

CITY OF NEWTON

IN BOARD OF ALDERMEN

FINANCE COMMITTEE AGENDA

MONDAY, SEPTEMBER 10, 2012

7 PM
Room 222

ITEMS SCHEDULED FOR DISCUSSION:

- #103-12(2) HIS HONOR THE MAYOR requesting authorization to transfer the sum of seventy-five thousand dollars (\$75,000) from Forestry Services Full Time Salaries to Forestry Services – Forestry Services – Forestry/Tree Services. [08/23/12 @ 4:34 PM]
- #250-12 HIS HONOR THE MAYOR requesting authorization to transfer the sum of eleven thousand seven hundred sixty dollars (\$11,760) from Current Year Budget Reserve to Clerk of the board Full Time Salaries for the purpose of funding an adjustment to the salary of the City Clerk/Clerk of the Board. [08/06/12 @ 3:26 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #255-12 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of two million seven hundred thousand dollars (\$2,700,000) from bonded indebtedness for the purpose of funding the design and construction of 9,500 linear feet of hydraulically deficient water main pipe in Washington Street from Church Street to Chestnut Street. [08/06/12 @ 3:25 PM]
- PUBLIC FACILITIES APPROVED 7-0-1 (Gentile abstaining) on 09/05/12**

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #197-12 HIS HONOR THE MAYOR requesting the Board of Aldermen authorize a long-term lease with the solar photovoltaic firm, Ameresco Solar Inc., to allow for the installation of solar panels on the rooftops of five (5) public schools: Newton North High School, Brown Middle School, Memorial-Spaulding Elementary School, Countryside Elementary School and Bowen Elementary School. [07/02/12 @ 5:03 PM]
- PUBLIC FACILITIES APPROVED 7-0-1 (Gentile abstaining) on 09/05/12**

The location of this meeting is handicap accessible, and reasonable accommodations will be provided to persons requiring assistance. If you have a special accommodation need, please contact the Newton ADA Coordinator Trisha Guditz, 617-796-1156, via email at TGuditz@newtonma.gov or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting date.

- #251-12 HIS HONOR THE MAYOR requesting authorization to increase the authorized number of Full Time Equivalent (FTE) positions in the Planning and Development by .2 FTEs and to transfer the sum of fifteen thousand dollars (\$15,000) from Current Year Budget Reserve to Planning Part Time Salaries for the purpose of funding additional hours for part time staffing to assist in the completion of the Recreation and Open Space Plan. [08/06/12 @ 3:26 PM]
- #252-12 HIS HONOR THE MAYOR requesting authorization to transfer the sum of thirty thousand dollars (\$30,000) from Current Year Budget Reserve to Planning Part Time Salaries for the purpose of funding additional hours for staffing to assist in the completion of work required on a variety of active projects. [08/06/12 @ 3:25 PM] [08/06/12 @ 3:25 PM]
- #253-12 HIS HONOR THE MAYOR requesting authorization to increase the authorized number of Full Time Equivalent (FTE) positions in the Inspectional Services Department by .5 FTEs and to transfer the sum of twenty five thousand dollars (\$25,000) from Current Year Budget Reserve to Inspectional Services Admin Part Time Salaries for the purpose of funding a part-time ADA/Section 504 Accessibility Coordinator position for the remainder of the fiscal year. [08/06/12 @ 3:25 PM]
- #205-12 HIS HONOR THE MAYOR requesting an amendment to the F.A. Day Middle School Construction Project Appropriation Schedule included in Board Order #115-12 approved June 18, 2012 by reducing the amount of thirty-five thousand three hundred thirty-four dollars (\$35,334) from the appropriation for “General Contractor” and adding that sum to the “Undistributed Project Budget.” [07/02/12 @ 5:03 PM]
- #56-07(4) HIS HONOR THE MAYOR requesting an amendment to the Newton North High School New Construction Project Appropriation Schedule included in Board Order #56-07(2) approved April 22, 2008 to reflect the final cost of the project. [07/02/12 @ 5:03 PM]

REFERRED TO ZONING & PLANNING AND FINANCE COMMITTEES

- #79-12 COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of nine hundred thirty eight thousand sixty-three dollars (\$938,063) to the Planning & Development Department for the creation of seven units of affordable rental housing at 12 and 18-20 Curve Street, West Newton, as described in the proposal submitted by Myrtle Village, LLC. [03/01/12 @ 5:00 PM]
ZONING & PLAN VOTED NO ACTION NECESSARY 5-0 on 08/16/12

ITEMS NOT SCHEDULED FOR DISCUSSION:

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

- #257-12 RECODIFICATION COMMITTEE recommending (1) review of the Fees, Civil Fines/Non-Criminal Disposition contained in Chapter 17 LICENSING AND PERMITS GENERALLY and Chapter 20 CIVIL FINES/NON-CRIMINAL DISPOSITION CIVIL FINES to ensure they are in accordance with what is being charged and (2) review of the acceptance of G.L. c. 40 §22F, accepted on July 9, 2001, which allows certain municipal boards and officers to fix reasonable fees for the issuance of certain licenses, permits, or certificates.

REFERRED TO PROG & SERV, PUB. FAC., ZAP, AND FINANCE COMMITTEES

- #256-12 ALD. HESS-MAHAN, SANGIOLO & SWISTON proposing an ordinance promoting economic development and the mobile food truck industry in the City of Newton. [08/06/12 @4:46 PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #254-12 ALD. HESS-MAHAN, SANGIOLO, DANBERG, KALIS, CROSSLEY proposing an ordinance relating to plastic bag reduction that would add a fee to single-use plastic and paper bags that are not at least 40% post-consumer recycled content, at certain retail establishments in Newton. [07/18/12 @4:34 PM]
- #248-12 RECODIFICATION COMMITTEE recommending that **ARTICLE IV. PURCHASES AND CONTRACTS, Secs. 2-182 through 2-205**, be amended to make it consistent with state law.
- #247-12 RECODIFICATION COMMITTEE recommending that Chapter 18 MEMORIAL FUNDS AND TRUSTS be reviewed relative to the consequences and practices of special legislation passed by the General Court in 2007, Chapter 75 of the Acts of 2007, in which the City sought and was granted an exemption from G.L. Chapter 44 §54, which intent was to allow the City greater flexibility in terms of investments.

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #185-12 ALD. BAKER, BLAZAR, SANGIOLO, LINSKY, ALBRIGHT & DANBERG requesting that the Board of Aldermen adopt a RESOLUTION to His Honor the Mayor asking that, when the Mayor seeks future Board approval for bonding the cost of additional capital facilities or equipment for the schools, he include in that funding request, as well as in the city-wide Capital Improvement Plan, the estimated costs needed for funding the capital technology needs of the Newton Schools, including the appropriate portions of the estimated project costs of the School Committee's three-year district-wide technology plan not anticipated to be funded by the Information Technology Department budget; the anticipated technology grants from Boston College for the elementary schools; and/or estimated revenue from the E-rate Technology Reimbursement Program. [06/11/12 @ 11:23 PM]
- #127-12 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of twenty thousand dollars (\$20,000) from the Newton Marriott Norumbega Park Maintenance Account for the purpose of improvements at Norumbega Park per Condition #26 of Special Permit #385-08, approved on February 17, 2009, for the Newton Marriott. [04/30/12 @5:09 PM]
- #102-12 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of five hundred thousand dollars (\$500,000) from cable contract receipts for the purpose of constructing Phase I of III to connect all city facilities with high-speed fiber infrastructure for continued reliance on the IT network. [04-09-12 @ 3:40 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #54-12 ALD. SALVUCCI, BLAZAR AND FULLER requesting the creation of a revolving fund into which 50% of all betterment income shall be deposited to be used exclusively for individual requests for betterments. [02/02/12 @ 10:21 AM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #39-12 HIS HONOR THE MAYOR requesting authorization to establish a revolving account with an annual expenditure limit of \$2,000,000 for the purpose of receiving funds collected by the Newton Schools Foundation in connection with the sale of naming rights for Newton Public School buildings and facilities and to be distributed for the sole purpose of public school education technology and curriculum purposes. [01/30/12 @ 4:18 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #383-11(4) HIS HONOR THE MAYOR recommending that Section 29-80 (b)(1) of the City of Newton Revised Ordinances, 2007 be amended by revising the stormwater rates as follows: single-family residences \$25 per year, two-family residences \$37.50 per year, and multi-family (3 units or more), commercial, industrial, and institutional properties (to include non-profits) would be charged at a rate of \$25 per Equivalent Residential Unit of 2,600 square feet of impervious surface on the property to take effect on July 1, 2012. [04-09-12 @ 2:39 PM]

- #140-11 ALD. HESS-MAHAN requesting acceptance of MGL Chapter 59 §5c which allows communities to shift the tax burden away from homeowners who live in lower than average valued single and multi-family homes to owners of higher valued homes, second homes, and most apartment buildings. {04-15-11 @ 3:07 PM]

REFERRED TO PROG & SERV, PUB FACIL. & FINANCE COMMITTEES

- #130-11 PAUL COLETTI, ALD. SANGIOLO, DANBERG, & JOHNSON requesting Home Rule Legislation to create a Capital Preservation Fund for the City of Newton modeled on the Community Preservation Fund to address the capital needs of the City. [04/11/11 @9:42 PM]
PUBLIC FACILITIES NO ACTION NECESSARY 6-0 (Lennon not voting) on 10/18/11
PROGRAMS & SERVICES APPROVED 5-0-3 (Fischman, Baker, Blazar abstaining) on 03/21/12

- #130-11(A) PROGRAMS & SERVICES COMMITTEE requesting the Finance Committee review alternate proposed Home Rule Legislation language related to the creation of a Capital Preservation Fund.
PROGRAMS & SERVICES APPROVED & REFERRED TO FINANCE 7-0-1 (Blazar abstaining) on 03/21/12

REFERRED TO PUBLIC SAFETY&TRANS & FINANCE COMMITTEES

- #363-10(2) ALD. ALBRIGHT proposing a trial of parking meter free Saturdays between Thanksgiving and New Year for the shopping areas to support shopping at local businesses in Newton. [02-10-12 @9:13 AM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #311-10(A) HIS HONOR THE MAYOR requesting an appropriation in the amount of three million three hundred thirty-five thousand dollars (\$3,035,000) from bonded indebtedness for the purpose of funding the FY 2011 Capital Improvement Plan projects as follows: [11/29/ 10 @ 3:23 PM]
Architectural Design and Engineering/ Next Scheduled Fire Station \$400,000
A-2 - HELD 6-0 \$270,000 for final design bidding and construction admin on 12/08/10

REFERRED TO LAND USE & FINANCE COMMITTEES

- #276-10 ALD. FULLER, CROSSLEY, DANBERG, LINSKY requesting a review of guidelines for mitigation fund provisions to maximize the use of such funds on behalf of the city together with mechanisms by which the city can better track such funds to ensure they are used in a timely fashion.

REFERRED TO FINANCE AND PROGRAMS AND SERVICES COMMITTEES

- #245-06 ALD. JOHNSON AND HESS-MAHAN requesting an amendment to the City Charter to require the Mayor annually to prepare and submit to the Board of Aldermen a long-term financial forecast of anticipated revenue, expenditures and the general financial condition of the City, including, but not limited to identification of any factors which will affect the financial condition of the City; projected revenue and expenditure trends; potential sources of new or expanded revenues; anticipated municipal needs likely to require major expenditures; and a strategic plan for meeting anticipated municipal needs, to include, but not be limited to, any long or short-term actions that may be taken to enhance the financial condition of the City.

Respectfully submitted,

Leonard J. Gentile, Chairman



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#103-12(2)

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

August 23 2012

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

Ladies and Gentlemen:

I write to request that Your Honorable Board docket for consideration a request to transfer the sum of \$75,000 from Acct # 01602011-511001 – Forestry Services Full Time Salaries to Acct # 01602011-5243 Forestry Services – Forestry/Tree Services.

As you know the FY13 budget included funding for 3 full time permanent employees in the Forestry Division. Unfortunately, we have not as yet been able to fill these positions. Therefore, this transfer will enable the City to pursue a parallel track of addressing identified tree removals throughout the fall, while continuing to pursue the ultimate goal of reestablishing an in-house crew.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor

RECEIVED
Newton City Clerk
2012 AUG 23 PM 4:34
David A. Olson, CMC
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE



SETTI D. WARREN
MAYOR

NEWTON PARKS AND RECREATION DEPARTMENT

124 Vernon St, Newton, MA 02458
Office: (617) 796-1500 / Fax: (617) 796-1512
TDD/TTY: (617) 796-1089
parks@newtonma.gov



NEWTON
Parks & Recreation
ROBERT J. DERUBEIS
COMMISSIONER

August 23, 2012

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

Dear Mayor Warren,

I am writing to respectfully request that you docket with the Honorable Board of Aldermen for consideration a request to appropriate the transfer of funds within the Parks and Recreation Department current budget as follows:

\$75,000 from Account # 01602011 511001 (Forestry Services – Full Time Salaries) to Account # 01602011 5243 (Forestry Services – Forestry/Tree Services)

The transfer of these funds will allow the Parks & Recreation Department to bring in a contractor to work on identified tree removals throughout the city.

Thank you for your consideration in this matter.

Sincerely,

Robert J. DeRubeis

Robert DeRubeis,
Parks & Recreation Commissioner

cc: Robert Rooney, Chief Operating Officer
Maureen Lemieux, Chief Financial Officer
Marc Welch, Superintendent of Forestry

COMMISSION
MEMBERS

WARD 1 – BETHEL CHARKOUDIAN
WARD 2 – ARTHUR MAGNI, CHAIRMAN
WARD 3 – PETER JOHNSON

WARD 4 – FRANCIS J. RICE
WARD 5 – WALTER S. BERNHEIMER II
WARD 6 – ANDREW STERN

WARD 7 – RICHARD TUCKER, VICE-CHAIR
WARD 8 – VACANT
SECRETARY-ROBIN MCLAUGHLIN

ALTERNATES: MICHAEL CLARKE, PETER KASTNER, JACK NEVILLE, DONALD FISHMAN

#250-12

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SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

August 6, 2012

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

Ladies and Gentlemen:

I request that Your Honorable Board docket for consideration a request to transfer the sum of \$11,760 from Acct # 0110498-5790 Current Year Budget Reserve to Acct # 0110101-511001 Clerk of the Board /Full Time Salaries.

This request is made in order to fund Docket Item #85-12 ALD. LENNON & LAPPIN requesting a review and possible ordinance amendment to review and adjust the salary of the Clerk of the Board of Aldermen pursuant to Article XI of the Rules and Orders of the Board of Aldermen 2012-2013 [03/26/12 @10:25 PM], which was approved by the Honorable Board on July 9, 2012.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Setti D. Warren".

Setti D. Warren
Mayor

David A. Olson, CMC
Newton, MA 02459

2012 AUG 26 PM 3:26

RECEIVED
Newton City Clerk

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE



City of Newton, Massachusetts
Office of the Mayor

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SETTI D. WARREN
MAYOR

E-mail
swarren@newtonma.gov

August 6, 2012

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

RECEIVED
Newton City Clerk
2012 AUG 6 PM 3:25
David A. Olson, CMC
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to appropriate the sum of \$2,700,000 and authorize a general obligation borrowing of an equal amount for the purpose of funding water main improvements designed to upgrade the City's water quality and improve fire flows. This will allow the Department of Public Works to implement a portion of the water main improvements as part of the 10-year - \$40 million Capital Improvement Plan.

