

CITY OF NEWTON

IN BOARD OF ALDERMEN

FINANCE COMMITTEE AGENDA

MONDAY, NOVEMBER 9, 2009

7:45 PM
Room 222

ITEMS SCHEDULED FOR DISCUSSION:

#369-09 HIS HONOR THE MAYOR requesting authorization to appropriate nine thousand nine hundred eighty-two dollars and 37 cents (\$9,982.37) from Budget Reserve for the purpose of settling a claim filed against the City of Newton due to damages sustained in the course of sewer repairs on private property. [10/27/09 @ 5:22 PM]

#70-09(7) HIS HONOR THE MAYOR requesting a supplemental appropriation of one million one hundred eighty four thousand three hundred fifty dollars (\$1,184,350) from Overlay Surplus for the purpose of reducing anticipated General Fund Revenue in the FY10 Budget. [10/30/09 @ 2:54 PM]

ITEM RECOMMITTED TO FINANCE COMMITTEE 10-19-09

#299-09 HIS HONOR THE MAYOR requesting authorization to approve the terms, including the cost items, of a new collective bargaining agreement between the City and Newton Superior Officers Association (NPSOA), first year of the contract is already funded in the Police Department budget, approval of the cost items in this two year contract to bind the parties to the second year is requested. [09/29/09 @ 12:28 PM]

FINANCE APPROVED 7-0 on 10-14-09

#371-09 HIS HONOR THE MAYOR requesting to appropriate and expend thirty-four thousand, three hundred five dollars and twenty-three cents (\$34,305.23) from Budget Reserve to the Fire Department payroll account. These funds are to make retroactive payments to two firefighters who were on active military leave. 1) Richard Busa \$21,359.82 and 2) Mark Hernandez \$12,945.41. [10/27/09 @ 3:10 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#374-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend twenty-five thousand dollars (\$25,000) from Free Cash for the purpose of the continued cleanup of various 21E sites at the Cabot School, Horace Mann School, and NSHS football field. [10/27/09 @ 3:10 PM]

PUBLIC FACILITIES APPROVED 6-0 on 11-4-09

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #372-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend fifty five thousand dollars (\$55,000) from Marathon Receipts for the purpose of funding park improvements and repairs as follows: \$25,000 for the installation of playground equipment at the West Newton Common and Franklin School; and \$30,000 to replace Fibar ground covering and broken or unsafe playground equipment. [10/27/09 @ 3:10 PM]
PROG.& SERV. APPROVED 6-0 (Brandel and Baker not voting) on 11-4-09

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #373-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend thirty seven thousand five hundred forty three dollars (\$37,543) from Free Cash for the purpose of supplementing the tree maintenance budget. [10/27/09 @ 3:11 PM]
PROG. & SERVICES APPROVED 7-0 (Ald. Baker not voting) on 11-4-09

REFERRED TO PROGRAMS&SERVICES, PUBLIC FACILITIES & FINANCE COMMITTEES

- #359-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend one million, nine hundred thirty thousand dollars (\$1,930,000) from Free Cash for the purpose of supplementing the snow and ice budgets in the Department of Public Works and the Parks and Recreation Department to be broken down as follows:
 (A) **Public Works** \$300,000 for salaries, \$525,000 equipment rental and \$650,000 for sand and salt.
 (B) **Park and Recreation** \$30,000 for salaries and \$425,000 for equipment rental. [10/13/09 @ 5:24 PM]
PROGRAM & SERVICES APPROVED 5-0 (Baker, Sangiolo and Freedman) not voting on 10-21-09
PUBLIC FACILITIES APPROVED 6-0 on 11-4-09

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

Chairman's Note: In order to clear the docket it is Chairman's Coletti intention to refer the following five (5) items to the 2010-2011 Board. If you would like an item discussed separately, please let Chairman Coletti or Danielle Delaney (Committee Clerk) know prior to Monday night's meeting.

#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 4-0 (Ald. Johnson not voting) on 09-14-09

#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 4-0 (Ald. Johnson not voting) on 09-14-09

#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 7-0 on 10-14-09

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]
FINANCE HELD 8-0 on 01-12-09
POST AUDIT & OVERSIGHT REFERRED TO 2010-2011 BOARD 4-0 on 10-27-09

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
HELD 8-0 on 09-30-09

Chairman's Note: In order to clear the docket it is Chairman's Coletti intention to vote No Action Necessary on the following six (6) items. If you would like an item discussed separately, please let Chairman Coletti or Danielle Delaney (Committee Clerk) know prior to Monday night's meeting.

#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 7-0 on 10-14-09

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
HELD 8-0 on 09-30-09

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 8-0 on 09-30-09

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]
HELD 8-0 on 09-30-09

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(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 09-30-09

ITEMS NOT SCHEDULED FOR DISCUSSION:***Public Hearing to be assigned for November 12, 2009:***

- #70-09(6) DIRECTOR OF ASSESSMENT ADMINISTRATION submitting for Board of Aldermen review and approval FY10 Municipal Property Tax Levy Distribution Percentages among residential, open space, commercial and industrial classes of Real Property.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #288-09 HIS HONOR THE MAYOR requesting to appropriate and expend one million four hundred thousand dollars (\$1,400,000) from bonded indebtedness for the purpose of funding the installation of four classrooms at the Oak Hill Middle School and for design work for modulars at the Day Middle School. [09/15/09 @ 1:28 PM]
PUBLIC FACILITIES APPROVED 6-0 on 11-4-09
- #368-09 ALD. BAKER, LENNON AND COLETTI pursuant to Sec. 2-7 of the City Charter, recommending the re-appointment of David C. Wilkinson as Comptroller of Accounts; said term will be two years or until a successor is duly qualified. [10/27/09 @ 9:39 AM]
- #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(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
- #370-09 ALD. BAKER AND SWISTON and Newton residents of the NewTV Board of Directors seek Board approval of a resolution to support the passing of the Community Access Preservation (CAP), H.R. Bill 3745, as written and respectfully request that our state and federal legislators support the CAP Act as well and that a copy of this resolution be forwarded to each of their offices accordingly. [10/27/09 @ 1:08 PM]

