

CITY OF NEWTON

IN BOARD OF ALDERMEN

FINANCE COMMITTEE AGENDA

MONDAY, NOVEMBER 23, 2009

7:45 PM
Room 222

Chairman's Note: Chairman Coletti would like to remind Committee members that the City's independent auditors will be joining the Committee on Monday, December 14, 2009 for a status report on the June 30, 2009 financial audit and management letter. All Finance Committee members are encouraged to attend this important meeting.

ITEMS SCHEDULED FOR DISCUSSION:

- #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

#386-09 HIS HONOR THE MAYOR requesting to transfer one thousand eight hundred twenty-one dollars and nine cents (\$1,821.09) from office equipment maintenance to equipment purchase in the Police Department to buy out a lease on a copy machine. [11/10/09 @ 5:57 PM]

REFERRED TO PROGRAM & SERVICES AND FINANCE COMMITTEES

#387-09 HIS HONOR THE MAYOR requesting to appropriate and expend one hundred twenty-nine thousand, eight hundred dollars (\$129,800) from Budget Reserve for the costs related to the special state elections in December and January. [11/10/09 @ 5:57 PM]

PROGRAM & SERVICES APPROVED 5-0 on 11-18-09

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#70-09(9) HIS HONOR THE MAYOR requesting an amendment to the FY10 Water revenue budget to three million one hundred sixty thousand dollars (\$3,160,000) from Water Reserve to offset the reduction in anticipated Water Revenue. [11/10/09 @ 5:57 PM]

PUBLIC FACILITIES APPROVED 5-0-1 (Lappin abstaining) on 11-18-09

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#70-09(10) HIS HONOR THE MAYOR requesting amendments to the FY10 Water and Sewer budgets be amended by reducing Sewer Bond Maturities by \$300,000; reducing Sewer Bond Interest by \$87,000; increasing Water Bond Maturities by \$300,000 and increasing Water Bond Interest by \$87,000 to transfer the full cost of the water meter replacement debt to the Water Fund and help eliminate the anticipated revenue shortfall in the Sewer Fund in concert with docket nos. 70-09(8) and (9) [11/10/09 @ 5:57 PM]

PUBLIC FACILITIES APPROVED 5-0-1 (Lappin abstaining) on 11-18-09

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

#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

- #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
- #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

**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

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.
PROGRAM & SERVICES NO ACTION NECESSARY 5-0 on 11-18-09
- #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

- #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 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 TO FINANCE COMMITTEE ONLY on 03/05/07

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 ZONING & PLANNING & 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 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

ITEMS NOT SCHEDULED FOR DISCUSSION:**PUBLIC HEARING ASSIGNED FOR DECEMBER 7, 2009****REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#70-09(8) HIS HONOR THE MAYOR submitting proposed mid-year rate changes, effective January 1, 2010, to the FY10 Water and Sewer rates as most recently amended by Ordinance Z-49, dated 5/18/09, to eliminate the anticipated revenue shortfall in the Sewer Fund and in concert with docket #70-09(9) to amend the Water and Sewer budgets. [11/10/09 @ 5:57 PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

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

#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 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 COMPTRROLLER 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 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 FACILITIES HELD 3-0 (Mansfield not voting) on 07-08-09
PUBLIC SAFETY & TRANS. REFERRED TO 2010-2011 BOARD 6-0 on 11-18-09

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 4-0 (Ald. Johnson not voting) on 09-14-09
REFERRED TO 2010-2011 BOARD 8-0
- #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
REFERRED TO 2010-2011 BOARD 8-0
- #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 2010-2011 BOARD 8-0

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 2010-2011 BOARD 8-0

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

- #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
REFERRED TO 2010-2011 BOARD 8-0

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

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 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
HELD 8-0 on 11-09-09

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****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**

#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**

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 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 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

CITY OF NEWTON
IN BOARD OF ALDERMEN

, 2009

ORDERED:

That, in accordance with the recommendation of President R. Lisle Baker, Vice President Scott Lennon, and the Finance Committee through its Chairman Alderman Paul E. Coletti, DAVID C. WILKINSON is hereby re- appointed by the 2008-2009 Board of Aldermen as COMPTROLLER OF ACCOUNTS; said term of office will be two (2) years or until a successor is duly qualified.

Under Suspension of Rules
Readings Waived and

(SGD) DAVID A. OLSON
City Clerk

For Docket #207-07(4)
Ald. Coletti

HEALTH INSURANCE FUNDING POLICY

Budget Resolution #12

**PROPOSED BY: ALDERMAN PAUL COLETTI,
FINANCE COMMITTEE CHAIRMAN.
June 11, 2008**

08 JUL -2 PM 12:12
CITY CLERK
NEWTON, MA. 02459

Whereas the financial stability of the City's self funded health insurance plans has a major impact on the annual operating budget and resources available for other forms of employee compensation, it is important that annual premiums are maintained at an appropriate level, and

Whereas the human resources and financial management of the City can only be strengthened through the adoption of a rate setting policy that provides sufficient resources to operate the health plans, but does not over charge or undercharge any of the various stakeholders,

Now therefore be it resolved that the Board of Aldermen recommends that the City's financial management polices adopted under board order #207-07 be amended to add the following health premium policy:

- Self insured health premiums for the following fiscal year shall be determined by the Mayor, in consultation with City health plan administrators; a health care consultant; and the employee/retiree health advisory committee, not later than March 1 of each year.
- In developing premiums for the following fiscal year, the Mayor shall fully consider any excess reserves that have accumulated in any of the health plans and shall set rates at a level that will result in the elimination of any excess reserves within a period not to exceed two fiscal years.
- For purposes of this policy, excess reserves shall be defined as fund balances that exceed two months of average claims experience.
- At least quarterly, the Comptroller shall review claims experience in all plans and report to the Mayor and Board of Aldermen on the extent to which the existing rates are matching resource requirements of the fund. In the event that rates and any accumulated excess reserves are not determined to be sufficient to meet actual resource requirements for the fiscal year, rates shall be adjusted accordingly and both the City and employees/retirees shall share in any required rate increase.

**Motion to refer to Finance Committee
Voice Vote Approves to referral
3 nays**

CITY OF NEWTON, MASSACHUSETTS
FINANCIAL MANAGEMENT GUIDELINES

Adopted January 22, 2008

The government of the City of Newton exists to provide quality community services to residents, businesses and visitors to the Garden City. Governmental services that benefit all or substantially all community stakeholders are financed principally from the local property tax and accounted for in the City's General Fund. Business-like services that benefit distinct segments of the population are financed principally from user fees and charges and are accounted for in special revenue funds.

Budgets are used for planning and accountability purposes for all City funds. Formal fixed budgets, recommended by the Mayor and adopted by the Board of Aldermen, are used for all governmental and business-like services, and nothing in this document is to in any manner restrict the Mayor's authority and responsibility to allocate financial resources in the manner in which he determines best meets the needs of the City, and the Board of Aldermen's authority and responsibility to pass upon those financial allocations.

Financial planning: It is the policy of the City to update annually the City's General Fund multi-year financial forecast. Based upon consensus revenue and expenditure assumptions for existing service levels, revenue estimates will be developed by the City's senior financial management team (Chief Administrative Officer; Chief Budget Officer; Treasurer/Collector; Chair of the Board of Assessors; Assistant Superintendent of Schools for Finance and Planning; and the Comptroller of Accounts). Revenue estimates and expenditure assumptions for the annual budget will be developed by the Chief Budget Officer.

The multi-year forecast shall include actual revenue and expenditures for the last five complete fiscal years; the current year budget; and complete operating and capital expenditure and revenue projections for the next five fiscal years, and shall be structured around major revenue and expenditure classifications in the City's accounting system chart of accounts.

The annual five-year forecast shall be submitted to the Mayor for his review, modification and approval not later than 60 days after the conclusion of each fiscal year. Not later than 120 days after fiscal year-end, the Mayor shall submit the five-year financial forecast to the Board of Aldermen with such modifications as he deems appropriate. In accordance with state law, not later than 60 days prior to the fiscal year-end, the Mayor will submit a recommended annual operating budget to the Board of Aldermen for the ensuing fiscal year. The Board of Aldermen will adopt the budget within 45 days of receipt and the adopted budget will become effective on the first day of the new fiscal year.

Revenue budgeting: While General Fund revenue financial forecast estimates are expected to capture 99% of total expected revenue for the year, the Mayor is solely responsible for the revenue estimates contained in the annual budget which the Mayor submits to the Board of Aldermen.

- Property taxes – The City expects to annually levy property taxes up to the statutory limit imposed by Proposition 2 ½ . Projected new growth will be estimated at the median annual new growth rate for the trailing 5 year period, and the allowance for exemptions and abatements will be budgeted at between 1% and 5% of the gross property tax levy.
- Motor excise taxes – Motor vehicle excise taxes will be estimated based upon the prior year actual total plus the average annual rate of growth over the trailing five year period.
- Hotel room occupancy taxes – Hotel room occupancy taxes will be estimated based upon the prior year actual total plus the average annual rate of growth over the trailing five year period.
- Inspectional services permits – Inspectional services permit income will be estimated based upon the median annual revenue for the trailing five year period.
- Investment income – Investment income will be estimated based upon the prior year actual revenue, adjusted for the Treasurer/Collector's forecast of interest rate changes over the next twelve month period.
- All other local non-tax revenue – Revenues from charges for services; penalties and fines; and in-lieu-of-taxes will be estimated based upon the prior year actual revenues, adjusted for any proposed change in fee/fine schedules, and/or non-recurring prior year revenue collections.
- Unrestricted state and federal aid – State “Cherry Sheet” aid will be estimated based upon the most recent information posted on the Massachusetts Department of Revenue website, or, in the absence of any such information, the Mayor's best estimate of the probable amount of such state assistance for the next fiscal year. All other state and federal aid will be estimated based upon actual revenues for the most recent fiscal year, adjusted for any known changes in reimbursement policies and rates.
- Transfers from other funds – Reimbursements to the General Fund for the administrative and support services provided to other self-supporting funds will be based upon an annual analysis of the estimated value of such administrative and

support services to the other funds. Under no circumstances shall the dollar amount of any reimbursement exceed the estimated value of services provided by the General Fund to the other self-supporting funds, in accordance with state law.

- Free Cash – Free Cash may be used as a financing source for the operating budget to the extent that the total amount being used can reasonably be expected to be available for support of the following year's budget. However, it is not expected to serve as a recurring source of budget financing.
- The Mayor and the Chief Budget Officer may use any other method of estimating the above revenues for the annual budget if they deem it appropriate, and may allocate Free Cash in a manner that the Mayor, with the approval of the Board of Aldermen, deems to be in the best interest of the City.

Expenditure budgeting - It is a goal of the City to develop expenditure budget estimates that will be sufficient to address not less than 100% of projected operating requirements of the various departments of the City for the next fiscal year.

- Salaries and wages – It is the practice of the City that (A) budgeted salary and wage appropriations will be sufficient to fund all full-time and permanent part-time positions identified in each department's table of organization and schedule of full and permanent part-time personnel, at the appropriate union contract or salary schedule rates for the new fiscal year. It is a goal of the City that General Fund employee salaries and wages that are expected to be funded in full or in part from funds other than the General Fund will be included in both the table of organization and schedule of full-time and permanent part-time personnel with an identification of the projected sources of financing for any reduction made in the appropriation for such employees. It is the practice of the City that, in the event that salary rates are not known at the time that the budget is being prepared, all salary and wages will be budgeted at current rates and provisions will be made for future wage and salary increases in a separate wage reserve appropriation. It is the practice of the City that salaries and wages will be budgeted based upon the exact number of pay periods for the fiscal year. It is a goal of the City that public safety overtime will be budgeted at levels sufficient to meet the median annual requirements for the trailing five year period, adjusted for any extraordinary and non-recurring overtime requirements (i.e. overtime to cover significant staff vacancies that have now been filed) or such other method as the Chief Budget Officer determines.
- Employee benefits – It is the practice of the City that funding will be included in each department operating budget for the projected cost of providing contributory health, life, dental and Medicare payroll taxes for all eligible employees at the benefit rates expected for the new fiscal year.

