



Finance Committee Agenda

City of Newton In City Council

Wednesday, January 29, 2020

7:00 PM
Room 211

Items scheduled for discussion:

Referred to Public Facilities and Finance Committees

#85-20 Approve \$1,000,000 for snow and ice removal

HER HONOR THE MAYOR requesting authorization to transfer the sum of one million dollars (\$1,000,000) from the Budget Reserve – Snow and Ice Removal Account to the following accounts:

DPW Overtime, Snow & Ice Removal
(0140123-513010)..... \$250,000
DPW Rental Vehicles/Subcontractors
(0140123-527301)..... \$750,000

Public Facilities Approved 5-0 (Councilor Kelley, Norton and Danberg not voting)

Referred to Public Safety & Transportation and Finance Committees

#87-20 Appropriate \$900,000 for Fire Rescue Full Time Salaries

HER HONOR THE MAYOR requesting authorization to appropriate and expend nine hundred thousand dollars (\$900,000) from June 30,2019 Certified Free Cash to Acct# 0121022-511001 Fire Rescue Full Time Salaries.

Public Safety & Transportation Approved 5-0

#82-20 Appropriate \$41,869 from E-Rate Funds to fund technology enhancements

HER HONOR THE MAYOR requesting authorization to appropriate and expend forty-one thousand eight hundred and sixty-nine dollars (\$41,869) from E-Rate reimbursement funds to purchase the conversion of the phone system at Williams Elementary School to Voice Over Internet Protocol (VoIP)

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 or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

#83-20 **Authorization to expend a \$3,000 US Food and Drug Administration Grant**
HER HONOR THE MAYOR requesting authorization to accept and expend a three thousand dollars (\$3,000) grant from the United States Food and Drug Administration for Environmental Health Specialist training.

#84-20 **Authorization to expend a \$200,000 Housing Choice Grant**
HER HONOR THE MAYOR requesting authorization to accept and expend a two hundred thousand dollar (\$200,000) Housing Choice Grant from the Department of Housing and Community Development to study the possibility of converting the West Newton Armory into affordable housing.

Chairs Note: *The Committee will discuss priorities for the 2020-2021 term.*

Respectfully submitted,

Rebecca Walker Grossman, Chair



City of Newton, Massachusetts
Office of the Mayor

RUTHANNE FULLER
MAYOR

85-20

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(617) 796-1100

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(617) 796-1113

TDD
(617) 796-1089

E-mail
rfuller@newtonma.gov

January 13, 2020

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

Councilors:

I respectfully submit a docket item to your Honorable Council requesting authorization to transfer the sum of \$1,000,000 from Acct # 0110498-597400 Reserve for Snow & Ice Removal to the following accounts:

| Account Name | Account # | Amount |
|------------------------------------|----------------|-----------|
| DPW Overtime, Snow & Ice Removal | 0140123-513010 | \$250,000 |
| DPW Rental Vehicles/Subcontractors | 0140123-527301 | \$750,000 |

Additional details are attached. Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller
Mayor

RECEIVED
NEWTON CITY CLERK
2020 JAN 13 PM 2:32
Marilyn A. Olson, CMC
Newton, MA 02459



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Office of the Mayor

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RUTHANNE FULLER
MAYOR

To: Councilor-at-Large Rebecca Grossman, Chairman Finance Committee
From: Maureen Lemieux, CFO *ML*
Subject: Expenditures for Snow/Ice Removal
Date: January 16, 2020

Throughout the past decade, the City has focused on eliminating the “structural deficit,” developing conservative financial forecasts, improving financial reserves, reducing the utilization of non-recurring funding sources to balance the annual budget, and making appropriate investments in the City’s capital infrastructure, and funding aggressively our significant liabilities for retiree benefits.

In particular, the City has been moving toward implementing expenditure budgets sufficient to address not less than 100% of projected operating requirements of the various departments of the City. Although the City has made significant progress in this endeavor, much remains to be done. The FY2020 municipal budget included a significant commitment to funding increases in snow/ice removal. “Snow Funding” is contained in two different areas of the budget as follows:

| | |
|---|-------------|
| DPW Budget | \$1,500,000 |
| Comptroller’s Office – Reserve for Snow/Ice Removal | \$3,000,000 |

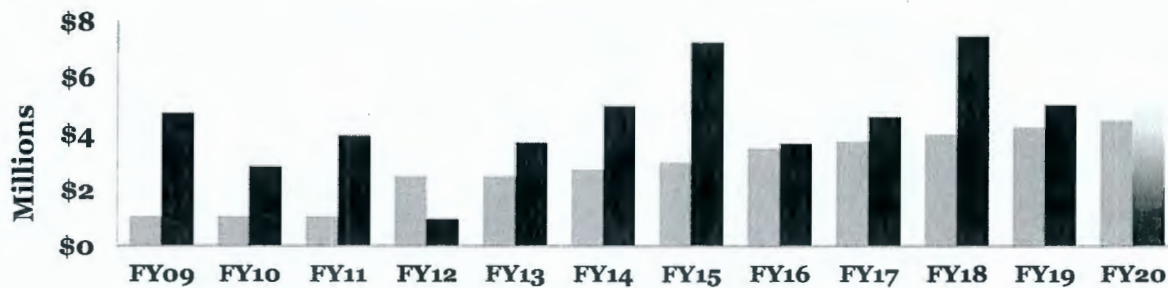
Throughout the course of the winter we carefully track our snow/ice expenditures. Once the DPW Department has exhausted its initial budget, we then submit docket items to the Honorable Council to transfer funds from the reserve. This enables the City Council to remain cognizant of the costs incurred each winter.

The policy of the Fuller Administration is to keep gradually increasing the amount of the “snow and ice” budget in the General Fund until it equals at least the average cost of the previous four or five years. The average of the previous five years is \$5.7 million. The appropriation for FY2020 increased by \$250,000 to \$4.5 million so we continue to have realistically five more years of increased appropriations to reach the target level. Notably, perhaps due to climate change, we have experienced our two highest years of snow and ice removal costs recently, in FY2015 and again in FY2018. When the costs of \$1 million from the tree damage experienced are included in the FY2018 storm costs, we exceeded the FY2015 costs. When the actual costs exceed the amount in the operating budget, we use the Budget Reserve and/or Free Cash to fund the difference.

Budgeted Appropriations vs. Actual Costs of Snow/Ice Removal

Gold - Annual Budget

Blue - Actual Costs



As of January 16th, the city has responded to 10 snow and ice events totaling 20.7 inches of snowfall. The city has spent a total of \$2,297,988 with an average cost of \$111,014 per inch of snow. It is quite common for the average cost per inch at this point in the year to be high. Fixed costs including Salt and Equipment Repairs drive this cost early in the winter. The cost per inch of snow should decrease as the winter progresses and the fixed costs are diluted.

The current snow expenses are detailed below:

| | Budgeted | Expenses | Balance |
|-------------------|------------------------|------------------------|----------------------|
| Total Personnel | \$ 683,300.00 | \$ 487,288.82 | \$ 196,011.18 |
| Total Contractors | \$ 1,400,000.00 | \$ 1,041,820.00 | \$ 358,180.00 |
| Salt | \$ 335,000.00 | \$ 301,246.07 | \$ 33,753.93 |
| Equipment | \$ 86,700.00 | \$ 467,643.42 | \$ (380,943.42) |
| Total | \$ 2,505,000.00 | \$ 2,297,998.31 | \$ 207,001.69 |

City of Newton



DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE COMMISSIONER

1000 Commonwealth Avenue
 Newton Centre, MA 02459-1449

Ruthanne Fuller

Mayor

To: Mayor Ruthanne Fuller
 Maureen Lemieux, CFO

From: Jim McGonagle, Commissioner of Public Works

Subject: Snow

Date: 1/16/20

I write to request that you docket for consideration a request to authorize the transfer of \$1,000,000 from Budget Reserve for Snow & Ice to the following accounts.

