



# Public Facilities and Finance Committee Report

## City of Newton In City Council

**Monday, December 11<sup>th</sup>, 2023**

Finance Committee Present: Councilors Grossman (Chair), Kalis, Gentile, Norton, Oliver, Humphrey, Malakie and Noel

Public Facilities Committee Present: Councilors Leary (Chair), Norton, Kelley, Gentile, Crossley, Danberg, Laredo, Kalis

Also Present: Councilors Albright and Wright

City Staff: Deputy City Clerk Cassidy Flynn, Commissioner of Public Buildings Josh Morse, Commissioner of Public Works James Mcgonagle, Chief Financial Officer Maureen Lemieux, Senior Financial Analyst Perry Rosenfield, Senior Financial Analyst Connor Roach, Comptroller Steven Curley, Chief Operating Officer Jonathan Yeo, Director of Transportation Planning Joshua Ostroff, Worker's Compensation and Safety Manager Kelly Brown and Director of Senior Services Mignonne Murray.

For more information regarding this meeting, a video recording can be found at the following link: [Joint Finance and Public Facilities Committees – December 11, 2023 - YouTube](#)

### Referred to Finance Committee

**#378-23      Appropriate \$15,000 for Elections Postage in City Clerk's Office**

HER HONOR THE MAYOR requesting authorization to appropriate fifteen thousand dollars (\$15,000) from June 30, 2023 Certified Free Cash to account #0110162-534100 Elections Postage in the City Clerk's Office to fund elections-related postage charges.

**Action:      Finance Approved 7-0 (Councilor Norton not voting)**

**Note:** Deputy City Clerk Cassidy Flynn presented on the item above to the committee. Ms. Flynn explained to the committee that the city went over the vote by mail for the city's elections this year. She continued to explain that the city mailed in approximately 14,000 ballots in the last election, and 8,000 of them were returned (48% present of voters voted by mail). Ms. Flynn finished by explaining to the committee that the city is going to see more of an increase in this as we increase the uses of vote by mail, and that the Clerk's office will be asking during our budget time next year for an increase in this line item.

Councilors asked the following questions:

Q – Does the city pay the postage for the envelopes coming back? Or just the postage for the ones the city sends out?

A – The city gets envelopes from the State and they post pay for the postage on the way back, but the city does have to pay for the postage for it to go out to get metered in the mail room.

Q – Is the percentage of envelopes the city received back this year on par with what we have seen in previous years?

A – Yes.

Councilor Oliver motioned to approve the item, which passed unanimously.

**Referred to Public Facilities and Finance Committees**

**#374-23 Appropriate \$3,000,000 for dredging of the City Hall Ponds**

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of three million dollars (\$3,000,000) from Acct # 6200-3599 Stormwater Fund Balance to Acct # 7211D401-584200 City Hall Pond Dredging to fund the dredging of the City Hall ponds in 2024.

**Finance Approved 8-0**

**Action: Public Facilities Approved 8-0**

**Note:** Commissioner of Public Works James McGonagle presented the above item to both committees. Mr. McGonagle explained to the committees that this initiative has been included in the CIP for the last 4 years, and the city did start permitting this prior to the pandemic. He continued to explain that in early 2022 the city received its final permitting and put this project out to bid. The last time the city did dredge the City Hall Ponds was in 2013, and the cost was \$450,000. When the city received its bids in 2022, the low bid came in at about \$2.7 million, and the high bid over \$4 million.

Commissioner McGonagle explained to the committee that there were several factors as to why there was such a large increase in the bids, and one of the main factors is the disposal of the materials. Normally, this material is used for coverage in landfills when they're not capping landfills. Commissioner McGonagle continued to explain to the committee that there are not many landfills left in the state of Massachusetts. Commissioner McGonagle also noted that another factor is that the number of contractors that do this type of work is limited due to the specific permitting that needs to be done.

Commissioner McGonagle finished by explaining to the committees that the city did rebid this project, and this time only received 2 bids. The lowest bid was for \$2.5 million, and the second was \$4.2 million, adding the ask is for \$3 million to include a 20 percent contingency.

Councilors asked the following questions:

Q – Would this project have made a difference if it had already been done in the flooding related to the flooding that occurred at the library on August 8<sup>th</sup> ?

A – Most likely not. When there was flooding recently in the parking lot, the city had 3 inches of rain in less than 90 min, and the entire system was surcharged. There wasn't enough capacity to handle that type of that amount of rain in that short period of time. Dredging will help with flooding, but if we see 3 inches of rain in that period of time we'll still going to have flooding.

Q – Since this was three years later than the city would have liked to do this project, is this accounting for any increase in the amount of silt the city expects to collect?

A – Last time the city did this, which was about 11 years ago, 3,600 cubic yards of silt was removed. This time we expect 3,700 cubic yards.

Q – Do we know where the disposal will be going?

A – It will be going to one of the landfills that this contractor runs. This material all must be documented, and the DEP requires it all to go into one location and everything must be documented from the time it left to the time it went there, and where it was used on in the landfill.

Q – How long is this landfill expected to be sustained?

A – As of now we don't know the history or the future of this landfill.

Q – Will the contractor, or another agency, test the soil for any contaminants, heavy metals, or other types of material you might find in stormwater runoff?

A – Yes, we have done extensive testing of the materials twice. The city is looking for other areas to take this material, but we must do the testing as we are removing it. There are also specifications that require testing from the DEP.

Q – If you run into some substances that aren't appropriate for cover in a landfill, would you have to send it someplace else because of its toxicity?

A – Yes. We did do more extensive testing and feel confident that we won't have that issue, but we do have to test materials as we are removing it throughout the process.

Q – Is there any other possibility of managing this problem, rather than dredging the pond every 10 years? Is there any way we as a city can be more proactive?

A – Any water that we can infiltrate into the ground will help minimize this. The permit we have now will allow the city to remove sediment soon. The city is looking to see if smaller amounts will be easier to dispose of and will be less costly. This may be a yearly maintenance item going forward, but we will be investigating that this year, and we will be back to the committee with our findings and probably some extra funding needed.

Q – What will the city do with all the frogs and turtles currently in the pond?

A – The city’s conservation committee will be there during the dredging process to help with this to place them elsewhere.

Q – Do you know when the work will start?

A – The work will start in the spring most likely.

Councilors made the following comments:

Some councilors voiced the opinion that they hope this dredging project will have some mitigation on future storms, and that there will not be property damage such as the August 8<sup>th</sup> storm again.

