



Finance Committee Agenda

City of Newton In City Council

Revised

Monday, March 11, 2019

7:00 PM
Room 211

Items scheduled for discussion:

- #97-19** **Mayor's appointment of James Shaughnessy as Director of Assessing**
HER HONOR THE MAYOR appointing JAMES SHAUGHNESSY, as DIRECTOR OF ASSESSING
ADMINISTRATION pursuant to Sec. 3-3 of the City Charter. (30 days: 04/03/19)

Referred to Programs & Services, Public Facilities, and Finance Committees

- #101-19** **Authorization to submit an SOI to the MSBA for Countryside School**
SUPERINTENDENT OF SCHOOLS requesting authorization to submit a Statement of
Interest (SOI) – Core Program to the Massachusetts School Building Authority (MSBA) for
consideration of funding for a renovation/addition of Countryside Elementary School,
designated as the highest priority for a major project after Cabot Elementary School and
Lincoln–Eliot Elementary School and Newton Early Childhood Program.

Programs & Services Approved 6-0 on 03/06/19

Public Facilities Approved 6-0 (Leary not voting) on 03/06/19

Referred to Public Facilities and Finance Committees

- #100-19** **Request to bond \$1,364,006 for boilers at Bigelow Middle School**
HER HONOR THE MAYOR requesting authorization to appropriate one million three
hundred sixty-four thousand six dollars (\$1,364,006) from bonded indebtedness for the
purpose of paying costs, including incidental and/or related costs, of replacing the boilers
at Bigelow Middle School for which the City may be eligible for a grant from the
Massachusetts School Building Authority (MSBA). The funds are to be expended under
the direction of the Commissioner of Public Buildings.

Public Facilities Approved 7-0 on 03/06/19

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.

Referred to Public Facilities and Finance Committees

- #83-19** HER HONOR THE MAYOR requesting amendment to Section 17-3 of the City of Newton Ordinances adopting the Federal Communications Commission's presumptively reasonable application fees for wireless attachments and new pole construction and conduct cost studying in the coming months to document the City's time and expenses regarding these applications.
Public Facilities Approved 6-1-1 (Gentile Opposed, Lappin Abstaining) on 02/20/19

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
- #61-19** **Rescind the acceptance of Section 22F of MGL Chapter 40**
COUNCILOR GENITILE requesting rescission of the acceptance of Section 22F of Mass General Law Chapter 40 which authorizes certain municipal boards and officers to fix reasonable fees for the issuance of certain licenses, permits, or certificates, as provided therein.
- #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.
-
- #51-19(2)** **Request to transfer \$1.25 million to use unexpended funds for accelerated roads**
HER HONOR THE MAYOR requesting an amendment to Council Order #51-19 by authorizing the transfer of one million two hundred fifty thousand dollars (\$1,250,000) from the Angier Elementary School Project Account to the Capital Stabilization Account for the Accelerated Roads Program.
- #98-19** **Request to amend the FY 19 Budget Council Order (#250-18)**
HER HONOR THE MAYOR requesting amendments to Page 9 of Council Order #250-18, the FY 19 Budget by authorizing the following changes:
- Amend the Sewer Fund Benefits column by decreasing Sewer Maintenance & operation by \$188,067 and increasing Retirement by \$188,067.
 - Amend the Water Fund Benefits column by decreasing Water Maintenance & Operation by \$302,283 and increasing Retirement by \$302,283.

#99-19 Request to re-appropriate unspent bond funds

HER HONOR THE MAYOR requesting re-appropriation of unspent bond funds for completed projects to new projects with loan terms of an equal or longer period as follows:

| From Council Order | Project | Amount |
|---------------------------|--------------------------------------|---------------|
| #211-13 | Lower Falls Community Center Improve | \$4,400 |
| #286-15 | NNHS Baseball Backstop | \$71,600 |
| #191-16 | NSHS Modulars | \$2,000 |
| #219-15 | NSHS Tennis Courts | \$108,081 |
| To Council Order | Project | Amount |
| #494-18 | Carr School Air Conditioning Units | \$186,081 |

| From Council Order | Project | Amount |
|---------------------------|---------------------------------|---------------|
| #52-13 | Fire Station #10 Improvements | \$268,500 |
| #470-14 | City Hall War Memorial Elevator | \$38,500 |
| To Council Order | Project | Amount |
| #511-18 | Crafts Street Garage Roof | \$307,000 |

| From Council Order | Project | Amount |
|---------------------------|---------------------------------|---------------|
| #467-14 | FA Day Water Heater Replacement | \$25,000 |
| #220-15 | DPW Snow Equipment | \$4,105 |
| #274-16 | 2017 DPW Construction Equipment | \$3 |
| #273-16 | 2017 DPW Street Sweeper | \$11 |
| #307-16 | 2017 Fire Pumper Truck | \$95,800 |
| To Council Order | Project | Amount |
| #537-18 | 2 6-Wheel Dump Trucks | \$124,919 |

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

Respectfully submitted,

Leonard J. Gentile, Chair



RECEIVED
Newton City Clerk

City of Newton, Massachusetts

2019 FEB 19 PM 6:51 Office of the Mayor

Ruthanne Fuller

Mayor David A. Olson, CMC
Newton, MA 02459

#97-19

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(617) 796-1089

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rfuller@newtonma.gov

February 19, 2019

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

City Councilors,

I write to docket for your consideration a request to approve the appointment of James Shaughnessy as the City's Director of Assessing Administration. Jim is the currently a member of the Board of Assessors, a position he has held for 14 years working with retiring Director Elizabeth Dromey. He is responsible for all aspects of residential property assessment, including supervising the field personnel. He is also responsible for managing the property characteristics database, the basis for all residential, industrial, commercial and personal property information used by the department.

Prior to his current position, Jim worked as Assistant Director of Assessment/Finance for the Town of Natick and as an Assistant Assessor/Statistical Analyst for the City of Newton. He has a Bachelor of Sciences in Mathematics from the University of Massachusetts-Lowell and is a Certified Residential Real Estate Appraiser and Massachusetts Accredited Assessor.

Jim has the deep experience and strong leadership qualities needed to lead this critical department. He also brings extensive analytical and technical skills, and an extremely detailed understanding of Newton's property classes and the great knowledge of the database system he has developed for the City. He has my complete confidence and that of Maureen Lemieux and Elizabeth Dromey.

Thank you for your consideration of this matter.

Sincerely,

Mayor Ruthanne Fuller

James Shaughnessy

Home:

Work: (617) 796-1176

Work Email: shaughj@newtonma.gov

Personal Email:

PROFESSIONAL OBJECTIVE

I would like to utilize my analytical, technical, organizational, and inter-personal skills, along with my extensive municipal government, Assessing and managerial experience, for the prestigious community of Newton as our next Director of Assessing.

WORK EXPERIENCE

Board of Assessors

City of Newton, MA - February 1995 to present.

Director: Elizabeth Dromey 617-796-1160

- Knowledge and involvement in all daily operations of our Assessing Department.
- Maintain our real estate database integrity and consistency using ORACLE and SQL-PLUS.
- Responsible for the valuation of our residential property population. Develop and implement the statistical regression model and linearization tables using SPSS for Windows, NCSS, Excel and other statistical software.
- Prepare statistical summary reports for Mayor, Comptroller, Treasurer, Council meetings and media outlets.
- Oversee and assist in the valuation of our Commercial, Industrial, and Personal Property.
- Prepare documentation for Massachusetts Department of Revenue to finalize successful citywide revaluation.
- Coordinate data exchange and reporting between the Assessors, Comptrollers, IT, and Treasurer's Office.
- Work with the City Clerk, Comptroller, Chief Financial Officer, and the Chief Budget Officer on financial matters relating to the successful submission of our Tax Recap Data to the Massachusetts Department of Revenue.
- Comply with Department of Revenue's statistical guidelines for certification of our assessed values.
- Analyze market data to constantly maintain and develop our statistical valuation model.
- Maintain Internet website for assessing database and other functional aspects of Internet web design for public.
- Prepare and present Appellate Tax Board Cases, including appraisal report preparation.
- Manage revaluation of entire residential population (23,000 parcels), commercial population (4,000 parcels) and personal property population (2,300 accounts).
- Supervise outside vendors to insure contractual compliance.
- Develop applications, training and instructional documentation for computer software and hardware utilization. Implement training guidelines. Train staff in the use of such software packages as Microsoft Office, CAMA, Munis, and Pentamation software. Develop in-house applications for better work flow throughout our office.

Assistant Director of Assessment/Finance

Town of Natick, MA - September 1994 to February 1995.

Director: Robert A. Palmer (deceased) 508-647-6457

- Managed daily operations of the Assessors Office.
- Developed statistical valuation procedures for town wide database of property information.
- Provided statistical support and analysis for revaluation including mathematical modeling.
- Interacted with other department heads to coordinate projects.
- Prepared statistical presentations for Selectmen's meetings and media outlets.
- Instituted departmental procedures for organization and data integrity.

Assistant Assessor/Statistical Analyst

City of Newton, MA - February 1993 to September 1994.

Assessor: Elizabeth Dromey 617-796-1160

- Provided statistical analysis on sales data and other related property characteristics.
- Interacted with residents to address questions and concerns.
- Trained staff in the utilization of computerized techniques to better facilitates their production.
- Attended intensive class on the use of Newton's state-of-the-art Geographic Information System (GIS).
- Extensive use of the Computer Aided Mass Appraisal (CAMA) system. Assigned fair and equitable tax assessments on all properties throughout the City.

Appraisal Associate and Technical Consultant

Zabbo Appraisal Associates - May 1991 to present.

President: Daniel Zabbo 978-649-3808

- Utilize linear regression and mathematical modeling techniques to perform market data analysis.
- Perform market research and discounted cash flow analysis for commercial properties.
- Prepare appraisal procedures for manual.
- Prepare subdivision analysis reports for various area banks and lending officers.

EDUCATION

Bachelor of Science in Mathematics

University of Massachusetts-Lowell

- Concentration: Applied Mathematics and Statistics.
- Magna Cum Laude Graduate, G.P.A. 3.7, Received Departmental Award for Achievement of Excellence in Mathematics.

Current Real Estate Designations

- Certified Residential Real Estate Appraiser - Commonwealth of Massachusetts License 75105.
- Massachusetts Accredited Assessor 759 (MAA) - Massachusetts Association of Assessing Officials.

REFERENCES Available upon request

CITY OF NEWTON

DOCKET REQUEST FORM

DEADLINE NOTICE: Council Rules require items to be docketed with the Clerk of the Council NO LATER THAN 7:45 P.M. ON THE MONDAY PRIOR TO A FULL COUNCIL MEETING.

To: Clerk of the City Council

Date: 2/26/19

From (Docketer): David Fleishman, Superintendent

Address: Newton Public Schools, 100 Walnut Street, Newton

Phone: 617-559-6100

E-mail: david fleishman@newton.k12.ma.us

Additional sponsors: Liam Hurley, Assistant Superintendent/CFAO

1. Please docket the following item (it will be edited for length if necessary):

Superintendent Fleishman is requesting a vote of the City Council to authorize the Superintendent of Schools to submit a request to the Massachusetts School Building Authority (MSBA) for consideration of funding (Statement of Interest - Core Program) for a renovation/addition of Countryside Elementary School, designated as the highest priority for a major project after Cabot and Lincoln-Eliot and Newton Early Childhood.

This item needs committee review and City Council Authorization before April ¹² 8, 2019. This is the due date for the application to MSBA.

