

CITY OF NEWTON
IN BOARD OF ALDERMEN
PUBLIC FACILITIES COMMITTEE AGENDA

WEDNESDAY, DECEMBER 3, 2014

7 PM
Room 209

ITEMS SCHEDULED FOR DISCUSSION:

Please note the Committee will be holding a public hearing on Docket Items #455-14 and #456-14

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

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

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#456-14 HIS HONOR THE MAYOR recommending amendments to Chapter 29, Article II. **Water.** to allow for second water meters for outside water use and to restructure the water rate fee structure.

#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 PUBLIC FACILITIES AND FINANCE COMMITTEES

#466-14 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of one hundred fifty thousand dollars ((\$150,000) from bonded indebtedness for the purpose of funding HVAC improvements at the Senior Center as outlined in the FY 2015 Capital Improvement Plan. [11/24/14 @ 4:23 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#467-14 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of one hundred fifty thousand dollars ((\$150,000) from bonded indebtedness for the purpose of funding the replacement of the water heater at the F.A. Day Middle School as outlined in the FY 2015 Capital Improvement Plan. [11/24/14 @ 4:23 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 John Lojek, at least two days in advance of the meeting: jlojek@newtonma.gov, or 617-796-1064. For Telecommunications Relay Service dial 711.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #468-14 HIS HONOR THE MAYOR requesting authorization to reallocate the Carr Elementary School Renovation Project Budget to replenish funds for the Mayor's Contingency Budget Line, as well as to cover the costs of various project related expenses. [11/24/14 @ 4:23 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #469-14 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of one hundred twenty-seven thousand five hundred dollars (\$127,500) from the Energy Conservation Fund to the Public Buildings Department to replace the emergency electrical generator and transfer switch at Fire Station #1 in Newton Corner. [11/24/14 @ 4:23 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #471-14 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of four hundred thousand dollars (\$400,000) from Free Cash to fund the design, construction, and relocation of modular buildings from Zervas Elementary School to Newton South High School for special education program needs. [11/24/14 @ 3:43 PM]

It is the Chair's intention to vote the following three items no action necessary:

- #255-14(3) ALD. YATES requesting a RESOLUTION to His Honor the Mayor seeking preservation of the historic house at 1316 Beacon Street; such preservation shall include documentation and disassembly and storage on a temporary basis for possible reconstruction on another site in the future.

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]
PUBLIC SAFETY VOTED NO ACTION NECESSARY 6-0 on 11/19/14

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]
PROG & SERV VOTED NO ACTION NECESSARY 6-0 on 11/19/14

ITEMS NOT SCHEDULED FOR DISCUSSION:

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #470-14 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of one million dollars (\$1,000,000) from bonded indebtedness for the purpose of funding the installation of an elevator and other accessibility improvements at the War Memorial at City Hall. [11/24/14 @ 3:43 PM]

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

- #375-14 HIS HONOR THE MAYOR submitting the FY16-FY20 Capital Improvement Plan pursuant to section 5-3 of the Newton City Charter. [10/15/14 @ 3:01 PM]
- #358-14 FINANCE COMMITTEE requesting that the Public Facilities Committee receive updates on the clean-up of the Rumford Avenue Landfill every three months. [09/11/14 @ 12:01 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #255-14(4) HIS HONOR THE MAYOR requesting authorization to appropriate the sum of thirty-six million five hundred eighty-five thousand dollars (\$36,585,000) from bonded indebtedness for the purpose of funding the replacement of the Zervas Elementary School. [09/09/13 @ 2:03 PM]

Public hearing closed November 12, 2014:

- #255-14(2) DESIGN REVIEW COMMITTEE petitioning, pursuant to Sec 5-58, for schematic design and site plan approval of a new elementary school to be located on the existing Zervas Elementary School site at 30 Beethoven Avenue and the city's three newly acquired properties at 1316 Beacon Street, 1330 Beacon Street, and 1338 Beacon Street.
- #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]
- #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]

REFERRED TO PS&T, PUBLIC FACILITIES AND FINANCE COMMITTEES

- #310-10(2) ALD. DANBERG, BLAZAR, KALIS, SCHWARTZ, ALBRIGHT, HESS-
(#409-12) 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]
- #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]
- #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]

- #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]
- #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

11/25/2014

DRAFT FOR DISCUSSION – STAND ALONE SEWER FEE

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 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:~~

~~— for properties the principal use of which is residential: \$6.25 per quarter~~

~~— for all other properties: \$37.50 per quarter~~

~~b) a~~ A charge for use of sewer, which charge shall be made in proportion to water consumption, based on the water meter reading, or estimate water meter reading, for the same property, for the prior quarterly billing period at the following schedule of rates or prices (*effective July 1, 2015*~~2012~~). Such sewer bill shall be issued on a quarterly basis:

Eight Xx dollars and ~~twenty-eight xx~~ cents (\$~~x.xx~~8.28) per hundred cubic feet for consumption from 0 to ~~1020~~ hundred cubic feet;

Nine Xx dollars and ~~xx ninety-four~~ cents (\$~~x.xx~~9.94) per hundred cubic feet for consumption from ~~1121~~ to ~~2570~~ hundred cubic feet;

Eleven Xx dollars and ~~xx ninety-three~~ cents (\$~~xx.xx~~11.93) per hundred cubic feet for consumption ~~from 26 to 60 hundred~~ ~~above 70 hundred~~ cubic feet;

Xx dollars and xx cents (\$xx.xx) per hundred cubic feet for consumption above 60 hundred cubic feet.

11/25/2014

DRAFT FOR DISCUSSION – STAND ALONE STORMWATER FEE

Add a new section to Division 1 of Article IV DRAINS of Chapter 20 as follows:

Section 29-120 Stormwater use charge

(a) Every owner of property in the city shall pay a charge for use of public main drains and stormwater facilities which shall be based upon square footage of impervious surface area on the property according to the following table. Such charge shall be billed quarterly:

<u>Square feet of impervious surface area</u>	<u>Quarterly rate</u>
<u>1- 9,999</u>	<u>\$ xx.xx</u>
<u>10,000-1 9,999</u>	<u>\$ xx.xx</u>
<u>20,000- 49,999</u>	<u>\$ xx.xx</u>
<u>50,000 - 99,999</u>	<u>\$ xx.xx</u>
<u>100,000 – 199,999</u>	<u>\$ xx.xx</u>
<u>200,000 and greater</u>	<u>\$xxx.xx</u>

(b) Property owners that are certified as eligible for the water discount program described in section 29-36(b) shall also be eligible for a discount of thirty percent (30%) off the stormwater use charge.

