



# Finance Committee Agenda

## City of Newton In City Council

Wednesday, November 13, 2019

7 PM  
Room 211

### Items Scheduled for Discussion:

- #343-19**      **Discussion on the new City website**  
COUNCILORS NORTON, ALBRIGHT, LAREDO, KALIS and MARKIEWICZ requesting a discussion with IT and Executive departments regarding the City's new website now in development.  
**Finance Held 5-0 on 10/16/19**  
**Finance Held 5-0 on 10/28/19**
- #382-19**      **Appropriate \$5,000 for police enforcement of accessible parking regulations**  
HER HONOR THE MAYOR requesting authorization to appropriate five thousand dollars (\$5,000) from the Accessible Parking Fines Fund to be used to pay for special police detail enforcement of the accessible parking regulations.
- #383-19**      **Assessment of Curb Betterments**  
COMMISSIONER OF PUBLIC WORKS requesting approval of the following mentioned sidewalk/driveway apron and/or curb betterments; said betterments to be levied under the provisions of MGL Chapter 83, Sec. 26, authorizing the assessments of betterments for construction:

Name	Address	Book/Page	SBL	Estimate
David A. Kenney, III and Amy Roberts Kenney	22 Agawam Road	1404/100 Cert # 249470	42-06-04	\$2,672.00
John W. Slokum and Shuchi S. Pandya	100 Franklin Street	67606/565	72-35-09	\$4,752.00

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The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: [jfairley@newtonma.gov](mailto:jfairley@newtonma.gov) or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

Eric Bosco and Elizabeth Bosco	310 Waverley Avenue	56720/437	73-09-15	\$3,824.00
Alexandra Vozick Thatcher	51 Devon Road	12966/314	61-03-12	\$2,160.00

**#336-19 Discussion and potential change to Senior Citizen’s Parking Sticker program**  
DAVID KOSES, TRANSPORTATION COORDINATOR requesting a discussion and potential change to the Senior Citizen’s Parking Sticker program to allow the possibility for vehicles displaying a valid Senior Citizen’s Parking Sticker to continue to park on Highland Avenue, between Lowell Avenue & Bram Way, thereby freeing up parking spaces within the Austin Street Parking Lot for other vehicles.  
Public Safety & Transportation Approved as Amended 5-0, Referred to Finance Committee

**Referred to Programs & Services and Finance Committees**

**#387-19 Transfer of \$207,500 for tree damage cleanup**  
HER HONOR THE MAYOR requesting authorization to transfer the sum of two hundred seven thousand and five hundred dollars (\$207,500) from the Budget Reserve – Snow and Ice Removal Account to the following account:

Forestry Tree Services  
 (0160253-524300)..... \$207,500

**Referred to Public Facilities and Finance Committees**

**#388-19 Transfer of \$86,800 for boiler replacement at Police Headquarters**  
HER HONOR THE MAYOR requesting authorization to transfer the sum of eight hundred six thousand and eight hundred dollars (\$86,800) from Interest Temp Loans to a Capital Project Account under Public Buildings Department for the purpose of funding the replacement of the leaking boiler at the Police Headquarters.  
Public Facilities Approved 4-0-1 (Councilor Lappin abstaining, Councilors Leary, and Gentile not voting)

**Referred to Public Facilities and Finance Committees**

**#389-19**

**Accept a grant from Mass DEP to be used for waste diversion efforts**

HER HONOR THE MAYOR requesting authorization to accept and expend a grant from the Massachusetts Department of Environmental Protection as part of the Recycling Dividends Grant Program in the amount of fifty-two thousand dollars (\$52,000) to support the City's waste diversion efforts.

**Public Facilities Approved 5-0 (Councilor Leary and Gentile not voting)**

**Referred to Public Facilities and Finance Committees**

**#390-19**

**Request to transfer \$88,000 to replace two trash compactors at Rumford Avenue**

HER HONOR THE MAYOR requesting authorization to transfer the sum of eighty-eight thousand dollars (\$88,000) from Free Cash to the Department of Public Works' Sustainable Materials Management Equipment & Machinery account to fund the replacement of two trash compactors located at Rumford Avenue.

**Public Facilities Approved 5-0 (Councilor Leary and Gentile not voting)**

*It is the Chairs intent to entertain a motion of No Action Necessary on the following item:*

**Referred to Public Facilities and Finance Committees**

**#641-18**

**Request to transfer \$60,000 to replace two trash compactors at Rumford Avenue**

HER HONOR THE MAYOR requesting authorization to transfer the sum of sixty thousand dollars (\$60,000) from Free Cash to the Department of Public Works' Sustainable Materials Management Equipment & Machinery account to fund the replacement of two trash compactors located at 115 Rumford Avenue.

**Public Facilities voted No Action Necessary 5-0 Councilors Leary and Gentile not voting)**

**Referred to Public Facilities and Finance Committees**

**#391-19**

**Authorization to revise White Goods and Bulky Items City Ordinances**

HER HONOR THE MAYOR requesting authorization to revise ordinances pertaining to solid waste and recycling definitions, management of bulky waste items, management of white goods, including amendments to the fees and management of residential moveouts and cleanouts.

**Public Facilities Approved 5-0-1 (Councilor Lappin abstaining and Councilor Gentile not voting)**

Respectfully submitted,

Leonard J. Gentile, Chair



City of Newton, Massachusetts  
Office of the Mayor

RUTHANNE FULLER  
MAYOR

382-19

Telephone  
(617) 796-1100

Telefax  
(617) 796-1113

TDD  
(617) 796-1089

E-mail  
[rfuller@newtonma.gov](mailto:rfuller@newtonma.gov)

October 28, 2019

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

Councilors:

I respectfully submit a docket item to your Honorable Council requesting authorization to transfer the sum of \$5,000 from the Accessible (HP) Fines account#: 14-3314 to the Operation Access account #: 01C10802-513010, in order to fund the "Holiday Operation Access", the targeted enforcement by the Police Department of the accessible parking violations, as the COD has done for the past 3 years, during the upcoming holiday season, starting on November 29, 2019 (Black Friday) to December 26, 2019.

The Commission On Disability members voted unanimously (vote 10-0) to request this transfer and feel this is a worthwhile endeavor. This program keeps accessible parking spaces available for those residents and visitors who hold valid disability placards or plates due to their disability during the holiday shopping season.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller  
Mayor

2019 OCT 28 PM 3:00  
Ruthanne Fuller, Mayor  
Newton, MA 02459

**Maureen Lemieux**

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**From:** Jini Fairley  
**Sent:** Thursday, October 24, 2019 1:42 PM  
**To:** Maureen Lemieux  
**Cc:** Paul D. Anastasia; Jini Fairley; Bob Lee Jr  
**Subject:** Request Approval and Docket Item to Expend \$5000 from Accessible (HP Fines-Disability Commission)

Hi Maureen,

I hope you are feeling better.

On behalf of the Commission On Disability, I am writing to inform you of an action taken at the October 21, 2019 regularly scheduled COD meeting.

The COD voted unanimously (vote 10-0) to request the transfer of \$5000 from the Accessible (HP) Fines account#: 14-3314M3, to the Operation Access account#: C108006-513001, in order to fund the "Holiday Operation Access", the targeted enforcement by the Police Department of the accessible parking violations, as the COD has done for the past 3 years, during the upcoming holiday season, starting on November 29, 2019 (Black Friday) to December 26, 2019. The COD members feel this is a worthwhile endeavor and keeps accessible parking spaces available for those residents and visitors who hold valid disability placards or plates due to their disability, during the holiday shopping season.

These funds pay the overtime for the Police officers who voluntarily sign up for 4 hour shifts.

There is a balance in the Operation Access account of \$2102.97, so that is why the request is less than other years.

If the Mayor approves and docketed this request, I would be happy to appear before the Finance Council and full Council when this item is before them.

Please let me know if you have any questions or if you need any additional information. I do hope there is sufficient time for this item to be docketed, and passed by the City Council before the start of Operation Access.

Much appreciated,  
Jini

Jini Fairley  
ADA Coordinator  
Newton City Hall  
1000 Commonwealth Avenue  
Newton, MA 02459  
617-796-1253  
jfairley@newtonma.gov



Ruthanne Fuller  
Mayor

City of Newton, Massachusetts  
Office of the Mayor

**383-19**  
Telephone  
(617) 796-1100  
Fax  
(617) 796-1113  
TDD/TTY  
(617) 796-1089  
Email  
rfuller@newtonma.gov

October 30, 2019

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

Honorable City Councilors:

I respectfully submit a docket item to your Honorable Council requesting authorization to assess curb betterments in 2019 for a list of properties planned for curb construction by the Department of Public Works in a memo dated October 29, 2019 (attached). The curb betterments will be levied to the listed properties under the provisions of MGL Chapter 83, Sec. 26, and city ordinance Section 26-73 (c).

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller, Mayor

Cc: James McGonagle, DPW Commissioner

RECEIVED BY THE CLERK  
CITY OF NEWTON  
OCT 30 2019

2019 OCT 30 PM 4:42

MAILED  
OCT 30 2019




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

Ruthanne Fuller  
Mayor

October 29, 2019

To: Mayor Ruthanne Fuller  
Maureen Lemieux, Chief Financial Officer

From: James McGonagle, Commissioner of Public Works 

Subject: Request for Docket Item  
Assessment of Curb Betterments, Calendar Year 2019

The Department of Public Works (DPW) respectfully request the Honorable Mayor docket for consideration the assessment of curb betterments on the properties listed on the attached table. These curb betterments will be completed by DPW in calendar year 2019, using both in-house crews and construction contractors, and will be inspected by the Engineering Division who will confirm the work is complete. The formal request is as follows:

The Commissioner of Public Works is requesting approval of the assessment of the following mentioned curb betterments; said curb betterments to be graded and constructed, and assessments to be levied under the provisions of MGL Chapter 83, Sec. 26, and city ordinance Section 26-73 (c) authorizing the assessment of betterments for curb construction.

Thank you.

Attachment: 5 doc.

cc: Shawna Sullivan, DPW Chief of Staff  
Susan Dzikowski, Comptroller  
David Olsen, City Clerk  
Jack Cowell, DPW Budget and Finance  
Louis M. Taverna, P.E., City Engineer





CITY OF NEWTON  
DEPARTMENT OF PUBLIC WORKS

APPLICATION NO.:

# BETTERMENT APPLICATION

I hereby request that a proposal be provided to me for the cost of installing a sidewalk, driveway apron and/or curb to better the property I own at:

51 Devon Road

(Property Address)

(If a corner lot please specify which street frontage)

(Please check the appropriate box(es) below, indicating the type of work requested)

<u>ASPHALT</u>	<u>CEMENT CONCRETE</u>	<u>CURB</u>
Sidewalk <input type="checkbox"/>	Sidewalk <input checked="" type="checkbox"/>	Granite Curb (w/corners when req'd) <input checked="" type="checkbox"/>
Driveway Apron <input type="checkbox"/>	Driveway Apron <input type="checkbox"/>	Curb Removal for Drive opening <input type="checkbox"/>

Name: Alexandra Vozick Hans

Address: 51 Devon Road

Zip Code: 02459

Tel. No.: Home: 617-964-6388 Work 617-694-8067

Signature: Alexandra Vozick Hans Date: 8/12/2019

(Please read the reverse side of this form before signing)

(FOR OFFICIAL USE ONLY)

SEC	BLK	LOT
BK	PG	

## COST PROPOSAL

ITEMIZED COSTS (Note: Applied values are property owner's 50% share of the total cost)

55' straight granite curb  
2 corner stones

Property owner's share of the total cost is:

\$2,160.00

Please read carefully the terms and conditions of this proposal found on the reverse side of this form. If you decide to have the work done you must select your payment plan option below. Please note that all cost proposals of less than \$2000.00 must be pre-paid under option A.

