



Finance Committee Agenda

City of Newton In City Council

Monday, January 28, 2019

7:00 PM
Room 211

Items scheduled for discussion:

Referred to Public Safety & Transportation and Finance Committees

#30-19 **Rescind Order #607-18 and appropriate \$95,000 from Free Cash for Fire expenses**
HER HONOR THE MAYOR requesting rescission of Council Order #607-18 repurposing \$95,844.51 to address Fire Department needs and requesting authorization to appropriate ninety-five thousand dollars (\$95,000) from Free Cash to the following Fire Department accounts:

Automobiles/Light Trucks	\$60,000
Training Expenses	\$10,000
Housekeeping Equipment	\$15,000
Public Buildings Repair and Maintenance	\$10,000

Public Safety Approved 8-0 on 01/23/19

#48-19 **Accept \$20,460 in grant funds from Mass Emergency Management Agency**
HER HONOR THE MAYOR requesting authorization to accept and expend a grant from the Massachusetts Emergency Management Agency (MEMA) in the amount of twenty thousand four hundred sixty dollars (\$20,460) to purchase equipment for emergency operations management throughout the City.

Referred to Public Safety & Transportation and Finance Committees

#510-18 **Increase non-resident parking permit fees**
COUNCILORS DOWNS, AUCHINCLOSS, DANBERG, LEARY, MARKIEWICZ, NOEL, AND RICE requesting an ordinance amendment to increase the non-resident parking permit fee from \$25 to a range which will include a maximum cap, to better cover costs and encourage alternatives to driving in parts of the City where demand is high.
Public Safety Approved 8-0 on 11/07/18

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.

#47-19 **Accept \$50,464 in grant funds from Mass Office on Disability for APS**
HER HONOR THE MAYOR requesting authorization to accept and expend a grant from the Massachusetts Office on Disability in the amount of fifty thousand four hundred sixty-four dollars (\$50,464) for the purpose of acquiring Accessible Pedestrian Signals.

Referred to Public Facilities and Finance Committees

#50-19 **Amend Sewer Use Charge Ordinance**
HER HONOR THE MAYOR proposing Chapter 29, Section 80. **Sewer Use Charge.** be amended by deleting the following sentence: “Notwithstanding the foregoing, seasonal water takers not eligible for an outdoor meter under said section 29-24, shall pay a charge for the use of sewage works in proportion to water consumption.
Public Facilities Approved 7-0 Subject to Second Call on 01/23/19

Referred to Public Facilities and Finance Committees

#52-19 **Approve a \$500,000 for snow and ice removal**
HER HONOR THE MAYOR requesting authorization to transfer the sum of five hundred thousand dollars from the Budget Reserve – Snow and Ice Removal Account to the following accounts:

Rental - Vehicles (0140110-5273).....	\$350,000
Regular Overtime (0140110-513001).....	\$150,000

Public Facilities Approved 8-0 on 01/23/19

#343-18 **Ordinance amendment to divest of funds from fossil fuel companies**
COUNCILOR NORTON proposing an ordinance amendment to divest the City of direct or indirect holdings in fossil fuel companies.

Referred to Public Facilities and Finance Committees

#51-19 **Approve \$3 million for the Pavement Management Program**
HER HONOR THE MAYOR requesting authorization to appropriate and expend one million seven hundred fifty thousand dollars (\$1,750,000) from the January 15, 2019 Declaration of Overlay Surplus and authorization to transfer the sum of one million two hundred fifty thousand dollars (\$1,250,000) from Capital Stabilization for a total of three million dollars (\$3,000,000) to be transferred to the City’s Pavement Management Program.
Public Facilities Approved 5-0-2 (Lappin Gentile abstaining) Subject to Second Call on 01/23/19

Referred to Public Facilities and Finance Committees

- #31-19** HER HONOR THE MAYOR requesting authorization to transfer the sum of one hundred thousand dollars (\$100,000) from Current Year Budget Reserve to the Department of Public Works Processing Recyclables to fund increased costs of processing recyclables due to changes in the recycling market.
Public Facilities Approved 6-0-1 (Leary abstaining) on 01/09/19
Finance Approved 5-1-1 (Noel opposed, Gentile abstaining) on 01/14/19
City Council Recommitted the item to Finance on 01/22/19

- #49-19** **Accept a gift of \$10,000 from the Ruderman Family Foundation**
HER HONOR THE MAYOR requesting authorization to accept and expend a gift of ten thousand dollars (\$10,000) from the Ruderman Family Foundation for the purpose of funding an accessible pathway at the Hyde Playground.

Referred to Zoning & Planning and Finance Committees

- #576-18** **Discussion of a visioning process for the land surrounding Riverside MBTA station**
COUNCILORS KRINTZMAN, GENTILE, MARKIEWICZ, LAREDO AND AUCHINCLOSS requesting a discussion with the Director of Planning on conducting a vision process for the potential development of the land around the Riverside MBTA station.
Zoning & Planning voted No Action Necessary 7-0 on 01/14/19

All other items before the Committee will be held without discussion.

Respectfully submitted,

Leonard J. Gentile, Chair



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Office of the Mayor

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rfuller@newtonma.gov

RUTHANNE FULLER
MAYOR

December 31, 2018

RECEIVED
NEWTON CITY CLERK
2018 DEC 31 PM 3:12
RUTHANNE A. FULLER, MAYOR
NEWTON, MA 02459

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

Councilors:

I write to request that your Honorable Council docket for consideration a request to rescind Council Order #607-18 which repurposed \$95,844.51 for several Fire Department needs.

