



Finance Committee Agenda

City of Newton **In City Council**

Monday, March 14, 2016

7 PM

Room 211

Items Scheduled for Discussion:

Chairman's Note: The Committee will review the June 30, 2015 Independent Financial Audit Report with Matt Hunt of Clifton, Larson, Allen, LLC, the City's independent auditor. Please bring the Management Letter, GAO and OMB A-133 Reports, and the Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 2015 that you received in the February 5, 2016 packet.

#62-16 Acceptance of a National Grid Grant of up to \$55,000

HIS HONOR THE MAYOR requesting authorization to accept and expend a grant of up to fifty-five thousand dollars (\$55,000) awarded by National Grid for the purpose of strengthening energy management programs in municipal and public school buildings, as well as funding a climate change vulnerability assessment. [02/09/16 @ 2:47 PM]

#84-16 Request for funding to settle a claim for damage to a fence

HIS HONOR THE MAYOR requesting authorization to appropriate and expend eight thousand two hundred four dollars (\$8,204) from Free Cash for the purpose of settling a claim against the City for damage to a fence. [02/29/16 @ 4:02 PM]

#85-16 Request for funding to satisfy a reinstatement order

HIS HONOR THE MAYOR requesting authorization to appropriate and expend fifty-three thousand eight hundred thirty-nine dollars (\$53,839) from the Judgements and Settlements Account and seventy six thousand seven hundred sixty-eight dollars (\$76,768) from Free Cash to satisfy a reinstatement order for a Municipal Employees Association employee. [02/29/16 @ 4:02 PM]

#69-16 Funding for research and public outreach by the Charter Commission

HIS HONOR THE MAYOR requesting a discussion of the request from the Newton Charter Commission to appropriate forty-five thousand five hundred dollars (\$45,500) to the following accounts:
Consulting

The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, *please contact Jini Fairley, at least two days in advance of the meeting: jfairley@newtonma.gov, or 617-796-1253. For Telecommunications Relay Service dial 711.*

(C108004-5301)\$30,000
 Part-time Salaries
 (C108004-211101)\$4,500
 Printing
 (C108004-5342)\$10,000
 Office Supplies
 (C108004-5420)\$1,000
 [02/11/16 @ 4:24 PM]

#385-08(3) Expend mitigation funds for Commonwealth Ave landscape maintenance

HIS HONOR THE MAYOR requesting authorization to appropriate and expend twenty thousand nine hundred dollars (\$20,900) from development mitigation funds for planting and beautification purposes on Commonwealth Avenue near the Marriott Hotel per Condition #24 of Special Permit #385-08, approved on February 17, 2009. [02-29-16 @ 4:02 PM]

Referred to Programs & Services and Finance Committees

#88-16 Request to transfer \$223,865 from Snow and Ice Budget Reserve for tree services

HIS HONOR THE MAYOR requesting authorization to transfer two hundred twenty-three thousand eight hundred sixty five dollars (\$223,865) from the Budget Reserve – Snow and Ice Removal Account to the following accounts:

Parks and Recreation Personnel Costs – Overtime
 (0160201-513001).....\$28,280
 Forestry/Tree Services
 (0160201-5243).....\$195,585

Programs & Services Approved 7-0 on 03/09/16

Referred to Public Facilities and Finance Committees

#89-16 Request for \$3,400,000 for the Fire Station 3/Headquarters Project

HIS HONOR THE MAYOR requesting authorization to appropriate three million four hundred thousand dollars (\$3,400,000) from bonded indebtedness for the purpose of funding the completion of the next phase of construction of the Fire Station 3/Headquarters Project. [02/29/16 @ 4:03PM]

Public Facilities Approved 6-0 on 03/09/16

Referred to Public Facilities and Finance Committees

#133-15 Authorization to negotiate leases for install of solar panels on city properties

HIS HONOR THE MAYOR requesting authorization to enter into negotiations for the potential lease on city properties for purposes of third-party construction, ownership, and operation of on-site renewable solar energy generation from which the City will purchase electric output and/or net metering credits. [05/11/15 @ 5:00 PM]

ITEM SPLIT INTO PART A AND PART B

PART A –BOA APPROVED on 11/16/15

PART B – Solar panels mounted on new carport structures at Newton South High School and solar panels mounted on new carport structures at the Library.

Public Facilities split Part B into Part B1 (Newton South High School) and Part B2 (Library)

Public Facilities Approved Part B1 6-0-1 (Gentile abstaining) on 03/09/16

Public Facilities Approved Part B2 5-1-1 (Gentile opposed, Laredo abstaining) on 03/09/16

Referred to Public Facilities and Finance Committees

#224-15(2)

Inter-municipal agreement with Needham for repair of Elliot St Bridge

HIS HONOR THE MAYOR requesting authorization to enter into an Inter-Municipal Agreement with the Town of Needham detailing Needham's obligation to fund half of the construction contract costs associated with repairs to the jointly owned Elliot Street/Central Avenue Bridge and to potentially authorize additional funds for an additional scope of work required by the Newton Upper Falls Historic Commission, which is excluded from the agreement. [03/03/16 @ 1:48 PM]

Public Facilities Approved Subject to Second Call 4-0-2 (Gentile, Lappin abstaining; Danberg not voting) on 03/09/16

Referred to Public Facilities and Finance Committees

#455-14

Ordinance amendment request to create a storm water rate fee structure

HIS HONOR THE MAYOR recommending amendment to Chapter 29, Section 80 **Sewer/Storwater use charge.** to create a storm water rate fee structure based upon square footage of impervious surface area.

Public Facilities Approved 5-1-1 (Lappin opposed; Albright abstaining)

#91-16

Request for consulting services for the Human Resources Department

HIS HONOR THE MAYOR requesting authorization to appropriate and expend eighty-three thousand one hundred thirty-three dollars (\$83,133) from Free Cash to the Human Resources Department for consulting services to audit the Retiree Drug Receipts Account. [02/29/16 @ 4:03PM]

#86-16

Request to rescind MWRA sewer borrowing authorization balances

HIS HONOR THE MAYOR requesting rescission of the following Massachusetts Water Resource Authority (MWRA) sewer borrowing authorization balances that have not and will not be spent, as well as the fractional borrowing authorizations and appropriations:

Board Orders

#149-07 Sewer Improvements	\$338,655
#361-09 Sewer Improvements	\$198,000
#52-14 Station 10/Wires Building	\$12,296
#32-15(2) Station 10/Wires Building.....	\$823
#215-15 Library Automation System.....	\$850
#217-15 Fire SCBA Equipment.....	\$750
#216-15 Fire Bucket Truck.....	\$700

#87-16

Request to appropriate and expend \$253,808.90 to cover bond issuance costs

HIS HONOR THE MAYOR requesting authorization to appropriate and expend two hundred fifty-three thousand eight hundred eight dollars and ninety cents (\$253,808.90) from the following accounts to fund bond issuance costs associated with the City's January 2016 bond sale:

From:

Free Cash\$154,637.43
 Override Capital Stabilization Fund.....\$78,886.78
 Debt Exclusion-Angier Elementary School\$16,531.36
 Stormwater Current Year Reserve\$2,418.82
 Sewer Fund.....\$1,334.52

To:

Bond Sale Costs\$253,808.90

[02-29-16 @ 4:02 PM]

Items Not Scheduled for Discussion at this Meeting:**Referred to Programs & Services, Public Facilities and Finance Committees**

#90-16

Statement of Interest for Lincoln Eliot Elementary School

SUPERINTENDENT FLEISHMAN is requesting a vote of the City Council to complement the vote of the School Committee to authorize the Superintendent of Schools to submit to the Massachusetts School Building Authority (MSBA) they FY 16 Statement of Interest no later than April 8, 2016 for the consideration of Lincoln-Eliot Elementary School as a major school Building project after Cabot Elementary School. [02/29/16 @ 4:45 PM]

Referred to Public Safety & Transportation and Finance Committees

#64-16

Increase the number of Chief of Operation positions in the Fire Department

HIS HONOR THE MAYOR requesting a temporary increase in the number of Chief of Operations in the Fire Department from one to two Chief, as the current Assistant Chief of Operations is on extended sick leave, does not intend to return to his position, and his accrued time does not run out until August 2016. An Assistant Chief has been working as the acting Chief of Operations and the Fire Chief would like to permanently appoint him as the Chief of Operations before August 2016, as the acting Chief of Operations cannot attend bargaining sessions due to a possible conflict of interest should he return to a union position as Deputy Chief. [02/09/16 @ 2:47 PM]

Public Safety & Transportation Held 6-0 on 02/17/16

#40-16

Request to accept MGL 149 Sec 148C related to earned sick time for employees

COUNCILOR SANGIOLO requesting that City of Newton formally accept and/or take all necessary steps to accept Massachusetts General Law Chapter 149, Section 148C, in order to qualify full-time, part-time, seasonal, and temporary employees coverage under the earned sick time regulation, 940 CMR 33, as approved by the voters of

Massachusetts in the 2014 Election as Ballot Question 4 – Earned Sick Time for Employees. [01/19/16 @ 2:35 PM]

Referred to Land Use and Finance Committees

#356-15

Request for CPA funding for two units of affordable housing at 10-12 Cambria Rd

COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of four hundred seventy-one thousand one hundred seventeen dollars (\$471,117) from the Community Preservation Fund to the Planning & Development Department for a grant to Citizens for Affordable Housing Development in Newton (CAN-DO), to create two units of permanently affordable rental housing at 10-12 Cambria Road, as described in the proposal submitted to the Community Preservation Committee in October 2015. [12/08/15 @ 12:08 PM]

Land Use Approved 6-0 on 02/02/16

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

#357-15

Request for CPA funding for the Newton Highlands Playground

COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of two million five hundred thousand dollars (\$2,500,000) from the Community Preservation Fund's open space and general reserves or fund balance to the Parks & Recreation Department, for the rehabilitation of the Newton Highlands Playground at Winchester and Dedham Streets, as described in the proposal submitted to the Community Preservation Committee in November 2015. [12/15/15 @ 12:32 PM]

Referred to Finance and Appropriate Committees

#288-15

Submittal by the Mayor of the FY17 Capital Improvement Plan

HIS HONOR THE MAYOR submitting the FY 2017-FY 2021 Capital Improvement Plan pursuant to section 5-3 of the Newton City Charter. [10/01/15 @ 1:53 PM]

#287-15

Submittal by the Mayor of the 5-Year Financial Forecast

HIS HONOR THE MAYOR submitting the FY 2017-FY 2021 5-Year Financial Forecast for Board of Aldermen review/acceptance. [10/01/15 @ 1:53 PM]

Referred to Public Facilities and Finance Committees

#223-15

Discussion on the process of licensing the use of city buildings

ALD. LAREDO requesting a discussion of the process of licensing the current and future use of city building, including: (a) how licensees may request the use of city buildings; (b) the process for determining which licensees will get the use of city buildings; (c) how the fees for the use of city buildings are set; and (d) how the current process compares to the process for permitting the use of school buildings. [08/13/15 @ 11:20 AM]

- #190-15 Discussion of a policy to record all meetings and post all meeting materials online**
ALD. SANGIOLO requesting a discussion with the Executive Department relative to creating a policy to require audio recordings of all meetings of boards and commissions and requiring them to be posted to the City's website, as well as posting of all documentation that is reviewed by boards and commissions and/or by their designated City staff member.

Referred to Zoning & Planning, Land Use and Finance Committees

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

- #84-15 Discussion with NCDF on repayment of deferred payments and accrued interest**
ALD. GENTILE requesting a discussion with the Newton Community Development Foundation (NCDF) regarding their plans for repayment of the deferred rental payments and accrued interest on their ground lease with the City for the former Warren Junior High School site. [03-03-15 @ 2:57 PM]

Referred to Land Use and Finance Committees

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

- #248-12 Ordinance amendments to Article IV Purchases and Contracts**
RECODIFICATION COMMITTEE recommending that **ARTICLE IV. PURCHASES AND CONTRACTS, Secs. 2-182 through 2-205**, be amended to make it consistent with state law.

Respectfully submitted;
Leonard J. Gentile, Chair



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#62-16

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

February 9, 2016

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

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to authorize the acceptance of a grant awarded by National Grid up to \$55,000. This monetary award will be used for strengthening energy management programs in municipal and public school buildings, as well as funding a climate change vulnerability assessment.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

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David A. Olson, Clerk
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

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Setti D. Warren
Mayor

City of Newton, Massachusetts
Office of the Mayor

#62-16

Telephone
(617) 796-1019

Fax
(617) 796-1113

TDD
(617) 796-1089

E-mail
asavitz@newtonma.gov

February 1, 2016

Maureen Lemieux
Chief Financial Officer
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

RE: Receipt of Grant from NGrid

Dear Ms. Lemieux:

I am pleased to inform you that The City of Newton has been awarded a grant from NGrid, as a result of our having been accepted, along with six other Massachusetts municipalities, into NGrid's 2016 Community Initiative. This program is designed to increase the number of NGrid customers that agree to have home energy assessments conducted and that take specific steps to become more energy efficient at home.