### A) PRE-PAYMENT

Return this form to the Department of Public Works, together with a check in the full amount of the proposal made payable to the City of Newton. (Retain copy #2 for your files).

Enclosed is a check in the amount of \_\_\_\_\_, in full payment of the cost proposal specified above.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### B) BETTERMENT ASSESSMENT SUBJECT TO APPROVAL BY THE CITY COUNCIL

The undersigned property owner petitions that a betterment in the amount of \$2160.00 be assessed against the property for the installation of curb and/or sidewalk under M.G.L. c. 83, S26. The above betterment assessment shall bear interest at the statutory rate per annum. (M.G.L. c.80, S13.)

Signature: Alexandra Vozick Hans (Retain copy #2 for your files.)  
Date: 10/25/2019

(Name of the property owner must be exactly as it appears on the Assessor's records)



Betterments October 2019

David A. Kenney, III and Amy Roberts Kenney  
22 Agawam Road  
Book 1404, Page 100  
Cert# 249470  
SBL 42-06-04  
\$2,672.00

John W. Slokum and Shuchi S. Pandya  
100 Franklin Street  
Book 67606, Page 565  
SBL 72-35-09  
\$4,752.00

Eric Bosco and Elizabeth Bosco  
310 Waverley Avenue  
Book 56720, Page 437  
SBL 73-09-15  
\$3,824.00

Alexandra Vozick Thacher  
51 Devon Road  
Book 12966, Page 314  
SBL 51-03-12  
\$2,160.00

DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
OFFICE OF THE CITY ENGINEER  
1000 Commonwealth Avenue  
Newton Centre, MA 02459-1449



I hereby request that a proposal be provided to me for the cost of installing granite curbing to better the property I owner.

22 AGAWAM ROAD  
Property Address

\_\_\_\_\_ If a corner lot note both frontage and side streets

CURB Granite Curb (w/corners when required)  Curb removal for Driveway opening \_\_\_\_\_

Name: DAVID A. KENNEY III  
Address: 22 AGAWAM ROAD  
Phone: 617 512 7336 Work Ph: \_\_\_\_\_  
Zip Code: 02468 Date: 06/03/19  
Signature: David A Kenney III

(For Official Use Only)  
SEC  BLOCK  LOT   
BOOK  PAGE   
HISTORIC DISTRICT YES NO Circle one

**COST PROPOSAL**

ITEMIZED COSTS (Note: Applied values are property owners 50% share of the total cost)

71' straight granite curb  
2 corner stones

Property Owner's share of the total cost is: 12672.00

Please read carefully the terms and conditions of this proposal found on the reverse side of this form. If you decide to have the work done you must select your payment plan option below. Please note that all costs proposals of less than \$2,000.00 must be pre-paid under option A.

**OPTION A) PREPAYMENT**

Return this form to the Department of Public Works Engineering Division together with a check in the full amount of the proposal made payable to : City of Newton.

\*Enclosed is a check in the amount of \$ \_\_\_\_\_, in full payment of the cost proposal specified above.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**OPTION B) BETTERMENT ASSESSMENT (Subject to approval by the City Council)**

The undersigned property owner petitions that a betterment in the amount of \$ 2672.00 be assessed against the property for the installation of curbing under M.G.L. c.83, S26. The above betterment assessment shall bear interest at the statutory rate per annum. (M.G.L c80, S13)

Signature: David A Kenney III Date: 06/03/19

(Name of the property owner must be exactly as it appears on the Assessors records)

ENGINEERING COPY

SEP 19 19 13:03



DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
OFFICE OF THE CITY ENGINEER  
1000 Commonwealth Avenue  
Newton Centre, MA 02459-1449

I hereby request that a proposal be provided to me for the cost of installing granite curbing to better the property I owner.

100 Franklin St.  
Property Address

If a corner lot note both frontage and side streets

CURB Granite Curb (w/corners when required)  Curb removal for Driveway opening

Name: John Slocum  
Address: 100 Franklin St.  
Phone: 617 763 7563 Work Ph: \_\_\_\_\_  
Zip Code: 02458 Date: 8/3/19  
Signature: [Signature]

(For Official Use Only)  
SEC  BLOCK  LOT   
BOOK  PAGE   
HISTORIC DISTRICT YES NO Circle one

**COST PROPOSAL**

ITEMIZED COSTS (Note: Applied values are property owners 50% share of the total cost)

136' @ straight Granite Curb  
2 Corner Stones

Property Owner's share of the total cost is: \$4,752.00

Please read carefully the terms and conditions of this proposal found on the reverse side of this form. If you decide to have the work done you must select your payment plan option below. Please note that all costs proposals of less than \$2,000.00 must be pre-paid under option A.

**OPTION A) PREPAYMENT**

Return this form to the Department of Public Works Engineering Division together with a check in the full amount of the proposal made payable to : City of Newton.

\*Enclosed is a check in the amount of \$ \_\_\_\_\_, in full payment of the cost proposal specified above.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**OPTION B) BETTERMENT ASSESSMENT (Subject to approval by the City Council)**

The undersigned property owner petitions that a betterment in the amount of \$ 4752.00 be assessed against the property for the installation of curbing under M.G.L. c.83, S26. The above betterment assessment shall bear interest at the statutory rate per annum. (M.G.L c80, S13)

Signature: [Signature] Date: 8/3/19

(Name of the property owner must be exactly as it appears on the Assessors records)

ENGINEERING COPY



DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
OFFICE OF THE CITY ENGINEER  
1000 Commonwealth Avenue  
Newton Centre, MA 02459-1449



I hereby request that a proposal be provided to me for the cost of installing granite curbing to better the property I owner.

310 Waverley Ave  
Property Address

Waverley - Elliot Memorial  
If a corner lot note both frontage and side streets

CURB Granite Curb (w/corners when required) X Curb removal for Driveway opening     

Name: Eric + Elizabeth Bosco  
Address: 310 Waverley Avenue  
Phone: (617) 244-2782 Work Ph:       
Zip Code: 02458 Date: 9-21-2019  
Signature: [Signature]

(For Official Use Only)  
SEC  BLOCK  LOT   
BOOK  PAGE   
HISTORIC DISTRICT YES NO Circle one

**COST PROPOSAL**

ITEMIZED COSTS (Note: Applied values are property owners 50% share of the total cost)

107' straight granite curb  
2 corner stones

Property Owner's share of the total cost is: \$3,824.00

Please read carefully the terms and conditions of this proposal found on the reverse side of this form. If you decide to have the work done you must select your payment plan option below. Please note that all costs proposals of less than \$2,000.00 must be pre-paid under option A.

**OPTION A) PREPAYMENT**

Return this form to the Department of Public Works Engineering Division together with a check in the full amount of the proposal made payable to : City of Newton.

\*Enclosed is a check in the amount of \$ \_\_\_\_\_, in full payment of the cost proposal specified above.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**OPTION B) BETTERMENT ASSESSMENT (Subject to approval by the City Council)**

The undersigned property owner petitions that a betterment in the amount of \$ 3,824.00 be assessed against the property for the installation of curbing under M.G.L. c.83, S26. The above betterment assessment shall bear interest at the statutory rate per annum (M.G.L c80, S13)

Signature: [Signature] Date: 9-21-2019

(Name of the property owner must be exactly as it appears on the Assessors records)

ENGINEERING COPY

City of Newton



# DEPARTMENT OF PUBLIC WORKS

TRANSPORTATION DIVISION

110 Crafts Street  
Newton, MA 02460

Ruthanne Fuller  
Mayor

**DATE:** October 18, 2019

**TO:** Members of the Public Safety and Transportation Committee

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

**RE:** #336-19 Discussion and potential change to Senior Citizen’s Parking Sticker program

**CC:** Jayne Colino, Director, Senior Services

## MEMORANDUM

Sec. 19-198 of the Revised Ordinances of the City of Newton currently states the following:

Senior citizen sticker parking. (a) Metered parking in municipal lots shall be free to senior citizens who procure a sticker from the department of senior services and display the same on their motor vehicle; provided, however, that the time limit restriction at that particular metered location shall be obeyed. Newton senior citizens shall each be entitled to one such sticker annually for motor vehicles registered in Newton to them. Stickers shall be issued at a charge of one dollar annually by the department of senior services under such rules and regulations as the director of senior services shall promulgate with the approval of the city council. (b) For the purposes of this section, "senior citizen" shall mean any person sixty-five (65) years of age or older.

Staff suggests the following revision to the first sentence of the ordinance:

(a) Parking on Highland Avenue between Lowell Avenue and Bram Way shall be allowed and parking at metered parking spaces located within municipal parking lots with a one, two, or three-hour parking limit shall be free to senior citizens who procure a sticker from the department of senior services and display the same on their motor vehicle; provided, however, that the time limit restriction at that particular ~~metered~~ location shall be obeyed...



This revision is being requested so that Traffic Council will have the option at an upcoming meeting to continue to allow visitors to the Senior Center to park along Highland Avenue after the reconstructed Austin Street Municipal Parking Lot opens to the public.

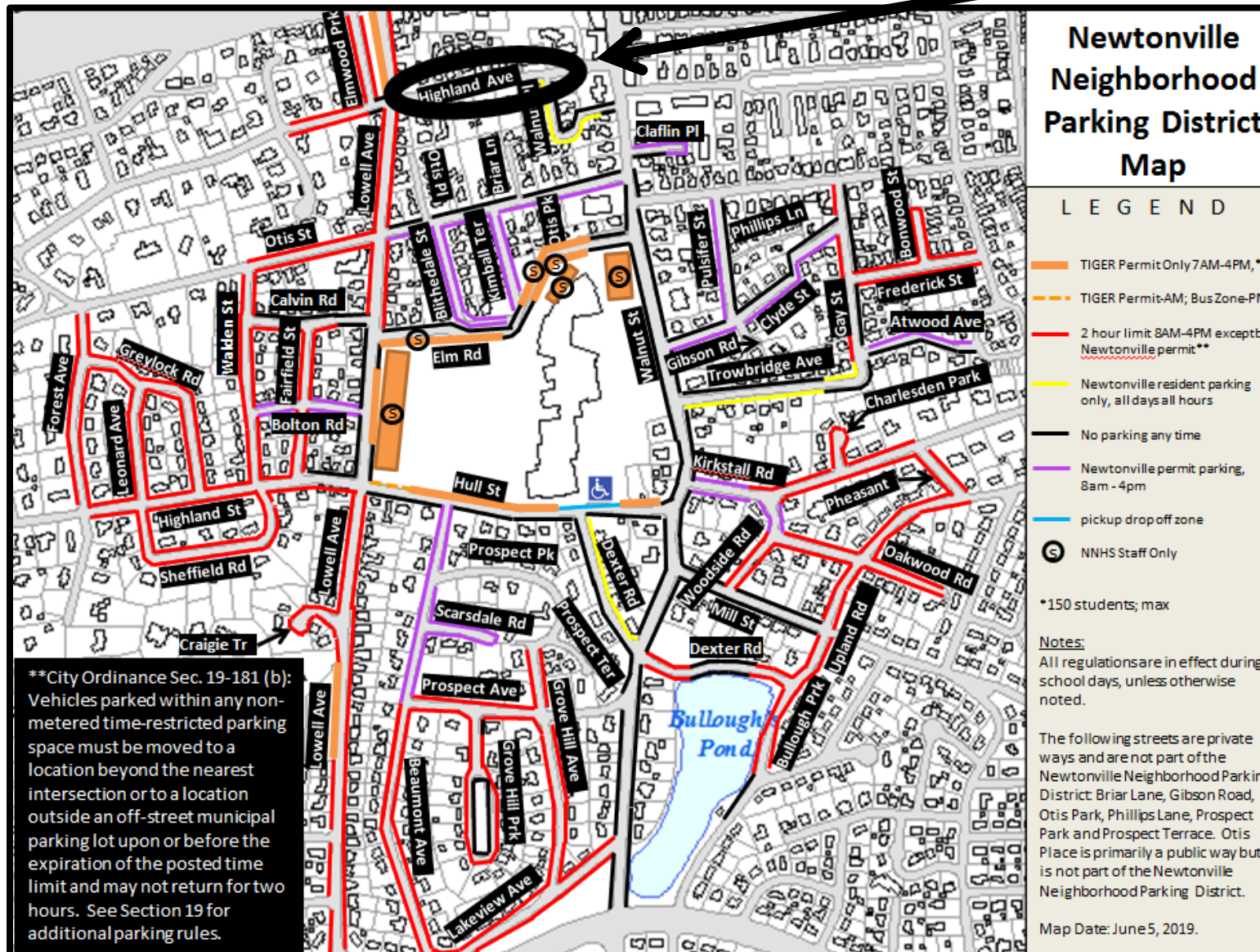
The following bullets describe some of the potential benefits associated with this change:

- Vehicles displaying a senior citizens parking sticker would have the option to continue to park along Highland Avenue, which for some seniors would be more conveniently located to the Senior Center than the Austin Street Parking Lot.
- Seniors visiting the Senior Center would be able to park on Highland Avenue for longer than the current three-hour time limit historically available within the Austin Street Parking Lot, without the need to move their vehicle before the time expires. This is especially important to volunteers, who currently sometimes receive an overtime parking ticket while working at the Senior Center in excess of three hours.
- Paid parking spaces located within the Austin Street Parking Lot would be less likely to be occupied by vehicles displaying senior stickers, and the overall supply of parking spaces available to the general public would increase.
- It is envisioned that Highland Avenue could be woven into the Newtonville Neighborhood Parking District. The current District is shown in Figure 1. The block of Highland Avenue between Lowell Avenue and Bram Way is not currently included in the Newtonville Neighborhood Parking District and has a one-hour parking limit (7am to 4pm, including Saturdays) in place. This section of Highland Avenue could potentially be added into the District and could be restricted entirely to vehicles displaying either a resident or a senior parking permit. This change would benefit residents of the street who would be entitled to a parking permit which would allow all-day parking on their street.
- The parking meters located on Highland Avenue between Bram Way and Walnut Street would not be changed, would remain metered parking spaces. The Senior Center staff could help to notify users of the Senior Center that Senior Parking Stickers are not valid in these on-street metered parking spaces.

One downside would be added complexity. Senior parking stickers would remain valid only in off-street metered parking lots, in one, two or three-hour spaces, with the only exception being the on-street parking spaces along the stretch of Highland Avenue between Lowell Avenue and Bram Way.

If this change were to create an unsafe or negative situation for motorists and/or residents of Highland Avenue, the parking regulations could be changed through the Newton Police Department and through the Traffic Council process. Of course, if a change were to occur to the location of the Senior Center, the parking regulations and characteristics of the Senior Parking Program would be changed, as appropriate.

Figure 1: Newtonville Neighborhood Parking District Map, highlighting Highland Avenue



City of Newton



## DEPARTMENT OF PUBLIC WORKS

TRANSPORTATION DIVISION

110 Crafts Street  
Newton, MA 02460

Ruthanne Fuller  
Mayor

**DATE:** October 23, 2019

**TO:** Members of the Public Safety and Transportation Committee

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

**RE:** #336-19 Discussion and potential change to Senior Citizen's Parking Sticker program

**CC:** Jayne Colino, Director, Senior Services

### MEMORANDUM

Sec. 19-198 of the Revised Ordinances of the City of Newton currently states the following:

Current Language

Sec. 19-198. Senior citizen sticker parking.

(a) Metered parking in municipal lots shall be free to senior citizens who procure a sticker from the department of senior services and display the same on their motor vehicle; provided, however, that the time limit restriction at that particular metered location shall be obeyed.

Newton senior citizens shall each be entitled to one such sticker annually for motor vehicles registered in Newton to them. Stickers shall be issued at a charge of one dollar annually by the department of senior services under such rules and regulations as the director of senior services shall promulgate with the approval of the city council.

(b) For the purposes of this section, "senior citizen" shall mean any person sixty-five (65) years of age or older.

Staff suggests the following revisions:

Proposed Language

Sec. 19-198. Senior citizen sticker parking.

(a) Parking on Highland Avenue between Lowell Avenue and Bram Way and metered parking spaces in municipal lots with a one, two, or three-hour parking limit shall be free to senior citizens who procure a sticker from the department of senior services and display the same on their motor vehicle; provided, however, that the time limit restriction at that particular location



shall be obeyed. Newton senior citizens shall each be entitled to one such sticker annually for motor vehicles registered in Newton to them. Stickers shall be issued at a charge of five dollar 5 annually by the department of senior services under such rules and regulations as the director of senior services shall promulgate with the approval of the city council.

(b) For the purposes of this section, "senior citizen" shall mean any person sixty-five (65) years of age or older.

Staff also suggests the following addition to Section 17:

Sec. 17-19. Fees to be paid to Senior Services Department

1) Senior citizen sticker parking Per Year (Sec. 19-198)..... \$5.00

## Excerpt From:



## Public Safety & Transportation Committee Report

### City of Newton In City Council

Wednesday, October 23, 2019

**#336-19**      **Discussion and potential change to Senior Citizen's Parking Sticker program**  
DAVID KOSES, TRANSPORTATION COORDINATOR requesting a discussion and potential change to the Senior Citizen's Parking Sticker program to allow the possibility for vehicles displaying a valid Senior Citizen's Parking Sticker to continue to park on Highland Avenue, between Lowell Avenue & Bram Way, thereby freeing up parking spaces within the Austin Street Parking Lot for other vehicles.

**ACTION:**      **Public Safety & Transportation Approved as Amended 5-0, Referred to Finance Committee**

**NOTE:**      David Koses, Transportation Coordinator and Jayne Colino, Director, Senior Services

joined the Committee for discussion on this item.

Mr. Koses provided Committee members with revised memorandum, attached to this report.

Mr. Koses stated that the Austin Street lot is complete. The proposed language is to request to continue to allow the possibility for vehicles displaying a valid senior citizen's parking sticker to continue to park on Highland Avenue, between Lowell Avenue and Bram Way and to allow parking at metered spaces in municipal lots with a one, two or three-hour parking limit. Ms. Colino added that senior citizen parking stickers are prohibited at six or twelve-hour meters.

Mr. Koses stated that the current City Ordinance states "...that stickers shall be issued at a charge of one dollar annually by the department of Senior Services...." For quite some time, stickers have been issued at a fee of \$3.00 per year, senior citizens renew their stickers every two years paying a total of \$6.00. Ms. Colino stated that she did not realize that there is a \$1.00 fee in the City Ordinances. Mr. Koses stated that the Transportation Division recommends increasing the sticker fee to \$5.00 per year, adding the fee to Chapter 17, revising the fee in Chapter 19, and to refer this item to the Finance Committee.



Ms. Colino stated that she would support the recommendation of a yearly fee of \$5.00 to purchase a senior citizen parking sticker.

Mr. Koses said that perhaps at a later Traffic Council meeting Highland Avenue may be added to the Newtonville Neighborhood Parking District Plan to allow longer parking than one-hour. This would be available to residents and senior citizens only. Parking would be available by Newtonville Resident parking permit only.

Committee members questions and suggestions:

Questions:

- It was asked if Austin Street parking lot was adequate for senior citizen parking? Mr. Koses answered that by allowing seniors to continue to park on Highland Avenue, between Lowell Avenue & Bram Way will free up parking spaces within the Austin Street lot for other vehicles. Senior citizen parking stickers are also valid in the municipal lots at one, two or three-hour metered parking spaces. A driver will receive a citation if parked longer than three hours.
- What effect does parking on Highland Avenue due to the businesses? Mr. Koses answered that Highland Avenue has a one-hour limit for residents and shoppers. Seniors with valid stickers may park for three hours. Ms. Colino stated that she has not heard any feedback from businesses on people parking on Highland Avenue.
- How many senior citizen parking stickers have been issued? Ms. Colino answered that since June 17, 2019 the Senior Center has sold 3,200 senior citizen parking stickers to any person sixty-five years of age or older. Stickers are issued in a two-year cycle.
- It was asked where the collection of fees is allocated? Ms. Colino answered that the collection of fees goes to the general fund of the City.
- A Councilor asked if utilization data was available on where and how often seniors are parking in the municipal lots?
- A Councilor asked Mr. Koses and/or Ms. Colino if they have heard any complaints from the Ward 2 Councilors? Ms. Colino answered that she did not. Mr. Koses answered that he heard of one complaint on the narrowness of Highland Avenue and when vehicles are parked on both sides travel is slow.

Suggestions:

- It was suggested to earmark the funds to the Senior Center for enhancements or for senior citizen transportation. Ms. Colino added that NewMO requires more management than anticipated.
- A Councilor proposed a yearly fee of \$10.00 to purchase a senior citizen parking sticker. Stating that the recommendation of \$5.00 is a small amount and supports the allocation of funds to be earmarked to the Senior Center. A Councilor agreed and stated that seniors would pay much more if a parking sticker was not available and had to pay to park at meters.
- Another Councilor proposed a yearly fee of \$25.00 to purchase a senior citizen parking sticker.

Council members took a straw vote on the proposed fee and all agreed to a \$10.00 per year fee for senior citizen parking stickers.

Chair Ciccone stated that an item would have to be docketed in order to allocate funds to the Senior Center.

Ms. Colino stated that she also would support a yearly fee of \$10.00 and that it makes sense for funds be earmarked for the Senior Center. Ms. Colino then requested that if approved, the fee be implemented in the next two-year cycle.

Without further discussion, Councilor Noel made a motion to approve as amended. A fee of \$10.00 will be added to Chapter 17 and the fee will be revised in Chapter 19 of the City Ordinances. This item will be referred to the Finance Committee for consideration. An item will be docketed in order to allocate funds to the Senior Center. Committee members agreed 5-0.



City of Newton, Massachusetts  
Office of the Mayor

RUTHANNE FULLER  
MAYOR

Telephone  
(617) 796-1100  
Telefax  
(617) 796-1113

TDD  
(617) 796-1089

E-mail  
[rfuller@newtonma.gov](mailto:rfuller@newtonma.gov)

October 28, 2019

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

Councilors:

I respectfully submit a docket item to your Honorable Council requesting authorization to transfer the sum of \$207,500 from the Reserve for Snow/Ice Removal Acct# 0110498-579400 to Acct # 0160253-524300 Forestry Tree Services to fund the costs of tree damage cleanup from the October 16, 2019 significant wind event.

Significant statistics of the storm include:

- Over 500 reported issues involving trees,
- At least 30 whole trees lost,
- Storm response peak staffing included 9 bucket trucks and 5 log loaders, and
- More than 2,000 cubic yards of debris.

