and shall separately report sales by municipality in a manner prescribed by the commissioner. The commissioner may also adopt by rule or regulation destination sourcing and reporting rules for caterers or other vendors with a

high volume of delivered meals, as the commissioner may determine, in order to mitigate any anti-competitive impact of the local meals tax.

Section 4. Reimbursement for the tax imposed by this chapter shall be paid by the purchaser to the vendor, and each vendor in the commonwealth shall add to the sales price and shall collect from the purchaser the full amount of the tax imposed by this chapter and such tax shall be a debt from the purchaser to the vendor, when so added to the sales price, and shall be recoverable at law in the same manner as other debts.

Section 5. Upon each sale of a meal by a restaurant taxable under this chapter, the amount of tax collected by the vendor from the purchaser shall be stated and charged separately from the sales price and shown separately on any record thereof at the time the sale is made or on any evidence of sale issued or used by the vendor, but in the instance of the sale of alcoholic beverages for on premises consumption, the tax collected need not be stated separately.

Section 6. Every person who fails to pay to the commissioner any sums required by this chapter shall be personally and individually liable therefor to the commonwealth. The term "person", as used in this section, includes an officer or employee of a corporation, or a member or employee of a partnership or limited liability company, who as an officer, employee or member is under a duty to pay over the taxes imposed by this chapter.

SECTION 61. The General Laws are hereby amended by inserting after chapter 64L the following chapter:—

*Approved June 29 , 2009*



# 273-04(3)

#273-04(2)

09 FEB 13 PM 4:10 CITY OF NEWTON

CITY CLERK IN BOARD OF ALDERMEN  
NEWTON, MA. 02459

February 20, 2007

ORDERED:

That the Board of Aldermen hereby requests and authorizes His Honor the Mayor to submit a home rule petition to the General Court for Special Legislation as follows:

SECTION: 1. Notwithstanding any general or special law to the contrary, for purposes of group classification under the provisions of G.L.c.32, section 3(2)(g), the position of "Dedicated Fire Apparatus Mechanic" within the Newton Fire Department shall be included in *Group 2*. The Newton Retirement Board is hereby authorized to re-classify any member currently holding such position from *Group 1* to *Group 2*.

SECTION 2. This act shall take effect upon its passage.

Under Suspension of Rules  
Readings Waived and Approved  
18 yeas 6 nays (Ald. Burg, Danberg, Harney, Lappin, Linsky, and Vance)

(SGD) DAVID A. OLSON  
City Clerk

(SGD) DAVID B. COHEN  
Mayor

## 2. OVERVIEW OF THE CURRENT SYSTEM

Massachusetts public employees are covered by a defined benefit pension plan that is administered by 104 local retirement boards, the Massachusetts State Retirement Board, and the Massachusetts Teachers Retirement Board. The Public Employee Retirement Administration Commission (PERAC) is responsible for the regulation and oversight of all boards and all the systems are governed by Chapter 32 of the Massachusetts General Laws. As shown in Table 1, the system now includes more than 300,000 active workers and about 180,000 retirees.

**Table 1. Participants in Massachusetts Public Employee Retirement System**

System	Participants	
	Active	Retired
State*	83,178	50,593
Teachers**	88,027	42,164
Local***	138,200	86,000
Total	309,405	178,757

Source: Personal communication with James R. Lamenza, PERAC, Actuary.

\* As of 1/1/06.

\*\* As of 1/1/05.

\*\*\* Based on date of most recent valuation which varies by system.

The system is funded by a combination of employee contributions, investment returns, and state or local funding. Employees' contribution rates are based on the date they joined the system (see Table 2). The State began to raise the employee contribution rate during the 1970s, but the Supreme Judicial Court ruled that the rate was part of a contract so that rate hikes were limited to new employees.<sup>6</sup> The rate for new hires has been raised repeatedly so that contribution rates within the system now range from 5 percent to 12 percent, depending on the date of hire.

**Table 2. Contribution Rates in Massachusetts Public Employee Retirement System**

Date of Hire	Contribution Rate
Pre-1945	0%
1945-74	5%
1975-78	7%
1979-83	7% + 2% over \$30,000
1984-96	8% + 2% over \$30,000
1996-present	9% + 2% over \$30,000
Teachers under "Retirement Plus"	11%
State police hired after 7/1/96	12%

Source: Commonwealth Actuarial Valuation Report, 2005.

<sup>6</sup> Opinion of the Justices, 364 Mass. 847 (1973).

**Table 4. Benefit Accrual Rates (cont.)**

41	0.1	0.1	1.1
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Source: Commonwealth Actuarial Report, 2005.

Table 5, which presents the distribution of the number, age, tenure, salary, and benefits for State employees retiring in 2005, shows the advantage in terms of benefits, retirement age or both of being in a higher group.

**Table 5. Number, Age, Tenure, Salary, and Benefits of State Employees Retiring in 2005**

Classification	Number	Median Age	Median Service	Median Salary	Median Benefit*
All	1,295	58.5	21.8	\$55,655	\$26,958
Group 1	799	60.0	20.2	\$51,841	\$19,691
Group 2	225	60.3	22.6	\$48,765	\$32,647
Group 3	52	55.2	27.4	\$80,731	\$55,038
Group 4	219	53.5	23.8	\$59,013	\$32,814

Source: PERAC disclosure and personal communication with James R. Lamenza, PERAC, Actuary.

\*Part of the difference in benefit amounts reflects differences in retirement ages relative to the age at which the 2.5 percent factor applies. For example, those in Group 1 have an average retirement age of 60 – five years before the 2.5 percent factor is applicable, while those in Group 4 have a retirement age of 53.5 – one and half years before the 2.5 factor applies.

### The Classification Controversy

Although all the systems are affected by classification, the main controversy centers on State employees. Teachers fall under Group 1 (see Table 6). Teachers with long service participate in a program called "Retirement Plus," which – in exchange for a higher contribution – allows teachers with 30 or more years of service to have their pensions increased by 2 percent for each year of service in excess of 24.<sup>11</sup> But request for reclassification is not a teachers' issue. Similarly, very little reclassification is initiated by the local retirement boards, other than occasional requests within county or regional retirement systems. In fact, Commissioner Macdonald noted that in his six years on a local board, he had never seen any reclassifications. Thus, most of the reclassification issues arise at the State level.

**Table 6. Distribution of Active Participants, by Group**

Group	State	Teachers	Local
1	64,574	88,027	101,500
2	10,677	-	1,370
3	2,191	-	-
4	5,736	-	34,000
Total	83,178	88,027	136,870

Sources: Personal communication with James R. Lamenza, PERAC, Actuary.

<sup>11</sup> Teachers already in the system were able to opt in, and if near retirement were able to pay 11 percent of previous five years of salary in a lump sum to qualify immediately for higher benefits. The Panel did not address the Retirement Plus option, since its charge was limited to classification

At the local level most classification occurs at the date of hire as set out in state law. With the exception of the State police, State level classification occurs when employees announce their plans to retire.<sup>12</sup> At that time, they inform the State Retirement Board and request to be placed in a certain group. The Board's Classification Committee reviews the requests and makes a determination. Based on the current language of the statute and governing case law, classification is then based on the most recent position that the employee has held for 12 calendar months. That is, an employee requesting Group 2 or Group 4 status must show that he has been employed in that capacity for 12 months, and his agency must certify his position and duration of employment. If the Classification Committee has no issues, it will approve the request. If the Classification Committee does not agree with the request, the claim is submitted to the State Retirement Board. The Board's Classification Committee reviews 30-50 cases per month and approves a large majority. It takes issue with only 10-20 percent of the cases.

People who want to change their individual status or the status of everyone with similar job titles might take their case to the Legislature. For example, if social workers asked to be put in Group 2, they might be denied by the State Retirement Board. At that time, the social workers might then file legislation to be included in Group 2. Last year the Public Service Committee considered 124 bills regarding classification and benefit levels, of which 61 were to move a group of employees into a higher classification, 7 were to enrich the benefits of a specific individual, and the remaining bills primarily dealt with petitions for enhanced benefits for various groups. The lack of clear criteria to decide which individuals or groups should be in Group 2 or 4 other than the job titles listed in the statute makes it difficult for both the retirement boards and the Public Service Committee to address these petitions.

Individuals who switch to a higher group for the last few years of work, or even the last 12 months, will get a benefit calculated as though they were in that group classification for their entire work history and conversely, employees who switch to a job with a lower group classification will lose the higher benefit associated with the higher group.

---

<sup>12</sup>The Supreme Judicial Court in the case of Maddocks v. Contributory Retirement Appeal Board & State Retirement Board, 369 Mass. 488 (1976) ruled that the group classification provisions within G.L. c.32 indicated a legislative intent that the classification be based on current job requirements at the time of retirement. As such the Court held classification was properly based on the sole consideration of job duties at the time of retirement. Additionally, state employees frequently move between positions, making the classification at hire irrelevant for group determination at time of retirement.

#273-04(3)

# House, No. 4009

## Presented by: Representative Peter J. Koutoujian

Petition of Ruth B. Balsler and others (with the approval of the mayor and board of aldermen) for legislation to reclassify the position of dedicated fire apparatus mechanic in the fire department of the city of Newton.

05/03/07 H Referred to the committee on Public Service -HJ 362

05/07/07 S Senate concurred -SJ 205

Public Hearing date Oct 11 am at 10:30 in Room B-2

03/27/08 H Accompanied a study order, see H4607

04/17/08 H Reported from the committee on House Rules

04/17/08 H Reported on a part of H4607

04/17/08 H Discharged from committee and recommitted to the committee on Public Service  
-HJ 1273

01/06/09 H No further action taken

Return to:

Bill inquiry screen,

General Court home page, or

Commonwealth of Massachusetts home page.

December 6, 2006

REFERRED TO PS&T, PROG &SERV & FINANCE COMMITTEES

#273-04(2) ALD. GENTILE requesting home rule legislation to reclassify the two "dedicated fire apparatus mechanic" positions from Group 1 to Group 2 in the State Retirement System.

ACTION: **HELD 8-0**

NOTE: Ald. Gentile joined the Committee for this item and wanted to add to the discussion that there have been conflicting reports. Finance voted in favor and Public Safety voted against the item. There was discussion on a particular case where an action was taken, similar to this in the town of Chicopee, and it was eventually struck down by the courts. It appears the reason why it was struck down by the courts was because the Retirement Board had actually taken the action and switched from one class to another. It seems that the Retirement Boards do not have the authority to make those switches and it is actually the Board of Aldermen or a City Council that has the authority to do so. When this was last discussed, Ald. Gentile did not speak up because he did not know the complete legal argument. He wanted to make sure that the aldermen know that they do have the authority to approve this. (Our Retirement Board does say they do not have the authority to do this.)

Ald. Coletti said that the substantive committees have taken action on the item. This Committee does need to draft a home rule petition and the problem is there is a moratorium on these types of classification changes because there are so many requests. There is a one year delay while new parameters are being established.

Chairman Johnson is going to check with the Law Department on language and this item will be scheduled at a future meeting.

The Committee agreed to hold the item.

February 7, 2007

REFERRED TO PS&T, FINANCE &PROG &SERV.

#273-04(2) ALD. GENTILE requesting home rule legislation to reclassify the two "dedicated fire apparatus mechanic" positions from Group 1 to Group 2 in the State Retirement System.

**PST DENIED 5-1-1 (Ald. Lennon opposed; Ald. Samuelson abstaining) on 1/8/06)**

**FINANCE APPROVED 7-1 (Ald. Linsky opposed) on 10/23/06**

ACTION: **APPROVED 6-0 (Lipof, Sangiolo not voting)**

NOTE: Ald. Gentile was present for this discussion. Ald. Johnson read the following into

the record:

SECTION 1. *Notwithstanding any general or special law to the contrary, for purposes of group classification under the provisions of G.L.c.32, section 3(2)(g), the position of "Dedicated Fire Apparatus Mechanic" within the Newton Fire Department shall be included in Group 2. The Newton Retirement Board is hereby authorized to re-classify any member currently holding such position from Group 1 to Group 2.*

Ald. Parker reiterated that when this was originally filed some thought the costs were too extreme. Therefore Ald. Gentile worked with the Law Department to adjust the wording to make it fair to the mechanics and realistic for the City. The mechanics are asked to do work on the engines at the actual scenes of fire. Ald. Gentile noted that Finance voted for it and Public Safety voted against it. Ald. Gentile said that one of the more persuasive arguments was one that Ald. Harney mentioned regarding how this was done in Chicopee that unfortunately ended in a lawsuit. It was found to have been done in error. What was not pointed out to Public Safety Committee members was that the reason this ended in a lawsuit was that the Retirement Board actually made the change and by statute they were not allowed to do that. In Newton, it is the Board of Aldermen that has the right to do it. When the Retirement Board in Newton was asked, they made it clear that they were aware that they did not have the authority to try and make the change. In Chicopee the reason there was a lawsuit and the lawsuit was upheld was because the Retirement Board took an inappropriate action that they did not have the authority to take. Ald. Gentile was not sure how much influence that lawsuit had on the Public Safety Committee.

Ald. Coletti said it is also important to note that all of these reclassifications are being held up in the legislature in a committee chaired by Rep. Jay Kaufman of Lexington. There is currently a proposal for a uniform method of doing this statewide. There is cost with this but Ald. Parker felt we should be fair to our people and treat them well. Please note the following information received in a memo received from David Wilkinson: *"The additional cost consists of two parts – a recurring normal cost, and a past service liability amortization cost. The annual normal cost differential between group 1 and group 2 status for the two mechanics is \$5,368. Under the terms of the funding schedule this cost will increase by 4.5% per year. In order to fund the new past service liability that will result from the change in classification, we will also have to make up payments of \$12,583 per year for each of the next twenty one years remaining on our funding schedule."* (Please note attachments)

Ald. Coletti noted that there is a proposal for a uniform effort for doing this statewide. The Committee voted approval 6-0 (Sangiolo, Lipof not voting).

# 273-04  
(3)

**REFERRED TO PS&T, FINANCE AND PROG & SERV. COMMITTEES**

#273-04(3) ALD. GENTILE requesting a re-vote of a previously submitted Home Rule Petition approved February 20, 2007 by the Board of Aldermen for special legislation to reclassify the two "dedicated fire apparatus mechanic" positions from Group 1 to Group 2 in the State Retirement System. [02/13/09 @ 4:11 pm]

**ACTION: APPROVED 5-0-1 (Freedman abstaining; Brandel and Sangiolo not voting)**

**NOTE:** This item was docketed, as the previously submitted request to the State Legislature for Home Rule Legislation was not acted on before their session ended and requires a re-vote by the Board of Aldermen to be re-submitted. Ald. Gentile was present for the discussion of this item and reiterated his reasons for requesting home rule legislation. He felt that there is justification to move two mechanic positions from Group 1 to Group 2 in the State Retirement System. The mechanics are present at fires to provide mechanical support and are exposed to some of the same risks as firefighters. The mechanics are currently in Group 1, which offers the lowest level of benefits. The original request was to move the mechanics to Group 4, which offers the highest level of benefits. However, it was decided that although the mechanics perform some of the same duties as the firefighters, they do not do the exact same job and that it is appropriate to reclassify the position as Group 2. The Fire Chief had joined the Committee for the original discussions of this item and voiced his support of the reclassification of the two positions. Ald. Gentile also noted that there is now a new Chairman of the Committee of Personnel and Administration and there is a fair chance the request will make it out of Committee and onto the floor of the Legislature for discussion.

Ald. Freedman inquired how the classification of a position is determined under the State Retirement System. Ald. Hess-Mahan believed that there was documentation provided to the Committee during the original discussions. A portion of the "Report of the Blue Ribbon Panel on Massachusetts Public Employees' Pension Classification System" detailing the current classification of Groups within the State Retirement System is attached. Ald. Hess Mahan moved approval, which carried.



**REFERRED TO PS&T., FINANCE AND PROG & SERV. COMMITTEES**

#273-04(3) ALD. GENTILE requesting home rule legislation to reclassify the two "dedicated fire apparatus mechanic" positions from Group 1 to Group 2 in the State Retirement System. [02/13/09 @ 4:11 PM]

**ACTION:** **MOTION TO APPROVE FAILED TO CARRY 3-3-1 (Ald. Fischman, Ciccone, Coletti in favor; Harney, Danberg and Linsky opposed; Swiston abstaining (Ald. Vance not present and voting))**

**NOTE:** Ald. Gentile and Chief Cummings joined the Committee for discussion on this item.

Ald. Gentile stated that he docketed this request because he felt that there is significant justification to remove these two mechanic positions from Group 1 to Group 2. He is seeking fair treatment for two mechanics who have jobs that do not fit neatly into one of the four groups within the State Retirement System. He indicated that when the original request was discussed by the previous Board, the Public Safety & Transportation and Finance Committees felt that it was worthwhile to pursue this change but that they would like to see the figures demonstrating what the financial impact would be for the City. Ald. Gentile also informed the Committee that it was his understanding (at the time that he had docketed the original item) that a Bill at the State Legislation level had been attempting to accomplish this change but that Bill has been held without a hearing. Ald. Gentile indicated Representative Peter Koutoujian has been contacted for assistance.

Ald. Gentile stated Chief LaCroix in the past provided a detailed memorandum providing the job functions of the mechanics. Chief LaCroix wanted to make sure the Aldermen understood these are individuals that often times find themselves out of the mechanic shops at working fires taking on similar risks and responsibilities that firefighters take on and he believes these mechanics are classified in the wrong group.

Chief Cummings stated that they are not simply "mechanics". These mechanics are still exposed to the elements and hazards that firefighters are exposed to on the fire ground. He informed the Committee that it is his opinion that these two positions function less as mechanics and more as emergency response personnel.

Ald. Harney contended that these mechanics belong in Group 1. He indicated if the Massachusetts Firefighters Association would like to change the current policy that would be different. He did not believe the City should seek the change for individual cases. Rather, it should be adopted on a statewide basis. He stated no other mechanics in the State are in a group other than Group 1.

Ald. Coletti made the motion to approve this item. The motion to approve failed to carry by a vote of 3-3-1 (Ald. Fischman, Ciccone, Coletti in favor; Ald. Harney, Danberg and Linsky opposed; Ald. Swiston abstaining).

CITY OF NEWTON

IN BOARD OF ALDERMEN

, 2009

ORDERED:

That the Board of Aldermen hereby requests and authorizes His Honor the Mayor to submit a home rule petition to the General Court for Special Legislation as follows:

SECTION: 1. Notwithstanding any general or special law to the contrary, for purposes of group classification under the provisions of G.L.c.32, section 3(2)(g), the position of "Dedicated Fire Apparatus Mechanic" within the Newton Fire Department shall be included in *Group 2*. The Newton Retirement Board is hereby authorized to re-classify any member currently holding such position from *Group 1* to *Group 2*.

SECTION 2. This act shall take effect upon its passage.

Under Suspension of Rules  
Readings Waived and -----

(SGD) DAVID A. OLSON  
City Clerk

(SGD) DAVID B. COHEN  
Mayor



David B. Cohen  
Mayor

City of Newton, Massachusetts  
Office of the Mayor

#202-09  
Telephone  
(617) 796-1100  
Telefax  
(617) 796-1113  
TDD  
(617) 796-1089  
E-mail  
dcohen@newtonma.gov

July 7, 2009

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

09 JUL -7 PM 4:33  
CITY CLERK  
NEWTON, MA 02159

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to appropriate the sum of two hundred twenty-four thousand, two hundred thirty-two dollars (\$224,232) from wage reserve to the payroll accounts of the four departments outlined below. These sums represent the retroactive salary payments pursuant to the agreement reached with the Newton Municipal Employees Association. FY10 costs for this settlement are in reserve in the departmental budgets. A copy of the memorandum of agreement is attached.