As of January 16th, the city has responded to 10 snow and ice events totaling 20.7 inches of snowfall. The city has spent a total of \$2,297,988 with an average cost of \$111,014 per inch of snow. The current snow expenses are detailed below:

| | Budgeted | Expenses |
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| Total Personnel | \$ 683,300.00 | \$ 487,288.82 |
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| Salt | \$ 335,000.00 | \$ 301,246.07 |
| Equipment | \$ 86,700.00 | \$ 467,643.42 |
| Total | \$ 2,505,000.00 | \$ 2,297,998.31 |

Sincerely,

Jim McGonagle
 Commissioner of DPW

Jim McGonagle
 Commissioner

Telephone: (617) 796-1009 • Fax: (617) 796-1050 • jmcgonagle@newtonma.gov



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Office of the Mayor

87-20

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rfuller@newtonma.gov

RUTHANNE FULLER
MAYOR

January 13, 2020

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

Councilors:

I respectfully submit a docket item to your Honorable Council requesting authorization to appropriate the sum of \$900,000 from June 30, 2019 Certified Free Cash to Acct # 0121022-511001 Fire Rescue Full Time Salaries.

The City has negotiated a Collective Bargaining Agreement with the I.A.F.F. Local 863 (Firefighters) through the end of this fiscal year, and a successor agreement covering the period FY2021 – FY2023. You will see in the attached agreements that the Firefighters have accepted language regarding “Fit for Duty” as well as changes in co-payments for health care. In exchange, the City has agreed to an adjustment to the grid (as was done in the last Police Patrol agreement), and a 3% Cost of Living Adjustment for each of the four years covered by the two agreements. It is important to note that 76% of the department is at the “top step” and receive no other increases beyond those delineated in these agreements.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller
Mayor

RECEIVED
Newton City Clerk
2020 JAN 13 PM 2:33
JAMES A. O'BRIEN, CMC
Newton, MA 02459

CITY OF NEWTON AND IAFF, LOCAL 863

MEMORANDUM OF AGREEMENT

1. WAGE OFFER

1-Year CBA

July 1, 2019 (FY20): 3% COLA, see attached grid with correction, as shown on Addendum A.

2. MISCELLANEOUS CBA CLEAN-UP

A. ARTICLE II (DUES AND AGENCY SERVICE FEE)

Delete Section 2.03 pertaining to agency fees.

B. ARTICLE IV (SPECIAL LEAVE)

Amend Section 4.08 as follows: "except that a maximum of two employees on a ladder company or Rescue 1 ..."

C. ARTICLE IVB (Injured Leave – Limited Duty/Limit on Annual Compensation)

Amend Section 4B.04 to read as follows:

"If the injury is not of a severity requiring such immediate emergency medical attention, the employee can elect to go to a CITY-appointed physician, or to the employee's health care provider. The CITY shall annually identify to the ASSOCIATION the name of the CITY-appointed physician no later than January 1 of each calendar year."

D. ARTICLE XX (HOLIDAYS)

Amend Section 20.02 to delete "Board of Aldermen" and replace with "City Council."

Amend Section 20.03 to delete "Board of Aldermen" and replace with "City Council."

E. ARTICLE XXV (APPROPRIATIONS)

Amend Section 24.01 to delete "Board of Aldermen" and replace with "City Council."

F. ARTICLE XXX (COVERAGE)

Amend Section 30.01 as follows: "No fewer than four (4) fire suppression employees on any ladder or Rescue 1 shall respond to an alarm."

G. ARTICLE XXXVI (Labor – Management and Emergency Medical Services Committee)

Amend Section 36.03 (E) and (F) to delete “Board of Aldermen” and replace with “City Council.”

H. Incorporate MOAs and any side-agreements between the City and IAFF into the CBA.

3. ARTICLE IV (SPECIAL LEAVE)

Amend Article IV to add new Section 4.08 as follows (and re-number accordingly):

4.08a When the Fire Chief has reasonable cause to suspect that an employee is unfit for duty, the employee shall be required to undergo a medical examination by a CITY-appointed physician to determine his/her fitness for duty. Reasonable cause shall be defined in this section as the Fire Chief having specific and articulable facts that an employee is unable to perform the essential functions of his/her position in the Fire Department. The CITY shall place the employee on paid administrative leave pending the results of his/her fitness for duty examination.

4.05b If the examination by the CITY-appointed physician reveals that the employee is fit for duty, he/she will immediately return to duty. If the examination by the CITY-appointed physician reveals that the employee is unfit for duty, the employee’s own special leave time will run from the time the employee is determined by the CITY-appointed physician to be unfit for duty, provided that the requirements for the use of special leave under this article are met. If it is determined that the employee is entitled to injury leave pursuant to Article IVB of this Agreement, he/she shall be granted leave without loss of pay under those provisions.

4.05c The employee, if found unfit for duty by the CITY-appointed physician and if he/she desires, may then request an examination by a physician of his/her own choice at the CITY’s expense. In the event that the employee’s physician and the CITY’s Physician disagree as to the employee’s fitness for duty, the employee’s physician and the CITY’s physician shall confer in an effort to resolve the disagreement. If the disagreement remains, the Director of Human Resources shall arrange for an examination of the employee by a physician selected from a pool of a minimum of five (5) physicians previously agreed upon by the ASSOCIATION and the CITY. Said physician shall be selected by either a representative of the ASSOCIATION or by a representative of said Director of Human Resources by lottery system. Such designated physician will examine the employee and render a written opinion as to whether or not the employee is fit for duty. The inquiry to the neutral physician will be in written submission sufficiently descriptive of such assignment and agreed upon by the ASSOCIATION and by the CITY. The determination of the neutral physician will be binding upon the employee involved, upon the ASSOCIATION and upon the CITY. If the neutral physician determines that the employee is fit for duty, the City shall credit back any special leave time used by the employee to cover his/or her absence from work during the examination process.

4.05d The CITY shall offer an employee who is found unfit for duty under this section the opportunity to participate in the CITY's Employee Assistance Program at the CITY's expense."

An SOP for the Department of Human Resources for the administration of Section 4.08 is attached to this MOA as Addendum B.

4. ARTICLE XXVII (LONGEVITY)

Effective July 1, 2019, Section 27.01 shall be amended to add the following:

| | Annual | Weekly |
|-------------|--------|---------|
| 5 - 9 years | \$750 | \$14.42 |

5. ARTICLE XXXV (DRUG SCREENING)

Amend Article XXXV (Drug Screening) as shown on Addendum C.

6. ARTICLE XXXVIII (DURATION)

Amend Section 38.01 to replace with effective dates: July 1, 2019 to June 30, 2020.

7. APPENDIX A, SECTION 9

Amend Appendix A, Section 9, as follows:

~~"Notwithstanding the prior provisions of this Section, in the case of prolonged illness or injury absences of officers, after thirty (30) days of such absence, the CITY shall make a provisional temporary appointment from a certified civil service promotional list to fill the position until the permanent officer returns to active duty. The opportunity for such out of grade compensation shall be allocated on the basis of ranking of employees on the promotional list involved; provided, however, that once the highest ranking employee on such list has been given the opportunity for such out of grade compensation, the opportunity for such compensation on the next occasion of an officer absence in the rank involved shall be given to the next highest ranking employee on the list involved, and such allocation based on descending ranking of employees on such list shall continue for further occasions of officer absences. The term "occasion of absences" as used herein refers to any consecutive number of tours of absence of an officer, with any number of such consecutive tours constituting one (1) such occasion. When all employees on the list have been given the opportunity for out of grade compensation pursuant to descending ranking on the list, the allocation of out of grade compensation upon the next occasion of officer absence shall be given to the highest ranking employee on the list in order to maintain the allocation of opportunity rotation system. If no certified promotional list exists for a given rank, allocation among employees in the immediately lower rank of out of grade compensation opportunity to serve in the next higher rank shall be made pursuant to the Fire Chief's discretion."~~

IAFF, LOCAL 863

CITY OF NEWTON

By: _____

By: *U. G.*

By: _____

By: _____

By: _____

By: _____

Approved as to form and legality:

By: *D. D. M.*

Date:

Date:

Newton Fire Department - Proposed Grid
CITY OF NEWTON, MASSACHUSETTS
EFFECTIVE July 1, 2019

