

CITY OF NEWTON

IN BOARD OF ALDERMEN

FINANCE COMMITTEE REPORT

MONDAY, SEPTEMBER 8, 2008

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

Also Present: Ald. Linsky, Swiston, Baker and Danberg

City Staff: Sandy Pooler (Chief Administrative Officer), David Wilkinson (Comptroller), Captain Paul Anastasia and Lt. Hugh Downing (Newton Police Department), Chief Joseph LaCroix (Newton Fire Department), Dolores Hamilton (Director of Human Resources), Susan Burstein (Chief Budget Officer), David Turocy (Deputy Commissioner of Department of Public Works) and Robert DeRubeis (Deputy Commissioner of Parks and Recreation Department), Tom Lopez (President of the Firefighters Union).

#310-08 HIS HONOR THE MAYOR requesting authorization pursuant to GL chapter 30B, §12 for the Treasurer's Office to solicit bids and enter in a contract for fund management services for the Chaffin Education Fund for a term of up to five years with an option to renew for up to additional five years. [08-26-08 @ 3:51 PM]

ACTION: APPROVED 4-0-1 (Ald. Freedman abstaining; Parker, Lennon and Johnson not voting)

NOTE: The committee reviewed a letter dated August 26, 2008 to His Honor the Mayor from James Reardon, Acting Treasurer indicating in collaboration with the trustees on the Law Department Mr. Reardon has prepared a request for management services for assets in the Chaffin Education fund.

The letter from Mr. Reardon indicated this contract would be for five years with the option to renew for up to five years. This contract would provide the City the option of terminating the fund manager at any time.

The Board will vote on this item as they do for any contract, which was admitted in excess of three years pursuant to GL chapter 30B, §12.

David Wilkinson, Comptroller joined the committee for discussion on this item.

Mr. Wilkinson stated the trustees in the Chaffin Fund are aggressive and this contract would allow them to enhance the investment experience of the Chaffin Fund monies which is in excess of five million dollars with the flexibility to hire account managers for a longer period that is allowed by law.

The committee made a motion for approval.

#314-08 HIS HONOR THE MAYOR requesting authorization to appropriate and expend from salary reserves six million one hundred twenty-seven thousand four hundred eighty-five dollars (\$6,127,485), of which fifty-seven thousand six hundred fifty-two dollars (\$57,652) will be appropriated for benefits, to fund the collective bargaining award from the state Joint Labor Management Committee (JLMC) between the City of Newton and the International Association of Firefighters (IAFF) Local 863. [08-26-08 @ 12:30 PM]

ACTION: **APPROVED 8-0**

NOTE: Sandy Pooler, Chief Administrative Officer, Tom Lopez, President of the Firefighters Union and Chief LaCroix, Newton Fire Department joined the committee for discussion on this item.

It was stated by Ald. Coletti that this item goes back over six years regarding the Newton firefighters not having a contract. The City has been in a collective bargaining standards with the International Association of Firefighters (IAFF) Local 863 for a contract. The City and the Firefighters Union one and a half years ago agreed to join a labor management committee for purposes of settling this contract.

The committee discussed the proposals in depth in a letter dated August 26, 2008 from His Honor the Mayor. Most important, was the sick time policy and requirements of firefighters generating a doctors note when out sick. The important aspect is that the award sick leave section 4.07 was retained. The requirement for a note is at the discession of the Fire Chief.

The firefighters agreed and accepted the contract. Both the City and firefighters reached a reasonable settlement that will carry through FY'09

The committee had concerns regarding this agreement as it was just resolved it would be appropriate to go into collective bargaining immediately to try to settle a new two-year contract before this contract expires.

The contract language previously was sent to the Board of Aldermen with a complete copy of the joint labor management committees decision approximately three weeks ago.

Ald. Gentile made a motion for approval; the committee approved without hesitation.

