



Finance Committee Agenda

City of Newton In City Council

Monday, January 8, 2024

The Finance Committee will hold this meeting as a virtual meeting on Monday, January 8, 2024, at 7:00 pm. To view this meeting using Zoom use this link: <https://newtonma.gov.zoom.us/j/89565346468> or call 1-646-558-8656 and use the following Meeting ID: 895 6534 6468

Items scheduled for discussion:

Chair's Note: The Chair's intention is to entertain a motion to hold for the following two items (#27-24, #33-24) during this meeting. The purpose of hearing these items is to start initial discussions between Councilors and appropriate city staff.

Recommended to Programs and Services & Finance Committees

#27-24

Appropriate \$925,000 Newton Public Schools Curriculum Investments

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of nine hundred twenty-five thousand (\$925,000) of June 30, 2023 Certified Free Cash for the purpose of funding curriculum materials for Newton Public Schools.

Recommended to Public Facilities & Finance Committees

#33-24

Appropriate \$11,475,000 for Newton Public Schools and Municipal Infrastructure

HER HONOR THE MAYOR requesting authorization to appropriate and expend eleven million, four hundred seventy five thousand dollars (\$11,475,000) of June 30, 2023 Certified Free Cash to fund the following: A. Newton North Pool- Air Handling Unit (\$425,000) B. Replace Entire Roof System - Peirce Elementary (\$1,200,000) C. Replace Entire Roof System - Mason Rice Elementary (\$1,100,000) D. Repave Parking Area - Brown Middle School (\$300,000) E. Replace Chiller - Newton South, Building H (\$350,000) F. Repair Auditorium Ceiling, Playground Improvement and Toilet Room Installation - Williams Elementary (\$325,000) G. Install PA Systems - Bigelow & Brown Middle Schools (\$300,000) H. Toilet Room Upgrades - Day Middle, Mason Rice, Bowen, Memorial Spaulding, and Peirce Elementary Schools (\$1,275,000) I. Paving, Road Improvements & Traffic Calming (\$5,250,000) J. Police Headquarters - Repave Parking Lot & Fencing (\$600,000) K. Fire Station 2- Heat Pumps for staff area HVAC.

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 or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

#34-24 Acceptance of anonymous donation to Newton City Council

CITY CLERK requesting the acceptance of an anonymous donation of \$10,000 to the City of Newton in memory of former Councilor George Mansfield for the benefit of the work of the Newton City Council to be used as the Council Leadership and the Clerk of the Council may from time to time determine.

#35-24 Acceptance of \$22,248 grant from MasseVIP

HER HONOR THE MAYOR requesting authorization to accept and expend the sum of twenty-two thousand, two hundred and forty-eight dollars (\$22,248) from the WPF Grant for the purpose of installing six EV Level 2 chargers. Five chargers (\$18,540) will be installed at the DPW facility at Elliot Street and one (\$3,708) at the Directors parking lot at City Hall.

Respectfully submitted,

Leonard Gentile, Chair



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

33-24 & 27-24

Telephone
(617) 796-1100

Fax
(617) 796-1113

TDD/TTY
(617) 796-1089

Email
rfuller@newtonma.gov

December 26, 2023

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

RECEIVED
2023 DEC 26 PM 1:34
CITY CLERK
NEWTON, MA 02459

Honorable Councilors:

I am requesting approval from the Honorable Council for the use of \$12.4 million dollars of FY2024 available Free Cash to support important needs of the Newton Public Schools, the Department of Public Works, the Newton Police Department and the Newton Fire Department.

The use of these one-time funds for one-time expenditures is part of the City's larger financial strategy for the FY2025 operating budget and the use of funds from Overlay Surplus and Free Cash. The City of Newton has benefited from significantly higher amounts of Free Cash both last year and this as well as an unusual declaration in August 2023 of a substantial amount of funds in Overlay Surplus. We have a financial strategy that uses these funds to support ongoing operations as well as one-time needs.

Last Year's FY2023 Available Free Cash

All cities and towns in Massachusetts annually have funds called Free Cash certified by the State. In layperson's terms, Free Cash is the remaining, unrestricted funds from a City's or Town's operations from the previous fiscal year. Free Cash comes from actual revenues received in excess of revenue estimates, unspent funds in operating budget line items, and/or unexpended Free Cash from the previous year. As recently shown in figures provided to the City Council, even with the two larger amounts of Free Cash in FY2023 and FY2024, the City of Newton has lower levels of Free Cash as a percentage of the annual budget compared to other communities.

While the City of Newton is not yet fully funding 100% of anticipated expenditures (e.g., removal of snow and ice, maintenance of roadways, etc.), the City depends on and pays close attention to the amount and uses of Free Cash.

Free Cash in the Fuller Administration is an important part of the financial strategy and is used in the following prioritized manner:

- First: The difference between the actual budget for snow and ice removal and the most recent current maximum spent;
- Second: The amount necessary to supplement the prior year's Interest Income from the Rainy Day Stabilization Fund and the amount of the required following year's Rainy Day appropriation;
- Third: Up to \$1.5 million is used as a general revenue source for the ensuing year's operating budget;
- Fourth: One-time, non-recurring expenditures and/or funding to replenish reserve funds depleted in the previous year, such as the Inclement Weather Stabilization Reserve.

If funds are still available, we prioritize capital expenditures, particularly those with bonding terms of 10 years, as well as unusual settlements and expenses.

Fourteen months ago, on October 5, 2022, the State Department of Revenue notified the City that we would have a Free Cash amount of \$28,860,460 for use in FY2023. The \$28.8 million in Free Cash derived primarily from FY2022 Revenues Received in Excess of Budget and FY2022 Municipal Department Unexpended Appropriations. More specifically, the FY2023 Free Cash was approximately \$15 million higher than the usual, stemming from a \$12.7 million Eversource payment and a \$2 million non-profit deferred payment.

Notably, NPS does not return any unexpended appropriations to the City. Rather, any unexpended NPS funds are carried forward within the NPS Budget to the following year.

Although Free Cash is declared each year in every City and Town, these are considered to be one-time funds, as the amount can vary, and is the result of the prior year's actuals.

Last year, the City utilized \$23.4 million of these FY2023 Free Cash funds with City Council approval and reserved \$5.4 million for projected needs that have not yet settled. Of the total amount appropriated of \$23.4 million, we appropriated approximately \$16.3 million (or 70%) to support our students and schools as follows:

➤ We strategically paid \$10 million in cash toward the Lincoln-Eliot Elementary School reconstruction project to reduce Debt Payments, which allows us to increase the NPS operating budget by \$600,000 per year,	\$10,000,000
➤ We provided a “Bridge Grant” to NPS for a one-year gap to fund State imposed increased tuition costs for out-of-district student placements,	\$ 1,400,000
➤ We paid NPS legal settlements totaling \$580,000, taking pressure off the NPS operating budget,	\$ 580,000
➤ Replaced Newton South Synthetic Turf Fields & Track,	\$ 3,240,000
➤ NPS McKinney-Vento Homeless Transportation and Foster Aid,	\$ 244,821
➤ Boosted the FY2024 NPS Operating Budget	\$ 810,000
TOTAL FY2023 FREE CASH DEDICATED TO NPS	\$16,274,821

Overlay Surplus and the Eversource Payment

This past summer, we had another unusual one-time source of funding. The Newton Board of Assessors’ was able to release \$26 million in principal and interest holdings that had been held for property owners that have challenged their assessments.

With the certification of significantly higher than usual Free Cash this year, we do not need to use the Overlay Surplus for one-time needs. Instead, we have the opportunity to transform the entire *one-time* surplus amount of \$26 million from Overlay Surplus and the ATB Interest & Penalties into *ongoing* funds to support the current operations of the Newton Public Schools and the overall financial health of the City.

On August 17, 2023, I submitted a docket item to the Honorable City Council requesting authorization to establish an “Operations Booster Stabilization Fund” with an initial balance of \$26 million. Seventy percent (70%) of the Operations Booster Stabilization Fund was to be used over the next eight years to “boost” the NPS budget during the period of time that we are working to fully fund our pension system.

Unfortunately, the City Council did not support our plan for this Fund.

On November 16, 2023, I once again submitted a docket item to the City Council requesting authorization to use the Overlay Surplus to establish a Debt Service Stabilization Fund, again with an initial balance of \$26 million. It was again my intent to “boost” the annual NPS budgets each year while I serve as Mayor. However, we were not able to garner the two-thirds support from the City Council to establish that Fund.

I have been working closely with Superintendent Anna Nolin and the Newton School Committee to supplement a 3.5% increase in next year's NPS FY2025 Budget with the use of one-time funding from the Overlay Surplus. These additional Overlay Surplus funds will support ongoing NPS operations in a way that will not result in fiscal hardship when these unusual, one-time funds are used up.

More specifically, I have given my commitment to using 70% of the \$26 million in Overlay Surplus plus associated interest income to augment the NPS operating budget to address pressing needs as prioritized by the Superintendent and the School Committee. I look forward to working with the City Council during the review of the FY2025 Operating Budget to secure this funding.

This Year's FY2024 Available Free Cash

Three months ago, on September 25, 2023, the State Department of Revenue notified the City that we would have a Free Cash amount of \$27,912,423 for use in FY2024, deriving again primarily from FY2023 Revenues Received in Excess of Budget, FY2023 Municipal Department Unexpended Appropriations, and Unappropriated Free Cash from FY2022. These are also *one-time* funds.