**REFERRED TO COMMITTEE ON COMMUNITY PRESERVATION
AND FINANCE COMMITTEES**

- #375-09 THE COMMUNITY PRESERVATION COMMITTEE recommending that fifteen thousand two hundred fifty dollars (\$15,250) be appropriated and expended from the FY10 Community Preservation Fund's historic and general reserves for changes and additions required by the Newton Fire Department during the historic rehabilitation of Brigham House. [10/27/09 @ 9:10 AM]

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

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

REFERRED TO PROGRAM & SERVICES AND FINANCE COMMITTEES

- #233-09 ALD. JOHNSON AND LINSKY requesting a discussion to increase fines to the maximum level for dogs not having a current license. [07/13/09 @ 7:26 PM]
PROGRAM & SERVICES APPROVED 5-0 (Merrill and Sangiolo not voting) on 09-09-09
HELD 8-0 on 09-30-09

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

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

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #358-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend fifty five thousand dollars (\$55,000) from tax revenue from the local option meals tax to restore funding to the Senior Transportation Program. [10/09/09 @ 5:25 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #289-09 ALD. PARKER requesting development of a property tax rebate program for households that opt for smaller trash containers. [09/08/09 @ 10:57 AM]

Re-appointment by His Honor the Mayor

- #285-09 EDWARD GOURDEAU, JR., 81 Dalby Street, Newton, re-appointed as a Constable for a term to expire November 1, 2012. [09/08/09 @ 9:20 AM]

PLEASE BRING WITH YOU THE ANNUAL FINANCIAL REPORT BUDGETARY BASIS REPORT FOR THE YEAR ENDED JUNE 30, 2009.

- #269-09 COMPTROLLER submitting FY2009 Budgetary Basis Annual Financial Report. [09/01/09 @ 4:45 PM]
HELD 6-0 (Schnipper not voting) on 10-14-09

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
HELD 7-0 on 10-14-09

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 (Ciccone and Coletti not voting) on 06-17-09
PUBLIC FACILITIES HELD 3-0 (Mansfield not voting) on 07-08-09

ITEM RECOMMENDED 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
- #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
ZONING & PLANNING NO ACTION NECESSARY 6-0 (Cicccone not voting) on 09-14-09

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]

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]
- HELD 8-0 on 09-30-09**

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 6-0 on 11-04-09**

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 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**

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
HELD 8-0 on 09-30-09

- #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]
HELD 8-0 on 09-30-09

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 8-0 on 09-30-09

REFERRED TO ZONING & PLANNING AND FINANCE COMMITTEES

#48-06 ALD. HESS-MAHAN, BURG, JOHNSON, DANBERG, PARKER & WEISBUCH proposing that the city provide financial incentives to rent accessory apartments to low- to moderate-income households at affordable rates that can serve housing affordability goals.

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.)

HELD 8-0 on 09-30-09

**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 09-30-09
- #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.
HELD 8-0 on 09-30-09

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
- #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 8-0 on 09-30-09

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
HELD 8-0 on 09-30-09

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

#369-09
Telephone
(617) 796-1100
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(617) 796-1113
TDD
(617) 796-1089
E-mail
dcohen@newtonma.gov

October 27, 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 nine thousand nine hundred eighty-two dollars and 37 cents (\$9,982.37) from Budget Reserve for the purpose of settling a claim filed against the City of Newton. The claim arises out of damages sustained in the course of sewer repairs on private property.

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

09 OCT 27 PM 5: 22
CITY CLERK
NEWTON, MA. 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

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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

OUIDA 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

October 22, 2009

Mayor David B. Cohen and Honorable Board of Aldermen
City of Newton
1000 Commonwealth Avenue
Newton Centre, MA 02459

RE: *Dorothy Gordon v. City of Newton*
Our Legal File Number 09-32

Dear Honorable Mayor Cohen and Honorable Board of Aldermen:

On or about November 26, 2008, City of Newton Utilities Division personnel were responding to a leak in the service line at the home of Dorothy Gordon at 27 Linda Lane. While responding to the leak, City personnel inadvertently caused damage to the sewer connection. As a result, Ms. Gordon's basement was flooded with sewage, causing extensive damage to the basement and destroying most of its contents.

Ted Jerdee, Superintendent of the Water/Sewer Utilities Division, was present and witnessed the incident as it occurred. He also was present when Ms. Gordon's yard was excavated. Mr. Jerdee determined that a City Department of Public Works sewer repair crew caused Ms. Gordon's sewer back-up.

Ms. Gordon's damages included landscaping, interior mold, walls, molding, carpets and furnishings to her partially finished basement. Ms. Gordon expended the following for clean-up: \$325 to Rooter-Man and \$2,157.31 to Pro-Care Inc. environmental clean-up. Ms. Gordon then obtained three estimates to refinish the damaged portion of her partially finished basement:

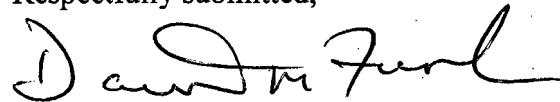
- | | | |
|----|----------|---------------------------------|
| 1. | \$12,500 | CRM Construction |
| 2. | \$12,000 | TJA Painting |
| 3. | \$9,900 | Inside and Outside Construction |

The Department of Inspectional Services reviewed each estimate. It was determined to offer Ms. Gordon 75 percent of the lowest estimate plus \$325 paid to Rooter-Man and \$2,157.31 paid to Pro-Care Inc., totaling \$9,982.37, which was acceptable to Ms. Gordon.

Ms. Gordon made proper and timely presentment of her claim under M.G.L. c. 258. After considerable negotiations, Ms. Gordon accepted the City's offer of \$9,982.37 as full and final settlement of her claim. I feel that this amount is reasonable given that the City is likely 100% at fault.

Therefore, I respectfully request that you appropriate \$9,982.37 from the Reserve Account and authorize the expenditure thereof as full and final settlement of Dorothy Gordon's claim against the City of Newton.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Daniel M. Funk".

Daniel M. Funk
City Solicitor



David B. Cohen
Mayor

City of Newton, Massachusetts
Office of the Mayor

#70-09(7)

Telephone
(617) 796-1100

Telefax
(617) 796-1113

TDD
(617) 796-1089

E-mail
dcohen@newtonma.gov

October 30, 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 supplemental appropriation of \$1,184,350 from Overlay Surplus for the purpose of reducing anticipated General Fund Revenue in the FY10 Budget. This reflects up to date information on local aid and local revenue through the first quarter.

