IN BOARD OF ALDERMEN

December 17, 2012

ORDERED:

That, in accordance with the recommendations of the Community Preservation Committee through its Chairman Leslie Burg; the Public Facilities Committee through its Chairman Anthony J. Salvucci and the Finance Committee through its Chairman Leonard J. Gentile, the sum of one hundred eighty thousand dollars (\$180,000) is hereby appropriated and transferred from the Community Preservation Fund Historic Resources and General Reserves to be expended under the direction and control of the Commissioner of Public Buildings to provide supplemental funding to renovate the interior of the barn at Angino Farm, as described in the Community Preservation Committee's recommendation dated October 24, 2012.

FROM: Fund Balance – Historic Resources

(21-3497).....\$180,000

TO:

A Item City Clerk

Angino Farm Barn Rehabilitation

(21B11517-52407).....\$180,000

Under Suspension of Rules

Readings Waived and Approved

22 yeas 1 nay (Alderman Salvucci) 2 absent (Aldermen Kalis and Merrill)

(SGD) SETTI D. WARREN

Mayor

Date: 12-28-12

IN BOARD OF ALDERMEN

December 17, 2012

ORDERED:

That, in accordance with the recommendation of the Programs & Services and Public Facilities Committees through their respective Chairman Amy Mah Sangiolo and Anthony J. Salvucci, His Honor the Mayor is hereby authorized to execute a 99-year lease between the City of Newton and the Massachusetts Bay Transportation Authority for .97 miles of unused MBTA rail bed that runs parallel to Needham Street to create a multi-purpose recreational pathway.

Under Suspension of Rules Readings Waived and Approved 22 yeas 0 nays 2 absent (Aldermen Kalis and Merrill)

(SGD) DAVID (A.,
City Clerk

(SGL) SETTI D. WARREN Mayor

12-28-12

IN BOARD OF ALDERMEN

December 17, 2012

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chairman Alderman Leonard J. Gentile, the sum of one hundred seventy-nine thousand one hundred thirty-nine dollars and thirty cents (\$179,139.30) be and is hereby appropriated from Overlay Surplus to the Interest on Tax Refunds Account for the purpose of funding the statutory interest charges incurred by the City of Newton beginning from the time Verizon New England, Inc. paid its FY2009 tax bill until the day the City of Newton Treasurer/Collector issued a refund check for an abatement issued by the Board of Assessors on October 30, 2012

FROM:

Overlay Surplus

(01-3497).....\$179,139.30

TO:

Interest on Tax Refunds

(110774-5763)......\$179,139.30

Under Suspension of Rules Readings Waived and Approved 22 yeas 0 nays 2 absent (Aldermen Kalis and Merrill)

actual Gity Clerk

SETTI D. WARREN

Mayor

Date: 12-28-12

IN BOARD OF ALDERMEN

December 17, 2012

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chairman Leonard J. Gentile, a transfer of twenty-one thousand dollars six hundred thirty five dollars (\$21,635) from the following accounts to replace a police cruiser that was damaged beyond repair in an automobile accident be and is hereby approved as follows:

FIOIII:	Buaget Reserve	•
	(0110498-5790)	\$11.081v
	Police Expenses	***************************************
	(0120112-5580)	\$5.554.
	Federal Asset Forfeitures	
	(13C201A-5901)	\$5,000

Police Capital Outlay (0120108-58501).....\$21,635

Under Suspension of Rules

Readings Waived and Adopted

To:

22 year 0 nays) 2 absent (Aldermen Kalis and Merrill)

(SGD) DAVID A. OLSON

City Clerk

(SGD) SETTI D. WARREN

Mayor

Date: 12-28-12

U/n 13C2U/A. 5901

J.000

IN BOARD OF ALDERMEN

December 17, 2012

ORDERED:

