



Finance Committee Agenda

City of Newton **In City Council**

Monday, June 13, 2016

7 PM

Room 211

ITEMS SCHEDULED FOR DISCUSSION:

#165-16 Mayor's appointment of Michael Engel as a trustee of the Chaffin Fund

MICHAEL S. ENGEL, 83 Staniford Street, Unit #7, Auburndale, appointed as a lifetime trustee of the Chaffin Fund/Fig Newton Scholarship replacing Charlotte Kaitz. (60 days 6/30/16) [04/22/16 @ 12:53 PM]

#164-16 Mayor's re-appointment of Edward Gourdeau as a Constable

EDWARD W. GOURDEAU, JR., 94 Clearwater Road, Newton Lower Falls, re-appointed as a Constable for the City of Newton for a term of office to expire April 30, 2019. (60 days 6/30/16) [04/13/16 @ 3:55 PM]

#112-16 Appropriation of mitigation funds for pedestrian and traffic improvements

HIS HONOR THE MAYOR requesting authorization to appropriate and expend the following Mitigation Funds:

Village Café at 719 Washington Street	\$2,500
258 Nevada Street at Linwood Street	\$1,500
Cherry Street at Washington Street	\$2,000
O'Hara's Restaurant, Newton Highlands	\$2,500
Rox Diner Parking & Pedestrian Improvements	\$2,500
Riverside, Old Jordan Marsh	\$16,045
Canton Circle LLC, 714-724 Beacon Street	\$10,000

#211-16 Transfer request for \$600,000 to fund retroactive pay for the firefighters' contract

HIS HONOR THE MAYOR requesting authorization to transfer the sum of six hundred thousand dollars (\$600,000) from Current year Wage Reserve to Fire Department Full-time Salaries to fund the FY 2015 and FY 2016 retroactive payments for the recently settled agreement between the City of Newton and Newton Firefighters Association, IAFF Local 863. [05/31/16 @ 4:35 PM]

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.

Referred to Public Facilities and Finance Committees

#213-16

Funding for design and site plan approval for the Cabot School Project

HIS HONOR THE MAYOR, requesting authorization to appropriate four hundred thousand dollars (\$400,000) from bonded indebtedness for the purpose of funding the completion of the schematic design and site plan approval for the Cabot School Project. [06/06/16 @ 1:54 PM]

Public Facilities Approved 6-0 on 06/08/16

Public Safety & Transportation and Finance Committee

#212-16

Appropriation request for \$250,000 to fund police overtime costs

HIS HONOR THE MAYOR requesting authorization to appropriate two hundred fifty thousand dollars (\$250,000) from Free Cash to the Police Department Overtime Account to fund additional FY 2016 overtime costs.

Public Safety & Transportation Approved 5-0-1 (Fuller abstaining) on 06/08/16

#189-16

Transfer from Wage Reserve for retroactive payments to AFSCME Local 2913 Members

HIS HONOR THE MAYOR requesting authorization to transfer the sum of fifty thousand dollars (\$50,000) from 2016 Wage Reserve to Traffic Safety Full-Time Salaries for the purpose of funding the Fiscal Years 2015 and 2016 retroactive payments to the employees of AFSCME Local 2913 – Parking Control/Traffic Enforcement. [05/09/16 @ 4:59 PM]

#210-16

Appropriation request for \$21,898 to pay telephone bills from prior fiscal years

HIS HONOR THE MAYOR requesting authorization to appropriate twenty-one thousand eight hundred ninety-eight dollars (\$21,898) from Free Cash to the Fire Station Maintenance, Telephone Account to fund additional telephone costs. [05/31/16 @ 4:35 PM]

Note: *This request includes an authorization to pay an unpaid bill of a prior year from Verizon Communications, which requires a 2/3 majority vote by the City Council to be approved.*

Referred to Public Safety & Transportation and Finance Committees

#197-15(2)

Pilotless Aircraft Operation

COUNCILORS ALBRIGHT, BAKER, AND NORTON proposing an ordinance regulating the operation and registration of pilotless aircraft in the City of Newton. [04/07/16 @ 4:25 PM]

Public Safety & Transportation approved 5-0 on 05/04/16

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 voted No Action Necessary 4-0 on 06/08/16

Items Not Scheduled for Discussion at this Meeting:

#209-16

Discussion of expenditures related to the Complete Streets Grant

COUNCILOR FULLER requesting discussion regarding expenditures related to the Complete Streets grant with representatives of the Department of Public Works. [05/26/16 @ 1:11 PM]

Referred to Programs & Services, Public Facilities and Finance Committees

#175-16

Authorization to enter into a settlement agreement with National Grid.

HIS HONOR THE MAYOR requesting authorization for the City to enter into a settlement agreement with Boston Gas Company d/b/a National Grid. [04/25/16 @ 6:52 PM]

Referred to Public Facilities and Finance Committees

#191-16

Funding to relocate the Zervas modulars to NSHS and Brown Middle School

HIS HONOR THE MAYOR requesting authorization to transfer the sum of five hundred thousand dollars (\$500,000) to the Public Buildings Department for the purpose of funding the relocation modular classrooms from the Zervas Elementary School to Newton South High School and Brown Middle School from the following accounts:

<u>Department</u>	<u>Account</u>	<u>Amount</u>
Executive Office	Full-time Salaries	\$40,000
Treasury	Debt Service (010772-582A48)	\$403,784
Treasury	Debt Service (010772-582A49)	\$21,216
Financial Info Systems	Full-time Salaries	\$35,000

[05/09/16 @ 4:59 PM]

#173-16

Interest charges on late payment of utility bills

COUNCILOR SANGIOLO requesting creation of a policy or ordinance related to interest charges on late payments of utility bills to the City and proportional return of interest charges if or when the utility bill is abated. [04/27/16 @ 1:39 PM]

- #174-16 Acceptance of MGL Chapter 60 Section 1 of MGL**
COUNCILORS SANGIOLO, HARNEY and COTE requesting adoption of local option provision in Chapter 60A, Section 1 of Massachusetts General Law that exempts military personnel from paying excise tax if they are deployed outside the state for at least 45 days. [4/27/16 @ 1:39 PM]

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]
- #31-15(3) Discussion of Financial Impact of Leaf Blower Ban on Newton's Budget**
PROGRAMS & SERVICES COMMITTEE requesting a discussion of the financial impact of a seasonal leaf blower ban on the City's operating budget. [03/24/16 @1:41 PM]

Referred to Programs & Services and Finance Committees

- #31-15(4) Amend Chapter 20 Section 51 Civil Fine for Littering to Include Yard Waste**
PROGRAMS & SERVICES COMMITTEE requesting that the City of Newton Ordinances Chapter 20, Section 51, Depositing of Litter, be amended to include leaves, yard waste, and other similar material, and that civil fines be associated with violations of the section and added to Chapter 20, Section 21. [03/24/16 @1:41 PM]
- #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 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]

#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 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

RECEIVED
Newton City Clerk

2016 APR 22 PM 12:53

David A. Olson, Clerk
Newton, MA 02459

#165-16

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

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

Ladies and Gentlemen:

I am pleased to appoint Michael S. Engel of 83 Staniford Street, Unit #7, Newton as a trustee of the John C. Chaffin Fund. His appointment is subject to your confirmation.

Thank you for your attention to this matter.

Very truly yours,

Setti D. Warren

Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

FIELD EXPERIENCE

- 2015-Present** **Madeline English Elementary/Middle School, Everett, MA**
School Guidance Counselor - 450 student case load
- PARCC administration
 - Director of Kiwanis Student Builders Club
 - Deployment of RTI (Response to Intervention) peer tutoring program
 - Handle all 504 plans on my caseload
 - Conduct IEP mandated student observations
 - Directly assist Educational Team Leader in IEP meetings with parents/guardians/advocates
 - Teach guidance curriculum in classrooms
 - IEP counseling consults
 - Interact with students individually to help them make more appropriate academic plans and life decisions
 - Active member of The Massachusetts School Counseling Association
 - Complete IEP progress reports
 - Basic French Creole speaker
 - Deployment of tardiness reduction program through parent meetings, SRO communication and positive reinforcement with students
 - Extensive Utilization of translators for ELL parent meetings
- 2008-2015** **Everett High School, Everett, MA**
School Guidance Counselor - 530 student case load
- Was awarded the prestigious Everett Public Schools Gold Apple Award in 2010
 - Teach guidance curriculum within classrooms
 - Interact with students individually to help them make more appropriate academic plans and life decisions
 - Selected to work on and eventually help coordinate The Race To The Top Campaign within Everett Public Schools
 - Manage all 504 plans and their respective meetings on my case load
 - Create and run workshop for Guidance staff focusing on details of online management program – X2 Aspen
 - Selected to write and administer \$38,000 "Safe Schools" grant
 - Administer MCAS
 - Deliver monthly classroom lesson plans
 - Manage all class scheduling needs
 - Create cumulative tracking sheets to ensure timely graduation
 - Liaison to team of freshmen teachers to ensure smooth transition to high school
 - Maintain a file for each student including all current academic and home life documentation
 - Assist athletes with NCAA Clearing House procedures
 - Active member of The Massachusetts School Counseling Association
 - Director of ELL (English Language Learner) Summer Academy which deployed differentiated and personalized reading instruction/programs
 - 10th grade students scored the highest ever score on the MCAS, School moved up a level
 - Awarded perfect attendance award
- 2007- 2008** **Newton South High School Internship, Newton, MA**
Internship in Newton South High School Guidance Department
- Counsel students on a one to one basis helping them develop adjustment and problem solving abilities
 - Organize group sessions, including norms, introductions and ice breakers
 - Coordinate with Director of Guidance to create a safe and engaging environment
 - Consult with a team of five counselors to improve school services
 - Administration of career assessments to meet the needs of individuals and groups
 - Organize initiative for the Newton South Club Organization
 - Consult with parents to improve student's academic experience
- 2007-2008** **Boston English High School Practicum, Jamaica Plain, MA**
Internship, Boston English Guidance Department
- Work under the supervision of a certified guidance counselor
 - Interface with students to simplify their college application process
 - Provide computer services within the college center
- 2005-2006** **Countryside School Elementary School, Newton, MA**
Substitute teacher

EDUCATION

- 2013-2015** Educator Leadership Institute (EDCO-Endicott College) Newton, MA
M.E.D. Organizational Management
- 3.96 GPA
 - 500 hour internship at The George Kevarian Elementary/Middle School Everett, MA
 - Worked directly with school principal
 - Created School Improvement Plan (SIP)
- 2006-2008** University of Massachusetts Boston, Boston, MA
M.E.D. School Counseling
- 3.5 GPA
 - Active member of The Massachusetts School Counselors Association
- 1996-2000** Trinity College, Hartford, CT
B.A. - English Literature, Performance Arts
- Varsity Football; Varsity Lacrosse
 - Actor, Trinity College theatre productions
 - Reporter, *Trinity Tripod* campus newspaper
 - Tutor, Trinity/Hartford Learning Corridor Initiative
- 1995-1996** Phillips Academy Andover, Andover, MA
Post Graduate Year, High School Diploma
- GPA 3.5
 - Football quarterback, second undefeated season in school's 227-year history
 - Actor, Phillips Academy theatre productions
 - Winner of Hubbard lacrosse leadership award
- 1991-1995** Newton North, Newton, MA
Graduate
- Lacrosse All American; *Boston Globe* "Player of the Year"
 - Captain, State Championship lacrosse team; Football: Bay State League All Star quarterback
 - Big Brother, Boston Chapter Big Brother Big Sister
 - Future leaders program participant

COACHING

- Head Varsity Lacrosse Coach - Marian High School, Framingham, MA
- Quarterback Coach - Harlem Hellfighters, Harlem, NY
- Head Varsity Lacrosse Coach Medford, Ma High School
- Head Lacrosse Coach, U17 Team Central Lacrosse Program

Department of Elementary and Secondary Education (DESE)
 Current Licensure:

School Guidance Counselor grades 5-12

Principal/Vice Principal grades k-8

Sheltered English Immersion (SEI) Administrative Certification



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#164-16

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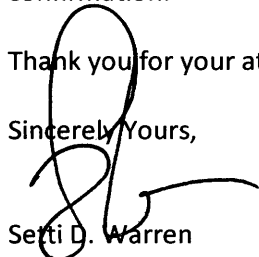
Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

Ladies and Gentlemen:

I am pleased to appoint Edward W. Gourdeau, Jr. of 94 Clearwater Road, Newton as a Constable for the City of Newton. His term of office shall expire April 30, 2019 and his appointment is subject to your confirmation.

