



# Finance Committee Agenda

## City of Newton In City Council

Tuesday, October 10, 2023

The Finance Committee will hold this meeting as a virtual meeting on Tuesday, October 10, 2023, at 7:00 pm. To view this meeting using Zoom use this link: <https://newtonma.gov.zoom.us/j/89180711318> or call 1-646-558-8656 and use the following Meeting ID: 891 8071 1318

### Items scheduled for discussion:

- #306-23**      **Establish and Appropriate funds to an Operations Booster Stabilization Fund**  
HER HONOR THE MAYOR requesting authorization to Establish an “Operations Booster Stabilization Fund” to pay for a portion of the annual general fund appropriations for the City’s pension system; appropriate the sum of \$20,500,000 Overlay Surplus as declared by the City’s Board of Assessors to the Operations Booster Stabilization Fund; and transfer the sum of \$5,513,000 from Acct 01C10701-576300 Appellate tax Board Interest and Penalties Fund to the Operations Booster Stabilization Fund.  
**Finance Denied Motion to Approve Subject to Second Call 3-4-1 (Councilors Humphrey, Malakie, Oliver and Noel Opposed, Councilor Gentile Abstaining) on 9/11/2023**  
**City Council voted to recommit to the Finance Committee 22-2-2 (Councilors Grossman and Kalis opposed and Councilors Markiewicz and Norton Absent) on 09/18/2023**  
**Finance Held 5-2 (Councilors Grossman and Norton Opposed) on 09/28/23**
- #325-23**      **Request to transfer \$50,000 from Water Services Connections – Full Time Wages**  
HER HONOR THE MAYOR requesting authorization to transfer and expend the sum of fifty thousand dollars (\$50,000) from Acct # 60A40105-511002, Water Services Connections – Full-Time Wages, to Acct# 67A109D2-515201, Water Fund Employee – Workers Compensation, in order to settle Worker’s Compensation claim # WC003360.  
**Note: A motion for Executive Session may be entertained**

Respectfully submitted,

Rebecca Walker Grossman, Chair

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The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton’s ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: [jfairley@newtonma.gov](mailto:jfairley@newtonma.gov) or (617) 796-1253. The city’s TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

	Free Cash from FY18	Free Cash from FY19	Free Cash from FY20	Free Cash from FY21	Free Cash from FY22	Free Cash from FY23**
Revised Revenue Budget	\$ 394,361,438	\$ 412,457,674	\$ 429,629,606	\$ 436,050,274	\$ 463,823,290	\$ 478,981,145
Actual Revenues	\$ 404,965,063	\$ 424,438,459	\$ 435,779,981	\$ 447,324,111	\$ 493,466,882	\$ 499,323,238
Difference	\$ 10,603,625	\$ 11,980,785	\$ 6,150,375	\$ 11,273,837	\$ 29,643,592	\$ 20,342,093
Use of Fund Balance*	\$ 30,798,742	\$ 29,223,016	\$ 27,524,518	\$ 26,197,906	\$ 32,141,560	\$ 50,219,125
Revised Operating Budget	\$ 425,160,180	\$ 441,680,690	\$ 457,154,124	\$ 462,248,180	\$ 495,964,850	\$ 529,200,270
Actual Expenses	\$ 404,843,437	\$ 420,437,201	\$ 433,674,874	\$ 437,829,563	\$ 466,305,286	\$ 493,930,373
Encumbrances carried forward	\$ 17,714,513	\$ 18,773,007	\$ 17,729,941	\$ 19,121,129	\$ 26,642,603	\$ 30,274,964
Unobligated Balance	\$ 2,602,230	\$ 2,470,482	\$ 5,749,309	\$ 5,297,488	\$ 3,016,961	\$ 4,994,933
<b>Free Cash Certified for following 7/1</b>	<b>\$ 11,909,715</b>	<b>\$ 11,706,532</b>	<b>\$ 7,381,282</b>	<b>\$ 12,931,618</b>	<b>\$ 28,860,460</b>	<b>~\$22M estimate</b>
<b>DETAIL OF FIGURES OF NOTE:</b>						
City Turnback	\$ 2,601,881	\$ 2,468,955	\$ 5,748,833	\$ 5,297,252	\$ 3,016,841	\$ 4,994,705
School Turnback	\$ 349	\$ 1,527	\$ 476	\$ 236	\$ 120	\$ 228
Unobligated Balance Turned Back	\$ 2,602,230	\$ 2,470,482	\$ 5,749,309	\$ 5,297,488	\$ 3,016,961	\$ 4,994,933
City Revised Operating Budget	\$ 182,379,095	\$ 190,343,079	\$ 200,861,281	\$ 205,189,188	\$ 221,401,219	\$ 244,909,220
School Revised Operating Budget	\$ 219,850,596	\$ 231,383,410	\$ 238,065,689	\$ 244,455,563	\$ 254,508,285	\$ 261,552,696
Special Appropriations	\$ 22,930,489	\$ 19,954,201	\$ 18,227,154	\$ 12,603,429	\$ 20,055,346	\$ 22,738,354
Revised Operating Budget:	\$ 425,160,180	\$ 441,680,690	\$ 457,154,124	\$ 462,248,180	\$ 495,964,850	\$ 529,200,270

In FY22, we received \$29.6M over budgeted revenues. The main drivers were the Eversource/NStar personal property tax payment (\$7.2M personal property tax, \$4.6M interest) as well as other prior year tax payments coming in higher than normal. This brought our Property Taxes in at \$13.1M over budget and Interest and Penalties in at \$5.1M over budget. SPED Medicaid reimbursements came in about \$1.8M higher than budgeted. Licenses and Permits also had a record year and came in at \$4.2M over budgeted. There was also a \$2.1M payoff of a deferred Pilot program (unbudgeted), as well as a few other revenue sources coming in over budget, but also some categories under budget.