This is the second year in a row that the City has received significantly more Free Cash than usual. There are two specific and unusual reasons for the FY2024 higher than typical amount of Free Cash. First, we held \$5.4 million from last year's Free Cash for potential liabilities and settlements that we may be facing; the \$5.4 million rolled over into this year's Free Cash. Second, interest rates have risen dramatically in the past twenty months. Consequently, our actual interest earned from investments in FY2023 was \$8.4 million more than we had budgeted; this entire amount dropped into this year's Free Cash. More specifically, when we were crafting the FY2023 Budget in March 2022, the Federal Funds Rate was 0.25% to 0.50%, which was the interest rate income that we built into our Budget. By the end of our fiscal year in June 2023, the Federal Funds Rate had dramatically increased to 5.25%.

To date, December 26, 2023, we have made only a few appropriations from this year's Free Cash, totaling approximately \$3.5 million. Of this, NPS is once again the beneficiary of the largest amount of our appropriations. The City Council has recently approved (December 18, 2023) our request of \$2.4 million of funding for the replacement of the Newton North Synthetic Turf Field and Track.

Each year the City depends on approximately \$12 million of Free Cash to supplement next year's budget, as a reserve for above average costs of snow/ice removal and cleanup from inclement weather, and to cover overtime costs, legal settlements, and contingencies. While I will continue to hold funds for these potential needs, I believe it is good for our community to put the excess Free Cash to work for us now for important capital infrastructure and curriculum improvements.

For the last few budget cycles, we have heard from residents, parents & caregivers, NPS staff, the School Committee, as well as City Councilors, about the many facility maintenance needs at NPS. Through our discussions this past fall regarding the Overlay Surplus and the need for additional operational funds for NPS, we again heard clearly from many Councilors the need to devote one-time monies to NPS to address their facility maintenance needs. Following those conversations, we asked the NPS Administration to develop a list of their highest priority uses for one-time funding and they created this list of \$6.2 million in projects in addition to the \$2.4 million to replace the turf at the stadium and track at Newton North High School – for a total of \$8.6 million in Free Cash for NPS needs. The School Committee was recently briefed on the package with members expressing support for making these investments right now.

On the municipal side, we continue to need to use Free Cash to support our complete streets paving investments and we have two pressing infrastructure needs for Police Headquarters and Fire Station 2.

Therefore, I respectfully submit a docket item to your Honorable Council requesting authorization to appropriate and expend the sum of twelve million four hundred thousand dollars (\$12,400,000) from June 30, 2023 Certified Free Cash to be split equally (\$6,200,000 each) between the Newton Public Schools and several municipal departments for the purpose of funding the following capital infrastructure and curriculum investments.

Newton Public Schools - \$6,200,000

A. Newton North Pool Air-Handling Unit	\$ 425,000
B. Replace Entire Roof System – Peirce Elementary	\$1,200,000
C. Replace Entire Roof System – Mason Rice Elementary	\$1,100,000
D. Repave Parking Area – Brown Middle School	\$ 300,000
E. Curriculum Materials	\$ 925,000
F. Replace Chiller – Newton South, Building H	\$ 350,000
G. Repair Auditorium Ceiling, Playground Improvements and Toilet Room Installation – Williams Elementary	\$ 325,000

- | | |
|---|-------------|
| H. Install New PA Systems – Bigelow & Brown Middle Schools | \$ 300,000 |
| I. Toilet Room Upgrades – Day Middle, Mason Rice, Bowen,
Memorial Spaulding, and Peirce Elementary Schools | \$1,275,000 |

City of Newton Municipal Infrastructure - \$6,200,000

- | | |
|---|-------------|
| A. Paving, Road Improvements & Traffic Calming | \$5,250,000 |
| B. Police Headquarters – Repave Parking Lot & Install Fencing | \$ 600,000 |
| C. Fire Station 2 – Heat Pumps to improve staff area HVAC | \$ 350,000 |

Support of this docket request will help address even more facility and program needs in our schools. This additional financial support comes on the heels of my commitment of nearly \$275 million of investments in our school facilities, programs, and operations above and beyond the annual budget over the last four years.

With my commitment of Overlay Surplus, Free Cash and a 3.5% increase in the NPS FY2025 Budget, Superintendent Nolin is making a set of recommendations to the School Committee for uses of these funds – including reaching a fair and sustainable settlement contract with our educators and addressing some of the most acute needs of our school system and our 11,000 plus students.

I know how much the City Council supports our students and the Newton Public Schools, as well as the Department of Public Works' Transportation Network Improvement Plan, and improvements to Police and Fire facilities.

As Mayor, I believe that these infrastructure and curriculum investments are critical to the Newton community.

Thank you for your consideration of this matter.

Sincerely,



Mayor Ruthanne Fuller



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

January 3, 2024

Honorable City Council,

As part of the \$11,475,000 free cash docket request from Mayor Fuller, the sum of \$300,000 has been requested to install new public announcing systems at the Bigelow and Brown Schools. The existing systems are both original and well beyond their useful life, and they do not provide adequate coverage for the two facilities.

The systems were designed in the 1950's and 1960's, at a time when school security was completely different. Mass communication and notification has not only become an important feature of any 21st century school, but these systems also play a critical role in the day-to-day operations of the schools.

This project will improve the communications and functionality of the facilities.

Sincerely,

Josh Morse
Public Buildings Commissioner

cc: Maureen Lemieux, Chief Financial Officer
Jonathan Yeo, Chief Operating Officer
Alex Valcarce, Deputy Buildings Commissioner

January 2, 2024

To Mayor Fuller and the Newton City Council,

I am writing to request your help in improving the conditions in the parking area behind Charles E. Brown Middle School off of Littlefield Road. Currently, the conditions are very poor as the area lacks proper drainage. Faculty use this area for parking because we do not have sufficient parking spaces for Brown and Oak Hill faculty in the lot at Meadowbrook and Wheeler Roads. Faculty members' cars have been engulfed by large puddles when it rains hard with no outlet for the water.

Additionally, our students who arrive by van are dropped off and picked up daily in this area. The current conditions make it difficult for our van drivers to navigate, especially when the ground is wet. Some of our vans have gotten stuck in the mud while trying to turn around, causing delays for our transportation department.

Last year Josh Morse came to Brown MS to meet with 8th grade students who were interested in helping to improve the parking area behind the school as part of their action civics project. He answered their questions and they sent letters requesting support for improvements. I have included two of the letters below.

Our staff depends on this parking area daily, and the pavement is failing in a number of places. A project to address these needs would be very impactful and would provide a morale boost to the staff here at Brown. I earnestly seek your support.

Sincerely,



Kimberly Lysaght

Principal

Charles E. Brown Middle School

Wednesday, June 14, 2023

Kimberly Lysaght

Brown Middle School

125 Meadowbrook Road

Newton, MA 02459

Dear Principal Lysaght,

We hope that you are having a wonderful day. We would like to bring your attention to the issues occurring in the back end of the school. After taking a detailed tour of the back of the school, (specifically the parking area near the modular), and doing extensive research, including meeting with Josh Morse, Commissioner of Public Buildings, we realize that there are some issues in the back that need to be fixed. Problems such as hazardous potholes, street and sidewalk cracks, and hazardous parking, are dangerous and need to be fixed immediately.

The parking lot in the back of the school is in poor condition and requires a complete repair. Addressing the back parking lot is essential because it causes dangerous conditions for faculty and students. Over the last 20 years, Brown has been getting more workers that drive to work. Many students get picked up and dropped off in the back, and just a few months ago a bus was completely stuck in the mud. Similar situations have happened to staff and their cars. This disrupts the flow of teaching and may cost money. Some faculty members resort to parking off of school property to prevent their vehicles from getting damaged. The lack of safe parking supports the idea that the back of the school needs to be fixed because the current situation isn't fair to the faculty because they should be able to park at their job without the worry of auto damage.

Secondly, cracks in the pavement and sidewalk make it unsafe for pedestrians. The back ramp and the sidewalks have dangerous cracks, making it hazardous for walkers. The risky conditions could result in people getting hurt while evacuating the building or walking to cars. These issues make the exterior of Brown an unsafe place that is prone to dangers.

In summary, the back of the school is dangerous for students and faculty and needs to be taken care of so that there are no new incidents.

Best,

London E, Ava A, Ella R, Nathan N, Owen G

8th graders in Mr. McGraw's B-Block, Brown Middle School

June 14, 2023
Kimberly Lysaght, Principal
Brown Middle School

Dear Ms.Lysaght,

The back parking lot needs to be fixed because there are many problems such as unclear parking spots and insufficient drainage. The many potholes out there that can make students and teachers trip and injure themselves. Cracks in the sidewalk could also trip someone who is walking out there resulting in even moving injuries.

The back parking lot is dangerous and does not meet the needs of its users. The school can't afford a lawsuit and does not want injured teachers. We want the back parking lot issues to be fixed so students and teachers can use that space for what they want.

Fixing the back parking lot is essential because most of the teachers and a lot of the students at Brown Middle School use this space and there are a lot of safety hazards out there that could injure people.

- *Students can be tripped by the potholes out there and get injured, and since there are so many potholes out there whenever somebody is walking out there they need to constantly be watching out for them.*
- *Teachers could also unexpectedly drive over it and pop a tire or damage their car, neither of these is something that people want to happen.*

The back parking lot needs to be fixed because these issues are safety hazards that could cause a student or a teacher to get injured or have their property damaged. These issues make it even harder to use the space out there because teachers don't let the students do things that could hurt them and being out there makes it easy for a student to get injured or worse.

A second reason why the back parking lot issues are essential to fix is that the grass and parking areas can't be used after it rains because the water stays there until it

evaporates since the water drainage system is insufficient. The source of this problem is the water drains and other drainage systems not draining the water after it rains. The grass out there stays wet and/or mudding for at least 3 days after it rains and the roads out there stay wet and slippery so people can't walk out there without slipping.