This needs to be rescinded because some of the items could not be covered by a bonding funding source.

I also request that the Honorable Council appropriate \$95,000 from June 30, 2018 Certified Free Cash for the following purposes:

Automobile/Light Trucks	\$60,000
Training Expenses	\$10,000
Housekeeping Equipment	\$15,000
Public Buildings Repairs and Maintenance	<u>\$10,000</u>
	\$95,000

The unused funds (\$95,844.51) will be proposed to be repurposed for capital projects that would otherwise have been bonded. That request will come soon to the Honorable City Council.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller
Mayor

CITY OF NEWTON

IN CITY COUNCIL

December 17, 2018

ORDERED:

That, in accordance with the recommendation of the Public Safety & Transportation Committee and Finance Committee through their respective Chairs Allan C. Ciccone, Jr. and Leonard J. Gentile, a transfer of funds in the amount of ninety-five thousand eight hundred forty-four dollars and fifty-one cents (\$95,844.51) to various department accounts, be and is hereby approved as follows:

FROM:	Fire Pumper Replacement (34AA210J-58504).....	\$95,844.51
TO:	Automobiles/Light Trucks (021006-58501).....	\$60,000
	Training Expenses (0121008-5319).....	\$10,844.51
	Housekeeping Equipment (0121005-585171).....	\$15,000
	Public Building Repairs & Maintenance (0121005-52407).....	\$10,000

Under Suspension of Rules
Readings Waived and Approved
22 yeas 0 nays 2 absent (Councilors Markiewicz and Noel)

(SGD) DAVID A. OLSON
City Clerk

(SGD) RUTHANNE FULLER
Mayor

Date _____



RUTHANNE FULLER
MAYOR

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Office of the Mayor

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rfuller@newtonma.gov

January 14, 2019

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

Councilors:

I write to request that your Honorable Council docket for consideration a request to authorize the acceptance and expenditure of a grant in the amount of \$20,460 from the Massachusetts Emergency Management Agency (MEMA). These funds will be used to purchase equipment to enhance the Emergency Operations for the City.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller
Mayor

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NEWTON CITY CLERK
2019 JAN 14 PM 5:11
DAVID A. OLSON, CLERK
NEWTON, MA 02459



Bruce A. Proia
Chief

**CITY OF NEWTON, MASSACHUSETTS
FIRE DEPARTMENT HEADQUARTERS**

**1164 Centre Street, Newton Center, MA 02459-1584
Chief: (617) 796-2210 Fire Prevention: (617) 796-2230
FAX: (617) 796-2211 EMERGENCY: 911**



Ruthanne Fuller
Mayor

December 3, 2018

Maureen Lemieux
Chief Financial Officer
City of Newton
1000 Commonwealth Ave
Newton, MA 02459

RECEIVED
Newton City Clerk
2019 JAN 15 AM 10:22
David A. Olson, Clerk
Newton, MA 02459

Maureen,

I respectfully request to docket funding of \$20,460.00 from Massachusetts Emergency Management Agency (MEMA) Grant.

The funding is going to be used to purchase equipment and related items for the Emergency Operations Management throughout the City. Such equipment to purchase will be multi-gas meters to replace current equipment, purchase and install 2 cameras at City Hall and Fire Station 2 to monitor Marathon Route, and to purchase additional Office 365 functionality for the EOC.

The Grant is a reimbursement grant, therefore, we would respectfully request authorization to expend the grant and when refunded by MEMA to replenish our account of expenditure.

Thank you for your consideration to this request.

Respectfully,

Bruce Proia
Chief of Department

City of Newton



DEPARTMENT OF PUBLIC WORKS

TRANSPORTATION DIVISION

110 Crafts Street
Newton, MA 02460

Ruthanne Fuller
Mayor

DATE: October 17, 2018

TO: Members of the Finance and Public Safety and Transportation Committees

FROM: Jason Sobel, P.E., PTOE, Director, DPW Transportation Division
David Koses, Transportation Coordinator

RE: #510-18 - Change to the \$25 annual non-resident parking permit fee

MEMORANDUM

Chapter 19-202 of the City Ordinance allows the Newton Traffic Council to establish neighborhood parking districts in an area comprised of contiguous streets where demand for on-street parking necessitates a comprehensive approach to managing parking, and specifies how parking districts are established, as well as various characteristics of the associated parking stickers and permits.

Since Chapter 19-202 was established in 2013, Traffic Council has implemented the following neighborhood parking districts:

- TPR-204. Newton North High School Tiger Parking Permits
- TPR-205. Newtonville Neighborhood Parking District
- TPR-206. Auburndale Village Parking District
- TPR-207. Carr School Neighborhood Parking District
- TPR-208. Waban Village Parking District

In addition to free transferable visitor parking placards, residents may choose to purchase parking stickers for their vehicles. The fee for parking permit stickers for **residents** living within each neighborhood parking district is set at \$25.00 per year for each vehicle, per Sec. 19-201(B)(5)(e). Section 19-202(b)(3)(f) states that the **non-resident** parking stickers or permits (within a neighborhood parking district) shall cost twenty five dollars (\$25.00) per year.