Several councilors raised concerns over the rise in cost of the dredging process compared to what was paid 10 years ago and look at this as a bad sign for a project that needs to be potentially repeated in future years since more flooding and storms are expected in the future.

Councilor Humprey motioned to approve the item on behalf of the Finance Committee, which passed unanimously.

Councilor Laredo motioned to approve the item on behalf of the Public Facilities Committee, which passed unanimously.

**Referred to Public Facilities and Finance Committees**

**#375-23 Requesting authorization to appropriate and expend for the Newton Center for Active Living Project**

HER HONOR THE MAYOR requesting authorization to appropriate and expend an amount to be determined for the Newton Center for Active Living Project. (Bids will be opened on December 7th, at which time the item will be amended to include an amount and accounts).

**Action:** Finance Approved as amended to reflect the following docket language: "HER HONOR THE MAYOR requesting authorization to appropriate and expend ten million dollars (\$10,000,000) in addition to nineteen million, five hundred thousand dollars (\$19,500,000) as shown in Council Order 345-22, and authorize a general obligation borrowing of an equal amount for the Newton Center for Active Living (NewCAL) and authorization to apply any premium received upon the sale of the bonds or notes, less the cost of preparing, issuing, and marketing them, and any accrued interest received upon the delivery of the bonds or notes to the costs of the project and to reduce the amount authorized to be borrowed for the project by like amount." 8-0

Public Facilities Approved as amended to reflect the following docket language: "HER HONOR THE MAYOR requesting authorization to appropriate and expend ten million dollars (\$10,000,000) in addition to nineteen million, five hundred thousand dollars (\$19,500,000) as shown in Council Order 345-22, and authorize a general obligation borrowing of an equal amount for the Newton Center for Active Living (NewCAL) and authorization to apply any premium received upon the sale of the bonds or notes, less the cost of preparing, issuing, and marketing them, and any accrued interest received upon the delivery of the bonds or notes to the costs of the project and to reduce the amount authorized to be borrowed for the project by like amount." 8-0

**Note:** Chief Financial Officer Maureen Lemieux opened this item to both committees. She continued to explain to the committee that the City Council approved \$20.5 million for the Newton Center for Active Living a year ago. She continued to explain that in this past year the market has experienced skyrocketing costs, inflation, construction costs, supply chain issues and interest rates. The city anticipated that this building was going to be more expensive than originally anticipated. Ms. LeMieux added that this time around, the city received a more reasonable bid amount for this project than the bid the city received in September of 2023, but it is still substantially more than what the city had planned for, with the project estimated to cost \$30.5 million in total. Ms. Lemieux ended by saying that although this current bid is more money than the city would have liked it to be, changes have been made to the city's financial plan that incorporate this project amount.

Commissioner of Public Buildings Josh Morse explained to the committee that his department worked to market this project throughout the entire northeast region and reached out to over 50 general contractors and over 100 trade contractors. He added that the city saw a 28% increase in interest in from the trade contractor bids and a 57% increase in the general contractor bids. Commissioner Morse continued to explain that the city saw a significant response from the trades bidders which resulted in significant savings from the previous bid. He also added that with the general contractors, two bids came in today, on December 11<sup>th</sup>, which resulted in the Public Buildings Department putting together the low bid that generated a project total of \$30.5 million.

Commissioner Morse finished with explaining to the committees that the Public Buildings Department submitted a letter in the Friday packet explaining the situation as to why the city was pushing the bids off to today. The city planned on opening the bids on December 7<sup>th</sup>, in communicating with the general contractors who are pre-qualified it was determined to be advantageous to push this date off to ensure that the contractors had time to submit their bids.

Councilors asked the following questions:

Q – How much of this project was intended to be bonded originally?

A – Most likely all of it. The \$20.5 million that was previously approved, plus the 10 million being asked today on a 30-year bond translates into about \$600,000 a year.

Q – Did the city need to change the scope of this project at all?

A – There was no change in the scope. There were some technical specifications that allowed for more flexibility and how much goods and materials were procured based on feedback we received from contractors.

Q – What is the anticipated completion date?

A – We are anticipating the spring or summer months of 2025.

Councilors made the following comments:

Some Councilors raised concerns with covering this cost with unanticipated interest income rising.

Some Councilors raised the concern that the city will have \$600,000 a year that will be spent on this project that could be available for other things.

Councilor Norton motioned to amend the docket language as shown in the docket action on behalf of the Finance Committee, which was approved unanimously.

Councilor Norton motioned to approve the item as amended on behalf of the Finance Committee, which was approved unanimously.

Councilor Laredo motioned to amend the docket language as shown in the docket action on behalf of the Public Facilities Committee, which was approved unanimously.

Councilor Laredo motioned to approve the item as amended on behalf of the Public Facilities Committee, which was approved unanimously.

### **Referred to Finance Committee**

**#418-23      Acceptance of \$174,910 from the Department of Justice’s Office of Community Policing Services**

HER HONOR THE MAYOR requesting authorization to accept and expend the sum of one-hundred seventy-four thousand nine-hundred ten dollars (\$174,910) in a grant from the Department of Justice’s Office of Community Policing Services.

**Action:            Finance Approved 8-0**

**Note:**            Superintendent McMains from the Newton Police Department presented the item above to the committee. Superintendent McMains explained to the Committee that this grant was applied for by Captain Spaulding of the Newton Police Department prior to his passing this year.

Superintendent McMains continued to explain that this grant is in conjunction with a company called “Dedicated to Community”, which is an organization started up by Quinton Williams, who went to Boston College. If this grant were awarded to the Newton Police, officers would go through training in conjunction with members of the community, as well as officers from surrounding communities. Superintendent McMains explained that this grant covers approximately \$115,000 for the fees for the class.

Superintendent McMains continued to explain to the committee that the Newton Police Department’s hope is to have 100% of their officers go through this training, mainly to learn how to deal with the public, including how to build rapport with different community members, how the department builds bridges and outreach to different parts of the community to help the police department work with the community in solving crimes, dealing with issues that arise in the community, etc.

Superintendent McMains explained that this grant would run from March until July. He continued to explain to the committee that the Police Department is currently facing staffing issues, and they don’t know if they will be able to meet all the requirements of staffing for this grant, but the department wanted to apply for this grant as early as they can, and they are working to fix these issues.

