

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC FACILITIES COMMITTEE AGENDA

WEDNESDAY, JANUARY 23, 2013

7:00 PM
Room 209

ITEMS SCHEDULED FOR DISCUSSION:

Public Hearing to be assigned for January 23, 2013:

#10-13 NSTAR ELECTRIC petitioning for a grant of location to install one new pole (100/9A) in GREEN PARK on the northerly side 70' ± west of Waverly Avenue. (Ward 7) [12/20/12 @ 11:56 AM]

Public Hearing to be assigned for January 23, 2013:

#9-13 NATIONAL GRID requesting a grant of location to install and maintain 80' ± of 4" gas main in DOROTHY ROAD from the existing 4" gas main at 34 Dorothy Road southerly to 45 Dorothy Road. (Ward 8) [12/13/12 @ 9:24 AM]

Note: The Committee will meet jointly with the Programs & Services Committee on the below item:

REFERRED TO PUB.FAC, ZONING&PLANNING, PROG & SERV COMMITTEES

#316-12 DEPARTMENT HEADS HAVENS, ZALEZNIK, LOJEK requesting amendments to **Sec. 26-30. Licenses for cafe furniture on sidewalks.** to streamline the procedure allowing businesses to place café furniture on public sidewalks. [09/24/12 @3:17 PM]

Note: The Committee will meet jointly with the Programs & Services Committee on the below item:

REFERRED TO PUBLIC FACILITIES AND PROG & SERV COMMITTEES

#231-12 RECODIFICATION COMMITTEE recommending that **Sec. 11-11. Permit to cart trash and/or recyclable materials.** be deleted as G.L.c.111 §31A authorizes the Health Department to require registration. for "garbage," which is addressed in Sec. 11-5.

Re-appointment by the President of the Board of Aldermen

#36-13 ARVIN GRABEL, 259 Otis St., West Newton, re-appointed as a member of the ENERGY COMMISSION for a term to expire December 31, 2015. [01/07/13 @ 2:11 PM]

The location of this meeting is handicap accessible, and reasonable accommodations will be provided to persons requiring assistance. If you have a special accommodation need, please contact the Newton ADA Coordinator Trisha Guditiz, 617-796-1156, via email at TGuditiz@newtonma.gov or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting date.

Appointment by the President of the Board of Aldermen

#37-13 MICHAEL GEVELBER, 166 Melrose Street, Auburndale, appointed as a member of the ENERGY COMMISSION to fill the remaining term of John Bliss, which expires on December 31, 2014. [01/07/13 @ 2:11 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#44-13 HIS HONOR THE MAYOR requesting authorization to transfer the sum of five hundred thousand dollars from the Reserve for Removal of Snow & Ice to two accounts within the Department of Public Works as follows:

Regular Overtime.....\$125,000
(0140110-513001)

Rental Vehicles\$375,000
(0140110-5273) [01/14/13 @ 5:34 PM]

#241-12(2) CLERK of the BOARD of ALDERMEN requesting that the Board of Aldermen re-vote His Honor the Mayor's request for a water main extension through a proposed easement across the private way portion of BOULDER ROAD, which was approved November 19, 2012. A re-vote is necessary because the city did not record the taking order within the 30-days required in GL chapter 70, §3.
#38-13

REFERRED TO PROG & SERV AND PUBLIC FACILITIES COMMITTEES

#170-12 ALD. SANGIOLO, BAKER, BLAZAR , JOHNSON, and YATES requesting the creation of an ordinance to govern the naming of public assets of the City, including the interior and exterior features of public buildings, lands, and water bodies of the City, as well as any public facilities and equipment associated with them, all to serve the best interests of the City and to insure a worthy and enduring legacy for the City's physical facilities and spaces, including appropriately honoring historic events, people, and places. [05/29/12 @ 1:34 PM]
PROGRAMS & SERVICES VOTED NO ACTION NECESSARY 3-1-0 (Ald. Linsky opposed) on 01/09/13