- Pension contribution – To the extent required by state law, the annual contribution to the defined benefit contributory retirement fund shall not be less than the annual required contribution (ARC) prescribed by the Retirement Board’s actuary, and the annual appropriation for non-contributory retirement benefits will be the benefit estimate of the Retirement Board.
- Energy and utilities – It is a goal of the City that funding for energy and utility needs of the various departments of the City will be included at consumption levels estimated by the various departments and at consistent unit prices estimated to be reasonable by the Chief Budget Officer.
- Debt service – It is the practice of the City that appropriations for interest and principal will be the amounts certified by the Treasurer for the repayment of General Fund current issued debt and any debt service on new permanent and/or temporary debt that can be reasonably estimated by the Treasurer.
- State and county charges – It is the practice of the City that the appropriation for “Cherry Sheet” assessments will be the most recent estimates posted on the Massachusetts Department of Revenue website, or, in the absence of such information, 2 ½ % greater than the current year assessment and charge total.
- Judgments and settlements – It is the practice of the City that the annual appropriation for self-insured liability claims and settlements will not be less than the median annual expenditure for this purpose for the trailing five year period, adjusted for any other factors that may impact the actual amount required.
- Snow and ice control – The City may make the annual appropriation for snow and ice control purposes in an amount that will not be less than the median annual expenditure for this purpose for the trailing five year period. It is the policy of the City that, after Free Cash is certified, the Mayor will seek an appropriation of funds into snow and ice accounts in amount equal to the difference between the amount of the trailing five year average expenditure on snow and ice and the amount already in the accounts.
- Capital outlay and improvements – It is the practice of the City that the difference between budgeted debt service and a minimum of 3% of total estimated revenues for the year will be budgeted for future capital outlay and improvements; and, additionally, it is the practice of the City that the sum of anticipated revenue from Massachusetts School Building Authority debt service reimbursements for school projects will be dedicated to capital financing.

- **Budget Reserve** – It is the practice of the City that, in order to provide for extraordinary and unforeseen revenue and expenditure contingencies, a Budget Reserve contingency will be included in the General Fund budget. It is a recommendation that the amount of the reserve be increased to an amount equal to 0.5% (one half of one percent) of total estimated revenue.
- Each of the foregoing goals, policies and practices in these guidelines is subject to the Mayor's responsibility to request the appropriation of funds in a manner and in amounts which he determines best meets the needs of the City of Newton and the Board of Aldermen's authority to approve them.

Property tax allowance for abatements and exemptions -- The Board of Assessors is required by law to include a provision for real and personal property tax exemptions; valuation abatements; and personal property tax uncollectibles in the annual tax levy. It has been their practice to provide 1.0% - 1.5% of the gross annual tax levy for these purposes and is determined annually by the Board of Assessors. They may base their determination upon prior year experience and risk exposure for the new fiscal year, or such other method as they deem appropriate. In addition, it has been the practice of the Board to maintain a reserve from prior year Overlay Surplus balances not less than \$1.1 million for extraordinary and unforeseen abatement experience. It is expected that the allowance will be at the upper end of the range in revaluation years. At least annually, the Board of Assessors analyzes the balance in all outstanding abatement and exemption reserves and makes an overlay surplus declaration for any balance(s) which exceed the sum of uncollected personal property taxes and pending abatement claims for that fiscal year's reserve at such times as it determines to be appropriate. The Overlay Surplus shall be available for appropriation by the Mayor and Board of Aldermen. To the extent that any overlay surplus balance remains unappropriated at June 30th, it will be closed to Free Cash.

Cash management and investments – Absent legal and/or contractual restrictions, City operating cash will be pooled, with ownership information maintained in the City's accounting system. All investment income on temporarily idle cash will be credited to General Fund revenue, unless legal authority exists to allocate the investment income to another fund. Investment income earned on pooled cash will be allocated quarterly based upon month end cash balances and Massachusetts Municipal Depository Trust (MMDT) month end interest rates.

Investments will be limited to those authorized by state law and City investment policy.

General ledger cash and investment totals are reconciled to the Treasurer's records and supporting bank statements on a monthly basis.

Risk management – The City purchases commercial insurance for only those risk exposures that can not be effectively managed and financed internally.

- Property insurance – Commercial insurance, including terrorism coverage, is purchased for all City buildings and their contents. Coverage is provided for scheduled locations only, subject to a deductible of \$100,000 per loss event. Insured values are adjusted annually for both improvements to the structures and an estimate of the increase in replacement values. Property insurance premiums are currently financed from an inter-fund transfer from the City's Building Insurance Fund.
- Vehicle insurance – The City retains vehicle risk exposure for all vehicles, except Parks and Recreation automobiles and vans used to transport members of the public. The cost of the Parks and Recreation vehicle insurance premium is financed from the Recreation Activity/Classes Revolving Fund. Staff of the City Law Department manages all vehicle claims, and settlements are paid from an annual appropriation in the Law Department budget.
- Liability insurance – The City retains all public liability risk exposures, except for retirement system fiduciary liability, for which the Retirement Board purchases commercial insurance coverage through a state-wide insurance pool, and special events for which commercial liability insurance is required by law or contract. It is the practice of the City that staff of the City Law Department manages all liability claims, and settlements are paid from an annual appropriation in the Law Department budget.
- Crime/employee dishonesty – Individual fidelity bonds are purchased for the City Treasurer/Collector, Deputy Treasurer/Collector and City Clerk, as required by state law. A fidelity bond is also purchased for the Chief Procurement Officer in accordance with local ordinance. All other employees of the City are covered under a blanket honesty bond, subject to deductibles of \$5,000 and \$10,000 per loss.
- Workers' Compensation – It is the practice of the City that: (A) The City retains all Workers' Compensation and public safety employee injured on duty risk exposures; (B) The City's Human Resources and Law Departments are responsible for claims administration; (C) Public safety employee injured on duty compensation is paid from the Police and Fire Department operating budgets; (D) Workers' Compensation benefits for non-public safety employees and police and fire medical bills are paid from the City's Workers' Compensation Self-Insurance Fund; (E) The City contracts annually for an actuarial valuation of the Workers' Compensation fund liability and a determination of the required annual contribution to the self-insurance fund.

- **Group health insurance** - The City offers group health benefits to employees, regularly working 20 or more hours per week and to retirees. The City retains the full risk associated with health benefits coverage, subject to a \$250,000 annual limit on individual claims, which is covered through a commercial excess insurance policy. The City contracts with Harvard-Pilgrim Health and Tufts Health plans for claims administration services. Health benefit self-insurance premiums are established annually by the City, at a level expected to cover the full cost of paid claims; incurred but unreported claims; claims administration; excess insurance premiums; and a reserve for extraordinary and unforeseen claims experience. The target claims reserve is two months of average paid claims. Employees and retirees currently contribute 20% of the cost of coverage and the City funds the balance. All self-insured group health insurance activity takes place in a Group Health Insurance Fund, for which individual fund balances are maintained for each benefit plan option.
- All of the foregoing are the present practices of the City.

Official and officer compensation: The City expects to maintain compensation policies designed to attract and retain the most qualified officials and officers possible. Management level employees will be expected to maintain the highest level of professional competency during their employment with the City. To this end, it will be the policy of the City to provide resources for ongoing professional training and staff development.

- **Elected officials** – In accordance with the requirements of the City Charter, compensation for the Mayor, members of the Board of Aldermen, and School Committee is established by ordinance. Elected official compensation is generally subject to review by a Blue Ribbon Compensation Committee, every five to ten years.
- **Management and non-union employees** – The salaries of all Newton Public School management and non-union employees are determined by a vote of the School Committee. All municipal management and non-union employee salaries, except for the City Clerk/Clerk of the Board of Aldermen, are governed by a pay plan approved by the Mayor and subject to funding by the Board of Aldermen. The salary of the City Clerk/Clerk of the Board of Aldermen is established by ordinance, as required by law. The salaries of all municipal employees are published in the annual budget.

Procurement: In order to demonstrate that City resources are being used in an effective and efficient manner, the City expects to make maximum use of competitive bids and proposals for the purchase of goods and services.

Capital Planning: The City acquires, constructs and maintains a range of capital assets for purposes of providing governmental and business-like services. In accordance with the requirements of the City Charter, the Mayor annually prepares a five-year capital improvement plan, whose objective is to identify and prioritize financing sources for needed capital outlay improvements.

Capital outlay and improvements with a value of \$500,000 or more, along with those financed with capital grants and/or debt will be accounted for in a Capital Project Fund. Capital outlay and improvements with a value of less than \$500,000, but which are expected to require replacement annually, will be accounted for within the operating budget of the appropriate department. Non-recurring capital outlay and improvements with a value of less than \$500,000 will be accounted for by department in the special appropriation sub-fund of the appropriate City fund. In order to accumulate resources for future capital needs, a Capital Stabilization Fund will be maintained, with such separate sub-funds as the Mayor and Board of Aldermen shall agree to be necessary in order to effectively plan for future capital needs.

In order to spread the cost of capital improvements over the generations of Newton stakeholders expected to benefit from the improvements, debt financing is expected to be the principal financing source for major capital improvements. Debt maturity terms will not exceed the expected life of the capital asset being financed. Debt service for capital improvements benefiting all or the majority of the stakeholders of the City is to be financed from General Fund resources. Debt Service for water and sewer (including storm-water projects) will be financed from special revenue fund resources and debt service for eligible community preservation fund projects will be financed from Community Preservation Fund resources.

At least 3% of General Fund revenue, plus all Massachusetts School Building Assistance grant reimbursements, will be dedicated to capital improvement financing. To the extent that annual debt service requirements are less than this sum, the difference will be appropriated to the City's Capital Stabilization Fund for future capital financing.

All of the foregoing is a reflection of existing practice.

Financial Reporting: The accounting records of the City will be maintained such that financial statements and supporting schedules can be prepared in accordance with the City's budgetary basis of accounting; the requirements of the Commonwealth of Massachusetts Departments of Revenue and Education; and generally accepted accounting principals for state and local governments.

The Board of Aldermen, through an Audit Sub-Committee of the Board's Finance Committee, shall make arrangements for an independent annual financial audit of the City's financial statements and accounts, which is expected to be presented no later than 180 days after the end of the City's fiscal year. Copies of the City's audited Comprehensive Annual Financial Report, Federal Single Audit Report, and Management Letter will be posted on the City's website.

Quarterly budgetary-basis financial reports, in a format requested by the Mayor and the Finance Committee of the Board of Aldermen, will be rendered within 30 days after the close of each fiscal quarter, with the exception of year-end, when a complete budgetary basis annual financial report shall be presented within 60 days of the end of the fiscal year. A complete copy of the budgetary-basis annual financial report will be posted on the City's website. More frequent financial reports will be rendered as needed in order to assure that the mayor and Board of Aldermen are made aware of unanticipated results of financial operations.

Free Cash – Free Cash represents the accumulated difference between General Fund revenues and expenditures, on a cash basis of accounting. It is a goal of the City that Free Cash is not expected to be a recurring source of financing for either the operating or capital budget of the City. It is a goal of the City that the primary purpose of Free Cash is to serve as a financing source for third tier budget contingencies (revenues or expenditures) that are not provided for in either operating Department or Budget Reserve appropriations of the annual General Fund budget, and to hedge against reductions in annual state aid distributions to the City. The target amount of free cash is 1% - 3% of General Fund revenue. The City recognizes that the target amount of Free Cash is significantly less than national norms, however, the target level is considered prudent, given the stability of our revenue sources and the following recommendations contained in this document:

- General Fund Revenues budgeted at 99% of what actual collections are expected to be.
- Free Cash is not expected to serve as a recurring operating or capital budget financing source.
- Employee salaries and wages budgeted in full within annual operating budgets and provision is made for expected collective bargaining and salary scale adjustment in a separate wage reserve.
- Legal claims and settlements, budgeted at the median annual expenditure level for the trailing five year period, with backup reserve capability in the Liability Self Insurance Fund.

- Snow and ice control appropriated at the median annual expenditure level for the trailing five year period, with backup reserve capacity in the appropriated Budget Reserve (contingency).
- Separate funded self insurance funds maintained for Group Health and Workers' Compensation liability exposures.
- A Budget Reserve (revenue and expenditure) contingency of 0.5% of total revenues is included in the annual operating budget to meet recurring extraordinary and unforeseen requirements.
- The property tax serves as the City's primary source of revenue and revenues from this source are not as economically sensitive as revenues from sales and wage taxes.
- Property taxes are payable in quarterly installments, with delinquencies assessed penalties of 14% per annum, which provides the City with a source of regular and stable cash flow.
- It shall be the practice of the Mayor to inform the Board of Aldermen whenever these guidelines, goals, policies and practices need to be modified in a particular instance.

#207-07(2)
DRAFT

CITY OF NEWTON

IN BOARD OF ALDERMEN

, 2008

ORDERED:

That in accordance with the recommendation of the Finance Committee through its Chairman Alderman Paul E. Coletti, the following docket item

- #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.

