

### **Public Facilities Committee Agenda**

# City of Newton In City Council

Wednesday, October 9, 2024

The Public Facilities Committee will hold this meeting as a hybrid meeting on Wednesday, October 9, 2024, at 7:00 PM in Room 205. To view this meeting using Zoom use this link: <a href="https://newtonma-gov.zoom.us/j/84938835220">https://newtonma-gov.zoom.us/j/84938835220</a> or call 1-646-558-8656 and use the following Meeting ID: 849 3883 5220

### **Item Scheduled for Discussion:**

### **Public Hearing**

### #354-24 Eversource petition for a grant of location in Wells Avenue

EVERSOURCE ENERGY petitioning for a grant of location to install and maintain approximately 242 feet of conduit in a southeasterly from manhole MH26129, approximately 2430 feet southeast of Nahanton Street. (Ward 8)

111 Wells Avenue: Back-up Material

### **Public Hearing**

### #374-24 Eversource petition for a grant of location in Christina Street

EVERSOURCE ENERGY petitioning for a grant of location to install and maintain one new jointly owned pole 604/11A on the north side of Christina Street, approximately 248 feet west of Bernard Street. (Ward 8)

90 Christina Street: Back-up Material

## #348-24 Requesting a discussion with the Department of Public Works on the work to upgrade the water, sewer, and storm water infrastructure

COUNCILOR ALBRIGHT, on behalf of the Public Facilities Committee, requests a discussion with the Commissioner of DPW, Jim McGonagle, regarding the City's past successes in updating Newton's water, sewer, and stormwater infrastructure, cost savings from these upgrades, our present position, and what future work is planned to continue the multi-year plan to upgrade this infrastructure, including a timeline for future enhancements.

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

#101-24 Requesting a Discussion and possible Ordinance change on Private Ways

COUNCILOR ALBRIGHT on behalf of the Public Facilities Committee requesting a discussion on private ways; methods for them to become public ways if requested, problems related to private ways; and any possible ordinance changes needed.

Respectfully submitted,

Susan Albright, Chair

	CID by Priority EV2025 EV2020 (Hilliting Only)								Total		Total		Total		Total		Total		Total		Total																																								
CIP by Priority FY2025-FY2029 (Utilities Only)					y)	7		\$ 58,543,842		\$ 10,904,977		\$	\$ 14,931,380		\$ 12,525,000		\$ 12,550,000		\$ 11,338,000		3,788,000																																								
Pri	ority	Dept	Asset Category	Project Title	Project Description / Justification	Est	t Cost in FY2024	Priority Factor	Funding Source	Ap	Approved Funding		FY2024 to be Docketed/Approved																FY2025		FY2026		FY2026		FY2026		FY2027		FY2028		FY2029																				
	1	DPW/ Sewer	Sewer	Sewer Inflow /Infiltration Project - Area 7 - Upper Falls, Highlands, Thompsonville	Part of 10 Phase program to remove excess inflow and infiltration into sewer system.	\$	7,919,115	73.0	MWRA Grant/Loan	\$	7,919,115	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-																																						
	2	DPW/ Sewer	Sewer	Sewer Inflow/ Infiltration Project - Area 8 - Upper Falls, Highlands, Thompsonville & Oak Hill	Part of 10 Phase program to remove excess inflow and infiltration into sewer system.	\$	7,453,196	70.2	MWRA Grant/Loan/Sewer Funds	\$	7,453,196	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-																																						
	9	DPW/ Sewer	Sewer	Sewer Inflow/Infiltration Project - Area 9 - Waban, Upper Falls & Oak Hill	Part of 10 Phase program to remove excess inflow and infiltration into sewer system.	\$	4,200,000	62.4	Sewer Funds	\$	1,095,023	\$	3,104,977	\$	-	\$	-	\$	-	\$	-	\$	-																																						
	10	DPW/ Sewer	Sewer	I Area 9 Phase 2 - Wahan, Unner Falls	Part of 10 Phase program to remove excess inflow and infiltration into sewer system and includes post-flow.	\$	5,000,000	62.4	Sewer Funds	\$	-	\$	-	\$	5,000,000	\$	-	\$	-	\$	-	\$	-																																						
	12	DPW/ Sewer	Sewer		Design and construct Sewer Pump Stations upgrades as part of 10-phase program.	\$	23,000,000	58.8	Sewer Funds	\$	4,710,490	\$	1,200,000	\$	1,500,000	\$	1,500,000	\$	2,000,000	\$	2,000,000	\$ 2	2,000,000																																						
	21	DPW/ Sewer	Sewer	Sewer Inflow/Infiltration Project - Area 10 - Waban, Newton Highlands, Newton Centre, & Newton Corner	Part of 10-phase program to remove excess inflow and infiltration into sewer system. Ward St from Waverley Ave to Centre St.	\$	4,888,308	44.0	Sewer Funds	\$	813,308	\$	300,000	\$	-	\$	3,775,000	\$	-	\$	-	\$	-																																						
	22	DPW/ Sewer	Sewer	Sewer Inflow/Infiltration Project - Area 11 - Chestnut Hill, Newton Corner, Oak Hill, & Thompsonville	Part of 10 Phase program to remove excess inflow and infiltration into sewer system. Will be in Phase 10 of City-Wide Sewer Initiative.	\$	4,000,000	39.6	Sewer Funds	\$	774,000	\$	-	\$	-	\$	-	\$	1,000,000	\$	1,613,000	\$	613,000																																						
	32	DPW/ Sewer	Sewer		Investigation, Design & Construction of sewer laterals & manholes along interceptor sewers within Cheesecake and Laundry Brook Drainage Basins.	\$	2,000,000	30.3	Sewer Funds	\$	-	\$	-	\$	-	\$	-	\$	500,000	\$	1,000,000	\$	500,000																																						

