

CITY OF NEWTON

IN BOARD OF ALDERMEN

FINANCE COMMITTEE REPORT

MONDAY, FEBRUARY 11, 2008

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

Also Present: David Wilkinson (Comptroller), Arthur Cabral (Budget & Project Specialist, Public Buildings), Susan Burstein (Chief Budget Officer), Jeff Sacks (Community Preservation Committee), Alice Ingerson (Community Preservation Planner), Kevin McCormack (Community Living Network)

FIRST CALL ITEMS (ATTACHED REPORT FROM COMPTROLLER):

#9-08 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$8,650 from Budget Reserve for the purpose of supplementing the heating oil budget in the Department of Senior Services. [01-02-08 @ 4:53 P.M.]

ACTION: **APPROVED 5-0**

REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES

#10-08 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$73,000 from Budget Reserve for the purpose of supplementing the transportation budget in the Department of Senior Services for FY08. [01-02-08 @ 4:53 P.M.]

PROG. & SERV. APPROVED 5-0-1 (Ald. Freedman abstaining; Ald. Baker not voting) on 1/23/08

ACTION: **APPROVED 5-0**

#51-08 COMPTROLLER, in accordance with MGL Ch.30B, Sec.12, requesting authorization for the City to solicit competitive proposals for three and five year terms for actuarial valuation services for the contributory retirement system, workers' compensation and post-employment health liabilities. [01-03-08 @ 12:23 PM]

ACTION: **APPROVED 5-0**

#52-08 COMMUNITY PRESERVATION COMMITTEE recommending that the sum of \$58,861.68 be appropriated from the Community Preservation Fund's general reserve, to pay for issuance costs incurred in November of 2007 and interest due in May, 2008 for bonds used to finance the acquisition of 20 Rogers Street as land for recreational use. [01-25-08 @ 10:58 AM]

ACTION: **APPROVED 5-0**

#53-08 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$4,000 from Budget Reserve for the purpose of supplementing the advertising budget for the Clerk of the Board FY08 budget. [01-29-08 @ 6:12 PM]

ACTION: **APPROVED 5-0**

#56-08 HIS HONOR THE MAYOR requesting acceptance of and authorization to expend the sum of \$46,100, received as grant funds from the American Library Association and the FINRA Investor Education Foundation. Said grant funds are to be used over the next two years to serve the investor education needs of library patrons. [01-29-08 @ 6:12 PM]

ACTION: **APPROVED 5-0**

NOTE: The above listed items were contained in the attached First Call Items Report, prepared by the Comptroller. The Committee, after reviewing said report, along with all submitted backup information, voted, without debate, to approve all of these items 5-0.

#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.

ACTION: **HELD 5-0**

NOTE: The petitioners were present this evening. The Committee reviewed the details contained in the letter that was filed by the petitioners (which was attached to this evening's agenda). Mrs. Sullivan informed the Committee that when they bought their home in 1973, they were under the impression that Countryside Road was already a public way (as the City had been plowing the road and making trash pick-ups over the years with no additional cost for those services). Mrs. Sullivan gave the Committee the impression that she "was not notified of the original hearing (at which the request for laying out, grading and acceptance of Countryside Road). She also voiced her concern that it has taken an unreasonably long time for this request to be heard in Committee.

Mrs. Sullivan went on to explain that they are filing for abatement of this betterment assessment because they feel that their property has not been bettered by the completion of the project (as their driveway and walkway access to the home is located on Dedham Street, and they do not drive on Countryside Road because it is a dead end). She also voiced her concern that the original sidewalks were made of asphalt but, because the majority of the abutters on Countryside Road agreed, concrete sidewalks were installed (which significantly raised the cost of the betterment). She asked that the Committee carefully consider how the current ordinance affects owners (like the Sullivans) who may live on a corner lot that may not necessarily see a full benefit from such a costly project.

Ald. Gentile apologized for the delay thusfar, but also indicated that this first meeting demonstrates that the Committee is taking her request seriously, but the fact of the matter is that the Committee is looking for further information from the Law Department (in terms of what the options are, legally), and the Assessor's office (in terms of the actual property value and how this project has affected this property and other abutters).

Ald. Lennon explained the circumstances surrounding a similar betterment abatement request on Silver Lake Avenue (whereby a business owner was assessed a rather large betterment for a project that did not provide his business with any new advantage; the project didn't even include installation of sidewalks). He stated that he did vote in favor of that abatement, but the fact that this issue has to do with a residential property where sidewalks were in fact installed causes him to ponder whether or not he would support the petition.