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

(SGD) DAVID A. OLSON
City Clerk

#207-07(4)
DRAFT

CITY OF NEWTON

IN BOARD OF ALDERMEN

,2008

ORDERED:

That in accordance with the recommendation of the Finance Committee through its Chairman Alderman Paul E. Coletti, the following docket item

#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.

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

(SGD) DAVID A. OLSON
City Clerk

386-09

Telephone
(617) 796-1100

Telefax
(617) 796-1113

TDD
(617) 796-1089

E-mail
dcohen@newtonma.gov



David B. Cohen
Mayor

City of Newton, Massachusetts
Office of the Mayor

November 10, 2009

09 NOV 10 PM 5:57
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 transfer \$1,821.09 from account 0120101-5240, Office Equipment Maintenance to 0120101-58514, Equipment Purchase in the Police Department. This transfer will allow the Police Department to buy out a lease on a copy machine with a net long term savings.

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen

David B. Cohen
Mayor

DBC: srb

From: Police Expenses
0120101-5240 1,821.09

To: Police Equipment
0120101-58514 1,821.09

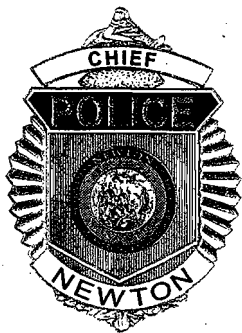
1000 Commonwealth Avenue Newton, Massachusetts 02459

www.ci.newton.ma.us

★
DEDICATED TO COMMUNITY EXCELLENCE

DC 11/16/2009

386-09



City of Newton
Police Department



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

Office of the Chief of Police

HEADQUARTERS
1321 WASHINGTON STREET
NEWTON, MASSACHUSETTS 02465

MATTHEW A. CUMMINGS
CHIEF OF POLICE

October 14, 2009

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

Dear Mr. Mayor:

Personnel from the Traffic Bureau located in the Police Annex at 25 Chestnut Street are operating an IKON photocopy machine that is leased in the amount of \$243.15 per month. This machine is expected to have a useful lifespan of at least two more years. IKON Office Solutions recently provided the Police Department with a price quote of \$1,821.09 to purchase the leased machine instead of paying the \$5,835.60 fee to lease the machine for two more years. The purchase will save the City approximately \$4,014.51. Respectfully request a transfer in the amount of \$1,821.09 from account #0120101-52401 to account #0120101-58514 so we may proceed with this purchase. Please contact me at extension 2101 if I may provide any additional information.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Matthew A. Cummings".

Matthew A. Cummings
Chief of Police

FIRST ACCREDITED CITY POLICE DEPARTMENT IN MASSACHUSETTS



IKON OFFICE SOLUTIONS

September 29, 2009

City Of Newton Mass
 City Of Newton Mass
 Office Of Chief Of Police
 1321 Washington St
 Newton, MA - 02465 2011

RE: 947133-1895050 (See the attachment for all the Serial numbers)

Quote ID :Q3627778

PO# :

Purchase Quote for the above identified ("Agreement") with IKON OFFICE SOLUTIONS as identified on attached equipment list (the "Equipment").

Dear Customer,

Recently you requested a purchase quote under your agreement with IKON OFFICE SOLUTIONS ("the Lessor"), identified above (the "Agreement"). As of the date hereof, the amount to purchase the equipment and to satisfy your monthly payment obligations under the Agreement is described below:

DESCRIPTION	AMOUNT
Renewals	\$243.15
Purchase Option	\$1,577.94
Total Own Amount	\$1,821.09

You acknowledge and agree that the buyout quote set forth herein includes our good faith estimate of property taxes that will be payable with respect to the Equipment during the remaining Term of your Lease agreement(s) and that we may realize a gain or a loss on such estimate.

The above Total Own Amount is good until 11/01/2009. The Total Own Amount only applies to the Agreement identified on this letter and does not include any amounts that you may owe to the Lessor pursuant to any other agreement, or to your local IKON Office Solutions, Inc. office (for example, for maintenance, supplies or any other charges or insurance charges) that may be required under your Agreement (if applicable). The Total Own Amount does not include any additional overage charges that would result from final meter reading (if applicable). You will receive an invoice in addition to this letter for any such overages and other amounts.

This letter will also serve as your invoice should you decide to purchase the Equipment.

If you do not elect to purchase the Equipment and terminate your Agreement, billing will continue uninterrupted in accordance with the terms of the Agreement. If you do elect to purchase the equipment and terminate your Agreement, please send your check in the respective amount set forth above made payable to IKON OFFICE SOLUTIONS, along with a copy of this letter to: IKON OFFICE SOLUTIONS, Attn: Lease End, PO Box 536732 Atlanta, GA 30353-6732, or by overnight courier to: Attn: PO Box 536732, C/O PNC Bank Lockbox, 1669 Phoenix Business Parkway, Suite 210, College

#386-09

Park, GA 30349. If you prefer to remit payment via our automated check processing system, please call us at (866) 449 - 9343 to make the necessary arrangements.

Please give us a call if we can be of further assistance.

Sincerely,

Asset Management

Manufacturer	Model	Address	Serial Number	Asset Number
CANON	IR3570	ATTN: ACCOUNTS PAYABLE 25 CHESTNUT ST NEWTON MA 02465 2515	SKV54055	2496557

#386-09
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, a transfer of funds in the amount of one thousand eight hundred twenty-one dollars and nine cents (\$1,821.09) from office equipment maintenance to equipment purchase in the Police Department to buy out a lease on a copy machine 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

Prog 1/1

387-09



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

November 10, 2009

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

09 NOV 10 PM 5:57
CITY CLERK
NEWTON, MA 02159

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to appropriate one hundred twenty-nine thousand, eight hundred dollars (\$129,800) from Budget Reserve for the cost related to the special state elections to be held in December and January. These costs are detailed on the attached and break down as follows:

Salary related \$119,300
Expenses \$10,500

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen
Mayor

DBC: srb

From: Budget Reserve
0110498-5790 129,800

To: SEE ATTACHED 129,800

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.ci.newton.ma.us



DEDICATED TO COMMUNITY EXCELLENCE

[Signature] 11/16/2009

City of Newton



Mayor
David B. Cohen

ELECTION COMMISSION

1000 Commonwealth Avenue
Newton, MA 02459

David J. Mofenson, Chairman
Frances E. Shaer • Fay G. Cohen • Kenneth R. Hartford

Craig A.J. Manseau
Executive Secretary

Diana A. Forgone
Deputy Executive Secretary

November 9, 2009

Honorable David B. Cohen
Office of Mayor
City Hall
Newton, MA 02459

Dear Mayor Cohen,

This communication is in regards to requesting funds that are needed to perform the two Special Elections to fill the Senator in Congress for Massachusetts seat in the United States Senate. The elections are scheduled for Tuesday, December 8, 2009 and Tuesday, January 19, 2010. The costs for conducting these two special elections will be approximately \$130,000.00.

Respectfully Submitted,

A handwritten signature in black ink that reads "Craig A.J. Manseau".

Craig A.J. Manseau
Executive Secretary

Election Cost

C112010A State Primary ~ 12/08/2009	(Dec. 8, 2009 State Primary; Jan. 19, 2010 State Election)	
	Budget	Actual
✓J300Y Parks	\$1,000.00	\$0.00
✓J300Y PC Officers	\$850.00	\$0.00
✓J300Y Police	\$24,000.00	\$0.00
✓J12001 Poll Workers	\$26,000.00	\$0.00
✓J1300Y Schools	\$6,500.00	\$0.00
✓J586 AccuVote Programming	\$1,950.00	\$0.00
✓J586 AutoMark Coding	\$1,000.00	\$0.00
✓J586 Supplies	\$500.00	\$0.00
✓J341 AV Postage Cost	\$1,100.00	\$0.00
✓J275 Polling Place Rentals	\$700.00	\$0.00
✓J13001 Overtime	\$1,300.00	\$0.00
C112010B State Election ~ 1/19/2010	\$64,900.00	\$0.00
✓J1300Y Parks	\$1,000.00	\$0.00
✓J1300Y PC Officers	\$850.00	\$0.00
✓J1300Y Police	\$24,000.00	\$0.00
✓J12001 Poll Workers	\$26,000.00	\$0.00
✓J1300Y Schools	\$6,500.00	\$0.00
✓J586 AccuVote Programming	\$1,950.00	\$0.00
✓J586 AutoMark Coding	\$1,000.00	\$0.00
✓J586 Supplies	\$500.00	\$0.00
✓J341 AV Postage Cost	\$1,100.00	\$0.00
✓J275 Polling Place Rentals	\$700.00	\$0.00
✓J13001 Overtime	\$1,300.00	\$0.00
	\$64,900.00	\$0.00

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 one hundred twenty-nine thousand eight hundred dollars (\$129,800) to be appropriated from Budget Reserve be and is hereby appropriated, granted and expenditure authorized for the purpose of costs related to the special state elections in December and January.

FROM:	Budget Reserve (0110498-5790).....	\$129,800
TO:	State Primary on 12/08/09 (C112010A)	\$64,900
	Parks (513004).....	\$ 1,000
	PC Officers (513004).....	\$ 850
	Police (513004).....	\$24,000
	Poll Workers (512001).....	\$26,000
	Schools (513004).....	\$ 6,500
	AccuVote Programming (5586).....	\$ 1,950
	AutoMark Coding (5586).....	\$ 1,000
	Supplies (5586).....	\$ 500
	AV Postage Cost (5341).....	\$ 1,100
	Polling Place Rentals (5275).....	\$ 700
	Overtime (513001).....	\$ 1,300

State Election on 1/19/10 (C112010B)	\$64,900
Parks (513004).....	\$ 1,000
PC Officers (513004).....	\$ 850
Police (513004).....	\$24,000
Poll Workers (512001).....	\$26,000
Schools (513004).....	\$ 6,500
AccuVote Programming (5586).....	\$ 1,950
AutoMark Coding (5586).....	\$ 1,000
Supplies (5586).....	\$ 500
AV Postage Cost (5341).....	\$ 1,100
Polling Place Rentals (5275).....	\$ 700
Overtime (513001).....	\$ 1,300

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

PP/R

70-09(9)



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

November 10, 2009

09 NOV 10 PM 5:57
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 an amendment to the FY10 Water revenue budget to \$3,160,000 from Water reserve to offset the reduction in anticipated Water revenue. This amendment is part of a plan to eliminate the anticipated revenue shortfall in the Sewer fund and works in concert with my request to amend the Water and Sewer Budgets and implement mid-year rate changes for Water and Sewer operations.

The Department of Revenue has been watching the decline in the Sewer fund for the past several years and will be looking for a plan to address this decline in revenue as part of the review and approval of the FY10 tax rate. Failure to adopt these measures could delay approval and impact the city's ability to issue timely tax bills for the third quarter.

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen
Mayor

DBC: srb

WATER EST. REVENUE
28-4210 (3,160,000)

WATER Surplus
28-3497

1000 Commonwealth Avenue Newton, Massachusetts 02459

3,160,000
www.ci.newton.ma.us

DEDICATED TO COMMUNITY EXCELLENCE

* [Signature] 11/16/2009

PP/K

#70-09(10)



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

November 10, 2009

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

09 NOV 12 PM 3:48
CITY CLERK
NEWTON, MA 02159

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration of amendments to the FY10 Water and Sewer budgets.

Reduce Sewer by \$300,000 - Bond Maturities
Reduce Sewer by \$87,000 - Bond Interest

Increase Water by \$300,000 - Bond Maturities
Increase Water by \$87,000 - Bond Interest

These amendments transfer the full cost of the water meter replacement debt to the Water fund and are part of a plan to eliminate the anticipated revenue shortfall in the Sewer fund. They work in concert with my request to amend the Water Revenue Budget and implement mid-year rate changes for Water and Sewer operations.

The Department of Revenue has been watching the decline in the Sewer fund for the past several years and will be looking for a plan to address this decline in revenue as part of the review and approval of the FY10 tax rate. Failure to adopt these measures could delay approval and impact the city's ability to issue timely tax bills in time for the third quarter.

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen
Mayor

SEWER Fund Capital

27A10771-581E13 (300,000)
27A10772-582E13 (87,000)

WATER Fund Capital

DBC: srb
28A10771-581E13 300,000
28A10772-582E13 87,000

1000 Commonwealth Avenue Newton, Massachusetts 02459



David B. Cohen
Mayor

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

November 10, 2009

09 NOV 10 PM 5:57
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 of amendments to the FY10 Water and Sewer budgets.