Superintendent McMains ended by adding that Chief Carmichael has been really stressing community policing and community outreach in Newton. The department has enlarged its community outreach footprint and has a presence on social media. The part that the department is missing is getting a good connection with the public. One of the areas discussed was forming a Citizens Police Academy to get the public in to meet our police officers. The department believes

this grant and class will help in terms of community outreach and will help build that strong relationship with members of the community.

Councilors asked the following questions:

Q – Am I correct in assuming that the timeline of the training would extend, and we are not putting the entire grant or program in jeopardy, it will just take longer to get the correct number of officers through the process?

A – Yes.

Q – Is this a national program?

A – Yes, this is a national program. Captain Spaulding learned about this program through one of the courses he took at the FBI National Academy, taught by Quinton Williams.

Q – What is the time commitment for the officers and this program?

A – It will be 2 days a month, each officer is dedicated to 8 hours of training. We want to have 15 officers go per day, so 30 total officers attend this program each month, and the program will run for approximately 5 months.

Q – How does the composition of the program work with Newton officers versus officers from other towns?

A - Originally the grant suggested Boston, Watertown, Waltham, Weston, Wellesley and all the communities that surround Newton. The composition is 15 police officers from Newton, 5 police officers from surrounding cities and towns and universities, and 10 volunteers from the community for each class.

Q – How will the volunteers for this program be recruited?

A - I would suggest the Police Department reach out to the city council for recommendations. The department has reached out to the Human Rights Commission and plan on reaching out to the schools.

Councilor Oliver motioned to approve the item, which passed unanimously.



### Referred to Finance Committee

**#373-23      Acceptance of \$190,000 from MassDOT's Community Transit Grant Program  
FY24**

HER HONOR THE MAYOR requesting authorization to accept and expend the sum of one hundred ninety thousand dollars (\$190,000) from MassDOT's Community Transit Grant Program FY24 for Newton transportation for older adults and individuals with disabilities during the fiscal year.

**Action:      Finance Approved 8-0**

**Note:**      Director of Transportation Planning Josh Ostroff presented the above item to the committee. Mr. Ostroff explained to the committee that this is the fifth year that you have been asked to accept Grant program funds from Mass DOT for the community transit grant program. These grants are specifically to support seniors and riders with disabilities.

Mr. Ostroff continued to explain to the committee that the Transportation Planning Department is continuing to work on receiving additional grant funding to restore Newmo to the level that it was our earlier this year. The department feels that this program has been very important to the community.

Mr. Ostroff explained to the committee that Newmo is currently in a financial state that causes him concern. The service had to reduce eligibility and reduce the number of cars and drivers on the road. He added the department believes it is still a critical service for many of the most vulnerable residents including seniors, people with low incomes and people with physical disabilities. The department is providing in the range of 3,000 rides a month, which is about half what it was earlier.

Mr. Ostroff continued to explain that the annualized budget for Newmo is in the range of \$600,000, and it had been previously double that. He added the department is very hopeful they will be able to get full funding to the levels it was previously, and the department is currently working on grant applications.

Mr. Ostroff finished by telling the committee the Transportation Planning Department plans on coming back to the committee in the coming months with a more comprehensive picture of the financial state of Newmo.

Chief Operating Officer Jonathan Yeo added that the city has put the Newmo program out to bid and expects proposals to come in very shortly. The focus with the new program coming up will be on senior transportation. The city will be trying to figure out if this program can be scalable to measure, and if it can cover other groups, but the main focus will be on senior transportation.

Councilors asked the following questions:

Q – Can you elaborate on what you mean by making this service scalable?

A – By scalable we mean this service can provide more capacity, including opening this service up more if needed to adjust fares or potentially have the opportunity to provide a greater benefit by serving another community.

Councilor Kalis motioned to approve the item, which passed unanimously.

**Referred to Finance Committee**

**#272-23 Authorization to expend \$33,333 in transportation mitigation funds on NewMo Operation from the 15 Riverdale Avenue development**

HER HONOR THE MAYOR requesting approval to spend thirty-three thousand, three hundred thirty-three dollars (\$33,333) in transportation mitigation funds from the 15 Riverdale Avenue development for NewMo operations consistent with the transportation demand management plan set out in Special Permit #01-20 and the approved Request for Determination of Insubstantial Change dated 2/2/22.

**Action: Finance Approved 8-0**

**Note:** Director of Transportation Planning Josh Ostroff presented the above item to the committee. Mr. Ostroff explained to the committee that the council will be seeing a similar request in the coming months, and this will go towards a total of amount of \$100,000. Mr. Ostroff explained to the committee that this was dedicated to Newmo because TMA could not provide the services that Riverdale Avenue development needed. Mr. Ostroff continued to explain that the department has steered mitigation funds towards Newmo since its inception. He added that this revenue is not sustainable, and it's not recurring revenue, but it is vital.

Councilor Kalis motioned to approve the item, which passed unanimously.

**Referred to Finance Committee**

**#417-23 Request to transfer \$50,000 from Street Division – Full Time Wages**

HER HONOR THE MAYOR requesting authorization to transfer and expend the sum of fifty thousand dollars (\$50,000) from Acct # 0140120-511002, Street Division – FullTime Wages, to Acct# 67A109A2-572500, Workers Compensation – Legal Claims and Settlements, in order to settle Worker’s Compensation claim # WC003901.

**Note: a motion for Executive Session may be entertained**

**Action: Finance Approved 7-0 (Councilor Noel not voting)**

**Note:** Chair Grossman announced the next item may be heard through an execution session. The purpose of the executive session is to discuss strategy with respect to litigation

matters, in accordance with the provisions of Mass General Laws Chapter 38 sections 21(3) to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body. Executive sessions are closed to the public and the committee will not reconvene in an open session.

Councilor Kalis made a motion to enter an executive session.

The Clerk completed the roll call vote 7-0 (Councilor Noel not voting) to enter an executive session.

The Committee adjourned at 8:40 PM.

**Respectfully submitted,**

**Alison M. Leary, Chair  
Public Facilities Committee**

**Rebecca Walker Grossman, Chair  
Finance Committee**



City of Newton, Massachusetts  
Office of the Mayor

RUTHANNE FULLER  
MAYOR

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

November 17, 2023


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

Dear Councilors:

I respectfully request that the Honorable Council appropriate \$15,000 from June 30, 2023 Certified Free Cash to account #0110162-534100 Elections Postage in the City Clerk's Office to fund elections-related postage charges.