2. The purpose and intended outcome of this item is:

- Fact-finding & discussion
- Appropriation, transfer,
- Expenditure, or bond authorization
- Special permit, site plan approval,
- Zone change (public hearing required)
- Ordinance change
- Resolution
- License or renewal
- Appointment confirmation
- Other: Authorization to submit to MSBA

3. I recommend that this item be assigned to the following committees:

- Programs & Services
- Zoning & Planning
- Public Facilities
- Finance
- Public Safety
- Land Use
- Real Property
- Special Committee
- No Opinion

4. This item should be taken up in committee:

Immediately (Emergency only, please). Please state nature of emergency:

- As soon as possible, preferably within a month
- In due course, at discretion of Committee Chair
- When certain materials are made available, as noted in 7 & 8 on reverse
- Following public hearing

5. I estimate that consideration of this item will require approximately:

#101-19

- One half hour or less
- More than one hour
- More than one meeting
- Up to one hour
- An entire meeting
- Extended deliberation by subcommittee

6. The following people should be notified and asked to attend deliberations on this item. (Please check those with whom you have already discussed the issue, especially relevant Department Heads):

City personnel

Citizens (include telephone numbers/email please)

Liam Hurley, Schools x9025

Maureen Lemieux, Exec. x1100

Josh Morse, Pub. Builings x1600

David Stickney, Schools x9000

Julie Kirrane, Schools x9025

7. The following background materials and/or drafts should be obtained or prepared by the Clerk's office prior to scheduling this item for discussion:

- | |
|---|
| 1. A copy of the material to be Statement of Interest to be submitted to MSBA for Countryside 2. Form of vote required |
|---|

8. I have or intend to provide additional materials and/or undertake the following research independently prior to scheduling the item for discussion. *

| |
|---|
| Certified Vote of the School Committee (expected March 4, 2019) |
|---|

(*Note to docketer: Please provide any additional materials beyond the foregoing to the Clerk's office by 2 p.m. on Friday before the upcoming Committee meeting when the item is scheduled to be discussed so that Councilors have a chance to review all relevant materials before a scheduled discussion.)

Please check the following:

- 9. I would like to discuss this item with the Chairman before any decision is made on how and when to proceed.
- 10. I would like the Clerk's office to contact me to confirm that this item has been docketed. My daytime phone number is:
- 11. I would like the Clerk's office to notify me when the Chairman has scheduled the item for discussion.

Thank you.

Signature of person docketing the item

[Please retain a copy for your own records]

2019 Countryside SOI - CORE PROGRAM – **DRAFT 2/7/19**

SOI MAIN TAB

Is this part of a larger facilities plan? Please provide an overview of the plan including as much detail as necessary to describe the plan, its goals, and how the school facility that is the subject of this SOI fits into that plan (maximum of 5000 characters)? Yes

HMFH Architects, Inc. (2007, 2011); Self-prepared 2012 - present

In a context of significant enrollment growth, Newton has been engaged in long-range planning since the early 2000's. Over this time, a significant growth trend occurred that has resulted in a K12 population increase from 11,267 to 12,685 students, or 13% growth. The K5 population had the steepest increase from 4,938 to 5,824 students by 2017-18, or 17% growth, and has now stabilized. After this sustained 13-year growth period, every grade cohort has experienced growth that is now fully integrated in all grade levels. In the next five years, overall district enrollment is projected to remain stable around 12,700 students, with elementary growth projected to decrease slightly in the next five years while high school enrollment continues to grow.

A formal master plan was initiated in 2007, and conducted by HMFH Inc. The plan provided facility conditions assessment, space needs and long-range utilization plans using both engineering/facility and educational standards for its evaluation. HMFH completed an update of the plan in 2011 with the launch of Newton's current long-range plan to correct facilities deficiencies by sequencing major and mid-sized projects at 15 elementary schools, which at that time included two of the oldest schools in the state in the worst condition (Angier, Cabot).

Newton continues to update its long-range plan annually since 2012 and has developed consensus for the elementary facilities plan that provides critically needed modernization of school buildings and capacity expansion. The plan is fully coordinated with the city's capital plan which outlines multi year financial support. The plan is based on detailed enrollment projections that document the capacity needed to address classroom shortages for both regular education as well as the needs of special populations. Significant progress has been made on the long-range plan which identified Angier and Cabot as Newton's top priorities due to age, condition and overcrowding. A 2013 debt exclusion funded the Angier, Zervas and Cabot school buildings plus ten modular classrooms to address short term severe crowding. In partnership with the MSBA, a newly constructed Angier was reopened in January 2016 and Cabot will open in September 2019. Zervas was Newton's second school to be rebuilt since its location and site offered an opportunity to expand capacity, and was funded locally. Zervas reopened in September 2017 with six additional classrooms and has an enlarged school district. Cabot will open in September 2019 with four additional classrooms. The Angier, Zervas and Cabot projects will have added capacity for approximately 200 students and, through two phases of redistricting, will have eased crowding at other schools. Five of Newton's 15 elementary school will still have enrollment above capacity in 2019-20, so local enrollment pressure points continue require careful management.

Although enrollment has stabilized recently, Newton is studying the potential impact of 1,785 additional units of housing in two large and two small residential developments in Newton. One of the proposals has already filed its special permit application for an 822-unit development located in the Countryside district, and is under city council committee review. There is a potential enrollment impact at Countryside, currently estimated at 70 students, for a total enrollment of 449 students in ten years (2028-29). Countryside's recommended enrollment capacity is 20 classrooms and 440 students.

Countryside Elementary School was constructed in 1953 as a small neighborhood school. In the decades since it opened the neighborhood has grown tremendously adding enrollment pressures that led the Newton to add an annex only five years later in 1958. In the past 60 years enrollment pressures continued not only from increases in single family residences but also from large scale apartment development, e.g. the Avalon Bay project on Needham Street. All of this growth resulted in the building of modular classroom adjacent to the annex. The modular construction has created very inefficient circulation. The modulars were installed over two decades ago.

A properly reconstructed Countryside School is the next highest priority, after Cabot, on Newton's long-range plan due to facility condition issues, the facility's failure to support the educational program and the extensive reliance upon inferior quality short-term annex construction as well as modular classrooms. Further, the district has had recent periods of enrollment crowding (enrollment above 500 students) at the facility which required the drastic action of relocating of an entire kindergarten class to different schools. The district also recognizes that there is considerable future residential development in the planning stages and there are no longer any intermediate actions, such as the installation of modular building, available on the school's very constrained and wet site. The school is adjacent to the Needham Street Area for which the City has developed a "Vision Plan." That plan includes adding diverse residential options including multi-unit housing including affordable units. A proposal for a mixed use project in the Countryside district by Northland Investment Corporation is under review by the City and could add over 800 residential units with a potential to generate close to 150 additional public school age students. As a result, enrollments at Countryside could exceed its current capacity. The MSBA's 2016 School Survey determined that Countryside is "overcapacity" in utilization of general space.

Does the District have a Master Educational Plan that includes facility goals for this building and all school buildings in District? YES

Newton has developed Education Plans in conjunction with the Angier, Zervas and Cabot school building projects that document Newton's educational plan for modern school buildings that support standards for teaching and learning in the 21st century. Standards promote the education, health and well-being of all students; highly effective teaching environments, efficient operations, and anticipate future programmatic change while maintaining standards of performance and reliability.

Is there overcrowding at the facility? No

Please provide a description of the local budget approval process for a potential capital project with the MSBA. Include schedule information (i.e. Town Meeting dates, city council/town council meetings dates, regional school committee meeting dates). Provide, if applicable, the District's most recent budget approval process that resulted in a budget reduction and the impact of the reduction to the school district (staff reductions, discontinued programs, consolidation of facilities (maximum of 2000 characters).

The FY19 School Committee Approved Budget is \$227,560,263, and includes an \$8.4 million increase, 3.8% over the FY18 budget of \$219,436,486. The budget process began in November 2017 with the approval by the School Committee of the District wide Goals which directs budget priorities. The budget process involves a comprehensive review by district and school administrators of existing and proposed school functions, planning for adjusted costs and future changes or new educational initiatives. The budget process culminates in a public presentation by the Superintendent, public meetings to review specific areas of the budget, public hearings, a school committee straw vote and a final vote of approval. Following the Newton Public Schools' process, the budget is presented to the City Council, reviewed and voted by that body in conjunction with the approval of the city of Newton's operating and capital annual budgets. The FY19 budget continues to support Newton Public Schools core mission to meet the diverse

educational, social and emotional needs of all students while narrowing the achievement gap, promoting critical thinking skills, providing mental health supports, and sustaining teacher professional development and collaboration. FY19 budget also expands the ongoing maintenance of buildings and expands in-district special education facilities.

General Description

BRIEF BUILDING HISTORY: Please provide a detailed description of when the original building was built, and the date(s) and project scopes(s) of any additions and renovations (maximum of 5000 characters).

Countryside School was constructed in 1953 as a small neighborhood school. It was one of five new elementary schools built to accommodate the post-WWII enrollment boom in Newton between 1950-1955. The original building was 35,910 gross square feet and consisted of 13 classrooms, a gym, library, auditorium, main office, two sets of girls and boys restrooms, and a pair of staff bathrooms. A 6 classroom annex addition was constructed in 1958 to address the rising school enrollment. A single bathroom with one fixture was added as part of this project. In 1986, two additional annex classrooms were constructed on the north end of the annex. In 1991, 1999, and 2000 a total of four modular classrooms, smaller than regular classrooms, and two offices were constructed. With the five additions, the number of classrooms, staff, and students were doubled with no increase in support spaces such as restrooms, offices, storage, small group instruction, or special education. The total square footage including the original building, the additions and modular space is 65,000 gsf.

The school had as many as 25 classrooms at one time and 500 students (during enrollment peaks in 1998 and 2010), but currently 19 classrooms are being used for individual grades and a total enrollment of 413 students. In addition, one classroom was divided into two classrooms to allow for ELL, Inclusion, and Special Education spaces which also occupy two modulares. A modular classroom is currently being repurposed for use as an Art Room, as the art program had been offered “on a cart” for a number of years due to lack of space for the program, and recently in a former storage location behind the gymnasium. The music program does not have its own space, and currently occupies the stage in the cafetorium. Currently there are 10 individual grade classrooms in the 1953 building, and 9 individual grade classrooms in the annex and modulares. The library, gym, and auditorium are all sized for a school population approximately half the size of the current enrollment. Overall, the entire school is about half the square footage it should be based on the enrollment. The quantity of classrooms is adequate, but conditions are severely lacking. Support spaces are minimal and undersized throughout the school. There is only one breakout space for small group instruction. Many of the Special Education spaces either don’t exist or are inadequate. OT/PT has a small office space. Offices for support staff either don’t exist, or have been placed in areas that should not be occupied, The auditorium was converted to a cafetorium 2009 by removing the seating and evening out the floor. The warming kitchen is across the corridor and very small and inadequate for healthy and nutritious lunch service. The HVAC system is steam by natural gas with classroom unit ventilators with supplemental radiation. The annex and modular classrooms are substantially colder in the winter months than the original wing. Two boilers were replaced in 2007 and 2012. The 2007 boiler has been completely submerged at least twice due to flooding n the school. The boiler room has experience flood levels as high as 12 feet which has taken its toll on all of the mechanical, electrical and plumbing equipment.

A vertical lift was installed in 2010. This lift was allowed at the time but is no longer allowed to be constructed as a permanent means of vertical accessible travel. The cab of the lift is approximately 3 ft. by 4 ft. A school building security project was implemented, funded through a Homeland Security Grant. Electronic access card readers were installed on two exterior doors. All appropriate staff has electronic

access via key fob device. Access to the building is much more secure and records of access by individuals is monitored via a live database.

TOTAL BUILDING SQUARE FOOTAGE: Please provide the original building square footage PLUS the square footage of any additions.

original bldg 35,910

modulars 5,653

additions (annex) 23,437

SITE DESCRIPTION: Please provide a detailed description of the current site and any known existing conditions that would impact a potential project at the site. Please note whether there are any other buildings, public or private, that share this current site with the school facility. What is the use(s) of this building(s)? (maximum of 5000 characters).

Countryside School sits on a 322,065 square foot parcel (7.39 acres), which is comprised of approximately 65,000 sf of wetlands, 120,000 square feet of school and parking, and 137,065 square feet of open space currently used as a baseball field and playground. Approximately 2/3 of the site sits within the 200 foot Riverfront Protection Act area, including half of the existing building. The water table is close to grade throughout most of the eastern portion of the site, including the areas where the annexes and modular classrooms are sited. The Department of Public Works completed a storm water project in 2012 that addressed chronic flooding in the courtyard of the school, which often resulted in flooding of the school itself. Site grading at the perimeter causes standing water accumulation at the main entry and creates a safety risk.

ADDRESS OF FACILITY: Please type address, including number, street name and city/town, if available, or describe the location of the site. (Maximum of 300 characters)

191 Dedham Street, Newton Highlands, Massachusetts

BUILDING ENVELOPE: Please provide a detailed description of the building envelope, types of construction materials used, and any known problems or existing conditions (maximum of 5000 characters).

The flat roof on the 1953 portion of the original building was replaced in 2012. The roofs on all of the annexes and modular classrooms are beyond their useful life and need to be replaced. Water regularly pools on these roofs. Exterior walls of the 1953 building are load bearing and made of masonry with concrete sills and polished granite at the main entries, all in good condition with some staining at the sills.

