

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC FACILITIES COMMITTEE REPORT

WEDNESDAY, OCTOBER 23, 2013

Present: Ald. Salvucci (Chairman), Lennon, Albright, Crossley, Laredo, and Lappin

Absent: Ald. Gentile and Danberg

Also present: Ald. Ciccone, Johnson, Swiston, Harney, Yates, Schwartz, and Fuller

City officials present: John Daghlion (Associate City Engineer), Joshua Morse (Commissioner of Public Buildings), Robert Rooney (Chief Operating Officer), David Koses (Transportation Planner), Marc Gromada (Police Captain), William Paille (Director of Transportation), Fred Russell (Director of Utilities), and David Turocy (Commissioner of Public Works)

#350-13      NATIONAL GRID petitioning for a grant of location to install and maintain 180' ± of 2" gas main in HAGEN ROAD from the existing 4" gas main in Olde Field Road easterly to 99 Hagen Road. [10/08/13 @ 2:17 PM]

**ACTION:**      **APPROVED 4-0 (Albright, Lennon not voting)**

**NOTE:**      Barbara Kelleher, National Grid Permit Representative, presented the petition for a grant of location to install 180' of gas main from an existing main to 99 Hagen Road. The Department of Public Works has reviewed the petition and recommended approval with the standard street opening conditions. The new main will provide a new gas service to 99 Hagen Road. The public hearing opened and Karen Weissel, 99 Hagen Road stated that she supports the petition. No other person wished to speak on the petition and the public hearing closed. Ald. Lappin moved approval, which carried unanimously.

#351-13      HIS HONOR THE MAYOR requesting the confirmation of Joshua Morse as the Commissioner of Public Buildings, effective October 15, 2013 pursuant to Section 3-3 of the City Charter (30 days: 11/20/13). [10/16/13 @ 11:56 AM]

**ACTION:**      **APPROVED 6-0**

**NOTE:**      Joshua Morse joined the Committee for discussion of his appointment as Commissioner of Public Buildings. He is thrilled with the opportunity. It is an exciting time in the Public Buildings Department with the Angier School Building Project and the construction of Fire Station #10 on Dedham Street. There is a lot of work to do but Mr. Morse sees great things in terms of municipal and school capital projects.

Chief Operating Officer Robert Rooney stated that the administration is very pleased to appoint Mr. Morse as the Public Buildings Commissioner. Mr. Morse has worked his way up through the ranks of the Public Buildings Department. He has the technical experience, municipal experience, leadership experience and a "can do" attitude that make him the best person for the Commissioner of Public Buildings position. Mr. Morse has been the acting Commissioner of Public Buildings for the past six months and done a great job. In addition, Mr. Morse has the ability to make decisions, and understands the importance of prioritization.

Committee members were very pleased with Mr. Morse's appointment and looked forward to working with Mr. Morse in his new role of Public Buildings Commissioner. The Committee members asked about the department's low staffing level. Mr. Morse explained that filling the vacancies within the department was his top priority. The Energy Project Manager position has been offered to someone and that person is expected to start on December 4, 2013. There is another Project Manager position that needs to be filled, as well as Mr. Morse's previous position as Deputy Commissioner.

Mr. Morse has worked on building a good relationship with the School Department in terms of building projects and building maintenance. The Commissioner will continue to work on improving communications between the Public Building Department and the School Department. One of Mr. Morse's priorities is to improve and expand upon the School Department's long-range plan for school buildings.

There were requests for the Commissioner's top four or five priorities for the Department and the short-term plans for building improvements. The Commissioner will provide the requested information in the near future. Ald. Albright moved approval, which carried by a vote of six in favor and none opposed.

**REFERRED TO PS&T AND PUBLIC FACILITIES COMMITTEE**

#41-11 ALD. JOHNSON, LENNON AND DANBERG requesting discussion of the elimination, except during snow emergencies, of the overnight parking ban which is in effect from November 15 through April 15. [01/18/11 @ 9:00 PM]  
**PUBLIC SAFETY APPROVED 6-0 on 10/23/13 (Fuller not voting)**

**ACTION:** **APPROVED 3-0-3 (Albright, Crossley, Lappin abstaining)**

**NOTE:** The Committee met jointly with the Public Safety and Transportation Committee to discuss the proposed overnight parking pilot program in Ward 1. The item was held at the October 9, 2013 joint meeting for information and answers to a number of questions that were raised. Transportation Planner David Koses and Transportation Director William Paille provided a memorandum responding to the questions from the previous meeting and a list of street widths in Ward 1.

Assistant City Solicitor Marie Lawlor also provided a memorandum addressing the two legal questions asked at the previous meeting and draft Ordinance language. The memorandum states that it is Ms. Lawlor's opinion that dormitories can be excluded from the program; however, the Board cannot exclude students that are residents of single, two-family or multi-family dwellings in an area of the City that is included in the program. The memorandum also states that the Board can limit program eligibility to areas of the City on a rational basis. These materials were attached to the meeting agenda.

