

CITY OF NEWTON
IN BOARD OF ALDERMEN
PROGRAMS AND SERVICES COMMITTEE AGENDA

WEDNESDAY, JULY 15, 2015

6:45PM – NOTE EARLY START
ROOM 211

ITEMS SCHEDULED FOR DISCUSSION:

Chairman's Note: *Kevin Greeley, from the Town of Arlington will join the Committee to discuss Arlington's leaf blower regulation process. There will also be representatives from the landscaping community that will provide input to the Committee.*

#31-15 PROGRAMS & SERVICES COMMITTEE proposing an ordinance to limit the use of leafblowers. [01/26/15 @ 2:20PM]

#31-15(2) THE PROGRAMS & SERVICES COMMITTEE requesting to amend *Chapter 20-13, Noise Control*, relative to time restrictions on the use of yard, garden or grounds maintenance equipment. [03/19/15 @ 12:14PM]

Programs & Services and Public Facilities Committees will meet jointly on the following two items:

REFERRED TO PROG & SERV AND PUBLIC FACILITIES COMMITTEES

#141-15 ALD. BROUSAL-GLASER, SANGIOLO, HESS-MAHAN, COTE, NORTON AND ALBRIGHT requesting a discussion with *the Director of Urban Forestry*, a representative of the Department of Public Works and a representative of the Law Department about tracking and improving the condition of the gas utility infrastructure in Newton, new state statutes governing infrastructure repairs, coordination of increased repair work with city operations, the status of negotiations with National Grid to compensate for tree deaths resulting from gas leaks, and the possibility of creating a utilities working group to monitor progress on these and related issues. [05/26/15 @ 2:52 PM]

REFERRED TO PROGRAMS & SERVICES & PUBLIC FACILITIES COMMITTEES

#141-15(2) ALD LEARY, CROSSLEY, BROUSAL-GLASER, SANGIOLO, DANBERG, HESS-MAHAN, NORTON & YATES requesting a resolution to the State Legislature in support of House Bill 2870, an Act relative to protecting consumers of gas and electricity from paying for leaked and unaccounted for gas. [06/18/15 @ 4:50 PM]

The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, *please contact Jini Fairley, at least two days in advance of the meeting: jfairley@newtonma.gov, or 617-796-1253. For Telecommunications Relay Service dial 711.*

- #171-15 THE ELECTION COMMISSION requesting that the Board of Aldermen order that the following question be placed on the November 3, 2015 ballot: “Shall a commission be elected to revise the charter of the City of Newton?”; and to allow the names of charter commission candidates who have turned in nomination papers with the required 100 certified signatures to be placed on the ballot. [07/06/15 @ 4:17PM]
- #172-15 ALD. HESS-MAHAN AND NORTON on behalf of Susan Mirsky and Guntram Muller, requesting that the following non-binding question be placed on the November 3, 2015 municipal ballot: “Shall Governor Charles Baker instruct the Nuclear Regulatory Commission (NRC) to revoke the operating license of the 42-year old Pilgrim Nuclear Station, 38 miles from Newton in Plymouth, MA, because the safety of the public cannot be assured?” [06/23/15 @ 1:09PM]

ITEMS NOT SCHEDULED FOR DISCUSSION:

REFERRED TO ZAP, PROG & SERV AND FINANCE COMMITTEES

- #397-13(3) ALD. SANGIOLO AND DANBERG requesting creation of an ordinance to protect trees deemed ~~historic~~ significant by the ~~Historical Commission and the City's Tree Warden~~ with the advice and counsel of the Urban Tree Commission. [05/05/14 @ 4:32 PM]
AMENDED IN PROGRAMS & SERVICES 11/19/14

- #126-15 ALD. JOHNSON, ALBRIGHT, NORTON AND SCHOOL COMMITTEE MEMBER ALBRIGHT requesting a discussion with the Newton School Department, Newton North High School principal, and the Newton Police Department regarding ways to address the student smoking issue at Newton North High School. [05/11/15 @ 9:30AM]

REFERRED TO PROG & SERV AND PUBLIC FACILITIES COMMITTEES

- #140-15 PROGRAMS & SERVICES AND PUBLIC FACILITIES COMMITTEES requesting that the School Department and/or the Executive Department provide updates on the progress of the potential purchase of the Aquinas site as well as short and long term plans for uses and operations at the site. [05/20/15 @ 8:53 PM]

REFERRED TO PROG. & SERVICES AND ZONING & PLANNING COMMITTEES

- #127-15 ALD. SANGIOLO requesting discussion with Health Department, Inspectional Services Department and the Economic Development Commission regarding the policy of food truck operations in the City of Newton. [05/11/15 @ 10:22AM]

REFERRED TO PUB FACIL, PROG & SERV, AND PS&T COMMITTEES

- #46-15 ALD. JOHNSON & CICCONE, requesting a discussion with the Commissioner of Department of Public Works and the School Department to determine and discuss parking options including use of school properties based on the current municipal parking lot programs including the issuance of permits. [02/11/15 @ 1:35 PM]
- #10-15 ALD. HESS-MAHAN, BAKER, BROUSAL-GLASER, COTE, JOHNSON, SANGIOLO proposing a RESOLUTION requesting the Licensing Commission to adopt a policy requiring all applicants for a license to notify the Aldermen from the respective ward whenever applicants are required to send legal notice to abutters, public or private schools, churches, synagogues, religious institutions of worship and/or hospitals within 500 feet from the proposed licensed premises regarding their application. [12/29/14 @ 12:17 PM]
- #483-14 PROGRAMS & SERVICES COMMITTEE proposing a RESOLUTION to promote a cooperative program with food establishments in the City, the Newton-Needham Chamber of Commerce, the Economic Development Commission, the Director of Economic Development and members of the Board of Aldermen, to

find opportunities for these establishments to provide their food services for events in the City. [12/02/14 @ 3:56PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#464-14 ALD. SANGIOLO requesting discussion with the Department of Veteran's Services and the Executive Department regarding updates on programming at the Newton Senior Center and budgeting for new initiatives.[11/24/14 @ 3:41PM]

#377-14 THE PROGRAMS & SERVICES COMMITTEE requesting a discussion with the Director of Senior Services, the Council on Aging and the Executive Department relative to changes in the use of the Senior Center at 345 Walnut Street. [10/16/14 @ 5:43PM]

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

#375-14 HIS HONOR THE MAYOR submitting the FY16-FY20 Capital Improvement Plan pursuant to section 5-3 of the Newton City Charter. [10/15/14 @ 3:01 PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#216-14 ALD. HESS-MAHAN, ALBRIGHT, BAKER, CROSSLEY, NORTON AND SANGIOLO proposing the following amendments to Chapter 12 Health and Human Services of the Revised Ordinances to:

- require owners of dwellings requiring a Certificate of Habitability under Section 12-1 and real estate agents/brokers who receive compensation in connection with the particular real estate transaction to notify the Commissioner of Health and Human Services whenever an apartment, tenement, or room in a lodging house is vacated by the occupant or when an area in an existing building is converted to a condominium prior to being reoccupied by a new tenant, lodger or occupant;
- require educational institutions to disclose addresses of undergraduates living off-campus in Newton;
- require a fee for certification; and
- impose a fine for violation of these provisions. [05/14/14 @ 11:51 AM]

REFERRED TO PROGRAMS & SERVICES AND PUBLIC FACILITIES COMMITTEES

#119-14 ALD. ALBRIGHT AND CROSSLEY requesting discussion with the Inspectional Services Department to explain the development of short and long term plans to identify and correct buildings, sidewalks, playgrounds, etc., that do not conform to American Disability Act (ADA) standards. The discussion should include information on how improvements will be incorporated into the Capital Improvement Plan or if less than \$75,000 into a comprehensive budget plan to correct ADA deficiencies. [03/12/14 @ 4:18 PM]

#59-14 ALD. HESS-MAHAN AND BLAZAR requesting discussion with the Executive Department and the Health Care Advisory Committee concerning plans to implement recommendations contained in the First Report of the Health Care

Advisory Committee to control the cost of health insurance while improving or maintaining the quality of care. [02/18/14 @ 6:39 PM]

REFERRED TO FINANCE AND PROGRAMS & SERVICES COMMITTEE

- #402-13 ALD. FULLER, GENTILE, RICE and LINSKY requesting a Home Rule Petition to amend Article 9 of the Charter to clarify that Neighborhood Area Councils shall maintain and control their own financial accounts and records, independent of City finances; and to further clarify that such independent financial accounts and records shall remain subject to City audit. [10/28/13 @ 10:18 AM]
- #398-13 ALD. BAKER & DANBERG requesting a discussion of a possible ordinance, regulations or otherwise, to complement zoning regulation of any licensed Registered Marijuana Dispensaries to respond to any secondary impacts so as to make the operation of such dispensaries as successful as possible. [10/28/13 @ 10:00 AM]
- #34-13 ALD. DANBERG, ALBRIGHT, BLAZAR, RICE, LINSKY AND CROSSLEY requesting a prohibition on polystyrene-based disposable food or beverage containers in the City of Newton if that packaging takes place on the premises of food establishments within the City. [01/03/13 @ 11:01 AM]

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 PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #254-12(3) PROGRAMS & SERVICES COMMITTEE proposing an ordinance to require a fee, charged to consumers, for the use of paper bags at certain retail establishments in the City of Newton. [01/10/14 @ 3:36 pm]
- #229-12 RECODIFICATION COMMITTEE recommending a review and possible amendment to the *Board of Aldermen Rules & Orders 2012-2013* relative to review of draft ordinances by the Law Department.
- #199-13 ALD. JOHNSON AND SANGIOLO requesting an update from the School Committee and School Department regarding the request from the Board of Aldermen to reduce the family cap on activity fees. [05/20/13 @ 11:05 PM]

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

#312-10 ALD. LENNON, LAPPIN, SCHNIPPER, SANGIOLO requesting a discussion with the School Committee on its plans to address space needs in the Newton public schools. [10/27/10 @11:07 AM]

Respectfully Submitted,

Amy Mah Sangiolo

#141-15



Acts
2014
Chapter 149 AN ACT RELATIVE TO NATURAL GAS LEAKS

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Section 105A of chapter 164 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

Any person, firm or corporation who violates any provision of any code adopted by the department pertaining to the safety of pipeline facilities and the transportation of gas, or any regulation or rule thereunder, at a time when the department has submitted and has in effect the annual certification to the United States Secretary of Transportation provided for in 49 U.S.C. section 60105 shall be subject to civil penalties as specified in 49 U.S.C. section 60122(a)(1) or any successor statute enacted into federal law for the same purposes as said section 60122(a)(1).