Department	Amount
Public Buildings	72,504
Public Works	120,970
Parks and Recreation	30,758
TOTAL	224,232

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen  
Mayor

DBC: srb

From: WAGE RESERVE  
0110498-5197

1000 Commonwealth Avenue Newton, Massachusetts 02459

PAVKS SALARIES  
0160201-5197  
www.ci.newton.ma.us  
DEDICATED TO COMMUNITY EXCELLENCE

To: DONALD SALAVIC  
0111501-5197  
DAN SALAVIC  
0140101-5197

224,232

72,504

120,970

07/09/2009

#202-09

09 JUL - 7 PM 4: 33  
CITY CLERK  
NEWTON, MA. 02459

**MEMORANDUM OF AGREEMENT  
SUCCESSOR CONTRACT  
JUNE 12, 2009**

The City of Newton and the Newton Municipal Employees Association agree to the following terms and conditions of a new collective bargaining agreement to succeed the agreement dated July 1, 2003 through June 30, 2006. This Memorandum of Agreement (MOA) will become effective upon its ratification by the membership of the Association and the vote of the City's Board of Aldermen to appropriate funding for its economic terms pursuant to the requirements of Chapter 150E. The Association shall promptly submit the MOA to its membership for ratification and shall fully support a favorable vote. The City shall promptly submit the MOA to its Board of Aldermen for an appropriation to fund its economic terms, and shall fully support a favorable vote. Except as amended below, all other terms and conditions of the 2003-2006 collective bargaining agreement shall remain in full force and effect.

1. Article XXIV, Wages, shall be amended as follows:

The pay schedule in effect as of June 30, 2006, a copy of which is attached as Appendix A, shall be increased at each grade and step by two percent (2%) effective and retroactive to July 1, 2006. The pay schedule in effect as of July 1, 2006 shall be increased at each grade and step by two percent (2%) effective and retroactive to July 1, 2007. The pay schedule in effect July 1, 2007 shall be increased at each grade and step by one percent (1%) effective and retroactive to January 1, 2008. There shall be no further across the board increases during the life of the agreement.

Effective and retroactive to July 1, 2008, the pay schedule attached as Appendix B shall replace the pre-existing pay schedule. All employees will be slotted onto and paid under Appendix B by (1) increasing their salary rate as of June 30, 2008 by 3.5%; and (2) then being placed at the first step in grade on Appendix B that is higher than the rate created by # 1 above. For purposes of clarity, the weekly pay rate beginning July 1, 2008 for each employee/member shall be the rate for such person as shown in the column entitled "FY09" in Exhibit D. Once slotted on the new pay schedule, all employees will have an anniversary date of July 1<sup>st</sup> and shall move to a new step on each successive July 1<sup>st</sup> until they reach the highest step in grade, and/or unless they are promoted into another grade at which time their anniversary date will become the date of promotion.

2. Article XXV, Longevity, shall be amended at Section 25.03 by increasing the value of the longevity payments due at each level by \$100 effective and retroactive to July 1, 2007 and by increasing the value of the longevity

payments due at the 20-24, 25-29 and 30 year levels by another \$100 effective and retroactive to July 1, 2008.

3. Article XXXII, Clothing Allowance, shall be amended by increasing the annual payment by \$50 effective and retroactive to July 1, 2007.

4. The parties acknowledge that from on or about the date of certification of the Association as the exclusive bargaining agent for the members of the bargaining unit through the present the City has paid a contractual contribution of twelve cents (\$.12) per hour for every forty (40) hours worked by each bargaining unit employee (initially negotiated as contributions to the Laborer's International Union Of North America Pension Plan) to an interest bearing side fund pending agreement between the parties over the disposition of those contributions. The parties agree to dispose of the City's obligation with respect to such contributions in full as follows:

a. The City will continue to make payments into the side fund, under the same terms and conditions as it has been making such payments, through June 30, 2009.

b. Effective June 30, 2009, the pay rates contained in Appendix B shall be increased at each step of each grade by twelve cents (\$.12) per hour and the City's payments to the side fund shall simultaneously cease. The resulting pay schedule, effective June 30, 2009, is attached as Appendix C.

c. As soon as possible after June 30, 2009 the City shall distribute to each existing or former member of the bargaining unit an amount equal to the actual amount of contribution that the City made to the side fund on behalf of the Association between July 1, 2004 and June 30, 2009. Distributions to each existing or former member will be a pro rata share based on the term of paid employment of such member during the life of the side fund. If a member of the bargaining unit has died between the inception of the payments to the side fund and the date of distribution by the City, payments due such member shall be made to the member's estate.

5. All other proposals of either party are withdrawn without prejudice.

For the City of Newton

For the Newton Municipal Employees Association

Sanford Pooler  
By: Sanford Pooler, Chief  
Administrative Officer

Douglas Bartley  
Douglas Bartley, President

Dated: 6/24/09

Dated: 6-24-09

Dolores Hamilton  
Dolores Hamilton, Director  
Of Human Resources

Robert Dunne  
Robert Dunne, Vice-President

Dated: 6/24/09

Dated: 6-24-09

09 JUL -7 PM 4:36  
CITY CLERK  
NEWTON, MA 02159

#202-09

### Appendix A

R - GRADES

JUNE 30, 2006

GRADE	STEP	1	2	3	4	5	6	7
R-1		\$32,136.00	\$32,947.20	\$33,758.40	\$34,611.20	\$35,464.00	\$36,358.40	\$37,481.60
R-2		\$33,092.80	\$33,924.80	\$34,777.60	\$35,651.20	\$36,545.60	\$37,460.80	\$38,604.80
R-3		\$34,091.20	\$34,944.00	\$35,817.60	\$36,712.00	\$37,627.20	\$38,584.00	\$39,748.80
R-4		\$35,110.40	\$36,004.80	\$36,899.20	\$37,814.40	\$38,771.20	\$39,728.00	\$40,934.40
R-5		\$36,171.20	\$37,065.60	\$38,001.60	\$38,958.40	\$39,915.20	\$40,913.60	\$42,161.60
R-6		\$37,252.80	\$38,188.80	\$39,145.60	\$40,123.20	\$41,121.60	\$42,140.80	\$43,409.60
R-7		\$38,376.00	\$39,332.80	\$40,310.40	\$41,329.60	\$42,348.80	\$43,409.60	\$44,720.00
R-8		\$39,520.00	\$40,518.40	\$41,516.80	\$42,556.80	\$43,617.60	\$44,720.00	\$46,051.20
R-9		\$40,705.60	\$41,724.80	\$42,764.80	\$43,846.40	\$44,928.00	\$46,051.20	\$47,424.00

GRADE	STEP	1	2	3	4	5	6	7
R-1		\$15.45	\$15.84	\$16.23	\$16.64	\$17.05	\$17.48	\$18.02
R-2		\$15.91	\$16.31	\$16.72	\$17.14	\$17.57	\$18.01	\$18.56
R-3		\$16.39	\$16.80	\$17.22	\$17.65	\$18.09	\$18.55	\$19.11
R-4		\$16.88	\$17.31	\$17.74	\$18.18	\$18.64	\$19.10	\$19.68
R-5		\$17.39	\$17.82	\$18.27	\$18.73	\$19.19	\$19.67	\$20.27
R-6		\$17.91	\$18.36	\$18.82	\$19.29	\$19.77	\$20.26	\$20.87
R-7		\$18.45	\$18.91	\$19.38	\$19.87	\$20.36	\$20.87	\$21.50
R-8		\$19.00	\$19.48	\$19.96	\$20.46	\$20.97	\$21.50	\$22.14
R-9		\$19.57	\$20.06	\$20.56	\$21.08	\$21.60	\$22.14	\$22.80

GRADE	STEP	1	2	3	4	5	6	7
R-1		\$618.00	\$633.60	\$649.20	\$665.60	\$682.00	\$699.20	\$720.80
R-2		\$636.40	\$652.40	\$668.80	\$685.60	\$702.80	\$720.40	\$742.40
R-3		\$655.60	\$672.00	\$688.80	\$706.00	\$723.60	\$742.00	\$764.40
R-4		\$675.20	\$692.40	\$709.60	\$727.20	\$745.60	\$764.00	\$787.20
R-5		\$695.60	\$712.80	\$730.80	\$749.20	\$767.60	\$786.80	\$810.80
R-6		\$716.40	\$734.40	\$752.80	\$771.60	\$790.80	\$810.40	\$834.80
R-7		\$738.00	\$756.40	\$775.20	\$794.80	\$814.40	\$834.80	\$860.00
R-8		\$760.00	\$779.20	\$798.40	\$818.40	\$838.80	\$860.00	\$885.60
R-9		\$782.80	\$802.40	\$822.40	\$843.20	\$864.00	\$885.60	\$912.00

Appendix A

R - GRADES

JULY 1, 2006

GRADE	STEP	1	2	3	4	5	6	7
R-1		\$32,778.72	\$33,606.14	\$34,433.57	\$35,303.42	\$36,173.28	\$37,085.57	\$38,231.23
R-2		\$33,754.66	\$34,603.30	\$35,473.15	\$36,364.22	\$37,276.51	\$38,210.02	\$39,376.90
R-3		\$34,773.02	\$35,642.88	\$36,533.95	\$37,446.24	\$38,379.74	\$39,355.68	\$40,543.78
R-4		\$35,812.61	\$36,724.90	\$37,637.18	\$38,570.69	\$39,546.62	\$40,522.56	\$41,753.09
R-5		\$36,894.62	\$37,806.91	\$38,761.63	\$39,737.57	\$40,713.50	\$41,731.87	\$43,004.83
R-6		\$37,997.86	\$38,952.58	\$39,928.51	\$40,925.66	\$41,944.03	\$42,983.62	\$44,277.79
R-7		\$39,143.52	\$40,119.46	\$41,116.61	\$42,156.19	\$43,195.78	\$44,277.79	\$45,614.40
R-8		\$40,310.40	\$41,328.77	\$42,347.14	\$43,407.94	\$44,489.95	\$45,614.40	\$46,972.22
R-9		\$41,519.71	\$42,559.30	\$43,620.10	\$44,723.33	\$45,826.56	\$46,972.22	\$48,372.48

GRADE	STEP	1	2	3	4	5	6	7
R-1		\$15.76	\$16.16	\$16.55	\$16.97	\$17.39	\$17.83	\$18.38
R-2		\$16.23	\$16.64	\$17.05	\$17.48	\$17.92	\$18.37	\$18.93
R-3		\$16.72	\$17.14	\$17.56	\$18.00	\$18.45	\$18.92	\$19.49
R-4		\$17.22	\$17.66	\$18.09	\$18.54	\$19.01	\$19.48	\$20.07
R-5		\$17.74	\$18.18	\$18.64	\$19.10	\$19.57	\$20.06	\$20.68
R-6		\$18.27	\$18.73	\$19.20	\$19.68	\$20.17	\$20.67	\$21.29
R-7		\$18.82	\$19.29	\$19.77	\$20.27	\$20.77	\$21.29	\$21.93
R-8		\$19.38	\$19.87	\$20.36	\$20.87	\$21.39	\$21.93	\$22.58
R-9		\$19.96	\$20.46	\$20.97	\$21.50	\$22.03	\$22.58	\$23.26

GRADE	STEP	1	2	3	4	5	6	7
R-1		\$630.36	\$646.27	\$662.18	\$678.91	\$695.64	\$713.18	\$735.22
R-2		\$649.13	\$665.45	\$682.18	\$699.31	\$716.86	\$734.81	\$757.25
R-3		\$668.71	\$685.44	\$702.58	\$720.12	\$738.07	\$756.84	\$779.69
R-4		\$688.70	\$706.25	\$723.79	\$741.74	\$760.51	\$779.28	\$802.94
R-5		\$709.51	\$727.06	\$745.42	\$764.18	\$782.95	\$802.54	\$827.02
R-6		\$730.73	\$749.09	\$767.86	\$787.03	\$806.62	\$826.61	\$851.50
R-7		\$752.76	\$771.53	\$790.70	\$810.70	\$830.69	\$851.50	\$877.20
R-8		\$775.20	\$794.78	\$814.37	\$834.77	\$855.58	\$877.20	\$903.31
R-9		\$798.46	\$818.45	\$838.85	\$860.06	\$881.28	\$903.31	\$930.24



#202-09

Appendix A

R - GRADES

JULY 1, 2007

GRADE	STEP	1	2	3	4	5	6	7
R-1		\$33,434.29	\$34,278.27	\$35,122.24	\$36,009.49	\$36,896.75	\$37,827.28	\$38,995.86
R-2		\$34,429.75	\$35,295.36	\$36,182.62	\$37,091.51	\$38,022.04	\$38,974.22	\$40,164.43
R-3		\$35,468.48	\$36,355.74	\$37,264.63	\$38,195.16	\$39,147.34	\$40,142.79	\$41,354.65
R-4		\$36,528.86	\$37,459.39	\$38,389.93	\$39,342.10	\$40,337.56	\$41,333.01	\$42,588.15
R-5		\$37,632.52	\$38,563.05	\$39,536.86	\$40,532.32	\$41,527.77	\$42,566.51	\$43,864.93
R-6		\$38,757.81	\$39,731.63	\$40,727.08	\$41,744.18	\$42,782.91	\$43,843.29	\$45,163.35
R-7		\$39,926.39	\$40,921.85	\$41,938.94	\$42,999.32	\$44,059.69	\$45,163.35	\$46,526.69
R-8		\$41,116.61	\$42,155.34	\$43,194.08	\$44,276.09	\$45,379.75	\$46,526.69	\$47,911.67
R-9		\$42,350.11	\$43,410.48	\$44,492.50	\$45,617.79	\$46,743.09	\$47,911.67	\$49,339.93

GRADE	STEP	1	2	3	4	5	6	7
R-1		\$16.07	\$16.48	\$16.89	\$17.31	\$17.74	\$18.19	\$18.75
R-2		\$16.55	\$16.97	\$17.40	\$17.83	\$18.28	\$18.74	\$19.31
R-3		\$17.05	\$17.48	\$17.92	\$18.36	\$18.82	\$19.30	\$19.88
R-4		\$17.56	\$18.01	\$18.46	\$18.91	\$19.39	\$19.87	\$20.48
R-5		\$18.09	\$18.54	\$19.01	\$19.49	\$19.97	\$20.46	\$21.09
R-6		\$18.63	\$19.10	\$19.58	\$20.07	\$20.57	\$21.08	\$21.71
R-7		\$19.20	\$19.67	\$20.16	\$20.67	\$21.18	\$21.71	\$22.37
R-8		\$19.77	\$20.27	\$20.77	\$21.29	\$21.82	\$22.37	\$23.03
R-9		\$20.36	\$20.87	\$21.39	\$21.93	\$22.47	\$23.03	\$23.72

GRADE	STEP	1	2	3	4	5	6	7
R-1		\$642.97	\$659.20	\$675.43	\$692.49	\$709.55	\$727.45	\$749.92
R-2		\$662.11	\$678.76	\$695.82	\$713.30	\$731.19	\$749.50	\$772.39
R-3		\$682.09	\$699.15	\$716.63	\$734.52	\$752.83	\$771.98	\$795.28
R-4		\$702.48	\$720.37	\$738.27	\$756.58	\$775.72	\$794.87	\$819.00
R-5		\$723.70	\$741.60	\$760.32	\$779.47	\$798.61	\$818.59	\$843.56
R-6		\$745.34	\$764.07	\$783.21	\$802.77	\$822.75	\$843.14	\$868.53
R-7		\$767.82	\$786.96	\$806.52	\$826.91	\$847.30	\$868.53	\$894.74
R-8		\$790.70	\$810.68	\$830.66	\$851.46	\$872.69	\$894.74	\$921.38
R-9		\$814.43	\$834.82	\$855.62	\$877.27	\$898.91	\$921.38	\$948.84

Appendix A

R - GRADES

JANUARY 1, 2008

GRADE	STEP	1	2	3	4	5	6	7
R-1		\$33,768.64	\$34,621.05	\$35,473.46	\$36,369.59	\$37,265.71	\$38,205.55	\$39,385.82
R-2		\$34,774.05	\$35,648.32	\$36,544.44	\$37,462.42	\$38,402.26	\$39,363.96	\$40,566.08
R-3		\$35,823.17	\$36,719.29	\$37,637.28	\$38,577.12	\$39,538.81	\$40,544.22	\$41,768.20
R-4		\$36,894.15	\$37,833.99	\$38,773.83	\$39,735.52	\$40,740.93	\$41,746.34	\$43,014.03
R-5		\$38,008.84	\$38,948.68	\$39,932.23	\$40,937.64	\$41,943.05	\$42,992.17	\$44,303.58
R-6		\$39,145.39	\$40,128.94	\$41,134.35	\$42,161.62	\$43,210.74	\$44,281.72	\$45,614.98
R-7		\$40,325.65	\$41,331.06	\$42,358.33	\$43,429.31	\$44,500.29	\$45,614.98	\$46,991.95
R-8		\$41,527.77	\$42,576.90	\$43,626.02	\$44,718.86	\$45,833.55	\$46,991.95	\$48,390.79
R-9		\$42,773.61	\$43,844.59	\$44,937.42	\$46,073.97	\$47,210.52	\$48,390.79	\$49,833.33

GRADE	STEP	1	2	3	4	5	6	7
R-1		\$16.23	\$16.64	\$17.05	\$17.49	\$17.92	\$18.37	\$18.94
R-2		\$16.72	\$17.14	\$17.57	\$18.01	\$18.46	\$18.92	\$19.50
R-3		\$17.22	\$17.65	\$18.09	\$18.55	\$19.01	\$19.49	\$20.08
R-4		\$17.74	\$18.19	\$18.64	\$19.10	\$19.59	\$20.07	\$20.68
R-5		\$18.27	\$18.73	\$19.20	\$19.68	\$20.16	\$20.67	\$21.30
R-6		\$18.82	\$19.29	\$19.78	\$20.27	\$20.77	\$21.29	\$21.93
R-7		\$19.39	\$19.87	\$20.36	\$20.88	\$21.39	\$21.93	\$22.59
R-8		\$19.97	\$20.47	\$20.97	\$21.50	\$22.04	\$22.59	\$23.26
R-9		\$20.56	\$21.08	\$21.60	\$22.15	\$22.70	\$23.26	\$23.96

GRADE	STEP	1	2	3	4	5	6	7
R-1		\$649.40	\$665.79	\$682.18	\$699.42	\$716.65	\$734.72	\$757.42
R-2		\$668.73	\$685.54	\$702.78	\$720.43	\$738.51	\$757.00	\$780.12
R-3		\$688.91	\$706.14	\$723.79	\$741.87	\$760.36	\$779.70	\$803.23
R-4		\$709.50	\$727.58	\$745.65	\$764.14	\$783.48	\$802.81	\$827.19
R-5		\$730.94	\$749.01	\$767.93	\$787.26	\$806.60	\$826.77	\$851.99
R-6		\$752.80	\$771.71	\$791.05	\$810.80	\$830.98	\$851.57	\$877.21
R-7		\$775.49	\$794.83	\$814.58	\$835.18	\$855.77	\$877.21	\$903.69
R-8		\$798.61	\$818.79	\$838.96	\$859.98	\$881.41	\$903.69	\$930.59
R-9		\$822.57	\$843.17	\$864.18	\$886.04	\$907.89	\$930.59	\$958.33