REFERRED TO PROGRAMS & SERV. AND PUBLIC FACILITIES COMMITTEES

#315-12 ALD. FULLER, RICE AND GENTILE of the Angier School Building Committee providing updates and discussion on the Angier School Building project as it develops through the site plan approval process. [10-02-12 @ 3:37PM]

ITEMS NOT SCHEDULED FOR DISCUSSION:

#11-13 ALD. YATES requesting that His Honor the Mayor apply to the United States Environmental Protection Agency for designation as a Green Power Partner in addition to its designation by the Massachusetts Office of Energy Resource as a Green Power Community. [12/14/12 @ 3:03 PM]

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

- #322-12 HIS HONOR THE MAYOR submitting the FY14-FY18 Capital Improvement Program pursuant to section 5-3 of the Newton City Charter. [10/09/12 @ 2:38 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #320-12 ALD. SALVUCCI AND GENTILE requesting a discussion with the Engineering Division of the Public Works Department regarding the billing and collecting of street opening permit fees. [09/28/12 @ 10:28 AM]
- #301-12(2) PUBLIC FACILITIES COMMITTEE requesting updates on the progress of the Carr School Renovation Project.

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

- #257-12 RECODIFICATION COMMITTEE recommending (1) review of the Fees, Civil Fines/Non-Criminal Disposition contained in Chapter 17 LICENSING AND PERMITS GENERALLY and Chapter 20 CIVIL FINES/NON-CRIMINAL DISPOSITION CIVIL FINES to ensure they are in accordance with what is being charged and (2) review of the acceptance of G.L. c. 40 §22F, accepted on July 9, 2001, which allows certain municipal boards and officers to fix reasonable fees for the issuance of certain licenses, permits, or certificates.

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.
- #99-12 ALD. LAREDO, ALBRIGHT, CROSSLEY & KALIS requesting a discussion with His Honor the Mayor regarding the creation of a long-range master plan (20-25 years) regarding the means, methods, timing, and coordination to address the City's complete infrastructure needs, including but not limited to school buildings, fire stations, other municipal buildings, streets, sidewalks, trees, playgrounds and other recreational facilities, water, stormwater, and sewer

systems, and all other facilities and infrastructure identified in the city's recent capital assessment. The master plan should be comprised of specific plans from individual departments and at a minimum, the master plan should (a) identify those infrastructure needs and (b) present a phased plan, with identifiable funding sources for meeting those needs. [04-04-12 @ 10:30 PM]

- #98-12 ALD. SALVUCCI AND CICCONE requesting an update on the new water meter installation project and information on how the meters and related equipment are functioning. [03-27-12 @ 9:06 AM]

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]

- #418-11 ALD. CROSSLEY, HESS-MAHAN, LINSKY AND SALVUCCI requesting a report from the administration on the status of a strategy to meet the City's obligation as a Department of Energy Resources Green Community to reduce municipal energy consumption by 20% over five years, and how that strategy is incorporated into the capital improvement plan. [12/08/11 @ 4:09 PM]

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]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #383-11(4) HIS HONOR THE MAYOR recommending that Section 29-80 (b)(1) of the City of Newton Revised Ordinances, 2007 be amended by revising the stormwater rates as follows: single-family residences \$25 per year, two-family residences \$37.50 per year, and multi-family (3 units or more), commercial, industrial, and institutional properties (to include non-profits) would be charged at a rate of \$25 per Equivalent Residential Unit of 2,600 square feet of impervious surface on the property to take effect on July 1, 2012. [04-09-12 @ 2:39 PM]
- #352-11 ALD. JOHNSON & SCHNIPPER requesting a discussion with the Utilities Department regarding the City of Newton's current water billing practices. [10/14/11 @ 2:31 PM]