SECTION 2. Said chapter 164 is hereby further amended by adding the following 2 sections:-

Section 144. (a) There shall be uniform natural gas leaks classification for all gas companies.

(b) (1) Gas companies shall assess a grade to all reported natural gas leaks based on the system provided in this section.

(2) A Grade 1 leak shall be a leak that represents an existing or probable hazard to persons or property. Grade 1 leaks require repair as immediately as possible and continuous action until the conditions are no longer hazardous. The gas company shall immediately schedule a completion of repairs and the condition shall be kept under continuous surveillance until the hazard or source of the leak is eliminated. Whenever appropriate and feasible, a gas company shall notify the fire department and chief law enforcement officer in each city or town where a Grade 1 leak is identified.

(3) A Grade 2 leak shall be a leak that is recognized as non-hazardous to persons or property at the time of detection, but justifies scheduled repair based on probable future hazard. The gas company shall repair Grade 2 leaks or replace the main within 12 months from the date the leak was classified. All Grade 2 leaks shall be reevaluated by a gas company at least once every 6 months until eliminated; provided, however, that the frequency of reevaluation shall be determined by the location and magnitude of the leakage condition.

(4) A Grade 3 leak shall be a leak that is recognized as non-hazardous to persons or property at the time of detection and can be reasonably expected to remain non-hazardous.

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The gas company shall reevaluate Grade 3 leaks during the next scheduled survey, or within 12 months from the date last evaluated, whichever occurs first, until the leak is eliminated or the main is replaced. A municipal or state public safety official may request a reevaluation of a Grade 3 leak prior to the next scheduled survey, or sooner than 12 months of the date last evaluated, if the official reasonably believes that the Grade 3 leak poses a threat to public safety.

(c) Upon the undertaking of a significant project on a public way exposing confirmed natural gas infrastructure, and with sufficient notice, a municipality or the commonwealth shall submit written notification of the project to a gas company. The gas company shall survey the project area for the presence of Grade 1 or Grade 2 leaks and set repair and replacement schedules for all known or newly detected Grade 1 or Grade 2 leaks. The gas company shall ensure that any shut off valve in the significant project area has a gate box installed upon it or a reasonable alternative that would otherwise ensure continued public safety and that any critical valve that has not been inspected and tested within the past 12 months is verified to be operational and accessible. The gas company shall provide the repair and replacement schedule of gas leaks to the municipality or the commonwealth.

(d) Gas companies shall prioritize any pipeline repairs required under this section for gas leaks detected within a school zone. For the purposes of this section, "school zone" shall mean on or within 50 feet of the real property comprising a public or private accredited preschool, accredited Head Start facility, elementary, vocational or secondary school.

(e) As part of the annual service quality standards report required by section 11, each gas company shall report to the department the location of each Grade 1, Grade 2 and Grade 3 leak existing as of the date of the report, the date each Grade 1, Grade 2 and Grade 3 leak was classified and the dates of repairs performed on each Grade 1, Grade 2 and Grade 3 leak. A gas company shall specify any reclassification of previously identified leaks in its annual report. Gas leak information shall be made available to any municipal or state public safety official upon written request to the department.

(f) The department shall promulgate regulations necessary to implement the uniform natural gas leak classifications as specified in this section and shall oversee and monitor company response and reporting.

Section 145. (a) For the purposes of this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

"Customer", a retail natural gas customer.

"Eligible infrastructure replacement", a replacement or an improvement of existing infrastructure of a gas company that: (i) is made on or after January 1, 2015; (ii) is designed to improve public safety or infrastructure reliability; (iii) does not increase the revenue of a gas company by connecting an improvement for a principal purpose of serving new customers; (iv) reduces, or has the potential to reduce, lost and unaccounted for natural gas through a reduction in natural gas system leaks; and (v) is not included in the current rate base of the gas company as determined in the gas company's most recent rate proceeding.

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“Plan”, a targeted infrastructure replacement program construction plan that a gas company files pursuant to subsection (b).

“Project”, an eligible infrastructure replacement project proposed by a gas company in a plan filed under this section.

(b) A gas company may file with the department a plan to address aging or leaking natural gas infrastructure within the commonwealth in the interest of public safety and reducing lost and unaccounted for natural gas through a reduction in natural gas system leaks.

(c) Any plan filed with the department shall include, but not be limited to: (i) eligible infrastructure replacement of mains, services, meter sets and other ancillary facilities composed of non-cathodically protected steel, cast iron and wrought iron, prioritized to implement the federal gas distribution pipeline integrity management plan annually submitted to the department and consistent with subpart P of 49 C.F.R. part 192; (ii) an anticipated timeline for the completion of each project; (iii) the estimated cost of each project; (iv) rate change requests; (v) a description of customer costs and benefits under the plan; and (vi) any other information the department considers necessary to evaluate the plan.

Upon filing an initial plan under this section, a gas company shall include a timeline for removing all leak-prone infrastructure on an accelerated basis specifying an annual replacement pace and program end date with a target end date of either (i) not more than 20 years, or (ii) a reasonable target end date considering the allowable recovery cap established pursuant to subsection (f). The department shall not approve a timeline as part of a plan unless the allowable recovery cap established pursuant to subsection (f) provides the gas company with a reasonable opportunity to recover the costs associated with removing all leak-prone infrastructure on the accelerated basis set forth under the timeline utilizing the cost recovery mechanism established pursuant to this section. After filing the initial plan, a gas company shall, at 5-year intervals, provide the department with a summary of its replacement progress to date, a summary of work to be completed during the next 5 years and any similar information the department may require. The department may require a gas company to file an updated long-term timeline as part of a plan if it alters the cap established pursuant to subsection (f).

(d) If a gas company files a plan on or before October 31 for the subsequent construction year, the department shall review the plan within 6 months. The plan shall be effective as of the date of filing, pending department review. The department may modify a plan prior to approval at the request of a gas company or make other modifications to a plan as a condition of approval. The department shall consider the costs and benefits of the plan including, but not limited to, impacts on ratepayers, reductions of lost and unaccounted for natural gas through a reduction in natural gas system leaks and improvements to public safety. The department shall give priority to plans narrowly tailored to addressing leak-prone infrastructure most immediately in need of replacement.

(e) If a plan is in compliance with this section and the department determines the plan to

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reasonably accelerate eligible infrastructure replacement and provide benefits, the department shall issue preliminary acceptance of the plan in whole or in part. A gas company shall then be permitted to begin recovery of the estimated costs of projects included in the plan beginning on May 1 of the year following the initial filing and collect any revenue requirement, including depreciation, property taxes and return associated with the plan.

(f) On or before May 1 of each year, a gas company shall file final project documentation for projects completed in the prior year to demonstrate substantial compliance with the plan approved pursuant to subsection (e) and that project costs were reasonably and prudently incurred. The department shall investigate project costs within 6 months of submission and shall approve and reconcile the authorized rate factor, if necessary, upon a determination that the costs were reasonable and prudent. Annual changes in the revenue requirement eligible for recovery shall not exceed (i) 1.5 per cent of the gas company's most recent calendar year total firm revenues, including gas revenues attributable to sales and transportation customers, or (ii) an amount determined by the department that is greater than 1.5 per cent of the gas company's most recent calendar year total firm revenues, including gas revenues attributable to sales and transportation customers. Any revenue requirement approved by the department in excess of such cap may be deferred for recovery in the following year.

(g) All rate change requests made to the department pursuant to an approved plan, shall be filed annually on a fully reconciling basis, subject to final determination by the department pursuant to subsection (f). The rate change included in a plan pursuant to section (c), reviewed pursuant to subsection (d) and taking effect each May 1 pursuant to subsection (e) shall be subject to investigation by the department pursuant to subsection (f) to determine whether the gas company has over collected or under collected its requested rate adjustment with such over collection or under collection reconciled annually. If the department determines that any of the costs were not reasonably or prudently incurred, the department shall disallow the costs and direct the gas company to refund the full value of the costs charged to customers with the appropriate carrying charges on the over-collected amounts. If the department determines that any of the costs were not in compliance with the approved plan, the department shall disallow the costs from the cost recovery mechanism established under this section and shall direct the gas company to refund the full value of the costs charged to customers with the appropriate carrying charges on the over collected amounts.

(h) The department may promulgate rules and regulations under this section. The department may discontinue the replacement program and require a gas company to refund any costs charged to customers due to failure to substantially comply with a plan or failure to reasonably and prudently manage project costs.

SECTION 3. On or before January 1, 2015, the department of public utilities shall authorize gas companies, as defined in section 1 of chapter 164 of the General Laws, to design and offer programs to customers which increase the availability, affordability and feasibility of natural gas service for new customers.