- Reduce Sewer by \$300,000 - Bond Maturities
- Reduce Sewer by \$87,000 - Bond Interest

- Reduce Water by \$300,000 - Bond Maturities
- Reduce Water by \$87,000 - Bond Interest

These amendments transfer the full cost of the water meter replacement debt to the Water fund and are part of a plan to eliminate the anticipated revenue shortfall in the Sewer fund. They work in concert with my request to amend the Water Revenue Budget and implement mid-year rate changes for Water and Sewer operations.

The Department of Revenue has been watching the decline in the Sewer fund for the past several years and will be looking for a plan to address this decline in revenue as part of the review and approval of the FY10 tax rate. Failure to adopt these measures could delay approval and impact the city's ability to issue timely tax bills in time for the third quarter.

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen
Mayor

See Corrected Letter

DBC: srb

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.ci.newton.ma.us



DEDICATED TO COMMUNITY EXCELLENCE

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, requesting an amendment to the FY10 Water revenue budget to three million one hundred sixty thousand dollars (\$3,160,000) from Water Reserve to offset the reduction in anticipated Water Revenue.

FROM:	Water Estimate Revenue (28-4210).....	(\$3,160,000)
TO:	Water Surplus (28-3497).....	\$3,160,000

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

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, requesting amendments to the FY10 Water and Sewer budgets be amended by reducing Sewer Bond Maturities by \$300,000; reducing Sewer Bond Interest by \$87,000; increasing Water Bond Maturities by \$300,000 and increasing Water Bond Interest by \$87,000 to transfer the full cost of the water meter replacement debt to the Water Fund and help eliminate the anticipated revenue shortfall in the Sewer Fund in concert with docket nos. 70-09(8) and (9).

FROM:	Sewer Fund Capital
	27A10771-581E13.....(\$300,000)
	27A10772-582E13..... (\$ 87,000)
TO:	Water Fund Capital
	28A10771-581E13.....\$300,000
	28A10772-582E13.....\$ 87,000

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

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]

ACTION: APPROVED 5-1-1 (Baker opposed; Merrill abstaining; Parker not voting)

NOTE: Ald. Brandel explained that this item came out of the previous discussion concerning a proposed reduction in Aldermanic salaries for the next fiscal year. The Aldermen are classified as part-time employees and currently receive the full-time benefit of health insurance. When you look at the budget and Citizen Advisory Group reports, it is very apparent that health care benefits have a huge impact on the city's budget. One of the things that Ald. Brandel and other Aldermen have looked at is whether it is fair for part-time employees to receive a full-time benefit from the city. This item is intended to be a first step towards a larger policy discussion and possibly a larger action. The Board would be taking the lead by reclassifying its' health care treatment to make it in step with a part-time employee. It is yet to be determined what the ratio would be in terms of cost to the city and the Alderman.

Ald. Hess-Mahan thought the intention of the docket item applied only to elected officials. He did not realize that it was the intent to include other part-time groups into the discussion and is not sure he is now in agreement with the item. Ald. Hess-Mahan was looking at this as a symbolic gesture. Ald. Brandel responded that this was not intended to be a symbolic gesture but was intended to be a first step of a larger policy discussion.

Assistant City Solicitor, Marie Lawlor, joined the Committee for the discussion. Ms. Lawlor explained that health insurance benefits are governed by Massachusetts General Law Chapter 32B, which is the mechanism that the State empowers municipalities to provide health insurance for employees. It is a very convoluted statute and very difficult to understand. She stated that the distinction is not part-time versus full-time in terms of what you can do for percentage of employee contribution. Eligibility of Aldermen or any elected official for health insurance is included in the definition of employee in Chapter 32B. Employee under that statute includes anyone in the service of the government, who receives compensation whether employed, appointed, or elected. There is a proviso that states if the employee works a minimum of 20 hours per regular work week. There is an exception for elected officials as to the 20-hour requirement, which states that an elected official is eligible regardless of the number of hours worked because the determination can be made that they are going to be deemed to work over 20 hours a week. The exception is a may. Later in that same section, it states that the Mayor of the city or town determines whether elected officials are going to be eligible. The Law Department had an occasion to research this issue for another purpose and found that there was no written Mayoral determination made. However, the policy of the city has been this way for many years that it is pretty fair and reasonable to say that at some point a Mayor determined that elected officials would be eligible for health benefits. There are two ways that Aldermen could be eligible for health benefits. The first is through Mayoral determination or each Alderman would

have to go through an individual analysis to determine if they worked 20 hours per week. It has always been the policy of the city that elected officials are eligible for health insurance.

Ms. Lawlor went on to address what the Aldermen can do in terms of the percentage rate paid by elected officials for health insurance. In general, Chapter 32B requires uniformity of contributions rates that employees pay towards the monthly cost of the health insurance. There are two types of health insurance. Under indemnity plans, the law requires that the rates be uniform across all employees; however, the city no longer offers indemnity plans. The city offers HMO plans and for HMO coverage, the law states that the employee must contribute between 50% and 10% of the cost. The rate within that range is determined by the local process but for unions alone the rate must be 10% unless a different rate is agreed to within that range by the collective bargaining process. For all other active non-union employees the rate is set by the normal political process and must be uniform with those groups. For the Aldermen to set a different contribution rate for elected officials it would require a special act. Ms. Lawlor prepared draft language, which was attached to the agenda for review. Ms. Lawlor pointed out that the Aldermen need to make a determination on who should be included under the definition for elected officials in the draft language.

Ald. Baker stated that there are members of the Board that do not take advantage of the health insurance benefit. He has some misgivings regarding making an exception in a policy, which is ultimately going to be part of the compensation that is negotiated with the collective bargaining process that is an executive and not a legislative function. It seems to be getting into something far beyond the scope of what was intended. He respectfully cannot support the item. Ald. Hess-Mahan thought the item was going to be much simpler, as it turns out it is a far more complex issue. He is currently unable to support the item, which does not mean he does not think the Board should be taking the lead by asking itself to pay higher premiums. He feels that the employees of the city should also be asked to pay higher premiums. However, he does not associate himself with the comments about taking health insurance benefits away from part-time employees. Ald. Sangiolo responded that the item before the Committee only addresses elected officials. She felt that the Mayor should not be included as part of the request for special legislation language to require elected officials to contribute a higher percentage rate for health insurance benefits, as the Mayor is a full-time employee. Ald. Hess-Mahan was willing to support the item, as long as it only includes the Board and School Committee. Ald. Freedman feels that the growth of health insurance costs is killing the city's budget. The current trend suggests that the costs of health care benefits are going to rise between 11% and 12% next year. He pointed out that the city will be paying between \$15 and \$16,000 for a part-time person's benefits, which is approximately what a part-time person is being paid. He thinks it is a statement to say that the Board is willing to take some reasonable decrement in what the City is contributing towards health benefits. Ald. Parker suggested looking at other ways to compensate part-time employees instead of health insurance benefits. Ald. Gentile felt that health insurance might be an incentive to run for the Board or School Committee. He would like some formal input from the School Committee before any action is taken on the item. Ald. Freedman agreed that there should be an effort to get some input from the School Committee and suggested sending a letter. Ald. Sangiolo suggested that the item be moved subject to second call in order to move it out of committee. Ald. Gentile reminded the Committee that the item is also referred

to the Finance Committee, which should allow ample time to get a response from the School Committee before the item reaches the floor of the Board. Ald. Freedman moved approval of the item with the exclusion of the Mayor from the request for special legislation 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.



David B. Cohen
Mayor

City of Newton, Massachusetts
Office of the Mayor

~~# 299.08~~
299.08(2)
Telephone (617) 796-1100
Telefax (617) 796-1113
TDD (617) 796-1089
E-mail dcohen@newtonma.gov

August 1, 2008

08 AUG - 4 PM 12: 35
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 two requests to accept provisions of the Massachusetts General Laws related to health insurance.

I respectfully request that your Honorable Board accept Section 18 of Chapter 32B of the General Laws. This provision requires all eligible municipal retirees to enroll in Medicare. The benefit of their enrollment in this program is that the City can enroll them in health insurance plans that supplement the coverage provided by Medicare, resulting in cost savings both to the City and to the retirees.

The vast majority of our retirees are already enrolled in Medicare. A small number of retirees are not eligible for Medicare and they will continue to be enrolled in regular health insurance plans. There is a very small number of employees who are eligible for Medicare, but who did not ever enroll; acceptance of this section will require them to enroll in Medicare. If the City were to join the Group Insurance Commission (GIC), all our retirees who are eligible for Medicare would be required to enroll in Medicare.

I also respectfully request that your Honorable Board accept Section 19 of Chapter 32B (as amended) of the General Laws for the purpose of transferring all subscribers for whom the City provides health insurance to the Group Insurance Commission pursuant to Section 19(e) of Section 32B of the General Laws.

Section 19 authorizes the City and our unions to engage in, so called, coalition bargaining relative to the issue of the City joining the State Group Insurance Commission health insurance program. Normally, all changes to health insurance benefits must be bargained individually with each union and all benefits must be uniform between unions, effectively resulting in the need to achieve unanimous agreement from all unions for any change in benefits. Under the coalition bargaining provisions of Section 19(e), if the City can

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.ci.newton.ma.us



DEDICATED TO COMMUNITY EXCELLENCE

299-08
299-08(2)

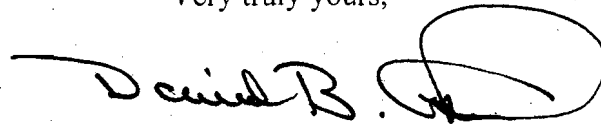
garner the support of 70% of the unions, we can switch our employees and retirees to the GIC. I know how important this issue is to the City, so I am docketing this request now so that if our discussions with the unions result in an agreement by October 1, 2008, we can join the GIC effective July 1, 2009.

Acceptance of Section 19 provides for coalition bargaining solely for the purpose of enrolling our employees and retirees in the GIC, coalition bargaining will not cover any other health insurance related topic. Acceptance of this section will become effective only upon an agreement between the City and the unions for enrolling them in the GIC. Furthermore, if the City were to join the GIC, we must notify the GIC by October 1, 2008 of an agreement with the unions to do so.

I am docketing this provision in the hope and with the expectation that the unions will meet with the City in a timely manner to discuss joining the GIC, to analyze the potential cost savings of participation in the GIC, and to notify the GIC of our decision prior to October 1, 2008. We propose to discuss comparisons of the City rates for our plans with those for the GIC plans; the history of rate increase for the City and the GIC; the benefit structures and plan designs of each plan; potential impacts to individual enrollees; and other factors to understand the short-term and long-term impacts of such a change.

Thank you for your consideration of this matter.

Very truly yours,



David B. Cohen
Mayor

DBC: smp

08 AUG -4 PM 12: 36
CITY CLERK
NEWTON, MA. 02159

299-08

#

CITY OF NEWTON
COALITION OF UNIONS

46 Austin Street
Newtonville, MA 02460
Phone: 617-244-9562/Fax: 617-244-2332

08 SEP 15 AM 11:47
CITY CLERK
NEWTON, MA 02159

September 9, 2008

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

Honorable Ladies and Gentlemen:

We, the elected representatives of all school and municipal unions in Newton, are writing in response to a letter sent to you from Mayor Cohen dated August 1, 2008 and docketed by the City Clerk on August 4, 2008. (Attachment 1) On August 4, 2008, Sandy Pooler, Chief Administrative Officer, wrote a letter to the Insurance Advisory Committee, re: "Discussing the GIC Option", with the Mayor's letter to you attached. (Attachment 2)

Unfortunately, the Insurance Advisory Committee is not the appropriate venue for discussion of collective bargaining issues, including joining the GIC (Group Insurance Commission) The appropriate venue for discussion of Section 19 of Chapter 32B is the Coalition of Unions. In the past, on two occasions the coalition of unions has unanimously requested the Mayor and the Board of Aldermen to adopt Section 19 of Chapter 32B. (Attachment 3) In both cases, we have been rejected.

We are still interested in coalition bargaining and the adoption of Chapter 32B, Section 19, but not in the manner described by the Mayor in his August 1st letter. Paragraph 5 of this letter asserts: "Section 19 authorizes the City and unions to engage in, so called, coalition bargaining *relative to the issue of the City joining the State Group Insurance Commission health insurance program.*" (Emphasis added) The Mayor seems to think that the only portion of Section 19 of Chapter 32B that applies is 19 (e). Please review the attached Chapter 32B, Section 19, as amended and effective July 25, 2007, and note that the heading under Section 19 makes reference to "health carriers, public employee committees, agreements with public authorities, and transfer of subscribers to commission."