\$2,700,000 is estimated for the design and construction of 9,500 linear feet of hydraulically deficient pipeline on Washington Street from Church Street to Chestnut Street, reducing friction, and improving water flow and water quality as well.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor



City of Newton



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

Setti D. Warren
Mayor

August 1, 2012

To: Mayor Setti D. Warren

Via: Robert R. Rooney, Chief Operating Officer
Maureen Lemieux, Chief Financial Officer

From: David F. Turocy, Commissioner

Subject: Request for Bond Borrowing Authorization,
\$2,700,000 for Water System Improvements FY 2013

I respectfully request authorization to borrow up to \$2,700,000 for water main improvements in FY 2013. This proposed borrowing will allow Public Works to implement a portion of the water main improvements as part of the 10 year - \$40 million Capital Improvement Plan. The City is committing to borrow \$4 million annually from City debt and MWRA to upgrade our water system, which will improve fire flows, and ensure the delivery of superior water quality.

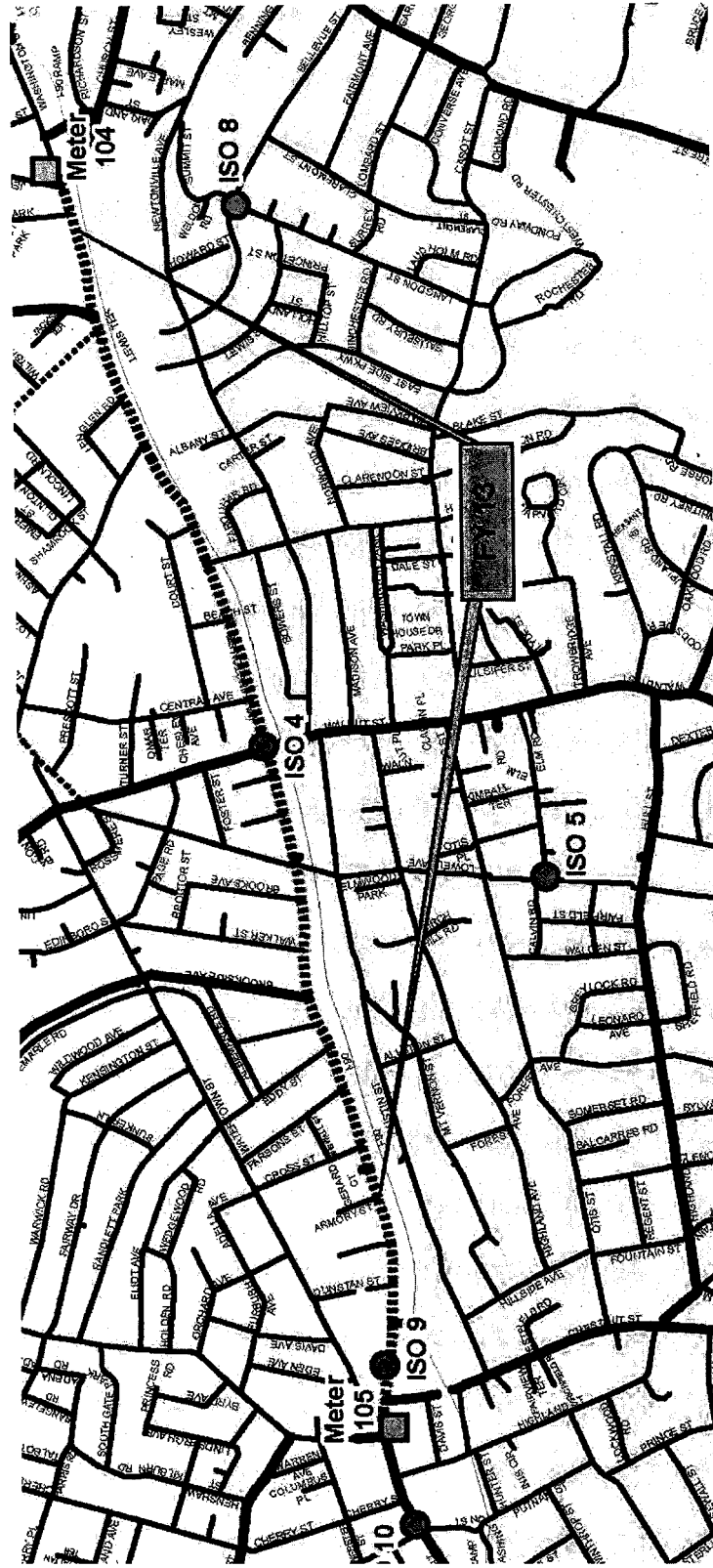
Newton has approximately 319 miles of public water supply pipeline. Of these, the City has approximately 160 miles of unlined water pipe remaining to be rehabilitated. Through the use of a sophisticated Water Hydraulic Model, our water projects have been and will continue to be prioritized and planned based on age and hydraulic capacity, for the next 10 years and beyond. As we continue to calibrate and enhance the water hydraulic model, other ISO fire flow deficient areas may be identified for future water main upgrades.

Recent water hydraulic model studies have identified the existing 12" diameter unlined cast iron water main in Washington Street from Church Street to Chestnut Street as being hydraulically deficient. Upgrades are required to meet current ISO fire flow standards. Cleaning and lining 9,500 linear feet of this pipeline will improve fire flows to meet ISO standards, as the new lining will reduce friction and improve water flow. Water quality will be enhanced as well. \$2,700,000 is estimated for design and construction of this project. The 10 year water /sewer rate projection, limiting annual increases to no higher than 4%, includes the debt service payments associated with this proposed borrowing.

Please docket this request with the City Clerk's office for consideration by the Honorable Board of Aldermen.

cc: Louis M. Taverna, P.E., City Engineer
Frederick Russell, P.E., Director of Utilities
Ryan Ferrara, DPW Budget Director

Investing in the Future



Clean & line 9500 lf of 12" water main on Washington Street
(MWRA meter 104 to MWRA meter 105): \$2.7M



SETTI D. WARREN
MAYOR

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Office of the Mayor

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swarren@newtonma.gov

Date: August 31, 2012

To: Alderman Anthony Salvucci, Chairman of Public Facilities Committee
Members of the Public Facilities Committee

From: Robert R. Rooney, Chief Operating Officer 
Alan Mandl, Assistant City Solicitor
Maciej Konieczny, Sustainability Project Manager

RE: Docket Item #197-12; Proposal to enter into a long-term Lease and Power Purchase Agreement to install solar panels on City school buildings

CC: Board of Aldermen
Mayor Setti D. Warren

Background

This docket item requests authority from the Board of Aldermen for the City to enter into a Power Purchase Agreement (PPA) and long-term lease as authorized by MGL 25A for the purpose of solar energy generation in partnership between the City and a third party owner (Ameresco). After several months of exploration and negotiation with Ameresco, participation by members of the Energy Commission, and guidance/advice by the City's independent solar expert (Cadmus), four schools are proposed for installation of solar panels to generate electricity. The item was heard and continued in Public Facilities Committee in July 18, 2012 and held open as a public hearing. In addition, it was referred to the Finance Committee due to financial implications. As it is anticipated that several tax incentives expire at the end of the calendar year, in order to meet that timeline Ameresco Solar has moved forward with the design and further negotiation with the City on the terms of the Lease and PPA (Enclosure A).

Advantages

Several advantages have been identified and are summarized here:

1. Generation of close to $\frac{3}{4}$ megawatt of energy from clean energy that would otherwise be unharnessed on the roofs of buildings where there no interference with other City functions.
2. Reduced energy costs compared to current rates with NSTAR. Under conservative economic assumptions, saving the City over \$750,000 in electricity costs over the life of the lease.
3. More predicable energy costs for compared to open market volatility.
4. Educational value to students in grades K-12 as part of a curriculum covering sustainable living, reduction greenhouse gas emissions, better utilization of resources, and financial savings.
5. Identify Newton as a municipal leader in the promotion and support of green energy generation, reducing our dependence on fossil fuels.
6. Provide a working model from which to analyze further potential in the City for future initiatives in development of green energy initiatives.
7. Take advantage of current market incentives and statutes to fund important long lasting infrastructure development.

Summary of Actions/Developments since July

A summary of the pertinent facts as updates of all efforts to date toward this item are provided here:

- (1) After further review of costs involved with moving panels in order to replace the roof on Bowen School in approximately Year 10 of the Lease, it was determined to be uneconomically attractive for the City to include solar panels on this school.
- (2) In light of (1), four schools remain as viable for the installation of solar panels: Newton North HS, Brown MS, Memorial-Spaulding ES, and Countryside ES.
- (3) Guaranteed maximum energy production (4 school total) = 702 kW or 818,931 kWh per year
- (4) The School Department, to include the four principals and executive staff, and School Committee (through Jonathan Yeo) is informed of this proposal and fully support the initiative (Encl B).
- (5) Educational program materials, description of LCD displays available for each school, and website information and metrics were provided to the School Department.
- (6) Information was sent to Ward Aldermen in Ward 2 (NNHS) and Ward 8 (Brown, Memorial-Spaulding, Countryside) about the proposal with no concerns raised to date.
- (7) Site visits to all four schools and notice to individual abutters in the direct line of sight to the proposed roof top panels of the public hearing, total scope of the initiative, and point of contact for further information.
- (8) Similar agreements concluded by Natick were reviewed and a discussion with the responsible staff revealed similar analysis to determine terms and expectations with Ameresco.
- (9) A high-level summary of the terms in both the Lease and PPA are provided in Enclosure A. The complete draft versions of both the Lease and PPA are available on-line in the Board of Aldermen "Friday Packet" link to these documents.
- (10) Further meetings with Ameresco have resulted in the following changes in the proposal:
 - a. SREC (solar renewable energy certificates) sharing with the City after year 10 from zero to a 50%-50% split.
 - b. Cost per kWh reduced from 11 cents to 10.6 cents with an escalation reduced from 3% per year for 20 years to 0% in the first 3 years and 2.5% thereafter.
 - c. Established an early buy-out schedule that would kick in after Year 6 of the Lease.

Next Steps toward Implementing this Solar Initiative

With Board of Aldermen approval for the Mayor to enter into a long-term lease and power purchase agreement, final negotiations is expected to result in a binding agreement. Design of the solar panel arrays will then proceed to 100%. Simultaneously, City permits will be pulled and a request filed with NSTAR to effect an Interconnection Agreement, which allows on-site generated electricity to be metered and entered into the electric grid. Additionally, immediate submission for Net Metering Credits under the "cap allocation" with the Department of Public Utilities; this allows for Newton's reimbursement for clean energy generation to be reserved.

Finally, a construction sequence will be generated with firm milestones based on the logistics and financing. The goal is to have the solar panels on all 4 schools be installed and operational by December 31, 2012. Assuming Board approval on September 19th, these actions could move forward on October 10th.

Executive Summary of Draft Lease and Power Purchase Agreement

(prepared by Alan Mandl, Assistant City Solicitor)

Legal Authority

The City is authorized to enter into renewable energy supply arrangements under Massachusetts General Laws Chapter 25A, Section 11I. This chapter authorizes such arrangements to include a twenty 20 year lease. This legislation is specifically for renewable energy supply and separate from 30B procurement regulations.

What makes an arrangement with a third party of interest, is the availability of investment tax credits and accelerated depreciation in the tax law that is otherwise not available to a municipality.

In accordance with City Reuse ordinances, the request is for authorization from the Board of Aldermen for the Mayor to enter into a 20 year lease agreement with Ameresco. The City's Reuse Ordinance allows for the leasing of school rooftops for solar panel installations.

Major Terms of Draft Site Lease -

**Complete lease document available at BoA website under "Friday Packets"*

Party to Lease:	A special purpose entity (LLC) to be created and owned by Ameresco
Lease term:	20 years, running concurrently with the Power Purchase Agreement
Sites:	Newton North HS; Brown MS; Memorial-Spaulding ES; Countryside ES
Site Access:	Subject to City requirements during and after construction; CORI and SORI checks to be conducted by the City; procedures reviewed with Public Buildings and School Departments
Rental:	\$1.00 per year
Ownership:	Solar panels and related facilities (cabling, inverters, etc) up to NSTAR connection are owned by the LLC
Maintenance:	Each party maintains its own property and keeps it in good working condition
Insurance:	Ameresco provides insurance coverage
Financing:	First priority security interests granted to lenders
Rooftops:	Existing warranties protected; no rooftop penetrations in design and subject to City approval

Major Terms of the PPA

**Complete PPA document available at BoA website under "Friday Packets"*

PPA Party/Term:	Ameresco special purpose entity LLC for 20 years from date of commercial operation
Sites:	Newton North HS; Brown MS; Memorial-Spaulding ES; Countryside ES
Permitting:	By Ameresco at its expense
Construction:	By Ameresco at its expense; Ameresco owns the solar facilities
Opns & Maint:	By Ameresco
Interconnection:	City files application with NSTAR with assistance from Ameresco
Purchase of kWh:	City buys 100% of the solar output from Ameresco
Purchase Price:	10.6 cents per kWh in years 1-3, with 2.5% annual escalator after Year 3
Output Guaranty:	Ameresco guarantees annual level of output declining 0.5% annually; Ameresco must make a payment/credit to the City if it does not produce the guaranteed output and the rate paid by the City to NSTAR is higher than the PPA rate capped at \$0.05/kWh on the rate differential; (the shortfall is calculated on multi-year averages)
Damage to Panels:	If caused by City negligence, City is responsible for property and revenue losses (based on kWh production)
Educational Program:	Ameresco provides custom educational program at no charge
Solar REC sharing:	After Year 10, if solar renewable energy credits value exceed \$0.10 per kWh will be shared 50-50 with the City; no benefit guaranteed.
Operation:	Commencement target date is on/before December 31, 2012 due to expiring tax benefits available to owner
Training:	City employees receive basic/emergency training at no charge
Purchase Option:	After year 6 the City has the option to purchase all or part of the solar facilities at higher of a fixed terminal value or fair market value determined by a neutral expert
System testing:	Meter testing, repairs and billing corrections

- Billing: 30 day payment window; right for City to audit records to validate bills
- Connection to Grid: Ameresco to move connection to grid (inside the meter) at City's request at no cost to the City
- Rooftop Repairs: Without charge, the City will have 3 days per calendar year per building to take the solar system off-line to accomplish any roof maintenance or repairs; more than 3 days, the City bears the cost of lost kWh revenue, and lost Solar Renewable Energy Credits
- Snow Removal: City may remove snow, while preserving safe operation of solar panels
- Property Taxes: Any City property taxes imposed (under review by City Assessor) will be passed through as an additional expense of power.
- System Removal: Ameresco LLC provides security for cost of system removal during the final 5 years of the 20 year term
- Financing Parties: Financing party receives first lien position on Ameresco's solar assets
- Default: In the event of Ameresco default, City can withhold payments and/or terminate agreement.
- Bankruptcy: In the event of a bankruptcy, first lien holder has rights to solar panels and disposition.

