



**POSTED**  
City Clerk

# Finance Committee Agenda

## City of Newton In City Council

**RECEIVED**  
By City Clerk at 4:20 pm, Jul 06, 2017

**Monday, July 10, 2017**

**7 PM**  
**Room 211**

### **Items Scheduled for Discussion:**

**#198-17 Request for authorization to settle a \$9,120 claim for damage to a fence**  
HIS HONOR THE MAYOR requesting authorization to settle a claim of nine thousand one hundred twenty dollars (\$9,120) from the Law Department’s Judgments and Settlements Account as full and final settlement of a claim against the City for extensive damage to a decorative metal fence that occurred during snow clearing operations. [06/14/17 @ 1:14 PM]

### **Referred to Public Facilities and Finance Committees**

**#199-17 Appropriate \$338,397 for undergrounding utilities for Austin St Redevelopment**  
HIS HONOR THE MAYOR requesting authorization to appropriate and expend three hundred thirty-eight thousand three hundred ninety-seven dollars (\$338,397) from previously declared Overlay Surplus to cover the costs associated with Eversource undergrounding utilities associated with the Austin Street Parking Lot Redevelopment Parking Lot. [06/12/17 @ 5:15 PM]  
**Public Facilities Approved 5-0 on 06/21/17**

### **Referred to Public Facilities and Finance Committees**

**#200-17 \$875,000 to fund the Accelerated Roads Program**  
HIS HONOR THE MAYOR requesting authorization to appropriate and expend three hundred seventy five thousand dollars (\$375,000) from previously declared Overlay Surplus and transfer a total of five hundred thousand dollars (\$500,000) from the below accounts for the 2017Pavement Program: [06/12/17 @ 5:15 PM]

Public Works Full-time Salaries..... \$300,000

Public Works Street Department – Health Insurance..... \$200,000

**Public Facilities Approved 4-0-1 (Lappin abstaining) on 06/21/17**

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The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton’s ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: [jfairley@newtonma.gov](mailto:jfairley@newtonma.gov) or (617) 796-1253. The city’s TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

**#197-17 Transfer \$10,000 to Veterans' Benefits**

HIS HONOR THE MAYOR requesting authorization to transfer the sum of ten thousand dollars (\$10,000) from Budget Reserve to Veterans' Benefits to provide funding for the final month of this fiscal year. [06/12/17 @ 2:58 PM]

**Items Not Scheduled for Discussion at this Meeting:**

**Referred to Public Facilities and Finance Committees**

**#171-17 Ordinance Amendment Sec 29-80 Sewer Use Charge**

HIS HONOR THE MAYOR requesting an amendment to Section 29-80 Sewer Use Charge of the City of Newton Ordinances by adding the following sentence at the end of Paragraph (a): Notwithstanding the foregoing, seasonal water takers not eligible for an outdoor meter under said Section 29-24, shall pay a charge for the use of sewerage works in proportion to water consumption. [05/30/17@ 3:21 PM]

**#142-17 Funding for a Public Information Plan for site clean-up at the Horace Mann School**

HIS HONOR THE MAYOR requesting authorization to transfer the sum of fifteen thousand dollars (\$15,000) from the following accounts to the Public Building Department for the development of a public information plan regarding the site clean-up at the Horace Mann School for an oil leak that occurred in 1998. [05/08/17 @ 6:49 PM]

Comptroller Wage & Salary Reserve (0110498-5197)	\$5,375
Comptroller Budget Reserve (0110498-5790)	\$3,810
Free Cash (01-3497)	\$5,815

**#110-17 Appropriate \$2 million from Free Cash to the Rainy Day Stabilization Fund**

HIS HONOR THE MAYOR requesting authorization to appropriate two million dollars (\$2,000,000) from Free Cash to the Rainy Day Stabilization Fund. [04/12/17 @ 9:37 PM]

**Referred to Public Safety & Transportation, Public Facilities, and Finance Committees**

**#179-17 Request for parking meter pilot(s)**

COUNCILORS ALBRIGHT, KALIS, LAREDO AND LEARY requesting a parking meter pilot or multiple pilots in Fiscal Year 2018 using the latest technology, which allows payment by credit card and other features, such as monitoring meter usage, providing feedback to administrators, information to drivers, and allowing time-based fee adjustment. [05/22/17 @ 9:15 AM]

**Referred to Land Use and Finance Committees**

**#122-17 Discussion on fees for Special Permits**

COUNCILOR COTE requesting a discussion with the Planning & Development Department regarding the fees charged for Special Permits and what the actual costs are for issuing Special Permits. [04-18-17 @ 12:32 PM]