Due to the requirement that non-resident parking stickers shall cost \$25.00 per year, as each neighborhood parking district was created, the following non-resident permit fees were approved:

- \$25.00 per year for Newton North High School students to obtain a TIGER parking permits to park on a local neighborhood street, as part of TPR-204. (*Note: the cost for Newton South High School students to obtain a parking permit to park in an on-campus parking lot is currently \$350.00 per year, as set by the Newton School Committee.*)
- \$25.00 per year for Auburndale employees obtaining a business parking permit, as part of TPR-206.

It is likely that additional neighborhood parking districts will continue to be established throughout the City. Staff is currently working with community members and elected officials on neighborhood parking district plans for Newton Highlands and for Newton Centre.

Because each village in Newton is unique, each village parking district that has been developed has been based on the distinct characteristics and parking needs and resources available in the neighborhood, as well as the needs of people who park there, including residents and their visitors, employees of nearby businesses, school employees, high school students and others. As additional village parking districts move forward, each will continue to balance the goals of directing vehicles to park in specific locations, the reality that driving is a necessity for many people, and Citywide goal of promoting alternatives to driving.

As it is a goal of the City to continue to encourage alternatives to driving, and with pricing available as a tool to help achieve this goal, elected officials may wish to consider a replacing the current ordinance language, as established in Section 19-202(b)(3) **from** the following:

f) Non-resident parking stickers or permits shall cost twenty five dollars (\$25.00) per year

to new language, such as the following:

f) The cost of non-resident parking stickers or permits shall be established as part of each individual neighborhood parking district program and shall be specified in the Traffic and Parking Regulations.

With this more flexible approach, it is envisioned that the cost of non-resident parking stickers could be approved through the Traffic Council process, in order to better reflect each unique condition.

A 20-day appeal period applies to any Traffic Council vote, with the City Council being the final approval body. Furthermore, any subsequent increase or decrease to a non-resident parking permit fee associated with a specific neighborhood parking district could be changed through the Traffic Council process, again with the 20-day appeals period to City Council always applying to any Traffic Council vote.

Sec. 19-202. Neighborhood parking district program.

The traffic council may, from time to time, establish neighborhood parking districts in an area comprised of contiguous streets where demand for on-street parking necessitates a comprehensive approach to managing parking. The traffic council shall establish rules and requirements particular to that district for the purpose of creating consistent parking regulations and equitably distributing parking impacts throughout the district. Such districts shall be published in the traffic and parking regulations.

(a) Establishment of neighborhood parking districts.

(1) Following a public hearing, traffic council may establish a neighborhood parking district, and shall establish for each such district parking rules and regulations applicable within such districts, and may establish rules allowing for the issuance of resident, visitor and non-resident stickers and permits to override street regulations.

(b) Issuance of neighborhood parking district parking stickers and permits.

(1) *Resident parking permits.* Upon establishment of a restricted area by the traffic council, the city engineer shall determine those addresses at which registered vehicles shall be eligible to receive resident parking stickers, and forward a list of such addresses to the chief of police and to the board of assessors. The board of assessors shall provide a description of the use at each address including the existing number of dwelling units as it appears in the assessing records, and forward that information to the chief of police. Such resident parking stickers shall otherwise be issued and enforced by the chief of police in accordance with the provisions, regulations, and fee established in 19-201 B. (3), (4) and (5).

(2) *Visitor parking permit.* Visitor parking permits shall be issued as per section 19-201C.

(3) Non-resident parking stickers or permits.

a) A limited number of non-resident parking stickers or permits may be made available for use on streets within a neighborhood parking district in accordance with such rules and regulations for that district. Traffic council may establish rules governing the maximum number of parking stickers or permits allocated to non-residents on each particular street, and rules related to where on the street a non-resident sticker or permit may be applicable, and which shall be included in the traffic and parking regulations.

b) The chief of police may establish acceptable documentation required to obtain a non-resident sticker or permit.

- c) Non-resident parking stickers or permits shall be valid for a one year period. The chief of police may establish the month of the year in which the permit expires for any given neighborhood parking district.
- d) Any outstanding fines for parking violations attributable to the motor vehicle for which a non-resident parking sticker or permit is requested must be paid in full before said sticker is issued.
- e) Non-resident parking stickers or permits shall show the registration number of the vehicle to which it is assigned, the sticker or permit's effective year, and the area in which it is effective.
- f) Non-resident parking stickers or permits shall cost twenty five dollars (\$25.00) per year.
- g) Upon establishment of a neighborhood parking district by the traffic council, the city engineer or parking manager shall prepare a parking plan and report describing the non-resident parking permit or sticker rules applicable on a particular street, and shall forward these to the chief of police.
- h) The chief of police may establish rules governing the distribution of non-resident stickers or permits.
- i) The chief of police may establish rules governing the display of non-resident parking stickers or permits.

(c) Exemptions.

- (1) Visitor parking permits for a neighborhood parking district may be issued by the chief of police or his designee in such a number, and to such institutions, organizations, or persons, as the traffic council shall authorize in establishing permit-parking restrictions in accordance with subsection (a) above.
- (2) Such additional visitor permits shall be issued, where authorized by the traffic council, free of charge.
- (3) The chief of police or the chief's designee may, at his discretion and upon request of any resident at an eligible address, waive the permit parking restrictions in a neighborhood parking district for a limited period of time.

(d) Other provisions.

