



Public Facilities Committee Agenda

City of Newton In City Council

Wednesday, March 9, 2016

7 PM
Room 204

Please bring your CIP books for a discussion of the upcoming capital improvement projects in the Public Works Department.

Items Scheduled for Discussion:

Public hearing assigned for March 9, 2016:

#81-16 Eversource petition for a Grant of Location for Parkview Avenue
EVERSOURCE ENERGY petitioning for a grant of location to install a new pole and anchor on the easterly side of PARKVIEW AVENUE 35' east of Norwood Avenue. (Ward 2)
[02/10/16 @ 3:17 PM]

Public hearing assigned for March 9, 2016:

#82-16 Eversource petition for a Grant of Location for Crescent Street
EVERSOURCE ENERGY petitioning for a grant of location to install a new pole and anchor on the southeasterly side of Crescent Street 8' east of Rowe Street. (Ward 4) [02/10/16 @ 3:17 PM]

Referred to Public Facilities and Finance Committees

#455-14 Ordinance Amendment to create a storm water rate fee structure
HIS HONOR THE MAYOR recommending amendment to Chapter 29, Section 80 **Sewer/Stormwater use charge.** of the City of Newton Ordinances to create a storm water rate fee structure based upon square footage of impervious surface area.

#133-15 Authorization to negotiate leases for install of solar panels on city properties
HIS HONOR THE MAYOR requesting authorization to enter into negotiations for the potential lease on city 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. [05/11/15 @ 5:00 PM]
ITEM SPLIT INTO PART A AND PART B; PART A – APPROVED on 11/16/15
PART B – Solar panels mounted on new carport structures at Newton South High School and solar panels mounted on new carport structures at the Library. HELD

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.

Referred to Public Facilities and Finance Committees

#89-16

Request for \$3,400,000 for the Fire Station 3/Headquarters Project

HIS HONOR THE MAYOR requesting authorization to appropriate three million four hundred thousand dollars (\$3,400,000) from bonded indebtedness for the purpose of funding the completion of the next phase of construction of the Fire Station 3/Headquarters Project. [02/29/16 @ 4:03PM]

Referred to Finance and Appropriate Committees

#288-15

Submittal by the Mayor of the FY17 Capital Improvement Plan

HIS HONOR THE MAYOR submitting the FY 2017-FY 2021 Capital Improvement Plan pursuant to section 5-3 of the Newton City Charter. [10/01/15 @ 1:53 PM]

Referred to Public Facilities and Finance Committees

#224-15(2)

Inter-municipal agreement with Needham for repair of Elliot St Bridge

HIS HONOR THE MAYOR requesting authorization to enter into an Inter-Municipal Agreement with the Town of Needham detailing Needham's obligation to fund half of the construction contract costs associated with repairs to the jointly owned Elliot Street/Central Avenue Bridge and to potentially authorize additional funds for an additional scope of work required by the Newton Upper Falls Historic Commission, which is excluded from the agreement. [03/03/16 @ 1:48 PM]

Items Not Scheduled for Discussion at this Meeting:

Referred to Programs & Services, Public Facilities and Finance Committees

#90-16

Statement of Interest for Lincoln Eliot Elementary School

SUPERINTENDENT FLEISHMAN is requesting a vote of the City Council to complement the vote of the School Committee to authorize the Superintendent of Schools to submit to the Massachusetts School Building Authority (MSBA) they FY 16 Statement of Interest no later than April 8, 2016 for the consideration of Lincoln-Eliot Elementary School as a major school Building project after Cabot Elementary School. [02/29/16 @ 4:45 PM]

#83-16

Request for a website and e-mail list to provide updates for Elliot St Bridge project

COUNCILOR YATES requesting the City of Newton create a website and an e-mail list to inform area merchants, residents, and workers on the status of the closing and rehabilitation of Cook's Bridge. [02/22/16 @ 4:45 PM]

Referred to Programs & Services and Public Facilities Committees

#27-16

Updates from the Administration on the renovations at the Aquinas site

PROGRAMS & SERVICES AND PUBLIC FACILITIES COMMITTEES requesting that the School Department and/or Executive Department provide updates on removal of asbestos and other toxic materials that were identified at the Aquinas site, the scope and timing of window replacement in particular, and renovations that may be necessary to facilitate short and long-term plans for uses and operations at the site. [01/10/16 @ 1:14 PM]

- #26-16** **Proposed amendments to Sec. 5-54 through 5-58 of the Ordinances**
COUNCILOR CROSSLEY, ALBRIGHT, HARNEY AND SANGIOLO requesting revisions to Sections 5-54 through 5-58 of the City of Newton Ordinances to clarify the City Council's role and decision-making process with respect to design review, funding, and budget oversight during the construction process of municipal capital building projects; in particular, to better align City Council decisions with typical steps in the design development process, and where applicable, with Massachusetts School Building Authority (MSBA) and other state requirements. [01/11/16 @ 4:53 PM]
- #12-16** **Discussion with the DPW regarding the City's recycling and solid waste programs**
COUNCILOR LEARY, NORTON, KALIS, HESS-MAHAN, ALBRIGHT, AND CROSSLEY requesting an update from and discussion with the Department of Public Works and the Solid Waste Commission on the current status of Newton's solid waste management and recycling program operations and performance objectives, future goals and objectives, staffing, program challenges, and survey data due to be submitted to the Department of Environmental Protection. [12/28/15 @ 8:44 AM]
- Referred to Programs & Services, Public Facilities, and Finance Committees**
- #357-15** **Request for CPA funding for the Newton Highlands Playground**
COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of two million five hundred thousand dollars (\$2,500,000) from the Community Preservation Fund's open space and general reserves or fund balance to the Parks & Recreation Department, for the rehabilitation of the Newton Highlands Playground at Winchester and Dedham Streets, as described in the proposal submitted to the Community Preservation Committee in November 2015. [12/15/15 @ 12:32 PM]
- #313-15** **Request for an update on the Second Water Meter Program**
ALD. LAPPIN requesting an update from the Department of Public Works on the second water meter program including: the progress of the inspection and programming of the approximately 900 new outdoor irrigation meters provided by the City to property owners that have yet to be inspected and/or programmed by the City; the process going forward for the issuance, inspection, programming and tracking of second meters; and the notification of residents who already had second meters regarding the process for registering their meters. 10/26/15 @ 7:15 PM]
- #237-15** **Update on mitigation funds from Special Permits in Newton Centre**
ALD. CROSSLEY, LAREDO, and SCHWARTZ requesting an update on funds accrued from voluntary contributions from Special Permits in Newton Centre, which can be made available to complete a safe pedestrian crossing at 714-724 Beacon Street via Special Permit Board Order #1-15 and conditions noted therein. 09/14/15 @ 10:40 AM]

Referred to Public Facilities and Finance Committees

#223-15

Discussion on the process of licensing the use of city buildings

ALD. LAREDO requesting a discussion of the process of licensing the current and future use of city building, including: (a) how licensees may request the use of city buildings; (b) the process for determining which licensees will get the use of city buildings; (c) how the fees for the use of city buildings are set; and (d) how the current process compares to the process for permitting the use of school buildings. [08/13/15 @ 11:20 AM]

Referred to Programs & Services and Public Facilities Committees

#201-15

Discussion regarding the condition of the Kennard Estate building

ALD. SANGIOLO requesting a discussion with the Commissioner of Public Buildings, the Commissioner of Parks and Recreation, and the Executive Department regarding the condition of the property located at 246 Dudley Road (Kennard Estate) and how much, if any, repairs and upgrades will be needed as the City relocates the Parks and Recreation Department to that location. [09/01/15 @ 4:00 PM].

#200-15

Update on the strategic plan for street and sidewalk improvements

ALD. LAREDO requesting that the Department of Public Works provide an update on the creation of a strategic plan for the improvement of streets and sidewalks in the City. [08/13/15 @ 11:20 AM]

Referred to Programs & Services and Public Facilities Committees

#141-15

Discussion on tracking and improving the condition of the gas utility infrastructure

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]

#100-15

Discussion on pursuing municipal aggregation of energy purchasing

ALD. NORTON, SANGIOLO, LEARY, AND ALBRIGHT requesting that the Administration pursue municipal aggregation of energy purchasing with the goals of reducing and/or stabilizing electricity costs for resident, businesses and the City; and requiring the purchase of Class 1 RECs at some percentage above the level required by the Massachusetts Renewable Portfolio Standard. [04/06/15 @ 9:12 AM]

#83-15 Discussion and update on energy items

ALD. CROSSLEY, GENTILE, & ALBRIGHT requesting a discussion and update from the Administration on the following energy related items: status of municipal power purchasing contracts for gas and electricity; status of the Power Purchase Agreement including solar PV rooftop installations, power offset (cost benefit) to date and review of potential future projects; and an update on municipal energy consumption including the recent Green Communities report filed with the Department of Energy Resources. [03/26/15 @ 9:19 AM]

Referred to Public Facil, Programs & Serv, and Public Safety & Trans Committees**#46-15 Discussion of parking options for school and municipal parking lots**

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]

#328-14 Review of double utility poles

ALD. ALBRIGHT, DANBERG, & LAREDO requesting a review of double poles in Newton including a random sampling of ten double poles on the north side and ten double poles on the south side of Newton to determine which utility is holding up the removal of double poles. [08/19/14 @ 9:16 AM]

#189-14 Update on the Zervas School construction project

PUBLIC FACILITIES COMMITTEE requesting periodic updates on the Zervas Elementary School Project. [04/17/14 @ 10:48 PM]

#188-14 Update on the Cabot School construction project

PUBLIC FACILITIES COMMITTEE requesting periodic updates on the Cabot Elementary School Project. [04/17/14 @ 10:48 PM]

Referred to Programs & Services and Public Facilities Committees**#119-14 Discussion with ISD on plans to address City non-compliance with ADA standards**

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]

#131-13

Updates and discussion on the sewer, water and storm water systems

ALD. CROSSLEY, FULLER, SALVUCCI, JOHNSON, CICCONE requesting periodic updates and discussion, at the discretion of the members of the Public Facilities Committee or the Commissioner of Public Works, on the condition functioning, operations and management of all elements of the City sewer, water and storm water systems including the following:

- Water meters
- Implementation of the ten project area strategic plan to remove infiltration in the City sewer system
- Implementation of the long range strategic plan to repair and replace City water mains, especially to correct for fire flow
- Status of the City's Private Inflow Removal Program to resolve and disconnect illegal storm water connections to the City sewer system
- Current billing practices
- Rates analyses needed to facilitate an informed comparison of billing options to include the following options either alone or in combination: seasonal rates, second meters, tiered rates, frequency of billing, low income credits.