The additional funds are needed due to the large volume of ballots mailed and correspondence relating to elections. With the Votes Act of 2022, applications to receive ballots by mail are holding steady at close to 50% of our voter activity. As voters become more aware of the options, it was difficult for the City Clerk to estimate beforehand how many voters would utilize the vote-by-mail method.

Please see the attached memo from City Clerk Carol Moore on this issue. Thank you for your consideration of this matter.

Sincerely,  
  
Ruthanne Fuller  
Mayor

CITY CLERK  
NEWTON, MA 02459

2023 NOV 17 PM 3:07

RECEIVED



November 17, 2023

The City Clerk respectfully asks for \$15,000 to fund postal charges to account #0110162-534100 Elections Postage due to the amount of ballots mailed and correspondence relating to elections. With the Votes Act of 2022, applications to receive ballots by mail are holding steady at close to 50% of our voter activity. As this process improves and voters become more aware of the options, it was hard to estimate beforehand how many voters would utilize the vote-by-mail method.

Thank you for your consideration on this matter.

Sincerely,

Carol Moore  
City Clerk/Clerk of the Council

CITY OF NEWTON

IN CITY COUNCIL

DRAFT

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chair Rebecca Walker Grossman to appropriate and expend fifteen thousand dollars (\$15,000) from Certified Free Cash to Acct #0110162-534100 Elections Postage is hereby approved as follows:

FROM:	Certified Free Cash (0001-3240) .....	\$15,000
TO:	Elections Postage (0110162-534100) .....	\$15,000

Under Suspension of Rules  
DRAFT

(SGD) CAROL MOORE  
City Clerk

(SGD) RUTHANNE FULLER  
Mayor



City of Newton, Massachusetts  
Office of the Mayor

Telephone  
(617) 796-1100  
**374-23**  
Telefax  
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TDD  
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E-mail  
[rfuller@newtonma.gov](mailto:rfuller@newtonma.gov)

RUTHANNE FULLER  
MAYOR

November 13, 2023

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

Dear Councilors:

I respectfully submit a docket item to your Honorable Council requesting appropriation of \$3,000,000 from the Stormwater Reserve Account to fund the dredging of the City Hall ponds in 2024. This is a high priority initiative for me.

The goals of this project include: restoring the hydraulic capacity, mitigating storm drainage impacts, and improving the landscape aesthetics of the historic City Hall Ponds. These improvements are intended to be accomplished by performing maintenance sediment removal from the ponds, as well as portions of the Hammond Brook and Cold Springs Brook culverts, which convey flow to the ponds.

A total of 3,700± cubic yards of sediment is estimated to be removed from the City Hall Ponds and upgradient culverts. Extensive testing of the sediment material was completed to fully characterize the material and to evaluate the most cost-effective means for disposal of the material. It is suitable for re-use as daily cover or grading material at MaDEP-approved landfills.

Approximately 1,700 acres of Newton watershed land drains to the City Hall Ponds, upstream from Cold Springs Park to the southwest, and Hammond Pond to the southeast, and including the land occupied by the main library parking lot and a portion of Homer Street. The consequences of not dredging the City Hall Ponds would be to exacerbate the potential for flooding in the immediate vicinity, increase sediment loading downstream and allow for the proliferation of invasive plant species.

Please see the attached memo from DPW Commissioner Jim McGonagle on this issue. Thank you for your consideration of this matter.

Sincerely,  
*Ruthanne Fuller*  
Ruthanne Fuller  
Mayor

RECEIVED  
2023 NOV 14 PM 3:12  
CITY CLERK  
NEWTON, MA, 02459

DEPARTMENT OF PUBLIC WORKS  
OFFICE OF THE COMMISSIONER  
1000 Commonwealth Avenue  
Newton Centre, MA 02459-1449

374-23



Newton  
Ruthanne Fuller  
Mayor

Date: 11/9/23

To: Maureen Lemieux, CFO & Jonathan Yeo, COO

From: James McGonagle, Commissioner Public Works

Re: Request to Appropriate Funds for Sediment Removal and Maintenance of City Hall Ponds, 2024

Public Works respectfully request that the Mayor docket an appropriation of \$3,000,000 to fund the dredging of the City Hall ponds in 2024.

The goals of this project include: restoring the hydraulic capacity, mitigating storm drainage impacts, and improving the recreational aesthetics of the historic City Hall Ponds. These improvements are intended to be accomplished by performing maintenance sediment removal from the ponds, as well as portions of the Hammond Brook and Cold Springs Brook culverts, which convey flow to the ponds. A total of 3,700± cubic yards of sediment is estimated to be removed from the City Hall Ponds and upgradient culverts. Extensive testing of the sediment material was completed to fully characterize the material and to evaluate the most cost-effective means for disposal of the material. It is suitable for re-use as daily cover or grading material at MaDEP approved landfills.

Approximately 1,700 acres of land drain to the City Hall Ponds, upstream from Cold Springs Park to the southwest, and Hammond Pond to the southeast, and including the land occupied by the main library parking lot and a portion of Homer Street. The consequences of not dredging the City Hall Ponds would be to exacerbate the potential for flooding in the immediate vicinity, increase sediment loading downstream and allow for the proliferation of invasive plant species. The maintenance of City Hall Ponds is a priority initiative.

cc: Shawna Sullivan, Deputy Commissioner  
Thomas Fitzgerald, Director of Utilities  
Louis M. Taverna, City Engineer  
Frank Nichols, Director of Engineering



CITY OF NEWTON

IN CITY COUNCIL

DRAFT

ORDERED:

That, in accordance with the recommendation of the Finance and Public Facilities Committees through its Chairs Rebecca Walker Grossman and Alison Leary authorization to appropriate and expend the sum of three million dollars (\$3,000,000) from the Stormwater Fund Balance # 6200-3599 to fund the dredging of the City Hall ponds in 2024 is hereby approved as follows:

FROM:	Stormwater Fund Balance (6200-3599) .....	\$3,000,000.00
TO:	City Hall Pond Dredging (7211D401-584200) .....	\$3,000,000.00

Under Suspension of Rules  
Readings Waived and Approved  
DRAFT

(SGD) CAROL MOORE  
City Clerk

(SGD) RUTHANNE FULLER  
Mayor



Ruthanne Fuller  
Mayor

City of Newton, Massachusetts  
Office of the Mayor

**375-23**

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rfuller@newtonma.gov

November 13, 2023

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

Honorable City Councilors:

I respectfully submit this docket item to your Honorable Council requesting the authorization to appropriate and expend an amount to be determined before a final City Council vote for the Newton Center for Active Living Project.