From: "Joseph Russo" <Joseph_Russo@newton.k12.ma.us>
To: rrooney@newtonma.gov
Subject: Re: Proposal to Install Solar panels on 4 schools
Date sent: Thu, 23 Aug 2012 13:03:11 -0400

Bob,

All four principals are on board with the solar panels and the educational components. You have our support. Thanks.

Joe Russo
Assistant Superintendent for Elementary Education
100 Walnut Street
Newtonville, MA 02460
617-559-6105
joseph_russo@newton.k12.ma.us

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ENCLOSURE B

EXHIBIT A
DESCRIPTION OF PREMISES

Name: Brown Middle School

Address: 125 Meadowbrook Rd, Newton, MA 02459

Site Photo:



The school is situated on a parcel of land owned by the City of Newton, Massachusetts described in a Deed dated _____ and recorded at the Middlesex County Registry of Deeds in Book _____, Page _____.

EXHIBIT A
DESCRIPTION OF PREMISES

Name: Countryside Elementary School

Address: 191 Dedham St, Newton, MA 02461

Site Photo:



The school is situated on a parcel of land owned by the City of Newton, Massachusetts described in a Deed dated _____ and recorded at the Middlesex County Registry of Deeds in Book ____, Page _____.

EXHIBIT A
DESCRIPTION OF PREMISES

Name: Memorial-Spaulding Elementary School

Address: 250 Brookline Rd, Newton, MA 02461

Site Photo:



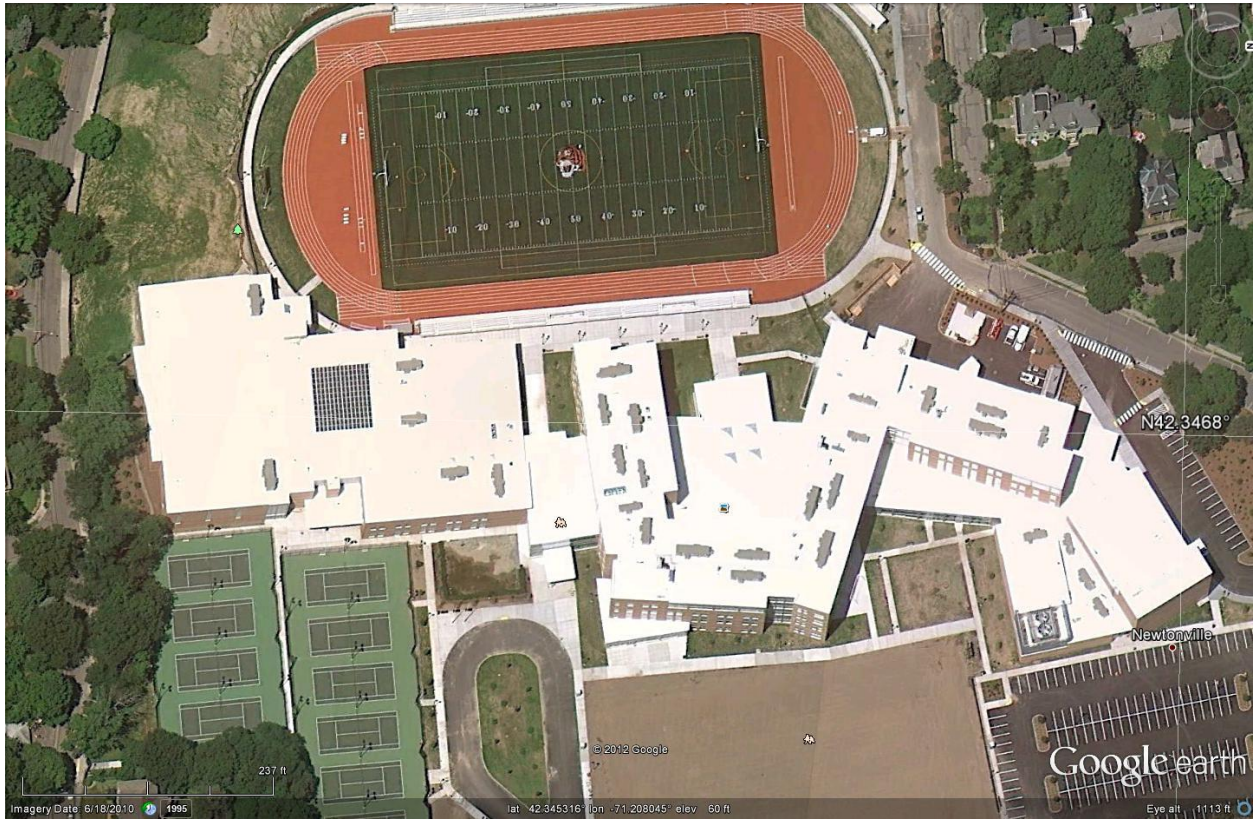
The school is situated on a parcel of land owned by the City of Newton, Massachusetts described in a Deed dated _____ and recorded at the Middlesex County Registry of Deeds in Book _____, Page _____.

EXHIBIT A
DESCRIPTION OF PREMISES

Name: Newton North High School

Address: 457 Walnut St, Newton, MA 02460

Site Photo:



The school is situated on a parcel of land owned by the City of Newton, Massachusetts described in a Deed dated _____ and recorded at the Middlesex County Registry of Deeds in Book _____, Page _____.

EXHIBIT B
DESCRIPTION OF SYSTEMS

Name: Brown Middle School

Address: 125 Meadowbrook Rd, Newton, MA 02459

The final System description shall be the final as-built drawings to be provided 60 days after Notice of Commercial Operation.

General System Description:

1. System Size DC: 252.72 kW_DC at STC capacity
2. System Size AC: 200 kW_AC

Solar PV Panels:

1. Manufacturer: Canadian Solar, Inc.
2. Model Number: CS6P-240P
3. Module Wattage: 240W
4. Panel Count: 1053
5. Type: Polycrystalline 60 Cell Modules
6. Array tilt: 15 degrees from horizontal and oriented 25 degrees west of south.
7. Warranty Information: Free from defects in materials and workmanship for 10 years, 97% minimum production on year 1, and 25 year linear power output with 80% minimum production at year 25.

Inverters:

1. Manufacturer: Advanced Energy
2. Model Number: PVP-100kW PV Inverter
3. Number and size to be installed: (2) 100 kW inverter
4. String size and Quantity: 13 panels per string with 81 total strings.
5. Warranty Information: 10 year warranty

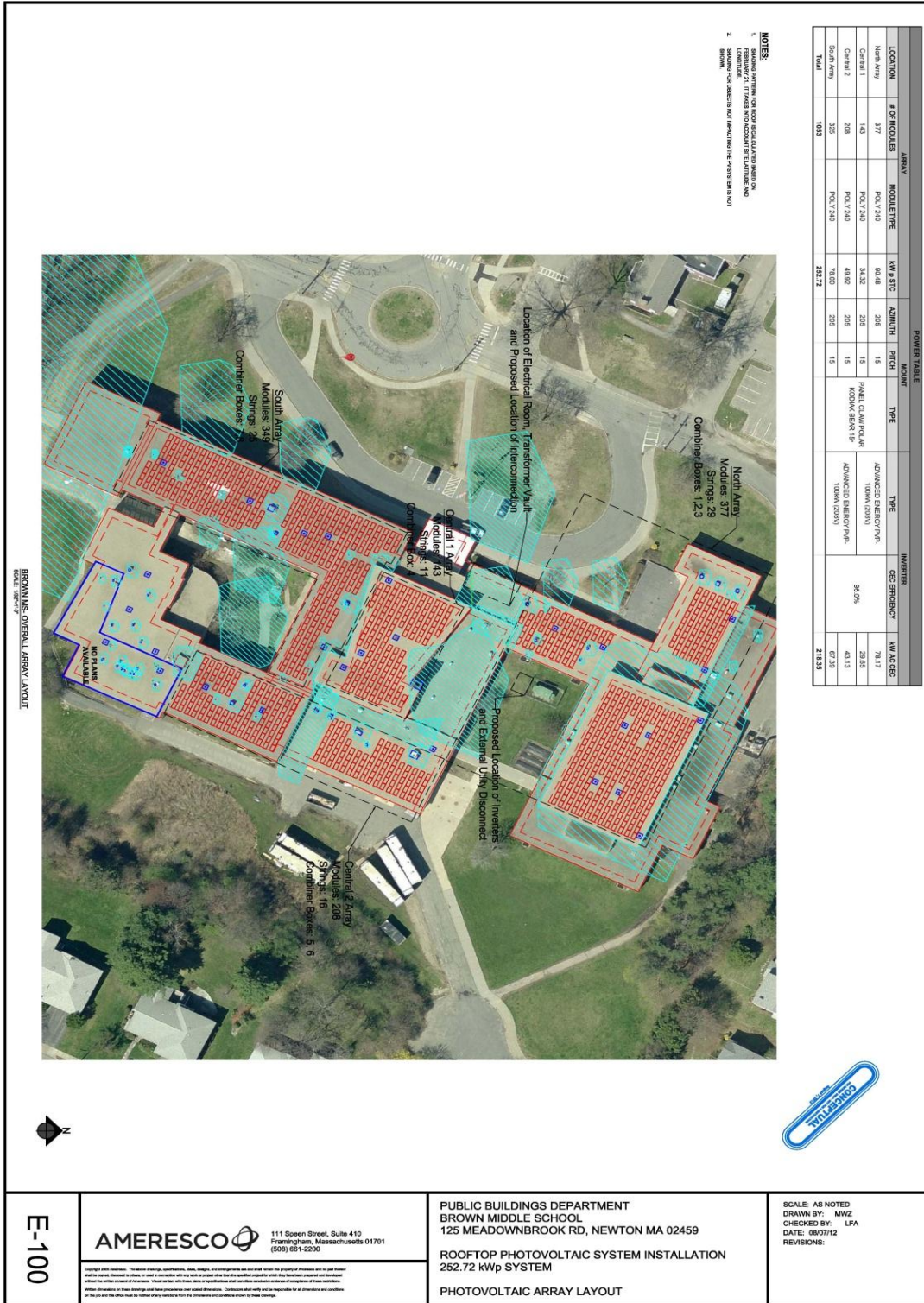
Mounting System:

1. Manufacturer: Panel Claw, Inc.
2. Model: Kodiak Bear FR at 15 Degrees Tilt Angle
3. Type: Flat Roof Mounting System, ballasted using concrete ballast blocks with no penetrations to the roof.

Data Acquisition System (DAS):

1. Manufacturer: Draker Energy or PowerDash
2. Model: Draker PV 2000 Base Station or equivalent PowerDash Model

Solar PV System Layout:



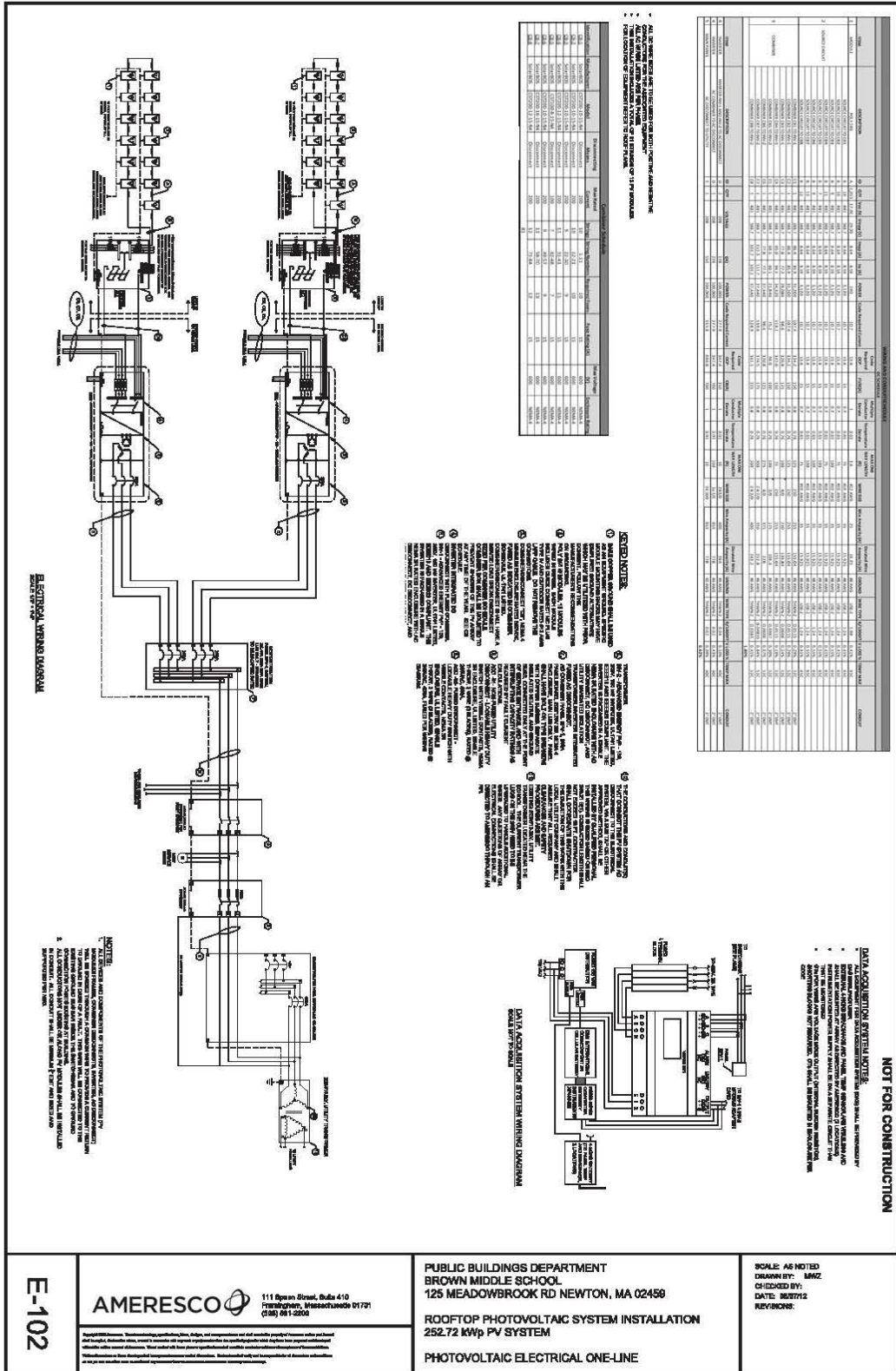
E-100

AMERESCO 111 Speen Street, Suite 410
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 (508) 861-2200

PUBLIC BUILDINGS DEPARTMENT
 BROWN MIDDLE SCHOOL
 125 MEADOWNBROOK RD, NEWTON MA 02459
**ROOFTOP PHOTOVOLTAIC SYSTEM INSTALLATION
 252.72 kWp SYSTEM**
 PHOTOVOLTAIC ARRAY LAYOUT

SCALE: AS NOTED
 DRAWN BY: MHE
 CHECKED BY: LFA
 DATE: 08/07/12
 REVISIONS:

Electrical System Layout:



NOT FOR CONSTRUCTION

DATA ACQUISITION SYSTEM NOTE:

- 1. DATA ACQUISITION SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:
- 2. THE DATA ACQUISITION SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:
- 3. THE DATA ACQUISITION SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:

NO.	DESCRIPTION	QTY	UNIT	AMOUNT	TOTAL
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REVISIONS

1. REVISED TO ADD THE FOLLOWING:

2. REVISED TO ADD THE FOLLOWING:

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10. REVISED TO ADD THE FOLLOWING:

NOTES:

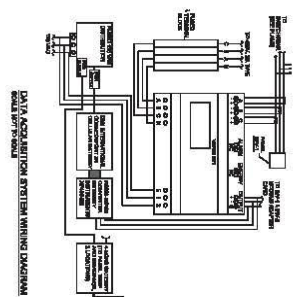
1. ALL ELECTRICAL COMPONENTS OF THE PHOTOVOLTAIC SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:

2. THE PHOTOVOLTAIC SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:

3. THE PHOTOVOLTAIC SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:

4. THE PHOTOVOLTAIC SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:

5. THE PHOTOVOLTAIC SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:



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PUBLIC BUILDINGS DEPARTMENT
BROWN MIDDLE SCHOOL
 125 MEADOWBROOK RD NEWTON, MA 02450

ROOFTOP PHOTOVOLTAIC SYSTEM INSTALLATION
252.72 kWp PV SYSTEM

PHOTOVOLTAIC ELECTRICAL ONE-LINE

SCALE: AS NOTED
 DRAWN BY: LMZ
 CHECKED BY:
 DATE: 06/27/12
 REVISED:

EXHIBIT B
DESCRIPTION OF SYSTEMS

Name: Countryside Elementary School

Address: 191 Dedham St, Newton, MA 02461

The final System description shall be the final as-built drawings to be provided 60 days after Notice of Commercial Operation.