Referred to Finance and Appropriate Committees

#257-12

Review of Fees, Civil Fines/Non-criminal Disposition in Chapter 17 of the ordinances

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.

FINANCE VOTED NO ACTION NECESSARY 7-0 on 12/14/15

Referred To Programs & Services And Public Facilities Committees

#36-12

Inspection of private sewer lines and storm water drainage connections

ALD. CROSSLEY & FULLER requesting Home Rule legislation or an ordinance to require inspections of private sewer lines and storm water drainage connections prior to settling a change in property ownership, to assure that private sewer lines are functioning properly and that there are no illegal storm water connections to the city sewer mains.

- A) Sewer lines found to be compromised or of inferior construction would have to be repaired or replaced as a condition of sale;
- B) Illegal connections would have to be removed, corrected, and re-inspected in accordance with current city ordinances and codes, as a condition of sale. [01/24/12 @ 8:07 AM]

PROG & SERV VOTED NO ACTION NECESSARY 6-0 on 11/17/14

Referred to Public Safety & Transportation And Public Facilities Committees

#413-11 Updates on the renovations to the City's fire stations

ALD. CICCONE, SALVUCCI, GENTILE & LENNON updating the Public Facilities and Public Safety & Transportation Committees on the progress of renovations to the city's fire stations. [11-17-11 @11:07 AM]

#367-09 Discussion on repair of underground streetlight connections

PUBLIC FACILITIES COMMITTEE requesting discussion with the Law Department on how to resolve the dispute with NStar regarding whose responsibility it is to repair the streetlight connection between the manhole and the base of the streetlight. [10/21/09 @ 9:00 PM]

**Respectfully submitted,
Deborah J. Crossley, Chair**



200 Calvary Street
Waltham, Massachusetts, 02453

February 3, 2016

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

Re: Parkview Avenue
Newton, MA
W/O #2105374

To Whom It May Concern:

The enclosed petition and plan is being presented by the NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY and VERIZON NEW ENGLAND, INC. for the purpose of obtaining a Grant of Location to install a new pole and anchor on Parkview Avenue.

This work is necessary to supply new electric service to the Cabot School, Newton.

If you have any further questions, please contact Maureen Carroll @ (781) 314-5053. Your prompt attention to this matter would be greatly appreciated.

Sincerely,

William D. Lemos
Rights & Permits Supervisor

WDL/kj
Attachments

RECEIVED
Newton City Clerk
2016 FEB 10 PM 3:17
DAVID A. OLSON, CMC
Newton, MA 02459

**CITY OF NEWTON
MASSACHUSETTS**

PETITION for GRANT OF LOCATION

To the Petitioner:

City of Newton Ordinance Section 23-52 requires that each petition for grant of location be submitted to the Board of Aldermen before it is sent to the Public Works Department for a preliminary review. The comments of the Public Works Commissioner will be part of the record submitted to the Board of Aldermen. Upon filing with the Board of Aldermen, the petition will be scheduled for a public hearing before the Public Facilities Committee of the Board of Aldermen. **The petitioner is responsible for insuring that the petition is complete and all required materials are in order for review.** Attached please find the City Engineer's Standard Requirements for Plans and the Department of Public Works Permit Processing brochure.

Grant of Location Process:

1. Applicant submits completed Petition Form and required materials to the Board of Aldermen
2. Public Works Department conducts preliminary review and gives written comments to the applicant
3. Engineering Division files Petition Form with comments with the Clerk of the Board of Aldermen
4. Board of Aldermen schedules petition for a public hearing before the Public Facilities Committee of the Board of Aldermen
5. Public Facilities Committee recommendations are forwarded to the Board of Aldermen for a final decision

Questions may be directed to:

Lou Taverna, City Engineer, 617-796-1020
Shawna Sullivan, Clerk of the Board of Aldermen, 617-796-1213

IDENTIFICATION (Please Type or Print Clearly)

Company Name Eversource

Address 200 Calvary Street

Waltham, MA 02453

Phone Number 781-314-5053 Fax Number 781-314-5165

Contact Person Maureen Carroll Title Right of Way Agent

Signature Maureen Carroll Date 2-4-16
Person filing application

If a telecommunications company, indicate how certified by the Department of Telecommunications and Energy:

II. DESCRIPTION OF PROJECT: to be completed by petitioner

A. Write here or attach a description of the project including, location, proposed time frame for completion, type of materials to be used, benefit provided to the City, project mitigation plan as applicable, street reconstruction plan including timetable for completion.

SEE ATTACHED

B. Include or attach a sketch to provide a visual description of the project. If plans are attached, provide:
Title of Plan _____ Date of plan _____

III. PUBLIC WORKS DEPARTMENT REVIEW

Date received by Public Works Department _____

Check One:

Minor Project

Major Project

Lateral

(Refer to City Engineer Standard Requirements for Plans for definition of minor and major project)

Plans Submitted:

Certified Plot Plan

Stamped Plans

DATE AND COMMENTS:

RECOMMENDATIONS:

Proposed pole + guy Should be placed within grass border, any sidewalk panels damaged shall be repaired. Some tree branches may need trimming. John D.	

3/1/16

Associate City Eng

Larave 3/1/16

V. RECOMMENDATION TO PUBLIC FACILITIES COMMITTEE:


Commissioner, Public Works

3/2/16
Date

PETITION OF NSTAR ELECTRIC AND OTHER COMPANIES FOR JOINT OR IDENTICAL LOCATIONS FOR POLES

To the Board of Aldermen of the City of Newton, Massachusetts

Respectfully represent NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY and VERIZON NEW ENGLAND, INC., companies subject to Chapter 166 of the General Laws (Ter. Ed.), that they desire to construct a line upon, along and across the public way or ways hereinafter specified.

WHEREFORE, your petitioners pray that after due notice and hearing as provided by law the BOARD OF ALDERMEN may by Order grant your petitioners joint or identical locations for the erection or construction of poles, to be owned and used in common by them, and for such other fixtures as may be necessary to sustain or protect the wires of the line, said poles to be located, substantially as shown on the plan made by A. DeBenedictis dated January 14, 2016 and filed herewith, upon, along and across the following public way or ways of said City:

Parkview Avenue -- Easterly side approximately 35 feet east of Norwood Avenue.

Install one (1) new pole #851/0
Install one (1) anchor guy

W/O #2105374

Your petitioners agree to reserve space for one crossarm at a suitable point upon each of said poles for the telephone, fire and police signal wires owned by the City and used for municipal purposes.

NSTAR ELECTRIC COMPANY d/b/a
EVERSOURCE ENERGY

By William D. Lemos
William D. Lemos, Supervisor
Rights and Permits

VERIZON NEW ENGLAND, INC.

By Penny Kane

Dated this 3rd day of February 2016

City of Newton, Massachusetts.

Received and filed _____, 2016

City Clerk

ORDER FOR JOINT OR IDENTICAL LOCATIONS FOR POLES

To the Board of Aldermen of the City of Newton, Massachusetts

WHEREAS, **NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY** and **VERIZON NEW ENGLAND INC.** have petitioned for joint or identical locations for the erection or construction of poles to be owned and used in common by them upon, along and across the public way or ways of the City hereinafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that **NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY** and **VERIZON NEW ENGLAND INC.** be and hereby are granted joint or identical locations for the erection or construction of poles, to be owned and used in common by them, and for such other fixtures including anchors and guys as may be necessary to sustain or protect the wires of the line upon, along and across the following public way or ways of said City:

Parkview Avenue - Easterly side approximately 35 feet east of Norwood Avenue.

Install one (1) new pole #851/0
Install one (1) anchor guy

W/O #2105374

All construction work under this Order shall be in accordance with the following conditions:

Poles shall be of sound timber and located as shown on a plan made by **A. DeBenedictis** dated **January 14, 2016** on file with said petition. There may be attached to said poles by said **NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY** and by said **VERIZON NEW ENGLAND INC.** wires and cables necessary for the conduct of their business. All such wires and cables shall be placed at a height of not less than twenty feet from the ground.

A true record.

Attest: _____
City Clerk

Approved: _____ 2016

Mayor

CERTIFICATE

I hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter.Ed.), and any additions thereto or amendments thereof, to wit: -after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the City Clerk to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held at **Board of Aldermen** in said City on _____ day of _____, 2016 at P.M.