Attached is a memo from Public Buildings Commissioner Morse requesting the docket item which explains the need and urgency for this request.

While we are hopeful that the bids come in within our total project budget of \$20.5M, if they do not, we will update the City Council immediately and provide the requisite backup for this request including the amount and funding source.

Thank you for your consideration of this matter.

Sincerely,

Mayor Ruthanne Fuller

CITY CLERK  
NEWTON, MA, 02459

2023 NOV 13 PM 1:54

RECEIVED



**CITY OF NEWTON, MASSACHUSETTS**  
**PUBLIC BUILDINGS DEPARTMENT**  
52 ELLIOT STREET, NEWTON HIGHLANDS, MA 02461

Ruthanne Fuller, Mayor  
Josh Morse  
Building Commissioner

Telephone (617) 796-1600  
Facsimile (617) 796-1601  
TDD/tty # (617) 796-1608

November 13, 2023

Ruthanne Fuller, Mayor  
Newton City Hall  
1000 Commonwealth Avenue  
Newton Centre, MA 02459

Re: Newton Center for Active Living Project

Dear Mayor Fuller:

The Public Buildings Department requests the Mayor to docket a request for an additional appropriation, amount to be determined before a final City Council vote, for the Newton Center for Active Living Project.

The general contracting bids are scheduled to be opened on December 7<sup>th</sup>. While we are hopeful that the bids will come in within our project budget of \$20.5M, we also want to be prepared should additional funds be needed after the bids are opened.

Between inflation, interest rates, and material lead times, the current construction market conditions are such that we need to be able to execute a contract as soon as possible after the bids are opened. Without this ability, we are concerned that we could have trade contractors, or even the general contractor, pull their bids if we took too long to execute the contract.

We will work with the City Council President, the Committee Chairs, and the Clerk's Office to determine the most optimal schedule for the City Council meetings. Should the bids come in above our current total project budget, we will immediately update the City Council and provide the requisite backup.

Sincerely,

Josh Morse  
Public Buildings Commissioner  
cc: Maureen Lemieux, Chief Financial Officer  
Alex Valcarce, Deputy Buildings Commissioner

CITY OF NEWTON

IN CITY COUNCIL

DRAFT

ORDERED:

That for the purpose of construction of the Newton Center for Active Living Project be and hereby is appropriated and authorized to be borrowed under and pursuant to Chapter 44, Section 7(1) of the Massachusetts General Laws, as amended and supplemented or pursuant to any other enabling authority, the sum of ten million dollars (\$10,000,000), in addition to the nineteen million, five hundred thousand dollars (\$19,500,000) (Council Order #345-22).

Any premium received upon the sale of the bonds or notes, less the cost of preparing, issuing and marketing them, and any accrued interest received upon the delivery of the bonds or notes shall be: (i) applied, if so provided in the loan authorization, to the costs of the project being financed by the bonds or notes and to reduce the amount authorized to be borrowed for the project by like amount; or (ii) appropriated for a project for which the city has authorized a borrowing, or may authorize a borrowing, for an equal or longer period of time than the original loan, including any temporary debt.

Under Suspension Rules  
Readings Waived and Approved  
DRAFT

(SGD) CAROL MOORE  
City Clerk

(SGD) RUTHANNE FULLER  
Mayor

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



Ruthanne Fuller  
Mayor

City of Newton, Massachusetts  
Office of the Mayor

**418-23**  
Telephone

(617) 796-1100

Fax

(617) 796-1113

TDD/TTY

(617) 796-1089

Email

rfuller@newtonma.gov

November 27, 2023

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

Councilors:

I respectfully ask for authorization to accept and expend funds in the amount of one-hundred seventy-four thousand nine-hundred ten dollars (\$174,910) in a grant from the Department of Justice's Office of Community Policing Services. Attached, please find a fact sheet outlining the uses of the funds.

Leadership of the Newton Police Department will be available to answer any questions you might have.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller  
Mayor

NEWTON, MA 02459  
CITY CLERK

2023 NOV 27 PM 4: 25

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City of Newton  
Police Department



TELEPHONE  
(617) 796-2101  
FAX # (617) 796-3679

Office of the Chief of Police  
HEADQUARTERS  
1321 WASHINGTON STREET  
NEWTON, MASSACHUSETTS 02465

JOHN F. CARMICHAEL, JR.  
CHIEF OF POLICE

November 9, 2023

Hon. Mayor Ruthanne Fuller  
Newton City Hall  
1000 Commonwealth Ave.  
Newton, MA 02459-1449

**Re: Request to Accept and Expend Funds from the US Department of Justice  
Office of Community Oriented Policing Services**

I respectfully request to accept and expend funds in the amount of \$174,910.00 from the DOJ's Office of Community Policing Services. A description of funding uses is provided in the attached Fact Sheet. Also attached is the list of program awards by state and city or town.

Thank you for your assistance.

Sincerely,

John Carmichael  
Chief of Police

cc: CFO Maureen Lemeiux, Superintendent George McMains





## 2023 Community Policing Development Program

Community Policing Development (CPD) funds are used to develop the capacity of law enforcement to implement community policing strategies by providing guidance on promising practices through the development and testing of innovative strategies; building knowledge about effective practices and outcomes; and supporting new, creative approaches to preventing crime and promoting safe communities. The 2023 CPD program funded projects that develop knowledge, increase awareness of effective community policing strategies, increase the skills and abilities of law enforcement and community partners, increase the number of law enforcement agencies and relevant stakeholders using proven community policing practices, and institutionalize community policing practice in routine business.

