



Finance Committee Agenda

City of Newton In City Council

Monday, February 26, 2024

The Finance Committee will hold this meeting as a virtual meeting on Monday, February 26, 2024, at 7:00 pm. To view this meeting using Zoom use this link: <https://newtonma.gov.zoom.us/j/82735932703> or call 1-646-558-8656 and use the following Meeting ID: 827 3593 2703

Items scheduled for discussion:

Recommended to Zoning and Planning & Finance Committees

#22-24

CPC Recommendation to appropriate \$125,500 in CPA funding

COMMUNITY PRESERVATION COMMITTEE recommending appropriation of \$125,500 in Community Preservation Act funding from the FY24 Historic Resource Reserve Funds to the control of the Planning & Development Department for a grant to the Second Church in Newton for the restoration.

Zoning & Planning Held 8-0 on 01/08/24

Zoning & Planning Approved 6-0-1 (Councilor Oliver Abstaining) (Councilor Albright Not Voting) on 01/22/24

#99-24

Acceptance of \$27,500 from National Environmental Health Association (NEHA) Grant

HER HONOR THE MAYOR requesting authorization to accept and expend funds in the amount of twenty-seven thousand five-hundred dollars (\$27,500) to the City of Newton from the National Environmental Health Association (NEHA) for the purpose of improving the City's conformance with the US Food and Drug Administration's Retail Program Standards by the Health and Human Services Department.

#113-24

Requesting authorization to accept \$30,785 grant from Massachusetts Office on Disability for Williams Elementary School Playground Accessibility Improvements

HER HONOR THE MAYOR requesting authorization to accept and expend \$30,785 in grant funds from the Massachusetts Office on Disability for Williams Elementary School playground accessibility improvements.

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.

#110-24 Requesting authorization to accept and expend the sum of \$35,000 from the Firefighter Safety Equipment Grant

HER HONOR THE MAYOR requesting authorization to accept and expend thirty-five thousand dollars (\$35,000.00) from the Executive Office of Public Safety and the State Department of Fire Services for a reimbursement grant that was awarded to Newton Fire for Firefighter Safety Equipment.

#98-24 Transfer \$446,104.67 to Opioid Mitigation Special Revenue Fund

HER HONOR THE MAYOR requesting authorization to transfer the Opioid Mitigation funds totaling \$446,104.67 for use by the Health and Human Services Department into a Special Revenue Fund, as allowed by State Law in December 2023.

#111-24 Authorization to issue an RFP for NPS Food Service Contract

HER HONOR THE MAYOR requesting authorization for the Newton Public Schools to issue an RFP with a food service management company, for a contract duration of up to five years.

Referred to Public Facilities and Finance Committees

#112-24 Appropriate \$1,191,000 for the replacement of Newton's Free Library HVAC System

HER HONOR THE MAYOR requesting authorization to appropriate and expend \$1,191,000 from June 30, 2023 Certified Free Cash to complete the funding for the Newton Free Library's chiller and related cooling equipment replacement project.

Referred to Programs & Services and Finance Committees

#106-24 Establish NPS Educational Stabilization Fund

HER HONOR THE MAYOR requesting authorization to establish a NPS Educational Stabilization Fund.

Referred to Programs & Services and Finance Committees

#107-24 Appropriate funds to a NPS Educational Stabilization Fund

HER HONOR THE MAYOR requesting authorization to appropriate from Overlay Surplus (\$18,200,000), interest income that has accumulated as part of the \$18.2 million Overlay Surplus (\$800,000) which can be allocated from Free Cash, and June 30, 2023 Certified Free Cash (\$3,000,000) to the NPS Educational Stabilization Fund, for a total of \$22 million.

#109-24 Authorization to appropriate and expend the amount of \$2.3 million from the Overlay Surplus and \$5.5 million from the ATB Interest and Penalties account to NEWCAL, reducing bonding authorization

HER HONOR THE MAYOR requesting authorization to appropriate and expend a total of seven-million, eight-hundred thousand dollars (\$7.8 million) for the NewCAL project to reduce the amount of funding the City would need to borrow for that project. The \$7.8 million is comprised of two funding sources related to the Eversource agreement: (1) five-million, five-hundred thousand (\$5.5 million), transferred from the ATB Interest and Penalties account, and (2) two-million, three-hundred thousand (\$2.3 million) from Overlay Surplus. As a result, I am also requesting authorization to rescind \$7.8 million of bond authorization for the NewCAL project.

#108-24 Requesting Authorization to issue refunding bonds

HER HONOR THE MAYOR requesting authorization to issue refunding bonds to refund all or any portion of the City's general obligation bonds.

Respectfully submitted,

Leonard Gentile, Chair

CITY COUNCIL

CITY OF NEWTON

DOCKET REQUEST FORM

DEADLINE NOTICE: Council Rules require items to be docketed with the Clerk of the Council NO LATER THAN 7:45 P.M. ON THE MONDAY PRIOR TO A FULL COUNCIL MEETING.

To: Clerk of the City Council

Date: December 11, 2023

From (Docketer): Mollie Hutchings, Community Preservation Program Manager

Address: Planning Department, Newton City Hall, 1000 Commonwealth Avenue Newton MA 02459

Phone: 617-796-1147 E-mail: mhutchings@newtonma.gov

Additional sponsors: Community Preservation Committee

1. Please docket the following item (it will be edited for length if necessary):

At its monthly meeting on Tuesday, November 14, 2023, the Community Preservation Committee recommended, with a vote of 7 to 1, that \$125,500 in Community Preservation Act funding be appropriated from the FY24 Historic Resource Reserve Funds to the control of the Planning & Development Department for a grant to the Second Church in Newton for the restoration.

2. The purpose and intended outcome of this item is:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Fact-finding & discussion | <input type="checkbox"/> Ordinance change |
| <input checked="" type="checkbox"/> Appropriation, transfer, | <input type="checkbox"/> Resolution |
| <input checked="" type="checkbox"/> Expenditure, or bond authorization | <input type="checkbox"/> License or renewal |
| <input type="checkbox"/> Special permit, site plan approval, | <input type="checkbox"/> Appointment confirmation |
| <input type="checkbox"/> Zone change (public hearing required) | <input type="checkbox"/> Other: _____ |

3. I recommend that this item be assigned to the following committees:

- | | | |
|---|---|--|
| <input type="checkbox"/> Programs & Services | <input checked="" type="checkbox"/> Finance | <input type="checkbox"/> Real Property |
| <input checked="" type="checkbox"/> Zoning & Planning | <input type="checkbox"/> Public Safety | <input type="checkbox"/> Special Committee |
| <input type="checkbox"/> Public Facilities | <input type="checkbox"/> Land Use | <input type="checkbox"/> No Opinion |

4. This item should be taken up in committee:

Immediately (Emergency only, please). Please state nature of emergency:

- As soon as possible, preferably within a month
- In due course, at discretion of Committee Chair
- When certain materials are made available, as noted in 7 & 8 on reverse
- Following public hearing

5. I estimate that consideration of this item will require approximately:

- One half hour or less
- More than one hour
- More than one meeting
- Up to one hour
- An entire meeting
- Extended deliberation by subcommittee

6. The following people should be notified and asked to attend deliberations on this item. (Please check those with whom you have already discussed the issue, especially relevant Department Heads):

City personnel

Citizens (include telephone numbers/email please)

Mollie Hutchings _____

Lara Foote -footepath7@gmail.com _____

Barney Heath _____

7. The following background materials and/or drafts should be obtained or prepared by the Clerk’s office prior to scheduling this item for discussion:

8. I have or intend to provide additional materials and/or undertake the following research independently prior to scheduling the item for discussion. *

CPC Funding Recommendation includes a link to the full proposal on the City's website.

(*Note to docketer: Please provide any additional materials beyond the foregoing to the Clerk’s office by 2 p.m. on Friday before the upcoming Committee meeting when the item is scheduled to be discussed so that Councilors have a chance to review all relevant materials before a scheduled discussion.)

Please check the following:

- 9. I would like to discuss this item with the Chairman before any decision is made on how and when to proceed.
- 10. I would like the Clerk’s office to contact me to confirm that this item has been docketed. My daytime phone number is:
- 11. I would like the Clerk’s office to notify me when the Chairman has scheduled the item for discussion.

Thank you.

Mollie Hutchings
Signature of person docketing the item

[Please retain a copy for your own records]



Ruthanne Fuller
Mayor

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

#22-24
Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Barney S. Heath
Director

**Community Preservation Committee
Funding Recommendation for the
Second Church in Newton Preservation Project**

Date: December 11, 2023
From: Community Preservation Committee
To: The Honorable City Council
CC: The Honorable Mayor Ruthanne Fuller

PROJECT GOALS & ELIGIBILITY

The goal of this project is for the restoration of the roof and masonry at Second Church in Newton, located at 60 Highland Street. The capital improvements to the structure would include the replacement of the original copper roof above the main entrance and drainage system, restoration of stonework, rebuilding of lead weather caps at gables, and selective repointing to prevent further water infiltration and damage. This project is eligible for CPA funding for the restoration/rehabilitation of an historic resource as it is listed on the National Historic Register, and has received grant funding from the Massachusetts Historic Commission for this project with the support of the Newton Historical Commission.

RECOMMENDED FUNDING

At its monthly meeting on Tuesday, November 14, 2023, the Community Preservation Committee recommended, with a vote of 7 to 1, that \$125,500 in Community Preservation Act funding be appropriated from the FY24 Historic Resource Reserve Funds to the control of the Planning & Development Department for a grant to the Second Church in Newton for the restoration

Proposed CPA Funding Accounts for the Second Church in Newton			
Account Name	Account Number	Amount Currently Available in Account	Proposed Amount for Second Church in Newton
FY24 Historic Resource Reserve Funds	5810 3599	481,588.00	\$125.500
Total Project Funds			\$125,500

www.newtonma.gov/cpa

Lara Kritzer, Community Preservation Program Manager
lkritzer@newtonma.gov 617.796.1144

SPECIAL ISSUES CONSIDERED BY THE CPC

Repointing: It was a topic of conversation among the CPC whether repointing could be funded with CPA funds, or whether it would be considered a maintenance expense. It was determined that repointing, while needing to be done periodically on stone and brick buildings, was a major expense that occurred on a 20-40 year cycle, and not part of routine maintenance expenses.