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen
Mayor

DBC: srb

09 OCT 30 PM 2:54
CITY CLERK
NEWTON, MA 02159

1000 Commonwealth Avenue Newton, Massachusetts 02459

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David B. Cohen
Mayor

City of Newton, Massachusetts
Office of the Mayor

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E-mail
dcohen@newtonma.gov

September 29, 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 approve the terms, including the cost items, of a new collective bargaining agreement between the City and the Newton Superior Officers Association (NPSOA). Although the first year of the contract is already funded in the Police Department budget, your approval of the cost items in this two year contract is necessary to bind the parties to the second year of the contract.

The Memorandum of Agreement (MOA) attached to this letter sets out the terms of a settlement between the Newton Police Superior Officers Association (representing Police sergeants, lieutenants, and captains) and the City regarding the Quinn Bill. The key provisions are an agreement by the union to accept no pay increases in FY10 and FY11 in exchange for the City agreeing to continue to pay full Quinn Bill education incentive payments to current employees.

This settlement came about after several weeks of intensive bargaining with the NPSOA. At issue during those negotiations was the question of the City's legal obligation to pay Quinn Bill payments. The union argued that once a city or town accepts the Quinn Bill, it is under a full obligation to pay Quinn Bill benefits and cannot amend that obligation through a collective bargaining contract. The union cites a statute, Chapter 150E, §7(d), that lists the topics that municipal employers and unions may agree to deviate from state standards, e.g., the number vacation days granted employees per year. The union argued that any topic not expressly listed in this section is pre-empted from amendment by contract and that the Quinn Bill is not one of the topics so listed.

Without conceding to the union's arguments, the City understood that many other communities had accepted that argument. When the NPSOA came to us with a settlement modeled on one recently adopted by the Town of Brookline, in which the

09 SEP 29 PM 12: 28
CITY CLERK
NEWTON, MA. 02159

1000 Commonwealth Avenue Newton, Massachusetts 02459

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police union agreement to full Quinn Bill payments in exchange for two years of zero pay increases, we concluded that such a settlement was in the City's interest.

This settlement allows our ranking officers to continue to receive their current rate of pay. Without this settlement, they would have seen pay decreases of between five percent and 12.5%, depending on their education levels. Such a pay cut imposed on our employees by the act of the State is clearly a severe burden.

In thinking about the City's position relative to our police unions, I also had to consider the implications of such a pay cut on our ability to retain and recruit staff. Many communities are struggling with this same issue. Some, such as the City of Cambridge, have contracts that obligate them to pay full Quinn Bill benefits regardless of any State reimbursement. Others, such as the Town of Belmont, have no language in their contracts providing for what to do in case of a cut in State Quinn Bill payments and have decided they must pay full Quinn Bill benefits. Others, such as the Town of Brookline, had language akin to ours that provided for a cut in Quinn Bill payments if the State failed to fully reimburse them, but which decided to continue to pay full Quinn Bill benefits in exchange for concessions on future pay increases. The Quinn Bill has helped to enhance the quality and professionalism of our police force, and we did not want to put ourselves at a competitive disadvantage now.

I think this settlement is in the best interest of the City. I note that the NPSOA bargained in a professional and cooperative manner on this issue so we could reach a resolution that met our mutual needs and interests. We all share a commitment to keeping the Newton Police Department one of the finest in the state and in doing so in a financially responsible manner. This settlement does that and I urge your Honorable Board to support it.

Thank you for your consideration of this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "David B. Cohen", with a large, stylized flourish at the end.

David B. Cohen
Mayor

DBC: smp

CITY CLERK
NEWTON, MA. 02159
09 SEP 29 PM 12: 28

**Memorandum of Agreement
Between
City of Newton
And
The Newton Superior Officers Association**

September 2009

The City of Newton (City) and the Newton Superior Officers Association, collectively the "Parties," hereby agree to extend their collective bargaining agreement (effective July 1, 2006 through June 30, 2009) through June 30, 2011, except as modified herein by this Memorandum of Agreement.

1. Duration of Agreement

July 1, 2009 – June 30, 2011

2. Wages and Stipends

A. Wages

Fiscal Year 2010:	Effective July 1, 2009	0% wage Increase
Fiscal Year 2011:	Effective July 1, 2010	0% Wage Increase

Reopeners: The Parties agree that the Union may reopen the collective bargaining agreement during fiscal year 2011 on the issue of wages for fiscal year 2011 if the City and a Public Employee Committee established under section 19 of Chapter 32B of the Massachusetts General Laws provide health insurance to eligible employees through the Group Insurance Commission (GIC).

In accordance with paragraph 23.01 of the collective bargaining agreement, the Parties also agree that the Union may reopen the collective bargaining agreement on the issue of wages if the Patrol Officers' economic settlement for any one of the two years covered by this agreement is greater than zero in order to maintain the benchmarks contained therein.

B. Stipend Payments

The parties agree to work together to phase in weekly payment of stipends, as feasible.

3. Education Incentive Pay

Article XXIX

Replace paragraphs 29.03 e and f with the following:

29.03 e. In the event that General Laws, Chapter 41, Section 108L is underfunded, repealed, or amended by the Commonwealth of Massachusetts or its acceptance rescinded by the CITY, members of the bargaining unit who were employed by the Newton Police Department on July 1, 2009 shall continue to receive the education incentive pay and percentages they were receiving prior to July 1, 2009 as well as the education incentive pay and percentages they may be entitled to receive after July 1, 2009 in accordance with Chapter 41, Section 108L had Chapter 41, Section 108L not been underfunded, repealed, or amended, and the City shall pay the entire amount thereof. It is the intent of this section to guarantee to said employees 100% payment of the education incentive pay benefits notwithstanding any subsequent appropriation or legislation that might affect Chapter 41, Section 108L or the City's reimbursement by the Commonwealth. Such education incentive pay benefits shall be no less than 10% for an Associate's degree in law enforcement or 60 points earned towards a Baccalaureate degree in law enforcement, 20% for a Baccalaureate degree in law enforcement, and 25% for a Master's degree in law enforcement or for a degree in law.

4. Grievances

The grievances pertaining to auxiliary officers and details shall be returned to step two of the contractual grievance procedure for further discussion of a potential resolution.