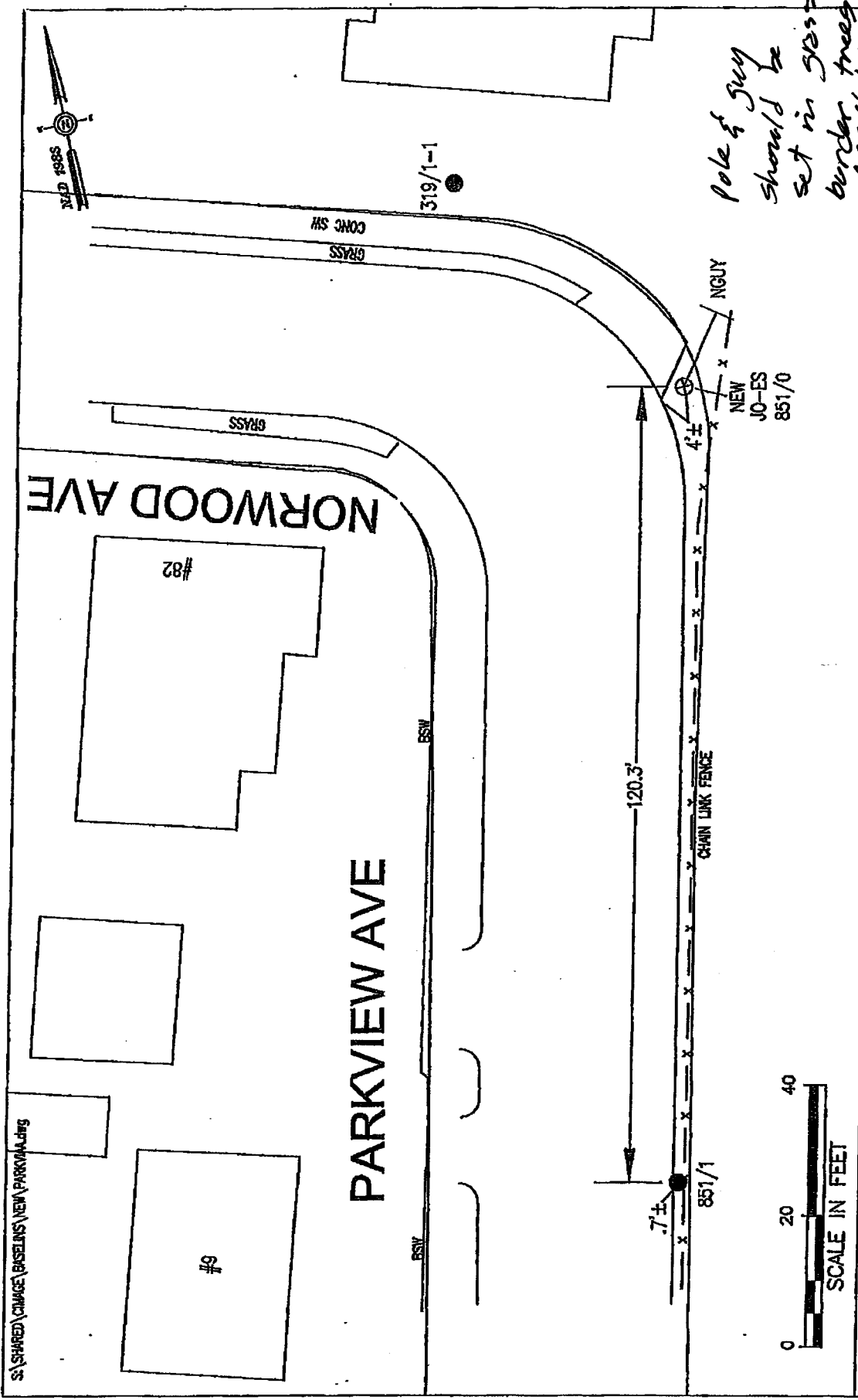
City Clerk

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the Board of Aldermen of the City of Newton, Massachusetts, duly adopted on the _____ day of _____ 2016, and recorded with the records of location Orders of said City, Book _____ Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____

Clerk of the City of Newton, Massachusetts



<p>NSIAR EVERSOURCE <small>1185 MASSACHUSETTS AVE. DORCHESTER, MASS. 02122</small></p>	
<p>Plan of PARKVIEW AVE NEWTON</p>	<p>Scale 1"=20' SHEET 1 of 1</p>
<p>Work Order # 2105874 Surveyed by: MR/JF/TL Research by: SC Plotted by: LM</p>	<p>Proposed Structures Approved: A DEBENEDECTIS P#</p>
<p>Proposed pole locations shown thus ⊕ Pole locations to be abandoned, shown thus ○ Proposed Anchor Guy shown thus T Proposed Hip Guy shown thus TH Proposed Underground location shown thus ⊕ Proposed Push Brace shown thus ⊕ Existing Pole location shown thus ●</p>	<p>DATE: JANUARY 14, 2016</p>

BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN AND NO REFERENCE TO THE INFORMATION CONTAINED HEREIN SHALL BE MADE BY ANY PARTY. EVERSOURCE ELECTRIC COMPANY, NSIAR OR COMPANY NOR ITS PRODUCTS, AFFILIATES, OFFICERS, EMPLOYEES, MANAGERS, AGENTS OR ADVISORS (COLLECTIVELY THE "NSIAR GROUP") SHALL BE LIABLE FOR ANY LOSS OR DAMAGE CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES, INCLUDING AND HOLD THE NSIAR GROUPS HARMLESS FROM ANY SUCH LOSS OR DAMAGE.

THE INFORMATION MAY NOT REPRESENT A SURVEY, MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION OR FOR ANY LOSS OR DAMAGE CAUSED IN WHOLE OR IN PART BY USE OF THE INFORMATION OR FOR THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE WARRANTED.

Norwood Avenue & Parkview Avenue



Proposed new
Pole & Guy



Final Label Report

Parkview

SBL	Owner	Number	Street	Unit
22008 0001	ERICKSON SALLY-HILDA	4	BRIDGES AVE	
22007 0048	280 NEWTONVILLE AVE NEWTON LLC	280	NEWTONVILLE AVE	
22008 0003	KENYAN SUSAN & JOHN M JR	82	NORWOOD AVE NVL	
22007 0053A	HILLMAN RACHEL S	85-87	NORWOOD AVE NVL	87
22007 0053	FISHMAN RHONDA A	85-87	NORWOOD AVE NVL	85
22008 0002	MATTHEWS JANE C	86	NORWOOD AVE NVL	
22007 0052	SMITH GREG M	89	NORWOOD AVE NVL	
22008 0004	POSER NICOLA S	9	PARKVIEW AVE	
22008 0005	RHEE MATTHEW & GENA	15	PARKVIEW AVE	



200 Calvary Street
Waltham, Ma 02453

February 3, 2016

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

RECEIVED
Newton City Clerk
2016 FEB 10 PM 3:17
David A. Oison, CMC
Newton, MA 02459

To the Board of Aldermen:

RE: Crescent Street
Newton, MA
WO #2099089

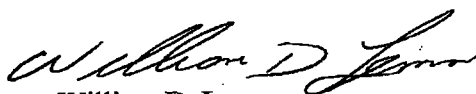
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This work is necessary to support existing pole line.

Your immediate attention to this matter is appreciated. If you have any questions, please call Maureen Carroll at (781) 314-5053.

Sincerely,


William D. Lemos
Rights & Permits Supervisor

WDL/kj
Attachments

**CITY OF NEWTON
MASSACHUSETTS**

PETITION for GRANT OF LOCATION

To the Petitioner:

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Grant of Location Process:

1. Applicant submits completed Petition Form and required materials to the Board of Aldermen
2. Public Works Department conducts preliminary review and gives written comments to the applicant
3. Engineering Division files Petition Form with comments with the Clerk of the Board of Aldermen
4. Board of Aldermen schedules petition for a public hearing before the Public Facilities Committee of the Board of Aldermen
5. Public Facilities Committee recommendations are forwarded to the Board of Aldermen for a final decision

Questions my be directed to:

Lou Taverna, City Engineer, 617-796-1020
Shawna Sullivan, Clerk of the Board of Aldermen, 617-796-1213

I. IDENTIFICATION (Please Type or Print Clearly)

Company Name Eversource

Address 200 Calvary Street

Waltham, MA 02453

Phone Number 781-314-5053 Fax Number 781-314-5165

Contact Person Maureen Carroll Title Right of Way Agent

Signature Maureen Carroll Date 2-4-16
Person filing application

If a telecommunications company, indicate how certified by the Department of Telecommunications and Energy:

II. DESCRIPTION OF PROJECT: to be completed by petitioner

A. Write here or attach a description of the project including, location, proposed time frame for completion, type of materials to be used, benefit provided to the City, project mitigation plan as applicable, street reconstruction plan including timetable for completion.

SEE ATTACHED

B. Include or attach a sketch to provide a visual description of the project. If plans are attached, provide:
Title of Plan _____ Date of plan _____

III. PUBLIC WORKS DEPARTMENT REVIEW

Date received by Public Works Department _____

Check One:

Minor Project Major Project Lateral

(Refer to City Engineer Standard Requirements for Plans for definition of minor and major project)

Plans Submitted:

Certified Plot Plan Stamped Plans

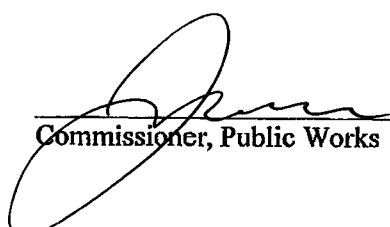
DATE AND COMMENTS:

RECOMMENDATIONS:

Contact Newton Water Division for markout of water main & lateral to hydrant within vicinity. Also pole #113/4A has a severe lean.	
John Daghlan, Associate City Engineer. 3/1/16	

Larson 3/1/16

V. RECOMMENDATION TO PUBLIC FACILITIES COMMITTEE:


Commissioner, Public Works

3/2/16
Date

PETITION OF NSTAR ELECTRIC AND OTHER COMPANIES FOR JOINT OR IDENTICAL LOCATIONS FOR POLES

To the Board of Aldermen of the City of Newton, Massachusetts

Respectfully represent NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY and VERIZON NEW ENGLAND INC., companies subject to Chapter 166 of the General Laws (Ter. Ed.), that they desire to construct a line upon, along and across the public way or ways hereinafter specified.

WHEREFORE, your petitioners pray that after due notice and hearing as provided by law the **BOARD OF ALDERMEN** may by Order grant your petitioners joint or identical locations for the erection or construction of poles, to be owned and used in common by them, and for such other fixtures as may be necessary to sustain or protect the wires of the line, said poles to be located, substantially as shown on the plan made by A. DeBenedictis dated October 26, 2015 and filed herewith, upon, along and across the following public way or ways of said City:

Crescent Street — Southeasterly side approximately 8 feet east of Rowe Street.

Install one (1) new pole #113/MAS
Install one (1) anchor guy

W/O #2099089

Your petitioners agree to reserve space for one crossarm at a suitable point upon each of said poles for the telephone, fire and police signal wires owned by the City and used for municipal purposes.

NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY

By William D. Lemos
William D. Lemos, Supervisor
Rights and Permits

VERIZON NEW ENGLAND INC.

By Perry Kane

Dated this 3rd day of February 2016

City of Newton, Massachusetts.

Received and filed _____, 2016

City Clerk

ORDER FOR JOINT OR IDENTICAL LOCATIONS FOR POLES

To the Board of Aldermen of the City of Newton, Massachusetts

WHEREAS, NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY and VERIZON NEW ENGLAND INC. have petitioned for joint or identical locations for the erection or construction of poles to be owned and used in common by them upon, along and across the public way or ways of the City hereinafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY and VERIZON NEW ENGLAND INC. be and hereby are granted joint or identical locations for the erection or construction of poles, to be owned and used in common by them, and for such other fixtures including anchors and guys as may be necessary to sustain or protect the wires of the line upon, along and across the following public way or ways of said City:

Crescent Street – Southeasterly side approximately 8 feet east of Rowe Street

Install one (1) new pole #113/4AS
Install one (1) anchor guy

WO# 2099089

All construction work under this Order shall be in accordance with the following conditions:
Poles shall be of sound timber and located as shown on a plan made by A.DeBenedictis dated October 26, 2015 on file with said petition. There may be attached to said poles by said NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY and by said VERIZON NEW ENGLAND INC. wires and cables necessary for the conduct of their business. All such wires and cables shall be placed at a height of not less than twenty feet from the ground.

A true record.