(c) The provisions of sections 20-80 (d) through (f) pertaining to billing and liens shall apply to stormwater use charges.

(d) The commissioner of public works may establish a stormwater use charge credit policy and may grant credits to be applied against the stormwater use charge to those property owners who maintain on-site functioning stormwater management systems or other measures to reduce or mitigate that property’s use of public main drains and stormwater facilities.

(e) The commissioner of public works may promulgate rules and regulations necessary to implement this section.

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:

for properties the principal use of which is residential: \$6.25 per quarter

for all other properties: \$37.50 per quarter

<u>Square feet of impervious surface area</u>	<u>Quarterly rate</u>
<u>1- 9,999</u>	<u>\$ xx.xx</u>
<u>10,000 – 19,999</u>	<u>\$ xx.xx</u>
<u>20,000- 49,999</u>	<u>\$ xx.xx</u>
<u>50,000 - 99,999</u>	<u>\$ xx.xx</u>
<u>100,000 – 199,999</u>	<u>\$ xx.xx</u>
<u>200,000 and greater</u>	<u>\$xxx.xx</u>

b) a charge for use of sewer, which charge shall be made in proportion to water consumption, based on the water meter reading, or estimate water meter reading, for the same property, for the prior quarterly billing period at the following schedule of rates or prices (*effective July 1, 20152012*):

Eight Xx dollars and ~~twenty-eight xx~~ cents (\$x.xx~~8.28~~) per hundred cubic feet for consumption from 0 to ~~1020~~ hundred cubic feet;

Nine Xx dollars and ~~xx-ninety-four~~ cents (\$xx.xx~~9.94~~) per hundred cubic feet for consumption from ~~1124~~ to ~~2570~~ hundred cubic feet;

Eleven Xx dollars and ~~xx-ninety-three~~ cents (\$xx.xx~~11.93~~) per hundred cubic feet for consumption ~~from 26 to 60 hundred~~ ~~above 70 hundred~~ cubic feet;-

Xx dollars and xx cents (\$xx.xx) per hundred cubic feet for consumption above 61 hundred cubic feet.

**ARTICLE II.
WATER**

Sec. 29-22. Master plan of city water system.

The city engineer shall keep a master plan of the entire water system of the city which shall be amended from time to time to show any additions to or changes in such system. (Rev. Ords. 1973, § 23.5, Ord. No. 190, 12-20-76)

Sec. 29-23. Duty of commissioner of public works to attach meters.

The commissioner of public works shall attach a meter to all services supplying other fixtures than faucets and also to services supplying only faucets where more than three (3) are used. The commissioner of public works shall also furnish meters to all water takers who desire to use them regardless of the fixtures supplied. (Rev. Ords. 1973, § 23-4; Ord. No. 190, 12-20-76; Ord. No. R-174, 10-5-81)

Sec. 29-24. Cost of, and responsibilities for, meters.

(a) All meters of two (2) inches or less hereafter set shall be furnished, maintained and renewed at the cost of the city; provided that any meter damaged as a result of the negligence of a water taker or damaged as a result of freezing, shall be repaired at the expense of the water taker.

(b) The initial purchase of all meters larger than two (2) inches and outdoor meters as defined in subsection (c) hereafter set shall be the responsibility and at the sole expense of the water taker. All such meters shall conform to the specifications of the commissioner of public works, and shall be installed under the supervision of the commissioner or his designee. Upon installation all such meters shall become subject to the sole control of the city and except as authorized by the commissioner of public works, no person shall thereafter remove, move or re-set such a meter. Upon installation the commissioner of public works shall assume responsibility for maintenance and renewal of such meters; provided that any such meter damaged as a result of negligence of a water taker or damaged as a result of freezing, shall be repaired at the expense of the water taker. (Rev. Ords. 1973, § 23-7; Ord. No. 190, 12-20-76; Ord. No. T-42, 8-14-89)

(c) Outdoor meters are devices that may be installed at residential properties that contain no more than four dwelling units to measure and register outdoor water consumption such as water used for irrigation. Sewer use charges under section 29-80 of this chapter shall not be made for water consumption registered by or attributable to outdoor meters installed at residential properties.

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Sec. 29-25. Failure to keep pipes in good order, protect meter.

The owner and the occupant of the premises in which water is used who fails to protect ~~his~~ meter from frost or fails to keep the service pipes and fixtures in good order and neglects to repair them in three (3) days after they have become defective, or neglects to shut off the water to prevent waste, shall be liable to a forfeiture of two dollars (\$2.00). If such forfeiture is not paid within two (2) days after notice, the water shall be cut off and shall not be cut on until the waste is stopped and the forfeiture paid, together with two dollars (\$2.00) for shutting off and cutting on the water. In case of a second offense within one year the water shall be shut off and shall not be cut on until the payment of such forfeiture, not exceeding ten dollars (\$10.00), as the commissioner of public works shall impose. (Rev. Ords. 1973, § 23-8, Ord. No. 190, 12-20-76; Ord. No. R-174, 10-5-81)

Sec. 29-26. Inspection of water taker's premises.

All premises where water is taken may at any reasonable time be inspected by a properly authorized officer of the public works department. Full authority is given to the commissioner of public works to order such inspection whenever he shall deem it for the interests of the public works department. (Rev. Ords. 1973, § 23-9; Ord. No. 190, 12-20-76; Ord. No. R-174, 10-5-81)

Sec. 29-27. Service pipes generally.

(a) Service pipes are those water pipes which connect water mains to the water meter serving the premises. All service pipes shall be supplied and laid by the commissioner of public works at the expense of the applicant. Applications for such pipes shall be made upon blank forms furnished at the office of the commissioner of public works. No service pipes shall be furnished or laid until the applicant has deposited the cost of the same, as estimated by the commissioner of public works. When the pipes have been laid and connection made, any cost in excess of the estimated cost shall be paid before the water is turned on and any excess of the estimated cost over the actual cost shall be returned to the applicant.

(b) All service pipes within the street lines shall be maintained and kept in repair, including replacement where necessary, by the public works department.

(c) Unless permission otherwise shall have been granted by the commissioner of public works in accordance with section 29-27(d), all repairs, including replacements, of service pipes outside the street line shall be made by the commissioner of public works at the expense of the owner or occupant. No replacement service pipes shall be furnished or laid until the applicant has deposited the cost of same, as estimated by the commissioner of public works. When the replacement pipes have been laid and connection made, any excess of the estimated cost over the actual cost shall be returned to the applicant. Any cost in excess of the estimated cost of replacement and all other repairs of service pipes shall be promptly billed to the owner or occupant of the premises, and if not paid within thirty (30) days of written demand, the water shall be turned off and not turned on again, except as provided in section 29-33.

