

CITY OF NEWTON

IN BOARD OF ALDERMEN

FINANCE COMMITTEE REPORT

Thursday, November 29, 2012

Present: Ald. Gentile (Chairman), Ciccone, Linsky, Salvucci, Rice, Blazar, Fuller, and Lappin

City officials: Maureen Lemieux (Chief Financing Officer) and David Turocy (Commissioner of Public Works)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#401-12 **HIS HONOR THE MAYOR** requesting authorization to transfer the sum of one hundred twenty-one thousand sixty-three dollars from the Storm Water Management Fund Surplus for the sediment removal and maintenance of the City Hall ponds. [11/13/12 @ 5:12 PM]

PUBLIC FACILITIES APPROVED 7-0 (Lennon not voting) on 11/28/12

ACTION: APPROVED 6-0-2 (Fuller and Linsky abstaining)

NOTE: The original estimate for the sediment removal and maintenance of City Hall ponds was \$320,000 and the Board of Aldermen approved \$170,000 in May 2012, and \$150,000 was set aside from the Fiscal Year 2012 Storm Water Operating Budget to fund the project. The project went to bid and the lowest bidder came in \$121,063 over the estimate. The bid results are attached. In order to proceed with the project Commissioner of Public Works David Turocy requires the requested \$121,063.

The Commissioner expects to follow an operation and maintenance plan for the ponds. Committee members requested a copy of the plan, which is attached. With regular maintenance, the ponds should not require a major sediment removal project for a number of years. The hope is to perform the maintenance in-house, the cost of which could likely be absorbed in the department's budget. There is a 10-year cleanout of the ponds, which is included in the Capital Improvement Plan.

The ponds are fed through two inlets known as the Hammond Brook and Cold Springs Brook culverts, which discharge storm water that contains sediment into the ponds. The plan includes removal of sediment from the two culverts. The ponds discharge into Bullough's Pond through a culvert under Commonwealth Avenue. Currently, there is not significant levels of sediment in Bullough's Pond but if the sediment is not removed from the City Hall ponds, the sediment could eventually compromise Bullough's Pond. It was suggested that the Department of Public Work inspect and clean out brooks and culverts that flow into the ponds such as the brook located in Newton Centre Playground as part of the operation and maintenance plan.

The Storm Water Management Fund Surplus Account contains approximately \$282,000. The \$121,063 designated to the project will bring the reserves down to approximately \$161,000.

Ald. Fuller wished to inform the Committee that the City does not have an assessment of its storm water system. The anticipated cost of the assessment is approximately \$350,000 but once completed would allow the City to prepare a long-term plan to address issues within that system.

Ald. Salvucci moved approval, which carried by a vote of six in favor and two abstentions. Ald. Fuller abstained in order to review the operations and maintenance plan.

The Committee adjourned at 7:45 PM and all other items before the Committee were held without discussion. The Draft Board Order for the above item is attached.

