

CITY OF NEWTON
IN BOARD OF ALDERMEN
PROGRAMS AND SERVICES COMMITTEE AGENDA

WEDNESDAY, OCTOBER 9, 2013

7:45 PM
Room 222

The Committee will meet jointly with the Public Facilities Committee to discuss the following item:

REFERRED TO PUBLIC FACILITIES & PROGRAMS & SERVICES COMMITTEES

#325-13 HIS HONOR THE MAYOR requesting that the Board of Aldermen seek Article 97 approval from the General Court of Massachusetts permitting the temporary use of the entrance of Nahanton Park on Winchester Street for Fire Station #10, and further requests that the Board of Aldermen enter into a Memorandum of Understanding with the Parks & Recreation Commission consistent with the motion approved by the Commission permitting temporary relocation of Fire Station #10 to the entrance of Nahanton Park. [09/30/13 4:51 PM]

Re-appointment by His Honor the Mayor

#324-13 CAROL ANN SHEA, 24 Milo Street, West Newton, re-appointed as a member of THE BOARD OF TRUSTEES OF THE JACKSON HOMESTEAD for a term to expire February 1, 2015. (60 days 12/20/13) [09/16/13 @ 10:46 AM]

#199-13 ALD. JOHNSON AND SANGIOLO requesting an update from the School Committee and School Department regarding the request from the Board of Aldermen to reduce the family cap on activity fees. [05/20/13 @ 11:05 PM]

#165-12 HIS HONOR THE MAYOR submitting (1) the report prepared by Kopelman & Paige PC, the consultant engaged to review the city's election procedures, and (2) proposing that Charter Sections 2-1(b) and 4-1(b) be amended to establish a particular date by which nomination papers are made available. [05/25/2012 @ 1:35PM]

#336-12 HIS HONOR THE MAYOR, ALD. BAKER, FULLER AND LAREDO, requesting a discussion to include possible uses, process, timeline, opportunity for community input and funding sources, with the affected neighborhood community and with members of the Board of Aldermen, on the potential acquisition for passive or active recreational uses of the five acre parcel in Ward 7 on Manet Road currently held by the MWRA as an obsolete open water reservoir.

The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, please contact the Newton ADA Coordinator, Joel Reider, at least two days in advance of the meeting: jreider@newtonma.gov . or 617-796-1145. For Telecommunications Relay Service dial 711.

#230-12 ALD. SANGIOLO requesting the establishment of guidelines and policies regarding the creation of Neighborhood Area Councils particularly with respect to (1) boundary delineations and (2) description of area council authority. [08/06/12 @ 4:39PM]

#95-13 HIS HONOR THE MAYOR, SETTI WARREN AND BOARD PRESIDENT, SCOTT LENNON seeking an amendment to Chapter 12, Section 68 of the Newton City Ordinances to increase the number of members of the Health Care Advisory Committee if there are any concerns relative to the composition of the committee. [02/25/13 @ 2:24 PM]

ITEMS NOT YET SCHEDULED FOR DISCUSSION:

- #130-13 ALD. JOHNSON & LAPPIN requesting a change to the Board Rules, Article I, Section 3. Referral of business to Committees, paragraph D., to increase the majority vote to a greater than majority vote. [03/18/13 @ 9:39 PM]
- #335-12 DAVID OLSON requesting a discussion of Mayor Warren's Executive Order #1 which authorizes the use of remote participation for City Boards and Commissions as it relates to and effects the Board of Aldermen's Committee and Full Board meetings, and to make any necessary changes to the Board Rules to allow and regulate remote participation should it be deemed acceptable. [10/3/12 @ 4:56PM]
- #34-13 ALD. DANBERG, ALBRIGHT, BLAZAR, RICE, LINSKY AND CROSSLEY requesting a prohibition on polystyrene-based disposable food or beverage containers in the City of Newton if that packaging takes place on the premises of food establishments within the City. [01/03/13 @ 11:01 AM]
REFERRED TO SUBCOMMITTEE

REFERRED TO PROG & SERV, PUB. FAC., ZAP, AND FINANCE COMMITTEES

- #256-12 ALD. HESS-MAHAN, SANGIOLO & SWISTON proposing an ordinance promoting economic development and the mobile food truck industry in the City of Newton. [08/06/12 @4:46 PM]
REFERRED TO SUBCOMMITTEE