That, in accordance with the recommendations of the Community Preservation Committee through its Chairman Leslie Burg; the Land Use Committee through its Chairman Ted Hess-Mahan; and the Finance Committee through its Chairman Leonard J. Gentile, the sum of two hundred fifty-five thousand dollars (\$255,000) is hereby appropriated from the fiscal 2013 Community Housing and General Reserves of the Community Preservation Fund to the control of the Planning and Development Department to create two affordable units of rental housing at 54 Eddy Street, West Newton as detailed in the Community Preservation Committee's November 27, 2012 funding recommendation to the Board of Aldermen; be and is hereby approved as follows:

FROM:

CPA Fund Balance - Community Housing

(21-33210)......\$255,000

TO:

54 Eddy Street Housing

(21C11419-5797).....\$255,000

Under Suspension of Rules Readings Waived and Approved 22 yeas 0 nays 2 absent (Aldermen Kalis and Merrill)

City Clerk

(SGD) SETTI D. WARREN

Mayor

Date: December 25, 2012

2/2 21-349) C/2 21-3420

IN BOARD OF ALDERMEN

December 17, 2012

ORDERED:

That, in order to reduce interest costs the Treasurer with the approval of His Honor the Mayor is authorized to provide for the sale and issuance of refunding bonds under Massachusetts General Law Chapter 44, Section 21A to refund all or any portion of the remaining principal of and redemption premium and interest on any bonds of the City outstanding as of the date of adoption of this Order, and for the payment of all other costs incidental and related thereto, and that the Mayor and the Treasurer are each authorized to take any and all other action necessary to carry out the purposes of this order, subject to the following conditions:

- 1) That a formal approval process that includes review and majority approval by the Chief Financial Officer, Treasurer/Collector, and Comptroller is established; and
- 2) That the Treasurer/Collector provides a formal notification to the Board of Aldermen of any bonds that have been refinanced including a complete financial analysis supporting the decision to refinance.

Under Suspension of Rules Readings Waived and Approved 22 yeas 0 nays 2 absent (Aldermen Kalis and Merrill)

City Clerk

(SGD) SETTI D. WARREN

Mayor

Date 13-28-12

IN BOARD OF ALDERMEN

December 17, 2012

ORDERED:

That for the purpose of paying costs of purchasing a new ladder truck for the Fire Department (to replace Fire Ladder No.1), and for the payment of any and all costs associated therewith, there be and is hereby appropriated and authorized to be borrowed under and pursuant to Chapter 44, Section 7(9) of the General Laws, as amended and supplemented, or pursuant to any other enabling authority, the sum of one million dollars (\$1,000,000).

Under Suspension of Rules Readings Waived and Adopted 22 yeas 0 nays 2 absent (Aldermen Kalis and Merrill)

(SGD) DAVID A. OLSON

Tip City Clerk

(SGD SETTI D. WARREN

Mayor

Date: 12-28-12

D/L 51-3797 C/n J1-3786019

34AA210F-53503

IN BOARD OF ALDERMEN

December 3, 2012

ORDERED:

That, in accordance with the recommendation of the Public Facilities Committee through its Chairman Anthony J. Salvucci and the Finance Committee through its Chairman Leonard J. Gentile, the sum of one hundred twenty-one thousand sixty-three dollars (\$121,063) be and is hereby appropriated from the Stormwater Reserve Account to be expended under the direction of the Commissioner of Public Works for the purpose of removing sediment from the three basins of the City Hall Ponds.

FROM:

Stormwater Fund Surplus

(26-3497).....\$121,063

TO:

City Hall Pond Project

(26B4018A-586004).....\$121,063

Under Suspension of Rules

Readings Waived and Approved

22 yeas 0 nays 2 absent (Aldermen Danberg and Merill)

(SGD) DAVID A. OLSON

City Clerk

(SGD) SETTI D. WARREN

Mayor

IN BOARD OF ALDERMEN

December 3, 2012

ORDERED:

That pursuant to GL chapter 40, Section 56 and in accordance with the recommendation of the City of Newton Board of Assessors, His Honor the Mayor and the Honorable Board of Aldermen, after a duly called Public Hearing held on December 3, 2012, hereby adopt for FY13 a Residential Tax Factor at 174% as computed by the Commissioner of Revenue, Commonwealth of Massachusetts Bureau of Local Assessment, which shift for a residential factor of 91.1770 results in a residential tax rate of \$11.49 and a commercial tax rate of \$21.93.