09-Dec-19
 mil

| Grade | 102.00% | Grid Correction | 103.00% | 103.00% | 103.00% | 103.00% |
|--------|---------------|-----------------|---------------|---------------|---------------|---------------|
| | FY19 RATE | July 1, 2019 | FY20 RATE | FY21 RATE | FY22 RATE | FY23 RATE |
| FF-Tr | \$ 51,759.23 | \$ 51,759.23 | \$ 53,312.01 | \$ 54,911.37 | \$ 56,558.71 | \$ 58,255.47 |
| | \$ 995.37 | \$ 995.37 | \$ 1,025.23 | \$ 1,055.99 | \$ 1,087.67 | \$ 1,120.30 |
| FF-01 | \$ 51,759.23 | \$ 51,759.23 | \$ 53,312.01 | \$ 54,911.37 | \$ 56,558.71 | \$ 58,255.47 |
| | \$ 995.37 | \$ 995.37 | \$ 1,025.23 | \$ 1,055.99 | \$ 1,087.67 | \$ 1,120.30 |
| FF-02 | \$ 53,815.89 | \$ 53,815.89 | \$ 55,430.37 | \$ 57,093.28 | \$ 58,806.08 | \$ 60,570.26 |
| | \$ 1,034.92 | \$ 1,034.92 | \$ 1,065.97 | \$ 1,097.95 | \$ 1,130.89 | \$ 1,164.81 |
| | 3.97% | 3.97% | 3.97% | 3.97% | 3.97% | 3.97% |
| FF-03 | \$ 55,986.81 | \$ 55,986.81 | \$ 57,666.41 | \$ 59,396.41 | \$ 61,178.30 | \$ 63,013.65 |
| | \$ 1,076.67 | \$ 1,076.67 | \$ 1,108.97 | \$ 1,142.24 | \$ 1,176.51 | \$ 1,211.80 |
| | 4.03% | 4.03% | 4.03% | 4.03% | 4.03% | 4.03% |
| FF-04 | \$ 58,214.86 | \$ 58,214.86 | \$ 59,961.30 | \$ 61,760.14 | \$ 63,612.94 | \$ 65,521.33 |
| | \$ 1,119.52 | \$ 1,119.52 | \$ 1,153.10 | \$ 1,187.69 | \$ 1,223.33 | \$ 1,260.03 |
| | 3.98% | 3.98% | 3.98% | 3.98% | 3.98% | 3.98% |
| FF-05 | \$ 60,557.16 | \$ 60,557.16 | \$ 62,373.88 | \$ 64,245.09 | \$ 66,172.44 | \$ 68,157.62 |
| | \$ 1,164.56 | \$ 1,164.56 | \$ 1,199.50 | \$ 1,235.48 | \$ 1,272.55 | \$ 1,310.72 |
| | 4.02% | 4.02% | 4.02% | 4.02% | 4.02% | 4.02% |
| FF-06 | \$ 62,956.60 | \$ 62,956.60 | \$ 64,845.29 | \$ 66,790.65 | \$ 68,794.37 | \$ 70,858.20 |
| | \$ 1,210.70 | \$ 1,210.70 | \$ 1,247.02 | \$ 1,284.44 | \$ 1,322.97 | \$ 1,362.66 |
| | 3.96% | 3.96% | 3.96% | 3.96% | 3.96% | 3.96% |
| FF-07 | \$ 64,841.87 | \$ 66,790.65 | \$ 67,439.10 | \$ 69,462.28 | \$ 71,546.15 | \$ 73,692.53 |
| | \$ 1,246.96 | \$ 1,259.13 | \$ 1,296.91 | \$ 1,335.81 | \$ 1,375.89 | \$ 1,417.16 |
| | 2.99% | 4.00% | 4.00% | 4.00% | 4.00% | 4.00% |
| FF-08 | \$ 66,498.62 | \$ 68,794.37 | \$ 70,136.67 | \$ 72,240.77 | \$ 74,407.99 | \$ 76,640.23 |
| | \$ 1,278.82 | \$ 1,309.50 | \$ 1,348.78 | \$ 1,389.25 | \$ 1,430.92 | \$ 1,473.85 |
| | 2.56% | 4.00% | 4.00% | 4.00% | 4.00% | 4.00% |
| LT | \$ 80,795.82 | \$ 82,784.05 | \$ 85,216.05 | \$ 87,772.53 | \$ 90,405.71 | \$ 93,117.88 |
| | \$ 1,553.77 | \$ 1,591.04 | \$ 1,638.77 | \$ 1,687.93 | \$ 1,738.57 | \$ 1,790.73 |
| | 21.50% | 21.50% | 21.50% | 21.50% | 21.50% | 21.50% |
| CAPT | \$ 94,531.11 | \$ 96,982.24 | \$ 99,702.78 | \$ 102,693.86 | \$ 105,774.68 | \$ 108,947.92 |
| | \$ 1,817.91 | \$ 1,861.52 | \$ 1,917.36 | \$ 1,974.88 | \$ 2,034.13 | \$ 2,095.15 |
| | 17.00% | 17.00% | 17.00% | 17.00% | 17.00% | 17.00% |
| DEP CH | \$ 110,601.40 | \$ 112,784.52 | \$ 116,652.25 | \$ 120,151.82 | \$ 123,756.38 | \$ 127,469.07 |
| | \$ 2,126.95 | \$ 2,177.97 | \$ 2,243.31 | \$ 2,310.61 | \$ 2,379.93 | \$ 2,451.33 |
| | 17.00% | 17.00% | 17.00% | 17.00% | 17.00% | 17.00% |

ADDENDUM A

ADDENDUM B

**CITY OF NEWTON
DEPARTMENT OF HUMAN RESOURCES
FITNESS FOR DUTY STANDARD OPERATING PROCEDURE**

- A. HR receives a report from the Fire Chief or Assistant Chief of Operations requesting a fitness for duty examination, setting forth with specificity the reason(s) for the exam and attaching supporting documentation, if any, with a copy to the IAFF.
- B. HR transmits the report from the Fire Chief or Assistant Chief of Operations, in addition to a job description for the position held by the employee in the Fire Department, to the City Physician with a written request to conduct a fitness for duty examination, with a copy to the IAFF.
- C. HR coordinates the placement of the employee on paid administrative leave during the pendency of the fitness for duty examination and communicates with the employee to set an appointment date and time with the City Physician.
- D. The City Physician shall conduct a fitness for duty examination, and he/she shall determine whether the employee is either: fit for duty or not fit for duty. The City Physician may refer the employee to a specialist if it is medically necessary prior to making his/her determination.
- E. In all cases, the City Physician shall act in the best interest of the employee's health and welfare.
- F. The City Physician shall communicate his/her fitness for duty findings in writing to HR.
- G. HR shall communicate the City Physician's fitness for duty findings to the Fire Chief or Assistant Chief of Operations, with a copy to the IAFF.
- H. HR and the Fire Department shall at all times keep employees' medical information confidential, as required by federal and state law.
- I. HR shall coordinate the City's payment for the fitness for duty examinations.
- J. This process shall not conflict with an employee's rights under the CBA or the FMLA, or any other applicable federal or state law.
- K. Changes to this SOP during the term of this CBA shall only be made by the CITY by proposal in writing to the IAFF and with the assent of the IAFF, which shall not be unreasonably withheld.

ADDENDUM CARTICLE XXXV

Drug and Alcohol Screening

35.01 The Fire Chief, or his/her designee in the Chief's absence, for reasonable cause may require that a firefighter submit a test sample forthwith for drug screening and alcohol screening to be administered by the City Physician, the Nurse Practitioner, or the City Physician's designee. Failure to provide the test sample as directed will result in disciplinary action. The testing procedures will be prescribed by the City Physician's office. Alcohol screening shall be by breathalyzer only, and a calibration document from the contractor shall be provided to the ASSOCIATION with each screening.

35.02 (a) The firefighter may initiate a review of the Chief's directive. Immediately upon receipt of the Chief's directive, the firefighter will sign a form, either accepting the directive or requesting a review of it. Failure to sign the form immediately shall be deemed waiver of the firefighter's right to review the directive.

(b) The Chief's directive shall be reviewed by a committee of three comprised of two bargaining unit appointees by the Chief and one unit appointee by the ASSOCIATION. The Chief and the ASSOCIATION shall appoint people who, in each instance, are able to comply with the 24 hour time constraints for concluding the appeal as referenced in Paragraph 2(g), below.

(c) The review shall be an informal process. The committee will determine its own procedures; provided, however, that the committee will meet for the conduct of all of its business. The purpose is to determine only whether or not the Chief has information which establishes reasonable cause to request screening. The firefighter is not a participant in this portion of the process.

(d) The Chief or his designee will present his information to the committee. The committee may, if it feels that it is necessary, request corroboration of information, if it is available. The Chief or his designee will determine whether or not and to what extent to provide the additional information.

