

CITY OF NEWTON
IN BOARD OF ALDERMEN
FINANCE COMMITTEE REPORT
MONDAY, APRIL 23, 2001

Present: Ald. Ciccone (Acting Chair), Gerst, Bullwinkle, Bryson, Parker, Schnipper and R. Lipof

Absent: Ald. Coletti (Chair)

Also Present: David Wilkinson (Comptroller), Nunzio Piselli (Retirement Board), Bob Rooney (DPW Commissioner), Mike Rourke (Chief Administrative Officer), Steve Gartrell (Associate Director for Housing and Community Development), Arthur Cabral (Budget & Project Specialist, Public Buildings Dept.)

#136-01 RETIREMENT BOARD requesting that the City of Newton accept the provisions of Chapter 411 of the Acts of 2000, the Non-Contributory Retirement Pop Up Act, effective April 12, 2001.

ACTION: **APPROVED 5-0-1 (PARKER ABSTAINING; BRYSON NOT VOTING)**

NOTE: Nunzio Piselli and David Wilkinson joined the Committee for its discussion of this item. Mr. Piselli explained that the City currently has only 14 non-contributory members left in the system and this provision will no longer need to be in effect once those 12 individuals (and/or their beneficiaries) have died. He stated that “no one gets rich on this program”. He went on that it is basically a formality that the City should take care of.

Without extensive debate, the Committee voted 5-0-1, with Ald. Parker abstaining because he was not present for the initial explanation of the item, and Ald. Bryson not voting.

#137-01 HIS HONOR THE MAYOR requesting an appropriation and authorization to expend the sum of \$35,000 from Sewer Surplus for the purpose of supplementing the Workers' Compensation account for the Sewer Division of the Department of Public Works.

ACTION: **APPROVED 7-0**

NOTE: Commissioner Rooney joined the Committee and he explained that this year, in particular, the Sewer Division has sustained a couple of injuries (in October and November) and those individuals are just now returning to work. Therefore, since these individuals were out for such a long period of time, the fund has been expended. This is why these funds are being requested at this time. He explained that this appropriation would provide an additional \$8,000 to \$10,000 to cover expenditures in this fund for the remainder of FY01 which should cover the needs for those two months (May and June).

Commissioner Rooney stated that this instance serves to illustrate that, while the Workers' Compensation system serves as a very good benefit to employees who are injured on the job, the expense to the City is such that it underscores the need to work with medical providers to ensure that employees get the care they need in order to return to work in as timely a manner as is safe for that to happen.

The Committee then discussed the nature of these injuries, and some were sustained as a result of working in snow and ice. The Commissioner indicated that now that crews are working in much better weather conditions, there appears to be a lower instance of falling injuries.

Ald. Bullwinkle moved approval of this item. That motion carried by a vote of 7-0.

#138-01 **HIS HONOR THE MAYOR** requesting an appropriation in the amount of \$35,233.44 from the gift fund from monies given to the City from RCN, pursuant to its franchise agreement with the City of Newton. These funds will be expended for the promotion of public, educational, and governmental access programming and for other cable-related purposes.

ACTION: **APPROVED 7-0**

NOTE: Mike Rourke presented this item to the Committee. He explained that the City has been in negotiations for one year on how to get this money back to NCAC and these funds will essentially go to NEWTV for programming and promotions.

Ald. Gerst asked whether the City could offer a discount for senior citizens for cable access.

Mike Rourke stated that the City is in the process of negotiations with RCN and Media One, and the City can give recommendations to those companies as to what discounts they might offer. He stated that the companies would be able to offer the discount up front and reduce it from the fee that it charges the City, as a possibility.

The Committee voted 7-0 to approve this request.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#145-01 HIS HONOR THE MAYOR requesting that the sum of \$129,808 be appropriated in order to fund the cleaning, disposing, and testing for the presence of asbestos in the basement of City Hall as follows:

FROM:	Reduction of request for item #97-01.....	\$ 16,000
	Capital Stabilization.....	\$ 15,000
	Closeout of C11401 (WHDH LAND).....	\$ 35,000
	Free Cash.....	\$ 63,808
	TOTAL.....	\$129,808

**PUB FAC APPROVED SUBJECT TO SECOND CALL 3-0-1
(YATES ABSTAINING) ON 4/18/01**

ACTION: APPROVED 6-0-1 (PARKER ABSTAINING)

NOTE: Arthur Cabral joined the Committee this evening and provided additional backup information (see attached). He explained that he had spoken with Ald. Coletti, who had requested a further breakdown of the costs of this project. He also provided a draft of the specifications for the project (a somewhat lengthy document that can be reviewed in the Clerk's office).

The Committee took a few moments to review this information.

Mike Rourke explained that the presence of asbestos in the Planning Department is a problem that needs to be addressed as soon as possible. He stated that, as a result of testing, there were 15 different locations within the Planning Department (none of the fibers were identified as airborne). He explained that this request will help to clear the area of asbestos, and the City is also testing all other areas of the City Hall building and a report of those findings is being prepared. He stated that, depending on the results of that report, the City will formulate a plan to address any additional problematic areas.