Agreed to this 11th of September, 2009 by

City of Newton

Newton Superior Officers Association

Jeffrey P. [Signature]

Edward Mahoney

Dennis [Signature]

[Signature]
Dennis P. Benche

[Signature]
[Signature]

President: **Gerard Mahoney**
Vice President: **William Spalding**
Secretary: **Dennis Berube**
Phone: 617-796-2147
Email: npsoa1@yahoo.com



#299-09
Executive Board
Dennis Dowling
Frank Eldridge

Newton Police Superior Officers Association, 1321 Washington Street, Newton, MA 02465

Newton Board of Alderman
President Lisle Baker
1000 Commonwealth Ave.
Newton, Mass. 02459

Dear Mr. President,

10/2/09

I am writing to you to express the Newton Police Superior Officer's Association support of the proposed meals tax. We feel that the implementation of this tax would be a minor price to pay to raise additional funds needed by the city to continue to provide the high level of services that residents of Newton have come to expect. We do not believe that this minimal increase in the meals tax will have a significant impact on local Restaurant Owners. We hope that the Board of Alderman will see this as an opportunity to raise additional revenue with a minimal burden to the local taxpayers.

Respectfully submitted,

Lt. Gerry Mahoney
President N.P.S.O.A.
MassCop Local 401

09 OCT - 7 PM 4: 37
CITY CLERK
NEWTON, MA. 02159

Superior Officers Quinn Payments

ATT #3
#299-09 #299-09

Check Issued Date 9/24/2009

<u>Last, First Name</u>	<u>Weekly Payment</u>	<u>Annual Amount</u>
ANASTASIA, PAUL D	440.74	22,918.48
ANNESE, KENNETH	343.27	17,850.04
APOTHEKER, BRUCE M	301.36	15,670.72
BARTINELLI JR, JOHN J	401.63	20,884.76
BERUBE, DENNIS P	343.27	17,850.04
BOUDREAU, ALFRED F	321.3	16,707.60
BOUDREAU, EDWARD J	352.59	18,334.68
CAHOON, KENNETH A	321.96	16,741.92
CHISHOLM, GLENN C	321.96	16,741.92
CUPOLI, KEVIN A	274.62	14,280.24
DANGELO, KENNETH	301.36	15,670.72
DONOVAN, ROBERT G	321.3	16,707.60
DOWLING, DENNIS P	401.63	20,884.76
ELDRIDGE, FRANK S	257.57	13,393.64
FOLEY, FRANCIS X	274.62	14,280.24
GEARY, DENNIS	343.27	17,850.04
GROMADA, MARC	440.74	22,918.48
HENDERSON, H BRIAN	128.79	6,697.08
LEONE, CHARLES	274.62	14,280.24
MACDONALD, DAVID L	401.63	20,884.76
MAHONEY, GERARD F	401.63	20,884.76
MARZILLI, CHRISTOPHER	440.74	22,918.48
MCMAINS, GEORGE R	257.57	13,393.64
MINTZ, HOWARD	352.59	18,334.68
ROONEY, MELANIE A	274.62	14,280.24
RUDD, KEVIN	274.62	14,280.24
SHEA, JOHN G	321.96	16,741.92
SPALDING, WILLIAM L	343.27	17,850.04
STURNIOLO, JOSEPH	274.62	14,280.24
TEMPESTA, DAVID E	301.36	15,670.72
WALSH, DANIEL J	321.96	16,741.92
Grand Total	<u>10,133.17</u>	<u>526,924.84</u>

09 OCT 16 AM 10:12
CITY CLERK
NEWTON, MA. 02159



David B. Cohen
Mayor

City of Newton, Massachusetts
Office of the Mayor

#371-09

Telephone
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dcohen@newtonma.gov

October 27, 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 thirty-four thousand, three hundred five dollars and twenty-three cents (\$34,305.23) from Budget Reserve to the Fire Department payroll account. These funds are to make retroactive payments to two firefighters who were on active military leave between October 2003 and December 2005. Subsequent to that time, the Commonwealth enacted a statute changing the calculation for supplemental pay that was retroactive to include the duration of these leaves. Based on this new law and the contract with the Firefighters, they are each due the following:

- Richard Busa - \$21,359.82
- Mark Hernandez - \$12,945.41

These are the last two individuals impacted by this change in the law.

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen
Mayor

DBC: srb

09 OCT 27 PM 3:10
CITY CLERK
NEWTON, MA. 02159

1000 Commonwealth Avenue Newton, Massachusetts 02459

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Richard Busa Military Leave July 2004 to December 2005

#371-09

Military Pay 2004			Monthly	Bi Monthly
2004		E-2	1,337.70	668.85
2004		E-4	1,891.50	945.75

Military Pay Retro				
15-Jul-04	668.85	945.75		(276.90)
1-Aug-04	668.85	945.75		(276.90)
15-Aug-04	668.85	945.75		(276.90)
1-Sep-04	668.85	945.75		(276.90)
15-Sep-04	2,164.11	945.75	1,218.36	1,218.36
				110.76