General System Description:

3. System Size DC: 62.4 kW_DC at STC capacity
4. System Size AC: 50 kW_AC

Solar PV Panels:

8. Manufacturer: Canadian Solar, Inc.
9. Model Number: CS6P-240P
10. Module Wattage: 240W
11. Panel Count: 260
12. Type: Polycrystalline 60 Cell Modules
13. Array tilt: 15 degrees from horizontal and oriented 5 degrees west of south.
14. Warranty Information: Free from defects in materials and workmanship for 10 years, 97% minimum production on year 1, and 25 year linear power output with 80% minimum production at year 25.

Inverters:

6. Manufacturer: Advanced Energy
7. Model Number: PVP-50kW PV Inverter
8. Number and size to be installed: (1) 50 kW inverter
9. String size and Quantity: 13 panels per string with 20 total strings.
10. Warranty Information: 10 year warranty

Mounting System:

4. Manufacturer: Panel Claw, Inc.
5. Model: Kodiak Bear FR at 15 Degrees Tilt Angle
6. Type: Flat Roof Mounting System, ballasted using concrete ballast blocks with no penetrations to the roof.

Data Acquisition System (DAS):

3. Manufacturer: Draker Energy or PowerDash
4. Model: Draker PV 2000 Base Station or equivalent PowerDash Model

Solar PV System Layout:



LOCATION	# OF MODULES	ARRAY	MODULE TYPE	MOUNT			TYPE	INVERTER	DC EFFICIENCY		WV AC DEC	
				AZIMUTH	PITCH	TYPE			TYPE	DC EFFICIENCY	WV AC DEC	
North Array	918		POLY 260	27.84	18.8	18	PANEL CLAMP/ROCK BRK IN	ADVANCED ENERGY PV-500W (550W)	86.0%	19.39	26.32	52.41
South Array	858		POLY 260	42.93	18.8	18	PANEL CLAMP/ROCK BRK IN	ADVANCED ENERGY PV-500W (550W)	86.0%	19.39	26.32	52.41
TOTAL	1776											

- NOTES:**
1. REVISION #1: 11' TRAIL AND ACCOUNT SETBACK LAYOUT AND
 2. SHOWN FOR OBJECTS NOT IMPACTING THE PV PERMITAL NOT
 3. ADVISORY: THE NORTH ARRAY WILL BE RELOCATED TO THE NORTH SECTION OF THE BUILDING

COUNTRYSIDE ES - OVERALL ARRAY LAYOUT



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PUBLIC BUILDINGS DEPARTMENT
 COUNTRYSIDE ELEMENTARY SCHOOL
 191 DEDHAM STREET, NEWTON MA 02461

ROOFTOP PHOTOVOLTAIC SYSTEM INSTALLATION
 62.4 kWp DC STC - PV SYSTEM INSTALLATION

PHOTOVOLTAIC ARRAY LAYOUT

SCALE: AS NOTED
 DRAWN BY: LFA
 CHECKED BY:
 DATE: 08/01/12
 REVISIONS:

Electrical System Layout:

KEYNOTES

1. PANEL CANNOT BE INSTALLED IN THIS LOCATION. SEE ELECTRICAL CODE FOR PANEL SCHEDULING AND CONFORMANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND LOCAL ORDINANCES.
2. ALL CONDUITS SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND LOCAL ORDINANCES.
3. ALL WIRING SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND LOCAL ORDINANCES.
4. ALL ELECTRICAL WORK SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND LOCAL ORDINANCES.
5. ALL ELECTRICAL WORK SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND LOCAL ORDINANCES.
6. ALL ELECTRICAL WORK SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND LOCAL ORDINANCES.
7. ALL ELECTRICAL WORK SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND LOCAL ORDINANCES.
8. ALL ELECTRICAL WORK SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND LOCAL ORDINANCES.
9. ALL ELECTRICAL WORK SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND LOCAL ORDINANCES.
10. ALL ELECTRICAL WORK SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND LOCAL ORDINANCES.

NOTES

1. ALL DIMENSIONS AND COMPONENTS FOR THE PHOTOVOLTAIC SYSTEM ARE TO BE PROVIDED BY THE PHOTOVOLTAIC SYSTEM MANUFACTURER. THE PHOTOVOLTAIC SYSTEM MANUFACTURER SHALL BE RESPONSIBLE FOR PROVIDING ALL NECESSARY INFORMATION REGARDING THE SYSTEM'S PERFORMANCE AND TO PROVIDE ALL CONDUIT SCHEDULES OF ALL PHOTOVOLTAIC SYSTEMS TO BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND LOCAL ORDINANCES.

ELECTRICAL WIRING DIAGRAM
SCALE: 1/8" = 1'-0"

NOT FOR CONSTRUCTION

DATA ACQUISITION SYSTEM WIRING DIAGRAM
SCALE: NOT TO SCALE

DATA ACQUISITION SYSTEM NOTES:

1. THE DATA ACQUISITION SYSTEM SHALL BE PROVIDED BY THE PHOTOVOLTAIC SYSTEM MANUFACTURER.
2. THE DATA ACQUISITION SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND LOCAL ORDINANCES.
3. THE DATA ACQUISITION SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND LOCAL ORDINANCES.
4. THE DATA ACQUISITION SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND LOCAL ORDINANCES.
5. THE DATA ACQUISITION SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND LOCAL ORDINANCES.

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PUBLIC BUILDINGS DEPARTMENT
COUNTRYSIDE ELEMENTARY SCHOOL
191 DEDHAM ST NEWTON, MA 02461

ROOFTOP PHOTOVOLTAIC SYSTEM INSTALLATION
62.4 kWp PV SYSTEM

PHOTOVOLTAIC ELECTRICAL ONE-LINE

E-102

SCALE: AS NOTED
DRAWN BY: HWZ
CHECKED BY: DATE: 08/27/12
REVISIONS:

EXHIBIT B
DESCRIPTION OF SYSTEMS

Name: Memorial Spaulding School

Address: 250 Brookline St, Newton, MA 02461

The final System description shall be the final as-built drawings to be provided 60 days after Notice of Commercial Operation.

General System Description:

5. System Size DC: 109.2 kW_DC at STC capacity
6. System Size AC: 100 kW_AC

Solar PV Panels:

15. Manufacturer: Canadian Solar, Inc.
16. Model Number: CS6P-240P
17. Module Wattage: 240W
18. Panel Count: 455
19. Type: Polycrystalline 60 Cell Modules
20. Array tilt: 15 degrees from horizontal and oriented 34 degrees west of south.
21. Warranty Information: Free from defects in materials and workmanship for 10 years, 97% minimum production on year 1, and 25 year linear power output with 80% minimum production at year 25.

Inverters:

11. Manufacturer: Advanced Energy
12. Model Number: PVP-100kW PV Inverter
13. Number and size to be installed: (1) 100 kW inverter
14. String size and Quantity: 13 panels per string with 35 total strings.
15. Warranty Information: 10 year warranty

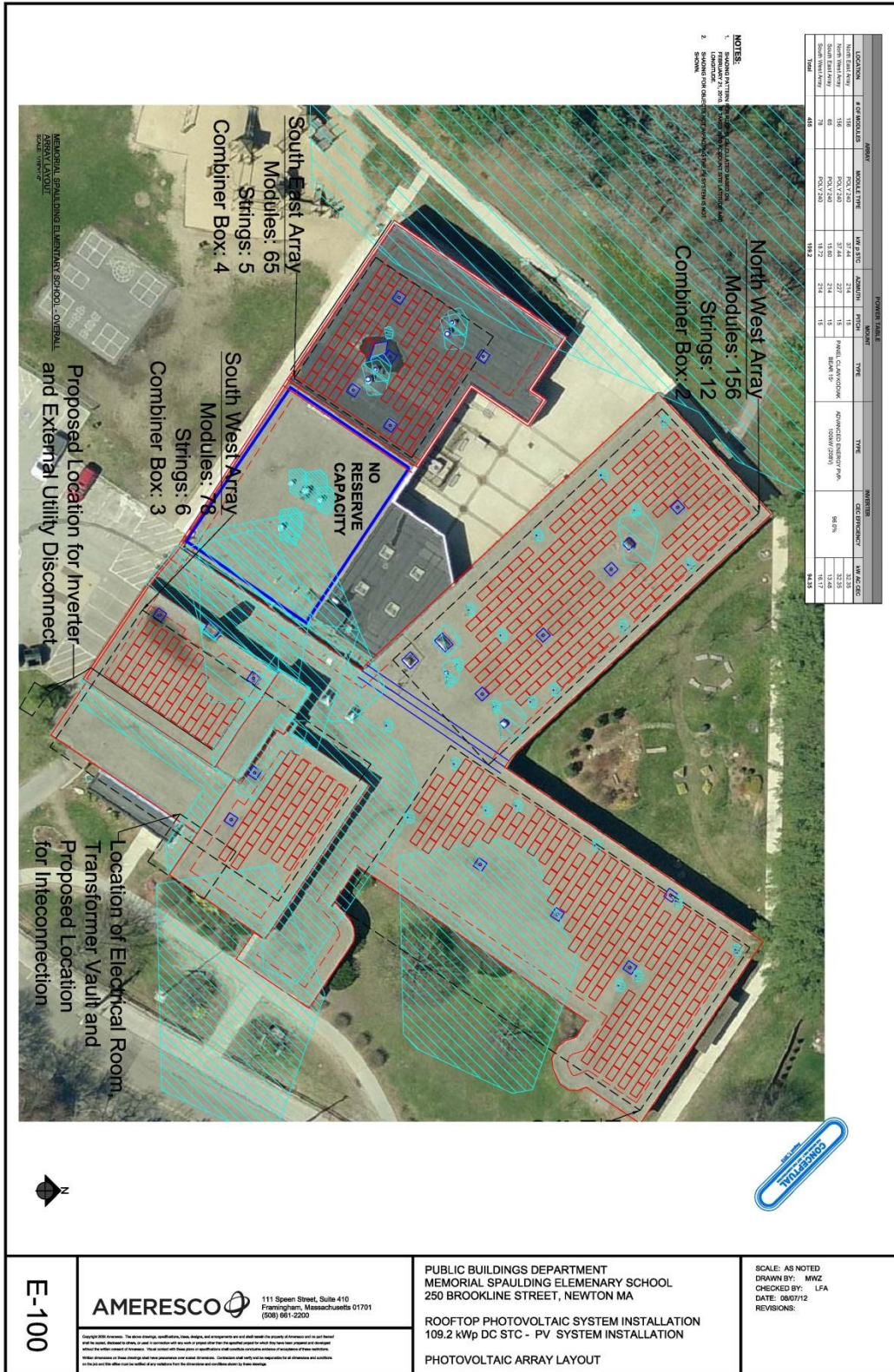
Mounting System:

7. Manufacturer: Panel Claw, Inc.
8. Model: Kodiak Bear FR at 15 Degrees Tilt Angle
9. Type: Flat Roof Mounting System, ballasted using concrete ballast blocks with no penetrations to the roof.

Data Acquisition System (DAS):

5. Manufacturer: Draker Energy or PowerDash
6. Model: Draker PV 2000 Base Station or equivalent PowerDash Model

Solar PV System Layout:



LOCATION	# OF MODULES	MODULE TYPE	WV 21.5C		ADMM11		TYPE	INVERTER	
			WV 21.5C	ADMM11	ADMM11	WV 21.5C			
North West Array	156	POLY 7.240	37.64	212	15	15	PANEL CLAMPING	98.9%	21.25
South East Array	65	POLY 7.240	16.32	212	15	15	PANEL CLAMPING	98.9%	21.25
South West Array	78	POLY 7.240	18.32	212	15	15	PANEL CLAMPING	98.9%	21.25
TOTAL	499		72.28	636	45	45			64.25

NOTES:
 1. PHOTOVOLTAIC ARRAY LAYOUT IS BASED ON THE PROVIDED PHOTOVOLTAIC ARRAY LAYOUT AND THE PHOTOVOLTAIC ARRAY LAYOUT IS SUBJECT TO THE PHOTOVOLTAIC ARRAY LAYOUT.
 2. LOCATION OF THE PHOTOVOLTAIC ARRAY LAYOUT IS SUBJECT TO THE PHOTOVOLTAIC ARRAY LAYOUT.



