



Finance Committee Report

City of Newton In City Council

Monday, August 2, 2021

Present: Councilors Grossman (Chair), Gentile, Humphrey, Noel, Kalis, Norton and Malakie

Also Present: Councilor Bowman

Absent: Councilor Norton

City staff present: Chief Financial Officer Maureen Lemieux, Director of Cultural Development Paula Gannon, Director of Transportation Nicole Freedman, Director of Planning & Development Barney Heath, CPA Program Manager Lara Kritzer, Chief of Police John Carmichael, Commissioner of DPW Jim McGonagle and Transportation Coordinator David Koses

#276-21 Acceptance of \$1,250 from Mass Humanities

HER HONOR THE MAYOR requesting authorization to accept and expend the sum of one thousand two hundred and fifty dollars (\$1,250) from the Mass Humanities for the purpose of producing the Frederick Douglass reading of "What to the Slave is the Fourth of July?"

Action: **Finance Approved 7-0**

Note: Paula Gannon, Director of Cultural Development presented the request to accept and expend the sum of \$1,250 from Mass Humanities for the purpose of producing the Frederick Douglass reading of "What to the Slave is the Fourth of July?". Ms. Gannon explained that this was a part of the City's July 4th celebration where a reading of the historic Frederick Douglass's "What to the Slave is the Fourth of July?" took place. She explained there were five readers from the community, the Mayor spoke and they received feedback from the audience on what they heard. The grant was used to fund honorariums for the readers as well as to support purchasing a PA system for the Cultural Development department. A small portion of the grant was also used for refreshments for the event.

Councilors thanked Ms. Gannon for her work on receiving this grant.

Councilor Gentile motioned to approve which passed unanimously.

#277-21 Acceptance of \$150,969 from MassDOT's Shared Streets and Spaces program

HER HONOR THE MAYOR requesting authorization to accept and expend the sum of one hundred fifty thousand nine hundred sixty-nine dollars (\$150,969) from the MassDot's Shared Streets and Spaces program.

Action: **Finance Approved 7-0**

Note: Barney Heath, Director of Planning & Development and Nicole Freedman, Director of Transportation presented the request to accept and expend the sum of \$150,969 from MassDOT's Shared Streets and Spaces program. Ms. Freedman explained that this is the third Shared Streets grant that has been awarded to the City. The grant will be used to install 3 Rectangular Rapid Flashing Beacons (RRFBs) at high crash locations in Newton Centre on key routes to schools and transit to improve pedestrian safety. Ms. Freedman explained that they may have enough funds to add an additional RRFB in Newton Centre. The three known locations will be the Cypress Street Parking Lot crosswalk, Beacon at Herrick Road, and Centre Street.

The funds will also be used to purchase and install 1 new Blue Bike station with bicycles and move 1-2 underperforming stations to higher performing locations. Ms. Freedman noted that she will be looking at the data to figure out what these locations will be.

The third part of the grant will be used to subsidize installation of raised platforms for outdoor dining at restaurants to enable accessibility.

Councilors asked the following question:

Q: Is there a prioritized list of where RRFBs are needed?

A: Ms. Freedman explained that DPW has a list of requests that have come in but they have not been prioritized yet. These locations were chosen for this grant based on high crash rates, walking routes to school and proximity to public transit.

Councilors thanked the Planning Department and Ms. Freedman for their work in receiving this grant.

Councilor Noel motioned to approve which passed unanimously.

#278-21 Amendment to the Engineering Design of Reconstruction of the Newton Library Contract

HER HONOR THE MAYOR requesting authorization to amend Contract L-6580, Engineering Design of Reconstruction of the Newton Library Parking lot by an amount of thirty-seven thousand five hundred dollars (\$37,500)

Action: Finance Approved 5-1-1 (Councilor Gentile opposed and Councilor Malakie abstaining)

Note: Jim McGonagle, Commissioner of DPW, presented the request to amend Contract L-6580, Engineering Design of Reconstruction of the Newton Library Parking lot by an amount of \$37,500. Commissioner McGonagle explained that the solar installation has been completed. There will also be significant stormwater improvements made in this project and this additional amendment will help the City finalize the design. Once the design is completed DPW will return to the appropriate committees to review the design and ask for construction funds.

Councilors asked the following questions:

Q: When the project is complete will the sign that states the parking lot will flood in heavy rain be taken down?

A: Commissioner McGonagle explained that this hasn't been discussed. He further explained that the new parking lot should infiltrate the first 1 inch of rain which is the majority of the storms. There could still be the potential for flooding in larger storms.

Additional questions and answers are attached.

Councilor Humphrey motioned to approve which passed 5-1-1 with Councilor Gentile opposed and Councilor Malakie abstaining.