Respectfully submitted,

Leonard J. Gentile, Chairman

**CITY OF NEWTON, MASSACHUSETTS
PURCHASING DEPARTMENT
COMPARISON OF BIDS**

INVITATION #13-23

Sediment Removal & Maintenance of City Hall Ponds Project

Bid Opening: October 4, 2012 - 11:00 AM
Public Works/Engineering - Maria Rose

Bidders	EST. QTY	Grove Construction		SumCo Eco-Contracting		D&C Construction		RC & D	
		Unit Price	Annual	Unit Price	Annual	Unit Price	Annual	Unit Price	Annual
ITEM DESCRIPTION & BID PRICE									
Control of Work	ALL	\$10,000.00	\$20,000.00	\$10,000.00	\$29,100.00	\$10,000.00	\$23,000.00	\$10,000.00	\$20,000.00
MOBILIZATION									
Erosion and Sedimentation Controls Sediment Control Tubes	260	\$10.00	\$2,600.00	\$15.00	\$3,900.00	\$5.00	\$1,300.00	\$25.00	\$6,500.00
Silt Fence	400	\$6.00	\$2,400.00	\$3.50	\$1,400.00	\$6.00	\$2,400.00	\$7.00	\$2,800.00
Geotextile	3600	\$1.00	\$3,600.00	\$0.50	\$1,800.00	\$2.00	\$7,200.00	\$0.50	\$1,800.00
Catch Basin Inlet Protection	3	\$150.00	\$450.00	\$170.00	\$510.00	\$500.00	\$1,500.00	\$115.00	\$345.00
Turbidity curtain	150	\$7.00	\$1,050.00	\$13.50	\$2,025.00	\$25.00	\$3,750.00	\$35.00	\$5,250.00
Erosion Control	1	\$20,000.00	\$20,000.00	\$15,300.00	\$15,300.00	\$15,000.00	\$15,000.00	\$4,000.00	\$4,000.00
Construction Access	1	\$30,000.00	\$30,000.00	\$29,000.00	\$29,000.00	\$50,000.00	\$50,000.00	\$1,500.00	\$1,500.00
Temporary Pedestrian Safety Fence	1850	\$5.00	\$9,250.00	\$3.70	\$6,845.00	\$12.00	\$22,200.00	\$8.00	\$14,800.00
Uniformed Traffic Officer	ALL	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
Control and Diversion of Water	1	\$65,000.00	\$65,000.00	\$57,000.00	\$57,000.00	\$35,000.00	\$35,000.00	\$45,000.00	\$45,000.00
Sediment Excavation	3800	\$16.00	\$60,800.00	\$11.00	\$41,800.00	\$25.00	\$95,000.00	\$30.00	\$114,000.00
Disposal of Excavated Sediments at Approved Landfill	3800	\$51.00	\$193,800.00	\$70.00	\$266,000.00	\$35.00	\$209,000.00	\$78.00	\$296,400.00
Restoration of Disturbed Areas	1	\$20,000.00	\$20,000.00	\$22,500.00	\$22,500.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00
TOTAL			\$443,950.00		\$492,180.00		\$495,350.00		\$542,395.00

Awarded to:

Chief Procurement Officer

Date

Department Head

Date

Mayor or his designee

Date

#100-12 COMPTROLLER recommending a one-year extension of the financial audit contract to June 30, 2013, based upon the same terms as the existing four-year agreement. [04-03-12 @2:33 PM]

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

NOTE: Comptroller David Wilkinson explained that in 2008 the Board of Aldermen extended the financial audit contract with Sullivan, Rogers, and Company for five years. The contract should have run for five fiscal years but ended up as an extension for five calendar years. Therefore, the auditors' contract ends with the completion of the Fiscal Year 2012 audit.

The Comptroller and the Financial Audit Advisory Committee are recommending a one-year extension of the existing agreement. Sullivan, Rogers, and Company is willing to extend the contract at the current fee arrangement through the end of the Fiscal Year 2013 audit. By extending the audit contract, it will give the City's new Financial Audit Advisory Committee a year to familiarize themselves with the audit process before going through an audit procurement process.

Ald. Linsky moved approval, which carried unanimously.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#105-12 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of one hundred seventy thousand dollars (\$170,000) from the stormwater reserve account for the purpose removing sediment from the three basins of the City Hall ponds. [04-09-12 @ 3:39 PM]

PUBLIC FACILITIES APPROVED 3-0-1 (Lappin abstaining) on 04/18/12

ACTION: **APPROVED 5-0-2 (Ciccone, Gentile abstaining, Salvucci not voting)**

NOTE: The above request is to use \$170,000 from the Stormwater Reserve Account to partially fund a project to remove sediment from the three ponds located at the front of City Hall. The total cost of the project is expected to be \$320,000 and the additional funds of \$150,000 will be set aside from the Fiscal Year 2012 stormwater operating budget.

The Public Facilities Committee approved the item but requested further information be provided to the Finance Committee including a summary of the Stormwater Reserve Account. The Stormwater Reserve Account balance is currently \$364,528. The \$170,000 designated to the sediment removal project will bring the reserves down to \$194,528, which is well within the City' reserves policy that states operating reserves should have a balance equal two months of expenditures, which would be \$125,000. The additional information requested by the Public Facilities Committee included a rough draft of a ten to fifteen year operations and maintenance plan for the ponds, cost of maintenance, and a cost breakdown of the project was provided to the Committee and is attached.