#313-08 HIS HONOR THE MAYOR requesting authorization to appropriate one hundred twenty-seven thousand two hundred fifty-five dollars (\$127,255) from Wage Reserve to the payroll accounts in the Departments of Public Works (\$85,853), Public Buildings (\$14,599) and Parks and Recreation (\$26,803) to make FY07 and FY08 retroactive salary payments and fully reflect FY09 wages pursuant to the agreement reached with the Foremen's Union, Local 2443. [08-26-08 @ 3:49 PM]

ACTION: **APPROVED 8-0**

NOTE: Sandy Pooler, Chief Administrative Officer again joined the committee for discussion on this item.

Mr. Pooler stated that this item was to settle a collective bargaining agreement with the AFSCME Newton Foremen's Union, Local 2443. The committee reviewed a copy of the wage settlement that involved a 2% wage effective July 1, 2006, 2% effective in 2007, and 3% effective in 2008. There were also some longevity enhancements to be paid.

The committee was satisfied with the contract and its contents and therefore, Ald. Gentile made a motion for approval of the contract; the committee approved without hesitation.

#312-08 **HIS HONOR THE MAYOR** requesting authorization to appropriate eighty-three thousand eight hundred twenty dollars (\$83,820) from Wage Reserve to the Department of Public Works payroll accounts to make FY07 and FY08 retroactive salary payments and fully reflect FY09 wages pursuant to the agreement reached with the Engineering Representatives. [08-26-08 @ 3:50 PM]

ACTION: **APPROVED 8-0**

NOTE: Sandy Pooler, Chief Administrative Officer once again joined the committee for discussion on this item.

Mr. Pooler presented to the committee the information regarding the Engineering Department contract. The Engineering contract was adopted by the Union.

The committee reviewed a copy of the wage settlement that involved a 2% wage effective July 1, 2006, 2% effective July 1, 2007 and 3% effective in 2008. There was also some longevity enhancements to be paid and allowance of vacation carry over and the adjustment of hours paid on emergency callbacks.

The committee made a motion for approval without hesitation.

#247-08 **HIS HONOR THE MAYOR** requesting authorization to transfer sixty-four thousand four hundred seventy dollars (\$64,470) from wage reserve to the salary account (\$63,849) and the benefits account (\$621) of the Police Department to fund the FY09 cost of the recently approved contract with the Traffic Supervisors and Parking Control Officers. [7-8-08 @ 5:15 PM]

ACTION: **APPROVED 8-0**

NOTE: Lt. Hugh Downing, Newton Police Department and Sandy Pooler, Chief Administrative Officer joined the committee for discussion on this item.

Lt. Downing presented to the committee a copy of the Police Departments Traffic Supervisors and Parking Control Officers' contract.

The committee discussed the hours and pays that the Traffic Supervisors and Parking Control Officers have agreed to and their agreement to extend their hours of enforcement hours to 6 pm.

A copy of the adopted contract between the Traffic Supervisors and Parking Control Officers is attached to this report regarding their pay and information.

The committee made a motion for approval.

Appointment by His Honor the Mayor

#243-08 CAROL ANN SHEA, 24 Milo Street, West Newton, appointed as a member of the Newton Taxation Aid Committee for a term to expire on May 1, 2011. (60 days: 09-12-08) [6-24-08 @ 12:58 PM]

ACTION: **APPROVED 7-0 (Ald. Parker not voting)**

NOTE: The committee received a letter dated June 20, 2008 from His Honor the Mayor recommending the appointment of Ms. Shea as a member of the Newton Taxation Aid Committee.

Ms. Shea appeared before the committee this evening and introduced herself stating that she is very interested in this committee and considers it a great opportunity.

Ald. Salvucci made a motion for approval; the committee approved this appointment without hesitation.

