

11-14-05CITY OF NEWTON

IN BOARD OF ALDERMEN

FINANCE COMMITTEE REPORT

MONDAY, NOVEMBER 14, 2005

Present: Ald. Coletti (Chair), Gerst, Linsky, Gentile, Stewart, Parker and Schnipper

Absent: Ald. Lipof

Also Present: Mike Rourke (Chief Administrative Officer), Sandy Pooler (Chief Budget Officer), Donnalyn Kahn (Assistant City Solicitor), Chief Joseph LaCroix (Fire), Nick Parnell (Public Buildings Commissioner),

#372-05 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$98,085 from Salary Reserve in order to fund the cost items set forth in the labor contract agreed upon with the Massachusetts Nurses Association.

ACTION: **APPROVED 7-0**

NOTE: Mike Rourke and Sandy Pooler were present this evening. They indicated that they had recently completed their negotiations with the School Nurses (who are members of the Massachusetts Nurses Association). This agreement (which, for reference purposes, was attached to this evening's agenda) is slightly different than the pattern of contract settlements that has been followed for other unions, but, overall, this agreement is fair. It does include some additional compensation for crisis management activities and alteration to the sick leave aspect. The biggest problem was that the School Nurses were seeking to join a different union to be represented by the Teachers' Association (rather than the Massachusetts Nurses' Association).

The Committee discussed the fact that, although not all of the nurses work full-time, they do provide a very valuable service to the City. The Committee congratulated the Executive Department on negotiating this contract settlement and voted 7-0 to approve this item.

#373-05 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$70,288 from Salary Reserve in order to fund the cost items set forth in the labor contract agreed upon with the AFSCME Local 2913 (Newton Police School Traffic Supervisors, including Parking Control Officers) union.

ACTION: **APPROVED 7-0**

NOTE: Mr. Rourke and Mr. Pooler presented a letter dated November 1, 2005 (which was attached to this evening's agenda) indicating that the contract was settled within the pattern of contract settlements established over the past two years for other unions. The agreement does contain provisions for adjustments in longevity payments as well as a stipend for technology and snow emergency coverage.

Without debate, the Committee voted 7-0 to approve this item.

#374-05 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$7,500 from Water Surplus for the purpose of settling a claim against the City made by Stearns Park Place, relating to a dispute over the cost and timeliness of notification by the City of a requirement that the owner of Stearns Park Place install a meter pit.

ACTION: APPROVED 6-0-1 (Gentile abstaining)

NOTE: Donnalyn Kahn, Assistant City Solicitor, was present this evening. She explained that this claim was filed by the owner of the newly constructed condominium complex, Stearns Park Place. The backup information presented indicated that the plans submitted by the owner of the condos had been approved, even though they did not include the provision for the meter pit. The purpose of a meter pit is to allow the City to gain access to the meters for reading and maintenance/replacement issues. One of the key people in the Water/Sewer division was not available to review the plans submitted by the owner prior to the approval. However, at the time of construction, the Water/Sewer specialist recognized that there would be future access problems if the meter pit was not installed, taking into consideration the way that the water connections were laid out. As a result of this concern, it was *required* that the property owner install the meter pit for this purpose. The project was stopped until such time as the meter pit was built in. This change to the plan at that point in the project added a significant cost for the property owner (in excess of \$15,000).

The owner of the project, Mr. Blakely, is now seeking to recover some of the costs, since the requirement for the meter pit installation resulted in a loss for him.

After negotiation, both Mr. Blakely and the City Solicitor agreed to split the cost of the meter pit installation. Therefore, it is now being recommended that the sum of \$7,500 be paid as final settlement to this claim. It is important to note that Mr. Blakely did not seek disciplinary action against the employee who brought the project to a halt.

The Public Works Department has assured that this problem will be avoided in the future.

With that understanding, the Committee voted 6-0-1 (with Ald. Gentile abstaining) to approve this item.

#375-05 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$10,000 from Budget Reserve for the purpose of settling a claim against the City related to flooding of properties along Quinobequin Road from storm drain pipes.

ACTION: **APPROVED 6-0-1 (Gentile abstaining)**

NOTE: Backup information was presented by Donnalyn Kahn regarding multiple suits that are ongoing due to this storm drain problem along Quinobequin Road. Due to the legality of this issue, the Committee voted to enter into Executive Session in order to discuss details surrounding this issue. A lengthy discussion took place in Executive Session.

After a motion to close the Executive Session and go back into Committee this appropriation was approved by a vote of 6-0-1, with Ald. Gentile abstaining).

