

CITY OF NEWTON
IN BOARD OF ALDERMEN
PUBLIC FACILITIES COMMITTEE AGENDA

WEDNESDAY, APRIL 23, 2014

7:00 PM
Room 209

ITEMS SCHEDULED FOR DISCUSSION:

Public hearing assigned April 23, 2014:

#118-14 MICHAEL C. CHASE AND ARTHUR X. DUFFEY, Trustees of 190 Forest Avenue Realty Trust, c/o Rex Capital Advisors, 50 Park Row West, Suite 113, Providence, Rhode Island, petitioning for sewer main extension in FOREST AVENUE from an existing sewer manhole located near 177 and 180 Forest Avenue 260' ± southwesterly to a proposed sewer manhole in Forest Avenue. [03/31/14 @ 1:22 PM]

Public hearing assigned April 23, 2014:

#117-14 NATIONAL GRID petitioning for a grant of location to install and maintain 30' ± of 4" gas main in HEATHERLAND ROAD from the existing 4" gas main at 18 Heatherland Road 30' in a easterly direction to provide service to 65 Andrew Street. [03/17/14 @ 3:11 PM]

Re-appointment by His Honor the Mayor

#142-14 LAWRENCE KAUFMAN, 362 California Street, Nonantum, re-appointed as a member of the Newton Citizens Commission on Energy for a term to expire on April 15, 2015. (60 days 06/21/14). [04/01/14 @ 2:18 PM]

Re-appointment by His Honor the Mayor

#143-14 HALINA BROWN, Ph.D., 56 Cloverdale Road, Newton Centre, re-appointed as a member of the Newton Citizens Commission on Energy for a term to expire on April 15, 2017. (60 days 06/21/14). [04/01/14 @ 2:18 PM]

Re-appointment by His Honor the Mayor

#144-14 JONATHAN KANTAR, 672 Chestnut Street, Waban, re-appointed as a member of the Newton Citizens Commission on Energy for a term to expire on April 15, 2016. (60 days 06/21/14). [04/01/14 @ 2:18 PM]

The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, please contact the Newton ADA Coordinator, Joel Reider, at least two days in advance of the meeting: jreider@newtonma.gov . or 617-796-1145. For Telecommunications Relay Service dial 711.

#200-13(2) ALD. JOHNSON proposing amendment(s) to Chapter 27 of the city ordinances relative to signs on sidewalks, traffic islands, and other city property to establish an application process for placing signs (sandwich boards, placards, and showboards), which includes requirements, timelines for posting and removal of signs. [02/26/14 @ 9:07 AM]

#367-09 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]

ITEMS NOT SCHEDULED FOR DISCUSSION:

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#403-13(3) HIS HONOR THE MAYOR submitting recommended FY2015 Water and Sewer Rates for implementation on July 1, 2014, as follows:

<u>HCF Per Quarter</u>	<u>Water Rate Per HCF</u>		<u>Sewer Rate Per HCF</u>	
	Old	New	Old	New
0 - 20	\$5.84	\$6.07	\$8.60	\$8.94
21 – 70	\$7.00	\$7.27	\$10.33	\$10.73
>70	\$8.41	\$8.74	\$12.40	\$12.88

[04/14/14 @ 5:43 PM]

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

#403-13(2) HIS HONOR THE MAYOR submitting in accordance with Section 5-1 of the City of Newton Charter the FY15 Municipal/School Operating Budget totaling \$345,044,967 passage of which shall be concurrent with the FY15-FY19 Capital Improvement Program (#403-13). [04/14/14 @ 5:43 PM]
EFFECTIVE DATE OF SUBMISSION 04/22/14; LAST DATE TO PASS THE BUDGET 06/06/14

Appointment by His Honor the Mayor

#141-14 CAROLINE WILSON, 38 Beethoven Avenue, Waban appointed to the Design Review Committee as the Community Representative for the Zervas Elementary School Project. [04/01/14 @ 2:18 PM]

REFERRED TO PROGRAMS & SERVICES AND PUBLIC FACILITIES COMMITTEES

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

#62-14 ALD. CROSSLEY, HESS-MAHAN, ALBRIGHT AND SALVUCCI requesting a report from the administration on the status of the City strategy to meet its obligations as a Department of Energy Resources Green Community, to reduce municipal energy consumption by 20% over five years, particularly regarding advancing the implementation of the building energy audits program recommending energy efficiency measures in existing buildings, and how that strategy is incorporated into the capital improvement plan. [02/24/14 @ 6:35 PM]

#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]

#417-13 PUBLIC FACILITIES COMMITTEE requesting that the Administration provide updates on the progress of the Angier Elementary School project. [11/21/13 @ 9:16 AM]

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

#403-13 HIS HONOR THE MAYOR submitting the FY15-FY19 Capital Improvement Plan and Long Range Projection pursuant to section 5-3 of the Newton City Charter. [10/21/13 @ 9:59 AM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#288-13 PUBLIC FACILITIES & FINANCE COMMITTEES requesting that the Administration update the Board of Aldermen when a funding source is determined for the Zervas Elementary School Feasibility Study. [07-11-13 @ 10:10 AM]

#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]

#131-13 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. [03/23/13 @ 11:13 AM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #41-13 ALD. CROSSLEY, FULLER AND SALVUCCI requesting a discussion with the administration to review how the city inventories, plans for, budgets and accounts for needed smaller capital expenditures (currently set at under \$75,000), which are excluded from the Capital Improvement Plan (CIP); how to make these non-CIP capital maintenance items visible, and how to integrate them with the overall planning, CIP, and budgeting processes. [01/14/13 @ 5:02 PM]
- #301-12(2) PUBLIC FACILITIES COMMITTEE requesting updates on the progress of the Carr School Renovation Project.

REFERRED TO PROG & SERV, PUB. FAC., ZAP, AND FINANCE COMMITTEES

- #256-12 ALD. HESS-MAHAN, SANGIOLO & SWISTON proposing and ordinance promoting economic development and the mobile food truck industry in the City of Newton. [08/06/12 @4:46 PM]
- #246-12 RECODIFICATION COMMITTEE recommending Sec. 25-1, which requires a permit to create a trench, be reviewed to determine if a new section relative to excavation should be established to regulate unsafe excavation beyond the regulation of trenches, as the City Engineer has advised that all trenches are excavations, but not all excavations are trenches, which amendment would replace **Sec. 20-53. Excavations; protection; erection of barriers.**, which was deleted as part of recodification because it conflicted with Sec. 25-1.
- #245-12 RECODIFICATION COMMITTEE recommending that Chapter 11, RECYCLING AND TRASH as most recently amended by Ordinance Z-68 and Z-87, dated 6/21/10 and 5/16/11, respectively, be reviewed and be amended as necessary.