Under Suspension of Rules

Readings Waived and Approved

22 yeas Onays 2 absent (Aldermen Danberg and Merrill)

(SGD) DAVID A. OLSON

City Clerk

(SGD) SETTI D. WARREN

Mayor

Date: 18/6

IN BOARD OF ALDERMEN

December 3, 2012

ORDERED:

That, in accordance with the recommendation of His Honor the Mayor and the Programs and Services and Finance Committees through their respective Chairmen Amy M. Sangiolo and Leonard E. Gentile, the Board of Aldermen hereby approves a special election to be held on March 12, 2013 to present the following levy limit override and debt exclusion ballot questions to the voters:

"Shall the City of Newton be allowed to assess an additional \$8,400,000 in real estate and personal property taxes for the purpose of funding municipal and school operating and capital expenses to support increased student enrollment, fund street and sidewalk paving, fund public safety personnel, address the condition and capacity of Zervas Elementary School, fund the relocation of the fire Department Wires Division, and fund the replacement of Fire Headquarters and Fire Station 3 in Newton Centre for the fiscal year beginning July 1, 2013?"

"Shall the City of Newton be allowed to exempt from the provisions of Proposition 2 1/2, so called, the amounts required to pay for the bonds issued in order to renovate or replace the A.E. Angier Elementary School?"

"Shall the City of Newton be allowed to exempt from the provisions of Proposition 2 1/2, so called, the amounts required to pay for the bonds issued in order to renovate or replace the Cabot Elementary School?"

FURTHERMORE, the sum of eighty-five thousand dollars (\$85,000) is hereby appropriated from Budget Reserve to be expended under the direction of the Election Commission for the purpose of funding the costs of the special election.

Under Suspension of Rules Readings Waived and Adopted

23 yeas 0 nays 1 absent (Alderman Merrill)

(SGD) DAVID A. OLSON

City Clerk

(SGD) SETTI D. WARREN

 $\frac{\text{Mayor}}{2}$

IN BOARD OF ALDERMEN

December 3, 2012

ORDERED:

That, in accordance with the recommendation of His Honor the Mayor and the Finance Committee through its Chairman, Alderman Leonard J. Gentile, the City of Newton hereby accepts the following sections of Massachusetts General Laws Chapter 59 relative to tax exemptions:

- The provisions of Chapter 59 section 5 added by Chapter 181 of the Acts of 1995, which authorizes an annual increase in the amount of the exemption granted to senior citizens, surviving spouses and surviving minors under General Laws Chapter 49, Section 5, Clause 17D by up to 100% of the percentage increase in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index (CPI) for the previous year as determined by the Commissioner of Revenue, and to fix that annual increase at 100% of the CPI: to be effective for exemptions granted any fiscal year beginning on or after July 1, 2013.
- Chapter 59, Section 5, Clause 17E, which authorizes an annual increase in the asset (the
 whole estate) limit for exemptions granted to senior citizens, surviving spouses, and
 surviving minors by the percentage increase in the U.S. Department of Labor, Bureau of
 Labor Statistics, Consumer Price Index for the previous year as determined by the
 Commissioner of Revenue, to be effective for exemptions granted any fiscal year
 beginning on or after July 1, 2013.
- Chapter 59, Section 5, Clause 41D, which authorizes an annual increase in the income
 (gross receipts) and asset (whole estate) limits for exemptions granted to senior citizens
 by the percentage increase in the U.S. Department of Labor, Bureau of Labor Statistics,
 Consumer Price Index for the previous year as determined by the Commissioner of
 Revenue, to be effective for exemptions granted any fiscal year beginning on or after July
 1, 2013.
- Chapter 59, Section 5N to establish a Veteran's Tax Work-Off Program that will authorize a qualifying veteran or a proxy, if the qualifying veteran is physically unable to perform the work, to work-off up to the maximum reduction of the real property7 tax bill based on 125 volunteer service hours in a given tax year.