This is an incentive based grant: Newton can receive up to \$54,461.27 if certain targets are met by the end of 2016. We have already qualified for an initial grant of \$6,484.37, which we expect to receive in late February or early March. We are eligible for additional grant monies if we meet the certain numeric goals, as per Attachment A.

According to NGrid, the City is free to spend the grant monies on any project that benefits the community. We plan to spend some of the funds to strengthen energy management programs in the schools and in municipal buildings, and some to help fund a climate change vulnerability assessment.

We respectfully ask that you accept this grant, and make arrangements to docket it accordingly.

Thank you,

Andrew Savitz
Director of Sustainability
Newton, MA

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David A. Olson, CMC
Newton, MA 02459

Attachment A

MACity/Town	NEWTON		LEVEL						
Program	Focus	Measure	BASELINE	1			2		3
				Threshold Goal	Startup Bonus	Threshold	Cumulative Goal	Additional Incentive	Cumulative Goal
Home Energy Services	Residential Assessment	number of completed audits	1189	297	\$1,673.42	\$3,346.83	595	\$3,640.92	892
	Air Sealing	number of completed	232	58	\$1,874.71	\$3,749.42	116	\$4,188.18	174
	Insulation	number of completed insulation installations	299	75	\$2,416.12	\$4,832.23	150	\$5,397.70	224
	Heating System	Number of completed heating system installations	84	3	\$79.52	\$159.05	6	\$167.61	9
	Wifi Thermostats	number of wifi thermostats installed	119	30	\$440.60	\$881.21	59	\$1,842.00	89
				TOTAL	\$6,484.37	\$12,968.74		\$15,236.41	
							TOTAL POTENTIAL REWARD		
							\$5,463.27		

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Telephone
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Facsimile
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TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

February 29, 2016

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

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to authorize the appropriation and expenditure of \$8,204 from June 30, 2015 Certified Free Cash for full and final settlement of Claim # 15-147 Damage to Fence. Details are attached.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

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Newton City Clerk
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DAVID A. OLSON, CLERK
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

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LAW DEPARTMENT



CITY OF NEWTON, MASSACHUSETTS

CITY HALL

1000 COMMONWEALTH AVENUE

NEWTON CENTRE, MA 02459

TELEPHONE (617) 796-1240

FACSIMILE (617) 796-1254

CITY SOLICITOR

DONNALYN B. LYNCH KAHN

ASSOCIATE CITY SOLICITOR

OUIDA C.M. YOUNG

ASSISTANT CITY SOLICITORS

MARIE M. LAWLOR
ANGELA BUCHANAN SMAGULA
ROBERT J. WADDICK
MAURA E. O'KEEFE
JEFFREY A. HONIG
ALAN D. MANDL
JULIE B. ROSS
JILL M. MURRAY
SUZANNE P. EGAN

February 29, 2016

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

RE: Damage to Fence
232 Brookline Street
File #15-147

Dear Honorable Mayor Warren:

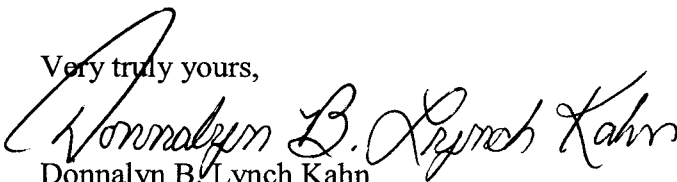
The claim in the above-referenced matter stems from repeated damage to a metal fence that is located at 232 Brookline Street, during January and February of 2015. The property is at the corner of Brookline Street and Hartman Road, and both sidewalks adjacent to the property are plowed as part of school routes for the Memorial Spaulding Elementary School.

This fence has been damaged in the past, the property owner's claims have been paid, and the fence was repaired. As a result of the prior claims, both Parks and Recreation and DPW have paid attention to sidewalk plow operations at this location to avoid new damage. However, the extreme snow fall last winter required the sidewalk plows to repeatedly clear both sidewalks adjacent to this property, and the fence was damaged extensively along both the Hartman Road and Brookline Street frontages.

The estimate to repair the damage is \$8,204.00. While high, the metal fence is only several years old, was in good condition prior to the damage, and we believe the estimate is reasonable and consistent with damage cases of this sort.

Therefore, I respectfully request that you docket this item seeking to appropriate \$8,204.00 and authorize expenditure thereof as full and final settlement of this claim against the City of Newton.

Very truly yours,


Donnalyn B. Lynch Kahn
City Solicitor



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#85-16

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

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swarren@newtonma.gov

February 29, 2016

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

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to authorize the appropriation and expenditure of \$53,839 from the Judgments and Settlements Account and \$76,768 from June 30, 2015 Certified Free Cash to satisfy the attached reinstatement order.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

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David A. Olson, Clerk
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

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7
McDONALD LAMOND CANZONERI
ATTORNEYS AT LAW

#85-16

352 Turnpike Road, Suite 310
Southborough, MA 01772-1756
www.masslaborlawyers.com

Alan J. McDonald
James F. Lamond*
Jack J. Canzoneri
Olinda R. Marshall
Jason R. Powalisz
Dennis M. Coyne**
Kristen A. Barnes**
John O. Killian
Allison J. Zimmon

Tel: 508-485-6600
617-928-0080

Fax: 508-485-4477
617-928-0081

Of Counsel
E. David Wanger
Martin Kantrovitz

In Memorium
Vita K. Berkowitz
(1994-2005)

*Also Licensed in New Hampshire

**Also Licensed in New York

February 23, 2016

VIA E-MAIL AND FIRST-CLASS MAIL

Maura O'Keefe, Esq.
Assistant City Solicitor
Law Department
City of Newton, City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Re: Newton Municipal Employees Association
and City of Newton
Brian Quinn – Termination – AAA #1148-13

Dear Maura,

Regarding the Brian Quinn termination make whole payment, below I have set forth the amounts on which the parties have reached agreement. I have calculated the required interest assuming a payment date of March 15, 2016. Please make payment on or before March 15, 2016. Please contact me if you would like to discuss this any further.

Backpay

- Wages
 - June 26, 2013 – June 30, 2013 = \$566.64
 - 0.6 weeks at \$944.40/week
 - 12% interest compounded annually (for 2.75 years) = \$207.25
 - Total = \$773.85

Maura O'Keefe, Esq.
Assistant City Solicitor
February 24, 2016
Page 2 of 4

- July 1, 2013 – December 31, 2013 = \$25,110.08
 - 26 weeks at 958.40/week
 - 12% interest compounded annually (for 2.25 years)¹ = \$8,224.36
 - Total = \$33,334.44
- January 1, 2014 – June 30, 2014 = \$25,110.08
 - 26 weeks at 958.40/week
 - 12% interest compounded annually (for 2 years) = \$6,388.00
 - Total = \$31,498.08
- July 1, 2014 – December 31, 2014 = \$25,110.08
 - 26 weeks at 958.40/week
 - 12% interest compounded annually (for 1.5 years) = \$4,652.81
 - Total = \$29,762.89
- January 1, 2015 – June 30, 2015 = \$27,997.60
 - 26 weeks at \$1,057.60/week (+ \$500 bonus)
 - With 12% interest compounded annually (for 1 years) = \$3,359.71
 - Total = \$31,357.31

¹ For each six-month period I began the accumulation of interest from the middle of that period. For example, for the pay period July 1, 2013 – December 31, 2013 I began the interest accumulation on October 15, 2015. While I could have begun accumulation on the beginning or end of each six-month period, using the middle of the period appears to be the most accurate method, as it has the same result as beginning accumulation of interest at the end of every pay week.

Maura O'Keefe, Esq.
 Assistant City Solicitor
 February 24, 2016
 Page 3 of 4

- July 1, 2015 – July 17, 2015 = \$2,538.24
 - 2.4 weeks at \$1,057.60/week
 - 12% interest compounded annually (for 0.64 years) = \$190.94
 - Total = \$2,729.18
- Total of above = \$129,455.75
- Less \$4,100 in interim earnings = Total of \$125,355.44 in wages (with interest)
 - Wages without interest = \$102,332.75
- Overtime
 - \$2,000
 - 12% interest compounded annually – \$287.24
 - Total = \$2,287.24
- Longevity
 - \$875
 - 12% interest compounded annually – \$42.76
 - Total = \$917.76
- Clothing Allowance
 - \$1,000
 - 12% interest compounded annually – \$221.31
 - Total = \$ 1,221.31
- **Total Backpay (with interest) - \$129,781.75**
 - Backpay without interest = \$106,207.75

Contribution Opportunity to Retirement

- From both his backpay award and 2016 income, Mr. Quinn will be able to make a pre-tax contribution to the 457 individual retirement plan offered to City employees up to the maximum amount permitted by law.

Maura O'Keefe, Esq.
Assistant City Solicitor
February 24, 2016
Page 4 of 4

Vacation

- The City will credit Mr. Quinn's vacation pay from 2014 to his vacation bank for 2016. The City will credit Mr. Quinn with the 4 weeks of vacation that he would have received in 2014 to be used in calendar year 2016, giving him a total of 8 weeks of vacation to be used this year. In accordance with the terms of the contract, he will be able to carry over 5 total days of the 8 weeks of vacation into 2017.

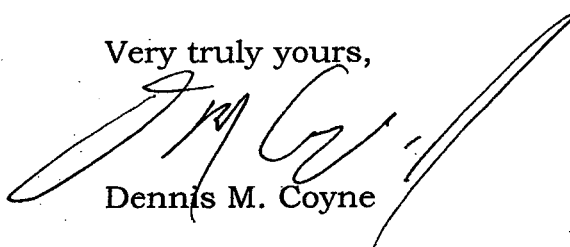
Health Insurance Tax Penalty

- In order to settle a dispute about whether the City must reimburse Mr. Quinn for his tax penalties for not carrying health insurance during the termination period, the City will make a one time lump sum payment of **\$825** to Mr. Quinn. This payment is not an admission of liability on the part of the City, or otherwise to be construed as an admission by Mr. Quinn.

This payment should be made in 2 separate checks. The City should issue one check for backpay and the lump sum (for settling the tax penalty dispute), and one check for the interest. The first check should be in the amount of **\$107,032.72** (for backpay plus \$825 lump sum) with taxes withheld at the minimum amount required by law, and taxes based upon such payment computed as an *annual* amount rather than a weekly amount. The second check should be for **\$23,574.00** and should be reported on a 2016 IRS 1099-INT form.

Thank you.

Very truly yours,



Dennis M. Coyne

DMC/rw

cc: Richard Gately, President, NMEA (Via PDF E-Mail)



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#69-16

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

February 9, 2016

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

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to discuss the attached request from the Newton Charter Commission to appropriate the sum of \$45,500 to the following accounts:

Consulting	# C108004-5301	\$30,000
Part Time Salaries	# C108004-511101	\$ 4,500
Printing	# C108004-5342	\$10,000
Office Supplies	# C108004-5420	\$ 1,000

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

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1000 Commonwealth Avenue Newton, Massachusetts 02459

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DEDICATED TO COMMUNITY EXCELLENCE

CHARTER COMMISSION



CITY OF NEWTON, MASSACHUSETTS

CITY HALL

1000 COMMONWEALTH AVENUE

NEWTON CENTRE, MA 02459

E-MAIL: chartercommission@newtonma.gov

CHAIRMAN – JOSH KRINTZMAN
 VICE-CHAIRMAN – RHANNA KIDWELL
 CO-CLERK – JANE FRANTZ
 CO-CLERK – KAREN MANNING
 BRYAN BARASH
 HOWARD HAYWOOD
 ANNE LARNER
 BROOKE LIPSITT
 CHRIS STEELE

January 28, 2016

Mayor Setti Warren
 Newton City Council
 1000 Commonwealth Avenue
 Newton Centre, MA 02459

Dear Mayor Warren and Honorable City Councilors:

As you know, the charter commission has been sworn in and begun its deliberations. It has become apparent to us that there will be some costs associated with the work of the commission. In particular, the commission would like to conduct thorough research about the charter commission process in other communities, the decisions that other municipalities have made and the desires of the people of Newton. To this end, the commission would like to retain the services of a consultant, a part-time clerk and conduct additional public outreach as well.