(d) Notwithstanding the provisions of subsection (c), when a contractor is engaged in street construction or reconstruction on behalf of the city, the commissioner of public works may grant a license to such contractor to replace existing service pipes outside of the street line for those buildings which are served by a main water pipe located in the street in construction. All such service pipe replacements shall be undertaken pursuant to voluntary private arrangements between the contractor and the owner or occupant of such buildings, and at the expense of the owner or occupant.

Applications for such licenses shall state the estimated cost of the work for each service pipe proposed to be replaced and shall be accompanied by signed statements from all owners or occupants of each of the premises for which a license is sought authorizing the contractor to apply for such license. Applications shall be accompanied by payment of a fee of one hundred dollars (\$100.00) for each street construction or reconstruction project in which the contractor is engaged.

The terms of such licenses shall require that the contractor will cause the excavations to be properly closed up as soon as is reasonably possible; that he will maintain adequate lighting and barriers conspicuously placed over the obstructions from sunset to sunrise; that he will use materials of a quality approved by the commissioner of public works; that he will perform all work in a thorough and workmanlike manner under inspection of the water superintendent; that he will guarantee the same and make good any defects in materials and workmanship and keep and maintain the trenches in repair for a one year period from the completion of the work; and that he will indemnify and hold harmless the city from any damages or cost to which it may be put by reason of damages incurred or injuries sustained by any person resulting from neglect or carelessness in replacing such service pipes, or in not properly fencing or lighting any excavation or obstruction, or in performing any work connected therewith.

Every contractor so licensed, before performing any work by virtue of such license, shall execute a bond to the city in the amount of the estimated total cost of service pipe replacements, and in no case less than five thousand dollars (\$5,000) with good and sufficient sureties licensed to do business in Massachusetts and as approved by the mayor, the condition of which shall be that the licensee shall comply with the terms of the license under which the work is performed and shall furnish the city with a certificate that insurance coverage in an amount satisfactory to the commissioner of public works has been obtained. The contractor shall agree to maintain such insurance until such time that the service pipe replacements have been completed. (Rev. Ords. 1973, § 23-10; Ord. No. 74, 6-2-75; Ord. No. 190, 12-20-76; Ord. No. R-174, 10-5-81; Ord. No. S-141, 10-21-85; Ord. No. V-289, 3-20-00; Ord. No. X-55, 6-16-03)

Sec. 29-28. Extensions of pipes—Notice of proposed extensions; plan.

The city engineer shall establish the lines and grades and locations for all proposed extensions of water mains, service pipes and their appurtenances and shall retain plans showing the same in the files of the engineering division of the department of public works. (Rev. Ords. 1973, § 23-11; Ord. No. 190, 12-20-76; Ord. No. R-174, 10-5-81; Ord. No. V-289, 3-20-00)

Sec. 29-29. Same—Main pipes.

(a) Extensions of main pipes shall only be made when authorized by the board of aldermen. Applications therefor shall be made upon the blanks furnished by the commissioner of public works, upon which shall be endorsed the estimate by the commissioner of public works of the probable cost of the extension desired.

(b) Before any application shall be acted upon, the applicant shall deposit that portion of the estimated probable cost of the extension that is allocable to the property of the applicant in accordance with the provisions of this section. When the extension is laid, any excess of that portion of the actual cost of the extension that is so allocable to the property of the applicant over the amount so deposited shall be paid by the applicant before the water is turned on and any excess of the amount so deposited over that portion of the actual cost of the extension that is so allocable to the property of the applicant shall be returned to the applicant. No property with respect to which the charge imposed by this section shall not have been paid shall be connected to such extension until such charge shall be paid by the owner thereof as though he were an original applicant for such extension. The cost of the extension shall include the cost of the pipes and other materials and of the labor employed in laying them, and other expenses incidental thereto, but shall in no case be greater than the cost of an eight-inch main, which cost and the allocation thereof shall be ascertained and certified by the commissioner of public works.

(c) The portion of the cost of a water main extension allocable to properties served thereby (which the applicant is to pay in accordance with paragraph (b)) shall be:

- (1) In the case of property included in a subdivision approved by the planning board under the provisions of the subdivision control law, the entire cost of such extension, including such extensions as may be necessary to bring the water to such subdivision; or
- (2) In the case of any other property, that portion of the entire cost of the extension which the frontage of such property upon the streets or ways in which the extension is laid is of the total frontage of all the properties on such streets or ways, except other streets or ways or parks and other public grounds not actually connected to such extension.

For the purposes of subparagraph (2) above the word "ways" shall include rights-of-way in private land; contiguous lots in common ownership shall be deemed to be a single property and frontages on streets or ways shall be measured only along that portion of such streets or ways in which the extension is laid, but the

commissioner of public works or the board of aldermen shall have the right to require that an extension shall be laid along the entire frontage of any property to be served by it.

(d) The board of aldermen may by order modify the application of any of the preceding provisions of this section in any case in which it determines that a literal application of them would be inequitable or would result in a charge on any particular property greater than the benefit to such property resulting from the extension.

(e) Same - Main pipes.

Applications for extensions of mains through private ways or grounds shall in no case be granted unless the owner thereof executes a proper instrument securing to the city the right of permanent occupation, free from any acts of interference that would affect the safety of the pipe, and securing to the water department free right of entrance for the purposes of inspection and maintenance. For purposes of this paragraph, any owner or owners of real estate abutting on a private way who have by deed existing rights of ingress and egress upon such private way shall be deemed an owner of such private way.

(f) Nothing in this section shall be construed as affecting the right of the board of aldermen to authorize the extension of the water main without guaranty if, upon a vote taken by yeas and nays, two-thirds (2/3) of the members present and voting shall vote to do so. (Rev. Ords. 1973, § 23-12; Ord. No. 190, 12-20-76; Ord. No. S-142, 9-17-85; Ord. No. V-289, 3-20-00)

Sec. 29-30. Bills-City may be divided; how divisions to be billed.

The public works department shall issue bills for each water taker four times per year at intervals of three (3) months. Every alternate bill shall be based on a meter reading in accordance with the rate schedule set out at section 29-36. The commissioner of public works shall issue the remaining bills on the basis of an estimated meter reading and in accordance with such rate schedule, such that each water taker receives actual and estimated bills on an alternating basis. In issuing the estimated bills, the commissioner of public works shall use each water taker's previous meter readings as the basis for estimating the meter reading. (Rev. Ords. 1973, § 23-13; Ord. No. 190, 12-20-76; Ord. No. T-78, 3-5-90)

Sec. 29-31. Same—When due and payable.