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #254-12 ALD. HESS-MAHAN, SANGIOLO, DANBERG, KALIS, CROSSLEY proposing an ordinance relating to plastic bag reduction that would add a fee to single-use plastic and paper bags that are not at least 40% post-consumer recycled content, at certain retail establishments in Newton. [07/18/12 @4:34 PM]
REFERRED TO SUBCOMMITTEE
- #334-12 ALD. SWISTON AND LINSKY requesting a discussion with the Licensing Board regarding the licensing and permit requirements for non-profit organizations. [10/10/12 @ 3:52 PM]
- #200-13 ALD. JOHNSON requesting a discussion with the Parks & Recreation Department and the Department of Public Works to establish a process for managing the placement and removal of City, for-profit, and non-profit signs advertising events. [05/28/13 @ 9:26 AM]
- #229-12 RECODIFICATION COMMITTEE recommending a review and possible amendment to the *Board of Aldermen Rules & Orders 2012-2013* relative to review of draft ordinances by the Law Department.

#145-12 ALD JOHNSON requesting a review by the Solicitor's office as to what constitutes "reorganization" per our City Charter. [05/16/12 @ 10:24PM]

#144-12 ALD. HESS-MAHAN proposing to repeal the time restrictions for filing special permit applications/site plan reviews for Major Projects during July and August in Article X Section 5 of the Rules and Orders of the Board of Aldermen.

REFERRED TO PROG & SERV, PUB. FACIL. AND FINANCE COMMITTEES

#312-10 ALD. LENNON, LAPPIN, SCHNIPPER, SANGIOLO requesting a discussion with the School Committee on its plans to address space needs in the Newton public schools. [10/27/10 @ 11:07 AM]
FINANCE VOTED NO ACTION NECESSARY on 10/12/11
PUBLIC FACILITIES VOTED NO ACTION NECESSARY on 11/18/11

REFERRED TO PROGRAMS & SERV. AND PUBLIC FACILITIES COMMITTEES

#315-12 ALD. FULLER, RICE AND GENTILE of the Angier School Building Committee providing updates and discussion on the Angier School Building project as it develops through the site plan approval process. [10/02/12 @ 3:37PM]

#95-13(2) THE PROGRAMS & SERVICES COMMITTEE requesting an update from the Health Care Advisory Committee. [09/12/13 @ 9:49AM]

REFERRED TO PROG. & SERV AND PUBLIC FACILITIES COMMITTEES

#36-12 ALD. CROSSLEY & FULLER requesting Home Rule legislation or an ordinance to require inspections of private sewer lines and storm water drainage connections prior to settling a change in property ownership, to assure that private sewer lines are functioning properly and that there are no illegal storm water connections to the city sewer mains.
A) Sewer lines found to be compromised or of inferior construction would have to be repaired or replaced as a condition of sale;
B) Illegal connections would have to be removed, corrected, and re-inspected in accordance with current city ordinances and codes, as a condition of sale.
[01/24/12 @ 8:07 AM]

Respectfully Submitted,

Amy Mah Sangiolo, Chairman



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

Telephone
(617) 796-1100

Telefax
(617) 796-1113

TDD
(617) 796-1089

E-mail
swarren@newtonma.gov

September 30, 2013

Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Ladies and Gentlemen:

I request your support in seeking Home Rule from the State Legislature under Article 97 of the Massachusetts General Laws in order to permit the temporary use of a portion of Nahanton Park to house Fire Station #10 while that facility is being constructed on Dedham Street. The time period for this use could be as much as two years beginning in February 2014.

The Parks and Recreation Commission has voted to allow to this temporary use. However the Commission is seeking additional site-specific allowances and a conservation restriction on the entire park. The details of this arrangement are described in the Memorandum of Understanding (Enclosure A) for which I also seek your approval and ultimately to co-sign the MOU with me.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor

Encl.

RECEIVED
NEWTON CITY HALL
2013 SEP 30 PM 4:51
DAVID A. OLSON, CMAC
NEWTON, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.ci.newton.ma.us

DEDICATED TO COMMUNITY EXCELLENCE



PUBLIC BUILDINGS DEPARTMENT

Joshua R. Morse, Interim Commissioner

Telephone (617) 796-1600

FAX (617) 796-1601

TTY: (617) 796-1089

52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

Setti D. Warren

Mayor

30 September 2013

The Honorable Setti D. Warren

Mayor

City of Newton

1000 Commonwealth Avenue

Newton Centre, MA 02459

RE: Requests for Article 97 and MOU Approvals to Permit Temporary Use of Nahanton Park on Winchester Street For Fire Station #10

Dear Mayor Warren:

I am requesting that you seek approval from the Board of Aldermen to file a home rule petition requesting Art. 97 approval from the General Court of Massachusetts permitting the temporary use of the entrance of Nahanton Park on Winchester Street for Fire Station #10. I am also requesting that you and the Board of Aldermen enter into an MOU with the Parks and Recreation Commission consistent with the Motion approved by the Commission permitting temporary relocation of Fire Station #10 to the entrance of Nahanton Park.