Accordingly, in order to fund the anticipated obligations of the charter commission at this time, I hereby request an appropriation in the amount of \$45,500 into a new Account for the Charter Commission.

The Charter Commission may not even need to spend that full amount, but at the moment it is what we believe would cover our anticipated needs. The \$45,500 request is broken down as follows:

- Not more than \$30,000 to hire a consultant to perform extensive research on other municipal charters and assistance with the development of our recommendations;
- \$10,000 for copying, mailing and postage;
- \$4,500 to hire a part-time clerk to help the commission keep minutes and prepare materials for commissioners and the public; and
- \$1,000 for overage and unanticipated obligations.

Lastly, as you are well aware, the work of the commission will continue into next year. To the extent possible, we would ask that any funding appropriated for the commission continue into next year without the need to re-appropriate the funds.

If you have any questions about this request or if we may be of further assistance in explaining or substantiating this request, please do not hesitate to let us know. Thank you very much.

Very truly yours,

Josh Krantzman

Chairman – Newton Charter Commission



PROFESSIONAL SERVICE AGREEMENT

City of Newton

This Professional Service Agreement (“Agreement”) is made as of this ____ day of _____ 2016 (“Effective Date”) between the City of Newton, 1000 Commonwealth Avenue, Newton Centre, MA 02459, (“City”), and the University of Massachusetts (“UMass Boston”), represented by its Edward J. Collins, Jr. Center for Public Management (“Center”), having an address of 100 Morrissey Blvd, Boston, MA 02125-3393 (“the Parties”).

The Center has technical expertise, resources, and capacity available to it, and the City wishes to engage the Center to provide the City with technical services. UMass Boston has determined that the proposed services to be provided are consistent with its research, economic development, educational, and public service missions.

Therefore, the Parties hereto mutually agree as follows:

1. Professional Services. The Center agrees to provide the professional services described in Exhibit A, which is attached hereto and incorporated herein by reference (“Services”). Trained personnel or sub-consultants of the Center shall render the Professional Services.
2. Term. The Center will use reasonable efforts to provide the Professional Services during the period from the date of this Agreement until 6/30/2017. Unless the parties agree to extend the term in writing, this Agreement shall expire at the end of the term or upon the completion of the Professional Services, whichever shall first occur.
3. Confidentiality/Privacy. The Center shall comply with all applicable state and federal laws and regulations relating to confidentiality and privacy.
4. Payments. The City agrees to pay to UMass Boston an all-inclusive fee not to exceed of \$30,000 for these services. This cost shall include all Center staff time and overhead. The City agrees to make payments upon receipt of invoices. The Center reserves the right to discontinue work if the City fails to pay invoices within thirty (30) days of receipt. Payments shall be made to “University of Massachusetts Boston” and shall be sent to:

Edward J. Collins Jr. Center for Public Management
University of Massachusetts Boston
100 Morrissey Blvd.
Boston, MA 02125-3393
Attn: Stephen McGoldrick
5. Warranty Disclaimer. The Center shall perform the Services in a professional and workmanlike manner. The Center shall endeavor to perform the Services within the schedule set forth herein, but is not liable for failure to meet the schedule. The foregoing warranties are in lieu of all other warranties, express, implied or statutory, including without limitation any implied or express warranties of merchantability, fitness for a particular purpose, or non-infringement of a patent or other intellectual property right.
6. Limitation of Liability. In no event shall UMass Boston be liable for any loss of profits, loss of use, loss of data, cost of cover, indirect, special, exemplary, punitive, incidental or consequential damages of any kind in connection with or arising out of this Agreement or the Services, even if UMass Boston has been advised of the possibility of those damages. Notwithstanding the foregoing, in no event shall its liability arising out of this Agreement or relating to the Services exceed the amounts actually paid.

7. Use of Names. The City agrees that it will not utilize the name or seal of the University in any advertising promotional material or publicity, without the express written consent of UMass Boston. Reciprocally, UMass Boston will not utilize the name or corporate seal of the City in any advertising promotional material or publicity, without the express written consent of the City.

8. Termination. This Agreement may be terminated by either of the Parties upon thirty (30) days written notice of termination to the other. If either of the Parties defaults in the performance of any of its material obligations under this Agreement, then the non-defaulting party may give written notice of the default to the defaulting party. Unless the default is corrected within thirty (30) days after the notice, the notifying party may terminate this Agreement immediately upon written notice. Upon termination of this Agreement by either party, UMass Boston will be reimbursed for all costs and non-cancelable commitments incurred in performance of the Professional Services prior to the date of termination in any amount not to exceed the total commitment set forth in Section 4 of this Agreement. Provided, however, that if professional services are not complete, then UMass Boston will return any pro rata share of payment to the City not otherwise expended, to the extent permissible.

9. Survival. The obligations of the parties under Sections 3, 4, 5, 6, 7, 8, and 9 survive termination of this Agreement.

10. Independent Contractor. Nothing contained in this Agreement shall be construed to constitute the Center or UMass Boston as a partner, joint venture, employee, or agent of the City, nor shall either party have the authority to bind the other in any respect, it being intended that each shall remain responsible for its own actions.

11. Governing Law. This Agreement is governed by the laws of the Commonwealth of Massachusetts without regard to any choice of law rules. The Parties agree to exclusive jurisdiction and venue in the Massachusetts Superior Court in Suffolk County.

12. Entire Agreement. This Agreement constitutes the entire agreement between the Parties with respect to the Services, supersedes all prior oral and written agreements with respect to the subject matter, and can be modified only by a written instrument signed by both of the Parties which references this Agreement.

UMass Boston and the City have caused this Agreement to be executed by their duly authorized representatives as of the Effective Date.

City

BY: _____

NAME: _____

TITLE: _____

BY: _____

NAME: _____

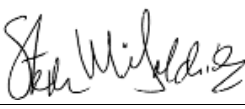
TITLE: _____

BY: _____

NAME: _____

TITLE: _____

UMass Boston

BY:  _____
Stephen McGoldrick , Interim Director

BY: _____
Ellen O'Connor, Vice Chancellor for A & F



Exhibit A

Scope of Work

Client: Newton Charter Commission

Overview of Assignment: Collins Center personnel identified below will serve the commission by conducting research, attending remaining charter commission meetings (@ 20), attending public hearings as determined necessary or preferable by the commission, and providing facilitation assistance on issues of major concern in the charter (e.g., Executive, Legislative) as determined by the commission.

The Collins Center will provide the following services:

Time estimate:

Attendance at each of the 20 remaining meetings of the commission

2.5 hours/each meeting

Research and support, specific to commission's inquiries and needs

1.5 hours/per meeting

Set-up, planning, and telephone assistance

1.5 hours/per meeting

Newton Charter Commission Contact Person: Rhanna Kidwell, Vice Chair. The vice chair shall be cc'd on all emails to Article leaders, and will receive all work products in addition to the Article leaders.

Collins Center personnel assigned:

Marilyn Contreas, Senior Associate Marilyn.contreas@umb.edu Telephone: 781 -665 – 7198

Tanya Stepasiuk, Government Services Specialist Tanya.Stepasiuk@umb.edu Telephone: 617 – 797 - 3053

Stephen McGoldrick, Director, Collins Center for Public Management, UMass/Boston*

**Mr. McGoldrick will be available on an "as needed" basis to be determined by Collins Center personnel undertaking this assignment in consultation with the Newton Charter Commission vice-chair.*

Both Ms. Contreas and Ms. Stepasiuk should receive all emails from Newton Charter Commission members relating to this Collins Center assignment.

Procedure: Article leaders will be responsible for contacting Collins Center personnel with inquiries, requests for comparative analysis, historical and/or legal precedents, etc. relating to the specific Article in sufficient time to allow the Collins Center to provide information to the Article leaders on the Friday before the Article is to be initially discussed by the commission (See Newton Charter Commission Project

Plan, 2016 Meeting Schedule as provided to the Collins Center on January 29, 2016). Article leaders shall be responsible for providing work products to the Newton Charter Commission membership.

Such inquiries and requests may be oral or communicated via the email addresses above. Any oral requests, including but not limited to questions or concerns arising at charter commission meetings, will be confirmed via email by Collins Center personnel assigned to this project.

Should the commission request facilitation exercises, summaries of such exercises will be provided to the Article leaders and the Vice Chair within 7 days following any such exercise.

Payment: The Center will charge a fee not to exceed \$30,000. The Center will invoice the Commission three times during the course of the assignment (June 2016, November 2016, May 2017), documenting all activities performed on behalf of the Commission. The Collins Center is prepared to complete such assignments as can be funded by the Commission's \$7,500 statutory appropriation (MGL, c. 43B, s. 8[b]). Should a supplemental appropriation not be forthcoming from the city, this work plan will need to be revised to reflect only those assignments able to be completed with the statutory appropriation.



EDWARD J. COLLINS, JR. CENTER FOR PUBLIC MANAGEMENT
JOHN W. McCORMACK GRADUATE SCHOOL OF POLICY AND GLOBAL STUDIES
UNIVERSITY OF MASSACHUSETTS BOSTON

100 Morrissey Boulevard
Boston, MA 02125-3393
P: 617.287.4824
F: 617.287.5566
mccormack.umb.edu/centers/cpm
collins.center@umb.edu

CITY OF NEWTON
CHARTER COMMISSION
CHARTER DRAFTING ASSISTANCE
SCOPE OF SERVICES

1. Background

As the “constitution” of local governments, a municipal charter is the single most important document in its governance. Undertaking a revision of a city’s charter is therefore an opportunity to have a significant impact on the municipality for many decades. However, it is also an extraordinarily challenging endeavor – statutorily, logistically, and politically. For that reason, most municipalities embarking on the charter development process seek outside expertise.

The Collins Center (hereafter “the Center”) is pleased to submit this scope of services to the City of Newton’s elected Charter Commission (hereafter “Commission”) to provide technical assistance related to the drafting a Home Rule Charter.

2. Scope of Services:

A charter is defined by the National League of Cities as:

“The basic law that defines the organization, powers, functions and essential procedures for the municipal government. It is comparable to the state constitution and to the constitution of the United States. The charter is, therefore, the most important single law of any local government. Through change on the charter, almost any desired change can be achieved in governmental organization, powers, functions and procedures”

The Collins Center utilizes a unique approach to the charter development process. The Center views these exercises as consensus-based deliberations that lead to governance structures that best serve the needs of the particular municipality, *as determined by the Commission; not by the Center*. Further, although the Center has access to legal advice, it views these processes as governance and policy discussions rather than a legal exercise. Our experience has demonstrated that facilitation and organizational skills and knowledge of municipal government forms, structures and organization are of the greatest value to Charter Commissions. This experience has been gained through many years of “on the ground” work as either municipal or state officials or advisors. The Center has the ability to bring fresh, innovative ideas to the Commission that may not always be conventional to Massachusetts local governance.

Staff and associates at the Center have extensive experience in facilitating charter development processes and drafting charters for local governments. Specifically we have worked with both elected and appointed charter commissions and government study committees in Amesbury, Barnstable, Central Falls, RI, Chelsea, Dracut, Easton, Everett, Gardner, Holyoke, Hubbardston, Melrose, Newburyport, Northampton, Pittsfield, Somerville and Southborough. Staff and associates have crafted various governance related Special Acts and have provided advice to many municipalities on governance and organizational issues.

In general, Center staff will assist with:

- Conducting interviews with city officials and other interested parties identified by the Commission to gather input and explore issues about which they will possess unique insights;
- Arranging for guest speakers as appropriate; and
- Providing technical assistance and preparing materials for Commission meetings and any public forums the Commission schedules.

Subject to modification and depending on the level and content of the deliberations in each subject area, the Center proposes the following work plan.

Meeting 1: Engagement Startup

- Establish meeting ground rules, frequency, start and end times;
- Confirm the overall scope and schedule;
- Confirm the objectives and approach;
- Agree to a method for contacting City officials and employees;
- Identify and establish a method of contacting other stakeholders;
- Establish a public communications protocol; and
- Discuss a public participation process.

Meetings 2 &3: The Legislative Body

- Deliberate and decide upon the composition, term of office, method of election and powers and duties of the legislative body.

Meeting 4: School Governance

- Deliberate and decide upon composition, term of office and method of election of the school Committee.

Meeting 5 & 6: The Executive Branch

- Deliberate and decide upon the executive branch of government and its powers and duties.

Meeting 7: Administrative Organization and Financial Procedures

- Deliberate and decide upon the method of establishing and modifying the administrative organization including boards and commissions.
- Deliberate and decide upon budgeting, financial forecasting, capital planning and other financial procedures.

Meeting 8 & 9: Elections and Citizen Relief Mechanisms

- Deliberate and decide upon nomination and election procedures.
- Deliberate and decide upon free petition, initiative petition, referendum and recall provisions.