The windows in the 1953 original portion of the building were replaced in 1990, while the windows in the annexes and modular classrooms are original and mostly beyond their useful life. They are aluminum with thermal break and thermal glazing, fixed and single hung. These are difficult to operate and have metal louvers in poor condition. Other windows are steel frame, single-pane glazing with metal louvers that are original and in poor condition. The connection from the main building to the additions is comprised of single pane hollow metal steel framed curtain wall, which is the same system for the windows in the annex classrooms. The thermal efficiency of these systems is extremely low. Cold temperatures in this connection are a challenge during heating season. The modular classrooms are a combination of single and double pane vinyl replacement windows, single pane metal windows, and storm windows. Some doors are inaccessible and original to the building and in very poor condition.

Newer doors are in good condition. Areaways are brick/CMU with metal grates in good condition. The exterior steps are concrete as are stoops and ramps with; metal handrails and guardrails, in good condition, but rails are rusting. Canopies are metal-edged, flat roofed with brick piers and metal panel soffits. The metal is worn and faded. There are no structural concerns. Flooding at the basement level may cause a health risk.

Has there been a Major Repair or Replacement of the EXTERIOR WALLS? YES

Year of Last Major Repair or Replacement:(YYYY) 1990

Description of Last Major Repair or Replacement:

Exterior masonry wall system replaced in 1990

Roof Section A 1953 original building

Is the District seeking replacement of the Roof Section? No

Area of Section (square feet) 26,790 s.f.

Type of ROOF (e.g., PVC, EPDM, Shingle, Slate, Tar & Gravel, Other (please describe))
EPDM

Age of Section (number of years since the Roof was installed or replaced) 7

Description of repairs, if applicable, in the last three years. Include year of repair: N/A

Roof Section B 1958 Annex

Is the District seeking replacement of the Roof Section? Yes

Area of Section (square feet) 14,376 s.f.

Type of ROOF (e.g., PVC, EPDM, Shingle, Slate, Tar & Gravel, Other (please describe))
Rubber

Age of Section (number of years since the Roof was installed or replaced) 12

Description of repairs, if applicable, in the last three years. Include year of repair: 2009-2018

This roof section has had over 40 requests for repairs since the beginning of 2009. Major and minor repairs have been made over the years.

Window Section A

Is the District seeking replacement of the Windows Section? NO

Windows in Section (count) 176

Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe)) Double Pane/Thermopane

Age of Section (number of years since the Windows were installed or replaced) 29

Description of repairs, if applicable, in the last three years. Include year of repair: None

Window Section B

Is the District seeking replacement of the Windows Section? Yes

Windows in Section (count) 219

Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))
Thermopane in modular classrooms and single pane in 1958 and 1986 Annex Additions

Age of Section (number of years since the Windows were installed or replaced)

19 (modular classrooms) / 60 years (1958 annex)

Description of repairs, if applicable, in the last three years. Include year of repair: None

MECHANICAL and ELECTRICAL SYSTEMS: Please provide a detailed description of the current mechanical and electrical systems and any known problems or existing conditions (maximum of 5000 characters).

HVAC: The HVAC system is steam by natural gas with classroom unit ventilators with supplemental radiation. The steam boilers were replaced in 2007 and 2012. The 2007 boiler has been completely submerged at least twice due to flooding in the school. The boiler room itself has seen flood levels as high as 12 feet which has taken its toll on all of the mechanical, electrical, and plumbing equipment. The heating system was converted to natural gas in 2011, and the underground oil storage tanks were removed the same year. Some of the classroom unit ventilators and rooftop hvac equipment has been replaced over the years, but most of the distribution system is original, beyond its useful life, and in poor condition. There is very limited control over the heating systems, and with the exception of some of the modular classrooms, the school is not air conditioned. Two of the 9 RTU's were replaced in 2018 but the remaining 7 RTU's (roof top units) that are part of the HVAC systems in the annexes and modulares are beyond useful life, failing, failed, and/or in poor condition. With exposed ductwork and mechanical systems, the acoustical performance negatively impacts the learning environment. Dual range actuators for the outside air dampers have been installed in the classrooms.

Plumbing: Most of the plumbing in the building is original although some bathroom fixtures have been replaced. Due to elevation challenges throughout the site, the sewage lines cannot pitch adequately to allow for gravity drainage. This means that there are sewage ejector pumps in the small crawl spaces throughout the building. These are no longer allowed by the plumbing code. These pumps have failed numerous times, resulting in sewage flooding throughout the school. One example of this is the sewage ejector pump directly below the nurse's office. The smell of sewer gases always exists, but this ebbs and flows based on the operation of these pumps. There are two very large sump pumps in the boiler room that never stop running. The basement sits 6 feet below the water table, and the boiler room sits 12 feet below the water table. When the pumps fail the basement floods within a few hours, which is catastrophic as the only storage for curriculum materials, gym equipment, and custodial supplies and equipment is in the basement. The basement area is chronically damp, and by all records has never been dry. Piping is original in fair to poor condition with limited accessibility. Repairs to any of the failed sewer ejector pumps require crawling 50-100 feet through the sewage. This also means that when these pumps fail, sewage sits beneath the first floor classrooms. Domestic hot water is not available at all sinks. The domestic water circulator is in poor condition.

Fire Protection and Detection: The fire alarm panel was replaced in 2016, but only a small portion of the devices are addressable. Therefore, responses are likely only to the building, and not to a specific area within the building. The fire alarm distribution system is in poor condition and needs to be replaced. The school has no fire suppression systems. The multi-zone fire alarm system is ADA compliant with auditorium and corridor smoke detectors and door holders. Heat detectors are located in the basement, and there is a master box.

Accessibility: A vertical lift was installed in 2010, which provides programmatic access to the 2nd floor of the building. This lift was allowed at the time, but is no longer allowed to be constructed as a permanent means of vertical accessible travel. The "cab" of the lift is approximately 3' by 4', which means that it can only accommodate one child and an adult, and in some cases an adult cannot fit. A few restrooms have had minor investments made to improve accessibility, but currently there are no girls restrooms that have the clearances needed to allow for wheelchair access, and once in there are no accessible restroom stalls exist. The boys restrooms have accessible stalls, but clearances are not sufficient for wheelchair access. The ramp leading from the 1953 building, to the annexes is not ADA or MAAB compliant. The

playground is not programmatically accessible. The door hardware is not accessible, and the signage throughout the building is not ADA compliant.

Electrical: Lighting and lighting controls were replaced in 2017, but the vast majority of the electrical distribution is original. The entire building was converted to LED lighting including the exterior lighting. The main electrical switch gear is in poor condition and resides in an area prone to flooding. Electrical service equipment is 400A, 3 phase, 4 wire, 120/208V in fair condition, but without sufficient working clearances. The distribution system consists of circuit breaker panel boards with conduit and wire feeders and is 50+ years old. There is a 150kW diesel exterior generator that serves corridor and stair lighting and boilers, but it is not in a 2 hour fire-rated room for life safety system equipment. The multi-zone fire alarm system is ADA compliant with auditorium and corridor smoke detectors and door holders. Heat detectors are located in the basement, and there is a master box. As part of the proposed Renovation/Addition project electrical systems are to be updated to meet current codes.

Boiler Section 1 2007 Boiler

Is the District seeking replacement of the Boiler? Yes as part of the renovation/addition project

Is there more than one boiler room in the School? No

What percentage of the School is heated by the Boiler? 100%

Type of heating fuel (e.g., Heating Oil, Natural Gas, Propane, Other) (Maximum of 250 characters) Natural Gas

Age of Boiler (number of years since the Boiler was installed or replaced): 12

Description of repairs, if applicable, in the last three years. Include year of repair: (Maximum of 1500 characters)

While only 12 years old, the 2007 boiler has been submerged in flood waters twice decreasing its useful life.

Boiler Section 2 2012 Boiler

Is the District seeking replacement of the Boiler? Yes as part of the renovation/addition project

Is there more than one boiler room in the School? No

What percentage of the School is heated by the Boiler? 100%

Type of heating fuel (e.g., Heating Oil, Natural Gas, Propane, Other) (Maximum of 250 characters) Natural Gas

Age of Boiler (number of years since the Boiler was installed or replaced) 7

Description of repairs, if applicable, in the last three years. Include year of repair: (Maximum of 1500 characters) No repairs, only routine maintenance

Has there been a Major Repair or Replacement of the HVAC SYSTEM? NO

Year of Last Major Repair or Replacement:(YYYY) 1958

Description of Last Major Repair or Replacement: (Maximum of 1500 characters)

Some classroom unit ventilators have been replaced over the years. Repaired minor steam leaks 2010 and completed a steam trap survey and implemented all of the recommendations of that survey. Installation of 2 new RTU's (rooftop units) in Annex portion of the building in 2018.

Has there been a Major Repair or Replacement of the ELECTRICAL SERVICES AND DISTRIBUTION SYSTEM? NO

Year of Last Major Repair or Replacement:(YYYY) 1958/1999 electrical modifications to accommodate modular classrooms; 2107

Description of Last Major Repair or Replacement: (Maximum of 1500 characters)

The vast majority of the electrical distribution system is original. The main electrical switch gear is in poor condition and resides in an area prone to flooding. In 2017, lighting controls were replaced and the entire building was converted to LED lighting including the exterior lighting. As part of the renovation/addition project all electrical systems are to be upgraded to current code.

BUILDING INTERIOR: Please provide a detailed description of the current building interior including a description of the flooring systems, finishes, ceilings, lighting, etc. (maximum of 5000 characters).

Partitions are glazed CMU at the corridors, painted plaster walls are typical with 1x1 ACT at the upper walls, and painted gypsum board, in good condition, but there is no acoustic privacy in some sensitive spaces. Door surrounds are not accessible. There is VAT, VCT, carpet, and terrazzo in fair condition throughout the building. Ceilings are 1x1 ACT, painted plaster; 2x2 ACT and 2x4 ACT. There are wood solid core doors; some painted, with metal and wood frames in fair condition, some are original. Doorways are not accessible, hardware is not accessible either. Built-in furnishings are made of wood, metal, and laminate and are in poor shape, original to the building. Two classrooms do not have sinks, other sinks are not accessible. Lockers are metal, single-tier, 15x60 for 2 students. There are also wooden cubbies that are open. Rolling shades are typical and in good condition. Adult bathrooms are CMU, ceramic tile, VCT, and have wood/metal partitions. They are in poor condition, not accessible, and are too few in quantity and are poorly distributed. Student bathrooms are original and are in poor condition, are not accessible, too few in quantity, and are poorly distributed. They are glazed CMU full height, 2x2 terrazzo tile, painted plaster ceilings, and half have painted steel partitions. In 2008 half of the partitions were replaced with high-density PVC and the floors were refinished with epoxy. The stairs are painted concrete with steel nosing, with wood/metal handrails and guardrails. Railings and stair nosing are not accessible. There is no elevator and there is no signage. In the gymnasium there is a wood athletic floor and backstops are in good condition. Walls are glazed CMU, full height with 2x2 ACT, but there is a major vertical crack. The cafeteria has VAT and a poured concrete floor; painted plaster, and acoustic treatments at the ceiling, in good condition. There is wood paneling at the platform surround and wainscot and painted plaster with acoustic treatments at the walls. The wood platform is not accessible and is in poor condition. The auditorium was converted to a cafeteria in 2009 with a new flat floor installed. The stage is used for music instruction. There are floor to ceiling folding wall panels that can divide the space into lunch areas separate from the music area. The kitchen is for warming only and is small but is functional. The telephone system is good with multiple outside lines. Lighting is generally 2x2 and 2x4 recessed fluorescent; surface wrap around in classrooms and some corridors. Receptacles are generally standard type and are over 50 years old. There are key fob operated devices at specific doors. Motion detectors are in corridors and stairs that notify UL Central Station. There is a push button video access device at two front doors and a buzzer in the office area. The sound and intercom system consist of privacy switches and surface speakers in classrooms; corridor speakers, and exterior speakers. The classrooms and offices have battery clocks. Corridor speakers have bell tone. There is data in classrooms and office areas and some wireless. A vertical lift was installed, summer 2010. Interior finishes are to be updated as part of the proposed Renovation/addition project. The vast majority of the electrical distribution system is original. In 2017 the entire building was converted to LED lighting including the exterior lighting.

PROGRAMS and OPERATIONS: Please provide a detailed description of the current grade structure and programs offered and indicate whether there are program components that cannot be offered due to facility constraints, operational constraints, etc. (maximum of 5000 characters).

