

CITY OF NEWTON  
IN BOARD OF ALDERMEN  
PUBLIC FACILITIES COMMITTEE REPORT

WEDNESDAY, APRIL 8, 2015

Present: Ald. Crossley (Chair), Lennon, Albright, Brousal-Glaser, Gentile, Danberg, Laredo, and Lappin

Also present: Ald. Fuller and Leary

City staff: John Daghlian (Associate City Engineer), Dave Turocy (Commissioner of Public Works), Keith Nastasia (Director of Utilities), Maria Rose (Environmental Engineer), Maureen Lemieux (Chief of Staff/Chief Financial Officer)

- #71-15      EVERSOURCE ENERGY petitioning for a grant of location to install a total of 461' ± of conduit in the following locations:
- 50' ± of conduit in SPIERS ROAD northerly from Pole 371/18 to the intersection of Keller Path
  - 411' ± of conduit in KELLER PATH from Spiers Road to proposed Manhole #30070. [02/27/15 @ 2:46 PM]

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

**NOTE:**      Eversource Energy Permit Representative Maureen Carroll explained that all of the petitions scheduled for discussion at the meeting are related and are being proposed to improve electrical reliability in the Oak Hill area of Newton. All of the new conduit would replace existing outdated infrastructure that is difficult to repair. The Committee discussed the above petition and Docket Item #70-15 simultaneously, as the streets in the petitions are the same or in very close proximity to each other.

Ms. Carroll presented the request to install 461' of conduit in Spiers Road and Keller Path. The new conduit would be underground and run from an existing pole on Spiers Road crossing the roadway to the intersection of Spiers Road and Keller Path and continuing down Keller Path for 411' to a new manhole. The second petition (#70-15) is a request to install 754' of conduit and two manholes in Van Wart Path. The new conduit would be underground and run from an existing pole on Spiers Road crossing Spiers Road to Van Wart Path continuing 704' down Van Wart Path to a new manhole.

The Department of Public Works has reviewed the petitions and made a number of recommendations regarding restoring the streets. The recommendations would become part of the City's street opening permit conditions for the projects. The Engineering Division of the Public Works Department reviews all grant of location projects when they are completed to ensure that the contractor complied with all of the conditions of the street opening permit. Maureen Carroll has reviewed the recommendations and Eversource Energy would comply with the recommendations.

The public hearings for the petitions were opened and no one spoke for or against the petitions. Ald. Lappin moved approval of both petitions, which carried unanimously.

- #70-15      EVERSOURCE ENERGY petitioning for a grant of location to install a total of 754' ± of conduit in the following locations:
- 50' ± of conduit in SPIERS ROAD westerly from Pole 371/21 to the intersection of Van Wart Path.
  - 704' ± of conduit in VAN WART PATH from Spires Road northwesterly to proposed Manhole #30072 and then continuing to proposed Manhole #30073. [02/27/15 @ 2:44 PM]

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

**NOTE:**      See the above note for the discussion of this petition.

- #69-15      EVERSOURCE ENERGY petitioning for a grant of location to install a total of 665' ± of conduit in the following locations:
- 50' of conduit in WISWALL ROAD southeasterly from Pole 232/18 to the intersection of Shumaker Path
  - 456' ± of conduit in SHUMAKER PATH from the intersection of Wiswall Road in a southeasterly direction to a proposed Manhole 30074 in front of 15 Shumaker Path and then continuing to proposed Manhole 30075
  - 56' ± of conduit in OSBORNE PATH from the intersection of Shumaker Path in a northeasterly direction to a box in front of 28 Osborne Path.
  - 103' ± of conduit in OSBORNE PATH from the intersection of Shumaker Path in a southwesterly direction to a box in front of 36 Osborne Path. [02/27/15 @ 2:44 PM]

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

**NOTE:**      Maureen Carroll presented the requests for two grants of locations (#69-15 and #68-15). The above request is to install 665' of underground conduit and two manholes from an in Shumaker Path from an existing pole in Wiswall Road continuing 456' down Shumaker Path to Osborne Path, continuing 56' northeasterly in Osborne Path, and 103' southwesterly in Osborne path. The second request is to install 616' of conduit and two manholes in Nightingale Path from an existing pole in Wiswall Road to Nightingale Path to Osborne Path

The new conduit would be underground and run from an existing pole on Spiers Road crossing the roadway to the intersection of Spiers Road and Keller Path and continuing down Keller Path for 411' to a new manhole. The second petition (#70-15) is a request to install 754' of conduit and two manholes in Spiers Road and Van Wart Path. The new conduit would be underground and run from an existing pole on Spiers Road crossing Spiers Road to Van Wart Path continuing 704' down Van Wart Path to a new manhole, continuing to the intersection of Osborne Path and continuing down Osborne path for 75' in an easterly direction.

