

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC FACILITIES COMMITTEE AGENDA

WEDNESDAY, OCTOBER 8, 2014

7 PM  
Room 209

**ITEMS SCHEDULED FOR DISCUSSION:**

*The Committee will meet jointly with the Public Safety and Transportation Committee to discuss the below item:*

**REFERRED TO PS&T, PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #310-10(2) ALD. DANBERG, BLAZAR, KALIS, SCHWARTZ, ALBRIGHT, HESS-MAHAN, RICE, COTE, LEARY, AND NORTON requesting amendments to Sec. 26-8D of the City of Newton Ordinances to modify and make permanent the trial program for removal of snow and ice from sidewalks and to provide for enforcements and fines for violations. [09/10/14 @ 2:12 PM]
- #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]
- #312-14 ALD. ALBRIGHT, BAKER, BLAZAR, HESS-MAHAN, JOHNSON, LAREDO and LEARY requesting discussion of proposal to purchase and install electronic bulletin boards on the exterior of City properties, including consideration of such issues as the possible distraction of passersby, the precedent of allowing electronic displays which may invite imitation by private landowners, and the visual impact on public open spaces, as well as how the installation would fit with the law or policy of Newton's sign code, and consideration of possible alternative means to help fulfill the worthy goal of providing public information to those who may need it. [07-17-14 @ 10:24 AM]
- #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]  
*Please note this update is on the roadway reconfiguration around the school*

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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 John Lojek, at least two days in advance of the meeting: [jlojek@newtonma.gov](mailto:jlojek@newtonma.gov), or 617-796-1064. For Telecommunications Relay Service dial 711.*

**Chairman's Note:** The Committee will receive updates on the Otis Street Reconfiguration, the streetlight conversion and the preferred vendor program.

#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]

**ITEMS NOT SCHEDULED FOR DISCUSSION:**

**REFERRED TO PS&T AND PUBLIC FACILITIES COMMITTEES**

#341-14 TRANSPORTATION DIVISION, requesting presentation of the Washington Street Access Improvement Study provided by the Central Transportation Planning Staff. [08/29/14 @ 11:08 AM]

#328-14 ALD. ALBRIGHT, DANBERG, & LAREDO requesting a review of double poles in Newton including a random sampling of ten double 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 PUBLIC FACILITIES COMMITTEE requesting periodic updates on the Zervas Elementary School Project. [04/17/14 @ 10:48 PM]

#188-14 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 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]

#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]

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

#256-12 ALD. HESS-MAHAN, SANGIOLO & SWISTON proposing an 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.

#301-12(2) PUBLIC FACILITIES COMMITTEE requesting updates on the progress of the Carr School Renovation Project.

**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]

#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]

#253-07 ALD. LINSKY ALBRIGHT, JOHNSON, HARNEY, SANGIOLO, SALVUCCI, MANSFIELD, BURG, SCHNIPPER 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

1. **PROPOSED ORDINANCE LANGUAGE:**

**26-8D ~~Trial program for r~~Removal of snow and ice from sidewalks.**

In order to allow for safe pedestrian and wheelchair passage, every owner or occupant of a building or lot of land abutting upon a paved sidewalk or any person having charge of such property shall use reasonable efforts to remove snow and ice from the sidewalk and handicap access ramps, and shall use reasonable efforts to treat said sidewalk and ramps to allow for a safe passageway of approximately thirty-six (36) inches in width, provided that where such sidewalk is less than thirty-six (36) inches in width the passageway shall encompass its entire width and handicap access ramps. Snow and ice shall be removed, and sidewalks and ramps shall be treated, within ~~thirty (30)~~**twenty-four (24)** hours after such snow has ceased to fall or such ice has formed, **or within twenty-four (24) hours after a snow emergency has ended if one has been declared.** This section shall apply to snow and ice which falls from buildings, other structures, trees or bushes, as well as to that which falls from clouds. This section shall not apply to owners or occupants of a building or lot **in a business district or which is a business use** covered by Section 26-8. The mayor or his designee is authorized ~~to coordinate volunteer snow clearing assistance or~~ to grant an exemption, renewable annually, for citizens who upon written petition demonstrate hardship due to a combination of health and financial duress. ~~The provisions of this section shall take effect on November 1, 2011 and shall expire on November 1, 2013 unless terminated earlier or renewed or modified by the board of aldermen. During this trial period, enforcement shall be limited to issuance of notices of non-compliance for violations of any provision of this section."~~

2. **PROPOSED CIVIL FINE for Sec. 26-8D - add to Sec. 20-21(d) as follows:**

Sec. 26-8. Removal of snow and ice from sidewalks in certain districts.