• Chapter 59, Section 5K, (Senior Tax Work-Off Program) and the amendment to Section 27-20 of the Revised Ordinances of the City of Newton 2012 to allow the maximum reduction to be based on 125 hours of service, rather than \$1,000, as well as discussion of adopting a provision to allow a proxy to perform the work on behalf of a qualifying senior who is physically unable to perform the volunteer service.

Under Suspension of Rules

Readings Waived and Approved

22 yeas 0 nays 2 absent (Alderman Danberg and Merrill)

(SGD) DAVID A. OLSON

City Clerk

(SGD) SETTI D. WARREN Mayor

12/6/12

IN BOARD OF ALDERMEN

November 19, 2012

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its

Chairman Leonard J. Gentile, a transfer of one million eight hundred fifty thousand dollars

(\$1,850,000) from FY2012 Free Cash to the Rainy Day Stabilization Fund be and is hereby approved as follows:

From:	Free Cash	•	
	(01-3497)	 	 \$1,850,00

Under Suspension of Rules Readings Waived and Adopted 22 yeas 0 nay 2 absent (Aldermen Ciccone and Gentile)

(SGD) DAVID A. OLSON

City Clerk

(SGD) SETTI D. WARREN Mayor

Date: 11/21/12

D/N 01-349) 0110499-5922A

C/N 01-3420 12A-497001

IN BOARD OF ALDERMEN

November 19, 2012

ORDERED:

That, in accordance with the recommendation of the Programs and Services and Finance Committees through their respective Chairmen Amy Mah Sangiolo and Leonard J. Gentile, the sum of three hundred thousand dollars (\$300,000) to be appropriated from FY13 Budget Reserve, be and is hereby appropriated, granted, and expenditure authorized and that a transfer of two hundred thousand dollars (\$200,000) from FY2012 Free Cash to the Parks & Recreation Forestry Vehcile Rentals Account is hereby approved as follows:

FROM:	Budget Reserve (0110498-5790)	\$300,000	
	Free Cash .	\$200,000	- /
TO:	Parks Expenses		

(01602011-5273).....\$500,000

Under Suspension of Rules

Readings Waived and Approved 22 yeas <u>0 nay</u> 2 absent (Aldermen Ciccone and Gentile)

(SGD) DAVID A. OLSON

City Clerk

(SGØ) SETTI D. WARREN

Mayor

Date: 11/21/12

D/2 01-345)

IN BOARD OF ALDERMEN

November 19, 2012

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chairman Leonard J. Gentile, a transfer of forty thousand four hundred nine dollars and eighty-two cents (\$40,409.82) from FY2012 Free Cash to the Mayor's Office Expenses for the purpose of purchasing a \$10 million dollar environmental insurance policy for the next five years to protect the City during the conversion of a .97 mile rail bed to a multi-purpose pathway through a 99-year lease from the MBTA be and is hereby approved as follows:

From:

Free Cash

(01-3497).....\$40,409.82

To:

Mayor's Office Expenses

(0110301-575009).....\$40,409.82

Under Suspension of Rules Readings Waived and Adopted 22 yeas 0 nay 2 absent (Aldermen Ciccone and Gentile)

(SGD) DAVID A. OLSON

City Clerk

Mayor

Date: 11/21/12

IN BOARD OF ALDERMEN

November 19, 2012

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chairman Leonard J. Gentile, His Honor the Mayor is hereby authorized to expend a reimburseable grant in the amount of fifteen thousand dollars (\$15,000) awarded by the Massachusetts Historical Commission, to be used for the purpose of surveying and documenting historic buildings in the City of Newton.