#279-21 **Assessment of Curb Betterments**

COMMISSIONER OF PUBLIC WORKS requesting approval of the following mentioned sidewalk/driveway apron and/or curb betterments; said betterments to be levied under the provisions of MGL Chapter 83, Sec. 26, authorizing the assessment of betterments for construction:

Address	Owner Name	Book/Page	Sec/Block/Lot	Total Cost
17 Bunker Lane	Jonathan S Dietz & Lauren J Dietz	1461/1 (Reg. Land)	31-24-19	\$2,064.00
138 Waban Avenue	Howard A Cyker & Julie Cyker TRS	29634/451 (Rec. Land)	55-39-48	\$2,000.00
47 Lombard Street	Adam E Sulesky & Karen L Sulesky	67023/304 (Rec. Land)	13-12-09	\$2,165.00
20 Woodchester Drive	Guilherme Maredei and Danielle Costa Simeo Maradei	1543/152 (Reg. Land)	73-38-10A	\$3,984.00
175 Parmenter Road	Peter T Giang	51304/488 (Rec. Land)	44-03-31	\$2,112.00
1065 Walnut Street (on Duncklee Street only)	Arnold Stephen Freedman & Lori Melody Kahn TRS	36585/431 (Rec. Land)	52-11-06	\$4,304.00
151 Pine Ridge Road	Esmond S Jr Rice & Virginia A Rice	7631/261 (Rec. Land)	53-28-07	\$2,894.00
59 Lakewood Road	John B Gaines & Mary K Gaines	61303/304 (Rec. Land)	52-16-07	\$4,064.00
57 Taft Avenue	Montgomery Haddon Cagwin & Emily Grace Cagwin	71940/424 (Rec. Land)	34-11A-22	\$2,320.00
11 Cushing Street	Matthew W Gore & Anya V Gore	69781/381 (Rec. Land)	52-27-09	\$2,800.00
209 Mt. Vernon Street	Peter A. Warren and Gretchen H Warren	28551/166	32-02-05	\$2,048.00
2 Hope Street, AKA 41 Day Street	Michael J Pacinda and Elizabeth Gomperz	1351/21	43-41-06	\$3,616.00

Action: Finance Approved as Amended 6-0 (Councilor Noel recused)

Note: Jim McGonagle, Commissioner of DPW presented the request to approve the above-mentioned sidewalk/driveway apron and/or curb betterments; said betterments to be levied under the provisions of MGL Chapter 83, Sec. 26, authorizing the assessment of betterments for construction. Commissioner McGonagle explained that residents are allowed to request a betterment of granite curbing along their property line. If the cost is over \$2,000 then it will go on a 20-year betterment for the resident. He noted that the list of betterments that is provided will be constructed this construction season and that the City does pay half of the cost.

It was noted that the item should be amended to include the below list of betterments.

Address	Owner Name	Book/Page	Sec/Block/Lot	Total Cost
53 Ober Road	Joan Posternak and Fredric Posternak	30295/84	85-15-16	\$2,448.00
1057 Walnut Street (on Dunklee Only)	Jennifer B. Evans and Philip T. Evans	54394/576	52-12-11	\$2,432.00
15 Hancock Ave	Ian Douglas Swett and Vanessa Swett	76473/85	64-26-02	\$2,888.00
25 Leslie Road	Jeffrey A. Levinson and Lisa L. Gianelly	32638/126	43-42-01	\$3,856.00

Address	Owner Name	Book/Page	Sec/Block/Lot	Total Cost
1000 Walnut Street	Joseph M. Sanroma and Christine R. Sanroma	31200/421	52-16-08	\$2,240.00

Address	Owner Name	Book/Page	Sec/Block/Lot	Total Cost
1025 Walnut Street	Dean Fairchild and Brenda Noel	54777/146	52-12-07	\$2,944.00
1093 Walnut Street	Leslie H. Brail a/k/a Les H. Brail, Trustee	68706/594	52-09-10	\$2,560.00
1057 Walnut Street	Jennifer B. Evans and Phillip T. Evans	54394/576	52-12-11	\$2,560.00
802 Walnut Street	Jonathan Rosario and Marni Deborah Allen	57043/312	64-06-05	\$2,208.00
810 Walnut Street	Kenneth A. Schwartz and Sarah Boorstyn Schwartz	20323/352	64-06-04	\$2,272.00
1036 Walnut Street	Martine Claremont and Christopher James Bennett	64510/122	52-18-17	\$2,560.00
1105 Walnut Street	Andy H. Levine as Trustee	74527/114	52-09-12	\$2,432.00
1048 Walnut Street	Glenn R. Johnson and Susan M. Johnson	12477/731	52-20-13	\$2,176.00

Councilor Humphrey motioned to amend item #279-21 which passed 6-0 with Councilor Noel recused.

Councilor Humphrey motioned to approve which passed 6-0 with Councilor Noel recused.

Referred to Public Facilities and Finance Committees

#282-21 Appropriate \$325,900 for the purchase of one new Volvo yard front end loader

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of three hundred twenty-five thousand nine hundred dollars (\$325,900) and authorize a general obligation borrowing of an equal amount for the purchase of one new Volvo L120H Volvo 4.50 yard front end loader.