In FY23, we received about \$20.3M over budgeted revenues. The main drivers were \$8.4M in interest/investment income over budget as interest rates skyrocketed from the prior years' rates. We also received about \$5M more in Property Taxes over budget, as the result of prior year taxes being paid. Licenses and Permits had a another record year, exceeding the budgeted revenues by \$4.6M. Meals, Hotels and Cannabis taxes also came in \$1.7M over budgeted revenues.

Free Cash is determined by a multitude of things, but excess revenues and turned back money from the Operating budget are the key drivers. Accounts Receivable, Deferred Revenues, and cash deficits in other accounts (i.e. Grant accepted, meaning we can spend funds, but the City was not in receipt of that Cash at year end) also play a major roll in determining the Free Cash

\*Use of Fund Balance includes the use of Free Cash, Overlay Surplus and Fund Balance Reserved for Encumbrances carried forward to balance the Operating Budget. For example, FY19's Use of Fund Balance figure is a combination of the \$17.7M of encumbrances carried forward from FY18 plus \$11.4M used in Free Cash

\*\*FY23 Figures in RED will change as we work through the year end close process

**information**

Susan Albright <salbright@newtonma.gov>

Sat 8/19/2023 9:43 AM

To: Stephen Curley <scurley@newtonma.gov>

Cc: Rebecca Walker Grossman <rwgrossman@newtonma.gov>; Deborah J. Crossley <dcrossley@newtonma.gov>

Good morning Steve,

The Mayor's announcement of her new plan has stirred up a lot of interest in the budget again. There are two pieces of information that we really need. The first is with respect to ARPA, the second about free cash.

1.
  - a. How much of the ARPA money is left unboligated if any?
  - b. home much of the ARPA money is unspent?
  - c. How much of that unspent ARPA ,money is to projects that have not yet begun?
2. Free Cash
  - a. Are you able to provide us a spreadsheet of where the free cash came from? We know that the Mayor held out about 6 million from last year's free cash to drop to this year but what caused the rest of the free cash?I'm fairly certain that the Council will want to understand how we generated so much free cash.

Are you able to get us this information and by when?

Thanks for your help with this,  
Susan

Susan Albright, President  
Newton City Council  
Councilor-at-Large, Ward 2

**RE: information**

Stephen Curley <scurley@newtonma.gov>

Tue 8/22/2023 8:25 AM

To: Susan Albright <salbright@newtonma.gov>

Cc: Rebecca Walker Grossman <rwgrossman@newtonma.gov>; Deborah J. Crossley <dcrossley@newtonma.gov>

Hi Susan,

In FY20, we came in about \$6.1M over budgeted revenues. Current Year taxes actually came in under budget by \$2.2M, while prior year taxes collected \$4.5M, bringing property taxes in over budget by \$2.3M net. Motor Vehicle came in \$500K under budget, as well as Hotel and Meals combining for another \$500K under budget. Licenses and Permits came in about \$4.5M over budget as we saw a lot of work being done during the pandemic as people spent time at home. At that point, it was the highest licenses and permits we have likely ever been.

In FY21, we came in about \$11M over budgeted revenues. This was largely made up of old Property tax revenues and associated interest coming in at \$5.1M over budget, and \$800K more in Motor Vehicle than budgeted. We were above budget in Licenses and Permits by about \$2.1M, which the following year the Administration then budgeted the Permits to be higher than what came in in FY21, but as I mention below, they blew well past that increased budget figure. We were below budget in items like Hotel tax, Charges for Service, and fines by a combined \$1.5M as some items took longer to bounce back from Covid.

In FY22, we came in almost \$30M over budgeted revenues. We had the unique year of the NStar payment (\$7.2M personal property tax, \$4.6M interest) as well as other old tax payments. This brought our Property Taxes in at \$13.1M over budget and Interest and penalties in at \$5.1M over budget. These two accounts sort of go hand in hand when old taxes are paid off, higher penalties and interest are also collected. Property taxes are budgeted for current year taxes and restricted through the calculation related to prop 2.5.

Also in FY22, SPED Medicaid reimbursements came in about \$1.8M higher than budgeted, which typically it comes in around the budgeted figure. Licenses and Permits also had a record year and came in at \$4.2M over budgeted. There was also a payoff of a deferred Pilot program (\$2.1M unbudgeted), as well as a few other things coming in over budget, but also some categories under budget.

Steve

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**From:** Susan Albright <salbright@newtonma.gov>

**Sent:** Monday, August 21, 2023 1:50 PM

**To:** Stephen Curley <scurley@newtonma.gov>

**Cc:** Rebecca Walker Grossman <rwgrossman@newtonma.gov>; Deborah J. Crossley <dcrossley@newtonma.gov>

**Subject:** Re: information

Thank you Steve - this is very helpful. One more question for you.

There is so much more revenue than Maureen projected. Has this been a common occurrence? Has it happened in the last several years?

Susan Albright, President  
Newton City Council  
Councilor-at-Large, Ward 2

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**From:** Stephen Curley <scurley@newtonma.gov>

**Sent:** Monday, August 21, 2023 11:53 AM

**To:** Susan Albright <salbright@newtonma.gov>

**Cc:** Rebecca Walker Grossman <rwgrossman@newtonma.gov>; Deborah J. Crossley <dcrossley@newtonma.gov>

**Subject:** RE: information

Hi Susan,

For ARPA:

- A. There is \$25,238.98 that is unobligated at this time. There is also \$575,000 set aside in a Contingency account with no specific projects tied to them. There may be other items that the Executive Office is discussing that I'm not aware of for these funds.
- B. To date, there is \$21,359,467.25 in unexpended, unencumbered funds and \$8,845,446.71 in funds encumbered in Contracts and Purchase Orders for various projects.
- C. Of the \$21.4M that is unexpended, unencumbered funds, \$10.3M is for projects that do not have any expenses or encumbrances tied to them. That does not mean that the projects have not yet begun, but it means there has not been anything paid, or in a contract.

For Free Cash:

- A. It is difficult to put a spreadsheet together with where I am in the close process for Free Cash. I cropped an image of my quick calculation that I sent to Maureen that is the basis for Free Cash, but there are still a lot of moving parts at this time. The General Fund is the last piece of work for the Year-End close so there is still a bit of movement to it.