- (e) The committee will make a decision, by majority vote, based upon the information presented.
- (f) During the pendency of this review process, the Chief reserves the right to determine the firefighter's working status and assignment. This does not restrict the Chief from imposing discipline for violations of department rules, regulations, and/or policies.
- (g) The review is to be conducted and concluded within twenty-four (24) hours of the time the Chief requested the test, or as soon thereafter as is practicable.
- (h) If the review committee determines that the drug and alcohol screening is warranted, such testing shall be conducted immediately.
- (i) If the review committee finds that the test is not warranted, the sample shall not be tested and shall be destroyed.
- (j) The firefighter may, at the time the sample is provided, request that he/she be provided with a non-tested sample, and the City Physician's office shall so provide it.
- (k) The decision of the review committee shall be final and binding and not subject to the grievance and arbitration provisions of this Agreement.
- (l) The results of the screening test shall be given to the Chief and the firefighter.

35.03 Procedure following a positive test result:

The presence of greater than 0.04 alcohol content in the blood, or a verified positive drug test for illegally-used drugs, non-prescribed drugs or non-prescribed controlled substances shall be considered a violation of this Article. An "illegally-used drug" is defined as the ingestion of prescribed or over-the-counter medication in amounts beyond the prescribed or recommended dosage, or taken after the prescribed period of time.

- (a) A first offender is someone who has never previously tested positive for the presence of alcohol, or non-prescribed drugs or controlled substances.

(b) The CITY recognizes that clinical treatment and/or rehabilitative treatment for drug and/or alcohol use may be the appropriate course of action in some circumstances. The Chief may, at his discretion, request a first offender who tested positive for any class of illegal controlled substances, in addition to being subject to disciplinary action, to participate in an approved rehabilitation program in the CITY's Employee Assistance Program. The Chief, however, reserves the right immediately to impose discipline in the following circumstances:

- (1) The firefighter purchased, sold, possessed, or used drugs, or engaged in any other illegal drug offenses while on duty.
 - (2) The firefighter's job performance or ability to perform his/her work was impaired by the use of drugs.
- (c) (1) In circumstances other than those described in paragraph (b) above, as follows:
- a. A positive test for alcohol and/or any illegal drug;
 - b. If the offense occurred during non-working hours; and,
 - c. If the firefighter's performance or ability to perform his/her work was not impaired; the Chief may also impose discipline. However, the firefighter will be offered the opportunity to participate in the CITY's Employee Assistance Program. If he/she accepts the offer he/she must fully cooperate with the City Physician's office in providing information and in complying completely with whatever rehabilitation program is designed for him/her.
- (2) During the period of rehabilitation, the discipline will be stayed provided the firefighter does not, in any manner, violate the terms and conditions of his/her rehabilitation program.
 - (3) Upon the successful completion of the rehabilitation, the employee's records will so note, and the disciplinary action will be withdrawn and the case terminated.
- (d) Any second or subsequent offenses will result in immediate discipline, including termination.
- (e) Civil Service Rights - Grievance - Arbitration Rights

An employee or the ASSOCIATION can obtain neutral review of the application of the provisions of Article XXXVI by the CITY/Chief upon only the following basis:

- (1) The Chief's directive (Paragraph 1) requiring a firefighter to submit a sample for testing may only be reviewed by the committee process established in Paragraph 2 and may not be reviewed by grievance-arbitration or through Civil Service.
- (2) The review committee's decisions as to whether or not a sample is to be tested are final and binding and not subject to any review process whatsoever.
- (3) The remaining provisions of this article may be reviewed as follows. a. the ASSOCIATION can appeal all grievance issues, including the discipline, to Grievance Arbitration. As a condition precedent to grieving discipline, the employee must waive his Massachusetts Civil Service rights OR b. (1) The employee may appeal his/her discipline to Civil Service AND/OR (2) Subject to the foregoing exclusions, the ASSOCIATION can process to Grievance Arbitration allegations that the CITY/Chief has violated the provisions of this Article; however, if an employee utilizes the provisions of Paragraph 36.03 (e) 3b.(1) regarding appeal of discipline to Civil Service, the ASSOCIATION cannot arbitrate the discipline made the subject of such Civil Service appeal.

35.04 Notwithstanding any other provisions of this Article, any firefighter who is to be offered a promotional position, i.e., Lieutenant, Captain, and/or Deputy Chief, shall, as a prepromotional condition, submit to drug and alcohol screening tests as directed by the Chief or his/her designee.

35.05 Notwithstanding any other provisions of this Article, firefighters who have volunteered for and who are to be offered certain specialist assignments shall, as a preassignment condition, submit to drug and alcohol screening tests as directed by the Chief or the Assistant Chief.

The specialist assignment subject to pre-appointment drug and alcohol screening is: staff or day position.

35.06 Notwithstanding the provisions of this Article, the CITY and the Chief, or the Assistant Chief, reserve the right to require urinalysis screening testing and alcohol screening in accordance with law. Further, the CITY reserves its legal rights to administer tests to firefighters who are suspects in criminal and/or departmental investigations.

35.07 The provisions contained in this Article are as and between the CITY and the ASSOCIATION relative to their rights and responsibilities under the provision of M.G.L. c. 150E. In agreeing to these

provisions, the ASSOCIATION is not intending to waive any constitutional rights of individual bargaining unit employees.

END OF DOCUMENT

CITY OF NEWTON AND IAFF, LOCAL 863MEMORANDUM OF AGREEMENT1. WAGE OFFER3-Year CBA

July 1, 2020 (FY21): 3% COLA

July 1, 2021 (FY22): 3% COLA

July 1, 2022 (FY23): 3% COLA

See Addendum A, attached.

2. FISCAL YEAR 2021 (JULY 1, 2020 – JUNE 30, 2021)A. ARTICLE XI (HOSPITALIZATION AND MEDICAL PROGRAM)

Effective 1, 2020, Article XI shall be replaced as follows:

"14.01 The CITY will provide group health coverage with schedule of benefits or its equivalent for all eligible families and individuals that is currently in effect. The CITY will pay 80% of the premiums or costs of all health plans.

- Effective July 1, 2011, there will be:

- A. 75% contribution for all newly insured employees;
- B. Mandatory mail-order for all maintenance medications;
- C. Outpatient day surgery co-pay: \$100/visit;
- D. Emergency Room co-pay: \$100/visit;
- E. Deductible of \$250 (individual) / \$500 (family), with an annual out-of-pocket max of \$1,000 (individual) / \$2,500 (family); and
- F. Preventative care: \$0 co-pay/visit

- Effective July 1, 2012, the POS flat rate shall equal the HMO rate.

- Effective July 1, 2020, there will be:

- A. Physician Office Visit co-pay: \$25/visit
- B. Specialist Office Visit co-pay: \$40/visit

- C. 30-day prescription drug co-pay:
 - Tier 1: \$20
 - Tier 2: \$30
 - Tier 3: \$50
- D. Retail Clinic (as defined by the City's Plan) Visit co-pay: \$5/visit
- E. Urgent Care (as defined by the City's Plan) Visit co-pay: \$10/visit

B. ARTICLE XXI (WORK WEEK)

Amend Section 21.01a as follows:

"The work week for members of Fire Prevention, Training Division, Communications Officer and Storekeeper shall be four 10 hour days, 40 hours per week. Regular hours shall be 7:00 am to 5:00 pm. **Employees working the ten (10) hour day shift with a regularly scheduled day off from work on a holiday shall take a day off as follows:**

| <u>HOLIDAY</u> | <u>DAY OFF</u> |
|----------------|---------------------|
| Monday | Tuesday |
| Tuesday | Wednesday |
| Wednesday | Tuesday or Thursday |
| Thursday | Wednesday |
| Friday | Thursday |

However, no more than two (2) employees from each division shall be allowed to take the same day off on any remaining day of the week. In the case when a holiday falls on a Wednesday, the Chief of Department shall determine whether Tuesday or Thursday of that same week shall be taken as the day off. Employees who are not able to take another day off during the same week shall be allowed to take another day off the following week to be assigned by the Chief of Department. In the event of an unforeseen circumstance, the Chief of Department may allow an additional member time off during the holiday week."

C. ARTICLE XXVI (VACATION BENEFITS)

Amend Section 26.01 as follows:

"Effective July 1, 2020

- (c) Eligible employees who have completed an aggregate of twenty-five (25) years of service in the employ of the CITY shall be entitled to a total of six (6) weeks of vacation annually commencing with the calendar year in which they complete such service, provided in each instance that they are entitled to a vacation in such calendar year under the provisions of §2-65 of the 1995 Revised Ordinances of the City."