Public Facilities Approved 6-0 on 07/21/2021

Action: Finance Approved 7-0

Note: Jim McGonagle, Commissioner of DPW presented the request to appropriate and expend the sum of \$325,900 and authorize general obligation borrowing of an equal amount for the purchase of one new Volvo L120H Volvo 4.50 yard front end loader. Commissioner McGonagle explained that this is to replace a 17-year-old loader which does not meet current emission standards. The department has also applied for a grant to cover up to 35% of this purchase and will notify the Council if this grant is awarded. He noted that this is in the CIP as part of the vehicle replacement program. The loader is used for snow plowing and daily operations at the Rumford Ave facility to help with yard waste.

Councilor Kalis motioned to approve which passed unanimously.

Referred to Public Facilities and Finance Committees

#283-21 Appropriate \$725,000 for the purchase of two 10-wheel swap loader trucks

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of seven hundred twenty-five thousand dollars (\$725,000) and authorize a general obligation borrowing of an equal amount for the purchase of two 10-wheel swap loader trucks.

Public Facilities Approved 5-0 (Councilor Norton not voting) on 07/21/2021

Action: Finance Approved 7-0

Note: Jim McGonagle, Commissioner of DPW presented the request to appropriate and expend the sum of \$725,000 and authorize general obligation borrowing of an equal amount for the purchase of two 10-wheel swap loader trucks. Commissioner McGonagle explained that the existing equipment has come to the end of its useful life and the replacement of this equipment is a part of the CIP. He further explained that the swap loader trucks allow the department to use different attachments so it can be used for a number of jobs. The estimated life on the new equipment is 12 years.

Councilors asked the following question:

Q: What is the process to source this type of equipment?

A: Commissioner McGonagle explained that normally the department purchases off the state contract which helps with standardizing the equipment.

Councilor Noel motioned to approve which passed unanimously.

Referred to Public Facilities and Finance Committees

#284-21 Authorization to borrow up to \$20,837,000 from the MWRA

HER HONOR THE MAYOR requesting authorization to borrow up to twenty million eight hundred thirty-seven thousand dollars (\$20,837,000) from the Massachusetts Water Resources Authority (MWRA) Local Water System Assistance Program Phase 3 as an interest free ten-year loan to be paid in equal, annual installments.

Public Facilities Approved 5-0 (Councilor Norton not voting) on 07/21/2021

Action: Finance Approved 7-0

Note: Jim McGonagle, Commissioner of DPW presented the request to borrow up to \$20,837,000 from the Massachusetts Water Resources Authority (MWRA) Local Water System Assistance Program Phase 3 as an interest-free ten-year loan to be paid in equal, annual installments. Commissioner McGonagle explained that the City has participated in this program since 1998 and has received approximately \$39 million in interest-free loans to update the water system. He explained that currently the department is working on Needham Street. The City will receive \$2,083,700 a year and will come back to Finance each year with the list of work that is being done. Maureen Lemieux, Chief Financial Officer explained that the administration will be having an internal CIP meeting for the utilities division where they will revisit the entire water, sewer and stormwater long-range plan.

Councilors asked the following questions:

Q: Is the request different than the MWRA loans that have been approved in the past?

A: Ms. Lemieux explained that the prior commitment was for approximately \$13,600,000 which was ten years ago so the borrowing amount for each year was \$1,060,000. The difference is the City will be borrowing \$700,000 more than in years past.

Q: Is the City just lining the mains?

A: Commissioner McGonagle explained that they line the mains with plastic pipe and also line the service lines to the property line. The resident is responsible from the property line to the house.

Q: What is the expected life of the plastic?

A: Commissioner McGonagle explained that the plastic pipe is estimated to last 50 years. He noted that the original pipes on Needham Street are from 1897 where the pipes were made of very thick iron which is not cost effective to use today.

Councilor Noel motioned to approve which passed unanimously.

Referred to Public Safety & Transportation and Finance Committees

#254-21

Amendments to Chapter 19 of the City of Newton Ordinances

COUNCILORS DOWNS AND BOWMAN requesting to amend Chapter 19 of the City of Newton Ordinances to allow Newton North High School TIGER permit holders to park in the Austin Street Municipal lot without time restrictions or additional meter charges on school days. This change extends a trial in the field that removes TIGER parking on Lowell Avenue for pedestrian safety and gives expanded room for parent drop-off while providing parking opportunities for the displaced permit holders in the Austin Street lot.

Public Safety & Transportation Approved 4-1-2, Councilor Oliver opposed, Councilors Malakie and Lucas abstaining and Councilor Lipof not voting on 06/23/2021

Action:

Finance Held 6-1 (Councilor Humphrey opposed)

Note: It was noted that when the Council first approved the building on Austin Street there was a study done to show how many spots would be required for the businesses and it would be helpful to know how this program will affect this. A Councilor also questioned how the trial of this program worked.