Military Pay 2005			Monthly	Bi Monthly
2005		E-4	1,957.80	978.90

City Paid	117.89
	6,130.28
	510.86

	weekly	yearly	monthly
city pay	850.56	44,229.12	3,685.76

		Check 1 First	Check 2 Fifteenth	Total MIL	City Paid	Combined Pay	City Monthly	Difference	Contract Increase	Contract Amount	Difference Owed
July	2004		945.75	945.75	255.43	1,201.18	1,842.88	641.70	0.0404	25.92	667.63
august	2004	945.75	945.75	1,891.50	510.86	2,402.36	3,685.76	1,283.40	0.0404	51.85	1,335.25
September	2004	945.75	945.75	1,891.50	510.86	2,402.36	3,685.76	1,283.40	0.0404	51.85	1,335.25
October	2004	945.75	945.75	1,891.50	510.86	2,402.36	3,685.76	1,283.40	0.0404	51.85	1,335.25
November	2004	945.75	945.75	1,891.50	510.86	2,402.36	3,685.76	1,283.40	0.0404	51.85	1,335.25
December	2004	945.75	945.75	1,891.50	510.86	2,402.36	3,685.76	1,283.40	0.0404	51.85	1,335.25
January	2005	945.75	978.90	1,924.65	510.86	2,435.51	3,685.76	1,250.25	0.0404	50.51	1,300.76
February	2005	978.90	978.90	1,957.80	510.86	2,468.66	3,685.76	1,217.10	0.0404	49.17	1,266.27
March	2005	978.90	978.90	1,957.80	510.86	2,468.66	3,685.76	1,217.10	0.0404	49.17	1,266.27
April	2005	978.90	978.90	1,957.80	510.86	2,468.66	3,685.76	1,217.10	0.0404	49.17	1,266.27
May	2005	978.90	978.90	1,957.80	510.86	2,468.66	3,685.76	1,217.10	0.0404	49.17	1,266.27
June	2005	978.90	978.90	1,957.80	510.86	2,468.66	3,685.76	1,217.10	0.0404	49.17	1,266.27
July	2005	978.90	978.90	1,957.80	510.86	2,468.66	3,685.76	1,217.10	0.0664	80.83	1,297.93
august	2005	978.90	978.90	1,957.80	510.86	2,468.66	3,685.76	1,217.10	0.0664	80.83	1,297.93
September	2005	978.90	978.90	1,957.80	510.86	2,468.66	3,685.76	1,217.10	0.0664	80.83	1,297.93
October	2005	978.90	978.90	1,957.80	510.86	2,468.66	3,685.76	1,217.10	0.0664	80.83	1,297.93
November	2005	978.90	978.90	1,957.80	510.86	2,468.66	3,685.76	1,217.10	0.0664	80.83	1,297.93
December	2005	978.90	261.04	1,239.94	2,551.68	3,791.62	3,685.76	(105.86)	-	-	(105.86)

City Paid	Received
15-Dec	850.56
22-Dec	850.56
29-Dec	850.56
	2,551.68

Total Owed	21,359.82
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Mark Hernandez Military Leave October 2003 to July 2005

#371-09

Military Pay 2003		Monthly	Bi Monthly
2003	W-2	3,148.50	1,574.25

Military Pay 2004		Monthly	Bi Monthly
2004	W-3	3,443.40	1,721.70

Military Pay 2005		Monthly	Bi Monthly
2005	W-3	3,918.90	1,959.45

	weekly	yearly	monthly
city pay	1003.85	52,200.20	4,350.02

		Check 1 First	Check 2 Fifteenth	Total MIL	City Paid	Combined Pay	City Monthly	Difference	Contract Increase	Contract Amount	Difference Owed
November	2003						-	-	0.0200	0.00	-
December	2003	1,574.25	1,574.25	3,148.50	1,003.85	4,152.35	4,350.02	197.67	0.0200	3.95	201.62
January	2004	1,721.70	1,721.70	3,443.40	-	3,443.40	4,350.02	906.62	0.0200	18.13	924.75
February	2004	1,721.70	1,721.70	3,443.40	-	3,443.40	4,350.02	906.62	0.0200	18.13	924.75
March	2004	1,721.70	1,721.70	3,443.40	-	3,443.40	4,350.02	906.62	0.0200	18.13	924.75
April	2004	1,721.70	1,721.70	3,443.40	-	3,443.40	4,350.02	906.62	0.0200	18.13	924.75
May	2004	1,721.70	1,721.70	3,443.40	-	3,443.40	4,350.02	906.62	0.0200	18.13	924.75
June	2004	1,721.70	1,721.70	3,443.40	-	3,443.40	4,350.02	906.62	0.0200	18.13	924.75
July	2004	1,721.70	1,721.70	3,443.40	-	3,443.40	4,350.02	906.62	0.0200	18.13	924.75
august	2004	1,721.70	1,721.70	3,443.40	-	3,443.40	4,350.02	906.62	0.0200	18.13	924.75
September	2004	1,721.70	1,721.70	3,443.40	-	3,443.40	4,350.02	906.62	0.0200	18.13	924.75
October	2004	1,721.70	1,721.70	3,443.40	-	3,443.40	4,350.02	906.62	0.0200	18.13	924.75
November	2004	1,721.70	1,721.70	3,443.40	-	3,443.40	4,350.02	906.62	0.0200	18.13	924.75
December	2004	1,721.70	1,721.70	3,443.40	-	3,443.40	4,350.02	906.62	0.0200	18.13	924.75
January	2005	1,959.45	1,959.45	3,918.90	-	3,918.90	4,350.02	431.12	0.0404	17.42	448.53
February	2005	1,959.45	1,959.45	3,918.90	-	3,918.90	4,350.02	431.12	0.0404	17.42	448.53
March	2005	1,959.45	1,959.45	3,918.90	-	3,918.90	4,350.02	431.12	0.0404	17.42	448.53
April	2005	1,959.45	1,959.45	3,918.90	-	3,918.90	4,350.02	431.12	0.0404	17.42	448.53
May	2005	1,959.45	1,959.45	3,918.90	-	3,918.90	4,350.02	431.12	0.0404	17.42	448.53
June	2005	1,959.45	1,959.45	3,918.90	1,003.85	4,922.75	4,350.02	(572.73)	0.0404	-23.14	(595.87)
July	2005	-	-	-	-	-	-	-	-	0.00	-

12,945.41

34,305.23



David B. Cohen
Mayor

City of Newton, Massachusetts
Office of the Mayor

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dcohen@newtonma.gov

October 27, 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 twenty-five thousand dollars (\$25,000) from Free Cash for the purpose of the continued clean up of various 21E sites at the ~~Elliot Street yard~~, Cabot School, Horace Mann School, and Newton South High School Football field.

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen
Mayor

DBC: srb

09 OCT 27 PM 3:10
CITY CLERK
NEWTON, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

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★
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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

October 27, 2009

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

RE: License Site professional services (LSP)

Dear Mayor Cohen:

The Public Buildings Department respectfully request the sum of \$ 25,000 to cover the cost of a License Site Professional and cost associated with the continued clean up of the following 21 E sites around the City for the period July 1, 2009 through November 30, 2009.

Cabot Elementary School	\$ 10,000
Horace Mann Elementary	14,000
Newton South High School	1,000
 Total	 \$ 25,000

These projects have been identified in the Capital Improvement Program and should be funded immediately.