All bills shall be due and payable to the city collector-treasurer thirty (30) days from their issuance, for water taken, or estimated by the commissioner of public works to have been taken, during the prior three (3) months; and for rendering service or furnishing materials in connection therewith. If in the opinion of the commissioner of public works circumstances so require, charges for water taken, services or materials may be billed at other times, and if so, bills shall be payable thirty days from their issuance. (Rev. Ords. 1973, § 23-14; Ord. No. 190, 12-20-76; Ord. No. S-164, 4-7-86; Ord. No. T-78, 3-5-90)

State law reference—Authority to establish due dates, G.L. c. 40, § 42A

Sec. 29-32. Same—Where bills and notices to be made out; procedure when made out.

All bills under this chapter and notices thereon properly numbered for identification, shall be made out in the office of the commissioner of public works. Such bills and notices, together with a warrant for their collection, shall be delivered to the comptroller of accounts for forwarding to the city collector-treasurer as soon as made out, and the city collector-treasurer shall thereupon send out the notices and retain the bills until paid. (Rev. Ords. 1973, § 23-15; Ord. No. 190, 12-20-76)

Sec. 29-33. Same—Nonpayment.

In every case of the nonpayment of bills for water, services or materials for thirty (30) days after the same are due, the city collector-treasurer shall cause a written demand to be left at the premises where the water is taken or mailed to the owner or occupant thereof, and unless the bill is paid within thirty (30) days thereafter, together with two dollars (\$2.00) for demand, the city collector-treasurer shall give written notice thereof to the commissioner of public works. Thereupon, the commissioner of public works may cut off the water supply unless such bill is due and unpaid from another and previous owner or occupant of such building or premises. The water shall not be turned on again until the amount due, together with such fee and two dollars (\$2.00) for turning off and on is paid. (Rev. Ords.1973, § 23-14; Ord. No. 190, 12-20-76; Ord. No. R-54, 2-19-80; Ord. No. R-174, 10-5-81)

Sec. 29-34. Same—Interest when such becomes lien.

If a bill for water charges becomes a lien, it shall bear interest at the rate provided by law from the date it becomes due until it is committed as a part of a tax as provided in chapter 40, section 42D of the General Laws. (Rev. Ords. 1973, § 23-15; Ord. No. 190, 12-20-76)

Sec. 29-35. Liability of occupants, owners of tenements for water rent.

The tenant of any rental unit shall be liable for the payment of the bill for the use of water in such rental unit and the owner shall also be liable. (Rev. Ords. 1973, § 23-16; Ord. No. 190, 12-20-76)

Sec. 29-36. Rates, schedule.

(a) Water rates

(1) Water takers shall pay a price or rate for water for each quarterly billing period in accordance with the following schedule: *(Effective July 1, 2013)*

~~Six~~XX dollars and ~~seven~~XX cents (~~\$6.07~~X.XX) per hundred cubic feet for consumption from 0 to ~~2~~10 hundred cubic feet;

~~Seven~~XX dollars and ~~twenty-seven~~XX cents (~~\$7.27~~X.XX) per hundred cubic feet for consumption from ~~2~~11 to ~~7~~025 hundred cubic feet;

~~Eight~~XX dollars and ~~seventy-four~~XX cents (~~\$8.74~~X.XX) per hundred cubic feet for consumption ~~above from 26 to 60 hundred~~ cubic feet.

~~XX dollars and XX (\$X.XX) per hundred cubic feet for consumption above 61 hundred cubic feet.~~

~~For outdoor meters the rate shall be XX dollars (\$X.XX) per hundred cubic regardless of the amount of consumption.~~

(2) Multi-dwelling properties

a) For purposes of this subsection, the term *Single Meter/Multi-Residence* shall have the following meaning: A building, buildings, or part of a building which i) is used for residential use only, ii) contains more than one dwelling unit, and iii) receives water delivered through a single service pipe and meter. The term dwelling unit shall have the meaning set out in the definition that appears in section 30-1.

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b) For a Single Meter/Multi Residence property, the applicable price or rate shall be determined by dividing the consumption by the number of sddwelling units within such property.

(3) Where water is supplied by the city through a meter that is not in good working order, the commissioner shall use any reasonable, fair, and appropriate method to determine the quantity of water consumed and shall issue the bill on that basis.

(b) Discount program.

(1) The rates shall be reduced by a discount of thirty percent (30%) for water supplied to dwellings owned and inhabited by any person who is certified by the board of assessors as qualifying under one or more of the tax exemption and deferral programs set out in General Laws chapter 59, section 5, clauses 17D, 18, 41A, and 41C, provided however that said discount shall not apply to water consumption registered on outdoor meters and shall apply only to:

a) those bills issued in the name of such person, and

b) those bills issued during the term of such certification by the board of assessors.

In the event that a person certified hereunder sells the dwelling to which water is supplied, such certification shall terminate as of the date of such sale. The board of assessors shall carry out determinations of eligibility for the water discount program based on qualification for the 41A tax deferral program.

(2) Water users who own and inhabit dwellings and who were approved, on or prior to the effective date of this subsection, for one or more of such tax exemption and deferral programs shall be certified by the board of assessors as eligible for this water discount program as of the effective date of this subsection. Such certification shall continue until the date which is the statutory deadline for application for such tax exemption and deferral programs for the next successive tax year.

(3) Water users who own and inhabit dwellings and who choose to apply for one or more of such tax exemption and deferral programs and who receive the approval of the board of assessors for such program(s) shall be certified by the board of assessors as eligible for this water discount program as of the date of such approval. Such certification shall continue until the date which is the statutory deadline for application for such tax exemption and deferral programs for the next successive tax year.

(4) Water users who own and inhabit dwellings and who qualify under one or more of such tax exemption and deferral programs, but for whatever reason, choose not to apply for such program(s) may apply to the board of assessors for certification of eligibility for this water discount program. The board of assessors shall provide forms for such applications and shall within thirty days (30) of receipt of any such application, determine whether such applicant is eligible. The effective date of certification shall be the date of approval by said board, and such certification shall continue for a period of up to one year; provided, however, that all such certifications shall terminate on June 30 of each year.