#172-11 ALD. CROSSLEY, FULLER AND SCHNIPPER requesting discussion with the Utilities Division of the Public Works Department regarding the identification of storm water inflow connections to the sewer system, so as to begin the process of systematically eliminating such illegal connections, including notifications to property owners, educational materials, requirements for corrective actions and technical and financial assistance that may be available from the City in order to facilitate removal of inflow connections. [05/26/11 @3:33 PM]

#138-11 ALD. CROSSLEY AND SCHNIPPER requesting a report from the Department of Public Works regarding the energy use and maintenance costs for the City's streetlights and gaslights and costs/payback associated with recommended energy efficiency measures. [04-21-11 9:08 AM]

REFERRED TO PS&T AND PUBLIC FACILITIES COMMITTEE

#41-11 ALD. JOHNSON, LENNON AND DANBERG requesting discussion of the elimination, except during snow emergencies, of the overnight parking ban which is in effect from November 15 through April 15. [01/18/11 @ 9:00 PM]

REFERRED TO PROG & SERV AND PUBLIC FACILITIES COMMITTEES

#245-10 ALD. SCHNIPPER AND SANGIOLO requesting discussion with National Grid regarding the possible damage to trees as a result of gas leaks. [09/01/10 4:00 PM]

#244-10 ALD. SALVUCCI requesting discussion with the Utilities Director and the Public Works Commissioner regarding the possibility of installing second water meters for outside irrigation. [08/17/10 @12:18 PM]

#223-10 ALD. YATES & ALBRIGHT requesting updates on the status of the reconstruction of the Needham/Newton Street corridor, which include details on the reconstruction funding, plans for the revitalization of the area, and plans for the implementation of transportation improvements. [07/15/10 @ 1:02 PM]

#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]

#175-09 PUBLIC FACILITIES COMMITTEE requesting monthly updates from the Department of Public Works on the Commonwealth Avenue project. [06-03-09 @10:30 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. [08/07/07 @ 3:12 PM]
- (f) establishment of a committee to provide oversight for public building construction and renovation during all phases of planning, design and construction.

Respectfully submitted,

Anthony J. Salvucci, Chairman

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 Public Works Department for a preliminary review before the applicant files the petition with the Board of Aldermen. 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.

Grant of Location Process:

1. Applicant submits completed Petition Form and required materials to Clerk of the Board's Office
2. Engineering Division of Public Works conducts preliminary review and provides written comments (estimated timeframe two weeks)
3. If there is no conflict, the Public Works Department files Petition Form with the Clerk of the Board. Petitioner has the right to file contested petition form to the Clerk of the Board.
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:

Shawna Sullivan, Committee Clerk, 796-1213
John Daghlian, City Engineer, 796-1029

I. IDENTIFICATION (Please Type or Print Clearly)

Company Name N-STAR Electric
Address 200 Calfary Street
Waltham, MA 02453
Phone Number 617-369-6421 Fax Number 617-369-6328
Contact Person Maureen Carroll Title Right of Way Agent
Signature Maureen Carroll Date 12-5-12
Person filing application

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

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.

Green Park - Northert Side Approximately
70'± Feet West of WAVERLY Ave

WO.# 1890850 Install one (1) New Pole 100/9A

B. Attach a sketch to provide a visual description of the project. If plans are attached, provide:
Title of Plan Green Park Date of Plan 11-20-12

III. PUBLIC WORKS DEPARTMENT REVIEW

Date received by Public Works Department _____

Check One:

Minor Project

Major Projects

Lateral

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

Plans Submitted:

Certified Plot Plan

Stamped Plans

DATE AND COMMENTS:

12/31/12

RECOMMENDATIONS:

1. No adverse conditions
2. Police detail required

1. Concrete sidewalk panels shall be replaced in kind, if broken, to City of Newton Specifications
2. Concrete curbs shall be replaced, if broken, or reinstalled to original grade

