

CITY OF NEWTON  
IN BOARD OF ALDERMEN  
FINANCE COMMITTEE REPORT  
MONDAY, JUNE 9, 2003

Present: Ald. Coletti (Chairman), Gerst, Ciccone, Bullwinkle, Stewart, Parker, Schnipper and Lipof

Also Present: Ald. Linsky; David Naparstek (Commissioner of Public Health), Donnalyn Kahn (Assistant City Solicitor), Dan Funk (City Solicitor), Ann Cornaro (IT Director), Chief Joe Cordero (Police), Superintendent Bob McDonald (Police), Officer Jay Babcock (Police), Officer Paul Bianchi (Police), Nick Parnell (Public Buildings Commissioner), Sandy Pooler (Chief Budget Officer), Bob Rooney (DPW Commissioner)

Re-appointment by His Honor the Mayor

#246-03      BERNARD J. GOULDING, 80 Brookside Avenue, Newtonville, re-appointed as a CONSTABLE for the City of Newton. Said term of office to expire on July 1, 2006.

**ACTION:**      **APPROVED 6-0 (Gerst, Parker not voting)**

**NOTE:**      Mr. Goulding was present this evening and provided his resume along with his required Constable Bond in the surety amount of \$5,000. His term of office will expire on July 1, 2006. Mr. Goulding was the son of a former Assistant Chief of the Fire Department in Newton.

Without debate, the Committee voted 6-0, with Ald. Gerst and Parker not voting, to approve Mr. Goulding's reappointment.

**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

#221-03      HIS HONOR THE MAYOR requesting an appropriation in the amount of \$24,206 from Budget Reserve for the purpose of funding payments to the East Middlesex Mosquito Control District to conduct mosquito larva control in catch basins in order to control the spread of West Nile Virus.

**PROG. & SERV. APPROVED 7-0 ON 6/4/03**

**ACTION:**      **APPROVED 6-0 (Gerst, Parker not voting)**

**NOTE:**      Health Commissioner David Naparstek was present this evening. He provided a letter dated May 13, 2003 indicating that he needs this additional money for the East Middlesex Mosquito Control District to treat catchbasins throughout the City to control the spread of West Nile Virus. Mr. Naparstek explained that the Health Department is using a friendly larvae killing technique. This kills the mosquito larvae in its early stages. In the past this program has been successful.

In terms of the funding for this program, there is a special appropriation of \$6,476 for FY03, and \$17,730 for FY04 to pay for this treatment.

The Committee supported this program and voted 6-0, with Ald. Gerst and Parker not voting, to approve this request.

#247-03      HIS HONOR THE MAYOR requesting an appropriation in the amount of \$19,753.42 from Budget Reserve for the purpose of settling a claim against the City of Newton as a result of an accident between a private vehicle and a City truck.

**ACTION:**      **APPROVED 6-0 (Gerst, Parker not voting)**

**NOTE:**      Assistant City Solicitor Donnalyn Kahn was present this evening. She indicated that this settlement covers a motor vehicle accident that occurred between a City Water Department truck and a private vehicle on April 27, 2001. The Utilities Division employee who was driving the large truck rear-ended a 1996 Acura, causing extensive vehicle damage and personal injury to the driver.

The insurance company made a claim against the City in the amount of \$12,253.42. The City is paying for those repairs in addition to a \$7,500 settlement to the operator who was injured.

In reviewing the details of this settlement with Donnalyn Kahn, the Committee agreed that it was in the best interest of the City to approve this appropriation at this time. With that, the Committee voted 6-0, with Ald. Gerst and Parker not voting, to approve this item.