Hi Maureen,

My quick Free Cash Estimate is around \$22.5M. It could change maybe about \$500K each way, but don't picture it being off by much more than that.

Its basically:

Undes FB:	54,634,416
(A/R):	(22,789,054)
Def Rev:	(8,790,977)
Deficits other funds	(500,000) This is a complete estimate, but should be general ball park based off of history

Estimate Free Cash: \$22,554,385

All of these figures will move slightly when reclassing stuff to GF, reconciling receivables with Treasury, and getting grant revenues that we can accrue back.

Steve

- B. To give you a bit of explanation on why the Free Cash number is a quite a bit higher than historical norms:
- a. Undesignated Fund Balance is the fund balance amount from the prior year plus revenues, minus expenses and encumbrances, plus the unused Free Cash. The numbers that follow help to explain the UFB figure.
  - b. We spent/obligated \$4.9M less than the FY23 General Fund operating budget
  - c. We took in \$20.1M in revenues in excess of estimated Revenues, largely made up of the following:
    - i. Took in \$4.6M in licenses and permits over budgeted
    - ii. Got \$446K in Opioid funds, unbudgeted
    - iii. Took in \$2.4M in Property Taxes (RE and PP) over budgeted
    - iv. Took in \$513K in Motor Vehicle Excise taxes over budgeted
    - v. Took in \$1.7M in Meals, Hotels, and Cannabis taxes over budgeted
    - vi. Took in \$8.4M in investment income/interest revenue over budgeted
    - vii. Took in \$744K in Intergovernmental revenue over budgeted

Again, a lot of these numbers are not quite final as we still work our way through the closing of the Fiscal Year, but they are all relevant ball park figures.

I wouldn't want to have a conversation about how much Free Cash was actually generated until we have our Free Cash certified by the DOR in early to mid-October.

Thanks,  
Steve

**Stephen Curley | Comptroller | Ex-Officio Member NRB**  
**Comptroller's Office | City of Newton**  
**1000 Commonwealth Ave, Newton, MA 02459**  
**617-796-1301**

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**From:** Susan Albright <[salbright@newtonma.gov](mailto:salbright@newtonma.gov)>  
**Sent:** Saturday, August 19, 2023 9:44 AM  
**To:** Stephen Curley <[scurley@newtonma.gov](mailto:scurley@newtonma.gov)>  
**Cc:** Rebecca Walker Grossman <[rwgrossman@newtonma.gov](mailto:rwgrossman@newtonma.gov)>; Deborah J. Crossley <[dcrossley@newtonma.gov](mailto:dcrossley@newtonma.gov)>  
**Subject:** information

Good morning Steve,

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  3. I'm fairly certain that the Council will want to understand how we generated so much free cash.
- Are you able to get us this information and by when?

Thanks for your help with this,  
Susan

Susan Albright, President  
 Newton City Council  
 Councilor-at-Large, Ward 2



**To:** Finance Committee  
**From:** Council President Albright  
**Date:** September 7, 2023  
**RE:** Background on Free Cash

Since the Mayor announced her proposed long term funding plan for the overlay funds, I have heard many questions about the extraordinary amount of free cash both this year and last. I think that facts are better than rumors, so I asked Mr. Curley to prepare information for the Council on the history of free cash. My emailed questions and his responses are attached.

At first, we had an email exchange regarding the free cash projected for this year and then I asked him to follow up with a chart on the history of free cash. I also asked him to explain the anomalies if possible. I offer this information (my email exchange with our Comptroller and the subsequent exhibit he developed on the 5 years history) as additional back up for the Finance Committee as they deliberate the Mayor's plan under this docket item, #306-23 Establish and Appropriate funds to an Operations Booster Stabilization Fund

Operations Booster Stabilization Fund  
as Proposed by  
Mayor Ruthanne Fuller



City Council Finance Committee  
September 11, 2023

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# **Recent Financial Developments - Overlay Surplus & Free Cash**