Appendix B

R - GRADES

JULY 1, 2008

GRADE	STEP	1	2	3	4	5	6	7
R-1		\$33,768.64	\$34,950.54	\$36,173.81	\$37,439.89	\$38,750.29	\$40,106.55	\$41,710.81
R-2		\$34,774.05	\$35,991.14	\$37,250.83	\$38,554.61	\$39,904.02	\$41,300.66	\$42,952.69
R-3		\$35,823.17	\$37,076.98	\$38,374.67	\$39,717.79	\$41,107.91	\$42,546.69	\$44,248.56
R-4		\$36,894.15	\$38,185.44	\$39,521.93	\$40,905.20	\$42,336.88	\$43,818.68	\$45,571.42
R-5		\$38,008.84	\$39,339.15	\$40,716.02	\$42,141.08	\$43,616.02	\$45,142.58	\$46,948.28
R-6		\$39,145.39	\$40,515.48	\$41,933.52	\$43,401.20	\$44,920.24	\$46,492.45	\$48,352.14
R-7		\$40,325.65	\$41,737.05	\$43,197.85	\$44,709.77	\$46,274.62	\$47,894.23	\$49,810.00
R-8		\$41,527.77	\$42,981.25	\$44,485.59	\$46,042.59	\$47,654.08	\$49,321.97	\$51,294.85
R-9		\$42,773.61	\$44,270.68	\$45,820.16	\$47,423.86	\$49,083.70	\$50,801.63	\$52,833.69

GRADE	STEP	1	2	3	4	5	6	7
R-1		\$16.23	\$16.80	\$17.39	\$18.00	\$18.63	\$19.28	\$20.05
R-2		\$16.72	\$17.30	\$17.91	\$18.54	\$19.18	\$19.86	\$20.65
R-3		\$17.22	\$17.83	\$18.45	\$19.10	\$19.76	\$20.46	\$21.27
R-4		\$17.74	\$18.36	\$19.00	\$19.67	\$20.35	\$21.07	\$21.91
R-5		\$18.27	\$18.91	\$19.58	\$20.26	\$20.97	\$21.70	\$22.57
R-6		\$18.82	\$19.48	\$20.16	\$20.87	\$21.60	\$22.35	\$23.25
R-7		\$19.39	\$20.07	\$20.77	\$21.50	\$22.25	\$23.03	\$23.95
R-8		\$19.97	\$20.66	\$21.39	\$22.14	\$22.91	\$23.71	\$24.66
R-9		\$20.56	\$21.28	\$22.03	\$22.80	\$23.60	\$24.42	\$25.40

GRADE	STEP	1	2	3	4	5	6	7
R-1		\$649.40	\$672.13	\$695.65	\$720.00	\$745.20	\$771.28	\$802.13
R-2		\$668.73	\$692.14	\$716.36	\$741.43	\$767.38	\$794.24	\$826.01
R-3		\$688.91	\$713.02	\$737.97	\$763.80	\$790.54	\$818.21	\$850.93
R-4		\$709.50	\$734.34	\$760.04	\$786.64	\$814.17	\$842.67	\$876.37
R-5		\$730.94	\$756.52	\$783.00	\$810.41	\$838.77	\$868.13	\$902.85
R-6		\$752.80	\$779.14	\$806.41	\$834.64	\$863.85	\$894.09	\$929.85
R-7		\$775.49	\$802.64	\$830.73	\$859.80	\$889.90	\$921.04	\$957.88
R-8		\$798.61	\$826.56	\$855.49	\$885.43	\$916.42	\$948.50	\$986.44
R-9		\$822.57	\$851.36	\$881.16	\$912.00	\$943.92	\$976.95	\$1,016.03

Appendix C

R - GRADES

GRADE	STEP	1	2	3	4	5	6	7
R-1		\$34,008.00	\$35,193.60	\$36,420.80	\$37,689.60	\$39,000.00	\$40,352.00	\$41,953.60
R-2		\$35,027.20	\$36,233.60	\$37,502.40	\$38,812.80	\$40,144.00	\$41,558.40	\$43,201.60
R-3		\$36,067.20	\$37,336.00	\$38,625.60	\$39,977.60	\$41,350.40	\$42,806.40	\$44,491.20
R-4		\$37,148.80	\$38,438.40	\$39,769.60	\$41,163.20	\$42,577.60	\$44,075.20	\$45,822.40
R-5		\$38,251.20	\$39,582.40	\$40,976.00	\$42,390.40	\$43,867.20	\$45,385.60	\$47,195.20
R-6		\$39,395.20	\$40,768.00	\$42,182.40	\$43,659.20	\$45,177.60	\$46,737.60	\$48,609.60
R-7		\$40,580.80	\$41,995.20	\$43,451.20	\$44,969.60	\$46,529.60	\$48,152.00	\$50,065.60
R-8		\$41,787.20	\$43,222.40	\$44,740.80	\$46,300.80	\$47,902.40	\$49,566.40	\$51,542.40
R-9		\$43,014.40	\$44,512.00	\$46,072.00	\$47,673.60	\$49,337.60	\$51,043.20	\$53,081.60

GRADE	STEP	1	2	3	4	5	6	7
R-1		\$16.35	\$16.92	\$17.51	\$18.12	\$18.75	\$19.40	\$20.17
R-2		\$16.84	\$17.42	\$18.03	\$18.66	\$19.30	\$19.98	\$20.77
R-3		\$17.34	\$17.95	\$18.57	\$19.22	\$19.88	\$20.58	\$21.39
R-4		\$17.86	\$18.48	\$19.12	\$19.79	\$20.47	\$21.19	\$22.03
R-5		\$18.39	\$19.03	\$19.70	\$20.38	\$21.09	\$21.82	\$22.69
R-6		\$18.94	\$19.60	\$20.28	\$20.99	\$21.72	\$22.47	\$23.37
R-7		\$19.51	\$20.19	\$20.89	\$21.62	\$22.37	\$23.15	\$24.07
R-8		\$20.09	\$20.78	\$21.51	\$22.26	\$23.03	\$23.83	\$24.78
R-9		\$20.68	\$21.40	\$22.15	\$22.92	\$23.72	\$24.54	\$25.52

GRADE	STEP	1	2	3	4	5	6	7
R-1		\$654.00	\$676.80	\$700.40	\$724.80	\$750.00	\$776.00	\$806.80
R-2		\$673.60	\$696.80	\$721.20	\$746.40	\$772.00	\$799.20	\$830.80
R-3		\$693.60	\$718.00	\$742.80	\$768.80	\$795.20	\$823.20	\$855.60
R-4		\$714.40	\$739.20	\$764.80	\$791.60	\$818.80	\$847.60	\$881.20
R-5		\$735.60	\$761.20	\$788.00	\$815.20	\$843.60	\$872.80	\$907.60
R-6		\$757.60	\$784.00	\$811.20	\$839.60	\$868.80	\$898.80	\$934.80
R-7		\$780.40	\$807.60	\$835.60	\$864.80	\$894.80	\$926.00	\$962.80
R-8		\$803.60	\$831.20	\$860.40	\$890.40	\$921.20	\$953.20	\$991.20
R-9		\$827.20	\$856.00	\$886.00	\$916.80	\$948.80	\$981.60	\$1,020.80

Appendix D  
Step assignment effective 7/1/08

NAME	JobTITLE	Current Grade			FY09		New FY09	
		and Step FY09	FY09 Base	FY08 Step	minimum	FY09	Step	New FY09
Ahearn, Michael	Working Foreman	R09 5	886.04	4	917.05	943.92	5	49,272.48
Annese, Ralph	HMEO	R04 3,4	745.65	3	771.75	786.64	4	41,062.61
Antonellis, Michael	SHMEO	R06 7	851.57	6	881.38	894.09	6	46,671.26
Antonellis, Michael	Senior Storekeeper	R07 7	903.69	7	935.32	957.88	7	50,001.57
Arpino, Philip	Mason/Curbsetter/HMEO	R05 1,2	730.94	1	756.52	756.52	2	39,490.46
Baccari, Costanzo	Mason/Curbsetter/HMEO	R05 6	806.60	5	834.83	838.77	5	43,783.77
Baccari, Gerardo	Working Foreman	R09 5	886.04	4	917.05	943.92	5	49,272.48
Bartley, Douglas	Working Foreman	R09 6,7	930.59	6	963.16	976.95	6	50,997.02
Beckler, Richard	Asst Traf Maint Man	R02 7	780.12	7	807.42	826.01	7	43,117.89
Bertrand, William	Water Meter Reader	R03 7	803.23	7	831.35	850.93	7	44,418.74
Bianchi, Lawrence	Jr Traffic Eng Aid	R05 7	851.99	7	881.81	902.85	7	47,128.85
Bianco, Keith	HMEO SWEEPER	R05 6	806.60	5	834.83	838.77	5	43,783.77
Bibbo, Joseph	Carpenter	R09 7	958.33	7	991.87	1,016.03	7	53,036.90
Billings, Robert	SHMEO	R06 7	877.21	7	907.91	929.85	7	48,538.11
Bleakney, Scott	SHMEO CDL Class A	R07 7	903.69	7	935.32	957.88	7	50,001.57
Bolio, Richard	HMEO SWEEPER	R05 6	806.60	5	834.83	838.77	5	43,783.77
Bosselman, Ronald	HMEO	R04 7	802.81	6	830.91	842.67	6	43,987.37
Boudreau, Francis	HMEO	R04 7	802.81	6	830.91	842.67	6	43,987.37
Boudrot, Gerald	Yard Maint Supervisor	R08 6	881.41	5	912.26	916.42	5	47,837.36
Bovarnick, Matthew	HMEO	R04 7	802.81	6	830.91	842.67	6	43,987.37
Bradley, Jonathan	Storekeeper	R07 7	903.69	7	935.32	957.88	7	50,001.57
Bryson, Michael	Metal Body Worker I	R07 7	903.69	7	935.32	957.88	7	50,001.57
Cabral, Robert	SHMEO	R06 7	851.57	6	881.38	894.09	6	46,671.26
Cacciola, Perry	Mason/Curbsetter/HMEO	R05 6	806.60	5	834.83	838.77	5	43,783.77
Caissie, Steven	Carpenter	R09 7	958.33	7	991.87	1,016.03	7	53,036.90
Camilli, Dominic	Mason/Curbsetter/HMEO	R05 7	826.77	6	855.71	868.13	6	45,316.21
Camilli, Elio	Electrician	R09 7	958.33	7	991.87	1,016.03	7	53,036.90
Campisi, Richard	Resource Recov Cntr Att	R08 5	859.98	4	890.08	916.42	5	47,837.36
Cane, Brian	Oil Burner Tech	R09 7	958.33	7	991.87	1,016.03	7	53,036.90
Cannistraro, Michael	HMEO	R04 7	802.81	6	830.91	842.67	6	43,987.37
Carresi, Patrick	Working Foreman	R09 2,3	843.17	2	872.68	881.16	3	45,996.39
Carrieri, Massimo	Electrician	R09 7	958.33	7	991.87	1,016.03	7	53,036.90
Carroll, James	Carpenter	R05 7	851.99	7	881.81	902.85	7	47,128.85
Carroll, John	HMEO	R04 7	802.81	6	830.91	842.67	6	43,987.37
Carter, Arthur	Water System Craftsman	R04 7	802.81	6	830.91	842.67	6	43,987.37
Caruso, William	Working Foreman	R08 6	881.41	5	912.26	916.42	5	47,837.36
Cassidy, Charles	Water Meter Reader	R03 7	803.23	7	831.35	850.93	7	44,418.74

#202-09

Appendix D  
Step assignment effective 7/1/08

NAME	JobTITLE	Current Grade and Step FY09	FY09			New FY09		
			FY09 Base	FY08 Step	minimum	FY09	Step	New FY09
Casto, Christopher	HME0	R04 1,2	709.50	1	734.34	760.04	3	39,673.94
Cavallo, Johnny	Mason/Curbsetter/HME0	R05 6	806.60	5	834.83	838.77	5	43,783.77
Cavallo, Vincent	HME0	R04 7	802.81	6	830.91	842.67	6	43,987.37
Cedrone, Lawrence	Working Foreman	R09 5	886.04	4	917.05	943.92	5	49,272.48
Cence, Livio	SHMEO	R06 3	771.71	2	798.72	806.41	3	42,094.80
Colucci, Joseph	Laborer	R02 6	738.51	5	764.35	767.38	5	40,057.50
Crowdle, Joseph	HME0 SWEEPER	R05 6	806.60	5	834.83	838.77	5	43,783.77
Dagostino, Robert	SHMEO	R06 7	851.57	6	881.38	894.09	6	46,671.26
Dalo, Lawrence	Working Foreman	R09 5	886.04	4	917.05	943.92	5	49,272.48
Daniele, Michael	SHMEO	R06 7	851.57	6	881.38	894.09	6	46,671.26
Davis, James	SHMEO CDL Class A	R07 7	903.69	7	935.32	957.88	7	50,001.57
Decaro, Antonio	Mason/Curbsetter/HME0	R05 6	806.60	5	834.83	838.77	5	43,783.77
Delgado, Adalberto	HME0	R04 1,2	709.50	1	734.34	760.04	3	39,673.94
Desir, Henock	HME0	R04 2,3	727.58	2	753.04	760.04	3	39,674.09
Dethomasis, Anthony	Working Foreman	R09 2,3	843.17	2	872.68	881.16	3	45,996.39
Dickens II, Nicholas	HME0 SWEEPER	R05 6	806.60	5	834.83	838.77	5	43,783.77
DiFilippo, Reynold	HME0	R04 1,2	709.50	1	734.34	760.04	3	39,673.94
Dobson, Arnold	Gas Light Maint Man	R03 7	803.23	7	831.35	850.93	7	44,418.74
Dore, Richard	Lead Parking Mtr Man	R09 5	886.04	4	917.05	943.92	5	49,272.48
Dorsey, John	Electrician	R09 7	958.33	7	991.87	1,016.03	7	53,036.90
Dunne, Robert	SHMEO	R06 7	851.57	6	881.38	894.09	6	46,671.26
Ebb, Michael	SHMEO	R06 7	851.57	6	881.38	894.09	6	46,671.26
Farese, Eugene	SHMEO	R06 6,7	851.57	6	881.38	894.09	6	46,671.26
Fauche, Philippe	Mason/Curbsetter/HME0	R05 6	806.60	5	834.83	838.77	5	43,783.77
Ferguson, Mark	SHMEO	R06 7	877.21	7	907.91	929.85	7	48,538.11
Finelli, Robert	Working Foreman	R09 5	886.04	4	917.05	943.92	5	49,272.48
Fitzgerald, Kevin	Motor Equipment Repairm	R08 1,2	798.61	1	826.56	826.56	2	43,146.56
Flaherty, Joseph	HME0	R04 7	802.81	6	830.91	842.67	6	43,987.37
Fleming, John	Water System Craft/HME0	R05 7	851.99	7	881.81	902.85	7	47,128.85
Fleming, Robert	Working Foreman	R09 5	886.04	4	917.05	943.92	5	49,272.48
Florestal, Jackson	HME0	R04 1,2	709.50	1	734.34	760.04	3	39,673.94
Flynn, Paul	Working Foreman	R09 5	886.04	4	917.05	943.92	5	49,272.48
Ford, John	Water System Craft/HME0	R05 6	806.60	5	834.83	838.77	5	43,783.77
Forte, Peter	M/E Repairman	R08 6	881.41	5	912.26	916.42	5	47,837.36
Fryar, Norman	HME0 SWEEPER	R05 6	806.60	5	834.83	838.77	5	43,783.77
Fryar, Paul	HME0 SWEEPER	R05 6	806.60	5	834.83	838.77	5	43,783.77
Gallelo, John	Mason/Curbsetter/HME0	R05 6	806.60	5	834.83	838.77	5	43,783.77

6/24/09

Appendix D  
Step assignment effective 7/1/08

NAME	JobTITLE	Current Grade			FY09		New FY09	
		and Step FY09	FY09 Base	FY08 Step	minimum	FY09	Step	New FY09
Gentile, Anthony	WF Wat Metr Repr/Insta	R09 6	907.89	5	939.67	943.92	5	49,272.48
Gentile, Thomas	Handyman	R04 7	802.81	6	830.91	842.67	6	43,987.37
Goodale, Timothy	HMEO	R04 7	802.81	6	830.91	842.67	6	43,987.37
Greeley, Francis	Mason/Curbsetter/HMEO	R05 6	806.60	5	834.83	838.77	5	43,783.77
Greenberg, David	HMEO	R04 2,3	727.58	2	753.04	760.04	3	39,674.09
Grigas, Alan	Backflow Prevention Tec	R06 7	877.21	7	907.91	929.85	7	48,538.11
Guardascione, Guido	Mason/Curbsetter/HMEO	R05 6	806.60	5	834.83	838.77	5	43,783.77
Halligan, James	Motor Equipment Repairm	R08 7	930.59	7	963.16	986.44	7	51,492.14
Herlihy, George	Storekeeper	R07 5	835.18	4	864.41	889.90	5	46,452.60
Hodgdon, Stephen	Working Foreman	R09 5	886.04	4	917.05	943.92	5	49,272.48
Ireland, David	W F - Laborer	R08 6	881.41	5	912.26	916.42	5	47,837.36
Jasset, Jeffrey	Water System Craft/HMEO	R05 1	730.94	1	756.52	756.52	2	39,490.46
Jessup, William	Oil Burner Tech	R09 7	958.33	7	991.87	1,016.03	7	53,036.90
Johanson, Daniel	Lead Metal Body Wkr/Wld	R09 7	958.33	7	991.87	1,016.03	7	53,036.90
Johnson, Stephen	HMEO	R04 2,3	727.58	2	753.04	760.04	3	39,674.09
Keefe, Charles	MEO	R03 7	779.70	6	806.99	818.21	6	42,710.33
Kerr, George A	HMEO	R04 7	802.81	6	830.91	842.67	6	43,987.37
Kilmain, Kenneth	HMEO	R04 2,3	727.58	2	753.04	760.04	3	39,674.09
King, James	Handyman	R04 7	802.81	6	830.91	842.67	6	43,987.37
Lambert, Paul	Laborer	R02 6	738.51	5	764.35	767.38	5	40,057.50
Langkopf, Benjamin	HMEO	R04 7	802.81	6	830.91	842.67	6	43,987.37
Larosee, John	Motor Equipment Repairm	R07 2,3	794.83	2	822.65	830.73	3	43,363.99
Leone, Richard	Working Foreman	R09 5	886.04	4	917.05	943.92	5	49,272.48
Lomer, Paul	W F-Parks Maint Crafts	R09 5	886.04	4	917.05	943.92	5	49,272.48
Lord, Earle	Irrigation Spectt	R09 5	886.04	4	917.05	943.92	5	49,272.48
Lucenta, Francis	HMEO	R04 2,3	727.58	2	753.04	760.04	3	39,674.09
MacCormack, James	Motor Equipment Repairm	R06 7	877.21	7	907.91	929.85	7	48,538.11
Mackay, Michael	SHMEO	R06 5,6	830.98	5	860.06	863.85	5	45,093.01
Maguire, Joseph	Plumber	R09 7	958.33	7	991.87	1,016.03	7	53,036.90
Malkasian, Martin	HMEO	R04 7	802.81	6	830.91	842.67	6	43,987.37
Malo, Brian	HMEO	R04 2,3	727.58	2	753.04	760.04	3	39,674.09
Manning, Glenn	Electrician	R09 7	958.33	7	991.87	1,016.03	7	53,036.90
Marciano, John	Plumber	R09 5,6	907.89	5	939.67	943.92	5	49,272.48
Marini, Alessandro	Mason/Curbsetter/HMEO	R05 2,3	749.01	2	775.23	783.00	3	40,872.62
Martell, Roy	Parks Maint Craftsman	R04 5,6	783.48	5	810.90	814.17	5	42,499.67
Mastroianni, Michael	Mason/Curbsetter/HMEO	R05 2,3	749.01	2	775.23	783.00	3	40,872.62
Mazzarella, Robert	HMEO	R04 1,2	709.50	1	734.34	760.04	3	39,673.94