Under Suspension of Rules Readings Waived and Approved

22 yeas 0 nay 2 absent (Aldermen Ciccone and Gentile)

(SGD) DAVID A. O<u>LSON</u>

City Clerk

(SGIN SETTI D. WARREN

Mayor

Date:

IN BOARD OF ALDERMEN

November 5, 2012

ORDERED:

That for the purpose of funding the completion of design services through the construction administration phase associated with the renovation of the Carr Elementary School and all other costs associated therewith, there be and hereby is appropriated and authorized to be borrowed under and pursuant to Chapter 44 Section 7(21) of the General Laws, as amended and supplemented, or pursuant to any other enabling authority, the sum of six hundred ninety-five thousand five hundred fifty-eight dollars (\$695,558).

Under Suspension of Rules

Readings Waived and Approved

23 year Onays 1 absent (Alderman Albright)

(SGD) DAVID A. OLSON

City Clerk

(SGD) SETTI D. WARREN Mayor

Date

AN TI-3797 C/N JI-37981645 3184916

IN BOARD OF ALDERMEN

November 5, 2012

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chairman Leonard J. Gentile, His Honor the Mayor is hereby authorized to expend the amount of seventy thousand dollars (\$70,000), which represents the first year of a five-year \$350,000 reimbursable grant awarded by the United States Food and Drug Administration, to be used for the purpose of strengthening, standardizing, and documenting food safety inspection and community outreach activities of the Health and Human Services Department.

Under Suspension of Rules Readings Waived and Approved 23 yeas 0 nays 1 absent (Alderman Albright)

(SGD) DAVID A. OLSON

City Clerk

(SGO SETTI D. WARREN Mayor

Date:				
Date.	 	 	 	

IN BOARD OF ALDERMEN

November 5, 2012

ORDERED:

That, in accordance with the recommendation of the Public Facilities Committee through its Chairman Anthony J. Salvucci and the Finance Committee through its Chairman Leonard J. Gentile, the creation of a revolving fund into which 50% of all betterment income shall be deposited to be used exclusively for the individual requests for betterment is hereby authorized.

Under Suspension of Rules Readings Waived and Approved 23 yeas 0 nays 1 absent (Alderman Albright)

(SGD) DAVID A. OLSON

City Clerk

(SGD) SETTI D. WARREN Mayor

Date:

IN BOARD OF ALDERMEN

November 5, 2012

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chairman Leonard J. Gentile, the Commission on Disabilities is hereby authorized to accept and expend up to fifty thousand dollars (\$50,000) of monetary gifts and donations to be held in a Receipts Reserved for Appropriations for Disabled Account to be used to further the ideals of the Commission on Disabilities.

Under Suspension of Rules Readings Waived and Approved 23 yeas 0 nays 1 absent (Alderman Albright)

(SGD) DAVID A. OLSON

City Clerk

(SGD) SETTI D. WARREN Mayor

Date ___

IN BOARD OF ALDERMEN

October 1, 2012

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chairman Alderman Leonard J. Gentile, the transfer of the sum of forty thousand dollars (\$40,000) from Forestry Services Full Time Salaries to Forestry –Services Forestry/Tree Services for the purpose of contracting for tree removal services is hereby approved as follows:

FROM:

Forestry Services – Full Time Salaries

(01602011-511001).....\$40,000

TO:

Forestry Services - Forestry/Tree Services

(01602011-5243).....\$40,000

Under Suspension of Rules Readings Waived and Approved 23 yeas 0 nays 1 absent (Alderman Gentile)

(SGD) DAVID A. OLSON

City Clerk

Mayor

Date:

IN BOARD OF ALDERMEN

October 1, 2012

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chairman, Alderman Leonard J. Gentile, the sum of twenty thousand dollars (\$20,000) to be appropriated from the Receipts Reserved - Special Permit #385-08 Account be and is hereby appropriated, granted, and expenditure authorized for the purpose of improving Norumbega Park be and is hereby approved as follows:

FROM:

Receipts Reserved -Sp Permit #385-08

(14K101W-5901).....\$20,000

TO:

Norumbega Park Improvements

.....\$20,000

C114016-52409

Under Suspension of Rules Readings Waived and Approved 23 yeas 0 nays 1 absent (Alderman Gentile)

(SGD) DAVID A. OLSON

City Clerk

SETTI D. WARREN

Mayor

AN 01-4970114K

IN BOARD OF ALDERMEN

October 1, 2012

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chairman Leonard J. Gentile, the sum of fifty-three thousand four hundred forty-six dollars and thirty-one cents (\$53,446.31) to be appropriated from the Capital Stabilization Fund Account, be and is hereby transferred to the Newton North High School Improvement Fund to be used as alternative funding for the MSBA grant reimbursement funds which are to be used in full to retire outstanding MSBA loans.