L. Lawrence B. J. O'Shea
1/2/13

IV. RECOMMENDATION TO PUBLIC FACILITIES COMMITTEE:

[Signature]
Commissioner, Public Works

1/2/13
Date



GAS 200 Calvary Street
Waltham, Massachusetts 02453

December 5, 2012

Board of Aldermen
City Hall
Newton, MA 02159

RE: Green Park
Newton, MA
W.O. #1890850

RECEIVED
Newton City Clerk
2012 DEC 20 AM 11:56
David A. Olson, CMC
Newton, MA 02459

Dear Members of the Board:

The enclosed petition and plan is being presented by the NSTAR Electric Company and Verizon New England Inc. for the purpose of obtaining a Grant of Location to install one (1) New pole 100/9A on Green Park, Newton.

This work is necessary because of long span between poles 1005/9 toward pole 9/40 @ Green Park.

If you have any further questions, contact Maureen Carroll @ (617) 369-6421
Your prompt attention to this matter would be greatly appreciated.

Very truly yours,

A handwritten signature in cursive script that reads "William D. Lemos".

William D. Lemos
Rights & Permits, Supervisor

WDL/amw
Attachments

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

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

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

WHEREFORE, your petitioners pray that after due notice and hearing as provided by law the Board of Aldermen may by Order grant your petitioners joint or identical locations for the erection or construction of poles, to be owned and used in common by them, and for such other fixtures as may be necessary to sustain or protect the wires of the line, said poles to be located, substantially as shown on the plan made by A. DeBenedictis dated November 20, 2012 and filed herewith, upon, along and across the following public way or ways of said City:

Green Park - Northerly side approximately 70± feet west of Waverly Ave

Install one (1) New Pole 100/9A

WO# 1890850

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

NSTAR ELECTRIC COMPANY

By William D. Lemos, Supervisor Rights and Permits

VERIZON NEW ENGLAND INC.

By Ellen M. Joy, Right of Way Manager

Dated this 4th day of December 2012

City of Newton Massachusetts.

Received and filed _____, 2012

City Clerk

RECEIVED NEWTON CITY CLERK 2012 DEC 20 AM 11:56 David A. Olson, CMC Newton, MA 02459

ORDER FOR JOINT OR IDENTICAL LOCATIONS FOR POLES

#10-13

City of NEWTON Massachusetts _____, 2012

IN Board of Aldermen

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

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

Green Park - Northerly side approximately 70'± feet west of Waverly Ave

Install one (1) New Pole 100/9A

WO# 1890850

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

Poles shall be of sound timber and located as shown on a plan made by A. DeBenedictis

Dated November 20, 2012 on file with said petition. There may be attached to said poles by said NSTAR ELECTRIC COMPANY and by said VERIZON NEW ENGLAND INC. wires and cables necessary for the conduit of their business.

All such wires and cables shall be placed at a height of not less than twenty feet from the ground.

A true record.

Attest: _____
City Clerk

Approved: _____ 2012

Mayor

RECEIVED
Newton City Clerk
2012 DEC 20 AM 11:56
David A. Olson, CNIC
Newton, MA 02459

CERTIFICATE

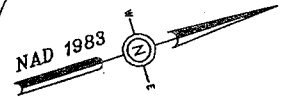
I hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter.Ed.), and any additions thereto or amendments thereof, to wit: - after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the City Clerk to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held at Board of Aldermen in said City on _____ day of _____, 2012 at _____ P.M.

City Clerk

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the City Council of the City of _____ Massachusetts, duly adopted on the _____ day of _____, 2012, and recorded with the records of location Orders of said City, Book _____ Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____
Clerk of the City of _____ Massachusetts



#329

JO/NSTAR
1005/9

70.4'

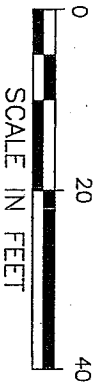
(NEW)
JO/NSTAR
1005/9A

2'

70.2'

GREEN

PK



#47

#341

WAVERLEY

AVE

JO/NSTAR
9/40

4.7'

RECEIVED
Newton City Clerk

2012 DEC 20 AM 11: 56

David A. Olson, CMC
Newton, MA 02459

BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NSTAR NOR ITS EMPLOYEES OR AGENTS SHALL BE LIABLE FOR ANY DAMAGES OR LOSSES CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION OR IN RELIANCE THEREON. IT TO THE MAXIMUM EXTENT ALLOWED BY LAW, YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD NSTAR ELECTRIC & GAS CORPORATION HARMLESS FROM ANY SUCH LOSS OR INJURY.