Mr. Koses reviewed the provided information with the Committees. He informed the Committees that there was a correction to the response to the question related to where a permit holder would park if there were no parking spaces available. He informed the Committee that

the permit holder would not be encouraged to contact the Police Department's Traffic Bureau as stated in the memorandum. The goal of the pilot program is to allow the City to increase the overnight parking fine and reduce the number of vehicles parking overnight on City streets. The increased fine will provide a greater deterrent to parking overnight without punishing residents with no other parking option.

A question was raised regarding whether any consideration was given to lowering the permit fee of \$80 for second and third cars at the same address. Police Captain Marc Gromada responded that the Police Department's cost for one permit is estimated at \$90. There was concern among several members of both Committees that the City was not capturing the full cost of administering the permit program in the permit fee. Several members of both Committees requested that the Police Department provide a realistic cost analysis of the permit program for the Finance Committee discussion regarding setting the application fee and permit fee for the program. It was pointed out that the permit fee could be increased or decreased after the pilot program.

If the pilot program is successful, the intent is to look to implement the program in other areas of the City and raise the overnight parking fine to somewhere around \$20 or \$25 per ticket. There was discussion about raising the fine during the pilot program to determine if the pilot program is reducing illegal overnight parking. Aldermen could consider docketing an item to raise the overnight parking fine during the pilot program. It will be important to note if there is any effect on the Department of Public Works salting and sanding operations during the pilot program. The overnight parking ban currently allows parking on the street until 2 AM, which means vehicles are often on the streets when the Public Works Department is sanding and salting the streets. When a snow emergency is declared, all vehicles will need to be off the streets regardless of whether they have a permit. If vehicles were not removed, the police would have the ability to have them towed. It will also be important for the Ward Aldermen to keep track of complaints and the Police to assess the impact on staff in terms of managing the program and extra enforcement that will be required during the program.

Ald. Lennon moved approval of the pilot program in Public Facilities, which carried by a vote of three in favor and three abstentions. The Aldermen that abstained from the vote were concerned that the City was not capturing the cost of the permit program. Ald. Johnson moved approval in the Public Safety and Transportation Committee, which carried by a vote of six in favor and one not voting.

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#359-13 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of one million one hundred thirty-eight thousand one hundred sixty dollars (\$1,138,160) from the Sewer Fund – Current Year Reserve in order to conduct accelerated sewer capital work in the Capital Improvement Plan Project I Sewer Rehabilitation Project. [10/16/13 @ 11:56 AM]

**ACTION:** **APPROVED 6-0**

**NOTE:** Utilities Director Fred Russell and Commissioner of Public Works David Turocy presented the request to use sewer reserve funds to accelerate the sewer work to reduce inflow and infiltration. The Department of Public Works presented a \$49 million, 11-year Sewer Improvement Plan two years ago. The schedule of improvements is prioritized based on the areas of the City that are believed to be the largest contributors to the City's infiltration and inflow problem. When the plan was presented, some Aldermen encouraged the Administration to accelerate the work.

The Public Works Department added the Crystal Lake Area and the Newton Commonwealth Golf Course into Area 1 of the project. The additional funding would be used for \$135,484 in engineering services and \$655,538 in construction for the two additions. The remaining \$388,137 would be used for smoke and/or dye testing in Areas 4 through 7. Mr. Russell provided a handout (attached) of the accelerated schedule over the next three years. The accelerated schedule includes the work in Area 1, \$740,025 in additional funds in Year 2, and \$4,357,350 in Year 3. Mr. Russell added that there would be a \$2.1 million Massachusetts Water Resource Authority Grant available in 2015. There is also funding available for the Auburndale/Lower Falls project area as part of the Riverside Special Permit Project.

Mr. Russell explained that the work at the Commonwealth Golf Course was identified because of sinkholes in the fairway. The sewer systems under the golf course was cameraed and it was determined that the pipe joints were disconnected. The problem can be addressed by relining the pipes to reconnect the joints. The work at Crystal Lake was identified when the City investigated the source of pollutants in Crystal Lake.

The Administration is accelerating the project, as the reserve in the sewer fund is very healthy. It was pointed out that the water/sewer/storm water rate should not increase by more than 3.9% per year. The storm water system assessment has not been completed; therefore, there is no way to make an informed estimate of the cost of storm water improvements. Mr. Russell responded that the schedule for sewer improvements may shift but right now, the plan is to accelerate the improvements. The Administration will be providing an overview of the aspects of the water/sewer/storm water improvement plans in December.

Ald. Lappin moved approval, which carried unanimously.