The grade structure at Countryside Elementary School is Kindergarten through Grade 5. The Newton Public Schools has articulated specific instructional time allotments for elementary core subjects, which

include reading, writing, mathematics, science, social studies and social curriculum. Specialist programs both enhance the core program and provide contractual preparation time for classroom teachers.

Programs offered include:

Regular education classrooms for grades K-5

Full neighborhood inclusion

One co-taught classes taught jointly by regular and special education teachers.

Special Education programs including, occupational/physical therapy, speech, applied behavioral analysis

English Language Learners programs/sheltered English instruction, and the STRIDE program.

After school program

The district has been required to take measures so that every available space within each building can be utilized to support teaching and learning and to meet the needs of students. The Countryside building does not accommodate small group instruction associated with an inclusive education practices adopted by Newton, as required by special education laws.

EDUCATIONAL SPACES: Please provide a detailed description of the Educational Spaces within the facility, a description of the number and sizes (in square feet) of classrooms, a description of science rooms/labs including ages and most recent updates, a description of the cafeteria, gym and/or auditorium and a description of the media center/library (maximum of 5000 characters).

Countryside has 24 core academic spaces:

19 instructional classrooms (1 of these is in modular classroom)

1 literacy/ELL classroom (Rm 1)

1 inclusion classroom (in a modular),

1 small group instruction/breakout classroom (in a modular),

1 ELL room (½ classroom) and 1 special education room (½ classroom)

Special Services

1 District Wide SPED - STRIDE classroom and one Art classroom (in a modular.)

The average size of classrooms is 811 nsf

Room 1- 770 nsf, Literacy/ELL

Room 2 - 770 nsf, Gr.1

Room 3 - 770 nsf, co-taught Gr. 4

Room 4 - 770 nsf, Gr.1

Room 5 - 770 nsf, Gr. 1

Room 6 - 770 nsf, divided in two each 385 nsf., special education & ELL

Room 10 - 667 nsf - Gr. 5

Room 11 - 770 nsf, Gr. 5

Room 12 - 770 nsf, Gr. 5

Room 13 - 770 nsf, Gr. 4

Room 14 - 770 nsf, districtwide sped program

Room 15 - 770 nsf, Gr. 4

Room 16 - 770 nsf, Gr. 4

Room 1a - 783 nsf, Annex, Gr. 3

Room 2a - 783 nsf, Annex, Gr. 3

Room 3a- 810 nsf, Annex, Gr. K

Room 4a - 810 nsf, Annex, Gr. K

Room 5a - 810 nsf, Annex, Gr. K

Room 6a - 810 nsf, Annex, Gr. 2

Room 7a - 810 nsf, Annex, Gr. 2

Room 8a - 810 nsf, Annex, Gr. 2
 Room 9a - 728 nsf, 1991 Modular, Inclusion
 Room 10a - 728 nsf, 1991 Modular, Art room
 Room 11a - 812 nsf, 2000 Modular, Gr. 3
 Room 12a - 812 nsf, 2000 Modular, Small Group Instruction
 Music - Stage, area included in Cafetorium nsf
 Library - 1032 nsf;
 Cafetorium, 4080 nsf (includes 916 sf stage/music area)
 Gym 2400 nsf
 CASP aftercare, 1102 sf (behind the gym)

CAPACITY and UTILIZATION: Please provide the original design capacity and a detailed description of the current capacity and utilization of the school facility. If the school is overcrowded, please describe steps taken by the administration to address capacity issues. Please also describe in detail any spaces that have been converted from their intended use to be used as classroom space (maximum of 5000 characters).

Countryside School has a current enrollment of 413 students. The facility constraints at Countryside to deliver the full education program have been addressed to the extent possible by utilizing modular structures and adapting spaces with the building to maximize space available for the programs. Spaces have been subdivided for teachers and programs to share them. Twenty-five percent of the classrooms, the library and music classroom are undersized when compared to MSBA guidelines for elementary schools. Spaces have been converted from their intended use, the former kindergarten classroom is now the library. Larger specialist spaces have been partitioned off to create multiple small specialist rooms and a storage room has been converted to a tutorial space. Along with creative reassignment of spaces, capacity issues have been addressed at Countryside by adding four modular classrooms.

The MSBA capacity rating for the Countryside School is noted as “overcapacity” in the 2016 MSBA School Survey Report. Without reliance on the outdated aging temporary classrooms, Countryside would be overcrowded. These modular classrooms are located at both ends of a 1958 six classroom annex wing where issues of condition, temperature and humidity are significant, and are exacerbated in the modular classrooms. While overcrowding on Newton’s southside has been relieved with the completion of Angier and Zervas, the Northland Investment Corporation has filed an application for a special permit to develop a mixed use project in the Countryside district which proposes 822 housing units, 123 of which will be affordable units. If approved it would be expected to generate student growth. A recently updated school enrollment forecast model was completed by the district, City staff and a consultant funded by a MassHousing grant to develop fiscal impacts from the project. This model has forecasted a net 142 new public school students (about half at elementary school) in the from the project which, depending on when the housing unit construction is phased, is likely to affect capacity after 2023.

MAINTENANCE and CAPITAL REPAIR: Please provide a detailed description of the district’s current maintenance practices, its capital repair program, and the maintenance program in place at the facility that is the subject of this SOI. Please include specific examples of capital repair projects undertaken in the past, including any override or debt exclusion votes that were necessary (maximum of 5000 characters).

Regular maintenance and preventative maintenance programs are funded annually by the district in accordance with the City of Newton's Charter Maintenance Ordinance with a funding requirement of up to 2% of the prior fiscal year budget. The schools have followed and exceeded this requirement in order to maintain its aging building stock. In addition, capital repairs are undertaken in conjunction with funding from the City of Newton's Capital Improvement Program (CIP) with financing from bonding and/or the use of free cash for one-time expenses. No capital repair projects at the Countryside Elementary School have required override or debt exclusion votes.

Preventative maintenance (PM) and regular repair and maintenance work orders are processed in a web-based electronic system enabling efficiency and data gathering. Custodians receive annual training on PM procedures. The district's PM program includes: 1) Asbestos inspection every 3 years, 2) Boiler cleaning annually, 3) Elevator inspections, 4) Emergency generator inspections monthly, 5) Fire suppression testing annually, 6) Replacing carpet with vinyl tile, 7) HVAC maintenance including duct cleaning, 8) Infrared roof inspection, 9) Steam trap replacement, 10) Unit vent filter changes 3x/year.

The district's Summer Projects program customizes repairs and improvements to each building, including items as painting, flooring, bathroom upgrades and space re-organization to meet enrollment/programmatically demands.

The City's Capital Improvement Program funds larger construction or repair projects from a plan formulated jointly with the Public Buildings Department and include includes the following types of projects district-wide: 1) Construction/additions/renovations, 2) Accessibility improvements, 3) Communication system upgrades, 4) Large-scale masonry repairs/waterproofing, 5) Generators, 6) HVAC system, including replacement of boilers, roof top units, univents, 7) Energy efficient lighting installation, 8) Roof/gutter replacements, and 9) Building-wide window/door replacements.

The following capital projects were implemented at Countryside and funded by the City's capital improvement program and operations budget. Installation of modularity, replacements of roof top ventilation units, major replacements of wall and window systems. In 2017 lighting controls were replaced and the entire building was converted to LED lighting including the exterior lighting. As part of the renovation/addition project all electrical systems are to be upgraded to current code.

The current capital improvement program includes the replacement of doors and windows and to set aside \$30,000,000 in funds toward a renovation/addition project. The source of these funds is 'alternate funding', contingent upon local approval.

Priority 5

Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility.

Guidance for Priority 5

Districts should only check Priority 5 if a major building system is in need of replacement, renovation, or modernization in order to extend the useful life of the building. Districts selecting Priority 5 must provide all requested information in the appropriate spaces provided at the bottom of the page.

*** The determination of whether something qualifies as a Priority 5 rests solely with the MSBA, and the MSBA shall not be bound by the opinions or judgments of the district.**

Question 1: Please provide a detailed description of the issues surrounding the school facility systems (e.g., roof, windows, boilers, HVAC system, and/or electrical service and distribution system) that you are indicating require repair or replacement. Please describe all deficiencies to all systems in sufficient detail to explain the problem.

Roof: The flat roof on the 1953 portion of the original building (Roof Section A) was replaced in 2012 and is in good condition. The roofs on all of the annexes and modular classrooms are beyond their useful

life and need to be replaced. Water pools on them. This roof section over the annex (Roof Section B) has had over 40 requests for repairs since the beginning of 2009. Major and minor repairs have been made over the years.

Boilers and HVAC: The HVAC system is steam by natural gas with classroom unit ventilators with supplemental radiation. The steam boilers were replaced in 2007 and 2012. The 2007 boiler has been completely submerged at least twice due to flooding in the school. The boiler room itself has seen flood levels as high as 12 feet which has taken its toll on all of the mechanical, electrical, and plumbing equipment. The heating system was converted to natural gas in 2011, and the underground oil storage tanks were removed the same year. Some of the classroom unit ventilators and rooftop hvac equipment has been replaced over the years, but most of the distribution system is original, beyond its useful life, and in poor condition. With the exception of some of the modular classrooms, the building is not air conditioned. A complete steam trap survey was conducted and the district implemented all of the recommendations of that survey. Two of the 9 RTU's were replaced in 2018 but the remaining 7 RTU's (rooftop units) that are part of the HVAC systems in the annexes and modulares are beyond useful life, failing, failed, and/or in poor condition. With exposed ductwork and mechanical systems, the acoustical performance negatively impacts the learning environment. . Dual range actuators for the outside air dampers have been installed in the classrooms. As part of the proposed Renovation/addition project all HVAC systems are to be updated.

Plumbing: Most of the plumbing in the building is original although some bathroom fixtures have been replaced. Due to elevation challenges throughout the site, the sewage lines cannot pitch adequately to allow for gravity drainage. This means that there are sewage ejector pumps in the small crawl spaces throughout the building. These are not allowed by the plumbing code. These pumps have failed countless times, resulting in sewage flooding throughout the school. One example of this is the sewage ejector pump directly below the nurse's office. The smell of sewer gases always exists, but this ebbs and flows based on the operation of these pumps. There are two very large sump pumps in the boiler room that never stop running. The basement sits 6 feet below the water table, and the boiler room sits 12 feet below the water table. When the pumps fail the basement floods within a few hours, which is catastrophic as the only storage for curriculum materials, gym equipment, and custodial supplies and equipment is in the basement. The basement area is chronically wet, and by all records has never been dry. Piping is original in fair to poor condition with limited accessibility. Repairs to any of the failed sewer ejector pumps require crawling 50-100 feet through the sewage. This also means that when these pumps fail, sewage sits beneath the first floor classrooms. Domestic hot water is not available at all sinks. The domestic water circulator is in poor condition. As part of the proposed Renovation/addition project all plumbing systems are to be updated.

Fire Protection and Detection: The fire alarm panel was replaced in 2016, but only a small portion of the devices are addressable. Therefore, responses are likely only to the building, and not to a specific area within the building. The fire alarm distribution system is in poor condition and needs to be replaced. The school has no fire suppression systems. The multi-zone fire alarm system is ADA compliant with auditorium and corridor smoke detectors and door holders. Heat detectors are located in the basement, and there is a master box. As part of the proposed Renovation/addition project all Fire Protection and Detections Systems are to be updated.

Accessibility: A vertical lift was installed in 2010, which provides programmatic access to the 2nd floor of the building. This lift was allowed at the time, but is no longer allowed to be constructed as a permanent means of vertical accessible travel. The "cab" of the lift is approximately 3' by 4', which means that it can only accommodate one child and an adult, and in some cases an adult cannot fit. A few restrooms

have had minor investments made to improve accessibility, but currently there are no girls restrooms that have the clearances needed to allow for wheelchair access, and once in there are no accessible restroom stalls exist. The boys restrooms have accessible stalls, but clearances are not sufficient for wheelchair access. The ramp leading from the 1953 building, to the annexes is not ADA or MAAB compliant. The playground is not programmatically accessible. The door hardware is not accessible, and the signage throughout the building is not ADA compliant. As part of the proposed Renovation/Addition project Accessibility issues are to be updated to meet current ADA standards.