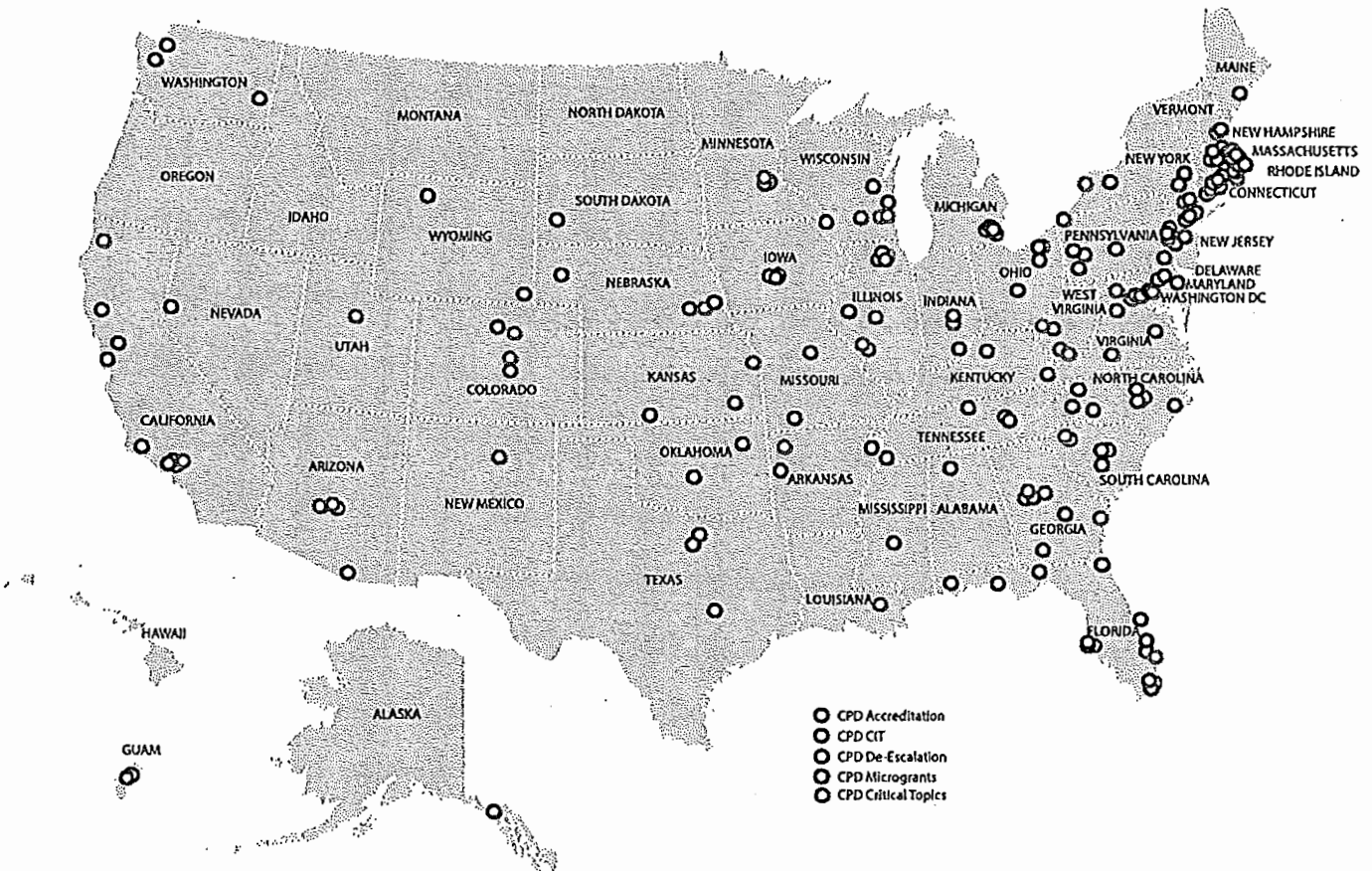
### COPS Office Community Policing Development Awards

The 2023 CPD program funded projects related to the following categories and subcategories:

- Accreditation
  - Addressing Gaps in State Accreditation
  - Enhancing Existing Law Enforcement Accreditation Entities
  - Supporting Law Enforcement Agencies in Seeking Accreditation
  - Accreditation Resources and Implementation Support
- De-Escalation Training
  - Continuation and Expansion of Regional De-Escalation Training Centers
  - Law Enforcement De-Escalation Training Grants
- Implementation of Crisis Intervention Teams
- Microgrants
  - Building Trust and Legitimacy with the Community
  - Community Violence Intervention
  - Hate Crimes and Domestic Terrorism
  - Officer Recruitment, Retention and Workforce Diversification
  - Underserved Populations
- Critical Topics
  - Emerging Issues Forums
  - Innovations in Recruitment, Retention, and Workforce Diversification
  - Tolerance, Diversity, and Anti-Bias Training

The full listing of awarded projects is located on the COPS Office website at <https://cops.usdoj.gov/cpd>.

## FY23 Community Policing Development Program Map



### Funding Provisions

Provisions include the following:

- In FY 2023, the COPS Office awarded \$42.2 million under the CPD program.
- Generally, the CPD program was open to all public governmental agencies, for-profit and nonprofit institutions, institutions of higher education, community groups, and faith-based organizations. Categories and subcategories had individual eligibility criteria. Accepted proposals were responsive to the category—and, if applicable, subcategory—selected, significantly advanced the field of community policing, and demonstrated an understanding of community policing.

### Contact the COPS Office

For more information about COPS Office programs and resources, please call the COPS Office Response Center at 800-421-6770 or visit the COPS Office website at <https://cops.usdoj.gov>.



2023 Community Policing Development (CPD) Program Awards

<u>State, Agency Name, and Award Category</u>	<u>Estimated Award Amount</u>
<u>Iowa</u>	
Des Moines, City of <i>Law Enforcement Agency De-Escalation Grants</i>	\$69,500
Iowa Department of Public Safety <i>Law Enforcement Agency De-Escalation Grants</i>	\$285,000
Iowa Police Chiefs Association <i>Addressing Gaps in State Accreditation</i>	\$499,604
<u>Kansas</u>	
Barber, County of <i>Law Enforcement Agency De-Escalation Grants</i>	\$163,333
National Association of Women Law Enforcement Executives, Inc. <i>Critical Topics / Officer Recruitment, Retention and Workforce Diversification</i>	\$200,000
Parsons, City of <i>Supporting Law Enforcement Agencies in Seeking Accreditation</i>	\$139,255
<u>Kentucky</u>	
Frankfort, City of <i>Microgrants / Building Trust and Legitimacy with the Community</i>	\$145,900
<u>Louisiana</u>	
Southern University and A&M College <i>Implementing Crisis Intervention Teams</i>	\$351,568
<u>Maine</u>	
Rockland, City of <i>Law Enforcement Agency De-Escalation Grants</i>	\$179,725
<u>Maryland</u>	
Baltimore, City of <i>Microgrants / Officer Recruitment, Retention and Workforce Diversification</i>	\$126,440
Howard County <i>Law Enforcement Agency De-Escalation Grants</i>	\$210,000
Hyattsville, City of <i>Law Enforcement Agency De-Escalation Grants</i>	\$109,000
<u>Massachusetts</u>	
Boston, City of <i>Microgrants / Building Trust and Legitimacy with the Community</i>	\$175,000
<i>Supporting Law Enforcement Agencies in Seeking Accreditation</i>	\$250,000
Dennis, Town of <i>Law Enforcement Agency De-Escalation Grants</i>	\$231,523