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

Sincerely,

Ruthanne Fuller  
Mayor

2019 OCT 28 PM 2:58  
 Ruthanne Fuller  
 Mayor  
 Newton, MA 02459



RUTHANNE FULLER  
MAYOR

## NEWTON PARKS AND RECREATION DEPARTMENT

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

387-19



ROBERT J. DERUBEIS  
COMMISSIONER

October 24, 2019

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

Dear Mayor Fuller

I am writing to respectfully request that you docket with the Honorable City Council for consideration a request for \$207,500 for cleanup after a significant wind event beginning on October 16, 2019. These funds cover the emergency response, dangerous tree mitigation and debris disposal. Budget accounts that need to be replenished are in-house overtime of \$ 25,500 plus contractual services of \$182,000.

Thank you for your consideration in this matter.

Sincerely,

Robert J. DeRubeis  
Parks & Recreation Commissioner

CC: Jonathan Yeo, Chief Operating Officer  
Maureen Lemieux, Chief Financial Officer  
0160253 513010 \$ 25,500  
0160253 524300 \$ 182,000

# October 2019 Wind Event Summary and Cost Estimate

10/21/2019

On October 16th the City experienced a significant wind event. The wind event was one of our largest events in the last ten years. Below are the highlights.

- Over 500 reported issues involving trees
- At least 30 whole trees lost due to complete failure (many with compromised roots)
- Storm response peak staffing included 9 Bucket Trucks and 5 Log Loaders (In-house & Contractual)
- Over 2000 cubic yards of debris

## Emergency Response/ Clean-up, October 16th through November 1st

### Contract Services

Date	10/16	10/17	10/18	10/19	10/20	10/21	10/22	10/23	10/24	10/25	10/28	10/29	10/30	10/31	11/1
Crew Hrs	46	145	48	0	0	8	8	8	8	8	8	8	8	8	8

Total Contract Hours 10/16/19 - 11/1/19 -- 319

Total Contract Expenses 10/16/19 - 11/1/19 -- \$114,000

### In-House Overtime Expenses

Date	10/16	10/17	10/18	10/19
Staff Hrs	67	93.5	57.5	54

Total In-house Overtime Hours 10/16/19 - 11/1/19 -- 272

Total In-house Overtime Expenses 10/16/19 - 11/1/19 -- \$13,000

**Total Emergency Response/ Cleanup -- \$127,000**

## Dangerous Tree Mitigation

Post storm work required to address urgent tree removals and hanging branches due to damage caused by the storms. Also includes risk assessments of remaining trees.

Total Contract Crew Hours -- 280

Total Contract Expenses -- \$86,000

Total In-house Overtime Hours -- 110

Total In-house Overtime Expenses -- \$6,000

**Total Dangerous Tree Mitigation -- \$92,000**

## Storm Debris Disposal

Thousands of cubic yards of woody debris and wood chips are staged in our yard that requires removal and disposal from City property.

Total Contract Debris Disposal and Hauling Costs -- \$42,000

Total In-House Debris Hauling Costs -- \$6,500

**Total Storm Debris Disposal -- \$48,500**

Total Contractual Expenses -- \$242,000

Total In-House Overtime Expenses -- \$25,500

**Total October Storm Costs -- \$267,500**

Approximate Available Forestry Funds -- \$60,000

**Total Appropriation Needed -- \$207,500**





RUTHANNE FULLER  
MAYOR

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

**388-19**

Telephone  
(617) 796-1100

Telefax  
(617) 796-1113

TDD  
(617) 796-1089

E-mail  
[rfuller@newtonma.gov](mailto:rfuller@newtonma.gov)

October 28, 2019

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

Councilors:

I respectfully submit a docket item to your Honorable Council requesting authorization to transfer the sum of \$86,800 from Acct # 0110773-579500 Interest Temp Loans to a Capital Project Account under the Public Buildings Department for the purpose of funding the replacement of the leaking boiler at the Police Headquarters.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller  
Mayor

Stamp: Ruthanne A. Fuller, Mayor, Newton, MA 02459

Stamp: 2019 OCT 28 PM 3:00

Stamp: [Illegible]



---

**CITY OF NEWTON, MASSACHUSETTS**  
PUBLIC BUILDINGS DEPARTMENT  
52 ELLIOT STREET, NEWTON HIGHLANDS, MA 02461

---

Ruthanne Fuller, Mayor  
Josh Morse  
Building Commissioner

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

September 11, 2019

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

RE: Funding for Police Headquarters Boiler Replacement

Dear Mayor Fuller:

The Public Buildings Department respectfully requests \$86,800 to fund the replacement of the leaking boiler at the Police Headquarters..

Sincerely,

Josh Morse  
Public Buildings Commissioner

cc: Maureen Lemieux, Chief Financial Officer  
Alex Valcarce, Deputy Buildings Commissioner

9/11/19

**Police Headquarters – Boiler Replacement**

-	Replace boiler that is leaking and beyond its useful life	\$82,664 (BMS Quote)
-	Contingency	<u>\$ 4,136</u>
	<b>Sub Total</b>	<b>\$86,800</b>



RUTHANNE FULLER  
MAYOR

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

**389-19**

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October 28, 2019

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

Councilors:

I respectfully submit a docket item to your Honorable Council requesting authorization to accept, appropriate and expend the MassDEP Recycling Dividends grant funds in the amount of \$52,000 which will be used for the City's waste diversion efforts.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller  
Mayor

2019 OCT 28 PM 2:59  
Ruthanne Fuller  
Mayor

City of Newton



Ruthanne Fuller  
Mayor

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

October 21, 2019

To: Mayor Ruthanne Fuller  
Maureen Lemieux, CFO

From: Jim McGonagle

Dear Mayor Fuller,

I write to request that the Honorable Council docket for consideration a request to accept the MassDEP Recycling Dividends grant funds in the amount of \$52,000 which will be used for the City's waste diversion efforts. The grant funds will be used for grant eligible equipment to improve the City's recycling infrastructure, educational materials, and outreach activities.

Thank you for your consideration of this matter.

Sincerely,

Jim McGonagle  
Commissioner of Public Works

Jim McGonagle  
Commissioner

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





City of Newton, Massachusetts  
Office of the Mayor

RUTHANNE FULLER  
MAYOR

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(617) 796-1100

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(617) 796-1113

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(617) 796-1089

E-mail  
[rfuller@newtonma.gov](mailto:rfuller@newtonma.gov)

October 28, 2019

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

Councilors:

I respectfully submit a docket item to your Honorable Council requesting authorization to appropriate and expend the sum of \$88,000 from July 30, 2019 Certified Free Cash to purchase two trash compactors located at Rumford Ave.

The current two compacting units are not in compliance with safety standards. Further details are attached.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller  
Mayor

2019 OCT 28 PM 3:00  
Ruthanne Fuller  
Mayor

City of Newton



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

Ruthanne Fuller  
Mayor

To: Mayor Ruthanne Fuller  
Maureen Lemieux, CFO  
Jonathan Yeo, COO

From: Jim McGonagle

Subject: Trash Compactors for Rumford Ave

Date: 7/29/19

I write to request that the Honorable Council docket for consideration a request to authorize the appropriation of \$88,000 to purchase two trash compactors located at 115 Rumford Ave. These compactors are primarily used for waste picked up from public spaces by the Parks & Recreation Department and cleanouts by the Public Buildings Department. These two compacting units are not in compliance with safety standards as highlighted in the 2016 EH&S audit performed by Tighe & Bond. There is not a working safety barrier on either unit to prevent injury during operation. In addition, the units are at least 25 years old (according to Maguire Equipment, the company that maintains the units) and are requiring more frequent and expensive maintenance. Operational inefficiencies are severe when either unit is down for more than a day for servicing.

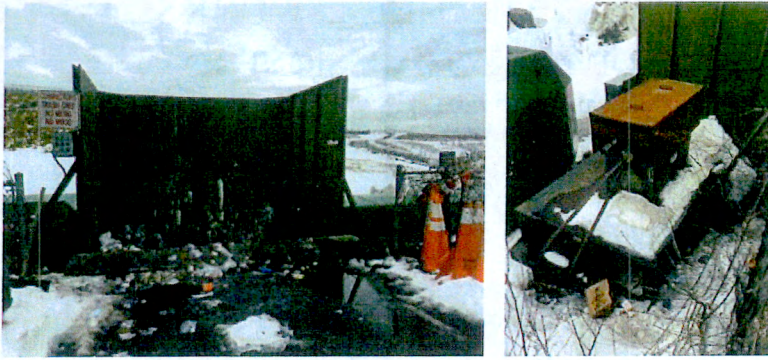
A verbal estimate from Waste Management for replacement cost of both units totaled \$60,000.

Below are photos of the compactors:



Compactor 1: observe broken/incomplete gate on front of compactor (left); motor area showing rust damage (right)

Jim McGonagle  
Commissioner



Compactor 2: missing gate at front of compactor (left); motor area shows rust damage and wear and tear from age (right)

Thank you for your consideration

Jim McGonagle  
Commissioner of Public Works

CITY OF NEWTON, MASSACHUSETTS  
PURCHASING DEPARTMENT  
COMPARISON OF BIDS

INVITATION #19-102  
Supply & Deliver and Install Two Rumford Ave Compactor Replacement

Bid Opening: June 20, 2019 - 10:30 AM  
Public Works - James McGonagle

Bidders	Maguire Equipment
Supply & Deliver and Install Two Rumford Ave Compactor Replacement - Price Per Each	\$44,873.50
Supply & Deliver and Install Two Rumford Ave Compactor Replacement - Price for Two	\$87,197.00

\_\_\_\_\_  
Award Recommended To:

\_\_\_\_\_  
*Chief Procurement Officer*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
Department Head

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mayor or her designee

\_\_\_\_\_  
Date



CITY OF NEWTON  
DEPARTMENT OF PURCHASING  
BID FORM #19-102

COPY

A. The undersigned proposes to supply and deliver the items listed below conforming to the Specification Sheets below in full accordance with the Contract Documents and Project Manual supplied by the City of Newton entitled:

**SUPPLY, DELIVER, AND INSTALL TWO RUMFORD AVENUE COMPACTOR REPLACEMENTS**

for the contract price(s) specified below, subject to additions and deduction according to the terms of the specifications.

B. This bid includes addenda number(s) \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.

C. The Bidder proposes to supply, deliver and install the following according to the Bid Requirements and Specification Sheet starting at p. 19 below at the following prices, FOB delivered to Newton, MA:

**SUPPLY, DELIVER, AND INSTALL TWO RUMFORD AVE COMPACTOR REPLACEMENTS**

PRICE FOR EACH COMPACTOR:

*Three 20/60 + 50/400*  
Fourty four thousand eight hundred seventy Dollars (\$ 44,873.50)

TOTAL CONTRACT PRICE FOR TWO (2) COMPACTORS:

*Eighty seven thousand one hundred ninety seven Dollars (\$ 87,197.00)*  
Eighty seven thousand one hundred ninety seven Dollars (\$ 87,197.00)

COMPANY: Magnific Equipment Inc

State Delivery Time (number of calendar days after receipt of order): 45-60 days

D. The undersigned has completed and submits herewith the following documents:

- Signed Bid Form, 2 pages
- Bidder's Qualifications and References Form, 2 pages
- Certificate of Non-Collusion, 1 page
- Certificate of Foreign Corporation, 1 page
- Debarment Letter, 1 page
- IRS Form W-9, 1 page
- Certification of Tax Compliance, 1 page
- Specification Sheet, 1 page

E. Prompt Payment Discounts. Bidders are encouraged to offer discounts in exchange for an expedited payment. Payments may be issued earlier than the general goal of within 30 days of receipt of the invoice only when in exchange for discounted prices. Discounts will not be considered in determining the lowest responsible bidder.