Thank you for your attention to this matter.

Sincerely Yours,


Setti D. Warren
Mayor

RECEIVED
NEWTON CITY CLERK
2016 APR 13 PM 3:55
David A. Olson, Clerk
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

EDWARD W. GOURDEAU JR.**OBJECTIVE
EDUCATION**

To work as a Constable in a professional setting..

2014	Rescue Technician training F.E.M.A Standards.(320 Hrs)	Newton, Ma
2008	242 Basic Reserve Intermittent Police Academy Program Municipal Police Training Committee	Reading, MA
2002	Hazardous Material (HAZMAT) Technician 160-hour Federal HAZMAT Certification Program	Newton, MA
2011	88-hour ACOAM Certification ACO	Boylston.MA
1994	Emergency Medical Technician 150-hour Classroom, Field Training, Clinical Observation	Boston, MA
1985	General Education Diploma American Council on Education	Newton, MA

WORK EXPERIENCE

1998 – Present	Constable	Newton, Ma
	Appointing Authority: Hon. Mayor David B. Cohen Possess powers of arrest and the authority to serve Warrants and processes in criminal cases, and writs and processes in criminal cases in accordance with M.G.L., Chapter 41, Section 94.	
1993 - Present	Owner/Operator, Fast Eddie's Problem Animal Control	Newton, MA
	Certified Massachusetts Animal Control Officer tasked with eliminating home and businesses of stray, sick, injured, or deceased wild or domesticated animals.	
1985 - Present	Firefighter	Newton, MA
	Primary responsibilities of fire suppression, rescue, and rendering first aid. Secondary responsibilities of responding to all calls for assistance including flooding, lockouts, alarms, motor vehicle crashes, suspicious packages and hazardous materials incidents.	
1983 - 2005	Laborer, Belli Construction	Newton, MA
	Supervised worksites, designed the layout of driveways and walkways, set curbing and operated light and heavy construction equipment.	

**PROFESSIONAL
MEMBERSHIPS**

2004 - Present	Animal Shelter & Care Committee	NMART/ SMART	Newton, MA
	Coordinate prevention and control of diseases of public health significance in emergencies. Assist animals affected by disaster with rescue, food and water, emergency medical care, decontamination, evacuation, temporary confinement, shelter, and identification for ultimate return to rightful owner.		

**LICENSES
CERTIFICATIONS**

Class A License to Carry Firearms (#12260196A); Licensed
Restrictions: None
Animal Control Officer (#0247PAC12/CC16812); Certified Emergency
Medical Technician (#844344) and Defibrillator operator;
Certified HAZMAT Technician; Municipal Police Training
Committee qualification in Firearms, Handcuffing, Oleoresin
Capsicum/ Baton deployment. ICS 100/200 NIMS 700

Effective Date: January 26th, 2016

Western Surety Company

CONSTABLE'S BOND

Bond No. 62653929EDWARD GOURDEAU, as Principal and WESTERN SURETY COMPANY, as Surety

The undersigned Principal and Surety are held and firmly bound unto the Collector-Treasurer of City of Newton in the sum of Seven Thousand Five Hundred and 00/100 DOLLARS (\$ 7,500.00), to be paid to said Collector-Treasurer to which payment well and truly to be made they jointly and severally bind themselves, their heirs, executors, administrators, successors and assigns.

The condition of this obligation is, that if the undersigned Principal, having been appointed and confirmed a Constable of City of Newton, to hold office for the term ending January 26th, 2019, and until another be appointed and confirmed in his place, shall faithfully perform his duties as Constable in the service of all civil processes committed to him, this obligation shall become of no effect, otherwise it shall continue in full force.

Signed, sealed and delivered January 26th, 2016

In the presence of

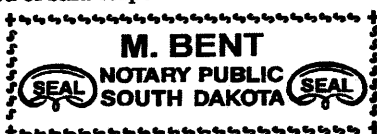
John O'Conney Witness

By [Signature] Principal
WESTERN SURETY COMPANY Surety
 By Paul T. Bruflat Paul T. Bruflat, Vice President

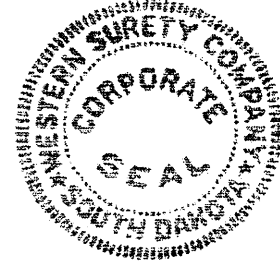
ACKNOWLEDGMENT OF SURETY (Corporate Officer)

STATE OF SOUTH DAKOTA } ss
 County of Minnehaha }

On this 26th day of January, 2016, before me appeared Paul T. Bruflat, to me personally known, who being by me duly sworn, did say that he is the aforesaid officer of WESTERN SURETY COMPANY, a corporation, and that the seal affixed to foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors, and said officer acknowledged said instrument to be the free act and deed of said corporation.



My Commission Expires March 2, 2020



M. Bent

Notary Public

Western Surety Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Paul T. Bruflat of Sioux Falls,
State of South Dakota, its regularly elected Vice President,
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One Constable City of Newton

bond with bond number 62653929

for EDWARD GOURDEAU

as Principal in the penalty amount not to exceed: \$ 7,500.00

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its
Vice President with the corporate seal affixed this 26th day of January,
2016.

ATTEST

L. Nelson

L. Nelson, Assistant Secretary

WESTERN SURETY COMPANY

By

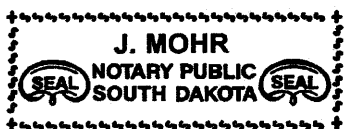
Paul T. Bruflat

Paul T. Bruflat, Vice President

STATE OF SOUTH DAKOTA }
COUNTY OF MINNEHAHA } ss

On this 26th day of January, 2016, before me, a Notary Public, personally appeared
Paul T. Bruflat and L. Nelson

who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Vice President
and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.



My Commission Expires June 23, 2021

J. Mohr

Notary Public

To validate bond authenticity, go to www.cnasurety.com > Owner/Obligee Services > Validate Bond Coverage.



City of Newton



DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE COMMISSIONER

1000 Commonwealth Avenue
Newton Centre, MA 02459-1449

Setti D. Warren
Mayor

May 31, 2016

To: Maureen Lemieux, Chief Financial Officer

From: James McGonagle, Commissioner Public Works

Subject: Request for Expenditure Authorization of Mitigation Funds,
Riverside, Old Jordan Marsh Development Mitigation,
Lower Falls Traffic Improvements, total = \$50,508

The developer of the Old Jordan Marsh site contributed funds for traffic and roadway improvements on Grove Street and vicinity in the Lower Falls area. There are currently remaining line items for use of these funds, one for \$372, and one for \$15,673, for a total of \$16,045. Another line item for Lower Falls traffic improvements mitigation totals \$34,463. (Total = \$50,508).

DPW proposes traffic and roadway improvements on Grove Street and vicinity, including striping of crosswalks, centerline and edge line striping, new traffic signage, and new traffic calming techniques (such as a torpedo shaped island, and a trial of this) on Concord St from Hagar Street to St. Mary's Street.

See cost estimate and sketch attached. The total estimated cost is \$61,228. City funds will be used to fund the remainder of the project.

Please forward this request as a docket item to the Honorable City Council for their approval.

Sincerely,

James McGonagle
Commissioner

Cc: Shane L. Mark, Director of DPW Operations
Louis M. Taverna, P.E., City Engineer
David Wilkinson, Comptroller

City of Newton



**DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE HIGHWAY DIRECTOR
74 Elliot Street
Newton Upperfalls, MA 02461-1605
Project Cost Estimate**

Date 5/24/2016**Project Name** Concord St Torpedo Islands**Scope of Work**Install 4 Torpedo Islands**Sequence of Construction**

1	
2	
3	
4	
5	
6	
7	
8	
9	

Materials	Quantity		Total Cost
Granite Curbing	400	Linear Feet	\$6,400
Radius Curbing	100	Linear Feet	\$1,850
Concrete Curbing		Linear Feet	\$0
Ready Mix Concrete	11	Cubic Yards	\$1,210
Bituminous Concrete	20	Tons	\$1,220
Loam		Cubic Yards	\$0
Other			
Stone Dust		Cubic Yards	\$0
H.P. pads			\$0
Police Detail (2 per day)	20		\$5,760
Total			\$16,440
Labor Costs	# Days		
Crew Day - Straight Time	20		\$29,500
Crew Day - Overtime			\$0
Superintendent - Straight	20		\$6,100
Superintendent - Overtime			\$0
20% contingency			\$9,188
Total Cost of project			\$61,228

[illegible][illegible]

NOVEMBER 22, 2002
REVISED: NOVEMBER 25, 2002



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#112-16

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

March 14, 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 the following Mitigation Funds:

Village Café at 719 Washington Street	\$ 2,500
258 Nevada Street at Linwood Street	\$ 1,500
Cherry Street at Washington Street	\$ 2,000
O'Hara's Restaurant, Newton Highlands	\$ 2,500
Rox Diner Parking & Pedestrian Improvements	\$ 2,500
Riverside, Old Jordan Marsh	\$16,045
Canton Circle LLC, 714-724 Beacon Street	\$10,000

Specific details are attached for each contribution. Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

RECEIVED
Newton City Clerk
2016 MAR 15 AM 4:52
David A. Olson, CMC
Newton, MA 02459

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

February 3, 2016

To: Maureen Lemieux, Chief Financial Officer

From: James McGonagle, Commissioner Public Works

Subject: Request for Expenditure Authorization of Mitigation Funds
Village Café at 719 Washington Street, Pedestrian Improvements, \$2,500

The redevelopment of the Village Café at 719 Washington Street contributed a total of \$2,500 in mitigation funds for pedestrian improvements to the intersection of Washington Street and Harvard Street, so pedestrians parking on the south side of Washington Street can safely cross to the north side.

DPW proposes to install an additional bump out in front of the Village Café (eliminating a parking space), and install a full red-yellow-green traffic signal at the intersection of Washington Street and Harvard Street, and restriping of the crosswalk.

Please forward this request as a docket item to the Honorable City Council for their approval.

Sincerely,

A handwritten signature in black ink, appearing to read "James McGonagle", is written over a large, stylized, looping flourish.

James McGonagle
Commissioner

Cc: Shane L. Mark, Director of DPW Operations
Louis M. Taverna, P.E., City Engineer
David Wilkinson, Comptroller

City of Newton



DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE COMMISSIONER

1000 Commonwealth Avenue
Newton Centre, MA 02459-1449

Setti D. Warren
Mayor

February 3, 2016

To: Maureen Lemieux, Chief Financial Officer

From: James McGonagle, Commissioner Public Works

Subject: Request for Expenditure Authorization of Mitigation Funds
258 Nevada Street at Linwood Street, ADA Ramp, \$1,500

The developer of the property at 258 Nevada Street contributed a total of \$1,500 in mitigation funds for accessible pedestrian ramp (ADA ramp) improvements at the intersection of Nevada Street and Linwood Ave.

DPW proposes to install a fully compliant accessible pedestrian ramp at the east corner of the intersection. Other funds, including Chapter 90 funds and city override funds, will be used to install fully compliant accessible pedestrian ramps at the other three corners of the intersection.

Please forward this request as a docket item to the Honorable City Council for their approval.

Sincerely,

A handwritten signature in black ink, appearing to be "James McGonagle", is written over a large, stylized, looping flourish.

James McGonagle
Commissioner

Cc: Shane L. Mark, Director of DPW Operations
Louis M. Taverna, P.E., City Engineer
David Wilkinson, Comptroller

City of Newton



DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER
1000 Commonwealth Avenue
Newton Centre, MA 02459-1449

Setti D. Warren
Mayor

February 3, 2016

To: Maureen Lemieux, Chief Financial Officer

From: James McGonagle, Commissioner Public Works

Subject: Request for Expenditure Authorization of Mitigation Funds
Cherry Street at Washington Street Traffic Signalization Improvements, \$2,000

The developer of 1347-1349 Washington Street contributed a total of \$2,000 in mitigation funds to purchase and install pedestrian countdown signal heads on existing traffic signal at the intersection of Cherry Street and Washington Street in West Newton.

DPW proposes to purchase and install these pedestrian countdown signal heads.

Please forward this request as a docket item to the Honorable City Council for their approval.

Sincerely,

A handwritten signature in dark ink, appearing to read "James McGonagle", is written over the word "Sincerely,".