Project Budget: The project meets the CPC’s guidelines for the funding of private projects through public-private partnerships as it provides slightly more than a 50% match to the CPA funds. It has already received a Massachusetts Preservation Project Fund award from the Massachusetts Historical Commission and received a letter of support from the Newton Historical Commission as part of that application process. The CPC’s recommendation also included a condition that all of the CPA funding for this project come from the City’s existing and future Historic Resource Reserve funds.

Sources of Funding	
Fundraising and endowment	\$85,100
MHC Massachusetts Preservation Project Fund Grant	\$50,000
FY24 Historic Resource Reserve – Total CPA Funding Request	\$125,500
Total Project Funding	\$260,000

Funding of Private/Religious Institutions: While the topic of using CPA funds for improvements on religious buildings was not discussed in detail at the November 14, 2023 meeting, the topic was raised as part of previous discussions of the Committee regarding other projects, including the recently completed Grace Church Tower Restoration. It was determined at that time agreed that these projects must be reviewed in the same manner that any historic resource project would be considered, based on the historic significance of the structure, its importance to the community, and the merits of its restoration process and plan.

Architectural and Historical Significance: The Second Church in Newton was designed by architects Allen & Collens in 1915, with a Tudor Revival addition built 1938 to accommodate the growing number of children enrolled in the weekday nursery school, which is still operating. Allen & Collens specialized in Gothic Revival churches, including the Emmanuel Episcopal Church in Back Bay. Outside of their Gothic Revival signature, they were the architects for Newton City Hall and War Memorial. The church is listed on the National Register of Historic Places as part of the Newton Multiple Resource Area (1908-1940) and occupies a very prominent part of the West Newton streetscape.

Community spaces & services: The proposal details the extensive public use of this property as a performance venue, particularly for the Newton Piano Summit and New Philharmonic Orchestra, nursery school, and community meeting place for Girl Scouts, support groups, and more. It has been noted in the discussion for previous projects on religious buildings, however, that many historic resources are not public buildings but provide a benefit to their neighborhood and community by contributing to the community’s architectural and historic landscape and character.

Project design & permitting: Plans for the masonry and roof restoration, designed by Building Conservation Inc. are attached to the proposal. As this project has already been awarded grant funding that needs to be used by the end of the fiscal year, the expectation is that the permitting process should be initiated as soon as possible.

ADDITIONAL RECOMMENDATIONS (funding conditions)

1. Recommended CPA funds should be appropriated within 1 month and the project should be completed within 1 year after the date of its approval by City Council, with the understanding that these deadlines

may be extended by submitting a written request to the CPC outlining the reason the extension is necessary and the proposed new deadline.

2. All funding for this project will be taken from the City's CPA Historic Resource Reserve accounts, using both its current balance of available funding and additional funding from FY24 as needed.
3. All CPA funding will be used solely for the restoration of the masonry, roof and copper drainage elements as public elements of the building which is visible from all surrounding public ways and park spaces. No funding can be used for the support of any religious activities, or for the restoration of any other elements of the building which are solely used for religious purposes.
4. The Applicant will be asked to update the CPC on the status of the project at regular intervals as requested. Periodic site visits to check the status of the restoration work may also be requested.
5. The CPC will hold 10% of the project's CPA funding until all restoration work is complete, at which time a final report and updated project budget must be submitted to the CPC for approval. The Applicant will be expected to present these materials at a public meeting of the CPC for their review and approval before the final funds are released.
6. The release of CPA funds will be governed by a grant agreement that includes but is not limited to the usual conditions for the phased release of CPA funds for historic resource projects, including a final report to the CPC and the return of unspent funds.
7. Any CPA funds appropriated but not used for the purposes stated herein should be returned to the Newton Community Preservation Fund.

KEY OUTCOMES: The successful outcomes of this project will be the restoration of the church, including a replaced copper roof, and the exterior restoration of the facades by repointing and replacing failed masonry elements to prevent water infiltration and damage in the future. The ultimate goal of this project is to have a building that can be viewed and accessed by the public.

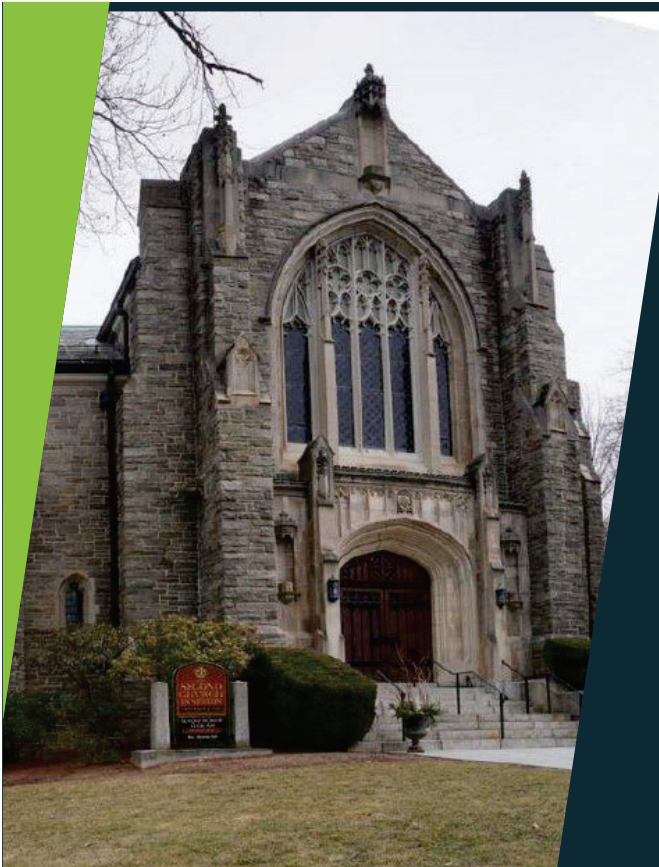
ATTACHMENTS

- Proposal:
<https://www.newtonma.gov/home/showpublisheddocument/113018/638338497352770000>

Additional information not attached to this recommendation, including petitions and letters of support, are available on the CPC's website at: <https://www.newtonma.gov/government/planning/community-preservation-program/proposals-projects/second-church-in-newton-preservation-and-accessibility-project>

Second Church in Newton Restoration Project Recommendation

Community Preservation Committee
Presentation to Finance Committee
February 26, 2024

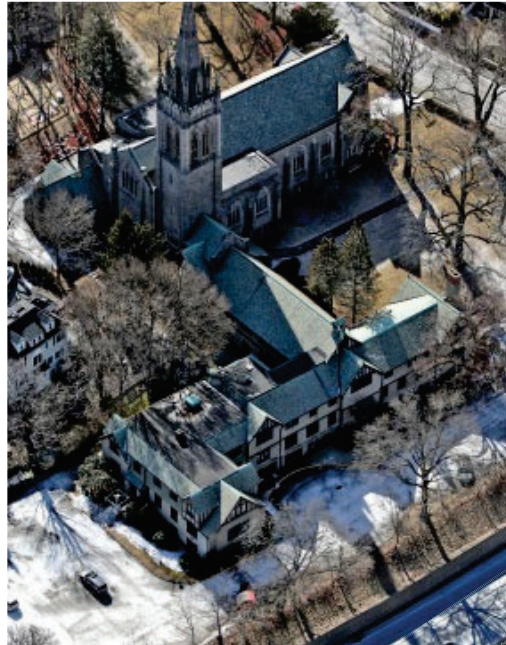


Project Overview

- ▶ The Second Church in Newton is a 1916 Gothic Revival stone structure by architects Allen & Collens, with a Tudor Revival annex built in 1938.
- ▶ Second Church is listed on the National Register of Historic Places
- ▶ The applicant is seeking to restore the exterior fabric to avoid the risk of costly structural problems in the future, and to achieve this “Sharing Space” goal as an asset to the City of Newton.

Scope of Work

- ▶ Work on this project includes the following preservation work. The specifications call for matching the original materials wherever possible.
 - ▶ Restoration of stonework and repointing.
 - ▶ Replacement of the original 1915 copper roof and other copper elements.
 - ▶ Other exterior improvements related to weatherproofing and preventing water infiltration.
- ▶ The project is set to be completed by their June 30, 2024 deadline, as per the terms of the Massachusetts Historical Commission's matching funds.



Project Funding Sources

Funding Sources	Amount
Requested CPA Funding	\$125,500
Massachusetts Historical Commission Preservation Projects Funds (Received)	\$50,000
Other Funds Raised	\$85,100
PROJECT TOTAL	\$260,600

Current Funding Recommendation

The current CPA funding request is for the FY24 Historic Resource funds needed to preserve and restore the masonry of the Second Church in Newton.

Recommended Sources of CPA Funding	
FY24 Historic Resource Reserve Funds	\$125,500



Questions & Discussion

► Thank you!



City of Newton Community Preservation Committee

Finances At a Glance

As of January 9, 2024

		<i>Expenses as % of total current year revenue</i>	
Fiscal Year 2024			
Revenue			
Beginning balance	4,323,992		
Local CPA surcharge	4,125,028		
State match			
Budget for this FY	837,723		<i>Actual FY24 State Match 21.02%, 20% Budgeted</i>
Additional from prior FY	714,416		
Total Available Resources	10,001,159		<i>Actual FY23 State Match 38.5%, 20% Budgeted</i>
Expenses			
Bond repayment obligations	694,853	12%	<i>Webster Woods</i>
New funding authorizations	2,092,619	37%	<i>Includes funding recommended by CPC</i>
Administrative costs	182,907	3%	
Total Expenses	2,970,379	52%	
Current Fund Balance	7,030,780		
Fiscal Year 2025			
Revenue			
Beginning balance	7,030,780		
Local CPA surcharge	4,269,404		
State match			
Budget for this FY	825,006		
Additional from prior FY	40,651		
Total Available Resources	12,165,841		
Expenses			
Bond repayment obligations	1,560,081	30%	<i>Webster Woods, Gath Pool, and Athletic Fields*</i>
New funding authorizations	-	0%	<i>Includes funding recommended by CPC</i>
Administrative costs	182,907	4%	
Total Expenses	1,742,988	34%	
Projected Fund Balance	10,422,853		

*The Gath Pool and Athletic Field Bonds will be issued in FY24 - repayment obligations are estimated at this time