Meeting 10: Transition Provisions and Wrap-Up

- Deliberate and decide on when certain provisions of the new charter will take effect.

Timeline

A proposed timeline appears below. This timeline ensures that the charter will be voted on at the municipal election in November 2017.

Event	Nov 15	Dec 15	Jan 16	Feb 16	Mar 16	Apr 16	May 16	Jun 16	Jul 16	Aug 16	Sep 16	Oct 16	Nov 16	Dec 16	Jan 17	Feb 17	Mar 17	Apr 17
Commission Sworn	X																	
Meeting 1		X																
Meeting 2		X																
Public Hearing		X																
Meeting 3			X															
Meeting 4				X														
Meeting 5					X													
Meeting 6						X												
Meeting 7							X											
Meeting 8								X										
Meeting 9									X									
Meeting 10										X								
Review Preliminary Report											X	X						
Issue Preliminary Report																X		
Reserve														X				
Reserve															X			
Public Hearing																X		
Review Final Report																	X	X
Issue Final Report																		X

3. Fee

The Center will charge an all-inclusive fee of \$40,000 to be paid in 3 installments. The first payment of \$10,000 will be billed after meeting 2. The second installment of \$20,000 will be billed after meeting 10. The final instalment of \$10,000 will be billed upon the completion of the final report.

About the Collins Center

The Edward J. Collins, Jr. Center for Public Management is dedicated to improving efficiency, effectiveness, governance, and accountability at all levels of government, with a particular focus on state and local government. The Center's aim is to enable public entities to provide high quality services to the people they serve on a sustainable basis.

Staff

Stephen McGoldrick has over 25 years of local and regional government experience. McGoldrick played a lead role in the reform of Chelsea's government as chief of staff the Receiver in the early-mid 1990's. He served as deputy director for the Metropolitan Area Planning Council for 11 years. During his career, he has provided charter related assistance to Amesbury, Barnstable, Central Falls, RI, Easton, Everett, Gardner, Holyoke, Hubbardston, Melrose, Newburyport, Northampton, Pittsfield and Somerville. He is currently overseeing the assistance of an elected Charter Commission in East Longmeadow. He received a bachelor's degree from the University of Massachusetts Amherst and a Master of Management from Lesley University.

Marilyn Contreas is an associate at the Collins Center. She served as a senior program and policy analyst for the Massachusetts Department of Housing and Community Development for over 35 years. She worked with charter commissions, municipal government study committees, and other local officials on questions of structure and organization of local government. She also served as the state's representative to the working group to prepare a new charter for the city of Chelsea as it emerged from receivership. She has served as a resource on charter-related questions to the Massachusetts Municipal Association, and local Leagues of Women Voters. She has also designed and administered grant programs for municipal governments, and regional planning agencies. She received a bachelor's degree from Webster College in St. Louis, Missouri and a Master of Public Administration from the State University of New York at Albany.

Request for Charter Commission Clerical Assistance

Jane Frantz and Karen Manning (co-clerks, Newton Charter Commission) request part time assistance from Jose Morgan, currently a part time employee of the City of Newton. Please note that in addition to Jose's billable hours, printing costs will be incurred for meeting documentation.

Clerical Assistance Needs as of March 10, 2016:

Jose Morgan, a contractor employed part time with City Hall, has agreed to assist the Charter Commission. His responsibilities currently include:

1. Attend Charter Commission regular meetings. Record notes and discussions including motions, seconding, and votes.
2. Compile Minutes through use of meeting/hearing audio recordings.
3. Submit the minutes for review to Jane, who will edit as needed and present to the Commission for approval.
4. Occasionally pick up packet information prior to meetings and hearings. (from City of Newton Printing, Lower Level of City Hall).
5. Assist with other clerical responsibilities that may arise over the course of the Commission's work.

Funding Request: Jose's billable rate is \$15 per hour. Each meeting would [approximately] require 3 hours to attend and 3 hours for reviewing audio and compiling minutes:

\$15 x 6 hours per meeting = \$90.

\$90 x 30 meetings through 2017: **\$2700**

The Commission may also seek to work with a temp agency to create meetings from audio, i.e. if Jose is not available or to help with public hearings. The expected rate for this assistance would be \$30 per hour.

The total cost reasonably set aside for this: **\$1,050 (35 total hours, approx. 7 mtgs.)**

Total Clerk Request: \$3750**Printing:**

**Printing Pricing (Steven Vezeau):

Color copies are at 8 cents per side. B/W copies are at .005 cents per side:
white paper is at .0067 a sheet. Color paper is at .01 cents.

50 Sheets in a packet x 25 = 1250.

1250 x .005 = \$6.25

1250 x .0067 = \$8.375: approx. \$15

75 Sheets in a packet x 25 = 1875.

1875 x .005 = \$ 9.375

1875 x .0067 = \$12.56: approx. \$22

If printing costs are \$20 per meeting: \$400 for 20 meetings.

Total Printing Costs for meetings: \$400

Mailchimp Mailing Database Reimbursement: \$15 per month x 25 months: \$375

TOTAL: \$2700 + \$1050 + \$400 + \$375 : \$4525.00



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#385-08(3)

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

February 29, 2016

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

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to authorize the appropriation and expenditure of \$20,900 from Development Mitigation Funds – Marriott Commonwealth Avenue Landscape Maintenance for the purposes specified in Board Order #385-08. Details are attached.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

RECEIVED
Newton City Clerk
2016 FEB 29 PM 4:02
David A. Olson, Clerk
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE



SETTI D. WARREN
MAYOR

NEWTON PARKS AND RECREATION DEPARTMENT

246 Dudley Road, Newton, MA 02459
Office: (617) 796-1500
TDD/TTY: (617) 796-1089
parks@newtonma.gov



ROBERT J. DERUBEIS
COMMISSIONER

February 18, 2016

Honorable Mayor Setti D. Warren
Newton City Hall
1000 Commonwealth Ave
Newton, MA 02459

Dear Mayor Warren:

I am writing to respectfully request that you docket with the Honorable City Council for consideration a request for \$20,900 for purposes specified in board order #385-08

\$20,900 has been received by the City from Marriot Hotel for planting and beautification purposes on Commonwealth Avenue, near the Marriot Hotel. By providing the funds the Marriot Hotel has fulfilled its special permit obligations. We will utilize these funds to do plantings along Commonwealth Avenue during 2016.

Thank you for your consideration in this matter.

Sincerely,

Robert J. DeRubeis
Parks & Recreation Commissioner

CC: Maureen Lemieux, Chief of Staff/CFO
Dori Zaleznik, Chief Admin Officer

ROSENBERG, FREEDMAN & LEE LLP

ATTORNEYS AT LAW

246 Walnut Street

Newton, Massachusetts 02460-1639

617-964-7000

Fax: 617-964-4025

Sender's e-mail: jrosenberg@rfl-law.com

Jason Allen Rosenberg
Donald N. Freedman
Laurance S.L. Lee
Paula J. Morgan
Susan H. Levin
Ellen M. McVay
Hope C. Vassos
Kristin W. Shirahama

Of Counsel:
Karen Buckley

December 19, 2013

Marc Welch, Director
Urban Forestry
Parks and Recreation Department
124 Vernon Street
Newton, MA 02458

Re: Condition #24 of Board Order #385-08, Rev'd per Consistency Ruling
Boston Marriott Newton Hotel

Dear Marc:

Pursuant to the revision of Condition #24 in the Consistency Ruling of Inspectional Services Commissioner John Lojek and Chief of Current Planning Alexandra Ananth, and as confirmed by the Land Use Committee's consistency review, I enclose a check payable to the City of Newton in the Amount of \$20,900.00. This is to cover the costs to be incurred by the City of Newton in purchasing plants, trees and related material to implement the spirit and intent of condition #24. The specifics within the condition needed to be changed because of the subsequent discovery of three very large water supply pipes close to the surface and located within the median strips in front of the Boston Marriott Newton Hotel.

I enclose along with the check the following:

- the revised planting plan;
- an email memoranda reflecting the planting materials and scope of the revised planting;
- the letters from Commissioner Lojek and Chief of Current Planning Ananth; and
- the email explaining the accounting and budgeting method as confirmed by David Wilkinson, City Comptroller.

In the future after the initial plantings have been completed, requests for payment by the Marriott Hotel for subsequent ongoing maintenance and replacement costs, which the City Parks and Recreation Department incurs, should be directed to the manager of the Boston Marriott Newton Hotel, as follows:

Mark Jeffery, General Manager
Boston Marriott Newton Hotel
2345 Commonwealth Avenue
Newton, MA 02466
Telephone 617 969 1000
Email: Mark.Jeffery@marriottnewton.com

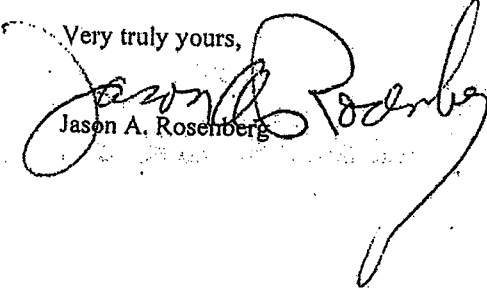
Page 2

At the time of the vote of the special permit the Land Use Committee had recommended that the City provide the typical sign "this space adopted by: ..." in an appropriate area. I suggest that the reference be to "the Marriott Hotel".

Please confirm to Commissioner John Lojek and Chief of Current Planning Ananth that you are in receipt of the enclosed funds.

Please call if you have any questions.

Very truly yours,


Jason A. Rosenberg

JAR:arj
Enclosures

Cc John Lojek, Commissioner of Inspectional Services
Alexandra Ananth, Chief of Current Planning
David Wilkinson, Comptroller
Mark Jeffery, General Manager
Gregory Vickowski, Chief Financial Officer

Kathy Brearly

From: Comptroller City of Newton <dwilkinson@newtonma.gov>
Sent: Monday, December 16, 2013 12:01 PM
To: mwelch@newtonma.gov
Cc: jrosenberg@rl-law.com; bderubeis@newtonma.gov; kbearley@newtonma.gov;
mlemieux@newtonma.gov
Subject: Marriot plantings - Board order #385-08, condition #24

Marc,

Jason Rosenberg called this AM to advise that a check in the amount of \$20,900 is being mailed to Parks and Recreation this week as a condition of the special permit voted under board order #385-08.

When the check arrives, please arrange to have it deposited with the treasurer and coded to receipts reserved for appropriation account 14R60214-423015. This is a temporary holding account pending formal appropriation of the funds by the Mayor and Board of Aldermen.

In order to expend these funds it will be necessary for Parks and Recreation to write to the Mayor and Board requesting appropriation of the funds for the purposes specified in board order # 385-08. I'll notify you of the permanent appropriation account as soon as the appropriation is voted by the Mayor and Board. This will be a special appropriation so you will not be subject to budgetary line item control and any unexpended balance will automatically roll forward from one fiscal year to the next until all funds are expended.

Thank you.

Let me know if anything about this communication is unclear.

David Wilkinson, Comptroller
City of Newton, Massachusetts
(617) 796-1305
dwilkinson@newtonma.gov



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#88-16

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

February 29, 2016

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

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to authorize the transfer of \$223,865 from Acct # 0110498-5794 Reserve for Snow/Ice Removal to the following accounts.

<u>Account</u>	<u>Amount</u>
01602011-513001	\$ 28,280
01602011-5243	\$195,585

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

RECEIVED
Newton City Clerk
2016 FEB 29 PM 4:02
DAVID A. OLSON, CMC
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE



SETTI D. WARREN
MAYOR

NEWTON PARKS AND RECREATION DEPARTMENT

246 Dudley Road, Newton, MA 02459

Office: (617) 796-1500

TDD/TTY: (617) 796-1089

parks@newtonma.gov



ROBERT J. DERUBEIS
COMMISSIONER

March 1, 2016

Honorable Mayor Setti D. Warren
Newton City Hall
1000 Commonwealth Ave
Newton, MA 02459

Dear Mayor Warren:

I am writing to respectfully request that you docket with the Honorable City Council for consideration a request for \$228,665 to fund to expenses incurred and anticipated due to the significant amount of tree damage caused by the February 5, 2016 snow event. Due to the severe magnitude of the event we were required to utilize Northern Tree Service and our in-house staff for an extended amount of hours.

We are requesting an appropriation of \$28,280 to account 01602011 513001 for staff overtime expenses; \$195,585 to account 01602011 5243 for contractual expenses.

Thank you for your consideration in this matter.