**Referred to Public Facilities and Finance Committees**

**#123-17 Pilot Program for curbside food waste collection**

COUNCILORS SANGIOLO, NORTON, CROSSLEY, LENNON, AUCHINCLOSS, HARNEY, FULLER, ALBRIGHT, LAPPIN, AND LAREDO requesting the City through the Department of Public Works, pilot a curbside food waste collection program. [04/21/17 @ 11:15 AM]

**Referred to Public Facilities and Finance Committees**

**#91-17 Licensing agreement for wireless carriers to install equipment on city poles**

COUNCILORS CROSSLEY, ALBRIGHT AND LAPPIN requesting a discussion with the administration regarding possible licensing agreements with wireless carriers, and to create a policy and to develop and adopt a uniform license agreement for wireless carriers to install wireless communication devices on city-owned poles in the public way. [03/27/17 @ 4:44 PM]

**Referred to Public Facilities and Finance Committees**

**#56-17 Request to increase the Public Works Department by one full-time position**

HIS HONOR THE MAYOR requesting authorization to add one full-time employee within the Public Works Department to manage all detail requests submitted to the Police Detail Coordinator. [02/27/17 @ 2:42 PM]

**Referred to Public Facilities and Finance Committees**

**#6-17 Request to establish filing fee for wireless attachments in the public way**

COUNCILORS CROSSLEY, ALBRIGHT, LAPPIN AND GENTILE requesting the establishment of a filing fee from petitioners seeking to attach wireless communications devices to existing or proposed structures in the public way. [12/23/2016 @ 8:37 AM]

**Public Facilities Approved 6-0 and referred the item to Finance**

**Referred to Zoning & Planning and Finance Committees**

**#444-16 Amendment add fines for certain violations of the Accessory Apartment Ord.**

COUNCILOR BAKER AND COMMISSIONER OF INSPECTIONAL SERVICES proposing an amendment to Chapter 20 of the City of Newton Revised Ordinances to allow non-criminal ticketing of certain violations of the Accessory Apartment Ordinance. [12/16/16 @ 1:40 PM]

**Referred to Public Facilities and Finance Committees**

**#385-16 Discussion about the Community Solar Share Program**

PUBLIC FACILITIES COMMITTEE requesting discussion with the Administration and Public Buildings Department about the Community Solar Share Program, which intends to provide credits resulting from solar power generated at 70 Elliot Street to qualifying low income residents. [10/26/16 @ 4:20 PM]

**Public Facilities Held on 11/09/16**

**Referred to Finance and Appropriate Committees****#359-16 Submittal of the FY 2018 to FY 2021 Capital Improvement Plan**

HIS HONOR THE MAYOR submitting the Fiscal Years 2018 to 2022 Capital Improvement Plan pursuant to section 5-3 of the Newton City Charter. [10/11/16 @ 11:28 AM]

**Referred to Public Facilities and Finance Committees****#357-16 Reallocate \$250,467.24 for decommissioning two elevated storage tanks**

HIS HONOR THE MAYOR requesting authorization to reallocate the sum of two hundred fifty thousand four hundred sixty-seven dollars and twenty-four cents (\$250,467.24) from the Waban Hill Reservoir Improvements Account to be used for the decommissioning of the Stanton Avenue and Winchester Street elevated storage tanks. [10/11/16 @ 11:29 AM]

**Public Facilities Approved 6-0 on 10/19/16**

**#353-16 Review/Acceptance of the FY 2018 – FY 2022 5-year Financial Forecast**

HIS HONOR THE MAYOR submitting the Fiscal Years 2018 to 2022 5-Year Financial Forecast for City Council review/acceptance. [10/11/16 @ 11:28 AM]

**Referred to Land Use, Programs & Services and Finance Committees****#256-16 Request to extend notification area of notice for special permit petitions**

COUNCILORS COTE, NORTON, HARNEY, BLAZER, BROUSAL-GLASER, AND LEARY requesting an amendment to the City Council Rules, Article X; Section 6 – Additional Notification Requirements, to include that the area of notice for special permit petitions be expanded beyond the abutters to abutters within 300' required by Massachusetts General Law Chapter 40A to also include property owners within 600' of the subject property. This notification will apply to all classes of building except for residential 1 and 2-family units that will remain 1 or 2-family units after receiving a special permit. Only abutters to abutters within 300' will be entitled to the rights conferred by Massachusetts General Law Chapter 40A. [07/01/16 @2:09 PM]

**#209-16 Discussion of expenditures related to the Complete Streets Grant**

COUNCILOR FULLER requesting discussion regarding expenditures related to the Complete Streets grant with representatives of the Department of Public Works. [05/26/16 @ 1:11 PM]

**#112-16 Appropriation of mitigation funds for pedestrian and traffic improvements**

HIS HONOR THE MAYOR requesting authorization to appropriate and expend the following Mitigation Funds:

A. Village Café at 719 Washington Street	\$2,500
B. 258 Nevada Street at Linwood Street	\$1,500
C. Cherry Street at Washington Street	\$2,000
D. O’Hara’s Restaurant, Newton Highlands	\$2,500
E. Rox Diner Parking & Pedestrian Improvements	\$2,500
G. Canton Circle LLC, 714-724 Beacon Street	\$10,000

**#40-16 Request to accept MGL 149 Sec 148C related to earned sick time for employees**

COUNCILOR SANGIOLO requesting that City of Newton formally accept and/or take all necessary steps to accept Massachusetts General Law Chapter 149, Section 148C, in order to qualify full-time, part-time, seasonal, and temporary employees coverage under the earned sick time regulation, 940 CMR 33, as approved by the voters of Massachusetts in the 2014 Election as Ballot Question 4 – Earned Sick Time for Employees. [01/19/16 @ 2:35 PM]

**Referred to Public Facilities and Finance Committees**

- #223-15**      **Discussion on the process of licensing the use of city buildings**  
ALD. LAREDO requesting a discussion of the process of licensing the current and future use of city building, including: (a) how licensees may request the use of city buildings; (b) the process for determining which licensees will get the use of city buildings; (c) how the fees for the use of city buildings are set; and (d) how the current process compares to the process for permitting the use of school buildings. [08/13/15 @ 11:20 AM]
- #190-15**      **Discussion of policy to record all meetings and post meeting materials online**  
ALD. SANGIOLO requesting a discussion with the Executive Department relative to creating a policy to require audio recordings of all meetings of boards and commissions and requiring them to be posted to the City's website, as well as posting of all documentation that is reviewed by boards and commissions and/or by their designated City staff member.

**Referred to Zoning & Planning, Land Use and Finance Committees**

- #104-15**      **Qualification of affordable units developed at Comm Ave, Pearl St, and Eddy St**  
ALD. JOHNSON, LAREDO, AND GENTILE requesting a report from the Planning Department re how many of the affordable units developed at Commonwealth Avenue, Pearl Street, and Eddy Street qualify for inclusion on the State's Subsidized Housing Inventory List; if a property is not on the list, what can be done to make it eligible. [04/09/15 @ 12:00 PM]

**Referred to Land Use and Finance Committees**

- #49-14**      **Implementation of technology to monitor compliance with special permits**  
LAND USE COMMITTEE requesting discussion with the Chief Financial Officer and the Chief Information Officer regarding the critical need to implement technology which enables the development, management and use of shared, searchable, mobile-accessed (both read and write) database which contains parcel-based information that can be accessed by all city departments (including Planning, Inspectional Services (ISD), Assessing, Engineering, Fire, Police, Health), the Board of Aldermen and the community. This technology must support the work of ISD and other departments in both the office and the field to more effectively and efficiently monitor and enforce compliance with approved special permits and other related Board Orders. [02/10/14 @ 6:47 PM]

Respectfully submitted;

Leonard J. Gentile, Chair

#198-17



SETTI D. WARREN  
MAYOR

City of Newton, Massachusetts  
Office of the Mayor

Telephone  
(617) 796-1100

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(617) 796-1113

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(617) 796-1089

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swarren@newtonma.gov

June 14, 2017

Honorable City Council  
Newton City Hall  
1000 Commonwealth Avenue  
Newton Centre, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to authorize the appropriation of \$9,120 from Acct # 0110893-5725 Law Department Legal Claims/Settlements for full and final settlement of Claim # 17-93.

This claim was filed against the City for extensive damage to a decorative metal fence that occurred during snow clearing operations. Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in cursive script that reads "Setti D. Warren".

Setti D. Warren  
Mayor

RECEIVED  
Newton City Clerk  
2017 JUN 14 PM 1:14  
DAVID A. OLSON, GMC  
Newton, MA 02459

LAW DEPARTMENT



## CITY OF NEWTON, MASSACHUSETTS

CITY HALL

1000 COMMONWEALTH AVENUE

NEWTON CENTRE, MA 02459

TELEPHONE (617) 796-1240

FACSIMILE (617) 796-1254

CITY SOLICITOR

DONNALYN B. LYNCH KAHN

DEPUTY CITY SOLICITORS  
OUIDA C.M. YOUNG  
ANGELA BUCHANAN SMAGULA  
JEFFREY A. HONIG

ASSISTANT CITY SOLICITORS  
MARIE M. LAWLOR  
ROBERT J. WADDICK  
MAURA E. O'KEEFE  
ALAN D. MANDL  
JULIE B. ROSS  
JILL M. MURRAY  
JONAH M. TEMPLE

June 7, 2017

Mayor Setti D. Warren  
City of Newton  
1000 Commonwealth Avenue  
Newton Centre, MA 02459

RE: Damage to Fence - \$9,120.00  
583 Watertown Street  
File #17-93

Dear Honorable Mayor Warren:

The claim in the above-referenced matter stems from extensive damage to a decorative metal fence located at 583 Watertown Street. The property is at the corner of Walnut and Watertown Streets and the fence runs along the frontages on both streets.