James McGonagle
Commissioner

Cc: Shane L. Mark, Director of DPW Operations
Louis M. Taverna, P.E., City Engineer
David Wilkinson, Comptroller

City of Newton



DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER
1000 Commonwealth Avenue
Newton Centre, MA 02459-1449

Setti D. Warren
Mayor

February 3, 2016

To: Maureen Lemieux, Chief Financial Officer

From: James McGonagle, Commissioner Public Works

Subject: Request for Expenditure Authorization of Mitigation Funds
O'Hara's Restaurant, Newton Highlands, Pedestrian Improvements, \$2,500

During recent renovations, O'Hara's Restaurant at 1185 Walnut St in Newton Highlands contributed a total of \$2,500 in funds for pedestrian, biking, and vehicle safety improvements within Newton Highlands village center.

DPW proposes improvements in Newton Highlands, including striping of crosswalks, new traffic signage, new accessible curb cuts at the intersection of Lincoln St and Walnut St, and the bus stop relocation at the intersection of Station Ave and Walnut St.

Please forward this request as a docket item to the Honorable City Council for their approval.

Sincerely,

A handwritten signature in dark ink, appearing to read "James McGonagle", is written over the word "Sincerely,".

James McGonagle
Commissioner

Cc: Shane L. Mark, Director of DPW Operations
Louis M. Taverna, P.E., City Engineer
David Wilkinson, Comptroller

City of Newton



DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER
1000 Commonwealth Avenue
Newton Centre, MA 02459-1449

Setti D. Warren
Mayor

February 3, 2016

To: Maureen Lemieux, Chief Financial Officer

From: James McGonagle, Commissioner Public Works

Subject: Request for Expenditure Authorization of Mitigation Funds
Rox Diner Parking and Pedestrian Access Improvements, \$2,500

The developer of the Rox Diner at 335 Walnut Street Newtonville contributed a total of \$2,500 in mitigation funds for parking and pedestrian access improvements in Newtonville.

DPW proposes to use these funds toward the improvement of Walnut Street and vicinity in Newtonville, project scheduled for 2017. This would include updated and compliant accessible curb cuts, wider sidewalks, and elimination of the center lane parking lane on Walnut Street.

Please forward this request as a docket item to the Honorable City Council for their approval.

Sincerely,

A handwritten signature in black ink, appearing to read "James McGonagle", is written over a horizontal line.

James McGonagle
Commissioner

Cc: Shane L. Mark, Director of DPW Operations
Louis M. Taverna, P.E., City Engineer
David Wilkinson, Comptroller

City of Newton



DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE COMMISSIONER

1000 Commonwealth Avenue
Newton Centre, MA 02459-1449

Setti D. Warren
Mayor

February 3, 2016

To: Maureen Lemieux, Chief Financial Officer

From: James McGonagle, Commissioner Public Works

Subject: Request for Expenditure Authorization of Mitigation Funds
Riverside, Old Jordan Marsh Development Mitigation, \$16,045

The developer of the Old Jordan Marsh site contributed funds for traffic and roadway improvements on Grove Street and vicinity in the Lower Falls area. There are currently 2 remaining line items for use of these funds, one for \$372, and one for \$15,673, for a total of \$16,045.

DPW proposes traffic and roadway improvements on Grove Street and vicinity, including striping of crosswalks, centerline and edge line striping, new traffic signage, and new traffic calming techniques (such as a torpedo shaped island) on Concord St near Hagar St.

Please forward this request as a docket item to the Honorable City Council for their approval.

Sincerely,

A handwritten signature in dark ink, appearing to read "James McGonagle", is written over a large, stylized, looped flourish.

James McGonagle
Commissioner

Cc: Shane L. Mark, Director of DPW Operations
Louis M. Taverna, P.E., City Engineer
David Wilkinson, Comptroller

City of Newton



DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE COMMISSIONER

1000 Commonwealth Avenue

Newton Centre, MA 02459-1449

Setti D. Warren
Mayor

January 20, 2016

To: Maureen Lemieux, Chief Financial Officer

From: James McGonagle, Commissioner Public Works

Subject: Request for Expenditure Authorization of Mitigation Funds
Board Order #1-15, Canton Circle LLC, 714-724 Beacon Street, \$10,000

Board Order #1-15, Canton Circle LLC, 714-724 Beacon Street, paragraph 7, directs the petitioner to contribute up to \$10,000 for pedestrian safety improvements on Beacon Street (Newton Centre) at this address, or complete the improvements at his sole expense. The petitioner has chosen to contribute the \$10,000 to the city, and have the city design and complete the improvements.

The proposed improvements include design and construction of a bump out and accessible pedestrian ramp at the westerly end of the existing driveway (south side of Beacon Street), design and construction of an accessible pedestrian ramp at the opposite north side, and relocating the crosswalk across Beacon Street from Dalton Street to this new location. A metered parking space will be removed on the south side of Beacon Street, and an unmetered parking space will be removed on the north side of Beacon Street (all subject to Traffic Council approval), to accommodate this new crosswalk.

The Board Order and concept sketch are attached.

Please forward this request as a docket item to the Honorable City Council for their approval.

Sincerely,

A handwritten signature in black ink, appearing to read "J. McGonagle", is written over the name and title of the Commissioner.

James McGonagle
Commissioner

Cc: Shane L. Mark, Director of DPW Operations
Louis M. Taverna, P.E., City Engineer
David Wilkinson, Comptroller



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#211-16

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swarren@newtonma.gov

May 31, 2016

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

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to transfer the sum of \$600,000 from Acct # 0110498-5197 Current Year Wage Reserve to Acct # 0121002-511001 Fire Department Full Time Salaries to fund the FY2015 and FY2016 Retroactive Payments for the recently settled agreement between the City of Newton and Newton Firefighters Association, IAFF Local 863.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor

RECEIVED
NEWTON CITY HALL
2016 MAY 31 PM 4:35
DAVID A. OLSON, CHIEF
NEWTON, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE



City of Newton, Massachusetts
Office of the Mayor

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E-mail
swarren@newtonma.gov

To: Councilor Leonard Gentile, Chairman, Finance Committee
From: Maureen Lemieux, Chief Financial Officer *ml*
Subject: Fire Department Retroactive Funds
Date: June 09, 2016

RECEIVED
Newton City Clerk
2016 JUN 10 AM 9:10
David A. Olson, CMC
Newton, MA 02459

As you know, the City and the members of IAFF Local 863 reached agreement on February 24, 2016 to enter into a 1-year (FY15) and 3-year (FY16-FY18) Collective Bargaining Agreement. The attached agreement secures a Technical Rescue Team, required certification as Firefighter I and II for all new hires, as well as several other items. In return, the City has agreed to adjust the pay grid, longevity payments and some stipend adjustments.

Specifically, retroactive funds are required as follows:

<u>FY2015 Retroactive Funds</u>	\$210,000
<u>FY2016 Retroactive Funds</u>	\$313,000
<u>FY2016 Longevity</u>	<u>\$77,000</u>
Total	\$600,000

I will be at the Finance Committee meeting on Monday, June 13th and will be happy to answer any questions that members of the Honorable Council may have.

CITY OF NEWTON AND I.A.F.F., LOCAL 863

MEMORANDUM OF AGREEMENT

February 24, 2016

1. WAGE OFFER:

1-Year CBA

July 1, 2014 (FY15): 1.5%

3-Year CBA

July 1, 2015 (FY16): 2%, plus New Longevity Scale:

10 year =	\$1000
15 year=	\$1500
20 year=	\$2500
25 year=	\$3500

July 1, 2016 (FY17): 1.5%, plus E.M.R. Increases to 2.0%
1.0% Hazardous Duty Stipend effective on the date the heavy rescue company goes into service

July 1, 2017 (FY18): 2.5%
Hazardous Duty Stipend Increases to 2.0% on 6/30/18

2. TECHNICAL RESCUE: At the Fire Chief's discretion, a Technical Rescue Unit may be established, staffed, and equipped in the Department. The parties agree to impact bargain over the staffing and equipping of a Technical Rescue Unit with the understanding that a) there will not be a reduction of the current per piece manning as referenced in Article XXX of the current CBA, b) it will not negatively affect the current compliment of 6 engines and 3 ladders, and c) in the event that the City eliminated an apparatus in the future, all companies shall respond to an alarm with no fewer than an Officer and 3 Firefighters. Said impact bargaining shall commence upon execution of this MOA and terminate no later than September 30, 2016.

3. FIREFIGHTER I & II: All firefighters hired by the City of Newton shall be required to attend and successfully complete a program of training at an academy, and shall become Certified Firefighter I/II by the Massachusetts Fire Academy prior to the expiration of their probationary period. In the event that the recruit does not undergo their initial training at the Massachusetts Fire Academy, and fails to successfully become Firefighter I/II Certified upon initial examination the City shall provide for Firefighter I/II training in a program administered by the Massachusetts Fire Academy. Nothing in this paragraph shall be construed or interpreted as a waiver by the City of its rights under Civil Service Law as the same pertains to an employee's probationary period.

4. BEREAVEMENT LEAVE AND SICKNESS IN FAMILY: Add "significant other" to both provisions of the CBA, defining "significant other" as "one who stands in the place of a spouse and resides with the employee."

5. VACATION: Carry-over to Aug 31st of the following year

6. RESIDENCY REQUIREMENT: The City agrees to adopt the amendment to G.L. c. 31, § 58, that allows the City to INCREASE the 10-mile residency limit. Therefore, the new residency requirement for the Department would be as follows:

"Effective March 1, 2016, within 9 months of appointment a person must reside within the City of Newton or at any other place in the Commonwealth that is within thirty-five (35) miles of the perimeter of the City of Newton, excepting that all members of IAFF Local 863 employed by the City of Newton prior to February 29, 2016 shall be exempted by this requirement and their residency shall be grandfathered."

7. WIRES DIVISION PERSONNEL: The Wires Division personnel will consist of a Superintendent (compensated at the rank of Deputy), Foreman (compensated at the rank of Captain), and 3 Signal Maintenance personnel (compensated at the rank of Lieutenant). All personnel of this division shall be allowed to pursue continuing education while on duty provided that the Continuing Ed is documented and that no more than one person from the division is scheduled to attend on any given day. The city agrees to pay for these educational opportunities. Opportunities to pursue continuing education will be equitable. Effective July 1, 2016 on-call stipend increase to \$2500.
8. MECHANICS PERSONNEL: The Vehicle Maintenance personnel will consist of a total of 2 positions: one shall be compensated at the rank of Captain, and the other shall be compensated at the rank of Lieutenant. All personnel of this division shall be allowed to pursue continuing education while on duty provided that the Continuing Ed is documented and that no more than one person from the division is scheduled to attend on any given day. The city agrees to pay for the educational opportunities. Opportunities to pursue continuing education will be equitable. Effective July 1, 2016 on-call stipend increase to \$2500.

I.A.F.F., LOCAL 863

By:

Date:

By:

Date:

CITY OF NEWTON

By:

Date:

By:

Date:



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#213-16

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(617) 796-1100

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swarren@newtonma.gov

June 6, 2016

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

RECEIVED
NEWTON CITY HALL
2016 JUN -6 PM 1:54
DAVID A. OLSON, CLIC
NEWTON, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to authorize the following appropriation and authorize a general obligation borrowing of an equal amount for the purpose of funding the completion of the schematic design and site plan approval for the Cabot Elementary School.

<u>Project</u>	<u>Amount</u>
Cabot Elementary School	\$ 400,000

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE



Setti D. Warren
Mayor

PUBLIC BUILDINGS DEPARTMENT

Joshua R. Morse, Buildings Commissioner

Telephone (617) 796-1600

FAX (617) 796-1601

TTY: (617) 796-1608

52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

June 6, 2016

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

Re: Funding Request for the Cabot School Project

Dear Mayor Warren:

The Public Buildings Department requests additional funds needed to complete the Schematic Design and Site Plan Approval for the above referenced project in the amount of \$400,000.00 as follows:

OPM	\$100,000.00
Designer	\$200,000.00
Site/Environmental	\$50,000.00
Other	\$50,000.00

To date the Board has authorized the expenditure of \$1,000,000 for Feasibility Study.