Sincerely,

Robert J. DeRubeis
Parks & Recreation Commissioner

CC: Maureen Lemieux, Chief of Staff/CFO
Dori Zaleznik, Chief Admin Officer

RECEIVED
Newton City Hall
2016 MAR -3 PM 12:07
David A. Olson, CMC
Newton, MA 02459

February 5, 2016 Snow Storm Tree Costs

CONTRACTUAL COSTS

	Friday 2/5/2016	Saturday 2/6/2016	Sunday 2/7/2016	Monday 2/8/2016	Tuesday 2/9/2016	Wednesday 2/10/2016	Thursday 2/11/2016	Friday 2/12/2016
Bucket Truck 1	\$ 4,225	\$ 5,850		\$ 3,540	\$ 2,655	\$ 2,655	\$ 2,655	\$ 2,655
Bucket Truck 2	\$ 4,225	\$ 5,850		\$ 3,540	\$ 2,655	\$ 2,655	\$ 2,655	\$ 2,655
Bucket Truck 3	\$ 4,225	\$ 5,850						
Log Truck 1	\$ 3,920	\$ 5,320		\$ 3,200	\$ 2,560	\$ 2,560	\$ 2,560	\$ 2,560
Log Truck 2	\$ 3,920	\$ 5,320						
Log Truck 3	\$ 5,200	\$ 7,600						
Log Truck 4		\$ 5,320						
Totals	\$ 25,715	\$ 41,110		\$ 10,280	\$ 7,870	\$ 7,870	\$ 7,870	\$ 7,870
Total Initial Response Costs (Contracted) \$ 108,585								

IN-HOUSE OVERTIME COSTS

	Friday 2/5/2016	Saturday 2/6/2016	Sunday 2/7/2016	Monday 2/8/2016	Tuesday 2/9/2016	Wednesday 2/10/2016	Thursday 2/11/2016	Friday 2/12/2016
6 Employees	\$ 2,580	\$ 4,900	\$ 1,100	\$ 1,800	\$ 800	\$ 800	\$ 800	\$ 800
Total Initial Response Costs (in-house) \$ 13,580								

DEBRIS DISPOSAL

Contracted Disposal of work 1,300 Cubic Yards	\$35,500
Inhouse Disposal, overtime work	\$3,200
Total debris disposal	\$38,700

POST STORM DANGEROUS TREE MITIGATION

-----There are now trees throughout City that require immediate attention to mitigate risk caused by the storm. This includes tree removal and removal of large damaged portions of the tree. The quantity of work exceeds the capability of the inhouse crew to address in a reasonable time frame. A combination of in-house crews and contracted services will address these locations.

Contracted Services	\$ 51,500
Inhouse overtime work	\$ 11,500

Total post storm mitigation \$63,000

STORM COST TOTALS

CONTRACTED SERVICES	\$ 195,585
STAFF OVERTIME COSTS	\$ 28,280
TOTAL	\$ 223,865



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#89-16

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

February 29, 2016

Honorable City Council
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 authorize the appropriation of \$3,400,000 and authorize a general obligation borrowing of an equal amount to fund the completion of the next phase of construction of the Fire Station 3/HQ project.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

RECEIVED
Newton City Clerk
2016 FEB 29 PM 4:03
David A. Olson, CMC
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE



Setti D. Warren
Mayor

PUBLIC BUILDINGS DEPARTMENT

Josh Morse, Building Commissioner

Telephone (617) 796-1600

FAX (617) 796-1601

TTY: (617) 796-1608

52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

February 19, 2016

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

RE: Fire Station #3/Headquarters Repairs and Upgrades

Dear Mayor Warren:

The Public Buildings Department respectfully requests \$3,400,000.00 to complete the next phase of construction of the Fire Station 3/HQ project.

Sincerely,

Josh Morse
Public Buildings Commissioner

cc: Maureen Lemieux, Chief Financial Officer
Alex Valcarce, Deputy Commissioner
Dori Zaleznik, Chief Admin Officer

DRAFT

REVISED FIRE STATION #3 AND HQ DESIGN & CONSTRUCTION PROJECT BUDGET

2/23/2016

BUDGET CATEGORIES		BO #420-13, December 16, 2103	BO #32-15(2), June 1, 2015	Revised Project Budget (420-13 & 32-15(2))	BO #163-15, July 13, 2015	Revised Project Budget (420-13, 32-15(2) & 163-15)	Current Funding Request Dated February 23, 2016	Revised Project Budget - February 23, 2016
530220	OPM (includes Pre-Construction & Construction Services)	\$ 95,213.00	\$ 920,213.00	\$ 1,015,426.00		\$ 1,015,426.00	\$ (580,048.00)	\$ 435,378.00
530202	Architect & Consultants (includes Pre-Construction Services)	\$ 179,787.00	\$ 1,750,000.00	\$ 1,929,787.00	\$ 50,111.64	\$ 1,979,898.64	\$ (136,558.00)	\$ 1,843,340.64
530225	CM-At-Risk (Pre-Construction)		\$ 100,000.00	\$ 100,000.00		\$ 100,000.00	\$ (2,000.00)	\$ 98,000.00
530225	CM-At-Risk (Construction)			\$ -		\$ -	\$ 4,009,956.00	\$ 4,009,956.00
58519	Communications Tower		\$ 100,000.00	\$ 100,000.00		\$ 100,000.00		\$ 100,000.00
530219	Building Commissioning		\$ -	\$ -		\$ -	\$ 23,650.00	\$ 23,650.00
5301	Consultants		\$ 70,000.00	\$ 70,000.00		\$ 70,000.00	\$ -	\$ 70,000.00
585FFE	Furniture, Fixtures & Equipment		\$ -	\$ -		\$ -	\$ -	\$ -
585SITE	Telephone, Computer & Related Equipment			\$ -		\$ -	\$ -	\$ -
5850SITE	Traffic		\$ -	\$ -		\$ -	\$ 85,000.00	\$ 85,000.00
5240701	Temp Operations and Facilities		\$ 375,000.00	\$ 375,000.00		\$ 375,000.00	\$ -	\$ 375,000.00
5727	Moving		\$ 30,000.00	\$ 30,000.00		\$ 30,000.00	\$ -	\$ 30,000.00
5342	Plans and Specification Printing Services		\$ 15,000.00	\$ 15,000.00		\$ 15,000.00	\$ -	\$ 15,000.00
5825	Other Construction Related Costs (not part of CM)		\$ 112,000.00	\$ 112,000.00		\$ 112,000.00	\$ -	\$ 112,000.00
5793	Project Contingency (5%)		\$ 173,610.00	\$ 173,610.00		\$ 173,610.00		\$ 173,610.00
PROJECT BUDGET		\$ 275,000.00	\$ 3,645,823.00	\$ 3,920,823.00	\$ 50,111.64	\$ 3,970,934.64	\$ 3,400,000.00	\$ 7,370,934.64
Less Approved BO #420-13								\$ (275,000.00)
Less Approved BO #32-15(2)								\$ (3,645,823.00)
Less Approved BO #163-15								\$ (50,111.64)
Current Funding Request								\$ 3,400,000.00



Solar Car Canopies on City Properties

Presentation by the Department of
Public Buildings
March, 2016

Phase 2 Solar Projects

	<u>LOCATION</u>	<u>PROJECT DESCRIPTION</u>
1	Dept of Public Buildings: 52 Elliot Street, 02461	roof mounted
2	DPW: 60 Elliot Street, 02461	roof mounted and car ports
3	DPW: 70 Elliot Street, 02461	roof mounted and car ports
4	Newton South High School: 140 Brandeis Rd, 02549	roof mounted and car ports
5	Library Parking lot : 330 Homer St, 02459	car ports
6	Angier School: 1697 Beacon St., 02468	roof mounted
7	Oak Hill School: 130 Wheeler Rd, 02459	roof mounted
8	Lower Falls Com. Center : 545 Grove St, 02453	roof mounted
9	Bowen School: 280 Cypress St., 02459	roof mounted
10	Fire Station 10 and wires Building: 755 Dedham St., 02459	roof mounted
11	Zervas School (new construction): 30 Beethoven Avenue, 02469	car ports and roof mounted
12	Landfill: Rumford Ave, 02466	ground mounted

Newton South High School Canopy

NOTES:

- SHADING PATTERN IS CALCULATED BASED ON FEBRUARY 21ST FROM 6AM TO 3PM AND DECEMBER 21ST AT NOON TIME. IT TAKES INTO ACCOUNT SITE LATITUDE AND LONGITUDE.
- SHADING FOR OBJECTS NOT IMPACTING THE PV SYSTEM IS NOT SHOWN.

ARRAY		POWER TABLE									
NEWTON SOUTH HIGH SCHOOL	# OF MODULES	MODULE TYPE	W/STG	ABSOLUTE	PITCH	MOUNT	TYPE	INVERTER	EFFICIENCY	W/STG	
ARRAY 1	342	POLY SIL 12	104.51	220	15	GARPORT	(1) SOLLECTRA PVA-27L	68.2%	45.30	64.30	
ARRAY 2	90		21.45	223			(1) SOLLECTRA PVA-27L			45.30	
ARRAY 3	45		14.54	213			(1) SOLLECTRA PVA-27L			45.30	
ARRAY 4	30		9.07	126			(1) SOLLECTRA PVA-27L			45.30	
ARRAY 5	114		35.58	213			(1) SOLLECTRA PVA-27L			45.30	
ARRAY 6	120		40.28	211			(1) SOLLECTRA PVA-27L			45.30	
ARRAY 7	121		42.19	124			(1) SOLLECTRA PVA-27L			45.30	
ARRAY 8	171		61.15	124			(1) SOLLECTRA PVA-27L			45.30	
ARRAY 9	171		61.15	124			(1) SOLLECTRA PVA-27L			45.30	
TOTAL	1,213		389.27							317.38	



NEWTON SOUTH HIGH SCHOOL PARKING LOT - OVERALL ARRAY LAYOUT
SCALE: 1" = 30'-0"

NOT FOR CONSTRUCTION

SCALE: 1" = 30'-0"
DATE: 10/15/15
CHECKED BY: JTA
REVIEWED:

NEWTON SOUTH HIGH SCHOOL
140 BRANDEIS RD.
NEWTON, MA 02459
SOLAR PV ARRAY LOCATION
388.27 MW DC STC PV ARRAY INSTALLATION
PHOTOVOLTAIC ARRAY LAYOUT

AMERESCO
11119 New Street, Suite 100
Westborough, MA 01581
TEL: 508.853.1000
WWW.AMERESCO.COM

E-100

Renderings: Car Canopies at South HS



South High School



Main Library Canopies



ARRAY 1

#133-15

SHADING
(TYP.)

ARRAY 2

Main Library Canopy



Main Library Canopy



Solar Canopy Design Features

- L-shaped design catches snow and ice
- 13'6" canopy clearance does not interfere with snow plowing
- LED lights under canopy light up parking area for safety



Current Design Status

Rooftop Solar PV Arrays	Number of Panels	Square Footage of Panels	Capacity (kW DC)	System Production (kWh in year 1)
Newton South High School	237	4,900	75.84	93,600
Angier Elementary School	144	2,977	46.08	56,800
Oak Hill Middle School	424	8,766	135.68	171,000
Lower Falls Community Center	38	786	12.16	14,800
Fire Station 10	35	724	11.20	13,800
Bowen Elementary School	247	5,107	79.04	97,600
Zervas Elementary School	423	8,670	130.00	160,550
70 Elliot Street	161	3,335	50.00	61,750
Subtotal	1,709	35,265	540.00	669,900
Parking Lot Canopy Solar PV Arrays		Square Footage of Panels	Capacity (kW DC)	System Production (kWh in year 1)
Elliot Street DPW Canopy	2,304	47,635	737.28	892,500
Newton South High School	1,213	25,086	388.27	476,796
Main Library	4,144	12,939	200.26	245,919
Subtotal	7,661	85,660	1,325.81	1,615,215
Total	9,370	120,925	1,865.81	2,285,115



Newton Free Library

The door to your imagination

Library Director
Philip E. McNulty



Mayor
Setti D. Warren

February 29, 2016

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

Re: Use of Library property for on-site renewable solar generation facilities

At their January 29th 2015 meeting the Library Trustees reviewed the request of the Building Commissioner to explore the installation of solar panels over the library parking lot. The Board of Library Trustees unanimously approved a motion (Hanson/Meltz) to make available the parking lot space of 330 Homer Street for potential lease for purposes of third party construction, ownership and operation of on-site renewable solar energy generation from which the City will purchase electric output and/or net metering credits.

This potential approval is contingent upon detailed proposals recommended by the City for approval by the Board of Library Trustees.