In conclusion, we want the back parking lot to be repaired or remade because it is a safety hazard to be out there and there are many things that could injure a student, damage their property, injure a teacher, or damage their property. All of these issues make teachers and students not be able to use that space for what they want. The potholes, insufficient drainage, and cracked road are all safety hazards and work is needed to fix these issues so that students and teachers can use this space again.

*Sincerely,
Ethan Flaherty, JC Colella, Jesse Dash, Elliot Greiner*

*Brown Middle School
125 Meadowbrook Road
Newton, MA 02459
Attention: Mr. McGraw*

F.A. Day Middle School³³⁻²⁴

21 Minot Place Newton, MA 02460-1399 617-559-9100 Fax: 617-550-9103

Jacqueline Mann
Principal

Deborah Romeo, PhD
Assistant Principal

Brendan Healy
Assistant Principal

Michael Thurm
Assistant Principal for Student Services

Jennifer Murphy
Asst. Dept. Head for Student Services



January 4, 2024

Josh Morse
Public Buildings Commissioner
Public Buildings Department
City of Newton

Dear Josh,

The restrooms at F.A. Day Middle school would benefit greatly from an investment in their upgrading. As you know, F.A. Day is not only utilized by over 150 staff members and over 870 students, but is consistently used by community organizations ranging from Newton Community Education, various community sports organizations, SPACE Camp and the Newton Chinese School with an enrollment of close to 1,000 families.

The high frequency and volume of community and school use of these spaces has led to a significant need for repair and upgrade that has been requested by not only our Student and Teacher Advisory Councils at Day, but our Day PTO and parent community.

I completely support funding of any project that involves the upgrade of our restroom facilities at F.A. Day Middle School, and know that all stakeholders in our community would be thrilled if this project is approved.

Please do not hesitate to reach out with any additional questions.

Sincerely,

A handwritten signature in black ink that reads "Jackie Mann". The signature is written in a cursive style with a large initial "J" and a long horizontal stroke at the end.

Jackie Mann
Principal
F.A. Day Middle School



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

January 3, 2024

Honorable City Council,

As part of the \$11,475,000 free cash appropriation request submitted by Mayor Fuller, \$1,100,000 has been included to replace the roof at the Mason Rice Elementary School.

The existing roof was installed in 1987. This means that it is now well past the end of its useful life. Our maintenance records indicate that the frequency of roof leaks and subsequent repairs has increased significantly over the last few years. As the rubber membrane ages it loses its elasticity, which makes it more prone to cracking and more difficult to repair.

Roof leaks are detrimental to the facility and systems below but are also distracting to the staff and students. This project will improve the teaching and learning environment.

The roof replacement will also make the Mason Rice School a viable location for the installation of rooftop photovoltaic solar panels.

Sincerely,

Josh Morse
Public Buildings Commissioner

cc: Maureen Lemieux, Chief Financial Officer
Jonathan Yeo, Chief Operating Officer
Alex Valcarce, Deputy Buildings Commissioner



MASON-RICE SCHOOL
149 Pleasant Street
Newton, Massachusetts 02459



January 1, 2024

Dear Newton City Council,

There have been many roof leaks at Mason-Rice School recently, so the roof replacement project will be extremely helpful in maintaining an appropriate and welcoming teaching and learning environment. The project to replace the roof here at Mason-Rice is something that I strongly support, and I know it will be a welcomed project by our staff and parent community.

The restrooms at Mason Rice are also in need of improvements. While our custodial team does their very best, the demands that an elementary school places on restrooms are great, and these spaces are definitely in need of investments. The staff, students, and parent community here at Mason Rice have all expressed a strong desire to see a project like this completed and I share this sentiment.

Sincerely,

Jake Bultema
Principal
bultemaj@newton.k12.ma.us

617-559-9570
(fax) 617-552-7315



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

January 3, 2024

Honorable City Council,

As part of the \$11,475,000 free cash appropriation request submitted by Mayor Fuller, \$350,000 has been included to replace the chiller that serves "H" Building at Newton South High School.

The existing chiller was installed in 2002 and failed last year, which fell within the life expectancy range for this type of equipment. To get us through the summer of 2023, a temporary portable chiller was rented and the rental cost to Newton Public Schools is roughly \$82,000 per year.

This project will improve the temperature control for the staff and students at Newton South High School, it will improve the energy efficiency of the cooling system, and it will reduce the annual costs incurred by Newton Public Schools.

Sincerely,

Josh Morse
Public Buildings Commissioner

cc: Maureen Lemieux, Chief Financial Officer
Jonathan Yeo, Chief Operating Officer
Alex Valcarce, Deputy Buildings Commissioner



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
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TDD/tty # (617) 796-1608

January 3, 2024

Honorable City Council,

As part of the \$11,475,000 free cash appropriation request submitted by Mayor Fuller, \$1,200,000 has been included to replace the roof at the Peirce Elementary School.

The existing roof was installed in 2003. This means that it is now at the end of its useful life. Our maintenance records indicate that the frequency of roof leaks and subsequent repairs has increased significantly over the last few years. As the rubber membrane ages it loses its elasticity, which makes it more prone to cracking and more difficult to repair.

Roof leaks are detrimental to the facility and systems below but are also distracting to the staff and students. This project will improve the teaching and learning environment.

The roof replacement will also make the Peirce School a viable location for the installation of rooftop photovoltaic solar panels.

Sincerely,

Josh Morse
Public Buildings Commissioner

cc: Maureen Lemieux, Chief Financial Officer
Jonathan Yeo, Chief Operating Officer
Alex Valcarce, Deputy Buildings Commissioner



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
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January 3, 2024

Honorable City Council,

As part of the \$11,475,000 free cash docket request from Mayor Fuller, the sum of \$425,000 has been requested to replace the Newton North High School pool air handling unit.

This unit was installed 14 years ago, is approaching its end of useful life, and has required fairly significant repairs and parts replacements over the last year.

Unlike the rooftop air handling units found on many of our buildings, pool air handling units are exposed to chloramines which is a product of evaporation of chlorinated pool water. Chloramines cause corrosion of metal surfaces which in turn reduces the life expectancy of pool air handling units.

This project will replace the existing pool air handling unit which will improve the air quality in the pool facility. Furthermore, this project will improve the user and spectator experience.

Sincerely,

Josh Morse
Public Buildings Commissioner

cc: Maureen Lemieux, Chief Financial Officer
Jonathan Yeo, Chief Operating Officer
Alex Valcarce, Deputy Buildings Commissioner



CITY OF NEWTON, MASSACHUSETTS

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Telephone (617) 796-1600
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January 3, 2024

Honorable City Council,

As part of the \$11,475,000 free cash docket request from Mayor Fuller, the sum of \$1,275,000 has been requested to upgrade various restrooms at Day, Mason Rice, Bowen, Memorial Spaulding, and Peirce.

The restrooms at these schools have not had upgrades to the finishes, partitions, and fixtures in a long time. The deteriorating conditions make it difficult for the custodial team to keep these spaces as clean and presentable as they would like them to be.

Improvements to these restrooms are a high priority at these schools for the principals, staff, students, PTO's, and many of the parents.

This project will replace restroom stall partitions, install new epoxy floor systems, replace restroom fixtures, and paint the walls. This project will have a profound impact on some of the most heavily used spaces in our schools.

Sincerely,

Josh Morse
Public Buildings Commissioner

cc: Maureen Lemieux, Chief Financial Officer
Jonathan Yeo, Chief Operating Officer
Alex Valcarce, Deputy Buildings Commissioner

Newton Parks, Recreation & Culture Department
246 Dudley Road, Newton, MA 02459
Office: (617) 796-1500
parks@newtonma.gov
Nicole Banks, Commissioner



1/3/2024

Dear Honorable City Council,

I have managed indoor and outdoor swimming pools for over 20 years and have held the certified pool operator (CPO) credential for the majority of this time. Though outdoor pools have their own challenges, indoor pools are particularly complex. When chlorine bonds with contaminants in the pool, chloramines are produced. Unlike in an outdoor pool where chloramines dissipate in little time in direct sunlight, they must be removed from indoor swimming facilities by an air handling unit. The current system is at end of life and is not performing its task; we have received reports of discomfort from swimmers and spectators who utilize the pool. I have managed a similar project previously and can attest to the vastly improved conditions following replacement of an air handling unit in a swim facility.

I respectfully recommend that the City Council approve the requested funds for this needed equipment replacement.

Sincerely,

Nicole Banks, Commissioner
Newton Parks, Recreation & Culture
246 Dudley Rd.
Newton, MA 02459
617-796-1500
www.newtonma.gov/parks

To:

Josh Morse

From:

Tony Byers, Principal Williams Elementary School
Maura Tynes, Director of Special Education, Prek-5th

Newton Public Schools, and Williams School, prides itself on being a welcoming and inclusive school which fosters a sense of belonging for everyone. In order to foster that sense of belonging there are certain and critical components of the school environment which will help us become the school community we strive to be.

The auditorium is a critical space here at Williams. School gatherings, concerts, music classes, enrichment presentations and many other events occur in this space. Several years ago the auditorium roof was replaced, but the previous roof leaks caused damage to the acoustical ceiling. This project will replace the broken, stained, and missing ceiling tiles to make this space presentable and welcoming.

Accessibility at Williams Elementary School is important to allow all students to participate fully in the life of the school. Recess is a critical time for joy, fun and relationship building amongst students. Williams is home to the Reflections program for students with extensive support needs. Right now, students in the Reflections program, and a number of other students with disabilities, cannot join their peers in play because the playground is not designed for students with disabilities. There are few, if any, activities they can engage in at recess. Williams school requires substantial work on its playground to ensure that students with disabilities have the same level of access to recess as their peers and can play with their friends.