City of Newton Community Preservation Committee

Spending Compared to Program Area Targets

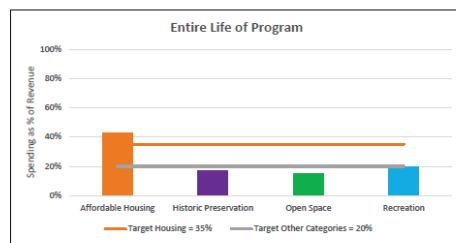
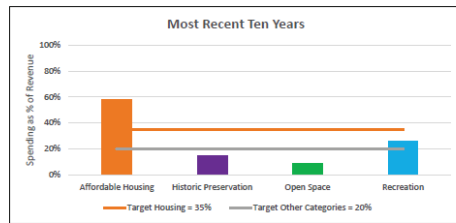
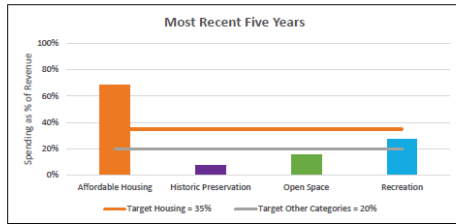
Comparisons Based on % of Current Revenue

As of January 9, 2024

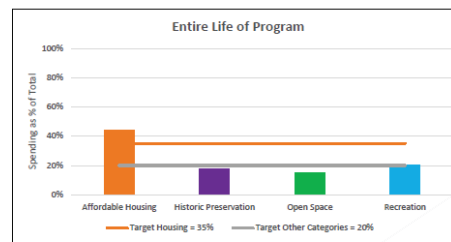
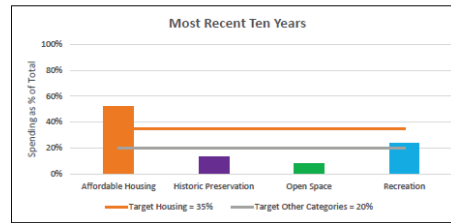
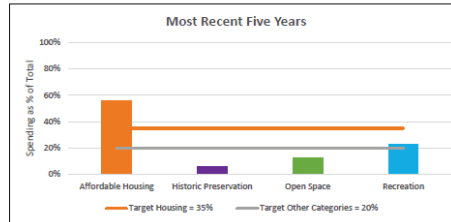
Note: spending on projects funded through bond issues is recorded as a series of annual debt service payments

	Program Area					Total Spending	Total Current Revenue
	Affordable Housing	Historic Preservation	Open Space	Recreation	Administration		
Most Recent Five Years							
Spending	16,802,948	1,868,132	3,823,075	6,790,564	765,085	30,049,805	24,569,359
% of Total Current Revenue	68%	8%	16%	28%	3%		122%
Target %	35%	20%	20%	20%	5%		100%
Percentage Point Difference Between Actual and Target	33%	-12%	-4%	8%	-2%		
Most Recent Ten Years							
Spending	25,191,172	6,403,171	3,930,575	11,309,311	1,386,427	48,220,657	43,511,337
% of Total Current Revenue	58%	15%	9%	26%	3%		111%
Target %	35%	20%	20%	20%	5%		100%
Percentage Point Difference Between Actual and Target	23%	-5%	-11%	6%	-2%		
Entire Life of Program							
Spending	37,647,002	14,872,585	13,042,453	17,476,806	2,659,425	85,698,272	87,667,824
% of Total Current Revenue	43%	17%	15%	20%	3%		98%
Target %	35%	20%	20%	20%	5%		100%
Percentage Point Difference Between Actual and Target	8%	-3%	-5%	0%	-2%		

Spending as % of Program Revenue, Compared to Guidelines



Spending as % of Annual Spending, Compared to Guidelines



CITY OF NEWTON

IN CITY COUNCIL

DRAFT

ORDERED:

That, in accordance with the recommendation of the Community Preservation Committee through its Chair, Eliza Datta , the Zoning & Planning Committee through its Chair Robert Baker and the Finance Committee through its Chair Leonard Gentile, recommending appropriation of one hundred and twenty five thousand dollars (\$125,000) in Community Preservation Act funding be appropriated from the FY24 CPA Historic Resource Reserve Funds to the control of the Planning & Development Department for a grant to the Second Church in Newton for the restoration is hereby approved as follows:

FROM:	CPA Historic Reserve Fund Balance (5810-335810).....	\$125,000
TO:	Second Church in Newton (58B11418-579700)	\$125,000

Under Suspension of Rules
DRAFT

(SGD) CAROL MOORE

City Clerk

(SGD) RUTHANNE FULLER

Mayor



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

99-24

Telephone
(617) 796-1100

Fax

(617) 796-1113

TDD/TTY

(617) 796-1089

Email

rfuller@newtonma.gov

January 29, 2024

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

Councilors:

I respectfully submit a docket item to your Honorable Council requesting authorization to accept and expend funds in the amount of twenty-seven thousand five-hundred dollars (\$27,500) to the City of Newton from the National Environmental Health Association (NEHA). The award consists of a base grant of \$5,000 with a training add-on grant of \$7,500 and a mentorship add-on grant of \$15,000.

The funds will be used by our Health and Human Services Department to improve the City's conformance with the US Food and Drug Administration's Retail Program Standards. This includes purchasing licenses for WinWam (inspection software), inspection equipment, paying a consultant to audit our conformance with the standards, staff stipends for grant-related work, and training.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller
Mayor

City of Newton



Ruthanne Fuller
Mayor

HEALTH AND HUMAN SERVICES DEPARTMENT

Linda Walsh, Commissioner

1000 Commonwealth Avenue
Newton, MA 02459-1544

99-24

(617) 796-1420

Fax

(617) 552-7063

TTY/TTD 617-796-1089

TTY/TRS 711

January 12, 2024

Dear Mayor Fuller,

Please docket the acceptance of grant money in the amount of \$27,500 to the City of Newton from the National Environmental Health Association (NEHA). The award consists of a base grant of \$5,000 with a training add-on grant of \$7,500 and a mentorship add-on grant of \$15,000.

The funds will be used to improve the City's conformance with the US Food and Drug Administration's Retail Program Standards. This includes purchasing licenses for WinWam (inspection software), inspection equipment, paying a consultant to audit our conformance with the standards, staff stipends for grant-related work, and training.

Sincerely,

Linda Walsh
Commissioner
Newton Health and Human Services Department



NEHA-FDA Retail Flexible Funding Model Grant Program Official Notice of Award for One-Year Grants

January 1, 2024

Grant Number: G-OAME-202309-04338

Application Type: 2024 Mentorship Optional Add-On

Project Title: Newton Health Dept – FDA Retail Program Standards Mentorship

Project Summary: The City of Newton was one of the first jurisdictions in Massachusetts to enroll in the Voluntary National Retail Food Regulatory Program Standards (initial enrollment March 2006). Since enrollment the City has achieved and maintained conformance with multiple standards and continues to work toward maintenance of and improvement in conformance for all nine standards. The goal of this project is to use the experience and expertise that the City of Newton has gained over the years to assist other jurisdictions in improving their conformance with the Retail Program Standards.

One-Year Award Amount: \$15,000.00

Project Period: 1/1/2024 to 12/31/2024

Unique Federal Award Identification Number (FAIN): U2FFD007358

CFDA Number: 93.103

Shin-Yi Lao
City of Newton
1000 Commonwealth Ave
Newton, MA 02459

Dear Shin-Yi:

Your application has been approved for Newton Health Dept – FDA Retail Program Standards Mentorship as part of the National Environmental Health Association (NEHA)-U.S. Food and Drug Administration (FDA) Retail Flexible Funding Model (RFFM) Grant Program, with funding provided by the FDA. Approval is based on review of the project plan and budget details in your submitted application.

As part of your application, your agency has made an assurance that it will comply with all applicable federal statutes and regulations in effect during the grant period, including applicable parts of 45 CFR Part 75. Acceptance of this award and/or any funds provided by the NEHA-FDA Retail Flexible Funding Model Grant Program acknowledges agreement with all the terms and conditions in this award letter.

The amount of \$15,000.00 represents the full amount of funds to which you are entitled. Grant awards are made with the understanding that NEHA-FDA Retail Flexible Funding Model Grant Program staff may require clarification of information within your application, as necessary, during the application, project, or reporting periods. These inquiries may be necessary to allow us to appropriately carry out our administrative responsibilities.

Specific Conditions of Your Award

In addition to the general Terms and Conditions of your award as listed below, the following are additional conditions specific to your award:

Your application is funded in full.

Budget

To review specific details of the approved budget in your grant award, please log into the NEHA-FDA

Total Award Amount: \$15,000.00

Budget changes are allowable but must be justified and approved in advance and in writing by the NEHA-FDA RFFM Grant Program Support Team. None of the funds in this award shall be used to pay the salary of an individual at a rate in excess of the current Executive Level II of the Federal Executive Pay Scale for any specific funding year.

Terms and Conditions

Your award is based on the project application referenced in this Notice of Award, submitted to and approved by NEHA. Payment is contingent on continued Federal Funding from the United States Food and Drug Administration, and is subject to the following terms and conditions:

The grantee must complete the full scope of work and all tasks outlined in the approved grant application by the Project End Date, unless NEHA grants a written exception. The recipient agrees to comply with the current FDA general terms and conditions (HHS Grant Policy Statement).

Restrictions on the expenditure of funds in federal appropriations acts apply to this award, to the extent those restrictions are applicable to subawards made under federal grants. Please refer to 2 CFR 200.400 for guidance on relevant cost principles.

For the complete Terms and Conditions of this award, including links to all relevant federal guidance, please see the **Reporting and Payments** link on the NEHA-FDA RFFM webpage (<https://www.neha.org/retail-grants>).

Reporting

Reports with due dates will be accessible by logging into the Grant Portal, found on the NEHA-FDA RFFM webpage. Reminders will be sent to the email address of your organization's Point of Contact regarding upcoming and past due reports.

Interim Progress Reports will be required each year for awards made through this program to assure that each funded project remains on track for timely completion. For one-year awards, an Interim Progress Report will be due halfway through the project period.

When all project objectives have been completed, a Final Project Report must be submitted through the online grant portal no later than 45 days after your Project End Date. As part of the final report, the grantee must provide a full accounting of all expenditures made with funds from this grant award accompanied by the required documentation.

For complete information on required reporting, please see the **Reporting and Payments** link on the NEHA-FDA RFFM webpage.

Reimbursement Requests

For one-year awards made through this grant program, payment is normally made on a reimbursement basis at the end of the project, following submission of all required reporting.