Attest: _____
City Clerk

Approved: _____ 2016

Mayor

CERTIFICATE

I hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter.Ed.), and any additions thereto or amendments thereof, to wit: -after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the City Clerk to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held at Board of Aldermen in said City on _____ day of _____, 2016 at P.M.

City Clerk

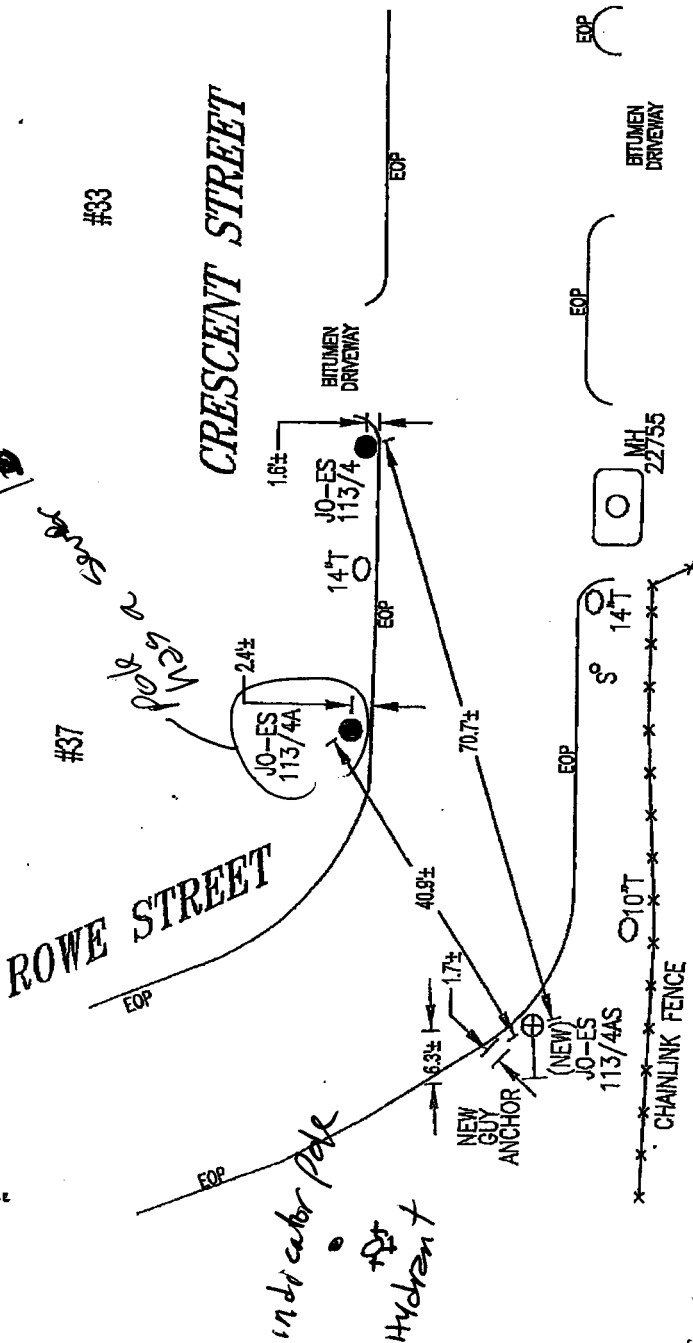
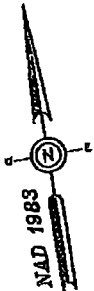
CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the Board of Aldermen of the City of Newton, Massachusetts, duly adopted on the _____ day of _____ 2016, and recorded with the records of location Orders of said City, Book _____ Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____

Clerk of the City of Newton, _____, Massachusetts

S:\SHARED\CHANGES\BASELINS\NEW\CRESCENT.DWG



*Contact
Newton Utilities
for market of
the main & hydrant material*

BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NSTAR ELECTRIC COMPANY, NOR ANY OF ITS SUBSIDIARIES, AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES OR AGENTS SHALL BE LIABLE FOR ANY LOSS OR INJURY CAUSED BY ANY USE OF THIS INFORMATION OR IN RELIANCE UPON IT. TO THE MAXIMUM EXTENT ALLOWED BY LAW, YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE NSTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY.

THE INFORMATION WAS NOT PREPARED BY A SURVEYOR. IT MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO WARRANTY IS MADE FOR THE ACCURACY OF THE INFORMATION, EITHER EXPRESSED OR IMPLIED. UNAUTHORIZED REPRODUCTION OR ANY INFORMATION OR USE OF THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED.

Proposed pole locations shown thus	⊕
Pole locations to be eliminated, shown thus	○
Proposed Anchor Guy shown thus	T
Proposed Hfp Guy shown thus	T/H
Proposed Underground location shown thus	—
Proposed Push Brace shown thus	⊕
Existing Pole location shown thus	●

Ch#	
Ward #	
Work Order #	2099089
Surveyed by:	LM/BS
Research by:	SC
Plotted by:	BS
Proposed Structures	SC
Approved:	A DEBENEDICTIS
P#	

1185 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125	
Plan of	CRESCENT STREET
Newton	NEWTON
Showing	PROPOSED NEW POLE AND GUY LOCATIONS
Scale	1"=20'
Date	10/26/2015
SHEET	1 of 1

Rowe Street
Pole 113/4A
Severe Lean
March 1, 2016





Proposed New Pole & Guy

Rowe St

Final Label Report

Crescent

SBL	Owner	Number	Street	Unit
33015 0003	PALMER CLAIRE M	26	CRESCENT ST	
44023 0028	DONNELLAN THOMAS J	29	CRESCENT ST	
33015 0002	MORWAY JOHN B TR	30	CRESCENT ST	
44023 0029	MURPHY MICHAEL & KENNA A	33	CRESCENT ST	
33015 0001J	CARIANI KIMBERLY	36-48	CRESCENT ST	42B
33015 0001I	WONG WENG KIN	36-48	CRESCENT ST	42A
33015 0001H	LI YINLING	36-48	CRESCENT ST	40C
33015 0001G	LI DAN	36-48	CRESCENT ST	40B
33015 0001F	NEWTON HOUSING AUTHORITY	36-48	CRESCENT ST	40A
33015 0001K	HUANG GORDON	36-48	CRESCENT ST	42C
33015 0001D	HUANG LAN H	36-48	CRESCENT ST	38B
33015 0001N	LUO WEI QI	36-48	CRESCENT ST	44C
33015 0001C	JOSEPH ZACHARIAH & JAYAMOL	36-48	CRESCENT ST	38A
33015 0001B	NEWTON HOUSING AUTHORITY	36-48	CRESCENT ST	36C
33015 0001A	YURIK VITALY & RIMMA TRS	36-48	CRESCENT ST	36B
33015 0001E	NEWTON HOUSING AUTHORITY	36-48	CRESCENT ST	38C
33015 0001	VERZINO THOMAS A	36-48	CRESCENT ST	36A
33015 0001M	LEUNG CHAN	36-48	CRESCENT ST	44B
33015 0001O	PENG SHAO-QING	36-48	CRESCENT ST	46A
33015 0001P	JIANG FEN	36-48	CRESCENT ST	46B
33015 0001Q	NEWTON HOUSING AUTHORITY	36-48	CRESCENT ST	46C
33015 0001R	EDSALL PHILIP L JR	36-48	CRESCENT ST	48A
33015 0001S	WONG KWOK WAH	36-48	CRESCENT ST	48B
33015 0001L	CHAI FENG	36-48	CRESCENT ST	44A
44023 0030	HE DEGUANG	37	CRESCENT ST	
44023 0016	ROBERTS JEFFREY W TR	45	CRESCENT ST	
44023 0016A	NEWTON-FAB LLC	47	CRESCENT ST	
44023 0015	DINOSAUR HEAR ME NOW LLC	70	ROWE ST	



Newton Free Library

The door to your imagination

Library Director
Philip E. McNulty



Mayor
Setti D. Warren

February 29, 2016

Mayor Setti Warren
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

Re: Use of Library property for on-site renewable solar generation facilities

At their January 29th 2015 meeting the Library Trustees reviewed the request of the Building Commissioner to explore the installation of solar panels over the library parking lot. The Board of Library Trustees unanimously approved a motion (Hanson/Meltz) to make available the parking lot space of 330 Homer Street for potential lease 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.

This potential approval is contingent upon detailed proposals recommended by the City for approval by the Board of Library Trustees.

Sincerely Yours,

Philip E. McNulty
Library Director

Ward
I Ellen Gibson
II Margaret Albright
III Angela Pitter-Wright
IV Diana Fisher Gomberg
V Steven Siegel
VI Ruth Goldman, Vice - Chairperson
VII Matthew Hills, Chairperson
VIII Margie Ross Decter

Newton School Committee
100 Walnut Street
Newtonville, MA 02460
Tel (617) 559-6110
Fax (617) 559-6101
www.newton.k12.ma.us
schoolcommittee@newton.k12.ma.us

Mayor Setti Warren
Ex officio



February 8, 2016

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

Re: Use of property for on-site solar generation facilities

Dear Mayor Warren:

Pursuant to Section 2-7 of the Newton City Code of Ordinances, the school committee has voted to approve the use of the following city property (or portions thereof) for potential lease for the purpose 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.

1. The parking lots located at South High School, 140 Brandeis Road.

The procedures under Section 2-7(9) should be followed in the event that the Executive Department chooses to submit a proposal for such lease(s) to the City Council for authorization to negotiate such lease(s) of city-owned property.

Respectfully submitted,

Matt Hills
Chairperson, Newton School Committee

Cc: Scott Lennon, President, Board of Aldermen



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#89-16

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

February 29, 2016

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

RECEIVED
Newton City Clerk
2016 FEB 29 PM 4:03
DAVID A. OLSON, CMC
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to authorize the appropriation of \$3,400,000 and authorize a general obligation borrowing of an equal amount to fund the completion of the next phase of construction of the Fire Station 3/HQ project.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE



PUBLIC BUILDINGS DEPARTMENT

Josh Morse, Building Commissioner

Telephone (617) 796-1600

FAX (617) 796-1601

TTY: (617) 796-1608

52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

Setti D. Warren
Mayor

February 19, 2016

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

RE: Fire Station #3/Headquarters Repairs and Upgrades

Dear Mayor Warren:

The Public Buildings Department respectfully requests \$3,400,000.00 to complete the next phase of construction of the Fire Station 3/HQ project.