Sincerely,

Joshua R. Morse
Public Building Commissioner

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

Vendor	Amount	CODE	Further Description
DiNisco Design Partnership	\$ 450,000.00	AEFSSD	Feasibility and Schematic Design
DiNisco Design Partnership (RE 10 through 13)	\$ 52,712.00	AEFSSD	Wetlands Protection Consulting (Schofield) \$24,200, Hydrant Flow Testing \$770, Building Enclosure Consulting \$13,992, Traffic \$13,750
DiNisco Design Partnership (RE 7 through 9)	\$ 19,818.00	AEFSSD	GZA and Schofield for geotechnical engineering services- soil testing for stormwater
JLA Feasibility Study Phase	\$ 225,000.00	JLAFSSD	Feasibility and Schematic Design
	\$ 747,530.00		
Caruso & McGovern	\$ 2,179.00	Environmental and Site	Existing Condition Survey
DiNisco Design Partnership (RE 1 through 5)	\$ 121,737.00	Environmental and Site	Structural Investigations \$5,280, Environmental Consulting \$18,447, Land Survey \$27,665, Geotechnical Engineering \$39,600, Traffic \$30,745
Eversource	\$ 1,242.00	Environmental and Site	Utilities
Lord Associates	\$ 13,215.39	Environmental and Site	Tank Removal
Lord Associates	\$ 2,385.00	Environmental and Site	Tank Removal
Lord Associates	\$ 693.00	Environmental and Site	Tank Removal
Lord Associates	\$ 3,048.00	Environmental and Site	Tank Removal
Nitsch	\$ 2,800.00	Environmental and Site	Traffic Study Peer Review as Requested
Planning Horizons	\$ 3,800.00	Environmental and Site	Survey for Parking at Cabot Village
	\$ 151,099.39		
Boston Globe	\$ 339.30	Other	Advertising
Caruso & McGovern	\$ 3,773.00	Other	Existing Condition Survey
Caruso & McGovern	\$ 855.33	Other	Existing Condition Survey
Lord Associates	\$ 1,940.07	Other	Tank Removal
Petroleum Management Services	\$ 42,335.52	Other	Tank Removal
WT Rich	\$ 40,000.00	Other	Pre-Construction Services

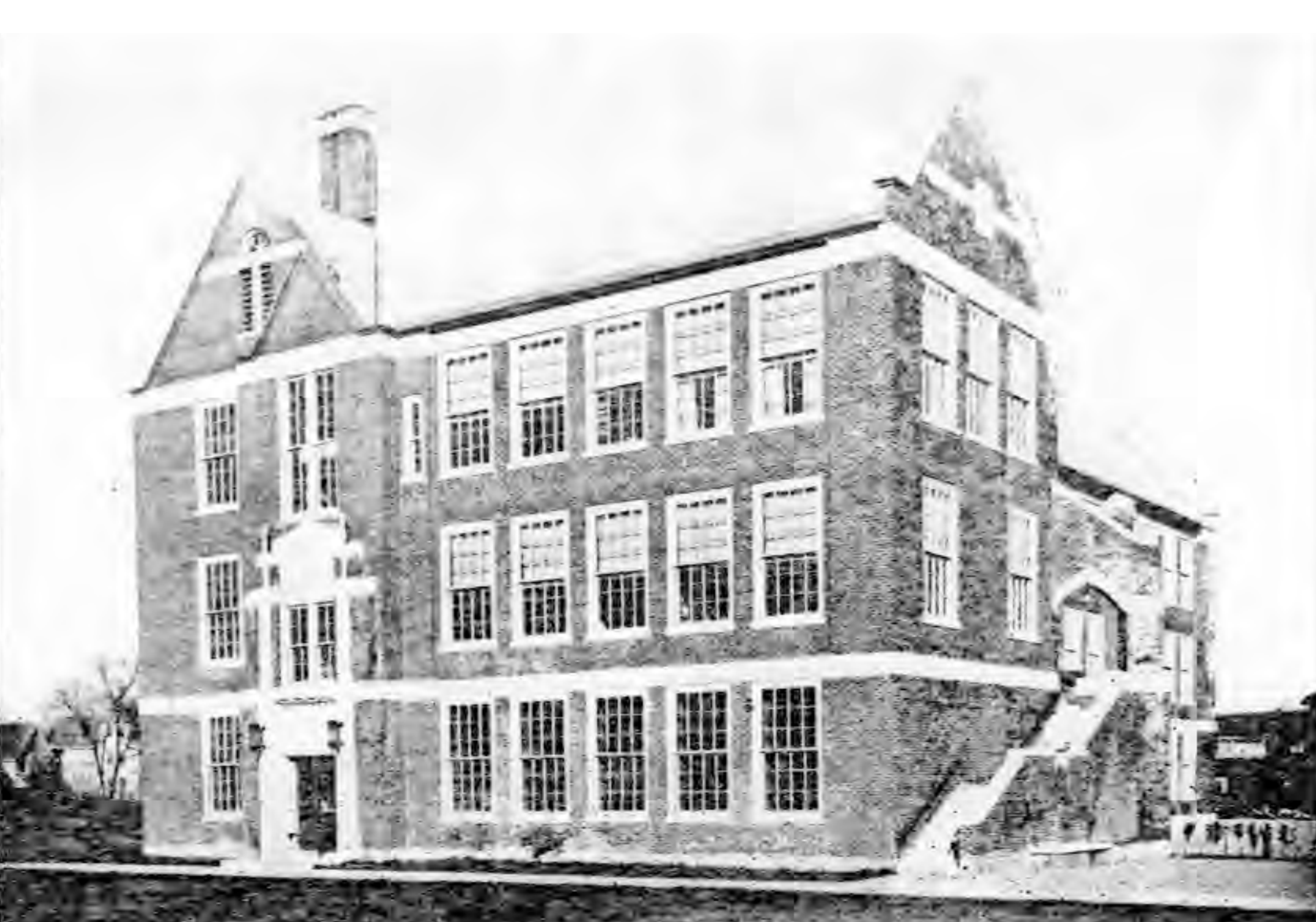
\$ 89,243.22

\$ 987,872.61

Summary

Traffic/ Parking	\$ 51,095.00
Geotech/Land	\$ 149,772.00
Tank Removal	\$ 63,616.98
OPM	\$ 225,000.00
Designer	\$ 450,000.00
Utilities	\$ 1,242.00
Advertising	\$ 339.30
Pre-Construction Services	\$ 40,000.00
Existing Condition Survey	\$ 6,807.33

\$ 987,872.61



Current Design

June 02, 2016

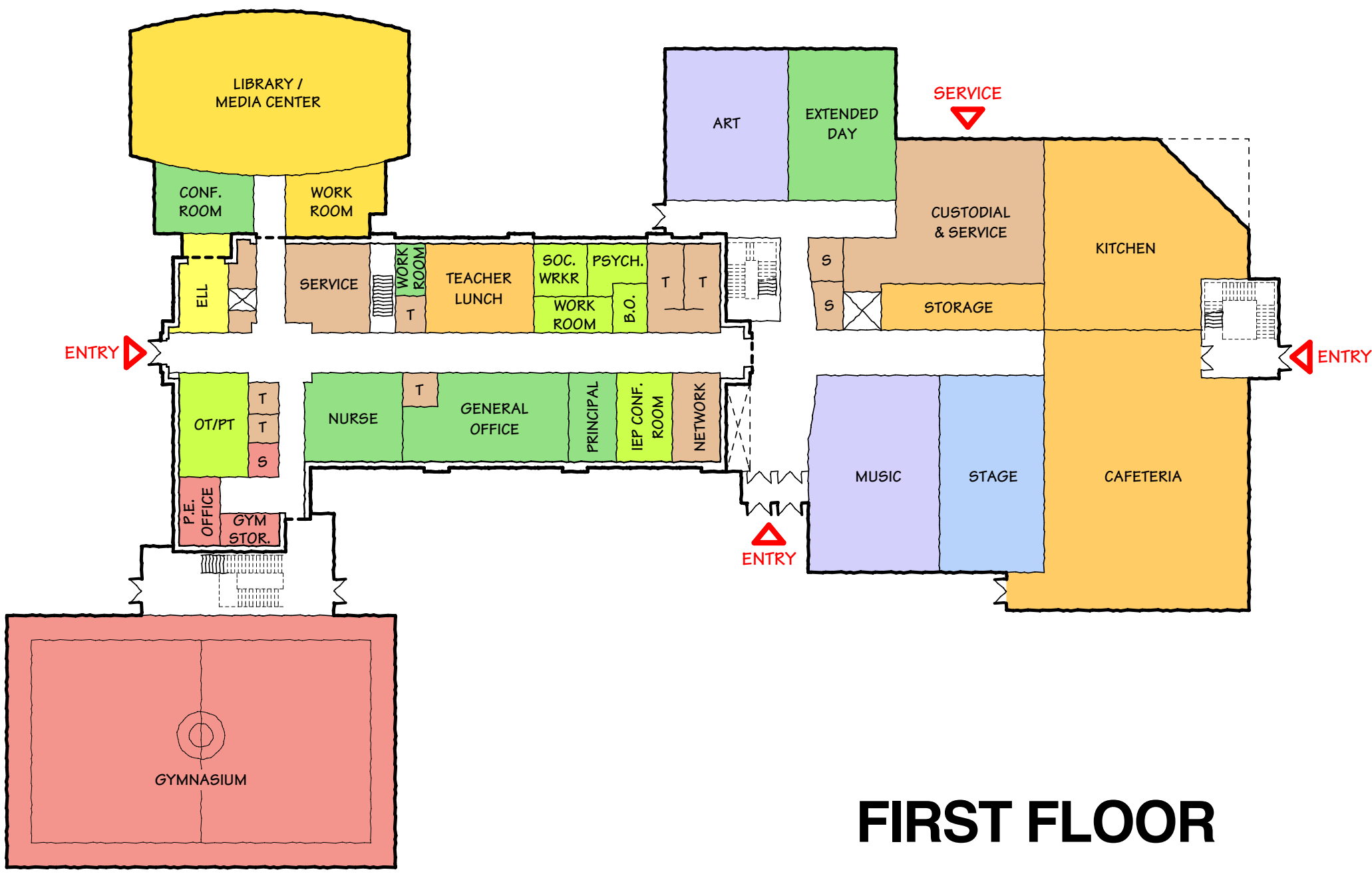


Cabot School

NV5

DiNisco Design
PARTNERSHIP

Current Design



FIRST FLOOR

LEGEND

- CLASSROOM
- SPECIAL EDUCATION
- LIBRARY
- ART/MUSIC
- STAGE
- GYMNASIUM
- KITCHEN/CAFETERIA
- ADMIN/EXTNDED DAY
- BUILDING SERVICES

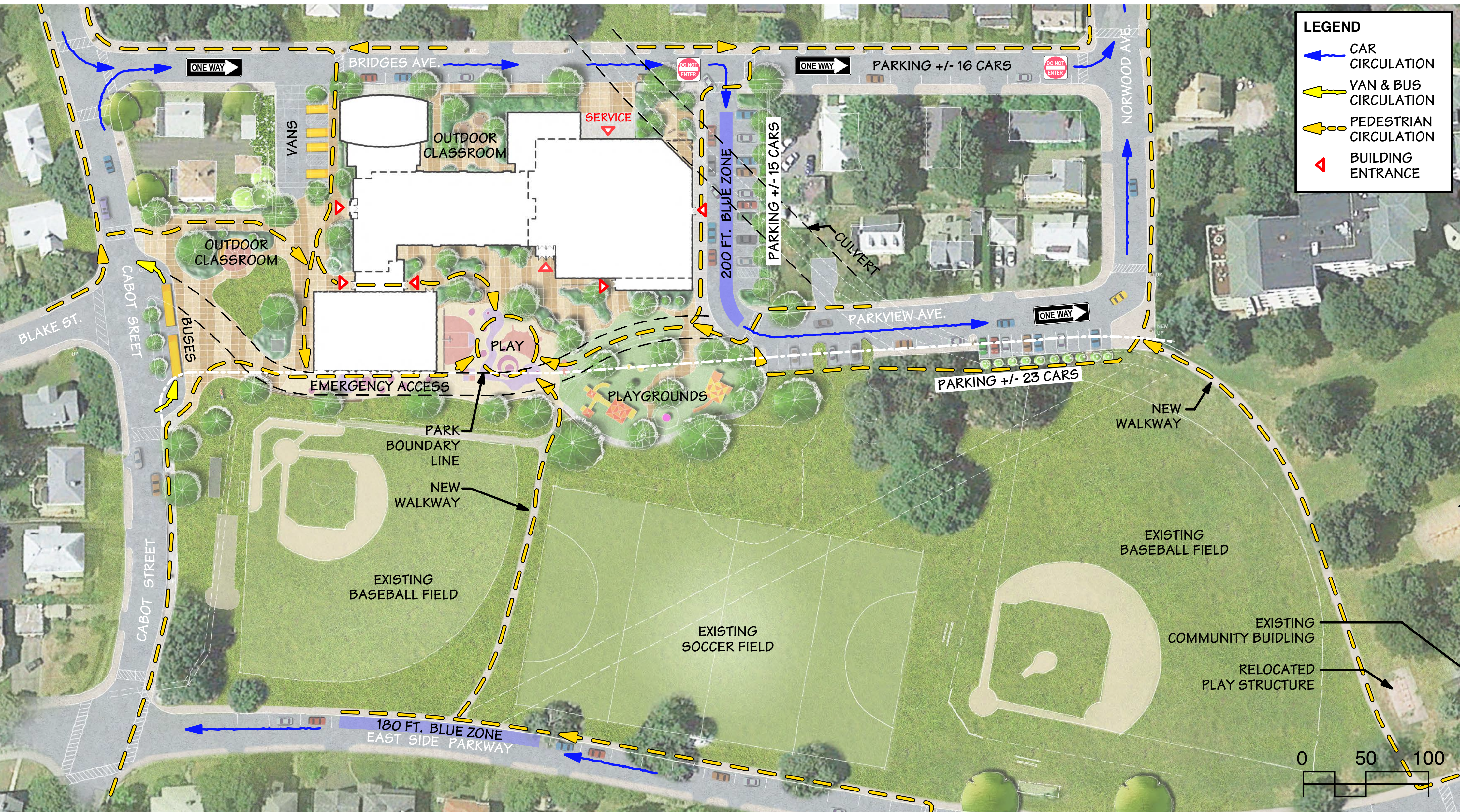
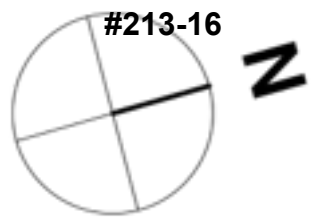