Electrical: Lighting and lighting controls were replaced in 2017, but the vast majority of the electrical distribution is original. The entire building was converted to LED lighting including the exterior lighting. The main electrical switch gear is in poor condition and resides in an area prone to flooding. Electrical service equipment is 400A, 3 phase, 4 wire, 120/208V in fair condition, but without sufficient working clearances. The distribution system consists of circuit breaker panel boards with conduit and wire feeders and is 50+ years old. There is a 150kW diesel exterior generator that serves corridor and stair lighting and boilers, but it is not in a 2 hour fire-rated room for life safety system equipment. The multi-zone fire alarm system is ADA compliant with auditorium and corridor smoke detectors and door holders. Heat detectors are located in the basement, and there is a master box. As part of the proposed Renovation/Addition project electrical systems are to be updated to meet current codes.

Question 2: Please describe the measures the district has already taken to mitigate the problem/issues described in Question 1 above.

The roofing system over the original 1953 section of the building was replaced with an EPDM roof in 2012. The roofing system over the 1958 annex building has had major repairs numerous times over the years and should be replaced.

Based on current best practices and Newton's education mission, educational and building standards that address the reduction of energy consumption have been established as part of the facilities operations plan. In recent years, energy efficient lighting has been installed throughout the district by partnering with the NSTAR Lighting Rebate Program. The City has hired an energy specialist to oversee the implementation of measures and policies that have a direct impact on reduced energy consumption while improving equipment operation and occupant comfort. The district has clear policies and procedures for reducing energy use throughout the day and evening. Heat is not turned on within school buildings until October 15 of each year. During the school day thermostats are kept at the lowest required temperatures. Staff are encouraged to arrange classroom furnishing to maximize distribution of heat. Policies are in place to turn off lights and use natural lighting whenever possible. The district periodically sends out reminders regarding these energy conservation policies.

In 2012, the City of Newton entered into a contract with Thielsch Engineering. This company has conducted an energy audit of the Countryside School and has reviewed the historic consumption of all utilities and the available energy cost savings that will result from recommended energy conservation projects that will deliver those savings.

Question 3: Please provide a detailed explanation of the impact of the problem/issues described in Question 1 above on your district's educational program. Please include specific examples of how the problem prevents the district from delivering the educational program it is required to deliver and how students and/or teachers are directly affected by the problem identified.

Teaching and Learning at Countryside is highly impacted by the facility due to its age and condition, and the reliance on the 9-classroom annex/modular wing built with temporary construction methods, and also due to the fact that the facility severely lacks adequate support spaces. The condition of building systems create environmental conditions that do not support teaching and learning: The vast majority of mechanical, electrical, and plumbing systems at Countryside are original and not up to current code. The HVAC distribution system is mostly original to the buildings creating uneven heating conditions. Ventilation is below standard and lacking in some spaces. Increased levels of humidity are present throughout the building. The school has too few toilet rooms for both students and staff.

The difficult layout of the building that results in navigation through multiple levels and a lengthy breezeway dividing the facility impedes access to instruction for students including a general lack of ADA accessibility. The building is not accessible or ADA compliant in many ways, reliant upon an inadequate lift for programmatic accessibility. While there is a cafetorium it is not near the warming kitchen.

The facility relies on undersized spaces for instruction and lacks small instructional spaces required with current educational practices and the full inclusion of students with a spectrum of needs. When built, Countryside did not have SPED and ELL programs, children went home for lunch, kindergarten was a half-day double session, no after school programs existed, nor was there dedicated space for art and music instruction. SPED programs require self-contained classrooms and ancillary spaces for speech and language, OT and PT, ABA space (for autism spectrum disorders) and small group tutorial spaces. The impact of substandard spaces on teachers and student learning is significant. Many of the classrooms are undersized.

Question 4: Please describe how addressing the school facility systems you identified in Question 1 above will extend the useful life of the facility that is the subject of this SOI and how it will improve your district's educational program.

The heating system of a building is a major piece of building infrastructure, and its replacement and/or modernization will extend the useful life of the facility. Since the heating system of this facility was constructed, technology has changed significantly; today there are high efficiency boilers, variable speed drives and sophisticated electronic controls for heating system management. Decreased maintenance needs for heating systems increases not only its useful life but has a positive effect on the building as a whole. Approximately one-third of our maintenance and repair budget is devoted to repairing failing heating equipment. There is an opportunity cost in this scenario whereby other facility systems must compete for dollars. Heating system emergencies take a high priority over other maintenance concerns. Heating system upgrades will reduce the operating cost and allow those dollars to be spent on preventative maintenance and other types of facility improvements. In addition, the recurrent flooding issues will only be resolved with a major reconfiguration to the site and removal of the modular buildings in a building renovation/addition.

Have the systems identified above been examined by an engineer or other trained building professional?

YES

If "YES", please provide the name of the individual and his/her professional affiliation (maximum of 250 characters)

Josh Morse, Public Buildings Commissioner
HMFH Architects Inc. Long-Range Facilities Master Plan 2007, updated 2011

The date of the inspection

11/1/2007 HMFH; 12/01/2018 Josh Morse

A summary of the findings (maximum of 5000 characters)

See Existing Conditions Report, by Josh Morse, Public Buildings Commissioner, 2018 submitted as supplemental materials.

Summary of findings by Josh Morse in Existing Conditions Report

The fact that half of the classrooms at Countryside reside in temporary modulars or poorly designed annexes, coupled with the overall condition of the original building, yields a strong need for capital investment. It is recommended that the 12 modular and annex classrooms be demolished, the 1954 building be renovated, and an 11-classroom addition with all of the appropriate support spaces be constructed. The removal of the 12 modulars and annexes will result in the loss of 11 classrooms and the art room, but the new addition will create 11 new classrooms, as well as appropriate spaces for ELL, Inclusion, and the Specialists Offices, which will restore two original classrooms in the 1954 building. In the end, this will yield 24 classrooms with all of the appropriate support spaces, and a school capable of handling upwards of 500 students. It is expected that the addition would be approximately 30,000 square feet, which would bring the total building gross area up to 65,910 square feet.

This is a rough breakdown of the proposed addition:

- 7 classrooms at 800 square feet
- 4 classrooms at 1200 square feet
- Art Room at 1200 square feet
- Library 2500 square feet
- Special Education 4000 square feet
- Restrooms/Miscellaneous 2900 square feet

Forty percent (40%) grossing/efficiency factor applied to the above yields a 30,000 square foot addition. A full programmatic evaluation may yield variances in the space needs, but those variances will have very minimal impacts to the footprint of the proposed addition.

The general scope of the renovation of the existing facility would be as follows:

- Mechanical system replacements, including air conditioning.
- Plumbing and Restroom Upgrades
- Electrical improvements and service replacement
- Fire Suppression Installation
- Fire Alarm Replacement
- Accessibility upgrades
- Window and Door replacement
- Minor Envelope repairs
- Interior finish upgrades and FF&E

PRIORITY 7**Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements.****Guidance for Priority 7**

* The determination of whether something qualifies as a Priority 7 rests solely with the MSBA, and the MSBA shall not be bound by the opinions or judgments of the district.

Question 1: Please provide a detailed description of the programs not currently available due to facility constraints, the state or local requirement for such programs, and the facility limitations precluding the programs from being offered.

While the necessary education programs are currently being offered, they are being offered under constraints and in substandard spaces as described in the answer to Question 3.

Question 2: Please describe the measures the district has taken or is planning to take in the immediate future to mitigate the problem(s) described above.

In the City of Newton's CIP, Item #71, \$30,000,000, is included in the next five years to renovate/add to Countryside School starting in FY 2021, as 'alternate funding' depending upon local approval. Also in the CIP is an item for replacement of doors and windows: Item #175, \$500,000 not currently funded in the next five years.

Question 3: Please provide a detailed explanation of the impact of the problem described in this priority on your district's educational program. Please include specific examples of how the problem prevents the district from delivering the educational program it is required to deliver and how students and/or teachers are directly affected by the problem identified.

Teaching and Learning at Countryside is highly impacted by the facility due to its age and condition, and the reliance on the 9-classroom annex/modular wing built with temporary construction methods, and also due to the fact that the facility severely lacks adequate support spaces. The facility constraints at Countryside to deliver the full education program have been addressed to the extent possible by utilizing modular structures and adapting spaces with the building to maximize space available for the programs. Spaces have been subdivided for teachers and programs to share them. Twenty-five percent of the classrooms, the library and music classroom are undersized when compared to MSBA guidelines for elementary schools. Spaces have been converted from their intended use, the former kindergarten classroom is now the library. Larger specialist spaces have been partitioned off to create multiple small specialist rooms and a storage room has been converted to a tutorial space. Along with creative reassignment of spaces, capacity issues have been addressed at Countryside by adding four modular classrooms.

The facility relies on undersized spaces for instruction and lacks small instructional spaces required with current educational practices and the full inclusion of students with a spectrum of needs. When built, Countryside did not have SPED and ELL programs, children went home for lunch, kindergarten was a half-day double session, no after school programs existed, nor was there dedicated space for art and music instruction. SPED programs require self-contained classrooms and ancillary spaces for speech and language, OT and PT, ABA space (for autism spectrum disorders) and small group tutorial spaces. The impact of substandard spaces on teachers and student learning is significant. Many of the classrooms are undersized or simply not available.

REQUIRED FORM OF VOTE TO SUBMIT A STATEMENT OF INTEREST

REQUIRED VOTES

If a City or Town, a vote in the following form is required from both the City Council/Board of Aldermen **OR** the Board of Selectmen/equivalent governing body **AND** the School Committee.

If a regional school district, a vote in the following form is required from the Regional School Committee only.

FORM OF VOTE

Please use the text below to prepare your City's, Town's or District's required vote(s).

Resolved: Having convened in an open meeting on March 4, 2019 prior to the closing date, the City Council of Newton, Massachusetts in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated April 12, 2019 for the **Countryside School located at 191 Dedham Street which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future for: replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility; replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements;** and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority.

DOCUMENTATION OF VOTE

Documentation of each vote must be submitted as follows:

For the vote of the City Council/Board of Aldermen or Board of Selectmen/equivalent governing body, a copy of the text of the vote must be submitted with a certification of the City/Town Clerk that the vote was duly recorded and the date of the vote must be provided.

For the vote of the School Committee, Minutes of the School Committee meeting at which the vote was taken must be submitted with the original signature of the Committee Chairperson.



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

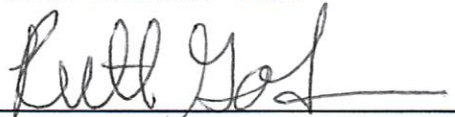
NEWTON SCHOOL COMMITTEE

MSBA – SOI
Certification of Vote

Resolved: Having convened in an open meeting on March 4, 2019 prior to the closing date, the School Committee of Newton, Massachusetts in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated April 5, 2019 for the Countryside School located at 191 Dedham Street which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future for: replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility; replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority.

Motion: Diana Fisher Gomberg
Second: Bridget Ray Canada
Vote: 8 yeas 0 nays 0 absent

School Committee Chair


Date: March 4, 2019
Ruth Goldman (signature)

RG/lam







RUTHANNE FULLER
MAYOR

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

#100-19
Telephone
(617) 796-1100
Telefax
(617) 796-1113
TDD
(617) 796-1089
E-mail
rfuller@newtonma.gov

February 25, 2019

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

Councilors:

RECEIVED
MAYOR'S OFFICE
2019 FEB 25 PM 4:58
MAYOR'S OFFICE
NEWTON, MA 02459

I write to request that your Honorable Council docket for consideration a request to authorize the following:

That the City of Newton appropriate the amount of One Million, Three Hundred Sixty Four Thousand, and Six (\$1,364,006) Dollars for the purpose of paying costs of replacing the boilers at Bigelow Middle School, 42 Vernon Street, Newton, MA 02458, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the schools and preserve assets that otherwise are capable of supporting the required educational program, and for which the City may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the Commissioner of Public Buildings. To meet this appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, or pursuant to any other enabling authority. Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes may be applied to the payment of costs approved by this vote, in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

The City acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the City incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City; provided further that any grant that the City may receive from the MSBA for the Project shall not exceed the lesser of (1) 32.47 percent (32.47 %) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; and that the amount of borrowing authorized

pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City and the MSBA.

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 style with a large, looping initial 'R'.