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

Very truly yours,

Arthur F. Cabral
Acting Commissioner of Public Buildings

09 OCT 27 PM 3:10
CITY CLERK
NEWTON, MA 02459

AFC:dla
CC: Sandy Pooler, Chief Administrative Officer

Prog/K



David B. Cohen
Mayor

City of Newton, Massachusetts
Office of the Mayor

#372-09

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

October 27, 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 twenty five thousand dollars (\$25,000) from Marathon Receipts for the purpose of funding park improvements and repairs.

This appropriation will be used as seed funding for the installation of playground equipment at West Newton Common and the Franklin School (\$25,000) and to replace Fibar ground covering and broken or otherwise unsafe playground equipment (\$30,000).

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen
Mayor

DBC: srb

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.ci.newton.ma.us



DEDICATED TO COMMUNITY EXCELLENCE



David B. Cohen
Mayor

City of Newton, Massachusetts
Office of the Mayor

#372-09

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

October 27, 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 twenty five thousand dollars (\$25,000) from Marathon Receipts for the purpose of funding park improvements and repairs.

This appropriation will be used as seed funding for the installation of playground equipment at the Burr School and Solomon Schechter Playground (\$25,000) and to replace Fibar ground covering and broken or otherwise unsafe playground equipment (\$30,000).

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen
Mayor

See corrected letter
DBC: srb

09 OCT 27 PM 3:10
CITY CLERK
NEWTON, MA. 02159





DAVID B. COHEN
MAYOR

NEWTON PARKS AND RECREATION DEPARTMENT

#372-09

70 Crescent Street, Newton, MA 02466
Office: (617) 796-1500
Fax: (617) 796-1512
TTY: (617) 796-1089



FRAN L. TOWLE
COMMISSIONER

October 13, 2009

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

Dear Mayor Cohen:

I am writing to respectfully request that you docket with the Honorable Board of Aldermen for consideration a request to appropriate and expend \$55,000 from Marathon receipts.

Of the total appropriation, \$30,000 will be used for the purpose of purchasing replacement Fibar, a material that provides a safe surface under existing play structures on which children can play and for making additional purchases of playground equipment and miscellaneous hardware to replace worn, defective or unsafe playground equipment and parts, as identified by the Parks & Recreation Department.

The remaining \$25,000 of the appropriation will be utilized to purchase playground equipment at West Newton Common and Franklin School, with each site receiving an appropriation of \$12,500. As has been the case with appropriations of Marathon funds in the past, these funds will be used as seed money and will be combined with future fundraising from local community groups to enhance the playgrounds.

Thank you for your consideration in this matter.

Sincerely,

Robert J. DeRubeis
Deputy Commissioner

cc: Sandy Pooler, Chief Administrative Officer
Susan Burstein, Chief Budget Officer

09 OCT 27 PM 3:11
CITY CLERK
NEWTON, MA. 02159

COMMISSION
MEMBERS

WARD 1 - VACANT
WARD 2 - ARTHUR MAGNI
WARD 3 - PETER JOHNSON

WARD 4 - FRANCIS J. RICE, CHAIRMAN
WARD 5 - WALTER S. BERNHEIMER II, VICE-CHAIRMAN
WARD 6 - LEE MOTTARD

WARD 7 - VACANT
WARD 8 - KATHLEEN A. HEITMAN
COMM. SECRETARY-ROBIN MCLAUGHLIN

ALTERNATES: MICHAEL CLARKE, PETER KASTNER, JACK NEVILLE

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**Newton Parks and Recreation Department
Non School playground Areas
Recommended Order of Priority for Seed Money
Beginning FY04**

September 2003

1. Upper Falls
2. Newton Centre
3. Cabot Park
4. Charlesbank
5. Hunnewell
6. Carr
7. Newton Highlands
8. Solomon Schechter Memorial
9. West Newton Common
10. Lower Falls
11. Crescent Street
12. Emerson
13. Hyde
14. Auburndale
15. Torchia/Davis
16. River Street
17. Richardson
18. Wellington
19. Stearns
20. Pellegrini
21. Forte
22. Burr Park
23. Weeks
24. Warren Lincoln

The above priorities are subject to change due to unforeseen circumstances. For consideration seed monies will be divided in half, each fiscal year. Half going to a non-school playground and the other to a school attached playground.

**Newton School Department
Newton Parks and Recreation Department
School Playground Areas
Recommended Order of Priority for Seed Money
Beginning FY06**

September 2003

1. Bowen Elementary
2. Lincoln Eliot Elementary
3. Angier Elementary
4. Franklin Elementary
5. Burr Elementary
6. Underwood Elementary
7. Williams Elementary
8. Mason Rice Elementary
9. Ward Elementary
10. Countryside Elementary
11. Peirce Elementary
12. Zervas Elementary
13. Cabot Elementary
14. Education Center
15. Memorial Spaulding Elementary
16. Horace Mann Elementary

The above priorities are subject to change due to unforeseen circumstances. For consideration seed monies will be divided in half, each fiscal year. Half going to a school attached playground and the other to a non-school attached playground.



David B. Cohen
Mayor

City of Newton, Massachusetts
Office of the Mayor

#373-09

Telephone
(617) 796-1100

Telefax
(617) 796-1113

TDD
(617) 796-1089

E-mail
dcohen@newtonma.gov

October 27, 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 thirty-seven thousand five hundred forty-three dollars (\$37,543) from Free Cash for the purpose supplementing the tree maintenance budget that has been exhausted due to tree emergencies.

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen
Mayor

DBC: srb

09 OCT 27 PM 3:11
CITY CLERK
NEWTON, MA. 02159

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.ci.newton.ma.us



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DAVID B. COHEN
MAYOR

NEWTON PARKS AND RECREATION DEPARTMENT

#373-09

70 Crescent Street, Newton, MA 02466
Office: (617) 796-1500
Fax: (617) 796-1512
TTY: (617) 796-1089



FRAN L. TOWLE
COMMISSIONER

Tuesday, October 13, 2009

Honorable Mayor David B. Cohen
Newton City Hall
1000 Commonwealth Avenue
Newton, Mass. 02459

Dear Mayor Cohen:

09 OCT 27 PM 3:11
CITY CLERK
NEWTON, MA. 02159

I am respectfully requesting an appropriation to cover the costs incurred for tree emergencies from July 1, 2009 through October 10, 2009.