Paragraph 6 of the Mayor's August 1st letter is a clear mis-statement of fact: "Acceptance of Section 19 provides for coalition bargaining *solely for the purpose of enrolling our employees and retirees in the GIC, coalition bargaining will not cover any other health insurance related topic.*" The unions are not able to enter into discussion about Chapter 32B, Section 19, until we have clarity on what such adoption of Section 19 entails; and we petition you to assure us that the Mayor's interpretation is not the legally correct

representation of Section 19 of 32B. We have petitioned you twice before to adopt Section 19 as it is clearly written in the Massachusetts General Laws. We ask for your timely addressing of this issue. The unions have already done the work of analyzing the Projected Aggregate Cost Impact of Joining GIC, as well as the following four (4) sub-categories under the title of "What Will This Feel Like to the Member:"

- Tufts POS (Current) vs. Tufts PPO (GIC)
- Tufts HMO (Current) vs. Tufts PPO (GIC)
- HPHC HMO (Current) vs. HPHC PPO (GIC)
- Tufts Medicare Complement (Current) vs. Tufts Medicare Complement (GIC)

The individual unions and their representatives have a positive history of working with the city administration on cost-saving measures relative to health insurance. Our track record is stellar and has been acknowledged as such by the city leadership. We look forward to continuing this collaborative relationship.

We look forward to your prompt response to this letter.

Sincerely,

Jay Babcock and Cheryl Turgel

Co -Chairs

Cc: David B. Cohen
Sandy Pooler

291.08/2

President
Frank Greco
Vice President
Patricia Sweeney
Recording Secretary
Mary Cicciu
Treasurer
Robert DeLuca

CITY HALL ASSOCIATES
Local 3092
NEWTON CITY HALL
1000 COMMONWEALTH AVENUE
NEWTON CENTRE, MA 02459

Executive Board
Vincent Antonellis
Marcy DeWolfe
Russell Palmer

August 12, 2008

08 AUG 12 AM 10:59
CITY CLERK
NEWTON, MA 02159

Sandy Pooler, Chief Administrative Officer
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

Dear Sandy:

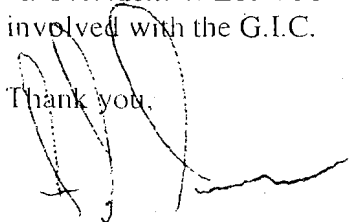
I have received your letter in regards to discussing the Group Insurance Commission (G.I.C.) option.

I, along with all members of the insurance advisory committee (I.A.C.) have expressed to you on several occasions that we are not interested in joining the G.I.C.

As Sgt.-At-Arms of AFSCME, Council 93, which represents over 40,000 employees, I have talked to many many local Presidents in regards to health plans. I have found one thing to be true, my members have one of the best health plans around. Why are you attempting to circumvent our current health plans?

As President of Local 3092, I am informing you that my members **do not** wish to be involved with the G.I.C.

Thank you.


Frank Greco, President
Local 3092, City Hall Associates

cc: Mayor David B. Cohen
Board of Aldermen



David B. Cohen
Mayor

Attachment 2

City of Newton, Massachusetts
Office of the Mayor

#294-0X(2)

Telephone
(617) 796-1100

Telefax

(617) 796-1113

E-mail

Dcohen@ci.newton.ma.us

Memorandum

To: Insurance Advisory Committee
From: Sandy Pooler, Chief Administrative Officer SMP
Date: August 4, 2008
Re: Discussing the GIC Option

Last spring, we all talked about looking at the rates and benefits offered by the State Group Insurance Commission (GIC). We understood that there was a great deal of interest from the public as well as from elected officials in the City to explore this option as a way to control ongoing health insurance cost increases. There was consensus among us that any discussion of the plusses or minuses of entering the GIC had to be based on a solid, credible review of the rates, benefits, and potential cost savings, if any, that joining the GIC would bring.

I have not heard whether the unions have completed your review of those rates, benefits, and potential cost savings. The City has prepared such an analysis, and I look forward to exchanging that information with any that you have prepared, so we have a common understanding of the facts.

I request that the Insurance Advisory Committee schedule a meeting with the City to discuss these issues the week of September 8, 2008. As you know, if the City and its employees and retirees are going to join the GIC next year, we must notify the GIC before October 1, 2008 of our agreement to join. In order to facilitate these discussions, I suggest a meeting between the City and Carol Chandor (and other representatives of your choosing) before the end of August to review each others figures and resolve any questions about potential differences in those figures.

Before we could join the GIC, the City, through the Mayor and the Board of Aldermen, must accept section 19(e) of chapter 32B of the Massachusetts General Laws, which provides for coalition bargaining on the issue of joining the GIC. In order to keep this process moving forward, and because of the length of time we know it takes the Board of Aldermen to deliberate upon and pass an item as important at this, Mayor Cohen as submitted a docket item to the Board to accept section 19(e). I have attached a copy of his letter.

I look forward to discussing these important issues with you in a timely manner.

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.ci.newton.ma.us

#299-08(2)
DRAFT

CITY OF NEWTON
IN BOARD OF ALDERMEN

, 2008

ORDERED:

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

#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.

Under Suspension of Rules
Readings Waived and Item Voted

(SGD) DAVID A. OLSON
City Clerk

CITY OF NEWTON

IN BOARD OF ALDERMEN

, 2008

ORDERED:

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

- #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.

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

(SGD) DAVID A. OLSON
City Clerk



David B. Cohen
Mayor

City of Newton, Massachusetts
Office of the Mayor

#76-07

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

March 16, 2007

CITY CLERK
NEWTON, MA 02159

2007 MAR 16 PM 4:51

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

Ladies and Gentlemen:

Based on the vote of the Finance Committee on Monday March 12, 2007, I amend my request, in docket item #76-07, to include a facilities study for the twenty-six largest municipal buildings. I have attached a revised excerpt from the draft Request for Qualifications with a list of the buildings to be studied.

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen
Mayor

DBC: smp

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.ci.newton.ma.us



DEDICATED TO COMMUNITY EXCELLENCE

**STUDY ARCHITECT FOR ASSESSMENT OF
Facilities Study**

The City of Newton has over 70 municipal buildings. The requested study will look at these buildings that provide essential services and house a number of critical programs.

Study objectives:

The Newton Public Buildings Department is interested in a long-range Facilities Study of 26 municipal buildings. It is the City's desire to create a database and inventory of the existing facilities and sites.

The desired outcome is an electronic database containing current information about these buildings. A set of standards outlining how each building conforms to the standards and recommended approach and time table for addressing bringing buildings up to standards as well as a hierarchy of needs with priorities listed. Care will need to be taken to ensure that these standards are realistic, achievable, and take into account fiscal and other constraints. The City of Newton would expect to own the database and continue to update it following the completion of the study.

The City of Newton through its Designer Selection Committee is currently seeking expressions of interest from individuals and firms for professional services for the following work:

City of Newton Municipal Buildings Facilities Study

The City of Newton Municipal Buildings Survey Study dated April 30, 1978 (Volumes I and II) will serve as a reference in the completion of the following scope of services:

DEPARTMENT	LOCATION	YEAR BUILT	TOTAL SQ. FT.
<u>LIBRARY (5)</u>			
Main Library	330 Homer Street	1991	93,000
Auburndale Library	371 Auburn Street	1934	4,830
Newton Corner Library	124 Vernon Street	1910, 1934	6,138
Nonantum Library	114 Bridge Street	1957	5,137
Waban Library	1608 Beacon Street	1934	<u>6,378</u>
			115,483
<u>PUBLIC WORKS (4)</u>			
Elliot Street Operations Center	74 Elliot Street	1927	15,858
Elliot Street Garage	70 Elliot Street	1959	9,000
Crafts Street DPW Operations Ctr.	90 Crafts Street	1894	19,553
Crafts Street Garage	110 Crafts Street	1919, 36, 88	<u>23,474</u>
			67,885
<u>RECREATION (9)</u>			
Crystal Lake Bath House	16 Rogers Street	1931	7,581

2007 MAR 16 11 PM 4:51
 CITY CLERK
 NEWTON, MA 02459

Hawthorne Fieldhouse	17 Hawthorne Street	1950	5,608
Recreation Headquarters	70 Crescent Street	1900	3,208
Lower Falls Comm. Center	545 Grove Street	1958	10,519
Recreation Garage	70 Crescent Street, (rear)	1940	4,600
Albemarle Fieldhouse	250 Albemarle Road	1964	2,072
Gath Pool Facility	256 Albemarle Road	1964	4,600
Upper Falls Comm. Ctr/Lib.	5 High Street	1955	13,118
Newton Centre Fieldhouse	81 Tyler Terrace	1900	4,581

2007 MAR 16 1 PM 4:51
 CITY CLERK
 NEWTON, MA 02459

MISCELLANEOUS (4)

City Hall/War Memorial	1000 Commonwealth Ave.	1931	8,000
Jackson Homestead	527 Washington Street	1807	5,000
Health Department	1294 Centre Street	1934	4,581
Senior Citizens Center	345 Walnut Street	1938	<u>11,298</u>
			103,879

PUBLIC SAFETY (4)

Fire Alarm Headquarters	1164 Centre Street	1928	6,541
Police Headquarters	1321 Washington Street	1932	30,000
Police Garage	1321 Washington Street	1959	7,548
Police Annex	25 Chestnut Street	1925	<u>5,470</u>
			49,559

Contact for Site Visit: Henry Milo
 Facilities Manager
 Newton Public Buildings Department
 617-796-1613

Contact for Copies of Municipal Buildings Survey April 30, 1986 (Volumes I and II)
 A. Nicholas Parnell
 Public Buildings Commissioner
 City of Newton
 52 Elliot Street
 Newton Highlands, MA 02461
 617-796-1600

Completion Date for Final Report January 7, 2008
 The RFQ for the Project Designer includes Information to Applicants; Questionnaire; Criteria to be used by the Designer Selection Committee in Attachment A, Tentative Schedule for Selection Process to be followed by the Designer Selection Committee in Attachment B.

Applicants should submit twenty-four (24) copies of the completed and signed Questionnaire and completed and signed Sub-Consultant Acknowledgement for all identified Sub-Consultants no later than 2:00 p.m. on May 10, 2007:

DEPARTMENT	LOCATION	YEAR BUILT	SQ. FT.	StudyCost/Bldg.
<u>LIBRARY (5)</u>				
Main Library	330 Homer Street	1991	93,000	\$ 59,148
Auburndale Library	371 Auburn Street	1934	4,830	\$ 3,071
Newton Corner Library	124 Vernon Street	1910 /34	6,138	\$ 3,903
Nonantum Library	114 Bridge Street	1957	5,137	\$ 3,267
Waban Library	1608 Beacon Street	1934	<u>6,378</u>	\$ 4,056
			115,483	
<u>PUBLIC WORKS (4)</u>				
Elliot Street Operations Ctr.	74 Elliot Street	1927	15,858	\$ 10,085
Elliot Street Garage	70 Elliot Street	1959	9,000	\$ 5,724
Crafts St. DPW Op. Ctr.	90 Crafts Street	1894	19,553	\$ 12,534
Crafts Street Garage	110 Crafts Street	1919/ 36/88	<u>23,474</u>	\$ 14,929
			67,885	
<u>RECREATION (9)</u>				
Crystal Lake Bath House	16 Rogers Street	1931	7,581	\$ 4,821
Hawthorne Fieldhouse	17 Hawthorne Street	1950	5,608	\$ 3,566
Recreation Headquarters	70 Crescent Street	1900	3,208	\$ 2,040
Lower Falls Comm. Center	545 Grove Street	1958	10,519	\$ 6,690
Recreation Garage	70 Crescent Street	1940	4,600	\$ 2,925
Albemarle Fieldhouse	250 Albemarle Road	1964	2,072	\$ 1,317
Gath Pool Facility	256 Albemarle Road	1964	4,600	\$ 2,925
Upper Falls Comm. Ctr/Lib.	5 High Street	1955	13,418	\$ 8,533
Newton Centre Fieldhouse	81 Tyler Terrace	1900	<u>4,352</u>	\$ 2,767
			55,958	
<u>MISCELLANEOUS (4)</u>				
City Hall/War Memorial	1000 Comm. Ave.	1931	81,000	\$ 51,730
Jackson Homestead	527 Washington Street	1807	7,000	\$ 4,452
Health Department	1294 Centre Street	1934	4,581	\$ 2,913
Senior Citizens Center	345 Walnut Street	1938	<u>11,298</u>	\$ 7,185
			103,879	
<u>PUBLIC SAFETY (4)</u>				
Fire Alarm Headquarters	1164 Centre Street	1928	6,541	\$ 4,160
Police Headquarters	1321 Washington Street	1932/93	30,000	\$ 19,080
Police Garage	1321 Washington Street	1959	7,548	\$ 4,800
Police Annex	25 Chestnut Street	1925	<u>5,470</u>	\$ 3,478
			49,559	
TOTALS			392,764 S.F.	\$ 250,000

Note: The individual estimate for each building was derived from a square foot cost of \$0.63. This may change after the selected consultant has had the opportunity to respond and adjust according to the level of study each building will undergo. The outcome of the study will ultimately provide the City with a comprehensive plan to address the deficiencies identified.