THIRD FLOOR



SECOND FLOOR

Current Site Plan



LEGEND

- CAR CIRCULATION
- VAN & BUS CIRCULATION
- PEDESTRIAN CIRCULATION
- BUILDING ENTRANCE

Perspectives

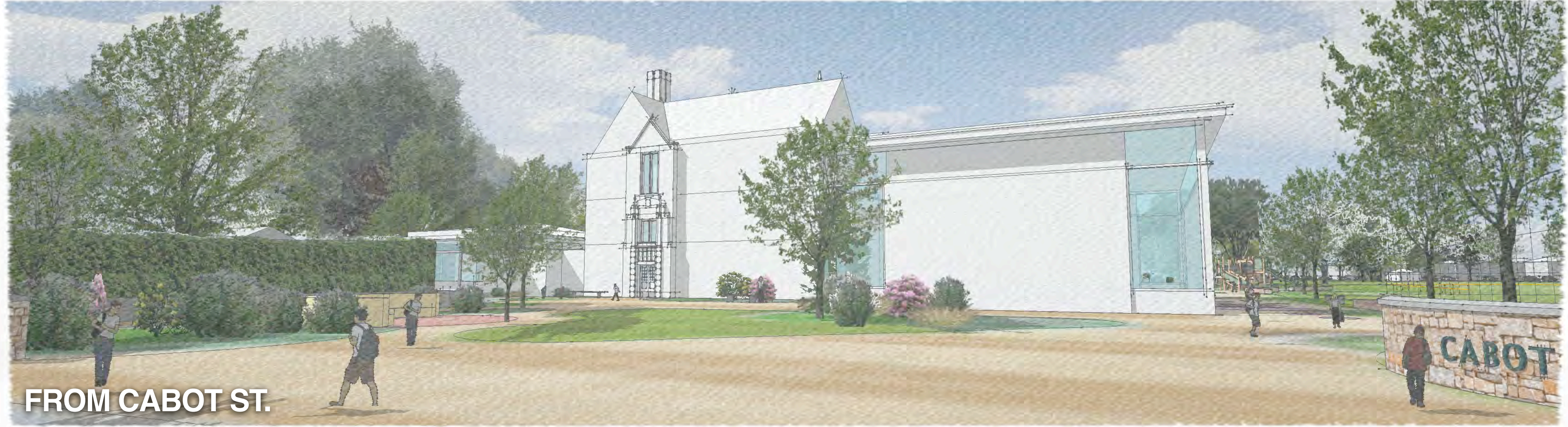


AERIAL VIEW



FROM CABOT ST.

Perspectives

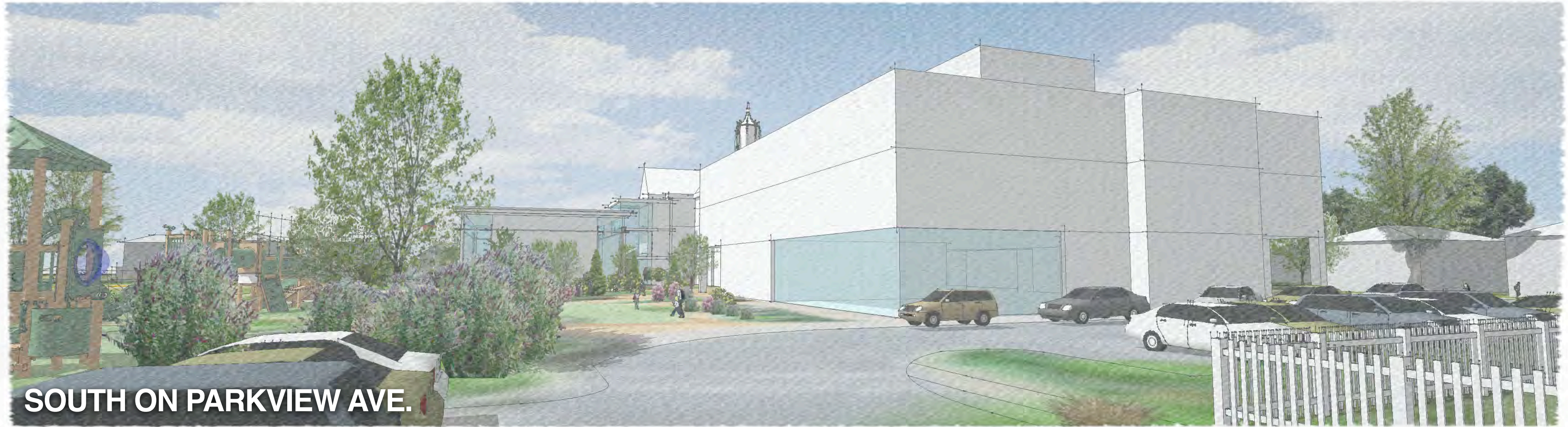


Perspectives

#213-16

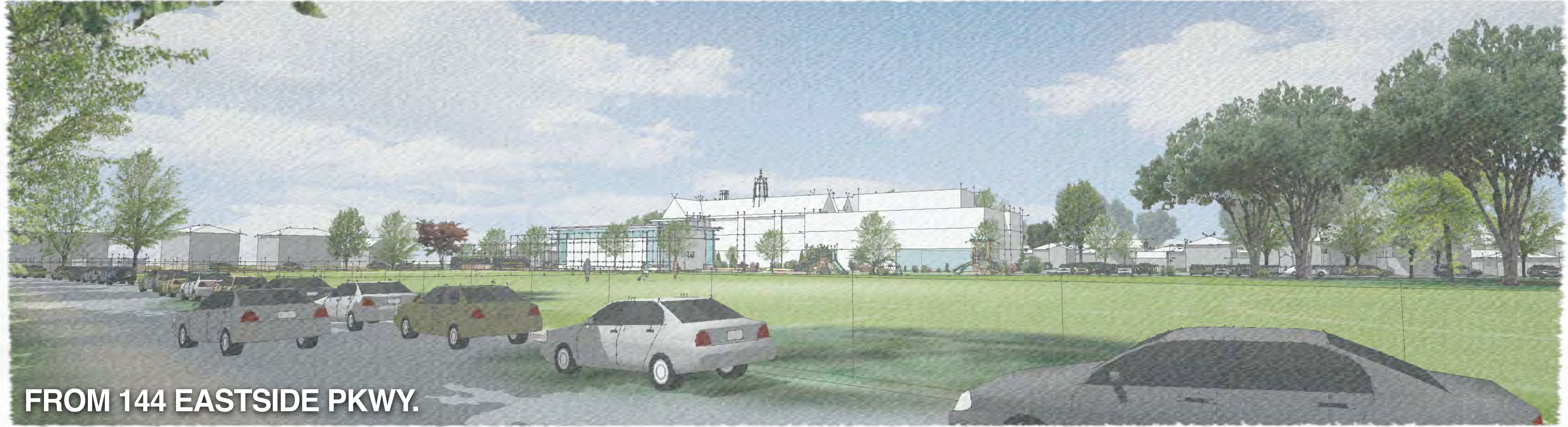


Perspectives



Perspectives

#213-16



FROM 144 EASTSIDE PKWY.



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

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swarren@newtonma.gov

May 31, 2016

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

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to appropriate the sum of \$250,000 from June 30, 2015 Certified Free Cash to Acct # 0120101-512001 Police Department Overtime to fund additional FY2016 overtime costs.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor

RECEIVED
Newton Office
2016 MAY 31 PM 4:36
David A. Olson, Clerk
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



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City of Newton, Massachusetts
Office of the Mayor

SETTI D. WARREN
MAYOR

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E-mail
warren@newtonma.gov
RECEIVED
Newton City Clerk
JUN 10 AM 9:10
David A. Olson, CMC
Newton, MA 02459

To: Councilor Leonard Gentile, Chairman, Finance Committee
From: Maureen Lemieux, Chief Financial Officer *ml*
Subject: Police Department Overtime Funds
Date: June 09, 2016

As you know, the administration has requested \$250,000 to supplement Police Overtime accounts. In addition to the fact that several annual grants were very late this year, the City has incurred several extraordinary expenses which have contributed to a potential shortfall in the Overtime Acct for the department.

Specifically these expenses are as follows:

FY2016 Retirement Payouts	\$ 85,000
Narcan Training	\$ 10,000
Subconscious Bias Training	\$ 12,000
Boston Marathon	\$ 40,000

The request for \$250,000 was submitted in the event that Police personnel expenditures exceed the FY16 budgeted amounts.

I will be at the Finance Committee meeting on Monday, June 13th and will be happy to answer any questions that members of the Honorable Council may have.



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

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swarren@newtonma.gov

May 9, 2016

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

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to transfer the sum of \$50,000 from Acct # 0110498-5197 Current Year Wage Reserve to Acct # 0120102-511001 Traffic Safety Full Time Salaries for the purpose of funding the FY15 and FY16 retroactive payments to the employees of AFSCME Local 2913 – Parking Control/Traffic Enforcement.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor

RECEIVED
Newton City Hall
2016 MAY -9 PM 4:59
David A. Olsen, Clerk
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



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City of Newton, Massachusetts
Office of the Mayor


SETTI D. WARREN
MAYOR

#189-16
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Telefax
(617) 796-1113

TDD
(617) 796-1089

RECEIVED
Newton City Office
JUN 10 AM 9:10
David A. Olson, City
Newton, MA 02459
Email: swarren@newtonma.gov

To: Councilor Leonard Gentile, Chairman, Finance Committee
From: Maureen Lemieux, Chief Financial Officer 
Subject: Parking Enforcement Retroactive Funds
Date: June 09, 2016

As you know, the City and the members of the Parking Enforcement/Traffic Control reached agreement to enter into a 3-year (FY15-FY17) Collective Bargaining Agreement. The attached Memorandum of Agreement details the specifics of the agreement:

FY2015 Signing Bonus	\$ 11,500
FY2016 Retroactive Funds	\$ 29,475
FY2016 Longevity	\$ 1,650

I will be at the Finance Committee meeting on Monday, June 13th and will be happy to answer any questions that members of the Honorable Council may have.

**MEMORANDUM OF AGREEMENT
AFSCME COUNCIL 93 LOCAL 2913
TRAFFIC SUPERVISORS / PARKING CONTROL**

THREE YEAR CBA FROM JULY 1, 2014 – JUNE 30, 2017

A. TRAFFIC SUPERVISORS

1. FY2015 (July 1, 2014 to June 30, 2015)

7/1/2014 WAGES

- \$150.00 Lump Sum Payment due upon thirty (30) days of ratification of this agreement.