The project is included in the Fiscal Year 2013 Capital Improvement Plan and is a priority. If the sediment is not removed from the ponds, the stormwater capacity of the ponds will decrease. The ponds hold the stormwater from two culverts that drain into the ponds.

Sediment removal from the culverts will also be included in the project. If the project is not done in the near future, it could worsen flooding in the library parking lot and portions of Homer Street. In addition, it will improve the aesthetics of the ponds.

The largest cost of the sediment removal is the disposal of the sediment. After testing the sediment, it was determined that the sediment material contained contaminants and cannot be used for regular filler. However, the sediment is appropriate for covering at Department of Environmental Protection approved landfills.

The Department of Public Works has established a maintenance plan for the ponds going forward. The first pond, which is closest to the library, is designed to capture most of the sediment. However, since the ponds are not cleaned on a regular basis, sediment overflows into the other two ponds. With regular cleaning of the first pond, less sediment will make its way to the other ponds. Once the ponds are cleaned, the Department of Public Works plans to test the sediment depth in the first pond on a regular basis and perform in-house sediment removal in that pond every one or two years. A larger sediment removal program would take place every five to ten years. With a regular maintenance plan in place, future sediment removal and disposal should be approximately \$30,000.

There was some concern that the Department of Public Works had recently done a similar project and expended a similar amount of funds. Ald. Rice moved approval of the item, which carried five in favor and two abstentions. Ald. Ciccone and Gentile abstained for information on when the last sediment removal project took place. The Chairman asked Comptroller David Wilkinson to investigate. Subsequently, it was determined that the last sediment removal project involving the City Hall Ponds was in the mid-1990s. The City received a \$418,000 grant to remove sediment from the City Hall Ponds and Bullough's Pond.

The Committee adjourned at 10:15 p.m. and all other items before the Committee were held without discussion. Draft Board Orders for the above items that are recommended for Board of Aldermen action are attached.

Respectfully submitted,

Leonard J. Gentile, Chairman

**OPERATION AND MAINTENANCE PLAN
FOR
CITY HALL PONDS
1000 COMMONWEALTH AVENUE
NEWTON CENTRE, MASSACHUSETTS 02459**

Purpose and Need

This Operation and Maintenance Plan (O&M Plan) for City Hall Ponds in Newton, Massachusetts, has been developed to address the pond and its appurtenant features, which are maintained by the City of Newton Department of Public Works (DPW). This O&M Plan does not include maintenance and operation of upland areas under the control of the City of Newton Parks and Recreation Department.

The property is owned by the City of Newton. As such, no easements are necessary for maintenance. All maintenance activities and inspections within the pond will be funded by the DPW annual budget, the City's Stormwater Fund, or by special appropriation from the City as needed.

During the 1992 restoration effort at City Hall Ponds, an underwater submerged gabion weir was installed approximately five feet upstream of the southern pedestrian bridge over the pond between the first and second open water lobes. This gabion weir was installed in-line within the pond to promote solids settling in the most upstream pond lobe and reduce intra-lobe sediment bed load transport, thus enhancing this pond lobe's function as a sediment trapping forebay. Also at this time, a reinforced access route was installed along the southeastern bank of the pond from Homer Street to provide a more permanent access point for future sediment removal activities in the most upgradient (first) pond lobe. Both the gabion and the reinforced access route were installed with the intent that DPW would actively monitor sediment buildup in the first pond lobe and periodically remove this sediment on a regular basis, thereby preventing or at least reducing the frequency of a larger scale sediment removal project in all three pond lobes. Such periodic maintenance sediment removal helps to provide long-term protection of the resource areas in City Hall Ponds, as well as protect the downgradient Bullough's Pond.

Operation and Maintenance Summary

It is expected that this O&M Plan will need to be updated from time to time, as site conditions change and in response to the potential future restoration of the City Hall Ponds site in accordance with the *Newton City Hall and War Memorial Grounds Historic Landscape Preservation Master Plan*, dated September 2006, prepared by Pressley Associates, Inc. for the Parks and Recreation Department.