The Parks and Recreation Commission imposed several conditions with its grant of permission to allow Fire Station #10 to be temporarily relocated to the Nahanton Park entrance. A copy of the Motion to Approve with a schematic drawing showing the layout of the temporary fire station and existing site conditions are attached to this letter. Those conditions include the City seeking Art. 97 approval from the General Court, as well as agreeing to seek approval of a statutory conservation restriction over the entire park. The Commission also conditioned its approval on the Mayor and Board executing a MOU that had both parties agreeing to conditions imposed by the Commission.

The conditions imposed by the Parks and Recreation Commission which are relevant to Fire Station # 10 Temporary Facility and the Public Buildings Department activities are summarized below:

- Public Building Department terminate use of the Infirmary Toolhouse and remove any volatiles from the building prior to commencement of operation of TFS10 at Nahanton Park;
- Promptly following completion of the new Fire Station #10 Building;
 - i. Remove all hazardous substances and materials, debris, and inoperable equipment from the interior of the Toolhouse;
 - ii. Undertake a Phase 1 environmental review of the Toolhouse and immediately surrounding land including remediation of any oil, hazardous wastes, hazardous materials, or asbestos or asbestos-containing material found during such environmental review; and
 - iii. Either stabilize the exterior of the Infirmary Toolhouse if the Commission decides to retain the building, OR demolish the Infirmary Toolhouse and restore the site of the demolished building and immediately surrounding land.
- All restoration and remediation work will be completed within six (6) months to include;
 - i. Remove asphalt and utilities infrastructure related to the modular structures;
 - ii. Add plantings and improved fencing and entrance;
 - iii. Remediate any oil, hazardous wastes or substances stemming from Temporary Fire Station 10 operations;
 - iv. Restore greenspaces, plants and pavement worn or damaged by Temporary Fire Station 10 use.

I have reviewed the conditions which relate to the activities of the Public Building Department and find them reasonable. Accordingly, I am asking that you and the Board of Aldermen file an Art. 97 home rule petition and approve an MOA with the Parks and Recreation Commission consistent with the Commission's Motion on order to allow Nahanton Park to be used for the temporary operations of Fire Station #10.

Sincerely,

Joshua Morse,

Interim Commissioner of Public Buildings

CC: Robert Rooney, Chief Operating Officer

Maureen Lemieux, Chief Financial Officer

Chief Bruce Proia, Newton Fire Department

Adam Gilmore, Director of Project Management

Motion approved via e-mail, final approval 7-29-13. Edited by Ouida Young-Associate City Solicitor, approved by P & R Commission:

July 29, 2013 with Clarke edits to July 22nd draft

PARKS AND RECREATION COMMISSION

July 22, 2013

With regard to the request of the Newton Fire Chief and the Public Buildings Commissioner to locate the Temporary Fire Station 10 (TFS10) at the Winchester St. entrance to Nahanton Park, the Parks and Recreation Commission recognizes the following:

- A. TFS10 must be located in Fire District 6 and have safe, direct access to a major thoroughfare. The most viable alternative site (the Charles River Country Club on Winchester St.) would require the destruction of trees and a curb cut in Winchester St. that would not be as safe as the existing one at Nahanton Park.
- B. The conditions of the Urban Self-Help grants that enabled the formation of Nahanton Park limit its uses for other than park and recreation purposes.
- C. The Newton Conservators and the Friends of Nahanton Park support the location of TFS10 at Nahanton Park in consideration of a conservation restriction that would prevent further non-park uses of Nahanton Park.
- D. The Newton Fire Department Station 10 has used the Winchester St. entrance to Nahanton Park for fire hose training that has caused some damage to the entrance and possibly to the existing building (the Infirmary Toolhouse).
- E. While the Infirmary Lands, including the Toolhouse, were transferred to the Recreation Commission in 1968, the Public Buildings Department has used the Toolhouse as a workshop since 1965 and bears the responsibility for maintaining this structure.