Sincerely Yours,

Philip E. McNulty
Library Director

Ward
I Ellen Gibson
II Margaret Albright
III Angela Pitter-Wright
IV Diana Fisher Gomberg
V Steven Siegel
VI Ruth Goldman, Vice - Chairperson
VII Matthew Hills, Chairperson
VIII Margie Ross Decter

Newton School Committee
100 Walnut Street
Newtonville, MA 02460
Tel (617) 559-6110
Fax (617) 559-6101
www.newton.k12.ma.us
schoolcommittee@newton.k12.ma.us

#133-15
Mayor Setti Warren
Ex officio



February 8, 2016

Honorable Mayor Setti D. Warren
City of Newton
City Hall
1000 Commonwealth Avenue
Newton Center, MA 02459

Re: Use of property for on-site solar generation facilities

Dear Mayor Warren:

Pursuant to Section 2-7 of the Newton City Code of Ordinances, the school committee has voted to approve the use of the following city property (or portions thereof) for potential lease for the purpose of third party construction, ownership and operation of on-site renewable solar energy generation from which the city will purchase electric output and/or net metering credits.

1. The parking lots located at South High School, 140 Brandeis Road.

The procedures under Section 2-7(9) should be followed in the event that the Executive Department chooses to submit a proposal for such lease(s) to the City Council for authorization to negotiate such lease(s) of city-owned property.

Respectfully submitted,

Matt Hills
Chairperson, Newton School Committee

Cc: Scott Lennon, President, Board of Aldermen

CITY OF NEWTON
IN BOARD OF ALDERMEN
PUBLIC FACILITIES COMMITTEE REPORT

WEDNESDAY, NOVEMBER 4, 2015

Present: Ald. Crossley (Chair), Lennon, Albright, Brousal-Glaser, Gentile, Danberg, Laredo, and Lappin

City staff present: Josh Morse (Commissioner of Public Buildings), Bill Ferguson (Project Manager; Public Buildings), Andy Savitz (Director of Sustainability), Alice Ingerson (Community Preservation Planner), James McGonagle (Commissioner of Public Works), Shane Mark (Director of Operations) and Maureen Lemieux (Chief of Staff/Chief Financial Officer)

#133-15 HIS HONOR THE MAYOR requesting authorization to enter into negotiations for the potential lease on city properties for purposes of third-party construction, ownership, and operation of on-site renewable solar energy generation from which the City will purchase electric output and/or net metering credits.
 [05/11/15 @ 5:00 PM]

ITEM SPLIT INTO PART A AND PART B

PART A – Ground mounted solar panels at Rumford Avenue landfill, solar panels mounted on new carport structures at 60 Elliot Street, all roof mounted solar panel locations with the exception of City Hall, which is removed from the list of sites for solar panels.

PART B – Solar panels mounted on new carport structures at Newton South High School and solar panels mounted on new carport structures at the Library.

ACTION: APPROVED PART A 8-0; HELD PART B 8-0

NOTE: A public hearing was opened and continued on June 17, 2015 on the above request to authorize the Mayor to negotiate leases for city properties to install solar panels that would be owned and operated by a third-party company. Project Manager Bill Ferguson reviewed the request for consideration to lease thirteen city-owned sites for roof, carport, or ground mounted solar panel arrays. The June 17, 2015 Public Facilities Report is attached and provides information on the proposed locations, the proposed types of solar panels and carports.

The City released two RFPs in June 2015: one for the Rumford Avenue Landfill and one for the other twelve sites consisting of roof and carport mounted solar panels. The Rumford Avenue Landfill location would be a large ground mounted solar array with unique requirements; therefore, it is important that it is a separate RFP. The City has informed Ameresco that it would like to move forward with them on all of the sites except the landfill site. Ameresco would design, construct, operate, and maintain the solar panel systems over the lease period and the City would buy the energy produced by Ameresco Solar, Inc. through a Power Purchase Agreement. As a private company, Ameresco would receive the solar federal income

tax credit to support the generation of solar power and Solar Renewable Energy Certificates (SRECs) to sell on the open market. At the end of the twenty-year lease, the City would have the option to purchase the solar arrays or have the contractor remove the panels and equipment at no cost. The City will make a decision on what company it will work with for the Rumford Avenue Landfill project.

The Public Buildings Department has held three community meetings in different areas of the City to get feedback from residents on the solar panel projects. Mr. Ferguson reported that the community reaction has been supportive of all the projects. Mr. Ferguson provided the Committee with the attached presentation that he presented at each of the community meetings. In addition, he handed out the attached list of sites, list of key advantages to the City, a summary of kilowatts generated by the solar panels, Ameresco's overall solar panel system summary, and a proposed solar project recap.

The City expects to save approximately \$500,000 in electricity costs per year, which results in \$10,000,000 in savings over the 20-year leases. However, there is no guarantee that the electricity rate and net metering credit rate will remain the same in the outlying years of the lease; therefore, the savings could fluctuate from year to year. There is an economy of scale for net metering credits. The larger the solar array the greater the net metering credit rate; therefore the proposed ground mounted solar array at the land fill would generate more net metering credits than a smaller roof mounted project, such as the proposed panels at Fire Station #10.

The Committee members had concerns regarding the installation of solar panels on City Hall roof. The Mayor is supportive of putting the solar panels on City Hall as a symbol to encourage residents and businesses to install solar panels. The Committee members were concerned that the solar panels are not appropriate for a historic building and the panels could cause damage to the slate roof. In addition, the panels would be very visible on the pitched roof, including the main roof to the north of the main entrance of the historic building. Before solar panels are placed on any roof, Ameresco and the City would complete a detailed investigation and evaluation of the structure and condition. Commissioner of Public Buildings Josh Morse pointed out that the City is not obligated to put solar panels on each of the roofs identified as a possible location for solar panels. The City Hall location is a very small installation and would have a minimal impact on the power generated. It was suggested that the City Hall location be removed from the list of sites for solar panels. The Committee was in agreement with the suggestion.

The Committee discussed the installation of the solar array at the Rumford Avenue landfill with Mr. Ferguson and Commissioner Morse. The plan is to install four acres of ground-mounted solar panels at the site. The panels can be installed without damaging the landfill cap; therefore, the City is looking at expanding the area available for solar panels. The company that is awarded this project would dispose of the excavate materials and street sweepings stored at the landfill before installing the solar panels. The ground-mounted panels would not be visible from street level but may be visible from the third floor of the apartments located near the landfill. It was pointed out that the panels would probably be a nicer view than the materials currently located there. The City is talking with the State regarding installing the solar panels at the

landfill. The City received a loan from the State when it capped the landfill. It is likely that the City would need to pay the balance of the loan before the solar panels are installed. Chief of Staff Maureen Lemieux will confirm whether the balance must be paid prior to entering into the lease. Mr. Ferguson stated that he would be back to the Committee once the contract has been awarded and there is further information to share regarding the design and size of the array.

Several members voiced concern regarding installing carports at the library and Newton South High School. The Committee members would like to see a design for the carports before proceeding with these installs. There was also concern that there would need to be trees removed from the library parking lot to install the carport. The Committee was in favor of proceeding with carport installations at 60 Elliot Street. Members felt that once the carports were installed at Elliot Street, they would have a better sense of what carports would look like at the library and high school.

The public hearing was opened and Richard Hutchinson, 160 Lincoln Street asked for a further explanation of the solar tax credit. The tax credit is offered by the federal government to encourage the development of renewable energy. The attached information from the Department of Energy provides further details on the tax credit.

Andreea Downes, Chestnut Street, spoke on the foliage on the berms at the library. She informed the Committee that the brush on the berms is an invasive species that should be removed.

The public hearing was closed. The Committee opted to split the item into a Part A and a Part B. Part A includes the Ground mounted solar panels at Rumford Avenue landfill, solar panels mounted on new carport structures at 60 Elliot Street, all roof mounted solar panel locations with the exception of City Hall, which is removed from the list of sites for solar panels. Part B includes the solar panels mounted on new carport structures at Newton South High School and solar panels mounted on new carport structures at the Library. There was a motion to approve Part A, which carried by a vote of eight in favor and none opposed. A motion to hold Part B in order to see what the carports at 60 Elliot Street will look like and get further design information on the carports carried unanimously.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#144-15(2) COMMUNITY PRESERVATION COMMITTEE recommending the release and appropriation to the Public Buildings Department to complete construction of the Museum Archives and Fire Suppression project, a total of one hundred thirty-two thousand nine hundred forty-three (\$132,943), including: release of \$39,452 in the Board of Aldermen's contingency fund, as created by Board Order #144-15 dated June 15, 2015; and appropriation of \$93,491 from the Community Preservation Fund, as recommended by the Community Preservation Committee on May 27, 2015 but not yet appropriated. [10/16/15 @3:09 PM]

ACTION: **APPROVED 7-0 (Gentile not voting)**



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#224-15(2)

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

RECEIVED
Newton City Clerk
2016 MAR -3 PM 1:48
DAVID A. OLSON, CLIC
Newton, MA 02459

March 3, 2016

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

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to authorize the Mayor to enter into an Inter-Municipal Agreement with the Town of Needham for Elliot Street/Central Avenue Bridge Improvements. The agreement, prepared by our Law Department, outlines Needham's obligation to pay Newton for half of the construction contract costs.

This excludes an additional work item required by the Newton Historic Commission with which Needham disagrees. Language to that effect is enumerated in item #10 of the agreement:

"It is mutually agreed that construction cost associated with the additional scope of work, as required by vote of the Newton Upper Falls Historic Commission on January 14, 2016, shall be excluded from this agreement, and that this cost shall be borne exclusively by the City of Newton."

Bids will be opened on March 17, 2016. If, at that time, it is necessary to adjust the City's share of the project cost as a result of this condition, I will ask to amend this docket item to include the required additional funding. As you are aware – time is of the essence for this project.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

City of Newton



DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE COMMISSIONER

1000 Commonwealth Avenue

Newton Centre, MA 02459-1449

Setti D. Warren
Mayor

March 3, 2016

To: Maureen Lemieux, Chief of Staff and Chief Financial Officer

From: James McGonagle, Commissioner 
Louis M. Taverna, P.E., City EngineerSubject: Elliot Street - Central Avenue Bridge
Newton - Needham Inter-Municipal Agreement

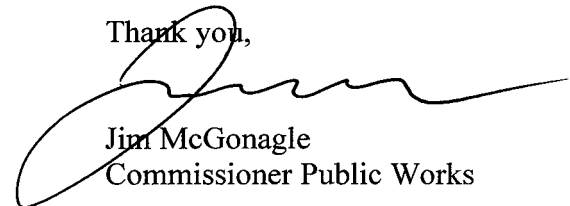
The City of Newton and Town of Needham jointly own the Elliot Street – Central Avenue Bridge over the Charles River. Major structural repairs to the bridge are proposed to be performed by contractor this summer season. The design of the repairs is completed, and we are entering into the construction bid phase. Newton is taking the lead on issuing the construction contract.

The attached Newton - Needham Inter-Municipal Agreement, prepared by our Law Department, outlines Needham's obligation to pay Newton for half of the construction contract costs. This excludes an additional work item required by the Newton Historic Commission, of which Needham disagrees. Newton will make progress payments to the contractor monthly for work performed. Newton will invoice Needham monthly for 50% of the contractor's invoice. Needham will pay Newton within 30 days of receipt of invoice.

Newton will pay for construction using bond funds. Needham has certified that funds (of up to \$2,000,000) are available to fund this agreement.

This inter-municipal agreement requires City Council approval. Please forward to the City Council for their consideration. The Town of Needham is in the process of approving the inter-municipal agreement.