Sincerely,

Josh Morse
Public Buildings Commissioner

cc: Maureen Lemieux, Chief Financial Officer
Alex Valcarce, Deputy Commissioner
Dori Zaleznik, Chief Admin Officer

Department of Public Works Capital Improvement Plan

March 9, 2016
City of Newton, Massachusetts
Setti D. Warren, Mayor



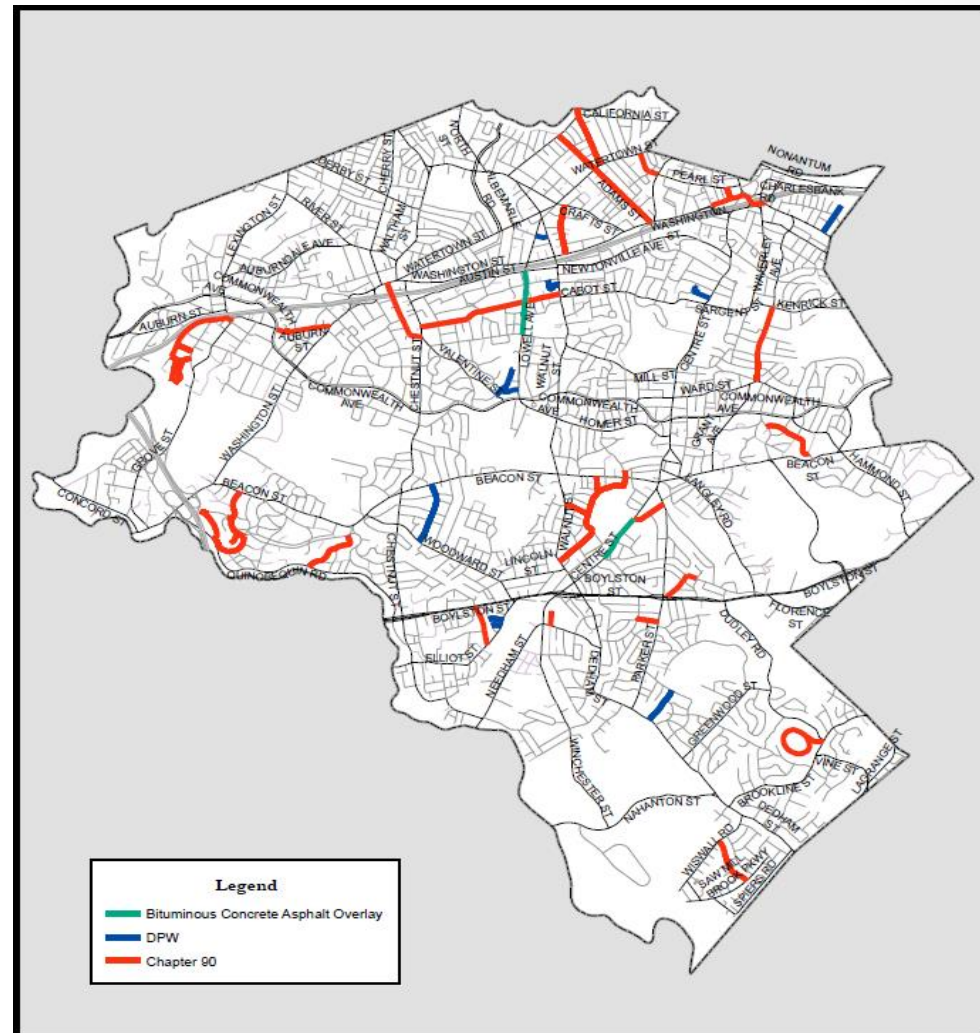
Complete Streets- FY16

Accomplishments

#288-15

Paving Data

Miles of street paving projects conducted through outside contractors	9.5
Miles of street paving projects conducted in-house by city staff	1.7
Miles of concrete overlay projects	0.75
Miles of street micro-surfacing projects	2.2
Number of ADA ramps excavated and installed	202
Miles of new sidewalk constructed	1.8
Number of curb betterments installed	78
Miles of existing sidewalk repaired	3.1



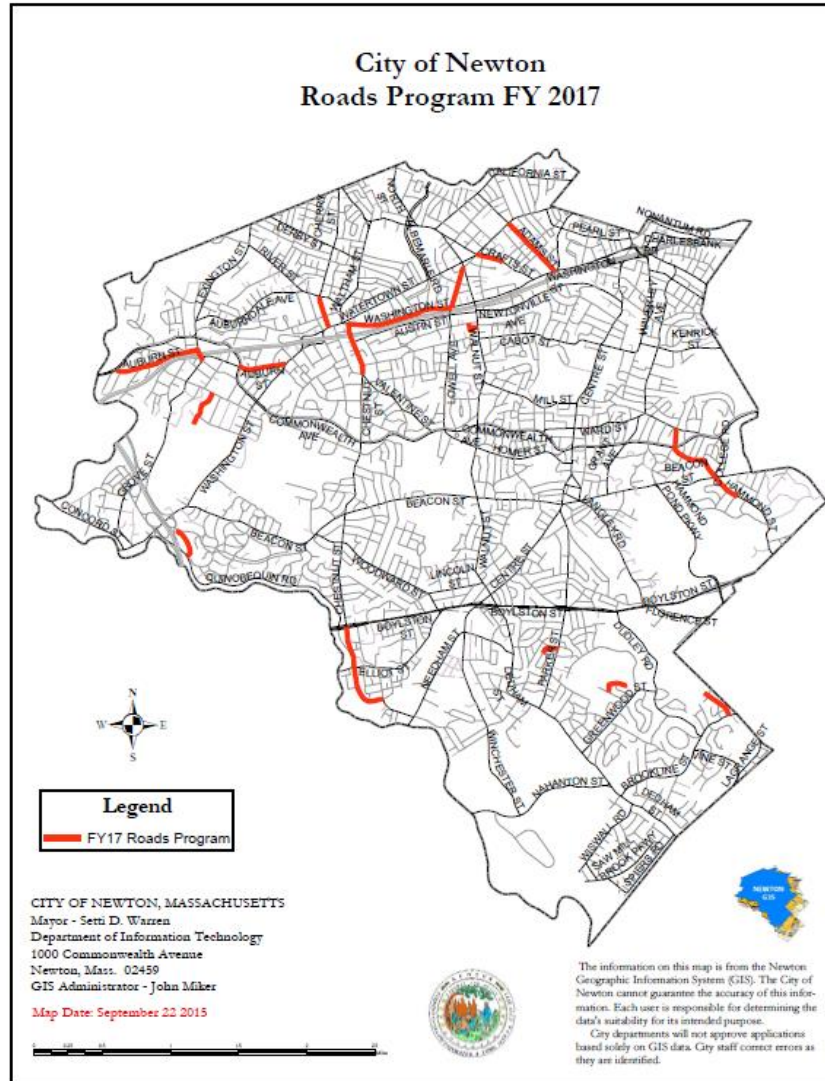
Streets Scheduled for Pavement

#288-15

FY17

- 5 Miles of Paving
- Funding
 - \$2.3 Million from Chapter 90 Funds
 - \$1 Million from City Override Funds

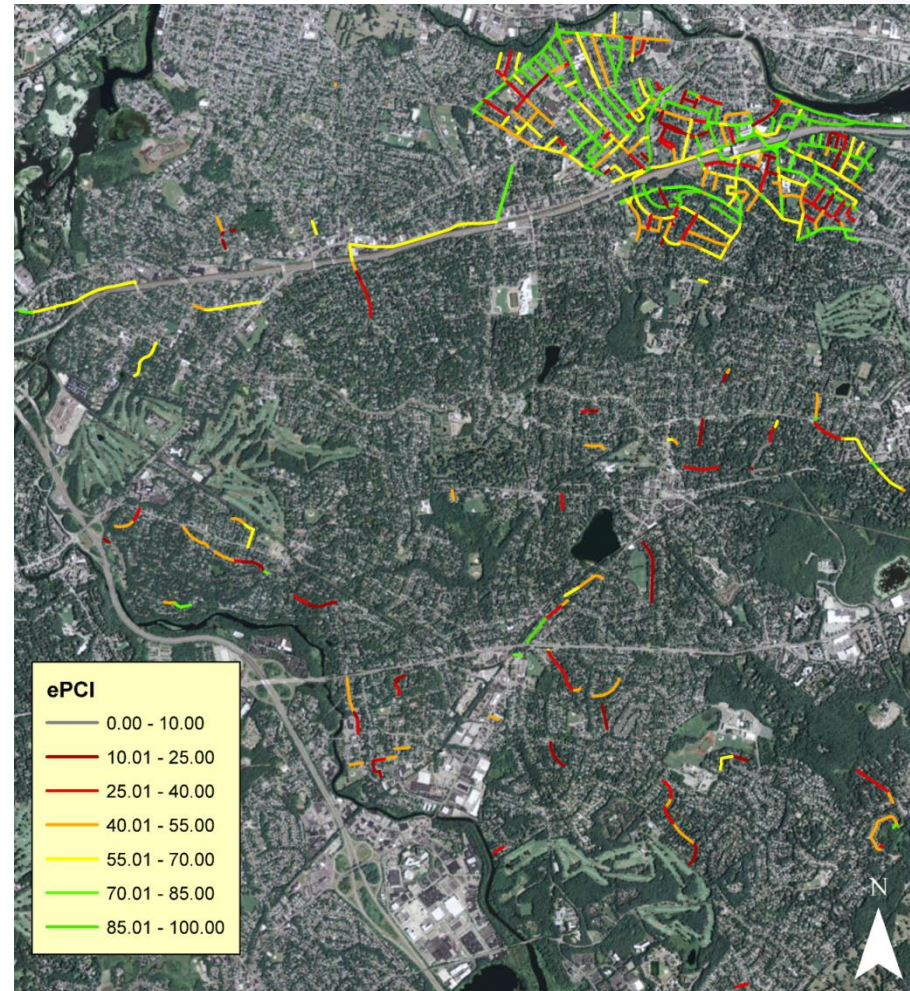
<u>Street Name</u>	<u>PCI</u>
CHESTNUT ST	20-42
HAMMOND ST	31-67
CRAFTS ST	46-57
E. QUINOBEQUIN RD	10
HAWTHORNE AVE	55
WASHINGTON ST (EB)	57-63
ADAMS ST	39-63
AUBURN ST	42-56
WALNUT PLACE	45
WINSTON RD	48
AUDUBON DR	30-44



Street Scan

- Conducted a Pilot program consisting of 40 miles of city roads.
- E Pavement Condition Index: overall pavement condition from 0 (worst) to 100 (best)
- Provides in-depth and objective pavement condition for data driven maintenance and repair decisions.

