

CITY OF NEWTON

IN BOARD OF ALDERMEN

PROGRAMS AND SERVICE COMMITTEE REPORT

WEDNESDAY, APRIL 21, 2010

Present: Ald. Sangiolo (Chairman), Linsky, Merrill, Hess-Mahan, Rice, Blazar, Baker and Fischman

Also Present: Ald. Crossley and Fuller

Others Present: Donnalynn Kahn (Acting City Solicitor), David Wilkinson (Comptroller), Candace Havens (Acting Director, Planning Dept.)

REFERRED TO PROG & SERV AND FINANCE COMMITTEES

#117-10 HIS HONOR THE MAYOR requesting a transfer of funds in the amount of twenty-four thousand dollars (\$24,000) from a severance account held by the Human Resources Department to a severance account held by the Law Department for the purpose of paying for severance related expenses in the Law Department.
[04/13/10 @ 7:09 PM]

ACTION: **APPROVED 8-0**

NOTE: Donnalynn Kahn, Acting City Solicitor, addressed the Committee. She explained that the Law Department has two individuals on severance packages. Ms. Kahn was informed by the Comptroller's office that the entire debt for one of the packages needs to be covered in the current fiscal year. She had thought that it would transfer over to the new fiscal year. There is also an unanticipated piece of the other severance package for an outplacement payment for job search purposes and apparently that also needs to be covered in the current fiscal year. Ms. Kahn said she does not have the money in the current fiscal year budget to cover these expenses

Human Resources Severance Account

Ms. Kahn said that Dolores Hamilton, Director of the Human Resources Department, has a severance account that could be used to cover these expenses. Ms. Kahn is asking to transfer the funds from that account to the Law Department to pay the remainder of the severance packages as described. Ald. Baker said that the aldermen just learned of other lay offs in the City. He wondered if those severance packages would be adequately covered if this severance account were used. Ms. Kahn said the transfer was authorized by Ms. Hamilton with the knowledge of the other lay offs and she was not planning on using these funds for those new lay offs.

Current Arrangement

Ald. Fischman asked if there were any reserve funds in the department since two people had been laid off. Ms. Kahn said she has a temporary person filling in and she has been using funds to pay that position. She does not have any reserve funds. Ms. Kahn intends to hire this person in one of the positions they are looking to fill in the Law Department as the back-up labor counsel. Ald. Linsky asked who is handling the Worker's Compensation work. Ms. Kahn explained that Bob Waddick has been covering that very effectively and she is very happy with his work.

Ald. Merrill moved approval of this item and the Committee voted to approve 8-0.

#46-10(3) ALD CROSSLEY, HESS-MAHAN AND LINSKY proposing a RESOLUTION to demonstrate support by the Board of Aldermen of the Green Communities Act application for the City of Newton to achieve the designation as a Green Community. [04-12-10 @ 9:30 AM]

ACTION: **APPROVED AS AMENDED 7-0 (Ald. Fischman not voting)**

NOTE: Ald. Linsky explained that there have been several items in Committees relative garnering Green Community designation for the City of Newton. There are 5 criteria necessary for the City to qualify. The two items that had been before the Zoning and Planning Committee were determined to have already been met with no further action necessary by the Board. The remaining items were all approved in Committees. This docket item incorporates all the items in a singular Resolution of support from the Board and the Resolution will become part of the application to the Mass. Department of Energy Resources (DOER) for Green Community designation.

Application Status

Ald. Crossley noted that a draft application was submitted to the DOER for review. There are a couple of pieces that need some fine tuning but she expects that to be finished imminently. Ald. Sangiolo asked for a copy of the draft application and Candace Havens said she could provide an electronic copy. The file will be attached to the online version of this report when it is received. Ms. Havens said she was quite proud of the fact that Newton was on the forefront of this movement and will be one of the first communities to receive this status. She thanked everyone for their collaborative effort. Ald. Crossley and Ald. Hess-Mahan agreed and thanked everyone for their support including people from the Green Decade Coalition, the High Performance Building Coalition and the Citizens Commission on Energy.

Amendments

Ald. Blazar pointed out some minor changes that should be made to clarify some terms in the Resolution and the Committee agreed.

Vote

Ald. Merrill moved approval of this item as amended and the Committee voted in favor by a vote of 7-0 with Ald. Fischman not voting. The Resolution as amended and approved is attached to this report.

