



Public Facilities Committee Agenda

City of Newton In City Council

Wednesday, January 23, 2019

7:00 PM
Room 204

Referred to Public Safety & Transportation, Public Facilities and Finance Committees

#156-18 Ordinance amendments for enforcement and fines for sidewalk clearing violations
COUNCILORS DANBERG, ALBRIGHT, CROSSLEY, NORTON, AND LIPOF requesting amendments to Chapter 17, Section 3 and Chapter 26 Section 8D of the Revised Ordinances to provide for enforcement and fines for violations of the sidewalk clearing ordinance.

Referred to Public Facilities and Finance Committees

#52-19 Approve a \$500,000 for snow and ice removal
HER HONOR THE MAYOR requesting authorization to transfer the sum of five hundred thousand dollars from the Budget Reserve – Snow and Ice Removal Account to the following accounts:

Rental - Vehicles	
(0140110-5273).....	\$350,000
Regular Overtime	
(0140110-513001).....	\$150,000

Referred to Public Facilities and Finance Committees

#51-19 Approve \$3 million for the Pavement Management Program
HER HONOR THE MAYOR requesting authorization to appropriate and expend one million seven hundred fifty thousand dollars (\$1,750,000) from the January 15, 2019 Declaration of Overlay Surplus and authorization to transfer the sum of one million two hundred fifty thousand dollars (\$1,250,000) from Capital Stabilization for a total of three million dollars (\$3,000,000) to be transferred to the City’s Pavement Management Program.

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

Referred to Public Facilities and Finance Committees

#50-19

Amend Sewer Use Charge Ordinance

HER HONOR THE MAYOR proposing Chapter 29, Section 80. **Sewer Use Charge.** be amended by deleting the following sentence: "Notwithstanding the foregoing, seasonal water takers not eligible for an outdoor meter under said section 29-24, shall pay a charge for the use of sewage works in proportion to water consumption.

#23-19

Authorization to enter into lease negotiations for Solar Phase III project sites

HER HONOR THE MAYOR requesting authorization to enter into negotiations for the potential lease on 18 municipal and school properties for purposes of third-party construction, ownership, and operation of on-site renewable solar energy generation from which the City will purchase electric output and/or net metering credits.

Locations:

Brown Middle School Parking Lot	Oak Hill Middle School Parking Lot
Memorial Spaulding Elementary School Parking Lot	Education Center Parking Lot
Bigelow Middle School Parking Lot	Mason Rice Elementary School Parking Lot
Newton North High School Parking Lots	Pleasant Street Parking Lot
Newton Free Library Parking Lot	Auburndale Cove Parking Lot
Fire Station #3 and Headquarters Roof	Zervas Elementary School Roof
FA Day Middle School Roof	Angier Elementary School Gym Roof
Williams Elementary School Roof	Cabot Elementary School Gym Roof
Carr School Roof	Education Center Roof

Respectfully submitted,

Deborah Crossley, Chair

CITY COUNCIL

CITY OF NEWTON

DOCKET REQUEST FORM

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

To: Clerk of the City Council

Date: _____

From (Docketer): Danberg, Albright, Crossley, Norton, Lipof

Address: _____

Phone: _____ E-mail: _____

Additional sponsors: _____

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

REQUESTING amendments to sec. 26-8D to PROVIDE FOR enforcement and Fines FOR VIOLATIONS.

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 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 type="checkbox"/> Programs & Services | <input checked="" 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

RECEIVED
 Newton City Clerk
 2018 FEB 13 AM 8:34
 DAVID A. OLSON, CMC
 NEWTON, MA 02459

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

- One half hour or less
- More than one hour
- More than one meeting
- Up to one hour
- An entire meeting
- 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)

- Maurzen Lemieux
- SHANE MARK
- Jim McGONAGLE
- POLICE - (Officer in
- CHARGE OF Residential
- SNOW REMOVAL VIOLATIONS)

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:

[Empty box for background materials]

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

[Empty box for independent research]

(*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 Councilors 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.

Signature of person docketing the item

[Please retain a copy for your own records]

156-18 Draft for Discussion 1/18/2019

Revise the provisions of Sec. 26-8D and Sec. 17-23 as follows:

Sec. 26-8D. Removal of snow and ice from sidewalks

In order to allow for safe pedestrian and wheelchair passage, every owner or occupant of a building or lot of land abutting upon a paved sidewalk or any person having charge of such property shall use reasonable efforts to remove snow and ice from the sidewalk and handicap access ramps, and shall use reasonable efforts to treat said sidewalk and ramps to allow for a safe passageway of approximately thirty-six (36) inches in width, provided that where such sidewalk is less than thirty-six (36) inches in width the passageway shall encompass its entire width and handicap access ramps. Snow and ice shall be removed, and sidewalks and ramps shall be treated, within ~~thirty-two~~ thirty-two (3024) hours after such snow has ceased to fall or such ice has formed. This section shall apply to snow and ice which falls from buildings, other structures, trees or bushes, as well as to that which falls from clouds. This section shall not apply to owners or occupants of a building or lot covered by Section 26-8. The mayor or his designee is authorized to coordinate volunteer snow clearing assistance or to grant an exemption, renewable annually, for citizens who upon written petition demonstrate hardship due to a combination of health and financial duress. ~~Enforcement shall be limited to issuance of notices of non-compliance for violations of any provision of this section.~~ (Z-83, 3-21-11)

Add Sec. 26-8D to the provisions of Sec. 17-23 (f)

Sec. 17-23. Enforcing persons and revised ordinances subject to civil fine.

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

Sec. 28D. Removal of snow and ice from sidewalks.

() First offense per 365 day periodwritten warning

() Second and subsequent offenses per 365 day period\$50.00



RUTHANNE FULLER
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#52-19
Telephone
(617) 796-1100
Telefax
(617) 796-1113
TDD
(617) 796-1089
E-mail
rfuller@newtonma.gov

January 16, 2019

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

Councilors:

I write to request that your Honorable Council docket for consideration a request to authorize the transfer of \$500,000 from Acct # 0110498-5794, Budget Reserve/Snow & Ice Removal to the following accounts:

<u>Amount</u>	<u>Account</u>	<u>Description</u>
\$150,000	0140110-513001	DPW Snow/Ice Control - Regular Overtime
\$350,000	0140110-5273	DPW Snow Control – Rental Vehicles/Contractors

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller
Mayor

RECEIVED
NEWTON CITY CLERK
2019 JAN 16 PM 1:43
DAVID A. O'BRIEN, Clerk
NEWTON, MA 02459

City of Newton



DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE COMMISSIONER

1000 Commonwealth Avenue
Newton Centre, MA 02459-1449

Ruthanne Fuller
Mayor

RECEIVED
Newton City Clerk
2019 JAN 17 PM 12:01
David A. Olson, City
Newton, MA 02459

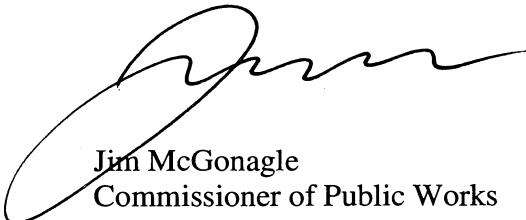
To: The Honorable City Council
From: Jim McGonagle, Commissioner of Public Works
Subject: Snow Cost Update
Date: 1/16/19

Honorable Councilors,

Thank you for considering appropriating additional funds for snow removal. I wanted to provide an update on our snow expenses to date:

- We have had one storm this year that produced 7 inches of snow accumulation and required us to call plowing contractors
- We have had seven salting events that have required city staff to work overtime hours in order to maintain safe roadways
- We have spent an increased amount of funding on Vehicle Maintenance in order to remove a large backlog of repairs to snow equipment and vehicles.

Thank you for your consideration



Jim McGonagle
Commissioner of Public Works

Budget	\$ 1,500,025.00
Total Personnel Costs	\$ 179,254.78
Total Contracted Costs	\$ 184,256.63
Salt Costs	\$ 89,148.79
Equipment Costs	\$ 753,932.79
Total Snow Costs	\$ 1,206,592.99
Total Inches	7.0
Cost per inch	\$ 172,370.43
Balance	\$ 293,432.01

Shawna Sullivan

From: John Sherman
Sent: Friday, January 18, 2019 11:17 AM
To: Shawna Sullivan
Cc: Daniel Nabi; Jack Cowell
Subject: DPW Snow Costs to Date
Attachments: FY19 Snow Costs.xlsx

Hi Shawna,

DPW has incurred a total of \$1,206,592.99 on snow operations to date. I've attached a spreadsheet that details those costs and listed the categorical breakdown of expenses below:

Total Personnel Costs	\$179,254.78
Total Contracted Costs	\$184,256.63
Salt Costs	\$89,148.79
Equipment Costs	\$753,932.79
Total Snow Costs	\$1,206,592.99

Please let me know if you have any questions or need any other information.

Thank you,

John Sherman
Accounting Supervisor
Department of Public Works
City of Newton, MA
617-796-1058

#51-19



RUTHANNE FULLER
MAYOR

City of Newton, Massachusetts
Office of the Mayor

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(617) 796-1100

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(617) 796-1089

E-mail
rfuller@newtonma.gov

January 15, 2019

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

Councilors:

I write to request that your Honorable Council docket for consideration a request to authorize the appropriation and expenditure of the sum of \$1,750,000 Overlay Surplus as declared on this date by the City's Assessment Administration and authorize the transfer of \$1,250,000 from Capital Stabilization for a total of \$3,000,000 to be transferred to the City's Pavement Management Program.

