

CITY OF NEWTON

IN BOARD OF ALDERMEN

FINANCE COMMITTEE AGENDA

MONDAY, MARCH 10, 2008

7:45 p.m.
Room 222

ITEMS TO BE DISCUSSED:

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#382-07 BOARD OF LICENSE COMMISSIONERS requesting that Sec.17-11(2) of the Revised Ordinances be amended to increase the fee for Common Victualler License from \$50 to \$100, effective January 1, 2008. [11-06-07 @ 11:17 A.M.]
PROG. & SERV. APPROVED 6-0 ON 1/9/08

#83-08 HIS HONOR THE MAYOR requesting that the sum of \$8,800 be transferred within the Comptroller Department FY08 operating budget in order to provide funding for an extraordinary and unforeseen obligation related to federal grant auditing services that were necessary to complete the fiscal year 2007 audit:
FROM: Comptroller's Offices Personal Svcs.
(0110401-511001).....\$8,800
TO: Comptroller's Office Expenses
(0110401-530201).....\$8,800
[02-12-08 @ 6:19 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#90-08 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$675,000 from Free Cash in order to supplement funding in the snow and ice control accounts for the Public Works Department. Any funds unspent will not be transferred to other accounts. [02-12-08 @ 6:20 PM]
PUBLIC FACILITIES APPROVED 8-0 ON 2/20/08

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#60-08 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$600,000 from bonded indebtedness for the purpose of purchasing heavy equipment and heavy duty trucks for the Department of Public Works. [01-29-08 @ 6:12 PM]
PUBLIC FACILITIES APPROVED 8-0 ON 2/6/08

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #36-08 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$367,500 from Free Cash for the purpose of replacing two underground gasoline tanks at the Elliot Street DPW Yard. [01-15-08 @ 5:19 PM]
PUBLIC FACILITIES APPROVAL FAILED TO CARRY 3-3-2 (Lennon, Mansfield Salvucci opposed; Gentile and Yates abstaining) ON 03/05/08
PUBLIC FACILITIES APPROVED ABOVE GROUND TANKS 4-0-4 (Albright, Gentile, Schnipper and Yates abstaining) ON 03/05/08

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #144-07(2) HIS HONOR THE MAYOR requesting a supplemental appropriation in the amount of \$111,805 from the capital stabilization fund to increase the original appropriation (Board Order #144-07, approved on 5/21/07) for replacement of **one** boiler at the Carr School building in order to cover the cost of **both** boilers at this location, since the City has received a favorable bid to combine the two replacements. [02-12-08 @ 6:20 PM]
PUBLIC FACILITIES APPROVED 8-0 ON 3/5/08

RECOMMENDED TO COMMITTEE ON COMM. PRES AND FINANCE ON 2/19/08:**REFERRED TO PROG. & SERV., CMTE. ON COMM. PRES. AND FINANCE**

- #360-07 COMMUNITY PRESERVATION COMMITTEE recommending that the sum of \$1,400,000 (and \$500,000) be appropriated, by issuance of ten-year bonds, from the Community Preservation Fund for purposes of acquiring title to 230 Lake Avenue by purchase, for public use as recreational land and open space. [10-26-07 @ 1:36 P.M.]
Programs & Services Approved 2-1-3 (Coletti opposed; Hess-Mahan, Merrill, Sangiolo abstaining) on 11/27/07
Committee on Community Preservation Approved 1-0-6 (Parker in favor; Lappin not voting) on 11/27/07
Finance motion to Approve Failed to Carry 2-4-2 (Coletti, Lennon, Salvucci, Gentile opposed; Johnson & Schnipper abstaining) on 1/14/08;
NOTE: \$500,000 has been added to this item per the Mayor and the Community Preservation Committee's recommendation

- #84-08 HIS HONOR THE MAYOR requesting authorization to file an application with the Commonwealth of Massachusetts Municipal Finance Oversight Board (MFOB) to qualify under Chapter 44A of the General Laws any and all bonds or notes of the City authorized to pay costs related to the Newton North High School project. Such authorization would allow the City to sell bonds for Newton North High School for up to 30 years in duration. [02-12-08 @ 7:06 PM]