THE INFORMATION DOES NOT REPRESENT A SURVEY. IT MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION, EITHER EXPRESSED OR IMPLIED, UNAUTHORIZED ATTEMPTS TO MODIFY THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED.

S:\SHARED\IMAGE\BASELINS\NEW\GREENPKA.dwg

Proposed pole locations shown thus	⊕
Pole locations to be abandoned, shown thus	○
Proposed Anchor Guy shown thus	T
Proposed Hip Guy shown thus	T _H
Proposed Underground location shown thus	—
Proposed Push Brace shown thus	⊕
Existing Pole location shown thus	●

Ward #	C#
Work Order # 1890850	Surveyed by RMB/SC
Structures by TQ	Plotted by LM
Approved A. DEBENEDICTIS	Scale 1"=20'

Plan of GREEN PARK, NEWTON	Showing PROPOSED POLE LOCATION
Date NOVEMBER 20, 2012	



Final Label Report

#10-13

SBL	Owner	Number	Street	Unit
73011 0005	GRUMBACHER JOHN R & MERI P	23	GREEN PK	
73008 0020	SHULMAN JAMES H & JANE P T/C	24	GREEN PK	
73011 0006	MONDSHEIN LEE F & SHEILA H	31	GREEN PK	
73011 0007	WINSTON ALEXANDER M	39	GREEN PK	
73011 0008	SULLIVAN MARIA L	47	GREEN PK	
73008 0019	GERSHKOWITZ PAUL H & LAURIE B	50	GREEN PK	
73008 0018	GREENE LISA J	58	GREEN PK	
73008 0017	MILLER SUSAN D	64	GREEN PK	
73008 0016	TOTENBERG ROMAN & MELANIE S	329	WAVERLEY AVE	
73011 0009	KERVIN JOHN E III	341	WAVERLEY AVE	

CITY OF NEWTON
MASSACHUSETTS

#9-13

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 Public Works Department for a preliminary review before the applicant files the petition with the Board of Aldermen. 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 Public Works Department
2. Public Works Department conducts preliminary review and gives written comments to the applicant
3. Petitioner files Petition Form with 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

RECEIVED
Newton City Clerk
2012 DEC 13 AM 9:24
David A. Olson, CMC
Newton, MA 02459

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 PERMIT REPRESENTATIVE
Signature [Signature] Date 12-13-12
Person filing application

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

II. DESCRIPTION OF PROJECT: to be completed by petitioner

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 approximately 80 feet, more or less of 4 inch gas main in Dorothy Rd, Newton. From the existing 4 inch gas main at House # 34 Southerly to House # 45 for a new gas service.

B. Include or attach a sketch to provide a visual description of the project. If plans are attached, provide: Title of Plan 40 DOROTHY RD. Date of plan 11-20-2012
NEWTON MA. 02459

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:

12/14/12

RECOMMENDATIONS:

- 1. 36" minimum cover on all trenches
- 2. Backfill shall be 95% compaction

1. Street opening permit required from City of Newton	3. Bituminous concrete roadway shall be replaced in kind to City of Newton specifications.
2. Notify Engineering 48 hours prior to work	4. Concrete sidewalk panels and concrete curb damaged shall be replaced in kind and grade to City of Newton specifications.
3. Police detail required.	5. Trees shall be protected from any damage.