All stickers and permits issued pursuant to this section shall be subject to the provisions of section 19-201E. (Ord. No. A19, 04-01-13)



RUTHANNE FULLER
MAYOR

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Office of the Mayor**

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rfuller@newtonma.gov

January 14, 2019

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

Councilors:

I write to request that your Honorable Council docket for consideration a request to authorize the acceptance and expenditure of a gift in the amount of \$10,000 from the Ruderman Family Foundation for the purpose of funding an accessible pathway at the Hyde Playground.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller
Mayor

RECEIVED
Newton City Clerk
2019 JAN 14 PM 5:11
David A. Olson, Clerk
Newton, MA 02459

#50-19



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RUTHANNE FULLER
MAYOR

January 14, 2019

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

Councilors:

I write to request that your Honorable Council docket for consideration a request to amend Chapter 29, Article III, Sec 29-80 – Sewer Use Charge by deleting the following sentence.

Notwithstanding the foregoing, seasonal water takers not eligible for an outdoor meter under said section 29-24, shall pay a charge for the use of sewage works in proportion to water consumption.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller
Mayor

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NEWTON CITY CLERK
2019 JAN 14 PM 5:11
DEBRA A. O'NEIL, CMO
NEWTON, MA 02459

Chapter 10.000

Sec. 29-77. Control manholes, etc.

The owner of any property serviced by a building sewer carrying industrial wastes shall within a reasonable time, but in no event to exceed six (6) months, install a suitable control manhole or other structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole or other structure shall be accessibly and safely located. Construction shall not begin on such manhole or other structure until the plans for the same are approved by the commissioner, who shall grant such approval if the plans appear adequate, under accepted engineering practices, to accomplish the purposes and requirements of this section. The manhole or other structure shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times. (Ord. No. R-153, 6-17-81)

Sec. 29-78. Information to be given to commissioner upon request.

The commissioner may require any person discharging industrial wastes to provide information needed to determine compliance with this ordinance. These requirements may include but are not limited to:

- (1) Sewage discharge peak rate and volume over a specified time period.
- (2) Chemical analyses of sewage conducted by an approved wastewater testing laboratory.
- (3) Information on raw materials, processes and products affecting sewage volume and quality.
- (4) Quantity and disposition of specific liquid, sludge, oil, solvent or other materials important to sewer use control.
- (5) A plot plan of sewers of the user's property showing sewer and pretreatment facility location.
- (6) Details of sewage pretreatment facilities.

- (7) Details of systems to prevent and control the losses of materials through spills to the municipal sewer. (Ord. No. R-153, 6-17-81)

Sec. 29-79. Standards for waste analysis.

All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be conducted in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be conducted at the control manhole or other structure provided, or upon suitable samples taken at said structure. In the event that no special manhole or other structure has been required, the control manhole shall be a sampling point, determined by the commissioner or, should none be established, shall be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to determine the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property and to determine the existence of damage or impairment to the operation of the sewerage works. (Ord. No. R-153, 6-17-81)

Sec. 29-80. Sewer use charge.

(a) Estates whose building sewers discharge directly or indirectly into public sewers of the city, shall pay a charge for the use of sewage works in proportion to water consumption except that a charge for the use sewage works shall not be made for water consumption registered on or attributable to outdoor meters installed at residential properties in accordance with section 29-24 of this chapter. Notwithstanding the foregoing, seasonal water takers not eligible for an outdoor meter under said section 29-24, shall pay a charge for the use of sewage works in proportion to water consumption.

(1) Sewer rates

A charge for the use of sewer, which charge shall be made in proportion to water consumption, based on the water meter reading, or estimated water meter reading, excluding outdoor meters for the same



RUTHANNE FULLER
MAYOR

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Office of the Mayor

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January 16, 2019

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

Councilors:

I write to request that your Honorable Council docket for consideration a request to authorize the transfer of \$500,000 from Acct # 0110498-5794, Budget Reserve/Snow & Ice Removal to the following accounts:

<u>Amount</u>	<u>Account</u>	<u>Description</u>
\$150,000	0140110-513001	DPW Snow/Ice Control - Regular Overtime
\$350,000	0140110-5273	DPW Snow Control – Rental Vehicles/Contractors

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller
Mayor

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2019 JAN 16 PM 1:43
DAVID A. O'BRIEN, Clerk
NEWTON, MA 02459

City of Newton



DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE COMMISSIONER

1000 Commonwealth Avenue
Newton Centre, MA 02459-1449

Ruthanne Fuller
Mayor

RECEIVED
Newton City Clerk
2019 JAN 17 PM 12:01
David A. Olson, City
Newton, MA 02459

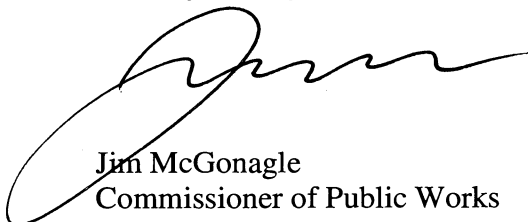
To: The Honorable City Council
From: Jim McGonagle, Commissioner of Public Works
Subject: Snow Cost Update
Date: 1/16/19

Honorable Councilors,

Thank you for considering appropriating additional funds for snow removal. I wanted to provide an update on our snow expenses to date:

- We have had one storm this year that produced 7 inches of snow accumulation and required us to call plowing contractors
- We have had seven salting events that have required city staff to work overtime hours in order to maintain safe roadways
- We have spent an increased amount of funding on Vehicle Maintenance in order to remove a large backlog of repairs to snow equipment and vehicles.