David B. Cohen
Mayor

City of Newton, Massachusetts
Office of the Mayor

76-07

Telephone
(617) 796-1100

Telefax
(617) 796-1113

TDD
(617) 796-1089

E-mail
dcohen@newtonma.gov

September 28, 2007

2007 SEP 28 11:01 AM
CITY CLERK
NEWTON, MA 02459

2007 SEP 28 11:01 AM

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

Ladies and Gentlemen:

I write to request that your Honorable Board amend docket item 76-07, a request appropriate three hundred thousand dollars (\$300,000) to conduct a study of the municipal buildings throughout the city. The source of funds for this study is to be FY08 Free Cash.

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

#76-07

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]
Public Facilities Approved 6-0-1 on 3/7/07; Finance Motion to Approve Fails to Carry 2-4-1 on 03/12/07; Item Recommended to both Committees on 3/19/07, Public Facilities held on 3/21/07

ACTION: APPROVE AS AMENDED 5-0 @ \$250,000 (Albright not voting)

NOTE: Commissioner Parnell was present for the discussion of this item. The Board recommitted this item on March 19, 2007. The Public Facilities Committee previously voted approval of the item on March 7, 2007. On March 16, 2007, the Mayor amended his original request for \$300,000 to \$250,000 for a study of 26 of the largest municipal buildings. The Committee then discussed the item on March 21, 2007 and held the item awaiting the release of the fire station study. The fire station study has been released and the Mayor has submitted a letter to the Committee clearly identifying the funding source as FY'08 Free Cash. The previous reports on this item and the letter identifying the source of the funds are attached. The Committee voted unanimously to approve the item as amended.

CITY OF NEWTON
IN BOARD OF ALDERMEN

, 2008

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 two hundred fifty thousand dollars (\$250,000) to be appropriated from Free Cash to Public Buildings Department, be and is hereby appropriated, granted and expenditure authorized for the purpose of conducting a study of the municipal buildings throughout the City:

FROM:	Free Cash (01-3497).....	\$250,000
TO:	Municipal Building Conditions Study (C11501-5301).....	\$250,000

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



David B. Cohen
Mayor

City of Newton, Massachusetts
Office of the Mayor

#76-07

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

February 27, 2007

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 and expend three hundred thousand dollars (\$300,000) from Free Cash to conduct a study of the municipal buildings throughout the city.

This study is part of our comprehensive, long range plan to assess the capital needs throughout the city. The results of this study will be inform the allocation of capital funds in the years to come.

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen
Mayor

DBC:srb

2007 FEB 27 PM 4:16
CITY CLERK
NEWTON, MA. 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.ci.newton.ma.us



DEDICATED TO COMMUNITY EXCELLENCE



PUBLIC BUILDINGS DEPARTMENT

A. NICHOLAS PARNELL, AIA, COMMISSIONER

Telephone (617) 796-1600

FAX (617) 796-1601

52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

David B. Cohen
Mayor

February 27, 2007

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

2007 FEB 27 PM 4: 16
CITY CLERK
NEWTON, MA. 02159

RE: Municipal Buildings Facilities Study

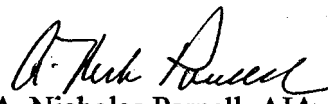
Dear Mayor Cohen:

The Public Buildings Department respectfully requests the sum of \$300,000.00 to conduct a study of the City's municipal buildings.

The study will include evaluating the building envelope, structural, electrical, plumbing and mechanical, and life safety systems. Included in the study will be a life cycle cost analysis and remediation plan with cost estimates.

Should you have any questions regarding this letter, please feel free to contact my office.

Sincerely,


A. Nicholas Parnell, AIA
Commissioner of Public Buildings

ANP:dla

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

453-06

JOHN S. DAY, ESQ.
ATTORNEY AT LAW
24 BAY ROAD
DUXBURY, MA 02332

781-934-2008 (telephone)
781-846-0780 (facsimile)

www.daylaw.com (internet)
jday@daylaw.com (e-mail)

November 16, 2006

BY FACSIMILE AND FIRST CLASS MAIL

David A. Olson
Clerk, Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

2006 NOV 20 1 PM 4: 02
CITY CLERK
NEWTON, MA. 02159

**RE: Betterment Assessment for Property owned by Leon Jr. and Marion
D. Semonian, 373 Dedham Street, Newton, Massachusetts**

Petition for Total Abatement of Betterment Assessment

Dear Mr. Olson:

I am writing on behalf of Leon and Marion Semonian, who own, and reside upon, real property located at 373 Dedham Street, Newton, Massachusetts. Mr. and Mrs. Semonian have been issued a betterment assessment, dated October 16, 2007, and I have attached a copy of this assessment for your reference. As you will see, the attached betterment assessment is in the amount of \$2,690.00.

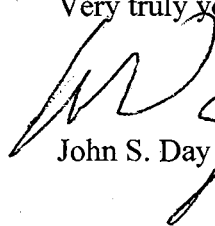
Mr. and Mrs. Semonian hereby request, pursuant to M.G.L. Chapter 80 *et seq.*, a total abatement of the attached betterment assessment, on the grounds that their property has not benefited from the purported betterment. I have determined, by conferring with my clients and reviewing the Finance Committee Agenda for February 13, 2006, that the betterment assessment at issue pertains to a new sidewalk, new granite curbstone, and road resurfacing that was performed along Countryside Road and extending into Patten Circle. Mr. and Mrs. Semonian live on the corner of Dedham Street and Countryside Road, but their lot fronts onto Dedham Street and the Countryside Road-side of their lot had a preexisting asphalt sidewalk that did not need to be replaced with a new sidewalk in order to enhance their property value. Indeed, the aforementioned work has not improved either the functionality or value of the Semonians' property.

David A. Olson
Clerk, Board of Aldermen
November 16, 2006
Page 2

Moreover, Mr. and Mrs. Semonian were not consulted regarding the work to be performed along Countryside Road. Consequently, Mr. and Mrs. Semonian respectfully contend that their property is not subject to a betterment assessment. See M.G.L. c. 80, §1 (betterment assessment may only be applied to a limited area that receives a specific benefit or advantage).

As set forth above, Mr. and Mrs. Semonian request, pursuant to M.G.L. c. 80, a total abatement of the attached betterment assessment. Thank you for your attention on this matter, and I look forward to hearing from you.

Very truly yours,



John S. Day

cc: Leon and Marion Semonian

2006 NOV 20 PM 4: 02
CITY CLERK
NEWTON, MA 02159

The Commonwealth of Massachusetts
City of Newton
Office of the Collector of Taxes
1000 Commonwealth Avenue
Newton Centre, MA 02459

BILL #: 200728
BOARD ORDER: 93-06

Date of Notice: 10/16/2007
Due Date: 11/17/2007

SEMONIAN LEON JR & MARLON D
373 DEDHAM ST
NEWTON CENTRE MA 02459

You are hereby notified that a betterment assessment is assessed to you as follows:

Year:	2007	Type:	Street	Board Order:	93-06	Amount:	690.00
Property Address:	373 DEDHAM ST						
Parcel Identification:	83036A0003						

2008 NOV 20 PM 4:02
CITY CLERK
NEWTON, MA 02459

For information regarding betterment assessments, inquire of the Board instituting the improvement; if application for abatement is made, it must be filed with the Board of Aldermen within six months of the date of this notice. Interest at 5% per year begins thirty days from the date of this notice.

Interest begins on 11/17/2007 Edward J. Spellman Jr., Collector of Taxes

By statute, this bill may be apportioned into not more than twenty (20) yearly payments with interest at 5% per annum. No portion can be less than \$5.00. Apply to the Board of Assessors at once if you wish to have the bill apportioned. If you choose to apportion the bill, no payment is necessary at this time.

Taxes payable at the Collector's Office, City Hall. Hours: 8:30 AM to 5:00 PM, Monday through Friday and Tuesday evenings until 8:00 PM. Checks or money orders must be made payable to "The City of Newton".

For Questions, please contact the Assessors Office at (617) 796-1160

Please select your option (A or B) below, cut along line, and return to "Newton Treasurer's Office", 1000 Commonwealth Ave., Newton, MA 02459.

Betterment Assessment

Bill Date:	10/16/2007	Bill Number:	200728
Parcel ID:	83036A0003	Original Amount	\$2,690.00
Location:	373 DEDHAM ST		

A) Full Payment Enclosed. Full Payment Due By: 11/17/2007 Total Enclosed: _____

OR

B) Please Apportion For 5 10 15 20 year (Please circle the number of years)

If apportioning bill, no payment is necessary at this time. Apportioned amount will be added to Real Estate Tax Bill for the number of years selected. Non-response will apportion bill for 20 years. Please mail to: Newton Treasurer's Office, 1000 Commonwealth Ave., Newton, MA 02459

#453-06

JOHN S. DAY, ESQ.
ATTORNEY AT LAW
24 BAY ROAD
DUXBURY, MA 02332

781-934-2008 (telephone)
781-846-0780 (facsimile)

www.daylaw.com (internet)
jday@daylaw.com (e-mail)

FACSIMILE COVER SHEET

ADDRESSEE	TELEPHONE NUMBER	FACSIMILE NUMBER
David A. Olson, Clerk, Board of Aldermen	617-796-1210	617-796-1214

From: John S. Day, Esq. **Date:** November 16, 2006 **No. of pages to follow:** 2

Message:

2006 NOV 16 AM 11:02
CITY CLERK
NEWTON, MA 02459

*****THIS FACSIMILE TRANSMISSION IS INTENDED SOLELY FOR THE USE OF THE SPECIFIC INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND/OR OTHERWISE EXEMPT FROM DISCLOSURE.** If you are not the intended recipient, or the employee or agent responsible for delivering the transmission to the intended recipient, you are hereby notified that any disclosure, distribution, dissemination, copying, use, or the taking of any action based on the contents of this transmission is strictly prohibited. If you have received this transmission in error, please notify us immediately by telephone (collect) and return the original transmission to us via the U.S. Postal Service.
Thank you.***

#453-06

JOHN S. DAY, ESQ.
ATTORNEY AT LAW
24 BAY ROAD
DUXBURY, MA 02332

781-934-2008 (telephone)
781-846-0780 (facsimile)

www.daylaw.com (internet)
jday@daylaw.com (e-mail)

November 16, 2006

BY FACSIMILE AND FIRST CLASS MAIL

David A. Olson
Clerk, Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

2006 NOV 16 AM 11:02
CITY CLERK
NEWTON, MA 02159

**RE: Betterment Assessment for Property owned by Leon Jr. and Marion
D. Semonian, 373 Dedham Street, Newton, Massachusetts**

Petition for Total Abatement of Betterment Assessment

Dear Mr. Olson:

I am writing on behalf of Leon and Marion Semonian, who own, and reside upon, real property located at 373 Dedham Street, Newton, Massachusetts. Mr. and Mrs. Semonian have been issued a betterment assessment, dated October 16, 2007, and I have attached a copy of this assessment for your reference. As you will see, the attached betterment assessment is in the amount of \$2,690.00.

Mr. and Mrs. Semonian hereby request, pursuant to M.G.L. Chapter 80 *et seq.*, a total abatement of the attached betterment assessment, on the grounds that their property has not benefited from the purported betterment. I have determined, by conferring with my clients and reviewing the Finance Committee Agenda for February 13, 2006, that the betterment assessment at issue pertains to a new sidewalk, new granite curbstone, and road resurfacing that was performed along Countryside Road and extending into Patten Circle. Mr. and Mrs. Semonian live on the corner of Dedham Street and Countryside Road, but their lot fronts onto Dedham Street and the Countryside Road-side of their lot had a preexisting asphalt sidewalk that did not need to be replaced with a new sidewalk in order to enhance their property value. Indeed, the aforementioned work has not improved either the functionality or value of the Semonians' property.