***CHAIRMAN'S NOTE: Because this accident was caused by a Water/Sewer employee, the Committee requested that the Mayor change the funding source for the settlement from Budget Reserve to Water and Sewer Funds.***

***On June 10, the Mayor filed a request to change the funding source on this item as follows: FROM:      Water Surplus.....\$9,876.71***

***Sewer Surplus.....\$9,876.71***

***A copy of the letter is attached to this report.***

#248-03      HIS HONOR THE MAYOR requesting that the following transfer of funds from within the Law Department operating budget be made in order to pay a temporary increase in work hours of a part-time employee:

FROM: Printing  
          0110801-5342.....\$6,500  
TO:     Administrative Salaries  
          0110801-511001.....\$6,500

**ACTION:**      **APPROVED 6-0 (Gerst, Parker not voting)**

**NOTE:** Donnalyn Kahn also presented this item to the Committee. She explained that, while Cathy Salchert was on maternity leave, she had enough time carried over in order to be able to take a paid maternity leave.

As a result of Cathy's being out on maternity leave, the City retained Catherine Farrell for an additional 1.5 days per week for coverage. The funds requested through this item will be used to pay the additional cost in personal services for staff coverage. There is a surplus of funds in the department's printing account, therefore, the City Solicitor is requesting a transfer from within its FY03 budget.

Without debate, the Committee voted 6-0, with Ald. Gerst and Parker not voting, to approve this transfer of funds.

#249-03      **HIS HONOR THE MAYOR** requesting an appropriation in the amount of \$13,000 from Budget Reserve for the purpose of supplementing the legal assistance budget of the Law Department for legal services of private law firms employed by the City.

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

**NOTE:** Donnalyn Kahn explained that the City is continuing to spend approximately \$11,000 per month for private counsel. This attorney works in collective bargaining and labor issues. This request for appropriation should provide ample funds for the remainder of the fiscal year in the legal services account.

The Committee recommended approval of this appropriation and voted 7-0, with Ald. Parker not voting, to approve this item.

#219-03      **HIS HONOR THE MAYOR** requesting an appropriation in the amount of \$100,000 from Free Cash for the purpose of adding funds to the Municipal Liability Self-Insurance Fund. The fund is currently at \$182,592.

**ACTION:**      **APPROVED 8-0**

**NOTE:** Sandy Pooler, Chief Budget Officer, was present this evening. He provided a letter from the Mayor dated May 15, 2003. He stated that the intention behind this item is to try to build the Liability Self-Insurance Fund up to \$500,000. This year approximately \$160,000 was transferred out of the fund to settle claims of a clerk in the Police Department. Before the end of this fiscal year (when Free Cash gets settled), the Mayor has proposed to set this \$100,000 aside for future insurance settlement purposes.

The Committee wanted to make sure that there was enough money being turned back to the general fund and that certain overlay reserves are closed out in order to guarantee that the City will come into FY04 with approximately \$5 million in Free Cash. If that was not the case, the Committee would be reluctant to act on this item at this time.

Mr. Pooler assured the Committee that the FY04 Free Cash balance will be close to the estimated \$5 million.

With that understanding, the Committee voted 8-0 to approve this item.

#218-03      HIS HONOR THE MAYOR requesting an appropriation in the amount of \$15,200 from Free Cash for the purpose of purchasing computer hardware for various departments.

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

**NOTE:**      Ann Cornaro, Director of Information Technology, was present this evening. She reviewed the list of equipment to be replaced as part of this appropriation. The City will replace equipment in the IT Computer Room, the DPW wing, the City Hall Police router, a wireless local area network will be installed in the Aldermanic Chamber (for laptop use), and the Data Com system in IT will be upgraded.

The Committee reviewed the appropriateness of these purchases. Seeing that they are necessary in order to keep the systems upgraded, the Committee voted 7-0, with Ald. Parker not voting, to approve this request.