While clearing snow from the sidewalks abutting this property in February, a city sidewalk plow repeatedly hit and scraped the fence, which is 160 feet in length. The repair of the fence is further complicated by the fact that the owner has installed pavers below the fence which have to be removed and re-installed as part of the replacement of the fence.

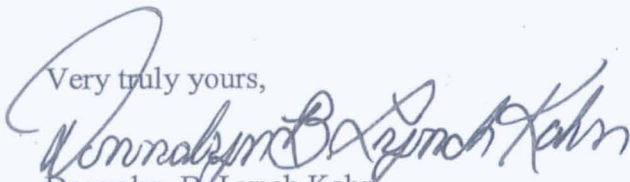
Because the cost to repair the fence was so high, the Law Department had the City's own fence contractor, Steelco, inspect the damage and prepare a quote which was even higher than the estimate that the owner had received from the fence company that originally installed the fence several years ago.

After negotiations with the owner, the total claim was reduced by approximately \$1,000. The cost to repair the fence and remove and re-install the pavers is \$9,120. While high, this fence was in very good condition prior to the damage from the City's sidewalk plow. We believe the estimate is reasonable and consistent with damage of this sort.



Therefore, I respectfully request that you docket this item seeking authorization to expend \$9,120 from Judgements and Settlements Account No. 0110893-5725 as full and final settlement of this claim against the City of Newton.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Donnalyn B. Lynch Kahn". The signature is written in dark ink and is positioned above the printed name.

Donnalyn B. Lynch Kahn  
City Solicitor



SETTI D. WARREN  
MAYOR

City of Newton, Massachusetts  
Office of the Mayor

#199-17

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June 12, 2017

Honorable City Council  
Newton City Hall  
1000 Commonwealth Avenue  
Newton Centre, MA 02459

RECEIVED  
Newton City Clerk  
2017 JUN 12 PM 5:15  
David A. Olson, OMC  
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to authorize the appropriation and expenditure of the sum of \$338,397 from previously declared Overlay Surplus to cover the costs associated with Eversource "undergrounding" associated with the Austin Street Parking Lot Redevelopment Project.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren  
Mayor



City of Newton, Massachusetts  
Office of the Mayor

SETTI D. WARREN  
MAYOR

#199-17

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E-mail  
swarren@newtonma.gov

July 3, 2017

Honorable City Council  
Newton City Hall  
1000 Commonwealth Avenue  
Newton Centre, MA 02459

RECEIVED  
NEWTON CITY CLERK  
2017 JUL -3 PM 12:20  
DAVID A. OLSON, OND  
NEWTON, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Council amend Docket Item # 199-17 by deleting "Overlay Surplus" as the funding source and substituting it with Acct # 0110491-57HLTH Retiree Health Insurance as the source of funding in the amount of \$338,397.

Because the fiscal year has ended, we are no longer able to "appropriate" funds for what is now a "prior year" request. Rather, we must transfer unexpended appropriations from within the FY17 budget.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren  
Mayor



SETTI D. WARREN  
MAYOR

City of Newton, Massachusetts  
Office of the Mayor

#200-17

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(617) 796-1100  
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E-mail  
swarren@newtonma.gov

June 12, 2017

Honorable City Council  
Newton City Hall  
1000 Commonwealth Avenue  
Newton Centre, MA 02459

RECEIVED  
Newton City Clerk  
2017 JUN 12 PM 5:15  
DAVID A. OLSON, OMC  
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to authorize the appropriation and expenditure of the sum of \$375,000 from previously declared Overlay Surplus and the following transfers to Acct # C401077-5795 Accelerated Roads Program.

<u>Amount</u>	<u>From Acct</u>	<u>Account #</u>
\$300,000	DPW Admin – Full Time Salaries	0140101-511001
\$200,000	DPW Street Dept – Health Insurance	0140104-57HLTH

With your approval of this request, the full \$9.5 million will be in place for the 2017 Pavement Program. Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren  
Mayor



SETTI D. WARREN  
MAYOR

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#197-17

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swarren@newtonma.gov

June 12, 2017

Honorable City Council  
Newton City Hall  
1000 Commonwealth Avenue  
Newton Centre, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to transfer the sum of \$10,000 from Acct # 0110498-5790 FY17 Budget Reserve to Acct # 0150301-5709 Veterans' Benefits.

Current benefit payments total \$255,444, with \$19,556 available for the final month of this fiscal year. Current monthly payments have approximated \$25,000. This transfer will allow a small amount for contingency through the remainder of the month.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren  
Mayor

RECEIVED  
Newton City Clerk  
2017 JUN 12 PM 2:58  
David A. Olson, GMC  
Newton, MA 02459