Thank you for your consideration



Jim McGonagle
Commissioner of Public Works

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

Budget	\$ 1,500,025.00
Total Personnel Costs	\$ 179,254.78
Total Contracted Costs	\$ 184,256.63
Salt Costs	\$ 89,148.79
Equipment Costs	\$ 753,932.79
Total Snow Costs	\$ 1,206,592.99
Total Inches	7.0
Cost per inch	\$ 172,370.43
Balance	\$ 293,432.01

DRAFT: Divestment of Funds from Fossil Fuel Companies.

Purpose: The City of Newton strives to support sources of sustainable energy and to combat climate change caused in part by the use of fossil fuels. By this Ordinance, the City intends to take steps to diminish, and then eliminate, its contributions to the financial support of companies that engage in the production, sale and exploration of non-renewable fuel. This Ordinance provides a method for the conscientious investment of City funds for the purpose of promoting clean energy policy goals for the benefit of the residents, while still fostering fiscal health and welfare.

1) Definitions:

Direct holdings: all securities of a company held directly by the City or in an account or fund in which the City owns all shares or interests.

Divest: to sell, redeem, transfer or otherwise dispose of investments.

Indirect holdings: All securities of a company held in an account or fund, such as a mutual fund, managed by one or more persons not employed by the City, in which the City owns shares or interests together with other investors.

Investment: the purchase, ownership, or control of publicly issued stock, corporate bonds or other debt instruments issued by a company.

Fossil fuel company: a publicly traded company that holds oil, gas or coal reserves in such quantities so as to be listed with a fossil fuel divestment index, such as the Carbon Underground 200, or other similar, professionally researched resource.

2) Within 60 days of the enactment of this Ordinance, the Treasurer will identify any City funds within his authority that constitute direct or indirect holdings in fossil fuel companies. The Treasurer will file a report indicating any such identified fossil fuel company investments to the Finance Committee of the City Council.

3) Within one year of the filing of the report of identified fossil fuel company investments to the Finance Committee of the City Council, the Treasurer will divest 50% of City funds from the identified fossil fuel company investments. Within two years of the filing of the report of identified fossil fuel company investments to the Finance Committee of the City Council, the Treasurer will divest 100% of all City funds from the identified fossil fuel company investments.

4) The Treasurer will refrain from making additional or new investments in fossil fuel companies.

5) Nothing in this Ordinance will require the Treasurer to take any action if it conflicts or is inconsistent with the fiduciary duties and prudent person standard of care as defined by statute and the Investment Policy of the City of Newton.

composition. Once an individual is screened, a personalized wellness plan is developed with a goal of improving overall health and injury prevention. All participants get access to online portal that provides information on workouts, nutrition, diet and mental health. In addition, gives participants access to specialists that include nutritionists, physical therapists, physical trainers, and mental health professionals.

Participation in this program is voluntary. The contractor will do one testing session during each shift at every station and do a couple of make-up sessions for any personnel that missed their testing session. The testing takes about ½ hour. The union is very supportive of this program and is encouraging all personnel to participate. Several fire departments in the area have used this contractor with positive results. The number of injuries and medical costs associated with injuries and overtime have decreased in those departments and Chief Proia is hoping for similar results.

The Committee was pleased with both grant programs. It was suggested that the Chief check with health care companies to see if they would be willing to provide the matching funds for the programs. The Chief agreed to do this. Councilor Cote moved approval, which carried by a vote of five in favor and none opposed.

#343-18**Ordinance amendment to divest of funds from fossil fuel companies**

COUNCILOR NORTON proposing an ordinance amendment to divest the City of direct or indirect holdings in fossil fuel companies.

Action: Finance Held 4-0-1 (Norton abstaining)

Note: Councilor Norton explained that this item was held at the Finance Committee meeting on September 24, 2018 for Treasurer Jim Reardon to participate in the discussion and answer questions related to divesting from fossil fuel investments. Councilor Norton previously met with the Treasurer to discuss which funds would be eligible for divestment and learned that there are only two investment accounts under the City's direct control where there is the opportunity to divest from fossil fuel holdings. Although it is a small subset of accounts, Councilor Norton believes that it is important from a symbolic standpoint for the City to divest from fossil fuel investment wherever possible.

Treasurer Jim Reardon stated that the two eligible account are the Workers Compensation Account and the Newton North High School Fund. The total value of both accounts is approximately \$12,681,000. The divestment of fossil fuels in these two accounts equates to \$320,000 worth of equities. Both accounts are under the same investment manager, Bank of New York Trust, who is using a portfolio that includes nine equities in the energy sector. It would be a simple process to ask the investment manager to divest from the fossil fuel investments and replace those holdings with other equities. The divestment of these equities in the accounts is not something that is going to cause any problems or issues for the City. The Treasurer cannot guarantee but is almost certain that any investment manager that the City uses would have screened out all companies that are tangentially involved with fossil fuels. The City would need to rely on the brokers to tell the City what companies the City needs to divest from.

The Committee reviewed the attached draft ordinance. There was concern that if the state law changes related to stabilization funds, the divestment of fossil fuels could potentially limit what the City could invest in, such as the Standard and Poors (S&P) 500. The City could end up pushing itself into higher cost funds because of the limitation. A Committee member pointed out that it is almost impossible to divest from companies with indirect holdings in fossil fuels. Mr. Reardon felt that an investment manager could find appropriate substitutions like a telecommunications mutual fund, which would be similar in rating and yield.