Thank you,


Jim McGonagle
Commissioner Public Workscc: R. Waddick
D. Wilkinson

CITY OF NEWTON CONTRACT NO. L-6184
TOWN OF NEEDHAM CONTRACT NO. XX-XX-XX
AGREEMENT BETWEEN THE TOWN OF NEEDHAM, MASSACHUSETTS AND
THE CITY OF NEWTON, MASSACHUSETTS
FOR
ELLIOT STREET – CENTRAL AVENUE BRIDGE IMPROVEMENTS

This Agreement made this the ____ day of _____ 2016 by and between the Town of Needham, Massachusetts, acting through its Town Manager with the approval of its Board of Selectmen, hereinafter called the “Town,” and the City of Newton, Massachusetts, acting by and through its Mayor hereunto duly authorized by Order of its City Council, Order No. _____ and dated _____, but without personal liability to himself, hereinafter called the “City,”

WITNESSETH:

Whereas, Bridge #N-4-1/N-12-3 (the “Bridge”) is located over the Charles River at the Town/City line between Needham and Newton; and

Whereas, the Bridge links the City at Elliot Street, to the Town at Central Avenue; and

Whereas, ownership and maintenance of the Bridge is shared equally between the City and the Town; and

Whereas, the Bridge is in need of major rehabilitation; and

Whereas, the Town contracted with the BETA Group, Inc. for consulting engineering services for the investigation and design of repairs and rehabilitation of the Bridge, which work has been completed and paid for by the Town; and

Whereas, the City contracted with the BETA Group, Inc. for consulting engineering services for the investigation and design of repairs and rehabilitation of the Bridge, which work has been completed and paid for by the City; and

Whereas the City and the Town wish to provide for the repairs to the Bridge with the City being the lead community to award and supervise the contract for said repair;

Now therefore, for and in consideration of the promises, the mutual covenants herein recited and other good, valuable, and sufficient considerations, the parties hereto agree as follows:

1. The City shall prepare and put out invitations for bids for the repairs to the bridge in accordance with the plans and designs of BETA Group, Inc., receive and review said bids and award the Contract for the repairs to the bridge to a Contractor, all in accordance with G. L. Ch 30, sec. 39M and all other applicable provisions of law.
2. The City shall make progress payments for material and services to the Contractor awarded the contract, pursuant to the terms of the Contract.
3. The City shall invoice the Town for fifty (50%) percent of the amount approved for payment to the Contractor by the City.
4. Payment by the Town to the City shall be made within thirty (30) days of receipt of invoices from the City. With any request for payment, the City shall provide a copy of the invoice(s) from Contractor showing the total amount(s) billed to the City.
5. Within seven (7) days of receipt of invoices from the City, the Town shall have the opportunity to inspect the work and object to payments for work not completed according to the contract documents, whereupon the City and Town shall confer to agree as to what should be paid. If they do not agree, Beta Group, Inc. will determine what portion of the disputed amount will be paid and the Town shall pay the City fifty (50%) percent of that amount and the City shall pay the Contractor one hundred (100%) percent of that amount. With respect to an unpaid portion of a disputed amount which is subsequently determined to be owed to the Contractor in accordance with the Contract, the Town shall pay the City fifty (50%) percent of such amount and the City shall pay the Contractor one hundred (100%) percent of such amount.
6. Any undisputed amounts unpaid by the Town after thirty (30) days of receipt of invoices from the City are subject to interest at the same rate the City is required to pay for funds in order to make payments to the Contractor. The Town hereby agrees to pay any interest incurred by the City due to such late payment by the Town.
7. The Town's total obligation to pay the City hereunder shall not exceed the lesser of fifty (50%) percent of the total amount invoiced to the City pursuant to the Contract, or \$2,000,000.00. Notwithstanding the foregoing, in the event that unanticipated subsurface conditions necessitate change orders which increase the total Contract amount to more than \$4,000,000.00, then it is understood and agreed that the Town shall pay fifty 50% of the total amount of said change orders, and that the Town shall take all necessary steps, including Town Meeting approval if required, to secure the funding needed to make such payment.
8. This Agreement shall be effective upon the action of the Board of Selectmen of the Town, and action by the Mayor of the City as authorized by the City Council.
9. It is mutually agreed and understood that this Agreement shall remain in full force as until completion of the services to be performed by the Contractor pursuant to the Contract or until such time as it may be amended or replaced by a new agreement, but in any event, not to exceed a total of three (3) years.

10. It is mutually agreed that construction cost associated with the additional scope of work, as required by vote of the Newton Upper Falls Historic Commission on January 14, 2016, shall be excluded from this agreement, and that this cost shall be borne exclusively by the City of Newton. This item is defined as follows:

“The concrete piers on the north side of the bridge will be faced with the rough-cut stone (and not with granite).”

11. BETA Group Inc. shall provide engineering services during construction, for the duration of the construction period. The City and Town shall each contract separately with BETA Group Inc. for these services, and shall each be responsible for fifty 50% of the cost of these services.

12. The City shall provide a full-time resident construction inspector for the duration of the Bridge construction. The cost of the salary of the resident construction inspector is included as part of this Agreement, and shall be shared equally by the City and the Town.

The two parties have caused their legal corporate signatures and seals to be hereunto affixed by their proper officers, thereunto duly organized on the day of the year first above written.

THE TOWN OF NEEDHAM

THE CITY OF NEWTON

Kate Fitzpatrick
Town Manager

James McGonagle,
Commissioner of Public Works

Comptroller of Accounts:

Chairman

Approved as to form:

Selectman

City Solicitor

Selectman

Contract Approved:

Selectman

Setti D. Warren,
Mayor

Selectman

Approved as to form:

David S. Tobin
Needham Town Counsel

I hereby certify that there are funds available in account #_____ in an amount up to \$2,000,000.00 to fund this Agreement.

Title
Town of Needham

**IMPERVIOUS AREA - STORMWATER CALCULATIONS
FISCAL YEAR 2017 IMPLEMENTATION**

**4-Dec-15
ml**

<-----SCENARIO B----->				<-----SCENARIO B AMENDED----->			
	# Parcels	\$ per Parcel	Total per Group		# Parcels	\$ per Parcel	Total per Group
0-5,000	328	\$ 250.00	\$ 82,000	0-5,000	328	\$ 250.00	\$ 82,000
5,000-7,500	156	\$ 500.00	\$ 78,000	5,000-7,500	156	\$ 500.00	\$ 78,000
7,500-10,000	133	\$ 750.00	\$ 99,750	7,500-10,000	133	\$ 750.00	\$ 99,750
10,000-15,000	136	\$ 1,000.00	\$ 136,000	10,000-15,000	136	\$ 1,000.00	\$ 136,000
15,000-25,000	133	\$ 1,250.00	\$ 166,250	15,000-25,000	133	\$ 1,250.00	\$ 166,250
25,000-50,000	135	\$ 1,500.00	\$ 202,500	25,000-50,000	135	\$ 1,500.00	\$ 202,500
50,000-75,000	57	\$ 1,750.00	\$ 99,750	50,000-75,000	57	\$ 1,750.00	\$ 99,750
75,000-100,000	41	\$ 2,000.00	\$ 82,000	75,000-100,000	41	\$ 2,000.00	\$ 82,000
100,000-250,000	56	\$ 2,500.00	\$ 140,000	100,000-200,000	49	\$ 2,500.00	\$ 122,500
				200,000-300,000	11	\$ 3,000.00	\$ 33,000
				300,000-400,000	12	\$ 3,500.00	\$ 42,000
				400,000-500,000	1	\$ 4,000.00	\$ 4,000
>250,000	23	\$ 5,000.00	\$ 115,000	>500,000	6	\$ 5,000.00	\$ 30,000
TOTAL	1,198		\$ 1,201,250	TOTAL	1,198		\$ 1,177,750
After Mitigation Credit 25% \$ 1,081,125				After Mitigation Credit 25% \$ 1,059,975			

	<u>Current</u>	<u>Scenario "B"</u>		<u>Current</u>	<u>"B" AMENDED</u>
City of Newton	\$ 12,675	\$ 87,250	City of Newton	\$ 12,675	\$ 85,750
Boston College	\$ 19,150	\$ 39,900	Boston College	\$ 19,150	\$ 38,900
Lasell College	\$ 7,425	\$ 22,000	Lasell College	\$ 7,425	\$ 22,000
Mt Ida College	\$ 1,150	\$ 6,750	Mt Ida College	\$ 1,150	\$ 6,750

#455-14

11/17/2015**REVISED DRAFT FOR DISCUSSION – STAND ALONE STORMWATER FEE**

1. **ADD** a new section to Division 1 of Article IV DRAINS of Chapter 20 as follows:

Section 29-120 Stormwater use charge

- (a) Every owner of property in the city shall pay a charge for use of public main drains and stormwater facilities which shall be based on the following annual rates. Such charge shall be billed quarterly:

1. 1-4 family dwellings \$ 75.00

2. All other properties:

<u>Square feet of impervious surface area</u>	<u>Annual rate</u>
0 – 4,999	\$ 250.00
5,000 – 7,499	\$ 500.00
7,500 – 9,999	\$ 750.00
10,000 – 14,999	\$ 1,000.00
15,000 – 24,999	\$ 1,250.00
25,000 – 49,999	\$ 1,500.00
50,000 – 74,999	\$ 1,750.00
75,000 – 99,999	\$ 2,000.00
100,000 – 199,999	\$ 2,500.00
200,000 – 299,999	\$ 3,000.00
300,000 – 399,999	\$ 3,500.00
400,000 – 499,999	\$ 4,000.00
500,000 and greater	\$ 5,000.00

(b) Property owners that are certified as eligible for the water discount program described in section 29-36(b) shall also be eligible for a discount of thirty percent (30%) off the stormwater use charge.

(c) The provisions of sections 20-80 (d) through (f) pertaining to billing and liens shall apply to stormwater use charges.

(d) The commissioner of public works may establish a stormwater use charge credit policy and may grant credits of up to 25% to be applied against the stormwater use charge for properties that have on-site functioning stormwater management systems or other measures to reduce or mitigate that property's use of public main drains and stormwater facilities.

(e) The commissioner of public works may establish policies and may promulgate rules and regulations necessary to implement this section.

2. **Delete** all references to “stormwater” contained in Sec. 20-80 as follows:

Sec. 29-80. Sewer use charge.

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

1) Sewer rates

A charge for the use of sewer, which charge shall be made in proportion to water consumption, based on the water meter reading, or estimated water meter reading, excluding outdoor meters for the same property, for the prior quarterly billing period shall be made at the following schedule of rates or prices (effective July 1, 2015). Such sewer bill shall be issued on a quarterly basis:

Nine dollars and twenty-five cents (\$9.25) per hundred cubic feet for consumption from 0 to 10 hundred cubic feet;

Nine dollars and seventy-five cents (\$9.75) per hundred cubic feet for consumption from 11 to 25 hundred cubic feet;

Eleven dollars and 50 cents (\$11.50) per hundred cubic feet for consumption from 26 to 60 hundred cubic feet;

Thirteen dollars and twenty-five cents (\$13.25) per hundred cubic feet for consumption above 60 hundred cubic feet.”

(2) Multi-dwelling properties

a) For purposes of this subsection, the term Single Meter/Multi-Residence shall have the following meaning: A building, buildings, or part of a building which i) is used for residential use only, ii) contains more than one dwelling unit, and iii) receives water delivered through a single service pipe and meter. The term dwelling unit shall have the meaning set out in the definition that appears in section 30-1.

b) For a Single Meter/Multi-Residence property, the applicable price or rate for use of sewer shall be determined by dividing the consumption by the number of dwelling units within such property.

(3) Where water is supplied by the city through a meter that is not in good working order, the commissioner shall use any reasonable, fair, and appropriate method to determine the quantity of water consumed and shall issue the sewer use bill on that basis.

(b) Such charges shall be reduced by a discount of thirty percent (30%) for those dwellings which are owned and inhabited by any person who is certified as eligible for the water discount program described in section 29-36(b). Whenever the board of assessors determines that a person is eligible for such water discount program, such board shall also determine said person to be eligible for a discount from the sewer use charges pursuant to this section, which certification shall continue for the same term as such person's certification for the water discount program; and said board shall forthwith so notify the Water and Sewer Division. Upon receipt of such notice, the Water and Sewer Division shall take the steps necessary to so reduce the bills issued for the sewer use.

(c) All bills issued under this section, properly numbered for identification, shall be made out in the office of the commissioner. Such bills, together with a warrant for their collection, shall be delivered to the comptroller of accounts for forwarding to the city collector-treasurer as soon as made out, and the city collector-treasurer shall thereupon assume responsibility for such collection. Bills shall be due and payable thirty (30) days from their issuance.

(d) All charges shall constitute a lien upon the land connected with the public sewer from the time of assessment and shall continue for the same period and under the same conditions as a lien established under General Laws, Chapter 80.

(e) If a bill for sewer use becomes a lien, it shall bear interest at the rate provided by law from thirty (30) days after the date of billing until it is committed as part of a tax.

(f) The occupant of any building shall be liable for the payment of the sewer use charge for such building, and the owner shall also be liable.

(g) Except where the properties served are owned, occupied and operated by one owner and not sublet to various tenants, the rates for each meter shall be figured independently of all other meters. In multiple tenant properties served by one meter, the rates shall be based upon water usage recorded from said meter billed to the owner accordingly.