**2023 Community Policing Development (CPD) Program Awards**

<b><u>State, Agency Name, and Award Category</u></b>	<b><u>Estimated Award Amount</u></b>
Fall River, City of <i>Law Enforcement Agency De-Escalation Grants</i>	\$127,555
Fitchburg Police Department <i>Supporting Law Enforcement Agencies in Seeking Accreditation</i>	\$114,816
Hopedale, Town of <i>Supporting Law Enforcement Agencies in Seeking Accreditation</i>	\$114,368
Leicester, Town of <i>Supporting Law Enforcement Agencies in Seeking Accreditation</i>	\$67,921
Methuen Police Department <i>Implementing Crisis Intervention Teams</i>	\$394,800
Newton, City of <i>Microgrants / Building Trust and Legitimacy with the Community</i>	\$174,910
North Shore Community College <i>Supporting Law Enforcement Agencies in Seeking Accreditation</i>	\$54,541
Sherborn Police Department <i>Supporting Law Enforcement Agencies in Seeking Accreditation</i>	\$58,845
Stow Police Department <i>Supporting Law Enforcement Agencies in Seeking Accreditation</i>	\$139,278
Townsend, Town of <i>Supporting Law Enforcement Agencies in Seeking Accreditation</i>	\$106,515
<b><u>Michigan</u></b>	
Dearborn, City of (Inc.) <i>Law Enforcement Agency De-Escalation Grants</i>	\$50,955
<i>Microgrants / Building Trust and Legitimacy</i>	\$88,816
Grosse Ile, Township of <i>Supporting Law Enforcement Agencies in Seeking Accreditation</i>	\$132,789
Redford, Township of <i>Law Enforcement Agency De-Escalation Grants</i>	\$250,000
<b><u>Minnesota</u></b>	
Fridley, City of <i>Implementing Crisis Intervention Teams</i>	\$327,520
Minnesota Chiefs of Police Association, Inc. <i>Addressing Gaps in State Accreditation</i>	\$358,588
Saint Paul, City of <i>Microgrants / Officer Recruitment, Retention and Workforce Diversification</i>	\$175,000
<b><u>Mississippi</u></b>	
University of Mississippi Medical Center <i>Microgrants / Officer Recruitment, Retention and Workforce Diversification</i>	\$175,000

CITY OF NEWTON

IN CITY COUNCIL

DRAFT

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chair Rebecca Walker Grossman, the authorization to accept and expend grant funds from the Department of Justice's Office of Community Policing Services in the amount of one-hundred seventy-four thousand nine-hundred ten dollars (\$174,910), is hereby approved.

Under Suspension of Rules  
Readings Waived and Approved  
DRAFT

(SGD) CAROL MOORE  
City Clerk

(SGD) RUTHANNE FULLER  
Mayor

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



City of Newton, Massachusetts  
Office of the Mayor

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(617) 552-1113  
Telefax  
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TDD  
(617) 796-1089  
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[rfuller@newtonma.gov](mailto:rfuller@newtonma.gov)

RUTHANNE FULLER  
MAYOR

November 13, 2023

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

Dear Councilors:

I respectfully submit a docket item to your Honorable Council requesting approval to accept and expend \$190,000 in grant funding from MassDOT's Community Transit Grant Program FY24 for Newton transportation for older adults and individuals with disabilities during the fiscal year.

The City is currently contracted with Via to provide the senior service portion of our transportation for Newton in Motion (NewMo). NewMo also provides transportation for people with disabilities. The City will provide a match to MassDOT funds using part of the \$275,000 that the City puts towards senior transportation on an annual basis.

The City is finalizing an RFP to solicit proposals for a new contract for transportation with a primary focus on senior transportation.

Please see the attached memo from Planning & Development Director Barney Heath. Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller  
Mayor

CITY CLERK  
NEWTON, MA, 02459

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Ruthanne Fuller  
Mayor

City of Newton, Massachusetts  
Department of Planning and Development  
1000 Commonwealth Avenue Newton, Massachusetts 02459

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(617) 796-1120  
Telefax  
(617) 796-1142  
TDD/TTY  
(617) 796-1089  
www.newtonma.gov

Barney S. Heath  
Director

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MEMORANDUM

**Date:** November 10, 2023  
**To:** Maureen Lemieux, Chief Financial Officer  
Jonathan Yeo, Chief of Operations  
**From:** Barney Heath, Director of Planning & Development  
**Subject:** Request to Docket Item to Accept MassDOT Community Transit Grant Program  
SFY24

---

We request approval to accept and expend \$190,000 in grant funding from MassDOT's Community Transit Grant Program SFY24 for the following project:

Newton Senior Transportation Operating FY24

The City is contracted with Via to provide the senior service portion of our transportation. The City will provide a match to MassDOT funds using part of the \$275,000 that the City puts towards senior transportation on an annual basis.

Attached:

- Award Letter



Maura Healey, Governor  
Kimberley Driscoll, Lieutenant Governor  
Monica Tibbitts-Nutt, Acting Secretary & CEO  
Meredith Slesinger, MassDOT Rail & Transit Administrator

373-23



November 6, 2023

Nicole Freedman  
City of Newton  
1000 Commonwealth Avenue  
Newton Centre, MA 02459

Dear Nicole Freedman:

On behalf of Governor Healey and Lieutenant Governor Driscoll, I am pleased to notify you that the City of Newton has been competitively selected to receive a State Fiscal Year 2024 Community Transit Grant Program award for the following project:

Newton Senior Transportation Operating FY24 in the amount of \$190,000

Through this funding, we are pleased to support your efforts to expand mobility for older adults and individuals with disabilities in Massachusetts.

In the coming weeks, you will receive further instructions from the MassDOT Transit Division detailing next steps, including any necessary budgetary revisions. In the meantime, please feel free to contact Rachel Fichtenbaum, Manager of Grant Programs and Mobility Management, at [Rachel.L.Fichtenbaum@dot.state.ma.us](mailto:Rachel.L.Fichtenbaum@dot.state.ma.us) with any questions.

Thank you for your continued commitment to improving mobility in the Commonwealth.