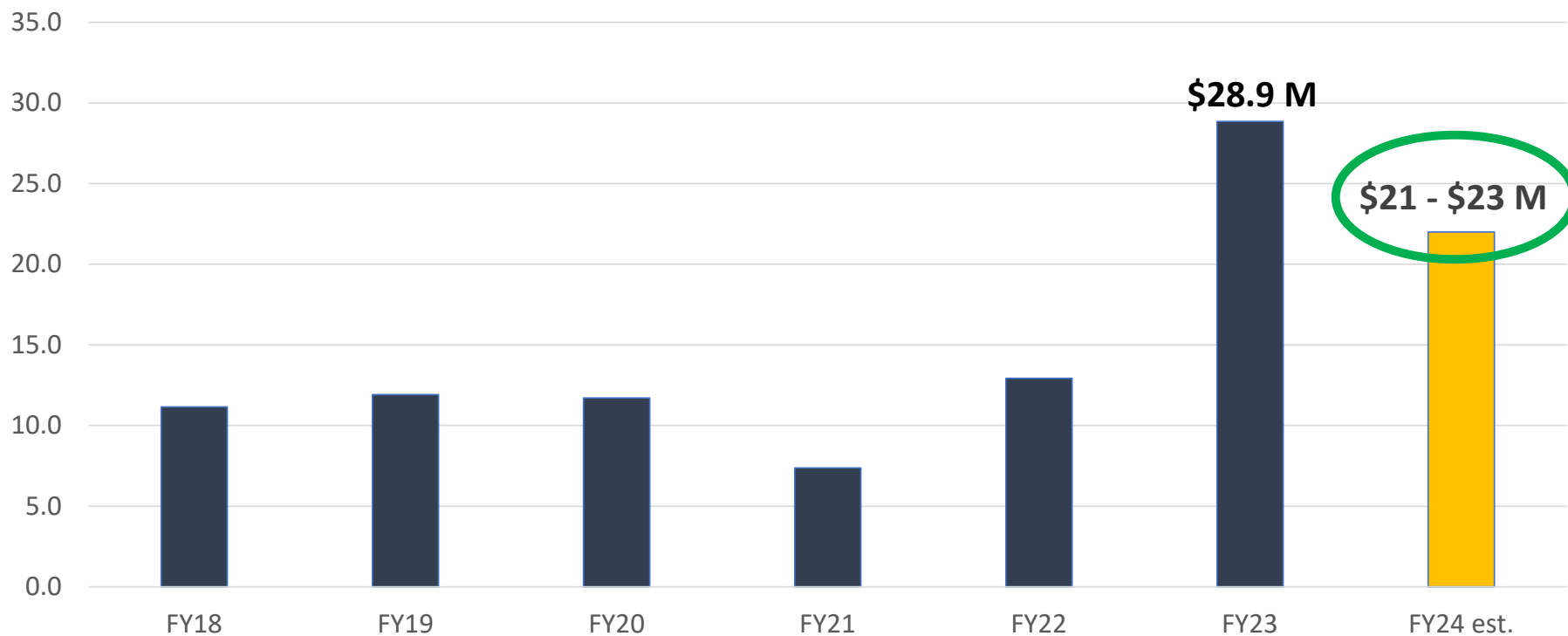
## Overlay & ATB Interest Funding

☐ Overlay Surplus declared by Board of Assessors	\$20.5 M
☐ ATB Interest released	\$ 5.5 M

Operations Booster Fund - \$26.0 M

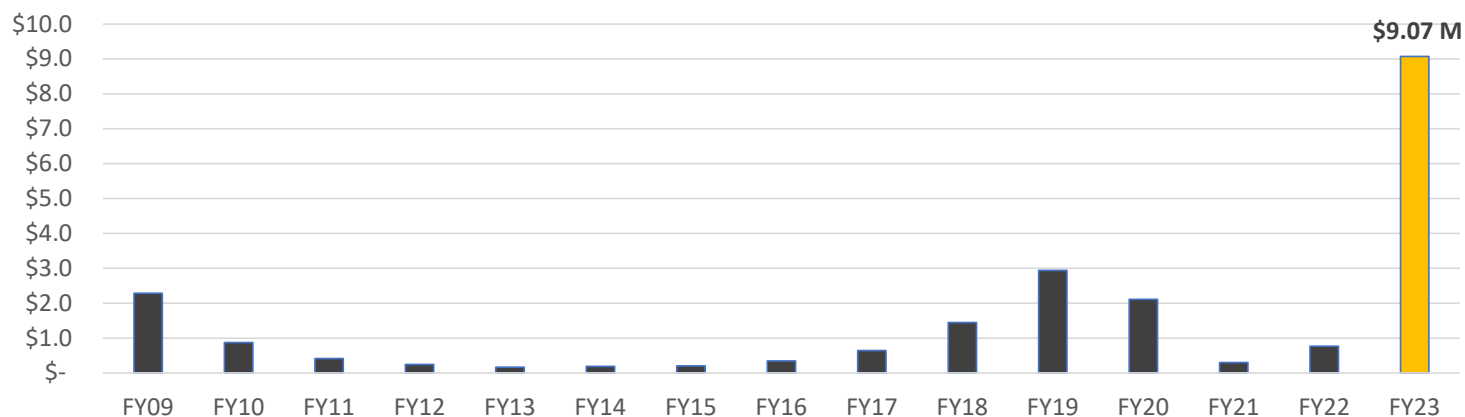
# Free Cash (\$ Millions)

## FY2024 Forecast \$21 - \$23 M



## Sources of FY2024 Free Cash

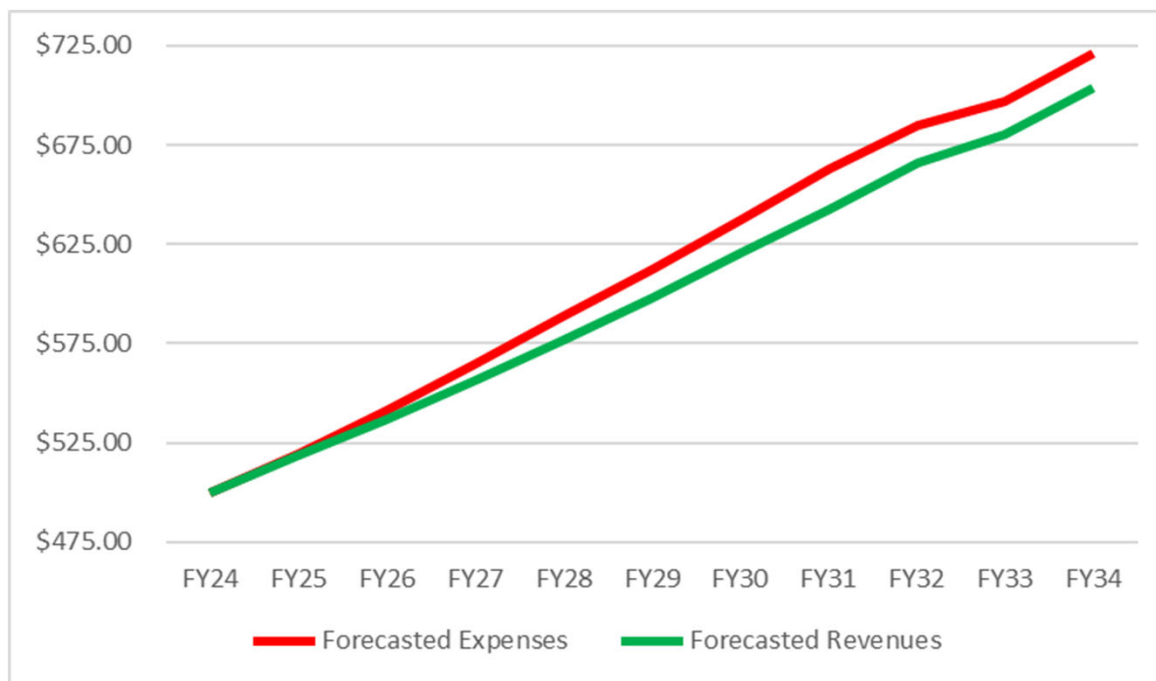
- ☐ FY2023 Carry Forward – Retroactive Wages, Legal Settlements \$5.4 M
- ☐ FY2023 Interest Income – Actual to Budget Variance \$8.4 M