Several Committee members were concerned with the indirect holdings language. It is very hard to beat the S&P especially in excess of the fees an investment manager is charging. There is concern that this ordinance would prevent the City from investing in low-cost index funds in the future. It was pointed out that it is worth a small amount of money in an over \$400 million budget to divest the City from fossil fuels wherever possible. It is the bare minimum of what the City should be doing to minimize its reliance on fossil fuels. In addition, hundreds of other municipalities are taking the step to divest from fossil fuel holdings. There is concern that it may not be possible to adhere to what the ordinance states related to the indirect holdings language. There is also a possibility that there could be significant costs to the city in the future. Several members would support the ordinance without the indirect holdings limitation or with a further understanding of what the ramifications are to future investments and the costs to the City if this ordinance is approved.

The Chair asked for public comment on the item. David Backer, Page Road, stated that it seems like there is only a small percentage of the City's investments that would be affected. He urged the committee to support the ordinance amendment. It is an important step. Cory Alperstein, 19 Hibbard Road, added that there are a couple of things to keep in mind when thinking about this proposed amendment. Fossil fuels is not a good place to invest. She is not concerned that the City will lose money by removing itself from these types of investments. There are several entities doing evaluations and making recommendations on alternative investments. This ordinance is a step beyond symbolism, it is part of a larger picture, which Newton is moving towards. It is going to cost us as a city and community to move forward but we need to be united in the decision that there is nothing else that matters as much as this.

The Chair suggested consulting with the City's Law Department and the Investment Advisory Committee before taking any action on the proposed ordinance. The Committee would like responses to the following questions:

What impact would this ordinance have on the investment policy?

What constitutes investment in indirect holdings?

What are the consequences related to the indirect holdings language in the ordinance?

What financial impact does this ordinance have?

How does this ordinance limit the City in terms of what funds the City can invest in? For example, would it preclude the City from investing in the S&P 500?

If possible, the Committee would like a member of the Investment Advisory Committee to attend the next Committee discussion of this item. With that, Councilor Noel moved hold, which carried by a vote of four in favor and one abstention.

#534-18 Appropriate \$28,804 for McKinney-Vento Homeless Student Transportation
SCHOOL COMMITTEE requesting that the City Council approve authorizing the Mayor to appropriate the state reimbursement of twenty-eight thousand eight hundred four dollars (\$28,804) for McKinney-Vento Homeless Student Transportation from the general fund to the School Department.

Action: Finance Approved 5-0 (Gentile not voting)

Note: Comptroller Sue Dzikowski presented the request to appropriate \$28,804 from the City’s General Fund to the School Department’s Budget. The funds are an annual reimbursement from the State for the transportation of homeless students to and from shelters or temporary housing, which the School Department uses to offset bus transportation costs. The City receives a reimbursement of approximately 30% of the cost of that transportation.

Per the McKinney Vento Assistance Act, students have the right to continue attending their “school of origin”. The “school of origin” is the school where the student was last enrolled or the school the student was attending when they became homeless. If the student is still in the same district as the school of origin, the school district must provide transportation. If the student is not living within the district of the school of origin, the district of origin and the district where the student is living must determine how to share transportation costs and responsibility. If the districts cannot come to an agreement, then the districts share equally in the costs and responsibility.

Councilor Grossman moved approval, which carried unanimously.

#532-18 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
51 Avalon Road	Rittenhouse Nancy E & Larson Dale N	1226/153	53014 0014	\$5,220.00
25 Ballard Street	Feder Miriam	65077/563	73030 0001	\$4,992.50
36 Brooks Avenue	Denison Sherman F & Susan Tars (Denison Realty Trust)	66381/362	21032 0008	\$2,185.00
33 Duxbury Road	Jennings Bruce E & Sybicki Joan	17325/397	62027 0001	\$2,347.50



RUTHANNE FULLER
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rfuller@newtonma.gov

January 15, 2019

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

Councilors:

I write to request that your Honorable Council docket for consideration a request to authorize the appropriation and expenditure of the sum of \$1,750,000 Overlay Surplus as declared on this date by the City's Assessment Administration and authorize the transfer of \$1,250,000 from Capital Stabilization for a total of \$3,000,000 to be transferred to the City's Pavement Management Program.

This authorization will enable the City to begin to enter into contracts for the FY20 construction time period.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller
Mayor

RECEIVED
Newton City Clerk
2019 JAN 15 PM 1:22
DANIEL A. GREGG, CLERK
NEWTON, MA 02459

City of Newton



Ruthanne Fuller
Mayor

ASSESSMENT ADMINISTRATION

Elizabeth Dromey, Director

Telephone
(617) 796-1160
Telefax
(617) 796-1179
For Telecommunication Relay
Service Dial 711
Email
assessing@newtonma.gov
dromey@newtonma.gov

January 15, 2019

Susan Dzikowski, Comptroller
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

Dear Ms. Dzikowski:

In accordance with Chapter 59, Section 25 of the Massachusetts General Laws, please accept this letter as formal notification of declaration of overlay surplus.

The total amount declared surplus is **\$1,750,000.00**.

Sincerely,


Elizabeth Dromey, Director
Assessment Administration

cc: Mayor Ruthanne Fuller
Councilor Leonard J. Gentile, Finance Chairman
Maureen Lemieux, Chief Financial Officer
James G. Reardon, Treasurer/Collector

1000 Commonwealth Avenue, Newton, MA 02459-1449
www.newtonma.gov



RUTHANNE FULLER
MAYOR

**City of Newton, Massachusetts
Office of the Mayor**

#31-19

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RECEIVED
 Newton City Clerk
 2018 DEC 31 PM 3:12
 David A. O'Connell, Clerk
 Newton, MA 02459
 December 31, 2018

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

Councilors:

I write to request that your Honorable Council docket for consideration a request to authorize the transfer of \$100,000 from Acct # 0110498-5790 Current Year Budget Reserve to Acct # 0140111-52924 Processing Recyclables.