(a) As part of the department's approval of a program and prior to implementation of a

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program, the department shall: (i) review each gas company's determination that a main or service extension is economically feasible; (ii) review each gas company's contribution in aid of construction policy and methodology; and (iii) allow for alternative rate mechanisms or company project review methodology that facilitate access to natural gas service for new customers, including: (1) new service-territory-wide surcharges to aid in the financing of gas service expansion to new off-main customers; (2) new area surcharges applicable only to zones of new off-main customers to aid in the financing of gas service expansion to new off-main customers; or (3) both; provided, however, that natural gas distribution system expansion surcharges shall not unreasonably burden existing customers. The department may establish guidelines pursuant to this section that outline the department's methods and procedures for reviewing proposals, including factors the department shall consider for program or policy approval.

(b) Gas companies may petition the department independently or in coordination with the department of energy resources to approve: (i) financing programs for customer natural gas conversion costs repaid on participating customer bills; (ii) other financing programs developed by a gas company; or (iii) other cost-effective programs that reasonably accelerate the expansion of and conversion to natural gas usage in the commonwealth; provided, however, that the programs do not unreasonably burden existing natural gas customers.

(c) The department shall issue a decision on gas company expansion programs filed with the department pursuant to this section within 8 months of the filing date. Gas companies shall file appropriate tariff changes and otherwise implement any gas expansion programs or policies approved under this section.

(d) The department shall consider programs that are likely to accelerate the conversion or expansion to natural gas usage for low-income consumers currently eligible for the federal Low Income Home Energy Assistance Program, 42 U.S.C. section 8621 et seq., including programs that exempt new residential low-income heating customers from any new area surcharge developed pursuant to this section. Notwithstanding subsection (b), the department may approve alternative methods of cost recovery by a gas company for low-income programs, policies or exemptions, including impacts on uncollectible costs and shall exempt low-income customers eligible for the Low Income Home Energy Assistance Program from any new surcharge imposed pursuant to subsection (a).

SECTION 4. Notwithstanding any general or special law to the contrary, the department of public utilities shall open an investigation into gas operator compliance with the directives set forth in its Order D.T.E.\D.P.U. 06-48-A. The department shall complete its investigation and submit its findings to the clerks of the house of representatives and the senate and the house and senate chairs of the joint committee on telecommunications, utilities and energy on or before June 1, 2015.

SECTION 5. Notwithstanding any general or special law to the contrary, each operator shall give notice to the department of public utilities of each incident at the earliest practicable moment following discovery of said incident, in such form as the department may require. As

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used in this section, the terms “incident” and “operator” shall be defined as in 49 CFR section 191.3. The department of public utilities may open an investigation to determine the cause of said incident. Within 30 days of notice of an incident under this section, the department of public utilities shall post a notice on its website describing whether it will investigate said incident. In the event the department determines not to investigate the incident, it shall set forth in writing the reasons for its decision. Nothing in this section shall be construed to affect or modify the authority of the department of public utilities under state or federal law.

SECTION 6. Notwithstanding any general or special law to the contrary, the secretary of public safety and security or a designee shall issue a report on the adequacy of state regulations governing the safety standards for utility transformer vaults located within buildings subject to the state building code. The report shall include, but not be limited to, an analysis of the standards for access, structural integrity, ventilation and lighting requirements of the regulations and the inspection and enforcement requirements, if any, of the regulations. The report shall further address structural limitations of older buildings containing utility transformer vaults, any ancillary costs, including the cost of inspections and possible costs to businesses and municipalities to comply with any proposed new regulations, and any recommendations for legislation necessary to further implement minimum safety standards for utility transformer vaults. Before the final report is issued, the secretary of public safety or a designee shall hold a public hearing. The report, together with any proposed regulations or legislation necessary to carry out the recommendations, shall be submitted to the clerks of the house of representatives and the senate on or before November 15, 2014.

SECTION 7. Notwithstanding any general or special law to the contrary, explosive material, as defined in 527 CMR 13.03, shall not be used to fire a blast in any blasting operation at a site primarily used as a source of mined products from the earth if such site is within 500 feet of a natural gas pipeline or metering and regulation station without written approval by the department of public utilities.

SECTION 8. The department of public utilities shall investigate whether it shall require the winter surveillance and patrol of cast iron gas pipelines in the commonwealth and shall determine whether the presence of extended frost cap conditions may result in additional stress on cast iron pipe segments, requiring enhanced surveillance and patrol. The department may establish minimum uniform procedures for cast iron winter surveillance and patrols consistent with any federally mandated standards for integrity management programs for distribution pipelines. Gas companies, as defined in section 1 of chapter 164 of the General Laws, may establish procedures that exceed any minimum standards, subject to applicable filing requirements with the department.

SECTION 9. The department of public utilities shall issue a report addressing the prevalence of gas leaks in the natural gas system. The report shall include, but not be limited to: (i) the total number of Grade 1, Grade 2 and Grade 3 leaks as classified in section 144 of chapter 164 of the General Laws and reported in the previous year; (ii) estimates for lost and unaccounted for natural gas and methane emissions as a result of such Grade 1, Grade 2

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and Grade 3 leaks; and (iii) time and cost estimates for eliminating the backlog of Grade 1, Grade 2 and Grade 3 leaks. The department shall issue the first report not later than 1 year after the effective date of this act. The second and all subsequent reports shall be filed annually thereafter until the department determines that the backlog has been sufficiently addressed and the natural gas distribution system is in a state of good repair. The final annual report issued by the department pursuant to this section shall estimate the total cost of eliminating the backlog and the annual estimated cost to maintain a state of good repair. The second report and all subsequent reports shall be filed with the house and senate chairs of the joint committee on telecommunications, utilities and energy and the house and senate chairs of the joint committee on public safety and homeland security on or before December 31 of each year.

SECTION 10. Section 145 of chapter 164 of the General Laws shall take effect on October 1, 2014.

Approved, June 26, 2014.

Gas Leaks Bill Summary: Chapter 149 of the Acts of 2014

Gas leak monitoring and repair

- Requires the Department of Public Utilities to develop a uniform grading system for gas leaks, clearly defining what is a grade one leak (the most immediately hazardous to humans), a grade two leak (potential to be hazardous to humans), or a grade three leak (not currently considered to be hazardous to humans). Prior to enactment of this law, gas companies used their own standards to grade leaks and there was no uniform definition. Gas companies will now be required to monitor and report all leaks according to this classification schedule.
- Requires all grade one leaks to be repaired or replaced as immediately as possible
- Requires grade two leaks to be repaired or replaced within 12 months, and monitored for potential reclassification every 6 months
- Requires all grade three leaks to be monitored and reevaluated every 12 months or at the request of public safety officials
- When a road is opened up for a road or utility project, the pipes under the road must be surveyed for gas leaks, and all grade 1 and 2 leaks must be repaired.
- Repairs to gas leaks in a school zone must be prioritized
- Requires the DPU to investigate the feasibility and effectiveness of requiring "winter patrols" of gas pipelines
- Bans blasting operations from taking place within 500 feet of a natural gas pipeline

Natural gas infrastructure replacement

- Gas companies may submit a plan to DPU of either 20 years or what the DPU determines to be a reasonable period of time for a plan to replace pipeline in such a way that will improve reliability and reduce lost and unaccounted for gas. Gas companies will be allowed to bill ratepayers for this, but not at a cost of more than 1.5% of the company's total sales, or a rate otherwise determined reasonable by DPU.
- Gas companies may also submit a plan to DPU to construct pipeline infrastructure to expand gas service to new customers. These projects can be funded either by a fee on new customers, a fee on all ratepayers, or a combination of the two, as long as DPU determines the plan does not put too much of a burden on existing customers.

RECEIVED
Newton City Clerk
2015 MAY - 1 PM 2:33
David A. Olson, CMC
Newton, MA 02459

Boston Gas Company
Planned Proactive Main Replacement Miles
Calendar Year 2015

Boston Gas Company
Colonial Gas Company
d/b/a National Grid
D.P.U. 14-
Exhibit DGI-3
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RECEIVED
2015 MAY -1 PM 2:55
NATIONAL GRID
D.P.U. 14-35