( ) Any offense ..... \$25.00

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

**( ) Any offense ..... \$100.00**

Sec. 26-9. Putting snow and ice upon streets, sidewalks and bridges

( ) Placing snow or ice on a public way (street, sidewalk or bridge)  
First offense in calendar year ..... \$100.00  
Second offense in calendar year ..... \$200.00  
Third offense and subsequent offenses in calendar year ..... \$300.00

( ) Causing or permitting snow or ice to be placed upon a public way (street, sidewalk or bridge)  
First offense in calendar year ..... \$100.00  
Second offense in calendar year ..... \$200.00  
Third offense and subsequent offenses in calendar year ..... \$300.00

City of Newton



Setti D. Warren  
Mayor

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

October 3, 2014

## Sidewalk Snow Clearing Fact Sheet

In advance of the October 8<sup>th</sup> Public Facilities Committee meeting to discuss a city-wide mandatory sidewalk snow clearing ordinance, the following information is provided:

### Operations

The City of Newton will be required to clear snow from the sidewalks of all municipal properties, including municipal/school building, parks, playgrounds, parking lots, etc. Accordingly, the DPW has increased the number of miles of sidewalks being plowed by the City from 67 miles to approximately 82 miles.

The DPW Sidewalk Plowing program consists of the following routes/elements:

- 6 School sidewalk routes
- 1 Bridges routes (12 bridges cleared)
- 1 Rte. 9 route (Parker to Chestnut)
- 1-2 Hand crews (snow blowers, shovels) – out of the way properties, pinch points that restrict sidewalk plow access, heavily used transportation nodes
- Post storm – clear handicap ramps in villages

### Compliance

Last winter, the DPW responded to 192 reports of “sidewalks not cleared” in Web Q/A. The DPW received an additional 47 reports of “illegal snow dumping”.

Calls are triaged by DPW Engineering Inspectors into following categories:

- City owned/route sidewalk – reported back to DPW for clearing
- Business owned sidewalk – reported to police for enforcement under existing ordinances
- Resident owned sidewalk – resident issued “notice of non-compliance” door hanger for first instance, residents were sent letters for subsequent instances