Ruthanne Fuller
Mayor

**CITY OF NEWTON, MASSACHUSETTS**

PUBLIC BUILDINGS DEPARTMENT

52 ELLIOT STREET, NEWTON HIGHLANDS, MA 02461

Ruthanne Fuller, Mayor
Josh Morse
Building Commissioner

Telephone (617) 796-1600
Facsimile (617) 796-1601
TDD/tty # (617) 796-1608

January 25, 2019

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

RE: Funding for Bigelow Boiler Replacement

Dear Mayor Fuller:

The Bigelow Boiler Replacement Project is being undertaken through a grant from the Massachusetts School Building Authority which is scheduled to vote on the Project Scope and Budget Agreement on February 13, 2019. Per MSBA requirements, the total amount of the project must be authorized.

At this time the Public Buildings Department requests the sum of \$1,364,006 to fund the project. The total project budget is estimated not to exceed that amount with an anticipated MSBA Grant of \$415,795 for an estimated local share of \$948,211.

Sincerely,

Josh Morse
Public Buildings Commissioner

cc: Maureen Lemieux, Chief Financial Officer
Alex Valcarce, Deputy Buildings Commissioner
Stephanie Tocci, Business Manager

Bigelow Boiler Replacement

2/25/2019

The Bigelow Boiler Replacement Project is being undertaken through a grant from the Massachusetts School Building Authority which is scheduled to vote on the Project Scope and Budget Agreement on February 13, 2019. Per MSBA requirements, the total amount of the project must be authorized. At this time the Public Buildings Department requests the sum of \$1,364,006 to fund the project.

Funds Required

| | |
|-------------------------|--------------|
| Feasibility Study | 37,000.00 |
| OPM | 103,500.00 |
| Architect & Engineering | 102,600.00 |
| Construction | 1,059,911.00 |
| Contingency | 60,995.00 |
| | 1,364,006.00 |



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

#83-19

Telephone
(617) 796-1100
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TDD/TTY
(617) 796-1089
Email

rfuller@newtonma.gov

February 13, 2019

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

Honorable City Councilors,

I write to request that your Honorable Council amend Sec. 17-3 of the City Code to adopt the FCC's presumptively reasonable application fees for wireless attachments and new pole construction and to conduct cost studies in the coming months to document the City's time and expenses regarding these applications.

Attached is a background and recommendation memo from the City Solicitor. The memo details the current wireless attachment fees, the FCC's order limiting fees, xxxx

Thank you for your consideration of this matter.

Sincerely,

Mayor Ruthanne Fuller

RECEIVED
Newton City Clerk
2019 FEB 13 PM 3:10
Ruthanne Fuller, ONM
Newton, MA 02459

**CITY OF NEWTON
LAW DEPARTMENT**

INTEROFFICE MEMORANDUM

To: Deborah Crossley, Chair - Public Facilities Committee
Leonard Gentile, Chair - Finance Committee

cc: Maureen Lemieux - Chief Financial Officer
Jonathan Yeo - Chief Operating Officer

From: Alissa Giuliani - City Solicitor

Date: February 13, 2019

Re: Wireless Grant of Location Application Fees

The Law Department provides its recommendations to the City Council regarding the current wireless grant of location application fee under City Code Sec. 17-3.

The Law Department recommends that the City Council (1) amend Sec. 17-3 of the City Code to adopt the FCC's presumptively reasonable application fees for wireless attachments to existing poles and for construction of new poles for wireless purposes and (2) conduct cost studies in the coming months to document the City's time and expenses regarding these applications.

Current Wireless Grant of Location Application Fee

On September 17, 2018, the City Council amended Sec. 17-3 of the City Code to establish a wireless grant of location application fee of \$750 per pole location. This charge was based on two components: (1) \$500 in labor costs, exclusive of any costs based on loading factors (based on a wireless working group cost study); and (2) \$250 intended to capture costs associated with loading factors (the Law Department has not seen any documentation in support of the cost of loading factors). We understand that the Finance Committee regards the \$750 fee per location fee as conservative, i.e., below the City's actual costs.

Federal Communications Commission Order Limiting Small Cell Application Fees

On September 27, 2018, just a few days after the City Council amendment, the Federal Communications Commission ("FCC") adopted an Order in which it created guidelines for municipal wireless application fees for small cell installations located within the public ways:

- The fee must be a reasonable approximation of the municipality's actual and direct costs
- The fee can only include objectively reasonable costs

- The fee can be no higher than the fees charged to similarly-situated competitors in similar situations; and
- The fees must be publicly disclosed

The FCC did not mandate any specific accounting methods for documenting actual and direct costs. The FCC did not expressly determine whether “actual and direct costs” are limited to labor hours x labor rates plus disbursements or whether they may include labor-related overheads, such as fringe benefits, and additional costs such as common overheads, e.g., administrative costs.

The FCC adopted the following “presumptively reasonable fees” (fees not prohibited under federal law) as benchmarks:

- A \$500 application fee that applies to 1-5 small wireless facilities (a \$500 fee that applies to 1 location and covers up to 5 locations) attached to existing poles
- A \$100 fee for each small wireless facility in excess of 5 attached to existing poles
- A \$1000 application fee for permission to erect a new pole for wireless attachments
- The FCC allows a municipality to charge *higher* application fees *if* it can satisfy the 4 requirements listed above: (1) the fee must be a reasonable approximation of the municipality’s actual and direct costs; (2) the fee can only include objectively reasonable costs; (3) the fee can be no higher than the fees charged to similarly-situated competitors in similar situations; and (4) the fees must be publicly disclosed.

The FCC’s Order became effective as of January 14, 2019.

The Current City Fees Are Not In Line With the FCC’s “Presumptively Reasonable” Fees

The current application fee in the City of Newton (1) exceeds the FCC’s presumptively reasonable fee for attachments to existing poles and (2) appears to be less than the presumptively reasonable fee for new pole applications.

The City’s \$750 fee per location for wireless attachments to existing poles is greater than the FCC’s “presumptively reasonable” application fee:

| | <u>City</u> | <u>FCC</u> |
|--------------|-------------|------------|
| 1 location: | \$750 | \$500 |
| 2 locations: | \$1500 | \$500 |
| 3 locations: | \$2250 | \$500 |
| 4 locations: | \$3000 | \$500 |
| 5 locations: | \$3750 | \$500 |
| 6 locations: | \$4500 | \$600 |

These fees are not currently supported by documentation of the City’s actual and direct costs and a demonstration that its costs are objectively reasonable costs.

The City’s \$750 fee for a new pole application per location is less than the FCC’s “presumptively reasonable” application fee of \$1000.

City Council Options

The City Council has 3 primary options:

1. Amend Sec. 17-3 of the City Code to track the FCC's presumptively reasonable small wireless application fees and conduct a more thoroughly documented analysis of the City's actual and direct costs, based on a review of inputs and assumptions
2. Amend Sec. 17-3 of the City Code to track the FCC's presumptively reasonable small wireless application fees and conduct no further cost analysis
3. Take no action regarding the currently effective \$750 application fee per location and conduct no further cost analysis

Law Department Recommendations

The Law Department recommends that the City Council pursue Option 1 above, namely (1) amend Sec. 17-3 of the City Code to adopt the FCC's presumptively reasonable application fees for attachments to existing poles and for construction of new poles and (2) and conduct updated cost studies regarding these applications.

Our recommendation takes into account the following considerations:

- Service Quality and Public Safety Considerations: Two expected applicants have expressed serious reservations about the existing application fee; the ripple effect of accepting fees above the FCC's presumptively reasonable fees exposes these parties to the risk of higher, non-cost based fees in Newton and other communities; an applicant may decide not to proceed with a planned attachment, such as one moving forward in Waban near the Zervas School that is needed to improve service quality and public safety.
- Risks and Costs of Litigation: Adoption of the FCC's presumptively reasonable fees limits the City's exposure to the risks and costs of litigation. If the City does not do so, an applicant may decide to challenge the City's fee as inconsistent with current FCC standards. The costs of defending such a challenge could be substantial, including retention of expert witnesses or special counsel to defend the cost basis for its fee. It is possible that the City's cost analysis performed to derive \$500 labor costs may not be sufficient under the FCC's guidelines. The City would be subject to discovery (interrogatories, requests for production of documents, depositions) regarding the basis for the \$500 labor costs. The incremental \$250 also would be subject to discovery (at this time, the Law Department is unaware of cost inputs, assumptions and calculations which support the increase in the application fee amount to cover loading factors and it does not know what specific loading factors were taken into account). Moreover, FCC guidelines do not expressly address

whether loaded labor rates fall under “actual and direct cost” so defending fees based on such costs may pose even more challenging and costly.

In addition, the time involved in such litigation is likely to be substantial. Critical work will likely force a long delay, work that has public safety implications as cellular service quality (e.g., adequate coverage and capacity) will continue to be spotty.

A further litigation risk exists if the actual handling of applications is different than the handling assumed when the \$500 labor cost estimate was derived. The \$500 labor cost relied upon labor time estimates for a number of departments that were expected to play a role in the review of applications for completeness and compliance with the City Council’s standards. At present, it does not appear that the application review process will be consistent with the inputs and assumptions used to derive the \$500 labor cost. DPW has determined that it can effectively review the applications in a form that is more streamlined than originally discussed. This issue can be discussed further with DPW.

- Batch Application Issues: The FCC has required municipalities to accept “batch” applications; the City declined to allow batch applications. The City has not yet conducted a specific cost study regarding the processing of batch applications or a group of separate applications for each location.
- Ability to Increase the Application fee for New Poles: Amending Sec. 17-3 would allow the City to increase the application fee for a new pole primarily used for wireless communications (an amendment would enable the City to clarify what fee applies where the attachment requires the replacement of an existing pole).
- Benefits of Reviewing the Cost Support for the Application Fee: A review of the cost basis for the application fee would allow the City to evaluate it based upon any criteria that it applies in determining all cost-based City fees. This review also would enable the City to fully document and demonstrate that the fee is a reasonable approximation of the City’s costs and that only objectively reasonable costs are factored into the fees. In other words, once we document our costs, we will be able to charge the fee in the future that meets the FCC requirements.
- The Additional Revenue Derived from the Existing Fee does not Offset the Significant Drawbacks Associated with Taking No Action: The potential costs associated with taking no action are not offset by the potential revenue derived by the existing fee. Moreover, taking time to improve upon the cost support for application fees may result in defensible fees which are above the FCC’s currently established presumptively reasonable levels.

We would be glad to discuss our recommendations and answer any questions. We also would be glad to provide you with an excerpt from the FCC’s September 27, 2018 Order relating to municipal fees.

The City Council adopted the current fee and it is up to the City Council to justify whatever fee it requires under federal law. The justification must be objectively reviewable and based on objective facts (inputs, assumptions and calculations).

Alan

LAW DEPARTMENT



CITY OF NEWTON, MASSACHUSETTS
CITY HALL
1000 COMMONWEALTH AVENUE
NEWTON CENTRE, MA 02459
TELEPHONE (617) 796-1240
FACSIMILE (617) 796-1254

ACTING CITY SOLICITOR
OUIDA C.M. YOUNG

DEPUTY CITY SOLICITORS
ANGELA BUCHANAN SMAGULA
JEFFREY A. HONIG

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

To: Public Facilities Committee
From: Alan Mandl
Date: February 14, 2018
Re: Proposed Application Fee for Wireless Grants of Location

This proposed amendment adopts an application fee of \$500 for grant of location petitions for (1) wireless communications facilities to be attached to utility or City-owned poles located in the public ways and (2) new poles constructed primarily for wireless communications purposes.

Proposed Amendment

Section 17-3(19) is amended by striking out existing Section 17-3(19) and inserting in place thereof a new Section 17-3(19) as follows:

- (19) Public Utility Petitions
 - a) Grant of location petitions for facilities other than wireless communications facilities \$35.00 per location
 - b) Grant of location petitions for wireless communications facilities attached to utility or City-owned poles or for new poles constructed primarily for wireless communications purposes \$500 per location

Basis for the Proposed Application Fee

The City Council is authorized to review grant of location applications under State law, G.L.c.166, §22. The wireless industry has begun to seek multiple locations for small cell technology in the public ways, primarily by attaching to utility and municipally-owned poles (including streetlights). It is necessary for the City Council to incorporate into its grant of location process substantive standards and review procedures in accordance with state and federal law. The additional work efforts associated wireless grant of location applications justifies a reexamination of the current \$35 application fee.

Comparative Analysis and Cost Analysis

MA DOT- requires a \$500.00 application fee for a permit to access a state highway. The Access Permit Application Form and Access Permit Submittal Checklist are less complex than wireless grant of location applications.