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#322-12(6) **HIS HONOR THE MAYOR** requesting rescission of the two million three hundred twenty-eight thousand eight hundred fifty-eight dollar (\$2,328,858) appropriation voted under Board Order #254-13, and to further amend the vote on Board Order #322-12(2) by reducing estimated Fiscal Year 2014 General Fund revenue by forty nine thousand two hundred thirty-seven dollars (\$49,237) and increasing the use of Other Available Funds (Fund Balance – NNHS MSBA Reimbursement) by forty nine thousand two hundred thirty seven dollars (\$49,237). [10/15/13 @ 7:44 PM]

**ACTION:** **APPROVED 6-0**

**NOTE:** Chief Operating Officer Robert Rooney presented the request to rescind Board Order 254-13 (attached) and amend the Budget Board Order. On July 15, 2013, the Board of Aldermen approved Board Order #254-13 to appropriate \$2,328,585 from the fund balance for Newton North High School debt service to retire an equal amount of 2% Massachusetts School Building Authority (MSBA) subsidized loan obligations. After the Board Order was approved, the City learned that it had received approval from the Massachusetts Department of Revenue and the MSBA to use the money to call \$2,025,000 in 5% project bonds in April of 2019. The City's financial advisors have determined that using the funds to call the debt with 5% interest will save the City approximately \$2,025,000 in interest payments, which is \$1,329,000 more in savings than if the funds were used to retire MSBA 2% loan funds.

The Budget Board Order amendment is necessary as the MSBA and the Department of Revenue does not allow cities and towns to reserve MSBA debt reserve resources in full until bond call dates. Regulations require that a portion of the reserve be used each year for debt service subsidies. The attached memorandum from Comptroller David Wilkinson provides further detail on the docket request.

The Committee understood that this was really a financial housekeeping request and a motion to approve was made and carried unanimously.

Respectfully submitted,

Anthony J. Salvucci, Chairman



**SEWER SYSTEM CAPITAL IMPROVEMENTS (ACCELERATED SCHEDULE VS. ORIGINAL SCHEDULE)**

**#359-13**

PROJECT NAME	ORIGINAL SCHEDULE (Nov 2011)	ACCELERATED SCHEDULE (Oct 2013)	DIFFERENCE
<b>Newtonville/West Newton/Auburndale/Remaining Area B/Crystal Lake Area/Newton Commonwealth Golf Course</b>			
Smoke/Dye Testing (Phase 1-3 Areas)	\$258,750	\$258,750	\$0
Project 1 Design	\$207,000	\$166,000	-\$41,000
Project 1 Construction/Construction Services	\$3,105,000	\$3,105,000	
<b>Accelerated Work Program - Crystal Lake Area, Newton Commonwealth Golf Course</b>	not included		
Engineering Services	not included		\$135,484
Construction Services	not included		\$655,538
Project 1 Post Construction Flow Evaluation	\$25,875	\$25,875	\$0
Project 2 Inspection and Assessment	\$584,775	\$584,775	\$0
Project 2 Heavy Cleaning (10% of investigation footage)	\$58,478	\$58,478	\$0
Smoke/Dye Testing (Phase 4-7 Areas)	not included	\$388,137	\$388,137
<b>SUBTOTAL</b>	<b>\$4,239,878</b>	<b>\$4,587,015</b>	<b>1,138,160**</b>
<b>**Total represents shortage for construction of projects A, B &amp; C of \$655,538 and shortage for construction services of projects A, B &amp; C and Smoke/Dye Testing (Phase 4-7) of \$482,621</b>			
<b>Auburndale/Lower Falls/West Newton</b>			
Project 2 Design (with Public Inflow - Smoke Defects)	\$310,500	\$310,500	\$0
Project 2 Construction/Construction Services	\$3,881,250	\$3,881,250	\$0
Project 2 Post Construction Flow Evaluation	\$25,875	\$25,875	\$0
Project 3 Inspection and Assessment	\$476,100	\$476,100	\$0
Project 3 Heavy Cleaning (10% of investigation footage)	\$47,610	\$47,610	\$0
Project 4 Inspection and Assessment	not included	\$672,750	\$672,750
Project 4 Heavy Cleaning (10% of investigation footage)	not included	\$67,275	\$67,275
<b>SUBTOTAL</b>	<b>\$4,741,335</b>	<b>\$5,481,360</b>	<b>\$740,025</b>
<b>Chestnut Hill/Centre/Newtonville</b>			
Project 3 Design	\$207,000	\$207,000	\$0
Project 3 Construction/Construction Services	\$3,105,000	\$3,105,000	\$0
Project Area 3 Post Construction Flow Evaluation	\$25,875	moved to different year	-\$25,875
Project 4 Inspection and Assessment	\$672,750	moved to previous years	-\$672,750
Project 4 Heavy Cleaning (10% of investigation footage)	\$67,275	moved to previous years	-\$67,275
Smoke/Dye Testing (Remaining "B" Areas)	\$517,500	moved to previous years	-\$517,500
Project 4 Design (with Public Inflow - Smoke Defects)	not included	\$414,000	\$414,000
Project 4 Construction/Construction Services	not included	\$4,657,500	\$4,657,500
Project 5 Inspection and Assessment	not included	\$517,500	\$517,500
Project 5 Heavy Cleaning (10% of investigation footage)	not included	\$51,750	\$51,750
<b>SUBTOTAL</b>	<b>\$4,595,400</b>	<b>\$8,952,750</b>	<b>\$4,357,350</b>