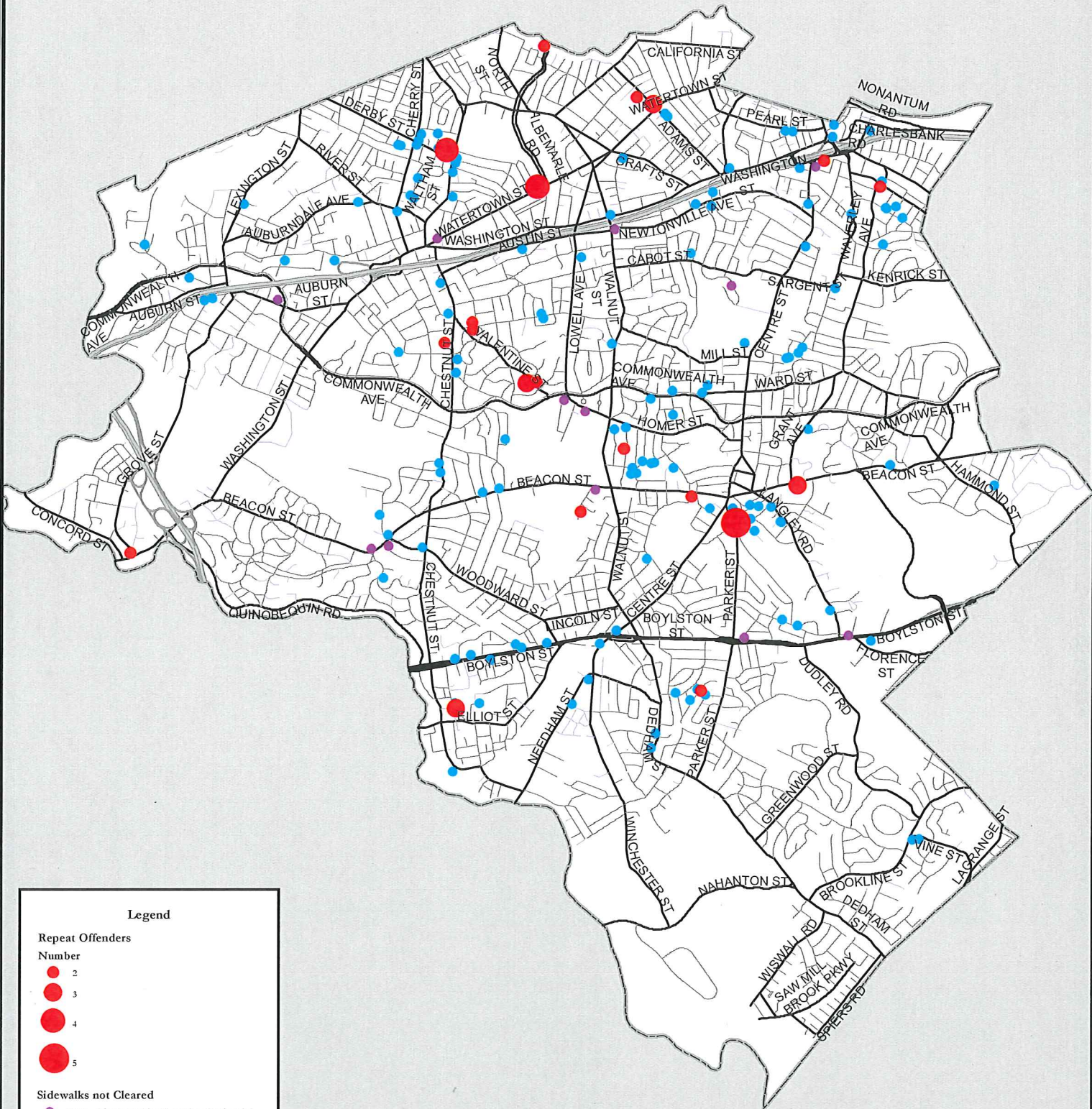
DPW handed out in excess of 500 notices of non-compliance as investigation of individual report resulted in notices to numerous neighboring properties

Anecdotal information indicates approximate 80% compliance rate after residents notified.

### Waivers

Residents with a demonstrated hardship were allowed to file for a waiver.

- 2011-12 55 waivers were approved out of 100 requested
- 2012-13 45 waivers were approved out of 50 requested
- 2013-14 37 waivers approved out of 40 requested



**Legend**

**Repeat Offenders**

**Number**

- 2
- 3
- 4
- 5

**Sidewalks not Cleared**

- Snow - A business sidewalk needs to be shoveled
- Snow - A residential sidewalk needs to be shoveled

# Sidewalks Not Cleared 2013-14

City of Newton, Massachusetts

CITY OF NEWTON, MASSACHUSETTS  
Mayor - Setti D. Warren  
GIS Administrator - Douglas Greenfield



Map Date: February 18, 2014



The information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve applications based solely on GIS data.





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# CITY OF NEWTON, MASSACHUSETTS

## DEPARTMENT OF INFORMATION TECHNOLOGY

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Setti D. Warren, Mayor

Joseph Mulvey  
Chief Information Officer

Telephone (617) 796-1180  
Facsimile (617) 796-1196  
TDD/tty # (617) 796-1089

As of today Wednesday October 1, 2014, the City of Newton Department of Information Technology has no plans or intentions to permanently install or mount any electronic notice board outdoors within the City of Newton. The current electronic panel owned by the city is used solely as a portable display during city and community events.

Any projects previously discussed regarding Janus Display 55 inch monitors have been placed on an indefinite hold. If further discussions occur regarding permanent placement of outdoor electronic displays by the Information Technology Department, members of the Board of Alderman and/or the Public Facilities committee will be notified and consulted.