Advance payment is available for one-year awards when required by a jurisdiction. To request advance payment, please email an explanation to the **NEHA-FDA RFFM Grant Program Support Team** at retailgrants@neha.org. For additional details, please see the **Reporting and Payments** link on the NEHA-FDA RFFM webpage.

Unless otherwise requested, your first report will be the Interim Progress Report due halfway through the project period.

Recipient FDA Notice

As a reminder, recipients of funding through this program are required to assure that project activities achieve greater conformance with the FDA Voluntary National Retail Food Regulatory Program Standards (Retail Program Standards). For additional information regarding the Retail Program Standards, please visit the FDA's official webpage at: <https://www.fda.gov/food/retail-food-protection/voluntary-national-retail-food-regulatory-program-standards>.

Allowable and Non-allowable Costs

99-24

For information on allowable and non-allowable costs, please refer to the **NEHA-FDA RFFM Grant Guidance** link on the NEHA-FDA RFFM webpage.

Base Grant Requirement

Once awards under the NEHA-FDA RFFM Grant Program have been made, all grantees must have an active Base Grant in place (either a Development Base Grant or a Maintenance and Advancement Base Grant) to remain eligible for open Optional Add-On Grants. During the performance period of open awards, if a Base Grant is cancelled for any reason (at the request of the Grantee or due to non-performance), all open Additional Add-On Grants may also be in jeopardy of cancellation.

For grantees that have been awarded both a Track 2 Development Base Grant (a one-year award) and a Capacity Building Grant (a three-year award), it is the awarded jurisdiction's responsibility to apply for Development Base Grants in years two and three of this grant program, to assure that their Capacity Building Grant remains eligible for continuation.

Travel Costs

Travel costs should adhere to the general guidelines found in the **NEHA-FDA RFFM Grant Guidance**. Contact the NEHA-FDA RFFM Grant Program Support Team with specific travel-related questions not covered in the guidance.

Financial Conflict of Interest

This award is subject to the Financial Conflict of Interest (FCOI) regulation at 42 CFR Part 50 Subpart F.

Contact us for Support

If you have questions about this award, please contact the NEHA-FDA RFFM Grant Program Support Team. Additionally, the FDA Retail Food Safety Specialist assigned to your geographic area is an integral part of your jurisdiction's successful completion of Retail Program Standards activities and is available to assist with your funded project.

NEHA-FDA RFFM Grant Program Support Team

retailgrants@neha.org

1-833-575-2404

FDA Retail Food Safety Specialist Contact Information

<https://www.fda.gov/food/voluntary-national-retail-food-regulatory-program-standards/directory-fda-retail-food-specialists>

We appreciate your ongoing commitment to achieving greater conformance with the Voluntary National Retail Food Regulatory Program Standards.

Sincerely,



David T. Dyjack, DrPH, CIH
NEHA Executive Director



NEHA-FDA Retail Flexible Funding Model Grant Program Official Notice of Award for One-Year Grants

January 1, 2024

Grant Number: G-BDEV2-202309-04337

Application Type: 2024 Track 2 Development Base

Project Title: Newton Health Dept - FDA Retail Program Standards

Project Summary: Base grant outcomes: 1. Conduct an updated SA9 and audit the standards we meet. 2. Maintain full conformance with Stds 1, 3, 5, and 9. 3. Maintain partial conformance with Stds 6 and 8. 4. Improve conformance with Stds 2, 4, and 7. Training add-on outcome: 1. Attend the NACCHO and NEHA annual conferences to expand regulatory staff members' knowledge of current food safety science and practices.

One-Year Award Amount: \$12,500.00

Project Period: 1/1/2024 to 12/31/2024

Unique Federal Award Identification Number (FAIN): U2FFD007358

CFDA Number: 93.103

Shin-Yi Lao
City of Newton
1000 Commonwealth Ave
Newton, MA 02459

Dear Shin-Yi:

Your application has been approved for Newton Health Dept - FDA Retail Program Standards as part of the National Environmental Health Association (NEHA)-U.S. Food and Drug Administration (FDA) Retail Flexible Funding Model (RFFM) Grant Program, with funding provided by the FDA. Approval is based on review of the project plan and budget details in your submitted application.

As part of your application, your agency has made an assurance that it will comply with all applicable federal statutes and regulations in effect during the grant period, including applicable parts of 45 CFR Part 75. Acceptance of this award and/or any funds provided by the NEHA-FDA Retail Flexible Funding Model Grant Program acknowledges agreement with all the terms and conditions in this award letter.

The amount of \$12,500.00 represents the full amount of funds to which you are entitled. Grant awards are made with the understanding that NEHA-FDA Retail Flexible Funding Model Grant Program staff may require clarification of information within your application, as necessary, during the application, project, or reporting periods. These inquiries may be necessary to allow us to appropriately carry out our administrative responsibilities.

Specific Conditions of Your Award

In addition to the general Terms and Conditions of your award as listed below, the following are additional conditions specific to your award:

Your application is funded in full, including the Base and Training components of your project.

Budget

To review specific details of the approved budget in your grant award, please log into the NEHA-FDA RFFM Grant Portal where you can view and print your grant (including your budget justifications) and your

Total Award Amount: \$12,500.00

Budget changes are allowable but must be justified and approved in advance and in writing by the NEHA-FDA RFFM Grant Program Support Team. None of the funds in this award shall be used to pay the salary of an individual at a rate in excess of the current Executive Level II of the Federal Executive Pay Scale for any specific funding year.

Terms and Conditions

Your award is based on the project application referenced in this Notice of Award, submitted to and approved by NEHA. Payment is contingent on continued Federal Funding from the United States Food and Drug Administration, and is subject to the following terms and conditions:

The grantee must complete the full scope of work and all tasks outlined in the approved grant application by the Project End Date, unless NEHA grants a written exception. The recipient agrees to comply with the current FDA general terms and conditions (HHS Grant Policy Statement).

Restrictions on the expenditure of funds in federal appropriations acts apply to this award, to the extent those restrictions are applicable to subawards made under federal grants. Please refer to 2 CFR 200.400 for guidance on relevant cost principles.

For the complete Terms and Conditions of this award, including links to all relevant federal guidance, please see the **Reporting and Payments** link on the NEHA-FDA RFFM webpage (<https://www.neha.org/retail-grants>).

Reporting

Reports with due dates will be accessible by logging into the Grant Portal, found on the NEHA-FDA RFFM webpage. Reminders will be sent to the email address of your organization's Point of Contact regarding upcoming and past due reports.

Interim Progress Reports will be required each year for awards made through this program to assure that each funded project remains on track for timely completion. For one-year awards, an Interim Progress Report will be due halfway through the project period.

When all project objectives have been completed, a Final Project Report must be submitted through the online grant portal no later than 45 days after your Project End Date. As part of the final report, the grantee must provide a full accounting of all expenditures made with funds from this grant award accompanied by the required documentation.

For complete information on required reporting, please see the **Reporting and Payments** link on the NEHA-FDA RFFM webpage.

Reimbursement Requests

For one-year awards made through this grant program, payment is normally made on a reimbursement basis at the end of the project, following submission of all required reporting.

Advance payment is available for one-year awards when required by a jurisdiction. To request advance payment, please email an explanation to the **NEHA-FDA RFFM Grant Program Support Team** at retailgrants@neha.org. For additional details, please see the **Reporting and Payments** link on the NEHA-FDA RFFM webpage.

Unless otherwise requested, your first report will be the Interim Progress Report due halfway through the project period.

Recipient FDA Notice

As a reminder, recipients of funding through this program are required to assure that project activities achieve greater conformance with the FDA Voluntary National Retail Food Regulatory Program Standards (Retail Program Standards). For additional information regarding the Retail Program Standards, please visit the FDA's official webpage at: <https://www.fda.gov/food/retail-food-protection/voluntary-national-retail-food-regulatory-program-standards>.

Allowable and Non-allowable Costs

For information on allowable and non-allowable costs, please refer to the **NEHA-FDA RFFM Grant Guidance** link on the NEHA-FDA RFFM webpage.

Base Grant Requirement

Once awards under the NEHA-FDA RFFM Grant Program have been made, all grantees must have an active Base Grant in place (either a Development Base Grant or a Maintenance and Advancement Base Grant) to remain eligible for open Optional Add-On Grants. During the performance period of open awards, if a Base Grant is cancelled for any reason (at the request of the Grantee or due to non-performance), all open Additional Add-On Grants may also be in jeopardy of cancellation.

For grantees that have been awarded both a Track 2 Development Base Grant (a one-year award) and a Capacity Building Grant (a three-year award), it is the awarded jurisdiction's responsibility to apply for Development Base Grants in years two and three of this grant program, to assure that their Capacity Building Grant remains eligible for continuation.

Travel Costs

Travel costs should adhere to the general guidelines found in the **NEHA-FDA RFFM Grant Guidance**. Contact the NEHA-FDA RFFM Grant Program Support Team with specific travel-related questions not covered in the guidance.

Financial Conflict of Interest

This award is subject to the Financial Conflict of Interest (FCOI) regulation at 42 CFR Part 50 Subpart F.

Contact us for Support

If you have questions about this award, please contact the NEHA-FDA RFFM Grant Program Support Team. Additionally, the FDA Retail Food Safety Specialist assigned to your geographic area is an integral part of your jurisdiction's successful completion of Retail Program Standards activities and is available to assist with your funded project.

NEHA-FDA RFFM Grant Program Support Team

retailgrants@neha.org


1-833-575-2404

FDA Retail Food Safety Specialist Contact Information

<https://www.fda.gov/food/voluntary-national-retail-food-regulatory-program-standards/directory-fda-retail-food-specialists>

We appreciate your ongoing commitment to achieving greater conformance with the Voluntary National Retail Food Regulatory Program Standards.

Sincerely,



David T. Dyjack, DrPH, CIH
NEHA Executive Director

CITY OF NEWTON

IN CITY COUNCIL

DRAFT

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chair Leonard Gentile, the authorization to accept and expend grant funds from the National Environmental Health Association (NEHA) for the purpose of improving the City's conformance with the US Food and Drug Administration's Retail Program Standards by the Health and Human Services Department in the amount of twenty-seven thousand, five hundred dollars (\$27,500), is hereby approved.

Under Suspension of Rules
DRAFT

(SGD) CAROL MOORE
City Clerk

(SGD) RUTHANNE FULLER
Mayor

Date: _____



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

113-24

Telephone
(617) 796-1100

Fax

(617) 796-1113

TDD/TTY

(617) 796-1089

Email

rfuller@newtonma.gov

February 12, 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 \$30,785 in grant funds from the Massachusetts Office on Disability for Williams Elementary School playground accessibility improvements.

