



Finance Committee Report

City of Newton In City Council

Monday, April 8, 2024

Present: Councilors Gentile (Chair), Grossman, Lipof, Bixby, Malakie, Greenberg, and Humphrey

Also Present: Councilor Block

Absent: Councilor Micley

City staff present: Manager of Financial Planning & Analysis Perry Rosenfield, Senior Financial Analyst Connor Roach, Comptroller Stephen Curley, and Commissioner of Parks, Recreation & Culture Nicole Banks

For more information regarding this meeting, a video recording can be found at the following link:
[Finance Committee Meeting](#)

Referred to Public Safety & Transportation and Finance Committees

#150-24 Recommendation to accept Massachusetts General Laws (MGL) Chapter 41, Section 100G.

HER HONOR THE MAYOR requesting authorization to provide for the payment of funeral and burial expenses, not exceeding two thousand dollars (\$2,000), of any firefighter or police officer killed while in the performance of their duty, which procedurally means accepting Massachusetts General Laws (MGL) Chapter 41, Section 100G.

Public Safety & Transportation Approved 7-0 on 04/03/24

Action: Finance Approved 6-0 (Councilor Lipof not voting)

Note: Steve Curley, Comptroller joined the Committee to discuss item 150-24. Mr. Curley explained that this is a procedural matter to give the City the option to pay \$2,000 for the funeral services if there is ever a police officer or firefighter killed in the line of duty.

Councilor Malakie motioned to approved passed 6-0 with Councilor Lipof not voting.

#166-24 Acceptance of Massachusetts MOTT FY24 budget grant

HER HONOR THE MAYOR requesting authorization to accept and expend a Massachusetts MOTT FY24 budget grant in the amount of forty-two thousand five hundred dollars (\$42,500) to improve stormwater management and beautification of the Cheesecake Brook section that runs alongside Albemarle Park.

Action: Finance Approved 7-0

Note: Nicole Banks, Commissioner of Parks, Recreation & Culture joined the Committee to discuss item 166-24. Commissioner Banks explained they are working on this project along side a project to add a second bridge to cross the Cheesecake Brook. The funds will be used to do some plantings and beautification to help with stormwater management. They are looking to finish these projects by the end of June.

It was questioned if this gets the City any phosphorus credits. Commissioner Banks explained that she could get back to the Committee with this information.

Councilor Greenberg motioned to approve which passed unanimously.

#169-24 Acceptance of a \$75,000 Massachusetts Office of Travel and Tourism FY24 state budget earmark

HER HONOR THE MAYOR requesting authorization to accept and expend a Massachusetts Office of Travel and Tourism FY24 state budget earmark grant in the amount of seventy-five thousand dollar (\$75,000) to make improvements to 3 trails: Kennard Park, Kessler Woods, and the Upper Falls Greenway.

Action: Finance Approved 7-0

Note: Nicole Banks, Commissioner of Parks, Recreation & Culture joined the Committee to discuss item 169-24. Commissioner Banks explained that the above-mentioned trails were specified by the State for this grant. Parks, Recreation & Culture have been working with the Conservation Commission on these projects. The Conservation Commission will repair the boardwalk at Kennard Park and add an additional boardwalk at Kessler Woods. The Kessler Woods boardwalk would create a connection between Harwich Road to Lagrange Street. For the Upper Falls Greenway the Parks Department is looking to improve the space that connects the current parkland to the new Northland property.

Councilor Humphrey motioned to approve which passed unanimously.

#168-24 Acceptance of a Massachusetts Office of Travel and Tourism FY24 state budget earmark grant

HER HONOR THE MAYOR requesting authorization to accept and expend a Massachusetts Office of Travel and Tourism FY24 state budget earmark grant in the amount of fifty thousand dollars (\$50,000) for Farlow Park.

Action: Finance Approved 7-0

Note: Nicole Banks, Commissioner of Parks, Recreation & Culture joined the Committee to discuss item 168-24. Commissioner Banks explained that for Farlow Park the City will be allocating ARPA funds to match the state grant. The construction timeline is the end of June, the contractor is ready to go at this point. They will need an extended period of drier weather so that the pond basin is dry to do the restoration work.

Councilor Greenberg motioned to approve which passed unanimously.