Line #	Division	Town	Description (street/crossing)	Diameter	Material	Length	Notes	2015 Budget
225	Malden	Melrose	24-84 GRANITE ST, MEL, VISTA ST & BEECH AVE	6	Cast Iron			1345
226	Malden	Melrose	27-103 LEBANON ST, MEL	6	Cast Iron			1840
227	Malden	Melrose	3-63 GLENDALE AV, MEL	3	Cast Iron			910
228	Malden	Melrose	54-77 GOSS AV, MEL, & 35-73 HAROLD ST	6	Cast Iron			1030
229	Malden	Revere	145-240 HARRIS ST, REV	6	Cast Iron			925
230	Malden	Somerville	1-126 WASHINGTON ST, SOM	4	Cast Iron			2570
231	Malden	Somerville	1-128 CROSS ST, SOM, & ELLSWORTH ST	6	Cast Iron			2290
232	Malden	Somerville	2-43 BRADLEY ST, SOM, 4-44 RADCLIFFE RD & JAMES	3	Cast Iron			1445
233	Malden	Winchester	79-145 POND ST, WNC, & 9-25 CHESTERFORD RD	4	Cast Iron			1595
234	Malden	Winchester	8-19 WINCHESTER PL, WNC	4	Cast Iron		LP	420
235	Malden	Winchester	32-51 MYRTLE TER, WNC, GREELEY RD & S BORDER RD	2	Wrought Iron		LP	1495
236	Malden	Woburn	1-70 FOWLE ST, WOB	6	Steel		25	930
237	Malden	Woburn	19-21 CHARLES ST, WOB	2	Steel		LP	80
238	Malden	Woburn	2-10 DAWES CIR, WOB, 1-5 PATRIOT RD	2	Steel		60	825
239	Malden	Woburn	1-70 FOWLE ST, WOB	4	Cast Iron		LP	965
240	Malden	Woburn	3-26 BURLINGTON ST, WOB	2	Wrought Iron		LP	755
241	Malden	Woburn	8-47 GREEN ST, WOB, & 3-49 MT PLEASANT ST	3	Wrought Iron		LP to 25	4570
242	Waltham	Arlington	11-50 MELVIN RD, ARL, & 81-104 WINCHESTER RD	4	Steel		LP	1590
243	Waltham	Arlington	3-28 CLYDE TER, ARL, LAWRENCE LN & WASHINGTON	4	Steel		LP	1295
244	Waltham	Arlington	11-50 MORNINGSIDE DR, ARL, HODGE, BRADLEY & LOVELL	6	Cast Iron		LP	2115
245	Waltham	Arlington	143-178 PARK AV, ARL	4	Cast Iron		LP	1040
246	Waltham	Arlington	2-42 BELLEVUE RD, ARL, MORTON RD & SPRING ST	6	Cast Iron		LP to 25	1785
247	Waltham	Arlington	355-455 MYSTIC ST, ARL, & OLD MYSTIC ST	6	Cast Iron		LP to 25	2275
248	Waltham	Arlington	40-51 WINCHESTER RD, ARL, HUTCHINSON RD & MORNINGSID	6	Cast Iron		LP	1050
249	Waltham	Arlington	54-110 MARY ST, ARL, & 4-15 LITTLEJOHN ST	4	Cast Iron		LP	1070
250	Waltham	Arlington	59-122 SPY POND PKWY, ARL, & 2-29 SHERATON PK	4	Cast Iron		LP	2000
251	Waltham	Arlington	60-138 NEWLAND RD, ARL, SUNSET RD & BLOSSOM ST	4	Cast Iron		LP to 60	2185
252	Waltham	Arlington	777-849 CONCORD TPKE, ARL, & 3 BELLINGTON ST	4	Cast Iron		LP	1205
253	Waltham	Belmont	234-274 GROVE ST, BEL, & 3-20 LIVERMORE RD	20	Steel		25	895
254	Waltham	Belmont	118-232 CONCORD AV, BEL	6	Cast Iron		LP	1470
255	Waltham	Belmont	14-60 GLENDALE RD, BEL	4	Cast Iron		LP	550
256	Waltham	Belmont	14-93 CLARK ST, BEL	3	Cast Iron		LP	1030
257	Waltham	Belmont	19-75 MARSH ST, BEL	6	Cast Iron		LP	895
258	Waltham	Belmont	335-426 MARSH ST, BEL	6	Cast Iron		LP	875
259	Waltham	Belmont	7-64 PROSPECT ST, BEL, & 5-31 RICHMOND RD	6	Cast Iron		LP	1115
260	Waltham	Lexington	1-31 GRASSLAND ST, LEX	3	Steel		25	995
261	Waltham	Lexington	6-50 DEXTER RD, LEX, & 31-38 SIMONDS RD	4	Cast Iron		2	1130
262	Waltham	Newton	10-87 GRAY CLIFF RD, NEW, SQUURREL LN	4	Cast Iron		LP	1275
263	Waltham	Newton	112-284 WINCHESTER ST, NEW	12	Cast Iron		22	2990
264	Waltham	Newton	11-64 BROADWAY, NEW, & 9-20 BROADWAY TER	4	Cast Iron		LP	1245
265	Waltham	Newton	141-192 GROVE ST, NEW, & MYRTLE AV	8	Cast Iron		LP	1000
266	Waltham	Newton	172-186 PARK ST, NEW, 169-237 FRANKLIN ST	3	Cast Iron		LP	1435
267	Waltham	Newton	194-300 CRAFTS ST, NEW	4	Cast Iron		LP	960
268	Waltham	Newton	215-246 LAKE AV, NEW, LAKEWOOD, NORMAN & ROGERS	4	Cast Iron		LP	1350
269	Waltham	Newton	2280-2340 COMMONWEALTH AV, NEW	6	Cast Iron		LP	960
270	Waltham	Newton	24-177 WARREN ST, NEW, WARREN TER & RENEE TER	4	Cast Iron		LP	2335
271	Waltham	Newton	267-302 MT VERNON ST, NEW, & 39-85 HILLSIDE AV	6	Cast Iron		LP	575
272	Waltham	Newton	27-68 BROOKS AV, NEW	4	Cast Iron		LP	735
273	Waltham	Newton	33-53 CHURCHILL ST, NEW, & 14-17 CHURCHILL TER	3	Cast Iron		LP	605
274	Waltham	Newton	337-647 WASHINGTON ST, NEW	10	Cast Iron		LP	3300
275	Waltham	Newton	62-115 FINE RIDGE RD, NEW, & 619-667 CHESTNUT ST	4	Cast Iron		LP	1395
276	Waltham	Newton	76-126 CHURCH ST, NEW, & 42-105 ELDRIDGE ST	3	Cast Iron		LP	1525
277	Waltham	Newton	77-120 ATWOOD AV, NEW	6	Cast Iron		LP	570
278	Waltham	Waltham	1-44 GRANT PL, WAL	4	Cast Iron		LP	650
279	Waltham	Waltham	176-230 RIVER ST, WAL	6	Cast Iron		LP	520
280	Waltham	Waltham	46-109 CUSHING ST, WAL, & 23-62 LOWELL ST	3	Cast Iron		LP	1260

Boston Gas Company
Planned Proactive Main Replacement Miles
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Boston Gas Company
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Line #	Division	Town	Description (Street/Segment)	Diameter	Material	Operating Pressure	GN&P Footage
1939	Waltham	Lexington	OUTLOOK DR	2	Steel	25	532.4
1940	Waltham	Lexington	PHINNEY RD	2	Steel	25	659.6
1941	Waltham	Lexington	REVERE ST	6	Cast Iron	2	537.2
1942	Waltham	Lexington	SCOTLAND RD	3	Steel	60	874.9
1943	Waltham	Lexington	SUZANNE RD	2	Steel	60	539
1944	Waltham	Lexington	TROTTER HORSE DR	3	Steel	25	849.6
1945	Waltham	Lexington	TUFTS RD	4	Steel	25	549.9
1946	Waltham	Lexington	VINE ST	2	Steel	60	523.4
1947	Waltham	Lexington	VOLUNTEER WY	4	Steel	60	639.3
1948	Waltham	Lexington	WATERTOWN ST	4	Steel	25	776.8
1949	Waltham	Lexington	WINSTON RD	3	Steel	25	761.2
1950	Waltham	Lexington	WOODCLIFFE RD	3	Steel	25	805
1951	Waltham	Newton	347-407 CENTRAL ST, NEW	6	Cast Iron	LP	730
1952	Waltham	Newton	398-490 WALTHAM ST, NEW, & 5-45 LINDBERGH AV	4	Cast Iron	LP	1855
1953	Waltham	Newton	4-49 JASSET ST, NEW	4	Cast Iron	LP	610
1954	Waltham	Newton	550-618 BEACON ST, NEW	4	Cast Iron	LP	825
1955	Waltham	Newton	6-140 ROUNDWOOD RD, NEW, WHITE PINE & HEMLOCK	4	Steel	22	3860
1956	Waltham	Newton	631-731 BEACON ST, NEW, & 11-15 COUSENS CIR	4	Cast Iron	LP	1625
1957	Waltham	Newton	75-171 LOWELL AV, NEW	3	Cast Iron	LP	1533
1958	Waltham	Newton	ACACIA AV	6	Cast Iron	LP	681.9
1959	Waltham	Newton	AGAWAM RD	6	Cast Iron	LP	636.1
1960	Waltham	Newton	ALBEMARLE RD	4	Cast Iron	LP	650.3
1961	Waltham	Newton	AUBURN ST	4	Cast Iron	LP	622.7
1962	Waltham	Newton	BARBARA RD	6	Cast Iron	LP	653.1
1963	Waltham	Newton	BELMONT ST	6	Cast Iron	LP	581.7
1964	Waltham	Newton	BIGELOW RD	4	Cast Iron	LP	736.6
1965	Waltham	Newton	BROOKSIDE AV	4	Cast Iron	LP	513.2
1966	Waltham	Newton	CARLETON ST	4	Cast Iron	LP	594.8
1967	Waltham	Newton	CARLTON RD	4	Cast Iron	LP	507.6
1968	Waltham	Newton	CHASE ST	3	Cast Iron	LP	633.7
1969	Waltham	Newton	CHESWICK RD	4	Cast Iron	LP	720.1
1970	Waltham	Newton	CLARK ST	6	Cast Iron	LP	540.6
1971	Waltham	Newton	CLEMENTS RD	4	Cast Iron	LP	646.4
1972	Waltham	Newton	CLINTON PL	4	Cast Iron	LP	651.4
1973	Waltham	Newton	CONCOLOR AV	6	Cast Iron	LP	750.5
1974	Waltham	Newton	COOK ST	4	Cast Iron	LP	511.4
1975	Waltham	Newton	CYPRESS ST	4	Cast Iron	LP	950.6
1976	Waltham	Newton	DALBY ST	4	Cast Iron	LP	706.1
1977	Waltham	Newton	DANEHILL RD	6	Cast Iron	LP	770.1
1978	Waltham	Newton	DAVIS AV	6	Cast Iron	LP	562.6
1979	Waltham	Newton	DEVONSHIRE RD	6	Cast Iron	LP	531.1
1980	Waltham	Newton	DEKTER RD	4	Cast Iron	LP	646.8
1981	Waltham	Newton	DUNSTER RD	4	Cast Iron	LP	592.6
1982	Waltham	Newton	EDGE HILL RD	6	Cast Iron	LP	548.6
1983	Waltham	Newton	ELGIN ST	6	Cast Iron	LP	562.2
1984	Waltham	Newton	ERIE AV	6	Cast Iron	LP	814.5
1985	Waltham	Newton	FAIRMONT AV	3	Cast Iron	LP	571.2
1986	Waltham	Newton	FARLOW RD	4	Cast Iron	LP	589
1987	Waltham	Newton	FAXON ST	4	Cast Iron	LP	552.1
1988	Waltham	Newton	FERN ST	6	Cast Iron	LP	540.6
1989	Waltham	Newton	FISHER AV	4	Cast Iron	LP	518.8
1990	Waltham	Newton	FLORAL ST	4	Cast Iron	LP	597.7
1991	Waltham	Newton	FOREST AV	6	Cast Iron	LP	540.9
1992	Waltham	Newton	GATE HOUSE RD	6	Cast Iron	LP	577.9
1993	Waltham	Newton	GIBBS ST	4	Cast Iron	LP	583.5
1994	Waltham	Newton	GLENWOOD AV	4	Cast Iron	LP	519.1
1995	Waltham	Newton	GRANT AV	4	Cast Iron	LP	660.6