Prompt Payment Discount \_\_\_\_\_ % \_\_\_\_\_ Days  
 Prompt Payment Discount \_\_\_\_\_ % \_\_\_\_\_ Days  
 Prompt Payment Discount \_\_\_\_\_ % \_\_\_\_\_ Days

F. The undersigned agrees that, if selected as contractor, s/he will within five days, Saturdays, Sundays and legal holidays excluded, after presentation thereof by the City of Newton, execute a contract in accordance with the terms of this bid. The undersigned hereby certifies that s/he is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed on the work and that s/he will comply fully with all laws and regulations applicable to awards made subject to M.G.L. Chapter 30B. The successful bidder will be required to furnish a Performance Bond each in the amount of 100% of the contract total.

The undersigned further certifies under the penalties of perjury that this bid has been made and submitted in good faith and without collusion or fraud with any other person. As used in this section the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club or other organization, entity, or group of individuals. The undersigned further certifies under penalty of perjury that the said undersigned is not presently debarred from public contracting or subcontracting in the Commonwealth under the provisions of M.G.L. Chapter 29, Section 29F or any other applicable debarment provisions of any other chapter of the General Laws or any rule or regulation promulgated thereunder.

G. Environmentally preferable products information (which is requested but which will not be considered in awarding a contract):

Description of environmental attributes of Bidder's goods or services:

Steps taken to (a) identify any positive or negative environmental attributes of products or services and (b) insure that those attributes are being addressed as part of operations:

Date 6/19/19

Maguire Equipment Inc  
 (Name of Bidder)

BY: Thomas Maguire  
 (Printed Name and Title of Signatory)

Thomas Maguire Vice-President  
 (Printed Name and Title of Signatory)

18 Wolcott Street  
 (Business Address)

Dyle Park, MA 02136  
 (City, State Zip)

617-364-4930 / 617-364-7014  
 (Telephone & FAX)

maguirequip1@aol.com  
 (E-mail address)

NOTE: If the bidder is a corporation, indicate state of incorporation under signature, and affix corporate seal; if a partnership, give full names and residential addresses of all partners; if an individual, give residential address if different from business address; and, if operating as a d/b/a give full legal identity. Attach additional pages as necessary.

END OF SECTION

CITY OF NEWTON

BIDDER'S QUALIFICATIONS AND REFERENCES FORM

All questions must be answered, and the data given must be clear and comprehensive. Please type or print legibly. If necessary, add additional sheet for starred items. This information will be utilized by the City for purposes of determining bidder responsiveness and responsibility with regard to the requirements and specifications of the Contract.

- 1. FIRM NAME: Magnus Equipment Inc
- 2. WHEN ORGANIZED: 1970
- 3. INCORPORATED?  YES  NO DATE AND STATE OF INCORPORATION: \_\_\_\_\_
- 4. IS YOUR BUSINESS A MBE?  YES  NO WBE?  YES  NO or MWBE?  YES  NO

- \* 5. LIST ALL CONTRACTS CURRENTLY ON HAND, SHOWING CONTRACT AMOUNT AND ANTICIPATED DATE OF COMPLETION:
  - Camparalli - Rabbrook - Plymouth - \$33,000.00 7/19
  - Gradient - Weymouth, MA - \$40,200.00 - 6/19
  - Hiram (H) New Transfer - Gummerus 2, NY \$133,600.00 7/19
  - Town of Russell, MA - Russell, MA 36,000.00 7/19
  - Gardner - Hyde Park, MA - \$48,000.00 - 8/19

- \* 6. HAVE YOU EVER FAILED TO COMPLETE A CONTRACT AWARDED TO YOU?
  - YES  NO
  - IF YES, WHERE AND WHY?
  - \_\_\_\_\_
  - \_\_\_\_\_

- \* 7. HAVE YOU EVER DEFAULTED ON A CONTRACT?  YES  NO
  - IF YES, PROVIDE DETAILS.
  - \_\_\_\_\_
  - \_\_\_\_\_

- \* 8. LIST YOUR VEHICLES/EQUIPMENT AVAILABLE FOR THIS CONTRACT:
  - (5) Ford F-350 service truck
  - (2) Dump trucks
  - (1) Roll-off truck
  - (3) Fork lifts

- \* 9. IN THE SPACES FOLLOWING, PROVIDE INFORMATION REGARDING CONTRACTS COMPLETED BY YOUR FIRM SIMILAR IN NATURE TO THE PROJECT BEING BID. A MINIMUM OF FOUR (4) CONTRACTS SHALL BE LISTED. PUBLICLY BID CONTRACTS ARE PREFERRED, BUT NOT MANDATORY.

PROJECT NAME: Transfer Station Compactor  
 OWNER: Town of Plymouth  
 CITY/STATE: Plymouth, MA



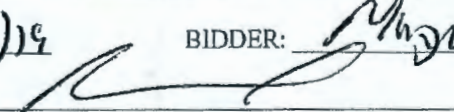
DOLLAR AMOUNT: \$ 228,500.00 DATE COMPLETED: 4/13  
 PUBLICLY BID?  YES  NO  
 TYPE OF WORK?: Computer Install  
 CONTACT PERSON: Brian Woodhull TELEPHONE #: (401) 683-6362  
 CONTACT PERSON'S RELATION TO PROJECT?: Project manager  
 (i.e., contract manager, purchasing agent, etc.)

PROJECT NAME: Computer Install  
 OWNER: Burlington Town 02  
 CITY/STATE: Burlington MA  
 DOLLAR AMOUNT: \$ 18,105.00 DATE COMPLETED: 12/18  
 PUBLICLY BID?  YES  NO  
 TYPE OF WORK?: Computer install  
 CONTACT PERSON: Jim Amara TELEPHONE #: (413) 625-6330  
 CONTACT PERSON'S RELATION TO PROJECT?: Contract manager  
 (i.e., contract manager, purchasing agent, etc.)

PROJECT NAME: Halifax Transfer  
 OWNER: Town of Halifax  
 CITY/STATE: Halifax, MA  
 DOLLAR AMOUNT: \$ 17,235.00 DATE COMPLETED: 12/18  
 PUBLICLY BID?  YES  NO  
 TYPE OF WORK?: Computer install  
 CONTACT PERSON: Jane Johnson TELEPHONE #: (781) 293-1732  
 CONTACT PERSON'S RELATION TO PROJECT?: Routing workstation  
 (i.e., contract manager, purchasing agent, etc.)

PROJECT NAME: Huntington Transfer  
 OWNER: Town of Huntington  
 CITY/STATE: Huntington, MA  
 DOLLAR AMOUNT: \$ 17,300.00 DATE COMPLETED: 2/19  
 PUBLICLY BID?  YES  NO  
 TYPE OF WORK?: Computer install  
 CONTACT PERSON: George Pedroni TELEPHONE #: (413) 627-3518  
 CONTACT PERSON'S RELATION TO PROJECT?: Town Board  
 (i.e., contract manager, purchasing agent, etc.)

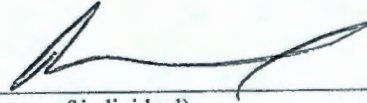
10. The undersigned certifies that the information contained herein is complete and accurate and hereby authorizes and requests any person, firm, or corporation to furnish any information requested by the City in verification of the recitals comprising this statement of Bidder's qualifications and experience.

DATE: 6/19/19 BIDDER: Magnum Equipment Inc  
 SIGNATURE:   
 PRINTED NAME: Thomas Maguire TITLE: Vice-President

END OF SECTION

CERTIFICATE OF NON-COLLUSION

The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee club, or other organization, entity, or group or individuals.



(Signature of individual)

*Margaret Equipment Inc*

Name of Business

CERTIFICATE OF FOREIGN CORPORATION

The undersigned hereby certifies that it has been duly established, organized, or chartered as a corporation under the laws of:

Massachusetts  
(Jurisdiction)

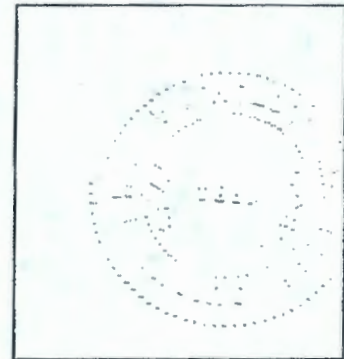
The undersigned further certifies that it has complied with the requirements of M.G.L. c. 30, §39L (if applicable) and with the requirements of M.G.L. c. 156D, §15.03 relative to the registration and operation of foreign corporations within the Commonwealth of Massachusetts.

Thomas Maguire  
Name of person signing proposal

[Signature]  
Signature of person signing proposal

Maguire Equipment Inc  
Name of Business (Please Print or Type)

*Affix Corporate Seal here*





City of Newton



Purchasing Department  
Nicholas Read @ Chief Procurement Officer  
1000 Commonwealth Avenue  
Newton Centre, MA 02459-1449  
purchasing@newtonma.gov

Telephone  
(617) 796-1220  
Fax:  
(617) 796-1227  
TDD/TTY  
(617) 796-1089

Mayor  
Ruthanne Fuller

Date

Vendor

Re: Debarment Letter for Invitation For Bid #19-102

As a potential vendor on the above contract, the City requires that you provide a debarment/suspension certification indicating that you are in compliance with the below Federal Executive Order. Certification can be done by completing and signing this form.

**Debarment:**

Federal Executive Order (E.O.) 12549 "Debarment and Suspension" requires that all contractors receiving individual awards, using federal funds, and all sub-recipients certify that the organization and its principals are not debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency from doing business with the Federal Government.

I hereby certify under pains and penalties of perjury that neither I nor any principal(s) of the Company identified below is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

Thomas Maguire  
Maguire Equipment Co. (Name)  
\_\_\_\_\_  
(Company)  
13 Woburn St (Address)  
Bedford Park, MA 01336 (Address)  
PHONE 617-324-4934 FAX 617-364-2014  
EMAIL magequip2@aol.com  
[Signature] Signature  
6/19/19 Date

If you have questions, please contact Nicholas Read, Chief Procurement Officer at (617) 796-1220.

CERTIFICATION OF TAX COMPLIANCE

Pursuant to M.G.L. c.62C, §49A and requirements of the City, the undersigned acting on behalf of the Contractor certifies under the penalties of perjury that the Contractor is in compliance with all laws of the Commonwealth relating to taxes including payment of all local taxes, fees, assessments, betterments and any other local or municipal charges (unless the Contractor has a pending abatement application or has entered into a payment agreement with the entity to which such charges were owed), reporting of employees and contractors, and withholding and remitting child support.\*

\*\*Signature of Individual (Mandatory)

04-2826602  
\*\*\* Contractor's Social Security Number (Voluntary) or Federal Identification Number

Print Name: \_\_\_\_\_

Date: 6/19/19

OR

Magnus Equipment Inc  
Company Name  
(Corporation, Partnership, LLC, etc.)

By: [Signature]  
\*\*Corporate Officer (Mandatory)

Print Name: Thomas Magnus

Date: 6/19/19

- \* The provision in this Certification relating to child support applies only when the Contractor is an individual.
- \*\* Approval of a contract or other agreement will not be granted until the City receives a signed copy of this Certification.
- \*\*\* Your social security number may be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Providers who fail to correct their non-filing or delinquency will not have a contract or other agreement issued, renewed, or extended.



CITY OF NEWTON

DEPARTMENT OF PUBLIC WORKS

SUPPLY, DELIVER, AND INSTALL TWO RUMFORD AVENUE COMPACTOR REPLACEMENTS

BID REQUIREMENTS AND SPECIFICATION SHEET

BIDDER QUALITY REQUIREMENTS

Bidders must have supplied and/or installed stationary waste compactor equipment such as described herein for a minimum of five years.