**REFERRED TO PUBLIC SAFETY/TRANS AND FINANCE COMMITTEES**

#254-03      HIS HONOR THE MAYOR requesting a transfer of funds in the amount of \$80,500 to replace the Police Department's stock of nine millimeter pistols with 40 caliber Glock pistols as follows:

FROM: 0120101 5141 .....	\$8,245.00
0120103 514304 .....	\$3,000.00
0120104 514304 .....	2,400.00
0120105 511501 .....	<u>\$66,929.28</u>
TOTAL .....	\$80,574.68
TO:     584004 Public Safety Equipment .....	\$80,500.00

**PS&T APPROVED 3-0-2 (Samuelson, Baker abstaining) ON 6/4/03**

**ACTION:**      **APPROVED 8-0**

**NOTE:**      Chief Cordero, Superintendent Bob McDonald and Officers Jay Babcock (President of the Patrolmen's union) and Paul Bianchi (Vice President of the Patrolmen's union) were present this evening. The Chief presented a letter dated June 6, 2003 that indicates that the City needs to replace service revolvers for all officers. The current equipment is more than 8 years old. The Department has experienced mechanical failures (misfires) which pose a threat to the safety of the officers who use them as well as to the public. Recently, at least 3 pistols have required significant maintenance, as they have failed at the firing range when officers have attempted to use them for required training. The current equipment issued to all officers is Smith and Wesson 9 mm pistols.

The new pistols will be Glock 40 caliber automatic pistols. The old pistols will be turned in by the officers and disposed of properly. The difference between these guns and the old service revolvers is that they have many more working components, as they are much more advanced than the old models. These automatic weapons have a useful life of approximately 10 years.

Chief Cordero also explained that the Police Department, after this purchase, will be turning back in excess of \$200,000 (in personal services savings) to the general fund at the end of FY03.

The Committee supported this item and voted 8-0 to approve the transfer of funds in order to purchase new pistols.

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#251-03 HIS HONOR THE MAYOR requesting that the following transfer of funds from within the Public Works Department operating budget be made in order to correct a misestimate and allow the department to pay its outstanding contractor invoices:

FROM:	Snow and Ice Overtime	
	0140110-5130.....	\$35,000
TO:	Rental Vehicles and Equipment	
	0140110-5273.....	\$35,000

**PUBFAC APPROVED 7-0 (Yates not voting) on 6/4/03**

**ACTION: APPROVED 8-0**

**NOTE:** Commissioner Bob Rooney was present this evening, as was Brian Connolly, Assistant Director of Administration for the department. A backup letter was provided that listed expenditures to date in the DPW Snow and Ice accounts. There was a miscalculation of some of the overtime money (during one of the storms this winter). This transfer of funds will allow for the payment of all snow and ice invoices that are pending from private contractors.

There was no question that these funds were due to be paid for services rendered. The Committee, after reviewing the backup information provided, voted 8-0 to approve this item.

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#226-03 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$2,261,700 for the purpose of funding infiltration/inflow projects in the City sewer system. The sources of funding will be debt (\$1,244,039) and a grant of \$1,017,850 provided through the MWRA Infiltration/Inflow Local Financial Assistance Program. This is a grant/loan program under which the City receives a grant of 45% of the total proceeds and 55% in interest-free loans.

**PUB. FACILITIES APPROVED 5-0 (Gerst not voting) ON 5/21/03**

**ACTION: APPROVED 8-0**

**NOTE:** The Committee reviewed with Sandy Pooler the work being done to improve inflow/infiltration problems in the city. These grant funds will allow the City to continue smoke and dye testing, building inspections for illegal connections, designing removal of inflow and additional inspections in area A (Quinobequin Rd. pumping station) and area B (in the vicinity of Newton-Wellesley Hospital).

This debt will be a low-cost, low-interest project for the City. Over the past years, the City has embarked on major sewer rehabilitation programs with over \$16 million in grant monies and loans provided to the City through the MWRA.

The Committee had no problem in continuing with these types of water/sewer improvements. A motion to approve this item carried by a vote of 8-0.

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#220-03 HIS HONOR THE MAYOR recommending that Department of Public Works fees be increased to more accurately reflect the City's cost of providing services. The increased revenue from these fees is to be part of the FY04 revenue estimates prepared by the Chief Budget Officer.

**PUBFAC APPROVED 6-0 ON 5/21/03**

**ACTION: APPROVED 8-0 SUBJECT TO SECOND CALL**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#220-03(2) HIS HONOR THE MAYOR recommending that Department of Public Works fees for sewer back-ups be increased to more accurately reflect the City's cost of providing services. The increased revenue from these fees is to be part of the FY04 revenue estimates prepared by the Chief Budget Officer.