Boston Gas Company
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Line #	Division	Town	Description (street/corner)	Diameter	Material	Operating Pressure	GSEP Footage
1996	Waltham	Newton	GROVE HILL PK	4	Cast Iron	LP	515.8
1997	Waltham	Newton	HALCYON RD	6	Cast Iron	LP	634.6
1998	Waltham	Newton	HALE ST	4	Cast Iron	LP	765.6
1999	Waltham	Newton	HAMLEN RD	6	Cast Iron	LP	602.1
2000	Waltham	Newton	HAMMOND ST	6	Cast Iron	LP	610
2001	Waltham	Newton	HAWTHORNE AV	4	Cast Iron	LP	568.4
2002	Waltham	Newton	HUNTINGTON RD	6	Cast Iron	LP	771
2003	Waltham	Newton	JACKSON RD	6	Cast Iron	LP	583.2
2004	Waltham	Newton	JOHNSON PL	6	Cast Iron	LP	503.5
2005	Waltham	Newton	KENRICK ST	6	Cast Iron	LP	501.1
2006	Waltham	Newton	KENSINGTON ST	4	Cast Iron	LP	715.3
2007	Waltham	Newton	LOCKE RD	6	Cast Iron	LP	616.1
2008	Waltham	Newton	LOMBARD ST	6	Cast Iron	LP	621.6
2009	Waltham	Newton	LOS ANGELES ST	4	Cast Iron	LP	602.5
2010	Waltham	Newton	MANOR HOUSE RD	6	Cast Iron	LP	615.5
2011	Waltham	Newton	MASON RD	6	Cast Iron	LP	555.2
2012	Waltham	Newton	MELBOURNE AV	6	Cast Iron	LP	632.8
2013	Waltham	Newton	MILL ST	6	Cast Iron	LP	621.9
2014	Waltham	Newton	MOFFAT RD	6	Cast Iron	LP	526.9
2015	Waltham	Newton	MT ALVERNIA RD	6	Cast Iron	LP	690
2016	Waltham	Newton	NANCY RD	4	Cast Iron	LP	623.6
2017	Waltham	Newton	NEVADA ST	4	Cast Iron	LP	514.9
2018	Waltham	Newton	NEWTONVILLE AV	4	Cast Iron	LP	543.3
2019	Waltham	Newton	NOBLE ST	6	Cast Iron	LP	539.6
2020	Waltham	Newton	NORTH ST	4	Cast Iron	LP	696.3
2021	Waltham	Newton	OAK AV	4	Cast Iron	LP	544.6
2022	Waltham	Newton	OAKDALE RD	6	Cast Iron	LP	517.8
2023	Waltham	Newton	OAKLAND AV	4	Cast Iron	LP	655.6
2024	Waltham	Newton	ORCHARD AV	4	Cast Iron	LP	589.7
2025	Waltham	Newton	OTIS ST	6	Cast Iron	LP	766.6
2026	Waltham	Newton	OWATONNA ST	4	Cast Iron	LP	583.8
2027	Waltham	Newton	OXFORD RD	4	Cast Iron	LP	960
2028	Waltham	Newton	PAUL ST	6	Cast Iron	LP	599.4
2029	Waltham	Newton	PLEASANT ST	6	Cast Iron	LP	779.5
2030	Waltham	Newton	PRAIRIE AV	4	Cast Iron	LP	527
2031	Waltham	Newton	PROSPECT PK	4	Cast Iron	LP	815.4
2032	Waltham	Newton	QUINOBBQUIN RD	6	Cast Iron	LP	586.6
2033	Waltham	Newton	RESERVOIR AV	4	Cast Iron	LP	758
2034	Waltham	Newton	RICE ST	4	Cast Iron	LP	521.5
2035	Waltham	Newton	RIDGE AV	6	Cast Iron	LP	692.7
2036	Waltham	Newton	RIPLEY ST	4	Cast Iron	LP	585.6
2037	Waltham	Newton	ROSALIE RD	6	Cast Iron	LP	513.4
2038	Waltham	Newton	SALISBURY RD	6	Cast Iron	LP	547.1
2039	Waltham	Newton	SHORNECLIFFE RD	4	Cast Iron	LP	860.1
2040	Waltham	Newton	SMITH AV	6	Cast Iron	LP	659.1
2041	Waltham	Newton	STAFFORD RD	6	Cast Iron	LP	558.7
2042	Waltham	Newton	STUDIO RD	4	Cast Iron	LP	590.2
2043	Waltham	Newton	TEMPLE ST	4	Cast Iron	LP	747.2
2044	Waltham	Newton	THAXTER RD	6	Cast Iron	LP	506.2
2045	Waltham	Newton	THE LEDGES RD	4	Cast Iron	LP	613.8
2046	Waltham	Newton	TYLER TER	6	Cast Iron	LP	1390.3
2047	Waltham	Newton	UPLAND RD	4	Cast Iron	LP	508.2
2048	Waltham	Newton	VINEYARD RD	6	Cast Iron	LP	611.1
2049	Waltham	Newton	W FINE ST	4	Cast Iron	LP	508.3
2050	Waltham	Newton	WABAN AV	4	Cast Iron	LP	588.6
2051	Waltham	Newton	WABAN HILL RD	4	Cast Iron	LP	564.5
2052	Waltham	Newton	WALKER ST	3	Cast Iron	LP	568.8

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Line #	Division	Town	Description (Street/Highway)	Diameter	Material	Operating Pressure	GSEP Footage
2053	Waltham	Newton	WALTER ST	6	Cast Iron	LP	720.8
2054	Waltham	Newton	WARD ST	4	Cast Iron	LP	839.9
2055	Waltham	Newton	WARWICK RD	4	Cast Iron	LP	853.2
2056	Waltham	Newton	WASHINGTON PK	3	Cast Iron	LP	598
2057	Waltham	Newton	WATERSTON RD	4	Cast Iron	LP	637.3
2058	Waltham	Newton	WHITNEY RD	6	Cast Iron	LP	627.5
2059	Waltham	Newton	WILDWOOD AV	4	Cast Iron	LP	756.3
2060	Waltham	Newton	WILLIAM ST	4	Cast Iron	LP	701.4
2061	Waltham	Newton	WINDERMERE RD	4	Cast Iron	LP	560.9
2062	Waltham	Newton	WINONA ST	4	Cast Iron	LP	524.9
2063	Waltham	Newton	WINSLOW RD	6	Cast Iron	LP	784.6
2064	Waltham	Newton	WOLCOTT ST	4	Cast Iron	LP	508.7
2065	Waltham	Newton	WOODBINE ST	3	Cast Iron	LP	508.3
2066	Waltham	Newton	WYKEHAM RD	4	Cast Iron	LP	738.3
2067	Waltham	Newton	WYOMING RD	6	Cast Iron	LP	593.8
2068	Waltham	Waltham	1450-1490 TRAPELO RD, WAL	6	Steel	60	540
2069	Waltham	Waltham	18-58 DOTY ST, WAL	3	Steel	60	535
2070	Waltham	Waltham	285-379 NEWTON ST, WAL	3	Cast Iron	LP	1290
2071	Waltham	Waltham	4-72 CAUGHY ST, WAL, MARION ST & FARNSWORTH ST	4	Cast Iron	LP	1905
2072	Waltham	Waltham	8-33 PALMER ST, WAL	3	Cast Iron	LP	445
2073	Waltham	Waltham	8-75 HIGHLAND ST, WAL, & 9-14 BROOK AV	3	Cast Iron	LP to 60	1165
2074	Waltham	Waltham	ALBEMARLE RD	6	Cast Iron	LP	570.9
2075	Waltham	Waltham	ASH ST	6	Cast Iron	LP	838.8
2076	Waltham	Waltham	BARBARA RD	6	Cast Iron	LP	687.9
2077	Waltham	Waltham	BEAL RD	4	Steel	LP	747
2078	Waltham	Waltham	BEECHWOOD RD	4	Steel	LP	567.5
2079	Waltham	Waltham	BRIGHTWOOD RD	4	Steel	LP	538.9
2080	Waltham	Waltham	BROOKFIELD RD	4	Cast Iron	LP	509.3
2081	Waltham	Waltham	CANTERBURY RD	4	Steel	LP	849.2
2082	Waltham	Waltham	CHERRY ST	6	Cast Iron	LP	662
2083	Waltham	Waltham	CLEVELAND RD	4	Steel	LP	769
2084	Waltham	Waltham	COPLEY AV	6	Cast Iron	LP	557.1
2085	Waltham	Waltham	CRESCENT ST	4	Cast Iron	LP	539.1
2086	Waltham	Waltham	CUTTER ST	4	Cast Iron	LP	506.7
2087	Waltham	Waltham	DOUGLAS RD	4	Steel	LP	537.4
2088	Waltham	Waltham	ELLERY RD	4	Steel	LP	713.1
2089	Waltham	Waltham	FARNUM RD	4	Steel	LP	573.1
2090	Waltham	Waltham	FLORENCE RD	4	Cast Iron	LP	501.2
2091	Waltham	Waltham	FRANCIS ST	3	Cast Iron	LP	612.7
2092	Waltham	Waltham	GREENWOOD LN	4	Cast Iron	LP	619.3
2093	Waltham	Waltham	GROSVENOR RD	4	Steel	LP	543.2
2094	Waltham	Waltham	GUINAN ST	6	Cast Iron	LP	985.8
2095	Waltham	Waltham	HARRIS ST	3	Cast Iron	LP	534.3
2096	Waltham	Waltham	MARIANNE RD	6	Cast Iron	LP	686.5
2097	Waltham	Waltham	MASSAHOIT ST	4	Cast Iron	LP	770.7
2098	Waltham	Waltham	MAYALL RD	6	Cast Iron	LP	822.9
2099	Waltham	Waltham	ORANGE ST	3	Cast Iron	LP	510.3
2100	Waltham	Waltham	PORTER RD	6	Cast Iron	LP	509
2101	Waltham	Waltham	PRENTICE ST	6	Cast Iron	LP	528.6
2102	Waltham	Waltham	RIVERVIEW AV	3	Cast Iron	LP	630.2
2103	Waltham	Waltham	ROBBINS ST	3	Cast Iron	LP	556.3
2104	Waltham	Waltham	RUSSELL ST	4	Cast Iron	LP	908.3
2105	Waltham	Waltham	SPARKILL ST	6	Cast Iron	LP	528.6
2106	Waltham	Waltham	TURNER ST	3	Cast Iron	2	525
2107	Waltham	Waltham	VAN VECHTEN ST	6	Cast Iron	LP	525.5
2108	Waltham	Waltham	VIRGINIA RD	6	Cast Iron	LP	663.2
2109	Waltham	Waltham	WOBURN ST	2	Steel	60	667.3