ITEMS NOT YET SCHEDULED FOR DISCUSSION:**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

- #29-08 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$100,000 from Budget Reserve for the purpose of supplementing the law Department legal assistance account for legal services for collective bargaining, labor disputes and arbitrations. [01-15-08 @ 5:20 PM]

Appointment by His Honor the Mayor

- #106-08 THOMAS RILEY, 66 Berkeley Street, appointed as a Lifetime Trustee of the Chaffin Fund/Fig Newton Scholarship replacing Stephen Buchbinder. [02-15-08 @ 10:55 AM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #107-08 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$40,000 from Free Cash to the Parks and Recreation Department for the purpose of funding removal of trees that have been identified as hazardous. [02-26-08 @ 6:10 PM]

REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES

- #86-08 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$21,214 from Wage Reserve to the Library salaries account to fund a full-time Web Specialist position (money was set aside in the Wage Reserve fund for funding of this position during FY08 budget review). [02-12-08 @ 6:20 PM]

REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES

- #87-08 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$158,344 from Free Cash in order to supplement funding in the snow and ice control accounts for the Parks and Recreation Department. Any funds unspent will not be transferred to other accounts. [02-12-08 @ 6:20 PM]

JOINT COMMITTEE PUBLIC HEARING ASSIGNED FOR 3/12/08:**REFERRED TO PROG&SERV, PUB FACILITIES & FINANCE COMMITTEES**

- #85-08 DANIEL PROSKAUER et al. filing on February 7, 2008 a group petition pursuant to Section 10-2 of the City Charter for a public hearing regarding the cost of construction of Newton North High School, specifically requesting the Board of Aldermen to establish a Guaranteed Maximum Price for the said project prior to the installation of foundations of the said school; and establish a maximum cost of construction of the said project that, in the opinion of the honorable Aldermen, the City can afford without sacrificing the repair and construction of other public buildings. ***NB: Board action shall be taken not later than three months from the date the petition was filed.***

REFERRED TO PROG. & SERV., AND FINANCE COMMITTEES

- #88-08 ALD. BRANDEL, SANGIOLO AND PARKER proposing that the following question be put before Newton voters in accordance with the procedure prescribed by G.L. c. 59 §21C(g):
 “Shall the City of Newton be allowed to assess an additional Ten Million Dollars in real estate and property tax for the purpose of funding operational expenses?”
 [02-12-08 @ 11:13 AM]

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]

REFERRED TO PROG. & SERV. AND FINANCE COMMITTEES

- #88-08(2) ALD. BRANDEL, SANGIOLO AND PARKER proposing that the following question be put before 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 certain capital projects?”
 [02-12-08 @ 11:13 AM]
- #23-08 ALD. COLETTI requesting that a modified financing plan totaling \$185 million be developed and submitted to the Finance Committee within six (6) weeks of January 14, 2008. [01-15-08 @ 11:15 AM]
- #24-08 ALD. COLETTI requesting an update of the Mayor’s proposal for an override ballot question prior to submittal of the proposed FY09 Operating Budget to the Board of Aldermen for review. [01-15-08 @ 11:15 AM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #23-08(2) ALD. COLETTI requesting that a non-binding ballot question regarding the city’s expenditure of over \$185 million in bond appropriations to construct a new Newton North High School be placed on the proposed override ballot for voter reaction in Spring of 2008. [01-15-08 @ 11:15 AM]
PROG. & SERV. HELD 7-0 ON 2/6/08

REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES

#57-08 HIS HONOR THE MAYOR requesting to present the following levy limit override ballot question to the voters in accordance with the procedure prescribed by G.L. c. 59 §21C(g):