Appointment by His Honor the Mayor

#244-08 ROSEMARY LARKING, 31 Edward Road, West Newton, appointed as a member of the Newton Taxation Aid Committee for a term to expire on May 1, 2010. (60 days: 09-12-08) [6-24-08 @ 12:58 PM]

ACTION: **APPROVED 8-0**

NOTE: The committee received a letter dated June 20, 2008 from His Honor the Mayor recommending the appointment of Ms. Larking as a member of the Newton Taxation Aid Committee.

Ms. Larking was unable to attend the meeting.

The committee reviewed her resume and without hesitation, Ald. Gentile made the motion to approve her appointment.

Appointment by His Honor the Mayor

#242-08 MICHAEL P. FLYNN, 23 Thelma Road, Dorchester, appointed to the Board of Assessors for a term expiring February 1, 2009. (60 days: 08-22-08) [6-23-08 @ 3:09 PM]

ACTION: **NAN 8-0**

NOTE: The committee received a letter dated June 23, 2008 from His Honor the Mayor recommending the appointment of Mr. Flynn to the Board of Assessors.

The 60-day time limit on this appointment had run out so it will be re-docketed. The committee will meet Mr. Flynn when this item is re-docketed.

The committee made a motion for No Action Necessary.

#311-08 HIS HONOR THE MAYOR requesting acceptance of and authorization to expend a grant of twenty six thousand, four hundred forty dollars (\$26, 440) from the Statewide Emergency Telecommunications Board to the Newton Police Dispatch Center for dispatch training, fees and overtime costs. [08-26-08 @ 3:49 PM]

ACTION: **APPROVED 8-0**

NOTE: Captain Paul Anastasia, Newton Police Department joined the committee for discussion on this item.

Captain Anastasia stated that this is the second year the City is receiving a grant. Captain Anastasia indicated the City received the grant to enhance the operations of the Newton Police Department training. This year, Newton received the maximum annual grant of \$26,440.

The budget work sheet indicated \$4,000 is to be used for instruction and vendor training fees/materials. \$10,000 for overtime training participants, \$4,740 overtime replacement costs to back fill dispatcher positions who will be taking training courses and \$7,700 to pay for the academy for new dispatcher hires.

There are approximately sixteen thousand 911 calls every year in the City of Newton. This grant money comes from the 911 surcharge that is placed on telephone bills.

The committee appreciated the dispatchers work with their 911 calls and the committee made a motion for approval without hesitation.

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 5-0-1 (Ald. Harney abstaining, Ald. Swiston and Coletti not present and voting) on 6-18-08

ACTION: **HELD 8-0**

NOTE: Lt. Hugh Downing, Newton Police Department and Sandy Pooler, Chief Administrative Officer joined the committee for discussion on this item.

Lt. Downing stated there are currently two vacant positions in the Police Department. One position is the union created position that was added back to the budget and a position as a senior police elder affairs person. The Police Department is currently interviewing candidates for these positions.

The committee understood there are lateral transfers which employees are already trained in another community who are prepared to step in to accept these positions after the interviews are held which will automatically allow employing staff. The employee will not have to go to an academy. The City will not have to pay for the six-month trial period and these employees could start immediately.

The committee had a long discussion regarding these vacancies in the various departments.

Ald. Gentile made a motion to hold.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#318-08 HIS HONOR THE MAYOR requesting authorization to transfer funds within the Department of Public Works for the administration of the streetlights maintenance program as follows: [08-26-08 @ 3:47 PM]

From: 0140109-5431 Parts \$24,500

To: 0140109-513001 Overtime \$19,500

To: 0140109-515401 Police Details \$ 5,000

PUBLIC FACILITIES APPROVED 5-0 (Ald. Yates not voting) on 9-3-08

ACTION: APPROVED 8-0

NOTE: David Turocy, Deputy Commissioner of Department of Public Works joined the committee for discussion on this item.

Mr. Turocy stated that the Department of Public Works recently took over the maintenance of streetlights. Two employees came from the Fire Department. These two employees are still in union however, are doing significantly more work than just repairing streetlights.

The Department of Public Works is asking for this transfer because of the need of overtime, police details and replacement parts for this program to be more effective.