(h) The commissioner is authorized to make abatements and rebates of charges when disproportionate to the service rendered. The commissioner shall certify to the comptroller of accounts the amounts of abatements and rebates for forwarding to the city collector-treasurer. (Rev. Ords. 1973, § 18-18; Rev. Ords. 1979, § 29-64; Ord. No. R-153, 6-17-81; Ord. No. T-28, 6-5-89; Ord. No. T-77, 3-5-90; Ord. No. T-78, 3-5-90; Ord. No. U-5, 4-26-94; Ord. No. V-76, 5-1-96; Ord. No. V-124, 7-14-97; Ord. No. v-180, 6-15-98; Ord. No. V-123, 5-17-99; Ord. No. V-308, 6-19-00; Ord. No. W-47, 6-20-01; Ord. No. X-22, 7-8-02; Ord. No. X-56, 6-18-03; Ord. No. X-95, 06-21-04; Ord. No. X-98, 07-12-04; Ord. No. X-212, 05-24-06; Ord. X-220, 6-19-06; Ord. Y-22, 06-04-07; Ord. No. Z-29' 06-02-08; Ord. No. Z-49, 05-18-09; Ord. No. Z-56, 12-07-09; Ord. No. Z-64, 05-17-10; Ord. No Z-88, 5-23-11; Ord. No. Z-110, 05-07-12; Ord. No. A-23, 05-20-13; Ord. No. A-39, 05-05-14; Ord. No. A-52, 12-15-14; Ord. No. A-59, 05-04-15)

Historical note—Ord. Nos. T-77 and T-78 permitted certain estates with garden sprinkler meters to be billed on a water use basis only for water consumed prior to 12-30-90.



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#91-16

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

February 29, 2016

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

RECEIVED
Newton City Clerk
2016 FEB 29 PM 4:02
DAVID A. OLSON, CLERK
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to authorize the appropriation and expenditure of \$83,133 from June 30, 2015 Certified Free Cash to the Human Resources Dept Consulting Acct # 0110901-5301 for consulting services.

The Administration issued an RFP for Consulting Services to audit our Retiree Drug Receipts Account. RDS Services was the low bidder @ 25% commission on any funds recouped. The total of \$332,533.61 will be deposited to the General Fund Revenue while the \$83,133 will be paid out of the Human Resources account.

Very truly yours,

Setti D. Warren
Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

City of Newton



Setti D. Warren
Mayor

DEPARTMENT OF HUMAN RESOURCES

1000 Commonwealth Avenue
Newton Centre, MA 02459-1449

Telephone (617) 796-1260

Fax (617) 796-1272

TTY (617) 796-1089

Jeffrey A. Honig, Interim Human Resources Director

February 22, 2016

Dear Maureen,

The Human Resources Department is requesting an appropriation of \$83,133 to be put into our Consulting Account (0110901-5301) to be paid to RDS Services, LLC. The City of Newton hired this company to audit our RDS (Retiree Drug Subsidy Program) from 2010-2014. RDS Services found that the City of Newton was owed a total of \$332,533.61 for 2010, 2011, 2012 and 2013. The contract that the City of Newton has with RDS Services states that we will pay them 25% of any money they recoup. Thank you.


Pam Furfure
Human Resources



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#86-16

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

February 29, 2016

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

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to rescind the following MWRA Sewer Borrowing Authorization balances that have not and will not be spent, as well as the fractional borrowing authorizations and appropriations:

BO# 149-07	Sewer Improvements	\$338,655
BO# 361-09	Sewer Improvements	\$198,000
BO# 52-14	Station 10/Wires Bldg	\$ 12,296
BO# 32-15 (2)	Station /HQ Bldg	\$ 823
BO# 215-15	Library Automation System	\$ 850
BO# 217-15	Fire SCBA Equipment	\$ 750
BO# 216-15	Fire Bucket Truck	\$ 700

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

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Newton City Clerk
2016 FEB 29 PM 4:03
DAVID A. OLSON, CMC
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



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CITY OF NEWTON, MASSACHUSETTS
LONG TERM DEBT ACCOUNT GROUP
SCHEDULE OF AUTHORIZED BUT UNISSUED LONG TERM DEBT

	July 1, 2015 Balance	New/Rescinded Authorizations	Issued	January 31, 2016 Balance
Sewer System Improvements MWRA (#149-07)	338,655	-	-	338,655
Sewer System Improvements MWRA (#361-09)	198,000	-	-	198,000
Sewer System Improvements MWRA (#206-14)	-	-	-	-
Sewer System Improvements MWRA (#226-15)	-	917,000	(917,000)	-
Water Main Rehabilitation - MWRA (#18-12)	8,161,200	-	(1,360,200)	6,801,000
Fire Station #10 & Wires Division building construction (#52-14)	12,296	-	-	12,296
Fire Station #3/Fire HQ Building Improvements (#32-15(2))	3,645,823	-	(3,645,000)	823
Cabot Elementary Feasibility Study (#421-13)	10,000	(10,000)	-	-
Bigelow Middle School Staircase Replacement (#204-14)	-	-	-	-
Angier Elementary School Construction (#286-13(2))	16,651,036	(351,159)	(4,955,000)	11,344,877
Zervas Elementary School Construction (#255-14 (4))	36,585,000	-	(20,000,000)	16,585,000
15 Walnut Park Land Acquisition (#118-15)	17,350,000	-	(17,350,000)	-
Public Building Energy Conservation (#221-14)	-	-	-	-
Senior Center HVAC Improvements (#466-14)	150,000	-	(150,000)	-
FA Day Hot Water Heater Replacement (#467-14)	150,000	-	(150,000)	-
City Hall War Memorial Elevator (#470-14)	1,140,000	-	(1,140,000)	-
Traffic Signal Improvements ((#129-15(B))	800,000	-	(800,000)	-
Auburndale Square Traffic Improvements (#129-15(A))	-	1,200,000	(1,200,000)	-
Tennis Court Reconstruction - NSHS (#219-15)	-	750,000	(750,000)	-
Public Works Equipment - Snow blower (#220-15)	-	150,000	(150,000)	-
Library Automated Circulation Equipment (#215-15)	-	203,850	(203,000)	850
Fire Pumper (#218-15)	-	650,000	(650,000)	-
Fire Protective SCBA Equipment (#217-15)	-	504,750	(504,000)	750
Fire Bucket Truck (#216-15)	-	227,700	(227,000)	700
Dedham St. Storm Drainage Improvements (#225-15)	-	725,000	(725,000)	-
North High School Baseball Backstop (#286-15)	-	350,000	(350,000)	-
City Hall Roof Heat Trace Wiring (#283-15)	-	100,000	(100,000)	-
Main Library Improvements (#284-15)	-	250,000	(250,000)	-
Manet Rd Public Safety Communication Building (#325-15)	-	766,000	(766,000)	-
DPW Sewer equipment replacement (#324-15)	-	400,000	(400,000)	-
Eliot St Bridge Replacement (#224-15)	-	2,000,000	(2,000,000)	-
Total Bonds Authorized and Unissued:	\$ 85,192,010	\$ 8,833,141	\$ (58,742,200)	\$ 35,282,951



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

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Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

RECEIVED
Newton City Clerk
2016 FEB 29 PM 4:02
David A. Olson, Clerk
Newton, MA 02459

February 29, 2016

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

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to authorize the appropriation and expenditure of \$253,808.90 from the following accounts to cover Bond Issuance Costs associated with the City's January 2016 bond sale:

<u>Fund</u>	<u>From Account</u>	<u>To Account</u>	<u>Amount</u>
General Fund	Free Cash	5316 – Bond Sale Costs	\$154,637.43
General Fund	Override Cap Stab Fund	5316 – Bond Sale Costs	\$ 78,886.78
Debt Exclusion	Angier Elementary	5316 – Bond Sale Costs	\$ 16,531.36
Sewer Fund	No Transfer Necessary		\$ 1,334.52
Stormwater	Current Year Reserve	5316 – Bond Sale Costs	\$ 2,418.82

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE



Setti D. Warren
Mayor

James G. Reardon, Treasurer and Collector

1000 Commonwealth Avenue

Newton Centre, MA 02459

Telephone (617) 796-1338

Facsimile (617) 796-1343

E-Mail jgreardon@newtonma.gov

February 16, 2016

Maureen Lemieux, Chief Financial Officer
City of Newton

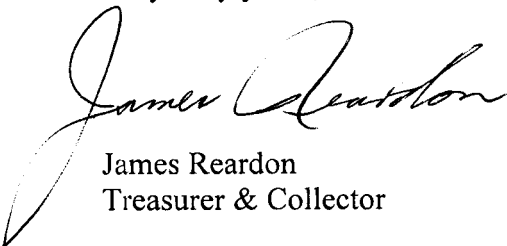
I herein request that for the purpose of paying costs associated with the bond issuance of January, 2016 that the City Council authorize the appropriation of \$253,808.90, the breakdown of which is as follows:

First Southwest(Hilltop Securities)	\$101,364.90	Advisory services, document preparation
Locke & Lord	66,475.00	Bond Counsel
Moody's	42,000.00	Rating services
Standard & Poors	32,300.00	Rating services
Grant Thornton	4,000.00	Advanced refunding – verification of savings
Nixon Peabody	500.00	Legal services w/US Bank–refunding escrow
Murphy & Company	2,169.00	Printing of official statements
US Bank	5,000.00	Paying Agent
		Refunding Escrow Agent

Total	<u>\$253,808.90</u>
-------	---------------------

Thank you.

Very truly yours,



James Reardon
Treasurer & Collector

City of Newton, Massachusetts
Bond Sale - January 20, 2016
Assignment of Bond Issuance Costs

2/29/16
mil

<u>General Fund Bonds</u>	<u>Obligation</u>		<u>Bond Issuance Cost - \$253,808.90</u>	
Refunded Bonds of 2008	\$ 19,610,000	25.78%	\$ 65,424.81	25.78%
Aquinas	\$ 17,350,000	22.81%	\$ 57,884.78	22.81%
F.A.Day Boiler	\$ 150,000	0.20%	\$ 500.44	0.20%
Newton North Backstop	\$ 350,000	0.46%	\$ 1,167.70	0.46%
Senior Center HVAC	\$ 150,000	0.20%	\$ 500.44	0.20%
War Memorial Elevator	\$ 1,140,000	1.50%	\$ 3,803.38	1.50%
Manet Road Comm Bldg	\$ 766,000	1.01%	\$ 2,555.60	1.01%
Library Improvements	\$ 250,000	0.33%	\$ 834.07	0.33%
Library Sorting Machine	\$ 203,000	0.27%	\$ 677.27	0.27%
Trace Wiring	\$ 100,000	0.13%	\$ 333.63	0.13%
DPW Snow Blower	\$ 150,000	0.20%	\$ 500.44	0.20%
Fire Dept Pumper Truck	\$ 650,000	0.85%	\$ 2,168.59	0.85%
Fire SCBA Equipment	\$ 504,000	0.66%	\$ 1,681.49	0.66%
Fire - Bucket Truck	\$ 227,000	0.30%	\$ 757.34	0.30%
Newton South Tennis Cts	\$ 750,000	0.99%	\$ 2,502.22	0.99%
Traffic Signals	\$ 2,000,000	2.63%	\$ 6,672.60	2.63%
Eliot Street Bridge	\$ 2,000,000	2.63%	\$ 6,672.60	2.63%
Subtotal General Fund	\$ 46,350,000	60.93%	\$ 154,637.43	60.93%
 <u>Operating Override</u>				
Zervas Elementary School	\$ 20,000,000	26.29%	\$ 66,725.97	26.29%
Station 3/Headquarters	\$ 3,645,000	4.79%	\$ 12,160.81	4.79%
Subtotal Operating Override	\$ 23,645,000	31.08%	\$ 78,886.78	31.08%
 <u>Angier Debt Exclusion</u>				
Angier Elementary	\$ 4,955,000	6.51%	\$ 16,531.36	6.51%
Subtotal Angier Debt Exclusion	\$ 4,955,000	6.51%	\$ 16,531.36	6.51%
 <u>Cabot Debt Exclusion</u>				
Cabot Elementary	\$ -	0.00%	\$ -	0.00%
Subtotal Cabot Debt Exclusion	\$ -	0.00%	\$ -	0.00%
 <u>Sewer Division</u>				
Sewer Vactor Truck	\$ 400,000	0.53%	\$ 1,334.52	0.53%
Subtotal Sewer Division	\$ 400,000	0.53%	\$ 1,334.52	0.53%
 <u>Water Division</u>				
Water Projects	\$ -	0.00%	\$ -	0.00%
Subtotal Water Division	\$ -	0.00%	\$ -	0.00%
 <u>Stormwater Division</u>				
Dedham Street	\$ 725,000	0.95%	\$ 2,418.82	0.95%
Subtotal Stormwater Division	\$ 725,000	0.95%	\$ 2,418.82	0.95%
TOTAL BOND SALE	\$ 76,075,000	100.00%	\$ 253,809	100.00%