Shall the City of Newton be allowed to assess an additional \$23,900,000 in real estate and personal property taxes for the purpose of funding operating expenses for the Public Schools and the Municipal Government for the fiscal year beginning July 1, 2008. . [01-29-08 @ 6:12]

PROG. & SERV. HELD 7-0 ON 2/6/08

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#60-08 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$600,000 from bonded indebtedness for the purpose of purchasing heavy equipment and heavy duty trucks for the Department of Public Works. [01-29-08 @ 6:12 PM]

PUBLIC FACILITIES APPROVED 8-0 ON 2/6/08

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#36-08 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$367,500 from Free Cash for the purpose of replacing two underground gasoline tanks at the Elliot Street DPW Yard. [01-15-08 @ 5:19 PM]

PUBLIC FACILITIES APPROVAL FAILED TO CARRY 3-3-2 (Lennon, Mansfield Salvucci opposed; Gentile and Yates abstaining) ON 03/05/08

PUBLIC FACILITIES APPROVED ABOVE GROUND TANKS 4-0-4 (Albright, Gentile, Schnipper and Yates abstaining) ON 03/05/08

REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES

#58-08 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$88,000 from Budget Reserve for the purpose of funding the costs of a special election to present the levy limit override ballot question to the voters. [01-29-08 @ 6:12]

PROG. & SERV. HELD 7-0 ON 2/6/08

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

#55-08 ALD. SANGIOLO, HARNEY AND PARKER proposing that the Board of Aldermen request the assistance of the Massachusetts School Building Authority (MSBA) and State Treasurer Tim Cahill in managing the Newton North High School construction project, including assistance with controlling project costs. [01-22-08 @ 11:05 PM]

REFERRED TO PROG & SERV, PUB FAC AND FINANCE COMMITTEES

#54-08(2) PUBLIC FACILITIES COMMITTEE offering a RESOLUTION to His Honor the Mayor requesting he provide to the Board of Aldermen at the earliest possible time the financing plan for a confirmed guaranteed maximum price in order to preserve cost-saving options.

PUBLIC FACILITIES APPROVED 8-0 ON 2/20/08

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

- #54-08 ALD. MANSFIELD, JOHNSON, HARNEY, SANGIOLO, PARKER, SWISTON AND FREEDMAN, offering a RESOLUTION to His Honor the Mayor that the concrete foundations for the new Newton North High School not be installed until (1) the Mayor has submitted to the Board of Aldermen and the Board has approved a financing plan for a confirmed Guaranteed Maximum Price; and (2) the Mayor has requested and received from the Massachusetts State Treasurer a review of the project's plans, including the financing plan, and said review has been submitted to the Board of Aldermen. [01-29-08 @ 7:01 PM]
PROG. & SERV. APPROVED 5-1-1 (Baker opposed; Hess-Mahan abstaining) on 2/6/08
PUBLIC FACILITIES NO ACTION NECESSARY 8-0 on 2/20/08

REFERRED TO PROG & SERV, PUB FAC AND FINANCE COMMITTEES

- #54-08(3) PUBLIC FACILITIES COMMITTEE offering a RESOLUTION to His Honor the Mayor requesting that he request and receive from the State Treasurer a review of the project plans and a review of the project's finance plan and submit said reviews to the Board of Aldermen in order to preserve cost-saving options.
PUBLIC FACILITIES APPROVED 5-3 (Gentile, Salvucci, Schnipper opposed)

REFERRED TO PUBLIC 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]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

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

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #32-08 ALD. COLETTI requesting discussion of Architect Services Contract and additional \$8 million revision to the Dorr Whittier Contract for additional services. [01-15-08 @ 11:14 a.m.]

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.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #33-08 ALD. COLETTI requesting review of the scope of work and performance of Turner Construction and review of proposed 18-month extension of the Turner Construction contract. Included in discussion will be the process for review of future invoices of Dimeo and other vendor invoices by Turner. [01-15-08 @ 11:14 AM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #34-08 ALD. COLETTI requesting that His Honor the Mayor immediately provide the latest "estimate" of the minimum price as per the Dimeo and Turner companies (for the Newton North High School Construction Project) to the Board of Aldermen with a date certain for the filing of a supplemental funding request. [01-15-08 @ 11:14AM]

REFERRED TO ZONING & PLANNING AND FINANCE COMMITTEES

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

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.