2. FY2016 (July 1, 2015 to June 30, 2016)

7/1/2015 WAGES

- Move to Grid effective 7/1/2015

a. Longevity:

	10-14 Years	\$325.00
	15-19 Years	\$350.00
	20-24 Years	\$375.00
	25-29 Years	\$400.00
	30 or more	\$425.00

- b. Recognition increased to: \$250**

3. FY2017 (July 1, 2016 to June 30, 2017)

7/1/2016 WAGES

- Move to Grid effective 7/1/2016
- Sick Leave Bonus: 3 Days or less \$250.00 (to be calculated September – June).

B. PARKING CONTROL OFFICERS**1. FY2015 (July 1, 2014 to June 30, 2015)**

- \$500.00 Lump Sum Payment due upon thirty (30) days of ratification of this agreement.

2. FY2015 (July 1, 2015 to June 30, 2016)**7/1/2015 WAGE/STEP SCALE**

Step 1	\$40,000.00
Step 2	\$41,200.00
Step 3	\$42,436.00
Step 4	\$43,729.00
Step 5	\$45,041.00
Step 6	\$46,392.00
Step 7	\$47,784.00

- Step 6 and Step 7 added to the grid effective July 1, 2015
- All Parking Control Officers will advance to the next step on their anniversary date.

a. Longevity:

10-14 Years	\$850.00
15-19 Years	\$950.00
20-24 Years	\$1150.00
25-29 Years	\$1250.00
30 or more	\$1500.00

b. Recognition Increased to: \$250**c. Compensatory Time Off:**

- (i) When a parking Control Officer works any overtime provided for under the collective bargaining agreement, he or she will have the option to select whether the overtime shall be paid at the usual overtime rate of pay, or whether the overtime shall be recorded as compensatory time off to be taken at a later date, up to a maximum of twenty (20) hours total to be accumulated and used in each fiscal year, subject to the following:
- (ii) No more than two (2) Parking Control Officers can be off any single day, provided that use of comp time does not unduly disrupt the operation of the City. Comp time will have the lowest priority when granting time off. Comp time must be used in the fiscal year during which it is earned, and only upon the approval of the Chief of Police or his designee. Employees shall not earn comp time for any extra work which has not been authorized by the Chief of Police or his designee. Accumulated comp time shall be cashed out upon retirement. The

Chief of Police may establish reasonable rules and regulations regarding the use of comp time, and will impact bargain any changes with the union. Ten (10) hours of comp time can be carried over year to year.

- (iii) The foregoing provisions relating to comp time for Parking Control Officers shall be for a trial period, running from thirty (30) days following ratification of this agreement and ending on June 30, 2017. The Union and the City shall meet no later than December 31, 2016 to discuss the status of the Implementation of comp time. The Union and the City may agree to extend the provisions relating to comp time following June 30, 2017, on terms and conditions agreeable to both parties, but nothing in this Agreement shall obligate the City to do so. In the event comp time is not extended beyond the trial period, all accumulated comp time earned by the Parking Control Officers under this Agreement as of June 30, 2017 shall be cashed out at the overtime rate during the next regular payroll period following June 30, 2017.
- d. Early Release Days: Add Presidents Day, Patriots Day, Memorial Day and Columbus Day will be released at 1:00 p.m.
- e. Carryover vacation time changed from March 31 to: August 31.
- f. New Parking Control Officers will receive a minimum of two (2) weeks/eighty hours on the job training upon commencement of service.
- g. Posting of Jobs:
 - (i) The City will notify the Union President one (1) week prior to any job posting for Local 2913, provided that such notification is not disruptive to the City's need to fill the position.
 - (ii) All Traffic Supervisors will be notified via US mail and/or email and applicant posting boards that a position is available.
 - (iii) Interested Traffic Supervisors must fill out a transfer application, and may also attach a resume.
 - (iv) All applications shall be kept on file for future reference according to the state's public records retention regulations.
- h. Traffic Supervisors promotions will be administered through the Department of Human Resources based on the guidelines set forth in Paragraph i (above).
- i. Printed names on tickets issued by Parking Control Officers will be changed to initials, as system programming allows.

- j. Add the following revised Article XXVIII Performance Evaluations:

"28.01 A committee comprised of two Union members and two City designees shall be formed to propose implementation of performance evaluations for all Local 2913 members and its work is to be completed on or before December 31, 2016."

- k. Members of the Union shall abide by the City's Drug and Alcohol Policy, attached as Addendum B.

- l. Grievance Procedure:

Step 1: Delete "7" working days and replace with "15" working days

Step 2: Delete "6" working days and replace with "15" working days

- m. Members of the Union who are injured while on duty shall immediately notify the superior officer of the Traffic Bureau of the Injury, or as soon as practicable following the injury. In the absence of a superior officer, members of the Union shall notify the Officer In Charge of the shift. Members of the Union who are injured shall also immediately file an accident report with the Department of Human Resources, or as soon as practicable following the injury.

- n. Add the following new Article XXIX Duration:

"29.01 This AGREEMENT shall be effective as of July 1, 2014 for the period ending June 30, 2017 and shall remain in effect from year to year thereafter unless either party hereto, desiring to terminate or amend any provisions of this contract, send written notice of the same to the other no later than one hundred twenty (120) days prior to the termination date hereof or any succeeding anniversary date."

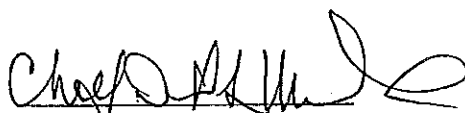
3. FY2017 (July 1, 2016 to June 30, 2017)

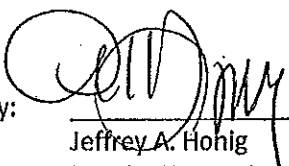
7/1/2016 WAGES

- All Parking Control Officers will advance to the next step on their anniversary date.
- a. Sick Leave Bonus: 3 Days or less: \$300.00 (to be calculated by Calendar Year January – December).
- b. Technology Stipend: \$700.00, to cover use of more than one handheld device and for use of permit parking, parking lot kiosks, cell phone usage, gas and other technological innovations.

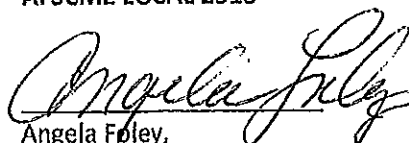
AGREED TO this 2nd day of March, 2016, on behalf of:

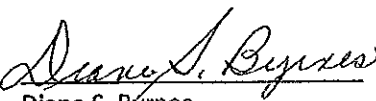
CITY of NEWTON

By: 
Maureen Lemieux, CFO

By: 
Jeffrey A. Honig
Interim Human Resources Director

AFSCME LOCAL 2913

By:  3-2-16
Angela Foley,
President AFSCME Local 2913

By:  3-2-16
Diane S. Byrnes
AFSCME Counsel 93

AFSCME 2913 - Parking ControlFY15 - FY17 3 Year ContractEFFECTIVE July 1, 20153/2/2016mil

	<u>Step 1</u>		<u>Step 2</u>		<u>Step 3</u>		<u>Step 4</u>		<u>Step 5</u>		<u>FY16</u> <u>Step 6</u>		<u>FY17</u> <u>Step 7</u>
\$	40,000	\$	41,200	\$	42,436	\$	43,729	\$	45,041	\$	46,392	\$	47,784
			3.00%		3.00%		3.05%		3.00%		3.00%		3.00%

AFSCME 2913 - Traffic SupervisorsEFFECTIVE July 1, 2014

	<u>0 - 5 Yrs</u>		<u>5 - 10 Yrs</u>		<u>10+ Yrs</u>	<u>Grandfathered</u>
# Emp's	21		13		15	3
\$	8,653	\$	8,653	\$	8,653	9,437

EFFECTIVE July 1, 2015

	<u>0 - 5 Yrs</u>		<u>5 - 10 Yrs</u>		<u>10+ Yrs</u>	<u>Grandfathered</u>
	19		9		14	3
\$	8,869	\$	9,047	\$	9,274	10,024
	2.50%		4.55%		7.18%	

45

EFFECTIVE July 1, 2016

	<u>0 - 5 Yrs</u>		<u>5 - 10 Yrs</u>		<u>10+ Yrs</u>	<u>Grandfathered</u>
\$	9,091	\$	9,273	\$	9,506	10,258
	2.50%		2.50%		2.50%	

ADDENDUM BDRUG AND ALCOHOL POLICY**1. Purpose**

The purpose of this policy is to provide all members of the bargaining unit with notice of the provisions of the Newton Police Department's drug and alcohol testing program for Traffic Supervisors and Parking Control Officers. It is the policy of the Newton Police Department that a drug and alcohol-free Traffic Supervisor and Parking Control Officer force must be maintained at all times and that this requirement justifies the use of a reasonable employee drug and alcohol testing program. The use of non-prescribed controlled substances as defined in Chapter 94C of the Massachusetts General Laws and other forms of drug and alcohol abuse seriously impair a Traffic Supervisor and Parking Control Officer's physical and mental health, and thus, his/her job performance. Therefore, in order to ensure the integrity of the Newton Traffic Supervisors and Parking Control Officers force and to preserve public trust and confidence in a fit and drug and alcohol-free Traffic Supervisors and Parking Control Officers force, there shall be a testing program to detect inappropriate drug and alcohol use and, under appropriate circumstances, to provide for the rehabilitation of any such Traffic Supervisor and Parking Control Officer.

2. Authorized Use of Prescribed Medications

Any Traffic Supervisor or Parking Control Officer who is undergoing medical treatment with any prescribed drug(s) may, at his/her option, report the information to his/her supervisor, and a determination will be made as to that Traffic Supervisor or Parking Control Officer's ability to perform his/her regular duties while taking such medications.

3. Prohibited Conduct

The following conduct by any Traffic Supervisor or Parking Control Officer is prohibited:

- A. Unauthorized use, possession, manufacture, distribution, dispensation or sale of a non-prescribed controlled substance, illegally used drug, drug paraphernalia, or alcohol on Department property, on Department business, in Department supplied vehicles, in vehicles being used for Department purposes, or during working hours; neither this section nor Section 5 is intended to be applicable to unopened containers of alcohol in a Traffic Supervisor or Parking Control Officer's private vehicle which has been purchased for the Traffic Supervisor or Parking Control Officer's off-duty consumption;
- B. Unauthorized storage in a desk, locker, automobile or other repository on Department property of any illegally used drug, non-prescribed controlled substance, drug paraphernalia, or alcohol subject to aforesaid exception in Section A;
- C. Being under the influence of a non-prescribed controlled substance, of an illegally used drug, or alcohol on Department property, on Department business, in Department supplied vehicles or vehicles being used for Department Business or during working hours;

- D. Possession, use, manufacture, distribution or sale of illegally used drugs or non-prescribed controlled substances while off duty;
- E. Switching or adulterating any breath, blood, urine, hair or other test sample;
- F. Refusing consent to testing or refusing to submit a breath, urine, blood, hair or other test sample for testing where and when expressly required under this policy;
- G. Failing to adhere to the terms of any rehabilitation agreement which the Traffic Supervisor or Parking Control Officer has signed provided that he/she has been given an opportunity to consult with legal counsel and/or an ASSOCIATION representative before signing same; and/or
- H. Refusing to sign a rehabilitation agreement provided he/she has been given an opportunity to consult with legal counsel and/or ASSOCIATION representative.

4. Testing Procedure

- A. The Chief of Police, or his designee in the Chief's absence, may require that a Traffic Supervisor or Parking Control Officer submit to a drug and/or alcohol screening test forthwith to detect the presence of non-prescribed drugs, illegally used drugs, alcohol or non-prescribed controlled substances for the reasons listed below. The Traffic Supervisor or Parking Control Officer being tested may, at his/her option, be accompanied by an ASSOCIATION representative while the screening test is being administered, provided that the taking of the test is not delayed thereby.
- B. The Traffic Supervisor or Parking Control Officer may initiate a review of the Chief's directive in the case of a drug screening test. Failure of the Traffic Supervisor or Parking Control Officer to initiate the review immediately shall be deemed a waiver of this right. When the review procedure has been initiated, the Chief's directive shall be reviewed by a committee of three, comprised of either the Chief's Administrative Assistant or the Internal Affairs Officer, one Traffic Supervisor or Parking Control Officer appointed by the ASSOCIATION; and the CITY's Director of Human Resources, or his designee. The review shall be conducted and concluded within twenty-four (24) hours of the time the Chief required the test sample.
- C. If the Review Committee concludes that the drug screening is warranted, such testing shall be conducted immediately. If the review Committee finds that the test is not warranted, the sample shall not be tested and shall be destroyed. The decision of the Review Committee shall be final and binding upon the parties and not subject to the grievance and arbitration provisions of this AGREEMENT.
- D. Positive Test Results – The presence of greater than .04 alcohol content in the blood, or a verified positive drug test for illegally-used drugs, non-prescribed drugs or non-prescribed controlled substances shall be considered a violation of this policy. An "illegally used drug" is defined as the ingestion of prescribed or over the counter medication in amounts beyond the prescribed or recommended dosage, or taken after the prescribed period of time.