REFERRED TO PROG. & SERV AND PUBLIC FACILITIES COMMITTEES

- #36-12 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]

REFERRED TO PS&T AND PUBLIC FACILITIES COMMITTEES

#413-11 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]

#253-07 ALD. LINSKY ALBRIGHT, JOHNSON, HARNEY, SANGIOLO, SALVUCCI, MANSFIELD, BURG, SCHNIFFER requesting (1) a review as to how provisions of applicable ordinances, specifically 5-58, were implemented during the course of the Newton North project, and (2) consider proposed revisions of 5-58 including, but not limited to:

- (a) timely provision of documentation by the public building department to the Board of Aldermen and Design Review Committee;
- (b) establishment of liaison committees to facilitate communications and input from neighborhoods affected by projects subject to this ordinance;
- (c) approval of final design plans by the Board of Aldermen of projects subject to this ordinance;
- (d) oversight during the construction phase of projects subject to this ordinance by appropriate Board committee(s) both in respect to approval of change orders as well as design changes; and
- (e) generation of a required record detailing the entire construction process by the public building department to guide present and future oversight of projects subject to this ordinance.
- (f) establishment of a committee to provide oversight for public building construction and renovation during all phases of planning, design and construction. [08/07/07 @ 3:12 PM]

Respectfully submitted,

Deborah Crossley, Chairman

Sewer Easement Description

An easement in the strip of land located in the City of Newton, County of Middlesex, Commonwealth of Massachusetts, depicted on a Sewer Easement Plan of Land prepared by Meridian Associates, Inc. dated March 28, 2014, prepared for Forest Avenue Realty Trust, to be recorded herewith, generally bounded and described as follows:

Commencing at point A on the aforesaid plan, which point A is at the southwestern corner of a September 23, 1929 main drain and common sewer easement taking recorded at the Middlesex South Registry of Deeds in Book 5406, Page 553, which 1929 taking is depicted on Plan No. 1230 of 1929, recorded at said Registry in Book 5406, Page 541; thence running:

- | | |
|---------------|--|
| S 41°49'46" E | a distance of forty-two and 38/100 (42.38') feet to point B on the aforesaid Meridian Associates plan to be recorded herewith, which point B is at the southeastern corner of the aforesaid 1929 main drain and common sewer easement taking; thence running |
| S 28°52'31" W | a distance of two hundred eighty and 48/100 (280.48') feet to point C on the aforesaid Meridian Associates plan to be recorded herewith; thence running |
| N 61°07'29" W | a distance of thirty-four and 53/100 (34.53') feet to point D on the aforesaid Meridian Associates plan to be recorded herewith; thence running |
| N 16°07'46" E | a distance of twenty-four and 77/100 (24.77') feet to point E on the aforesaid Meridian Associates plan to be recorded herewith; thence running |
| N 28°52'31" E | a distance of two hundred seventy and 32/100 (270.32') feet to the point of beginning. |

Said Easement contains eleven thousand, four hundred and thirty-two more or less (11,432±) square feet, as depicted on said Plan.

Final Label Report

#118-14

SBL	Owner	Number	Street	Unit
32053 0059	MOERSCHNER MARJORIE D		FOREST AVE WST	
32052 0001	KIBEL ADAM	146	FOREST AVE WST	
32053 0057	WHITE BRANDON F & NANCY A	161	FOREST AVE WST	
32053 0042	GIDDON PHOEBE L	170	FOREST AVE WST	
32053 0058	MOERSCHNER MARJORIE D	177	FOREST AVE WST	
32053 0043	HARDAWAY EILEEN G	180	FOREST AVE WST	
32053 0044	DUFFY ARTHUR & CHASE MICHAEL TRS	190	FOREST AVE WST	
32053 0045	GERVIS ROBERT M & LAURIE L	204	FOREST AVE WST	
32051 0012	KELLEY EDWARD C JR & MARY ELLEN	350	HIGHLAND ST	
32053 0041	STAVIS FREDERICK & RUTH TR	363	HIGHLAND ST	
32053 0052	SMITH MARGARET E	32	SYLVAN AVE	
32053 0051	DUFFY ARTHUR X TR	44	SYLVAN AVE	

CITY OF NEWTON
ENGINEERING DIVISION

MEMORANDUM

To: Ald. Deborah Crossley, Facilities Committee Chair.

From: John Daghlian, Associate City Engineer

Re: Forest Avenue Sewer Main Extension

Date: April 10, 2014

CC: Lou Taverna, PE City Engineer
Robert Waddick, Associate City Solicitor
Shawna Sullivan, Associate City Clerk

In reference to the above location, the following are my comments for a plan entitled:

*Forest Avenue
Sewer Main Extension
Prepared by: Stantec
Dated: March 28, 2014*

Executive Summary:

The property owner of #190 Forest Avenue has submitted a sewer main petition and design plan to extend the sanitary sewer main that currently ends at #180 Forest Avenue (a private way). The extension of the municipal sewer main is approximately 266-feet southerly to an end of the line manhole that will service #190 and #204 Forest Avenue. These two properties are currently serviced for sewer via a common private connection (clay pipe) that runs through #44 Sylvan Avenue. At one time, the three properties #190 & 204 Forest Avenue and #44 Sylvan Avenue were on large estate, thus the common sewer connection. The property owner of #190 Forest Avenue and #44 Sylvan Avenue are the same party.

The proposed easement is approximately 40 feet wide and is similar to the existing sewer easement on the northerly portion of Forest Avenue, which is also a private way from #180 Forest Avenue to the intersection of Highland Street. The easement will be in the form of a taking similar to other City easements. The benefit of this main extension is that the old clay pipe, which is a source of infiltration, will be eliminated and the petitioner is funding 100% of all construction costs.

Conditions & Special Provisions:

1. The backfilling of the sewer main and services connections shall be with Control Density Fill (CDF) Type I-E Excavatable type, for the entire alignment.
2. The existing sewer manhole on #204 Forest Avenue shall be completely removed once the new service connection is operational.
3. After the sewer main & manholes have been tested and approved the entire length and width of the paved surface shall be overlaid with 1-1/2" Type I-1 bituminous concrete.
4. Any service connections and or existing utilities that are disturbed by the contractor of record during construction shall be updated and replaced to the City's current Construction Standards.
5. All downstream catch basins shall be retrofitted with an approved type of siltation control devices, details of this shall be submitted to the City Engineer. The contractor of record shall maintain these catch basins throughout the construction process, and ensure that street and property flooding does not occur during construction.
6. The contractor of record shall contact the Newton Police Department and arrange for Police Detail to help residents navigate around the construction equipment.
7. The proposed main, manholes, and service connections shall be pressure tested in accordance to the City's Construction Standards. A representative of the Engineering Division shall witness the testing, 48-hours prior notification shall be given prior to the inspection.
8. All sewer manholes shall be vacuum tested in accordance to the City's Construction Standards & Specifications. The sewer service will NOT be accepted until one of the two methods stated above is completed. All testing MUST be witnessed by a representative of the Engineering Division. A Certificate of Occupancy will not be recommended until this test is completed and a written report is received by the City Engineer.
9. The test results shall be submitted in type written report format to the City Engineer.