D. ARTICLE XXXIII (PAID DETAILS)

Section 33.05 shall be amended as follows:

"33.05 The hourly rate of pay will be \$50.00 for private duty details and \$45.00 for City of Newton duty details. For all details, except City of Newton details, the detail rate for weekends, evenings (10:00 pm – 6:00 am) or holidays shall be increased by \$5.00 over the regular rate in addition to the surcharge."

E. APPENDIX A, SECTION 8 (EMT STIPEND)

Amend this section as follows:

"Effective July 1, 2020, upon certification as an EMT, firefighters shall be paid an annual lump sum of \$1,500.00."

F. On or before July 1, 2020, the City shall implement a Cancer Screening Program for all members of the bargaining unit, which shall be established and maintained by the Fire Department and the Department of Human Resources, upon consultation with the IAFF.

3. FISCAL YEAR 2023 (JULY 1, 2022 – JUNE 30, 2023)

On or before July 1, 2022, the City and the union shall conduct an internal feasibility study on the prospect of retired firefighters working paid City and private details.

4. ARTICLE XXXVIII (DURATION)

Amend Section 38.01 to replace with effective dates: July 1, 2020 to June 30, 2023.

IAFF, LOCAL 863

CITY OF NEWTON

By: [Signature] 1/6/20 2019

By: [Signature]

By: [Signature] 12-16-19

By: [Signature] 12-16-19

By: _____

By: _____

Approved as to form and legality:

By: [Signature]

Date:

Date:

ADDENDUM A

Newton Fire Department - Proposed Grid
CITY OF NEWTON, MASSACHUSETTS
EFFECTIVE July 1, 2019

09-Dec-19
 mill

| Grade | 102.00% | | 103.00% | 103.00% | 103.00% | 103.00% |
|--------|---------------|---------------|---------------|---------------|---------------|---------------|
| | FY19 RATE | July 1, 2019 | FY20 RATE | FY21 RATE | FY22 RATE | FY23 RATE |
| FF-Tr | \$ 51,759.23 | \$ 51,759.23 | \$ 53,312.01 | \$ 54,911.37 | \$ 56,558.71 | \$ 58,255.47 |
| | \$ 995.37 | \$ 995.37 | \$ 1,025.23 | \$ 1,055.99 | \$ 1,087.67 | \$ 1,120.30 |
| FF-01 | \$ 51,759.23 | \$ 51,759.23 | \$ 53,312.01 | \$ 54,911.37 | \$ 56,558.71 | \$ 58,255.47 |
| | \$ 995.37 | \$ 995.37 | \$ 1,025.23 | \$ 1,055.99 | \$ 1,087.67 | \$ 1,120.30 |
| FF-02 | \$ 53,815.89 | \$ 53,815.89 | \$ 55,430.37 | \$ 57,093.28 | \$ 58,806.08 | \$ 60,570.26 |
| | \$ 1,034.92 | \$ 1,034.92 | \$ 1,065.97 | \$ 1,097.95 | \$ 1,130.89 | \$ 1,164.81 |
| | 3.97% | 3.97% | 3.97% | 3.97% | 3.97% | 3.97% |
| FF-03 | \$ 55,986.81 | \$ 55,986.81 | \$ 57,666.41 | \$ 59,396.41 | \$ 61,178.30 | \$ 63,013.65 |
| | \$ 1,076.67 | \$ 1,076.67 | \$ 1,108.97 | \$ 1,142.24 | \$ 1,176.51 | \$ 1,211.80 |
| | 4.03% | 4.03% | 4.03% | 4.03% | 4.03% | 4.03% |
| FF-04 | \$ 58,214.86 | \$ 58,214.86 | \$ 59,961.30 | \$ 61,760.14 | \$ 63,612.94 | \$ 65,521.33 |
| | \$ 1,119.52 | \$ 1,119.52 | \$ 1,153.10 | \$ 1,187.69 | \$ 1,223.33 | \$ 1,260.03 |
| | 3.98% | 3.98% | 3.98% | 3.98% | 3.98% | 3.98% |
| FF-05 | \$ 60,557.16 | \$ 60,557.16 | \$ 62,373.88 | \$ 64,245.09 | \$ 66,172.44 | \$ 68,157.62 |
| | \$ 1,164.56 | \$ 1,164.56 | \$ 1,199.50 | \$ 1,235.48 | \$ 1,272.55 | \$ 1,310.72 |
| | 4.02% | 4.02% | 4.02% | 4.02% | 4.02% | 4.02% |
| FF-06 | \$ 62,956.60 | \$ 62,956.60 | \$ 64,845.29 | \$ 66,790.65 | \$ 68,794.37 | \$ 70,858.20 |
| | \$ 1,210.70 | \$ 1,210.70 | \$ 1,247.02 | \$ 1,284.44 | \$ 1,322.97 | \$ 1,362.66 |
| | 3.96% | 3.96% | 3.96% | 3.96% | 3.96% | 3.96% |
| FF-07 | \$ 64,841.87 | \$ 64,841.87 | \$ 67,439.10 | \$ 69,462.28 | \$ 71,546.15 | \$ 73,692.53 |
| | \$ 1,246.96 | \$ 1,259.13 | \$ 1,296.91 | \$ 1,335.81 | \$ 1,375.89 | \$ 1,417.16 |
| | 2.99% | 4.00% | 4.00% | 4.00% | 4.00% | 4.00% |
| FF-08 | \$ 66,498.62 | \$ 66,498.62 | \$ 70,136.67 | \$ 72,240.77 | \$ 74,407.99 | \$ 76,640.23 |
| | \$ 1,278.82 | \$ 1,309.50 | \$ 1,348.78 | \$ 1,389.25 | \$ 1,430.92 | \$ 1,473.85 |
| | 2.56% | 4.00% | 4.00% | 4.00% | 4.00% | 4.00% |
| LT | \$ 80,795.82 | \$ 80,795.82 | \$ 85,216.05 | \$ 87,772.53 | \$ 90,405.71 | \$ 93,117.88 |
| | \$ 1,553.77 | \$ 1,591.04 | \$ 1,638.77 | \$ 1,687.93 | \$ 1,738.57 | \$ 1,790.73 |
| | 21.50% | 21.50% | 21.50% | 21.50% | 21.50% | 21.50% |
| CAPT | \$ 94,531.11 | \$ 94,531.11 | \$ 99,702.78 | \$ 102,693.86 | \$ 105,774.68 | \$ 108,947.92 |
| | \$ 1,817.91 | \$ 1,861.52 | \$ 1,917.36 | \$ 1,974.88 | \$ 2,034.13 | \$ 2,095.15 |
| | 17.00% | 17.00% | 17.00% | 17.00% | 17.00% | 17.00% |
| DEP CH | \$ 110,601.40 | \$ 110,601.40 | \$ 116,652.25 | \$ 120,151.82 | \$ 123,756.38 | \$ 127,469.07 |
| | \$ 2,126.95 | \$ 2,177.97 | \$ 2,243.31 | \$ 2,310.61 | \$ 2,379.93 | \$ 2,451.33 |
| | 17.00% | 17.00% | 17.00% | 17.00% | 17.00% | 17.00% |



RUTHANNE FULLER
MAYOR

City of Newton, Massachusetts
Office of the Mayor

82-20

Telephone
(617) 796-1100

Telefax
(617) 796-1113

TDD
(617) 796-1089

E-mail
rfuller@newtonma.gov

January 13, 2020

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

Councilors:

I respectfully submit a docket item to your Honorable Council requesting authorization to appropriate E-Rate funds in the amount of \$41,869 to the Newton Public Schools from June 30, 2019 Certified Free Cash.

These funds will primarily be used to fund the conversion of the phone system at Williams Elementary School to Voice Over Internet Protocol (VoIP). An explanation of the E-Rate program is attached.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller
Mayor

RECEIVED
NEWTON CITY CLERK
2020 JAN 13 PM 2:32
JAVIER A. OLSON, CMC
NEWTON, MA 02459



Memorandum

TO: David Fleishman, Superintendent
School Committee

FROM: Liam Hurley, Assistant Superintendent/Chief Financial and Administrative Officer

DATE: February 11, 2019

RE: E-Rate Funds for School Technology Spending

A request from the School Committee to the Mayor is needed to docket with City Council the approval to appropriate the E-Rate funds collected through February 2019 to the School Department.