Thank You

Gregory J. Ansaldi  
Deputy Director  
Department of Information Technology

RECEIVED  
Newton City Office  
2014 OCT -3 PM 12:49  
David A. Gissoni, CMO  
Newton, MA 02459

CITY OF NEWTON, MASSACHUSETTS  
DEPARTMENT OF PUBLIC WORKS - TRANSPORTATION DIVISION  
INTERSECTION IMPROVEMENT CONCEPT D

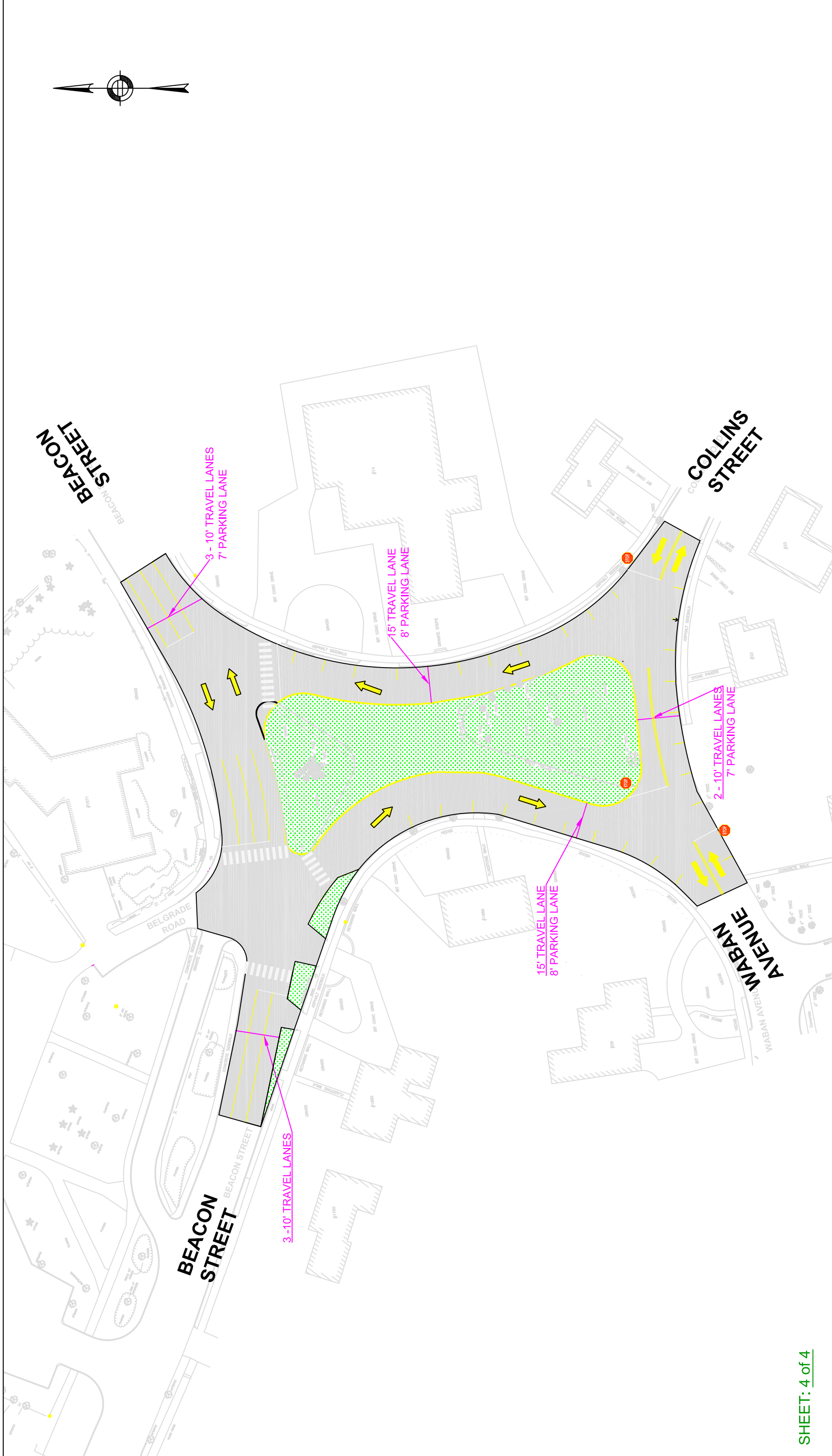
LOCATION: Beacon Street at Waban Avenue

APPROXIMATE SCALE: 1" = 30'