10. Upon final installation & testing of the sewer system an As Built drawing [plan & profile] indicating rim, invert elevations, and slopes stamped by a Professional Engineer shall be submitted in digital and hard copy (Mylar) format to the City Engineer.
11. The contractor of record shall obtain a Utility Connection Permit with the DPW prior to construction.
12. The contractor of record shall contact the Newton Police Department and arrange for Police Detail to help residents navigate around the construction activity.
13. The easement document and plan shall be recorded at the Middlesex Registry of Deeds prior to the acceptance of the sanitary sewer main. The applicant shall submit a copy of the recording instrument from the Registry. Mylar and electronic copies stamped by a Professional Licensed Surveyor shall be submitted to the City Engineer's office.

If you have any questions or concerns please call me at 617-796-1023.

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

I. IDENTIFICATION (Please Type or Print Clearly)

Company Name National Grid

Address 40 Sylvan Rd.
Waltham, Ma. 02451

Phone Number 617-293-0480 Fax Number _____

Contact Person Dennis Regan Title _____

Signature Patrick H. Kelleher (acting permits Date 3-14-14
Person filing application Rep.)

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

RECEIVED
NEWTON CITY CLERK
MARCH 17 7 PM 31
CITY OF NEWTON
MASSACHUSETTS

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.

To install and maintain approx. 30 ft. more or less of 4" gas main in Heatherland Rd, Newton From existing 4" gas main @ house # 18, Northely to rear of house # 65 Andrew St., for gas service

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

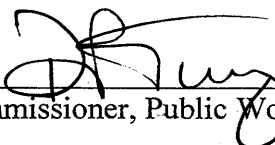
DATE AND COMMENTS:

3/19/14

RECOMMENDATIONS:

1. Street opening permit required from City of Newton ✓	1. 36" minimum cover on all trench boxes
2. Notify Engineering 48 hours prior to work.	2. Backfill shall be 95% compaction.
3. Police detail required	3. Bituminous concrete roadway shall be replaced in kind to City of Newton specifications.
<i>B. J. O'Shea</i>	4. Bituminous concrete sidewalk and concrete curbs damaged shall be replaced in kind and grade to City of Newton specifications.
<i>L. Torrens 3/19/14</i>	5. Trees shall be protected from any damage.
	6. Traffic shall be maintained.

V. RECOMMENDATION TO PUBLIC FACILITIES COMMITTEE:


Commissioner, Public Works

3/19/14
Date

City of Newton / Board of Aldermen:

The Nationalgrid hereby respectfully requests your consent to the locations of mains as hereinafter described for the transmission and distribution of gas in and under the following public streets, lanes, highways and places of the **City of Newton** and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same:

To install and maintain approximately 30 feet, more or less of 4 inch gas main in Heatherland Rd., Newton. From the existing 4 inch gas main at house # 18, northerly to the rear of house # 65 Andrew St., for a new gas service.

Date: March 12, 2014

By: Dennis K Regan (D.K.R.)
Dennis K Regan
Permit Representative

RECEIVED
NEWTON CITY
2014 MAR 17
DAVID A. O'CONNOR
NEWTON, MA

City of Newton Board of Aldermen:

IT IS HEREBY ORDERED that the locations of the mains of the Nationalgrid for the transmission and distribution of gas in and under the public streets, lanes, highways and places of the **City of Newton** substantially as described in the petition date March 12, 2014 attached hereto and hereby made a part hereof, and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and/or accomplish the objects of said Company, and the digging up and opening the ground to lay or place same, are hereby consented to and approved.

The said Nationalgrid shall comply with all applicable provisions of law and ordinances of the **City of Newton** applicable to the enjoyment of said locations and rights.

Date this _____ day of _____, 20____.

I hereby certify that the foregoing order was duly adopted by the _____ of the City of _____, MA on the _____ day of _____, 20____.

By: _____

Title

MN # 144-8502-961409

**RETURN ORIGINAL TO THE PERMIT SECION
NATIONAL GRID
40 SYLVAN RD, WALTHAM, MA 02451
RETAIN DUPLICATE FOR YOUR RECORDS**

Final Label Report

#117-14

SBL	Owner	Number	Street	Unit
83007 007A	BERNSTEIN-NAHAR AVI K & ELIZABETH K	45	ANDREW ST	
83006A0003	NGUYEN DAVID & ROWENA	50	ANDREW ST	
83007 0008	ARONOV IGOR & OLGA	53	ANDREW ST	
83006A0002	HAMADA RONA S TR	58	ANDREW ST	
83020 0001	FOLKER ERIC	65	ANDREW ST	
83006A0001	KALIS DAVID A & ANNE C	66	ANDREW ST	
83020 0001A	RAZOV SERGEY & ALLA	71	ANDREW ST	
83006 0029	HOLT PAUL S & AMY TR	75	ANDREW ST	
83006 0028	METGHALCHI MAHAMAD & FLORA	83	ANDREW ST	
83020 0002	FREEDMAN SHARI	18	HEATHERLAND RD	
83020 0003	MEEKER AMY J	22	HEATHERLAND RD	
83020 0004	DAHL DAVID K & KATHRYN K	28	HEATHERLAND RD	
83008 0012	ZHANG RAYMOND	61	VERNDALE RD	
83007 0009	KOHRMAN ALLAN S	66	VERNDALE RD	

Executive Department
City of Newton, Massachusetts

2086 JUL 12 AM 10:25

APPLICATION FOR COMMITTEE APPOINTMENT

CITY CLERK
NEWTON, MA. 02159

NOTE: PLEASE SUBMIT THIS COMPLETED APPLICATION FORM TO THE MAYOR'S OFFICE WITHIN 14 DAYS, WITH A COPY OF YOUR RESUME ATTACHED.