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# **FY2025 – FY2034 Projected Revenue & Expense Forecast**

## Projected General Fund Revenues & Expenses FY25 – FY34 Long Range Plan September 5, 2023



Projected GAP Grows to \$19.9 M in FY2031

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# **Our Pathway Forward**

## **Operations Booster Stabilization Fund**

Operations Booster Stabilization Fund  
Allows us to Accomplish 3 Things Simultaneously

**Relieve Pressure on City Finances**

so that we can

**Boost Funding for NPS Operations**

while

**Maintain Current Pension Funding Schedule**

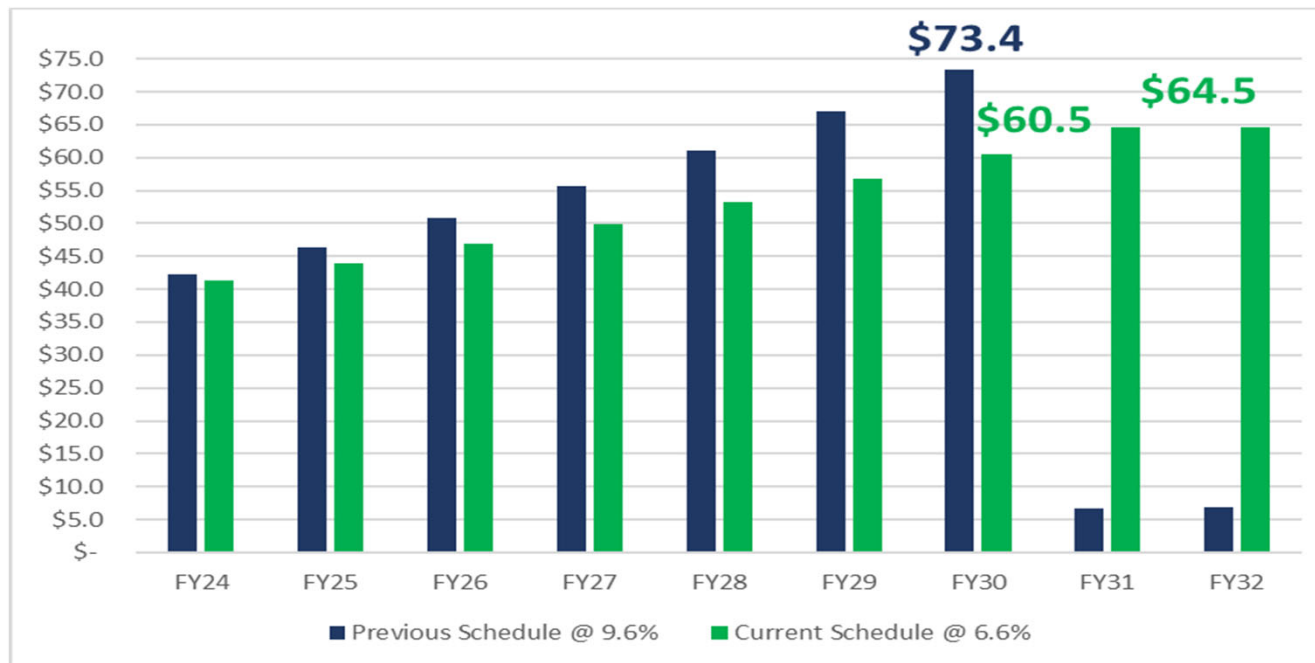
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# Relieving Pressure on City Finances



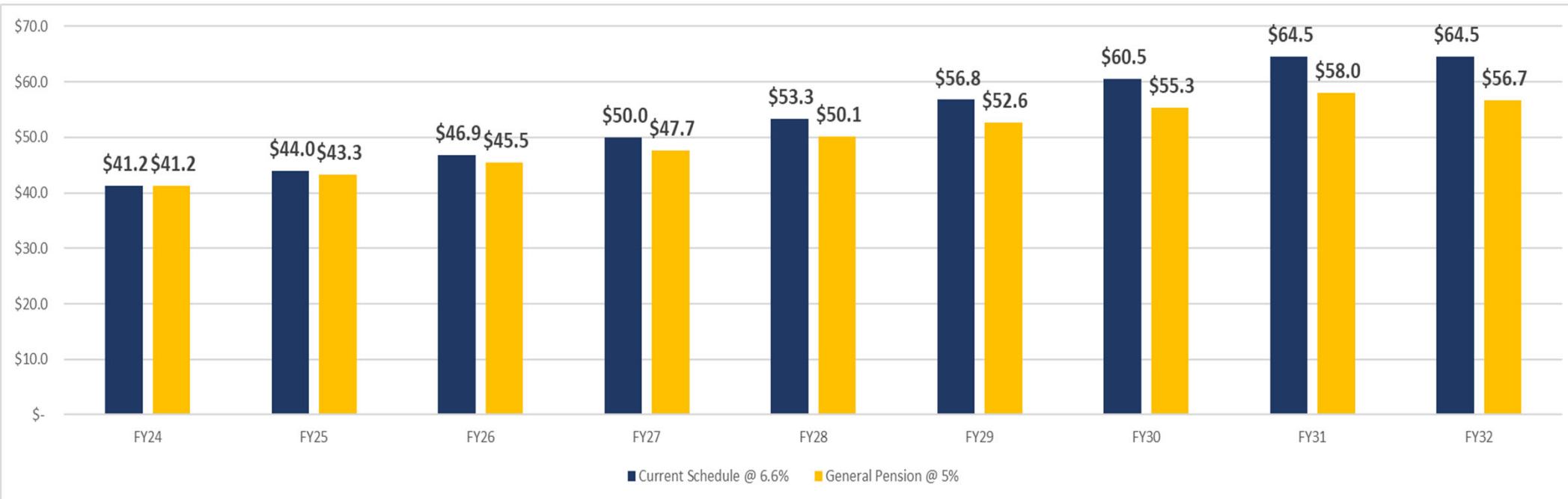
# Comparison of Pension Funding Schedules