# 200-09  
60-00 #

Appendix D  
Step assignment effective 7/1/08

NAME	JobTITLE	Current Grade			FY09		New FY09	
		and Step FY09	FY09 Base	FY08 Step	minimum	FY09	Step	New FY09
Mazzola, Christopher	Working Foreman	R09 5	886.04	4	917.05	943.92	5	49,272.48
Mazzola, Steven	HMEO SWEEPER	R05 6	806.60	5	834.83	838.77	5	43,783.77
McAdams, David	Working Foreman	R09 5	886.04	4	917.05	943.92	5	49,272.48
McCarthy, Colin	Parking Meter Repairman	R04 7	827.19	7	856.14	876.37	7	45,746.51
McClary, Robert	Pks Maint Craft/SHMEO A	R07 1	775.49	1	802.64	802.64	2	41,897.58
McDonnell, Tim	HMEO	R04 1,2	709.50	1	734.34	760.04	3	39,673.94
McKenzie, William	SHMEO	R06 7	851.57	6	881.38	894.09	6	46,671.26
McMullen, Paul	Working Foreman	R08 6	881.41	5	912.26	916.42	5	47,837.36
Merrithew, Benjamin	HMEO	R04 2,3	727.58	2	753.04	760.04	3	39,674.09
Morrissey, Thomas	WF - Laborer	R08 6	881.41	5	912.26	916.42	5	47,837.36
Moseley, Phillip	Working Foreman	R09 7	958.33	7	991.87	1,016.03	7	53,036.90
Motyka, Joesph	HMEO	R04 6,7	802.81	6	830.91	842.67	6	43,987.37
Murphy, John	SHMEO	R06 7	851.57	6	881.38	894.09	6	46,671.26
Murphy, Michael	SHMEO	R06 7	851.57	6	881.38	894.09	6	46,671.26
Murray, Richard	Lead Sign Painter	R09 4	864.18	3	894.43	912.00	4	47,606.26
Norton, Michael	SHMEO	R06 7	851.57	6	881.38	894.09	6	46,671.26
Nourse, Michael	Mason/Curbsetter/MEO	R03 7	779.70	6	806.99	818.21	6	42,710.33
O'Brien, Paul	Plumber	R09 7	958.33	7	991.87	1,016.03	7	53,036.90
Oliveira, Manuel	Metal Body Worker II	R07 7	903.69	7	935.32	957.88	7	50,001.57
O'Neil, Jeffrey	Mason/Curbsetter/HMEO	R05 1,2	730.94	1	756.52	756.52	2	39,490.46
O'Neil, Stephen	Working Foreman	R09 5	886.04	4	917.05	943.92	5	49,272.48
Panaggio, Pasquale	WF Video Pipeline Insp	R09 3,4	864.18	3	894.43	912.00	4	47,606.26
Panza, Dennis	Mason/Curbsetter/HMEO	R05 1,2	730.94	1	756.52	756.52	2	39,490.46
Panza, Elio	Working Foreman	R09 5	886.04	4	917.05	943.92	5	49,272.48
Parent, Wilner	HMEO	R04 6,7	802.81	6	830.91	842.67	6	43,987.37
Pellegrini, Louis	Backflow Prevention Tec	R06 7	877.21	7	907.91	929.85	7	48,538.11
Peredna, Richard	Working Foreman	R09 5	886.04	4	917.05	943.92	5	49,272.48
Perkins, Thomas	Traffic Maintenance Man	R02 7	780.12	7	807.42	826.01	7	43,117.89
Perron, David	Mason/Curbsetter/HMEO	R05 7	851.99	7	881.81	902.85	7	47,128.85
Pesce, John	Turf/Grounds Specialist	R09 3,4	864.18	3	894.43	912.00	4	47,606.26
Pignatelli, Fred	SHMEO	R06 7	877.21	7	907.91	929.85	7	48,538.11
Plati, David	MEO	R02 7	757.00	6	783.49	794.24	6	41,459.51
Porcena, Gesnele	MEO	R02 7	757.00	6	783.49	794.24	6	41,459.51
Porcena, Josette	Parks Maint Craftsman	R04 7	827.19	7	856.14	876.37	7	45,746.51
Quinn, Brian	Water System Craft/HMEO	R05 7	851.99	7	881.81	902.85	7	47,128.85
Quinn, Joseph	HMEO	R04 7	802.81	6	830.91	842.67	6	43,987.37
Rametta, Alberto	SHMEO	R06 7	851.57	6	881.38	894.09	6	46,671.26

60-200 #



Appendix D  
Step assignment effective 7/1/08

NAME	JobTITLE	Current Grade			FY09		New FY09	
		and Step FY09	FY09 Base	FY08 Step	minimum	FY09	Step	New FY09
Rando, Richard	Yard Maint Supervisor	R08 6	881.41	5	912.26	916.42	5	47,837.36
Ratta, Joseph	SHMEO CDL Class A	R07 7	877.21	6	907.91	921.04	6	48,078.44
Reilly, John	Water Meter Reader	R03 2,3	706.14	2	730.86	737.97	3	38,522.27
Renderos, Marcelino	Motor Equipment Repairm	R06 7	877.21	7	907.91	929.85	7	48,538.11
Rines, Kenneth	HMEO	R04 5	764.14	4	790.89	814.17	5	42,499.67
Rutkowski, Karen	Time/Construction Clerk	R07 5,6	855.77	5	885.73	889.90	5	46,452.60
Sanford, Michael	SHMEO	R06 7	851.57	6	881.38	894.09	6	46,671.26
Sbordone, Robert	Water System Craft/HMEO	R05 7	851.99	7	881.81	902.85	7	47,128.85
Scalfreto, Peter	Mason	R08 7	930.59	7	963.16	986.44	7	51,492.14
Scordamalgia, Michael	Motor Equipment Repairm	R06 7	877.21	7	907.91	929.85	7	48,538.11
Secinaro, Alphonse	HMEO	R04 7	802.81	6	830.91	842.67	6	43,987.37
Silva, Frederick	Lead Motor Equip Repair	R07 7	877.21	6	907.91	921.04	6	48,078.44
Silva, Raymond	Motor Equipment Repairm	R06 7	877.21	7	907.91	929.85	7	48,538.11
Sirafos, John	HMEO	R04 1,2	709.50	1	734.34	760.04	3	39,673.94
Spellman, Robert	SHMEO	R06 1,2	752.80	1	779.14	806.41	3	42,094.60
Stevens, Paul	Lead-SHMEO	R07 7	903.69	7	935.32	957.88	7	50,001.57
Sturniolo, Michael	HMEO	R04 7	802.81	6	830.91	842.67	6	43,987.37
Szetela, Adam	Working Foreman	R09 5	886.04	4	917.05	943.92	5	49,272.48
Tempesta, Loreto	Working Foreman	R09 5	886.04	4	917.05	943.92	5	49,272.48
Tempesta, William	HMEO	R04 7	802.81	6	830.91	842.67	6	43,987.37
Thea, Paul	Working Forrman	R09 4,5	886.04	4	917.05	943.92	5	49,272.48
Trask, Robert	SHMEO CDL Class A	R07 7	877.21	6	907.91	921.04	6	48,078.44
Troy, William	Lead Motor Equip Repair	R09 7	958.33	7	991.87	1,016.03	7	53,036.90
Valente, Robert	WF - Carpenter	R09 5	886.04	4	917.05	943.92	5	49,272.48
Venditti, Louis	Carpenter	R09 7	958.33	7	991.87	1,016.03	7	53,036.90
Vosnak, Joanne	Bookkeeper	R05A 7	922.00	7A	922.00	922.00	7A	48,128.40
Whelan, Paul	Water Metr Repair/Insta	R06 7	877.21	7	907.91	929.85	7	48,538.11
White, James	Water Metr Repair/Insta	R06 7	877.21	7	907.91	929.85	7	48,538.11
Whooten, Mark	Mason/Curbsetter/HMEO	R05 7	851.99	7	881.81	902.85	7	47,128.85
Whynot, Stephen	HMEO	R04 7	802.81	6	830.91	842.67	6	43,987.37
Wickstrom, Frederick	HMEO	R04 3,4	745.65	3	771.75	786.64	4	41,062.61
Williams, Robert	HMEO	R04 7	802.81	6	830.91	842.67	6	43,987.37
Womboldt, Francis	WF-Parks Maint Crafts	R09 5	886.04	4	917.05	943.92	5	49,272.48
Yerardi, Stephen	W/S Maint Craftsman	R05 2,3	749.01	2	775.23	783.00	3	40,872.62

b0-e02#

CITY OF NEWTON  
IN BOARD OF ALDERMEN

, 2009

ORDERED:

That in accordance with the recommendation of the Finance Committee through its Chairman Paul E. Coletti, the sum of two hundred twenty-four thousand, two hundred thirty-two dollars (\$224,232) be and is hereby appropriated from Wage Reserve to the payroll accounts of Public Buildings, Public Works, and Parks and Recreation Departments for retroactive salary payments pursuant to the agreement reached with the Newton Municipal Employees Association.

FROM:	Wage Reserve (0110498-5197).....	\$224,232
TO:	Building Salaries (0111501-5197).....	\$ 72,504
	DPW Salaries (0140101-5197).....	\$120,970
	Parks Salaries (0160201-5197).....	\$ 30,758

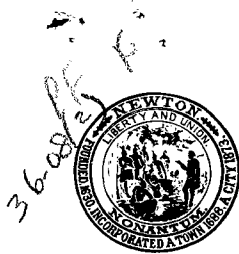
Under Suspension of Rules  
Readings Waived and ----

(SGD) DAVID A. OLSON  
City Clerk

(SGD) DAVID B. COHEN  
Mayor

Date: \_\_\_\_\_

(SGD) PAUL E. COLETTI, Chairman  
Finance Committee



David B. Cohen  
Mayor

City of Newton, Massachusetts  
Office of the Mayor

# 36-08(2)

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

April 28, 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 docket for consideration a request to amend docket item #36-08, by appropriating an additional \$109,627 from budget reserve to the fuel tank replacements that are underway at the Elliot Street DPW yard.

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen  
Mayor

DBC: srb

09 APR 28 PM 6:02  
CITY CLERK  
NEWTON, MA 02159

From: BUDGET RESERVE  
0110498-5790 109,627

To: ELIOT STREET YARD FUEL TANK REPLACEMENT  
0115034-5825 109,627

(KAW)

04/29/2009

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.ci.newton.ma.us



DEDICATED TO COMMUNITY EXCELLENCE

#36-08(2)

City of Newton



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

April 28, 2009

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

RE Additional Funding - Fuel Tank Replacement Elliot Street DPW Yard

Dear Mayor Cohen:

The Public Buildings Department respectfully requests the sum of \$109,627.00 to cover the cost of replacing and removing two, twenty year old 10,000 gallon underground gasoline tanks, fuel dispensing island and related equipment at the Elliot Street DPW Yard. The additional cost is broken down as follows:

Dixon Inc. Original Contract	\$ 328,689.00
Upgrade of Gasboy system	+ 6,118.00
Additional Grading	+ 29,800.00
Additional Protective Bollards	+ 500.00
Engineering and Site Inspections	+ 25,000.00
Demo of Concrete Foundations	+ 4,750.00
Asphalting of Yard (materials only)	+ 77,000.00
Total Cost to Date	\$ 471,907.00
Less Original Request	- 367,500.00
<b>SUB TOTAL</b>	<b>\$ 104,407.00</b>
+ 5% Contingency	<u>5,220.00</u>
<b>Additional Request</b>	<b>\$ 109,627.00</b>

Should you have any questions regarding this request, please contact my office.

Very truly yours,

*A. Nicholas Parnell*  
A. Nicholas Parnell  
Commissioner of Public Buildings

ANP:dla  
CC: Sandy Pooler, Chief Administrative Officer  
Tom Daley, Public Works Commissioner  
Susan Burstein, Chief Budget Officer

09 APR 28 PM 6:02  
CITY CLERK  
NEWTON, MA. 02159

City of Newton



David B. Cohen  
Mayor

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

#36-08(2)

09 MAY 29 PM 4:19  
CITY CLERK  
NEWTON, MA 02159

May 28, 2009

Alderman Sydra Schnipper  
Chairman, Public Facilities Committee  
Alderman, Paul E. Coletti  
Chairman, Finance Committee  
1000 Commonwealth Avenue  
Newton, MA 02459

RE: Elliot Street Above-Ground Storage Tank Installation

Dear Chairmen:

During the Public Facilities meeting held on May 20, 2009, additional information was requested regarding the actual cost of the installation of the Elliot Street Yard above-ground storage tanks.

Attached please find a comparison of the estimated versus actual cost of the installation.

Should you have any additional questions, please feel free to contact my office.

Sincerely,

Arthur F. Cabral  
Budget & Project Specialist

AFC:dla  
Enclosure

# 36-08(2)

**Elliot Street Yard UST removal and AST installation estimated cost vs. actual cost**

5/28/2009

	1/15/2008 Estimate (request)	5/15/2009 Actual	Comparison (under) / over
Materials and installation of two – 10,000 gallon above ground storage tanks, related equipment, fuel island, and related dispensing equipment	\$ 275,000	\$ 233,647	\$ (41,353)
Removal of existing underground storage tanks, fuel island, related equipment and surrounding soil	\$ 30,000	\$ 89,459	\$ 59,459
Paving (materials only)	\$ 10,000	\$ 77,000	\$ 67,000
Site grading	\$ -	\$ 29,301	\$ 29,301
Engineering and site inspection	<u>\$ 35,000</u>	<u>\$ 25,000</u>	\$ (10,000)
SUB TOTAL	\$ 350,000	\$ 454,407	\$ 104,407
Contingency 5%	<u>\$ 17,500</u>	<u>\$ 22,720</u>	<u>\$ 5,220</u>
TOTAL	\$ 367,500	\$ 477,127	\$ 109,627 *

\*Additional funds required

# 36-08(2)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#36-08(2) HIS HONOR THE MAYOR requesting to amend docket item #36-08 by appropriating an additional one hundred nine-thousand six hundred twenty-seven dollars (\$109,627) from Budget Reserve for the fuel tank replacements at the Elliot Street DPW yard. [04/28/09 @ 6:02 PM]

**ACTION:** **APPROVED 5-0-2 (Gentile and Lennon abstaining)**

**NOTE:** The request is for an amendment to a previously approved docket item for funds to replace fuel tanks at the Elliot Street Public Works Yard. The Public Buildings Department requires an additional \$109,627 for additional grading, asphalt and other unanticipated increases in costs to the project. Arthur Cabral of the Public Buildings Department stated that the majority of the funds are for asphalt material. The project originally included asphalt paving only in close proximity to the new fuel tanks. It was later determined that the better choice would be to pave a much larger area to create a more level surface in the portion of the yard located near the fuel tanks. The Department of Public Works will be performing all of the paving included in the project.

Mr. Cabral provided the Committee with a breakdown of the cost of the entire project including the additional costs; however, the breakdown did not include the specific uses of the additional funds. Mr. Cabral explained that the original paving estimate was too low, and the Department of Public Works estimates the need for approximately 1,000 tons of asphalt to do the necessary paving. The supplemental cost was compounded by the additional paving necessary due to the grade issues with the new fuel tanks. It is estimated that 20% of the yard will be repaved to correct the grading issues.

Ald. Salvucci asked if there would be a canopy cover over the tanks. Arthur Cabral responded that there is no canopy cover. Ald. Salvucci thought that a canopy cover was included as part of the original project. Mr. Cabral explained that it was discussed but it was determined that the canopy would be too expensive. Committee members inquired when the tanks would be operational. The tanks should be operational in the next two to three weeks. Ald. Gentile and Lennon suggested that Mr. Cabral provide a more detailed breakdown of the additional funds before the Finance Committee discusses the item. Mr. Cabral agreed to provide the information. Ald. Yates moved approval of the item, which carried by a vote of five in favor, none opposed and two abstentions.

#36-08(2)  
DRAFT

CITY OF NEWTON  
IN BOARD OF ALDERMEN  
, 2009

ORDERED:

That in accordance with the recommendation of the Public Facilities Committee through its Chairman Sydra Schnipper and the Finance Committee through its Chairman Paul E. Coletti, a request to amend docket item #36-08, by appropriating an additional one hundred nine thousand six hundred twenty-seven dollars (\$109,627) to be appropriated from Budget Reserve be and is hereby appropriated, granted and expenditure authorized for the purpose of fuel tank replacements at the Elliot Street DPW yard.

FROM: Budget Reserve  
(0110498-5790).....\$109,627

TO: Elliot Street Yard Fuel Tank Replacement  
(C115034-5825).....\$109,627

Under Suspension of Rules  
Readings Waived and ----

(SGD) DAVID A. OLSON  
City Clerk

(SGD) DAVID B. COHEN  
Mayor

Date: \_\_\_\_\_

(SGD) PAUL E. COLETTI, Chairman  
Finance Committee





David B. Cohen  
Mayor

City of Newton, Massachusetts  
Office of the Mayor

# 178-09

Telephone  
(617) 796-1100

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(617) 796-1113

TDD  
(617) 796-1089

E-mail  
dcohen@newtonma.gov

June 12, 2009

09 JUN 12 PM 4:43  
CITY CLERK  
NEWTON, MA 02159

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

Ladies and Gentlemen:

I write to amend my request that your Honorable Board docket an additional appropriation from Capital Stabilization to the Building Department for the balance of the cost to replace the emergency generator at the Peirce Elementary School. The revised additional sum is \$43,850.

Thank you for your consideration of this matter.

Very truly yours,

*David B. Cohen*  
David B. Cohen  
Mayor

DBC:srb

From: Capital Stabilization Fund  
395104-5901 43,850

To: Peirce Elementary Replacement  
310115F48-52467 43,850  
1000 Commonwealth Avenue Newton, Massachusetts 02459

*AK*  
06/05/2009

#178-09

City of Newton



**PUBLIC BUILDINGS DEPARTMENT**

**A. NICHOLAS PARNELL, AIA, COMMISSIONER**

Telephone: (617) 796-1600

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TTY: (617) 796-1089

52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

David B. Cohen  
Mayor

June 12, 2009

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

09 JUN 12 PM 4:43  
CITY CLERK  
NEWTON, MA 02159

**RE: Additional Funding – Peirce School Emergency Generator Replacement**

Dear Mayor Cohen:

The Public Buildings Department respectfully requests the additional sum of \$ 43,850 to cover the cost of the removal and replacement of the existing emergency generator at the Peirce Elementary School.

Attached to this letter is a comparison of the estimated costs versus the actual bid results for this project.

Should you have any questions regarding this request, please contact my office.

Very truly yours,

A. Nicholas Parnell, AIA  
Commissioner of Public Buildings

ANP:dla

CC: Sandy Pooler, Chief Administrative Officer  
Susan Burstein, Chief Budget Officer  
Michael Cronin, Chief of Operations  
Carol Chafetz, Director of Operations and Environmental Affairs

# Peirce School Emergency Generator Replacement Project Revised Budget

6/10/2009

003

<u>Task</u>	<u>Original Estimate</u>	<u>Budget based on Bid</u>
New Generator	\$ 50,000	\$ 90,000
Site Prep / trenching	\$ 5,240	\$ 14,000
Installation Labor	\$ <u>22,500</u>	\$ <u>28,000</u>
<b>Total Materials &amp; Installation</b>	<b>\$ 77,740</b>	<b>\$ 132,000</b>
Design/Contract Administration	\$ 17,500	\$ 5,000
<b>Sub Total</b>	<b>\$ 95,240</b>	<b>\$ 137,000</b>
5% Contingency	\$ 4,762	\$ 6,850
<b>Project Total</b>	<b>\$ <u>100,002</u></b>	<b>\$ <u>143,850</u></b>
<b>rounded down to</b>	<b>\$ 100,000</b>	

NEWTON PUBLIC BUILDINGS

06/12/2008 14:42 FAX 6177961601

09 JUN 12 PM 4:43  
 CITY CLERK  
 NEWTON, MA 02459

#178-09

PP 44

#178-09



City of Newton, Massachusetts  
Office of the Mayor

David B. Cohen  
Mayor

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TDD  
(617) 796-1089  
E-mail  
dcohen@newtonma.gov

June 9, 2009

09 JUN -9 PM 5:08  
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 \$38,600 from Capital Stabilization to the Building Department for the balance of the cost to replace the emergency generator at the Peirce Elementary School.