(5) Whenever the board of assessors certify that a water user is eligible for this water discount program, said board shall forthwith so notify the water and sewer division. Upon receipt of such notice the water and sewer division shall take the steps necessary to so reduce the bills issued to such water

user. (Rev. Ords. 1973, § 23-17; Ord. No. 632, 3-4-74; Ord. No. 75, 6-2-75; Ord. No. 190, 12-20-76; Ord. No. R-74, 7-14-80; Ord. No. R-174, 10-5-81; Ord. No. S-162, 4-7-86; Ord. No. S-162A, 11-16-87; Ord. No. T-27, 6-5-89; Ord. No. T-77, 3-5-90; Ord. No. T-78, 3-5-90; Ord. No. U-5, 4-26-94; Ord. No. V-124, 7-14-97; Ord. No. V-180, 6-15-98; Ord. No. V-123, 5-17-99; Ord. No. V-308, 6-19-00; Ord. No. W-47, 6-20-01; Ord. No. X-22, 7-8-02; Ord. No. X-56, 6-18-03; Ord. No. X-95, 06-21-04; Ord. No. X-98, 07-12-04; Ord. No. X-149, 05-02-05; Ord. No. X-220, 6-19-06; Ord. No. Y-22, 6-4-07; Ord. No. Z-29, 06-02-08; Ord. No. Z-49, 05-18-09; Ord. No. Z-56, 12-07-09; Ord. No. Z-59, 12-21-09; Ord. No. Z-64, 05-17-10; Ord. No. Z-88, 05-23-11; Ord. No. Z-110, 05-07-12; Ord. No. A-23, 05-20-13; Ord. No. A-39, 05-05-14)

Sec. 29-37. Charge to be figured independently for each meter; exception.

Except where the properties served are owned, occupied and operated by one owner and not sublet to various tenants, the rates for each meter shall be figured independently of all other meters. (Rev. Ords. 1973, § 23-21; Ord. No. 190, 12-20-76)

Sec. 29-38. Abatements and rebates of charges.

The commissioner of public works is authorized to make abatements and rebates of charges in all proper cases, subject to the right of the comptroller of accounts to disapprove the same on the ground that they are illegal, excessive or fraudulent. He shall certify to the comptroller of accounts the amounts of abatements and rebates for forwarding to the collector-treasurer. (Rev. Ords. 1973, § 23-20; Ord. No. 190, 12-20-76)

State law reference—Abatement of water charges, G.L. c. 40, § 42E

Sec. 29-39. Unmetered service to buildings under construction; fee for same.

The commissioner of public works may furnish unmetered service to one faucet at a building under construction upon the payment in advance of a fee of twenty-five dollars (\$25.00). (Rev. Ords. 1973, § 23-23; Ord. No. 190, 12-20-76; Ord. No. S-163, 4-7-86)

Sec. 29-40. Fee for turning water on or off generally.

Except as otherwise provided in this chapter, the fee for turning on or turning off water shall be twenty-five dollars (\$25.00) in each case. (Rev. Ords. 1973, § 23-24; Ord. No. 190, 12-20-76; Ord. No. S-165, 4-7-86)

Sec. 29-41. Reserved.

Sec. 29-42. Cross-connection control program.

(a) *Purpose*: A cross-connection control program is hereby adopted in the interest of protecting the public potable water supply from the possibility of contamination.

(b) *Responsibility*: The commissioner of public works, or his designee, shall carry out all responsibilities required of a supplier of public water pursuant to the regulations of the Massachusetts Department of Environmental Protection relative to cross-connections, as may be amended from time to time. Such responsibilities shall include, but not be limited to, survey, inspection, testing, reporting, notification and enforcement pursuant to the provisions of such regulations. All such testing of backflow prevention devices shall be conducted by a person who is a certified backflow prevention device tester consistent with the

requirements of such regulations.

(c) *Test fee*: A fee of ninety dollars (\$90.00) shall be charged to the owner of the property for each test, as required by regulation, of reduced pressure backflow preventers or double check valve assemblies in use of such property. (Ord. No. T-49, 9-18-89)

State law references—DEP role generally and in cross connections, G.L. c. 111, §§ 160, 160A and 310 Code of Massachusetts Regulations § 22.22

Secs. 29-43—29-57. Reserved.



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

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TDD/TTY
(617) 796-1089
E-mail
swarren@newtonma.gov

November 24, 2014

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

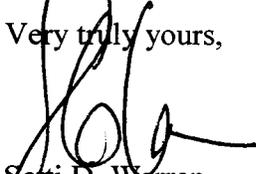
RECEIVED
NEWTON CITY OFFICE
2014 NOV 24 PM 4:23
DAVID A. OLSON, CLERK
NEWTON, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to authorize the appropriation of \$150,000 and authorize a general obligation borrowing for the same amount for HVAC improvements at the Senior Center outlined in the FY2015 Capital Improvement Plan.

Thank you for your consideration of this matter.

Very truly yours,


Setti D. Warren
Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE



PUBLIC BUILDINGS DEPARTMENT

Josh Morse, Interim Building Commissioner

Telephone (617) 796-1600

FAX (617) 796-1601

TTY: (617) 796-1608

52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

Setti D. Warren

Mayor

October 22, 2014

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

RE: HVAC Improvements

Dear Mayor Warren:

The Public Buildings Department respectfully requests \$150,000.00 for HVAC improvements including, but not limited to, replacement of aged HVAC units for energy efficient models and improved heating.

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Morse".

Josh Morse
Public Buildings Commissioner

cc: Maureen Lemieux, Chief Financial Officer
Alex Valcarce, Program Director
Dori Zaleznik, Chief Admin Officer



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

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swarren@newtonma.gov

November 24, 2014

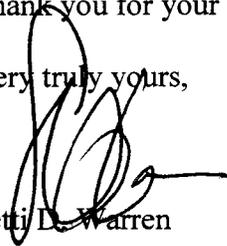
Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to authorize the appropriation of \$150,000 and authorize a general obligation borrowing of the same amount for the funding to replace the water heater at the FA Day Middle School outlined in the FY2015 Capital Improvement Plan.

Thank you for your consideration of this matter.

Very truly yours,


Setti D. Warren
Mayor

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DAVID A. OLSON, CMIC
NEWTON, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

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PUBLIC BUILDINGS DEPARTMENT

Josh Morse, Interim Building Commissioner

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52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

Setti D. Warren

Mayor

November 14, 2014

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

RE: FA Day Water Heater

Dear Mayor Warren:

The Public Buildings Department respectfully requests \$150,000.00 to replace the water heater at the FA Day Middle School.