The Committee discussed holding this item until all of the parties involved can participate in the discussion.

Councilor Bowman joined the Committee to discuss the item as one of the co-docketers. She explained that this came up because a number of student parking spaces were taken away on Lowell Avenue in order to make a drop off zone as part of the Covid accommodations. But this item had also been discussed pre-Covid due to safety reasons and parents who were dropping off on Elm Road. The trial was discussed at meetings of the School Transportation working group which includes members of the City Council, School Committee, Newton Public Schools as well as City Staff. The trial was deemed successful and received approval of the principal and vice-principal of Newton North. If this is not approved it would be a loss of 20 parking spaces for TIGER permit holders.

A Councilor felt that the Committee should be discussing this item regarding the financial aspect only and should not hold the item at this time.

A Councilor expressed concern with holding this item due to the timing of when the TIGER permits will be issued.

A Councilor noted that these spaces can be critical for students who do need to go to after school jobs or other responsibilities.

A Councilor expressed that if the goal of the City is to reduce the number of cars on the road it seems counterproductive to add more spaces.

There was a question in Public Safety & Transportation on the discrepancy between the cost of the TIGER permit which is set at \$25 per school year and the cost of a bus pass which is \$350 per school year. There is also a discrepancy on the cost of a parking permit at Newton North versus Newton South. It was also noted that at Newton North only half the permits were sold upfront and then more were sold over the course of the school year, so holding this item should not affect this upcoming school year.

Councilor Bowman noted that at Public Safety & Transportation they were told that all of the permits have been sold in the past and the students that do age-in past a certain point in the fall are unable to purchase a permit. There are also a number of passes that are sold that are not used. There was also a discussion in the past on how much can be charged for the permit. The Newton South parking spaces are on school property so they are able to charge any amount. The Newton North spots are on the street so it was determined in the past, before the Municipal Modernization Act, that legally the school could not charge more than what it cost to administer the program. That is why the fee was set at \$25. That is not necessarily the case today, post the Municipal Modernization Act. The point of this item is to provide overflow spaces for students at the Austin Street parking lot. There have also been maps given to students that show the Austin Street lot as an available place to park with a TIGER permit.

The Committee held this item but there was a vote to reconsider when David Koses, Transportation Coordinator joined the meeting. The vote to reconsider passed 5-2 with Councilor Gentile and Malakie opposed.

It was noted that there should be other parties present for this conversation, such as representation from the police department, besides Mr. Koses.

Mr. Koses explained that this request would formalize a Traffic Council trial which was successful during the pandemic. He explained that the goal is to make Newton North safer for pedestrian drop-off and pick-up. The vote in Traffic Council was to create a new pick-up and drop-off area on Lowell Avenue, but that was one of the areas that allowed 18-20 parking spaces for TIGER permits. The decision was made to have a trial to allow those cars to park at the Austin Street lot instead. The high school administration approved the safer drop-off area at Lowell Avenue. Mr. Koses explained that now that the City is charging to park at meters again, there is a need to change the ordinance so that if a student has a TIGER permit they can continue to park in the Austin Street lot without paying. The Law Department has also worked on the attached draft ordinance. Additionally, Mr. Koses explained that before the Austin Street lot was reconstructed there was a portion of the lot dedicated for TIGER permits but it was underutilized because of the distance from the school. He further explained that they can continue to work on this program and that can include adjusting the number of permits. The committee could also discuss increasing the fee for the TIGER permits. There was legislation that was passed that now allows the City to charge more than what it costs to run the program. This request though, is to just continue what has happened this past year.

Councilors asked the following questions:

Q: What analysis has been done to show that the lot can sustain the businesses and the students?

A: Mr. Koses explained that this analysis hasn't been done but the lot has been underutilized by students in the past.

Q: Have the businesses been asked about how they feel about potentially losing spots?

A: Mr. Koses explained that they have not discussed this with the businesses.

Q: Can meters be bagged in the lot to continue the trial?

A: Mr. Koses explained that the point is that they don't expect many students parking in this lot. If we designate certain spots for TIGER permits, this would take those spots away from other users.

Q: Could there be a trial of students parking in the lot in which tickets aren't issued to vehicles with TIGER permits displayed?

A: Mr. Koses explained that this would need to be looked at by the Law Department.

Councilors made the following comments:

There is a concern that this trial was done during the pandemic so there would have been less students parking in the Austin Street Lot. It was noted that the trial should be continued instead of changing the ordinance.

Mr. Koses explained that there would be no way to continue the trial as is if there is no action taken because the City is now charging at the meters. The fear is that if the plan is to sell 150 permits and we continue to take away spots on Lowell Ave, there may not be enough places for permit holders to park.

There is a concern that the drop-off and pick-up area on Lowell Avenue will only be utilized during that time of day and is not used the rest of the day.