(\$ millions)



# Request to Relieve Pressure on City Finances

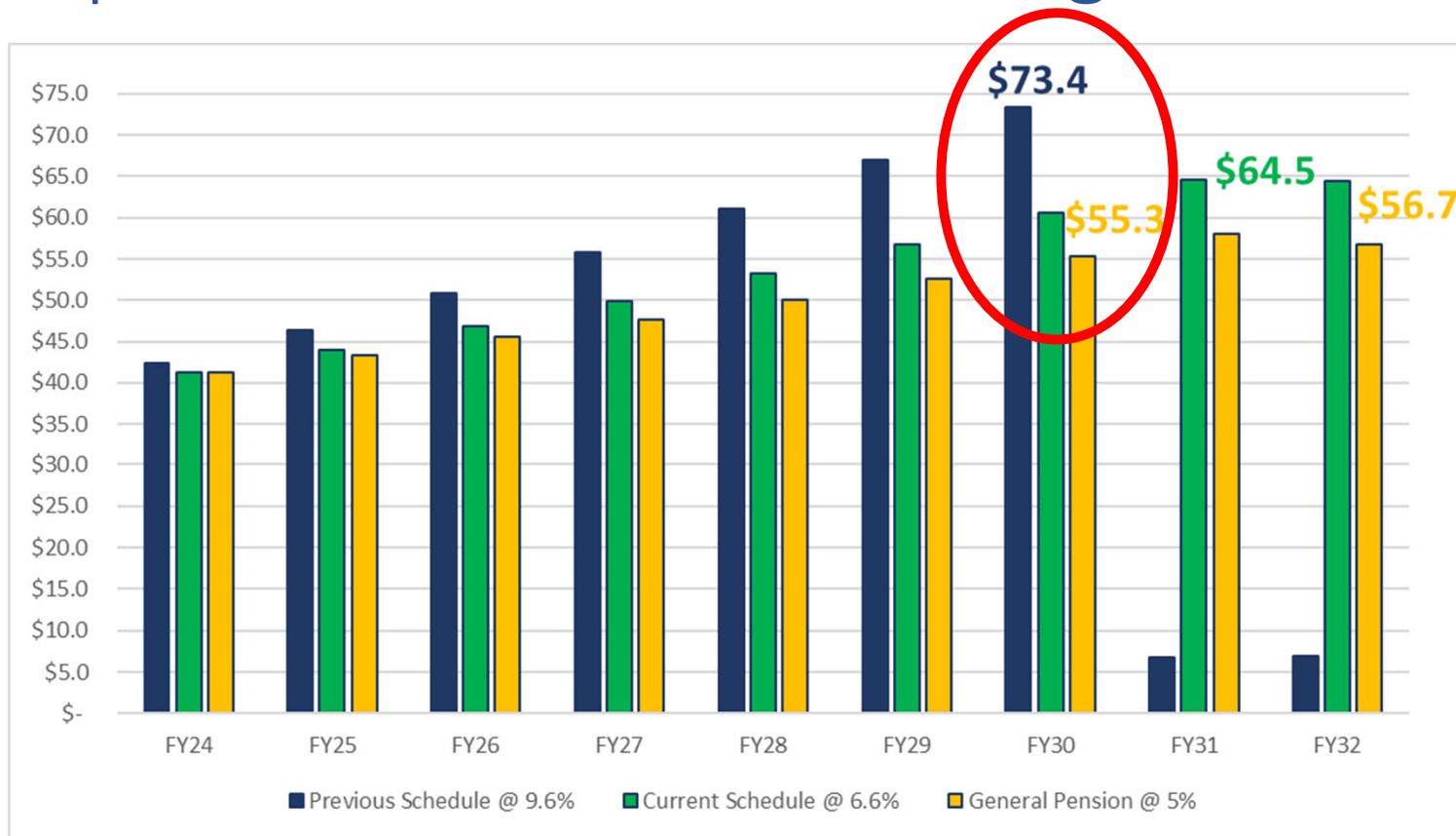
(\$ millions)