Field Surveys



Highest Priority Maintenance Projects

#288-15

4) MURRAY RD

ePCI < 10
Minor



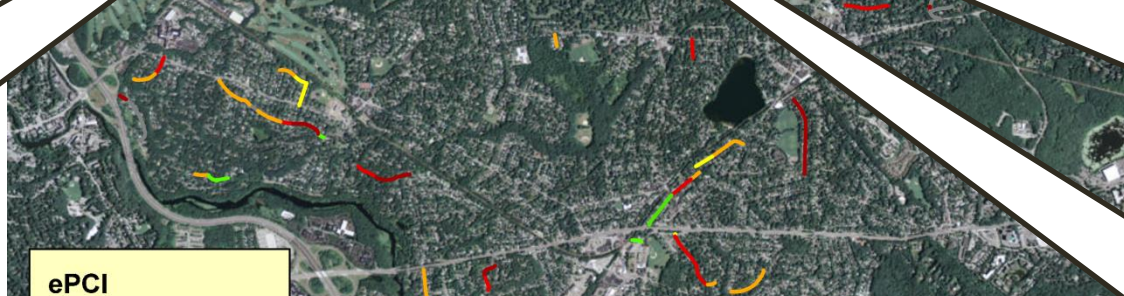
2) CHESTNUT ST

ePCI = 20
Major



5) BISHOPSGATE RD

ePCI < 10
Minor

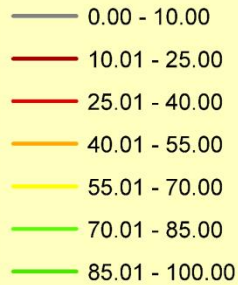


1) CHESTNUT ST

ePCI = 20
Major



ePCI



3) CHESTNUT ST

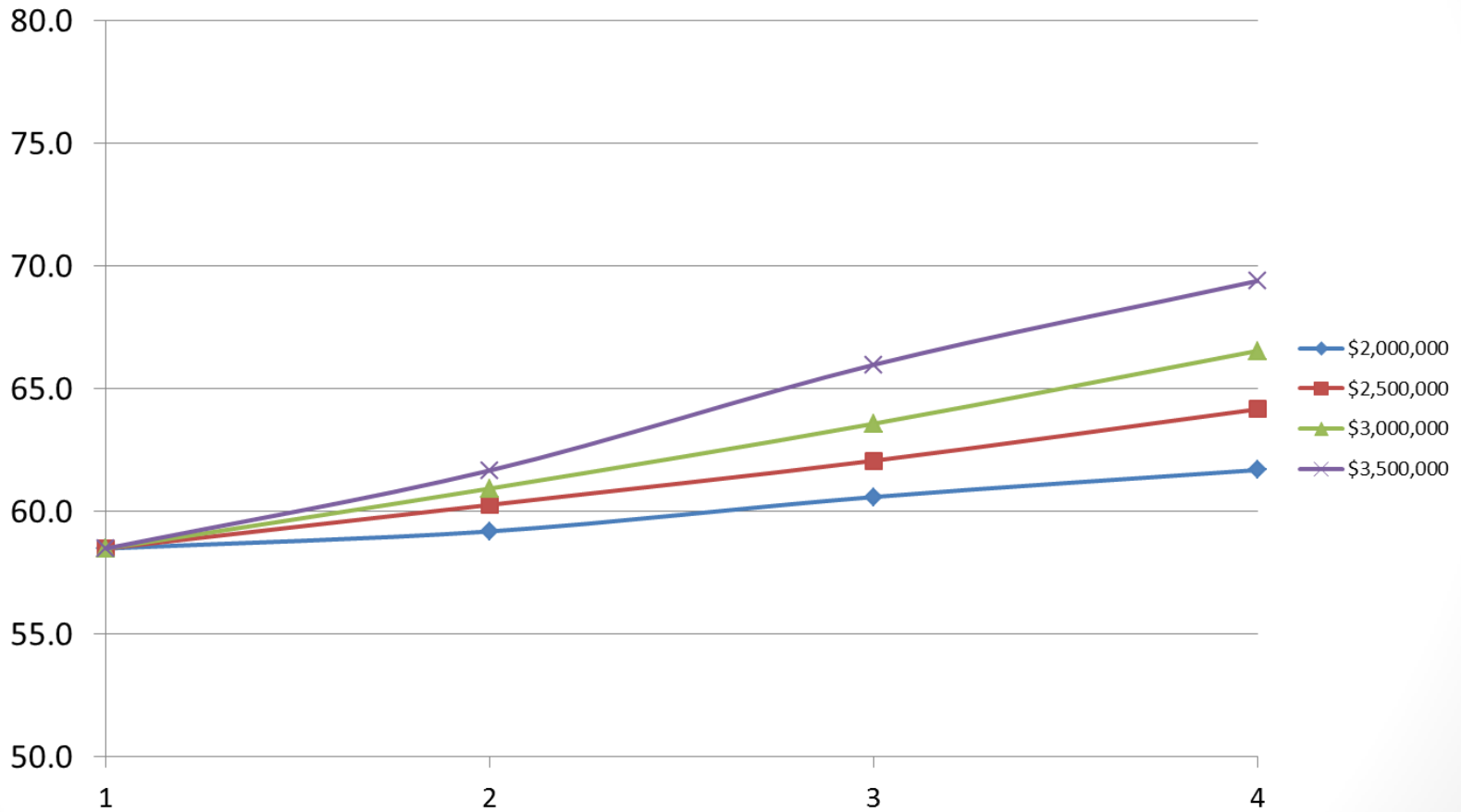
ePCI = 20
Major



Street Scan Pilot Results

Repair Type	Length (Miles)	Percentage of Total (%)
Reclamation	10.4	25%
Rehabilitation (Mill & Overlay)	16.6	40%
Preventive (Crack Seal, Microsurfing)	4.8	11%
Defer Maintenance	8.8	21%
TOTALS	40.7	100%

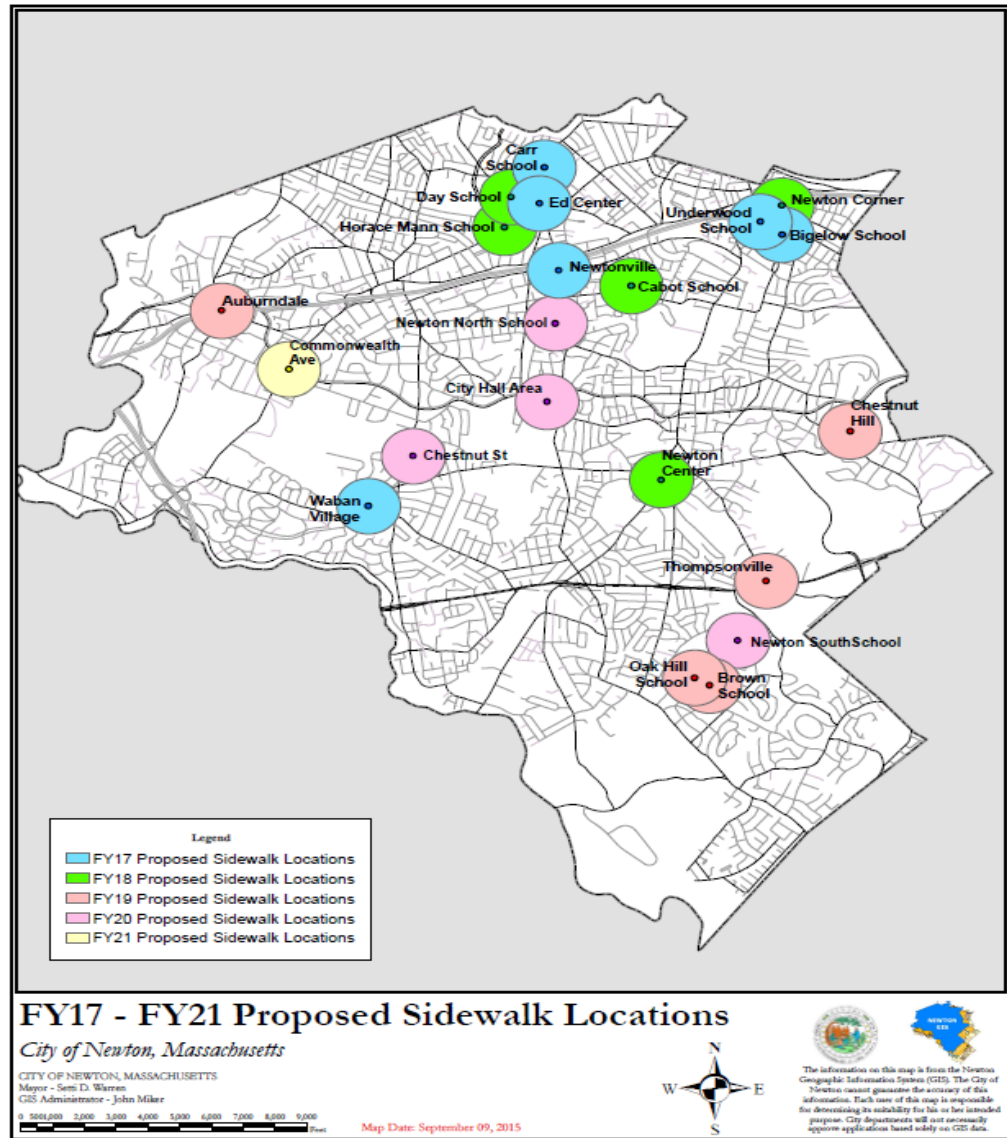
Street Scan Pilot Projections



Sidewalks FY17-FY21

#288-15

- Repair and replace 2 miles of sidewalk city-wide
- Install ADA compliant ramps and repair/convert non-compliant ramps