The project is in response to the heightened need for stimulating accessible play for students in the Reflections Program run by Newton Public Schools (NPS). This project is the result of collaboration between the Parks, Recreation & Culture (PRC) Department, the Commission on Disability and the ADA Coordinator, the Williams School and the NPS Director of Elementary Special Education.

Attached are memos from ADA Coordinator Jini Fairley and PRC Commissioner Nicole Banks regarding the grant and project.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller
Mayor

LAW DEPARTMENT



CITY OF NEWTON, MASSACHUSETTS

CITY HALL

1000 COMMONWEALTH AVENUE

NEWTON CENTRE, MA 02459

TELEPHONE (617) 796-1240

FACSIMILE (617) 796-1254

**CITY SOLICITOR
ALISSA O. GIULIANI**

DEPUTY CITY SOLICITOR
JONAH M. TEMPLE

SENIOR ASSISTANT CITY SOLICITOR
ANDREW S. LEE

ASSISTANT CITY SOLICITORS

JACLYN R. ZAWADA
CAROLYN A. WEISMAN
JENNIFER M. WILSON
KRISNA M. BASU
JENNIFER S. KELLY
KRISTEN N. ANNUNZIATO

ADA/504 COORDINATOR
JINI FAIRLEY

MEMORANDUM

To: Mayor Ruthanne Fuller
From: Jini Fairley, ADA Coordinator
Date: February 2, 2024
Subject: Request to Docket Acceptance and Expenditure of FY24 Massachusetts Office on Disability (MOD) ADA Improvement FY24 Grant Award

Dear Mayor Fuller,

This is a request to docket acceptance and expenditure of the Massachusetts Office on Disability FY24 ADA Improvement Grant, awarded to the City of Newton on February 1, 2024, in the amount of \$ 30,785.00.

This project grant was submitted on behalf of the City for ADA improvements to the Williams Elementary School playground.

Specifically, the scope of the project is to purchase and install a swing structure, with 4 typical swings and 2 accessible/adaptable swings, and to purchase and install the materials to prepare the new surface by extending the area under and around the existing play structure, with additional timber edging, engineered wood fiber (wood chips), and accessible matting.

Sincerely,
Jini



NEWTON PARKS, RECREATION & CULTURE DEPARTMENT

246 Dudley Road, Newton, MA 02459
Office: (617) 796-1500
TDD/TTY: (617) 796-1089
parks@newtonma.gov

NICOLE BANKS
COMMISSIONER

February 2, 2024

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

Dear Mayor Fuller:

I write to you to respectfully request that you docket an item for accessibility improvements at Williams Elementary School. The \$30,785 in grant funds are being provided by the Massachusetts Office on Disability. This is an 80/20 grant, the City must cover at least 20% of the project cost. I presented this project to the City Council in the previous Council term, funds were approved for playground improvements including at the Williams school site.

The project is in response to the heightened need for stimulating accessible play for students in the Reflections Program. Included on the following page is a schematic of the play structure and accessible swings as well as the layout of the structure within the play area. The full plan has been reviewed with the Williams School team and the Director of Elementary Special Education. The project has also been reviewed by the Commission on Disability.

To ensure completion of all work by the June 30th grant deadline, we will place perimeter fencing around the work site so installation work can occur safely.

The Parks, Recreation & Culture Department is appreciative of the collaborative effort between our Parks and Open Space Division and ADA Coordinator Jini Fairley in bringing these funds to our community.

Very truly yours,

Nicole Banks, Commissioner
Department of Parks, Recreation & Culture



NEWTON PARKS, RECREATION & CULTURE DEPARTMENT

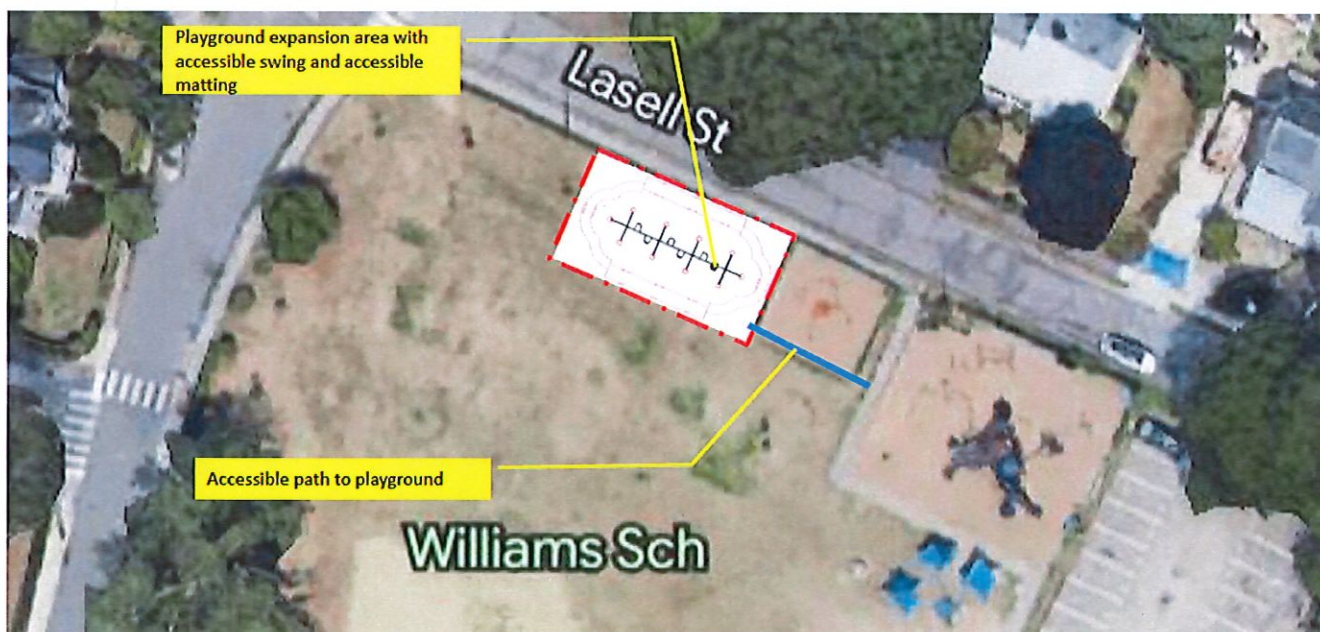
246 Dudley Road, Newton, MA 02459
Office: (617) 796-1500
TDD/TTY: (617) 796-1089
parks@newtonma.gov

NICOLE BANKS
COMMISSIONER

Swing Set with 2 accessible swings



Williams Elementary School Accessible Playground Expansion
Newton, Massachusetts



CITY OF NEWTON

IN CITY COUNCIL

DRAFT

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chair Leonard Gentile, the authorization to accept and expend grant funds from the Massachusetts Office on Disability for Williams Elementary School playground accessibility improvements in the amount of thirty thousand, seven hundred and eighty-five dollars (\$30,785), is hereby approved.

Under Suspension of Rules
DRAFT

(SGD) CAROL MOORE
City Clerk

(SGD) RUTHANNE FULLER
Mayor

Date: _____



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

110-24
Telephone
(617) 796-1100
Fax
(617) 796-1113
TDD/TTY
(617) 796-1089
Email
rfuller@newtonma.gov

February 12, 2024

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

Councilors:

I respectfully submit this docket item to the Honorable Council requesting authorization to accept and expend thirty-five thousand dollars (\$35,000.00) from the Executive Office of Public Safety and the Department of Fire Services for a reimbursement grant that was awarded to Newton Fire for Firefighter Safety Equipment.

The funding is going to be used to purchase equipment and related items for the Fire Department. These items are ballistic vests and helmets, a HCN detector, hoses, nozzles, valves, and a PPV fan.

The Grant is a reimbursement grant; therefore, we are requesting authorization to expend the amount of the grant first, and then accept the reimbursement by the State's Department of Fire Services to replenish our account of expenditure.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller
Mayor



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



Gregory J. Gentile
Chief

Ruthanne Fuller
Mayor

February 7, 2024

Maureen Lemieux
Chief Financial Officer
City of Newton
1000 Commonwealth Ave
Newton, MA 02459

Maureen,

I respectfully request to docket funding of \$35,000.00 from the Executive Office of Public Safety and the Department of Fire Services for a reimbursement grant that was awarded to Newton Fire for Firefighter Safety Equipment.

The funding is going to be used to purchase equipment and related items for the Fire Department. These items are ballistic vests and helmets, HCN detector, hoses, nozzles, valves, and PPV fan.

The Grant is a reimbursement grant; therefore, we would respectfully request authorization to expend the grant and when refunded by the Dept. of Fire Services to replenish our account of expenditure.

Thank you for your consideration to this request.

Respectfully,

Greg Gentile
Chief of Department

A handwritten signature in black ink, appearing to read "Greg Gentile", written over the typed name and title.



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE BOSTON, MA 02133
(617) 725-4000

MAURA T. HEALEY
GOVERNOR

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

February 6, 2024

Chief Greg Gentile
City of Newton
1164 Centre Street
Newton, MA 02459

Dear Chief Gentile,

Congratulations! I am pleased to inform you that the Executive Office of Public Safety and Security and the Department of Fire Services (DFS) has awarded the City of Newton Fire Department \$35,000.00 in State Fiscal Year 2024 funding for the Firefighter Safety Equipment Grant Program.

With each new challenge, the fire service in Massachusetts demonstrates its ability to adapt, overcome, and continue providing the excellent level of services that the citizens of the Commonwealth have come to expect. Please know how thankful I am for this, and how grateful I am to be able to provide your department with this important equipment.

The contract, terms and conditions, and other award documents for this program will be provided to you by DFS. Please contact Tim Moore at DFS with any questions about this award at 978-567-3721 or Timothy.Moore@mass.gov.

Sincerely,

Handwritten signature of Maura T. Healey in black ink.

GOVERNOR MAURA T. HEALEY

Handwritten signature of Kimberley Driscoll in black ink.

LT. GOVERNOR KIMBERLEY DRISCOLL

CITY OF NEWTON

IN CITY COUNCIL

DRAFT

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chair Leonard Gentile, the authorization to accept and expend grant funds from the Executive Office of Public Safety and the State Department of Fire Services for a reimbursement grant that was awarded to Newton Fire for Firefighter Safety Equipment in the amount of thirty five thousand dollars (\$35,000), is hereby approved.