Name: LAWRENCE KAUFMAN

Business Address: SAME

Business Telephone Number: "

Type of Business: ENGINEERING & INVESTMENTS

Position Held:

EDUCATION: (Please give dates attended)

BAYONNE JR. COLLEGE - 1947-1950

UNIVERSITY OF MICHIGAN - 1950-1958

What community activities interest you? CONSERVATION, TRAFFIC ENFORCEMENT

Names of committees you have belonged to within the past five years. (Be sure to include the purpose or role of the committee, any offices held and date of membership)

NEWTON HOUSEWARMING (INCL. ENERGY FAIR)

What community activities have you participated in?

a) Organizations: JEWISH WAR VETS, OAK HILL PARK COMMUN. HOUSE

b) Offices Held: PAST COMMANDER, PLANNING COMM.

c) NEWTON HOUSEWARMING, SENIOR COMM. REL. COUNCIL ENERGY COMMITTEE

d) ENERGY FAIR & SEMINAR LEADER, (OVER)

**NEWTON CITIZENS COMMISSION ON ENERGY
BOARD OF ALDERMAN REVIEW
APPLICATION APPOINTMENT ADDENDUM**

2006 JUN 12 AM 10:25
CITY CLERK
NEWTON, MA. 02159

Qualifications:

Registered Professional Engineer
Michigan (by 3-day written examination)
Massachusetts (by reciprocity)
Education - In excess of 220 university credit (semester) hours

Professional Experience:

University of Michigan - 7 years
Nuclear Engineering Laboratory
Chemical Engineering Department
Engineering Research Institute - Associate Research Engineer
Sylvania Electric Co. > General Telephone & Electronics > GTE - 20+ years
Sonicraft Corporation - 2 years

Nonprofessional Experience:

Boy Scout camp counselor, Alongshoreman, Teamster
Army of the United States - rifleman, radio operator

Licenses held:

FCC First Class Radio Telephone Operator
FCC Amateur Radio stations
U.S. Fallout Shelter Analyst

Community Activities:

Newton/Brookline Noise (Level) Ordinance Task Force
Newton Citizens Commission on Energy
Power Outage Task Force
Street Lighting Task Force
Bicycle/Pedestrian Task Force
NewtonServes - Logistics Committee Chair

February 2014

HALINA SZEJNWALD BROWN

Environmental Science and Policy Program
 IDCE Department (International Development,
 Community and Environment)
 Clark University
 950 Main Street
 Worcester, MA 01610-1477

Present Position. Since 1994

Professor of Environmental Science and Policy, Clark University
 Senior Scholar: George Perkins Marsh Institute, Clark University

Education

B.A., Chemistry, Washington University of St. Louis
 Ph.D., Chemistry, New York University

Current Research Areas

Socio-technical system innovation in sustainability transition; Sustainable production and consumption; Grassroots socio-technical innovations in energy efficiency and generation; Environmental policy; Corporate social responsibility; Comparative international policy; Sustainability reporting systems; Environmental public health policy; Environmental toxicology and risk assessment.

Current Professional Positions

Co-founder and Member of Executive Board: *Sustainable Consumption Research and Action Initiative* (www.Scorai.org)
 Member of Editorial Board: *New Solutions*

Current Teaching

Environmental Pollution Policy: the US Perspective (*Advanced*)
 Sustainable Consumption and Production (*Advanced*)
 Environmental Toxicology (*Advanced*)
 Research Seminar on Energy and Sustainability (*Advanced*)

Previous Positions

- 2010 April-May: EU Erasmus Mundus Visiting Professor, Department of Environmental Management, Central European University, Budapest, Hungary
- 2008-9 Director, Department of International Development, Community and Environment, Clark University
- 2006 January-May: Visiting Professor, Department of Innovation Studies, University of Utrecht, the Netherlands

2. Brown, H.S.; Shapiro, R. Conformation of Aromatic Substituted Dinucleoside Phosphates: An Extension of the Base Displacement Theory of Carcinogenesis. *Biochemistry* 1977, 16, 1229-1235.
3. Brown, H.S. Jeffrey, A.M.; Weinstein, I.B. Formation of DNA Adducts in 10T1/2 Mouse Embryo Fibroblasts Incubated with Benzo(a)pyrene or Dihydrodiol Oxide Derivatives, *Cancer Research* 1979, 39, 1673-1677.
4. Brown, H.S., Bishop, D.R. Rowan, C.A. The Role of Skin Absorption as a Route of Exposure for Volatile Organic Compounds (VOC) in Drinking Water. *American Journal of Public Health* 1984, 74, 479-484.
5. Rowan, C.A., Connolly, W.M. and Brown, H.S. An Evaluation of the Use of Occupational Standards for Controlling Toxic Air Pollutants. *Journal of Environmental Science and Health B* 1984, 19, 611-648.
6. Brown, H.S. Regulating Environmental Pollutants: A View from a State Agency. In Homburger, F., ed., 1985, *Safety Evaluation and Regulation of Chemicals. Volume 2*, 40-49. Basel: Karger.
7. Brown, H.S. Estimation of Human Daily Dose of Organic Contaminants in Drinking Water. In Homburger, F., ed., 1985, *Safety Evaluation and Regulation of Chemicals. Volume 1*, 50-57. Basel: Karger.
8. Brown, H. S.; West, C. R.; Bishop, D. R. Methodology for Assessing Developmental and Reproductive Hazards of Chemicals. *Toxicology and Industrial Health* 1986, 2, 205-218

- 2002 January-June: Visiting Professor, Environment, Technology and Policy Department (TBM), Technical University of Delft, the Netherlands
- 1990- 1998 Chair, Department of Environmental Science and Policy, Clark University
- 1994- 1998 Director and founder, Environmental School, Clark University
- 1985-1994 Associate Professor of Environmental Health and Policy, Clark University
- 1980-1985 Director, Office of Research and Standards, Massachusetts Department of Environmental Protection.
Directed and represented the state environmental agency's activities in the areas of risk assessment, public health policy, and environmental research.
- 1978-1980 Research Fellow, Massachusetts Institute of Technology. Department of Applied Biological Sciences. Molecular toxicology.
- 1976-1978 Research Fellow, Columbia University Cancer Research Institute. Division of Environmental Sciences. Mechanisms of carcinogenesis.

Awards and Honors

Elected Fellow of the International Society for Risk Analysis

Elected Fellow of the American Association for the Advancement of Science

Publications

Books

Brown, H. S.; Derr, P.; Renn, O.; White, A. L. *Corporate Environmentalism in a Global Economy; Societal Values in International Technology Transfer*, Quorum Books, 1993.

Brown, H.S.; Angel, D.; Derr, P. *Effective Environmental Regulation: Lessons from Poland's Experience*. Praeger 2000.

Cohen, M., Brown, H.S. and Vergragt, P (eds.) *Meeting the Crises of a Constrained World: Socio-Technical Transitions, Social Practices, and the New Economics* Edward Elgar, 2013.

Peer Reviewed and Invited Articles, and Book Chapters

1. Brown, H.S; Shapiro, R. Preparation of Enzymatic Hydrolysis of Dinucleoside Monophosphates and DNA Modified with Aromatic Residues, *Biochim .Biophys. Acta* 1977, 475, 241-253.