Replacement parts and service must be available within a 110 mile distance from the City of Newton, Massachusetts.

BID SUBMISSION REQUIREMENTS

Two sets of literature from the manufacturer describing the specifications of the equipment to be provided under this bid.

A full statement as to the length of warranties, future upgrades and support of all equipment purchased under this bid.

SPECIFICATIONS

Unless otherwise stated, the use of manufacturer's name and product numbers are for descriptive purposes and establishing general quality levels only. They are not intended to be restrictive. Bidders are required to state exactly what they intend to furnish, otherwise, it is fully understood that they shall furnish all items stated. Bids will be accepted on any make or model that is equal or superior to the technical specifications listed below. Decisions of equivalency will be at the sole interpretation of the City of Newton. A blanket statement that equipment proposed will meet all requirements will not be sufficient to establish equivalence.

Bids shall be accompanied by descriptive literature (marked), indicating the exact item to be furnished. The term "as specified" will not be acceptable.

Stationary Waste Compactor Specifications. A bid will be deemed responsive only if, with respect to the compactors submitted, the bidder answers all the following questions in the affirmative:

	Compliant
1. 2019 (or newer, if available) stationary waste compactor units that are designed for outdoor placement, including applicable weatherproof panels, gaskets, etc.	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
2. Compatible with standard 30yd roll off container. <i>- compactor container</i>	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
3. Compactor unit is designed/intended for transfer station use for the collection of municipal solid waste.	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
4. Existing hoppers at the Rumford Avenue site are functional and stable. Safety gates with interlock mechanism to be installed on existing hoppers.	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
5. Charge box capacity of 5.5 cubic yards.	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

6. Compactor units, including control panels, as installed must adhere to all applicable federal, state, and local safety standards, including, but not limited to OSHA regulations, UL standards, and ANSI standards.	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
7. Indicator for fullness of container.	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

### Bid Items

The City shall pay the awarded vendor(s) for supplies provided and services rendered under this IFB in accordance with the amount set forth in the Contractor's Bid Form #19-102. Payment shall be made at the respective contract unit prices. No separate payment shall be made for any labor, equipment, and materials incidental to work of this contract.

**END OF SECTION**



City of Newton, Massachusetts  
Office of the Mayor

RUTHANNE FULLER  
MAYOR

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October 30, 2019

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

Councilors:

I respectfully submit a docket item to your Honorable Council requesting authorization to revise ordinances pertaining to solid waste and recycling definitions, management of bulky waste items, management of whitegoods, and management of residential moveouts and cleanouts. This includes Chapter 11 of Newton City Ordinances, Sections: 11-1, 11-14, 11-15, and 11-16.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller  
Mayor

2019 OCT 30 PM 3:36  
Ruthanne Fuller  
Newton, MA 02459



City of Newton



## DEPARTMENT OF PUBLIC WORKS

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

Ruthanne Fuller

Mayor

November 6, 2019

### *Proposed Changes to Bulky Waste Collection Policy*

**Newton DPW recommends that the City convert to a user-financed program for bulky waste items and charges \$25 per item.**

- This change will save \$140,000 per year from the WM contract and \$75,000 per year from trash tonnage disposal.

#### Goals of Changing the Current Bulky Waste Policy:

- 1) Reduce hauling costs to the City, especially due to the other cost increases in waste hauling service
- 2) Reduce tonnage costs to the City by reducing the number of bulky items collected with WM hauling service
- 3) Encourage residents to find reuse outlets before using the bulky item collection service

#### Current Program:

- Up to 5 bulky items per household per week are allowable at no out-of-pocket cost
- Residents must make an appointment by 3:30pm one business day before their collection day

#### Proposed Program:

- Per item cost of \$25, no limit on number of items
- Residents must make an appointment by 3:30pm one business day before their collection day

#### Bulky Item Collection Data Analysis Highlights:

- Data from CY2014-2018 was analyzed
- Bulky items make up 5-7% of Newton's waste stream
  - Average annual tonnage cost for bulky items from CY2014-2018 was over \$75,000
- 57% of households served by the City's waste collection program made at least 1 bulky item pickup request during this time
- 18% of total requests during this period were from the 2% of households that averaged over 3 bulky item pickup requests per year
- 33% of total requests during this period were from 5% of households that averaged over 2 bulky item pickup requests per year
- 4 nearby/comparable municipalities charge a fee for bulky item pickups: Framingham, Lowell, Winchester, Milton
  - Fees range from \$3-\$30 per item in these communities

City of Newton



## DEPARTMENT OF PUBLIC WORKS

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

Ruthanne Fuller

Mayor

November 6, 2019

### *Recommended Changes to White Goods Collection Policy*

**Newton DPW recommends that the City modify the White Goods Pickup policy. The proposed per item fee for curbside collection is \$25 per item. All white goods items are accepted via drop-off at no cost to the resident except televisions and computer monitors. The proposed drop-off fee for televisions and monitors is \$25 per item.**

#### Goals of Changing the Current White Goods Pickup Policy:

- 1) Alleviate operational burden of curbside collection from city staff and equipment
- 2) Reduce hauling costs to the City
- 3) Encourage residents to find reuse outlets or drop off items before using the white goods curbside collection service

#### Current White Goods Collection Program:

- Fees to resident
  - \$25 for a pickup of unlimited scrap metal/appliances with a limit of 1 TV
  - TV/monitor cost is \$25 for 1 and \$18 for each additional TV/monitor in same transaction
- Residents must make an appointment. Appointments received by 4:30pm on Friday are picked up the following Wednesday.
- Collection is performed by DPW staff
  - Collected materials are taken to the Resource Recovery Center

#### Proposed White Goods Collection Program:

- Fees to resident:
  - Curbside pickup: \$25 per item
  - Drop-off: \$25 per TV/monitor; all other items no cost (appliances, scrap metal, air conditioners, etc.)
- Residents must make an appointment. Appointments received by 4:30pm on Friday are picked up the following week on a day to be determined.
- Collection is performed by Waste Management
  - Collected materials are taken to the Resource Recovery Center

#### Whitegoods Pickup Data Analysis Highlights:

- DPW took over collection after previous contractor went out of business
- DPW operation began 1/29/16
- 5062 requests for collection
- 4044 unique households (14% of hh served)
- 968 requests where nothing was found at the curb (19% of all requests)

## Chapter 11

## RECYCLING AND TRASH\*

Art. I. In General, §§ 11-1—11-33

Art. II. Public Landfills and Recycling Depots, §§ 11-34—11-36

ARTICLE I.  
IN GENERAL

## Sec. 11-1. Definitions.

For the purposes of this chapter the following words and phrases shall have the meanings respectively ascribed to them in this section:

*Bulky waste items:* Bulky waste items are large items that are burnable, such as discarded or broken furniture, large toys, mattresses, rugs, and other large or unwieldy refuse that cannot be placed in the assigned receptacle. Hard plastic and metal items are not bulky items.

~~*Clean and uncontaminated paper:* Paper that has not been exposed to foreign substance or substances, or conditions rendering it unusable for recycling.~~

~~*Commercial rubbish:* Any refuse and recyclable materials generated by the use of property for non-residential purposes, including, but not limited to, hotels, motels, institutions, offices, businesses and industry. The term "institution" includes, but is not limited to, hospitals, schools, and educational and benevolent organizations.~~

*Construction Material:* Items from building construction, deconstruction, renovations, repairs, etc. This is not considered residential trash and will not be collected by the city.

*Garbage:* Putrescible waste matter, animal or vegetable, from tables, kitchens, markets and stores. Also known as organics.

*Non-profit rubbish:* Any ~~refuse-trash~~ and recyclable materials generated by the use of property for residential and non-residential non-profit institutions. The term "institution" includes, religious, and charitable organizations that do not pay city real estate tax.

*Recyclable materials:* ~~Clean and uncontaminated-~~ Printed paper; cardboard and paperboard; glass; rigid plastic containers; eans; aluminum containers; leaf and yard wastes; ~~plasties;-scrap~~ metals and other such materials as set forth by the Department of Environmental Protection of the Commonwealth of Massachusetts or as the commissioner of public works may determine.

~~*Refuse:* Generally refers to common household waste, as well as office and retail wastes, but excludes recyclable materials, industrial, hazardous, and construction wastes. Also known as trash. All non-putrescible household solid wastes except those which constitute recyclable materials as defined herein.~~

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\***Editor's note:** Ordinance T-92, adopted June 18, 1990, changed the title of this chapter from "Garbage, Trash and Refuse" to "Recycling and Trash".

**Cross references**—Health and human services, Ch. 12; secondhand and junk dealers, Ch. 20, Art. VI

*Leaf and yard wastes:* Leaves, grass clippings, wood chips, shrub trimmings, plant cuttings and other materials as set forth by the Department of Environmental Protection of the Commonwealth of Massachusetts or as the commissioner of public works may determine.

*Moveouts and cleanouts:* Large amounts of bulky waste that may also include excess trash and whitegoods that resulting from turnover of a residential property, which most commonly occurs from rental property turnover, residential downsizing, and estate management.

*Organics:* Putrescible waste matter (animal or vegetable) and compostable paper from tables, kitchens, markets and stores. Also known as garbage.

*Packaging:* Recyclable materials that consist of primarily of food and consumer goods packaging, including cardboard boxes, paperboard boxes (i.e., cereal boxes, tissue boxes, etc.) and rigid containers (i.e., bottles, cans, jars, jugs, tubs) made of glass, plastic, and metal.

*Packaging and printed paper:* The recyclable material stream that is able to be collected in a curbside collection program and mixed together in the collection truck instead of being sorted into separate commodities by the generator; includes printed paper, cardboard, paperboard and rigid containers made of plastic, glass, and metal.

~~*Plastics:* High density polyethylene (HDPE) and polyethylene terephthalate (PET) plastics and other plastics as the commissioner of public works may determine.~~

*Plastic containers:* Rigid bottles, cans jars, jugs, tubs, made of high density polyethylene (HDPE) and polyethylene terephthalate (PET) plastics and other plastic resins as the commissioner of public works may determine; excludes flexible plastic film (i.e., shipping air pillow), plastic bags (i.e. plastic shopping bags, bags packaged around new durable goods, etc.), and plastic wrap (i.e., cellophane, case wrap, paper towel wrap).

*Printed Paper:* Paper that has not been exposed to foreign substance or substances, or conditions rendering it unusable for recycling; includes, but is not limited to, office paper, documents, magazines, newspaper, junk mail and other paper as the commissioner of public works may determine.

*Recycling depot:* A site designated on a permanent or temporary basis for drop-off and collection of certain recyclable materials.

*Receptacle:* Any container that the commissioner of public works may determine to be acceptable to utilize for the collection of trash and / or recyclable materials and or any other material that the commissioner of public works may determine.

*Trash:* Generally refers to common household waste, as well as office and retail wastes, but excludes recyclable materials, industrial, hazardous, and construction wastes. Also known as refuse.  
~~All trash, including, garbage and refuse from residential premises which receive municipal trash disposal services. Sometimes also called "rubbish" or "residential rubbish."~~

*Single Stream Recycling:* Also known as fully commingled recycling, refers to a system in which all paper materials and co-mingled containers are mixed together in a collection truck, instead of being sorted into separate commodities (newspaper, cardboard, plastic, glass, etc.) by the resident and handled separately throughout the collection process.

*Waste Bans:* Materials as listed under the Commonwealth of Massachusetts Regulation 310 CMR 19.017: Waste Disposal Ban Regulation. All items as listed will either not be collected or collected as a special collection per the commissioner of public works.