This new program is working well and the committee is satisfied with their work.

Ald. Coletti made a motion for approval to transfer these funds.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#145-08(2) HIS HONOR THE MAYOR requesting authorization to appropriate and expend \$136,456.40 received as a payment from the Town of Wellesley pursuant to the Newton/Wellesley Inter-Municipal Agreement for the Cochituate Aqueduct for maintenance and repairs of the Cochituate Aqueduct Sewer. [08-26-08 @ 3:48 PM]

PUBLIC FACILITIES APPROVED 5-0 (Ald. Yates not voting) on 9-3-08

ACTION: APPROVED 8-0

NOTE: David Turocy, Deputy Commissioner of Department of Public Works again joined the committee for discussion on this item.

Tom Daley, Commissioner of Public Works wrote a letter dated July 1, 2008 to His Honor the Mayor indicating this is the second payment received out of three anticipated payments for Wellesley's portion of the cost of the maintenance and repairs to the Cochituate Aqueduct Sewer as stipulated in the Newton/Wellesley Inter- Municipal Agreement. The first payment received was for \$29,738.57 and was accepted by the Board of Aldermen at the end of April 2008.

Wellesley prorated a share of the copy of the information regarding the cost of the investigation, the design, award of the contract, the construction work completed was \$829,546.28 including construction services. The total project cost \$1,083,409.22.

Town of Wellesley share based on the sewer flow was \$136,456.40.

Ald. Salvucci made a motion for approval.

REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES

#317-08 HIS HONOR THE MAYOR requesting authorization to appropriate and expend twenty five thousand dollars (\$25,000) from Marathon Receipts for seed money which will be used in combination with future fund raising from local community groups for the installation of playground equipment at the Lincoln-Eliot School and the Newton Highlands Playground. [08-26-08 @ 3:45 PM]

PROGRAM AND SERVICES APPROVED 7-0 (Ald. Parker not voting) on 9-3-08

ACTION: APPROVED 8-0

NOTE: Robert DeRubeis, Deputy Commissioner of Parks and Recreation Department joined the committee for discussion on this item.

Mr. DeRubeis presented a letter this evening to the committee from Fran Towle, Commissioner of Parks and Recreation Department dated August 4, 2008. Mr. DeRubeis indicated that this was their annual request for seed monies for play apparatus around the City.

The City each year selects two location sites to enhance the playground equipment. The money is usually supplemented from donations from the PTA organization, public agencies and others who utilize the playgrounds. This year the two selected locations are the Lincoln-Eliot School and the Newton Highlands Playground for the tennis courts.

Mr. DeRubeis also indicated he would return to the committee this year for additional Fibar material in order to provide more safety for the children.

The committee made a motion for approval.

REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES

#316-08 HIS HONOR THE MAYOR requesting authorization to appropriate and expend from Budget Reserve forty three thousand eight hundred twenty-nine dollars and six cents (\$43,829.06) for costs related to tree emergencies that occurred during the severe storms this past July and August. [08-26-08 @ 3:44 PM]
PROGRAM AND SERVICES APPROVED 7-0 (Ald. Parker not voting) on 9-3-08

ACTION: APPROVED 8-0

NOTE: Robert DeRubeis, Deputy Commissioner of Parks and Recreation Department again joined the committee for discussion on this item.

Mr. DeRubeis presented a letter dated August 5, 2008 to His Honor the Mayor from Fran Towle, Commissioner of Parks and Recreation Department indicating that this money is necessary to cover equipment rental costing \$42,261.01 and Department overtime \$1,568.05 for tree related emergencies. The money requested will replenish the funds that are in that account which are traditionally under funded.

This request will also cover forestry emergency equipment rental expenditures from July 1, 2008 and leaves \$29,800 for forestry emergency equipment rental and \$12,153 for forestry emergency department overtime.