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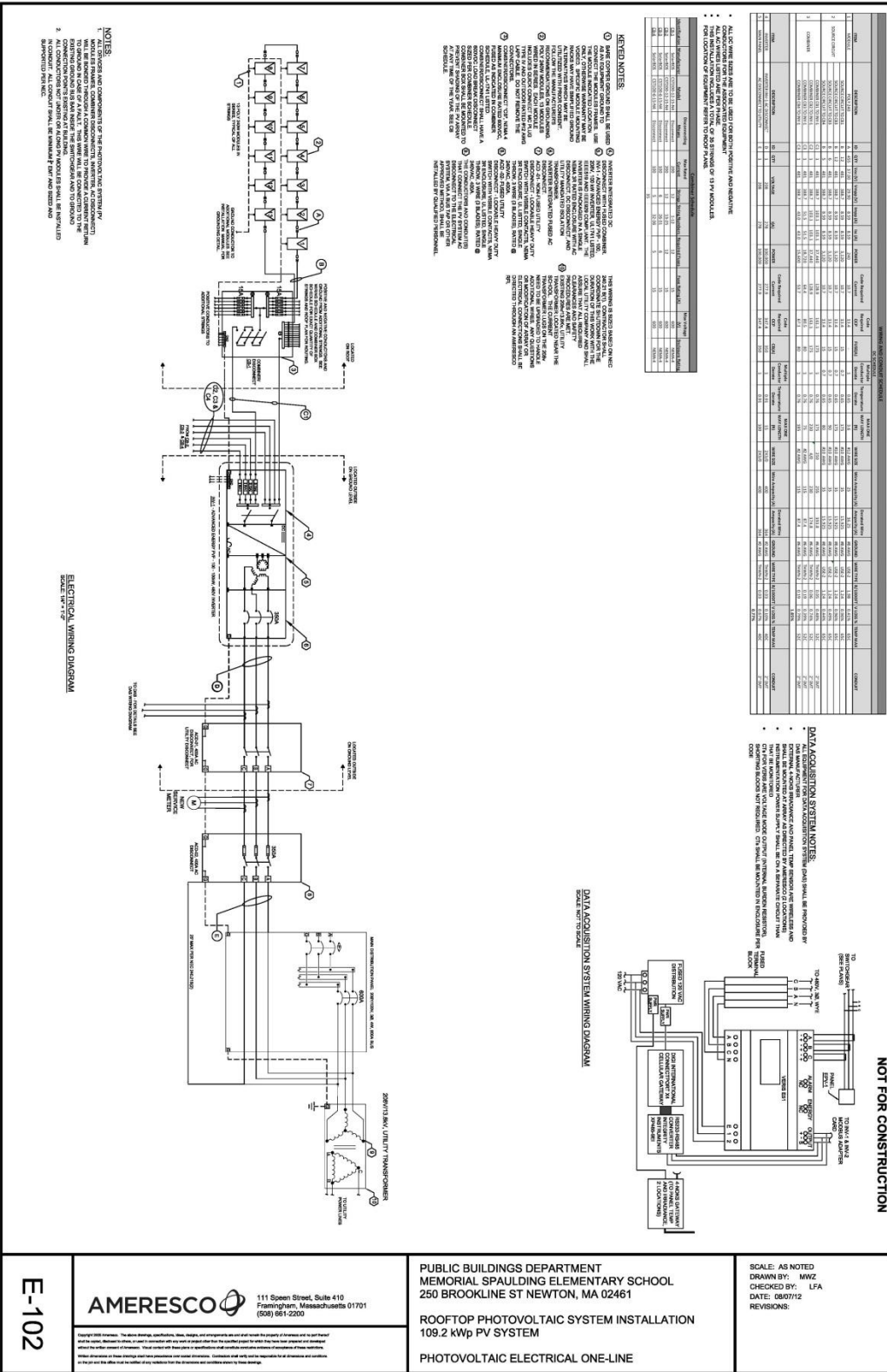
PUBLIC BUILDINGS DEPARTMENT
 MEMORIAL SPAULDING ELEMENTARY SCHOOL
 250 BROOKLINE STREET, NEWTON MA

ROOFTOP PHOTOVOLTAIC SYSTEM INSTALLATION
 109.2 kWp DC STC - PV SYSTEM INSTALLATION

PHOTOVOLTAIC ARRAY LAYOUT

SCALE: AS NOTED
 DRAWN BY: MWZ
 CHECKED BY: LFA
 DATE: 06/07/12
 REVISIONS:

Electrical System Layout:



NOTES:
 1. ALL CHANGES AND COMPONENTS TO THE PHOTOVOLTAIC SYSTEM SHALL BE APPROVED BY THE DESIGNER.
 2. ALL CONDUIT SHALL BE RATED FOR THE SYSTEM VOLTAGE AND SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC).
 3. ALL WIRING SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC).
 4. ALL COMPONENTS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.

ELECTRICAL WIRING DIAGRAM
 SCALE: 1/8" = 1'-0"

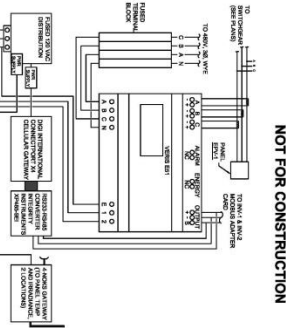
GENERAL NOTES:

1. THE SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND ALL APPLICABLE LOCAL CODES.
2. ALL WIRING SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND ALL APPLICABLE LOCAL CODES.
3. ALL COMPONENTS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.
4. ALL CHANGES AND COMPONENTS TO THE PHOTOVOLTAIC SYSTEM SHALL BE APPROVED BY THE DESIGNER.
5. ALL CONDUIT SHALL BE RATED FOR THE SYSTEM VOLTAGE AND SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC).
6. ALL WIRING SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC).
7. ALL COMPONENTS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.

PHOTOVOLTAIC SYSTEM DATA

Module Type	Manufacturer	Model	Power (W)	Voltage (V)	Current (A)	Dimensions (L x W x H)	Weight (kg)
Monocrystalline Silicon	First Solar	FS-60	330	60	5.5	1650 x 990 x 40	18.0
Polycrystalline Silicon	First Solar	FS-72	370	72	5.1	1650 x 990 x 40	18.0
Thin-Film	First Solar	FS-125	125	125	1.0	1650 x 990 x 40	18.0

DATA ACQUISITION SYSTEM NOTES:
 1. THE DATA ACQUISITION SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND ALL APPLICABLE LOCAL CODES.
 2. ALL WIRING SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND ALL APPLICABLE LOCAL CODES.
 3. ALL COMPONENTS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.



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PUBLIC BUILDINGS DEPARTMENT
 MEMORIAL SPAULDING ELEMENTARY SCHOOL
 250 BROOKLINE ST NEWTON, MA 02461
 ROOFTOP PHOTOVOLTAIC SYSTEM INSTALLATION
 109.2 kWp PV SYSTEM
 PHOTOVOLTAIC ELECTRICAL ONE-LINE

SCALE: AS NOTED
 DRAWN BY: MWZ
 CHECKED BY: LFA
 DATE: 08/27/12
 REVISIONS:

NOT FOR CONSTRUCTION

EXHIBIT B
DESCRIPTION OF SYSTEMS

Name: Newton North High School

Address: 457 Walnut St, Newton, MA 02460

The final System description shall be the final as-built drawings to be provided 60 days after Notice of Commercial Operation.

General System Description:

7. System Size DC: 262.08 kW_DC at STC capacity
8. System Size AC: 260 kW_AC

Solar PV Panels:

22. Manufacturer: Canadian Solar, Inc.
23. Model Number: CS6P-240P
24. Module Wattage: 240W
25. Panel Count: 1092
26. Type: Polycrystalline 60 Cell Modules
27. Array tilt: 5 degrees from horizontal and oriented 5 degrees east of south.
28. Warranty Information: Free from defects in materials and workmanship for 10 years, 97% minimum production on year 1, and 25 year linear power output with 80% minimum production at year 25.

Inverters:

16. Manufacturer: Advanced Energy
17. Model Number: PVP-260kW PV Inverter
18. Number and size to be installed: (1) 260 kW inverter
19. String size and Quantity: 13 panels per string with 84 total strings.
20. Warranty Information: 10 year warranty

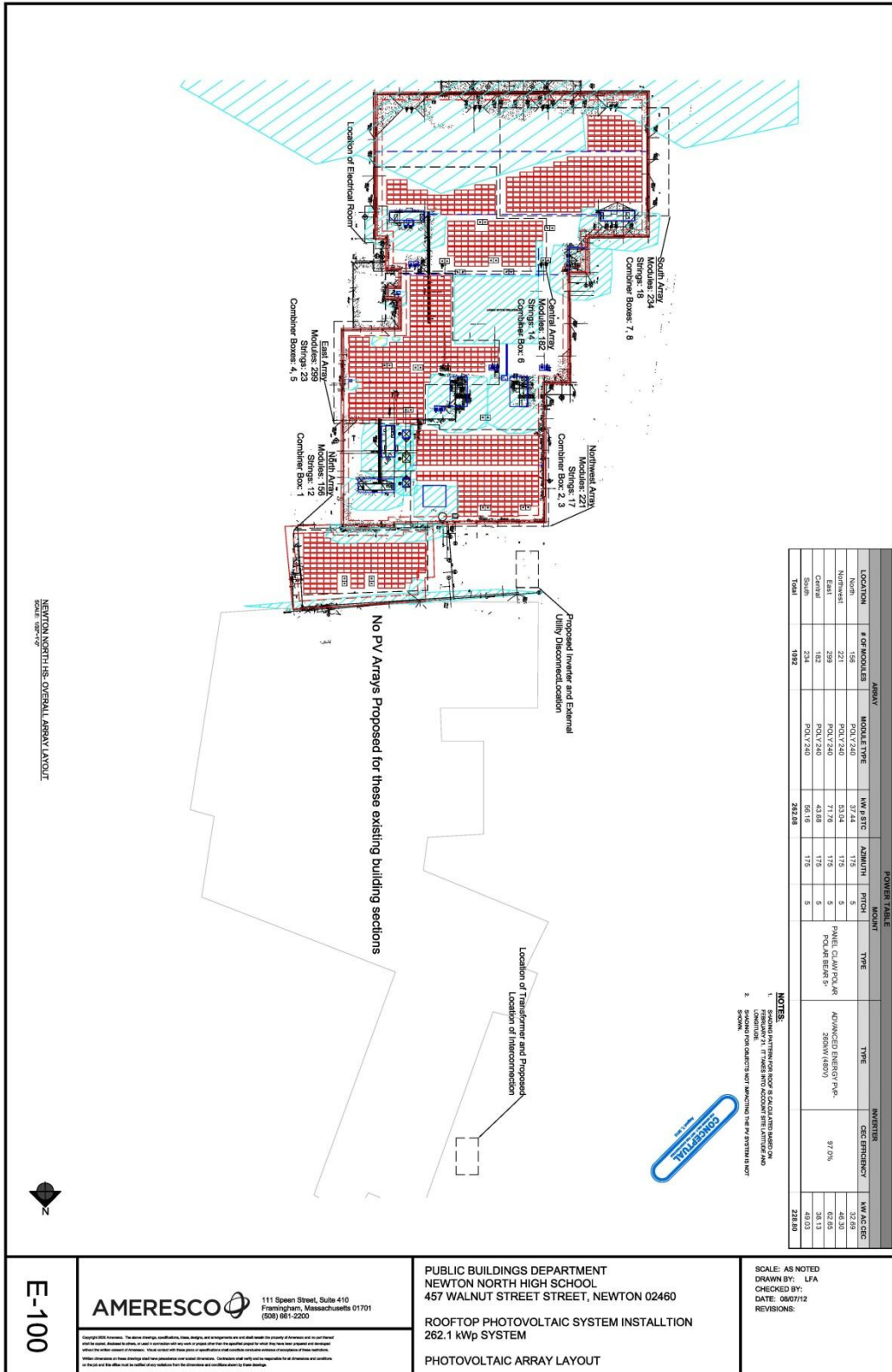
Mounting System:

10. Manufacturer: Panel Claw, Inc.
11. Model: Polar Bear FR Gen II at 5 Degrees Tilt Angle
12. Type: Flat Roof Mounting System, ballasted using concrete ballast blocks with no penetrations to the roof.

Data Acquisition System (DAS):

7. Manufacturer: Draker Energy or PowerDash
8. Model: Draker PV 2000 Base Station or equivalent PowerDash Model

Solar PV System Layout:



Electrical System Layout:

KEYED NOTES:

1. THE SYSTEM SHALL BE DESIGNED TO BE COMPATIBLE WITH THE PHOTOVOLTAIC SYSTEM AND TO PROVIDE THE NECESSARY ELECTRICAL SERVICES TO THE PHOTOVOLTAIC SYSTEM.
2. THE PHOTOVOLTAIC SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE PHOTOVOLTAIC SYSTEM MANUFACTURER'S INSTALLATION INSTRUCTIONS.
3. THE PHOTOVOLTAIC SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE PHOTOVOLTAIC SYSTEM MANUFACTURER'S WIRING DIAGRAMS.
4. THE PHOTOVOLTAIC SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE PHOTOVOLTAIC SYSTEM MANUFACTURER'S SAFETY INSTRUCTIONS.
5. THE PHOTOVOLTAIC SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE PHOTOVOLTAIC SYSTEM MANUFACTURER'S MAINTENANCE INSTRUCTIONS.
6. THE PHOTOVOLTAIC SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE PHOTOVOLTAIC SYSTEM MANUFACTURER'S WARRANTY REQUIREMENTS.
7. THE PHOTOVOLTAIC SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE PHOTOVOLTAIC SYSTEM MANUFACTURER'S PERFORMANCE REQUIREMENTS.
8. THE PHOTOVOLTAIC SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE PHOTOVOLTAIC SYSTEM MANUFACTURER'S COMPLIANCE REQUIREMENTS.
9. THE PHOTOVOLTAIC SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE PHOTOVOLTAIC SYSTEM MANUFACTURER'S SUPPORT REQUIREMENTS.
10. THE PHOTOVOLTAIC SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE PHOTOVOLTAIC SYSTEM MANUFACTURER'S TRAINING REQUIREMENTS.
11. THE PHOTOVOLTAIC SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE PHOTOVOLTAIC SYSTEM MANUFACTURER'S DOCUMENTATION REQUIREMENTS.
12. THE PHOTOVOLTAIC SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE PHOTOVOLTAIC SYSTEM MANUFACTURER'S OTHER REQUIREMENTS.

NOT FOR CONSTRUCTION

DATA ACQUISITION SYSTEM WIRING DIAGRAM

DATA ACQUISITION SYSTEM NOTES:

- 1. THE DATA ACQUISITION SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE DATA ACQUISITION SYSTEM MANUFACTURER'S INSTALLATION INSTRUCTIONS.
- 2. THE DATA ACQUISITION SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE DATA ACQUISITION SYSTEM MANUFACTURER'S WIRING DIAGRAMS.
- 3. THE DATA ACQUISITION SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE DATA ACQUISITION SYSTEM MANUFACTURER'S SAFETY INSTRUCTIONS.
- 4. THE DATA ACQUISITION SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE DATA ACQUISITION SYSTEM MANUFACTURER'S MAINTENANCE INSTRUCTIONS.
- 5. THE DATA ACQUISITION SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE DATA ACQUISITION SYSTEM MANUFACTURER'S WARRANTY REQUIREMENTS.
- 6. THE DATA ACQUISITION SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE DATA ACQUISITION SYSTEM MANUFACTURER'S PERFORMANCE REQUIREMENTS.
- 7. THE DATA ACQUISITION SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE DATA ACQUISITION SYSTEM MANUFACTURER'S COMPLIANCE REQUIREMENTS.
- 8. THE DATA ACQUISITION SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE DATA ACQUISITION SYSTEM MANUFACTURER'S SUPPORT REQUIREMENTS.
- 9. THE DATA ACQUISITION SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE DATA ACQUISITION SYSTEM MANUFACTURER'S TRAINING REQUIREMENTS.
- 10. THE DATA ACQUISITION SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE DATA ACQUISITION SYSTEM MANUFACTURER'S DOCUMENTATION REQUIREMENTS.
- 11. THE DATA ACQUISITION SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE DATA ACQUISITION SYSTEM MANUFACTURER'S OTHER REQUIREMENTS.