This authorization will enable the City to begin to enter into contracts for the FY20 construction time period.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink that reads "Ruthanne Fuller".

Ruthanne Fuller
Mayor

Diana A. Gibson, Clerk
Newton, MA 02459

2019 JAN 15 PM 1:22

RECEIVED
Newton City Clerk

City of Newton



Ruthanne Fuller
Mayor

ASSESSMENT ADMINISTRATION

Elizabeth Dromey, Director

Telephone
(617) 796-1160
Telefax
(617) 796-1179
For Telecommunication Relay
Service Dial 711
Email
assessing@newtonma.gov
dromey@newtonma.gov

January 15, 2019

Susan Dzikowski, Comptroller
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

Dear Ms. Dzikowski:

In accordance with Chapter 59, Section 25 of the Massachusetts General Laws, please accept this letter as formal notification of declaration of overlay surplus.

The total amount declared surplus is **\$1,750,000.00**.

Sincerely,


Elizabeth Dromey, Director
Assessment Administration

cc: Mayor Ruthanne Fuller
Councilor Leonard J. Gentile, Finance Chairman
Maureen Lemieux, Chief Financial Officer
James G. Reardon, Treasurer/Collector

#50-19



RUTHANNE FULLER
MAYOR

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Office of the Mayor

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rfuller@newtonma.gov

January 14, 2019

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

Councilors:

I write to request that your Honorable Council docket for consideration a request to amend Chapter 29, Article III, Sec 29-80 – Sewer Use Charge by deleting the following sentence.

Notwithstanding the foregoing, seasonal water takers not eligible for an outdoor meter under said section 29-24, shall pay a charge for the use of sewage works in proportion to water consumption.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in cursive script that reads "Ruthanne Fuller".

Ruthanne Fuller
Mayor

RECEIVED
NEWTON CITY CLERK
2019 JAN 14 PM 5:11
DEBRA A. DEON, CMO
NEWTON, MA 02459

Chapter 10.000

Sec. 29-77. Control manholes, etc.

The owner of any property serviced by a building sewer carrying industrial wastes shall within a reasonable time, but in no event to exceed six (6) months, install a suitable control manhole or other structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole or other structure shall be accessibly and safely located. Construction shall not begin on such manhole or other structure until the plans for the same are approved by the commissioner, who shall grant such approval if the plans appear adequate, under accepted engineering practices, to accomplish the purposes and requirements of this section. The manhole or other structure shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times. (Ord. No. R-153, 6-17-81)

Sec. 29-78. Information to be given to commissioner upon request.

The commissioner may require any person discharging industrial wastes to provide information needed to determine compliance with this ordinance. These requirements may include but are not limited to:

- (1) Sewage discharge peak rate and volume over a specified time period.
- (2) Chemical analyses of sewage conducted by an approved wastewater testing laboratory.
- (3) Information on raw materials, processes and products affecting sewage volume and quality.
- (4) Quantity and disposition of specific liquid, sludge, oil, solvent or other materials important to sewer use control.
- (5) A plot plan of sewers of the user's property showing sewer and pretreatment facility location.
- (6) Details of sewage pretreatment facilities.

- (7) Details of systems to prevent and control the losses of materials through spills to the municipal sewer. (Ord. No. R-153, 6-17-81)

Sec. 29-79. Standards for waste analysis.

All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be conducted in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be conducted at the control manhole or other structure provided, or upon suitable samples taken at said structure. In the event that no special manhole or other structure has been required, the control manhole shall be a sampling point, determined by the commissioner or, should none be established, shall be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to determine the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property and to determine the existence of damage or impairment to the operation of the sewerage works. (Ord. No. R-153, 6-17-81)

Sec. 29-80. Sewer use charge.

(a) Estates whose building sewers discharge directly or indirectly into public sewers of the city, shall pay a charge for the use of sewage works in proportion to water consumption except that a charge for the use sewage works shall not be made for water consumption registered on or attributable to outdoor meters installed at residential properties in accordance with section 29-24 of this chapter. Notwithstanding the foregoing, seasonal water takers not eligible for an outdoor meter under said section 29-24, shall pay a charge for the use of sewage works in proportion to water consumption.

(1) Sewer rates

A charge for the use of sewer, which charge shall be made in proportion to water consumption, based on the water meter reading, or estimated water meter reading, excluding outdoor meters for the same