Under Suspension of Rules

DRAFT

(SGD) CAROL MOORE

City Clerk

(SGD) RUTHANNE FULLER

Mayor

Date: _____



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

98-24

Telephone
(617) 796-1100
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(617) 796-1113
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(617) 796-1089
Email
rfuller@newtonma.gov

January 29, 2024

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

Councilors:

I respectfully submit a docket item to your Honorable Council requesting authorization per the Comptroller to transfer the Opioid Mitigation totaling \$446,104.67 for use by the Health and Human Services Department into a Special Revenue Fund, as allowed by State Law in December 2023.

The Governor signed new legislation changing the handling of Opioid funds in December and making this accounting change that allows the City to track all Opioid Funds in a single Special Revenue fund in perpetuity. This will ease the burden of tracking the use of these funds over the next 15-20 years and make the expenditures more transparent.

Included in this request is additional detail from Comptroller, Steve Curley, further explaining the change in the law.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller
Mayor

CITY COMPTROLLER'S OFFICE



CITY OF NEWTON, MASSACHUSETTS

CITY HALL

1000 COMMONWEALTH AVENUE

NEWTON CENTRE, MA 02459

TELEPHONE (617) 796-1301

FACSIMILE (617) 796-1196

scurley@newtonma.gov

COMPTROLLER
STEPHEN CURLEY

January 12, 2024

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

RE: Reclassification of Opioid Mitigation Funds regarding CO#357-23

Dear Mayor Fuller,

The Comptroller's office respectfully requests the reclassification of the Opioid Mitigation funds that were transferred from Free Cash into a Continued Appropriation account (01C50103-579700) totaling \$446,104.67 for use by the Health and Human Services department.

The Governor signed new legislation changing the handling of Opioid funds in December and making this accounting change on the handling of this appropriation of funds will allow the City to track all Opioid Funds in a single Special Revenue fund in perpetuity, easing the burden of tracking the use of these funds over the next 15-20 years. Rather than having multiple accounts for tracking purposes, this will enable the City to keep all Opioid revenues and expenses in a single Special Revenue fund, simplifying State and annual reporting requirements.

I have attached a copy of the MA Department of Revenue Division of Local Services Bulletin BUL-2023-7 release on the change of the handling of these funds that went into effect when Governor Healey signed Chapter 77 of the Acts of 2023 into law on December 4, 2023.

Sincerely,

Steve Curley
Comptroller

cc: Maureen Lemieux, CFO
Jonathan Yeo, COO
Linda Walsh, Health Commissioner

Bulletin

BUL-2023-7

G.L. c. 44, § 53 Clause 4: Opioid Settlement Receipts

TO: Local Officials
FROM: Deborah A. Wagner, Director of Accounts
DATE: December 2023

This guidance supersedes BUL-2023-6 and the July 7, 2022 edition of *City and Town, Ask DLS: Treatment of Opioid Settlement Payments*.

On December 4, 2023, Governor Healey signed [Chapter 77 of the Acts of 2023](#), Section 9 of which provides, in part, for the following exception to the general rule that all receipts are to be recorded as general fund revenue per [G.L. c. 44, § 53](#):

“(4) non-recurring, unanticipated sums received by multiple cities, towns or districts and not otherwise provided for by general or special law, may, upon the approval of the director of accounts, be expended at the direction of the chief executive officer without further appropriation only for the singular purpose for which the monies were received” (emphasis added)

The Director of Accounts has determined that cities and towns that have received or will receive funds in Fiscal Year 2024, or thereafter, pursuant to settlement agreements entered into by the Commonwealth with opioid distributors and opioid-makers for prevention, harm reduction, treatment, and recovery, may place said funds into a special revenue fund. The proceeds can then be expended, without further appropriation, at the direction of the chief executive officer only for the purpose identified in said settlement agreements.

Section 197 of the Act further allows a community to consolidate all monies previously received for this purpose into the special revenue fund, mentioned above, in the following ways.

1. If prior year settlement funds have not otherwise been reserved (i.e., dedicated to a stabilization fund) or become part of certified free cash, then those funds may be placed directly into the special revenue fund.
2. If already dedicated to a stabilization fund, said dedication can be revoked at any time by vote of the legislative body. Upon revocation, all statewide opioid settlement receipts previously received may be placed in the special revenue fund.
3. If a community has settlement funds in a stabilization fund but did not dedicate future settlement receipts, the money currently in stabilization can be placed directly into the special revenue fund.

In the case of #2 or #3 above, once funds are moved from the stabilization fund, by virtue of having no remaining balance the stabilization fund can be removed from the balance sheet.

4. Settlement funds that have become part of free cash may be appropriated into the special revenue fund by vote of the community's legislative body.

Once placed in the special revenue fund, monies can be spent without further appropriation for purpose identified in the settlement agreements. Any interest belongs to the general fund.

The transfers of funds, noted in #1-#4 above, represent a limited ability to consolidate previously received opioid settlement monies into the newly allowed special revenue fund. These transfers are permitted only for this express purpose and should not be considered a general change to how monies are otherwise accounted for under the General Laws.

If you have any further questions, please contact your BOA field representative.

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 transfer the sum of four hundred forty-six thousand, one hundred four dollars and sixty-seven cents (\$446,104.67) from Acct # 01C50103-579700, Opioid Mitigation, to Acct # 5610S501-579700, Opioid Mitigation Special Reserve Fund is hereby approved as follows:

FROM:	Opioid Mitigation (01C50103-579700)	\$446,104.67
TO:	Opioid Mitigation Special Reserve Fund (5610S501-579700).....	\$446,104.67

Under Suspension of Rules
DRAFT

(SGD) CAROL MOORE
City Clerk

(SGD) RUTHANNE FULLER
Mayor

Date: _____



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

111-24
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TDD/TTY
(617) 796-1089
Email
rfuller@newtonma.gov

February 12, 2024

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

Councilors:

I respectfully submit this docket item to the Honorable Council requesting authorization for the Newton Public Schools to issue an RFP with a food service management company for a contract duration of up to five years, rather than for three years. This five-year duration will be comprised of an initial one-year term, and four renewable one-year terms to follow. The School Committee provided their initial approval of the requested five-year contract duration during their 12/18/2023 meeting.

Included in this backup is a memo from Amy Mistrot, Director of Business Operations, outlining the rationale behind the five-year duration.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller
Mayor

CITY COUNCIL

CITY OF NEWTON

DOCKET REQUEST FORM

DEADLINE NOTICE: Council Rules require items to be docketed with the Clerk of the Council NO LATER THAN 7:45 P.M. ON THE MONDAY PRIOR TO A FULL COUNCIL MEETING.

To: Clerk of the City Council

Date: 12/22/2023

From (Docketer): School Department - Amy Mistrot

Address: 100 Walnut Street

Phone: 617-559-9038 E-mail: mistrota@newton.k12.ma.us

Additional sponsors: Liam Hurley

1. Please docket the following item (it will be edited for length if necessary):

Director of Business Operations Amy Mistrot is requesting a vote of the City Council to authorize the School Department to issue an RFP for a food service management company with a five-year contract duration comprised of an initial one year award and four renewable one-year terms to follow. The School Committee provided their initial approval of the requested five-year contract duration during their 12/18/23 meeting.

2. The purpose and intended outcome of this item is:

- | | |
|--|--|
| <input type="checkbox"/> Fact-finding & discussion | <input type="checkbox"/> Ordinance change |
| <input type="checkbox"/> Appropriation, transfer, | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Expenditure, or bond authorization | <input type="checkbox"/> License or renewal |
| <input type="checkbox"/> Special permit, site plan approval, | <input type="checkbox"/> Appointment confirmation |
| <input type="checkbox"/> Zone change (public hearing required) | <input checked="" type="checkbox"/> Other: <u>School Department Contract Term Vote</u> |

3. I recommend that this item be assigned to the following committees:

- | | | |
|--|---|--|
| <input type="checkbox"/> Programs & Services | <input checked="" type="checkbox"/> Finance | <input type="checkbox"/> Real Property |
| <input type="checkbox"/> Zoning & Planning | <input type="checkbox"/> Public Safety | <input type="checkbox"/> Special Committee |
| <input type="checkbox"/> Public Facilities | <input type="checkbox"/> Land Use | <input type="checkbox"/> No Opinion |

4. This item should be taken up in committee:

- Immediately (Emergency only, please). Please state nature of emergency:
- As soon as possible, preferably within a month
- In due course, at discretion of Committee Chair
- When certain materials are made available, as noted in 7 & 8 on reverse
- Following public hearing

PLEASE FILL OUT BOTH SIDES

5. I estimate that consideration of this item will require approximately:

- One half hour or less
- More than one hour
- More than one meeting
- Up to one hour
- An entire meeting
- Extended deliberation by subcommittee

6. The following people should be notified and asked to attend deliberations on this item. (Please check those with whom you have already discussed the issue, especially relevant Department Heads):

City personnel

Citizens (include telephone numbers/email please)

- | | |
|---|--------------------------------|
| <input checked="" type="checkbox"/> Maureen Lemieux _____ | <input type="checkbox"/> _____ |
| <input checked="" type="checkbox"/> Stephen Curley _____ | <input type="checkbox"/> _____ |
| <input checked="" type="checkbox"/> Carol Moore _____ | <input type="checkbox"/> _____ |
| <input type="checkbox"/> _____ | <input type="checkbox"/> _____ |
| <input type="checkbox"/> _____ | <input type="checkbox"/> _____ |

7. The following background materials and/or drafts should be obtained or prepared by the Clerk's office prior to scheduling this item for discussion:

8. I have or intend to provide additional materials and/or undertake the following research independently prior to scheduling the item for discussion. *

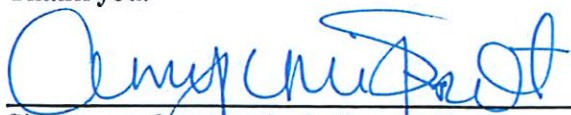
School Committee approval vote from 12/18/23.

(*Note to docketer: Please provide any additional materials beyond the foregoing to the Clerk's office by 2 p.m. on Friday before the upcoming Committee meeting when the item is scheduled to be discussed so that Councilors have a chance to review all relevant materials before a scheduled discussion.)