Ald. Schnipper stated that she believed this item should be held this evening in order to allow the Committee the opportunity to seek further guidance from the Assessor's office and the Law Department, in terms of what the options would be. She also stated that she would like to check with the Public Facilities Committee Clerk as to why the Sullivans were not notified of the initial hearing. Ald. Schnipper also thought it was important, since Ald. Coletti had been in contact with the Sullivans regarding this request, it would be a good idea to hold this item until such time as Ald. Coletti can be in attendance to participate in this discussion.

Mrs. Sullivan thanked the Committee for its consideration of this request. She urged Committee members to truly take a good look at the circumstances surrounding this particular project and not to vote to deny the item "simply because that is what has been practice". She urged the Committee to take a really close look at the existing ordinance and the formulas that are used to calculate the amount of betterments as well as property values.

The Committee voted 5-0 to hold this item until such time as responses can be obtained from the Law Department and the Assessors office.

Clerk's note: In the file (#93-06) for the original petition for laying out, grading and acceptance of Countryside Road, Mr. and Mrs. Sullivan's names appear on the abutters' list, and they were also in attendance at the Public Facilities hearing (they also submitted a letter in opposition to the project at that hearing).

#22-08 PRES. BAKER, ALD. LENNON AND COLETTI, pursuant to Sec. 2-7 of the City Charter, recommending re-appointment of David C. Wilkinson as Comptroller of Accounts; said term will be two years or until a successor is duly qualified. [01-15-08 @11:00 AM]

ACTION: **APPROVED 5-0**

NOTE: Ald. Lennon indicated his support for the re-appointment of David Wilkinson as the Comptroller of Accounts. He made specific reference to the fact that David has been very thorough in his preparation of reports and statements, particularly as they relate to the Financial Audit Subcommittee and the Comprehensive Annual Financial Report.

Ald. Schnipper wished to publicly thank Mr. Wilkinson for all that he has done for the City and the Board of Aldermen in particular. She referred to the fact that the Board members are quite comfortable in consulting David for advice, especially during the difficult financial challenges that the City is facing and will continue to face over the next several years.

David gave a brief overview of what is going on in his Department and where the focuses there lie. He stated that there are major focuses in the area of documenting procedures and controls. He informed the Committee that full accountability is key, and there should be detailed testing of documenting procedures and controls.

Committee members all agreed that they fully appreciate David's professionalism, accuracy and non-biased performance of such a vital function for the City.

The Committee voted 5-0 to approve David's re-appointment.

#27-08 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$14,574 from Budget Reserve for the purpose of repairing the Building Department bucket truck. [01-15-08 @ 5:19 PM]

ACTION: **APPROVED 5-0**

NOTE: The Committee was joined this evening by Arthur Cabral, Budget and Project Specialist for the Public Buildings Department. He explained that the truck in question services exterior building lights and flag poles, air conditioner installations on high floors of municipal buildings, and holiday lighting at City Hall. He explained that, when the truck was brought in for routine repairs, it was discovered that there was damage to the frame of the truck; this type of repair is more costly than what the Department operating budget will cover.

He explained that, while someone had asked if it would be more economical to purchase a bucket truck at auction, the repairs of the existing truck are necessary at this time. He stated that he did have the chance to check on possible auction purchase of a used truck with Ron Mahan, but he was told that these trucks do not come along often, and the cost for purchase would be approximately \$50,000. He also explained that the Department

would want to keep this type of truck at its disposal because, now that the Fire Department is taking care of wires and street lights, the opportunities to borrow a bucket truck to perform Buildings Department functions are difficult to come by. He also informed the Committee that there is a request to replace this 1989 truck (in the CIP) in the future.

Ald. Lennon asked about maintenance of flag poles and whether this truck could be utilized to paint flag poles throughout the City.

Committee members agreed that flag pole maintenance should be more carefully monitored and performed.

Ultimately, the Committee saw the need to keep this piece of equipment in safe working order for the needs of the Department, and voted 5-0 to approve this request.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#35-08 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$143,932 from Budget Reserve for the purpose of supplementing the FY08 Building Department budget, to cover the cost of unanticipated repairs. [01-15-08 @5:19 PM]

PUBLIC FACILITIES APPROVED 7-0 ON 1/23/08

ACTION: APPROVED 5-0

NOTE: Mr. Cabral reviewed the list of projects that were necessary to be performed by the Public Buildings department. These were projects that were unanticipated and not budgeted for within the FY08 operating budget (please see attached list and refer to the Public Facilities Committee report of 1/23 for specific details).