As you may know, the worldwide recycling market has experienced significant disruption. Approximately one year ago, China banned waste and recycling imports, including mixed paper and certain plastics outright, and effectively cardboard. (China has set a maximum threshold of 0.5% contamination for cardboard, a level that is virtually impossible to achieve given current single stream recycling systems.)

Counsel for our current provider, Waste Management, approached the City several months ago claiming that Waste Management was entitled to increase the rates under the current contract (which will not expire until June 30, 2020) as a result of changes in Chinese Law. The City did not agree that China's ban on the importation of recyclables constituted a "Change in Law," nor did we agree that Waste Management could unilaterally impose a rate increase on the City pursuant to its contract with the City which permits increased costs to be passed along to the City.

However, the City did agree to continue discussions with Waste Management, but those discussions needed to be clearly predicated on specific financial and accounting information regarding the costs attributed to China's decision limiting its importation of recyclable materials as well as what steps Waste Management was taking to seek alternative markets.

Following several months of negotiation, the administration has agreed to the following, subject to approval of the City Council.

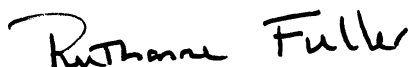
Section 7.05, paragraph (a) Cost is amended by deleting "provided however that the net maximum charge shall not exceed \$30.00 per ton for the term of the contract," and replacing it with: "provided however that the net maximum charge shall not exceed: \$30.00 per ton for the period July 1, 2015 through December 31, 2018; \$50.00 per ton for the period January 1, 2019 through June 30, 2019; and \$60.00 per ton for the period July 1, 2019 through June 30, 2020."

The City currently recycles approximately 10,000 tons of material each year. Therefore, this change in contract language will yield a net increase of approximately \$100,000 to our cost of processing recyclables for the remaining months of FY2019.

A significant amount of backup has been provided, and we look forward discussing this with the Honorable Council.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink that reads "Ruthanne Fuller". The signature is written in a cursive, slightly slanted style.

Ruthanne Fuller
Mayor



RUTHANNE FULLER
MAYOR

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Office of the Mayor

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RECEIVED
NEWTON CITY CLERK
2019 JAN - 2 PH 3:46
DANIEL A. OLSON, CMC
NEWTON, MA 02459
January 2, 2019

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

Councillors:

Attached you will find supporting documentation regarding the processing of recyclables.

Exhibit 1 – Letter to the City of Newton from Goodwin Procter LLP, Counsel for Waste Management

Exhibit 2 – The City’s initial response to Waste Management

Exhibit 3 – Waste Management’s proposed amendment to the City’s current contract

Exhibit 4 – Proposed Amendment to the Solid Waste Collection and Haul and Single Stream Recycling Agreement dated July 2015, between the City of Newton, Mass and Waste Management of Massachusetts, Inc.

Thank you for your consideration of this matter.

Sincerely,

Maureen Lemieux
Chief Financial Officer

Waste Management Payments (FY08 through FY19 YTD)

Sum of AMOUNT BUDGET CODE	Fiscal Year												Grand Total
	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010	2009	2008	
0140111-5292 (solid waste)	1,411,175	2,997,098	2,359,147	2,298,848	2,433,693	2,366,192	2,211,033	2,193,486	1,776,159		27,571	13,168	20,087,570
0140111-52922 (collection recyclables)	1,063,262	2,376,443	3,666,089	2,793,650	2,538,478	2,448,008	2,339,632	2,297,996	2,172,486	2,014,245	2,060,113	1,692,289	27,462,692
0140111-52924 (processing recyclables)	31,117	266,466							10,736				308,319
0140111-5292B (yard waste)	415,769												415,769
0140111-5292C (municipal waste)	133,447												133,447
0140111-5292D (multi family collections)	57,644												57,644
0140111-5292E (residential drop off collections)	13,107												13,107
Grand Total	3,125,521	5,640,007	6,025,236	5,092,497	4,972,171	4,814,199	4,550,664	4,491,483	3,959,381	2,014,245	2,087,685	1,705,457	48,478,547

Waste Management Payments by month (FY19 and FY18)

Sum of AMOUNT	DATE	BUDGET CODE	Total
Fiscal year			
2019	07/13/18	0140111-5292 (solid waste)	258,128.68
		0140111-52922 (collection recyclables)	229,663.94
		0140111-52924 (processing recyclables)	31,116.90
	07/13/18 Total		518,909.52
	08/07/18	0140111-5292 (solid waste)	102.04
	08/07/18 Total		102.04
	08/21/18	0140111-5292 (solid waste)	230,588.90
		0140111-52922 (collection recyclables)	171,452.83
		0140111-5292B (yard waste)	83,153.83
		0140111-5292C (municipal waste)	2,899.71
		0140111-5292D (multi family collections)	58.00
		0140111-5292E (residential drop off collections)	3,052.80
	08/21/18 Total		491,206.07
	09/28/18	0140111-5292 (solid waste)	230,588.90
		0140111-52922 (collection recyclables)	172,133.75
		0140111-5292B (yard waste)	83,153.83
		0140111-5292C (municipal waste)	6,351.18
		0140111-5292E (residential drop off collections)	2,812.40
	09/28/18 Total		495,010.06
	11/06/18	0140111-5292 (solid waste)	230,588.90
		0140111-52922 (collection recyclables)	144,318.08
		0140111-5292B (yard waste)	83,153.83
		0140111-5292C (municipal waste)	2,078.65
		0140111-5292E (residential drop off collections)	2,221.00
	11/06/18 Total		462,360.46
	11/09/18	0140111-5292 (solid waste)	230,588.90
	11/09/18 Total		230,588.90