RECEIVED
Newton City Clerk

CITY OF NEWTON

DOCKET REQUEST FORM

2015 JUN 18 PM 4: 50

DEADLINE NOTICE: Aldermanic Rules require items to be docketed with the Clerk of the Board **NO LATER THAN 7:45 P.M. ON THE MONDAY PRIOR TO A FULL BOARD MEETING.**

Newton, MA 02459

To: Clerk of the Board of Aldermen

Date: June 18, 2015

From (Docketer): Ald. Alison Leary

Address: _____

Phone: _____

E-mail: _____

Additional sponsors: _____

1. Please docket the following item (it will be edited for length if necessary):

A resolution to the State Legislature in support of House Bill 2870, An Act relative to protecting consumers of gas and electricity from paying for leaked and unaccounted for gas.

2. The purpose and intended outcome of this item is:

- | | |
|--|---|
| <input type="checkbox"/> Fact-finding & discussion | <input type="checkbox"/> Ordinance change |
| <input type="checkbox"/> Appropriation, transfer, | <input checked="" type="checkbox"/> Resolution |
| <input type="checkbox"/> Expenditure, or bond authorization | <input type="checkbox"/> License or renewal |
| <input type="checkbox"/> Special permit, site plan approval, | <input type="checkbox"/> Appointment confirmation |
| <input type="checkbox"/> Zone change (public hearing required) | <input type="checkbox"/> Other: _____ |

3. I recommend that this item be assigned to the following committees:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Programs & Services | <input type="checkbox"/> Finance | <input type="checkbox"/> Real Property |
| <input type="checkbox"/> Zoning & Planning | <input type="checkbox"/> Public Safety | <input type="checkbox"/> Special Committee |
| <input checked="" type="checkbox"/> Public Facilities | <input type="checkbox"/> Land Use | <input type="checkbox"/> No Opinion |

4. This item should be taken up in committee:

Immediately (Emergency only, please). Please state nature of emergency:

- As soon as possible, preferably within a month
- In due course, at discretion of Committee Chair
- When certain materials are made available, as noted in 7 & 8 on reverse
- Following public hearing

HOUSE No. 2870

The Commonwealth of Massachusetts

PRESENTED BY:

Lori A. Ehrlich and James B. Eldridge

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to protecting consumers of gas and electricity from paying for leaked and unaccounted for gas.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Stephen Kulik</i>	<i>1st Franklin</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>
<i>Barbara L'Italien</i>	<i>Second Essex and Middlesex</i>
<i>Dennis A. Rosa</i>	<i>4th Worcester</i>
<i>Ellen Story</i>	<i>3rd Hampshire</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>

<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>RoseLee Vincent</i>	<i>16th Suffolk</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>
<i>Carmine L. Gentile</i>	<i>13th Middlesex</i>
<i>Walter F. Timilty</i>	<i>7th Norfolk</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Thomas M. McGee</i>	<i>Third Essex</i>
<i>Cynthia S. Creem</i>	<i>First Middlesex and Norfolk</i>
<i>Edward F. Coppinger</i>	<i>10th Suffolk</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>
<i>Patricia A. Haddad</i>	<i>5th Bristol</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>
<i>Linda Dorcena Forry</i>	<i>First Suffolk</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>
<i>Linda Dean Campbell</i>	<i>15th Essex</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>
<i>Brendan P. Crighton</i>	<i>11th Essex</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>
<i>James R. Miceli</i>	<i>19th Middlesex</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>
<i>Jeffrey Sánchez</i>	<i>15th Suffolk</i>
<i>Timothy J. Toomey, Jr.</i>	<i>26th Middlesex</i>

HOUSE No. 2870

By Representative Ehrlich of Marblehead and Senator Eldridge, a joint petition (accompanied by bill, House, No. 2870) of Lori A. Ehrlich, James B. Eldridge and others relative to protecting consumers of gas and electricity from paying for leaked and unaccounted for gas. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to protecting consumers of gas and electricity from paying for leaked and unaccounted for gas.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 The General Laws of the Commonwealth of Massachusetts are hereby amended as
2 follows:

3 SECTION 1 Chapter 164 of the General Laws, as appearing in the 2014 Official Edition,
4 is hereby amended by adding the following section:

5 Section 147. (a) As used in this Section, the following words shall have the following
6 meanings:

7 "Gas" - natural gas and any of its products, components or derivatives and methane,
8 whether produced by, or gathered from or collected as a result of exploration and production by
9 well, mining or otherwise, hydraulic fracturing, biomass gasification reactors, biogas reactors,

10 anaerobic digestion, methane emissions from landfills and liquid natural gas and whether mixed
11 with propane air or not or with synthetic natural gas or not.

12 "Hydraulic fracturing" - the process of pumping a fluid into or under the surface of the
13 ground in order to create or develop or enhance the flow through fractures in rock for the
14 purpose of the production or recovery of oil or gas.

15 "Liquefied natural gas " - a natural gas that has been changed into a liquid by cooling the
16 temperature at atmospheric pressure to approximately 260°F.

17 "Local Distribution Company" – includes a municipal distribution company, and is
18 referred to as an LDC.

19 "Local retail outlets" – Distributors of gas at retail to retail customers for individual
20 household use.

21 "Natural gas " - a type of gas which originates in the ground and is predominantly
22 methane.

23 "Propane air" - a type of gas produced by those facilities which add commercial grade
24 propane to air for mixture with natural gas .

25 "Provider" – anyone that purchases, acquires, transmits, barter, forfeits, exchanges,
26 transports, stores, processes, compresses or decompresses, distributes, sells or conveys gas for
27 resale or reuse and any Public Utility. A Provider may use one or more system types.

28 "Public Utility" – a gas or electric company as defined in section one of chapter one
29 hundred and sixty four, or any municipal corporation which owns or may acquire municipal
30 lighting plants as referred to in section two of said chapter one hundred and sixty four or any

31 person, firm, association, or private corporation which owns or operates works or a distribution
32 plant for the manufacture and sale or distribution and sale of gas for heating and illuminating
33 purposes, or of electricity, within the Commonwealth as referred to in section two of said chapter
34 one hundred and sixty four or any domestic electric utility or foreign electric utility as defined
35 in section one of chapter one hundred and sixty four A.

36 "Synthetic natural gas " - a type of gas which is made by a facility which produces a
37 gaseous fuel from the manufacture, conversion or reforming of liquid or solid hydrocarbons.

38 "System type" – any one of a gas distribution system, gas transmission or transportation
39 system, gas storage facility whether in liquefied or other state, gas production, gathering or
40 handling system. and a Public Utility.

41 Unaccounted-for-gas (UFG) —The difference between the total gas available from all
42 sources that is acquired by a system type and the total gas accounted for as sales, net interchange
43 and company use. This difference includes leakage or loss by other means, discrepancies due to
44 measuring or monitoring inaccuracies, variations of temperatures or pressures, or both, and other
45 variants .

46 (b). Calculation of UFG.

47 (1) When possible, UFG must be measured, computed and reported by system type.

48 (2) UFG for a system type equals Gas Received less Gas Delivered less Adjustments.

49 (3) Percent of UFG equals UFG divided by Gas Received times 100

50 (4) Gas received, gas delivered, and adjustments must represent actual gas quantities.

51 Measuring and monitoring equipment that meets current industry standards applicable in

52 Massachusetts must be installed. Estimates shall be treated as UFG unless clearly identified,
53 have supporting justification, assumptions and calculations and can be determined to be at least
54 as accurate as measured results. All records of acquisition by purchase or otherwise, sales and
55 internal usage must be made available and have been kept in the usual course of business.

56 (5) All lost and unaccounted for gas shall be presumed to be lost gas unless the portion
57 represented by unaccounted for gas, including but not limited to losses to company used gas,
58 liquids extraction, and meter errors due to inaccurate calibration or temperature and pressure
59 fluctuations, is proven by a preponderance of the evidence in a given ratemaking proceeding.