Attached is a detailed request from Steven Rattendi, Interim Director of Information Technology and Library Services, for district technology purchases to be made using the funds received from E-Rate (Universal Service Discount) reimbursements. The new funds will be used for the conversion of the phone system at Williams Elementary School to VOIP (Voice Over Internet Protocol). The FY18 funds collected total \$41,869.50. Per agreement with the City Council, the School Committee must request appropriation of these funds for the purpose of purchasing technology items. I have enclosed the April 29, 1998, memo with this provision and agreement. Since FY99, \$1,743,378.50 has been received. This request for updating the phone system at Williams Elementary School has been prepared by Steven Rattendi in keeping with the current technology plan for Newton. Please see the table on the next page for a listing of all E-rate funds received and appropriated from FY99 to the present.

In order to access these funds, the School Committee must vote to request them from the City Council. After such vote, the School Committee must send a letter to the Mayor and City Council requesting that this item be placed on the docket.

Attachments

- cc: Susan Dzikowski, Comptroller
- Maureen Lemieux, Chief Financial Officer
- Mary Eich, Assistant Superintendent for Teaching & Learning
- Steven Rattendi, Interim Director of Information Technology and Library Services



NEWTON SCHOOL COMMITTEE

| WARD | |
|------|---------------------------|
| I | Bridget Ray Canada |
| II | Margret Albright |
| III | Anping Shen |
| IV | Diana Fisher Gomberg |
| V | Steven Siegel, Vice Chair |
| VI | Ruth Goldman, Chair |
| VII | Kathy Shields |
| VIII | Matthew Miller |

May 21, 2019

Mayor Ruthanne Fuller
Newton City Hall
1000 Commonwealth Ave.
Newton Centre, MA 02459

Dear Mayor Fuller:

At the meeting of 2/11/19, the School Committee voted to approve the request to appropriate E-Rate funds collected through February 2019 to the School Department in the amount of \$41,869. The money will enable the IT department to convert the phone system at Williams Elementary School to VOIP (Voice Over Internet Protocol).

This request and the recommended uses for the funding are within the prescribed process and policy on use of E-rate funds, as referenced in the attached memorandum from David Wilkinson.

The Committee requests that you docket this before the City Council for their approval. Please do not hesitate to contact me if you have any questions.

Ruth Goldman

Ruth Goldman Chairperson

cc : Liam Hurley, Chief Financial and Administrative Officer
Mary Eich, Assistant Superintendent for Teaching and Learning
Steve Rattendi, Director of Informational Technology and Library Services
Sue Dzikowsk, Comptroller
Maureen Lemieux, Chief Financial Officer



Steven Rattendi, Interim Director
Information Technology & Library Services
100 Walnut Street, Newtonville, MA 02460-1398
Phone: 617-559-6190

To: Dr. David A. Fleishman
Superintendent of Schools

From: Steven Rattendi

Date: December 17, 2018

Subject: E-Rate funds request to upgrade phone system

The purpose of this memo is to request \$41,869.50 in E-Rate funds residing in a city reimbursement account. The money will primarily be used to fund the conversion of the phone systems at Williams Elementary School to VOIP (Voice Over Internet Protocol). William's phone system is old and is in need of replacing. This upgrade will provide a reliable system to address current safety concerns as well as better facilitate communications between the school and community. The amount requested will allow for the purchase and installation of needed switches, phones, and cabling to both offices and classrooms.

This project is part of our continuing work to upgrade phone systems throughout the Newton Public School System and is part of the larger effort of converting all city systems to VOIP.

Any additional funds remaining after the Williams conversion will be used to purchase additional data storage for our network servers. These servers are quickly running low on storage.

Please let me know if I can provide further information.

Sincerely,

Steven Rattendi

cc: Mary Eich

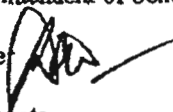
| | E-Rate Funds Received | E-Rate Funds Appropriated |
|--------------|------------------------------|----------------------------------|
| FY99 | \$78,397 | \$0 |
| FY00 | \$78,505 | \$0 |
| FY01 | \$65,220 | \$193,646 |
| FY02 | \$73,470 | \$63,112 |
| FY03 | \$31,923 | \$69,338 |
| FY04 | \$74,242 | \$45,745 |
| FY05 | \$0 | \$29,916 |
| FY06 | \$51,467 | \$0 |
| FY07 | \$72,639 | \$124,106 |
| FY08 | \$18,020 | \$0 |
| FY09 | \$191,190 | \$0 |
| FY10 | \$130,841 | \$201,497 |
| FY11 | \$96,678 | \$235,232 |
| FY12 | \$212,666 | \$212,666 |
| FY13 | \$119,426 | \$119,426 |
| FY14 | \$119,259 | \$119,259 |
| FY15 | \$112,977 | \$112,977 |
| FY16 | \$116,913 | \$116,913 |
| FY17 | \$57,676 | \$57,676 |
| FY18 | \$41,869.50 | \$0 |
| FY19 | \$0 | \$41,869.50 (requested) |
| Total | \$1,743,378.50 | \$1,743,378.50 |

COMPTROLLER'S OFFICE

1000 Commonwealth Avenue
 Newton, Massachusetts 02159
 (617) 552-7088

April 29, 1998

TO: Janet Goldrick, Acting Superintendent of Schools

FROM: David Wilkinson, Comptroller 

SUBJECT: Federal E-rate Reimbursements

Thank you for inviting me to the E-rate meeting at the Education Center yesterday afternoon. The purpose of this communication is to confirm my understanding of the financial accounting and reporting issues of this program.

Vendor Payment:

It is my understanding that the School Department will pay vendors the full cost of purchases potentially eligible for reimbursement under the E-rate program. The vendor will make application for reimbursement from the *Schools and Libraries Corporation* and will pass this refund on to the School Department. As I understand it the School Department will enter into a written agreement with each vendor to insure that any and all rebates that are granted will be passed along to the School Department in full. This agreement will be reviewed by the City Solicitor's Office to make certain that it is legally binding upon the vendor.

In order to avoid losing track of rebates that are owed to the City, I would recommend that employees of the School Department provide the Comptroller's Office with written notification of the dollar amount of each expected rebate, by vendor, at the point that it becomes known that a rebate is owed to the School Department. We will use this information to record an account receivable on the City's books, which can be monitored until such time as the rebate is actually received.

E-rate Cash Receipts:

All rebated cash receipts are City of Newton revenues, and can not be spent without an appropriation by the Mayor and Board of Aldermen. All rebate checks must be forwarded to the City Treasurer's Office, along with a standard cash receipt schedule, within one week of receipt. All E-rate cash receipts should be coded to Receipts Reserved for Appropriation account 14K301-4890.

The new receipts reserved for appropriation account will be used exclusively to account for E-rate reimbursements. As E-rate reimbursements are received, they will be deposited in this account, which will serve as a source for future technology appropriations. The appropriations can be requested of the Mayor and Board as frequently as you wish.

Funds appropriated from the E-rate Receipts Reserved for Appropriation account will be accounted for in the School Technology special appropriation section of the City's general ledger. This will insure that the funds are only used for school technology purposes. The specific expense budget account numbers will be provided to you within the text of the board order, which is used to appropriate the funds.

Please give me a call if you have any questions about these procedures.

Cc: Steve Cirillo
 Don Jensen
 Powers & Sullivan, CPA



RUTHANNE FULLER
MAYOR

City of Newton, Massachusetts
Office of the Mayor

83-20

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Telefax
(617) 796-1113

TDD
(617) 796-1089

E-mail
rfuller@newtonma.gov

January 13, 2020

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

Councilors:

I respectfully submit a docket item to your Honorable Council requesting authorization to accept and expend the sum of \$3,000 provided by the Food and Drug Administration for Environmental Health Trainings.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller
Mayor

RECEIVED
BY CITY CLERK
2020 JAN 13 PM 2:33
Dison, CMC
MA 02459



Ruthanne Fuller
Mayor

HEALTH AND HUMAN SERVICES DEPARTMENT

Deborah Youngblood, PhD, Commissioner

1000 Commonwealth Avenue
Newton, MA 02459-1544

83-20 Line
(617) 796-1420
Fax
(617) 552-7063
TTY/TTD 617-796-1089
TTY/TRS 711

11/26/2019

To: Maureen Lemieux
From: Deborah Youngblood
Re: Accepting AFDO grants for Environmental Health Division

Dear Maureen,

Please docket the following grants with City Council in order for the funds to be accepted. We are pleased to once again receive these important funds that enable us to stay up to date on the latest trends and information in the field of food safety and perform our jobs to the best of our ability. The first grant allows for our inspectors to attend trainings and conferences in their field. The second covers the cost of database for food inspections and with documentation needed for those inspections.