K.J. O'Shea

PAYMENT OF PERMIT FEES SHALL BE MADE PRIOR TO BEGINNING WORK

V. RECOMMENDATION TO PUBLIC FACILITIES COMMITTEE:

K. Tavana 12/14/12

[Signature]
Commissioner, Public Works

12/14/12
Date

City of Newton/ Board of Alderman:--

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 80 feet, more or less of 4 inch gas main in Dorothy Rd, Newton.
From the existing 4 inch gas main at House # 34 Southerly to House # 45 for a new gas service.**

DATE December 11, 2012

BY _____
Dennis K. Regan
Permit Representative

ORDER FOR GAS MAIN LOCATION

City of Newton/ Board of Alderman:

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 dated December 11, 2012 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 ordinance of the **City of Newton** applicable to the enjoyment of said locations and rights.

Dated 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

**RETURN ORIGINAL TO THE PERMIT SECTION
NATIONALGRID
40 SYLVAN RD, WALTHAM, MA 02451
RETAIN DUPLICATE FOR YOUR RECORDS**

RECEIVED
NEWTON CITY CLERK
2012 DEC 13 PM 9:24
DANIELA OLSON, CMC
Newton, MA 02459

Final Label Report

#9-13

SBL	Owner	Number	Street	Unit
84031 0019	MCMANUS DENNIS P	20	CARLSON AVE	
84032 0006	TANTISIRA LALITA	7	DOROTHY RD	
84031 0018	PRICE MICHAEL J & MARILYN	12	DOROTHY RD	
84031 0017	WEINOGRADE BRUCE G & MARIE M	20	DOROTHY RD	
84032 0001	KENNEDY KAREN R TR	21	DOROTHY RD	
84031 0016	LANDA PHILIP & JANE	28	DOROTHY RD	
84031 0015	DUNAYEVSKIY YURLY	34	DOROTHY RD	
84031 0014	FARHANGMEHR MEHRDAD	44	DOROTHY RD	
84032 0002	MISHRA RANJAN	45	DOROTHY RD	
84031 0013	KOMINIK JONATHAN & DARBY	52	DOROTHY RD	
84032 0003	BURMISTROVICH BORIS	53	DOROTHY RD	



Setti D. Warren
Mayor

City of Newton, Massachusetts
Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459

Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Candace Havens
Director

RECEIVED
Newton City Clerk
2012 SEP 24 PM 3:17
David A. Olson, CMC
Newton, MA 02459

MEMORANDUM

September 10, 2012

TO: David Olson, Clerk of the Board of Aldermen

FROM: Candace Havens, Director of Planning and Development

SUBJECT: New docket items

I wish to request the following items to be considered by the Board:

A policy-based management plan for parking that 1) makes efficient use of existing and future parking spaces; 2) encourages use of alternative modes of travel; 3) addresses the placement, timing and pricing of parking citywide; 4) considers the merits of current parking standards; and 5) includes an action plan that identifies appropriate tools for shaping desired parking behavior.

Amendments to Chapter 19 of the City Code to establish parameters around which parking meter "holidays" may be allowed and identifying the authority for making determinations of eligibility.

Department heads Havens, Zaleznik and Lojek requesting amendments to Section 26-30 to streamline the procedure allowing businesses to place café furniture on public sidewalks.

Not on 10/1 Docket

ON 10/15 DOCKET

*PROG & SERV
ZAP
PF*

#316.12

(c) Whoever remains in, on, or upon any premises described herein in willful violation of this section may be arrested without a warrant, in accordance with G.L. c. 272, § 59 by an officer authorized to serve criminal process in the place where the offense is committed.

(d) Anyone found guilty of a violation of this section shall be punished by a fine of not more than fifty dollars (\$50.00) for each such violation. (Ord. No. S-81, 8-13-84)

Cross reference—Temporary closing of streets, § 19-47

Sec. 26-30. Licenses for cafe furniture on sidewalks.