The public hearings for both petitions were opened and no one spoke for or against either petition. The public hearings were closed and Ald. Lappin moved approval, which carried unanimously.

- #68-15      EVERSOURCE ENERGY petitioning for a grant of location to install a total of 616' ± of conduit in the following locations:
- 47' ± of conduit in WISWALL ROAD southeasterly from Pole 232/16 to the intersection of Nightingale Path
  - 495' ± of conduit in NIGHTINGALE PATH from the intersection of Wiswall Road in a southeasterly direction to a proposed Manhole 30076 in front of 27 Nightingale Path and continuing to proposed Manhole 30077
  - 75' ± of conduit in OSBORNE PATH from the intersection of Nightingale Path in an easterly direction to a box in front of 10 Osborne Path.

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

**NOTE:**          See the above note.

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #455-14      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.

**ACTION:**      **HELD 7-0 (Danberg not voting)**

**NOTE:**          Chief of Staff Maureen Lemieux provided the attached document with the preliminary fiscal year 2016 water and sewer rates, the Fiscal Year 2016 target budget, and the Fiscal Year 2016 proposed budget for Fiscal Year 2016 for the water and sewer enterprise funds, and the storm water fund. **NOTE:** *It was later discovered that the water sewer rates used for FY15 were actually FY14 rates, so all rates were recalculated accordingly for the Finance Committee on Monday, April 15, 2015.* The proposed irrigation rate for the second meter is \$10 per Hundred Cubic Foot (HCFs) used. Some Committee members felt that the irrigation rate should be higher; however; Ms. Lemieux explained that the \$10 rate is what the Mayor is proposing.

In Fiscal Year 2016, the City must generate approximately \$22.3 million in the water enterprise fund and \$30.6 million in the sewer enterprise fund to cover the costs of the MWRA assessments, operations, and capital improvements for each utility. At this point, 2,707 residential property owners have signed up for second meters, which results in a loss of revenue generated equal to the cost of between 160,000 and 170,000 HCFs in the sewer fund. The loss of revenue must be recovered through increases in the sewer rates.

Ms. Lemieux also provided the attached draft ordinance language to create a tiered storm water rate structure based on square feet of impervious surface area, which included proposed storm water rates. It was noted that the proposed rates are annual rates not quarterly as stated on the handout. Most residential and small commercial properties (21,665 accounts) would fall into the first tier that is based on properties with between one and 11,999 square feet of impervious

surface area and would be charged a \$75 storm water fee. There are approximately 330 properties that have between 12,000 and 24,999 square feet of impervious surface that would be charged a \$250 fee, 140 properties that have between 25,000 and 49,999 square feet of impervious surface area that would be charged a \$500 fee, 106 properties that have between 50,000 and 99,000 square feet of impervious surface that would be charged a \$1,000 fee, and 77 accounts that have 100,000 or greater square feet of impervious surface that would be charged a \$1,500 fee. There was a suggestion that the Administration consider adding tiers after the 100,000 square feet and above tier.

The proposed fees would generate estimated revenue of just under \$2 million for the storm water fund. The storm water utility needs \$1.25 million for operations, \$100,000 for a dedicated reserve, and \$450,000 for capital projects and/or EPA permitting fees in the first year. The Administration plans to continue to refine the City's impervious surface data to base storm water fees on more precise measurements of impervious surface area.

The estimated storm water fund revenue takes into account \$150,000 in storm water fee credits for which property owners may qualify if they have installed storm water mitigation systems. The City offers credits against the storm water fee for properties that mitigate storm water runoff. The current storm water credit policy states that no property can exceed credits for more than 75% of the storm water fee. The Committee supported amending the storm water credit policy to allow for no more than 50% in credits for storm water runoff mitigation. The 50% in credits may provide incentive to property owners to install storm water retention systems.

The proposed rates and fees will generate approximately \$54.5 million in revenue for all utilities. The overall increase is under the maximum 3.9% overall increase in rates that the Administration committed to a few years ago. Ms. Lemieux worked to keep the overall increase low as she felt that there were many changes in the rates and most residents would be seeing an increase in their sewer bill. The rates presented showed lower-end users would see about an 8% increase due to the proposed \$50 increase in their storm water bill. The larger user is seeing a smaller percentage increase but a larger dollar increase.

A Committee member requested that within the first year the Administration review and analyzes actual impacts from the rates restructuring. Others said it would be helpful to understand the rationale used to develop the water and sewer rates before the rate public hearing. Maureen Lemieux responded that there is a significant amount of analysis that goes into developing the rates. The lowest rate cannot be set too low, as all property owners pay the lowest rate for the first ten HCFs used.