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](http://www.ci.newton.ma.us)



DEDICATED TO COMMUNITY EXCELLENCE

# Peirce School Emergency Generator Replacement Project Revised Budget

6/9/2009

003

<u>Task</u>	<u>Original Estimate</u>	<u>Budget based on Bid</u>
New Generator	\$ 50,000	\$ 75,000
Site Prep / trenching	\$ 5,240	\$ 12,750
Installation	\$ 22,500	\$ 26,750
Design/Contract Administration	\$ 17,500	\$ 17,500
Sub Total	\$ 95,240	\$ 132,000
5% Contingency	\$ 4,762	\$ 6,600
<b>Project Total</b>	<b>\$ 100,002</b>	<b>\$ 138,600</b>
rounded down to	\$ 100,000	

NEWTON PUBLIC BUILDINGS

06/09/2009 13:03 FAX 6177961601

09 JUN -9 PM 5: 08  
 CITY CLERK  
 NEWTON, MA. 02159

#179-09

# 178-09

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#178-09      HIS HONOR THE MAYOR requesting to appropriate and expend from Capital Stabilization the sum of thirty eight thousand six hundred dollars (\$38,600) to the Building Department for the balance of the cost to replace the emergency generator at the Peirce Elementary School. [6/09/09 @ 5:08 PM]

**ACTION:**      **APPROVED 8-0**

**NOTE:**      Commissioner of Public Buildings Nick Parnell and Arthur Cabral, Budget and Project Specialist of the Public Buildings Department, presented the item to the Committee. The item is a request for additional funds to complete the replacement of the Peirce Elementary School generator. The Board approved a request for \$100,000 to replace the generator in January of 2006. The project recently went out to bid and the budget based on the bids needs to be increased to \$138,600. The Public Buildings Department provided a comparison of the estimated cost versus the actual bid results, which was attached to the agenda.

The current emergency generator at the school is not functioning. The replacement generator will keep the school up and running for three to four days. The unit will be located at the back of the school. The generator is encased in an acoustical suit to keep the operating noise to a bare minimum.

There was some question of the necessity of an emergency generator at the school. The Commissioner pointed out that the school can be used as an emergency shelter should there be a catastrophic event in the area. Most of the schools and City Hall have emergency generators to allow operations to continue in the event of a power outage. Ald. Albright moved approval of the item, which carried unanimously.

CITY OF NEWTON  
IN BOARD OF ALDERMEN

, 2009

ORDERED:

That in accordance with the recommendation of the Public Facilities Committee through its Chairman Sydra Schnipper and the Finance Committee through its Chairman Paul E. Coletti, the sum of forty three thousand eight hundred fifty dollars (\$43,850) to be appropriated from Capital Stabilization be and is hereby appropriated, granted and expenditure authorized for the purpose to pay for the balance of the cost to replace the emergency generator at the Peirce Elementary School.

FROM:	Capital Stabilization Fund (39B104-5901).....\$43,850
TO:	Peirce Generator Replacement (31C115F4B-52407).....\$43,850

Under Suspension of Rules  
Readings Waived and ----

(SGD) DAVID A. OLSON  
City Clerk

(SGD) DAVID B. COHEN  
Mayor

Date: \_\_\_\_\_

(SGD) PAUL E. COLETTI, Chairman  
Finance Committee



David B. Cohen  
Mayor

City of Newton, Massachusetts  
Office of the Mayor

#179-09

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E-mail  
dcohen@newtonma.gov

July 16, 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 docket for consideration an amendment to docket item #179-09. Based on the approval of the Public Facilities committee to place the fuel tanks at the Crafts Street DPW yard above ground, I request that the authorization to bond for this project be increased to \$453,000.

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen  
Mayor

DBC: srb

09 JUL 16 PM 4: 54  
CITY CLERK  
NEWTON, MA 02159

1000 Commonwealth Avenue Newton, Massachusetts 02459

[www.ci.newton.ma.us](http://www.ci.newton.ma.us)



DEDICATED TO COMMUNITY EXCELLENCE



City of Newton



David B. Cohen  
Mayor

## 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

#179-09

July 13, 2009

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

09 JUL 13 PM 2:37  
CITY CLERK  
NEWTON, MA 02159

RE: Crafts Street Yard – Fuel Oil Tank Replacement Project

Dear Alderman Coletti:

Below is a timeline for the preparation of specifications, bidding, removal of the existing underground fuel oil tanks and the installation of the above ground tanks at the Crafts Street Yard.

Plans/Specs Complete:	8/10/09
Bid Period:	8/18 – 9/9/09
Contract Award/Execution:	9/9/09 – 9/16/09
New Tank Installation:	9/23/09 – 10/22/09
Old Tank Removal:	10/26/09 – 11/13/09

Should you have any questions regarding this timeline, Arthur Cabral and I will be in attendance at the July 20, 2009 Finance Committee meeting, or you may call us at 796-1600.

Sincerely,

A. Nicholas Parnell, AIA  
Commissioner of Public Buildings

ANP:dla

CC: Sandy Pooler, Chief Administrative Officer  
Susan Burstein, Chief Budget Officer  
Tom Daley, Commissioner of Public Works  
Arthur F. Cabral, Budget & Project Specialist

# Crafts Street DPW Yard Underground Storage Tank Replacement Project Estimate

7/2/2009

<u>Task</u>	<u>Above Ground Storage Tank System</u>	<u>Underground Storage Tank System</u>
Existing Tank Removal	\$ 30,000	\$ 30,000
Soil Removal (approximately 175 tons @ \$75/ton)	\$ 13,124	\$ 13,124
Additional Soil Removal (200 tons @ \$75/ton)	\$ 15,000	\$ 15,000
Tank System Installation (including all piping, wiring and monitoring components and fuel island)	\$ 280,000	\$ 250,000
Fuel Island Lighting/fixtures/stanchions	\$ 34,000	\$ 34,000
Paving (materials)	\$ 25,000	\$ 15,000
DEP Documentation / Tank Maintenance Plan)	\$ 5,000	\$ -
Design / Contract Administration	\$ 28,500	\$ 28,500
Sub Total	\$ 430,624	\$ 385,624
5% Contingency	\$ 21,531	\$ 19,281
<b>Project Total</b>	<b>\$ 452,155</b>	<b>\$ 404,905</b>

If Wash Bay is to store tanks add the following to the above cost:

**Option 1:**

- Fire Suppression System (for existing wash bay)	\$ 55,000
- Grading/paving to level areas adjacent to wash bay	\$ 15,000
- Replacement Wash Bay, 2,400 sq. ft @ \$300/sq. ft.	\$ 720,000
- Design of Wash Bay, 10% of Wash Bay Construction Cost	\$ 72,000
<b>Sub Total</b>	<b>\$ 862,000</b>
5% Contingency	\$ 43,100
<b>Additional Costs</b>	<b>\$ 905,100</b>

**Project Total w/use of existing wash bay w/new wash bay** **\$ 1,357,255**

**Option 2:**

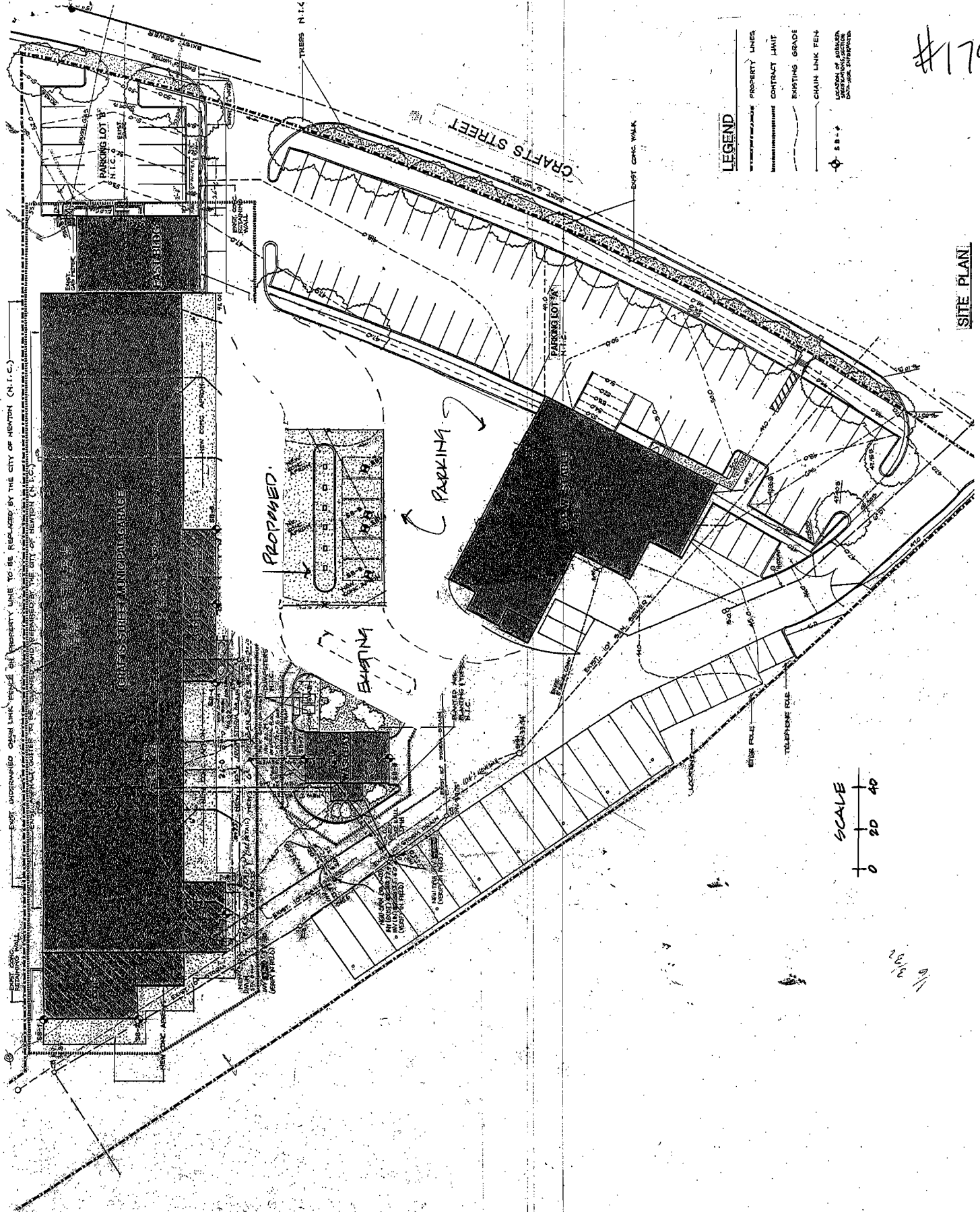
- Fire Suppression System (for existing wash bay)	\$ 55,000
- Grading/paving to level areas adjacent to wash bay	\$ 15,000
- Replacement Wash Station (no new building) (includes new plumbing and drainage outside)	\$ 30,000
<b>Sub Total</b>	<b>\$ 100,000</b>
5% Contingency	\$ 5,000
<b>Additional Costs</b>	<b>\$ 105,000</b>

**Total w/use of existing wash bay w/new wash station** **\$ 557,155**

Site has constraints and location is a major issue given the current layout of the yard

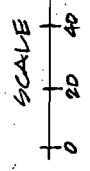
#179.09

#179-09



- LEGEND**
- PROPERTY LINE
  - CONTRACT LIMIT
  - EXISTING GRADE
  - CHAIN LINK FENCE
  - EXISTING UTILITY POLES
  - EXISTING TELEPHONE POLES
  - EXISTING CONCRETE WALK
  - EXISTING ASPHALT DRIVE
  - EXISTING ASPHALT DRIVE

SITE PLAN



20/9/11

20-641 #

PP. 10

#179-09



City of Newton, Massachusetts  
Office of the Mayor

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(617) 796-1089  
E-mail  
dcohen@newtonma.gov

David B. Cohen  
Mayor

June 9, 2009

09 JUN -9 PM 5:08  
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 four hundred five thousand dollars (\$405,000) from bonded indebtedness for the purpose of replacing two underground fuel tanks at the Crafts Street DPW Yard. These tanks are approaching the end of their useful live and replacement has been anticipated. The need has been made more pressing following the results of tests that were recently performed. The Building Department will be providing a site plan for discussion with the Board.

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](http://www.ci.newton.ma.us)



DEDICATED TO COMMUNITY EXCELLENCE

#179-09

City of Newton



David B. Cohen  
Mayor

## PUBLIC BUILDINGS DEPARTMENT

A. NICHOLAS PARNELL, AIA, COMMISSIONER

Telephone (617) 796-1600

FAX (617) 796-1601

52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

June 9, 2009

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

RE Fuel Tank Replacement Elliot Street DPW Yard

Dear Mayor Cohen:

The Public Buildings Department respectfully requests the sum of \$404,905 cover the cost of replacing and removing two, twenty-three year old 10,000 gallon underground gasoline tanks, fuel dispensing island and related equipment at the Crafts Street DPW Yard. Due to site constraints, the existing tanks will be replaced in kind with underground storage tanks.

Both of these tanks have failed a number of inspections in regards to vapor recovery, cathodic protection, as well as the existing underground piping, although wrapped with a secondary containment, does not meet the current code for secondary containment, interstitial piping is all corroded and could not be removed for testing of the interstitial space and overall piping and tank tops are extremely corroded. I am suggesting that both tanks be replaced due to their age as opposed to making temporary repairs.

We have been in contact with both the State Fire Marshall's Office and the Newton Fire Department and been advised that the existing tanks may remain in service until the commencement of their replacement, which we anticipate to occur during the months of August and September, 2009.

However, should the above time line not be met, the existing tanks will be taken out of service effective August 1, 2009 and remain out of service until such time as the replacement project is completed.

The breakdown of the request is as follows:

Materials and installation of two - 10,000 gallon below ground storage tanks, fill, related equipment, fuel island, lighting and related dispensing equipment	\$285,000
Removal of existing underground storage tanks, fuel island, related equipment and surrounding soil	30,000
Paving around tank replacement area only (materials only)	15,000
Engineering and site inspection	35,000
Soil Removal and disposal (375 tons @ \$75/ton)	<u>20,625</u>
SUB TOTAL	\$385,625
Contingency 5%	<u>19,280</u>
TOTAL	\$404,905

CITY CLERK  
NEWTON, MA 02459

09 JUN -9 PM 5:08

#179-09

Should you have any questions regarding this request, please contact my office.

Very truly yours,

A. Nicholas Parnell, AIA  
Commissioner of Public Buildings

ANP:dla  
CC:

- Sandy Fuller, Chief Administrative Officer
- Thomas Daley, Public Works Commissioner
- Susan Burstein, Chief Budget Officer
- Chief Joseph LaCroix
- Deputy Chief, Michael Castro
- Lt. Robert Rocky, Fire Prevention

09 JUN -9 PM 5:08  
 CITY CLERK  
 NEWTON, MA. 02159

#179-09

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#179-09 HIS HONOR THE MAYOR requesting to appropriate and expend from bonded indebtedness the sum of four hundred five thousand dollars (\$405,000) to Department of Public Buildings for the purpose of replacing two underground fuel tanks at the Crafts Street DPW yard. [06-09-09 @ 5:08 PM]

**ACTION:** **APPROVED 4-0**

**NOTE:** Arthur Cabral, Public Buildings Commissioner Parnell and Public Works Commissioner Daley were present for the discussion of this item. Commissioner Parnell provided a sketch of the locations of the proposed above ground tanks at the Crafts Street Public Works Yards and cost estimates for the tank replacement, which are attached. The Public Buildings Commissioner looked at possibilities for putting in an above ground tank and determined that there was just enough space on the site. He is proposing putting two above ground tanks in the area between the garage building and the stable where there is currently parking. Commissioner Parnell believes that the above ground tanks are a viable option for the site.

The Commissioner used the sketch to show that the tanks would not impede any paths of travel for equipment. The Fire Department can get their equipment in and out of the site, which was one of the biggest concerns. The placement of the tanks also provides enough room for other vehicles when a vehicle is filling up. The parking on the site will need to be reconfigured, as there would be a loss of nine spaces. Commissioner Daley stated that it is a tight yard and the ideal situation would be to put the tanks underground but understands that it is environmentally wiser to install above ground tanks. Commissioner Daley was emphatic that the Public Works Department needs the tanks as soon as possible. It is Commissioner Daley understanding that the current tanks will not be operational on August 1, 2009. When the tanks are shut down the Public Works Department will have to use the Elliot Street Yard for all refueling. It is his hope that putting the tanks above ground will expedite the process. Commissioner Daley is aware that the Public Works Department will have to be more creative in its use of space at the yard.

Commissioner Parnell reiterated that putting the tanks above ground is the right thing to do, as it is much easier to address any issues with leaking tanks. Arthur Cabral pointed out that there would be no pipe with fuel in the ground. Ald. Lappin asked if there would be a canopy over the tanks. Mr. Cabral responded that there would not be a canopy. Ald. Mansfield inquired if there were any danger of the tanks being hit by vehicles. Mr. Cabral responded that there would be a large number of bollards around the tank to avoid any accidents. The Commissioner also stated that there would be some additional landscaping to provide screening for the tanks from the street.

The Committee reviewed the cost estimates for the tank replacement. The above ground tanks are a little more expensive than the underground. There is also some additional cost due to the number of bollards needed to ensure safety. Ald. Lappin moved approval of the above ground tanks, which carried unanimously.

#179-09  
DRAFT

CITY OF NEWTON, MASSACHUSETTS

IN BOARD OF ALDERMEN

, 2009

ORDERED:

That for the purpose of paying costs of replacing two underground fuel tanks with two aboveground fuel tanks at the Crafts Street DPW yard, and for the payment of any and all other costs associated therewith, there be and hereby is appropriated and authorized to be borrowed under and pursuant to Chapter 44, Section 7(9) of the General Laws, as amended and supplemented, or pursuant to any other enabling authority, the sum of Four Hundred Fifty Three Thousand Dollars (\$453,000).

Under Suspension of Rules  
Readings Waived and -----

(SGD) DAVID A. OLSON  
City Clerk

(SGD) DAVID B. COHEN  
Mayor

Date: \_\_\_\_\_

(SGD) PAUL E. COLETTI, Chairman  
Finance Committee



#201-09



City of Newton, Massachusetts  
Office of the Mayor

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(617) 796-1089

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dcohen@newtonma.gov

David B. Cohen  
Mayor

July 6, 2009

09 JUL -7 PM 4:31  
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 appropriate a grant of fifty-nine thousand, nine hundred seven dollars (\$59,907). This grant is funded from the Federal FY09 American Recovery and Reinvestment Act (ARRA) as part of the Byrne Justice Assistance Grant Program.

Thank you for your consideration of this matter.