*White goods:* Large household appliances such as washing machines, clothes dryers, refrigerators, stoves, and the like, formerly finished with white enamel but now often with varied finishes, as well as electronic devices such as televisions and computers.<sup>22</sup>

(Rev. Ords. 1973, § 8-34; Ord. No. 11, 8-15-74; Ord. No. R-56, 3-17-80; Ord. No. R-105, 12-15-80; Ord. No. S-1, 7-11-83; Ord. No. T-92, 6-18-90; Ord. No. Z-68, 06-21-10; Ord. No. Z-87, 05-16-11; Ord. No. A-62, 08-10-15)

**Cross reference**—Rules of construction and definitions generally, § 1-3

**Sec. 11-2. Department of public works—To have charge of removal, processing and disposal.**

The department of public works, or its contractor, shall remove and process or dispose of all refuse, recyclable materials and garbage from residential premises, except those residential premises which are required pursuant to special permit or other zoning requirements to make their own private arrangements therefor, which are properly placed in accordance with the requirements of this chapter. (Rev. Ords. 1973, § 8-35; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. S-1, 7-11-83; Ord. No. T-92, 6-18-90; Ord. No. Z-68, 06-21-10)

**Sec. 11-3. Same—Employees, contractors and agents not to enter premises to remove; exception.**

Employees, contractors and agents of the department of public works shall not enter upon private property to remove, garbage, refuse or recyclable materials, except when and where directed by the commissioner of public works or his duly authorized agent. (Rev. Ords. 1973, § 8-36; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. T-92, 6-18-90; Ord. No. Z-68, 06-21-10)

**Sec. 11-4. Reserved.**

**Sec. 11-5. Trash, Garbage—Permit required to transport; recycling services required.**

All persons transporting trash or garbage through the public ways of the city from places within or to destinations within the city shall first obtain from the health department a permit therefor. All persons offering these services are required to offer full recycling services to all places where such collection of trash or garbage occurs within the city. All persons shall show evidence of such recycling plan of services, which plan must be approved by the commissioner of public works or his/her designee and recommended to the commissioner of health and human services at the time of the annual permit request. All such permits shall expire at the end of the calendar year in which they are issued. No permit may be transferred without approval of the health and human services department. (Rev. Ords. 1973, § 8-38(a); Ord. No. 59, 2-20-75; Ord. No. S-1, 7-11-83; Ord. No. X-175, 05-26-05; Ord. No. Z-68, 06-21-10; Ord. No. A-14, 03-18-13)

**Cross reference**—Licensing and permits generally, Ch. 17; G.L. c. 111 sec. 31A.

**Sec. 11-6. Collection, processing, and disposal of non-profit rubbish for a fee.**

Non-profit rubbish from religious and charitable organizations may be set out for collection for a fee that reflects the total cost of removal and disposal as determined by the commissioner of public works or his/her duly authorized agent. All non-profit rubbish shall be placed for collection in accordance with this chapter. All non-profit rubbish collected by the city under this section shall comply with all requirements of this chapter. (Ord. No. Z-68, 06-21-10)

**Sec. 11-7. How trash to be placed for collection; weight of receptacles.**

(a) The city shall provide, or cause to be provided, one receptacle to each residential premises which receives municipal rubbish disposal services. The receptacle size shall be determined by the commissioner of public works. The receptacle shall be owned by the city. The residents of each such premises shall:



- (1) take proper care to protect such receptacle from misuse, loss, and damage as the city may require the resident to pay for any replacement receptacle due to such misuse, loss and/or damage; and
- (2) return such receptacle to the city, or its contractor, upon request of the commissioner of public works; and
- (3) in the event that they vacate the premises, shall leave such receptacle with the premises for use by the subsequent residents or if taken the city may require payment for such receptacle; and
- (4) not remove the assigned receptacle from the premises unless granted permission by the commissioner of public works; and
- (5) not be in possession of any receptacle not assigned to his or her premises.

(b) If additional receptacles are required, additional receptacles shall be provided at the request of the homeowner at an annual charge established by the commissioner of public works. Only city authorized receptacles will be accepted for collection.

(c) Residents may also purchase trash bags, designated by the city for the sole purpose of trash collection, at a cost per bag established by the commissioner of public works. Only city authorized bags will be accepted for collection. Bags shall not exceed fifty (50) pounds in weight.

(d) All material set out for collection must be in the city supplied receptacle, additional city supplied receptacle, as requested, or designated bags. Loose material will not be collected. All material put out must fit within the receptacle provided so that the receptacle lid remains closed.

(e) Receptacles and designated bags shall be placed for collection in a manner and on days of the week as designated by the commissioner of public works or his/her designee which does not obstruct vehicular and / or pedestrian passage. All receptacles must be placed so that they are easily accessible for collection by the city, and/or in such a place as the commissioner of public works, or his/her duly authorized agent, may designate or permit.

(f) The commissioner of public works may determine if a multiple residential site (apartment building, condominium units, townhouses, etc.) currently being collected from will require a dumpster. The commissioner will determine the size and location of the dumpster. Multiple unit locations will abide by the same standards as for collection in single residential sites.

(g) No person except those individuals and companies authorized by the commissioner of public works shall collect or pick up or cause to be collected or picked up, trash which has been placed for collection pursuant to Section 11-7. (Ord. No. Z-68, 06-21-10; Ord. No. A-14, 03-18-13; Ord. No. A-62, 08-10-15)  
**Cross reference** – general fines, §17-21; civil fines, §17-23

#### **Sec. 11-8. How recyclable materials to be placed for collection.**

(a) The city shall provide, or cause to be provided, one recycling receptacle to each residential premises which receives municipal rubbish disposal services. The receptacle size shall be determined by the commissioner of public works. Only city authorized receptacles will be accepted for collection. The residents of each such premises shall:

- (1) take proper care to protect such recycling container from misuse, loss and damage as the city may require the resident to pay for any replacement carts due to such misuse, loss and/or damage; and
- (2) return such recycling container to the city, or its contractor, upon request of the commissioner of public

works; and

- (3) in the event that they vacate the premises, shall leave such recycling container with the premises for use by the subsequent residents or if taken the city may require payment for such cart; and
- (4) not remove the assigned receptacle from the premises unless granted permission by the commissioner of public works; and
- (5) not be in possession of any receptacle not assigned to his or her premises.

(b) If additional receptacles are required, additional receptacles shall be provided at the request of the homeowner at an annual charge established by the commissioner of public works. Only city authorized receptacles will be accepted for collection.

(c) Recyclable materials are to be set out in containers as directed by the rules and regulations of the commissioner of public works.

(d) Leaf and yard waste is to be set out in containers as directed by rules and regulations of the commissioner of public works.

(e) All recyclable material set out for collection must be in the city supplied receptacle. Loose material will not be collected. All material put out must fit within the receptacle provided so that the receptacle lid remains closed.

(f) Receptacles shall be placed for collection in a manner and on days of the week as designated by the commissioner of public works or his/her designee which does not obstruct vehicular and / or pedestrian passage. All receptacles must be placed so that they are easily accessible for collection by the city, and/or in such a place as the commissioner of public works, or his/her duly authorized agent, may designate or permit.

(g) The commissioner of public works may determine if a multiple residential site (apartment building, condo units, townhouses, etc.) currently being collected from will require a dumpster for single stream recycling. The city will determine the size and location of the dumpster. Multiple unit locations will abide by the same standards as for collection in single residential sites.

(h) No person except those individuals and companies authorized by the commissioner of public works shall collect or pick up or cause to be collected or picked up, recyclable materials which have been placed for collection pursuant to Section 11-8. (Rev. Ords. 1973, § 8-42; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. R-105, 12-15-80; Ord. No. T-92, 6-18-90; Ord. No. Z-68, 06-21-10; Ord. No. A-14, 03-18-13; Ord. No. A-62, 08-10-15)

**Cross reference** – general fines, §17-21; civil fines, §17-23.

### **Sec. 11-9. Participation in and enforcement of recycling and trash program; hardship exemption.**

(a) All persons whose trash is collected by the city shall comply with the provisions of this chapter when placing materials for collection, unless specifically exempted pursuant to the provisions of subsection (b). Failure to comply with sections 11-7, 11-8, 11-10, 11-14, 11-15, or 11-16 shall result in the imposition of a written warning for the first offense, fifty dollar (\$50.00) civil fine for the second offense, and seventy-five dollar (\$75.00) civil fine for the third and subsequent offenses occurring in any three hundred sixty-five (365) day period. The written warning for each first offense shall be attributable to the dwelling unit occupied by the offending party. Any subsequent offense by any occupant of said dwelling unit shall result in the fine referred to above and shall be attributable to the head of the household or the owner of the premises.

**Cross reference** – general fines, §17-21; civil fines, §17-23(f).

(b) If compliance with the requirements of subsection (a) imposes undue hardship upon a person, that person may request an exemption from this ordinance from the commissioner of public works. (Ord. No. R-105, 12-15-80; Ord. No. S-249, 3-16-87; Ord. No. T-92, 6-18-90; Ord. No. Z-68, 06-21-10; Ord. No. A-14, 03-18-13; Ord. No. A-62, 08-10-15)

**Sec. 11-10. When trash and recyclable materials to be placed for collection; collection vehicles to pass through streets only once.**

(a) Trash and recyclable materials shall be placed for collection on such day or days as may be designated for collection by the commissioner of public works. The commissioner of public works may designate the specific days of collection for particular areas of the city and/or types of trash and/or recyclable materials. Trash and recyclable materials shall be placed for collection between 4:00 p.m. of the day preceding collection and 7:00 a.m. of the day of collection. Collection vehicles having passed through the street will not be sent back to collect any such materials placed for collection after 7:00 a.m.

(b) All empty receptacles, barrels, cans or rubbish containers of any kind shall be removed from the area of collection and returned to the private property of the person(s) who owns or is assigned to the specific receptacle(s) prior to midnight of the day of collection.

(c) Any occupant of a building who places or causes to be placed trash or recyclable materials for collection at times other than those designated in subsection (a) of this section or fails to remove said trash containers or recycling containers or receptacles from the area of collection prior to midnight of the day of collection shall be subject to penalties provided in section 9(a), provided, however, that when the collection of trash or recyclable materials is delayed due to weather conditions, holidays, or other causes, no penalty shall be imposed for placement thereof in accordance with the time periods established for collection as set forth in subsection (a) above.

- (1) For the first offense—a written warning;
- (2) Second offense-fifty dollars (\$50.00);
- (3) Third and subsequent offenses-seventy-five dollars (\$75.00)

The written warning for each first offense shall be attributable to the dwelling unit occupied by the offending party. Any subsequent offense by any occupant of said dwelling unit shall result in the fine referred to above and shall be attributable to the head of the household.

Provided, however, that when the collection of trash or recyclable materials is delayed due to weather conditions, holidays, or other causes, no penalty shall be imposed for placement thereof in accordance with the time periods established for collection as set forth in subsection (a) above. (Rev. Ords. 1973, § 8-42; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. R-56, 3-17-80; Ord. No. S-1, 7-11-83; Ord. No. T-92, 6-18-90; Ord. No. T-168, 9-3-91; Ord. No. Z-68, 06-21-10; Ord. No. A-14, 03-18-13; Ord. No. A-62, 08-10-15)

**Cross reference**—Licensing and permits generally, Ch. 17; general fines §17-21; civil fines, §17-23.

**Sec. 11-11. Registration for transporting garbage through Newton.**

All persons transporting garbage on public ways of the city from points outside the city and to destinations outside the city shall register with the city health and human services department pursuant to Mass. Gen. Laws c. 111, § 31A. Such garbage shall be transported in accordance with such rules and regulations as the health and human services department shall make. (Rev. Ords. 1973, § 8-43; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. S-1, 7-11-83; Ord. No. X-175, 5-26-2005; Ord. No. Z-68, 06-21-10; Ord. No. A-14, 03-18-13)

**Sec. 11-12. Definition of pickup point, placement of refuse for collection from mixed-use buildings, persons responsible for fee.**

For buildings utilizing dumpsters, each dumpster location shall constitute a pickup point. Refuse from non-residential and residential units shall not be placed into the same dumpster for collection. For receptacle or bag collection, each street address shall constitute a pickup point, provided however, that in the case of multi-unit buildings, each unit shall constitute a pickup point, and provided further, that the refuse and recycling generated by each non-residential unit in such building shall not be set out for collection.