20. White, A. L.; Brown, H. S.; Himmelberger, J. J. Corporate Environmentalism in Developing Countries: A Tale of Three Multinationals, *International Environmental Affairs* 1992, 4 (4), 338-360.
21. Brown, H. S.; Himmelberger, J. J.; White, A. L. Development-Environment Interactions in the Export of Hazardous Technologies: A Comparative Study of Three Multinational Affiliates in Developing Countries, *Technological Forecasting and Social Change* 1993, 43, 125-155.
22. Webler, T.; Brown, H. S. Population Exposure to Tetrachloroethylene via Contaminated Drinking Water Pipes in Massachusetts: A Predictive Model, *Archives of Environmental Health* 1993, 48, 293-297.
23. Brown, H. S.; Goble, R. L. Industrial Development and Population Cancer in Poland. In Levy, B. Ed. *Environment and Health in Eastern Europe*. Proceedings of the Symposium on Occupational and Environmental Health, Pultusk, Poland, June 29-July 2, 1992, Management Sciences for Health, Boston, 1994.
24. Brown, H. S. Lessons from Bhopal, *Chemical and Engineering News* 1994 (October), 38-39.
25. Shatkin, J.A., H.S. Brown and S. Licht 1995. Composite Graphite Ion Selective Electrode Array Potentiometry for the Detection of Mercury and Other Relevant Ions in Aquatic Systems. *Anal. Chem.* 67: 1147-1151.
26. Himmelberger, J.; Brown, H. S. Global Corporate Environmentalism: Theoretical Expectations and Empirical Experience. *Business Strategy and the Environment* 1995. 4. 192-199.

37. Broszkiewicz, R., Brown, H.S. and Hibner, Z. Occupational and Environmental Status of Polish Industry: A Comparative Study of Private and Public Sectors. *New Solutions*. 2002, 12(3): 263-280.
38. Brown, H.S., Vergragt, P. Green, K. and Berchicci, L. Learning for Sustainability Transition through Bounded Socio-technical Experiments in Personal Mobility. *Technology Analysis and Strategic Management*. 2003, 15: 291-315.
39. Brown, H.S. "Can Poland's Success in Environmental Policy Reforms Translate to Technological Innovation for Environment?" In: Weber, M. and Hemmelskamp, J., eds., *Towards Environmental Innovation Systems*. Heidelberg: Springer, 2005, pp. 81-96.
40. Brown, H.S. and Vergragt, P. "System Innovation through Experiments in Individual Mobility". In: Elzen, B., Geels, F. and Green, K. *System Innovation and the Transition to Sustainability: Theory, Evidence and Policy*. Edward Elgar. 2005: pp.191-222.
41. Brown, H.S. and C. Carbone, Learning through Technological Innovation in Personal Mobility: The Cases of Gismo and Sparrow. In Nieuwenhuis, P., ed. *The Business of Sustainable Mobility: From Vision to Reality*. Greenleaf Publishing, 2006 (pp. 112-124).
42. Brown, H.S. and C. Carbone, Technological Innovation in Personal Mobility as Vehicles for Social Learning. *Greener Management International*. July 2006: 77-88.
43. Brown, H.S., Institutional Transplantation within Borders: Transformation of Environmental Regulatory System in Poland during the 1990s. *Knowledge, Technology, and Policy*. Winter 2007: 26- 43.
44. Vergragt, P., and Brown, H.S., Sustainable Mobility: From Technological Innovations to Societal Learning. *Journal of Cleaner Production* 2007, 15: 1104-1115.
45. Brown, H.S. and P. J. Vergragt. 2008. Bounded Socio-Technical Experiments as Agents of Systemic Change: The Case of a zero-Energy Residential Building. *Technological Forecasting and Social Change* 75: 107-130.
46. Vergragt, P.J. and H.S. Brown. 2008. Genetic Engineering in Agriculture: New Approaches to Generating Societal Consensus. *Technological Forecasting and Social Change* 75: 783-798.
47. Brown, H.S., de Jong, M. and Lessidrenska, T. 2009. "The Rise of Global Reporting Initiative (GRI) as a Case of Institutional Entrepreneurship." *Environmental Politics*. 18(2): 182-200.
48. Brown, H., De Jong, M., and Levy, D. 2009. "Building Institutions Based on Information Disclosure: Lessons from GRI's Sustainability Reporting." *Journal of Cleaner Production* 17(4): 571-580.
49. Levy, D., Brown, H.S., and de Jong, M. 2010. "NGO Strategies and the Politics of Corporate Governance: the Case of Global Reporting Initiative." *Business and Society* 49: 88-115.
50. Vergragt, P.J. and H.S. Brown. 2010. "Genetic Engineering in Agriculture: The Role of Small Scale Experimentation and Standardized Sustainability Reporting for Risk Management and Policy Development". In: Michael Baram Ed. *Safety in Applying Genetic Engineering in Agriculture*. Springer.
51. Levy, David L. and Halina Brown. 2010. "The Global Reporting Initiative: Collaboration and conflict in the development of non-financial reporting." In: Subhash Jain and Ben Kedia (eds.), *Enhancing Global Competitiveness through Sustainable Environmental Stewardship*. PP. 129-152. London: Edward Elgar
52. Book Review. Brown, H.S. 2010. "Energy Efficiency and Sustainable Consumption: the Rebound Effect", by Horace Herring and Steve Sorrell. *Sustainability: Science, Practice, & Policy* 6(2): 41-42.

53. Levy, David L. and Halina Brown 2011. "The Global Reporting Initiative: The Promise and Limitations of Non-Financial Reporting for Corporate Governance." In: Reed, Utting and Mukherjee-Reed (eds). *Business, Non-State Regulation and Development*, New York: Routledge, pp. 46-60.
54. Brown, Halina S. "Global Reporting Initiative" 2011. In Thomas Hale and David Held, eds. *Handbook of Innovations in Transnational Governance*, Polity Press, pp. 91-95.
55. Brown, Halina s. And Philip Vergragt 2011. "An innovative approach to designing a zero-energy residential building in Boston: enhancing and monitoring learning." In: Lahlou, Saadi *Case Studies in Sustainable Consumption and Production: Energy Use and the Built Environment. System Innovation for Sustainability Series, Volume 4*. Aizlewood's Mill: Greenleaf Publishing, Pages 27-52.
56. Cohen, M.J., Brown, H.S. and P.J. Vergragt 2011. Individual Consumption and Systemic Societal Transformation: Introduction to the Special Issue 2011. *Sustainability: Science, Practice and Policy*. 6(2): 6-12.
57. Brown, H.S. 2012 (Feature article). Sustainability Science Needs to Include Sustainable Consumption. *Environment: Science and Policy for Sustainable Development* 54: 20-24.
58. P.J. and Halina Brown, 2012. The challenge of energy retrofitting the residential housing stock: grassroots innovations and socio-technical system change in Worcester, MA, *Technology Analysis & Strategic Management* 24 (4): 407-420.
59. Brown, H.S. and Philip J. Vergragt, 2012. "Grassroots Innovations and Socio-Technical System Change: Energy Retrofitting of the Residential Housing Stock". In: G. Marletto (ed.) *Creating a Sustainable Economy. An Institutional/ Evolutionary Approach to Environmental Policy*. Routledge: Routledge Studies in Ecological Economics. (2012).
60. Brown, H.S. Philip J. Vergragt, Maurie Cohen 2013. "Setting the stage: Three theoretical perspectives illustrated by the case of Passive House". In: Maurie Cohen, Philip J. Vergragt, Halina S. Brown (eds.) *Meeting the Crises of a Constrained World: Socio-Technical Transitions, Social Practices, and the New Economics* Edward Elgar.
61. Brown, H.S. 2014. Editorial: The next generation of research on sustainable consumption. *Sustainability: Science, Practice, & Policy* 10(1):1-3.