Consequently, the Parks and Recreation Commission concurs with the Newton Fire Chief and Public Buildings Commissioner that during the time a new Fire Station #10 on Dedham Street is under construction, Fire Station #10 may be temporarily relocated to the area immediately next to the Winchester Street entrance of Nahanton Park, such temporary station to consist of a modular building to house firefighters and a modular tent structure to house a fire truck and equipment, subject to the following conditions:

1. The Public Buildings Department shall terminate its use of the Infirmary Toolhouse and remove any volatiles from the building prior to commencement of operation of TFS10 at Nahanton Park;
2. The Public Buildings Department shall promptly following completion of the new Fire Station #10:
 - (i) remove from the interior of the Infirmary Toolhouse all hazardous substances and materials, and all debris and inoperable equipment;
 - (ii) undertake a Phase 1 environmental review of the Infirmary Toolhouse and immediately surrounding land including remediation of any oil, hazardous wastes, hazardous materials, or asbestos or asbestos-containing material found during such environmental review; and
 - (iii) stabilize the exterior of the Infirmary Toolhouse if the Commission decides to retain the building, or demolish the Infirmary Toolhouse and restore the site of the demolished building and immediately surrounding land if the Commission decides not to retain the building.

3. Funds will be allocated within the budget for TFS10 so that upon cessation of operational use as a fire station (est. Dec. 2015), remediation will be completed in a timely manner (within six (6) months) to include removal of asphalt, utilities infrastructure related to the modular structures, addition of plantings, improved fencing, entrance and any "reasonable" measures, to include any hazardous clean-up, as determined by the Commission relating to the area directly impacted by the temporary facility and its operations. These include, but are not limited to:

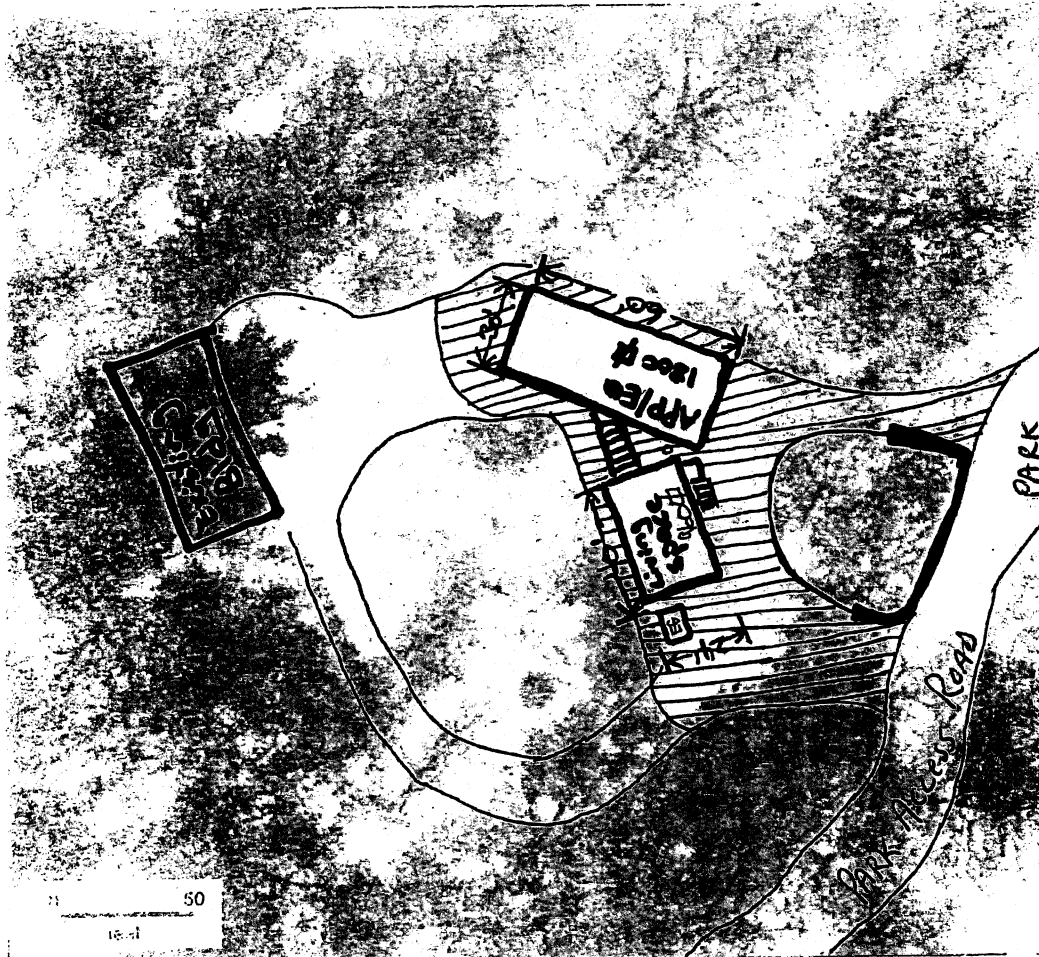
- (i) cover the costs of restoration of the area impacted by TFS10;
- (ii) remediate any release of oil, hazardous wastes or hazardous substances from TFS10; and
- (iii) restore greenspaces, plants and pavement worn or damaged by TFS10 use.