- E. The screening test of the Traffic Supervisor or Parking Control Officer shall be administered by the City Physician, the Nurse Practitioner, or the City Physician's designee in accordance with this policy for drug and alcohol testing and provided that the person administering the test has been properly certified, trained or is otherwise qualified to administer that particular test.
- F. An original non-tested sample will be given to the Traffic Supervisor or Parking Control Officer upon request made at the time the sample is provided.
- G. The results of the drug screening test shall be given to the Chief of Police and the Captain of the Traffic Bureau.

5. **Reason for Testing**

Traffic Supervisor or Parking Control Officers will be required to take a drug/alcohol test as a condition of continued employment in order to ascertain prohibited drug/alcohol use, only as provided below:

- A. If there is a reasonable suspicion of a supervisor that a Traffic Supervisor or Parking Control Officer is or has been using drugs or alcohol in violation of this policy. *"Reasonable Suspicion"* is something more than a hunch but less than probable cause. It means a reasonable individualized suspicion, which is articulable, that the Traffic Supervisor or Parking Control Officer has violated this policy. It must be based upon specific, objective facts and any rationally derived inferences from those facts about the conduct of an individual that would lead to a reasonable person to suspect that the Traffic Supervisor or Parking Control Officer is or has been using drugs and/or alcohol in violation of this policy.

Examples of "reasonable suspicion" may include, but are not limited to, the following:

- (i) observable phenomena, such as direct observation of on-duty alcohol use or possession and/or direct observation of on-duty use or possession of any non-prescribed drugs or illegally used drugs, and/or the on-duty display of behaviors which appear to be indicative of the use of any such drugs or alcohol and are not attributable to other factors;
- (ii) a pattern of abnormal conduct or erratic behavior while on duty (slurred speech, uncoordinated movement, gait stupor, excessive giddiness, unexplained periods of exhilaration and excitement, impaired judgment, etc.) or deteriorating work performance, including but not limited to, frequent absenteeism, excessive tardiness, or frequent accidents, not attributable to other factors;
- (iii) newly discovered evidence that the Traffic Supervisor or Parking Control Officer has tampered with a prior drug/alcohol test; and/or

- (iv) repeated or flagrant violations of the Department's rules and procedures which are determined by a supervisor to pose a substantial risk of injury or property damage and which are not attributable to other factors and appear to be related to drug and/or alcohol abuse.

The above examples are not all inclusive, but are intended to be illustrative.

- B. When a Traffic Supervisor or Parking Control Officer is offered any promotional position.
- C. Subsequent to any significant vehicular accident involving a vehicle which is being operated by a Traffic Supervisor or Parking Control Officer while on duty.
- D. Subsequent to any serious, unsafe practice or incident (such an incident includes the unplanned, unexpected and unintended discharge of a firearm) which occurs while the Traffic Supervisor or Parking Control Officer is on duty.

6. Consequences of a Positive Test

A positive test in violation of this policy or any other violation of this policy will result in disciplinary action in accordance with the Department's disciplinary procedures subject to the conditions set forth below.

Discipline for any violation of this policy means any permitted disciplinary action up to and including termination of employment.

Discipline for any Traffic Supervisor or Parking Control Officer who tests positive for alcohol shall, where there is no independent violation of Department rules other than being under the influence of alcohol, be in accordance with the following schedule:

- A. For the first such offense – a Rehabilitation Agreement shall be developed and signed and the Traffic Control Supervisor or Parking Control Officer shall be suspended for up to a maximum of (5) days.
- B. For the second such offense – a further Rehabilitation Agreement shall be developed and signed and the Traffic Supervisor or Parking Control Officer shall be suspended for up to a maximum of thirty (30) days.
- C. For the third such offense – the Traffic Supervisor or Parking Control Officer shall be disciplined up to and including termination of employment.
- D. If, following the first such offense of testing positive for the presence of greater than .04 alcohol content in his/her blood, there is no further such offense by the Traffic Supervisor or Parking Control Officer for a period of three (3) years from the date of the first such offense, the first offense shall be removed from his/her record and any subsequent such offense thereafter will be deemed to be a first such offense for the purpose of this progressive disciplinary procedure. However, if a second such offense should occur within three (3) years of the first such offense, then both such offenses shall remain on the Traffic Supervisor or Parking Control Officer's record permanently.

- E. After the Completion of any Rehabilitation Program that is a part of any Rehabilitation Agreement provided for hereunder, a Traffic Supervisor or Parking Control Officer shall be subject to unannounced follow up testing for three (3) years following his/her return to full duties. There shall be a maximum of six (6) such unannounced follow-up tests during any twelve (12) month period; however, this limitation shall not be applicable to any alcohol test that is administered for reasonable cause pursuant to this policy. If any such follow-up test yields a positive result, the Traffic Supervisor or Parking Control Officer shall be immediately subject to further disciplinary action in accordance with this policy.

7. Assistance Program

The Department shall, in addition to taking any disciplinary actions, refer any Traffic Supervisor or Parking Control Officer who is found in violation of this policy to the Employee Assistance Program for assessment, counseling, and referral for treatment or rehabilitation, as appropriate.

8. Voluntary Assistance

Disciplinary action will not be imposed for an employee who volunteers for drug or alcohol testing prior to being identified through other means or who obtains counseling or rehabilitation voluntarily through the Employee Assistance Program (EAP) and thereafter refrains from using illegal drugs or alcohol.



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#210-16

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

May 31, 2016

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

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to appropriate the sum of \$21,898 from June 30, 2015 Certified Free Cash to Acct # 0121005-53401 Fire Station Maintenance, Telephone to fund additional Telephone Costs.

As many of you know, the I.T. Department has been systematically auditing all City phone numbers to determine which lines are no longer being used, and therefore able to be turned off. During this process it was discovered that 4 "radio" lines were installed in 2009 for which the City has never paid. I.T. has created a spreadsheet and has balanced with Verizon's calculations. Verizon has waived all late fees bringing the price down \$8,166.48 to \$24,289.17.

Once Fire pays this fiscal year's bills we have a prior fiscal year balance due of \$21,897.08. Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor

RECEIVED
Newton City Hall
2016 MAY 31 PM 4:35
David A. Olson, City
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

**PART I ADMINISTRATION OF THE GOVERNMENT****TITLE VII CITIES, TOWNS AND DISTRICTS****CHAPTER 44 MUNICIPAL FINANCE****Section 64** Payment of bills incurred in excess of appropriations

Section 64. Any town or city having unpaid bills of previous fiscal years which may be legally unenforceable due to the insufficiency of an appropriation in the fiscal year in which such bills were incurred may, in the case of a town, at an annual meeting by a four fifths vote, or at a special meeting by a nine tenths vote, of the voters present and voting at a meeting duly called, and, in the case of a city which accepts this section, by a two thirds vote of the city council, appropriate money to pay such bills; but no bill or payroll shall be approved for payment or paid from an appropriation voted under authority of this section unless and until certificates have been signed and filed with the selectmen or the city auditor, as the case may be, as hereinafter provided, stating under the penalties of perjury that the goods, materials or services for which bills have been submitted were ordered by an official or employee of the town or city and that such goods and materials were delivered and actually received by the town or city or that such services were rendered to or for the town or city, as the case may be.

Every such certificate that goods, materials or services were so ordered shall be signed and filed by the official or employee of the town or city who ordered the same or, if he has ceased to be an official or employee of the town or city, by any official or employee of the town or city; every such certificate of delivery to the town or city of goods or materials shall be signed and filed by the vendor thereof or, if such vendor is a corporation, shall be signed and filed by the treasurer thereof; every such certificate that goods or materials were received by the town or city shall be signed and filed by an official or employee of the town or city; and every such certificate of services rendered to or for a town or city shall be signed and filed by the person who rendered such services.

This section shall not prohibit or prevent appropriations by a majority vote for bills or obligations of previous fiscal years due to any other town or to a district, a city, a county or the commonwealth, or for legally incurred debt and interest the payment of which is provided for by any general or special law.

This section shall apply to districts.

Billing Date	Fiscal Year	Charge	FY Total Charges	
Jan-10	FY10	\$ 2,157.80	\$	3,952.28 FY10
Feb-10	FY10	\$ 299.08		
Mar-10	FY10	\$ 299.08		
Apr-10	FY10	\$ 299.08		
May-10	FY10	\$ 299.08		
Jun-10	FY10	\$ 299.08		
Jul-10	FY10	\$ 299.08		
Aug-10	FY11	\$ 299.08	\$	3,588.96 FY11
Sep-10	FY11	\$ 299.08		
Oct-10	FY11	\$ 299.08		
Nov-10	FY11	\$ 299.08		
Dec-10	FY11	\$ 299.08		
Jan-11	FY11	\$ 299.08		
Feb-11	FY11	\$ 299.08		
Mar-11	FY11	\$ 299.08		
Apr-11	FY11	\$ 299.08		
May-11	FY11	\$ 299.08		
Jun-11	FY11	\$ 299.08		
Jul-11	FY11	\$ 299.08		
Aug-11	FY12	\$ 299.08	\$	3,588.96 FY12
Sep-11	FY12	\$ 299.08		
Oct-11	FY12	\$ 299.08		
Nov-11	FY12	\$ 299.08		
Dec-11	FY12	\$ 299.08		
Jan-12	FY12	\$ 299.08		
Feb-12	FY12	\$ 299.08		
Mar-12	FY12	\$ 299.08		
Apr-12	FY12	\$ 299.08		
May-12	FY12	\$ 299.08		
Jun-12	FY12	\$ 299.08		
Jul-12	FY12	\$ 299.08		
Aug-12	FY13	\$ 299.08	\$	3,588.96 FY13
Sep-12	FY13	\$ 299.08		
Oct-12	FY13	\$ 299.08		
Nov-12	FY13	\$ 299.08		
Dec-12	FY13	\$ 299.08		
Jan-13	FY13	\$ 299.08		
Feb-13	FY13	\$ 299.08		
Mar-13	FY13	\$ 299.08		
Apr-13	FY13	\$ 299.08		
May-13	FY13	\$ 299.08		
Jun-13	FY13	\$ 299.08		
Jul-13	FY13	\$ 299.08		

RECEIVED
 NEWTON CITY CLERK
 2016 JUN -2 PM 4:41
 David A. Olson, CMO
 Newton, MA 02459

Billing Date	Fiscal Year	Charge	FY Total Charges	
Aug-13	FY14	\$ 299.08	\$ 3,588.96	FY14
Sep-13	FY14	\$ 299.08		
Oct-13	FY14	\$ 299.08		
Nov-13	FY14	\$ 299.08		
Dec-13	FY14	\$ 299.08		
Jan-14	FY14	\$ 299.08		
Feb-14	FY14	\$ 299.08		
Mar-14	FY14	\$ 299.08		
Apr-14	FY14	\$ 299.08		
May-14	FY14	\$ 299.08		
Jun-14	FY14	\$ 299.08		
Jul-14	FY14	\$ 299.08		
Aug-14	FY15	\$ 299.08	\$ 3,588.96	FY15
Sep-14	FY15	\$ 299.08		
Oct-14	FY15	\$ 299.08		
Nov-14	FY15	\$ 299.08		
Dec-14	FY15	\$ 299.08		
Jan-15	FY15	\$ 299.08		
Feb-15	FY15	\$ 299.08		
Mar-15	FY15	\$ 299.08		
Apr-15	FY15	\$ 299.08		
May-15	FY15	\$ 299.08		
Jun-15	FY15	\$ 299.08		
Jul-15	FY15	\$ 299.08		
Aug-15	FY16	\$ 299.08	\$ 2,392.64	FY16
Sep-15	FY16	\$ 299.08		
Oct-15	FY16	\$ 299.08		
Nov-15	FY16	\$ 299.08		
Dec-15	FY16	\$ 299.08		
Jan-16	FY16	\$ 299.08		
Feb-16	FY16	\$ 299.08		
Mar-16	FY16	\$ 299.08		
Apr-16	FY16			
May-16	FY16			
Jun-16	FY16			
Jul-16	FY16			
Total			\$ 24,289.72	
Previous Fiscal Years			\$ 21,897.08	

Billing Date: **01/05/10** Page 1 of 4
 Telephone Number: 617 006 3903
 Account: 617 006 3903 518 001 1
 How to Reach Us: See page 2

NEWTON FIRE DEPT
 1164 CENTRE ST
 NEWTON MA 02459-1584

Thank You for Choosing Verizon!