Comparable Municipal Fees- based upon a small sample, recently enacted application fees range between \$300-\$1000: Dartmouth (\$300); Salem (\$500); Dallas Staff Recommendation (\$750); and Evergreen Park IL (\$1000). In many cases, local fees have not been updated. In several cases, fees have been capped by state law.

Work Tasks: Time and Cost – Newton’s \$35 fee is out of step from a cost basis standpoint. There are numerous tasks to be performed by several departments. Examples include:

| | |
|------------------|--|
| City Clerk | Log in of application; issue notice of incompleteness (0.50) |
| DPW and Planning | Review of application for completeness; Review of supplement to application for completeness (2.00) |
| DPW and Planning | Review of substance of application based upon City regulation standards (3.00); site visits as needed (2.00) |
| DPW and Planning | Preparation of memos to the Public Facilities Committee and any recommendations regarding need for peer review (2.00) |
| DPW and Planning | Fact-finding regarding the availability of alternative sites (2.00) |
| Fire and IT | Input as needed (1.00); GIS functions (1.00) |
| Law | Review qualification of applicant under G.L.c.166, §21; preparation of tolling agreements as needed; review of Public Facilities Committee Written Report (2.00) |

These and other tasks were reviewed and discussed with the departments. As in other cases, the municipal fee is derived by determining hourly labor rates and their costs. Hourly labor rates are assumed to be the hourly rates for the lowest cost employees capable of performing the work tasks. We examined labor rates on an unloaded basis. Several work tasks are specific to wireless communications facilities-related applications. About 15.5 hours of time is estimated.

WITH ESTIMATED TIME, SALARIES AND UNLOADED LABOR RATES

City Clerk \$30/hour x .50=\$15.00 (uses same hourly rate as Planning and Development)
Planning and Development \$30/hour x 5.5=\$165.00 (\$ figure from Planning and Development)
DPW \$53/hour x 5.5= \$291.50 (\$ figure from DPW)

IT \$48/hour x 1.0= \$48.00 (Assumes \$90K salary/1875 hours)
FIRE \$40/hour x 1.0= \$40.00 (Assumes \$75K salary/1875 hours)
LAW \$48/hour x 2.0 = \$96.00 (based on Law Department calculation)

TOTAL **\$655.50**

RECOMMENDATION

Based on the above, the wireless working group recommends a \$500 application fee. This is a conservative figure. It does take into account labor rate loadings. The hourly are believed to be representative. Estimated labor times are informed by our discussions of the tasks included and are considered conservative. We have not included Staff time spent in attending hearings



Memorandum

To: Councilor Gentile, Chair of the Finance Committee
 From: Shawna Sullivan, Assistant Clerk of the Council
 Re: Wireless Communication Equipment Applications
 Date: March 8, 2019

Good Afternoon,

Per your request, the ordinance amendment to increase the wireless communications equipment fee for grant of locations from \$35 to \$750 was approved by the Council on October 7, 2018. Below is a list of all the wireless equipment grant of location permits received or approved prior to the increase from \$35 to \$750.00. The Council received no wireless communication equipment applications in 2018. A company filed three applications on March 5, 2019 that are in the process of administrative review.

| Petitioner | Docket Number | Date Petition Filed | Date Approved |
|------------|---------------|---------------------|---------------|
| Cellco | #72-17 | 03/03/17 | 04/03/17 |
| Cellco | #423-16 | 11/21/16 | 03/06/17 |
| Cellco | #281-16 | 07/20/16 | 03/06/17 |
| Cellco | #249-16 | 07/01/16 | 03/06/17 |

City of Newton



DEPARTMENT OF PUBLIC WORKS

TRANSPORTATION DIVISION

110 Crafts Street
Newton, MA 02460

Ruthanne Fuller
Mayor

DATE: February 5, 2019

TO: Members of the Public Safety and Transportation and Finance 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 **REVISED**

MEMORANDUM

Section 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 Section 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 to affix to 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.

In order to clarify the definition of a “non-resident”, the following amendment to the first sentence of Sec. 19-202 Section (b) (3) a) is suggested:

(3) *Non-resident parking stickers or permits.*

a) A limited number of parking stickers or permits may be made available to non-residents of a particular street within a neighborhood parking district in accordance with such rules and regulations for that district.

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 permit 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 to obtain 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 neighborhood parking district that has been developed has been based on the distinct characteristics and parking needs and resources available in the area, 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 neighborhood 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 associated with non-resident parking permits, as established in the following two sections of the City Ordinance:

- Section 19-202(b)(3)f), which states the following: *Non-resident parking stickers or permits shall cost twenty five dollars (\$25.00) per year.*
- Section 17-13. Fees to be paid to the police department, which states the following: (j) *Neighborhood Parking District non-resident permits (Sec. 19-202(2)(3)f))..... \$25.00*

Two different options for establishing the fee associated with non-resident parking stickers or permits are presented below for the Finance Committee’s consideration.

OPTION 1:

Change Section 19-202(b)(3) to the following:

f) The cost of non-resident parking stickers or permits shall be determined by the City Council and shall be listed in Chapter 17.

Change Section 17-13 to the following:

***(j) Neighborhood Parking District non-resident permits (Sec. 19-202(2)(3)f)
..... \$25.00 except for the following:
Non-resident parking stickers or permits associated with Sec. TPR-204. Newton
North High School Tiger Parking Permits..... \$XX per school year.
Non-resident parking stickers or permits associated with Sec. TPR-206.
Auburndale Village Parking District \$XX per year.***

With this approach, Traffic Council would continue to create Neighborhood Parking Districts in accordance Section 19-202, and would continue to establish all the characteristics of each Neighborhood Parking District, except for the non-permit parking fee, which would continue to be set directly by the Finance Committee and the City Council. The Finance Committee may choose to adjust the non-resident parking permit fee associated with TPR-204 and TPR-206 at this time or in the future.

OPTION 2:

Change Section 19-202(b)(3) to 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.

Delete the following in Section 17-13:

***(j) Neighborhood Parking District non-resident permits (Sec. 19-202(2)(3)f)
..... \$25.00***

With this more flexible approach, it is envisioned that the cost of non-resident parking stickers could be approved through the Traffic Council process. 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. Note that this option was approved by the Public Safety and Transportation Committee at their November 7, 2018 meeting.

#168-01
(#411-99(2))

CITY OF NEWTON
IN BOARD OF ALDERMEN

July 9, 2001

ORDERED:

That, in accordance with the recommendation of His Honor the Mayor and the Finance Committee through its Chairman Ald. Paul E. Coletti, the City of Newton hereby accepts the provisions of §22F of MGL Chapter 40, which authorizes certain municipal boards and officers to fix reasonable fees for the issuance of certain licenses, permits, or certificates, as provided therein.

Under Suspension of Rules
Readings Waived and Adopted
21 yeas 0 nays 2 absent (Ald. Ciccone and M. Lipof)
1 vacancy

EXECUTIVE DEPARTMENT
Approved: July 11, 2001



(SGD) EDWARD G. ENGLISH
City Clerk



(SGD) DAVID B. COHEN
Mayor

RECEIVED
JUL 26 2001
MAYOR'S OFFICE

#168-01
#169-01
#173-01



David B. Cohen
Mayor

City of Newton, Massachusetts
Office of the Mayor

Telephone
(617) 552-7100
Telefax
(617) 965-6885
E-mail

Dcohen@ci.newton.ma.us

May 1, 2001

2001 MAY -4 PM 4:32
CITY CLERK
NEWTON, MA 02159

Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to increase fees for several departments to meet essential personnel and service needs for Fiscal Year 2002.

An attached schedule outlines existing and proposed revised fees in the Inspectional Services Department for electrical, gas, and plumbing permits and for Zoning Board of Appeals application fees.

I estimate that the increased revenues from these fees will be approximately \$125,000 in Fiscal Year 2002. I have included several items in the FY02 operating budget that will be paid for with this revenue. I have added funding to the Inspectional Services Department for a half time plumbing inspector to assist with the tremendous workload in the department. Additionally, these new revenues will allow the department to fill the Chief Building Inspector position, formerly held by the current Commissioner, Mark Gilroy, and to promote a current Building Inspector to the position of Senior Building Inspector. These fees have not been raised in the past 20 years, and the burden on the taxpayers to support the inspection activities of the Department has increased. These increases will help to correct that imbalance. Absent these fee increases, the changes outlined above cannot occur, plus an addition \$40,000 will be necessary.

I also respectfully request that your Honorable Board accept the provisions of Section 22F of Chapter 40 of the Massachusetts General Laws (attached). Your Honorable Board and I have twice petitioned the General Court to enact special legislation to empower the City of Newton to set fees for municipal lien certificates and similar instruments by ordinance. The legislature has not acted favorably on those petitions and seems unlikely to in time for increasing fees for the Fiscal Year 2002 budget. I, therefore, ask your Honorable Board to accept the provisions of Section 22F of Chapter 40, which will allow

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.ci.newton.ma.us

#168-01
#169-01
#173-01

department heads to "fix reasonable charges to be paid for any services rendered or work performed by the city."

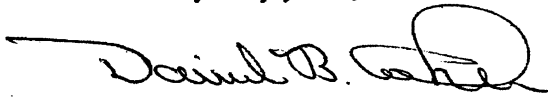
If you Honorable Board accepts this section, I will ask the Collector/Treasurer to submit a proposal to increase the fee for municipal lien certificates and other similar instruments, starting July 1, 2001. I will report his recommendations to you. Furthermore, in the future, I will not ask other department heads for fee increase recommendations without submitting those increases for your review. I have also asked the opinion of the City Solicitor, who opines that after three years from the effective date of acceptance, if future a Board of Aldermen were displeased with fee increases implemented by department heads, such Board could rescind acceptance of this section. I estimate the additional income from fee increases in the Collector/Treasurer's Department to be \$50,000 in Fiscal Year 2001. These funds will be used to properly fund overhead costs for researching and producing municipal lien certificates.

Recently changes in state regulations have mandated different types and intensities of inspections for food service establishments. Additionally, new regulations of tattoo and other body art businesses require new inspections. I, therefore, respectfully request that your Honorable Board adopt the fee increases outlined in the attached memorandum from David Naparstek, the Commissioner of Health.

Finally, I recommend that your Honorable Board amend Section 19-191 of the Revised Ordinances to provide for doubling the parking meter fee for short-term (one hour meters) on-street parking. The effect of this increase would that on-street short-term parking will cost 50¢ per hour. I estimate the increased revenue from this source would be approximately \$271,000. These funds will enable us to provide the resources to be used for the City's transportation program. Details of the transportation program will be outlined in a forthcoming memorandum from Mike Kruse, the Planning Director.

Thank you for your consideration of this matter.

Very truly yours,



David B. Cohen
Mayor

DBC: smp

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 under the direct, immediate control of the Treasurer for the purpose of promoting clean energy policy goals for the benefit of the residents, while still fostering fiscal health and welfare.

1) Definitions:

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

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 one year of the enactment of this Ordinance, the Treasurer will divest 50% of the Newton North High School Fund and the Workers Compensation Fund from fossil fuel company investments. Within two years of the enactment of this Ordinance, the Treasurer will divest 100% of the Newton North High School Fund and the Workers Compensation Fund from fossil fuel company investments.

3) The Treasurer will refrain from making additional or new investments in fossil fuel companies for the Newton North High School Fund and the Workers Compensation Fund.

4) 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.

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Deleted: 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.¶

Deleted: ¶
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.¶

Deleted: 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)

Deleted: filing of the report of identified fossil fuel company investments to the Finance Committee of the City Council...

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Deleted: filing of the report of identified fossil fuel company investments to the Finance Committee of the City Council...

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RUTHANNE FULLER
MAYOR

City of Newton, Massachusetts
Office of the Mayor

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(617) 796-1100

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rfuller@newtonma.gov

February 28, 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 Council Order #51-19 as follows:

Transfer \$1,250,000 from the Angier Elementary School Project Acct #32C1-593039 to Capital Stabilization Account #39-49703039.