Grant Number: G-T-1909-07457
Project Title: Environmental Health Trainings
Award Value: \$3,000.00
Project Period: January 1, 2020 to December 31, 2020
Project Coordinator: Aimee Sullivan
City of Newton Health and Human Services
Funded by the United States Food and Drug Administration (FDA).

Grant Number: G-SP-1909-07632
Project Title: Special Project to Enhance Conformance with the Program Standards
Award Value: \$3,000.00
Project Period: January 1, 2020 to December 31, 2020
Project Coordinator: Aimee Sullivan
City of Newton Health and Human Services
Special Project to Enhance Conformance with the Program
Funded by the United States Food and Drug Administration (FDA).

Thank you,

Deborah C. Youngblood



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

84-20

Telephone
(617) 796-1100

Fax

(617) 796-1113

TDD/TTY

(617) 796-1089

Email

rfuller@newtonma.gov

January 13, 2020

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

Honorable City Councilors:

I respectfully submit a docket item to your Honorable Council authorizing the acceptance and expenditure of a \$200,000 Housing Choice Grant from the Department of Housing and Community Development to study the possibility of converting the West Newton Armory into affordable housing.

As you know, a Joint Advisory Planning Group (JAPG) has been formed to look at options for the future use of the Armory. One important option to be examined is for the property to be converted to affordable housing. Redesigning the Armory for housing and finding the funding for this purpose will be challenging. However, this grant will help us determine if this option is feasible. To be clear, the grant does not require the City to decide that housing will be the preferred building use. The grant only enables the City to hire a consultant team to fully analyze the possibility of affordable housing, which no doubt will be helpful to the Joint Advisory Planning Group in their deliberations.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller, Mayor

RECEIVED
MAYOR'S CITY CLERK
2020 JAN 13 PM 2:32
JANET A. OLSON, CMC
NEWTON, MA 02459

Form Name: Housing Choice Community Capital Grant Application - FY 2020
Submission Time: July 2, 2019 2:20 pm
Browser: Chrome 64.0.3282.140 / Windows
IP Address: 209.6.175.194
Unique ID: 517010316
Location:

84-20

Housing Choice Capital Grant Evaluation Criteria FY 2020

Housing Choice Cover/Signature Sheet

- | | |
|---|---|
| 1. 2018 and 2019 Housing Choice Communities | Newton |
| 2. Application Contact Name (name of the person filling out the application) | Eamon Bencivengo |
| 3. Application Contact Email | ebencivengo@newtonma.gov |
| 4. Application Contact Phone | (617) 796-1145 |
| 5. Application Contact Mailing Address | Department of Planning and Development 1000 Commonwealth Ave Newton, MA 02459 |
| 6. City or Town Chief Executive Officer Name | Ruthanne Fuller |
| 7. Chief Executive Officer Email | rfuller@newtonma.gov |
| 8. Chief Executive Officer Mailing Address (if different from Contact Address) | Same as above , |
| 8.a. Title of Executive Officer | Mayor |
| 9. Upload Cover Page with Signature Here | https://s3.amazonaws.com/files.formstack.com/uploads/3405823/76028958/517010316/76028958_application_signed_cover_page.pdf |
-

Housing Choice Community Grant Information

- | | |
|---|-----|
| 10.a. Does your community have an ACTIVE housing moratorium or any type of restriction of new housing? | No |
| 10.b. Has your community completed an ADA Self Evaluation Plan and/or Transition Plan | Yes |
-

11. Description of the proposed capital project

Mayor Fuller has publicly expressed her strong preference to explore having the City of Newton acquire the former West Newton National Guard Armory property for reuse as 100% affordable housing. As the first step toward an examination of the feasibility of affordable housing at the site, the City's Planning Department would seek to engage the service of an experienced affordable housing development consultant team with expertise in affordable housing financing, design, environmental, historic preservation, and zoning expertise to provide an in-depth pre-development feasibility analysis for the project. The consultant team would work with the Planning Department to define project parameters such as costs, historic preservation considerations, hazardous materials, design possibilities, potential unit count, and financing options that will inform a subsequent RFP to select a qualified affordable housing developer to develop the Armory.

11.a. Requested Grant Amount in \$
(enter numbers only, no \$ or ,)

249375

11.b. Housing Production

Project creates new housing units

**12. Provide description of the Project
Need here**

Built in 1910, the West Newton Armory was owned and occupied by the US Army National Guard. No longer utilizing or needing the property, the Guard recently engaged the Commonwealth's Division of Capital Asset Management and Maintenance (DCAMM) for its sale. Subject to legislative approval of a bill filed before the Massachusetts Legislature, DCAMM would be given legislative authority to sell the Armory to the City of Newton for use as 100% affordable housing or another public use at a price to be determined. The pre-determined price from DCAMM if the property were to be reused as 100% affordable housing, restricted to households at 80% Area Median Income or below, would be \$1.00. Under that scenario, it is contemplated that the City of Newton would enter into a long-term lease for the property with an affordable housing development partner.

This prospective income population of 80% AMI or below is sorely underrepresented in Newton, preventing the City from fulfilling its goal of being a diverse and inclusive community. Developing housing devoted to this population ensures that young people, families, and seniors can remain in Newton; and provides greater opportunity for those looking to call Newton their home. Furthermore, Newton's proximity to Boston ensures that affordable housing helps ameliorate the housing crisis facing the Metro Boston region.

The Armory is in a prime location for a converted residential use as it is on Washington Street, a major thoroughfare in Newton with transportation, employment, shopping, and dining opportunities in close proximity. For instance, a Trader Joe's food market is directly across the street, while the West Newton MBTA Commuter Station is within a quarter mile walk and Buses 553 and 554 with express service to Boston stop feet away from the Armory.

The Planning Department desires to contract with a development consultant team to conduct a pre-development feasibility analysis to ensure both that the Armory is suitable for affordable housing and a well-structured and conceived RFP could be developed to receive proposals. Due to its historical significance, the Armory presents complicated preservation, design, and environmental challenges that necessitate a high level of expertise in these subject areas.

13. Provide description of the Project Readiness here

The consultant pre-development feasibility analysis project is in the highest degree of readiness. The proposed scope of work for the affordable housing development consultant team has been reviewed by the Newton Housing Partnership and approved by the Mayor. The RFP would officially be released by the Newton Purchasing Department within 30 days after notice of grant award.

The project schedule begins with the release of the RFP this summer, followed by selection of the consultant in early Fall 2019. The pre-development feasibility analysis will be completed by the FY 2020 deadline of June 30, 2020.

The proposed scope of services includes the following:

1. Assess the current physical state of the West Newton Armory to determine required architectural, environmental, and preservation demands for its conversion into 100% permanently affordable housing.
2. Based on assessment, conduct due diligence on project development and construction financing possibilities needed for successful conversion of the Armory.
3. Provide Planning Staff with written report detailing assessment and due diligence findings, including, but not limited to:
 - a. Target population (AMI ranges, size of units, potential support services)
 - b. Legal (title work, permitting)
 - c. Environmental concerns/testing
 - d. Geotechnical analysis
 - e. Site survey
 - f. Zoning and code review
 - g. Design possibilities (potential unit count, conceptual and schematic designs)
 - h. Historic preservation concerns
 - i. Development budget (example pro forma)
 - j. Potential funding sources
4. Review written report with Planning Staff in order to create a draft RFP for an affordable housing development partner to develop the project.
5. Assist Planning Staff in developing a bid list of affordable housing development partners with capacity to respond to the RFP.
6. Create scoring rubric to analyze affordable housing development partner RFP submissions.
7. Provide expertise and recommendations in assisting the City's selection of an affordable housing development partner.
8. Ensure availability for approximately 10 in-person meetings with Planning Staff, Council Committees and other Boards and stakeholder groups, as well as regular phone calls for project strategy and updates.