Funding to accomplish the work described in Paragraph 2 above will also be included in the budget for TFS10.

4. The Commission authorizes the Mayor and Board of Aldermen to seek Art. 97 approval as well as relief from the Urban Self-Help grants to allow the temporary use of the park for TFS10.
5. The Parks and Recreation Commissioner shall commence negotiations with the Newton Conservators to develop a statutory conservation restriction that would encompass the entire park and permit the current Parks and Recreation sponsored activities or activities similar to the current activities to continue, as well as potential appropriate Parks and Recreation use of the Toolhouse if the same is retained. If a statutory conservation restriction is not approved by EOEEA, the term of such restriction shall be 199 years. The final terms of the Conservation Restriction shall be subject to review and approval by the Commission.
6. The Commission authorizes the Parks and Recreation Commissioner to bring together a working group of the stakeholders of Nahanton Park, including the Friends and the Newton Conservators, to develop a plan regarding use and/or disposition of the Infirmary Toolhouse, as well as restoration of the site disturbed by the temporary fire station use and improvement of the Winchester Street entrance to the park, such plan to be presented to the Parks and Recreation Commission for its consideration in the spring of 2015 at the time the temporary fire station use is expected to terminate.
7. Planning and design can commence upon verbal approval by the executive office and the Commission with expectation of seeking immediate approval of a written MOU by the Board of Aldermen and Mayor.

This Motion to Approve is based on the Proposed Site Plan presented to the Parks and Recreation Commission at its May 20, 2013, meeting, a copy of which is attached to this Motion. The design team shall return to the Parks and Recreation Commission for further review and approval if there are material modifications made to the Proposed Site Plan.

City of Newton



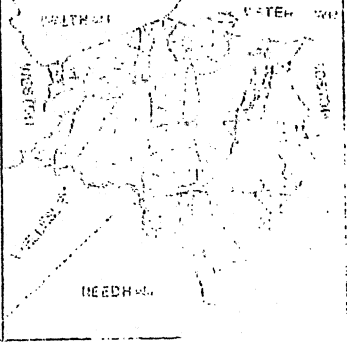
Asphalt Improvements as needed
 ← WINCHESTER STREET →

Property ID: 83035 0003
 Address: 525 WINCHESTER ST
 City: CITY OF NEWTON



MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT

Because of different public schedules, current property lines and other details may not reflect recent changes to property boundaries. Check with the Assessor's Office for the most current boundaries uses at the time of assessment.



**Memorandum of Understanding
to Use Nahanton Park**

This Memorandum of Understanding is entered into between Newton Parks and Recreation Commission and the Executive Office and the Board of Aldermen regarding the temporary use of Nahanton Park by the Fire Department Station 10 and subsequent disposition of use and ultimate restriction placed on the Park requiring State legislation through a Home Rule petition.

Whereas, TFS10 must be located in Fire District 6 and have safe, direct access to a major thoroughfare. The most viable alternative site (the Charles River Country Club on Winchester St.) would require the destruction of trees and a curb cut in Winchester St. that would not be as safe as the existing one at Nahanton Park.

Whereas, the conditions of the Urban Self-Help grants that enabled the formation of Nahanton Park limit its uses for other than park and recreation purposes.

Whereas, tThe Newton Conservators and the Friends of Nahanton Park support the location of TFS10 at Nahanton Park in consideration of a conservation restriction that would prevent further non-park uses of Nahanton Park.

Whereas, the Newton Fire Department Station 10 has used the Winchester St. entrance to Nahanton Park for fire hose training that has caused some damage to the entrance and possibly to the existing building (the Infirmary Toolhouse).

Whereas, while the Infirmary Lands, including the Toolhouse, were transferred to the Recreation Commission in 1968, the Public Buildings Department has used the Toolhouse as a workshop since 1965 and bears the responsibility for maintaining this structure.

Consequently, the Parks and Recreation Commission concurs with the Newton Fire Chief and Public Buildings Commissioner that during the time a new Fire Station #10 on Dedham Street is under construction, Fire Station #10 may be temporarily relocated to the area immediately next to the Winchester Street entrance of Nahanton Park, such temporary station to consist of a modular building to house firefighters and a modular tent structure to house a fire truck and equipment, subject to the following conditions:

1. The Public Buildings Department shall promptly following completion of the new Fire Station #10:
 - (i) remove from the interior of the Infirmary Toolhouse all hazardous substances and materials, and all debris and inoperable equipment;
 - (ii) undertake a Phase 1 environmental review of the Infirmary Toolhouse and immediately surrounding land including remediation of any oil, hazardous

wastes, hazardous materials, or asbestos or asbestos-containing material found during such environmental review; and

(iii) stabilize the exterior of the Infirmary Toolhouse if the Commission decides to retain the building, or demolish the Infirmary Toolhouse and restore the site of the demolished building and immediately surrounding land if the Commission decides not to retain the building.