The unexpended Angier Funds must physically be moved back to the Capital Stabilization Fund prior to re-appropriating these funds to the Accelerated Roads Program. Funds will then be able to be directed to the accelerated roads program, per Council Order # 51-19.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller
Mayor

RECEIVED
NEWTON CITY CLERK
2019 FEB 28 AM 10:24
RUTHANNE FULLER
NEWTON, MA 02459

CITY OF NEWTON

IN IN CITY COUNCIL

February 4, 2019

ORDERED:

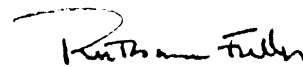
That, in accordance with the recommendation of the Public Facilities Committee and Finance Committee through their respective Chairs Deborah J. Crossley and Leonard J. Gentile, one million seven hundred fifty dollars (\$1,750,000) be and is hereby appropriated from Overlay Surplus and the sum of one million two hundred fifty million (\$1,250,000) be and is hereby transferred from the Capital Stabilization Fund for the purpose of supplementing funding for the Accelerated Roads Program, as follows:

| | | |
|-------|----------------------------|-------------|
| From: | Overlay Surplus | |
| | (01-3220) | \$1,750,000 |
| | Capital Stabilization Fund | |
| | (39-49703039) | \$1,250,000 |
| To: | Accelerated Roads Program | |
| | (C401077-5795) | \$3,000,000 |

Under Suspension of Rules
Readings Waived and Approved
21 yeas 0 nays 3 absent (Councilors Gentile, Lappin, and Rice)



(SGD) DAVID A. OLSON
City Clerk



(SGD) RUTHANNE FULLER
Mayor

Date: 2/13/19



RUTHANNE FULLER
MAYOR

City of Newton, Massachusetts
Office of the Mayor

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rfuller@newtonma.gov

February 25, 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 page #9 of Council Order #250-18, the FY19 Budget by authorizing the following changes:

Amend the *Sewer Fund Benefits* column by decreasing Sewer Maintenance & Operation by \$188,067 (from \$427,195 to \$239,128) and increasing Retirement by \$188,067 (from \$375,672 to \$563,739). In addition, amend the *Water Fund Benefits* column by decreasing Water Maintenance & Operation by \$302,283 (from \$663,040 to \$360,757) and increasing Retirement by \$302,283 (from \$462,230 to \$764,513).

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller
Mayor

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2019 FEB 25 PM 4:59
Newton, MA 02459

| | Personal Services (6) | Expenses (1) | Fringe Benefits (5) | Intergovernmental | Debt Service & Capital Outlay (4) | Other | Total |
|---|--------------------------|----------------------|------------------------|----------------------|--------------------------------------|-----------------------|-----------------------|
| SEWER FUND: | | | | | | | |
| Sewer Maintenance & Operation | \$ 2,001,863 | \$ 1,213,242 | \$ 239,128 | \$ - | \$ 770,500 | \$ - | \$ 4,224,733 |
| Legal Claims & Settlements | | 50,000 | | | | | 50,000 |
| MWRA Sewer Assessment | | | | 22,520,321 | | | 22,520,321 |
| Debt Maturities & Interest | | | | | 1,982,833 | | 1,982,833 |
| Retirement | | | 563,739 | | | | 563,739 |
| Operating Reserve | | | | | | 750,000 | 750,000 |
| Capital Project Fund Transfer | | | | | | | - |
| Workers Compensation Fund Transfer | | | | | | 250,000 | 250,000 |
| Sewer Improvement Fund Transfer | | | | | | 1,819,211 | 1,819,211 |
| General Fund Transfer | | | | | | 1,814,043 | 1,814,043 |
| TOTAL SEWER FUND TOTAL | \$ 2,001,863 | \$ 1,263,242 | \$ 802,867 | \$ 22,520,321 | \$ 2,753,333 | \$ 4,633,254 | \$ 33,974,879 |
| WATER FUND: | | | | | | | |
| Water Maintenance & Operation | \$ 2,439,099 | \$ 1,920,572 | \$ 360,757 | \$ - | \$ 511,000 | \$ - | \$ 5,231,428 |
| MWRA/DEP Water Assessments | | | | 12,202,888 | | | 12,202,888 |
| Debt Maturities & Interest | | | | | 3,308,275 | | 3,308,275 |
| Retirement | | | 764,513 | | | | 764,513 |
| Operating Reserve | | | | | | 750,000 | 750,000 |
| Capital Reserve | | | | | | | - |
| Workers Compensation Fund Transfer | | | | | | 250,000 | 250,000 |
| General Fund Transfer | | | | | | 1,500,876 | 1,500,876 |
| Sewer Fund Transfer | | | | | | 708,362 | 708,362 |
| WATER FUND TOTAL | \$ 2,439,099 | \$ 1,920,572 | \$ 1,125,270 | \$ 12,202,888 | \$ 3,819,275 | \$ 3,209,238 | \$ 24,716,342 |
| TOTAL APPROPRIATIONS - ALL FUNDS | \$ 75,333,382 | \$ 28,919,360 | \$ 53,726,334 | \$ 40,958,541 | \$ 32,839,967 | \$ 245,663,995 | \$ 477,441,579 |

(1) Includes Appropriation for Inter-Fund Transfers.

(2) Single Department Appropriation for Newton Public Schools per School Finance Law.

(3) Includes Estimated State & County Assessments.

(4) Any item of equipment with a value of \$1,000 or more, shall be considered capital outlay.

(5) The Comptroller may transfer fringe benefit appropriations between departments as needed.

(6) Departmental salary and wage savings, resulting from employees being on workers compensation, may be transferred to the Workers Compensation Self Insurance Fund by the Comptroller, with prior approval of the appropriate department head.



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RUTHANNE FULLER
MAYOR

February 25, 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 re-appropriate unspent bond funds for completed projects to new projects with loan terms of an equal or longer period of time. The actions requested below reduce by \$618,000 the amount of general obligation debt the City will borrow. As per the attached MGL Chapter 44, Section 20, as amended by the Acts of 2016, Chapter 218, Section 67 (the Municipal Modernization Act of 11/7/2016), transfer of remaining bond funds from completed projects to new capital projects is allowed.

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2019 FEB 25 PM 4:59
RUTHANNE FULLER
MAYOR

| <u>From Council Order</u> | <u>Project</u> | <u>Amount</u> |
|---------------------------|---|---------------|
| #211-13 | Lower Falls Community Center Improvements | \$ 4,400 |
| #286-15 | NNHS Baseball Backstop | \$ 71,600 |
| #191-16 | NSHS Modulars | \$ 2,000 |
| #219-15 | NSHS Tennis Courts | \$108,081 |

| <u>To Council Order</u> | | |
|-------------------------|------------------------------------|-----------|
| #494-18 | Carr School Air Conditioning Units | \$186,081 |

| <u>From Council Order</u> | <u>Project</u> | <u>Amount</u> |
|---------------------------|---------------------------------|---------------|
| #52-13 | Fire Station #10 Improvements | \$268,500 |
| #470-14 | City Hall War Memorial Elevator | \$ 38,500 |

| <u>To Council Order</u> | | |
|-------------------------|---------------------------|-----------|
| #511-18 | Crafts Street Garage Roof | \$307,000 |

| <u>From Council Order</u> | <u>Project</u> | <u>Amount</u> |
|---------------------------|---------------------------------|---------------|
| #467-14 | FA Day Water Heater Replacement | \$ 25,000 |
| #220-15 | DPW Snow Equipment | \$ 4,105 |
| #274-16 | 2017 DPW Construction Equipment | \$ 3 |

| <u>From (Cont'd)</u> | <u>Project</u> | <u>Amount</u> |
|-------------------------|-------------------------|---------------|
| #273-16 | 2017 DPW Street Sweeper | \$ 11 |
| #307-16 | 2017 Fire Pumper Truck | \$ 95,800 |
| | | |
| <u>To Council Order</u> | | |
| #537-18 | 2 6-Wheel Dump Trucks | \$124,919 |

Thank you for your consideration of this matter.

Sincerely,



Ruthanne Fuller
Mayor

To: Honorable Mayor Ruthanne Fuller
 cc: Maureen Lemieux, Chief Financial Officer
 Lenny Gentile, Chair, Finance Committee of the City Council

From: Susan Dzikowski, Comptroller

Date: February 8, 2019

RE: Appropriate Bond Funds for Completed Capital Projects to New Projects

This is to ask the Honorable Mayor Ruthanne Fuller to docket for the consideration of the City Council the appropriation of unspent bond funds for completed projects to new projects with loan terms of an equal or longer period of time. The actions requested below reduce by \$618,000 the amount of general obligation debt the City will borrow. As per the attached MGL Chapter 44, Section 20, as amended by the Acts of 2016, Chapter 218, Section 67 (the Municipal Modernization Act of 11/7/2016), the transfer of remaining bond funds from completed projects to new capital projects is allowed.

Specifically, the following actions are requested of the City Council:

| From/To | Council Order | Project | Terms (years) | Budget Code | Department | From Unspent Balance | To New Project |
|--------------|---------------|---|---------------|-------------|--------------------|----------------------|----------------------|
| From | #211-13 | Lower Falls Community Center Improvements | 15 | 35A11503 | Public Buildings | \$ 4,400.00 | |
| From | #286-15 | NNHS Baseball Backstop | 15 | 31Q1931 | Public Buildings | \$ 71,600.00 | |
| From | #191-16 | NSHS Modulars | 15 | 31Q2935 | Public Buildings | \$ 2,000.00 | |
| From | #219-15 | NSHS Tennis Courts | 15 | 35A60202 | Parks & Recreation | \$ 108,081.00 | |
| To | #494-18 | Carr School Air Conditioning Units | 15 | | Public Buildings | | \$ 186,081.00 |
| From | #52-13 | Fire Station #10 Improvements | 20 | 38A11507 | Public Buildings | \$ 268,500.00 | |
| From | #470-14 | City Hall War Memorial Elevator | 20 | 38E11515 | Public Buildings | \$ 38,500.00 | |
| To | #511-18 | Crafts Street Garage Roof | 20 | | Public Buildings | | \$ 307,000.00 |
| From | #467-14 | FA Day Water Heater Replacement | 10 | 31Q1923 | Public Buildings | \$ 25,000.00 | |
| From | #220-15 | DPW Snow Equipment | 10 | 34AA401N | DPW | \$ 4,105.00 | |
| From | #274-16 | 2017 DPW Construction Equipment | 10 | 34AA401P | DPW | \$ 3.00 | |
| From | #273-16 | 2017 DPW Street Sweeper | 10 | 34AA401Q | DPW | \$ 11.00 | |
| From | #307-16 | 2017 Fire Pumper Truck | 10 | 34AA210J | Fire | \$ 95,800.00 | |
| To | #537-18 | 2 6-Wheel Dump Trucks | 10 | | DPW | | \$ 124,919.00 |
| Total | | | | | | \$ 618,000.00 | \$ 618,000.00 |

Please let me know if you have any questions or concerns.

Thank you.

MGL Chapter 44: Section 20. Proceeds from sale of bonds; restrictions on use; disposition of premiums

[Text of section as amended by 2016, 218, Sec. 67 effective November 7, 2016.]

Section 20. The proceeds of any sale of bonds or notes shall be used only for the purposes specified in the authorization of the loan; provided, however, that such proceeds may also be used for costs of preparing, issuing and marketing the bonds or notes, except as otherwise authorized by this section. If a balance remains after the completion of the project for which the loan was authorized, the balance may at any time be appropriated by a city, town or district for any purposes for which a loan may be incurred for an equal or longer period of time than that for which the original loan, including temporary debt, was issued. Any balance not in excess of \$50,000 may be applied, with the approval of the chief executive officer, for the payment of indebtedness. If a loan has been issued for a specified purpose but the project for which the loan was authorized has not been completed and no liability remains outstanding and unpaid on account thereof, a city, by a two-thirds vote of all of the members of the city council, or a town or district, by a two-thirds vote of the voters present and voting thereon at an annual town or district meeting, may vote to abandon or discontinue the project and the unexpended proceeds of the loan may be appropriated for any purpose for which a loan may be authorized for an equal or longer period of time than that for which the original loan, including temporary debt, was issued. Any premium received upon the sale of the bonds or notes, less the cost of preparing, issuing and marketing them, and any accrued interest received upon the delivery of the bonds or notes shall be: (i) applied, if so provided in the loan authorization, to the costs of the project being financed by the bonds or notes and to reduce the amount authorized to be borrowed for the project by like amount; or (ii) appropriated for a project for which the city, town or district has authorized a borrowing, or may authorize a borrowing, for an equal or longer period of time than the original loan, including any temporary debt, was issued, thereby reducing the amount of any bonds or notes authorized to be issued for the project by like amount. Notwithstanding this section, no appropriation from a loan or balance thereof shall be made that would increase the amount available from borrowed money for any purpose to an amount in excess of any limit imposed by general law or special act for that purpose. Additions to the levy limit for a debt exclusion are restricted to the true interest cost incurred to finance the excluded project.