Mr. Koses explained that not passing this may cause confusion for students who have bought permits and received maps that include the Austin Street Lot.

Some Councilors felt it is important to have the Law Department at the next discussion to go over some of the points made at this meeting, including how much the City can charge for the TIGER permits.

The Committee discussed holding this item until all the parties involved could be made available.

Ms. Lemieux noted that she can get all of the people involved together this week to be able to have another meeting of the Finance Committee to discuss.

Councilor Gentile motioned to hold which passed 6-1 with Councilor Humphrey opposed.

Referred to Public Safety & Transportation and Finance Committees

#197-21

Request for Ordinance Amendment to prohibit firearms within any public building

COUNCILORS NORTON, GENTILE, KALIS, DANBERG, LAREDO, HUMPHREY, MALAKIE, GREENBERG, KRINTZMAN, DOWNS, LUCAS, BOWMAN, CROSSLEY, OLIVER, MARKIEWICZ, NOEL, WRIGHT, LIPOF AND GROSSMAN requesting amendments to the City of Newton Ordinances to prohibit the carrying of firearms in any building owned and under the control of the City of Newton. This ordinance shall not apply to law enforcement officers and/or any building owned by the City and operated as public housing. The proposed ordinance includes amendments to Chapter 17 Sec. 22-23 to include a fine of three hundred dollars (\$300.00), pursuant to the authority granted by G.L. c. 40, section 21D.

Public Safety & Transportation Approved 8-0 on 07/15/2021**Action:****Finance Held 7-0**

Note: John Carmichael, Chief of Police explained that in Massachusetts if someone has a license to carry, there is case law on how police officers may handle this situation. He explained that unless the police officer has reasonable suspicion that a crime is being committed or about to be committed, they cannot pat/frisk someone for carrying a firearm. Chief Carmichael explained that the police officer can demand that someone produce their license to carry. He expressed concern on how the police would approach someone under this proposed ordinance and requested further legal guidance on this.

The Committee discussed holding this item until the Law Department can weigh in.

Councilor Kalis motioned to hold which passed unanimously.

Referred to Programs & Services and Finance Committees

#253-21

Request for special legislation regarding the West Newton Armory

HER HONOR THE MAYOR requesting to petition the General Court for special legislation to increase the number of years the City of Newton is authorized to lease the West Newton Armory from the current period of sixty-five (65) years (as authorized by special legislation Acts 1981, c. 330) to a period of up to ninety-nine (99) years.

Programs & Services Approved 7-0 on 07/14/2021**Action:****Finance Approved 7-0**

Note: Barney Heath, Director of Planning & Development presented the request to petition the General Court for special legislation to increase the number of years the City of Newton is authorized to lease the West Newton Armory from the current period of sixty-five (65) years (as authorized by special legislation Acts 1981, c. 330) to a period of up to ninety-nine (99) years. Mr. Heath explained that a 99 year lease allows a developer to access low-income housing tax credits.

Councilor Kalis motioned to approve which passed unanimously.

Referred to Zoning & Planning and Finance Committees

#280-21

CPC Recommendation to appropriate \$441,755.29 in CPA funding

COMMUNITY PRESERVATION COMMITTEE recommending appropriation of four hundred forty-one thousand seven hundred fifty-five dollars and twenty-nine cents (\$441,755.29) from the Community Preservation Act FY22 Historic Resource Reserve Fund Account to the control of the Planning & Development Department to provide the remaining recommended funding needed to complete the Grace Episcopal Church Tower Restoration project for the stabilization and preservation of the historically significant ca. 1872 conical stone spire, tower and belfry.

Zoning & Planning Approved 6-1 (Councilor Ryan opposed, Councilor Baker not voting) on 07/26/2021

Action:**Finance Approved 5-2 (Councilor Humphrey and Noel opposed)****Note:**

Lara Kritzer, CPA Program Manager and Dan Brody, Community Preservation Committee member presented the request to appropriate \$441,755.29 from the Community Preservation Act FY22 Historic Resource Reserve Fund Account to the control of the Planning & Development Department to provide the remaining recommended funding needed to complete the Grace Episcopal Church Tower Restoration project for the stabilization and preservation of the historically significant ca. 1872 conical stone spire, tower and belfry. Mr. Brody explained that the CPC had recommended a total of \$1.4 million dollars for this project and had hoped to use only funds that had been set aside for historic preservation. A portion of the \$1.4 million has already been approved by the City Council but because the funds that are being requested tonight could not be made available until FY22, this item is before the Committee.

Scott Aquilina, Grace Church representative explained that the CPA funds that have been received have been helpful with their fundraising efforts and moving the project forward. He explained that they have also received funds from the Massachusetts Historic Commission and have been invited to submit an application for \$250,000 from the Lily Foundation. They have also launched the first phase of their capital campaign which is internal to the parish. The public part of the capital campaign is scheduled to begin in September. The project has been put out to bid and the Church is currently reviewing four bids. The goal is to award the bid in August and start the project in the fall.