Additionally, and with accessibility in mind, Williams needs another accessible restroom for the high number of students who use an adapted bathroom. This project will fund these critical accessibility needs and allow all Newton students to participate in their school community for their elementary school careers.

We support these requests to help make the facility here at Williams as welcoming and wonderful as our staff are. We are proud of our students and want them to feel and experience Williams as a school where they belong and thrive every day.



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

January 3, 2024

Honorable City Council,

As part of the \$11,475,000 free cash docket request from Mayor Fuller, the sum of \$350,000 has been requested to replace the ceiling in the auditorium, construct an accessible restroom, and improve the playground at the Williams School.

The auditorium ceiling was damaged as a result of several roof leaks which occurred a few years ago before the subsequent roof replacement. This project will remove the existing acoustical ceiling and replace it with a new suspended acoustical ceiling system.

The Williams School has seen a recent increase in the students that have mobility challenges. As such accessibility improvements at the Williams School have risen in priority. These funds will allow us to construct a new accessible restroom and make accessibility improvements and upgrades to the playground.

This project will improve the general conditions at the Williams School and will make the facility more welcoming and inclusive.

Sincerely,

Josh Morse
Public Buildings Commissioner

cc: Maureen Lemieux, Chief Financial Officer
Jonathan Yeo, Chief Operating Officer
Alex Valcarce, Deputy Buildings Commissioner

Project	Design	Construction	Contingency	Total
North High Air Handling Unit	\$ 40,375	\$ 363,375	\$ 21,250	\$ 425,000
Peirce Roof Replacement	\$ 114,000	\$ 1,026,000	\$ 60,000	\$ 1,200,000
Mason Rice Roof Replacement	\$ 104,950	\$ 944,550	\$ 50,500	\$ 1,100,000
Newton South Chiller Replacement	\$ 33,250	\$ 299,250	\$ 17,500	\$ 350,000
Williams Auditorium Ceiling, Restroom, and Playground Improvements	\$ 33,250	\$ 299,250	\$ 17,500	\$ 350,000
Bigelow and Brown PA System Upgrades	\$ 28,500	\$ 256,500	\$ 15,000	\$ 300,000
Restroom Upgrades at Day, Mason Rice, Bowen, Memorial Spaulding, and Peirce	\$ 121,125	\$ 1,090,125	\$ 63,750	\$ 1,275,000
Grand Total	\$ 475,450	\$ 4,279,050	\$ 245,500	\$ 5,000,000



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

January 2, 2024

Honorable City Council,

As part of the \$11,475,000 free cash docket request from Mayor Fuller, I am submitting backup for the \$5,000,000 for the following projects in Newton Public Schools:

North High Air Handling Unit, \$425,000
Peirce Roof Replacement, \$1,200,000
Mason Rice Roof Replacement, \$1,100,000
Newton South Chiller Replacement, \$350,000
Williams Auditorium Ceiling, Restroom, and Playground Improvements, \$350,000
Bigelow and Brown PA System Upgrades, \$300,000
Restroom Upgrades at Day, Mason Rice, Bowen, Memorial Spaulding, and Peirce, \$1,275,000

This backup includes a total project budget as well as letters of support from myself and the school principals and other key staff.

These projects will all result in significant upgrades to the school facilities. The staff, students, and visitors will experience direct and tangible improvements as a result of these critical projects.

Sincerely,

Josh Morse
Public Buildings Commissioner

cc: Maureen Lemieux, Chief Financial Officer
Jonathan Yeo, Chief Operating Officer
Alex Valcarce, Deputy Buildings Commissioner



Bowen Elementary School

Josh Morse, Public Buildings Commissioner
Public Buildings Department
City of Newton

January 2, 2024

Dear Josh,

The restroom facilities at Bowen Elementary School would benefit greatly from this investment. These spaces are heavily used by hundreds of students, staff, and community members every day. Members of the Bowen community have also made requests to improve the Bowen restroom facilities. I support this important project. The Bowen community will be thrilled to with these improvements as well!

Yours truly,

Diana Guzzi

Dr. Diana Guzzi, Principal
guzzid@newton.k12.ma.us

Memorial-Spaulding School

250 Brookline Street, Newton, MA 02459 * 617-559-9600

Tom Morris, Principal * Cecile Budelmann, Special Education Team Chair * Kim Rutherford, Executive Assistant

January 2, 2024

Dear Josh Morse, Commissioner of Public Buildings,

I am writing to advocate for restroom improvements at Memorial-Spaulding School. We currently have two restrooms on the lower level, adjacent to the cafeteria, that are not functional due to poor conditions and inaccessibility. Given that our 370 students have lunch in this area, it would be greatly beneficial to have working restrooms close by. Currently, students needing to use the restroom during the lunch period must walk through the building to the kindergarten hallway restrooms. This creates multiple issues, including difficulty allowing for adult supervision while away from the cafeteria.

Our entire school community would benefit greatly by the investment to reopen these restrooms. This will allow for easy access to nearby restrooms that are within visual distance of the school cafeteria - easily monitored by our adult lunch monitors. These restrooms will be heavily used during the lunch periods, as well as by our Early Morning and Extended Day Programs that also use the cafeteria space. Also, reopening these restroom spaces is something that our PTO and parent community frequently request.

I completely support this important project and the entire Memorial-Spaulding community will be thrilled to see these improvements.

Sincerely,



Tom Morris
Principal



John F. Carmichael
CHIEF OF POLICE

City of Newton *Police Department*

33-24



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

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

Date: January 2, 2024
To: Honorable City Council
From: Chief John Carmichael, Newton Police Department
Ref: NPD Headquarters – Rear Perimeter Security Fence

Honorable City Council,

Mayor Fuller has submitted a request for \$600,000 to repave the Police Headquarters parking lot and install new fencing around the parking lot perimeter.

Both projects have my full support, as they address longstanding safety and security needs that the entire police department welcomes. I have also communicated with the Judge Heffernan from the Newton District Court, and she is in full support of these projects as well.

The current parking lot is not functional for a first responder operations and is in poor condition. Localized puddling and flooding occur where the pavement has failed, which creates slip hazards throughout the winter months, and fall hazards throughout the year.

The parking lot is limited to Police personnel only. However, pedestrians and bicyclists often cut through the lot creating a safety risk. The fence project will secure the parking lot like the DPW and Parks and Recreation parking lots and yards. This is a site with many public safety vehicles coming and going, and as such it's important for the safety of the public that we provide better site access control. The pedestrian and bicycle pathways outside and around the Police Headquarters parking lot are more accessible, safer, and do not present any further distance to be traveled regardless of where the public is coming from or going to.



I ask that you please consider and approve this request.

Respectfully,



Chief John Carmichael
Newton Police Department





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

January 2, 2024

Honorable City Council,

As part of the \$11,475,000 free cash docket request from Mayor Fuller, a request of \$600,000 has been made to repave the parking lot and install new fencing at Police Headquarters.

Public Works will be presenting and discussing the \$350,000 portion of the request that will cover the cost of the paving.

The Public Buildings Department is requesting \$250,000 to install the new fencing, gates, and the electrical power needed to operate the gates. A budget breakdown and letter of support have been included in the backup.

Sincerely,

Josh Morse
Public Buildings Commissioner

cc: Maureen Lemieux, Chief Financial Officer
Jonathan Yeo, Chief Operating Officer
Alex Valcarce, Deputy Buildings Commissioner

1/2/2024

Police Headquarters Parking Lot Security

1 Perimeter Fencing	\$ 45,000
2 Automatic Gates	\$ 95,000
3 Electrical Power for Gates	\$ 77,500
4 Contingency	<u>\$ 32,500</u>
5 Total Project Budget	\$ 250,000



Project	Design	Construction	Contingency	Total
Fire Station #2 Heat Pumps	\$ 30,000	\$ 300,000	\$ 20,000	\$ 350,000
Grand Total	\$ 30,000	\$ 300,000	\$ 20,000	\$ 350,000



CITY OF NEWTON, MASSACHUSETTS
FIRE DEPARTMENT HEADQUARTERS
1164 Centre Street, Newton Center, MA 02459-1584
Chief: (617) 796-2210 Fire Prevention: (617) 796-2230
FAX: (617) 796-2211 EMERGENCY: 911

33-24



Gregory J. Gentile
Chief

Ruthanne Fuller
Mayor

1/2/2024

RE: Fire Station 2 HVAC

City Council

I am writing this letter to fully support the proposed HVAC project at Fire Station #2 located at 1750 Commonwealth Ave. The current heating system at Station 2 is 60 years old and has been difficult to maintain and keep in good working condition. This installation of electric heat pumps will be a great upgrade to the building.

Thank you for your time in considering this request.

Respectfully,

A handwritten signature in black ink, appearing to read "Gregory J. Gentile".

Gregory J. Gentile
Chief of Department



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

January 2, 2024

Honorable City Council,

As part of the \$11,475,000 free cash docket request from Mayor Fuller, a request of \$350,000 has been made to install heat pumps at Fire Station #2.

The existing gas-fired steam boiler is original to the 1964 firehouse and is becoming increasingly difficult to keep operational and reliable.

In an effort to decarbonize our public buildings, we are seeking approval of the funds needed to install new electric heat pumps to provide heating and cooling for the station.

The windows at Fire Station #2 were recently replaced and the heat pump project will be completed in conjunction with air sealing and weatherization upgrades.

Sincerely,

Josh Morse
Public Buildings Commissioner

cc: Maureen Lemieux, Chief Financial Officer
Jonathan Yeo, Chief Operating Officer
Alex Valcarce, Deputy Buildings Commissioner

Peirce Elementary School

*170 Temple Street
West Newton, MA 02465
Ph: 617 559-9630
Fax: 617 552-7318*

33-24



January 5, 2024

To the Newton City Council:

I understand from Public Buildings Commissioner, Joshua Morse, that funding for roof repairs and restroom upgrades are being sought for the Peirce School. Speaking on behalf of the entire Peirce community, as principal I wholeheartedly support these much-needed building projects.