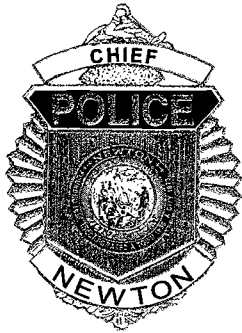
Very truly yours,

David B. Cohen  
Mayor

DBC: srb



#201-09



# City of Newton Police Department



TELEPHONE  
(617) 796-2101  
FAX # (617) 796-3679  
TDD/TTY: 617-796-1089

**MATTHEW A. CUMMINGS**  
CHIEF OF POLICE

*Office of the Chief of Police*  
HEADQUARTERS  
1321 WASHINGTON STREET  
NEWTON, MASSACHUSETTS 02465

May 20, 2009

Hon. Mayor David B. Cohen  
City of Newton  
1000 Commonwealth Avenue  
Newton, MA 02459-1449

09 JUL - 7 PM 4: 31  
CITY CLERK  
NEWTON, MA. 02159

Dear Mr. Mayor:

Respectfully request a hearing with Honorable members of the Board of Aldermen so the City may accept grant funds in the amount of \$59,907.00 from the FY09 Recovery Act Byrne Justice Assistance Grant Program. These funds will be used for tactical team staff development and to support equipment purchases for tactical field operations. The end result of this grant will be a well-trained and well-managed tactical team that is fully prepared to meet the ever-changing demands placed upon the law enforcement profession in today's day and age. Thank you very much for your consideration of this matter. Any questions may be directed to Lieutenant Hugh J. Downing or me at (617) 796-2101.

Very truly yours,

Matthew A. Cummings  
Chief of Police



FIRST ACCREDITED CITY POLICE DEPARTMENT IN MASSACHUSETTS

# 201-09

OMB APPROVAL NO. 1121-0188  
EXPIRES 5-98 (Rev. 1/97)

09 JUL 15 PM 3:28

# Budget Detail Worksheet

CITY OF  
NEWTON, MA. 02459

**Purpose:** The Budget Detail Worksheet may be used as a guide to assist you in the preparation of the budget and budget narrative. You may submit the budget and budget narrative using this form or in the format of your choice (plain sheets, your own form, or a variation of this form). However, all required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be deleted.

**A. Personnel** - List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

Name/Position	Computation	Cost
Position 1, Tactical Team Commander	1 each at 40 hours at \$54.15	\$2,166.00
Position 2, Tactical Team Leader	4 each at 40 hours x \$45.50	\$7,280.00
Position 3, Tactical Team Member	20 each at 40 hours x \$34.85	\$27,880.00
<b>SUB-TOTAL</b>		<b>\$37,326.00</b>

**B. Fringe Benefits** - Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Workman's Compensation, and Unemployment Compensation.

Name/Position	Computation	Cost
N/A		
<b>SUB-TOTAL</b>		<b>\$0.00</b>
<b>Total Personnel &amp; Fringe Benefits</b>		<b>\$37,326.00</b>

**C. Travel** - Itemize travel expenses of project personnel by purpose (e.g., staff to training, field interviews, advisory group meeting, etc.). Show the basis of computation (e.g., six people to 3-day training at \$X airfare, \$X lodging, \$X subsistence). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and the unit costs involved. Identify the location of travel, if known. Indicate source of Travel Policies applied, Applicant or Federal Travel Regulations.

Purpose of Travel	Location	Item	Computation	Cost
N/A				
<b>TOTAL</b>				\$0.00

**D. Equipment** - List non-expendable items that are to be purchased. Non-expendable equipment is tangible property having a useful life of more than two years and an acquisition cost of \$5,000 or more per unit. (Note: Organization's own capitalization policy may be used for items costing less than \$5,000). Expendable items should be included either in the "supplies" category or in the "Other" category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or leased equipment costs should be listed in the "Contractual" category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

Item	Computation	Cost
N/A		
<b>TOTAL</b>		\$0.00

**E. Supplies** - List items by type (office supplies, postage, training materials, copying paper, and expendable equipment items costing less than \$5,000, such as books, hand held tape recorders) and show the basis for computation. (Note: Organization's own capitalization policy may be used for items costing less than \$5,000). Generally, supplies include any materials that are expendable or consumed during the course of the project.

Supply Items	Computation	Cost
Supply Item 1, Ammunition, Handgun, 180 Grain Duty	10 Boxes at \$154.00 each	\$1,540.00
Supply Item 2, Ammunition, Handgun, EPA Certified	10 Boxes at \$139.00 each	\$1,390.00
Supply Item 3, Ammunition, Shotgun, Buck Shot	3 Boxes at \$120.00 each	\$360.00
Supply Item 4, Ammunition, Shotgun, Bean Bag	120 at \$26.25 each	\$3,150.00
Supply Item 5, Ammunition, Rifle, Slugs	6 Boxes at \$125.00 each	\$750.00
Supply Item 6, Q Targets, Firearms Range Qualification	8 Cases at \$115.75 each	\$926.00
Supply Item 7, Uniform, BDU, Subdued Black	26 Pairs at \$225.00 each	\$5,850.00
Supply Item 8, Body Armor, High Threat Level	6 at \$1110.00 each	\$6,660.00
<b>TOTAL</b>		<u>\$20,626.00</u>

**F. Construction** - As a rule, construction costs are not allowable. In some cases, minor repairs or renovations may be allowable. Check with the program office before budgeting funds in this category.

Purpose	Description of Work	Cost
N/A		
<b>TOTAL</b>		<u>\$0.00</u>

**G. Consultants/Contracts** - Indicate whether applicant's formal, written Procurement Policy or the Federal Acquisition Regulations are followed.

**Consultant Fees:** For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Consultant fees in excess of \$450 per day require additional justification and prior approval from OJP.

Name of Consultant	Service Provided	Computation	Cost
Service Item 1, Not named at this time.	Evaluator, Tactical Team Operations. Follow Newton (MA) Procurement Policy.	6 Days at \$360.00 per	\$2,160.00
<i>Subtotal</i>			\$2,160.00

**Consultant Expenses:** List all expenses to be paid from the grant to the individual consultants in addition to their fees (i.e., travel, meals, lodging, etc.)

Item	Location	Computation	Cost
N/A			
<i>Subtotal</i>			\$0.00

**Contracts:** Provide a description of the product or service to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of \$100,000.

Item	Cost	
N/A		
<i>Subtotal</i>		\$0.00
<b>TOTAL</b>		\$2,160.00

**H. Other Costs** - List items (e.g., rent, reproduction, telephone, janitorial or security services, and investigative or confidential funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, or provide a monthly rental cost and how many months to rent.

Description	Computation	Cost
N/A		
<b>TOTAL</b>		\$0.00

**I. Indirect Costs** - Indirect costs are allowed only if the applicant has a Federally approved indirect cost rate. A copy of the rate approval, (a fully executed, negotiated agreement), must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories.

Description	Computation	Cost
N/A		
N/A		
<b>TOTAL</b>		\$0.00

**Budget Summary-** When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal requested and the amount of non-Federal funds that will support the project.

<b>Budget Category</b>	<b>Amount</b>
<b>A. Personnel</b>	<u>\$37,326.00</u>
<b>B. Fringe Benefits</b>	<u>\$0.00</u>
<b>C. Travel</b>	<u>\$0.00</u>
<b>D. Equipment</b>	<u>\$0.00</u>
<b>E. Supplies</b>	<u>\$20,626.00</u>
<b>F. Construction</b>	<u>\$0.00</u>
<b>G. Consultants/Contracts</b>	<u>\$2,160.00</u>
<b>H. Other</b>	<u>\$0.00</u>
<b>Total Direct Costs</b>	<u>\$60,112.00</u>
<b>I. Indirect Costs</b>	<u>\$0.00</u>
<b>TOTAL PROJECT COSTS</b>	<u>\$60,112.00</u>
<b>Federal Request</b>	<u>\$59,907.00</u>
<b>Non-Federal Amount</b>	<u>\$205.00</u>



CITY OF NEWTON  
IN BOARD OF ALDERMEN

, 2009

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chairman, Paul E. Coletti, the acceptance and authorization to expend from the Federal FY09 American Recovery and Reinvestment Act (ARRA) Byrne Justice Assistance Grant Program a grant in the amount of fifty-nine thousand, nine hundred seven dollars (\$59,907) to be used for tactical team staff development and equipment purchases for tactical field operations be and is hereby ----.

Under Suspension of Rules  
Readings Waived and -----

(SGD) DAVID A. OLSON  
City Clerk

(SGD) DAVID B. COHEN  
Mayor

(SGD) PAUL E. COLETTI, Chairman  
Finance Committee



# CITY OF NEWTON, MASSACHUSETTS

CITY HALL

1000 COMMONWEALTH AVENUE

NEWTON CENTRE, MA 02459

TELEPHONE (617) 796-1305

dwilkinson@newtonma.gov

09 JUL 16 AM 9:26  
CITY CLERK  
NEWTON, MA 02159

David Wilkinson, Comptroller

July 15, 2009

**TO:** Finance Committee

**FROM:** David Wilkinson, Comptroller

**SUBJECT:** July 20, 2009 Finance Committee "First Call" Report

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**Docket item #203-09: Treasurer/Collector** requesting the transfer of \$67,500 in unobligated fiscal year 2009 personal services (salary) appropriations to the department's expense appropriation in order to fund outstanding bond sale and parking ticket administration obligations of fiscal year 2009. Bond counsel's bill (\$50,000) for the April 1, 2009 bond sale was omitted from the previous appropriation request for debt issuance costs and funds originally budgeted for the fiscal year 2009 parking ticket administration purposes (\$17,500) were transferred to a temporary staffing account to cover staffing vacancies in the Treasurer's Office during the summer of 2008. This transfer was made based upon an understanding that salary savings would be transferred to reimburse the parking ticket administration account prior to year end, but the transfer request was not submitted. This docket item allows for the payment of the June parking ticket administration invoice and for bond counsel's services in connection with the April 1 bond sale. Expense accruals have been recorded for both obligations on the general ledger.

**Docket item #205-09: Retirement Board** requesting a transfer of \$2,621 from budget reserve to the Contributory Retirement Board personal services appropriation to fund (1.5%) step increases for Retirement Board staff at the same level that was authorized for H-grade employees who are not at the maximum step in their pay plan. The Retirement Board's fiscal year 2010 budget request called for salary adjustments at the same level granted to H-grade employees. As a result of a clerical error in the preparation of the budget document, these funds were omitted from the Mayor's budget document that was subsequently adopted by the Board of Aldermen.

**Docket item #177-09: School Committee** requesting the appropriation of \$201,497.15 in federal e-rate reimbursements received during fiscal year 2009 for education technology purposes. E-rate reimbursements are credited to the City's Receipts Reserved for Appropriation Fund as they are received and an appropriation request is normally submitted to the Mayor and Board at the end of each fiscal year.

**Docket item #176-09: Public Works Commissioner** requesting authorization to spend \$7,296 in funds received from Eagle Investments systems, LLC, for purposes of installing two accessible curb cuts for pedestrians on Wells Avenue. These funds were received by the City on May 1, 2009.

**Docket item #33-05(2): Public Works Commissioner** requesting the appropriation of \$64,620 in traffic mitigation funds received from Arborpoint at Woodland Station for traffic signal improvements at the intersection of Washington Street and Commonwealth Avenue. These funds are on deposit in the City's Receipts Reserved for Appropriation Fund.

**Docket item #155-09: Mayor** requesting that the Comptroller be authorized to transfer personal services funds, as necessary, between departments at year end to prevent any departmental deficiency in payroll accounts and to transfer up to one million dollars from departmental personnel savings to the wage reserve to fund the retroactive portion of any settlement with the two bargaining units with unsettled contracts.

No action is necessary on this item since all municipal departments concluded fiscal year 2009 within their personal services appropriation. A summary level report on the status of all personal services appropriations, by fund, is attached. Unobligated personal services appropriations of slightly in excess of \$500,000 (0.9% of budget) are being turned back by municipal departments and will become a part of the City's July 1, 2009 free cash certification. The \$593,128 unobligated balance in the fiscal year 2009 wage reserve account is being continued into fiscal year 2010 to fund open collective bargaining obligations (including docket item #202-09, also on the Finance Committee agenda for July 20.).

CITY OF NEWTON, MASSACHUSETTS  
ANALYSIS OF SALARY AND WAGE EXPENDITURES - BUDGET TO ACTUAL  
Fiscal Year ended June 30, 2009

	Budget	Expended	Reserved	Closed to Fund Balance	% Budget	
Board of Aldermen	\$ 576,351	\$ 575,519	\$ -	\$ 832	0.1%	
City Clerk	225,682	215,611	-	10,071	4.5%	
Clerk & Clerk of the Board of Aldermen	802,033	791,130	-	10,903	1.4%	
Executive	496,552	496,544	-	8	0.0%	
Citizens Assistance	74,330	74,328	-	2	0.0%	
Mayor's Office	570,882	570,872	-	10	0.0%	
Comptroller	428,574	425,961	-	2,613	0.6%	
Retirement	177,979	175,602	-	2,377	1.3%	
Wage Reserve	593,128	-	593,128	-	0.0%	Continued to FY 2010 for open police and laborer's collective bargaining contracts.
Comptroller's Office	1,199,681	601,563	593,128	4,990	0.4%	
Purchasing	272,186	251,320	-	20,866	7.7%	
Printing	53,571	53,262	-	309	0.6%	
Purchasing Department	325,757	304,582	-	21,175	6.5%	
Assessing	979,411	976,844	-	2,567	0.3%	
Treasurer and Collector	476,826	396,878	67,500	12,448	2.6%	Transfer pending for bond sale costs and parking
City Solicitor	850,510	806,299	-	44,211	5.2%	Turnback includes \$42,634 reimbursement from Assessor's revaluation account for legal services.
Human Resources	613,460	564,906	-	48,554	7.9%	Turnback includes \$42,263 in unused severance funds
Information Technology	645,108	573,463	-	71,645	11.1%	Turnback includes salary of vacant programmer
Census	376,910	370,007	-	6,903	1.8%	
Elections	136,250	117,975	-	18,275	13.4%	
Elections Commission	513,160	487,982	-	25,178	4.9%	
Planning	697,324	682,504	-	14,820	2.1%	
Conservation	59,686	59,686	-	-	0.0%	
Historical	77,713	77,331	-	382	0.5%	
Planning and Development	834,723	819,521	-	15,202	1.8%	

CITY OF NEWTON, MASSACHUSETTS  
ANALYSIS OF SALARY AND WAGE EXPENDITURES - BUDGET TO ACTUAL  
Fiscal Year ended June 30, 2009

	Budget	Expended	Reserved	Closed to Fund Balance	% Budget	
Public Building Administration	568,749	568,229	-	520	0.1%	
Municipal Building Maintenance	668,757	667,071	-	1,686	0.3%	
City Hall Maintenance and Operation	156,974	156,414	-	560	0.4%	
Public Building Department	<u>1,394,480</u>	<u>1,391,714</u>	<u>-</u>	<u>2,766</u>	<u>0.2%</u>	
Police Administration	665,792	664,340	-	1,452	0.2%	
Traffic Safety	1,698,195	1,696,882	-	1,313	0.1%	
Patrol Services	7,164,381	7,158,336	-	6,045	0.1%	
Investigations	1,170,207	1,166,295	-	3,912	0.3%	
Community Services	368,673	367,628	-	1,045	0.3%	
Youth Services	6,469	6,469	-	-	0.0%	
Building Maintenance and Operation	47,141	46,505	-	636	1.3%	
Animal Control	100,387	99,481	-	906	0.9%	
Records	263,164	261,213	-	1,951	0.7%	
Communications	1,401,519	1,398,338	-	3,181	0.2%	State grant expenditure reclassification pending
Support Services	273,464	273,239	-	225	0.1%	
Research and Planning	156,105	154,548	-	1,557	1.0%	
Police Department	<u>13,315,497</u>	<u>13,293,274</u>	<u>-</u>	<u>22,223</u>	<u>0.2%</u>	
Fire Administration	539,337	539,337	-	-	0.0%	
Fire and Rescue	14,726,609	14,725,529	-	1,080	0.0%	
Fire Prevention	571,171	567,368	-	3,803	0.7%	
Fire Alarm Services	569,896	566,816	-	3,080	0.5%	
Fire Vehicle Maintenance	199,575	199,570	-	5	0.0%	
Communications	114,753	113,891	-	862	0.8%	
Training	324,425	322,336	-	2,089	0.6%	
Fire Department	<u>17,045,766</u>	<u>17,034,847</u>	<u>-</u>	<u>10,919</u>	<u>0.1%</u>	
Inspectional Services Administration	215,187	205,033	-	10,154	4.7%	
Building/Zoning Code Enforcement	334,567	270,007	-	64,560	19.3%	
Mechanical Inspections	343,308	342,359	-	949	0.3%	
Inspectional Services Department	<u>893,062</u>	<u>817,399</u>	<u>-</u>	<u>75,663</u>	<u>8.5%</u>	
Civil Preparedness	4,000	4,000	-	-	0.0%	

CITY OF NEWTON, MASSACHUSETTS  
ANALYSIS OF SALARY AND WAGE EXPENDITURES - BUDGET TO ACTUAL  
Fiscal Year ended June 30, 2009

	Budget	Expended	Reserved	Closed to Fund Balance	% Budget
Weights and Measures	63,126	63,095	-	31	0.0%
Public Works Administration	719,783	716,857	-	2,926	0.4%
Facility Maintenance	323,376	323,376	-	-	0.0%
Vehicle Maintenance	903,344	903,344	-	-	0.0%
Street Maintenance	1,782,380	1,779,279	-	3,101	0.2%
Sidewalk/Curb Maintenance	624,083	619,436	-	4,647	0.7%
Street Cleaning	391,561	391,561	-	-	0.0%
Traffic Control	210,102	210,102	-	-	0.0%
Street Lighting	191,174	191,174	-	-	0.0%
Snow and Ice Control	1,188,165	1,188,165	-	-	0.0%
Solid Waste Collection and Disposal	290,201	290,201	-	-	0.0%
Engineering	1,172,179	1,172,179	-	-	0.0%
Parking Meters	90,564	90,564	-	-	0.0%
Public Works Department	7,886,912	7,876,238	-	10,674	0.1%
Health and Human Services Administration	291,462	289,093	-	2,369	0.8%
Environmental Health	249,218	242,524	-	6,694	2.7%
Clinical Health Services	1,483,230	1,467,333	-	15,897	1.1%
Human Services	140,488	140,484	-	4	0.0%
Health and Humans Services Department	2,164,398	2,139,434	-	24,964	1.2%
Senior Services	238,113	223,609	-	14,504	6.1%
Veteran Services	145,046	143,908	-	1,138	0.8%
Library Administration	250,831	248,531	-	2,300	0.9%
Library Building Maintenance	265,890	265,107	-	783	0.3%
Main Library Services	2,987,533	2,983,727	-	3,806	0.1%
Branch Libraries	63,598	63,122	-	476	0.7%
Regional Library Services	22,192	22,192	-	-	0.0%
Newton Public Library	3,590,044	3,582,679	-	7,365	0.2%
Parks and Recreation Administration	812,564	810,259	-	2,305	0.3%
Public Grounds Maintenance	935,145	929,549	-	5,596	0.6%
Forestry Services	163,799	157,643	-	6,156	3.8%
Snow and Ice Control	81,706	63,363	-	18,343	22.5%

CITY OF NEWTON, MASSACHUSETTS  
 ANALYSIS OF SALARY AND WAGE EXPENDITURES - BUDGET TO ACTUAL  
 Fiscal Year ended June 30, 2009

	Budget	Expended	Reserved	Closed to Fund Balance	% Budget	
Outdoor Recreation	195,355	169,716	-	25,639	13.1%	
Indoor Recreation	56,734	56,574	-	160	0.3%	
Special Needs Recreation	116,518	113,982	-	2,536	2.2%	
Community Centers	22,203	14,770	-	7,433	33.5%	
Senior Recreation	6,002	3,293	-	2,709	45.1%	
Cultural Affairs	89,799	89,797	-	2	0.0%	
Recreation Equipment Maintenance	46,191	46,158	-	33	0.1%	
Parks and Recreation Department	<u>2,526,016</u>	<u>2,455,104</u>	<u>-</u>	<u>70,912</u>	<u>2.8%</u>	
Newton History Museum	<u>189,264</u>	<u>183,045</u>	<u>-</u>	<u>6,219</u>	<u>3.3%</u>	
General Fund Total	<u>\$ 57,267,275</u>	<u>\$ 56,102,386</u>	<u>\$ 660,628</u>	<u>\$ 504,261</u>	<u>0.9%</u>	
Community Preservation Fund	<u>101,367</u>	<u>94,388</u>	<u>-</u>	<u>6,979</u>	<u>6.9%</u>	
Stormwater Fund	<u>287,777</u>	<u>208,151</u>	<u>6,483</u>	<u>73,143</u>	<u>25.4%</u>	Continued to FY 2010 for collective bargaining
Sanitary Sewer Fund	<u>2,136,572</u>	<u>1,881,491</u>	<u>78,000</u>	<u>177,081</u>	<u>8.3%</u>	Continued to FY 2010 for collective bargaining
Water Fund	<u>1,853,269</u>	<u>1,518,709</u>	<u>129,325</u>	<u>205,235</u>	<u>11.1%</u>	Continued to FY 2010 for collective bargaining

#203-09

Telephone  
(617) 796-1100

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(617) 796-1113

TDD  
(617) 796-1089

E-mail  
dcohen@newtonma.gov



City of Newton, Massachusetts  
Office of the Mayor

David B. Cohen  
Mayor

July 6, 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 docket for consideration a request to transfer \$67,500 from payroll accounts to expense accounts in the Treasury Department as detailed below and described in the attached communication from the Comptroller.