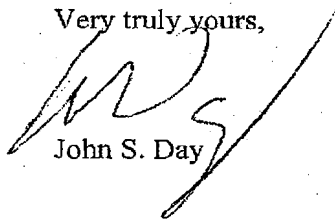
#453-06

David A. Olson
Clerk, Board of Aldermen
November 16, 2006
Page 2

Moreover, Mr. and Mrs. Semonian were not consulted regarding the work to be performed along Countryside Road. Consequently, Mr. and Mrs. Semonian respectfully contend that their property is not subject to a betterment assessment. See M.G.L. c. 80, §1 (betterment assessment may only be applied to a limited area that receives a specific benefit or advantage).

As set forth above, Mr. and Mrs. Semonian request, pursuant to M.G.L. c. 80, §5, a total abatement of the attached betterment assessment. Thank you for your attention to this matter, and I look forward to hearing from you.

Very truly yours,



John S. Day

cc: Leon and Marion Semonian

#453-06

The Commonwealth of Massachusetts
City of Newton
Office of the Collector of Taxes
1000 Commonwealth Avenue
Newton Centre, MA 02459

BILL #: 200728
BOARD ORDER: 93-06

Date of Notice: 10/16/2007
Due Date: 11/17/2007

SEMONIAN LEON JR & MARLON D
373 DEDHAM ST
NEWTON CENTRE MA 02459

2006 NOV 15 AM 11:02
CITY CLERK
NEWTON, MA 02159

You are hereby notified that a betterment assessment is assessed to you as follows:

Year:	2007	Type:	Street	Board Order:	93-06	Amount:	\$2,690.00
-------	------	-------	--------	--------------	-------	---------	------------

Property Address: 373 DEDHAM ST

Parcel Identification: 83036A0003

For information regarding betterment assessments, inquire of the Board instituting the improvement; if application for abatement is made, it must be filed with the Board of Aldermen within six months of the date of this notice. Interest at 5% per year begins thirty days from the date of this notice.

Interest begins on 11/17/2007 Edward J. Spellman Jr., Collector of Taxes

By statute, this bill may be apportioned into not more than twenty (20) yearly payments with interest at 5% per annum. No portion can be less than \$5.00. Apply to the Board of Assessors at once if you wish to have the bill apportioned. If you choose to apportion the bill, no payment is necessary at this time.

Taxes payable at the Collector's Office, City Hall. Hours: 8:30 AM to 5:00 PM, Monday through Friday and Tuesday evenings until 8:00 PM. Checks or money orders must be made payable to "The City of Newton".

For Questions, please contact the Assessors Office at (617) 796-1160

Please select your option (A or B) below, cut along line, and return to "Newton Treasurer's Office", 1000 Commonwealth Ave., Newton, MA 02459.

Betterment Assessment

Bill Date:	10/16/2007	Bill Number:	200728
Parcel ID:	83036A0003	Original Amount:	\$2,690.00
Location:	373 DEDHAM ST		

A) Full Payment Enclosed. Full Payment Due By: 11/17/2007 Total Enclosed: _____

OR

B) Please Apportion For 5 10 15 20 year (Please circle the number of years)

If apportioning bill, no payment is necessary at this time. Apportioned amount will be added to Real Estate Tax Bill for the number of years selected. Non-response will apportion bill for 20 years. Please mail to: Newton Treasurer's Office, 1000 Commonwealth Ave., Newton, MA 02459

#453-06
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 voted-----.

#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).

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

(SGD) DAVID A. OLSON
City Clerk

93.06(2)

Robert E. and Anne M. Sullivan
#391 Dedham Street
Newton, MA 02459
617-964-2231 – resq63@comcast.net

February 7, 2007

2007 JUL - 2 1 PM 2:24
CITY CLERK
NEWTON, MA. 02459

Mitchell L. Fischman
41 Brush Hill Road
Newton Highlands, MA 02461

Richard A. Lipof
105 Baldpate Road
Newton Centre, MA 02459

Cheryl Lappin
6 Dorcar Road
Chestnut Hill, MA 02467

Dear Aldermen:

This is an application for an abatement of the recently assessed betterment on our property due on November 17, 2007 in the amount of \$15,880.00. The amount of the betterment stems from the conversion of Countryside Road into a public way this past summer and fall.

Our property fronts on Dedham Street, as our address indicates, not on Countryside Road. There is no "betterment" to us or our property. Over the years we have had our property littered with beer cans and bottles and other trash by drivers who have used Countryside Road, and our sleep disturbed by groups of teenagers stopping off the main road "to party". Since the "betterment", the only effect we have noticed is that the residents of Countryside Road now can roar up their street at a somewhat faster clip than had previously been the case. The City has always plowed their street in the 30 years we have lived here.

We welcome you to our property and we hope to convince you that it is in no way a betterment of our property or to us.

Very truly yours,

Bob and Anne Sullivan

CITY OF NEWTONIN BOARD OF ALDERMEN

February 21, 2006

ORDERED:

That in accordance with MGL Chapter 80 and 82, and the recommendation of the Finance Committee through its Chairman, Alderman Paul E. Coletti, the following Order and Schedule of Street Betterment Assessments be and is hereby approved by the Honorable Board of Aldermen:

<u>SBL</u>	<u>Names & Address of Owner</u>	<u>BK/PG</u>	<u>Amount</u>
83-36-3BA	Trustees of The Gables Through Condominium Trust	14391/434	\$1,111
83-36-3DN	401-439 Dedham Street (66 units)		
83-36-31	Linda L. Chanowski 111 Countryside Road	21144/356	\$13,828
83-36-26	Nancy Ellen Nathanson 62 Rachel Road	20812/215	\$8,166
83-36-27	Pnina Joseph 73 Countryside Road	31169/269 Countryside Road	\$14,717
		Mosley Road	\$9,616
			Total \$24,333
83-36-28	James H. Mitchell & Nancy B. Mitchell 83 Countryside Road	24673/207	\$13,828
83-36-29	Vilis Gravitis & Herta Gravitis 95 Countryside Road	11429/402	\$13,828
83-36-30	Ming T. Wong & Julia Q. Wong 105 Countryside Road	27829/493	\$13,917
83-36-32	Arlene E. Fruman 125 Countryside Road	18565/107	\$19,083
83-36-33	Randi B. Lapidus Trustee & John H. Lapidus, Trustee 141 Countryside Realty Trust 141 Countryside Road	35940/504	\$19,456
83-36-34	David Goldstein 159 Countryside Road	35324/583 35324/584	\$18,833

83-36-35	Stephen S Silk Trustee & Barrie S. Silk Trustee The 175 Countryside Road Realty Trust 175 Countryside Road	34730/250	\$16,739
83-36-36	Alan Greenbaum & Sylvia Greenbaum 185 Countryside Road	14552/560	\$13,828
83-36-37	Shirley W. Waldenburg Trustee 197 Countryside Road Nominee Realty Trust 197 Countryside Road	36150/479	\$18,605
83-36-38	Sidney & Rosalie F. Gersh 170 Countryside Road	14054/10	\$30,368
83-36-39	Alan Levick a/k/a Alan L. & Nancy Rogoff a/k/a Nancy E. 150 Countryside Road	13933/376	\$16,992
83-36-40	William Seidenberg & Linda M. Seidenberg 140 Countryside Road	13625/578	\$13,828
83-36-41	Karim Zahedi & Maryam Zahedi 130 Countryside Road	13802/290	\$13,828
83-36-43	Matthew B. Feuer & Nicole B. Feuer 110 Countryside Road	31362/576	\$25,213
83-36-44	Beverly F. Greenwold & Richard B. Aron 7 Patten Circle	21327/314 Countryside Road	\$13,126 Patten Circle <u>\$9,251</u> \$22,377
83-36-45	Lin Nick 19 Patten Circle	38641/407	\$15,606
83-36-46	David H. Zises, Trustee David H. Zises 2004 Revocable Trust & Margery Zises, Trustee Margery Zises 2004 Revocable Trust 20 Patten Circle	44066/392	\$15,211
83-36-47	Craig Hammer, Trustee Jola Realty Trust 10 Patten Circle	33192/002 Countryside Road	\$12,474 Patten Circle <u>\$9,061</u> Total \$21,535
83-36-48	Patricia Fabrizio Malkasian, Trustee & Gia A. Nicolazzo, Trustee Anthony S. Fabrizio Nominee Trust 70 Countryside Road	35971/26 35971/33	\$16,032
83-36-49	LOGICAL, LLC 50 Countryside Road	46705/498	\$12,185
83-36-50	John Mitchell 44 Countryside Road	22670/405	\$13,828

83-36-51	David E. Gorman & Jennifer Udwin Gorman 32 Countryside Road	26469/465	\$13,828
83-36-52	Robert E. Sullivan & Anne M. Sullivan 391 Dedham St.	13215/683	\$15,880
83-36A-3	Leon Semonian, Jr. & Marion D. Semonian 373 Dedham Street	11506/387	\$2,690
83-36A-4	Carole G. Jabbawy 17 Countryside Road	44692/517	\$19,668
83-36A-7	Muzio Pesaresi & Michelle T. Pesaresi 39 Countryside Road	43568/342	\$15,285
83-36A-8	Shirley Altschul 53 Countryside Road	21353/599 Countryside Road 36249/25 Patten Circle 45267/204	\$19,034 \$2,070 Total \$21,104
83-36A-9	Peter E. Leavitt & Amy D. Leavitt 11 Mosley Road	34453/518	\$13,889
83-36A-10	Richard G. Marcus & Beth A. Marcus 46 Rachel Road	14161/133	\$8,100

Under Suspension of Rules
Readings Waived and Approved
21 yeas, 0 nays, 3 absent (Ald. Gentile, Merrill and Samuelson)

EXECUTIVE DEPARTMENT
Approved: February 23, 2006

(SGD) DAVID A. OLSON
City Clerk

(SGD) DAVID B. COHEN
Mayor

(SGD) PAUL E. COLETTI
Chairman, Finance Committee

#93-06(2)

Robert E. & Anne M. Sullivan
391 Dedham Street
Newton, MA 02459
617-964-2231 617-308-3549
resq63@comcast.net

December 6, 2007

Board of Aldermen
City of Newton

Gentlemen/Ladies:

2007 DEC -7 1 AM 9:30
CITY CLERK
NEWTON, MA, 02159

Sometime in the spring of 2005 (to the best of our knowledge), a group of homeowners on Countryside Road decided to petition the City to make Countryside Road a public way. We bought our home in July of 1977 and for 28 years were unaware that Countryside Road was not a public way. We were not consulted by the Countryside homeowners, nor did we receive official notice from the city that this petition had been made. We did discover a hand-delivered letter shoved under a never used door about the matter several weeks after the fact.

We were not happy to hear that Countryside Road would be improved as a thorough-fare. Countryside Road has been a consistent problem for us. Cars, especially after dark, screech up and down the road and the side of our property is consistently littered with empty liquor bottles and beer cans tossed by drivers. On many occasions we have been awakened to hear loud groups of young people laughing or fighting as they parked their cars conveniently off the main drag of Dedham Street and carried on into the wee hours of the morning.

We were not in favor of "improving" Countryside Road and attended a meeting of the Public Facilities Committee on April 20, 2005 to make our concerns known. At the meeting, Lee Bardon (62 Rachel Road) stated that "his property is on the corner of Mosley Road and he will benefit from the street acceptance, as his driveway opening is located on Mosley Road. He feels that the street acceptance is a benefit to any property that abuts the street acceptances. It is his belief that the project will raise property values in the future." We and Leon Semonian (373 Dedham Street) spoke against the petition indicating that we did not use the road and in fact found it a nuisance and source of regular disturbance to us. Alderman Lappin "wanted to be sure that the abutters were aware that there is an avenue for an abatement. Gayle Smalley clarified that the abutter could petition the Board for a site-specific abatement."

On May 2, 2005, the Board of Aldermen voted to require that Countryside Road, Mosley Road and Patten Circle be laid out and accepted as public streets of the City of Newton. On February 21, 2006 the Board of Aldermen ordered that a Betterment Assessment in the amount of \$15,880 be levied against 391 Dedham Street. On February 7, 2007 we sent a letter to Mitchell Fischman, Richard Lipof and Cheryl Lappin indicating that we wished to file for an abatement. We heard nothing. On April 11, 2007, we sent a certified letter enclosing a copy of the first letter to the Board of Alderman requesting a response or some instruction as to how to proceed. We heard nothing. On July 2, I (Anne Sullivan) went to City Hall and spoke to the Clerk of the Board of Alderman who said "someone will contact you." No-one did. On August 3, 2007, I returned to City Hall and was told that the matter was docketed by the Finance Committee on August 13. We heard nothing. On November 19 I e-mailed Alderman Coletti asking when we might have some movement on this issue. He replied on November 22 by e-mail saying, "I will put it on the December 10, 2007 agenda for either action or referral to the new Board of Aldermen." He indicated that we should bring "any information you would like us to review when we take your request up in the committee" to City Hall by Friday, December 7.