Service on National, State and Municipal Advisory Committees

- 2007-10 Advised the Massachusetts Undersecretary of Energy as a Member of a Task Force on Consumer Education on Energy Production and Use.
- 2004- Co-Chair of Newton Citizens' Commission on Energy. Appointed by the Mayor of Newton, MA.
- 1997-04 Member of Executive Committee, Greening of Industry Network
- 2003 Member of a Blue Ribbon Panel to evaluate the court ordered cleanup plan by General Electric for Housatonic River. Members of the panel were nominated by the Society for Risk Analysis.
- 1995-99 American Association for the Advancement of Science, Annual Meeting Scientific Program Committee.

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- 1995 National Science Foundation, Special review panel in a competition for the National Center for Environmental Decision Making Research and for Centers for Global Environmental Change.
 - 1994-98 Science Advisory Board, Massachusetts Toxic Use Reduction Institute. Appointed by the Governor of Massachusetts.
 - 1993 National Academy of Sciences, Special Committee to Recommend to the Assistant Secretary of Energy on the Use of Risk Assessment in Managing Environmental Restoration at the Weapons Manufacturing Facilities.
 - 1993-96 Consultant to the Science Advisory Board to the Environmental Protection Agency, Environmental Health Committee.
 - 1993-96 National Academy of Sciences, Committee to Review the Technical Considerations in Siting of Low Level Radioactive Waste Disposal Facility in New York State.
 - 1992-93 National Academy of Sciences, Committee to Review Department's of Energy Environmental Restoration Priority System.
 - 1990-93 National Science Foundation, Proposal Review Panel for the Ethics and Values Studies in Science and Technology (EVS).
 - 1988-90 Member. Science Advisory Committee, Northeastern Hazardous Substances Research Center.
 - 1987 Environmental Protection Agency, Member of an advisory panel on Ranking of Weight of Evidence for Non-Cancer Health Effects, Alexandria, VA.
 - 1987 Peer reviewer of research proposals, National Science Foundation, Division of International Programs and Program on Ethics and Values in Science and Technology.
 - 1985-89 Member, Massachusetts State Superfund Advisory Committee
 - 1985 Congressional Testimony. Senate Committee on Energy and Environment, Senator Henry Waxman, Chairman. Hearings on reauthorization of the Safe Drinking Water Act, Washington, D.C.
 - 1985 U.S. Environmental Protection Agency Member of an advisory panel on Ranking of Severity of Toxic Effects, Cincinnati, Ohio.
 - 1982-85 Member, Massachusetts Cancer Registry Advisory Committee.

Consulting and Other Professional Activities (since 1985)

-
- 2007- Food and Consumer Product Safety Authority (VWA), the Netherlands. Developing Communication and disclosure platform for assessing the risks of nanotechnology.
 - 2003-04 Cadmus Group, Watertown, MA. Risk assessment for pathogens in a Municipal Solid Waste stream.
 - 2003- Member of the City of Newton Citizens Energy Commission. Appointed by the Mayor. The Commission is preparing Energy Action Plan for the City of Newton.
 - 2001- EPA. Reassessment of dose response relationships for cancer and non-cancer health effects of arsenic, for the purpose of reevaluating the drinking water standard.
 - 2000-01 Palmer and Dodge Law Firm. Boston, MA. Expert witness on issues of risk assessment.
 - 1999-00 The Fox River Group. Member of Blue Ribbon Panel for risk assessment of PCB contamination in Fox River, Wisconsin.
 - 1999 AlphaGary Company. Assessment of public health impacts of environmental releases of toxic chemicals.
 - 1998-99 Grippo and Elden Law Firm. Chicago, Ill. Preparation of expert testimony on the historical developments of knowledge about toxic properties of industrial chemicals, covering the period of 1900-1960.
 - 1997-98 Plunkett and Cooney Law Firm. Detroit, MI. Preparation of expert testimony on the historical developments of knowledge about toxic properties of industrial chemicals, covering the period of 1900-1960.
 - 1997 Merriman Company. Development of public information materials regarding soil contamination.
 - 1996-98 Bowditch and Dewey Law Firm. Worcester, MA. Expert witness in risk assessment for groundwater contamination.
 - 1996-97 Environmental Protection Agency. Analysis of dose-response relationship for cadmium and chromium for the purpose of performing benefit-risk analysis.
 - 1996 Environmental Protection Agency, Region 2. Implementation of a weight of evidence system for non-carcinogenic effects.
 - 1995 Environmental Protection Agency, Region 2. Development and implementation of ranking system for severity of non-carcinogenic toxic effects.
 - 1994 Co-founder of Risk Assessment and Policy Association.
 - 1994 Environmental Protection Agency. Review of Document on Respiratory Absorption of Volatile Drinking Water Contaminants.