The following operation and maintenance components comprise the O&M Plan for City Hall Ponds:

1. **Bi-weekly Inspection** – At least twice monthly, as well as in advance of expected significant precipitation events (i.e. 2 inches or more in a 24-hour period), and after high intensity storms, the culvert outlets at the pond inlet, the gabion weir, and the control gate at the pond outlet should be visually inspected for debris and tree fall and cleared as necessary.
2. **Semi-Annual Inspection** – Twice annually during low flow conditions, the first pond lobe should be reviewed for sediment deposition. DPW will establish at least three control stations within the first lobe where regular sediment depth measurements may be taken during these semi-annual inspections. It is expected that the two large culvert inlet areas, and the area upstream of the gabion weir may be used as measurement points. Sediment thicknesses and water depths should be recorded by lowering a graduated metal probing rod to the top of the sediment surface, recording the water depth, and then pushing the rod into the sediment until refusal. The water surface elevation may be recorded relevant to a fixed object, such as the top of the gabion weir or the top of the inlet culvert. The information should be recorded in a log book, possibly with photographs.
3. **Annual Inspection** – As part of one of the semi-annual inspections each year, the operability and condition of the downstream water surface control gate should be reviewed and assessed. If the condition of the gate is such that its operability is compromised, DPW will include gate rehabilitation or replacement in an upcoming capital budget cycle as feasible.
4. **Sediment Removal Planning** – When sediment reaches approximately one-half the height of open water areas, a sediment removal program for the upstream pond lobe should be designed, permitted, and executed. It is expected that sediment removal may require sediment sampling and analytical testing, a Notice of Intent (NOI) under the Wetlands Protection Act for the Newton Conservation Commission (unless maintenance provisions of this O&M Plan are accepted and filed with the pending Certificate of Compliance for the proposed dredging), a 401 Water Quality Certification from MADEP, and a Section 404 Permit from the Army Corps of Engineers (unless maintenance provisions of this O&M Plan are accepted as part of the pending 401 and 404 Permits).
5. **Sediment Removal Process** – The sediment removal process in the first lobe would require installation of temporary cofferdams (such as sandbags or waterfilled bags) at the inlet culverts and construction of a similar temporary cofferdam using the gabion weir as a base, temporary bypass pumping of flows from the two inlet culverts around the first lobe (with discharges to the middle pond lobe). A dewatering pump may also be necessary to remove residual water from the now isolated first lobe. Sediment could be removed using an excavator and dump trucks accessing the sediment from the reinforced access drive. A small amount of vegetation removal and temporary impact to Bank resources at the pond access point will be necessary. Temporary impacts to Land Under Waterbodies and Waterways (LUWW) in the first lobe would result from

the dewatering and sediment removal. Areas disturbed by the sediment removal process would be restored either by topsoiling and sodding (for upland areas) or by topsoiling, planting, and mulching (for Bank areas). Existing chain link fence and boulders would be removed for the sediment removal project and reset at the end of the project. Erosion and sediment controls and site perimeter and safety controls would be utilized.

6. Sediment would be disposed of off site at a preselected landfill or other facility in accordance with appropriate permit authorization.

Recordkeeping and Reporting:

All inspections shall be documented both in writing and with digital photography with all records kept in a dedicated file for the site. A photographic and written summary of the permits issued and the sediment removal process should be retained for future reference by DPW.

CITY OF NEWTON
IN BOARD OF ALDERMEN

, 2012

ORDERED:

That, in accordance with the recommendation of the Public Facilities Committee through its Chairman Anthony J. Salvucci and the Finance Committee through its Chairman Leonard J. Gentile, the sum of one hundred twenty-one thousand sixty-three dollars (\$121,063) be and is hereby appropriated from the Stormwater Reserve Account to be expended under the direction of the Commissioner of Public Works for the purpose of removing sediment from the three basins of the City Hall Ponds.

FROM:	Stormwater Fund Surplus (26-3497).....	\$121,063
TO:	City Hall Pond Project (26B4018A-586004).....	\$121,063

Under Suspension of Rules
Readings Waived and Approved

(SGD) DAVID A. OLSON
City Clerk

(SGD) SETTI D. WARREN
Mayor

Date: _____