In the winter, there will be additional money requests from the Parks & Recreation Department for tree emergency removal from ice and snowstorms.

Also attached to Ms. Towle's letter were the days and hours of crew- members who worked on the emergency services during the summer months.

The committee made a motion for approval.

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

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

ACTION: HELD 8-0

NOTE: Committee held this item until Nunzio Piselli, Chairman of the Retirement Board can join the committee for discussion on this item at its September 22, 2008 when the committee will be discussing the State Health Insurance Program.

Ald. Parker made motion to hold.

REFERRED TO PROG& SERV, PUB.FACILITIES & FINANCE COMMITTEES

#143-08 ALD. LINSKY requesting a resolution to recognize and adopt the establishment by the mayor of a cap to the Newton North High School project. [4-01-08 @ 5:30 PM]

PROGRAM AND SERVICES NO ACTION NECESSARY 7-0 on 4-9-08
PUBLIC FACILITIES NO ACTION NECESSARY 6-0 on 9-3-08

ACTION: **NO ACTION NECESSARY 8-0**

NOTE: Ald. Parker made a motion No Action Necessary.

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.

PROGRAM & SERVICES NO ACTION NECESSARY 5-0-1 (Ald. Brandel abstaining) on 7-9-08

PUBLIC FACILITIES NO ACTION NECESSARY 7-0 on 7-9-08

ACTION: **NO ACTION NECESSARY 8-0**

NOTE: Ald. Parker made a motion No Action Necessary.

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 (Ald. Baker opposed; Ald. Hess-Mahan abstaining) on 2-6-08

PUBLIC FACILITIES NO ACTION NECESSARY 8-0 on 2-20-08

ACTION: **NO ACTION NECESSARY 8-0**

NOTE: Ald. Parker made a motion No Action Necessary.

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.

PROGRAMS & SERVICES APPROVED 6-1 (Ald. Merrill abstaining; Ald. Parker not voting) on 3-09-08

PUBLIC FACILITIES APPROVED 8-0 on 2-20-08

ACTION: **NO ACTION NECESSARY 8-0**

NOTE: Ald. Parker made a motion No Action Necessary.

#246-08 ALD. COLETTI proposing a RESOLUTION to His Honor the Mayor and the School Committee to prohibit immediately the use of any City-owned vehicle for commuting purposes in excess of ten miles from the physical boundaries of Newton and to limit use of City-owned vehicles to circumstances where an emergency response is likely during non-business hours and in which the necessary equipment is carried for such emergency response. [7-2-08 @ 12:12 PM]

ACTION: **HELD 8-0**

NOTE: Ald. Coletti made a motion to hold this item without a discussion. The committee will begin discussion on the policy items that were filed after the passage of the 2009 City of Newton budget at their September 22, 2008 meeting.

#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]

ACTION: **HELD 8-0**

NOTE: Ald. Coletti made a motion to hold this item without a discussion. The committee will begin discussion on the policy items that were filed after the passage of the 2009 City of Newton budget at their September 22, 2008 meeting.

#207-07(3) ALD. COLETTI proposing that the sum of \$300,000 be removed from various municipal and school department budgets for FY09 and placed in a separate "employee compensation" reserve account until the Mayor and School Committee present to the Board of Aldermen performance pay plan policies. [7-2-08 @ 12:12 PM]

ACTION: **HELD 8-0**

NOTE: Ald. Coletti made a motion to hold this item without a discussion. The committee will begin discussion on the policy items that were filed after the passage of the 2009 City of Newton budget at their September 22, 2008 meeting.

- #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]

ACTION: **HELD 8-0**

NOTE: Ald. Coletti made a motion to hold this item without a discussion. The committee will begin discussion on the policy items that were filed after the passage of the 2009 City of Newton budget at their September 22, 2008 meeting.

At approximately 9:10 pm, Ald. Salvucci moved for adjournment, which was approved 8-0.

Respectfully Submitted,

Paul E. Coletti, Chairman