Halina Szejnwald Brown
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- 1992-94 Day, Berry and Howard Law Firm. Preparation of expert testimony in legal proceedings on the history of management of hazardous waste.
- 1993 Testimony at public hearings on Revisions to the Massachusetts Contingency Plan for Cleanup of Hazardous Waste Sites.
- 1992-94 Tellus Institute. Assessment of the cost of externalities in power generation by fossil fuel facilities in New York State.
- 1992-93 General Electric Corporation. Risk assessment and management of hazardous waste sites.
- 1991-92 United Nations Centre for Transnational Corporations. Consulted on development, application and data interpretation in the survey of transnational corporations on Technology Transfer and Sustainable Development. The final report was presented at the Environment and Development Conference in Brazil in 1992.
- 1992 Co-organizer, International Conference on Protecting Workers, the Environment, and Health in a Market Economy: Translating Science into Policy and Action, Pultusk, Poland, June 26-July 1, 1992.
- 1991 Session organizer, Dermal Absorption of Environmental Pollutants. Special Session of the Annual Meeting of the Society for Risk Analysis, Baltimore 1991.
- 1990-91 Massachusetts Department of the Attorney General. Expert testimony in environmental risk assessment.
- 1990-91 Town of Orange, Massachusetts. Environmental Health Consultant on a proposed hazardous waste processing facility.
- 1990 U.S. Department of Energy. Consultant on ranking of hazardous waste sites at the DOE nuclear production facilities.
- 1990 Boston Bar Association. Member of Subcommittee on Revisions to the State Superfund Regulations (Massachusetts Contingency Plan).
- 1989 Session organizer. Transfer of Hazards to Developing Countries. Special Session at the Annual Meeting of the Society for Risk Analysis, San Francisco 1989.
- 1989 Co-organizer. International Conference on Responsibilities and Value Issues in the International Transfer of Hazardous Technologies, Luxembourg, June 19-22, 1990.
- 1988-89 District of Columbia Department of Consumer and Regulatory Affairs. Expert testimony on the health impacts of the Benning Power generating facility proposed by Potomac Power Company (PEPCO).

- 1987-89 Town of Braintree, Massachusetts. Environmental Health Consultant on a proposed hazardous waste incinerator.
- 1987-88 Massachusetts Institute of Technology. Participant in year-long faculty seminar series on Risk Management.
- 1986-87 Rhode Island Department of Environmental Management. Consultant on methodology for assessing health risks of chemical contaminants in seafood in Narraganset Bay.
- 1986 Massachusetts Department of the Attorney General. Expert testimony on testing methodologies, risk assessment and regulatory history of tetrachloroethylene in drinking water.
- 1986 Massachusetts Department of the Attorney General. Expert testimony on toxic effects of volatile organic compounds at hazardous waste sites.
- 1986 Tufts University Center for Environmental Management. Consultant on current approaches to determining how clean is clean at hazardous waste sites.
- 1986 New England States for Clean Air Use and Management (NESCAUM). Consultant on Draft Health Assessment Document for Trichloroethylene.
- 1986 Testimony given at public hearings on the proposed Massachusetts Cancer Policy. Massachusetts Department of Public Health, Boston, MA.
- 1985 Co-organizer of the Annual Meeting of the Society for Risk Analysis, November 1986.
- 1985 Co-author of a position paper on occupational and environmental health issues in New England. The New England Conference on Health Promotion and Illness Prevention. Sponsored by the Erna Yaffe Foundation, Boston, MA.

Memberships

American Association for the Advancement of Science
Society for Risk Analysis

Foreign Languages

Polish
Russian

Organizational Activities (since 1985)

- 1997-07 Member of the Board, International Greening of Industry Network
- 1994-99 Councilor, Risk Assessment and Policy Association

JONATHAN A. KANTAR
Sage Builders LLP

Professional Experience

Sage Builders LLP, Principal and Managing Partner 2000 - present

Current responsibilities include general management, sales and marketing, estimating, employee management and development, business planning and financial management, and client relations. Sage Builders LLP is a multi-award winning residential design-build company specializing in sustainable renovations and additions with annual sales of \$3.5 million.

KMC Construction, Inc., President 1992 - present

Founded and managed residential and light commercial construction company operating in the metropolitan Boston area. Responsible for and organized all aspects of the company, including execution of the work. Gross sales volume ranged from \$300,000 to \$700,000. Also re-developed a single family home into two (2) individual townhouses.

The Boston Company, Associate 1989 - 1992

As a member of this elite real estate investment group within The Boston Company, worked in small teams to identify, evaluate, and develop various real estate investment vehicles for major pension funds. Responsibilities included market and investment analysis and various types of financial analysis.

The Beacon Companies, Project Manager and Analyst 1986 - 1989

Provided financial analysis on investment opportunities; developed cash flow projection models and valuations for development projects. Provided development project management on the South Station, Boston inter-modal transportation center. Responsible for overseeing code compliance issues and development and construction of the retail program at South Station.

Community Leadership

Member (appointed), Governor's Zero Net Energy Buildings Advisory Council

Member (appointed), Newton Citizens' Commission on Energy

Board Member, Historic Newton

Chair, Buildings and Grounds Committee, Historic Newton

Chair, Newton High Performance Building Coalition

Former Chair, Remodeling Council, Builders Association of Greater Boston

Underwriter, NewtonServes

Education

BA, History, Magna Cum Laude, The University of Michigan, 1985

MA, Sustainable Design and Construction, Boston Architectural Center, 2007 - present

Proposed Amendment to Rev. Ords. 2012, § 26-27

The purpose/scope of the proposed amendment is:

- (1) To expand the existing sandwich board (hereafter referred to as showboards) ordinance, Rev. Ords. 2012, § 26-27, to include regulations relative to the placement of showboards on sidewalks, traffic islands and other City property.
- (2) To establish a comprehensive application process and policy for all signs on sidewalks, traffic islands and other City property.
- (3) To limit and control the proliferation of signs, including the smaller in-ground placard-type signs.
- (4) To establish designated locations for the posting of other (i.e. the placards or signs).
- (5) To establish a time frame for placement and removal of the signs, including removal by City personnel in some instances
- (6) To require an expiration date be clearly marked on the sign, after which, City personnel will be authorized to remove the sign(s) should the poster fail to do so.
- (7) To ensure that signs are placed in locations that will allow adequate pedestrian passage upon the public sidewalk, traffic island or other City property.
- (8) The proposed ordinance would cover both for-profit and non-profit entities, as well as City signs.

Sec. 26-27. Placing signs on sidewalks, traffic islands and other City property.

No person or entity shall, without authority from the commissioner of public works, place or cause to be placed on a sidewalk or traffic island, or other City property, a showboard, placard or sign for the purpose of displaying the same or attracting attention thereto, and shall be subject to the following:

- (a) An application for such showboard, placard, or sign to be posted by any person or entity shall be filed with the Commissioner of Public Works, who shall issue a permit authorizing the posting of such showboard, placard or sign. The Public Works Department and the Parks and Recreation Department shall maintain and post a list of approved locations, not including locations outside of business establishments pursuant to sections (g) and (h) of this Section for the posting of signs on traffic islands and other City property. For the purposes of this Section, the term “entity” shall include business establishments. One (1) sign may be posted in each approved location.
- (b) Permits shall only be granted in those circumstances where the Commissioner has determined that the placement of such showboards, placards or signs will not interfere with adequate pedestrian passage upon the public sidewalk, traffic island, or other City property, taking into account the flow and level of pedestrian traffic and the location of other fixtures upon the sidewalk

including, but not limited to, utility poles, newspaper vending boxes and the like. Placement of such showboards, placards or signs shall not interfere with any other public activity that may occur at that location. In any event, a permit shall only be granted in circumstances where the placement of such showboard, placard or sign would result in an unobstructed pedestrian passageway upon the public sidewalk of a minimum of four feet (4') in width.