It was understood that the projects covered by this appropriation were not admitting of delay, and the Committee voted 5-0 to approve this request to restore funds to the Public Buildings FY08 operating budget, in agreement with the support of the Public Facilities Committee..

REFERRED TO PUB. SAFETY/TRANS. AND FINANCE COMMITTEES

#59-08 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$450,000 from bonded indebtedness for the purpose of purchasing a fire engine for the Fire Department; said purchase will allow the Department to place in reserve a first line pumper. [01-29-08 @ 6:12 PM]

PS&T APPROVED 6-0 ON 2/6/08

ACTION: APPROVED 4-0 (Ald. Schnipper not voting)

REFERRED TO PUBLIC SAFETY/TRANS. AND FINANCE COMMITTEES

#59-08 (2) **HIS HONOR THE MAYOR**, pursuant to Sec.2-9 of the Newton City Charter, declaring the purchase of a new fire engine for the Fire Department as an *emergency measure*, necessary to protect the health and safety of the people and property of the City of Newton. [01-29-08 @ 6:12 PM]

PS&T APPROVED 6-0 ON 2/6/08

ACTION: APPROVED 4-0 (Ald. Schnipper not voting)

NOTE: Fire Chief LaCroix was invited to attend this evening's meeting. However, he was not in attendance. Committee members were concerned because it was understood that this purchase was emergency in nature. The Committee was willing to vote on these items with the understanding that there would be a response from Chief LaCroix prior to the Full Board meeting on 2-19.

Therefore, the Committee voted 4-0, with Ald. Schnipper not voting, to approve each of these two items.

Clerk's note: Please refer to attached correspondence from Chief LaCroix, received on 2/15 regarding his inability to attend this evening's meeting. Also, please refer to Public Safety/Transportation Committee report of 2/6 for details regarding the purchase of this new engine.

REFERRED TO CMTE. ON COMM. PRES. AND FINANCE COMMITTEES

#399-07 **COMMUNITY PRESERVATION COMMITTEE** requesting the sum of \$26,000 be reallocated from the potential subsidies for accessory apartments to program administration for the Accessory Apartment Incentive Program. The Board originally appropriated \$320,550 for this program via Board Order #466-05 on March 6, 2006. No new appropriation is requested. This reallocation will allow the program to run for an additional year beyond its original expiration date of December 31, 2007, offering homeowners slightly modified terms as outlined in the CPC's revised recommendation to the Board. [12-07-07 @ 2:19 PM]

CMTE.ON COMM.PRES. APPROVED 7-0-1 (Ald. Sangiolo abstaining) on 1/29/08

ACTION: APPROVED 4-0-1 (Ald. Gentile abstaining)

NOTE: On 1/29/08, the Committee on Community Preservation discussed and approved this item. Please refer to that report for specific details regarding the request. The Committee was joined this evening by Alice Ingerson, CPA Planner, Kevin McCormack (Community Living Network), and Jeff Sacks (from the CPC). They explained that the purpose of this item is to re-structure the existing program (that was previously approved using CPA funds). The majority of this appropriation re-allocation

is to cover administrative costs for the operation of the incentive program (CLN and Newton Housing Authority).

It is hoped that this re-structuring of the program will provide success for this program and make more affordable housing available to people in Newton.

Ultimately, the Committee voted 4-0-1, with Ald. Gentile abstaining, to approve this request. Ald. Gentile expressed reservations of supporting an item to continue to fund a program that is not functioning as it was designed to work, and has, to date, been unsuccessful; this was his reason for abstaining from voting this evening.

#25-08 ALD. COLETTI requesting discussion regarding Comptroller's report identifying over \$8.5 million surplus in the Tufts Health Trust Fund and the Mayor's plan to institute a Health Insurance Holiday for City Employees. [01-15-08 @ 11:15 a.m.]

ACTION: **HELD 4-0 (Ald. Schnipper not voting)**

NOTE: This item will require further discussion, particularly in light of the fact that Ald. Coletti was not able to attend this evening's meeting. Therefore, the Committee voted 4-0, with Ald. Schnipper not voting, to hold the item for discussion at a future meeting.

All other items were held. The Committee adjourned at approximately 9:45 p.m.

Respectfully Submitted,

Leonard J. Gentile, Vice-Chairman