- 2. The Public Buildings Department shall terminate its use of the Infirmary Toolhouse and remove any volatiles from the building prior to commencement of operation of TFS10 at Nahanton Park;
- 3. Funds will be allocated within the budget for TFS10 so that upon cessation of operational use as a fire station (est. Dec. 2015), remediation will be completed in a timely manner (within six (6) months) to include removal of asphalt, utilities infrastructure related to the modular structures, addition of plantings, improved fencing, entrance and any "reasonable" measures, to include any hazardous clean-up, as determined by the Commission relating to the area directly impacted by the temporary facility and its operations. These include, but are not limited to:
 - (i) cover the costs of restoration of the area impacted by TFS10;
 - (ii) remediate any release of oil, hazardous wastes or hazardous substances from TFS10; and
 - (iii) restore greenspaces, plants and pavement worn or damaged by TFS10 use.

Funding to accomplish the work described in Paragraph 2 above will also be included in the budget for TFS10.

- 4. The Commission authorizes the Mayor and Board of Aldermen to seek Art. 97 approval as well as relief from the Urban Self-Help grants to allow the temporary use of the park for TFS10.
- 5. The Parks and Recreation Commissioner shall commence negotiations with the Newton Conservators to develop a statutory conservation restriction that would encompass the entire park and permit the current Parks and Recreation sponsored activities or activities similar to the current activities to continue. If a statutory conservation restriction is not approved by EOEEA, the term of such restriction shall be 199 years. The final terms of the Conservation Restriction shall be subject to review and approval by the Commission.
- 6. The Commission authorizes the Parks and Recreation Commissioner to bring together a working group of the stakeholders of Nahanton Park, including the Friends and the Newton Conservators, to develop a plan regarding use and/or disposition of the Infirmary Toolhouse , as well as restoration of the site disturbed by the temporary fire station use and improvement of the Winchester Street

entrance to the park, such plan to be presented to the Parks and Recreation Commission for its consideration in the spring of 2015 at the time the temporary fire station use is expected to terminate.

In witness whereof, the parties have caused their proper representatives to execute this Memorandum of Understanding.

By:

The Parks and Recreation Commission

_____ Date: _____

By:

The Board of Aldermen

_____ Date: _____

By:

The Mayor

_____ Date: _____



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

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swarren@newtonma.gov

September 13, 2013

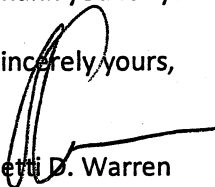
Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Ladies and Gentlemen:

I am pleased to reappoint Carol Ann Shea of 24 Milo Street, West Newton as a member of the Board of Trustees of the Jackson Homestead. Her term of office shall expire on February 1, 2015 and her reappointment is subject to your confirmation.

Thank you for your attention to this matter.

Sincerely yours,


Setti D. Warren
Mayor

RECEIVED
Newton City Hall
2013 SEP 16 AM 10:46
David A. Olson, CMC
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov

DEDICATED TO COMMUNITY EXCELLENCE



Carol Ann Shea
24 Milo Street
Newton Ma. 02465

Community Activities:

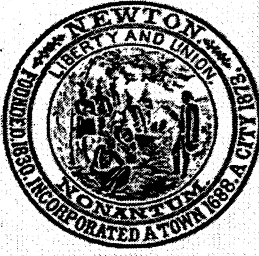
Board Member and Vice President John M. Barry Boys and Girls Club of Newton
Board Member Newton Community Development Foundation
Board Member Newton Wellesley West Committee for Community Living
Co Chair Newton Senior Fund
Advisory Committee Member Newton Council on Ageing
Trustee Jackson Homestead
Former President Newton League of Women Voters
Former Chair Newton Economic Development Commission
Former Member Newton Board of Aldermen

Professional:

Owned and operated Century 21 Garden City Homes, Inc. 1983-2011
Presently Real Estate Broker Century 21 Commonwealth

Education:

BA university of Pennsylvania



NEWTON PUBLIC SCHOOLS
BUSINESS, FINANCE AND PLANNING
100 Walnut Street
Newton, MA 02460

Telephone 617.559.9025 Fax 617.559.9026

July 2013

Dear Parents and Guardians of Students in the Newton Public Schools:

RE: Fees for the 2013-14 School Year

Introduction

The Newton School Committee recently approved five changes to the district's fee policy starting in the 2013-14 school year. This letter will advise of the changes as well as confirm those fees which stay at the same level in 2013-14. Important information on how to apply for a fee waiver is also included, as is an explanation of the family caps and the overall fee limit for families, or *supercap*. Instructions for using the district's online fee information are also provided.