We have experienced several roof leaks at Peirce in recent years, many of them disruptive to instruction. Last year, for example, I had to suddenly relocate a second grade classroom to the library for two days due to serious leaking and damage. In turn, library was taught via traveling cart. Books and other instructional supplies had to be replaced due to water damage. Even when such extreme measures are not needed, water on the ground, buckets in our hallways, and other obstructions are distracting and unsafe. The Peirce School roof replacement would solve these issues and help us uphold the high standards for learning and safety that we promise to our families.

The restrooms at Peirce would also benefit immensely from an upgrade. These are used by approximately 240 students and 80 staff members each day. To my knowledge, student bathrooms have not received many upgrades and probably appear much the same as they did when Peirce was built. They are old, challenging to clean, and far from ideal for students of varying needs. Our PTO, parents, and staff have expressed support for restroom upgrades for several years now.

I strongly support both funding requests, and I look forward to these much-needed improvements here at Peirce.

Sincerely,

Andrea Vargas, M.Ed
Principal, Peirce Elementary School

CITY OF NEWTON

IN CITY COUNCIL

DRAFT

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chair Leonard Gentile authorization to appropriate and expend the sum of nine hundred twenty-five thousand (\$925,000) of June 30, 2023 Certified Free Cash for the purpose of funding curriculum materials for Newton Public Schools is hereby approved as follows:

FROM:	June 30, 2023 Certified Free Cash (0001-3240).....	\$925,000
TO:	Newton Public Schools Curriculum Materials (01C30108-542200)	\$925,000

Under Suspension of Rules
DRAFT

(SGD) CAROL MOORE
City Clerk

(SGD) RUTHANNE FULLER
Mayor

CITY OF NEWTON

IN CITY COUNCIL

DRAFT

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chair Leonard Gentile authorization to appropriate and expend the sum of eleven million, four hundred seventy five thousand dollars (\$11,475,000) from June 30, 2023 Certified Free Cash Account # 0001-3240 for Newton Public Schools and Municipal Infrastructure is hereby approved as follows:

FROM:	June 30, 2023 Certified Free Cash (0001-3240).....	\$11,475,000
TO:	Newton North Pool – Air Handling Unit (01C11536-524070)	\$425,000
	Replace Entire Roof System – Peirce Elementary (01C11537-524070).....	\$1,200,000
	Replace Entire Roof System – Mason Rice Elementary (01C11538-524090).....	\$1,100,000
	Repave Parking Area – Brown Middle School (01C40131-553100).....	\$300,000
	Replace Chiller – Newton South, Building H (01C11539-524070).....	\$350,000
	Repair Auditorium Ceiling, Playground Improvements and Toilet Room Installation – Williams Elementary (01C11540-524070).....	\$325,000
	Install New PA Systems – Bigelow & Brown Middle Schools (01C11541-524070).....	\$300,000

Toilet Room Upgrades – Day Middle, Mason Rice, Bowen, Memorial Spaulding, and Peirce Elementary Schools (01C11542-524070).....	\$1,275,000
Paving, Road Improvements & Traffic Calming (01C40112-553100).....	\$5,250,000
Police Headquarters – Repave Parking Lot & Install Fencing (01C40132-553100).....	\$600,000
Fire Station 2 – Heat Pumps to improve staff area HVAC (01C11543-524070).....	\$350,000

Under Suspension of Rules
DRAFT

(SGD) CAROL MOORE
City Clerk

(SGD) RUTHANNE FULLER
Mayor

CITY OF NEWTON

IN CITY COUNCIL

DRAFT

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chair Leonard J Gentile authorization to accept and expend the sum of ten thousand dollars (\$10,000) to the City of Newton in memory of former Councilor George Mansfield for the benefit of the work of the Newton City Council to be used as the Council Leadership and the Clerk of the Council is hereby approved.

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

35-24

Telephone
(617) 796-1100

Fax
(617) 796-1113

TDD/TTY
(617) 796-1089

Email

rfuller@newtonma.gov

January 8, 2024

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 \$22,248 in grants from the Massachusetts Electric Vehicle Incentive Program (MassEVIP) Workplace & Fleet Charging Program for new chargers at the Elliot Street DPW Yard and City Hall.

The grant funds will provide five Level 2 EV charging stations (with 10 total ports) at Elliot Street and one at City Hall (with 2 total ports). Eversource's Make Ready engineering and construction program will provide approximately \$121,000 in services to design and install the chargers. The City is expanding our EV fleet beyond sedans into small SUVs and light-duty vehicles and eventually into medium-duty vehicles as they become available so additional EV charging stations at the Elliot Street DPW Yard are necessary.

Please see the attached grant award letter from the Massachusetts Department of Environmental Protection, including the grant agreement.

Thank you for your consideration of this matter.

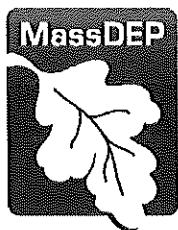
Sincerely,

Ruthanne Fuller
Mayor

CITY CLERK
NEWTON, MA, 02459

2024 JAN - 8 PM 3:18

RECEIVED



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

November 30, 2023

City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

Dear William Ferguson,

The Massachusetts Department of Environmental Protection (MassDEP) is pleased to announce that City of Newton (Grantee) has been awarded a grant of \$22,248.00 to acquire six electric vehicle charging station(s) under the Massachusetts Electric Vehicle Incentive Program (MassEVIP) Workplace & Fleet (WPF) Charging Program at the following location(s):

- An amount not to exceed \$18,540.00 for ten ports at 60 Elliot Street, Newton, MA; and
- An amount not to exceed \$3,708.00 for two ports at 1000 Commonwealth Ave., Newton, MA.

Contract documents are attached. You will need to sign and return the two that require signatures within **30** business days of receipt. The Grantee is authorized to proceed with the acquisition of the EV charging station(s) with the receipt of this approval letter. The contract documents include:

- *End User Agreement*, to be signed by an authorized signatory

Please email scanned copies of documents requiring signatures to MassEVIP.MassDEP@mass.gov.

MassDEP will execute the *End User Agreement* and email you a scanned copy for your records

You have up to 6 months from the contract documents' execution date to make the EV charging station operational. You have up to 60 days from the date the EV charging station is operational to request payment by completing and submitting the *Payment Request Form* and required

This information is available in alternate format. Please contact Melizza Esenyle at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

attachments. MassDEP will not authorize the payment until receiving a complete *Payment Request Form* and required attachments. Required attachments can include:

- Final invoice for EV charging station with line items for individual EV charging station costs.
- Final invoice for EV charging station installation costs.
- Photographs of installed EV charging station. Pictures should clearly show parking spaces, ADA accessible EV parking space and EV designated signage.

Please email scanned copies of the of documents requiring signatures to:

MassEVIP.MassDEP@mass.gov

You may begin to move forward with your project. However, grant funding is not guaranteed until there is fully executed contract, signed by both you and MassDEP. You may order equipment or hire a contractor but will not be reimbursed for any equipment delivered or work conducted before the effective date (i.e., the date of MassDEP's signature) on the contract.

Any work begun prior to a fully executed contract will be performed at your own risk.

The state's fiscal year (FY) begins on July 1st and ends on June 30th. Payment requests for any equipment that was delivered and/or installation work that occurred on or before June 30th must be submitted for payment no later than July 15th for payment to be processed - even if the entire project is not yet complete and the EV charging station is not yet operational.

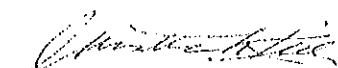
No payment for equipment delivered or installation work completed through June 30 can be made if the payment request is received after July 15. All payments will be made directly to the grantee.

As of January 1, 2023, Level 1 and Level 2 AC (not DC) electric vehicle supply equipment (EVSE) sold and installed in Massachusetts must comply with the Energy Star energy efficiency standards and be listed in the [State Appliance Standards Database \(SASD\)](#). If at any point you want to change your current approved equipment, be sure that your new equipment is also listed in the SASD.

On behalf of Commissioner Bonnie Heiple, I want to congratulate City of Newton for taking this important step towards making Massachusetts a leader in deploying electric vehicle charging equipment and helping the Commonwealth achieve its ambitious climate goals.

If you have any questions or comments regarding MassEVIP or the awarded grant, please contact us at MassEVIP.MassDEP@mass.gov.

Sincerely,



Christine Kirby
Assistant Commissioner
Bureau of Air and Waste

Attachments: *End-User Agreement*

**COMMONWEALTH OF MASSACHUSETTS
AGREEMENT BETWEEN MASSACHUSETTS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
AND CITY OF NEWTON**

L-7095

The Massachusetts Electric Vehicle Incentive Program (MassEVIP) Workplace and Fleet (WPF) program is funded through the Climate Protection and Mitigation Expendable Trust (CMT). The CMT was established in 2018 in concert with MassDEP regulation 310 CMR 7.74 (Reducing CO₂ Emissions from Electricity Generating Facilities) and 310 CMR 7.75 (Clean Energy Standard). Funds are generated for the CMT through the auction of CO₂ allowances under 310 CMR 7.74 and the submittal of alternative compliance payments (ACP) under 310 CMR 7.75. MassDEP administers the auction and collects the ACP payments. CMT funds support programs or projects that reduce greenhouse gas emissions to mitigate the impacts of climate change, to support adaptation to the impacts of climate change, and for the administration of the program.