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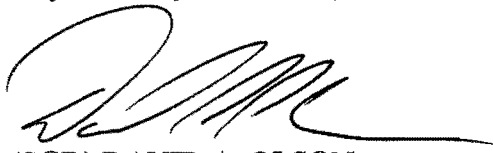
July 15, 2013

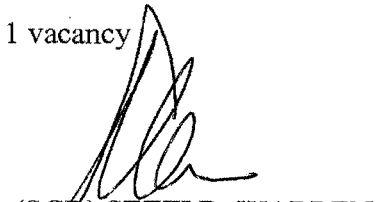
ORDERED:

That, in accordance with the recommendation of the Public Facilities and Finance Committees through their respective Chairmen Anthony J. Salvucci and Leonard J. Gentile, the sum of two million three hundred twenty-eight thousand eight hundred fifty-eight dollars (\$2,328,858), to be appropriated from the Fund Balance for Newton North High School Debt Service, be and is hereby appropriated, granted and expenditure authorized for the purpose of a one-time lump sum payment toward the Massachusetts School Building Authority Loan for the Newton North High School Project as follows:

FROM:	Fund Balance – NNHS Debt Service (01-3271).....	\$2,328,858
TO:	Debt Service – NNHS Bond Maturities (0110771-581A67).....	\$2,328,858

Under Suspension of Rules  
Readings Waived and Approved  
20 yeas 0 nays 3 absent (Aldermen Danberg, Fischman, and Linsky) 1 vacancy

  
(SGD) DAVID A. OLSON  
City Clerk

  
(SGD) SETTI D. WARREN  
Mayor


Date 7/25/13



COMPTROLLER'S OFFICE  
 CITY OF NEWTON, MASSACHUSETTS  
dwilkinson@newtonma.gov  
 (617) 796-1305

October 15, 2013

TO: Maureen Lemieux, CFO

FROM: David Wilkinson, Comptroller 

SUBJECT: **FY 2014 Budget Board Order Revisions**

Before we submit Newton's fiscal year 2014 tax rate for approval by the Massachusetts Department of Revenue, we need to ask the Board of Aldermen to make two revisions to the fiscal year 2014 budget. Both changes involve the use of debt service reserves that have been funded with Massachusetts School Building Authority (MSBA) construction grant reimbursements that were received after the completion of permanent financing for the South and North High School projects.

**Newton South High School Debt Service Reserve:** The fiscal year 2014 budget currently anticipates the use of \$50,000 in South High debt service reserves for the subsidy of South High School renovation debt service. This is \$15,272 less than the amount called for in the City's debt service reserve plan that is on file with the Massachusetts Department of Revenue. *In order to bring the fiscal year 2014 budget in line with the approved plan, the Board of Aldermen should be asked to amend Board order #322-12(2) by reducing estimated FY 2014 General Fund revenue by \$15,272, and increasing the use of Other Available Funds (Fund Balance – NSHS MSBA Reimbursement) by \$15,272.*

**Newton North High School Debt Service Reserve:** Earlier this fiscal year the Board of Aldermen appropriated \$2,328,858 under Board order #254-13 for the retirement of an equal amount of 2% MSBA subsidized loan liabilities. Subsequent to the Board vote the City received approval from the MSBA and Massachusetts Department of Revenue to use the sum to call \$2,025,000 in 5% project bonds that can be called in April of 2019. The City's financial advisors on bond sales, First Southwest, has determined that this will save the City \$1,329,000 more in interest over the term of the debt than the original plan to retire MSBA 2% loan funds. *In order to bring the fiscal year 2014 budget in line with the revised plan, the Board of Aldermen should be asked to rescind the \$2,328,858 appropriation voted under Board order #254-13, and to further amend their vote on Board order #322-12(2) by reducing estimated FY 2014 General Fund revenue by \$49,237, and increasing the use of Other Available Funds (Fund Balance – NNHS MSBA Reimbursement) by \$49,237.* The \$49,237 appropriation is necessary because MSBA/Department of Revenue regulations do not allow communities to reserve MSBA debt reserve resources in full until bond call dates. State regulations require that a portion of the reserve be used each fiscal year for debt service subsidies.