I respectfully request an appropriation of \$37,543.00 to cover the costs incurred for tree emergencies from July 1, 2009 to October 10, 2009.

Tree Emergency costs – actual and pending invoices from 07/01/09 to date:

Equipment Rental	\$ 37,543.00	Requesting	\$ 37,543.00
Department Overtime	\$ -	Requesting	\$0.00
Other Department Overtime		Requesting	-

Grand Total: \$ 37,543.00

COMMISSION MEMBERS

WARD 1 – VACANT
WARD 2 – ARTHUR MAGNI
WARD 3 – PETER JOHNSON

WARD 4 – FRANCIS J. RICE, CHAIRMAN
WARD 5 – WALTER S. BERNHEIMER II, VICE-CHAIRMAN
WARD 6 – LEE MOTTARD

WARD 7 – VACANT
WARD 8 – KATHLEEN A. HEITMAN
COMM. SECRETARY-ROBIN MCLAUGHLIN

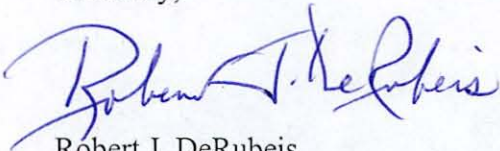
ALTERNATES: MICHAEL CLARKE, PETER KASTNER, JACK NEVILLE

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A tree emergency maybe a single instance of a tree being damaged by an accident, or a weather related emergency requiring one, two or more crews to respond for cleanup. These expenses have occurred since July 1, 2009.

This request will also cover the actual Forestry Emergency Equipment Rental expenditures from July 1, 2009 and leaves \$29,800 for Forestry Emergency Equipment Rental and \$10,481 for Forestry Emergency Department O.T.

Sincerely,



Robert J. DeRubeis
Parks & Recreation Deputy Commissioner

09 OCT 27 PM 3:11
CITY CLERK
NEWTON, MA. 02159

att:

01602011 5273	\$37,543.00	Tree/ Equipment Rental
1602011 513001	\$0.00	Tree/ Department Overtime
	\$ 37,543.00	TOTAL APPROPRIATION REQUEST

Emergency Forestry Equipment Expenditures
July 1 to October 10, 2009

Date	Time in	Time out	Hours	Equipment	Rate	Cost	Issue
7/3/2009	4:30:00 AM	7:30:00 AM	3.00	Primary Crew Overtime Rate	200.00	\$ 600.00	tree down 276 Franklin St. (pvt)
	4:30:00 AM	7:30:00 AM	3.00	Log Loader Crew Overtime Rate	155.00	\$ 465.00	tree down 276 Franklin St. (pvt)
7/12/2009	11:00:00 AM	2:00:00 PM	3.00	Bucket Truck Crew Overtime Rate	200.00	\$ 600.00	1/2 tree down Kenyon St. (pvt.)
7/14/2009	1:00:00 PM	3:30:00 PM	2.50	Bucket Truck Crew Overtime Rate	210.00	\$ 525.00	several hangers city-wide
	3:30:00 PM	4:00:00 PM	0.50	Bucket Truck Crew Overtime Rate	210.00	\$ 105.00	several hangers city-wide
7/16/2009	12:00:00 PM	3:00:00 PM	3.00	Bucket Truck Crew Standard Rate	180.00	\$ 540.00	several hangers city-wide
7/17/2009	3:30:00 PM	6:30:00 PM	3.00	Primary Crew Overtime Rate	200.00	\$ 600.00	large limb down Anthony Cir.
7/24/2009	7:00:00 AM	3:30:00 PM	8.50	Primary Crew Standard Rate	170.00	\$ 1,445.00	strong wind, trees & limbs down
7/27/2009	11:00:00 AM	3:00:00 PM	4.00	Primary Crew Standard Rate	170.00	\$ 680.00	strong wind, clean up
7/31/2009	6:00:00 AM	9:00:00 AM	3.00	Primary Crew Standard Rate	170.00	\$ 510.00	strong wind, trees & limbs down
	7:00:00 PM	10:00:00 PM	3.00	Primary Crew Overtime Rate	200.00	\$ 600.00	strong wind, trees & limbs down
	10:00:00 AM	1:00:00 PM	3.00	Log Loader Crew Standard Rate	125.00	\$ 375.00	strong wind, trees & limbs down
8/1/2009	2:45:00 AM	5:45:00 AM	3.00	Log Loader Crew Overtime Rate	155.00	\$ 465.00	strong wind, trees & limbs down
	7:30:00 AM	12:30:00 PM	5.00	Log Loader Crew Overtime Rate	155.00	\$ 775.00	strong wind, trees & limbs down
	2:45:00 AM	5:45:00 AM	3.00	Supplemental Crew Member Overtime Rate	85.00	\$ 255.00	strong wind, trees & limbs down
	8:00:00 AM	12:30:00 PM	4.50	Primary Crew Overtime Rate	200.00	\$ 900.00	strong wind, trees & limbs down
8/3/2009	8:00:00 AM	11:00:00 AM	3.00	Primary Crew Standard Rate	170.00	\$ 510.00	strong wind, clean up
8/7/2009	6:30:00 PM	9:30:00 PM	3.00	Bucket Truck Crew Overtime Rate	210.00	\$ 630.00	tree down, Lake St.
8/8/2009	12:15:00 PM	3:15:00 PM	3.00	Bucket Truck Crew Overtime Rate	210.00	\$ 630.00	tree down, 15 Harwich Rd
8/24/2009	7:00:00 AM	3:00:00 PM	8.00	Primary Crew Standard Rate	170.00	\$ 1,360.00	strong wind, trees & limbs down
8/26/2009	5:00:00 PM	8:00:00 PM	3.00	Primary Crew Overtime Rate	200.00	\$ 600.00	several hangers city-wide
8/29/2009	2:30:00 PM	8:00:00 PM	5.50	Primary Crew with Log Loader Overtime Rate	375.00	\$ 2,062.50	tropical storm, limbs down
8/30/2009	2:30:00 PM	5:30:00 PM	3.00	Log Loader Crew Overtime Rate	155.00	\$ 465.00	tree down, Comm. Ave.
	2:30:00 PM	5:30:00 PM	3.00	Supplemental Crew Member Overtime Rate	85.00	\$ 255.00	tree down, Comm. Ave.
8/31/2009	6:30:00 AM	10:30:00 AM	4.00	Primary Crew Standard Rate	170.00	\$ 680.00	strong wind, trees & limbs down
9/3/2009	6:30:00 AM	8:30:00 AM	2.00	Primary Crew Standard Rate	170.00	\$ 340.00	tree down, Auburn St.
	8:30:00 AM	2:30:00 PM	6.00	Primary Crew Standard Rate	170.00	\$ 1,020.00	several hangers city-wide
9/4/2009	7:00:00 AM	10:00:00 AM	3.00	Log Loader Crew Standard Rate	125.00	\$ 375.00	log pickup from , Auburn St.
9/8/2009	12:00:00 PM	3:00:00 PM	3.00	Log Loader Crew Standard Rate	125.00	\$ 375.00	several hangers city-wide
	12:00:00 PM	3:00:00 PM	3.00	Bucket Truck Crew Standard Rate	180.00	\$ 540.00	several hangers city-wide
9/9/2009	11:00:00 AM	2:00:00 PM	3.00	Primary Crew Standard Rate	170.00	\$ 510.00	tree down, Anthony Rd.
9/11/2009	10:00:00 PM	1:00:00 AM	3.00	Log Loader Crew Overtime Rate	155.00	\$ 465.00	85 Berkeley St. tree down (pvt)
	10:00:00 PM	1:00:00 AM	3.00	Supplemental Crew Member Overtime Rate	85.00	\$ 255.00	85 Berkeley St. tree down (pvt)
9/18/2009	6:00:00 PM	9:00:00 PM	3.00	Log Loader Crew Overtime Rate	155.00	\$ 465.00	tree down
	6:00:00 PM	9:00:00 PM	3.00	Supplemental Crew Member Overtime Rate	85.00	\$ 255.00	tree down
9/29/2009	10:00:00 AM	2:30:00 PM	4.50	Primary Crew Standard Rate	170.00	\$ 765.00	strong wind, trees & limbs down
9/30/2009	6:30:00 AM	2:30:00 PM	8.00	Primary Crew Standard Rate	170.00	\$ 1,360.00	strong wind, trees & limbs down