Councilor Oliver motioned to approve which passed 5-2 with Councilors Humphrey and Noel opposed.

Referred to Zoning & Planning and Finance Committees

#252-21

Appropriation of \$643,215 for the Newton Housing Authority

DIRECTOR OF PLANNING & DEVELOPMENT requesting the appropriation of six hundred forty-three thousand two hundred and fifteen dollars (\$643,215) of Inclusionary Zoning funds to the Newton Housing Authority (NHA) to support the creation of 55 new units of affordable senior housing at the NHA's new Haywood House development.

Zoning & Planning Approved 7-0 (Councilor Baker not voting) on 07/26/2021

Action:**Finance Held 7-0**

Note: Barney Heath, Director of Planning & Development and Hannah Cross, Development Coordinator for the Newton Housing Authority presented the request to appropriate \$643,215 of Inclusionary Zoning funds to the Newton Housing Authority (NHA) to support the creation of 55 new units of affordable senior housing at the NHA's new Haywood House development. Mr. Heath explained that this is a request for the Newton Housing Authority to access their portion of the Inclusionary Housing fund that the City has. These funds have been granted in the past for projects that have an Inclusionary Zoning payment associated with them.

Councilors asked the following questions:

Q: Was this a part of the original budget for this project?

A: Ms. Cross explained that this is just a request for the Newton Housing Authority's portion of the Inclusionary funds and the intention was not necessarily to use these funds for the new Haywood House development. The funds are being requested at this time due to the increase in lumber costs which has impacted the project. The expectation now is that at least a portion of this amount will help fill that cost increase.

Q: If the funds are not needed will they be returned?

A: Ms. Cross explained that she believes the funds stay with the Newton Housing Authority and they are able to use this for projects that fall under their mission including the creation of affordable housing.

Q: How are these funds requested?

A: Mr. Heath explained that the Newton Housing Authority comes to Planning Department and explains how the funds will be used and it is approved by the Planning Board. After that vote the request goes to the Mayor's Office and the City Council. Mr. Heath added that part of the requirement is that the Newton Housing Authority needs to keep a ledger on how these funds will be used.

Q: How much is the contingency for the Haywood House project?

A: Ms. Cross explained that it is 5% so it is approximately \$1.5 million. The expectation is that they will exhaust this contingency and still need additional funding.

Q: What is the City's balance in the Inclusionary Zoning funds account?

A: Mr. Heath explained that he believes it is approximately \$900,000. The Comptroller's office provided the attached document after the conclusion of the meeting.

Q: What is the total project budget for Haywood House?

A: Ms. Cross explained that the total project budget is \$30 million.

Councilors made the following comments:

The Newton Housing Authority should wait until they are further along in the project to request additional funding because there could be other needs in the Newton Housing Authority that could use these funds.

Regarding the previous comment, Ms. Cross explained that they still have a construction contingency that has not been spent yet so the cost of the lumber could be paid through that. But they are early in the construction process so there may be other areas that need the additional funds.

Ms. Lemieux questioned if there would be an issue to hold this item since the cost of lumber may be decreasing and other costs are still unknown. Ms. Cross explained that they are already under contract so they are not anticipating any cost will be decreasing and she noted that the construction is already underway. Mr. Heath explained that there are a lot of unknowns with this site so there may be a need for this additional funding. Additionally, Ms. Cross explained that since the beginning, this project has had a tight budget and they have been going over every change in cost carefully.

Amy Zarechian, Executive Director of the Newton Housing Authority explained she does not believe that the request for these funds needs to be tied to a specific project based on what the Inclusionary Zoning ordinance states. She explained that the Newton Housing Authority has a number of projects that these funds could be used for.

It was noted that the docket item and request only speaks to the Haywood House project.

Ms. Zarechian also explained that these funds allow the City to look for other sources. She noted that the Newton Housing Authority can ask for the state to match these funds.

The Committee discussed the fact that this item should be re-docketed to state that these funds can be used for a number of Newton Housing Authority projects.

Councilor Kalis motioned to hold which passed unanimously.

The Committee adjourned at 10:15 p.m.

Respectfully submitted,

Rebecca Walker Grossman, Chair

CITY OF NEWTON

IN CITY COUNCIL

DRAFT

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chair Rebecca Walker Grossman, the authorization to accept and expend the sum of one thousand two hundred and fifty dollars (\$1,250) in grant funding from the Mass Humanities for the purpose of producing the Frederick Douglass reading of “What to the Slave is the Fourth of July?” be and is hereby approved.

Under Suspension of Rules
Readings Waived and Approved
DRAFT

(SGD) NADIA KHAN
Acting City Clerk

(SGD) RUTHANNE FULLER
Mayor

CITY OF NEWTON

IN CITY COUNCIL

DRAFT

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chair Rebecca Walker Grossman, the authorization to accept and expend the sum of one hundred fifty thousand nine hundred sixty-nine dollars (\$150,969) in grant funding from MassDOT's Shared Streets and Spaces Program be and is hereby approved.