- (c) All such showboards, placards or signs shall be temporarily placed upon the sidewalks, traffic islands, or other City property, and shall not be affixed permanently thereto.
- (d) Such signs shall not be placed before fourteen (14) days preceding the event and shall be removed within forty-eight (48) hours after conclusion of the event. Failure to remove such signs may result in the denial of a permit to post such signs in the future.
- (e) All such signs shall contain the following notation: "This sign shall be removed on [insert date]." The removal date shall be forty-eight (48) hours after conclusion of the event.
- (f) City personnel are authorized to remove and discard any signs remaining after forty-eight (48) hours after conclusion of the event, or which were not validly issued a permit for that location. Any signs that are removed by City personnel shall be held by the Public Works Department for pickup for a period of one week, after which time they will be discarded.
- (g) The provisions of this Section shall also apply to advertisement signs by persons or entities that do not pertain to a specific event, but pertain to an offering by the business establishment. In these instances, sections (d) and (e) shall not apply. Instead, the person or entity must seek permission from the Commissioner in accordance with section (j) of this Section. **[ALDERMAN – PLEASE SPECIFY IF YOU WANT THIS – THIS COULD RESULT IN BUSINESSES ADVERTISING ON OUR TRAFFIC ISLANDS I THINK WE SHOULD JUST HAVE SECTION (h) BELOW. PLEASE ADVISE!]**
- (h) Where signs are placed on a public sidewalk outside of a business establishment, they must be placed adjacent to the business, must be removed daily at the close of business, and must not remain outside the business overnight.
- (i) The Public Works Department may promulgate rules and regulations to implement the provisions of this Section.

- (j) An application for a showboard, placard, or sign to be posted by any person or entity for a period of time longer than allowed by Section (d) of this ordinance shall require receipt of special permission from the Commissioner of Public Works. The Commissioner of Public Works shall determine the appropriate length of time for posting and removal, and shall issue a permit authorizing the posting of such showboard, placard or sign. Sections (d) (e) and (f) of this Ordinance shall not apply to persons or entities who receive special permission from the Commissioner under this Section.

ZONING ORDINANCE CHANGE:

In order to effectuate the above change, it will also be necessary to amend Section 30-20(g) of the Zoning Ordinance, *Regulation of Signs in Open Space/Recreation and Public Use Districts* by adding a new paragraph (paragraph "5") that reads as follows:

(5) Signs authorized by the Commissioner of Public Works pursuant to Rev. Ords. § 26-27.

Such signs shall not be subject to Sec. 30-20(c),(d)(1) or (5).

City of Newton



DEPARTMENT OF PUBLIC WORKS

TRANSPORTATION DIVISION

110 Crafts Street
Newton, MA 02460Setti D. Warren
Mayor

DATE: April 17, 2014
TO: Alderman Deborah Crossley, Chair, Public Facilities Committee
FROM: William G. Paille, P.E., Director of Transportation
RE: **NSTAR Underground Street Light Outages Update**

There has been a long standing disagreement between NSTAR and the City of Newton with regard to who is responsible for restoring power to the 60+/- overhead street lights that have remained off due to a disruption in electricity from either an underground or overhead power source. The agreement between NSTAR and the City (dated May 17, 2000) is not clear who owns the conduit between the electrical manhole and the pullbox/street light which is one of the primary reasons very little has been accomplished to reenergize these lights. A source of frustration to many City officials including myself because it has not only resulted in a safety issue for the general public but a waste of city resources in both energy consumption and cost. Currently there are 2 overhead street lights that have an overhead connection problem and 57 that have an underground problem. The light fixture that has been out the longest is located on Centre Street (Pole No. 298) reported January 16, 2009; the most recent on Commonwealth Avenue (Pole No. 700) reported October 29, 2013. The lights are not individually metered so the City is billed based on its inventory of streetlight bulbs of various wattages at 4,200 hours per year at a rate of \$0.10965 per kilowatt hour (\$0.05864/kW-h – NSTAR distribution & \$0.05101/kW-h – SUEZ generation) which was negotiated with NSTAR several years ago and has been locked in until August 2015. Therefore, the City pays for the cost to energize the street lights whether they are on or not. To date, the 60+/- outages has cost the City approximately \$56,000.

When I joined the City in October 2012, this problem was presented to me and I decided to take a different approach. My staff went out in the field and confirmed the outages and we directed our lighting contractor (Dagle Electric) to inspect and report the actual problem and actions necessary to energize the fixture. In some cases an overhead connection was all that was needed, other cases the underground disconnection was a result of roadway work from another utility company or the City, but in most cases the problem was use of a 'lead' cable that had corroded and bonded to the metal conduit and shorted out. We were able to repair some of the street lights by repairing the overhead connection or thru normal roadway reconstruction projects, replace the underground conduit and run new cable as was the case in Newton Centre last summer. In every case it required physical inspection by me, my staff and our lighting contractor to confirm the problem and develop a solution, all of which required time and effort. Nonetheless, it was necessary and although frustrating, it was productive as we were able to repair several lights.

I then met with NSTAR directly and began a dialogue to develop a strategy to repair the lights which involved both NSTAR and the City sharing the cost to repair. NSTAR agreed to visit each location

along with the necessary personnel and equipment to provide access into the manhole, test the power in the manhole and help troubleshoot, all at their cost. Similarly, the City would coordinate with their contractor to work with NSTAR to troubleshoot each location and agree on the solution to the problem. Both parties agreed that once the problem was identified as originating from inside the manhole or from outside the manhole, then a solution could be developed and associated repairs implemented. In addition, The problem we discovered was that although Dagle was ready to be out there, NSTAR could not provide the necessary personnel which then pushed the process into the fall and winter. However, in the meantime, I took the proactive approach to work with the City lighting contractor in order to repair as many overhead/underground locations as possible within available resources and budget. This primarily resulted in many of the overhead issues and pole transfers being resolved. Nonetheless, the following is a summary of the progress we made:

October 2012: 16 Overhead, 48 Underground
January 2013: 18 Overhead, 49 Underground
June 2013: 16 Overhead, 53 Underground
December 2013: 4 Overhead, 53 Underground
March 2014: 2 Overhead, 57 Underground

I recently met with NSTAR representatives in January 2014 and we agreed the next step is for the City to provide a list of each location and schedule a day (s) for both NSTAR and the City's lighting contractor to visit each site, open the manhole, troubleshoot and develop a specific solution to repair. I intend to provide this list to NSTAR by the end of April and to set up specific days in May/June to perform the field work. Once these dates are established, I will provide them to you and would be happy to provide an update to the Committee at a future date.