60 (6) A Provider shall be responsible for the UFG of each other Provider that is a source of
61 gas within the state that is not subject to ratemaking and the gas received for measuring UFG
62 shall be the gas received within the state by that Provider that it not subject to rate making.

63 (c). The cost of UFG in excess of the maximum allowable and all expenses for decreasing
64 UFG down to the maximum allowable shall be disallowed for ratemaking purposes.

65 (1) The maximum allowable loss is as shown in the following table.

66 Maximum Allowable Loss as a Percent of UFG per System Type

67 Year/ Distribution/ Transmission/ Storage/ Public utility/ Other

68 1/ 1.00%/ 0.50%/ 0.25%/ 0.25%/ 0.25%

69 2/ 0.750%/ 0.25%/ 0.10%/ 0.10%/ 0.10%

70 3/ 0.50%/ 0.10%/ 0.05%/ 0.05%/ 0.05%

71 4/ 0.25%/ 0.05%/ to/ to/ to

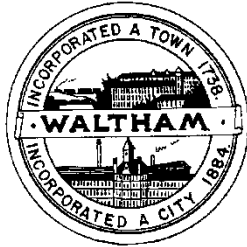
72 5/ 0.10%/ to

73 6/ 0.00%/ 0.00%/ 0.00%/ 0.00%/ 0.00%

74 (2) The calculation of the percentage of lost and unaccounted for gas shall be based on an
75 annual period. Notwithstanding the choice of test year for other aspects of ratemaking, and
76 unless a more appropriate period can be demonstrated by a preponderance of the evidence in a
77 given ratemaking proceeding, the annual period ends June 30, and is the most recent such period
78 for which data are available.

79 (3) Local retail outlets shall use best available technology and practices for preventing
80 leakage.

81 SECTION 2. Section 1 shall take effect on January 1, 2017.



City of Waltham, Massachusetts

Resolution

Concerning Lost and Unaccounted For Gas

June 8, 2015

WHEREAS... “Unaccounted For Gas” (UFG) or “Lost And Unaccounted For Gas” (LAUF) represents the difference between the total gas from all sources and the total gas accounted for as sales, interchange, and use and includes leakage or loss by other means, discrepancies in measuring or monitoring, variations of temperatures or pressures and other variants, and

WHEREAS... The cost of UFG is typically passed down from providers to consumers, and

WHEREAS... There are 157 reported unrepaired gas leaks in Waltham as of March 2015, and

WHEREAS... Leaking gas in the ground is harmful to vegetation and can kill valuable shade trees by depriving roots of oxygen, and

WHEREAS... Massachusetts House Bill (H.2870), “An Act relative to protecting consumers of gas and electricity from paying for leaked and UFG”, seeks to protect all gas and electricity customers from paying for UFG, by prohibiting providers from including the cost of UFG, as well as the costs of reducing or remedying loss, in the rate base, and

WHEREAS... H.2870 will provide economic incentive to gas providers to mitigate loss, pushing development of improved technologies and practices, as well as to reduce heat-trapping gasses released during transportation, distribution and storage, which have an impact on global warming;

THEREFORE, BE IT RESOLVED... That the Waltham City Council supports H.2870, and

BE IT FURTHER RESOLVED... That the Waltham City Clerk forward an engrossed copy of this resolution to the elected Waltham delegation in the House and Senate as well as House Speaker Robert A. DeLeo and Senate President Stanley C. Rosenberg on behalf of the entire Waltham City Council;

Read and adopted _____
Respectfully submitted:

Attest: Rosario C. Malone, City Clerk

Councillor Ward 3 George A. Darcy III

Councillor Ward 1 Daniel P. Romard

Councillor-At-Large & V.P. Diane P. LeBlanc

Councillor Ward 2 William H. Fowler

Councillor-At-Large Kathleen B. McMenimen

Councillor Ward 4 John J. McLaughlin

Councillor-At-Large Patrick J. O’Brien

Councillor Ward 5 & Pres. Gary J. Marchese

Councillor-At-Large Thomas M. Stanley

Councillor Ward 6 Robert J. Waddick

Councillor-At-Large Joseph W. Vizard

Councillor Ward 7 Joseph M. Giordano Jr.

Councillor Ward 8 Stephen F. Rourke

Councillor Ward 9 Robert G. Logan

Election Commission

John P. McDermott - Chair, Marjorie Ann Butler, Nancy M. Levine, Jan Huffman
David A. Olson - City Clerk

City of Newton

RECEIVED
Newton City Clerk

2015 JUL -6 PM 4: 17

David A. Olson, CMC
Newton, MA 02459



Newton Board of Aldermen
Newton City Hall, Room 105
1000 Commonwealth Avenue
Newton, MA 02459

July 6, 2015

Aldermen,

The League of Women Voters has delivered 402 petition forms titled "Charter Revision or Adoption Petition", containing 12,850 signatures and has submitted a letter dated July 6, 2015 stating that they have finished collecting signatures.

A Charter Revision or Adoption Petition must be signed by 15% of the registered voters residing in Newton at the last State Election. In November 2014 there were 55,687 registered voters in Newton. This requires a total of 8,353 certified signatures be submitted to move the petition forward. The League has collected 8,481 certified signatures, 128 signatures more than is required.

The Election Commission requests that the Board of Aldermen order that the following question be placed on the November 3, 2015 ballot: "Shall a commission be elected to revise the charter of the City of Newton?"; and to allow the names of charter commission candidates who have turned in nomination papers with the required 100 certified signatures to be placed on the ballot.

Sincerely,

David A. Olson
Newton City Clerk



LEAGUE OF WOMEN VOTERS NEWTON

PO Box 610207 Newton, MA 02461 www.lwvnewton.org

617-383-4598 Email: info@lwvnewton.org

RECEIVED
NEWTON CITY CLERK

2015 JUN 19 AM 11:25

DAVID A. OLSON, CMC
NEWTON, MA 02459

July 6, 2015

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Presidents

Susan Flicop

Clerk

Theresa Fitzpatrick

Treasurer

Andrea Kozinetz

Directors

- Bonnie Carter
- Ann Grantham
- Linda Green
- Ellen Grody
- Rhanna Kidwell
- Lois Levin
- Lisa Mirabile
- Linda Morrison
- Sharyn Roberts
- Chris Steele
- Greer Tan Swiston

David Olson
City Clerk
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

Dear David:

This letter is to inform you that our petition for a ballot question asking whether Newton should elect a charter commission is complete.

Respectfully,

Susan Flicop
President
League of Women Voters of Newton



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Section 10	Amendments to charter previously adopted or revised under this chapter; procedure		
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Section 10. (a) Amendments to a city or town charter previously adopted or revised under this chapter may be proposed by the city council of a city or the town meeting of a town by a two thirds vote in the manner provided by this section; provided, that amendments of a city charter may be proposed only with the concurrence of the mayor in every city that has a mayor, and that only a charter commission elected under this chapter may propose any change in a charter relating in any way to the composition, mode of election or appointment, or terms of office of the legislative body, the mayor or city manager, or the board of selectmen or town manager. In this section, the word "mayor" shall mean an officer elected by the voters as the chief executive officer of a city or an officer lawfully acting as such, and the term "two thirds vote" shall mean, in cities, a vote, taken by yeas and nays, of two thirds of the members of a city council present and voting thereon, and shall mean, in towns, the vote of two thirds of the voters present and voting at a duly called meeting.

(b) In addition to any amendment proposed by a city council or town meeting under subsection (a) the city council or town meeting shall consider and vote upon any suggested charter amendment which it would have the power to propose under subsection (a), and which is not substantially the same as an amendment already considered and voted upon by it within the last twelve months, and which is suggested to it in a written request signed by the mayor or city manager or any member of the city council in a city or by the town manager or any selectman of a town, or is suggested to it by a petition in substantially the form set forth in section fifteen, signed and completed in accordance with the instructions contained therein by at least ten registered voters in the case of a town and by as many registered voters, in the case of a city, as would be required to nominate a charter commission member in such city under section five, which written request or petition shall be filed with the city or town clerk.

At the earliest convenient time not later than three months after the date any suggested amendment is filed with the city or town clerk, the city council or board of selectmen shall order a public hearing to be held thereon before it or before a committee selected or

established by it for the purpose, provided that any number of suggested amendments may be considered at the same hearing. Such a hearing shall be held not later than four months after the filing date of any suggested amendment to be considered, and at least seven days notice of such public hearing shall be published in a newspaper of general circulation in the city or town. Except where the hearing is held by a city council, the board or committee holding the public hearing shall report its recommendations to the city council or town meeting, as the case may be. Final action on such a suggested amendment shall be taken not later than six months after such filing date in the case of a city and, in the case of a town, not later than the first annual town meeting held at least six months after such filing date, provided that at any time after the public hearing two hundred registered voters of a town or twenty per cent of the total number of registered voters of such town, whichever is less, may in writing request the selectmen to call a special town meeting to consider the suggested amendment, and the selectmen shall thereupon call such meeting which shall be held not more than forty-five days after the receipt of the request.

(c) Whenever an order proposing a charter amendment to the voters is approved by the mayor and city council or town meeting, a copy of the proposed amendment shall be immediately submitted to the attorney general and to the department of housing and community development and such order shall not take effect for four weeks after the date of such submission. Within such four weeks the attorney general shall furnish the city council or board of selectmen with a written opinion setting forth any conflict between the proposed amendment and the constitution and laws of the commonwealth. A copy of the opinion shall at the time be furnished to the department of housing and community development. If the attorney general reports that the proposed amendment conflicts with the constitution or laws of the commonwealth, the order proposing such amendment shall not take effect except as may be specified by further proceedings of the mayor and city council or town meeting under subsection (a). If the attorney general reports no such conflict, such order shall become effective four weeks after its submission to the attorney general.