Referred to Programs & Services and Finance Committee**#176-24 Requesting authorization to transfer \$165,000 for the tennis courts at Newton South High School**

HER HONOR THE MAYOR requesting authorization to transfer \$165,000 from Current Year Budget Reserve for the purpose of resurfacing of the tennis courts at Newton South High School.

Action: **Finance Approved 7-0**

Note: Nicole Banks, Commissioner of Parks, Recreation & Culture joined the Committee to discuss item 176-24 and provided the attached presentation. The Chair noted that usually Programs & Services would discuss this first but due to the time sensitivity for the project Finance will be discussing the item first. The contractors are scheduled for mid-June before the tennis camps begin. These tennis courts have been deemed the highest priority.

A councilor questioned why the source is budget reserve. Perry Rosenfield, Manager of Financial Planning & Analysis explained that he could get the answer for the Programs & Services Committee discussion. Steve Curley, Comptroller added that the City does put aside \$500,000 a year for unforeseen capital improvements. A councilor noted that these conditions of the courts have been known for some time now.

A councilor questioned what the is most expensive part of this project. Commissioner Banks explained that she believes that the labor is more than half the budget, but the materials have also been increasing.

Councilor Malakie motioned to approve which passed unanimously.

#172-24 Requesting a discussion regarding a contract for audit services

COUNCILOR GENTILE AND THE COMPTROLLER requesting a discussion with the Finance Committee regarding a new contract or extension for audit services.

Action: **Finance Held 7-0**

Note: The Chair and the Comptroller, Steve Curley introduced the discussion regarding a contract for audit services. The Chair noted that the City and the auditor recently completed the FY23 audit and are coming to end to the current contract with CLA. The next audit will start in May so this is a time sensitive decision. This service does not need to go through the bid process; it is exempt under 30b. This discussion is to get the Finance Committees opinion on getting a new firm or staying with the current external auditor.

Mr. Curley explained that the City has been with CLA for a number of years and over that period of time there have been different principals/teams. There is an option if the City decides to stay with CLA the contract could include a new principal and team, so that there is a new set of eyes on the audit.

A councilor noted that there was a request for proposal (RFP) when the last contract ended. Mr. Curley noted that the City does tend to do an RFP every 10 ten years but this is not required. The hiring decision would be made by the Comptroller while working with the Chair of the Finance Committee.

It was noted that due to the timing of the next audit, there would not be enough time for the RFP process. The Chair noted that if the City is going to keep CLA then there should be a new team in place and stated that CLA is already been made aware of this request. He also stated that CLA has a stellar reputation in this field.

The Chair asked that the Financial Audit Advisory Committee also discuss during their next meeting on April 11th.

Councilor Lipof motioned to hold which passed unanimously.

#174-24 Reappointment of James Pellegrine as a Constable

HER HONOR THE MAYOR requesting the reappointment of James Pellegrine, 14 Adams Court, Newton as a Constable for the City of Newton for a term to expire on February 26, 2027

Action: Finance Approved 7-0

Note: The Chair introduced the reappointment of James Pellegrine as a Constable. Councilors expressed their support for the reappointment. Councilor Greenberg motioned to approve which passed unanimously.

Referred to Land Use and Finance Committees

#157-24 Request for proposals from outside special counsel to ensure compliance and enforcement of applicable permits at the Turtle Lane site in Auburndale

Councilors Gentile, Block, Laredo, and Krintzman requesting that the Mayor through the Law Department solicit proposals from outside special counsel to assist the City in the analysis of the City's rights and remedies to ensure compliance with, and enforcement of, applicable permits and approvals at the Turtle Lane site in Auburndale.

Finance Held 7-0 on 03/24/24

Action: Finance Held 7-0

Note: The Chair introduced the request for outside counsel to ensure compliance and enforcement of applicable permits at the Turtle Lane site in Auburndale. He explained that he has met with the Law Department along with the other Ward 4 councilors and they were made aware that the developer has been sent \$6.5 millions worth of fines. The law department has asked to continue to work on this before discussing bringing in outside counsel. The Chair asked for a motioned to hold on this item to discuss this at a later meeting. Councilor Grossman motioned to hold which passed unanimously.

**Respectfully submitted,
Leonard Gentile, Chair**

CITY OF NEWTON

IN CITY COUNCIL

ORDINANCE NO.

March 11, 2024

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWTON That:

Section 100G of Massachusetts General Laws Chapter 41 be and is hereby accepted allowing for the for the payment of funeral and burial expenses, not exceeding two thousand dollars (\$2,000), of any firefighter or police officer killed while in the performance of their duty.