Under Suspension of Rules
Readings Waived and Approved
DRAFT

(SGD) NADIA H KHAN
Acting City Clerk

(SGD) RUTHANNE FULLER
Mayor

Date _____

- 1) Which of the tasks in the Scope of Services have been completed, and which have not?
- 2) What are the "two conceptual sketches provide by the city" that are referred to in the original contract? Was one of those the basis for Ameresco's layout, or is this a choice still to be made?
- 3) The first amendment says the contract was to be completed on June 10. Did this not happen? Why not?
- 4) What works remains to be done that was not anticipated?
- 5) Which Conservation Commission meetings and Public Facilities meetings has this project been discussed at?
- 6) Has the drainage part of the design been completed, and if so, what is Environmental Partners Group's proposed recommendation?

- 1) All tasks have been completed except for the ones outlined in the docket request for the 37.5K including stormwater and drainage improvements and landscaping per con comm and DEP. Once these tasks are complete, the consultant will complete final design.
- 2) The conceptual sketches of the solar canopy layouts
- 3) The consultant completed the scope services in the original contract and first amendment. They could not complete the additional services without this requested amendment.
- 4) The only work that remains is in response to requests of the Conservation Commission and DEP.
- 5) Multiple meetings during the solar layout. The original request for 175K went to Finance as well as Public Facilities. DPW worked with Jenn Steele throughout design. There was one Conservation Commission for approval of the project.
- 6) Yes, see below for recommendation:

The proposed drainage improvements include the installation of a high performing stormwater management system that will exceed both the Massachusetts Stormwater Management Standards and the City of Newton's goals for reduction of phosphorus. As a redevelopment project, the proposed design is required to provide peak flow mitigation, water quality treatment, and groundwater recharge to the maximum extent practicable.

The proposed design uses environmentally sensitive site design and Low Impact Development (LID) techniques to reduce stormwater and non-point source pollution. These LID measures include porous asphalt, two small landscape planter areas, and an innovative low profile stormwater infiltration system. The system as designed infiltrates the entire one-inch storm, and there is zero discharge to DP1 for the one-inch storm. This approach results in

a reduction of total suspended solids over 80%, as well as a 95% reduction in phosphorus load.

Proposed stormwater features include the following:

- Deep sump hooded catch basins, 9 total
- Subsurface stormwater infiltration piping system with perforated HDPE pipes set in a bed of stone
- Two landscaped planter areas
- Porous asphalt pavement along perimeter parking areas.

The site's stormwater management system will discharge/overflow to the wetlands on site in the same general location as the existing stormwater outfall.

The best management practices (BMPs) incorporated into the proposed stormwater management system have been designed to meet the total suspended solid (TSS) removal requirements as set forth in the Massachusetts Department of Environmental Protection Stormwater Handbook standards.

CITY OF NEWTON

IN CITY COUNCIL

DRAFT

ORDERED:

That for the purpose of the costs associated with purchasing one New Volvo L120H Volvo 4.50 yard front end loader there be and hereby is appropriated and authorized to be borrowed under and pursuant to Chapter 44, Section 7(1) of the Massachusetts General Laws, as amended and supplemented or pursuant to any other enabling authority, the sum of three hundred twenty-five thousand nine hundred dollars (\$325,900), said amount to be expended under the direction of the Commissioner of Public Works.

Any premium received upon the sale of the bonds or notes, less the cost of preparing, issuing and marketing them, and any accrued interest received upon the delivery of the bonds or notes shall be: (i) applied, if so provided in the loan authorization, to the costs of the project being financed by the bonds or notes and to reduce the amount authorized to be borrowed for the project by like amount; or (ii) appropriated for a project for which the city has authorized a borrowing, or may authorize a borrowing, for an equal or longer period of time than the original loan, including any temporary debt.

Under Suspension Rules
Readings Waived and Approved
DRAFT

(SGD) NADIA KHAN
Acting City Clerk

(SGD) RUTHANNE FULLER
Mayor

Date: _____

CITY OF NEWTON

IN CITY COUNCIL

DRAFT

ORDERED:

That for the purpose of the costs associated with purchasing two 10-wheel swap loader trucks there be and hereby is appropriated and authorized to be borrowed under and pursuant to Chapter 44, Section 7(1) of the Massachusetts General Laws, as amended and supplemented or pursuant to any other enabling authority, the sum of seven hundred twenty-five thousand dollars (\$725,000), said amount to be expended under the direction of the Commissioner of Public Works.

Any premium received upon the sale of the bonds or notes, less the cost of preparing, issuing and marketing them, and any accrued interest received upon the delivery of the bonds or notes shall be: (i) applied, if so provided in the loan authorization, to the costs of the project being financed by the bonds or notes and to reduce the amount authorized to be borrowed for the project by like amount; or (ii) appropriated for a project for which the city has authorized a borrowing, or may authorize a borrowing, for an equal or longer period of time than the original loan, including any temporary debt.