At the meeting of the Public Facilities Committee on April 20, 2005 it was stated that property becomes more valuable as a result of a betterment. This belief was echoed by Mr. Bardon who was a strong proponent of the project. Therefore, one might reasonably expect to see an increase in the assessed value of one's home and to reasonably expect to benefit from that increase in value if and when the property is sold. It was with shock and alarm that I discovered the opposite to be true when I looked into the assessed values of the properties involved in this project. Common sense would suggest that after the betterment of Countryside Road, residents on that road (as well as Patten Circle and Mosley Road) would see an increase in assessed value and a subsequent benefit to the City in terms of tax revenue. After all, Countryside Road is a dead end street where traffic is limited, unlike Dedham Street that has become a super highway by comparison.

The following table shows what the assessed property values were on the properties included in the Countryside Road project in 2006, 2007 and 2008. The amount of the betterment assessment is listed in the first column followed by the property address. The next column shows the assessed value in 2006 (the first year after the project was completed) and the percent of increase/decrease in assessed value for 2007. The next column shows the percent of increase/decrease in assessed value for 2008 followed by the actual assessed value for 2008. The figures were taken from the City of Newton Assessment Database.

#93-06(2)

Betterment Assessment	Address	2006 Assessed Value	% Increase/ Decrease	2007 Assessed Value	% Increase/ Decrease	2008 Assessed Value	Total Increase/ Decrease in Assessed Value 2007 to 2008
\$13,828	11 Countryside Road	\$1,737,900	3%	\$1,790,000	-2%	\$1,752,600	-\$37,400
\$8,166	62 Rachel Road*	\$913,900	73%	\$1,580,200	-1%	\$1,566,400	-\$13,800
\$24,333	73 Countryside Road*	\$964,400	3%	\$993,300	40%	\$1,387,500	\$394,200
\$13,828	83 Countryside Road	\$1,381,600	3%	\$1,423,000	1%	\$1,438,300	\$15,300
\$13,828	95 Countryside Road	\$1,168,300	3%	\$1,203,300	-4%	\$1,160,200	-\$43,100
\$13,917	105 Countryside Road	\$1,270,000	3%	\$1,308,100	1%	\$1,316,500	\$8,400
\$19,083	125 Countryside Road	\$1,116,300	3%	\$1,149,800	-3%	\$1,113,400	-\$36,400
\$19,456	141 Countryside Road	\$1,324,100	5%	\$1,395,500	2%	\$1,421,300	\$25,800
\$18,833	159 Countryside Road	\$2,103,500	3%	\$2,166,600	-2%	\$2,116,100	-\$50,500
\$16,739	175 Countryside Road	\$2,001,700	3%	\$2,061,800	-7%	\$1,913,700	-\$148,100
\$13,828	185 Countryside Road	\$1,324,100	12%	\$1,478,400	1%	\$1,490,400	\$12,000
\$18,605	197 Countryside Road	\$1,136,100	3%	\$1,170,200	-2%	\$1,148,500	-\$21,700
\$30,368	170 Countryside Road	\$1,601,100	3%	\$1,649,100	-8%	\$1,517,800	-\$131,300
\$16,992	150 Countryside Road	\$1,309,100	3%	\$1,348,400	-3%	\$1,314,600	-\$33,800
\$13,828	140 Countryside Road	\$1,147,800	3%	\$1,182,200	-0.4%	\$1,176,900	-\$5,300
\$13,828	130 Countryside Road	\$1,797,700	3%	\$1,851,600	-4%	\$1,784,600	-\$67,000
\$25,213	110 Countryside Road	\$1,438,800	3%	\$1,482,000	-5%	\$1,409,100	-\$72,900
\$22,377	7 Patten Circle	\$1,066,100	3%	\$1,098,100	-4%	\$1,052,800	-\$45,300
\$15,606	19 Patten Circle	\$1,225,100	3%	\$1,261,900	0.2%	\$1,264,300	\$2,400
\$15,211	20 Patten Circle	\$1,295,100	3%	\$1,334,000	-6%	\$1,249,500	-\$84,500
\$21,535	10 Patten Circle	\$1,681,600	3%	\$1,732,000	-1%	\$1,710,800	-\$21,200
\$16,032	70 Countryside Road	\$942,000	3%	\$970,300	-2%	\$948,000	-\$22,300
\$12,185	50 Countryside Road*	\$1,066,600	3%	\$1,098,600	13%	\$1,241,800	\$143,200
\$13,828	44 Countryside Road	\$1,073,000	4%	\$1,116,600	-3%	\$1,085,200	-\$31,400
\$13,828	32 Countryside Road	\$1,476,500	3%	\$1,520,800	-2%	\$1,487,900	-\$32,900
\$15,880	391 Dedham Street	\$1,057,100	3%	\$1,088,800	4%	\$1,135,500	\$46,700
\$2,690	373 Dedham Street	\$971,400	3%	\$1,000,500	10%	\$1,104,600	\$104,100
\$19,668	17 Countryside Road	\$1,411,700	3%	\$1,454,100	-5%	\$1,374,500	-\$79,600
\$15,285	39 Countryside Road*	\$1,412,300	23%	\$1,737,100	-1%	\$1,724,000	-\$13,100
\$21,104	53 Countryside Road	\$1,125,100	3%	\$1,158,900	-5%	\$1,105,900	-\$53,000
\$13,889	11 Mosley Road	\$1,740,400	3%	\$1,792,600	-11%	\$1,601,000	-\$191,600
\$8,100	46 Rachel Road	\$1,523,900	3%	\$1,569,600	-1%	\$1,546,700	-\$22,900
\$521,891							-\$507,000

*Renovated

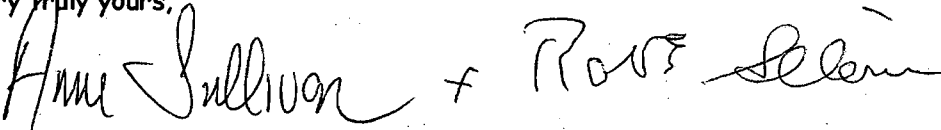
We do not know what to make of this information. Neither our property nor that of the Semonians has been bettered by the construction on Countryside Road, Mosley Road and Patten Circle and our assessed values have increased 10 and 4% respectively. Most of the residents on the three roads that were improved and bettered have seen the assessed values of their homes (with the exception of those who had made substantial renovations) decrease anywhere from .4 to 11%. It is apparent that in Newton the criteria for what

#93-05(2)

makes a property more valuable has very little to do with whether or not there is a public road with paved sidewalks abutting it.

We request both a total abatement of the \$15,880 that has been assessed against us for this "betterment" and an explanation of how values were determined on the properties listed on the chart above.

Very truly yours,


Anne and Robert Sullivan

cc Leon and Marion Semonian

#93-06(2)
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 voted-----.

#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.

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

(SGD) DAVID A. OLSON
City Clerk

#29-06
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 voted-----.

#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.

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

(SGD) DAVID A. OLSON
City Clerk

#209-05
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 voted-----.

#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.

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

(SGD) DAVID A. OLSON
City Clerk

DRAFT 6-3-04

CITY OF NEWTON
IN BOARD OF ALDERMEN

ORDINANCE NO. -

September 2004

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

That Section 20-21 of the Revised Ordinances of 2001 be and are hereby further amended as follows:

Add the following enforcing persons and Conservation Commission ordinances and regulations to be enforced by civil fine:

(f) CONSERVATION COMMISSION: The city's environmental planner or city employee assigned the duty of staffing the conservation commission and/or the director of the department of planning and development and/or his or her designee shall be authorized to issue written notice of the following violations:

	<u>Penalty</u>
() Warning (Ticket to note violation)	\$0.00

CITY ORDINANCES

() Any offense of Sec. 22-22(b) through (e) Floodplain/watershed protection provisions	\$300.00
--	----------

() Failure to comply with an Enforcement Order issued pursuant to Sec. 22-22(b) through (e)	\$300.00
---	----------

CONSERVATION COMMISSION REGULATIONS

() Any offense of Reg., Naturally Occurring Banks] [310 CMR 10.54]	\$100.00
--	----------

() Any offense of Reg., Bordering Vegetated Wetland (Wet Meadows, Marshes, Swamps and Bogs [310 CMR 10.55]	\$100.00
--	----------

() Any offense of Reg., Land Under Waterbodies & Waterways	
---	--

(Under any Creek, River, Stream, Pond or Lake)
[310 CMR 10.56]\$100.00

() Any offense of Reg., Land Subject to Flooding
(Bordering and Isolated Areas)
[310 CMR 10.57]\$100.00

() Any offense of Reg., Riverfront Area
[310 CMR 10.58]\$100.00

() Any offense of Reg. Wetlands Protection Act
[M.G.L. c.131, Section 40A].....\$100.00

() Filling, dredging or altering any floodplain or wetland
resource area or 100 foot Buffer Zone without permission\$100.00

() Failure to complete a permitted project in accordance with
a Determination of Applicability or Order of Conditions.....\$100.00

() Failure to comply with an Enforcement Order\$100.00

#168-02

REFERRED TO ZONING & PLANNING & 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.

ACTION: APPROVED 6-0

NOTE: Environmental Planner Martha Horn distributed samples of the enforcement letters that she sends out to violators of Conservation Commission Ordinances and Measures. In most cases, they result in compliance. However, in a few egregious cases, violators do not respond to the letters, leaving her with the task of seeking enforcement in court. Courts generally are not particularly concerned about such violations. The Commission believes that the ability to impose fines via tickets will bring more violators into compliance. The Committee voted unanimously to approve the tickets for the stipulated offenses.

REFERRED TO PUBLIC FACILITIES AND 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.

APPROVED 6-0

NOTE:

This item was discussed on June 19, 2002 and held by the Committee. Ald. Yates docketed this item because he feels that if the water/sewer discount rate is tied to various federal and state aid programs more people will benefit. People who are part of the programs would be in need of the discount if they owned their own home. More people would be eligible for the discount and there would be very little administrative burden to the City. Currently, there are only a few ways to obtain a discount and for the most part, you must be 65 or older to qualify.

Commissioner Rooney stated that there are approximately 500 out of 25,000 households that currently get the water/sewer discount. The implementation of Ald. Yates docket item would have minimum impact on the water/sewer rates.

The Chair stated that she has no problem supporting this item, as it has become so expensive to live in this City and for those people who qualify any help and support the City can give them is important. The small number of people who qualify are not going to create a major shift in the rates and as they are already involved in a program it is not going to create major administrative costs.

Ald. Stewart asked what the discount would be. Ms. Griffey responded that the discount is 30%. He asked what are the current qualifiers to be eligible for the discount. Ms. Griffey explained that the discount is piggybacked on four different tax exemption and deferral programs. If a person applies and qualifies for certain tax exemption and/or deferral programs, they are eligible for the water/sewer discount. Also, a person who applies for a water/sewer discount program qualifies if they meet the following criteria: 1) must be over 65 years of age as of July 1, 2004 2) must have primary residence in Massachusetts for ten years and owned property in the state for five years and must have occupied property as of July 1, 2004 and must have a total income of less than \$40,000 per year. The Assessing Department makes the determination of eligibility and notifies the Utilities Division.

The Committee discussed how the program will be administered and how people will find out about the new discount program. Ald. Yates stated that some of the qualifying programs are already administered by the City and that there would need to be press releases. The program will be administered in the same way that the current water/sewer discount is handled. The ordinance amendment will spell out that the applicant needs to provide the City with documented proof that they receive aid from any of the programs included in the item.

The Law Department will need to draft language for the ordinance amendment but the Committee felt that it was important to approve the item, as the water/sewer

55-02

PUBLIC FACILITIES COMMITTEE REPORT

WEDNESDAY, JUNE 16, 2004

PAGE 5

rates are to be discussed next week. The Finance Committee still needs to discuss the item. Ald. Yates moved approval unanimously.

#55-02

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 following item-----.

#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.

(SGD) DAVID A. OLSON
City Clerk