Approved as to legal form and character:

City Solicitor

Under Suspension of Rules
Readings Waived and Adopted

EXECUTIVE DEPARTMENT
Approved:

City Clerk

Mayor

Part I	ADMINISTRATION OF THE GOVERNMENT
Title VII	CITIES, TOWNS AND DISTRICTS
Chapter 41	OFFICERS AND EMPLOYEES OF CITIES, TOWNS AND DISTRICTS
Section 100G	PAYMENT OF FUNERAL AND BURIAL EXPENSES OF FIRE FIGHTERS AND POLICE OFFICERS KILLED IN PERFORMANCE OF DUTIES; ACCEPTANCE OF SECTION

Section 100G. Any city operating under a Plan D or Plan E charter, by the affirmative vote of a majority of its city council or any other city, by a majority vote of its city council with the approval of its mayor, and any town, by a majority vote at an annual or special town meeting, shall pay the reasonable expense, not exceeding two thousand dollars, of the funeral and burial of any firefighter who while in the performance of his duty and as a result of an accident while responding to or returning from an alarm or fire or any emergency or as the result of an accident involving a fire department vehicle, which the firefighter is operating or in which he is riding or while at the scene of a fire or any emergency is killed or sustains injuries which result in his death, or of any police officer who while in the performance of his duty and as the result of an assault on his person, or a result of an accident while responding to an emergency while in the performance of his official duty or as result of an accident involving a police department vehicle which he is operating or in which he is riding is killed or sustains injuries which result in his death. The provisions of this section shall become effective in a city or town when accepted by such city or town.

CITY OF NEWTON

IN CITY COUNCIL

DRAFT

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chair Leonard J. Gentile, the authorization to accept and expend a Massachusetts MOTT FY24 budget grant in the amount of forty-two thousand five hundred dollars (\$42,500) to improve stormwater management and beautification of the Cheesecake Brook section that runs alongside Albemarle Park is hereby approved.

Under Suspension of Rules
Readings Waived and Approved
DRAFT

(SGD) CAROL MOORE
City Clerk

(SGD) RUTHANNE FULLER
Mayor

Date: _____

CITY OF NEWTON

IN CITY COUNCIL

DRAFT

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chair Leonard J. Gentile, the authorization to accept and expend a Massachusetts Office of Travel and Tourism FY24 state budget earmark grant in the amount of seventy-five thousand dollar (\$75,000) to make improvements to 3 trails: Kennard Park, Kessler Woods, and the Upper Falls Greenway is hereby approved.

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(SGD) CAROL MOORE
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CITY OF NEWTON

IN CITY COUNCIL

DRAFT

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chair Leonard J. Gentile, the authorization to accept and expend a Massachusetts Office of Travel and Tourism FY24 state budget earmark grant in the amount of fifty thousand dollars (\$50,000) for Farlow Park is hereby approved.

Under Suspension of Rules
Readings Waived and Approved
DRAFT

(SGD) CAROL MOORE
City Clerk

(SGD) RUTHANNE FULLER
Mayor

Date: _____

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 one hundred sixty-five thousand dollars (\$165,000) from Current Year Budget Reserve for the purpose of resurfacing of the tennis courts at Newton South High School is hereby approved as follows:

FROM:	Current Year Budget Reserve (0110498-579000).....	\$165,000
TO:	NSHS Tennis Courts-Repair and Maintenance (01C60220-524090)	\$165,000

Under Suspension of Rules
Readings Waived and Approved
DRAFT

(SGD) CAROL MOORE
City Clerk

(SGD) RUTHANNE FULLER
Mayor

Date: _____

NSHS Tennis Court Restoration

City of Newton
Department of Parks, Recreation & Culture

First 4 courts at NSHS resurfaced (2023) ~\$83K

- Full crack membrane system
 - Perfectly flat (self-leveling material)
 - Playability: Excellent traction
-



2024 PROJECT WORK \$165k



12 courts, built 1994, redone 2015



Almost 2,000 linear feet of crack repair



3 weeks starting June 17th (weather dependent)



Will try to stagger the work in a way that allows ½ the courts to remain available throughout.



Deemed most important court project by PRC, NPS Athletics, Friends of Newton Tennis (FoNT)