Sincerely,

Josh Morse
Public Buildings Commissioner

cc: Maureen Lemieux, Chief Financial Officer
Alex Valcarce, Program Director
Dori Zaleznik, Chief Admin Officer



SETTI D. WARREN
MAYOR

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swarren@newtonma.gov

November 24, 2014

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

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a re-allocation of the Carr Elementary School Renovation Project Budget to replenish funds for the Mayor's Contingency Budget Line as well as to cover the cost of various project related expenses.

Below is a summary, by Budget Line Item, of the requested Transfers:

- \$29,008.11 from Telephone/Comm Equipment to Public Property Repair & Maintenance
- \$ 1,125.55 from Telephone/Comm Equipment to Building Improvements
- \$ 395.56 from Construction Clerk of the Works to Building Improvements
- \$ 5,687.98 from Architectural Services to Building Improvements
- \$ 7,119.00 from Consultants to Building Improvements
- \$22,640.25 from Board of Aldermen Contingency to Building Improvements
- \$27,659.75 from Board of Aldermen Contingency to Mayor's Contingency

A revised Project Budget and the items associated with the above transfers is attached for your information and use.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

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DAVID A. OLSON, CLERK
NEWTON, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

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City of Newton



Setti D. Warren
Mayor

PUBLIC BUILDINGS DEPARTMENT

Joshua R. Morse, Commissioner

Telephone (617) 796-1600

FAX (617) 796-1601

TTY (617) 796-1089

52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

October 2, 2014

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

Re: Carr Elementary School Renovation Project Budget Re-Allocations

Dear Mayor Warren:

The Public Buildings Department is requesting a re-allocation of the Carr Elementary School Renovation Project Budget as per the attached spreadsheet to replenish funds for Mayor's Contingency Budget Line as well as to cover the cost of various project related expenses.

Below is a summary, by Budget Line Item, of the requested Transfers:

- \$ 30,133.66 from Telephone/Comm Equipment to Public Property Repair and Maintenance
- \$ 4,814.17 from Board of Aldermen Contingency to Public Property Repair and Maintenance
- \$ 395.56 from Construction Clerk of the Works to Building Improvements
- \$ 5,707.98 from Architectural Services to Building Improvements
- \$ 7,119.00 from Consultants to Building Improvements
- \$ 23,765.80 from Board of Aldermen Contingency to Building Improvements
- \$ 21,720.03 from Board of Aldermen Contingency to Mayor's Contingency
- \$ 100.00 from Telephone/Comm Equipment to Mayor's Contingency

A revised Project Budget and the items associated with the above transfers are also attached for your information and use.

Should you have any questions, please feel free to contact my office.

Sincerely

Joshua R. Morse
Commissioner of Public Buildings

CC: Maureen Lemieux, Chief of Staff/CFO
Dori Zaleznick, Chief Administrative Officer

CITY OF NEWTON, MASSACHUSETTS
 SCHOOL BUILDING IMPROVEMENT FUND
 CARR ELEMENTARY SCHOOL RENOVATION PROJECT
 BUDGET TO ACTUAL REPORT
 LEGAL LEVEL OF CONTROL

	Original Budget BO# 113-12	BO# 321-12	BO# 138-13	#138-13(2)	#138-13(3)	Mayor's Contingency	PROPOSED	Amended Budget
4910 BOND SALE PROCEEDS	\$ 300,000.00	695,558.00	11,749,118.00	(118.00)	-	-	-	12,744,558.00
Total Financing Budget	300,000.00	695,558.00	11,749,118.00	(118.00)	-	-	-	12,744,558.00
530205 CONTRACTUAL SERVICES	-	-	55,000.00	-	-	-	(395.56)	54,604.44
CONSTRUCTION CLERK OF THE WORKS	-	-	55,000.00	-	-	-	(395.56)	54,604.44
5301 CONSULTANTS	-	-	-	5,120.00	-	10,225.00	(7,119.00)	8,226.00
530202 ARCHITECTURAL SERVICES	300,000.00	695,558.00	167,318.00	-	-	(2,500.00)	(5,687.98)	1,154,688.02
530219 BLDG SYSTEM COMMISSIONING	-	-	39,000.00	(10,120.00)	-	-	-	28,880.00
5210 ELECTRICITY	-	-	40,000.00	(40,000.00)	-	-	-	-
52409 PUBLIC PROPERTY R&M	-	-	-	40,000.00	-	52,795.00	34,947.83	127,742.83
5530 CONSTRUCTION SUPPLIES	-	-	-	-	-	1,000.00	-	1,000.00
5793 MAYOR'S CONTINGENCY	-	-	150,000.00	(118.00)	142,500.00	(285,822.00)	21,820.03	28,380.03
5825 BOARD OF ALDERMEN CONTINGENCY	-	-	287,800.00	(137,500.00)	-	-	(50,300.00)	100,000.00
58520 GENERAL CONTRACTOR	-	-	10,835,000.00	-	-	224,302.00	36,968.34	11,096,270.34
58520 COMMUNICATIONS EQUIPMENT	-	-	70,000.00	-	-	-	(30,233.66)	39,766.34
585FFE FURNITURE/FIXTURES/EQUIPMENT	-	-	105,000.00	-	-	-	-	105,000.00
Total Expenditure Budget	\$ 300,000.00	\$ 695,558.00	\$ 11,749,118.00	\$ (118.00)	\$ -	\$ -	\$ -	\$ 12,744,558.00