14. Provide description of the Project Financial Feasibility here

The requested funding amount of \$249,375 will fully fund the project. This includes estimated projected costs for all members of the consultant team, environmental testing, and contingency. The budget details are included in the uploaded Excel document.

14.a. Upload project budget information here https://s3.amazonaws.com/files.formstack.com/uploads/3405823776028969/517010316/76028969_financial_feasibility.xlsx

15.a. Housing Choice AFFORDABLE Best Practices - check all that apply (2 points each)

Designated local resources for housing such as Affordable Housing Trust, donated land for housing, or appropriated substantial Community Preservation Act Funds for Community Housing projects

Participate in the Housing Development Incentive Program (HDIP), have adopted an Urban Center Housing Tax Increment Financing District (UCH-TIF), approved District Improvement Financing (DIF) related to housing, have adopted an Urban Renewal Plan that includes a significant Housing element, or have adopted property tax relief programs either as provided by statute (MGL c. 59 section 5) or through a home rule petition

15.b. Housing Choice Best Practices - check all that apply (1 point each)

Have adopted zoning that allows mixed use or cluster developments by right (or can demonstrate a consistent pattern of approving such development over the last 5 years)

Have zoning that allows for Accessory Dwelling units (ADUs) by right (or can demonstrate a consistent pattern over the last 5 years of approving ADUs.

Reduced parking requirement for multi-family units within the last 5 years, or require no more than 1 parking space per unit for multi-family units

BONUS POINTS for implementation of Housing Choice Best Practices

Bonus 1. Local Actions that support affordable housing

Designated local resources for housing such as Affordable Housing Trust, donated land for housing, or appropriated substantial Community Preservation Act Funds for Community Housing projects

Bonus 1. Narrative statement. If you need more room than is provided here or have a file to upload in support of this Best Practice, use the upload below.

The City of Newton is committed to fostering an inclusive community through affordable housing and has designated local resources to do so. For example, the City has invested resources into public/private partnerships to both promote economic vitality and create affordable units. At 28 Austin Street, a long-standing public parking lot, the City entered into a 99-year ground lease with a for-profit developer for the creation of 68 rental units, including 23 affordable units at 80% AMI, 5,000 s.f. of retail space, and a restored public parking lot with 120 spaces. The ground lease for the property is uploaded.

The City also has a Purchase Option Agreement with 2Life Communities, a non-profit developer, on another municipal site: 160R Stanton Ave. The City is conveying the property to 2Life Communities for \$500,000 minus the cost of site improvements. Therefore, if the site work of demolishing the existing derelict water tower and relocating water utilities equals or exceeds \$500,000, 2Life Communities will not owe the City any payment. The project has received its Comprehensive Permit and submitted a LIHTC Application in February 2019. This property was identified in the City's "Newton Leads 2040 Housing Strategy" as a priority site to advance affordable housing development. The project will provide 68 income-restricted units, including 9 units of permanently affordable housing for chronically homeless individuals with disabilities. Completion is slated for Spring 2021. The Purchase Option Agreement is uploaded.

In addition to conveyance, Newton has demonstrated its commitment to affordable housing through the designation and spending of CPA funds, HOME, and CDBG funds. The uploaded table details the funding allocations to projects over the past five years.

Bonus 1. Upload file here

https://s3.amazonaws.com/files.formstack.com/uploads/3405823/76028977/517010316/76028977_bonus_question_1_upload.pdf

Bonus 2. Narrative statement about your Community Compact Housing Best Practice. If you need more room than is provided here or have a file to upload in support of this Best Practice, use the upload below.

Not applicable.

Bonus 4. Have Zoning that allows mixed use or cluster developments

Have zoning that allows for mixed use, or cluster developments by right (or can demonstrate a consistent pattern over the last 5 years of approving such developments)

Bonus 4. Narrative statement about your mixed use and/or cluster development that is allowed by right. If you need more room than is provided here or have a file to upload in support of this Best Practice, use the upload below.

Over the last five years (between January 1, 2014 and December 31, 2018), the City of Newton issued building permits that resulted in a total of 649 net new housing units, after subtracting the loss of 23 housing units, as detailed in the uploaded table. Some of these permits were for single-family homes that were converted to two, three, and four-family homes, or single-family or smaller multi-family homes that were built on commercial or empty lots. The majority of the new housing units were a result of larger projects that have been permitted over the last five years. In addition, the housing units were built in various zoning districts, such as all four of the City's multi-residence districts, two of the three single residence districts, and one of the four business districts. A table summarizing this data is attached.

Bonus 4. Upload file here

https://s3.amazonaws.com/files.formstack.com/uploads/3405823/76028989/517010316/76028989_bonus_question_4_-_pattern_of_mixed_use_housing_production.docx

Bonus 5. Allow Accessory Dwelling Units

Have zoning that allows for Accessory Dwelling Units (ADUs) by right (or can demonstrate a consistent pattern over the last 5 years of approving ADUs)

Bonus 5. Narrative statement about your ADUs allowed by right. If you need more room than is provided here or have a file to upload in support of this Best Practice, use the upload below.

The Newton ADU ordinance was adopted by the 2016 - 2017 City Council and went into effect in April 2017.

There are two types of accessory apartments that are allowed under the ordinance; those internal to an existing single or two-family home and those in a detached building. Internal accessory apartments are allowed by right in any single or two-family house, while detached accessory apartments are allowed by special permit.

An internal accessory apartment is invisible to the casual observer. No separate door is allowed on the front of the building and any exterior alterations required to create the unit, such as a second egress, must be in keeping with the existing home design and material quality. An accessory apartment in a detached building could be in a small stand-alone cottage (maximum 1200 SF), above a garage or similar building, or in an existing historic accessory building such as a carriage house. A new detached building must be in keeping with the general design of the main home and must conform to the same setback requirements of the principal house. Historic buildings must be restored according to conditions approved by the Newton Historic Commission.

Since adoption, 28 accessory dwelling unit building permits have been issued in Newton, 13 of which have received a certificate of occupancy. A table summarizing this data is uploaded.

Bonus 5. Upload file here

https://s3.amazonaws.com/files.formstack.com/uploads/3405823/76028993/517010316/76028993_bonus_question_5_adu_issued.xlsx

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|---|---|
| Bonus 6. Narrative statement about inclusionary zoning. If you need more room than is provided here or have a file to upload in support of this Best Practice, use the upload below. | DHCD Housing Choice Staff confirmed with Newton Planning Staff that despite the City having an IZ ordinance, the ordinance's density bonus does not meet the standards required in this grant application. |
| Bonus 7. Narrative statement about your community's 40R Smart Growth or Starter homes districts. If you need more room than is provided here or have a file to upload in support of this Best Practice, use the upload below. | Not applicable. |
| Bonus 8. Participate in tax programs to encourage more housing and provide property tax relief to seniors | Participate in the Housing Development Incentive Program, have adopted an Urban Center Housing Tax Increment Financing district, approved District Improvement Financing (DIF) related to housing, have adopted an Urban Renewal Plan that includes a significant Housing element, or have adopted property tax relief programs either as provided for by statute (MGL c. 59 section 5) or through a home rule petition |
| Bonus 8. Narrative statement about your community's HDIP, UCH-TIF, Urban Renewal or Senior Tax relief measures. If you need more room than is provided here or have a file to upload in support of this Best Practice, use the upload below. | Newton has willingly adopted property tax relief as provided by statute. As documented in the uploaded print-outs, from 2014 - 2018 Newton has provided tax relief to an average of 460 persons per year at an average abated amount of \$643,959.59. |
| Bonus 8. Upload file here | https://s3.amazonaws.com/files.formstack.com/uploads/3405823/77127585/517010316/77127585_bonus_question_8_-_property_tax_relief.pdf |
| Bonus 9. Multi-family Housing Narrative. If you need more room than is provided here or have a file to upload in support of this Best Practice, use the upload below. | Not applicable. |
| Bonus 10. Multi-family Parking Narrative. If you need more room than is provided here or have a file to upload in support of this Best Practice, use the upload below | Newton requires two parking stalls per unit, except when allowed by special permit when the requirement reduces to 1.25 per unit. The uploaded table shows how the parking requirements for recent projects have been reduced and the corresponding housing unit ratio. |
| Bonus 10. Upload file here | https://s3.amazonaws.com/files.formstack.com/uploads/3405823/76928585/517010316/76928585_bonus_question_10_-_parking_requirements.docx |