## Annual General Fund Relief to be Re-Purposed

\$0M      \$0.7M      \$1.4M      \$2.3M      \$3.2M      \$4.2M      \$5.2M      \$6.5M      \$7.8M

# Comparison of Pension Funding Schedules



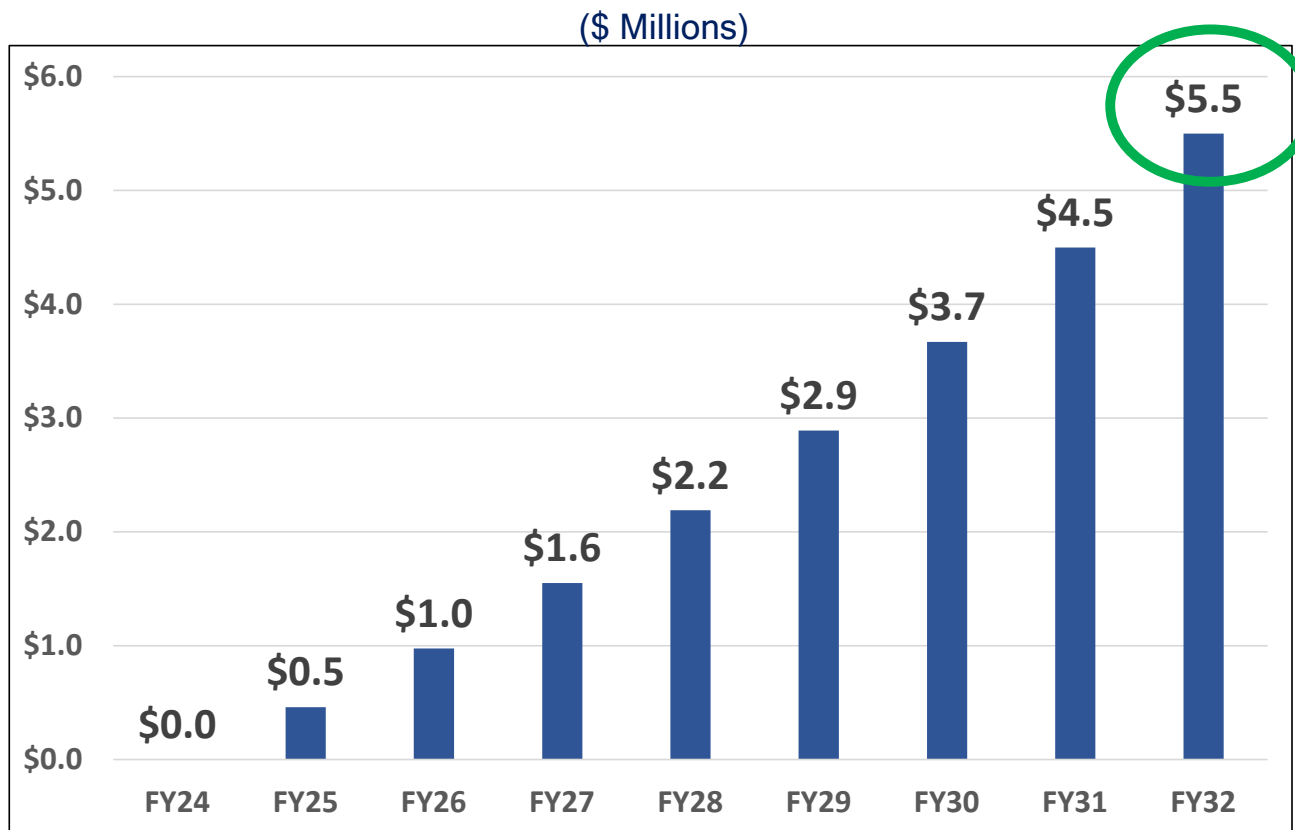
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# Supporting the NPS Budget

## Commitment to Newton Public Schools FY2024 Budget Initiatives

	<u>One-Time</u>	<u>Permanent</u>
<input type="checkbox"/> \$10 M Free Cash - reduce Lincoln-Eliot required debt service		\$ 600,000
<input type="checkbox"/> \$1.4 M “Bridge Grant” increase cost of out-of-district placements	\$1,400,000	
<input type="checkbox"/> \$580 K Free Cash - NPS legal settlements	\$ 580,000	
<input type="checkbox"/> Extended pension system full-funding date by 1 year to free up funding for Horace Mann add/reno – debt service budget		\$ 1,300,000
<input type="checkbox"/> Reduced Medicare Part B Expenses for NPS in FY2024		\$ 650,000
<input type="checkbox"/> Transferred \$3.182 M OPEB costs from NPS budget, saving 2% incr/yr		\$ 60,000++
<input type="checkbox"/> Allocated \$410,000 ARPA funds for FY24 NPS facility maintenance projects	\$ 410,000	
<input type="checkbox"/> <b>TOTAL FY2024 ONE-TIME AND PERMANENT BUDGET ENHANCEMENTS</b>	<b>\$ 2,390,000</b>	<b>\$ 2,610,000</b>
<input type="checkbox"/> Additional Medicare Part B reduction of \$325,000 in FY2025		\$ 325,000
<input type="checkbox"/> Transferred \$3.182 M OPEB costs from NPS budget, saving 2% incr/yr		\$ 60,000++
<input type="checkbox"/> <b>TOTAL FY2025 PERMANENT BUDGET ENHANCEMENTS</b>	<b>\$ 2,390,000</b>	<b>\$ 2,995,000</b>

## Newton Public Schools Additional Funding Operations Booster Stabilization Fund



**Additional Funds to NPS  $\approx$  \$21.7 M**

Operations Booster Stabilization Fund  
Allows us to Accomplish 3 Things Simultaneously

**Relieve Pressure on City Finances**

so that we can

**Boost Funding for NPS Operations**

while

**Maintain Current Pension Funding Schedule**

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# Discussion



**Evan Cudmore**

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**From:** LENNY GENTILE <lennypmgi@aol.com>  
**Sent:** Thursday, September 28, 2023 10:12 AM  
**To:** Evan Cudmore  
**Subject:** Fwd: Interest

[DO NOT OPEN links/attachments unless you are sure the content is safe. ]

Evan  
Please send this to the Finance Committee members in advance or tonight's meeting  
Thanks  
Lenny

Sent from my iPhone

Begin forwarded message:

**From:** LENNY GENTILE <lennypmgi@aol.com>  
**Date:** September 27, 2023 at 1:32:11 PM EDT  
**To:** Ron Mendes <rmendes@newtonma.gov>  
**Cc:** Stephen Curley <scurley@newtonma.gov>  
**Subject:** Re: Interest

Perfect  
Thank you

Sent from my iPhone

On Sep 27, 2023, at 10:52 AM, Ron Mendes <rmendes@newtonma.gov> wrote:

Good Morning Councilor:

The budget amount for FY24 interest is \$2.5M for the general fund only.

As of August 31st, we have taken in a total of just over \$2.6M. We have been averaging between \$1.2-\$1.3 per month, so we will likely gross about \$3.8M at the end of the July-September 2023 quarter.

However, that is the gross interest amount for all funds. The Comptroller's Office has to then apportion that between the general fund and the other funds, such as CPA, water, sewer, etc., which they do quarterly. That amount tends to be about 5% that gets apportioned to other funds, so the general fund should net approximately \$3.5M-\$3.6M for this calendar quarter (July-Sept, 2023).