#468-14

CARR SCHOOL REVISED BUDGET - NOVEMBER 14, 2014

Account	Account Title	Budget	YTD Expenses/Receipts	Encumbrances/R receivables	Balance	Revised Budget	Updated Account Balances after Transfers	Known Outstanding Items	Potential Project Savings
5210	ELECTRICITY	\$ 98,795.00	\$ 55,014.83	\$ 1,900.00	\$ 29,980.17	\$ 133,742.83	\$ 64,928.00	\$ (64,928.00)	\$ -
52409	PUBLIC PROPERTY R-M	\$ 15,345.00	\$ 8,226.00	\$ -	\$ 7,119.00	\$ 8,226.00	\$ -	\$ -	\$ -
5301	CONSULTANTS	\$ 1,160,376.00	\$ 1,118,460.69	\$ 16,355.65	\$ 5,687.98	\$ 1,154,688.02	\$ -	\$ -	\$ -
530202	ARCHITECTURAL SERVICES	\$ 55,000.00	\$ 54,604.44	\$ -	\$ 395.56	\$ 54,604.44	\$ (0.00)	\$ -	\$ (0.00)
530205	CONSTR CLERK OF THE WORKS	\$ 28,880.00	\$ 22,424.99	\$ -	\$ 6,455.01	\$ 28,880.00	\$ 6,455.01	\$ (3,455.01)	\$ 3,000.00
530219	BLDG SYSTEM COMMISSIONING	\$ 1,560.00	\$ -	\$ -	\$ 1,560.00	\$ 23,380.03	\$ 23,380.03	\$ -	\$ 23,380.03
5793	PROJECT CONTINGENCY	\$ 150,300.00	\$ -	\$ -	\$ 150,300.00	\$ 100,000.00	\$ 100,000.00	\$ -	\$ 100,000.00
5795	UNDISTRIBUTED BUDGET	\$ 11,059,302.00	\$ 10,733,658.76	\$ 329,761.58	\$ -	\$ 36,968.34	\$ 36,968.34	\$ (36,968.34)	\$ -
5825	BUILDING IMPROVEMENTS	\$ 70,000.00	\$ 24,802.04	\$ 14,964.30	\$ 30,233.66	\$ 39,766.34	\$ 0.00	\$ -	\$ 0.00
58520	TELEPHONE COMM EQUIP	\$ 105,000.00	\$ 19,310.82	\$ 62,341.67	\$ 23,347.51	\$ 105,000.00	\$ 23,347.51	\$ (23,347.51)	\$ -
585FFE	FURN/FIXTURES/EQUIP	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
R5301	CONSULTANTS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
R530202	ARCHITECTURAL SVS	\$ 12,744,558.00	\$ 12,036,502.57	\$ 425,323.20	\$ 255,078.89	\$ (0.00)	\$ 255,078.89	\$ (128,698.86)	\$ 126,380.03

SUMMARY OF REQUESTED TRANSFER OF FUNDS:

\$	From	To
\$ 30,133.66	31P5916-58520	31P5916-52409
\$ 4,814.17	31P5916-5795	31P5916-52409
\$ 34,947.83		
\$ 395.56	31P5916-530205	31P5916-5825
\$ 710.98	31OH916-530202	31OH916-5825
\$ 4,977.00	31P5916-530202	31P5916-5825
\$ 7,119.00	31P5916-5301	31P5916-5825
\$ 23,765.80	31P5916-5795	31P5916-5825
\$ 36,968.34		
\$ 21,720.03	31P5916-5795	31P5916-5793
\$ 100.00	31P5916-R58520	31P5916-5793
\$ 21,820.03		



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

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swarren@newtonma.gov

November 24, 2014

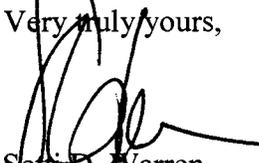
Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to appropriate the sum of \$127,500 from the Energy Conservation Fund to the Public Buildings Department to replace the emergency electrical generator and transfer switch at Fire Station #1 in Newton Corner.

Thank you for your consideration of this matter.

Very truly yours,


Setti D. Warren
Mayor

RECEIVED
Newton City Office
2014 NOV 24 PM 3:43
David A. Oison, OMC
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE



PUBLIC BUILDINGS DEPARTMENT

Josh Morse, Interim Building Commissioner

Telephone (617) 796-1600

FAX (617) 796-1601

TTY: (617) 796-1608

52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

Setti D. Warren
Mayor

November 14, 2014

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

RE: Fire Station #1 Emergency Generator

Dear Mayor Warren:

The Public Buildings Department respectfully requests \$127,500 to replace the emergency electrical generator and transfer switch at Fire Station #1 in Newton Corner.

Sincerely,

Josh Morse
Public Buildings Commissioner

cc: Maureen Lemieux, Chief Financial Officer
Alex Valcarce, Program Director
Dori Zaleznik, Chief Admin Officer



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#471-14
Telephone
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November 24, 2014

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

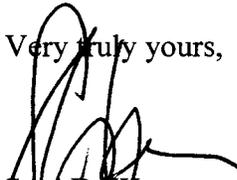
RECEIVED
NEWTON CITY CLERK
2014 NOV 24 PM 3:43
DAVID A. OLSON, CMC
NEWTON, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to appropriate the sum of \$400,000 from June 30, 2014 Certified Free Cash to fund the design and relocation of modular buildings from Zervas School to Newton South High School for special education program needs.

Thank you for your consideration of this matter.

Very truly yours,


Setti D. Warren
Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE



PUBLIC BUILDINGS DEPARTMENT

Josh Morse, Interim Building Commissioner

Telephone (617) 796-1600

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52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

Setti D. Warren
Mayor

November 14, 2014

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

RE: Newton South High School Modulars

Dear Mayor Warren:

The Public Buildings Department respectfully requests \$400,000.00 to design and relocate modular from Zervas School to Newton South High School for special education program needs.

Sincerely,

Josh Morse
Public Buildings Commissioner

cc: Maureen Lemieux, Chief Financial Officer
Alex Valcarce, Program Director
Dori Zaleznik, Chief Admin Officer



Setti D. Warren
Mayor

PUBLIC BUILDINGS DEPARTMENT

Joshua R. Morse, Commissioner

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52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

7 November 2014

Public Facilities Committee
Deborah Crossley, Chair
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

Re: Zervas Elementary School Project 5-58 Review
Salvage Plan for 1316 Beacon Street, Waban, MA

Dear Committee Members:

As part of the 5-58 review for the Zervas Elementary School Project, we request that the following be considered by the Committee.

At the Newton Historical Commission (NHC) meeting of October 28, 2014 the Commission resolved to find the residential structure located at 1316 Beacon Street to be preferentially preserved and as such a Demolition Delay is in effect until October 23, 2015. This delay was anticipated.

Since the Project intends that this structure be removed, the Public Buildings Department proposes to mitigate the loss of the structure by conducting an Existing Conditions Survey when the City takes possession. Public Buildings will work with NHC in the development of an Architectural Salvage Plan to identify appropriate historic architectural elements to be salvaged. In addition the survey will review existing timber framing to determine if the timber frame can be salvaged. Based on the specific items identified the plan will indicate which items are of interest to the City and those that would be made available to Salvage Contractors.

If you have any further questions please do not hesitate to contact me.

Sincerely,

Alejandro M. Valcarce, AIA
Program Director
Public Buildings Department

CC: Dori Zaleznik, CAO
Maureen Lemieux, Chief of Staff/CFO
Joshua R. Morse, Public Buildings Commissioner
Ouida Young, Associate City Solicitor

order to determine what is significant they would need to look at size, age and other factors as well – it would likely be on a case-by-case basis, with criteria, of course.