REFERRED TO PUBLIC SAFETY/TRANS. AND FINANCE COMMITTEES

#377-05 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$107,748 from Free Cash for the purpose of replacing the bunker gear that firefighters wear when responding to a fire or other incident.

PUB. SAFETY/TRANS. APPROVED 6-0 ON 11/09/05

ACTION: **APPROVED 7-0**

NOTE: Chief LaCroix was present this evening. He indicated that this is the second phase of a 3-year program to purchase replacement full bunker gear for all firefighters. The gear that is being replaced will be retained and held in lockers as backup in the event that there are multiple fires over a short period of time. This purchase includes proper clothing, as well as helmets with face mask shields for new recruits to the Department.

The Committee was in full support of this request and, without debate, voted 7-0 to approve this item.

REFERRED TO PUB. FAC., PS&T. AND FINANCE COMMITTEES

#378-05 (314-05) HIS HONOR THE MAYOR requesting an appropriation in the amount of \$150,000 from bonded indebtedness for the purpose of making repairs and renovations to various firehouses within the City of Newton.

PUB. FAC. APPROVED 6-0 (Gerst not voting) ON 11/09/05

PUB. SAFETY/TRANS. APPROVED 6-0 ON 11/09/05

ACTION: **APPROVED 7-0**

NOTE: Nick Parnell, Mike Rourke and Sandy Pooler were present this evening. They presented a letter indicating that the City is prepared to begin the process of appropriating funds to upgrade the fire stations throughout the City. This money will be used to upgrade the communications areas as well as to begin window replacement in

order to seal up leaks and drafts. This is the beginning of what is hoped to turn out to be an overall appropriation of \$3 million for renovations of all stations.

The Committee reviewed information provided (in the weekly packet on 11/10) which lists a breakdown of all maintenance/repair work that has been performed at the various stations over the past year by the Public Buildings Department.

This is the Mayor's first commitment to what is hoped to be a complete upgrading project for all stations. When Board of Aldermen members toured the fire stations in February of this year, it was apparent that this type of commitment is long overdue.

The Committee was in full support of initiating this process therefore, it voted 7-0 to appropriate these funds.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#379-05 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$26,000 from Free Cash for the purpose of making repairs to the Burr Park Field House, which was damaged during the October 25, 2005 wind storm when a tree fell on it.

PUB. FAC. APPROVED 6-0 (Gerst not voting) ON 11/09/05

ACTION: APPROVED 7-0

NOTE: Commissioner Parnell was present this evening. He indicated that, back in October there were some problems associated with roof damage to the field house at Burr Park. A letter dated November 1, 2005 was submitted which lists all of the damages and what was necessary to make the repairs to this building. These repairs were made using Public Buildings operating funds, due to timing and necessity to get these repairs made. Therefore, this item seeks to replace those operating funds in the event that there are future emergencies.

After reviewing the provided backup information, the Committee voted 7-0 to approve this request.

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#376-05 PRES. BAKER, ALD. COLETTI AND JOHNSON requesting an amendment to Section 4-21 of the City of Newton Ordinances, 2001, to set the salary for the new City Clerk/Clerk of the Board.

PROG. & SERV. APPROVED 7-0 ON 11/09/05

ACTION: HELD 7-0

NOTE: Due to the fact that this item seeks to assist with the change in the Department which will become effective in January of 2006, the Committee voted 7-0 to hold the item until later this month or possibly the December 12th meeting.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#160-05 ALD. HARNEY, SANGIOLO, PARKER AND HESS-MAHAN
requesting an independent audit and possible appointment of an
independent commission to investigate the Newton South construction
project.

**PUB. FACILITIES DENIED 3-0-3 (Mansfield, Albright, Yates
abstaining) on 11/9/05**

ACTION: DENIED 4-0-3 (Gentile, Parker, Linsky abstaining)

NOTE: Ald. Schnipper, Chair of the Public Facilities Committee, provided the
Committee with a summary of what had transpired at the Committee meeting on
November 9th. For specific details of that discussion, please refer to the November 9th
Public Facilities Committee Report (under separate cover). She explained that,
ultimately, the Committee voted 3-0-3, with Ald. Mansfield, Albright and Yates
abstaining, to deny this item.

With that, the Finance Committee voted on the motion for denial of this item. That
motion carried by a vote of 4-0-3, with Ald. Gentile, Parker and Linsky abstaining)

All other items were held. The Committee adjourned at approximately 10:00 p.m.

Respectfully Submitted,

Paul E. Coletti, Chairman