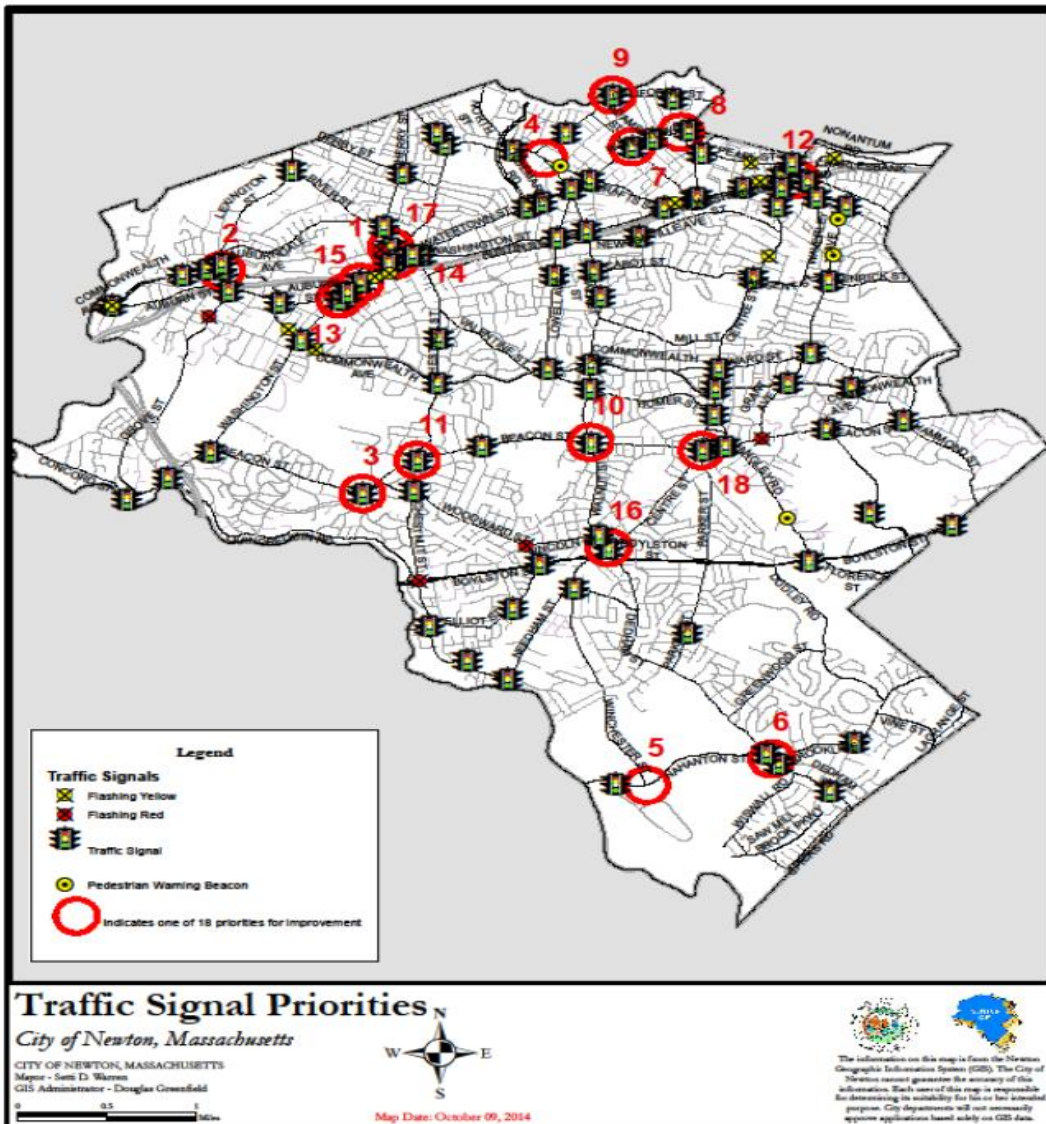


Transportation Division

- Improve Traffic Flow and Vehicular Safety through Traffic Signal Improvement Program
 - Auburndale Square, Angier School, Watertown @ Adams, Watertown @ Pearl, California @ Bridge, Nahanton @ Winchester, Washington @ Auburn/Perkins/Prospect, West Newton Square
- Formalizing our “Complete Streets” policy to allow for safe travel by those walking, bicycling, driving automobiles, or riding public transportation.
 - The Complete Streets policy will allow the City to apply for a \$450,000 state grant.

Signalization Plan

#288-15



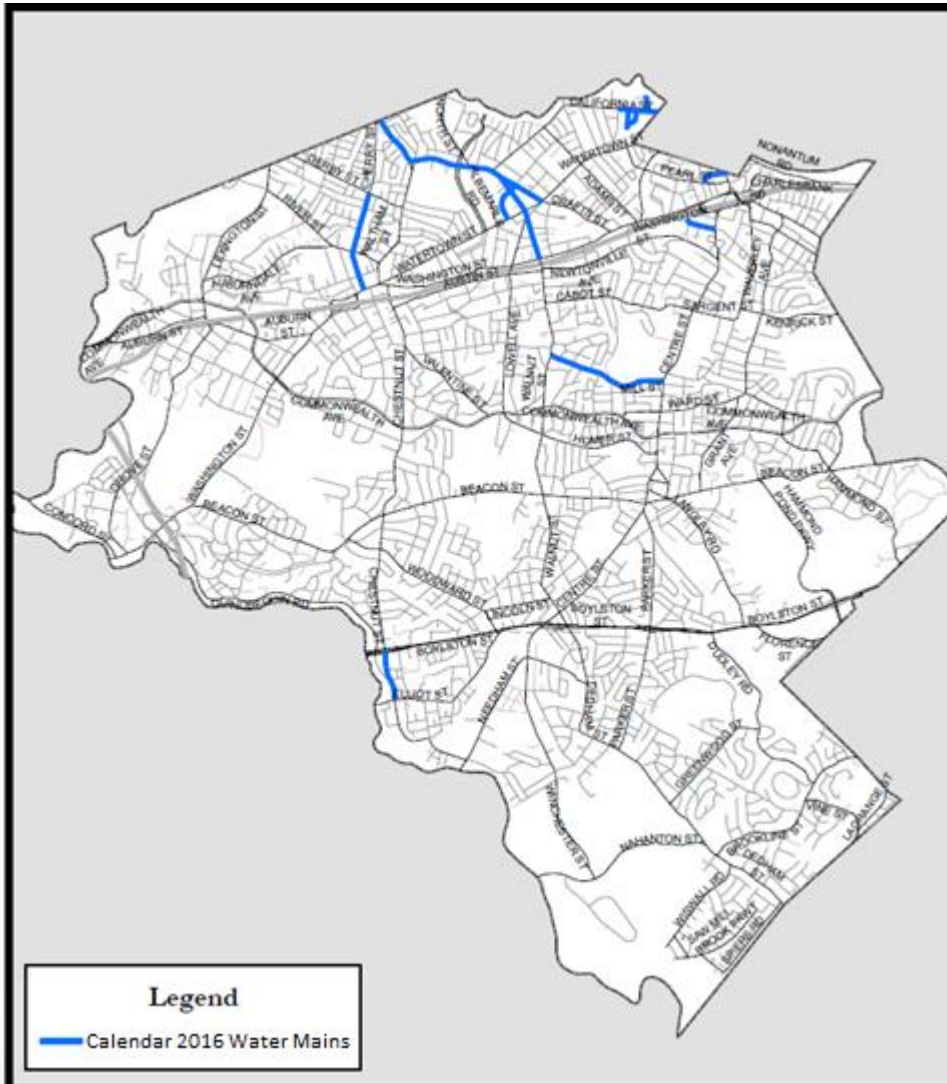
- Angier – Beacon @ Collins
- Beacon @ Grant
- Crafts @ Linwood
- California @ Bridge
- Nahanton @ Winchester
- Watertown @ Adams
- Watertown @ Pearl
- Washington @ Auburn
Prospect & Perkins
- West Newton – Washington
St, @ Chestnut, Watertown,
Cherry & Elm
- Centre @ Walnut
- Cherry @ Webster
- Dedham @ Nahanton
- Dedham @ Brookline
- Beacon @ Walnut
- Beacon @ Chestnut
- Newton Corner
- Auburndale Square

Vehicles FY17

- \$300,000 for Large Utilities Equipment
- \$300,000 for Large DPW Equipment



Water Main Improvements



- Ongoing 20-year plan to investigate, replace, clean and line Water System (\$80M) (FY16 - Year 4)
- Year 3 of 3-Year Plan for Fire Flow improvements
- Fire Flow Improvements - Crafts, Waltham, Walnut, Chestnut, Cherry, Church, California
- Water Quality Improvements - Mill, Los Angeles, Allison, Carleton
- Ongoing Water Audit to identify sources of unaccounted for water loss
- Maintenance to the reservoir along with planned shutdown and leak detection in the fall of 2016

Sewer Capital Plan

#288-15

ACCELERATED SCHEDULE FOR INFLOW / INFILTRATION REMOVAL

Ongoing 11-year plan to investigate, repair, seal, re-line Sewer System (\$49M) (FY16 - Year 4)

PROJECT AREA 2:

ASSESSMENT/INVESTIGATION COMPLETE
ENGINEERING DESIGN COMPLETE
CONSTRUCTION ONGOING
CONSTRUCTION COMPLETE JANUARY 2016

PROJECT AREA 3 & 4:

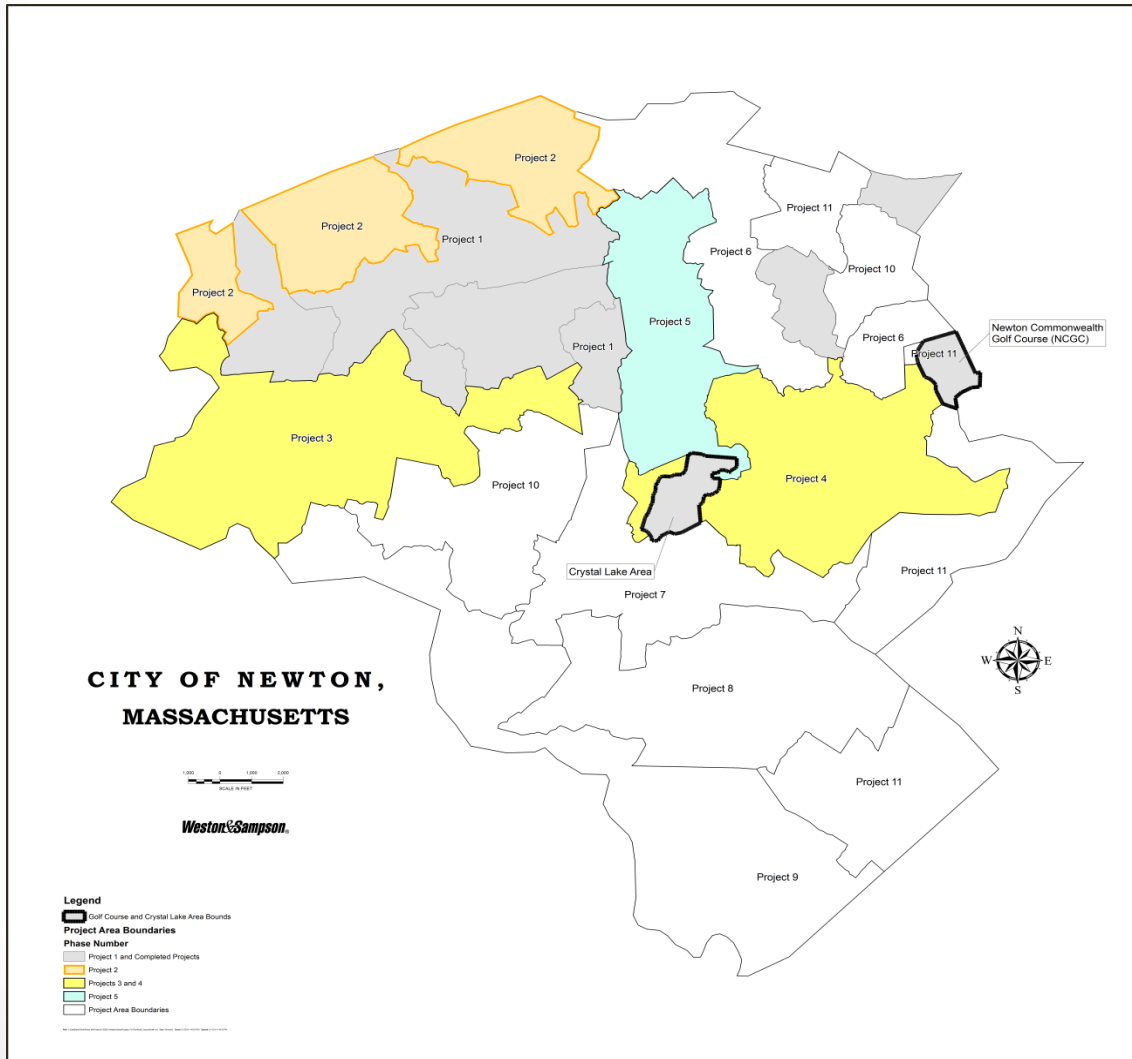
ASSESS/INVESTIGATION NOVEMBER 2014
ENGINEERING DESIGN ONGOING
CONSTRUCTION COMPLETE JANUARY 2017

PROJECT AREA 5:

ASSESS/INVESTIGATION NOVEMBER 2015
ENGINEERING DESIGN APRIL 2016
CONSTRUCTION SEPTEMBER 2017

PROJECT AREA 6:

ASSESS/INVESTIGATION NOVEMBER 2016
ENGINEERING DESIGN APRIL 2017



Stormwater Improvements

#288-15



Stormwater Infrastructure Improvement Plan

- Dedham Street Flooding
- Adams Street failed drain pipe replacement
- Culvert Assessments (Zervas, Cabot)
- Quinobequin underdrain investigation

Hazard Mitigation

- Improvements to Hammond Brook Culvert (FEMA Grant of \$465,000 from 2010 flood)



Questions?



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#224-15(2)

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

RECEIVED
Newton City Clerk
2016 MAR -3 PM 1:48
DAVID A. OLSON, CLERK
Newton, MA 02459

March 3, 2016

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

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to authorize the Mayor to enter into an Inter-Municipal Agreement with the Town of Needham for Elliot Street/Central Avenue Bridge Improvements. The agreement, prepared by our Law Department, outlines Needham's obligation to pay Newton for half of the construction contract costs.

This excludes an additional work item required by the Newton Historic Commission with which Needham disagrees. Language to that effect is enumerated in item #10 of the agreement:

"It is mutually agreed that construction cost associated with the additional scope of work, as required by vote of the Newton Upper Falls Historic Commission on January 14, 2016, shall be excluded from this agreement, and that this cost shall be borne exclusively by the City of Newton."

Bids will be opened on March 17, 2016. If, at that time, it is necessary to adjust the City's share of the project cost as a result of this condition, I will ask to amend this docket item to include the required additional funding. As you are aware – time is of the essence for this project.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

City of Newton




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

Setti D. Warren
Mayor

March 3, 2016

To: Maureen Lemieux, Chief of Staff and Chief Financial Officer

From: James McGonagle, Commissioner 
Louis M. Taverna, P.E., City Engineer

Subject: Elliot Street - Central Avenue Bridge
Newton - Needham Inter-Municipal Agreement

The City of Newton and Town of Needham jointly own the Elliot Street – Central Avenue Bridge over the Charles River. Major structural repairs to the bridge are proposed to be performed by contractor this summer season. The design of the repairs is completed, and we are entering into the construction bid phase. Newton is taking the lead on issuing the construction contract.

The attached Newton - Needham Inter-Municipal Agreement, prepared by our Law Department, outlines Needham's obligation to pay Newton for half of the construction contract costs. This excludes an additional work item required by the Newton Historic Commission, of which Needham disagrees. Newton will make progress payments to the contractor monthly for work performed. Newton will invoice Needham monthly for 50% of the contractor's invoice. Needham will pay Newton within 30 days of receipt of invoice.

Newton will pay for construction using bond funds. Needham has certified that funds (of up to \$2,000,000) are available to fund this agreement.

This inter-municipal agreement requires City Council approval. Please forward to the City Council for their consideration. The Town of Needham is in the process of approving the inter-municipal agreement.

Thank you,


Jim McGonagle
Commissioner Public Works

cc: R. Waddick
D. Wilkinson

CITY OF NEWTON CONTRACT NO. L-6184
TOWN OF NEEDHAM CONTRACT NO. XX-XX-XX
AGREEMENT BETWEEN THE TOWN OF NEEDHAM, MASSACHUSETTS AND
THE CITY OF NEWTON, MASSACHUSETTS
FOR
ELLIOT STREET – CENTRAL AVENUE BRIDGE IMPROVEMENTS

This Agreement made this the ____ day of _____ 2016 by and between the Town of Needham, Massachusetts, acting through its Town Manager with the approval of its Board of Selectmen, hereinafter called the “Town,” and the City of Newton, Massachusetts, acting by and through its Mayor hereunto duly authorized by Order of its City Council, Order No. _____ and dated _____, but without personal liability to himself, hereinafter called the “City,”

WITNESSETH:

Whereas, Bridge #N-4-1/N-12-3 (the “Bridge”) is located over the Charles River at the Town/City line between Needham and Newton; and

Whereas, the Bridge links the City at Elliot Street, to the Town at Central Avenue; and

Whereas, ownership and maintenance of the Bridge is shared equally between the City and the Town; and

Whereas, the Bridge is in need of major rehabilitation; and

Whereas, the Town contracted with the BETA Group, Inc. for consulting engineering services for the investigation and design of repairs and rehabilitation of the Bridge, which work has been completed and paid for by the Town; and

Whereas, the City contracted with the BETA Group, Inc. for consulting engineering services for the investigation and design of repairs and rehabilitation of the Bridge, which work has been completed and paid for by the City; and

Whereas the City and the Town wish to provide for the repairs to the Bridge with the City being the lead community to award and supervise the contract for said repair;

Now therefore, for and in consideration of the promises, the mutual covenants herein recited and other good, valuable, and sufficient considerations, the parties hereto agree as follows:

1. The City shall prepare and put out invitations for bids for the repairs to the bridge in accordance with the plans and designs of BETA Group, Inc., receive and review said bids and award the Contract for the repairs to the bridge to a Contractor, all in accordance with G. L. Ch 30, sec. 39M and all other applicable provisions of law.
2. The City shall make progress payments for material and services to the Contractor awarded the contract, pursuant to the terms of the Contract.
3. The City shall invoice the Town for fifty (50%) percent of the amount approved for payment to the Contractor by the City.
4. Payment by the Town to the City shall be made within thirty (30) days of receipt of invoices from the City. With any request for payment, the City shall provide a copy of the invoice(s) from Contractor showing the total amount(s) billed to the City.
5. Within seven (7) days of receipt of invoices from the City, the Town shall have the opportunity to inspect the work and object to payments for work not completed according to the contract documents, whereupon the City and Town shall confer to agree as to what should be paid. If they do not agree, Beta Group, Inc. will determine what portion of the disputed amount will be paid and the Town shall pay the City fifty (50%) percent of that amount and the City shall pay the Contractor one hundred (100%) percent of that amount. With respect to an unpaid portion of a disputed amount which is subsequently determined to be owed to the Contractor in accordance with the Contract, the Town shall pay the City fifty (50%) percent of such amount and the City shall pay the Contractor one hundred (100%) percent of such amount.
6. Any undisputed amounts unpaid by the Town after thirty (30) days of receipt of invoices from the City are subject to interest at the same rate the City is required to pay for funds in order to make payments to the Contractor. The Town hereby agrees to pay any interest incurred by the City due to such late payment by the Town.
7. Notwithstanding the foregoing provisions, the Town's total obligation to pay the City hereunder shall not exceed the lesser of fifty (50%) percent of the total amount invoiced to the City pursuant to the Contract, or \$2,000,000.00.
8. This Agreement shall be effective upon the action of the Board of Selectmen of the Town, and action by the Mayor of the City as authorized by the City Council.
9. It is mutually agreed and understood that this Agreement shall remain in full force as until completion of the services to be performed by the Contractor pursuant to the Contract or until such time as it may be amended or replaced by a new agreement, but in any event, not to exceed a total of three (3) years.
10. It is mutually agreed that construction cost associated with the additional scope of work, as required by vote of the Newton Upper Falls Historic Commission on January 14, 2016, shall be excluded from this agreement, and that this cost shall be borne exclusively by the City of Newton. This item is defined as follows:

“The concrete piers on the north side of the bridge will be faced with the rough-cut stone (and not with granite).”

11. BETA Group Inc. shall provide engineering services during construction, for the duration of the construction period. City of Newton and Town of Needham shall each contract directly with BETA group Inc. for these services, and shall share the cost of these services 50%/50%.

12. The City of Newton shall provide a full-time resident construction inspector for the duration of the bridge construction. The cost of the salary of the resident construction inspector shall be made as part of this agreement, and shall be shared 50%/50%.

The two parties have caused their legal corporate signatures and seals to be hereunto affixed by their proper officers, thereunto duly organized on the day of the year first above written.

THE TOWN OF NEEDHAM

THE CITY OF NEWTON

Kate Fitzpatrick
Town Manager

James McGonagle,
Commissioner of Public Works

Comptroller of Accounts:

Chairman

Approved as to form:

Selectman

City Solicitor

Selectman

Contract Approved:

Selectman

Setti D. Warren,
Mayor

Selectman

Approved as to form:

David S. Tobin
Needham Town Counsel

I hereby certify that there are funds available in account # _____ in an amount up to \$2,000,000.00 to fund this Agreement.

Title
Town of Needham