There was some concern among the Committee members that the overall increase to the rates does not seem to keep up with inflation. Ms. Lemieux responded that the upcoming budget reflects the actual needs of the Utilities Division and the proposed rates generate the needed revenue for that budget. A complete breakout of the Utilities Division budget will be included in the Fiscal Year 2016 Budget.

The Committee asked that the Finance Committee be provided with the budget to actual numbers for this year's Utilities Division budget and next year's budget for the division. A breakout of the reserves for water and sewer was also requested for the Finance Committee meeting. The Committee members would also like to understand what property owners are paying now and what they will pay next year for each of the utilities.

Regarding storm water fees, some properties, which contain multiple buildings, each having a separate account, are currently charged a storm water fee for each account. The impervious surface model must change that accounting. For the ordinance, we must resolve and the language must make clear how the City is charging property owners that have multiple buildings on one lot and/or that have multiple mailing addresses on one lot. Ms. Lemieux did not have that information available but could provide it for the next meeting. There was also a request for a list of all property owners with multiple buildings on one lot and/or multiple addresses. The list should also include what those property owners are currently paying and what they would be paying under the proposed rates for storm water. Before the Committee can take an action on the proposed changes to the storm water fee, it must have a redline draft of the entire ordinance. With that, Ald. Albright moved hold, which carried unanimously

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#88-15 HIS HONOR THE MAYOR requesting authorization to transfer the sum of six hundred thousand dollars (\$600,000) from the Department of Public Works Salaries Account to the Department of Public Works Contracted Snow Removal Account for the purpose of funding the contracted labor final bills. [04/03/15 @ 9:45 AM]

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

**NOTE:** Commissioner of Public Works David Turocy presented the request to transfer 600,000 from the Public Works Salaries Account to the Public Works Contracted Snow Removal Account. At the time of previous appropriations and/or transfers to this year's snow and ice removal operations, it was difficult to determine how much money should be placed in each of the accounts. Now that the winter is over, it is apparent that the department needs less money in the salaries account and more in the contracted snow removal account. Ald. Laredo moved approval, which carried by a vote of seven in favor and one opposed.

#153-13 PUBLIC FACILITIES COMMITTEE requesting periodic updates on the progress of the citywide storm water system assessment needed to define the scope of repairs to the system, as well as methods of financing the assessment and an accounting of the storm water enterprise fund. [04/02/13 @ 11:02 AM]

**ACTION:** **HELD 7-0 (Danberg not voting)**

**NOTE:** The Committee voted unanimously to hold the above item until the discussion regarding a change to the fee structure for the storm water use is complete.

#14-14      ALD. ALBRIGHT, JOHNSON & NORTON requesting a discussion of the snow removal operations during the last storm including information on the use of brine and how it worked, the effectiveness of the new snow melter, snow dumping, and what can be done to make city sidewalks safe in the event of an ice storm.

12/20/13 @ 4:21 PM]

**ACTION:**      **NO ACTION NECESSARY 7-0 (Danberg not voting)**

**NOTE:**      Ald. Albright moved no action necessary on the item, as there are two other similar, more recent snow removal operations docket items before the Committee. The Committee voted unanimously to support the motion.

Respectfully submitted,

Deborah Crossley, Chairman

**Sec. 29-80. Sewer /Stormwater use charge.**

(a) Every estate whose building sewers discharge directly or indirectly into public sewers of the city, shall pay a charge for the use of main drains, stormwater facilities and sewage works except that a charge for use of sewage works or a charge for stormwater use shall not be made for water consumption registered on or attributable to outdoor meters installed at residential properties in accordance with the provisions of section 29-24 of this chapter.

(b) Sewer/Stormwater rates

(1) Such sewer/stormwater use bills shall be issued on a quarterly basis. Each sewer/stormwater use bill shall consist of two components as follows:

a) A charge for use of main drains and stormwater facilities which shall be based upon square footage of impervious surface area according to the following table:

<u>Square feet of impervious surface area</u>	<u>Quarterly rate</u>	
1- <del>11,999</del> ,999	<u>\$ 75.00</u>	\$ xx.xx
120,000 - <del>249</del> ,999	<u>\$250.00</u>	xx.xx
250,000- 49,999	<u>\$500.00</u>	xx.xx
50,000 - 99,999	<u>\$1,000.00</u>	xx.xx
100,000 and greater — <del>199,999</del>	<u>\$1,500.00</u>	\$ xx.xx
<del>200,000 and greater</del>	<u>\$xxx.xx</u>	