This Agreement is entered into by the Commonwealth of Massachusetts, acting through MassDEP, and City of Newton (Grantee) for the purpose of reducing NOx and greenhouse gas emissions in Massachusetts, and to electrify the Massachusetts transportation network. MassDEP is charged with the implementation of and oversight for the MassEVIP WPF Program. Through MassEVIP WPF, \$22,248.00 shall be allocated to Grantee for the procurement and deployment of six Level 2 MassEVIP-funded electric vehicle (EV) charging station(s) (“EV charging station(s)”), twelve ports. The funding consists of:

- An amount to not exceed \$18,540.00 for ten ports at 60 Elliot Street, Newton, MA; and
- An amount to not exceed \$3,708.00 for two ports at 1000 Commonwealth Ave., Newton, MA.

Terms and Conditions

1. Agreement Duration/Timeline

- a) Grantee has up to 6 months after the effective date of this Agreement to make the EV charging station(s) operational.
- b) If Grantee wishes to make any changes to the information provided in Grantee's application regarding the EV charging station(s), Grantee shall notify MassDEP in writing and receive written approval from MassDEP prior to execution of any amended purchase agreement with the vendor(s) for the EV charging station(s).
- c) Grantee shall request MassDEP's approval of any extension of the 6 month timeframe by notifying MassDEP in writing at least 7 days prior to the end of the 6 month timeframe if the EV charging station(s) will not be operational within 6 months following the effective date of this Agreement. Grantee shall include documentation in any such request to show the reason for the delay, the efforts made by Grantee to avoid the delay, and a timeline by which the EV charging station(s) will be in service. Grantee's request for an extension will not be deemed granted unless approved in writing by MassDEP.
- d) Grantee shall operate and maintain the EV charging station(s) for a minimum of 3 full consecutive years following the date the EV charging station(s) are operational.

2. Hardware and Location Requirements

- a) Grantee shall install EV charging station(s) that:
 - i. are hard-wired Level 1 or Level 2 EV charging station(s);
 - ii. are UL listed (certified to Underwriters Laboratories, Inc. standards);
 - iii. for AC charging stations only, are Energy Star certified or certifiable in compliance with 225 CMR 9.00, the Massachusetts Appliance Energy-Efficiency Standards, Testing and Certification Program and are listed in the State Appliance Standards Database;
 - iv. can charge EVs produced by multiple manufacturers;
 - v. for charging stations that are equipped to accept payment, enable the payment option for all EV drivers without restrictions based on network membership or subscription (e.g., allow credit card payment without login); and
 - vi. are new installations, and not ordered until after an approval letter is received from MassDEP.
- b) *Fleet*: Grantee shall limit use of the EV charging station(s) to grantee-owned or leased EV use only.
- c) *Fleet*: At the time the payment request form is submitted, Grantee shall have purchased, leased, or ordered at least one electric vehicle that can use the EV charging station(s).]
- d) Grantee shall have evidence of ownership of the location identified in application or evidence that installation is allowed on the property (e.g., written permission of owner and/or pertinent language in lease, license agreement, or easement, etc.), and provide such evidence to MassDEP upon request.
- e) The location at which the EV charging station(s) are installed shall be a non-residential place of business.

3. EV Charging Station Costs

- a) The grant amount listed on the first page of this Agreement will cover 60% of the cost of the EV charging station(s), including:
 - i. a console wired into the electrical supply;
 - ii. a cable and connector to plug into the EV;
 - iii. cable management strategy (e.g., coil, retractable, etc.);
 - iv. mounting hardware, either pedestal or wall (Pedestal: hard-wired to a permanent pole or box. Wall: hard-wired to a wall and typically includes a mounting plate.);
 - v. separate payment module; and
 - vi. shipping/freight for covered costs
 - b) Only for locations where MassEVIP will fund infrastructure installation costs, the grant amount listed on the first page of this Agreement will cover 60% of the cost of the EV charging station(s) up to \$50,000 per address, including the items listed in Paragraph 3(a) above and
 - i. upgrading the electrical supply;
 - ii. construction costs related to installation (including accessible ADA EV parking space); and
 - iii. signage and pavement painting.
 - c) Grantee shall provide funds, either directly from Grantee or another source, to cover the remaining cost of the EV charging station(s), all the installation costs, and operating and maintenance costs for a minimum of 3 full consecutive years after EV charging station(s) are operational.
 - d) Costs not covered include:
 - e) shipping/freight for items not included in Paragraph 3.a) or Paragraph 3.b) and/parking space purchase or lease;
 - i. software subscription;
 - ii. warranty;
 - iii. taxes;
 - iv. internet connection or cell signal;
 - v. planning or permitting for the project;
 - vi. bollards, curbs, wheel stops, setbacks, bumper guards;
 - vii. electricity consumption and demand charges;
 - viii. preventative and corrective maintenance on EV charging station(s); and
 - ix. any other costs not listed in Paragraph 3.a) or Paragraph 3.b) above as applicable.
 - f) Funding from multiple MassDEP EVIP programs cannot be combined for a single EV charging station.
 - g) Funding from MassDEP EVIP programs cannot be combined with grants from the Massachusetts Green Communities Division for a single EV charging station and installation.
 - h) MassEVIP grant combined with funding from other sources shall not exceed 100% of the cost paid for the EV charging station(s).
4. EV Charging Station(s) Parking Requirements
- a) For each port installed, one parking space shall be designated for grantee-owned plug-in EV use only and marked clearly through visible signage, examples of which are provided in Attachment B. Grantee shall actively enforce this requirement. Grantee is encouraged

to paint the pavement of the parking area to indicate the parking space is designated for plug-in EVs.

- b) The parking space(s) and EV charging station(s) shall be located such that the connector from each EV charging station can easily reach a plug-in EV parked in the associated parking space.
- c) The EV charging station(s)' location shall be designed to protect the EV charging station(s) from physical damage. Such protective measures may include curbs, wheel stops, setbacks, bumper guards, and bollards.
- d) The EV charging station(s) parking space(s) and area around the EV charging station(s) shall be maintained for a minimum of 3 full consecutive years following the date the EV charging station(s) are operational, including, without limitation, painting, signage, snow removal and general cleaning.

5. Payment Requests

Grantee shall submit the *Payment Request Form* no later than 60 days after the date the EV charging station(s) are operational. In general, payment should be requested one time, after the charging station(s) are operational and all required signage and pavement marking is complete, but Grantee may need to submit a Payment Request Form before the charging station is operational due to a Massachusetts State Fiscal Year (FY) deadline. The Massachusetts State FY is from July 1st to June 30th and Grantee shall submit the Payment Request Form no later than July 15th following the end of the FY in which equipment was delivered and/or installation work occurred even if the EV charging station(s) are not yet operational. No payment for equipment delivered or installation work completed through June 30 can be made if the payment request is received after July 15. The grant payment will be based on the final invoice(s) for the EV charging station(s) and installation, as applicable, submitted by Grantee. The grant payment may be less than the total grant amount listed on page 1 of this Agreement and will not exceed the per street address grant amount listed on page 1 of this Agreement. MassDEP reserves the right to refuse payment if Grantee fails to submit timely documentation. Grantee may submit multiple payment requests if receiving a grant for multiple EV charging stations and the EV charging stations become operational at different times. Information required by *Payment Request Form* includes, without limitation:

- a) the dollar amount that is the subject of the payment request for the EV charging station(s) and infrastructure installation costs, if applicable;
- b) detailed cost invoices for the EV charging station(s) and infrastructure installation costs, if applicable, that are the subject of the Payment Request;
- c) photographs of all installed and operational EV charging station(s) that are the subject of the payment request, if applicable;
- d) date(s) when EV charging station(s) were operational, if applicable;
- e) photographs of relevant signage and pavement markings, if applicable; and
- f) address where payment should be mailed.

When a *Payment Request Form* is submitted before an EV charging station is operational, Grantee shall provide photographs of the installed station(s) once operational as well as photographs of the relevant signage and pavement markings. All required photographs shall be submitted within 60 days after the charging station(s) are operational.

Grantee agrees to provide MassDEP with any additional information requested by MassDEP as may be necessary to support a funding request.

If Grantee is subject to state public contracting laws, Grantee shall include with any payment request the following certification, "I hereby certify under the pains and penalties of perjury that Grantee has complied with all laws, regulations and other requirements applicable to the procurement and acquisition of the EV charging station(s) that are the subject of this Payment Request."

6. Promotion of EV Charging Station(s)

- a) Grantee agrees to promote the EV charging station(s) to employees, visitors, and the general public (if applicable) via various marketing strategies throughout the minimum period of 3 full consecutive years specified in Paragraph 1. Availability of Workplace Charging shall be made known to employees through signage and email messaging in the first month of the 3-year period. Other marketing strategies may include but are not limited to: Ride and Drive events, education for interested employees on the proper operation of the EV charging station(s), flyers, internal/external newsletters and webpages, etc. Grantee shall provide proof of such promotion to MassDEP upon request.
- b) If EV charging station(s) are available for public use, register each on the United States Department of Energy's (DOE) Alternative Fuels Data Center Station Locator http://www.afdc.energy.gov/fuels/electricity_locations.html. Grantees are also encouraged to submit the location to other EV charging websites such as www.PlugShare.com.
- c) Grantee is encouraged to conduct an EV "Ride and Drive" event at its location to provide consumers with the opportunity to test out EVs and to also demonstrate how EVs function like traditional vehicles, and can reduce oil consumption, pollution, and fuel and maintenance expenses. Grantee is encouraged to utilize the following on-line resource when conducting a Ride and Drive event: <https://driveelectricweek.org/resources.php>.

7. Insurance Coverage for EV Charging Station(s)

Adequate property and casualty insurance coverage for each EV charging station shall be provided by Grantee through third party coverage or self-insurance. Grantee shall provide proof of such coverage to MassDEP upon request.