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 6/16/04

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

REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES

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

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

- #453-05 HIS HONOR THE MAYOR requesting that the sum of \$150,000 be appropriated from bonded indebtedness for the purpose of funding a space needs study for the elementary schools throughout the City.
PROG. & SERV. APPROVED 4-0-1 (Sangiolo abstaining; Baker not voting) ON 3/22/06

REFERRED TO PUB. SAFETY/TRANS. AND FINANCE COMMITTEES

- #455-05 HIS HONOR THE MAYOR requesting an appropriation in the amount of
(21-05.2) \$6,000 from the Riverside Traffic Mitigation Fund for the purpose of funding the installation of a radar-controlled speed limit sign at the intersection of Concord and Grove Streets. (#65-05)

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

- #23-06 ALD PARKER AND LINSKY requesting that the City adopt §19 of MGL Chapter 32B to allow retiree coalition bargaining of health care benefits
Programs & Services voted NO ACTION NECESSARY 4-0-2 (Parker, Merrill abstaining; Sangiolo not voting) on 3/8/06.
FINANCE NO ACTION NECESSARY 5-0-3 (Lennon, Linsky and Parker abstaining) ON 2/12/07
- #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.)

REFERRED TO FINANCE AND PROGRAMS & SERVICES 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.

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.
- #91-06 COMPTROLLER providing interim reports on the financial condition of various City funds and account groups.

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.

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

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

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

ITEM RECOMMITTED TO PUB. FACIL & 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 3/7/07
FINANCE MOTION TO APPROVE FAILED TO CARRY 2-4-1 (Lennon, Salvucci, Gentile and Coletti opposed; Linsky abstaining) on 3-12-07**

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

#358-07 HIS HONOR THE MAYOR submitting the FY09-FY13 Capital Improvement Program pursuant to section 5-3 of the Newton City Charter which requires Board of Aldermen approval of a plan to finance \$194,907,647 of new local projects over the next several years:

SUMMARY

PUBLIC WORKS (CITY AND GRANT/FEE FUNDED)	\$ 67,632,500
PUBLIC SAFETY	\$ 6,230,535
PUBLIC BUILDINGS	\$ 16,772,295
SCHOOL DEPARTMENT	\$ 94,259,767
PARKS AND RECREATION	\$ 7,366,000
OTHER	\$ 2,646,546
TOTAL	\$194,907,647

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#11-08 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$1,200,000 from bonded indebtedness for the purpose of funding the installation of four modular classrooms. [01-02-08 @ 4:53 P.M.]

NOTE: Letter received from Mayor on 1/4/08 requesting that appropriation amount be amended to \$1.3 million.

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#359-07 HIS HONOR THE MAYOR requesting that the sum of \$50,000 be appropriated from Free Cash to conduct a study of the properties along Crystal Lake for the purpose of developing a Master Plan for the redevelopment of these city-owned properties. [10-30-07 @ 5:17 P.M.]

PROG. & SERV. APPROVED 4-2-1 (Johnson, Brandel opposed; Freedman abstaining) on 1/23/08

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

#383-07 THE COMMUNITY PRESERVATION COMMITTEE recommending that the sum of \$498,500 be appropriated from the FY08 Community Preservation Fund's community housing and general reserves for development and associated legal costs of a community housing project proposed at 29 Coyne Road, Waban, by CAN-DO (Citizens for Affordable Housing in Newton Development Organization). [11-13-07 @ 5:09 PM]

NOTE: This item was amended to \$576,000 for a three-unit community housing project.

CMTE.ON COMM.PRES. HELD 6-0 (Linsky not voting) on 2/26/08

Respectfully Submitted,

Paul E. Coletti, Chairman