Mr. Rourke went on to inform the Committee that the basement of City Hall is not necessarily an area that will be desirable to occupy, and the City has hired a space planner to look at other space uses throughout the building for possible relocation of some of the staff. He also indicated that, after the Public Facilities Committee meeting on 4/18, he had spoken with the Comptroller about the source of the funds, and he had stated that this project is an appropriate use of these funds.

Ald. Schnipper then stated that it was her understanding that a petition, signed by a large number of City Hall employees, has been forwarded to the Mayor which asked for a study regarding asbestos throughout the building and asking for updates on the situation. She asked Mike Rourke whether the Mayor has responded to the request.

Mr. Rourke stated that there has been a great deal of direct contact with employees of the Planning Department regarding the hazards of asbestos in the workplace. He informed that there were also concerns raised in other areas of the building that were investigated

and the result of that investigation was that there was no hazard there. He went on to state that, in terms of the entire building, the study has not yet been completed, and when the report is ready (which should be available in the next week or so), the information can be distributed through the Department Heads to the employees or even directly to all employees in the City Hall building.

Ald. Schnipper indicated that the lack of information, to some people, tends to give off the impression that there are facts being hidden. She urged the Executive Department to be mindful that this situation is emotional and fearful for people, and any information being released lets them know that they are not at risk.

Ald. Parker asked what the timeframe for this project is expected to be.

Mr. Rourke indicated that the abatement portion of this issue should take about a month to one and one half months from this time, once it gets approval and the contractor is hired. The actual work portion should take only about 2-2 1/2 weeks.

The Committee voted 6-0-1, with Ald. Parker abstaining because of concern over the fact he believes that the portion of the funds identified as open space funds should be used for that purpose only.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#146-01 **HIS HONOR THE MAYOR** requesting that the sum of \$70,000 be appropriated from the Capital Stabilization Fund for the purpose of installing a lift and handicapped accessible bathroom at the Angier School to accommodate a student in a wheelchair who will attend the school this fall.

PUB FAC APPROVED 4-0 ON 4/18/01

ACTION: APPROVED 7-0

NOTE: Mr. Cabral explained that the Angier School is definitely not handicapped accessible, and these modifications are necessary in order to accommodate a student who will attend this school in the fall of 2001.

The Committee reviewed the backup information that was attached to the agenda this evening. Since all members were in support of this project, the item was approved 7-0.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#147-01 HIS HONOR THE MAYOR requesting that the sum of \$405,000 be appropriated from Free Cash for the purpose of funding construction activities for the replacement of the roof at the Pierce Elementary School.
PUB FAC APPROVED 4-0 ON 4/18/01

ACTION: **APPROVED 7-0**

NOTE: Mr. Cabral explained that this is the project for which the Public Buildings Commissioner had come to the Committee earlier for design funds. He explained the need for the repairs, given the unique roofing setup at this location. He stated that there will be a 20 year warranty on this roof with 20 years of maintenance built into the contract; there will be annual inspections. He indicated that this project is scheduled to be performed during this spring/summer season.

Ald. Gerst voiced his concern over the cost per man hour for this project.

Mr. Cabral explained that, since we are a municipality, we are obligated to pay these contracts under prevailing wage laws. He stated that, in private industry, a project like this would probably only cost 2/3 the amount. This is not possible to do as a municipality.

With that understanding, the Committee voted 7-0 to approve this item.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#107-01 HIS HONOR THE MAYOR requesting that the sum of \$33,621.39 be appropriated and expended from the Department of Public Works Damage Recoveries Fund for the purpose of making repairs to the Elliot Street Salt Shed. The salt shed was damaged by a trucking company vehicle. The City has received a check in the amount of \$33,621.39 from the Worcester Insurance Company as compensation for the damage.

PUBFAC APPROVED 4-0 ON 4/18/01

ACTION: **APPROVED 7-0**

NOTE: Commissioner Rooney presented this item to the Committee. He explained that, in January, 2000, when salt/sand was being delivered, the independent trucking company that was making the delivery, they struck the rafter of the shed with the bed of the dump truck and damaged it. He stated that the crew from Public Buildings was able to make temporary repairs to the shed, but that the permanent repairs should be made with the insurance monies that the City has managed to collect in this incident.

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

REFERRED TO ZONING & PLANNING AND FINANCE COMMITTEES

#123-01 **ASSOCIATE DIRECTOR FOR HOUSING AND COMMUNITY DEVELOPMENT** requesting Board of Aldermen authorization to submit to the US Department of Housing and Urban Development (HUD) the FY2002 Annual Action Plan for the City of Newton and the Brookline-Newton-Waltham-Watertown HOME Consortium. This Plan must be submitted to HUD by May 15, 2001.

ACTION: **APPROVED 7-0**

NOTE: Steve Gartrell, the Associate Director of Housing and Community Development, presented this item to the Committee this evening.

This item is presented every year to both the Zoning & Planning and Finance Committees. Mr. Gartrell offered the usual overview of the contents of the application and the Committee offered its full support of this program.

The Committee voted 7-0 to approve this item.

All other items were held. The Committee adjourned at approximately 8:45 p.m.

Respectfully submitted,

Paul E. Coletti, Chairman