Thanks,

*M. Ronald Mendes, Esq. CMMT, CMMC*

**City Treasurer/Collector**  
City of Newton  
1000 Commonwealth Ave.  
Newton Centre, MA 02459  
Pronouns: He/Him/His  
Email: [rmendes@newtonma.gov](mailto:rmendes@newtonma.gov)  
Office: (617) 796-1336  
Cell: (617) 680-0629

*Please be advised that the Massachusetts Secretary of State has advised that any communication to or from this email address may be deemed a public record.*

-----Original Message-----

From: LENNY GENTILE <lennypmgi@aol.com>  
Sent: Wednesday, September 27, 2023 9:50 AM  
To: Stephen Curley <scurley@newtonma.gov>; Ron Mendes <rmendes@newtonma.gov>  
Subject: Interest

[DO NOT OPEN links/attachments unless you are sure the content is safe. ]

I believe the FY 2024 budget included 2.5M in interest income. Please confirm. Also please provide the amount of interest income YTD including an estimate for September Thank you Lenny

Sent from my iPhone

When responding, please be aware that the Massachusetts Secretary of State has determined that most email is public record and therefore cannot be kept confidential.

CITY OF NEWTON

IN CITY COUNCIL

, 2023

In accordance with the recommendation of the Finance Committee through its Chair Rebecca Walker Grossman, it is hereby ORDERED:

- I. That there shall be a stabilization fund established under Massachusetts General Laws Chapter 40, Section 5B, called the "Operations Booster Stabilization Fund." The purpose of the Operations Booster Stabilization Fund shall be to relieve pressure on the City of Newton's finances, boost funding for Newton Public School's operations, and free up general funds to assist the City with fully funding the pension system over the next eight (8) fiscal years by: 1. Funding the Newton Public Schools budget each year for the next eight (8) fiscal years in an amount equal to seventy percent of 1.6% of the City's annual general fund increase in pension appropriations; and 2. Transferring into the City's general fund appropriation each year for the next eight (8) fiscal years an amount equal to thirty percent of 1.6% of the City's annual general fund increase in pension appropriations.

Any alteration of the purpose of the Operations Booster Stabilization Fund set forth herein shall require a two-thirds (2/3) vote of the City Council.

- II. That the sum of five million five hundred thirteen thousand dollars (\$5,513,000) be and is hereby transferred from the Appellate Tax Board Interest and Penalties account and the sum of twenty million five hundred thousand dollars (\$20,500,000) is appropriated from the Overlay Surplus as declared by the City's Board of Assessors to the Operations Booster Stabilization Fund.

FROM:	Overlay Surplus (0001-3220) .....	\$20,500,000
	ATB Interest and Penalties..... (0110701-576300)	\$5,513,000
TO:	Operations Booster Stabilization Fund (5910-490001) .....	\$26,013,000

Under Suspension of Rules  
Readings Waived and Adopted

EXECUTIVE DEPARTMENT

Approved:

(SGD) \_\_\_\_\_  
City Clerk

(SGD) RUTHANNE FULLER  
Mayor



RUTHANNE FULLER  
MAYOR

# City of Newton, Massachusetts

Office of the Mayor

RECEIVED  
2023 SEP 28 AM 10:02

CITY CLERK  
NEWTON, MA. 02459

325-23  
Telephone  
(617) 796-1100

Telefax  
(617) 796-1113

TDD  
(617) 796-1089

E-mail  
[rfuller@newtonma.gov](mailto:rfuller@newtonma.gov)

September 27, 2023

Honorable City Council  
Newton City Hall  
1000 Commonwealth Avenue  
Newton Centre, MA 02459

Councilors:

I respectfully submit a docket item to the Honorable Council requesting authorization to transfer and expend the sum of \$50,000 from Acct# 60A40105-511002, Water Service Connections – Full-Time Wages, to Acct# 67A109D2-515201, Water Fund Employee – Worker's Compensation, in order to settle Worker's Compensation claim # WC003360.

I've included a memo from Kelly Brown, the City's Worker's Compensation Manager, to explain in further detail. She will also be available to answer specific questions, in Executive Session.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller  
Mayor



325-23

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**CITY OF NEWTON, MASSACHUSETTS**  
DEPARTMENT OF HUMAN RESOURCES

---

Ruthanne Fuller, Mayor  
Michelle Pizzi O'Brien Director

Telephone (617) 796-1260  
Facsimile (617) 796-1272  
TDD/tty # (617) 796-1089

## Interoffice Memorandum

**To:** Maureen Lemieux  
**From:** Kelly Brown- WC Manager  
**Date:** September 6, 2023  
**Re:** Docket Request to settle WC Claim # WC003360 Date of Injury 9/13/2016

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Worker's Compensation Manager, Kelly Brown and our Defense Council Mary Ann Calnan of CFP Law respectfully request approval to appropriate to settle WC claim WC003360 date of Injury 9/16/216 for \$ 50,000. The plaintiff's Lawyer will receive 15% off the top \$ 7500.00 and the plaintiff will receive \$42,500.

The appropriation will be from the Workers Compensation General fund WC fund Budget code 67A109D2--515201 Municipal-Water budget.

I respectfully ask for an appropriation of \$50K to pay this when the lump sum paperwork comes in as it is a sound business decision based on the potential case exposure and unpredictability of the Department of Industrial Accidents appeals process.

CITY OF NEWTON

IN CITY COUNCIL

DRAFT

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chair Rebecca Walker Grossman, authorization to transfer the sum of fifty thousand dollars (\$50,000) from Acct # 60A40105-511002, Water Service Connections – Full – Time Wages, to Acct # 67A109D2-572500, Workers Compensation Water – Claims and Settlements, in order to settle Worker’s Compensation Claim # WC003360 is hereby approved as follows:

FROM:	Water Service Connections – Full – Time Wages (60A40105-511002) ..... \$50,000
TO:	Workers Compensation Water – Claims and Settlements (67A109D2-572500)..... \$50,000

Under Suspension of Rules  
DRAFT

(SGD) CAROL MOORE  
City Clerk

(SGD) RUTHANNE FULLER  
Mayor

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