Under Suspension Rules
Readings Waived and Approved
DRAFT

(SGD) NADIA KHAN
Acting City Clerk

(SGD) RUTHANNE FULLER
Mayor

Date: _____

CITY OF NEWTON

IN CITY COUNCIL

DRAFT

ORDERED:

That, in accordance with the recommendation of the Public Facilities Committee through its Chair Alison M. Leary and the Finance Committee through its Chair Rebecca Walker Grossman, the Commissioner of Public Works be and is hereby authorized to borrow in an amount not to exceed twenty million eight hundred thirty-seven thousand dollars (\$20,837,000) received from the Massachusetts Water Resources Authority for the purpose of funding sewer improvements as outlined in the City's Water/Sewer Strategic Plan.

Under Suspension Rules
Readings Waived and Approved
DRAFT

(SGD) NADIA KHAN
Acting City Clerk

(SGD) RUTHANNE FULLER
Mayor

Date: _____

CITY OF NEWTON

IN CITY COUNCIL

DRAFT

ORDERED:

That, in accordance with the recommendation of the Community Preservation Committee through its Chair, Mark Armstrong, the Zoning & Planning Committee through its Chair Deborah J. Crossley and the Finance Committee through its Chair Rebecca Walker Grossman, the appropriation of four hundred forty-one thousand seven hundred fifty-five dollars and twenty-nine cents (\$441,755.29) from the Community Preservation Act FY22 Historic Resource Reserve Fund Account to the control of the Planning & Development Department to provide the remaining recommended funding needed to complete the Grace Episcopal Church Tower Restoration project for the stabilization and preservation of the historically significant ca. 1872 conical stone spire, tower and belfry be and is hereby approved as follows:

FROM:	FY22 CPA Historic Budget Reserve-Historic Reserve (58B10498-57900B) \$441,755.29
TO:	CPA Historic Grace Church Tower-Undistributed (58B11413-579500) \$441,755.29

Under Suspension of Rules
Readings Waived and Approved
DRAFT

(SGD) NADIA H KHAN
Acting City Clerk

(SGD) RUTHANNE FULLER
Mayor

Date: _____

Docket # DRAFT FOR DISCUSSION (added language in red and underscored)

Chapter 19, Article VII, Division 2 PARKING METERS

Sec. 19-196. Enforcement.

It shall be the duty of the police department to take the parking meter number and the registration number of all vehicles whose operators violate the provisions pertaining to parking meters and to prosecute such violations under applicable law.

(a) Parking meters shall be in operation for the regulation of parking in parking meter zones Monday through Saturday from 8:00 a.m. to 6:00 p.m., except Sundays and legal holidays, during which time no time limits or fees shall be in effect, except for locations designated in section 19-196(b), where alternative enforcement times are specified.

(b) Parking meters shall be in operation for the regulation of parking meter zones Monday through Friday from 8:00 a.m. to 6:00 p.m. except Sundays and legal holidays, during which no time limits or fees shall be in effect, at the following locations:

Austin Street Parking Area

(c) On school days, no time limits or fees shall be in effect at any meter in the Austin Street Parking Area for vehicles properly displaying a valid Newton North High School Tiger Permit.

Revenues and Appropriations from FY16 to present

Date	Year	Period	BUDGET CODE	Account	Description	Amount
Newton Housing Authority Inclusionary Zoning						
Balance Forward from Prior Years						\$ 337,960
09/27/2016	2017	3	14Q114A	442009 - Special Permits Fees	RECEIPTS 090916J	36,216.00
11/09/2017	2018	4	14Q114A	5901-Transfer to General Fund	#319-17	(355,960.00) Appropriations out of IZ-Jackson Garden
10/07/2019	2021	1	5524R114	442009 - Special Permits Fees	RECEIPTS 092319	625,000.00 Munis
Balance in Account as of June 30, 2021						\$ 643,216
Newton Planning Department Inclusionary Zoning						
Balance Forward from Prior Years						\$ 195,550
09/10/2015	2016	2	14Q114B	442009 - Special Permits Fees	RECEIPTS 082115J	18,525.00
09/29/2015	2016	3	14Q114B	442009 - Special Permits Fees	RECEIPTS 091615J	38,461.50
07/05/2016	2016	13	14Q114B	442009 - Special Permits Fees	RECEIPTS 062316J	18,000.00
09/27/2016	2017	3	14Q114B	442009 - Special Permits Fees	RECEIPTS 090916J	36,216.00
12/11/2017	2018	5	14Q114B	5916 - Transfer to Home Grant	#349-17	(41,080.00) Appropriations out of IZ-Repay HOME funds
10/07/2019	2021	1	5525R114	442009 - Special Permits Fees	RECEIPTS 092319	625,000.00 Munis
Balance in Account as of June 30, 2021						\$ 890,672