Sincerely,

*Meredith Slesinger*

Meredith Slesinger  
MassDOT Rail and Transit Administrator

CITY OF NEWTON

IN CITY COUNCIL

DRAFT

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chair Rebecca Walker Grossman, the authorization to accept and expend grant funds from the MassDOT's Community Transit Grant Program FY24 in the amount of one hundred ninety thousand dollars (\$190,000) for Newton transportation for older adults and individuals with disabilities is hereby approved.

Under Suspension of Rules  
Readings Waived and Approved  
DRAFT

(SGD) CAROL MOORE  
City Clerk

(SGD) RUTHANNE FULLER  
Mayor

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

272-23  
272-23



City of Newton, Massachusetts  
Office of the Mayor

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(617) 796-1100

Telefax  
(617) 796-1113

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(617) 796-1089

E-mail  
rfuller@newtonma.gov

RUTHANNE FULLER  
MAYOR

August 7, 2023

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

Councilors:

I respectfully submit this request to your Honorable Council for approval to spend \$33,333 in transportation mitigation funds on NewMo operations from the 15 Riverdale Avenue development. This is consistent with the transportation demand management plan set out in Special Permit #01-20 and the approved Request for Determination of Insubstantial Change dated 2/2/22.

The approved language calls for payments for NewMo in three equal installments totaling \$100,000, the first on 2/1/22, the second on 8/1/23 and the third on 2/1/24. This approval is only for the second payment on 8/1/23 of \$33,333. The City plans to request the third installment later in Fiscal Year 2024.

As stated in the 2/2/22 Request for Determination of Insubstantial Change,

“The applicant has been in touch with the Watertown TMA, and learned that there is presently no funding to extend the Pleasant Street shuttle into Newton via California Street. Accordingly the Applicant proposes the following language to replace condition 56d:

“Providing the City with a contribution of \$100,000. The funds are to be used for such transportation purposes as the City deems appropriate, including without limitation, NewMo. These funds shall be paid in three equal installations: the first on February 1, 2022, the second on August 1, 2023, and the third on February 1, 2024.”

The first payment has been used for NewMo operations during 2022. A memo from Director of Planning & Development Barney Heath is attached.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller  
Mayor

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CITY CLERK  
NEWTON, MA. 02459



272-23  
272-23



Ruthanne Fuller  
Mayor

**City of Newton, Massachusetts**  
Department of Planning and Development  
1000 Commonwealth Avenue Newton, Massachusetts 02459

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(617) 796-1120  
Telefax  
(617) 796-1142  
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(617) 796-1089  
www.newtonma.gov

**Barney S. Heath**  
Director

**MEMORANDUM**

**Date:** August 7, 2023  
**To:** Mayor Ruthanne Fuller  
**From:** Barney Health, Director – Planning & Development  
**Subject:** Request to Docket Item to Expend 2<sup>nd</sup> payment of Riverdale Funds for NewMo consistent with Comprehensive Special Permit #01-20

We request approval to spend the second installment of the total \$100,000 in transportation mitigation funds from the 15 Riverdale Ave development consistent with the transportation demand management plan set out in Special Permit #01-20 and the approved Request for Determination of Insubstantial Change dated 2/2/22. The money will be received in 3 equal installments, the first on 2/1/22 which has been received, the second on 8/1/23 and the third on 2/1/24, and spent on NewMo accordingly.

As stated in the Request for Determination of Insubstantial Change”

The applicant has been in touch with the Watertown TMA, and learned that there is presently no funding to extend the Pleasant Street shuttle into Newton via California Street. Accordingly the Applicant proposes the following language to replace condition 56d:

“Providing the City with a contribution of \$100,000. The funds are to be used for such transportation purposes as the City deems appropriate, including without limitation, NewMo.”

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 spend the sum of thirty-three thousand, three hundred thirty-three dollars (\$33,333) in transportation mitigation funds from the 15 Riverdale Avenue development for NewMo operations consistent with the transportation demand management plan set out in Special Permit #01-20 and the approved Request for Determination of Insubstantial Change dated 2/2/22 be and is hereby approved as follows:

FROM:	15 Riverdale Ave Transportation Mitigation (5563D114-590001) .....	\$33,333
TO:	NewMo Transportation (01C11408-538300) .....	\$33,333

Under Suspension of Rules  
Readings Waived and Approved  
DRAFT

(SGD) CAROL MOORE  
City Clerk

(SGD) RUTHANNE FULLER  
Mayor

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



Ruthanne Fuller  
Mayor

City of Newton, Massachusetts  
Office of the Mayor

417-23

(617) 796-1100

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Email

rfuller@newtonma.gov

November 27, 2023

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

Councilors:

I respectfully ask for authorization to transfer and expend the sum of \$50,000 from Acct# 0140120-511002, Street Division – Full-Time Wages, to Acct# 67A109A2-515201, Municipal Employees General Fund – Worker’s Compensation in order to settle Worker's Compensation claim # WC003901.

I have attached 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

CITY CLERK  
NEWTON, MA 02459

2023 NOV 27 PM 4: 25

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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- Workers Compensation Manager  
**Date:** October 18, 2023  
**Re:** Docket Request to settle WC Claim # WC003901 Date of Injury 01/19/2021

---

Worker's Compensation Manager, Kelly Brown respectfully requests approval to appropriate funds to settle WC claim #WC003901 date of Injury 01/19/2021 for \$ 50,000.

The appropriation will be from the Workers Compensation General fund WC fund Budget code 67A109A2-515201 Municipal-Workers Compensation-Wages to the 67A109A2-572500 Workers Compensation -Claims and Settlements account.

I respectfully ask for the appropriation of \$50K to pay this when the lump sum paperwork comes in as it is a sound business decision based on the potential claim exposure.

I will make myself available to attend a Finance Committee meeting to present this matter and answer any questions that you or the committee members may have.

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 #0140120-511002, DPW Street Division – Full-Time Wages, to Acct # 67A109A2-572500, Municipal Employees General Fund – Workers Compensation Legal Claims and Settlements, in order to settle Worker’s Compensation Claim # WC003901 is hereby approved as follows:

FROM:	DPW Street Division – Full-Time Wages (0140120-511002) .....	\$50,000
TO:	Workers Compensation- Legal Claims and Settlements (67A109A2-572500) .....	\$50,000

Under Suspension of Rules  
Readings Waived and Approved  
DRAFT

(SGD) CAROL MOORE  
City Clerk

(SGD) RUTHANNE FULLER  
Mayor

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