NOTES:

1. ALL CONDUIT SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE PHOTOVOLTAIC SYSTEM MANUFACTURER'S INSTALLATION INSTRUCTIONS.
2. ALL CONDUIT SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE PHOTOVOLTAIC SYSTEM MANUFACTURER'S SAFETY INSTRUCTIONS.
3. ALL CONDUIT SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE PHOTOVOLTAIC SYSTEM MANUFACTURER'S MAINTENANCE INSTRUCTIONS.
4. ALL CONDUIT SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE PHOTOVOLTAIC SYSTEM MANUFACTURER'S WARRANTY REQUIREMENTS.
5. ALL CONDUIT SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE PHOTOVOLTAIC SYSTEM MANUFACTURER'S PERFORMANCE REQUIREMENTS.
6. ALL CONDUIT SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE PHOTOVOLTAIC SYSTEM MANUFACTURER'S COMPLIANCE REQUIREMENTS.
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DATA ACQUISITION SYSTEM WIRING DIAGRAM

NOTES:

1. ALL CONDUIT SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE PHOTOVOLTAIC SYSTEM MANUFACTURER'S INSTALLATION INSTRUCTIONS.
2. ALL CONDUIT SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE PHOTOVOLTAIC SYSTEM MANUFACTURER'S SAFETY INSTRUCTIONS.
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10. ALL CONDUIT SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE PHOTOVOLTAIC SYSTEM MANUFACTURER'S OTHER REQUIREMENTS.

DATA ACQUISITION SYSTEM WIRING DIAGRAM

E-102

AMERESCO
111 Speen Street, Suite 410
Framingham, Massachusetts 01701
(508) 861-2200

DEPARTMENT OF PUBLIC BUILDINGS
NEWTON NORTH HIGH SCHOOL
457 WALNUT ST NEWTON, MA 02460

ROOFTOP PHOTOVOLTAIC SYSTEM INSTALLATION
262.1 kWp PV SYSTEM

PHOTOVOLTAIC ELECTRICAL ONE-LINE

SCALE: AS NOTED
DRAWN BY: MWZ
CHECKED BY: LA
DATE: 08/07/12

REVISIONS:

ATTACHMENT C AGREEMENT PROVISIONS

ELECTRICITY PRICE		
	First Year kWh Rate (\$/kWh)	\$ 0.1060
	Annual Rate Escalator	2.5%
Year	Price (\$/kWh)	
1	\$	0.1060
2	\$	0.1060
3	\$	0.1060
4	\$	0.1087
5	\$	0.1114
6	\$	0.1142
7	\$	0.1170
8	\$	0.1199
9	\$	0.1229
10	\$	0.1260
11	\$	0.1292
12	\$	0.1324
13	\$	0.1357
14	\$	0.1391
15	\$	0.1426
16	\$	0.1461
17	\$	0.1498
18	\$	0.1535
19	\$	0.1574
20	\$	0.1613
LDC	Northeast Utilities (NSTAR)	

Guarantee Amount	
Estimated First Year's Solar PV Production	800,968
Guarantee Percentage	80%
Annual System Degradation Factor	0.5%
<i>Contract Year</i>	<i>Guarantee Amount (kWh)</i>
1	640,774
2	637,571
3	634,383
4	631,211
5	628,055
6	624,914
7	621,790
8	618,681
9	615,588
10	612,510
11	609,447
12	606,400
13	603,368
14	600,351
15	597,349
16	594,362
17	591,391
18	588,434
19	585,492
20	582,564

ATTACHMENT E-1 – TERMINATION PAYMENT

Termination Occurs in Year:	Early Termination Fee (Excluding costs of removal)
1	\$ 2,446,614
2	\$ 2,364,688
3	\$ 2,171,848
4	\$ 1,966,945
5	\$ 1,726,876
6	\$ 1,477,385
7	\$ 1,697,610
8	\$ 1,607,702
9	\$ 1,508,370
10	\$ 1,398,637
11	\$ 1,277,425
12	\$ 1,177,922
13	\$ 1,067,537
14	\$ 945,145
15	\$ 809,507
16	\$ 659,261
17	\$ 492,906
18	\$ 308,793
19	\$ 217,169
20	\$ 114,616
At Expiration	\$ 1

ATTACHMENT E-2 Developer Termination Payment

If User is entitled to a Developer Termination Payment, then such Developer Termination Payment shall be in an amount not to exceed the then present value (discounted at the prevailing prime rate of interest as published in the Wall Street Journal on the day preceding the date of determination) of the cash flow equal to the product of:

(A) the amount, if any, in dollars per kWh by which (1) (i) the aggregate value of Net Metering credit calculated for each billing periods or portion thereof that occurred in the Contract Year in which termination occurs, divided by (ii) the actual aggregate kWh produced by the System and delivered to the Delivery Point in such Contract Year, exceeds (2) the Electricity Price,

multiplied by:

(B) the number of days remaining in the Term as to each Contract Year times the Guaranteed Annual Electric Output in each such remaining Contract Year.

In no case shall the result of the amount in clause (A) exceed \$0.05 per kWh. A sample calculation is as follows:

SUPPLIER TERMINATION PAYMENT EXAMPLE CALCULATION					
Price for commercial available electricity at time of Termination:					
Electricity Price per Exhibit C:					
Difference for this example (\$/kWh):		\$		0.05	
Example Prime Rate:				3.25%	
Year of Termination	Maximum Days Each Termination Year (Excludes Leap Year)	Guaranteed Annual Electric Output (KWh)	Daily Guaranteed Annual Electric Output (KWh)	Maximum Payment for Maximum Days	Maximum Seller Termination Payment
1	365	640,774	1,755.55	\$ 32,039	\$ 446,700
2	365	637,571	1,746.77	\$ 31,879	\$ 429,179
3	365	634,383	1,738.03	\$ 31,719	\$ 411,249
4	365	631,211	1,729.34	\$ 31,561	\$ 392,895
5	365	628,055	1,720.70	\$ 31,403	\$ 374,104
6	365	624,914	1,712.09	\$ 31,246	\$ 354,860
7	365	621,790	1,703.53	\$ 31,089	\$ 335,147
8	365	618,681	1,695.02	\$ 30,934	\$ 314,950
9	365	615,588	1,686.54	\$ 30,779	\$ 294,251
10	365	612,510	1,678.11	\$ 30,625	\$ 273,035
11	365	609,447	1,669.72	\$ 30,472	\$ 251,283
12	365	606,400	1,661.37	\$ 30,320	\$ 228,978
13	365	603,368	1,653.06	\$ 30,168	\$ 206,099
14	365	600,351	1,644.80	\$ 30,018	\$ 182,629
15	365	597,349	1,636.57	\$ 29,867	\$ 158,547
16	365	594,362	1,628.39	\$ 29,718	\$ 133,832
17	365	591,391	1,620.25	\$ 29,570	\$ 108,464
18	365	588,434	1,612.15	\$ 29,422	\$ 82,419
19	365	585,492	1,604.09	\$ 29,275	\$ 55,676
20	365	582,564	1,596.07	\$ 29,128	\$ 28,211

Examples at the price difference shown above:		
1) Developer Termination Payment after Year 9 (January 1 of year 10) equals:		\$ 273,035
2) Developer Termination Payment after day 240 in year 14 (125 days remaining in year) equals:		\$ 163,513
3) Developer Termination Payment after Year 14 (January 1 of year 15) equals:		\$ 158,547

EXHIBIT J

DEVELOPER'S COMMISSIONING PLAN

Purpose

In order to provide a reliable, properly functioning solar power project Ameresco performs a rigorous visual inspection and testing procedure which is outlined in this plan.

PV Arrays

Each individual PV array is visually inspected to verify the modules were installed accordingly to the manufacturer specifications. If the array is on a building roof, the roof manufacturer performs an inspection prior to construction and after PV array is installed. Also the quantity, tilt angle, azimuth, orientation of the modules in the array as well as inter-row spacing is inspected to verify that agrees with design document specifications.

Mounting System

Mounting system is inspected to verify it was assembled properly following the manufacturer specifications. Mounts and hardware are inspected to make sure all components are undamaged and in good working order. Mechanical connections are rigorously inspected for tightness and proper installation of brackets, rails, expansion joints, etc. A review of the required ballast per structural review and mounting system manufacturer calculations is also performed. Grounding method used for the module frames and mounting system is inspected to verify it follows NEC requirements and mounting system manufacturer instructions.

Inverter

PV inverter is inspected to determine no mechanical damage occurred during the installation. Also proper clearances for ventilation and NEC compliance are verified.

Circuit Combiner-Disconnects, DC Disconnects and AC Disconnect

The circuit Combiner-Disconnects and DC and AC disconnects are inspected for proper installation. All wires connections inside are inspected for tightness and proper grounding. Technical specifications of circuit Combiner-Disconnect and DC and AC disconnects are verified to agree with the design drawings. AC disconnect location is verified to make sure it is outside for utility company use.

DRAFT: 12.09.05

Conduit and Wiring

Installation of conduit and wiring is inspected to determine it was performed in a neat and workmanlike manner. Conduit location and wiring type and sizing are verified to match the design documents. Also NEC compliance and mechanical connections are verified.

Labeling

All system components from the source circuits to the interconnection point are verified to have proper identification and warning labels required by NEC and the utility company.

Punchlist

After the rigorous visual inspection is finalized, Ameresco prepares a detailed punchlist with any deficiencies found. These deficiencies are fixed before any electrical test is performed.

Solar Array Electrical Test

For each PV source circuit (string of modules), the following items are tested and confirmed by Ameresco:

- a. Pass/fail insulation resistance (Megger) test for all conductors.
- b. Combiner fuses continuity
- c. Correct polarity
- d. Relative open circuit voltage
- e. String performance using an I-V 400 (IV Curve analyzer). This test is performed when irradiance is at an acceptable level (>700 w/m²) and provides accurate measurements of open circuit voltage (Voc), short circuit current (Isc) and power produced by every string.

Inverter Electrical Test

Ameresco follows a thorough startup procedure to check for proper installation of the array and PV inverter before startup. The following is an outline of this procedure:

- a. Measure utility voltage and make sure correct inverter is installed.
- b. Test for correct solar array voltage polarity at inverter.
- c. Ensure inverter is properly grounded to utility source.
- d. Make sure solar array negative is correctly grounded inside the inverter.
- e. Test inverter startup sequence.
- f. Test inverter shut down sequence.
- g. Test anti-islanding protection.
- h. Test emergency shutdown.
- i. Test interlock safety operation.

Conduit									
1	Type								
2	Trade Size								
3	Sagging								
4	Stability								
5	Water Tight								
6	Expansion Joints								
7	Wire pull bushings								
8	Conduit Entries Sealed								
9	Jbox cover Sealed								
10	Height Above Roof								
11	Over 24" with no derate								
12	Caddie Span								
13	Trip Hazard								
14	Shading Array								
15	Contacting Al Rail								
16	Building Entry Seal								
Wire									
1	Insulation Condition								
2	Megger Test Results								
3	Gauge								
4	Grounded + or - in array, improper								
5	Wire management Array								
	Neatness								
	Wire on roof								
	Loose Wire								
	Contacting sharp edge								
	Wire Pinched								
	Wire Too Tight								
	Wire protected								
Roof									
1	Damage/Holes								
2	Cleanliness								
3	Access pathways								
4	Fire Truck Ladder Locations								
Signage									
1	Per NEC								
2	ID Labels								
3	Per Utility company								
4	Any Special Requirements								

PV System Test PRE-STARTUP			
Job Site:			
Date:	Time:	Weather:	
Inverter information			
Manufacturer			
Model #			
Serial #			
Checklist		Notes	
1. Pre-Commissioning			
<input type="checkbox"/> All disconnects open & locked			
<input type="checkbox"/> Verify no AC voltage at inverter			
<input type="checkbox"/> Verify no AC voltage at transformer			
<input type="checkbox"/> Verify no DC voltage at inverter			
<input type="checkbox"/> Remove all inspection panels from inverter & txfmr			
2. Mechanical			
<input type="checkbox"/> Inverter anchor bolts tightly fastened			
<input type="checkbox"/> Transformer anchor bolts tightly fastened			
<input type="checkbox"/> All conduit fittings tightly fastened			
<input type="checkbox"/> Enclosure undamaged & unmodified			
3. AC Circuits			
<input type="checkbox"/> Phase A, TB5 - T6-X1 (Inverter to transformer)			
<input type="checkbox"/> Connection tight and proper			
<input type="checkbox"/> Phase B, TB6 - T6-X2 (Inverter to transformer)			
<input type="checkbox"/> Connection tight and proper			
<input type="checkbox"/> Phase C, TB7 - T6-X3 (Inverter to transformer)			
<input type="checkbox"/> Connection tight and proper			
<input type="checkbox"/> Phase A, S1-2T1 (Utility at AC interface)			
<input type="checkbox"/> Connection tight and proper			
<input type="checkbox"/> Phase B, S1-4T2 (Utility at AC interface)			
<input type="checkbox"/> Connection tight and proper			
<input type="checkbox"/> Phase C, S1-6T3 (Utility at AC interface)			
<input type="checkbox"/> Connection tight and proper			
<input type="checkbox"/> Ground TB12 (AC Interface)			
<input type="checkbox"/> Connection tight and proper			
<input type="checkbox"/> Ground TB1 (Inverter)			
<input type="checkbox"/> Connection tight and proper			
<input type="checkbox"/> Transformer X0 is floating			
<input type="checkbox"/> Transformer Neutral TB11 connected to X0/H0 at main transformer			
<input type="checkbox"/> Connection tight and proper			
4. DC Circuits			
<input type="checkbox"/> PV positive from combiner connected to PV POS S2-6			
<input type="checkbox"/> Connection tight and proper			
<input type="checkbox"/> PV negative from combiner connected to PV NEG K2-6T3			
<input type="checkbox"/> Connection tight and proper			
<input type="checkbox"/> Verify Inverter Sub-Array Combiner Fusing Matches Ameresco DWG			
<input type="checkbox"/> PV Ground connected to PV GND TB4			
<input type="checkbox"/> DC disconnect load break wired correctly			
<input type="checkbox"/> Connection tight and proper			
5. Ground			
<input type="checkbox"/> Installed correctly			
<input type="checkbox"/> Connection tight and proper			
<input type="checkbox"/> Connected to single grounding point			
6. Secure System			
<input type="checkbox"/> Make sure inverter key switch is in OFF position			
<input type="checkbox"/> Open and lock all disconnects			
<input type="checkbox"/> Replace all inspection panels on inverter & txfmr			
<input type="checkbox"/> Unless approved by utility, leave locked and OFF			