Changes to Fees for 2013-14

The changes to the district's fee policy for the 2013-14 school year are as follows:

- High school student activity fee (\$125) – **eliminated**
- Elementary school instrumental music fee – **reduced** to \$150 per year from \$200 per year
- All City band, chorus and orchestra fee – **reduced** to \$150 per year from \$200 per year; students who pay the elementary school instrumental music fee are exempt from the All City music fee
- High school parking fee – **reduced** to \$310 per year from \$360 per year
- Supercap – **reduced** to \$1,200 per year from \$1,800 per year; the supercap is the maximum amount any family pays for fees in one school year

The Waiver Process

As in prior years, it is the intention of the Newton Public Schools that no student should be excluded from fee-based activities due to inability to pay. Families may apply for a fee waiver based on financial hardship so that no student is denied participation in school-sponsored activities and bus transportation. Waivers are based on income and family size as well as special circumstances such as unforeseen medical problems, change in family status, change in employment status, other emergencies, or temporary hardships. All waiver applications are confidential. Financial waivers do not apply to high school parking.

How to Use the District's Website for Information, Waivers and Online Payments

Newton families may access detailed fee information including financial waiver instructions and online payment options on the district's website by visiting the following link. All school-related fees can be paid electronically via a secure and convenient online payment system or by check.

<http://www3.newton.k12.ma.us/feebasedprograms>

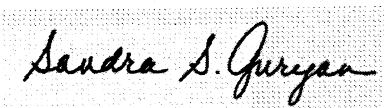
List of All Fees for 2013-14

The following is a summary of all School Committee-Approved fees and corresponding family caps for school year 2013-14. *Family cap* refers to the maximum dollar amount a family pays for any one fee per school year. The *supercap* is the maximum amount a family pays for all fees per school year.

- **Bus:** Annual round trip \$310 per student, family cap of \$620
- **High School Athletics:** \$300 per sport per season except hockey and football, family cap of \$900; \$400 fee for hockey and football
- **Middle School Athletics:** \$160 per sport per season, family cap of \$480
- **Middle School Student Activities:** \$60 per student per year if drama is not included, or \$100 per student per year if drama is included
- **High School Drama:** \$150 per participant per play, maximum of \$450 per participant per year
- **Elementary School Instrumental Music:** \$150 per student per year; Grade 4 has the option to pay \$75 per semester
- **All City Band, Chorus & Orchestra:** \$150 per student per year; students who pay the elementary school instrumental music fee are exempt from the All City music fee
- **High School Parking:** \$310 per year, payable on a semester basis at \$155
- **Elementary School Early Morning Program:** \$212.40 per semester for each weekday chosen
- **School Lunch:** \$3.00 per elementary school student, \$3.25 per middle school student, \$3.50 per high school student
- **Supercap:** \$1,200 maximum family cost per year for fees; the supercap does not apply to high school parking and the elementary school early morning program

Please do not hesitate to contact my office if you have questions.

Sincerely,



Sandra Guryan
Deputy Superintendent/Chief Administrative Officer

**CITY OF NEWTON
LAW DEPARTMENT
INTEROFFICE MEMORANDUM**

DATE: October 4, 2013
TO: Robert R. Rooney, Chief Operating Officer
FROM: Robert J. Waddick, Assistant City Solicitor *RJW*
RE: Status - Waban Hill/Manet Road Reservoir Disposition

The special legislation was filed by Rep. Balser on September 9, 2013. It was assigned House No. 3669. A copy is attached. Also attached is a summary of the legislative actions taken to date.

Currently, House No. 3669 is before the Committee on State Administration and Regulatory Oversight awaiting a hearing. Rep. Balser indicated that she will contact the committee chair and request that a hearing is scheduled. She advised that representatives from the City should attend the hearing and that a letter in support of the legislation should be provided by the City. I will monitor the status of the legislation and notify you of the hearing date.

The Law Department has been in touch with the project manager at the Division of Capital Asset Management (DCAM) who is assigned to this matter. He indicated that DCAM will await the outcome of the special legislation before proceeding with disposition of the property. He also indicated that an appraisal of the property could probably be initiated by DCAM within 30-60 days following enactment of the special legislation.