(d) No order or vote under subsection (a), (b) or (c) shall be subject to referendum or shall, except as provided in subsection (a), require the concurrence of the mayor.

(e) The provisions of subsections (a), (b), (c) and (d) shall apply to amendments of laws having the force of a city or town charter by virtue of section nine of Article LXXXIX of the Amendments to the Constitution as well as to amendments of a charter previously adopted or revised under this chapter.

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Section 11	Proposed charter or charter revision; submission to voters; ballot; copies of final report or proposed amendment; adoption of alternative or conflicting provisions		
		PREV	NEXT

Section 11. Upon submission of the final report of a charter commission under section nine, the city council or board of selectmen shall order the proposed charter or charter revision to be submitted to the voters of the city or town for their approval at the first regular city election, or at the first annual or biennial town meeting for the election of town officers, held at least two months after such submission, but a charter commission report which does not recommend the adoption or revision of a charter shall not be submitted to the voters. Such an order shall not require the concurrence of the mayor in cities and shall not be subject to referendum. A proposed charter amendment shall be similarly submitted to the voters at the first such election or meeting held at least two months after the order proposing such charter amendment becomes effective under section ten. The question of adopting a charter or revising a charter as recommended by a charter commission shall be submitted to the voters as a single question unless the report of the charter commission provides for the separate submission of proposed revisions. Unrelated charter amendments proposed by a city council or town meeting shall be submitted to the voters as separate questions.

The question of approving the adoption of or any revision of or amendment to a charter shall be placed on a written or printed ballot, which ballot, including ballot labels where voting machines are used, shall be prepared by public authority and at public expense. A copy of the ballot question and summary prepared in accordance with the following instructions shall be filed with the city or town clerk no later than thirty-five days before the election, and the form of the question shall be substantially as follows:

“Shall this (city) (town) approve the (insert ‘new charter recommended by the charter commission’ or ‘charter revision recommended by the charter commission’ or ‘charter amendment proposed by the (city council) (town meeting)’), as appropriate) summarized below?”

YES.	
NO.	

(Where a new charter or single charter revision is being submitted at an election, set forth here a brief summary of its basic provisions (composition and mode of selection of the legislative and executive branches and school committee or, if a change of none of these is involved, the most significant proposed change). Where separate revisions or any amendments are being so submitted, set forth here the substance thereof in a manner also sufficient to distinguish each from any other amendments or revisions to be considered at the same election. The charter commission shall prepare the summaries of its own proposals and the city solicitor or town counsel shall prepare the description of proposed amendments.)

The city council or board of selectmen shall cause the final report of a charter commission, or a charter amendment proposed in an order which has become effective under section ten, to be printed and a copy to be distributed to each residence of one or more registered voters. Such distribution shall occur not later than two weeks before the election at which the question of adopting, revising or amending the charter is to be submitted to the voters. Additional copies of such final report or proposed amendment shall be filed with the city or town clerk for distribution to registered voters requesting the same and one such copy shall be posted in his office.

A new charter or charter revision approved by a majority of the voters of the city or town voting thereon shall take effect on the day specified in such charter or revision, and any proposed amendment so approved shall take effect upon the date specified therein or in the city council order or town meeting vote proposing the same. If two or more charter adoption, revision or amendment proposals are submitted to the voters in the alternative and are approved, only the alternative proposal receiving the highest number of affirmative votes shall take effect. If two or more charter adoption, revision or amendment proposals containing conflicting provisions are submitted to the voters, but not as alternatives, and are approved, all such proposals shall take effect, but the proposal receiving the highest number of affirmative votes shall be construed to prevent all conflicting provisions contained in other proposals from taking effect.

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CITY OF NEWTON

DOCKET REQUEST FORM

RECEIVED
Newton City Clerk

2015 JUN 23 PM 1:09

DEADLINE NOTICE: Aldermanic Rules require items to be docketed with the Clerk of the Board NO LATER THAN 7:45 P.M. ON THE MONDAY PRIOR TO A FULL BOARD MEETING.

David A. Olson, Clerk

To: Clerk of the Board of Aldermen

Date: June 23, 2015

From (Docketer): Aldermen Hess-Mahan & Norton

Address: _____

Phone: _____

E-mail: _____

Additional sponsors: _____

1. Please docket the following item (it will be edited for length if necessary):

Ald. Hess-Mahan and Norton, on behalf of Susan Mirsky and Guntram Muller, request the following non-binding ballot question be placed on the November 3, 2015 municipal ballot.

Shall Governor Charles Baker instruct the Nuclear Regulatory Commission (NRC) to revoke the operation license of the 42-year old Pilgrim Nuclear Station, 38 miles from Newton in Plymouth MA, because the safety of the public cannot be assured, due to:

(complete text on attached sheet)

2. The purpose and intended outcome of this item is:

- | | |
|--|---|
| <input type="checkbox"/> Fact-finding & discussion | <input type="checkbox"/> Ordinance change |
| <input type="checkbox"/> Appropriation, transfer, | <input checked="" type="checkbox"/> Resolution |
| <input type="checkbox"/> Expenditure, or bond authorization | <input type="checkbox"/> License or renewal |
| <input type="checkbox"/> Special permit, site plan approval, | <input type="checkbox"/> Appointment confirmation |
| <input type="checkbox"/> Zone change (public hearing required) | <input type="checkbox"/> Other: _____ |

3. I recommend that this item be assigned to the following committees:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Programs & Services | <input type="checkbox"/> Finance | <input type="checkbox"/> Real Property |
| <input type="checkbox"/> Zoning & Planning | <input type="checkbox"/> Public Safety | <input type="checkbox"/> Special Committee |
| <input type="checkbox"/> Public Facilities | <input type="checkbox"/> Land Use | <input type="checkbox"/> No Opinion |

4. This item should be taken up in committee:

Immediately (Emergency only, please). Please state nature of emergency:

- As soon as possible, preferably within a month
- In due course, at discretion of Committee Chair
- When certain materials are made available, as noted in 7 & 8 on reverse
- Following public hearing

5. I estimate that consideration of this item will require approximately:

172-15

- | | |
|--|--|
| <input type="checkbox"/> One half hour or less | <input checked="" type="checkbox"/> Up to one hour |
| <input type="checkbox"/> More than one hour | <input type="checkbox"/> An entire meeting |
| <input type="checkbox"/> More than one meeting | <input type="checkbox"/> Extended deliberation by subcommittee |

6. The following people should be notified and asked to attend deliberations on this item. (Please check those with whom you have already discussed the issue, especially relevant Department Heads):

City personnel

Citizens (include telephone numbers/email please)

- | | |
|--------------------------------|--|
| <input type="checkbox"/> _____ | <input checked="" type="checkbox"/> Susan Mirsky _____ |
| <input type="checkbox"/> _____ | <input checked="" type="checkbox"/> Guntram Muller _____ |
| <input type="checkbox"/> _____ | <input type="checkbox"/> _____ |
| <input type="checkbox"/> _____ | <input type="checkbox"/> _____ |
| <input type="checkbox"/> _____ | <input type="checkbox"/> _____ |

7. The following background materials and/or drafts should be obtained or prepared by the Clerk's office prior to scheduling this item for discussion:

8. I have or intend to provide additional materials and/or undertake the following research independently prior to scheduling the item for discussion. *

(*Note to docketer: Please provide any additional materials beyond the foregoing to the Clerk's office by 2 p.m. on Friday before the upcoming Committee meeting when the item is scheduled to be discussed so that Aldermen have a chance to review all relevant materials before a scheduled discussion.)

Please check the following:

9. I would like to discuss this item with the Chairman before any decision is made on how and when to proceed.
10. I would like the Clerk's office to contact me to confirm that this item has been docketed. My daytime phone number is:
11. I would like the Clerk's office to notify me when the Chairman has scheduled the item for discussion.

Thank you.

Ald. Ted Hess-Mahan

Signature of person docketing the item

[Please retain a copy for your own records]

Whereas, already in 1972, an Atomic Energy Commission safety official recommended that the GE Mark 1 BWR design of the Pilgrim Nuclear Power Station in Plymouth, MA, 38 miles from Newton, “be discontinued because it presents unacceptable safety risks”, and

Whereas the 43-year old Pilgrim is now old and decrepit, past its design life, and has been downgraded by the Nuclear Regulatory Commission to be one of the 5 least safe in the country, out of 100, because of its frequent emergency shutdowns, and because Pilgrim has failed to fix some of the critical problems the NRC told it to fix, and

Whereas a Pentagon-commissioned analysis has concluded that it is one of the 8 most vulnerable to catastrophic terror attack because of its unprotected ocean cooling water intake, and

Whereas a Massachusetts Attorney General's Office report concluded that a loss of cooling, for any reason, of the triply overloaded spent fuel pool would ignite a fire that could spread a highly radioactive plume hundreds of miles downwind, and cause an estimated 24,000 eventual cancers and a devastating \$582 billion in damages, while people forced to abandon their homes would receive from Pilgrim only a tiny sliver of the actual value of their homes, and nothing at all from their homeowners insurance, and

Whereas the Nuclear Regulatory Commission recommended for Americans in Japan a 50-mile radius evacuation zone around the Fukushima nuclear disaster, a zone which, around Pilgrim, would include all of Cape Cod and the greater Boston area (including Newton), neither of which could be evacuated in time in a sudden major nuclear emergency, and

Whereas, if Pilgrim is closed, its 2% contribution to the ISO New England electrical generation capacity would be hardly missed, according to an ISO New England projection of 12% - 20% reserve capacity over the next 10 years,

Now therefore, shall Governor Charles Baker instruct the Nuclear Regulatory Commission to revoke the operating license of the 43-year old Pilgrim Nuclear Power Station, because the safety of the public cannot be assured?

Vote: A) Yes, Governor should instruct NRC to close Pilgrim.

OR

B) No, he should not.