Emergency Forestry Equipment Expenditures
July 1 to October 10, 2009

Date	Time in	Time out	Hours	Equipment	Rate	Cost	Issue
10/7/2009	6:30:00 AM	2:30:00 PM	8.00	Primary Crew Standard Rate	170.00	\$ 1,360.00	strong wind, trees & limbs down
	2:30:00 PM	11:30:00 PM	9.00	Primary Crew Overtime Rate	200.00	\$ 1,800.00	strong wind, trees & limbs down
10/8/2009	9:00:00 AM	2:30:00 PM	5.50	Primary Crew Standard Rate	170.00	\$ 935.00	strong wind, clean up
10/9/2009	6:30:00 AM	2:30:00 PM	8.00	Primary Crew Standard Rate	170.00	\$ 1,360.00	strong wind, clean up
10/10/2009	6:30:00 PM	9:30:00 PM	3.00	Bucket Truck Crew Overtime Rate	210.00	\$ 630.00	tree down, 5 McCarthy Rd.

Estimated Stump Removal Costs from storms	\$ 7,100.00
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Estimated Brush Debris Removal Costs	\$ 1,000.00
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Total Emergency Related Costs	\$ 37,542.50
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PF/F

#359-09



City of Newton, Massachusetts
Office of the Mayor

Telephone
(617) 796-1100

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TDD
(617) 796-1089

E-mail
dcohen@newtonma.gov

David B. Cohen
Mayor

October 13, 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 one million, nine hundred thirty thousand dollars (\$1,930,000) from Free Cash for the purpose supplementing the snow and ice budgets in the Department of Public Works and the Parks and Recreation Department to be broken down as follows:

09 OCT 13 PM 5:24
CITY CLERK
NEWTON, MA. 02159

Public Works	
Salaries	300,000
Equipment Rental	525,000
Sand and Salt	650,000
Park and Recreation	
Salaries	30,000
Equipment Rental	425,000
TOTAL	\$1,930,000

This sum brings the total snow and ice appropriation to approximately the median expenditure level of the past five years.

Thank you for your consideration of this matter.

Very truly yours,

David B Cohen
David B. Cohen
Mayor

DBC: srb

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.ci.newton.ma.us



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Snow and Ice Statistics
FY04-FY09
11/6/2009

Snow & Ice Expenditures

		FY09	FY08	FY07	FY06	FY05	FY04	Median
STORMS/SNOW/EQUIP/	(\$91,400)	\$638,462.25	\$ 579,199.00	\$ 180,311.00	\$ 375,945.00	\$ 847,109.00	\$ 255,744.99	\$ 477,572.00
SNOW - DEPARTMENT O.T.	(\$30,402)	\$ 63,362.77	\$ 70,215.28	\$ 38,062.20	\$ 45,527.14	\$ 82,429.49	\$43,690.58	\$ 54,444.96
SNOW-OTHER DEPTS.	(\$918)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Total		\$ 701,825.02	\$ 649,414.28	\$ 218,373.20	\$ 421,472.14	\$ 929,538.49	\$ 299,435.57	\$ 535,443.21
Initial Appropriations								
Equipment		\$ 181,400.00	\$ 91,400.00	\$ 91,400.00	\$ 91,400.00	\$ 91,400.00	\$ 91,400.00	
Overtime		\$ 40,402.00	\$ 30,402.00	\$ 30,402.00	\$ 30,402.00	\$ 30,402.00	\$ 30,402.00	
Other Departments		\$ 918.00	\$ 918.00	\$ 918.00	\$ 918.00	\$ 918.00	\$ 918.00	
Total:		\$ 222,720.00	\$ 122,720.00	\$ 122,720.00	\$ 122,720.00	\$ 122,720.00	\$ 122,720.00	
Surplus/Deficit		\$ (479,105.02)	\$ (526,694.28)	\$ (95,653.20)	\$ (298,752.14)	\$ (806,818.49)	\$ (176,715.57)	\$ (388,928.58)

Snow and Ice Statistics
FY04-FY09
11/6/2009

Average

\$ 479,461.87
\$ 57,214.58
\$ 536,676.45
\$ (397,289.78)