2019	11/13/18	0140111-52922 (collection recyclables)	144,318.08
		0140111-5292B (yard waste)	83,153.83
		0140111-5292C (municipal waste)	116,916.33
		0140111-5292D (multi family collections)	57,585.66
	11/13/18 Total		401,973.90
	12/07/18	0140111-52922 (collection recyclables)	57,057.36
	12/07/18 Total		57,057.36
	12/13/18	0140111-5292 (solid waste)	230,618.90
		0140111-52922 (collection recyclables)	144,318.08
		0140111-5292B (yard waste)	83,153.83
		0140111-5292C (municipal waste)	5,201.61
		0140111-5292E (residential drop off collections)	5,020.51
	12/13/18 Total		468,312.93
2019 Total			3,125,521.24
2018	07/14/17	0140111-5292 (solid waste)	6,364.69
		0140111-52922 (collection recyclables)	39,457.30
	07/14/17 Total		45,821.99
	09/11/17	0140111-5292 (solid waste)	232,867.06
		0140111-52922 (collection recyclables)	219,779.67
		0140111-52924 (processing recyclables)	7,157.67
	09/11/17 Total		459,804.40
	09/21/17	0140111-52922 (collection recyclables)	40,532.18
	09/21/17 Total		40,532.18
	10/12/17	0140111-5292 (solid waste)	287,805.49
		0140111-52922 (collection recyclables)	238,570.85
		0140111-52924 (processing recyclables)	7,490.25
	10/12/17 Total		533,866.59
	10/17/17	0140111-5292 (solid waste)	250,840.70
		0140111-52922 (collection recyclables)	227,593.14
		0140111-52924 (processing recyclables)	11,097.94
	10/17/17 Total		489,531.78
	10/25/17	0140111-5292 (solid waste)	2,562.03
		0140111-52922 (collection recyclables)	1,893.68
	10/25/17 Total		4,455.71

2018	11/30/17	0140111-5292 (solid waste)	212.78
		0140111-52922 (collection recyclables)	50.23
	11/30/17 Total		263.01
	12/14/17	0140111-5292 (solid waste)	221,031.35
		0140111-52922 (collection recyclables)	222,208.02
	12/14/17 Total		443,239.37
	01/05/18	0140111-5292 (solid waste)	252,756.62
		0140111-52922 (collection recyclables)	229,089.42
		0140111-52924 (processing recyclables)	26,288.40
	01/05/18 Total		508,134.44
	01/25/18	0140111-5292 (solid waste)	219,476.30
		0140111-52922 (collection recyclables)	221,634.27
		0140111-52924 (processing recyclables)	35,271.14
	01/25/18 Total		476,381.71
	01/30/18	0140111-5292 (solid waste)	33,775.18
		0140111-52922 (collection recyclables)	7,962.31
	01/30/18 Total		41,737.49
	03/07/18	0140111-5292 (solid waste)	220,196.03
		0140111-52922 (collection recyclables)	221,375.92
	03/07/18 Total		441,571.95
	03/15/18	0140111-5292 (solid waste)	33,529.26
		0140111-52922 (collection recyclables)	7,826.58
	03/15/18 Total		41,355.84
	03/28/18	0140111-5292 (solid waste)	472,979.73
		0140111-52922 (collection recyclables)	9,452.95
	03/28/18 Total		482,432.68
	03/30/18	0140111-52924 (processing recyclables)	64,530.82
	03/30/18 Total		64,530.82
	04/11/18	0140111-52924 (processing recyclables)	25,869.68
	04/11/18 Total		25,869.68
	04/19/18	0140111-5292 (solid waste)	253,124.04
		0140111-52922 (collection recyclables)	229,248.89
		0140111-52924 (processing recyclables)	29,281.53
	04/19/18 Total		511,654.46

2018	05/25/18	0140111-5292 (solid waste)	254,932.77
		0140111-52922 (collection recyclables)	229,580.91
	05/25/18 Total		484,513.68
	06/12/18	0140111-52924 (processing recyclables)	28,836.27
	06/12/18 Total		28,836.27
	06/26/18	0140111-5292 (solid waste)	254,643.91
		0140111-52922 (collection recyclables)	230,186.89
		0140111-52924 (processing recyclables)	30,642.48
	06/26/18 Total		515,473.28
2018 Total			5,640,007.33
Grand Total			8,765,528.57



RUTHANNE FULLER
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Office of the Mayor

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rfuller@newtonma.gov

January 14, 2019

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

Councilors:

I write to request that your Honorable Council docket for consideration a request to authorize the acceptance and expenditure of a gift in the amount of \$10,000 from the Ruderman Family Foundation for the purpose of funding an accessible pathway at the Hyde Playground.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller
Mayor

RECEIVED
Newton City Clerk
2019 JAN 14 PM 5:11
David A. Olson, Clerk
Newton, MA 02459