PV System Test			
INVERTER COMMISSIONING AND STARTUP			
Job Site:			
Date:	Time:	Weather:	
Inverter information			
Manufacturer			
Model #			
Serial #			
Checklist		Notes	
1. Pre-Commissioning			
<input type="checkbox"/> All disconnects open & locked			
<input type="checkbox"/> Verify no AC voltage at inverter			
<input type="checkbox"/> Verify no AC voltage at transformer			
<input type="checkbox"/> Verify no DC voltage at inverter			
2. DC Circuits			
<input type="checkbox"/> All DC circuit tests complete			
<input type="checkbox"/> All DC circuit fuses in place			
<input type="checkbox"/> Verify DC voltage on array side of disconnect			
3. Transformer Inspection			
<input type="checkbox"/> Verify all utility conductors are terminated correctly			
<input type="checkbox"/> Verify all inverter conductors are terminated correctly			
4. Inverter Inspection			
<input type="checkbox"/> Verify all AC side terminations are tight & correct			
<input type="checkbox"/> Verify all DC side terminations are tight & correct			
5. Initial Power			
<input type="checkbox"/> Inverter key switch set to OFF position			
<input type="checkbox"/> Close the Utility Disconnect and/or Breaker			
<input type="checkbox"/> Verify 480VAC on the AC interface utility power terminals			
<input type="checkbox"/> Close AC interface disconnect.			
<input type="checkbox"/> Verify 208VAC on the inverter AC feed terminals			
<input type="checkbox"/> Verify that inverter goes through initialization			
<input type="checkbox"/> Verify DC polarity at DC Disconnect is correct			
<input type="checkbox"/> Close DC Disconnect			
<input type="checkbox"/> Verify DC polarity and voltage at inverter terminals			
<input type="checkbox"/> Turn inverter key switch to ON position			
<input type="checkbox"/> Verify on inverter LCD that countdown has started			
<input type="checkbox"/> At end of countdown, inverter should start			
<input type="checkbox"/> Note following while inverter is operating:			
AC kW:			
P1 VAC: P1 Amp: DC Volt:			
P2 VAC: P2 Amp: DC Amp:			
P3 VAC: P3 Amp:			
6. Protective feature test			
<input type="checkbox"/> Anti-islanding protection			
<input type="checkbox"/> Door interlock			
7. Secure System			
<input type="checkbox"/> Turn inverter key switch to OFF position			
<input type="checkbox"/> Open and lock all disconnects			
<input type="checkbox"/> Replace all inspection panels on inverter & txfmr			
<input type="checkbox"/> Unless approved by utility, leave locked and OFF			

#251-12

Telephone
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swarren@newtonma.gov



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

August 6, 2012

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

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to increase the authorized Full Time Equivalent positions for the Planning and Development Department by .2 FTE's and to transfer the sum of \$15,000 from Acct # 0110498-5790 Current Year Budget Reserve to Acct # 0111401-511102 Planning Part Time Salaries in order to fund additional hours for part time staffing to assist in the completion of the Recreation and Open Space Plan.

As detailed in the attached request by the Director of the Planning and Development Department, it was anticipated that this work would be completed by June 30, 2012; however, the extent of public comments and scheduling of meetings has extended the work into the current year. I believe completion of the final report under the supervision of the current planner will lend continuity and efficiency and therefore request this transfer to enable him to work until the document is submitted to the outside agencies.

Very truly yours,

Setti D. Warren
Mayor

RECEIVED
Newton City Clerk
2012 AUG 26 PM 3:26
David A. Olson, CMC
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE



Setti D. Warren
Mayor


City of Newton, Massachusetts
Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459

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www.newtonma.gov

Candace Havens
Director

August 1, 2012

TO: Mayor Setti D. Warren

FROM: Candace Havens, Director of Planning and Development 

SUBJECT: Request funding for Planning staff

CC: Board of Aldermen
Maureen Lemieux

I wish to request \$15,000 in additional funds for staffing to assist in the completion of the Recreation and Open Space Plan.

BACKGROUND

Over the past year, Planning Department staff has undertaken the task of updating the Recreation and Open Space Plan, which enables the City to apply for certain grants and serves as a guide for future acquisitions and improvements to our recreational and open space areas. A committee of citizens representing a variety of citywide interests met over several months to review each of its components and to make recommendations for updates. Thus far, the document has been reviewed by the Conservation Commission, Zoning and Planning Committee of the Board of Aldermen, the Newton Housing Partnership, and the Planning and Development Board. In response to public comments, the document will be revised further before being passed on to the Metropolitan Area Planning Council (MAPC) and the Executive Office of Energy and Environmental Affairs (EOEEA) for review before being finalized. It was anticipated that this work would be completed by June 30, 2012; however, the extent of public comments and scheduling of meetings has extended the work into the current year. Juris Alksnitis has been managing this process and completion of the final report under his supervision would lend continuity and be more efficient than educating a new staff person to assume this role, considering it is nearly done. It would also allow our new Long-Range Planner to concentrate fully on other initiatives that deserve immediate attention, particularly initiation of Phase 1 of Zoning Reform and completion of a master plan and zoning updates for Needham Street. Therefore, I wish to request additional funds to allow his work to continue until the document is submitted to the outside agencies.

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SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

August 6, 2012

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

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to transfer the sum of \$30,000 from Acct # 0110498-5790 Current Year Budget Reserve to Acct # 0111401-511102 Planning Part Time Salaries in order to fund additional hours for staffing to assist in the completion of work required on a variety of active projects.

As you know, the increasing workload of the Planning and Development Department was the subject of much discussion during the FY2013 budget deliberations. In the two months that have followed the passage of the budget, the planning department has filled the Senior Planner position, is nearing the completion of the Recreation and Open Space Plan, and has been able to conduct an evaluation of active, as well as new projects.

As detailed in the attached request by the Director of the Planning and Development Department, the department is overseeing development of the Austin Street Parking Lot, consideration of additional parking in Newton Centre, special permit review of the Riverside project, exploration of reuse of aqueducts and abandoned rail beds citywide, revisiting parking policies, and exploring various means of encouraging village vitality, both legislatively and non-legislatively. These additional staff hours will enable the department to give attention to these projects, as well as the usual ongoing workload.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Setti D. Warren".

Setti D. Warren
Mayor

RECEIVED
Newton City Clerk
2012 AUG 26 PM 3:25
David A. Olson, CMC
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE



Setti D. Warren
Mayor


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Department of Planning and Development
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(617) 796-1089
www.newtonma.gov

Candace Havens
Director

August 1, 2012

TO: Mayor Setti D. Warren

FROM: Candace Havens, Director of Planning and Development 

SUBJECT: Request funding for Planning staff

CC: Board of Aldermen
Maureen Lemieux

I wish to request \$30,000 in additional funds to increase the hours for part-time planning staff for work required on a variety of active projects.

BACKGROUND

The Planning Department is overseeing development of the Austin Street Parking Lot, consideration of additional parking in Newton Centre, special permit review of the Riverside project, and exploration of reuse of aqueducts and abandoned rail beds citywide, revisiting parking policies, and exploring various means of encouraging village vitality, both legislative and non-legislative. In order to give attention to all these projects, as well as the usual ongoing workload, I would also like to request this additional funding to increase staff hours.

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City of Newton, Massachusetts
Office of the Mayor

SETTI D. WARREN
MAYOR

August 6, 2012

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

RECEIVED
Newton City Clerk
2012 AUG 6 PM 3:25
David A. Olson, CMC
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to increase the authorized Full Time Equivalent positions for the Inspectional Services Department by .5 FTE's and to transfer the sum of \$25,000 from Acct # 0110498-5790 Current Year Budget Reserve to Acct # 0122001-511102 Inspectional Services Admin Part Time Salaries in order to fund a part time ADA/Section 504 Accessibility coordinator position for the remainder of the fiscal year.

Attached you will find a request from the Director of the Planning and Development Department and the Commissioner of Inspectional Services which details this need. Their request points you to a report entitled "Ramping Up: Planning for a More Accessible Newton" which was commissioned by the Department of Planning and Development, as well as the Action Plan that was developed by the Newton Fair Housing Committee.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE



Setti D. Warren
Mayor


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Candace Havens
Director

August 1, 2012

TO: Mayor Setti D. Warren

FROM: Candace Havens, Director of Planning and Development
John Lojek, Commissioner of Inspectional Services 

SUBJECT: ADA/Section 504 Accessibility Coordinator request for funding

CC: Board of Aldermen
Donnalyn Kahn, City Solicitor
Girard Plante and Rob Caruso, Co-chairs of the Commission on Disability
Newton Housing Partnership

We wish to request funding for the part-time Accessibility Coordinator, identified in the FY 13 budget. Because it receives federal funds, the City of Newton is required to satisfy several statutory and regulatory accessibility requirements, including having up-to-date plans to implement the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, which requires having an ADA/Section 504 officer to oversee accessibility requirements. The purpose of ADA and Section 504 plans (or combination thereof) is to identify where accessibility has been achieved, where barriers remain, and which activities will be undertaken to remove those barriers.

BACKGROUND

Last year, the Department of Planning and Development commissioned a study at the request of the Newton Fair Housing Committee to evaluate how various City departments and the Newton Housing Authority manage the requirements, policies and procedures that pertain to accessibility in housing and related facilities. The report entitled, *Ramping Up: Planning for a More Accessible Newton* was prepared, which provides recommendation on how the City can be more supportive of such needs. Many City departments, citizen commission and committees were interviewed over the course of the report preparations and provided valuable feedback. Following the release of the report, the Newton Fair Housing Committee developed an action plan to pursue the key recommendations of the report.* Their foremost priority is to strengthen the City's Planning, implementation and enforcement of the ADA, Section 504, and other federal and state accessibility requirements.

*The *Ramping Up* report can be viewed on the City's website at <http://tinyurl.com/RampingUp> and the NHP's Action Plan can be viewed at <http://tinyurl.com/AAActionPlan>.

An Accessibility Coordinator position was identified in the FY2013 budget within the Department of Inspectional Services under the supervision of Commissioner of Inspectional Services, John Lojek who is a member of the Commission on Disability. No headcount or funding was allocated for this position at that time. Since then, The Board has approved an increase in handicap fines from \$15 for violations on private property and \$100 on public property to \$200 for the first violation and \$300 for repeat violations for both public and private properties. Last year, revenue from handicap parking violations (prior to the fine increase) was around \$42,000. With the fines more than doubling and targeted enforcement of both private and public properties, an annual salary of \$30,000 could easily be supported.



CITY OF NEWTON, MASSACHUSETTS

1000 Commonwealth Avenue, Newton, MA 02459

Division/Department		
Location		City Hall
Job Title		ADA/Section 504 Accessibility Coordinator
Reports to		<i>Title</i>
Level/Grade	Type of position:	Hours <u>19</u> / week
Salary Range	<input type="checkbox"/> Full-time <input checked="" type="checkbox"/> Part-time <input type="checkbox"/> Contractor <input type="checkbox"/> Intern	<input type="checkbox"/> Exempt <input type="checkbox"/> Nonexempt
GENERAL DESCRIPTION		
<p>The position will be responsible for coordinating activities necessary to ensure compliance with all legal requirements related to non-discrimination based on disability under federal, Massachusetts and the City of Newton's laws, regulations, policies and procedures, including but not limited to the Americans with Disabilities Act of 1990 (ADA), ADAAA 2008, Sec. 504 of the Rehabilitation Act (1973) as amended, Fair Housing Act (1968), as amended, MA Chapter 151B, Executive Order 526, the Governor's Model Employer Program, and Administration and Finance Administrative Bulletin #19.</p>		
Primary Responsibilities:		
<ul style="list-style-type: none"> • Serve as the primary resource within the City of Newton to provide disability-related technical assistance to City departments. • Provide staff support to the Newton Commission on Disability and other relevant committees. • Responsible for the development, implementation and monitoring of the City of Newton's Section 504 plan and ADA plan in compliance with federal mandates. • Work with and provide technical assistance to all the departments in the City of Newton and executive offices to identify, mitigate and eliminate any barriers preventing physical or communication access, on an equal basis, to the various public programs, activities, and services in the City of Newton facilities including, but not limited to, meetings and public hearings, in compliance with all state and federal regulations. • Develop and maintain a comprehensive monitoring and evaluation program to ensure compliance with the substantive and administrative requirements of the state and federal disability civil rights laws. • Act as point person for persons with questions relating to disability requirements and for requests for reasonable accommodations and establish any internal procedures needed for the efficient and consistent interpretation of City, State and Federal disability-related rules and regulations. • Provide training to City departments, boards and community education on compliance with disability discrimination laws. 		
WORK EXPERIENCE REQUIREMENTS		
<ul style="list-style-type: none"> • Comprehensive knowledge of the Americans with Disabilities Act (ADA), Sec. 504, UFAS, MAAB regulations, and fair housing law relating to persons with a disability. • Knowledge of evaluating public access to facilities and programs and services. • Experienced trainer on disability issues • Familiarity with disability advocacy & service network. • Excellent inter-personal and customer service skills, working with staff, the public and elected officials is a required. • Excellent oral and written communication skills. • Experience with Microsoft Office programs is essential. 		
EDUCATION REQUIREMENTS		
<ul style="list-style-type: none"> - Bachelor's degree in related field or equivalent or advance vocational skills supplemented by several years of progressive professional/technical development on the job. 		
REVIEWED BY		<i>Title</i>

Division/Department	
Location	City Hall
Job Title	ADA/Section 504 Accessibility Coordinator
Reports to	<i>Title</i>
APPROVED BY	<i>Title</i>
DATE POSTED	
DATE HIRED	



#253-12

CITY OF NEWTON, MASSACHUSETTS
Fair Housing Committee

Alderman Leonard J. Gentile, Chairman
Members of the Finance Committee
Board of Aldermen
Newton City Hall
Newton, MA 02459

September 7, 2012

Setti D. Warren
Mayor

Subject: Docket Item #253-12

Candace Havens
Director
Planning & Development

Dear Alderman Gentile and Members of the Finance Committee:

Robert Muollo, Jr.
Housing Planner

This letter is in support of Docket #253-12, the Mayor's request for authorization to fund a part time position, in the Inspectional Services Department, for an Americans with Disabilities Act (ADA)/Section 504 Accessibility Coordinator.

Members

The City of Newton, as a recipient of federal and state funding, is required to satisfy statutory and regulatory requirements, one of which is to have an ADA/504 officer to implement both the ADA and Section 504 of the Rehabilitation Act. The previous ADA/504 officer resigned that position well over a year ago. This officer develops formal plans, which are also mandated, and oversees accessibility requirements. The City of Newton does not currently have a Section 504 plan, and its ADA Plan has not been updated since 1992.

Sheila Mondschein, Chair
Susan Paley, Vice-Chair
Alderman Ted Hess-Mahan
Philip Herr
Henry Korman
Kathy Laufer
Josephine McNeil
Esther Schlorholtz

In our view, an Accessibility Coordinator whose duties would include being the ADA/Section 504 officer is vital for meaningful and effective accessibility to take place in Newton. In addition to developing the Section 504 plan and updating the ADA plan as required, and monitoring plan implementation on an ongoing basis, the Accessibility Coordinator could perform the following other necessary duties: provide technical assistance to all relevant City departments on the multiple accessibility requirements; train appropriate City staff on accessibility; act as the contact point for persons with a disability requesting a reasonable accommodation by the City; coordinate the City's Section 504 grievance procedure as required; and provide staff support to the Newton Commission on Disability.