The Law Department is working with DCAM to obtain permission for the City's contractor, Stantec Consulting Services, Inc. to conduct soil borings on the reservoir site.



THE 188TH GENERAL COURT OF
THE COMMONWEALTH OF MASSACHUSETTS

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HOUSE DOCKET, NO. 3863 FILED ON: 9/9/2013

HOUSE No. 3669

[LOCAL APPROVAL RECEIVED.]

The Commonwealth of Massachusetts

PRESENTED BY:

Ruth B. Balser

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act authorizing the Commissioner of Capital Asset Management and Maintenance to convey certain land to the city of Newton.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Ruth B. Balser</i>	<i>12th Middlesex</i>
<i>Cynthia S. Creem</i>	<i>First Middlesex and Norfolk</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>

HOUSE DOCKET, NO. 3863 FILED ON: 9/9/2013

HOUSE No. 3669

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act authorizing the Commissioner of Capital Asset Management and Maintenance to convey certain land to the city of Newton.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the commissioner of capital asset management and maintenance may convey a certain parcel of state owned land in the city of Newton to the city of Newton; provided, however, that any deed conveying the parcel shall contain the

restriction required pursuant to section 2. The parcel, known as the Waban Hill reservoir, and also known as the Manet road reservoir, is located on the east side of Manet road in the city of Newton and the exact boundaries of the parcel shall be established prior to such conveyance by a survey commissioned by the commissioner. Said parcel is described in a deed from the city of Newton to the Metropolitan Water Board dated October 20, 1900 and recorded in the Middlesex South registry of deeds in book 2853, page 42. The consideration for said conveyance shall be the full and fair market value of the parcel as determined by the commissioner pursuant to an independent professional appraisal.

SECTION 2. The parcel described in section 1 shall be conveyed subject to a conservation restriction with the benefit of section 32 of chapter 184 of the General Laws limiting the use of the parcel to open space or active or passive recreation purposes. If at any time the property ceases to be used for the purposes described in this section, the commissioner of capital asset management and maintenance shall give written notice to the city of the unauthorized use. The city shall, upon receipt of the notice, have 30 days to respond and a reasonable time to establish an authorized use of the parcel. If an authorized use of the parcel is not thereafter established, the title to the parcel, upon the recording of a notice thereof by the commissioner in the appropriate registry of deeds, shall revert to the commonwealth and any further disposition of the property shall be subject to Article XCVII of the Massachusetts Constitution and chapter 7C of the General Laws.

SECTION 3. The inspector general shall review and approve the appraisal conducted pursuant to section 1. The review shall include an examination of the methodology utilized for the appraisal. Within 30 days of receiving the appraisal, the inspector general shall prepare a report of his review and file the report with the commissioner of capital asset management and maintenance. Within 15 days of receiving the inspector general's report and not later than 15 days before the execution of any agreement or other document relating to the conveyance, the commissioner shall submit it to the house and senate committees on ways and means and the joint committee on bonding, capital expenditures and state assets.

SECTION 4. The city of Newton shall be responsible for all costs and expenses, including, but not limited to, costs associated with any engineering, surveys, appraisals and deed preparation related to the transfers and conveyances authorized in this act as such costs may be determined by the commissioner of capital asset management and maintenance. Upon conveyance of the parcel, the city shall be solely responsible for all costs, liabilities and expenses of any nature and kind for the development, maintenance, use and operation of the parcel.

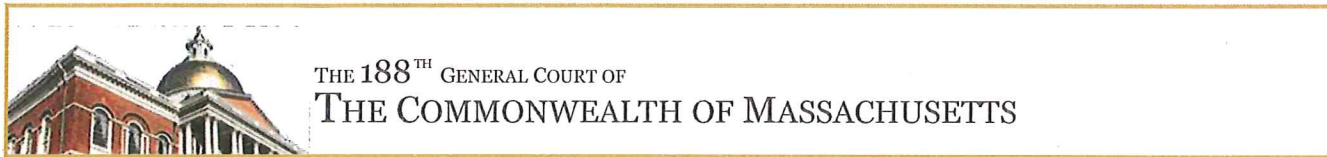
SECTION 5. This act shall take effect upon its passage.

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Actions for Bill H.3669

Date Branch Action

9/19/2013	House	Referred to the committee on House Rules
9/25/2013	House	Reported, referred to the committee on Joint Rules, reported, rules suspended and referred to the committee on State Administration and Regulatory Oversight
9/26/2013	Senate	Senate concurred

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