The Committee asked how this ordinance would further protect trees above and beyond the City's current tree preservation ordinance. Mr. Welch said it would depend on what criteria they end up adopting, but there could be level designations. Springfield MA has an age limit of 75 years and anything 36 inches in diameter or more cannot be removed. They don't have replacement criteria – it just can't be removed. They also do not have the resources and funds for enforcement. A Springfield model for Newton would then dictate that certain trees remain intact and cannot be removed at all. Newton's current ordinance does not prohibit removal just puts parameters around replacement. There are also certain exemptions for residential property owners who intend to stay in their home - they may remove a large tree with no requirement for replacement. That could possibly change with the proposed ordinance so some property rights would be more limited.

The Urban Tree Commission would like to get a sense from the Committee if they would be in favor of hearing more about this and support an ordinance. If so, Mr. Welch said they would welcome some direction, feedback and suggestions. There was strong sentiment in Committee that the Urban Tree Commission should do some research and work on developing this concept more as they are very supportive. Mr. Welch said they are in the most preliminary discussions of this and would continue to do some work and come back to Committee when they have developed this a bit more. In return, they would like to hear from the Committee about what kinds of trees in terms of species, size and age they would like to see protected. They could be specific by letting them know a particular tree on a particular street is something they are interested in protecting. This too will help guide the discussion.

Ald. Sangiolo noted that the Programs & Services Committee will be very supportive of this ordinance, but perhaps other members of the Board may be concerned with property rights and development and how this could affect both. Committee members wondered if there could be legal issues by limiting property rights. Mr. Welch said the Law Dept. would have to comment on that, but he feels it will be very similar to the current tree protection ordinance in that there would be an appeal process to the Mayor.

Ald. Sangiolo asked Committee members to report any examples of significant trees to Marc Welch as well as any model ordinances from other communities. The Committee voted to hold this item.

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]

ACTION: NO ACTION NECESSARY 6-0 (Ald. Baker not voting)

NOTE: Ald. Sangiolo explained that she wanted to follow up on this item to determine whether or not there is a desire in Committee to promote mobile food truck activity in the City. The last time the Committee discussed this, Dori Zaleznik and Candace Havens informed them that they

were looking into one-day events with food trucks to get an idea of how they would be received. There were also a number of restaurant owners who attended the meeting to voice their opposition to food trucks as they would take business away from their bricks and mortar businesses. They felt the food trucks would have an unfair advantage due to their lack of overhead costs including rent, insurance, and taxes. The bricks and mortar businesses were also supporters of community activities by sponsoring events and sports teams, giving gift certificates to schools, etc. and generally being a fabric of City and contributing to economic activity.

City's Response

Nancy Hyde, Director of Economic Development addressed the Committee. She noted that there has not been much in depth study of this issue. The concerns expressed in the last meeting still exist and the administration is very sensitive to the existing businesses and having them do well. Even though the economy is recovering, the restaurant business is very difficult. On the Economic Development Commission level, it might be appropriate at some point to consider places like Wells Avenue where there is an absence of food options. However, she heard that a restaurant in that area relies upon the business from Wells Avenue. A policy that could be in the City's interest but would not hurt the bricks and mortar businesses would be considered, but she's not sure what that would be.

Restaurant Owners Comments

Joel Kadis, co-owner of the Panera and Craft Beer Cellar sites; Karen Masters, owner of Johnny's Luncheonette; the owner of Mango Tango; and the owner of Terry O'Reilly's shared their comments. They all felt the food truck idea was a far-reaching very bad idea. The Newton concept of villages gives the City its vitality and community-oriented feel. The deterioration of the bricks and mortar restaurants result in the introduction of food trucks. There are only so many generic food dollars that people will spend, and if they spend them at a food truck, they will not spend additional dollars at a restaurant. The playing field is completely unfair because a restaurant site will pay about \$150K a year just in rent, taxes and insurances and that does not include operating expenses. Bricks and mortar establishments are getting decimated by the internet and this would be a decisive step that would materially hurt restaurants, and restaurants draw people to the villages which stimulate other businesses as well. If the restaurants go, then banks and nail salons come in to take their place. Ms. Masters said she saw Lexington Center lose its vitality as it got taken over by 14 bank sites. Food and service establishments are what can endure these days.

EDC

Chris Steele, Chairman of the Economic Development Commission (EDC) explained that the EDC does not have a unified point of view at this time. There have been discussions about the innovation of food trucks and how they can possibly be incubators for some food businesses. But the greater weight of the debate has related to the more negative side. For example, the Panera site took considerable time and money to get their use approved and no food truck would have to go through that. It was pointed out that as the price of food goes up, the margin of profit goes down for restaurants because there is only so much they can reasonably charge.

Committee Comments and Questions

Committee members noted that they have seen “canteen” trucks and ice cream trucks around the City. It was thought the difference is that food trucks cook and prepare food and the canteen/ice cream trucks simply deliver prepared food and are not a restaurant on wheels as food trucks are. Ald. Norton explained that there are food trucks at various events such as back-to-school events. This was really convenient for families since most are not going to walk from a school to a village center to get food from a restaurant. One-day licenses might seem like a good idea, but in the end, it still takes business away from the restaurants.

Some restaurant owners suggested that schools and other groups should reach out to the restaurants first to see if they have the capability to serve food at the kinds of events that may currently use food trucks. One restaurant owner said he has been approached for a couple of events and they worked out well, even donating a portion of the food.

Follow Up

Ald. Norton suggested that the restaurants be proactive because these events are on a calendar and are predictable. They could put packages together to make the choice easier for these groups to support the local restaurants and give them the business. Perhaps the EDC should work with the businesses to assist in making those connections. Chris Steele said he and the Chamber of Commerce could work with local businesses and reach out to PTOs and other school groups. Ald. Rice suggested speaking with Linda Plaut as well because she organizes many City events as well. Ms. Hyde said she would reach out to Ms. Plaut and coordinate information. Ald. Sangiolo also had the idea of reaching out to the Wells Avenue office park to promote a little more vitality there.

Resolution

Ald. Sangiolo suggested crafting a resolution to promote development of a program with the existing food establishments in the city to serve food at events with the help of the EDC, the Chamber of Commerce and the Director of Economic Development. She will work on the language for the Resolution and docket it with the Programs & Services Committee.

The Committee voted No Action Necessary for this item and to docket a Resolution as stated.

Respectfully Submitted,

Amy Mah Sangiolo