**PUBFAC APPROVED 5-1 (Salvucci Opposed) ON 5/21/03**

**ACTION: APPROVED 6-1-1 (Gerst opposed; Parker abstaining)**

**NOTE:** The Committee reviewed the draft ordinance provided by Assistant City Solicitor Cathy Salchert (see attached). These fee increases were discussed in Committee

of the Whole as part of the FY04 budget review process. This evening, the Committee also reviewed the attached proposed amendment filed by Ald. Linsky.

The Committee reviewed the appropriateness of the proposed language for the curbside pickup of air conditioners/refrigerators/ freezers, street opening permits, permits for obstructing streets/sidewalks, permitting of newspaper boxes, service pipe connections, street reconstruction projects, and sewer pipe cleanouts.

The Committee reaffirmed the appropriateness of these fee increases. The proposed language for Ald. Linsky's amendment will allow a 30% reduction for people who currently qualify for the senior citizen discount rate for water/sewer services.

It is expected that this item will be placed on SECOND CALL on June 16<sup>th</sup>. The Committee voted 8-0 to approve the original item and 6-1-1, with Ald. Gerst opposed and Ald. Parker abstaining on the second item. Ald. Linsky's amendment was also approved 6-1-1, with Ald. Gerst opposed and Ald. Parker abstaining.

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#252-03 HIS HONOR THE MAYOR requesting that the following transfer of funds from within the Public Works Department operating budget to be made in order to replace six plows that have been damaged or have worn out:

FROM: Snow and Ice Overtime	
0140110-5130.....	\$29,000
Snow Plow Damage	
0140110 5783 .....	\$8,000
Salt and Sand	
0140110-5532.....	\$5,700
Parts and Lube	
0140110-5484.....	\$1,500
TO: Construction Equipment	
0140110-58502.....	\$44,200

**PUBFAC APPROVED 7-0 (Yates not voting) on 6/4/03**

**ACTION: APPROVED 8-0**

**NOTE:** The Committee reviewed this request with Brian Connolly. It was the Chairman's request to the Department that these plows be ordered now but not delivered until the fall months (when they will be prepared for use).

With the understanding that this equipment will not be delivered until November, the Committee voted 8-0 to approve this request.

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#222-03      HIS HONOR THE MAYOR requesting an appropriation in the amount of \$25,000 from Free Cash for the purpose of funding lighting upgrades at various school buildings. These funds constitute the City's matching funds to the NStar donation for the continuation of a program in which the utility company pays between 50% and 80% of the cost of new energy efficient light fixtures.

**PUBFAC APPROVED 5-0 (Gerst not voting) on 5/21/03**

**ACTION:      APPROVED 8-0**

**NOTE:**      A letter dated May 15, 2003 was presented to the Committee indicating that the schools that have been identified for upgrades are the Angier, Cabot, Countryside and Lincoln-Eliot schools. They will undergo these upgrades for lighting in all classrooms once this money is approved.

David Tannozin of the Public Buildings Department was present this evening. He assured the Committee that these upgrades will be performed as soon as possible.

With that understanding, the Committee voted 8-0 to approve this request.

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#223-03      HIS HONOR THE MAYOR requesting an appropriation in the amount of \$55,000 from the Capital Stabilization Fund for the purpose of funding repairs to lavatories in various school buildings (specifically at the Day and Brown Middle Schools).

**PUB. FACILITIES APPROVED 5-0 (Gerst not voting) ON 5/21/03**

**ACTION:      APPROVED 8-0**

**NOTE:**      Sandy Pooler presented this item to the Committee this evening.

There was some question as to why the City would be paying for such a project using the Capital Stabilization Fund instead of using the Charter Maintenance account in the School Dept. operating budget.