								Total		Total	Total	Total	Total		Total	T	Γotal
			CIP by Priorit	y FY2025-FY2029 (Utilities Only)				\$ 58,543,8	42 \$ 1	0,904,977	\$ 14,931,380	\$ 12,525,000	\$ 12,550,00	00 \$	11,338,000	\$ 8	8,788,000
Priority	Dept	Asset Category	Project Title	Project Description / Justification	Est Cost in FY2024	Priority Factor	Funding Source	Approved Fund	ng Docke	)24 to be ted/Appro ved	FY2025	FY2026	FY2027		FY2028	FY	Y2029
6	DPW/ Storm	Storm	Bullough's Pond Dam	Complete State-Required repair work for dam safety.	\$ 3,000,000	65.0	Stormwater Funds	\$ 618,6	20 \$	-	\$ 2,381,380	\$ -	\$ -	\$	-	\$	-
8	DPW/ Storm	Storm	· ·	Development of City's PCP required by US EPA under the MS4 general permit	\$ 953,000	62.8	Stormwater Funds	\$ 1,294,5	00		\$ -	\$ -	\$ -	\$	-	\$	-
11	DPW/ Storm	Storm	City Hall Ponds	Removal of accumulated sediment from three ponds adjacent to City Hall.	\$ 2,500,000	61.3	Stormwater Funds	\$ 3,650,0	00		\$ -	\$ -	\$ -	\$	-	\$	-
14	DPW/ Storm	Storm	Union Street Drainage	The extension of storm drains on Union Street to alleviate flooding and icing issues in the area of Herrick Road.	\$ 850,000	56.3	Stormwater Funds	\$ 100,0	00 \$	750,000	\$ -	\$ -	\$ -	\$	-	\$	-
15	DPW/ Storm	Storm	·	Modifications to existing storm water infrastructure to meet NPDES MS4 General Permits BMP's.	\$ 1,000,000	51.8	Stormwater Funds	\$ -	\$	200,000	\$ 200,000	\$ 200,000	\$ 200,00	00 \$	200,000	\$	-
17	DPW/ Storm	Storm	Edmands Brook Drainage Basin	Design for flood mitigation and the reduction of Phosphorus for the NPDES MS4 Permit.	\$ 1,404,000	49.5	Stormwater/Other Funds	\$ 104,0	00 \$	-	\$ 900,000	\$ -	\$ -	\$	-	\$	-
18	DPW/ Storm	Storm	South Meadow Brook Culvert under Needham Street	Phase 1 - Inspection & assessment of Box Culvert. Phase 2 - Design & Rehabilitation of Box Culvert.	\$ 3,205,000	48.2	Stormwater Funds	\$ 280,0	00 \$	-	\$ -	\$ 500,000	\$ 2,425,00	00 \$	-	\$	-
23	DPW/ Storm	Storm	Evaluation, design and construction of Cheesecake Brook-Commonwealth Av. to the rear of 1600 Washington Street	Replace culvert headwall, remove remaining fieldstone channel walls to restore natural brook channel and provide buffer for nutrient removal (water quality).	\$ 900,000	38.5	Stormwater Funds	\$ -	\$		\$ 200,000	\$ 700,000	\$ -	\$	-	\$	-
24	DPW/ Storm	Storm	Cheesecake Brook -1660 Washington St. to Watertown St.	Inspection & Assessment, Design and Rehabilitation of +/-6000 LF of Box Culvert.	\$ 900,000	38.5	Stormwater Funds	\$ -	\$	-	\$ -	\$ 200,000	\$ 700,00	00 \$	-	\$	-
25	DPW/ Storm	Storm	Cheesecake Brook-Watertown St. to Charles River	Inspection & Assessment, Design and Rehabilitation of Fieldstone Channel walls and floor.	\$ 1,450,000	36.7	Stormwater Funds	\$ -	\$	-	\$ -	\$ 150,000	\$ -	\$	1,300,000	\$	-