09 JUL -7 PM 4:32  
CITY CLERK  
NEWTON, MA 02159

From Account	To Account	Amount
0110701-511101	0110701-5313	\$17,500
0110701-511001	0110701-5316	\$50,000

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen  
Mayor

DBC: srb





**Susan Burstein**

---

From: "Wilkinson David, Comptroller City of Newton" <dwilkinson@newtonma.gov>  
To: sburstein@newtonma.gov  
Date sent: Thu, 18 Jun 2009 14:28:36 -0400  
Subject: Treasurer's Office year end transfers  
Copies to: jgreardon@newtonma.gov  
Priority: normal

Susan,

The Treasurer's Office needs for the Mayor to docket two year end transfers, which need to be voted prior to our closing the books on fiscal year 2009.

The first transfer is \$17,500 from the temporary payroll account (0110701-511101) to the contractual temporary staffing account (0110701-5313). Early in fiscal year 2009 funds were transferred from the parking ticket contract administration account to the temporary staffing account in order to cover an urgent staff vacancy in the office. This was done with the expectation that a transfer from salary savings would be submitted later in the fiscal year to restore parking ticket contract administration funds. This transfer will reimburse previous transfers and provide adequate funding to cover the June, 2009 parking ticket administration invoice.

The second transfer is a \$50,000 transfer from the permanent full time salary account (0110701-511001) to the bond sale cost line (0110701-5316) in order to cover an outstanding invoice payable to bond counsel for their costs associated with the April 1, 2009 bond sale. Bond counsel's fees were not included in the previous transfer for other bond sale costs.

Both of these transfers need to be submitted to the Board of Aldermen as soon as possible and need to be voted prior to our closing the books on fiscal year 2009.

Thank you.

David Wilkinson, Comptroller  
City of Newton, Massachusetts  
(617) 796-1305  
[dwilkinson@newtonma.gov](mailto:dwilkinson@newtonma.gov)

09 JUL -7 PM 4:33  
CITY CLERK  
NEWTON, MA. 02159

CITY OF NEWTON  
IN BOARD OF ALDERMEN

2009

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chairman Paul E. Coletti, a transfer of funds in the amount of sixty-seven thousand, five-hundred dollars (\$67,500) from payroll accounts to expense accounts in the Treasury Department to (A) \$17,500 to restore parking ticket contract administration funds previously-transferred to cover an urgent staff vacancy in FY09 and (B) \$50,000 to cover an outstanding invoice payable to bond counsel for FY09 be and is hereby -----.

(A)	FROM:	Temporary Payroll Account (0110701-511101).....	\$17,500
	TO:	Temporary Staffing Account (0110701-5313).....	\$17,500
(B)	FROM:	Full time Salary Account (0110701-511001).....	\$50,000
	TO:	Bond Sale (0110701-5316).....	\$50,000

Under Suspension of Rules  
Readings Waived and

(SGD) DAVID A. OLSON  
City Clerk

(SGD) DAVID B. COHEN  
Mayor

(SGD) PAUL E. COLETTI, Chairman  
Finance Committee



David B. Cohen  
Mayor

City of Newton, Massachusetts  
Office of the Mayor

#205-09  
Telephone  
(617) 796-1100  
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TDD  
(617) 796-1089  
E-mail  
dcohen@newtonma.gov

July 6, 2009

09 JUL -7 PM 4:32  
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 \$2,621 from Budget Reserve for the purpose of fully funding the payroll accounts for the Retirement Board staff. The Retirement Board voted to grant 1.5% steps to the Retirement Board staff, consistent with step increases being granted to other eligible H-grade employees. These increases were inadvertently omitted from the budget.

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen  
Mayor

DBC: srb

From: BUDGET RESERVE  
0110498-5790 2621

To: RETIREMENT SALARIES  
0110491-511001 2621

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.ci.newton.ma.us



DEDICATED TO COMMUNITY EXCELLENCE


07/09/2009

#205-09

COMPTROLLER'S OFFICE  
CITY OF NEWTON, MASSACHUSETTS  
dwilkinson@newtonma.gov  
(617) 796-1305

June 25, 2009

09 JUL -7 PM 4: 32  
CITY CLERK  
NEWTON, MA 02159

TO: Mayor Cohen & Members of the Board of Aldermen  
FROM: David Wilkinson   
SUBJECT: FY 2010 Retirement Board Budget

The fiscal year 2010 Retirement Board salary budget submitted by the Mayor, and voted by the Board of Aldermen is \$2,621 less than the amount approved by the Retirement Board and submitted to the Mayor and Board for funding.

Staff Salaries/Longevity per December 18, 2008	
Budget Communication to Mayor Cohen	\$179,101
Personal Services Budget Request per page 01-249	
of Mayor's FY 2010 budget	\$176,480
Budget deficiency	\$ 2,621

In accordance with the Retirement board's November 24, 2008 vote and the budget submitted to the Mayor (attached) staff members have been granted the same 1.5% increase in base compensation approved for H-grade employees not at the maximum step in their pay plan.

The purpose of this communication is to request a \$2,621 increase in the Retirement Board's fiscal year 2010 salary appropriation in order to fund actual staff salaries for the fiscal year beginning July 1, 2009.

Thank you.

Cc: Retirement Board

CITY OF NEWTON  
IN BOARD OF ALDERMEN  
, 2009

ORDERED:

That in accordance with the recommendation of the Finance Committee through its Chairman Paul E. Coletti, the sum of two thousand six-hundred twenty-one dollars (\$2,621) be and is hereby appropriated from Budget Reserve to fund actual FY10 salaries for the Retirement Board staff, which amount was inadvertently omitted from the FY10 budget.

FROM:	Budget Reserve (0110498-5790).....	\$2,621.00
TO:	Retirement Salaries (0110491-511001).....	\$2,621.00

Under Suspension of Rules  
Readings Waived and ----

(SGD) DAVID A. OLSON  
City Clerk

(SGD) DAVID B. COHEN  
Mayor

Date: \_\_\_\_\_

(SGD) PAUL E. COLETTI, Chairman  
Finance Committee



David B. Cohen  
Mayor

City of Newton, Massachusetts  
Office of the Mayor

#177-09

Telephone  
(617) 796-1100

Telefax  
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TDD  
(617) 796-1089

E-mail  
dcohen@newtonma.gov

June 8, 2009

09 JUN -9 PM 5:09  
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 two hundred one thousand four hundred ninety seven dollars and fifteen cents (\$201,497.15) from E-rate Receipts for the purpose of implementing the School Department wireless technology plan for Newton South, as well as district-wide management.

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen  
Mayor

DBC: srb

From: SCHOOL E-RATE RECEIPTS  
14I301-5901 + 201,497.15

To: SCHOOL TECHNOLOGY  
C301052-595111 + 201,497.15

RAW  
06/15/2009

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.ci.newton.ma.us



DEDICATED TO COMMUNITY EXCELLENCE

Ward  
I Geoffrey Epstein  
II Reenie Murphy  
III Kurt Kusiak  
IV Jonathan Yeo  
V Susan Heyman  
VI Claire Sokoloff, Vice-Chairperson  
VII Marc Laredo, Chairperson  
VIII Dori Zaleznik

## Newton School Committee

100 Walnut Street  
Newtonville, MA 02460  
Tel (617) 559-6110  
Fax (617) 559-6101  
www.newton.k12.ma.us  
schoolcommittee@newton.k12.ma.us

#177-09  
Mayor David Cohen  
Ex officio



May 13, 2009

Mayor David Cohen  
Newton City Hall  
1000 Commonwealth Ave.  
Newton Center, MA 02459

Dear Mayor Cohen:

As you know, at our meeting of May 11, 2009, the School Committee voted to approve the use of \$201,497.15 from the E-rate reimbursement to implement managed wireless technology for teacher and student computer access at Newton South, as well as a district-wide management service to provide central administration efficiency among the schools (see attached memorandum of 5/5/09).

This is in accordance with the April 29, 1998 agreement which stated that, "As E-rate reimbursements are received, they will be deposited in this account, which will serve as a source for future technology appropriations. The appropriations can be requested of the Mayor and Board as frequently as you wish."

In order that we may proceed with the technology purchases, I request that you forward this item to the Board of Aldermen as soon as possible, so that it may be placed on its docket.

Your help in expediting this appropriation would be greatly appreciated.

Sincerely,

Marc Laredo  
Chairperson

cc: Shelley Chamberlain, Director of Information Technology  
Susan Burstein, Chief Budget Officer  
David Wilkinson, Comptroller  
Sandra Guryan, Assistant Superintendent for Business, Finance & Planning

Att.

ML/djr

09 JUN -9 PM 5:09  
CITY CLERK  
NEWTON, MA. 02159

**NEWTON****PUBLIC SCHOOLS**

100 Walnut Street, Newtonville, MA 02460-1398

Office of Information Technology

*Shelley B. Chamberlain, Director*


Phone: 617-559-6190

Fax: 617-559-6191

Email: [Shelley\\_Chamberlain@newton.k12.ma.us](mailto:Shelley_Chamberlain@newton.k12.ma.us)

## Memo

To: Dr. Jeffrey Young

From: Shelley Chamberlain 

Date: May 5, 2009

Re: Request for E-Rate Funds for Newton South High Wireless Network

I would like to request the use of E-Rate funds to implement managed wireless technology for both teacher and student computer access at Newton South High School. Wireless technology has historically been delivered using Apple stand-alone wireless access points. This simplistic approach was adequate when we had small numbers of wireless laptops available. However, our major investment in laptop technology over the last several years has completely overburdened this outdated wireless equipment.

To remedy this, the Technology Department has developed a new wireless technology strategy which uses managed wireless access services across the district using Cisco intelligent access points. Please note that we have already completed the installation of Cisco managed wireless controllers and access points at all 15 elementary schools and the four middle schools. (North will be part of the new building project.)

We are requesting \$ 201,497.15 of E-Rate funds to implement this strategy at South along with implementing a district network management service to provide central administration efficiency among the schools. These funds will also be used to purchase and install a firewall and web content filtering appliance for a second Internet Service line to offer redundancy and load balancing to access the Web from the 22 school buildings.

Please let me know if I can answer any questions about this request.

09 JUN -9 PM 5:09  
CITY CLERK  
NEWTON, MA 02459



**REFERRED TO PROGRAM AND SERVICES AND FINANCE COMMITTEES**

#177-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend from E-rate Receipts the sum of two hundred one thousand four hundred ninety seven dollars and fifteen cents (\$201,497.15) for the purpose of implementing the School Department wireless technology plan for Newton South, as well as district-wide management. [06/09/09 @ 5:09 PM]

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

**NOTE:** Shelley Chamberlain, Director of IT for the Newton Public Schools, presented this item. She explained that the 15 elementary school and the 4 middle schools have all been equipped with wireless technology. They are now requesting this money to bring the technology to Newton South High School. It was not implemented when South was renovated several years ago as the technology was not mature enough at that time. Ms. Chamberlain said that the teachers at South have all received new laptops that are ready for wireless but there is no wireless technology available. This is the same kind of managed technology that will be incorporated into the new Newton North High School. She said the newest technology (80211) will be implemented in both high schools. The vendor, E Plus, came in and did a complete survey for them. She added that because the School Department has experience with this technology having installed it in 19 other schools, they do not have to pay for someone else to do the work, they can do it themselves. A detailed budget for this project is attached.

Ms. Chamberlain said that all operating systems will be compatible with this technology and it is dual platform technology. This will cover the entire Newton South campus including some of the outside space. This is why they need sophisticated equipment so that they can keep their network secure. Only people with passwords will be able to access the system.

Ald. Brandel moved approval of this item and the Committee voted in favor.

CITY OF NEWTON  
IN BOARD OF ALDERMEN  
, 2009

ORDERED:

That in accordance with the recommendation of the Program & Services Committee through its Chairman Marcia T. Johnson and the Finance Committee through its Chairman Paul E. Coletti, the sum of two hundred one thousand four hundred ninety seven dollars and fifteen cents (\$201,497.15) to be appropriated from E-rate Receipts be and is hereby appropriated, granted and expenditure authorized for the purpose of implementing the School Department wireless technology plan for Newton South, as well as district-wide management.

FROM: School E-Rate Receipts  
(14I301-5901).....\$201,497.15

TO: School Technology  
(C301052-585111I).....\$201,497.15

Under Suspension of Rules  
Readings Waived and ----

(SGD) DAVID A. OLSON  
City Clerk

(SGD) DAVID B. COHEN  
Mayor

Date: \_\_\_\_\_

(SGD) PAUL E. COLETTI, Chairman  
Finance Committee



David B. Cohen  
Mayor

City of Newton, Massachusetts  
Office of the Mayor

#176-09

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(617) 796-1100

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TDD  
(617) 796-1089

E-mail  
dcohen@newtonma.gov

June 9, 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 docket for consideration a request to accept and authorization the expenditure the sum of seven thousand two hundred ninety six dollars (\$7,296) from Eagle Investment Systems, LLC. These funds will be used to install two accessible crossings on Wells Avenue.

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen  
Mayor

DBC: srb

09 JUN -9 PM 5:08  
CITY CLERK  
NEWTON, MA 02159

1000 Commonwealth Avenue Newton, Massachusetts 02459

[www.ci.newton.ma.us](http://www.ci.newton.ma.us)



DEDICATED TO COMMUNITY EXCELLENCE

#176-09

City of Newton



DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE COMMISSIONER

1000 Commonwealth Avenue

Newton Centre, MA 02459-1449

David B. Cohen  
Mayor

TO: Honorable David B. Cohen, Mayor

THRU: Sanford Pooler, Chief Administrative Officer  
Susan Burstein, Chief Budget Officer

FROM: *T. Daley*  
Thomas E. Daley, P.E., Commissioner

RE: Appropriation of \$ 7,296 for curb cuts at #1-2 Wells Avenue

DATE: June 4, 2009

09 JUN -9 PM 5:08  
CITY CLERK  
NEWTON, MA. 02159

I write to ask you to authorize acceptance of \$7,296 for the construction of two accessible curb cuts between #1 and #2 Wells Avenue. A check for \$7,296 was received from Eagle Investment Systems, LLC and deposited by the City Treasurer in account 29B40101-4870 (see attached). DPW also requests subsequent permission to expend these funds to install two curb cuts enabling an accessible crossing between #1 and #2 Wells Avenue. The construction cost is based on an estimate prepared by the Highway Division of the Public Works Department with work to be performed by city crews. Construction of this pedestrian crossing is consistent with recommendations made by the Traffic Council at their February 26, 2009 meeting. I will authorize appropriate crosswalk pavement markings to be added following construction of the two ramps.

cc: D. Turocy, Deputy Commissioner  
S. Tocci, Director of Highway Operations  
C. Schuckel, Traffic Engineer  
K. Griffey, Director of Administration  
R. Ferrara, DPW Chief of Budget and Finance

CITY OF NEWTON

→ DOCKET ASAP #176-09

DEPARTMENT: COMPTRROLLER

SCHEDULE OF PAYMENTS TO THE CITY TREASURER

FROM WHOM	SOURCE	AMOUNT	TOTAL
Eagle Investment Systems, LLC Handicapped ramp - 1 Wells Ave	29B40101-4870	\$ 7,296.00	09 JUN -9 PM 5:08 CITY CLERK NEWTON, MA. 02159
		TOTAL :	

DATE: 5/1/2009

TO THE CITY COMPTRROLLER & TREASURER

The above is a detailed list of cash received by the above named department

Amounting in the aggregate to: \*\*\*\*\* 7,296.00 \*\*\*\*\*

DEPARTMENT COPY

#176-09  
DRAFT

CITY OF NEWTON  
IN BOARD OF ALDERMEN

, 2009

ORDERED:

That in accordance with the recommendation of the Finance Committee through its Chairman Paul E. Coletti, the authorization to expend a grant by the Eagle Investment Systems, LLC in the amount of seven thousand two hundred ninety six dollars (\$7,296) from the Eagle Investment Systems, LLC to be used for the purpose of installing two accessible curb cuts for pedestrians on Wells Avenue be and is hereby -----.

Under Suspension of Rules  
Readings Waived and ----

(SGD) DAVID A. OLSON  
City Clerk

(SGD) DAVID B. COHEN  
Mayor

Date: \_\_\_\_\_

(SGD) PAUL E. COLETTI, Chairman  
Finance Committee

#33-05(2)



City of Newton, Massachusetts  
Office of the Mayor

David B. Cohen  
Mayor

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dcohen@newtonma.gov

July 6, 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 docket for consideration a request to appropriate sixty-four thousand six hundred twenty dollars (\$64,620) from Receipts Reserved - Arborpoint at Woodland Station traffic mitigation for the purpose of upgrading the traffic signal equipment at the intersection of Washington Street and Commonwealth Avenue. Funding for these improvements is contained in the comprehensive permit for the Arborpoint development and is attached to Commissioner Daley's letter that follows.

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen  
Mayor

DBC: srb

09 JUL -7 PM 4:32  
CITY CLERK  
NEWTON, MA 02159

From: Woodland Station  
TRAFFIC Mitigation  
147101B-5901

64,620

To: TRAFFIC Signal Repl.  
WASHINGTON / COMM AVE.  
C401059-58508

64,620

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.ci.newton.ma.us



DEDICATED TO COMMUNITY EXCELLENCE

07/09/2009

# 33-05(2)

City of Newton



DEPARTMENT OF PUBLIC WORKS  
OFFICE OF THE COMMISSIONER  
1000 Commonwealth Avenue  
Newton Centre, MA 02459-1449

David B. Cohen  
Mayor

TO: Honorable David B. Cohen, Mayor  
THRU: Sanford Pooler, Chief Administrative Officer  
Susan Burstein, Chief Budget Officer  
FROM: Thomas E. Daley, P.E., Commissioner *TD*  
RE: Washington-Commonwealth Intersection  
DATE: June 9, 2009

09 JUL -7 PM 4:32  
CITY CLERK  
NEWTON, MA 02459

I am respectfully requesting the balance of \$64,620.00 be appropriated from the Arborpoint at Woodland Station traffic mitigation receipts reserve account. The purpose of these funds will be to construct traffic signal equipment upgrades at the Washington Street – Commonwealth Avenue intersection, in accordance with the comprehensive permit granted by the Zoning Board of Appeals.

