

CITY OF NEWTON

IN BOARD OF ALDERMEN

FINANCE COMMITTEE REPORT

MONDAY, SEPTEMBER 22, 2003

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

Also Present: David Wilkinson (Comptroller), Sandy Pooler (Chief Budget Officer), Chief Joe Cordero (Police), Nick Parnell (Public Buildings Commissioner)

Re-appointment by His Honor the Mayor:

#396-03 DR. LANE SOFMAN, 336 Lexington Street, Newton, re-appointed as a Trustee of the HORACE COUSENS INDUSTRIAL FUND for a term of office expiring June 1, 2006. (60-days 11-14-03)

**ACTION:** **APPROVED 5-0 (Gentile, Parker, Schnipper not voting)**

**NOTE:** The Committee had a letter from the Mayor re-appointing Dr. Sofman, a former Alderman, to the Horace Cousens Industrial Fund. Since Dr. Sofman has served the City in this capacity for more than 16 years, the Committee did not interview him this evening. Without debate, the Committee voted 5-0, with Ald. Gentile, Parker and Schnipper not voting, to approve this re-appointment.

#398-03 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$10,000 from Budget Reserve for the purpose of allowing the Law Department to contract with outside counsel to petition to the Supreme Judicial Court for further appellate review of the Land Court's and Massachusetts Appellate Court's decision in Boston College v. Newton Board of Aldermen.

**ACTION:** **APPROVED 5-0 (Gentile, Parker, Schnipper not voting)**

**NOTE:** A letter dated September 19<sup>th</sup> was submitted to the Committee by the Mayor requesting \$10,000 from Budget Reserve for the purpose of conducting further review of the case. There was also some additional backup submitted by Dan Funk regarding this appropriation (attached to the agenda this evening). This appropriation will pay for the services of Arthur Krieger (of Krieger and Anderson). In order for the City to continue to utilize his services, these funds will be used for the appellate review.

The Committee had discussed this along with the full Board of Aldermen in a special Committee of the Whole meeting earlier this month. This appropriation request was discussed at that point, and the Committee was in support of moving forward at this time on the case. Without debate, the Committee voted 5-0, with Ald. Gentile, Parker and Schnipper not voting, to approve this item.

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#399-03 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$200,000 from Overlay Surplus for the purpose of funding two capital projects for the School Department:  
A) Countryside Elementary School Generator Replacement.....\$100,000  
B) Zervas Elementary School Boiler Replacement.....\$100,000

**PUBLIC FACILITIES APPROVED 7-0 (Gerst not voting) on 9/17/03**

**ACTION: APPROVED 7-0-1 (Parker abstaining)**

**NOTE:** Nick Parnell, Public Buildings Commissioner, was present this evening. A letter dated September 9<sup>th</sup> was submitted by the Mayor's office. The backup information received from the School Department talks about the fact that the generator (which supplies backup emergency power) at the Countryside Elementary school has not been operating for over two years now. There is a requirement that the generator be replaced at this time in order to take care of the emergency electrical needs of the school. Mr. Parnell indicated that he had requested quotes for a new pad and relocation of the emergency generator (to the front portion of the school by the auditorium). The project will include purchase and installation of the new generator, along with a pad to be placed under the generator and a small containment fence to be placed around the unit.

This appropriation request will also provide for the replacement of the gas boiler at the Zervas Elementary school. The boiler has reached the end of its useful life. This project calls for replacement of the cast iron sections and the central mechanisms of the system in order to have it up and running for this winter.

The Committee supported both of these projects and voted 7-0-1, with Ald. Parker abstaining, to approve this item.

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

#379-03 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$123,000 from the Capital Stabilization Fund for the purpose of purchasing several new vehicles and some training equipment for the Police Department.

**PS&T APPROVED 6-0 on 9/17/03**

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

**NOTE:** Chief Cordero was present this evening. He provided some background information indicating that three detective cars, two community service vehicles, and three traffic control vehicles will be purchased at auction. This purchase will replace vehicles that are currently running with 93,000 to 144,000 miles logged on them.

The Committee reviewed the list of vehicles to be replaced. The vehicles to be purchased at auction will be Ford Taurus vehicles. The Committee had no problem with the proposed vehicle replacements.

The remainder of the funds under this appropriation request will cover the purchase of a CAPS (shooting proficiency training) program to be installed at the training range (below the basement at the police station. According to the Chief, this is a very important training tool that will enhance police tactics and judgement capabilities of the officers in the department.

After brief discussion, Committee voted 7-0, with Ald. Parker not voting, to approve this appropriation request.

#92-03            STUART JOHNSON on behalf of MONTE J. WALLACE and ANNE H. WALLACE, Trs., requesting abatement of sewer betterment assessment for 256 CHESTNUT HILL ROAD, 02467 in the amount of \$7,198.43.

**ACTION:**       **DENIED 7-0-1 (Stewart abstaining)**

**NOTE:** Mr. Johnson was present this evening as the attorney for Mr. and Mrs. Wallace. The Committee reviewed backup information received from the Law Department and the Engineering division of DPW. David Willett indicated in his memo (dated August 5<sup>th</sup>) that it was his opinion that the private sewer located on Mr. Wallace's property (to serve the three properties in question) could, in fact, be drained by way of a pump system up to a manhole connected to the newly installed City sewer line.

It was the Committee's understanding that the properties in question were, therefore, bettered by this sewer line installation (directly or indirectly). The Chairman also indicated to Mr. Johnson that some of the records supplied previously showed that the existing system has, in fact, been pumped out enough times to show that the system is failing. It would be in Mr. Wallace's best interest in the future, if the septic system fails, to have the capability to tie in to the City sewer system.

This case is no different than the Dedham Street sewer installation that was recently approved by the Board of Aldermen. There are 5 homes being serviced by this new extension, either by direct tie ins or by installation of manholes to be used for pumping out of existing septic systems. In that case, all 5 homes were assessed betterments for that sewer extension installation.

In the interest of consistency, the Committee indicated to Mr. Johnson that it would not support this request for abatement nor any future request for the other two properties owned by Mr. and Mrs. Wallace for that purpose. With that, the Committee voted 7-0-1, with Ald. Stewart abstaining, to deny this request for abatement.

Re-Appointment by His Honor the Mayor

#344-03      EDWARD GOURDEAU, 81 Dalby Street, Newton, re-appointed as a CONSTABLE for the City of Newton; said term to expire November 1, 2006.

**ACTION:**      **APPROVED 5-0 (Gentile, Parker, Schnipper not voting)**

**NOTE:**      Attached to the agenda this evening was a copy of Mr. Gourdeau's bond. Since this was a reappointment, the Committee did not require Mr. Gourdeau to appear this evening.

Without debate, the Committee voted 5-0, with Ald. Gentile, Parker and Schnipper not voting, to approve Mr. Gourdeau's reappointment as a Constable for the City of Newton.

All other items were held.

***SCHEDULING NOTES:***

The Committee will meet jointly with the Ad Hoc Community Preservation Committee on October 2<sup>nd</sup> for a public hearing on item #227-03(2). There will be a Special Finance Committee meeting (due to the Columbus Day holiday) on ***Tuesday evening, October 14<sup>th</sup> at 7:45 p.m. in Room 222.***

The Committee adjourned at approximately 8:45 p.m.

Respectfully Submitted,

Paul E. Coletti, Chairman