DATE: 4.03.2014

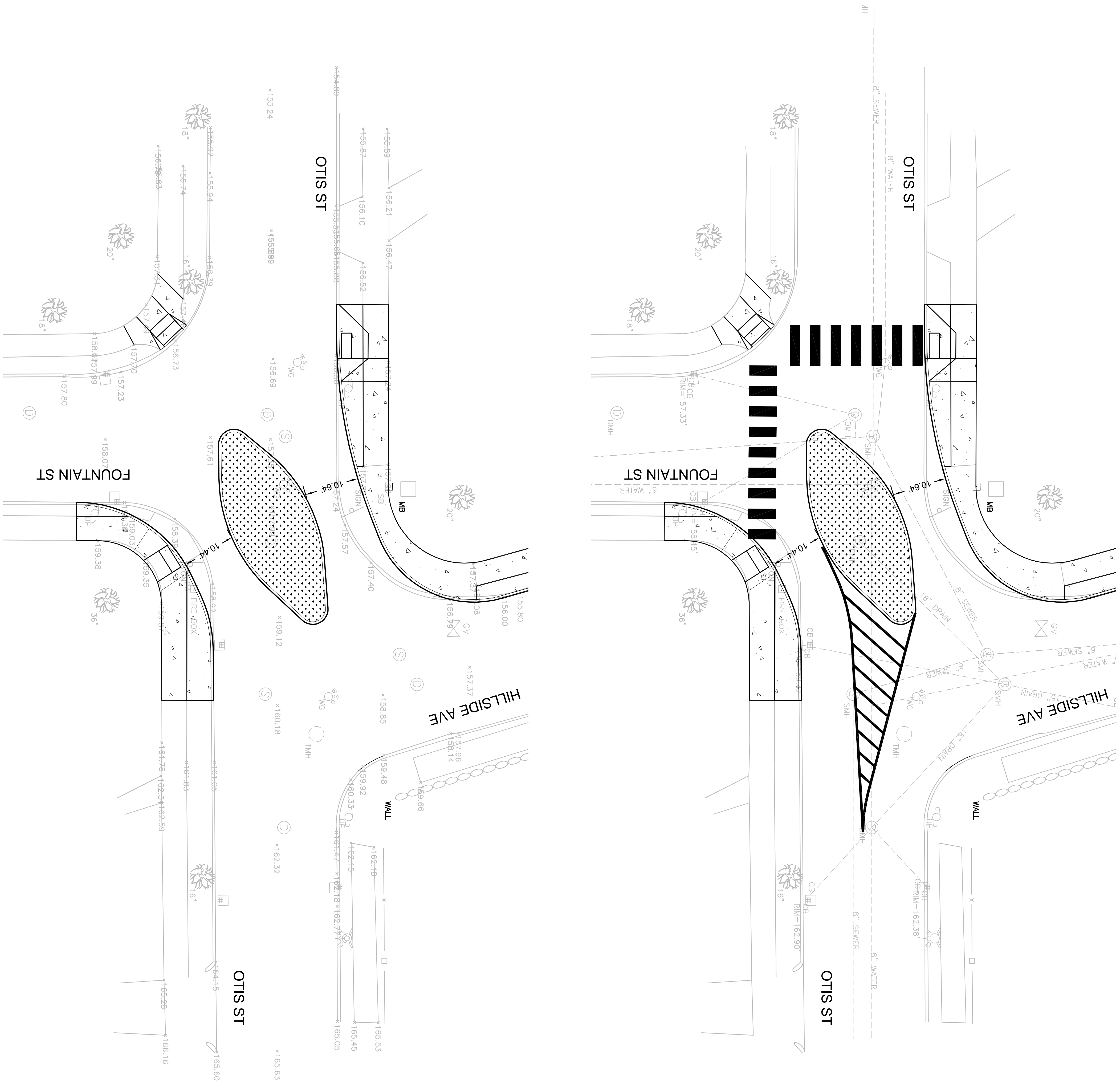
DRAWING PREPARED BY: GTS

PARKING SPACES: 28



DESIGNED BY: \_\_\_\_\_  
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 CHECKED BY: \_\_\_\_\_  
 APPROVED BY: \_\_\_\_\_

CITY OF NEWTON  
 MASSACHUSETTS



CITY OF NEWTON  
 MASSACHUSETTS  
 FOR THE  
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 DATE:

SCALE: AS NOTED