Mr. Pooler explained that, earlier during this school year, there was work that needed to be done to repair the steps at Bigelow Middle School. Because that project was of a safety urgency, the School Dept. authorized the use of Charter Maintenance funds to make that capital improvement. Since Charter Maintenance funds (approximately \$75,000) were used then, it has now become necessary to make a request for these funds from Capital Stabilization.

Once the Committee was aware of the details surrounding the funding of projects, it had no problem supporting this appropriation. Therefore, the Committee voted 8-0 to approve this item.



**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#224-03      HIS HONOR THE MAYOR requesting an appropriation in the amount of \$93,179 from Free Cash for the purpose of funding several environmental clean-up and compliance projects.

**PUB. FACILITIES APPROVED 5-0 (Gerst not voting) ON 5/21/03**

**ACTION:      APPROVED 8-0**

**NOTE:**      Nick Parnell, Public Buildings Commissioner, was present this evening. He presented a letter dated May 15, 2003 indicating that the following projects will be included as part of this appropriation; Cabot School environmental compliance work (\$23,926), Elliot Street Garage compliance reports (\$10,000), Horace Mann continuation of underground pumping and purification of water (\$42,221), Newton South High football stadium continuing reports (to show that soil contamination is not an issue there) (\$11,866 final payment for closeout), and 1309 Washington Street parking lot adjacent to the District Court House (\$5,000).

After review of backup information, the Committee voted 8-0 to approve this item.

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#225-03      HIS HONOR THE MAYOR requesting an appropriation in the amount of \$77,236 from Free Cash for the purpose of making improvements to the entrance of the Police Department Annex building (25 Chestnut Street) in order to make it handicapped accessible. This appropriation will be augmented by CDBG funds.

**PUB. FACILITIES APPROVED 5-0 (Gerst not voting) ON 5/21/03**

**ACTION:      APPROVED 8-0**

**NOTE:**      This project will include the addition of a handicapped accessible ramp which will run along the side of the building from the parking lot (on the Davis Street side). Nick Parnell provided drawings of the proposed improvement (as an attachment to this evening's agenda). This will provide full handicapped access, particularly for the one part-time handicapped employee who uses a wheelchair. Since this building is where members of the public come to file traffic reports and pick up parking permits, it is necessary to make it more accessible. There is no elevator in this building for access.

The Committee reviewed the appropriateness of the proposed improvement and voted 8-0 to approve this item.

#216-03      HIS HONOR THE MAYOR requesting acceptance of and authorization to expend the sum of \$3,000, received as a grant from the Charles River District Medical Society for the purpose of creating a grant program through the Human Services Department to provide subsidies for the prescription drug costs of low-income residents of Newton.

**ACTION:      APPROVED 8-0**

**NOTE:** Sandy Pooler presented this item to the Committee this evening. Letters were received from the Charles River District Medical Society explaining this program and the application process to be used. The Committee reviewed the sample application (that was attached to this evening's agenda) to be used and had no problem with moving forward on this program.

With that, the Committee voted 8-0 to approve this item.

#217-03      **HIS HONOR THE MAYOR** requesting an appropriation in the amount of \$3,938 from Budget Reserve for the purpose of supplementing the salary account of the Inspectional Services department. These funds are necessary in order to retain a temporary clerk to fill in while one of the administrative employees of the department is out on unanticipated medical leave.

**ACTION:**      **APPROVED 8-0**

**NOTE:** Sandy Pooler explained that Pam Hough, the ZBA Clerk, has been out on medical leave for an extended period of time. This fact, coupled with the fact that there was another unanticipated medical leave earlier during this fiscal year, has created the need for these additional funds. The Department has retained temporary clerical staff to help out during these extended absences. This clerical employee is being compensated at a rate of \$15.00 per hour for 37.5 hours per week. The requested appropriation will assist in recovering these expenses incurred between May 12<sup>th</sup> and June 30<sup>th</sup>.

The Committee understood the necessity for this appropriation and voted 8-0 to approve this request.

All other items were held. The Committee adjourned at approximately 9:45 p.m.

Respectfully Submitted,

Paul E. Coletti, Chairman