29	DPW/ Storm	Storm	•	Design & Construction of culvert improvements at Parsons, Cross and Eddy Street.	\$ 750,000	32.0	Stormwater Funds	\$ -	\$	-	\$ -	\$ -	\$ -	\$	150,000	\$	600,000
30	DPW/ Storm	Storm		Reduce Impervious Area to 5 Municipal Properties per NPDES MS4 Requirements.	\$ 975,000	31.0	Stormwater Funds	\$ -	\$	-	\$ -	\$ -	\$ 325,00	00 \$	325,000	\$	325,000
31	DPW/ Storm	Storm	Laundry Brook Culvert-Parkview to Mass Pike	Rehabilitation +/-1000 LF Box Culvert based on FY 18 evaluation.	\$ 650,000	30.9	Stormwater Funds	\$ -	\$		\$ -	\$ -	\$ 650,00	00 \$	-	\$	-
34	DPW/ Storm	Storm	Laundry Brook Culvert-Hull street to	Design and construction of culvert rehabilitation from Hull St to Bridges Ave.	\$ 750,000	30.1	Stormwater Funds	\$ -	\$	-	\$ -	\$ 750,000	\$ -	\$	-	\$	-
35	DPW/ Storm	Storm	Elliot St DPW Yard	Phosphorus Control -Place subsurface chambers under the southern portion of the DPW yard south of the solar canopies.	\$ 3,142,763	25.2	Stormwater Funds	\$ -	\$		\$ -	\$ -	\$ -	\$	-	\$	-
36	DPW/ Storm	Storm		Phosphorus Control -Place subsurface chamber systems under parking lot along Crafts St and southwest of the lot under the large open pavement area northeast of the storage buildings.	\$ 2,189,700	25.2	Stormwater Funds	\$ -	\$	,	\$ -	\$ -	\$ -	\$	-	\$	-
37	DPW/ Storm	Storm	Resource Recovery Center	Phosphorus Control -Place subsurface chambers beneath recycling center paved lot. Divert drainage from Rumford Ave for treatment. Possible high ground water may be paired with smaller chambers. Design to consider and mitigate potential pollutants and environmental hazard introductions from the site.	\$ 836,850	25.2	Stormwater Funds	\$ -	\$	-	\$ -	\$	- \$	- \$	-	\$	-
38	DPW/ Storm	Storm	Albemarle Park/Halloran Sports Comples	Phosphorus Control - Place subsurface chambers in field south of Harry Gath Memorial Pool.	\$ 2,798,594	21.0	Stormwater/State Grant	\$ -	\$	-	\$ -	\$ -	\$ -	\$	-	\$	-
39	DPW/ Storm	Storm	Davis Playground	Phosphorus Control - Place subsurface chambers under the entire field and basketball court.	\$ 2,841,992	16.8	Stormwater Funds	\$ -	\$	-	\$ -	\$ -	\$ -	\$	-	\$	-
40	DPW/ Storm	Storm	Pellegrini Park Drain Replacement	Storm drain between Jenison and Hawthorne needs to be replaced due to structural failure, causing flooding at Jenison @ Judkins.	\$ 200,000	16.1	Stormwater Funds	\$ -	\$	-	\$ -	\$ -	\$ -	\$	-	\$	-
41	DPW/ Storm	Storm	Hammond Brook-Glen Ave. to Centre St.	Cleaning, Inspection, Structural Evaluation, Design, Rehabilitation and Construction of Hammond Brook Culvert.	\$ 600,000	9.7	Stormwater Funds	\$ -	\$	-	\$ -	\$ -	\$ -	\$	-	\$	-