REFERRED TO LAND USE & PROGRAMS & SERVICES COMMITTEES

#59-10 **ALD. HESS-MAHAN** proposing that Article X of the Rules & Orders of the Board of Aldermen be amended to require that all plans, maps, photographs, and other documents and exhibits required to be filed with applications for special permits/site plan approvals and/or presented at public hearings and working sessions of the Land Use Committee must also be submitted in electronic form in order to facilitate compliance with recent amendments to the Open Meeting Law regarding recordkeeping requirements. [02/23/10 @ 3:24 PM]

LAND USE APPROVED 8-0 ON 3/16/10

ACTION: **APPROVED 6-0-1 (Ald. Merrill abstaining; Ald. Fischman not voting)**

NOTE: Ald. Hess-Mahan presented language to the Committee relative to Article X, Section 1. The new language addresses the concerns that were previously brought up regarding the need to accommodate the language to changing technologies. He had discussions with the Law Department and the IT Department to improve that language.

Changes in Technology

Ald. Hess-Mahan said the language is straightforward in terms of what needs to be submitted for a special permit. The language then defines what a file format is just to be clear that electronic files of some kind are necessary. The favored format right now is pdf and most people can and do use it. Ann Canaro of the IT Department, wanted to be sure that whatever format is submitted by an applicant, the City has a way to read and preserve the file. Therefore she wanted to add language that the file has to be submitted in a format that the City can read and preserve. Ald. Hess-Mahan noted that state repositories of records allow applicants to submit the software needed to read a file along with the file. He said that may be something needed in the future, but not necessary at this point in time. He has added language that the Clerk of the Board, the Law Dept., the IT Dept and the Land Use Committee will be consulted from time to time by the Director of Planning to determine the appropriate digital formats recognizing that technologies will change over time. There is also language giving the Director of Planning the right to waive requirements for submission of electronic files when it would create an undue hardship or was impracticable.

Open Meeting Law

The basic idea for these changes is to preserve files, read them, and have back-up storage of files to comply with the changes in the open meeting law. This will also allow applications to be made available to the public through the website. Ald. Hess-Mahan said he has been working with the Clerk's office and the IT Department to be sure that all special permit applications and associated materials received going forward will be posted online for easier access. One would not have to be present at a public hearing to see all the materials and the audio is always posted online as well.

Suggested Amendment

Ald. Baker wondered if the language should exclude the phrase “CD-ROMs, DVDs, USB storage devices...” as it seemed those technologies could change and it was too specific. Ald. Hess-Mahan said the Clerk of the Board wanted to be sure that files were submitted on some sort of portable media. Ald. Baker thought this section should be amended by adding “...or other portable media acceptable to the Clerk of the Board.” Ald. Linsky felt the reference should be taken out completely. The Committee agreed on adding “All documents and exhibits required to be submitted in electronic file format by this rule shall be submitted in a form acceptable to the Director in consultation with the Clerk of the Board of Aldermen.”

Public Comment

Jonathan Kantar said that the Engineering Dept. already requires many documents to be submitted electronically.

Approved Amended Language

The Committee voted to approve the language as amended by a vote of 6-0-1 with Ald. Merrill abstaining. The fully amended language is attached to this report.

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#207-08 ALD. BRANDEL AND SANGIOLO proposing that the following question be put before the Newton voters:
 “Shall the City of Newton be allowed to exempt from the provisions of Proposition 2 ½ the amounts required to pay for the bond issuance in order to fund Newton North High School?” [05/21/08 @ 12:58 PM]

FINANCE VOTED NO ACTION NECESSARY ON 3/8/10

ACTION: HELD 7-0 (Ald. Fischman not voting)

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#207-08 ALD. BRANDEL AND SANGIOLO proposing that the following question be put before the Newton voters:
 “Shall the City of Newton be allowed to exempt from the provisions of Proposition 2 ½ the amounts required to pay for the bond issuance in order to fund Newton North High School?” [05/21/08 @ 12:58 PM]

FINANCE VOTED NO ACTION NECESSARY ON 3/8/10

ACTION: HELD 7-0 (Ald. Fischman not voting)

NOTE: Ald. Sangiolo explained that this item had been discussed in Committee last November. She has asked David Wilkinson to join the Committee to explain how debt exclusions work and she also presented a letter from Craig Manseau, Elections Commissioner, explaining the procedure to get a debt exclusion question on the state ballot this November.