You can find more information
 about Verizon and its services
 at verizon.com or use our
 voice-prompt system at
 1-800-523-0559.

Account Summary

New Charges

Verizon (page 3)	\$2,157.80
Total New Charges Due February 7	\$2,157.80
Total Due	\$2,157.80

These monthly charges are for your service from
 December 22 to January 5.

RECEIVED
 NEWTON CITY OFFICE
 2016 JUN -2 PM 4:41
 David A. Olson, Clerk
 Newton, MA 02459

Mail payments to:

Verizon, PO Box 1100, Albany NY 12250-0001

Change of address?

Go to verizon.com/billingaddress or call us.

▼ Detach & return payment slip with your check, payable to Verizon.



Yes! I want to be a Literacy Champion.
 Sign me up for a \$1 monthly donation
 to Verizon Reads.

Account: 617 006 3903 518 001 1

New Charges Due: 02/07/10

Total Due \$2,157.80 010510

Amount Paid:

\$,

NEWTON FIRE DEPT
 1164 CENTRE ST
 NEWTON MA 02459-1584

90B



VERIZON
 PO Box 1100
 ALBANY NY 12250-0001



020061700639035180012103 1005500000000000000021578002

Billing Date: 02/05/10 Page 1 of 3
 Telephone Number: 617 006 3903
 Account: 617 006 3903 518 001 1
 How to Reach Us: See page 2

NEWTON FIRE DEPT
 1164 CENTRE ST
 NEWTON MA 02459-1584

Account Summary

Previous Charges	\$2,157.80
Payment Received	.00
Past Due Charges	\$2,157.80

New Charges

Late Payment Charge	21.75
Verizon (page 3)	\$299.08
Total New Charges Due March 9	\$320.83

A prior month's balance is overdue, a late payment charge has been assessed.

Total Due \$2,478.63

These monthly charges are for your service from January 6 to February 5.

Mail payments to:

Verizon, PO Box 1100, Albany NY 12250-0001

Change of address?

Go to verizon.com/billingaddress or call us.

▼ Detach & return payment slip with your check, payable to Verizon.



Yes! I want to be a Literacy Champion.
 Sign me up for a \$1 monthly donation
 to Verizon Reads.

Account: 617 006 3903 518 001 1

New Charges Due: 03/09/10

Total Due \$2,478.63

020510

Amount Paid:

\$

NEWTON FIRE DEPT
 1164 CENTRE ST
 NEWTON MA 02459-1584

90B



VERIZON
 PO Box 1100
 ALBANY NY 12250-0001



020061700639035180012103 1008800002157800000024786304

Billing Date: 02/05/16 Page 1 of 4
Telephone Number: 617 006 3903
Account: 617 006 3903 518 001 1
How to Reach Us: See page 2

NEWTON FIRE DEPT
1164 CENTRE ST
NEWTON MA 02459-1584



**Manage Your Account
Online**
See reverse side for details.

Account Summary

Previous Charges	\$31,320.24
Payment Received	.00
Balance Forward	\$31,320.24

New Charges

Late Payment Charge	\$266.22
Verizon (page 3)	299.08
Total New Charges Due March 8	\$565.30

A prior month's balance is overdue, a late
payment charge has been assessed.

Total Due \$31,885.54

These monthly charges are for your service from
January 6 to February 5.

Mail payments to:

Verizon, PO Box 15124, Albany NY 12212-5124

Change of address?

Go to verizon.com/billingaddress or call us.

▼ Detach & return payment slip with your check, payable to Verizon.

Account: 617 006 3903 518 001 1

New Charges Due: 03/08/16

Total Due \$31,885.54 020516

Amount Paid:

\$,

NEWTON FIRE DEPT
1164 CENTRE ST
NEWTON MA 02459-1584

99S

VERIZON
PO Box 15124
ALBANY NY 12212-5124

020061700639035180016109 1608700031320240000318855404

Billing Date: **03/05/16** Page 1 of 4
 Telephone Number: 617 006 3903
 Account: 617 006 3903 518 001 1
 How to Reach Us: See page 2

NEWTON FIRE DEPT
 1164 CENTRE ST
 NEWTON MA 02459-1584



**Manage Your Account
 Online**
 See reverse side for details.

Account Summary

Previous Charges	\$31,885.54
Payment Received	.00
Balance Forward	\$31,885.54

New Charges

Late Payment Charge	\$271.03
Verizon (page 3)	299.08
Total New Charges Due April 8	\$570.11

A prior month's balance is overdue, a late payment charge has been assessed.

Total Due \$32,455.65

These monthly charges are for your service from February 6 to March 5.

Mail payments to:

Verizon, PO Box 15124, Albany NY 12212-5124

Change of address?

Go to verizon.com/billingaddress or call us.

▼ Detach & return payment slip with your check, payable to Verizon.

Account: 617 006 3903 518 001 1

New Charges Due: 04/08/16

Total Due \$32,455.65 030516

Amount Paid:

\$, .

NEWTON FIRE DEPT
 1164 CENTRE ST
 NEWTON MA 02459-1584

99S

VERIZON
 PO Box 15124
 ALBANY NY 12212-5124

020061700639035180016109 1611500031885540000324556507

Billing Date: 04/05/16 Page 1 of 5
Telephone Number: 617 006 3903
Account: 617 006 3903 518 001 1
How to Reach Us: See page 2

NEWTON FIRE DEPT
1164 CENTRE ST
NEWTON MA 02459-1584



**Manage Your Account
Online**
See reverse side for details.

Account Summary

Previous Charges	\$32,455.65
Payment Received	.00
Balance Forward	\$32,455.65

New Charges

Verizon (page 3)	\$299.08
Total New Charges Due May 7	\$299.08
Total Due	\$32,754.73

These monthly charges are for your service from
March 6 to April 5.

Mail payments to:

Verizon, PO Box 15124, Albany NY 12212-5124

Change of address?

Go to verizon.com/billingaddress or call us.

▼ Detach & return payment slip with your check, payable to Verizon.

Account: 617 006 3903 518 001 1

New Charges Due: 05/07/16

Total Due \$32,754.73 040516

Amount Paid:

\$

NEWTON FIRE DEPT
1164 CENTRE ST
NEWTON MA 02459-1584

99S

VERIZON
PO Box 15124
ALBANY NY 12212-5124

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ITEM # 197-15(2): DRAFT ORDINANCE FOR DISCUSSION PURPOSES

Add the following new section:

Sec. 20-64. Pilotless Aircraft Operation.

Purpose: The use of pilotless aircraft has become increasingly prevalent and has a significant impact on the safety and security of the people of the City of Newton. In order to protect the privacy of residents throughout the City, and to prevent nuisances and other disturbances of the enjoyment of both public and private space, regulation of pilotless aircraft is required. The following section is intended to promote the public safety and welfare of the City and its residents. In furtherance of its stated purpose, this section is intended to be read and interpreted in harmony with all relevant rules and regulations of the Federal Aviation Administration, and any other federal, state and local laws and regulations.

(1) Definitions:

Pilotless Aircraft – an unmanned, powered aerial vehicle, weighing less than 55 pounds, that is operated without direct human contact from within or on the aircraft.

(2) Registration: The owner of a pilotless aircraft shall register each pilotless aircraft with the City Clerk's office, prior to operation. The cost of registering a pilotless aircraft shall be \$10.00. Owners must have proof of registration in their possession when operating a pilotless aircraft. Registration shall include the following:

- (a) The owner's name, address, email address and phone number;
- (b) The make, model, and serial of each pilotless aircraft to be registered;
- (c) A copy of the owner's Federal Aviation Administration Certificate of Registration for pilotless aircraft;
- (d) A photograph of each pilotless aircraft, clearly indicating that each pilotless aircraft is marked with the Federal Aviation Administration registration number.

(3) Operating Prohibitions. The use and operation of all pilotless aircraft within the City shall be subject to the following prohibitions.

- (a) No pilotless aircraft shall be operated:
 - (i) over private property at an altitude below 400 feet without the express permission of the owner of said private property;
 - (ii) at a distance beyond the visual line of sight of the Operator;
 - (iii) in a manner that interferes with any manned aircraft;

- (iv) in a reckless, careless or negligent manner;
- (v) over any school, school grounds, or other City property or sporting event without prior permission from the City, unless a permit is required as in Section 4, below;
- (vi) for the purpose of conducting surveillance unless expressly permitted by law or court order;
- (vii) for the purpose of capturing a person's visual image, audio recording or other physical impression in any place where that person would have a reasonable expectation of privacy;
- (viii) over any emergency response efforts;
- (ix) with the intent to harass, annoy, or assault a person, or to create or cause a public nuisance;
- (x) in violation of federal or state law, or any Ordinance of the City of Newton.

(b) The Chief of Police, or designee, may prohibit the use or operation of pilotless aircraft where it is allowed, or allow the operation of pilotless aircraft where it is prohibited, during an impending or existing emergency, or when such use or operation would pose a threat to public safety.

(4) Permit May be Required: A permit may be required to use land maintained by the Parks and Recreation Department or the Conservation Commission to launch or land a pilotless aircraft. Such permits may be issued by the Parks and Recreation Department Head or the Conservation Commission, or designee.

(5) Noise Ordinance: All Operators shall comply with the Noise Ordinance at Section 20-13, as amended, at all times while operating pilotless aircraft within the City.

(6) Penalties: A violation of any section of this Ordinance shall result in a warning for the first offense and shall be punishable by a fine of \$50.00 for each offense thereafter.

(7) Separate Violations: Action taken pursuant to this section shall not bar any separate action by any other City Department for any other violations.

(8) Severability: If any provision of this section is held to be invalid by a court of competent jurisdiction then such provision shall be considered severable from the remaining provisions, which shall remain in full force and effect.

(9) Regulations: The City and its Departments may promulgate rules, regulations and policies for the implementation of this Ordinance.



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#64-16

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 approve the temporary suspension until September 15, 2016 of Article II – Fire Department Sec. 10-28 of the City of Newton Revised Ordinances to allow for the permanent appointment of the Acting Assistant Fire Chief to the position of Assistant Fire Chief.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

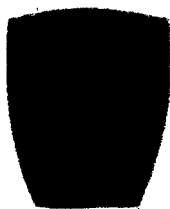
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Newton City Hall
2016 FEB -9 PM 2:14
David A. Olson
City Clerk
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE



Bruce A. Proia
Chief

CITY OF NEWTON, MASSACHUSETTS
FIRE DEPARTMENT HEADQUARTERS

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



Setti D. Warren
Mayor

January 26, 2016

Maureen Lemieux
Chief Financial Officer
City of Newton
Newton, MA 02459

Dear Maureen,

I am requesting to docket an item to create a temporary position for the Assistant Chief of Operations position. Assistant Chief Paul Chagnon has been on extended sick leave since December of 2014, and will run out of time in August of this year. Assistant Chief Gino Lucchetti has been working in an acting position in his place, and was promoted into the Acting position on March 15, 2015.

Assistant Chief Paul Chagnon is still on extended sick leave and will not be returning to his position with the Newton Fire Department. He will run out of accrued time in August 2016, and I do not want to wait any longer to permanently fill this very important position. The Ops Chief is second in command for The Newton Fire Department and among the many responsibilities, steps in as Acting Chief when I am not available for any reason. This includes responding to emergency calls to serve as, and take on the responsibilities, of the Incident Commander (I.C.). In addition, I need the Ops Chief to attend bargaining sessions, which he has not done to this point in time because of a possible conflict of interest should he return back to a union position as Deputy Chief. He has done a fantastic job since stepping into this position and I would like to make it permanent. Four additional promotions into acting positions were made in March of 2015 per the CBA. All of the acting positions have been covered with my operational budget. This will also be the case here should you grant the request for a temporary Ops Chief position. Once Assistant Chief Chagnon retires the temporary position will be cut from the budget.

Thank you for your consideration, and please let me know if you have any questions.

Sincerely,

Bruce Proia
Chief of Department

RECEIVED
Newton City Clerk
2016 FEB -9 PM 2:43
David A. Olson, CM
Newton, MA 02459