		CIP by Priority FY2025-FY2029 (Utilities Only)					Tota		Total \$ 10,904,977	Total \$ 14,931,380		Total \$ 12,525,000		Total \$ 12,550,000		Total 11,338,000		Total 788,000	
Priority	Dept	Asset Category	Project Title	Project Description / Justification	Est Cost in FY2024	Priority Factor	Funding Source	Approved		FY2024 to be Docketed/Approved		FY2025		FY2026	FY2027	,0 ,	FY2028		r2029
3	DPW/ Water	Water	Commercial & Residential Water Meter Replacement Project	Removal & Replacement of 125 commercial electromagnetic water meters sized 2"-8" diameter, +/-26,000 residential meters sized 5/8"-1 1/2", installation of new AMI system with customer portal.	\$ 16,625,00	70.1	Water Funds/ Sewer Funds	\$ 16,6	25,000	\$ -	\$	-	\$	-	\$ -	\$	-	\$	-
4	DPW/ Water	Water	Waban Hill Covered Reservoir	Rehabilitation of pipes, valves, all appurtenances and roof replacement. Includes cleaning, inspection, design, and construction services.	\$ 1,485,00	68.6	Water Funds	\$ 1,4	85,000	\$ -	\$	-	\$	-	\$ -	\$	-	\$	-
5	DPW/ Water	Water	Revised Lead and Copper Rule	EPA requires a complete system wide lead inventory to be submitted by 10/16/2024. This inventory will be used in determining future lead reduction efforts.	\$ 600,00	65.2	Reimburseable Grant	\$	-	\$ 600,000	\$	-	\$	-	\$ -	\$	-	\$	-
7	DPW/ Water	Water	Replace Water Pipelines - Phase 8	Cleaning and lining of water pipes to improve water quality, reduce water leakage and ensure pipe integrity and capacity. Precedes scheduled roadway paving. Project is currently Phase 8 of 20-phase program. Ward Street Phase I (Manet Rd to Waverley Ave).	\$ 5,371,59	63.6	MWRA Loan/Water Funds	\$ 5,3	71,590	\$ -	\$	-	\$	-	\$ -	\$	-	\$	-
16	DPW/ Water	Water	Replace Water Pipelines - Phase 10	Cleaning and lining of water pipes to improve water quality, reduce water leakage and ensure pipe integrity and capacity. Precedes scheduled roadway paving. Project will be in Phase 10 of 20-phase program.	\$ 4,750,00	51.3	MWRA Loan/Water Funds	\$ 4,7	50,000	\$ -	\$	-	\$	-	\$ -	\$	-	\$	-
19	DPW/ Water	Water	Replace Water Pipelines - Phase 11	Cleaning and lining of water pipes to improve water quality, reduce water leakage and ensure pipe integrity and capacity. Precedes scheduled roadway paving. Project will be in Phase 11 of 20-phase program.	\$ 4,750,00	44.0	MWRA Loan/Water Funds	\$	-	\$ 4,750,000	\$		\$	ı	\$ -	\$	,	\$	-
20	DPW/ Water	Water	Replace Water Pipelines - Phase 12	Cleaning and lining of water pipes to improve water quality, reduce water leakage and ensure pipe integrity and capacity. Precedes scheduled roadway paving.	\$ 4,750,00	44.0	MWRA Loan/Water Funds	\$	-	\$ -	\$	4,750,000	\$	-	\$ -	\$	<del>-</del>	\$	-
26	DPW/ Water	Water	Replace Water Pipelines - Phase 13	Cleaning and lining of water pipes to improve water quality, reduce water leakage and ensure pipe integrity and capacity. Precedes scheduled roadway paving. Project will be in Phase 13 of 20-phase program.	\$ 4,750,00	36.7	MWRA Loan/Water Funds	\$	-	\$ -	\$	-	\$	4,750,000	\$ -	\$	-	\$	-
27	DPW/ Water	Water	Replace Water Pipelines - Phase 14	Cleaning and lining of water pipes to improve water quality, reduce water leakage and ensure pipe integrity and capacity. Precedes scheduled roadway paving. Project will be in Phase 14 of 20-phase program.	\$ 4,750,00	36.7	MWRA Loan/Water Funds	\$	-	\$ -	\$	-	\$	-	\$ 4,750,0	00 \$	-	\$	-
28	DPW/ Water	Water	Replace Water Pipelines - Phase 15	Cleaning and lining of water pipes to improve water quality, reduce water leakage and ensure pipe integrity and capacity. Precedes scheduled roadway paving. Project will be in Phase 14 of 20-phase program.	\$ 4,750,00	32.1	MWRA Loan/Water Funds	\$	-	\$ -	\$	-	\$	-	\$ -	\$	4,750,000	\$	-
33	DPW/ Water	Water	Replace Water Pipelines - Phase 16	Cleaning and lining of water pipes to improve water quality, reduce water leakage and ensure pipe integrity and capacity. Precedes scheduled roadway paving. Project will be in Phase 14 of 20-phase program.	\$ 4,750,00	30.2	MWRA Loan/Water Funds	\$	-	\$ -	\$	-	\$	-	\$ -	\$	-	\$ 4,7	750,000