In 2011, the City, at the request of the Newton Fair Housing Committee, authorized an independent report by the Metropolitan Housing Partnership entitled "Ramping Up: Planning for a More Accessible Newton" (accessible on the City's Fair Housing webpage). That report reviewed the City's practices regarding architectural accessibility in Newton housing and related facilities and made recommendations to help the City create a more inclusive community for persons with a disability. The central recommendation of that report was the establishment of an Accessibility Coordinator.

Accordingly, the Newton Fair Housing Committee requests that you approve Docket #253-12. If you have any questions about our position, please feel free to contact me at sheilamond@yahoo.com or 617-965-3878.

Sincerely,


Sheila H. Mondschein

Chairperson, Newton Fair Housing Committee

1000 Commonwealth Ave.
Newton, MA 02459
T 617/796-1120
F 617/796-1142

www.newtonma.gov

#205-12

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

July 02, 2012

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

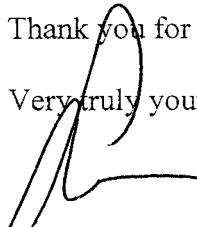
Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to amend Board Order #115-12 *HIS HONOR THE MAYOR requesting authorization to appropriate the sum of six million seven hundred fifty thousand dollars (\$6,750,000) from bonded indebtedness for the purpose of funding construction and administration of renovations and additions to F.A. Day Middle School* by reducing the amount of \$35,334 from the appropriation for "General Contractor" and adding that sum to the "Undistributed Project Budget".

As you know, we were able to work with the low bidder to include alternates 1 and 2 which pertained to adding the Science Lab. In addition we are able to add \$35,334 to the project's contingency. I have attached the original bid comparison sheet, as well as the original project budget.

Thank you for your consideration of this matter.

Very truly yours,


Setti D. Warren
Mayor

RECEIVED
Newton City Clerk
2012 JUL -2 PM 5:03
David A. Olson, CMC
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

CITY OF NEWTON, MASSACHUSETTS
PURCHASING DEPARTMENT
COMPARISON OF BIDS

INVITATION #12-86

F.A. Day Renovation & Additions

Bid Opening: June 26, 2012 at 10:00 a.m.
Public Buildings - Alex Valcarce

Bidders

F.A. Day Renovation & Additions

	Colantonio Inc.	Boston Building & Bridge Corp.	Debulis Brothers Construction Co., Inc.	G.V.W., Inc.
\$	5,989,900.00	\$ 6,386,000.00	\$ 6,629,400.00	\$ 6,897,850.00
Alternate #1	\$140,000.00	\$37,000.00	\$40,300.00	\$75,000.00
Alternate #2	\$45,000.00	\$37,000.00	\$37,600.00	\$45,000.00
Alternate #3	\$230,000.00	\$264,000.00	\$295,800.00	\$184,000.00
	\$ 6,404,900.00	\$ 6,724,000.00	\$ 7,003,100.00	\$ 7,201,850.00

Base Bid & Alt #1 \$ 6,129,900.00
Base Bid & Alt #1 and #2 \$ 6,174,900.00
Base Bid & Alt #1, #2 & #3 \$ 6,404,900.00

Award Recommended To:

Alternate #1 _____ Date _____
 Alternate #2 _____ Date _____
 Alternate #3 _____ Date _____
 _____ Date _____
 Department Head _____ Date _____

Chief Procurement Officer _____ Date _____
 Mayor or his designee _____ Date _____

NOTES REGARDING SUBMITTED BIDS
Totals Corrected by Excel

DOCKET ITEM #115-12
 DRAFT BOARD ORDER PROJECT EXPENDITURE BUDGET
 LEGAL LEVEL OF CONTROL

FA DAY ADDITION & RENOVATION PROJECT BUDGET

(FADAY12)

	31M115D1 BO# 288-09	31O115B923 BO# 367-10(B2C)	DOCKET ITEM #115-12	PROJECT BUDGET TOTAL (1)
512001 CONSTRUCTION CLERK OF WORKS	\$ -	\$ 10,625.00		\$ 10,625.00
530205 CONSTRUCTION CLERK OF WORKS	-	-	114,275.00	114,275.00
5301 CONSULTANTS	-	-	59,959.00	59,959.00
530202 ARCHITECTURAL SERVICES	144,896.19	602,775.00	2,329.00	750,000.19
530219 BUILDING SYSTEMS COMMISSIONING	-	-	15,000.00	15,000.00
5825 GENERAL CONTRACTOR	-	-	4,446,969.00	4,446,969.00
582501 SPRINKLER & RELATED WORK	-	-	1,688,403.00	1,688,403.00
52407 BUILDING IMPROVEMENTS	-	-	80,000.00	80,000.00
5793 PROJECT CONTINGENCY (MAYOR'S CONTINGENCY)	-	-	100,000.00	100,000.00
5795 UNDISTRIBUTED PROJECT BUDGET	-	15,800.00	202,265.00	218,065.00
57MEDA MEDICARE PAYROLL TAX	-	100.00		100.00
58520 COMMUNICATIONS EQUIPMENT	-	14,200.00	10,800.00	25,000.00
585FFE FURNITURE, FIXTURES & EQUIPMENT	-	-	30,000.00	30,000.00
TOTAL	\$ 144,896.19	\$ 643,500.00	\$ 6,750,000.00	\$ 7,538,396.19

{1} Each budget line item represents an appropriation unit and as such all transfers between line items require a prior recommendation of the Mayor and a majority vote of approval by the Board of Aldermen, with the exception of the Project Contingency, from which the Mayor may approve transfers, without Board approval.



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#56-07(4)

Telephone
(617) 796-1100

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(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

July 02, 2012

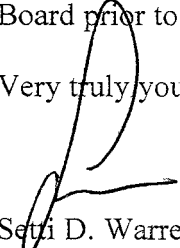
Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to amend the new North High School construction project budget to reflect the final cost of the project.

The actual final numbers and the detailed line item budget schedule will be provided to the Board prior to your consideration of this request.

Very truly yours,


Setti D. Warren
Mayor

RECEIVED
Newton City Clerk
2012 JUL -2 PM 5:03
David A. Olson, CMC
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE



DORE & WHITTIER
ARCHITECTS, INC.

ARCHITECTS
PROJECT MANAGERS

MASSACHUSETTS
260 Merrimac St. Bldg. 7
Newburyport, MA 01950
(P) 978.499.2999
(F) 978.499.2944

VERMONT
1795 Williston Rd. Ste. 200
S. Burlington, VT 05403
(P) 802.863.1428
(F) 802.863.6955

18 July 2012

Stephanie Gilman
Building Commissioner
City of Newton
52 Elliot Street
Newton, MA 02461

PROJECT: Newton North High School
Dore & Whittier Project No.: 05-490

SUBJECT: Substantial Completion

Dear Stephanie,

Attached please find Construction Control Affidavits for the playfields portion of Phase 2. With the completion of this portion of work it should be noted that, to the best of our knowledge, all required work is now complete, including all punchlist related items, in accordance with the Contract Documents.

Feel free to contact me with any questions you may have.

Sincerely,

DORE & WHITTIER ARCHITECTS, INC.

Architects • Project Managers

C. Bradley Dore
Principal

C Dist A
Attachment



DORE & WHITTIER ARCHITECTS, INC.

ARCHITECTS PROJECT MANAGERS

VERMONT
1795 Williston Rd. Ste. 200
S. Burlington, VT 05403
(P) 802.863.1428
(F) 802.863.6955

MASSACHUSETTS
260 Merrimac St. Bldg. 7
Newburyport, MA 01950
(P) 978.499.2999
(F) 978.499.2944

Mr. John Lojek
Inspector of Buildings
City of Newton – Inspectional Services Department
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Project: Newton North High School
05-490

Subject: FINAL ARCHITECTURAL CODE COMPLIANCE AFFIDAVIT – PHASE 2a

Dear Mr. Lojek:

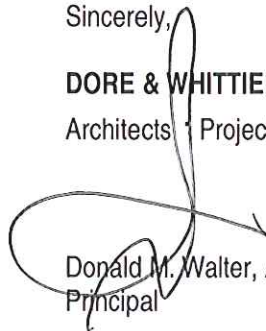
Dore & Whittier Architects, Inc is the Architect of Record for the new Newton North High School construction Project (City of Newton Permit #0805088 – dated 5/28/08). I hereby certify that I, or my designate, have periodically observed the architectural work at the Newton North High School located at 457 Walnut Street in Newton, Massachusetts. To the best of my knowledge, information, and belief the Phase 2 area was constructed in general conformance to the Contract Drawings, with the exception of any items listed in the Punchlist, and in my professional opinion is in compliance with 780 CMR Sixth Edition, the State Building Code for the Commonwealth of Massachusetts.

Note that this Affidavit applies only to the playing fields and other related areas that were noted as incomplete in the Affidavit provided in the fall of 2011. To the best of our knowledge, all work on the project is now complete and in conformance with applicable Codes.

Sincerely,

DORE & WHITTIER ARCHITECTS, INC.


Architects Project Managers


Donald M. Walter, AIA
Principal



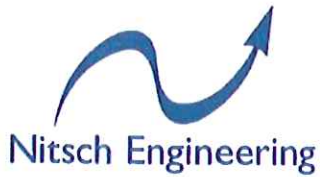
Then personally appeared the above named, Donald M. Walter, AIA and made oath that the above statement by him is true.

Before me,


Cheryl L. Burkinshaw, Notary Public

My Commission Expires
March 7, 2019

CHERYL L. BURKINSHAW
Notary Public
Commonwealth of Massachusetts
My Commission Expires
March 7, 2019



#56-07(4)

www.nitscheng.com

186 Lincoln Street, Suite 200

Boston, MA 02111-2403

T: 617-338-0063

F: 617-338-6472

CIVIL AFFIDAVIT

To:
City of Newton
Inspectional Services Office
1000 Commonwealth Avenue
Newton Centre, MA 02459

Re: **Newton North High School - Nitsch Project #5482**
Permit No. 08050588 dated 5/28/2008


I, Aaron Gallagher, P.E., certify to the City of Newton's Inspectional Services Office that to the best of my knowledge, information and belief, and to the standard of care of professional engineers practicing at this point in time in the Commonwealth of Massachusetts that the Phase 2 area of the project described as "Newton North High School" at 457 Walnut Street, Newtonville, Massachusetts have been generally constructed in accordance with the construction documents and are in accordance with the requirements of the Massachusetts State Building Code 780 CMR Sixth Edition.

The project has been periodically observed by me or a designate and the Phase 2 areas of the project have been substantially constructed in accordance with the Construction Documents.

Please note that this Affidavit only applies to the playing fields and related areas indicated as incomplete in the Affidavit provided in the fall of 2011. To the best of our knowledge, all the work on the project is now complete and in conformance with applicable codes.

Engineer – Mass. Reg. No.: Civil 45,923

Firm/Address: Nitsch Engineering
186 Lincoln Street, Suite 200
Boston, Massachusetts 02111
Phone 617-338-0063



Aaron Gallagher, P.E.

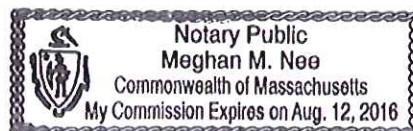
Date: July 18, 2012

Then personally appeared the above-named and made oath that the above statement is true. Said individual proved to me through satisfactory evidence of identification, which was personally known to be the person whose name is signed on this document.

Before me, 

August 12, 2016
My Commission Expires

7/18/2012
Date



CITY OF NEWTON
INSPECTIONAL SERVICES



IN ACCORDANCE WITH THE MASSACHUSETTS STATE BUILDING, 6th Ed.

Certificate of Use and Occupancy

Date of Issue: July 30, 2012

This is to certify that: Newton North High School

This building or tenant space, known as Newton North High School

Located at 457 Walnut St.

Section 24 Block 018 Lot 0001

To be used as High School

and erected under Building Permit 08050588

Zoning District PUB

Use Group E-1

dated 5/28/2008

has been erected in accordance with the requirements of the Massachusetts State Building Code, as amended, including the Use Group, and the requirements of the Revised Zoning Ordinances of the City of Newton as they apply to buildings in the above Zoning District, and may be used for such purposes as are permitted therein.

SPECIAL CONDITIONS:


John Lojek, Building Commissioner

The Planning Department asked the Committee for its guidance as to the next steps. Should the Committee wish to implement the one-year moratorium, the Planning Department will craft language for a public hearing. However, if the Committee wishes to hold the item and work within the context of several other items on its agenda, the Planning Department will develop a planning strategy to do so. Each village may perceive itself differently, e.g., some with entertainment venues and/or more upscale dining may be livelier at night while others with largely brunch/lunch-type restaurants and more service/retail uses may be livelier in the day. Because vitality means different things to different people the Planning could identify Department in addition to the existing docket items current conditions and future expectations in each village to create village plans, either legislative or non-legislative. These could coincide with the zoning reform work that is contemplated within the next two years.

The Planning memo addressed the Main Streets Program, of which Alderman Yates is an enthusiastic proponent. Essentially, it is an accredited program combining regulatory reform with non-regulatory coordination and promotion. There are specific requirements that must be met to achieve accreditation, including incorporating the organization in coordination with the regional coordinating program, hiring a full time Main Streets Coordinator, appointing a Board of Directors, etc. The Planning Department believes that many of the tools and concepts employed by Main Streets are well understood in downtown planning practice and, whether or not Newton chooses to become an official participant, City staff can employ information and techniques to implement its strategies.

The Committee discussed its options. Alderman Danberg leant towards approving the moratorium. She cited an example of a vacant space in Newton Centre that almost became a bank, but within a space of 30 days, she met with the property owner, a restaurant expressed interest, leased the space, and ultimately obtained a special permit. She also pointed out that Highland Park Illinois and Huntsville, New York had similar issues. Both communities instituted permit processes to locate non-retail in street level space. The unexpected outcome was that second-floor space became the sought after space.

Several Committee members wondered if the existing docket items are too narrow in scope. Alderman Baker also wondered if they can address this particular problem. The Chairman pointed out that members are free to docket additional items. The question is where the effort is better spent. Alderman Yates suggested reviewing the parking credit formula. The Chairman moved to hold the item to allow the Planning Department to focus on other items and strategies, which motion carried 5-0.

REFERRED TO ZONING & PLANNING AND FINANCE COMMITTEES

#79-12 COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of nine hundred thirty eight thousand sixty-three dollars (\$938,063) to the Planning & Development Department for the creation of seven units of affordable rental housing at 12 and 18-20 Curve Street, West Newton, as described in the proposal submitted by Myrtle Village, LLC. [03/01/12 @ 5:00 PM]

ACTION: NO ACTION NECESSARY 5-0

NOTE: Because one of the managing partners in the project has a conflict of interest, there is - as it were - a one-year moratorium before the project can go forward. Alderman Yates moved No Action Necessary, which motion carried 5-0.

The meeting was adjourned at approximately 9:05 PM

Respectfully submitted,

Marcia T. Johnson, Chairman