Please check the following:

- 9. I would like to discuss this item with the Chairman before any decision is made on how and when to proceed.
- 10. I would like the Clerk's office to contact me to confirm that this item has been docketed. My daytime phone number is: *617-559-9038* *mistrota@newton.k12.ma.us*
- 11. I would like the Clerk's office to notify me when the Chairman has scheduled the item for discussion.

Thank you.



Signature of person docketing the item

[Please retain a copy for your own records]



Office of Business, Finance and Planning
 100 Walnut Street
 Newton, MA 02460
 617-559-9025

TO: Honorable Mayor Ruthanne Fuller

FROM: Amy Mistrot, Director of Business Operations

DATE: December 22, 2023

RE: Request for Five-Year Food Service Contract

Newton's current Food Service contract with Whitsons Culinary Services expires on 6/30/24, which requires that we follow the Request for Proposal (RFP) process to solicit a successor vendor and contract. I am requesting City Council approval for a five-year contract duration as we prepare to publish our bid documents to be in compliance with [MGL, Part I, Title III, Chapter 30B, Section 12](#): "(b) Unless authorized by majority vote, a procurement officer shall not award a contract for a term exceeding three years, including any renewal, extension, or option. Such authorization may apply to a single contract or to any number or types of contracts, and may specify a uniform limit or different limits on the duration of any such contracts."

Given the complexity of the RFP process for food services and the ongoing operational complexity, I am requesting a five-year contract with an initial award year (FY25) with the option of four additional years (FY26-FY29) that will be processed as amendments upon satisfactory performance of the vendor that is awarded the successor contract. This extended contract duration is habitual practice and the expected duration by the Department of Elementary and Secondary Education, the state supervisory entity for the school food services program. A 60-day termination without cause provision will remain in the contract.

In anticipation of this requested approval of the City Council, the Newton School Committee unanimously voted to approve this five-year contract duration as part of their 12/18/23 agenda – vote approval included.

Thank you for your consideration.

CC: Maureen Lemieux, Chief Financial Officer
 Steve Curley, Comptroller
 Carol Moore, City Clerk
 Dr. Anna Nolin, Superintendent of Schools
 Liam Hurley, Assistant Superintendent/Chief Financial and Administrative Officer



WARD

- I Rajeev Parlikar
 - II Christopher Brezski
 - III Anping Shen
 - IV Tamika Olszewski- Chair
 - V Emily Prenner
 - VI Paul Levy
 - VII Kathy Shields -Vice Chair
 - VIII Cove Davis
- RUTHIANNE FULLER- EX OFFICIO

NEWTON SCHOOL COMMITTEE

MEMO

To: Liam Hurley, Assistant Superintendent/Chief Financial and Administrative Officer
 Amy Mistrot, Director of Business Operations

From: Lisa Mazzola

Re: School Committee Vote

Date: December 22, 2023

On December 18, 2023 the School Committee voted to approve the following item:

Motion proposed for vote:

We are requesting a five-year contract with an initial award year with the option of four additional years that will be awarded as amendments upon satisfactory performance of the vendor that is awarded the successor contract.

Motion: Levy 2nd: Shen

Roll Call Vote

Ward 1	ab	Ward 4	Y	Ward 7	Y
Ward 2	Y	Ward 5	Y	Ward 8	ab
Ward 3	Y	Ward 6	Y	Mayor	Y

Motion passes: 7 (yes) 0 (no) 0 (abstain) 2 (absent)

Lisa Mazzola

Date: 12/22/23

School Committee Secretary



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

112-24

Telephone
(617) 796-1100

Fax

(617) 796-1113

TDD/TTY

(617) 796-1089

Email

rfuller@newtonma.gov

February 12, 2024

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

Honorable City Councilors:

I respectfully submit this docket item to the Honorable Council requesting the approval to appropriate and expend \$1,191,000 from June 30, 2023 Certified Free Cash to complete the funding for the Newton Free Library's heating, ventilation and air conditioning (HVAC) system which is at its "end-of-life".

In June 2023, Public Buildings Commissioner Morse presented a funding request, #165-23, to the City Council for the sum of \$750,000 to fund upgrades to the library HVAC system. As Commissioner Morse explained at the time, we hoped to have a portion of the project approved to improve our chances of securing a sizable grant from the State.

We were informed recently that the City of Newton received a \$500,000 grant through the Green Communities Grant Program to help fund the Library HVAC Project.

Last week we received eight competitive bids for the Library HVAC project. With the City Council's support for the \$1.191 million in Free Cash, we will be able to move forward with this necessary project that will reduce our carbon footprint, improve the indoor comfort in our busiest municipal building, and provide reliable service.

Attached is a letter of support for the project from Library Executive Director Mercurio. Also attached is a letter from Commissioner Morse, a full project budget spreadsheet and Docket #165-23 showing approval of the initial \$750,000 in funding.

Thank you for your consideration of this matter.

Sincerely,

Mayor Ruthanne Fuller



Jill Mercurio
Library Director



Ruthanne Fuller
Mayor

February 8, 2024

Dear Mayor Fuller,

I'm writing in support of the funding request for the Library HVAC Project. Our HVAC system has exceeded its end-of-life capabilities with many core components failing, such as one of the two necessary cooling towers rendered inoperable. We welcome more than 400k visitors annually and have among the highest circulation in the state, with 1.7 million items borrowed last year. A failed HVAC system negatively impacts our ability to serve the community and have a functional work environment for staff.

During the summer of 2023, our HVAC system proved incapable of reliably cooling and regulating humidity. Temperatures on the second and third floors were routinely over 80 degrees, causing visitors to cut visits short and be unable to use study rooms due to lack of ventilation. We received frequent complaints from residents and staff about how uncomfortable the temperatures were in the building. Without the air handlers working properly to move air around the building, we purchased and borrowed many fans from the Building Department to improve airflow. We relocated staff from office spaces on our third floor and needed to replace computers that were overtaxed from prolonged high temperatures. Humidity is also a hazard – not only to prevent mold in our physical book collections – but also a general safety issue. We ran a dehumidifier all summer to prevent condensation from creating slip hazards on the lobby's terrazzo floor. And once when the HVAC failed, humidity built up and caused the saturation of ceiling tiles which fell in areas of the lobby next to the Circulation Desk. On June 19, a crack in an air-conditioning pipe outside the building resulted in complete failure of the air-conditioning system requiring us to close the Library to the public and send staff home. At that time, over a dozen portable AC units were installed in offices and meeting spaces to augment the overtaxed system. While these units helped nurse the system through the season, they provided insufficient temperature relief and were loud and ill-suited for a library environment.

Technology, energy efficiency standards, and climate conditions have changed extensively since Newton Free Library opened its 91,405 square foot building to the public 32 years ago. The Building Department had HVAC technicians on site nearly every summer day to keep things running at the system's limited capacity, but the existing system is unable to handle cooling our large building sufficiently. It is a critical need to replace and upgrade the library's heating, ventilation, and air conditioning systems. We deeply appreciate the funding that has already been allocated to keep the dying system running and to spec out a new replacement system. I cannot advocate more emphatically on the need to fund the execution of this project to ensure Newton Free Library remains a thriving well-utilized community resource for all.

Sincerely,
Jill Mercurio, Library Director



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

February 6, 2024

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

Re: Library HVAC

Dear Mayor Fuller:

The Public Buildings Department requests \$1,191,000 to replace the existing chiller and related cooling equipment with a new chiller (Air Source Heat Pump).

This funding request reflects the receipt of a \$500,000 Green Communities Grant which has reduced our request by that total.

Sincerely,

Josh Morse
Public Buildings Commissioner

cc: Maureen Lemieux, Chief Financial Officer
Jonathan Yeo, Chief Operating Officer
Alex Valcarce, Deputy Buildings Commissioner
William Ferguson, Co-Director of Sustainability

02.06.2024

Phase 1 - New Library AC System	
(calendar year 2024)	
Design and Construction Administration	\$ 160,000
New AC System - Phase 1	\$ <u>2,150,000</u>
Sub Total	\$ 2,310,000
Contingency	\$ <u>231,000</u>
Total Project Cost	\$ 2,541,000
Less Green Communities Grant - Received Upfront	\$ (500,000)
Less Existing Appropriations	\$ (850,000)
Additional Funding Request for this Phase	\$ 1,191,000
Less Incentive Upon Completion of Project	\$ (10,000)
Net City Cost for Project	\$ 1,181,000

CITY OF NEWTON

IN CITY COUNCIL


June 20, 2023

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chair Rebecca Walker Grossman and the Public Facilities Committee through its Chair Alison Leary to appropriate and expend the sum of seven hundred fifty thousand dollars (\$750,000) from June 30, 2022 Certified Free Cash to a Public Buildings Department Capital Account to fund the replacement of the Newton Free Library’s HVAC system as detailed in the FY24-FY28 CIP be and is hereby approved as follows:

FROM:	Free Cash (0001-3240).....	\$750,000
TO:	Library HVAC System (7830B115-582500)	\$750,000

Under Suspension of Rules
Readings Waived and Approved
22 yeas 0 nays 2 absent (Councilors Bowman and Laredo)


(SGD) CAROL MOORE
Acting City Clerk

Mayor
Ruthanne Fuller
Digitally signed by
Mayor Ruthanne Fuller
Date: 2023.06.23
15:48:08 -04'00'
(SGD) RUTHANNE FULLER
Mayor



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

February 6, 2024

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

Re: Library HVAC

Dear Mayor Fuller:

The Public Buildings Department requests \$1,191,000 to replace the existing chiller and related cooling equipment with a new chiller (Air Source Heat Pump).

This funding request reflects the receipt of a \$500,000 Green Communities Grant which has reduced our request by that total.