### **Private Ways**

#### **Definitions:**

Private way. Any way which is not a public way.

*Non-qualifying private way.* Any private way (as defined above) which can be laid out as a public way under the standards set forth in section 26-47 of the City of Newton Ordinances

Qualifying private way. Any private way (as defined above) which, if it were to be laid out as a public way under the standards set forth in section 26-47, would result in a layout which substantially and adversely affects existing land uses, historical or geological features.

Major temporary repairs. The surfacing or resurfacing of a way with bituminous concrete and the installation of drainage where appropriate as determined by current city standards and by recommendation of the commissioner of public works.

*Minor temporary repairs.* The filling of potholes, depressions and ruts with bituminous concrete or other suitable material, and not including installation of drainage.

*Privately funded repairs.* Repairs as deemed necessary and prudent by the commissioner of public works as further provided in subsection (e).

### Repair Options for Qualifying Private Ways

Minor temporary repairs - The DPW may make minor temporary repairs on a qualifying private way upon receipt of a petition signed by no less than twenty-five percent (25) of the owners of the abutting estates on said private way. Such repairs shall be made only after the commissioner of public works has determined that such repairs are required by public necessity and prudence and subject to resource availability. The cost of minor temporary repairs shall be borne entirely by the city.

Major temporary repairs – At least fifty percent (50%) of the owners of the abutting properties on the private way submit a petition requesting major temporary repairs to the City Council. If the City Council approves the petition, the major temporary repairs can be done. One hundred percent (100%) of the total cost of major temporary repairs are assessed as betterments upon the owners of abutting properties in proportion to the lineal frontage of their estates. In no event shall the betterments exceed the betterments that would be assessed on such owners pursuant if the way were to be laid out as a public way.

Petitions must include a statement that the way will remain open for public use for the life of the repairs.

### Repair Options for Non-Qualifying Private Ways

Privately funded temporary repairs - The DPW may make temporary repairs on a private way upon receipt of a petition signed by no less than twenty-five percent (25%) of the owners of the abutting properties on said private way, provided that payment for such repairs is made in full by said petitioners. Such repairs shall be made only after the commissioner of public works has determined that such repairs are necessary and prudent to make such private way safe and convenient for travel and only after the commissioner of public works has also determined that the city has the necessary resources available to devote to such repairs. The commissioner shall require the petitioners to produce a certificate from the city collectortreasurer that the amount of cost of performing the repairs, as estimated by the commissioner, has been deposited with the city collectortreasurer, before such repairs are undertaken. Before beginning privately funded repairs the commissioner shall require execution of an agreement providing that the final cost of such work, even though in excess of the estimated amount deposited, will be paid within thirty (30) days after the rendering of the bill, provided however that such additional amount shall not exceed twenty percent (20%) of the original estimated amount, unless otherwise mutually agreed by the parties.

**Delivery of gravel.** The commissioner of public works may, upon request by any owner of a property abutting any private way, provide gravel for use by the residents for filling potholes, depressions and ruts in such private way. The cost of providing such material shall be borne entirely by the city

### **Street Acceptance**

No street or way shall be laid out and accepted by the city unless the construction thereof conforms to the provisions of section 26-47 and no permits for building thereon shall be issued by the commissioner of inspectional services. (Rev. Ords. 1973, § 19-74; Ord. No. S-301, 2-1-88; Ord. No. S-324, 5-2-88)

Sec. 26-47. Specifications. The final construction of all streets or ways constructed completely by the owners, or constructed by the city under the law relating to the assessment of betterments, shall conform to the following specifications, which specifications shall constitute minimum requirements for the layout, construction and acceptance of streets or ways in the city....

### **Process for Acceptance**

- 1) Property owners on a private way petition the City Council for acceptance as a public way
- 2) A funding mechanism is identified there are 2 options
  - a. Property owners fund 100% of the cost of public way construction
  - b. Betterment process (Executive Office will need to identify funding)
- 3) The petition is docketed along with an easement request and plan
- 4) The docket items are referred to the Public Facilities Committee
- 5) Public Facilities Committee schedules a public hearing
- 6) Full Council takes a vote