The Washington-Commonwealth intersection is a “top ten” location for accident frequency in the City and among the most congested in the City during rush hour periods. The proposed use of funds is permitted by the language of ZBA comprehensive permit # 20-04, condition # 8 on page 10 (attached). Specifically, the money would be used to modernize three components of the existing traffic signal equipment:

1. The traffic signal controller cabinet and cabling, which are 35 years old;
2. The traffic sensors which detect vehicles and operate the signal based on the volume of traffic on each approach (sensors on Washington Street have failed); and
3. The pre-emption system for Fire Station # 2, which allows control of the signal for emergency vehicles to depart the Station and travel in any direction through the intersection. This equipment has been repaired multiple times in the last five years.

Design of the equipment upgrades, including analyses to determine the optimal signal timing plan, has already been completed by a consultant, paid by traffic mitigation funds



from Newton-Wellesley Hospital, via their special permit for expansion of the Emergency Department.

While ongoing studies of the safety and capacity issues relative to left-turns from Washington Street onto Commonwealth Avenue will continue, the above equipment improvements will allow the intersection to operate as efficiently as possible, whatever changes, if any, ultimately result. The project will also improve the reliability of the pre-emption system to expedite emergency vehicle travel through the intersection, and ultimately associated response times. I anticipate that this project will be constructed under DPW's FY 2010 contract, "Public Lighting and Traffic Signal Repairs, Installations, and Betterments" (City Bid # 09-87).

- cc: D. Turocy, Deputy Commissioner
- L. Taverna, City Engineer
- C. Schuckel, Traffic Engineer
- K. Griffey, Director of Administration
- R. Ferrara, DPW Chief of Budget and Finance

09 JUL - 7 PM 4: 32  
CITY CLERK  
NEWTON, MA. 02159

- 7. 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 to the petitioner.
- 8. 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 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 to the petitioner.
- 9. The project shall be required to maintain 36 rental units as affordable housing units pursuant to M.G.L. c. 40B and the regulations thereunder until the project no longer requires the zoning relief of this comprehensive permit to comply with otherwise applicable zoning requirements. In addition the petitioner shall execute and record an affordable housing restriction under G.L. c. 184 Section 31 in a form subject to review of and approval by the Law Department for an initial term of thirty (30) years and subject to extension periods permitted under G.L.c. 184, section 27 such that the affordability restriction shall remain in effect for the duration of petitioner's ground lease, as the ground lease may be extended from time to time. Any affordability restriction provided herein shall define the nature of affordability in a manner consistent with G.L. c. 40B and the regulations thereunder and the affordability requirements of any Massachusetts Housing Finance Agency or other agency Regulatory Agreement in effect from time to time regulating rents and income levels of tenants.
- 10. The driveway width of the garage exit facing Washington Street shall be reduced and/or a gate be incorporated to prevent anyone from driving into the garage at the front entrance.
- 11. There shall be no light overspill onto residential properties and the light source of all lighting fixtures shall be shielded. Metal halide lighting or equivalent shall be used to the extent appropriate to the specified fixtures.
- 12. The photometric plan shall be amended to provide a minimum .5 foot candle at all points of the driveway and walking areas
- 13. All utilities shall be underground from the street.
- 14. If blasting is to occur, then all blasting and drilling for the driveway, utility trenches, service trenches and/or structures, whenever, they are built, shall be carried out in accordance with federal, state and local blasting permit practices, and in accordance with the following conditions:

- a. Selection of the Blasting Contractor

09 JUL -7 PM 4:32  
 CITY CLERK  
 NEWTON, MA 02459

CITY OF NEWTON  
IN BOARD OF ALDERMEN

, 2009

ORDERED:

That in accordance with the recommendation of the Finance Committee through its Chairman Paul E. Coletti, the sum of sixty-four thousand, six hundred twenty dollars (\$64,620) be and is hereby appropriated from the *Arborpoint at Woodland Station* traffic mitigation receipts reserve account to defray the costs of upgrading the traffic signal equipment at the intersection of Washington Street and Commonwealth Avenue pursuant to Condition #8 of Comprehensive Permit #20-04.

FROM: Woodland Station Traffic Mitigation  
(14T101B-5901).....\$64,620

TO: Traffic Signal Replacement Washington/Commonwealth Avenue  
(C401059-58508).....\$64,620

Under Suspension of Rules  
Readings Waived and ----

(SGD) DAVID A. OLSON  
City Clerk

(SGD) DAVID B. COHEN  
Mayor

Date: \_\_\_\_\_

(SGD) PAUL E. COLETTI, Chairman  
Finance Committee

F

#155-09



David B. Cohen  
Mayor

City of Newton, Massachusetts  
Office of the Mayor

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dcohen@newtonma.gov

May 26, 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 docket for consideration a request to authorized the Comptroller to transfer personnel funds, as necessary, between departments at year end to prevent any departmental deficiencies in payroll accounts. In addition, I request that the Comptroller be authorized to transfer up to one million dollars from departmental personnel savings to the wage reserve to fund the retroactive portion of any settlement with the two bargaining units with unsettled contracts.

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen  
Mayor

DBC: srb

09 MAY 26 PM 5:51  
CITY CLERK  
NEWTON, MA 02159



#155-09  
DRAFT

CITY OF NEWTON  
IN BOARD OF ALDERMEN

, 2009

ORDERED:

That in accordance with the recommendation of the Finance Committee through its Chairman Paul E. Coletti, the following item be and is hereby \_\_\_\_\_.

#155-09      HIS HONOR THE MAYOR requesting authorization for the Comptroller to transfer personnel funds as necessary between departments at year-end to prevent any departmental deficiencies in payroll accounts and to transfer up to one million dollars from departmental personnel savings to the wage reserve to fund the retroactive portion of any settlement with the two bargaining units with unsettled contracts.

Under Suspension of Rules  
Readings Waived and ----

(SGD) DAVID A. OLSON  
City Clerk

(SGD) DAVID B. COHEN  
Mayor

Date: \_\_\_\_\_

(SGD) PAUL E. COLETTI, Chairman  
Finance Committee

CCP  
PP 4



David B. Cohen  
Mayor

City of Newton, Massachusetts  
Office of the Mayor

# 265-08

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dcohen@newtonma.gov

May 26, 2009

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

Ladies and Gentlemen:

I write to withdraw my request that your Honorable Board appropriate funds for the exterior painting and roof replacement for the Jackson Homestead, docket item #188-08. This work is to be done under docket item #90-09 with CPA funds.

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen  
Mayor

09 MAY 26 PM 5:52  
CITY CLERK  
NEWTON, MA. 02159

265-08

DBC: srb

1000 Commonwealth Avenue Newton, Massachusetts 02459

[www.ci.newton.ma.us](http://www.ci.newton.ma.us)



DEDICATED TO COMMUNITY EXCELLENCE

CITY OF NEWTON  
IN BOARD OF ALDERMEN

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chairman, Paul E. Coletti the following item be and is hereby WITHDRAWN:

**REFERRED TO PUBLIC FACILITIES & FINANCE COMMITTEES**  
#265-08 HIS HONOR THE MAYOR requesting authorization to appropriate and expend one hundred fifty thousand five hundred eighty seven dollars (\$150,587) from capital stabilization for the purpose of restoration of the exterior of the Jackson Homestead. [7-8-08 @ 5:17 PM]

Under Suspension of Rules  
Readings Waived and Item WITHDRAWN

(SGD) DAVID A. OLSON  
City Clerk

CITY OF NEWTON  
IN BOARD OF ALDERMEN

, 2008

ORDERED:

That in accordance with the recommendation of the Programs and Services Committee through its Chairman, Alderman Marcia T. Johnson, and the Finance Committee through its Chairman, Alderman Paul E. Coletti the following item from Alderman Sangiolo proposing the establishment of a revolving account to receive contributions and rental income to go directly to fund branch libraries for each individual branch.

Under Suspension of Rules  
Readings Waived and ----

(SGD) DAVID A. OLSON  
City Clerk



#260.09

Friendly Amendment

Ald. Parker offered a friendly amendment to change the item to:

***ALD. SANGIOLO proposing the establishment of a revolving account to receive contributions and rental income to go directly to fund community library services in the former branch library buildings.***

Ald. Parker moved to approve this item as amended and the committee voted in favor with Ald. Freedman, Hess-Mahan and Baker abstaining.


CITY OF NEWTON  
IN BOARD OF ALDERMEN

October 6, 2008

BE IT RESOLVED:

That the Honorable Board of Aldermen through its Finance Committee hereby requests that His Honor the Mayor establish a revolving account to receive contributions and rental income that will go directly to fund community library services in the former branch library buildings closed in FY09.

Under Suspension of Rules  
RESOLUTION Approved Unanimously

  
(SGD) DAVID A. OLSON  
City Clerk

09 JUL 17 PM 2:44

CITY CLERK  
NEWTON, MA. 02158

**Excise on Meals**

SECTION 60. The General Laws are hereby amended by inserting after chapter 64K the following chapter:-

CHAPTER 64L.

LOCAL OPTION MEALS EXCISE

Section 1. As used in this chapter, the following words shall have the meaning assigned to them in paragraph (h) of section 6 of chapter 64H: "honor snack tray", "meals" and "restaurant".

"Commissioner", the commissioner of revenue.

"Sale", a sale of meals by a restaurant for any purpose other than resale in the regular course of business.

"Vendor", shall have the meaning assigned to it in section 1 of chapter 64H.

Section 2. (a) A city or town which accepts this section in the manner provided in section 4 of chapter 4 may impose a local sales tax upon the sale of restaurant meals originating within the city or town by a vendor at a rate of .75 per cent of the gross receipts of the vendor from the sale of restaurant meals. No excise shall be imposed if the sale is exempt under section 6 of chapter 64H. The vendor shall pay the local sales tax imposed under this section to the commissioner at the same time and in the same manner as the sales tax due to the commonwealth.

(b) All sums received by the commissioner under this section shall, at least quarterly, be distributed, credited and paid by the state treasurer upon certification of the commissioner to each city or town that has accepted this section in proportion to the amount of the sums received from the sales of restaurant meals in that city or town. Any city or town seeking to dispute the commissioner's calculation of its distribution under this subsection shall notify the commissioner, in writing, not later than 1 year from the date the tax was distributed by the commissioner to the city or town.

(c) This section shall take effect in a municipality on the first day of the calendar quarter following 30 days after its acceptance by the municipality or on the first day of a later calendar quarter that the city or town may designate.

(d) Notwithstanding any provisions in section 21 of chapter 62C to the contrary, the commissioner may make available to cities and towns any information necessary for administration of the excise imposed by this section including, but not limited to, a report of the amount of local option sales tax on restaurant meals collected in the aggregate by each city or town under this section in the preceding fiscal year, and the identification of each individual vendor collecting local option sales tax on restaurant meals collected under this

chapter.

Section 3. Except as provided herein, a sale of a meal by a restaurant is sourced to the business location of the vendor if (1) the meal is received by the purchaser at the business location of the vendor or (2) if the meal is delivered by the vendor to a customer, regardless of the location of the customer. A vendor with multiple business locations in the commonwealth must separately report sales sourced to each location in a manner prescribed by the commissioner. Restaurant meal delivery companies that purchase meals for resale must source their sales to the delivery location indicated by instructions for delivery to the purchaser and shall separately report sales by municipality in a manner prescribed by the commissioner. The commissioner may also adopt by rule or regulation destination sourcing and reporting rules for caterers or other vendors with a high volume of delivered meals, as the commissioner may determine, in order to mitigate any anti-competitive impact of the local meals tax.

Section 4. Reimbursement for the tax imposed by this chapter shall be paid by the purchaser to the vendor, and each vendor in the commonwealth shall add to the sales price and shall collect from the purchaser the full amount of the tax imposed by this chapter and such tax shall be a debt from the purchaser to the vendor, when so added to the sales price, and shall be recoverable at law in the same manner as other debts.

Section 5. Upon each sale of a meal by a restaurant taxable under this chapter, the amount of tax collected by the vendor from the purchaser shall be stated and charged separately from the sales price and shown separately on any record thereof at the time the sale is made or on any evidence of sale issued or used by the vendor, but in the instance of the sale of alcoholic beverages for on premises consumption, the tax collected need not be stated separately.

Section 6. Every person who fails to pay to the commissioner any sums required by this chapter shall be personally and individually liable therefor to the commonwealth. The term "person", as used in this section, includes an officer or employee of a corporation, or a member or employee of a partnership or limited liability company, who as an officer, employee or member is under a duty to pay over the taxes imposed by this chapter.

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Notes of Decisions

In general 1

1. In general

Special commission, created by legislature, to consist of 11 members variously appointed by Governor, president of senate, or speaker of

house, may organize to do business as long as six members have been appointed, regardless of which particular appointing authority appointed them, and therefore failure to appoint members to a special commission will not render commission unable to function as long as a simple majority of members have been appointed. Op. Atty.Gen., June 29, 1973, p. 155.

§ 3. Enacting style of initiative measures

The enacting style of all measures submitted to the people in pursuance of an initiative petition for a law shall be: Be it enacted by the People, and by their authority.

Historical and Statutory Notes

St.1920, c. 388, § 1.

Cross References

Enacting style of acts, statutes and laws, see Const. Pt. 2, c. 6, Art. 8.

Library References

Statutes 317.  
Westlaw Topic No. 361.  
C.J.S. Statutes § 126.

§ 4. Mode of acceptance of statute by municipality or district

Wherever a statute is to take effect upon its acceptance by a municipality or district, or is to be effective in municipalities or districts accepting its provisions, this acceptance shall be, except as otherwise provided in that statute, in a municipality, by vote of the legislative body, subject to the charter of the municipality, or, in a district, by vote of the district at a district meeting. Amended by St.1962, c. 182; St.1966, c. 253; St.1977, c. 870, § 1; St.2004, c. 122, § 1, eff. Sept. 1, 2004.

Historical and Statutory Notes

As appearing in G.L.1932 (Ter.Ed.), this section read:

"Wherever it is provided that a statute shall take effect upon its acceptance by a city or town, such acceptance shall, except as otherwise provided in such statute, be, in a city, by vote of the city council or, in a town, by vote of the inhabitants thereof at a town meeting."

St.1962, c. 182, an emergency act, approved March 7, 1962, rewrote this section.

St.1966, c. 253, approved May 9, 1966, substituted "town, or district" for "or town", "towns, or districts" for "or towns", deleted "or" following "such city" and added "or, in a dis-

trict, by vote of the district at a district meeting".

St.1977, c. 870, § 1, approved Dec. 28, 1977, in the first sentence, inserted "municipality," "municipalities" and "in a municipality having a town council form of government, by vote of the town council, subject to the provisions of the charter of such municipality", and added the second sentence.

St.2004, c. 122, § 1, approved June 3, 2004, effective Sept. 1, 2004, rewrote the section, which prior thereto read:

"Wherever a statute is to take effect upon its acceptance by a city, town, municipality, or district, or is to be effective in cities, towns,

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Library References

Municipal Corporations §75.  
Statutes §361.  
Westlaw Topic Nos. 268, 361.

C.J.S. Municipal Corporations § 1  
C.J.S. Statutes §§ 130, 134 to 136.

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Research References

Treatises and Practice Aids

18 Mass. Prac. Series § 9, Revocation and  
Rescission of Statutes.

Notes of Decisions

In general 1

1. In general

Town could not amend its personnel adminis-  
tration plan in such way as to reduce entitle-

ment to vacation benefits for its regular police  
officers prescribed by statutes previously ac-  
cepted by town. Medfield Police League v.  
Board of Selectmen of Medfield (1980) 406  
N.E.2d 1043, 10 Mass.App.Ct. 265. Towns §  
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§ 4B. Rescission of laws previously accepted by cities, towns or municipali-  
ties

At any time after the expiration of three years from the date on which a law  
to take effect upon its acceptance by a city or town or a municipality as defined  
in section four, or is to be effective in such cities, towns or municipalities  
accepting its provisions, has been accepted in any such city, town or municipal-  
ity such statute may be revoked in the same manner as it was accepted by such  
city, town or municipality, but such revocation shall be subject to the following  
restrictions:

(a) This section shall not apply if such law provides for another manner of  
revocation.

(b) This section shall not apply to any such law which authorizes, but does  
not require, acceptance by a city, town or municipality to act.

(c) This section shall not apply to any action taken under chapter thirty-two  
or thirty-two B.

(d) This section shall not apply to any action taken to establish a regional  
district, authority or other entity which involves another city, town, municipali-  
ty, district or other governmental entity.

(e) This section shall not affect any contractual or civil service rights which  
have come into existence between the city, town or municipality and any officer  
or employee thereof as a result of the original acceptance of any such law or  
the provisions thereof; provided, however, that such revocation shall apply to  
the successor to the incumbent officer or employee, which application shall  
prevent such contractual or civil service right from automatically continuing  
with respect to such successor officer or employee.

If a petition signed by five per cent or more of the registered voters of a city  
or town is filed in the office of the city or town clerk within sixty days following  
a vote other than a vote taken by voters on an official ballot to revoke the  
acceptance of any optional provision of the General Laws, requesting that the

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revoking of such acceptance be submitted as a question to the voters of such city or town, said vote to revoke shall be suspended from taking effect until such question is determined by vote of the registered voters voting thereon at the next regular city or town election, or if the city council or board of selectmen or other authority charged with calling elections shall so direct, at a special election called for that purpose. Petitions filed requesting the placement of the question or revocation on the ballot for determination by the voters shall be substantially in conformity with the provisions of the law governing the signing of nomination papers for city or town officers, as to the identification and certification of names thereon, and submission to the registrars thereof. A brief summary of the relevant section or sections of the General Laws shall also appear on the official ballot. If such revocation is favored by a majority of the voters voting thereon, the acceptance of said optional law shall be revoked and it shall become null and void beginning with the first day of the month next following said vote of revocation. The question to be placed on a ballot shall be essentially as follows:

"Shall the acceptance by \_\_\_\_\_ (City, Town) of section(s) \_\_\_\_\_ of chapter \_\_\_\_\_ of the General Laws be revoked?

YES \_\_\_\_\_ NO \_\_\_\_\_".

If, on the sixty-first day following the date a vote has been taken to revoke the acceptance of an optional provision of the General Laws, and no petition as aforesaid has been filed, the vote to revoke shall become effective forthwith.

If at the time a city, town, municipality or district is authorized to revoke its acceptance of a law under the provisions of this section and such city, town, municipality or district has adopted a change in charter or otherwise is required to adopt a different procedure for acceptance of such law other than that procedure used for its original acceptance, then the procedure for acceptance in effect at the time of revocation shall be the manner for revoking such original acceptance.

Added by St.1980, c. 580, Sec. 5. Amended by St.1981, c. 782, § 2.

Historical and Statutory Notes

St.1980, c. 580, Section 5, a property tax limitation bill, was approved by the people at the state election held Nov. 4, 1980, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, as amended.

Section 13 of St.1980, c. 580, provides:

"The provisions of this act are severable, and if any of its provisions or an application thereof shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions or other applications thereof."

St.1981, c. 782, § 2, by § 16 made effective upon passage, in the first paragraph, rewrote the introductory clause, which prior thereto read:

"At any time after the expiration of three years from the date on which any optional provision of the General Laws has been accepted in any city or town, whether by official ballot, by bylaw, by ordinance or by vote of the legislative body of the city or town, or by vote of the board of selectmen or school committee of a town, the revocation of such acceptance of any optional provision of the General Laws may be effected in the same manner as was the original vote to accept the said provisions, but such revocation shall be subject to the following restrictions:"; in subpar. (a), substituted "such law provides for" for "the optional provision contains, within itself"; in subpar. (b), substituted "such law" for "optional provision" and "accepted by a city, town or municipality" for "the city or town"; in subpar. (c), deleted "of the General

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