Mr. Wilkinson explained that a debt exclusion takes the debt service associated with a capital project outside the Proposition 2 ½ levy limits. Ordinarily a debt exclusion would be associated with a project that has not yet been undertaken or on which debt services

payments have not yet begun. His understanding is that with a project like Newton North High School, which is well underway, the debt service would be exempted from the point of an affirmative vote only. Past payments would not be included.

Mr. Wilkinson went on to explain that in the current FY11 budget, the two primary expense items are pension appropriation and debt service. Debt service next year amounts to approximately \$16.2M. That is about 5.6% of the total general fund budget which is a little more than the prior administration had been targeting debt service. (Mr. Pooler had targeted 5% but no more than 5.5%). Newton North High School is responsible for \$9.1M of that \$16.2M, or 3.1% of the total budget. Mr. Wilkinson said that several years ago the mindset in the administration was to consume about 3% of the budget in debt service.

The Newton North High School debt is almost all 30 year debt. The pay down of the debt, in contrast to prior years which was principally 10 year debt, takes quite a long time. Mr. Wilkinson said the project called for \$150.9M of the \$197.5M be funded through the issuance of debt. So far, \$124.3M has been issued and next week another \$11.7M will be issued. That will leave about another \$15M to be issued, if they spend the entire amount. That (up to) \$15M will not be issued in the public markets, it will be borrowed from the Mass School Building Authority at 2% interest. It needs to be the last piece of financing. Ald. Sangiolo asked how much of the \$11.7M coming up for issuance could be put out for a debt exclusion at this point. Mr. Wilkinson said they could put out all future debt service payments associated with that which would be close to the \$9.1M that will be spent in 2011.

What followed was a discussion around how much a debt exclusion would raise residents taxes for the next 30 years. Ald. Hess-Mahan wanted to make sure that residents knew what they would be voting for. Ald. Baker responded that it would exclude up to the maximum of the debt service and whatever that percentage turned out to be, that would remain constant over the 30 year period. Ald. Hess-Mahan said that the City did not have to levy the full amount every year according to the Department of Revenue.

Ald. Fuller thought that the ballot question could specify the amount of debt but the Chair and Ald. Hess-Mahan disagreed and Ald. Linsky said they could express the amount they would not exceed. Ald. Fuller was correct that an amount would have to be specified for a capital outlay ballot question but that is not what is being contemplated here. Mr. Wilkinson and Ald. Hess-Mahan explained that a capital outlay ballot question is generally used for a one-time purchase of an item.

Discussion continued amongst committee members as to whether the amount charged to taxpayers every year was fixed or whether it could change. This question came up because according to the Department of Revenue, a community may levy up to the debt service for the specified purpose but doesn't have to go that high each year. Our current practice has been to draw down the Capital Stabilization Account and use those funds to offset the impact of the Newton North debt service on our operating budget but Mr. Wilkinson pointed out (and this was also brought up in the Finance Committee), that the

issue was likely moot. There currently is \$15.8 million in the Capital Stabilization Account and the Mayor is using \$5.8 million in the FY2011 budget. That leaves \$10 million in the account and in his opinion, by 2014, the account will be depleted since there are no replacement funds going into the account and debt service on North will remain stable. Therefore is highly unlikely that the amount would be reduced since there would be no Capital Stabilization funds to subsidize the debt service on North.

The Chair asked if it was possible to put other projects in a debt exclusion ballot question and whether or not we have other projects out of the \$16 million in current debt service that we could bundle with. Mr. Wilkinson responded that for all practicable purposes, new debt would be more likely such as fire station projects and elementary schools going forward.

Ald. Baker asked what action the Chair was hoping for. The Chair indicated that she was hoping to hold this item. She thought it was a great way to inform our colleagues (particularly those who are new to the board) about debt exclusions, what it means, how they operate, and what types of items we can put out to the voters.