Sincerely,

Josh Morse
Public Buildings Commissioner

cc: Maureen Lemieux, Chief Financial Officer
Jonathan Yeo, Chief Operating Officer
Alex Valcarce, Deputy Buildings Commissioner
William Ferguson, Co-Director of Sustainability

Library HVAC Equipment Upgrade Budget

Design and Construction Administration	\$ 160,000
New Chiller (Air Source Heat Pump) and related equipment	<u>\$1,677,000</u>
Sub Total	\$1,837,000
Contingency	<u>\$ 183,700</u>
Project Budget	\$2,020,700
Less Appropriations to Date	-\$ 850,000
Additional Project Funding Requested	<u>\$1,170,700</u>
Potential Utility Company Rebates	<u>-\$ 10,000</u>
Potential Net Project Cost if Rebates are received	\$1,160,700

City of Newton, Massachusetts
 Purchasing Department
 Comparison of Bids
 INVITATION TO BID #24-39

MAIN LIBRARY HVAC SYSTEM IMPROVEMENTS

Bid Opening: February 1, 2024 at 10:30 am

PROJECT MANAGER: JOSH MORSE

BIDDERS	Riverdale Plumbing	Enterprise Equipment	CAM	GENERAL MECHANICAL	VETERANS DEVELOPMENT	GENERAL AIR CONDITIONING & HEATING	PJ KENNEDY	NB KENNEY
TOTAL BASE BID	\$2,150,000.00	\$2,260,968.00	\$2,297,000.00	\$2,392,000.00	\$2,491,212.00	\$2,492,000.00	\$2,540,000.00	\$3,151,000.00

Riverdale Plumbing

 Award Recommended To:


 Chief Procurement Officer Date

20865

 Vendor #

0111502-524070

 Acct & Org#'s



 Department Head Date

 Mayor or her designee Date

Notes Regarding Specific Bids



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

February 23, 2024

Members of the Finance Committee,

There was an incorrect budget sheet submitted as part of the backup for docket item #112-24. As discussed with the Public Facilities Committee, the Library HVAC project has many phases which will be spread out over many years in the Capital Improvement Plan.

Early in the design process we were exploring different ways to break down the phases, and each of these scenarios has different projected budgets. One of those early projected budgets for a different scope of work was incorrectly submitted as part of the backup for docket item #112-24. The correct budget document was also submitted, and it matches the docket request for \$1,191,000 and all other supporting materials. The correct budget is shown below.

02.06.2024

Phase 1 - New AC System	
(calendar year 2024)	
Design and Construction Administration	\$ 160,000
New AC System - Phase 1	<u>\$ 2,150,000</u>
Sub Total	\$ 2,310,000
Contingency	<u>\$ 231,000</u>
Total Project Cost	\$ 2,541,000
Less Green Communities Grant - Received Upfront	\$ (500,000)
Less Existing Appropriations	\$ (850,000)
Additional Funding Request for this Phase	\$ 1,191,000
Less Incentive Upon Completion of Project	\$ (10,000)
Net City Cost for Project	\$ 1,181,000

Sincerely,

Josh Morse
Public Buildings Commissioner

CITY OF NEWTON

IN CITY COUNCIL

DRAFT

ORDERED:

That, in accordance with the recommendation of the Public Facilities Committee Chair Susan Albright, and the Finance Committee through its Chair Leonard Gentile authorization to appropriate and expend the sum of one million, one hundred ninety one thousand dollars (\$1,191,000) from June 30, 2023 Certified Free Cash to complete the funding for the Newton Free Library's chiller and related cooling equipment replacement project is hereby approved as follows:

FROM:	June 30, 2023 Certified Free Cash (0001-3240).....	\$1,191,000
TO:	Library HVAC System – Building Improvements (7830B115-582500)	\$1,191,000

Under Suspension of Rules
DRAFT

(SGD) CAROL MOORE
City Clerk

(SGD) RUTHANNE FULLER
Mayor



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

#106-24

Telephone
(617) 796-1100

Fax

(617) 796-1113

TDD/TTY

(617) 796-1089

Email

rfuller@newtonma.gov

February 12, 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 authorization to establish a NPS Educational Stabilization Fund.

Stabilization funds may be created under M.G.L. c. 40, § 5B for capital budget purposes and purposes for which the city (or town) may lawfully borrow money. Creation of a special purpose stabilization fund requires a two-thirds vote of the legislative body. The vote must clearly define the purpose(s) of the fund. Appropriations into a fund requires a simple majority vote by the legislative body. Appropriation of funds from a special purpose stabilization fund shall also be approved by a majority vote, as approved by the Governor on November 28, 2023, Section 8 of Chapter 77 of the Acts of 2023.

The NPS Educational Stabilization Fund, including interest earned from investment income, will be utilized in conjunction with general fund appropriations to provide funding for educational purposes including but not limited to faculty, staff, initiatives, programs, services, curriculum and any such expenditures that relate to the provision of educational services by the Newton Public Schools.

This fund is intended to be part of the City of Newton's overall financial strategy to support programs and services for School operations.

We look forward to discussing this important work with you. Thank you for your consideration of this matter.

Sincerely,

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, it is hereby ORDERED that there shall be a Special Purpose Stabilization Fund established under Massachusetts General Laws Chapter 40, Section 5B, called the “NPS Educational Stabilization Fund”. The purpose of the NPS Educational Stabilization Fund shall be to provide funding for educational purposes including, but not limited to, faculty, staff, initiatives, programs, services, curriculum and any such expenditures that relate to the provision of educational services by the Newton Public Schools.

Under Suspension of Rules

DRAFT

(SGD) CAROL MOORE
City Clerk

(SGD) RUTHANNE FULLER
Mayor



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

#107-24

Telephone
(617) 796-1100

Fax

(617) 796-1113

TDD/TTY

(617) 796-1089

Email

rfuller@newtonma.gov

February 12, 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 authorization to appropriate from Overlay Surplus (\$18,200,000), interest income that has accumulated as part of the \$18.2 million Overlay Surplus (\$800,000) which can be allocated from Free Cash, and June 30, 2023 Certified Free Cash (\$3,000,000) to the NPS Educational Stabilization Fund, for a total of \$22 million.

Under M.G.L. c. 40, § 5B, appropriations into a stabilization fund requires a simple majority vote by the legislative body.

The purpose of the NPS Educational Stabilization Fund, including interest earned from investment income, will be to provide funding for educational purposes including but not limited to faculty, staff, initiatives, programs, services, curriculum and any such expenditures that relate to the provision of educational services by the Newton Public Schools.

Thank you for your consideration of this matter.

Sincerely,

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 \$18,200,000 from Overlay Surplus and \$3,800,000 from June 30, 2023 Certified Free Cash, inclusive of what interest income has accumulated as part of the \$18.2 million Overlay Surplus (\$800,000), to the NPS Educational Stabilization Fund, for a total of \$22,000,000 is hereby approved as follows:

FROM:	Overlay Surplus (0001-3220).....	\$18,200,000
	June 30, 2023 Certified Free Cash..... (0001-3240)	\$ 3,800,000
TO:	NPS Educational Stabilization Fund (5910-490001).....	\$22,000,000

Under Suspension of Rules
DRAFT

(SGD) CAROL MOORE
City Clerk

(SGD) RUTHANNE FULLER
Mayor

Date: _____



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

109-24

Telephone
(617) 796-1100

Fax

(617) 796-1113

TDD/TTY

(617) 796-1089

Email

rfuller@newtonma.gov

February 12, 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 authorization to appropriate and expend seven-million, eight-hundred thousand dollars (\$7.8 million) from Overlay Surplus to reduce the amount of debt service for the City of Newton overall and more specifically for the NewCAL project.

Currently, we project that bonding \$7.8 million over 30 years at 3.5% will increase by \$420,000 the debt service operating budget for the City of Newton for the next 30 years; this will cost the City a total of \$4.8 million in interest payments.

I believe that investing the \$7.8 million in one-time Overlay Surplus funds which will save \$420,000 each year will serve a greater purpose by allowing us to redirect these funds to necessary services for our residents.

We look forward to reviewing our bonding, bond anticipation note, and positive arbitrage financial strategy with the Council.

Thank you for your consideration of this matter.

Sincerely,

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 to appropriate and expend the amount of two million, three hundred thousand dollars (\$2.3 million) from the Overlay Surplus and five million, five hundred thousand dollars (\$5.5 million) from the ATB Interest and Penalties account to NEWCAL, reducing bonding authorization is hereby approved as follows:

FROM:	Overlay Surplus (0001-3220).....	\$2,300,000
	ATB Interest and Penalties (01C10701-576300)	\$5,500,000
TO:	NEWCAL Construction (7831B115-582500-NEWC)	\$7,800,000

Under Suspension of Rules
DRAFT

(SGD) CAROL MOORE
City Clerk

(SGD) RUTHANNE FULLER
Mayor



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

108-24

Telephone
(617) 796-1100

Fax

(617) 796-1113

TDD/TTY

(617) 796-1089

Email

rfuller@newtonma.gov

February 12, 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 authorization to issue refunding bonds, at one time or from time to time, pursuant to G.L. c. 44, §21A, or pursuant to any other enabling authority, to refund all or any portion of the City's general obligation bonds outstanding as of the date of adoption of this order, and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium and interest on the bonds of the City to be refunded, and costs of issuance of the refunding bonds; and that the Mayor and the City Treasurer are each authorized to execute such documents as may be necessary or desirable to carry out this transaction, including one or more refunding trust agreements with a bank or trust company.

When current market rates are below the interest rates on the City's outstanding debt, the City is allowed to issue refunding bonds at a lower interest rate and realize debt service savings over the remaining life of the debt. The Administration works with our municipal financial advisor to monitor these refunding opportunities.

Issuing refunding bonds is an important aspect of our financial strategy. We look forward to discussing refunding in more detail with the Finance Committee.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Loan Order – Refunding Bonds

Ordered: That in order to reduce interest costs, the City Treasurer, with the approval of the Mayor, is authorized to issue refunding bonds, at one time or from time to time, pursuant to G.L. c. 44, §21A, or pursuant to any other enabling authority, to refund all or any portion of the City's general obligation bonds outstanding as of the date of adoption of this order, and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium and interest on the bonds of the City to be refunded, and costs of issuance of the refunding bonds; and that the Mayor and the City Treasurer are each authorized to execute such documents as may be necessary or desirable to carry out this transaction, including one or more refunding trust agreements with a bank or trust company.

CITY OF NEWTON

IN CITY COUNCIL

DRAFT

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chair Leonard J. Gentile, that in order to reduce interest costs, the Treasurer, with the approval of the Mayor, is authorized to issue refunding bonds, at one time or from time to time, pursuant to G.L. c.44, §21A, or pursuant to any other enabling authority, to refund all or any portion of the City's general obligation bonds outstanding as of the date of adoption of this Order, and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium and interest on the bonds of the City to be refunded, and costs of issuance of the refunding bonds; and that the Mayor and the Treasurer are each authorized to execute such documents as may be necessary or desirable to carry out this transaction, including one or more refunding trust agreements with a bank or trust company be and is hereby approved.

Under Suspension of Rules
Draft

(SGD) CAROL MOORE
City Clerk

(SGD) RUTHANNE FULLER
Mayor

Date: _____