8. Training on the Operation and Maintenance of EV Charging Station(s)

Upon installation of the EV charging station(s), Grantee agrees to require all pertinent personnel to attend a training session on the operation and maintenance of the equipment.

9. MassDEP Verification of EV Charging Station(s)

Grantee agrees to allow MassDEP access to the EV charging station(s) during normal business hours to verify the installation, maintenance, and use of the EV charging station(s).

10. Data Reporting and Recordkeeping Requirements

For a minimum of 3 full consecutive years after the EV charging station(s) are operational, Grantee shall collect data on the operation, maintenance, and usage, e.g., hours of use, number of sessions, number of unique users, kilowatt hours charged, downtime, and

maintenance costs, if available. Upon request by MassDEP and within a reasonable time, Grantee shall prepare and submit such data or records to MassDEP, in a format specified by MassDEP.

11. EV Charging Station(s) and Electrical Infrastructure Maintenance Requirements

Grantee shall maintain the EV charging station(s) and land-based electrical infrastructure in order to provide proper electrical supply for the operation of the EV charging station(s) for the duration of the 3 full consecutive year in-service period. Grantee shall maintain such EV charging station(s) and infrastructure in accordance with the manufacturer's recommended procedures and specifications and agrees that it is responsible for any maintenance and repair work that is not covered under the scope of the manufacturer's warranty. If the electrical infrastructure fails such that proper electrical supply required for the operation of the EV charging station(s) is not provided, Grantee shall contact either the vendor that performed the installation of the EV charging station(s), if such vendor also performed work on the electrical infrastructure, or another vendor/electrician of Grantee's choice. Grantee shall ensure that all necessary repairs to EV charging station(s), electrical infrastructure and electrical supply are completed within 14 calendar days of Grantee having knowledge of failure. Grantee shall keep records of its maintenance efforts and will make those records available to MassDEP upon request.

12. Noncompliance

In the event Grantee fails to comply with any requirements in this Agreement, the Commonwealth of Massachusetts and MassDEP shall, without limitation, have the right to require Grantee to return all or a portion of the CMT Funds, such portion to be calculated *pro rata* based on the remaining portion of the required 3 full consecutive year in-service period.

The provisions of this paragraph shall in no way be construed to limit or prohibit the Commonwealth of Massachusetts or MassDEP from pursuing any other legal or equitable right, remedy, action or claim available under applicable federal or state laws and regulations for the failure of Grantee to meet any of its obligations under this Agreement.

13. Notices, Submissions and Requests

Except as otherwise provided in this Agreement, all notices, submissions, and requests by Grantee shall be sent to MassEVIP.MassDEP@mass.gov.

14. Effective Date

The "Effective Date" of this Agreement is the date MassDEP signs this Agreement. The sequence of signing will be Grantee followed by MassDEP.

16. Transfer

Grantee agrees that it may not transfer the EV charging station(s), except as follows. In the event of an unforeseen circumstance that requires Grantee to transfer ownership of one or more EV charging station(s), Grantee may request written pre-approval from MassDEP to transfer such ownership. The decision to approve such a request shall be in MassDEP's sole and exclusive discretion, and Grantee shall provide MassDEP with all requested information and comply with all conditions imposed by MassDEP in connection with such approval. The

Commonwealth of Massachusetts and MassDEP reserve all of their rights, remedies, actions and claims available under state and federal laws and regulations in the event of any inaccurate, misleading or fraudulent information provided by Grantee in connection with a request hereunder.

By accepting the grant funding, Grantee expressly agrees, through the execution of this Agreement, to be bound by the following Terms and Conditions. Grantee agrees that, from time to time as deemed necessary by MassDEP, to effectuate the goals and purposes of MassEVIP, MassDEP and Grantee shall amend this Agreement.

If signing electronically, I understand and agree that I will be held as legally bound, obligated, and responsible for the use of my electronic signature as I would be using my hand-written signature.


IN WITNESS THEREOF, the parties hereby execute this Agreement.

CITY OF NEWTON

By: 
Print Name: Ruthanne Fuller
Print Title: Mayor

Date: 12/17/2023

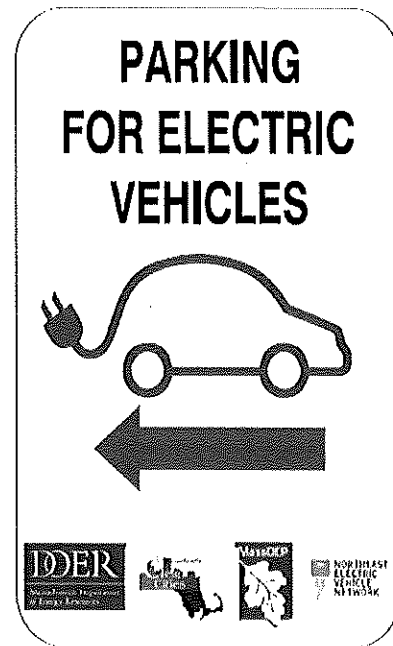
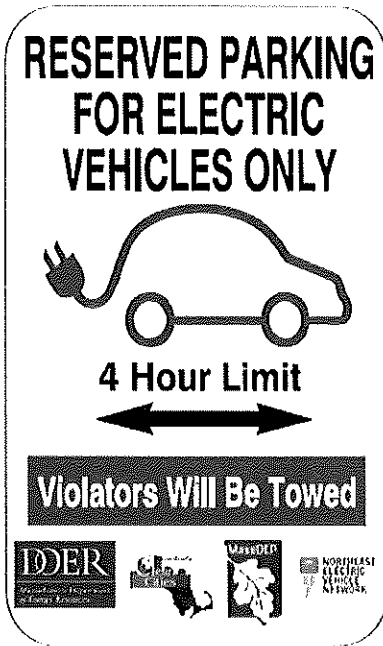
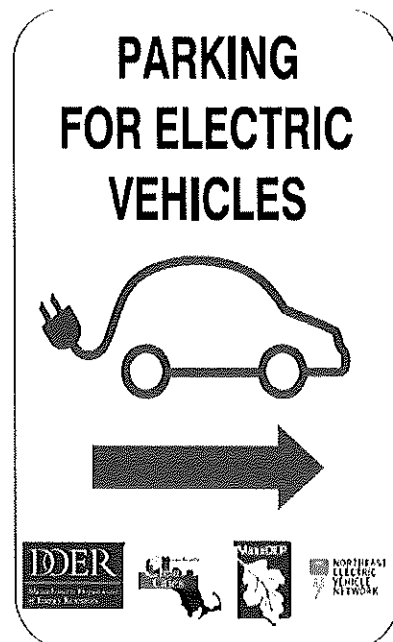
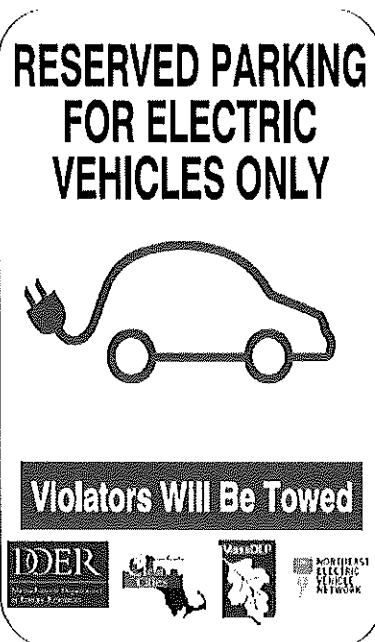
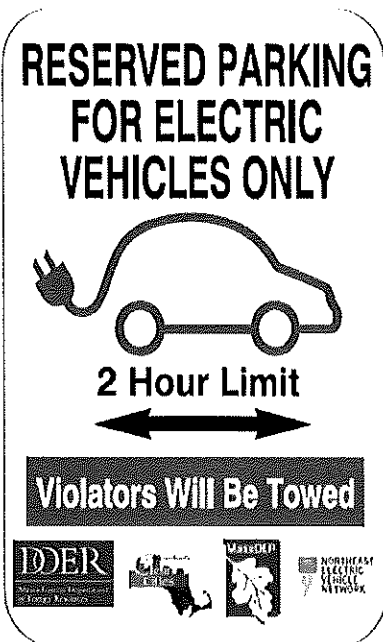
COMMONWEALTH OF MASSACHUSETTS

By: 
Glenn Keith, Director of Air and Climate Programs
Massachusetts Department of Environmental Protection