Ald. Baker reminded the committee that the Long Range Planning Committee was working on suggestions by the CAG about our unfunded liabilities and capital planning and stated that we have few opportunities to bring these types of questions to the voters and that if we were ever to use this vehicle, he wants to maximize its chance of success and that tends to occur when there was more stuff in the pot than this one project. The Chair agreed and stated that she was open to amending the item to include other projects but right now there is no momentum to put any other items into the pot. As long as we had this docket item, there was a chance that other items such as the elementary schools and/or fire stations could be put into this pot. She stated that with regard to the CAG, this was the one thing they did not look at - how to pay for Newton North. Ald. Fuller agreed. Ald. Sangiolo stated as we've seen from the presentation from Mr. Wilkinson and from the budget, Newton North has a huge impact on our operating budget. Ald. Fuller agreed and Ald. Baker said that it's not a surprise. The Chair stated that here's a vehicle which we could use to help pay for it. The Board should take a detailed look at how debt exclusion works if we're ever going to move forward with debt exclusions in the future. Alderman Baker stated that he is not troubled by that at all though not eager to put this question on the ballot. We get few opportunities to take these questions to the voters with some chance of success and he wouldn't want to do that unless there was a shot. The Chair stated that the reason she thought it was a safe question to put before the voters was that we all know how we are going to pay for it. We are already paying for it within our operating budget. If it fails, we will move forward along the same course. Whereas, if we put forward a debt exclusion for elementary schools and it fails, what does that say. Does it mean that the voters do not want us to do anything with our elementary schools?

Ald. Blazar offered thoughtful, yet critical comments on the Newton North process. He doesn't understand why we didn't take a question like this to the voters before we embarked on the project - suggesting it was a complete abdication of responsibility. He doesn't understand what the aldermen were doing - this is going to put us into so much

debt for so many years that it's frightening and stated even if we were to forget the \$150M the school will cost the city, as the CAG pointed out –we've got \$200 million for school projects that haven't been done and huge unfunded liabilities for healthcare, retirement and pensions.

Ald. Baker explained that at least 2/3rds of the Board thought it was a wise expenditure to get this high school built adding that it costs what it costs.

Ald. Hess-Mahan asked when we planned on bringing the item up again and wants to understand the form of the question – can we incorporate other items in the question or do we need to separate questions? He thinks it does make a difference if we put everything into one question – people may support one item but not the other. The Chair stated that she attached a document prepared by former Asst. City Solicitor Gayle Smalley to the agenda about how questions could be brought forward and thought the answer was in that document. Ald. Hess-Mahan also wanted to understand the vote in Finance. Ald. Rice stated that they just cleared the docket and there was no discussion of the item.

The Chair asked Ald. Fuller if she had additional thoughts on the item and topic, Ald. Fuller stated that it is important to understand what the Board is trying to do with this item. Are we trying to free up money and relieve pressure on our operating budget by pulling out the debt service on Newton North or to do other things – including assuming more debt service for other capital projects (like elementary schools), or are we looking to debt exclusions in a different way, to use it going forward to do new projects that we can't fund out of our operating budget. It's a different mindset and agreed with Ald. Baker's concerns about understanding what the electorate would find appealing because Newton North has a poisonous name right now. It may not be a politically enticing thing to do whereas people might be excited about doing elementary schools or fire stations. She noted that there is a political as well as a financial dimension here and both matter.

Ald. Baker stated that the flipside of Ald. Sangiolo's argument is that while Newton North has a fixed amount and we know what it is – the problem is that we know what it is. There's no incentive for people to vote for it. If we say that we want to free up money for our operating budget, then we can just go out for a general purpose override because it's almost the same thing. We could also say we really want to do something but we can't afford it in our operating budget so we do have to go out for a debt exclusion – that, he believes we may have a constituency to work with. He concluded his comments by noting it is a delicate choice - what people are more likely to say yes to that raises their taxes.

The Chair suggested that if we don't start the conversation and education about what debt exclusions are, we will always be in this same state of inaction where we argue whether the electorate does or doesn't understand how debt exclusions work but they understand how overrides work, yet the chances of one passing soon is not likely. She emphasized that the docketers put this out there because it was a safe project, and if it failed, at least the educational aspect of this (the debt exclusion) process was out there and noted that

Craig Manseau, Secretary for the Election Commission stated that it was possible to get a debt exclusion on the state ballot this year.

Ald. Blazar asked whether the debt exclusion would make that much of a difference to people (in terms of their support vs. a general operating override) given that we are issuing 30 year bonds. Mr. Wilkinson stated that he didn't know what difference it makes for the public but it does make it helpful when talking to credit rating agencies about where Newton is heading. When they ask us (the City) to look at the value of Newton's infrastructure and physical plant – it's difficult to argue that we will be able to address them by putting in 3.5 million a year in new debt? To the extent that the Mayor and the Board are looking at alternatives – he thinks it helps us and the city's credit rating.