> FROM: Capital Stabilization Fund

39**1**104-5930.....\$53,446.31

High School Improvement Fund (NNHS) TO:

Transfer from Other Funds

32A115F9-49703039\$53,446.31

Under Suspension of Rules

Readings Waived and Approved

23 year 0 nays 1 absent (Alderman Gentile)

(SGD) DAVID A. OLSON

City Clerk

Mayor

An 392104- 7970 C/n 32A11580-49703039

IN BOARD OF ALDERMEN

October 1, 2012

ORDINANCE NO. A-3

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEWTON AS FOLLOWS:

That the Revised Ordinances of Newton, Massachusetts, 2012, as amended, relative to Chapter 17 LICENSING AND PERMITS GENERALLY, are hereby further amended as follows:

By adding a new section 17-15 as follows:

Sec. 17-15. Overdue Police and Fire Detail Charges and Bills.

Pursuant to Massachusetts General Laws, chapter 40, section 21E, the City may establish due dates for the payment of municipal police and fire detail charges and bills, and may fix a rate at which interest shall accrue if such charges remain unpaid after such due dates; provided, however, that the rate of interest shall not exceed the rate of interest which may be charged on tax bills under the provisions of section fifty-seven of chapter fifty-nine of the Massachusetts General Laws.

unch Kahn

Approved as to legal form and character:

DONNALYN B. LYNCH KAHN

City Solicitor

Under Suspension of Rules Readings Waived and Adopted

23 yeas 0 nays 1 absent (Alderman Gentile)

(SGD) DAVID A. OLSON

City Clerk

(SGD SETTI D. WARREN

Mayor

Doto:

18/17/11

IN BOARD OF ALDERMEN

October 1, 2012

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chairman Leonard J. Gentile, the amendments to the F.A. Day Middle School Construction Project Board Order (#115-12) as described in the attached amended F.A. Day Addition & Renovation Project Budget, are hereby approved.

Under Suspension of Rules Readings Waived and Approved

23 yeas 0 nays 1 absent (Alderman Gentile)

(SGD) DAVID A. OLSON

City Clerk

(SGID) SETTI D. WARREN Mayor

Date:

REVISED FA DAY ADDITION & RENOVATION PROJECT BUDGET

9/24/2012

révised 10:20 am

ACOUNT NUMBER	CATEGORIES OF THE BUDGET		VISED BUDGET 09/24/2012	
310115B923				
5301	CONSULTANTS	\$	\$9,959.00	
530202	ARCHITECTURAL SERVICES	\$	750,000.19	3
530205	CONSTRUCTION CLERK OF THE WORKS	\$	125,000.00	
530219	BUILDING SYSTEM COMMISSIONING	\$	15,000.00	
5825	GENERAL CONTRACTOR	\$	5,215,088,00 / つじん	
582501	SPRINKLER & RELATED WORK	\$::	884,950.00 (005, 4 (3)	
5793	CONSTRUCTION ISSUE CONTINGENCY	\$	100,000.00	3
5795	UNDISTRIBUTED PROJECT BUDGET	. \$1.	253 399 Opp _ 35,35 [
52407	BUILDING IMPROVEMENTS (NOT BY GC)	\$	80,000.00 🗸	
58520	TELEPHONE COMMUNICATIONS EQUIPMENT - PA SYSTEM	\$	25,000.00 🎺	
S85FFE	FURNISHINGS, FIXTURES & EQUIPMENT	\$	30,000.00 🗸	
	TOTAL PROJECT EXPENDITURE BUDGET	\$	7,538,396.19	

Budget line item total has been changed to reflect revised contract split values