Nothing herein shall be deemed to render any person liable for charges incurred by a previous owner. (Rev. Ords. 1973, § 8-45; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. R-105, 12-15-80; Ord. No. R-201, 12-7-81; Ord. No. S-1, 7-11-83; Ord. No. Z-68, 06-21-10)

**Sec. 11-13. Tipping over, etc.; slippery substances.**

No person shall willfully or maliciously disturb or handle the contents of or tip over or upset containers or receptacles standing upon the sidewalk or within the street limits or throw or place upon any sidewalk, crosswalk, street or way any banana skin, orange peel or other slippery substance. (Rev. Ords. 1973, § 8-48; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. S-1, 7-11-83; Ord. No. Z-68, 06-21-10)

**Sec. 11-14. Bulky waste items.**

(a) Bulky waste items may be removed from the curb and disposed of by the department of public works upon application to the commissioner of public works by the owner or occupant of a building or premises who shall pay a fee of twenty-five dollars (\$25.00) per item. All materials set out for curbside removal shall be of such form and so prepared and placed as the commissioner of public works may specify or accept, otherwise they shall not be removed by the city.

(b) The commissioner of public works in his/her sole discretion may remove and dispose of bulky waste items that have been set out for collection without application and in accordance with section 16. Failure to apply for removal of bulky waste items shall be subject to penalties provided in section 9(a).

~~(a) The department of public works may remove and dispose of up to five (5) bulky waste items per household per week without charge. All the materials put out for removal shall be of such form and so prepared and placed as the commissioner of public works may specify or accept, otherwise they shall not be removed by the city.~~

~~(b) The commissioner of public works in his sole discretion may remove and dispose of more than five (5) bulky waste items per household per week in accordance with the provisions relating to cleanouts and moveouts. (Rev. Ords. 1973, § 8-49; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. S-1, 7-11-83; Ord. No. Z-68, 06-21-10; Ord. No. A-62, 08-10-15)~~

**Sec. 11-15. White goods.**

(a) White goods may be removed at the curb and properly managed by the department of public works upon application to the commissioner of public works by the owner or occupant of a building or premises who shall pay a fee of twenty-five dollars (\$25.00) per item. All white goods set out for curbside removal by application shall be of such form and so prepared and placed as the commissioner of public works may specify or accept, otherwise they shall not be removed by the city.

(b) White goods, except TVs and monitors, shall be accepted at no charge when dropped off by City of Newton residents at the Newton Resource Recovery Center during operating hours. TVs and monitors shall be accepted at the Newton Resource Recovery Center upon application to the commissioner of public works by the owner or occupant of a building or premises who shall pay a fee of twenty-five dollars (\$25.00) per item.

(c) The commissioner of public works in his or her sole discretion may remove and properly manage white goods items that have been set out for collection without application. Failure to apply for removal of white goods shall be subject to penalties provided in section 9(a).

~~—White goods may be removed and disposed of by the department of public works upon application to the commissioner of public works by the owner or occupant of a building or premises who shall pay a fee of twenty-five dollars (\$25.00) per stop, which will include one cathode ray tube item (TV or computer monitor). Each additional cathode ray tube item (TV and/or computer monitor) shall be charged an additional eighteen dollar (\$18.00) fee. All other white good items, as defined in Section 11-1 shall be included in each stop for no additional charge. All white goods offered for removal by application shall be of such form and so prepared and placed as the commissioner of public works may specify or accept, otherwise they shall not be removed by the city. (Ord. No. Z-87, 05-16-11; Ord. No. A-54, 01-20-15; Ord. No. A-64, 10-19-15)~~

#### **Sec. 11-16 Moveouts and cleanouts.**

Moveouts and cleanouts are not considered normal residential trash and will not be collected by the City. If, for whatever reason, the City finds it necessary to remove and dispose of a moveout or cleanout, the owner ~~or occupant~~ of the building or premises shall pay the City the total cost of removal and disposal as determined by the commissioner of public works or his/her duly authorized agent. Such removal may also be subject to fines as specified in Chapter 17-21. (Ord. No. A-62, 08-10-15)

#### **Sec. 11-17. Annual appropriation for publicizing recycling program.**

The recycling program shall receive an annual appropriation to be used to advertise the program on a regular basis and to inform citizens of their collection days. (Rev. Ords. 1973, § 8-50; Ord. No. 11, 8-15-74; Ord. No. S-1, 7-11-83; Ord. No. Z-68, 06-21-10; Ord. No. Z-87, 05-16-11; Ord. No. A-62, 08-10-15)

#### **Secs. 11-18—11-33. Reserved.**

## **ARTICLE II. PUBLIC LANDFILLS AND RECYCLING DEPOTS**

#### **Sec. 11-34. Control of operation and use.**

The commissioner of public works shall have custody and control and charge of the operation of all landfills and recycling depots maintained by the city. He is authorized, subject to the provisions of this article and to any other applicable order of the city council, to prescribe, and from time to time amend, rules and regulations governing the operation and use thereof. (Rev. Ords. 1973, § 8-56; Ord. No. 90, 10-6-75; Ord. No. T-92, 6-18-90)

#### **Sec. 11-35. Regulations of use.**

Use of landfills, transfer haul stations and recycling depots maintained and/or operated by the city or by a



contractor under contract with the city to do the same, by other than city employees acting within the scope of their employment, shall be limited to residents of the city, to owners or employees of commercial or industrial establishments located within the city and to such other persons as may establish to the satisfaction of the commissioner of public works that they are engaged in business activities within the city which require the disposal of trash or depositing of recyclable materials from such operations. All such use shall be upon permission of and in accordance with the rules of the commissioner of public works. No person shall dispose of any trash or deposit any recyclable materials originating outside the limits of the city to any such landfill, transfer haul station or recycling depot. All persons and commercial haulers, except city employees acting within the scope of their employment, using any such landfill, transfer haul station or recycling depot shall do so at their own risk. (Rev. Ords. 1973, § 8-57; Ord. No. 60, 2-18-75; Ord. No. 90, 10-6-75; Ord. No. T-92, 6-18-90)

**Sec. 11-36. Recycling depots.**

The commissioner of public works shall have custody and control and charge of the operation of recycling depots maintained by the city. The commissioner may use these recycling depots for the collection of recyclable materials such as office grade paper; corrugated cardboard; automobile batteries and other such materials as he shall determine. (Ord. No. T-92, 6-18-90)

**Cross reference**—Licenses and permits generally, Ch. 17

City of Newton



## DEPARTMENT OF PUBLIC WORKS

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

Ruthanne Fuller

Mayor

November 6, 2019

### *Enforcement and Illegal Dumping Concerns relating to Proposed Bulky Waste and White Goods Policy Changes*

#### Enforcement of the Proposed Bulky Waste and White Goods Policy:

- When Newton DPW is notified that bulky waste items or white goods items are set out for pickup without an application, enforcement as outlined in Chapter 11 will be exercised (moveouts/cleanouts will be handled separately, see below)
  - a. First offense: written warning
  - b. Second offense: \$50 fine
  - c. Third+ offense: \$75 fine
- Changes have been drafted for Chapter 17 – see redline draft

#### Moveouts & Cleanouts:

- Chapter 11 specifies that moveouts and cleanouts are not the City's responsibility
  - A definition is proposed to add to Chapter 11 for clarity
- A written warning would not be effective in these situations due the one-time nature of the event and the urgency of needing to get a sidewalk or berm cleared of furniture and excess trash
- The proposed method of addressing such situations:
  - Newton DPW will have the material set out picked up upon receiving notification
  - The cost of removal and disposal will be invoiced to the property owner
  - A fine of \$300 per day that material was set out may be assessed in addition to the removal/disposal cost
- Proposed language changes reflect that the cost of removal will be the responsibility of the property owner (not a tenant)
- Newton DPW intends to send a letter to multi-family property owners regarding this policy change

#### Illegal Dumping Concerns:

- Numerous other communities in Massachusetts have waste fees and do not experience excessive illegal dumping issues
  - Data on illegal dumping is difficult to gather and obtain from other municipalities
- Newton DPW manages illegal dumping issues currently and expects an uptick in illegal dumping of bulky waste items
  - Based on the experience of other communities, the expected uptick will be manageable
  - Prevention of illegal dumping is difficult
- DPW will focus on empowering citizens to do the right thing by providing information on what the right thing is
- Dumpsters on City properties will have a gravity lock installed and put into use prior to the implementation of policy changes

**17-16. Fees to be paid to the Department of Public Works**

- (1) Recycling and Trash – Non-profits ..... See Sec. 11-6
- (2) White Goods (large/bulky items & including electronics) ~~disposal~~ curbside recycling Pickup (Sec. 11-15) ..... per item, \$25.00  
  - Cathode Ray Tubes ..... Add \$18.00
- (3) TV and computer monitor recycling drop off at Newton Resource Recovery Center ..... per item, \$25.00
- (4) Residential curbside pickup of bulky waste items (Sec. 11-14) for disposal ..... per item, \$25.00
- (~~35~~) Awning, shades and marquee permit (Sec. 26-2) ..... \$1.00
- (~~46~~) Apertures under streets and sidewalks permit ..... See Sec. 26-11
- (~~57~~) Street Occupancy Permit (Sec. 26-17) ..... \$50.00
- (~~68~~) Sidewalk vending machine permit (Sec. 26-2) ..... \$50.00
- (~~79~~) Water service line replacement contractor license (Sec. 29-27) ..... \$100.00
- (~~810~~) Water service to buildings under construction fee (Sec. 29-39) ..... \$25.00
- (~~911~~) Water service turn on/off fee (Sec. 29-40) ..... \$25.00

17-23(f) DEPARTMENT OF PUBLIC WORKS: The commissioner of public works, and/or his or her designee, shall be authorized to issue written notice of the following violations:

..... FINE

Sec 11-14 Bulky Waste set out for collection without application

( ) First offense ..... written warning

( ) Second offense..... \$50.00

( ) Third offense and subsequent offenses ..... \$75.00

Sec 11-15 White goods set out for collection without application

( ) First offense ..... written warning

( ) Second offense..... \$50.00

( ) Third offense and subsequent offenses ..... \$75.00

Sec. 11-16. Moveouts and Cleanouts

( ) Any offense (per Sec. 17-21)..... \$300

The below ordinance is the enabling language for the moveout and cleanout fines

Sec. 17-21. General Fine

Whoever violates a provision of any ordinance of the city, whether included in this Revision or any other ordinances of the city, whereby any act or thing is enjoined or prohibited or required, shall, unless other provision is expressly made, be liable to a Fine not exceeding three hundred dollars (\$300.00) for each offense unless another Fine is specifically provided. Each day any violation of these Revised Ordinances or of any other ordinance of the city shall continue shall constitute a separate offense. (Rev. Ords. 1973, § 1-6; Ord. No. 306, 12-18-78; Ord. No. R-204, 12-21-81)

State law reference—Fine authorized, G.L. c. 40, § 21