Ald. Fuller offered a point to keep in mind in the distinction between a debt exclusion and a general override. A debt exclusion is for a specific project. With a 2 ½ override, you can tell folks what we intend to use the funds for, but it goes into our operating budget and is fungible and there are no rules to stick to priority or priorities that you say in your override. The funds are just general amorphous money that can be used for anything.

Ald. Linsky, also pointed out that unlike a general override, the funds raised by a debt exclusion is not built in so it doesn't have a cumulative effect in the sense that once it passes it doesn't become part of the levy and is there forever.

Ald. Merrill stated that the minute you put Proposition 2 ½ out there, it will turn people off – it is equivalent to political suicide. He said that today with people putting more money into the parking meters and water rates going up, voters will be suspicious of anything we put in there and thinks it's the wrong move to make at this time.

Ald. Rice asked, acknowledging that former Ald. Brandel and the Chair docketed the item, whether going forward the Administration or the Board should take the lead on something like this. The Chair indicated that docketers did this in part to take the heat off the Administration – having it originate from the Board and providing an option for the Administration. The Chair emphasized that two years ago the docketers were concerned about how we were going to pay for Newton North and committee members noted that apparently we still are.

Ald. Baker moved hold and the committee voted to hold the item (7-0, Fischman not voting).

#125-09 THE POST AUDIT & OVERSIGHT COMMITTEE requesting creation of a public tree protection ordinance and amendment of the current tree ordinance as recommended in the Tree Preservation Ordinance Report.
[04/17/09 @ 9:14 PM]

ACTION: **HELD 7-0 (Ald. Fischman not voting)**

NOTE: Ald. Sangiolo noted that a draft of the public tree ordinance dealing with street trees was attached to the agenda. She said the draft was shown to the Urban Tree Commission today and they have not yet had a chance to review it. She wanted Board members to have a chance to look at this and prepare any suggestions, comments or questions. Ald. Hess-Mahan said the Planning and Development Board was going to take up their item regarding scenic roads which includes a fine for taking down a tree on a scenic road.

The Committee voted to hold the item pending further review by the Urban Tree Commission. Ald. Sangiolo asked the Committee to be sure to take a look at the draft.

Motion to adjourn.

Respectfully Submitted,

Amy Sangiolo, Chairman

City of Newton
Board of Aldermen

**Resolution in Support of Newton's Application
to Qualify as a Green Community**

May 3, 2010

Whereas; The City of Newton, as required to receive and maintain the Green Community designation, will be **documenting by-right development opportunities that exists within the city where clean energy business** (research and development and/or manufacturing pertaining to renewable and/or alternative energy) may locate within the City of Newton, which does not require discretionary permitting and which can be permitted expeditiously as per the Guidelines established by the Massachusetts Department of Energy Resources (DOER) and which comply with DOER annual reporting and review requirements; and

Whereas; the Board of Aldermen of the City of Newton supports and has approved Board Order #50-10, which requires the City of Newton to **execute a municipal energy action plan** that will assure reduction of energy use and emissions of at least 20% below the established FY2007 baseline energy inventory, by continued rigorous implementation of existing guaranteed energy savings (ESCO) programs, continued attention to dramatic building performance improvements as the City is able to address large scale capital renovations as well as continued investigations into new opportunities and technologies so as to accrue said reductions, and comply with DOER annual reporting and review requirements; and

Whereas; the Board of Aldermen of the City of Newton supports and has approved Board Order #51-10, which requires the city of Newton to establish and implement a **vehicle purchasing policy** that requires vehicle replacements, when needed, be in conformance to the mileage performance standards as per the Guidelines established by the DOER, and comply with DOER annual reporting and review requirements.

Now Therefore Be It Resolved;

That the Board of Aldermen of the City of Newton supports the application to qualify as a Green Community and hereby requests that the City of Newton complete its application; and

Be It Further Resolved;

That the Board of Aldermen of the City of Newton requests compliance with DOER annual reporting and review requirements in order to maintain Green Communities status, and therefore retain eligibility for DOER funding which is available each year under the terms of the Green Communities Act.

Under Suspension of Rules
Readings Waived and Item Voted
?? yeas ?? nays ?? absent??