Date: 12/11/2023






Attachment A

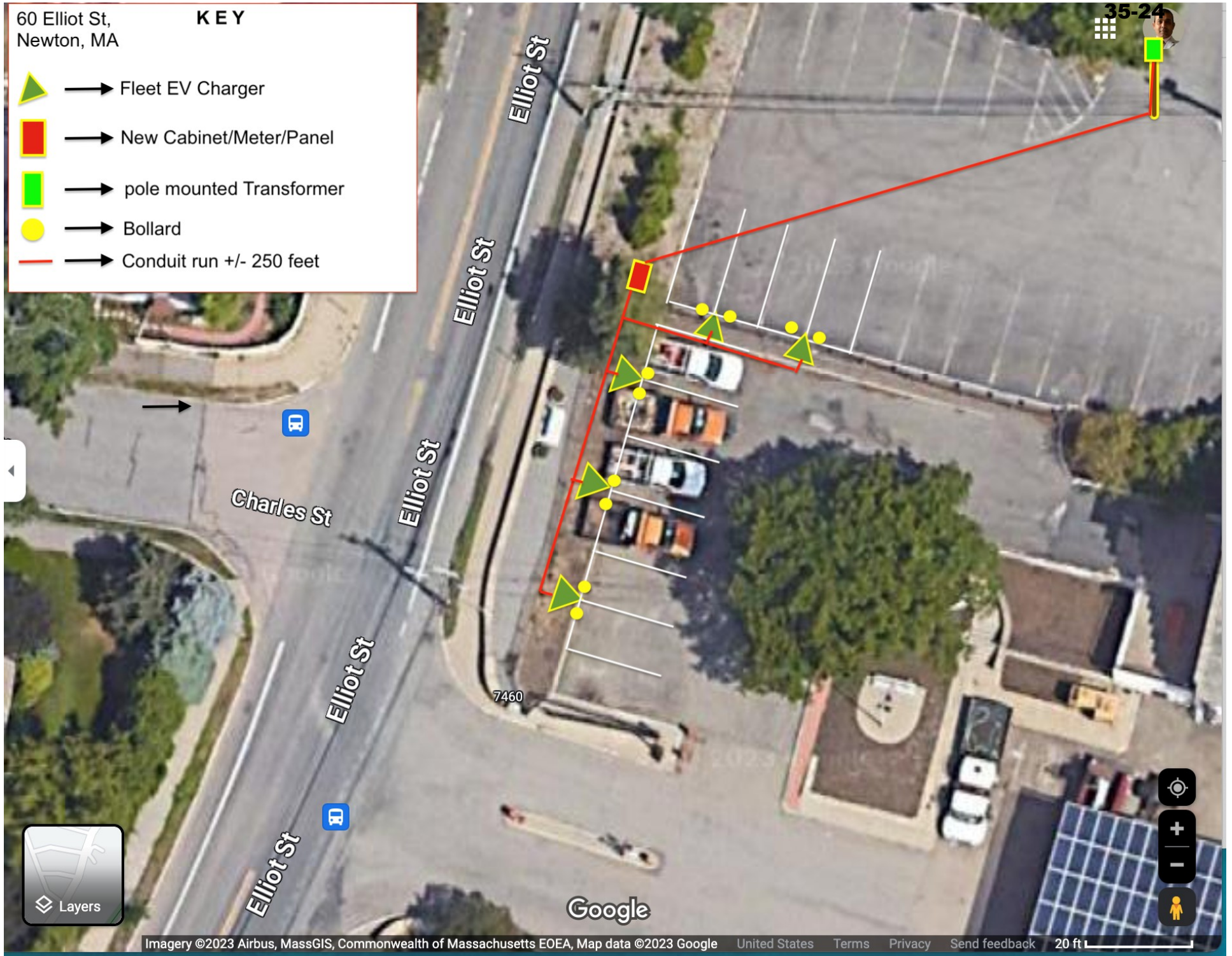
Example Parking Signage



60 Elliot St,
Newton, MA

KEY

-  → Fleet EV Charger
-  → New Cabinet/Meter/Panel
-  → pole mounted Transformer
-  → Bollard
-  → Conduit run +/- 250 feet





247 Station Drive
Westwood, MA 02090

11/16/2023

Dear William Ferguson:

The Eversource EV Make Ready Program is pleased to inform you that **your EV charging project has been pre-approved for funding**, subject to the terms and conditions of the documents included here. Project and funding details are below:

Project ID	EV-2023-171		
Project Short Name	City of Newton - DPW		
Address	60 Elliot St, Newton, MA		
EVSE Type	L2		
# EVSE Ports	10		
Make Ready Contractor	Voltrek		
Program Segment	Fleet		
Property Type	Public Fleet		
EJC Criteria Met	Minority		
	<u>Actual Eligible Cost</u>	<u>Rebate Structure</u>	<u>Maximum Rebates</u>
Infrastructure (Make Ready) Engineering/Design, Make Ready Construction, & Distribution Cabinet	\$121,498.00	100%	\$121,498.00
Equipment (EVSE) Hardware, Shipping, & Installation	\$35,650.00	75% Ports 1-10	\$26,737.50
EV Network	TBD	None	\$0.00
Calculated Eversource Rebate Amount =			\$148,235.50
Third Party Funding (Requested or Received) =			\$18,540.00
Final Eversource Rebate Amount (Original - Third Party) =			\$129,695.50

The incentives shown are calculated using Make Ready and EVSE quotes received from the Make Ready Contractor. Any project costs above the Final Eversource Rebate Amount will be the responsibility of the Site Host.

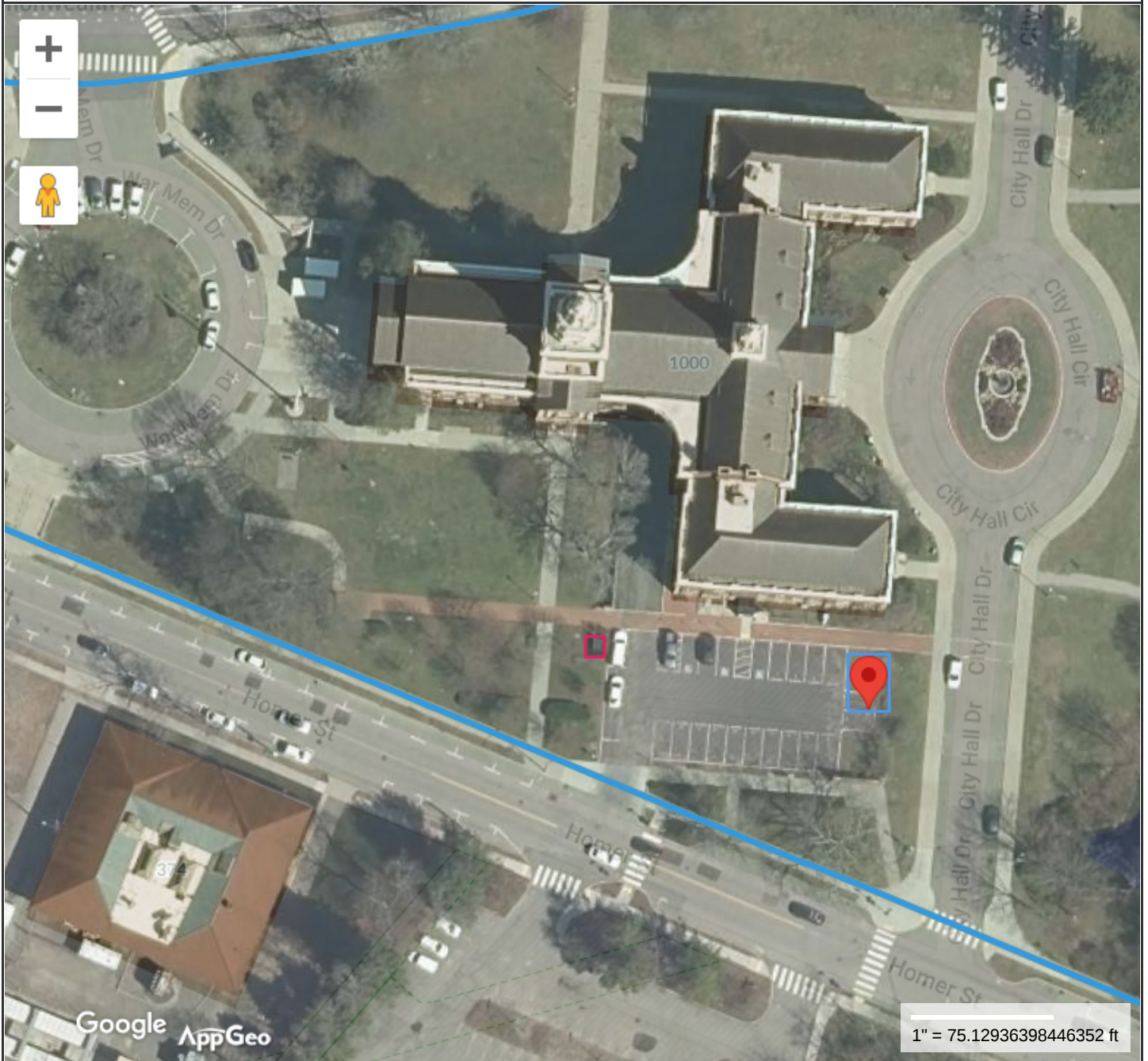
Per DPU Order 21-90 (Section III.C.6.b), Eversource is required to deduct any received or requested third-party funding from Eversource's combined EVSE and Make Ready incentive. If third-party funding is received after this Pre-Approval Letter is issued and prior to construction, Eversource may revise its incentive amounts and will reissue the Pre-Approval Letter.

Attached to this letter is the EV Program's Site Host & License Agreement, which reflects terms and conditions for participation in the Program. We will require signature of the Site Host & License Agreement in order to reserve your funding. We will also require proof of payment for your contribution to the EVSE and Make Ready (if applicable) before we can send the Contractor the Notice to Proceed with construction. Please let me know if you have any questions about the incentives or agreement.

Thank you for your participation in the EV Make Ready Program.

Sincerely,
Steven Conte
Project Manager, Eversource Electric Mobility

Newton City Hall- EV charger (marker) transformer (red rectangle)



Property Information

Property ID 64001 0001Z
Location 1000 COMMONWEALTH AVE
Owner CITY OF NEWTON



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

City of Newton, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 06/28/2022
Data updated 11/14/2018

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

CITY OF NEWTON

IN CITY COUNCIL

DRAFT

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chair Leonard J. Gentile, the authorization to accept and expend funds in the amount of twenty-two thousand, two hundred and forty-eight dollars (\$22,248) from the WPF Grant for the purpose of installing Six EV Level 2 chargers. Five chargers (\$18,540) will be installed at the DPW facility at Elliot Street and one (\$3,708) at the Directors parking lot at City Hall is hereby approved.

Under Suspension of Rules

DRAFT

(SGD) CAROL MOORE

City Clerk

(SGD) RUTHANNE FULLER

Mayor

Date: _____