(SGD) DAVID A. OLSON, City Clerk

ARTICLE X

RULES PERTAINING TO SPECIAL PERMIT AND SITE PLAN APPROVAL PETITIONS

Pursuant to G.L. c. 40A, §9, the Board of Aldermen acting as a special permit granting authority adopts the following rules relative to the submission of applications for special permits and site plan approvals.

Section 1. Contents of Applications for Special Permits or Site Plan Approvals

All applications for special permits or site plan approvals shall contain the information required by §§ 30-23 and 30-24 of the Newton Zoning Ordinance. The Director of Planning and Development, or his/her designee, (hereafter the "Director") shall have the discretion to waive the requirement for a landscape plan in instances where the type of approval sought does not raise issues involving screening or buffering. In addition, the Director shall have the authority to require more information (hereafter "Additional Information") relating to a proposed project beyond the requirements of §§ 30-23 and 30-24 of the Newton Zoning Ordinance where the Director determines that the project is likely to raise significant questions requiring more extensive review of relevant information beyond that required by ordinance. The Director may require this Additional Information in order to assess the potential impact of the proposed project on its neighborhood, on the roads serving such project, and on other City resources in light of the criteria set out in the Newton Zoning Ordinance for such special permit or site plan approval. Applications for special permits or site plan approvals must include all information required either by ordinance or by the Director in order to be complete and ready for filing as provided below.

All plans, maps, photographs, and other documents and exhibits required to be filed with applications for special permits/site plan approvals and/or presented at public hearings and working sessions of the Land Use Committee shall also be submitted in electronic file format. "File format" means the type of data file stored on CD-ROMs, DVDs, USB storage devices, and any other media designed to store information electronically in an application program used by the City of Newton. All documents and exhibits required to be submitted in electronic file format by this rule shall be submitted in a form acceptable to the Director in consultation with the Clerk of the Board of Aldermen. The Director shall consult with the Clerk of the Board of Aldermen, the Law Department, the Information Technology (IT) Department and the Land Use Committee, from time to time, to determine the appropriate digital format(s) for all documents and exhibits to be submitted and preserved within a framework that balances the relevant legal, technical, legibility, quality, functionality and sustainability factors as well as the publication process of the material to be submitted and preserved, and cost factors. The file format that provides this balance may change over time as new formats are adopted for creation and use. The Director shall have the discretion to waive all or part of the requirement by this rule to submit documents and exhibits in electronic file format where the circumstances indicate that such requirement would be impracticable or create an undue hardship for the applicant.

#59-10

The Director shall develop guidelines or criteria to be used in determining what kinds of projects may require Additional Information, and shall have the discretion to waive all or part of such Additional Information in a particular case where the circumstances indicate that such information will not be needed for the review anticipated. The Director shall consult with the Land Use Committee from time to time regarding such guidelines/criteria. The Director may require more information beyond that specified in such guidelines/criteria if the Director deems it necessary for an appropriate review of the project. The Land Use Committee may also require more information beyond that required by the Director during its review of a request for a special permit or site plan approval.

#207-08
#207.08

City of Newton

ELECTION COMMISSION



1000 COMMONWEALTH AVENUE
NEWTON CENTRE 02459-1449

Craig A.J. Manseau
Executive Secretary

Setti D. Warren
Mayor

Frances E. Shaer, Chair
Fay G. Cohen, Kenneth R. Hartford

10 APR 21 PM 3:47
CITY CLERK
NEWTON, MA. 02159

COPY

To: Amy Mah Sangiolo
Ward 4, Alderman-At-Large

Date: April 20, 2010

From: Craig A.J. Manseau, Executive Secretary *CAM*

Subject: Debt Exclusion to Appear on State Election Ballot

As you are aware Proposition 2½ allows a community to raise funds for the purposes above the amount of its levy limit or levy ceiling. A community can assess taxes in excess of its levy limit or levy ceiling for the payment of certain capital projects and for the payment of specified debt service costs. Exclusion for the purpose of raising funds for debt service costs is referred to as debt exclusion.

A community must file with the Secretary of the Commonwealth of any Proposition 2½ override questions, which includes debt exclusions to appear on the State Election ballot. The filing deadline for a debt exclusion to appear on the November 4, 2010, State Election ballot is 5:00 P.M. on Wednesday, August 4, 2010.

As stated in our telephone conversation the Law Department should be contacted for the procedures needed to be performed by the Board of Alderman in order for this to be sent to the Secretary of the Commonwealth in a timely fashion.

COPY