(a) The commissioner of public works may grant revocable licenses for the placement of certain cafe furniture upon designated areas of the public sidewalk, in accordance with the following standards:

- (1) Licenses may only be granted to the proprietor of the business premises which immediately abuts the sidewalk area affected by the license. Such cafe furniture may be placed upon the sidewalk only during the business hours of the licensed party. All cafe furniture and trash receptacles must be removed at the end of each business day and in addition, must be removed at any time upon the request of the commissioner or his designee when he determines, in his sole discretion, that public works operations or the public convenience and welfare require such removal.
- (2) Licenses may only allow for the placement of tables, chairs and/or benches. Shade umbrellas or tables which have shade umbrellas attached thereto shall not be allowed. The number and type of such tables, chairs and benches shall be subject to the approval of the commissioner. All such tables, chairs and/or benches shall be temporarily placed upon the sidewalk surface and shall not be affixed thereto.
- (3) Licenses may only be granted in those circumstances where the commissioner of public works, after consultation with the chief of police, has determined that the placement of such cafe furniture would not interfere with adequate pedestrian passage upon the public sidewalk at the site, taking into account the flow and level of pedestrian traffic and the location of other fixtures upon the sidewalk including utility poles, newspaper vending boxes and the like. In no event shall a license be granted in circumstances where the placement of such cafe furniture would result in a pedestrian passageway upon the public sidewalk of less than four feet (4') in width.

(b) As a condition of the issuance of any such license the commissioner shall require the licensed party to indemnify, hold harmless and defend the City of Newton from any claims arising out of the licensed activity; and the commissioner shall require the licensed party to provide proof of adequate liability insurance and/or bond, in such form, amount, and with an insurance carrier or surety satisfactory to the commissioner for the performance by the licensed party of the requirements of the license and this section.

(c) The term of each license shall be one year and the fee for each such annual license shall be twenty-five dollars (\$25.00).

(d) Upon receipt of each license application the commissioner shall consult with the board of license commissioners, or its designee, and the commissioner- of inspectional services and commissioner of health and human services for their determinations that the placement of cafe furniture, as described in the application, would not violate existing licensing, zoning and public health requirements, respectively.

(e) All licenses granted pursuant hereto must include the following provisions:

- (1) That the licensed party shall place exterior trash receptacles in the sidewalk area and, at its expense, properly

dispose of the trash deposited therein.

(2) That the licensed party shall be responsible for the clean-up of trash and debris from the sidewalk area and the neighboring area within a radius of twenty-five feet (25') of the sidewalk area affected by the license.

(f) The commissioner of public works may revoke or suspend any license granted pursuant to this section for any violation of the terms of such license or the provisions of this section. (Ord. No. T-305, 11-1-93; Ord. No X-175, 05-26-05)

Sec. 26-31. Sidewalk vending machines; permit required.

(1) Statement of purpose: The board of aldermen has determined that the increasing proliferation of sidewalk vending machines throughout the city requires that the placement and location of such machines be regulated in the interest of promoting public safety, in particular safe pedestrian, wheelchair and vehicular passage. In addition, the board has determined that regulation as to the size, type, and appearance of such machines is necessary in order to preserve the aesthetic character of neighborhoods throughout the city.

(2) Definitions: For the purposes of this section, the words and phrases used herein shall have the following meanings:

Bus Stop: An area in the roadway set aside for the boarding of or alighting from and the parking of buses.

Commissioner: Commissioner of public works or his/her designee.

Crosswalk: That portion of a roadway ordinarily included within the prolongation or connection of curblines and property lines at intersections, or at any portion of a roadway clearly indicated for pedestrian crossing by lines on the road surface or by other markings or signs.

Fire lane: That portion of a public or private parking lot, private driveway or private road which is designed to provide access to fire trucks.

Parking meter: Any mechanical device, not inconsistent with the provisions of Chapter 19 of these Revised Ordinances, placed or erected on any public way or municipal off-street parking area within the city for the regulation of parking.

Person: A person, firm, corporation, distributor, publisher, non-profit organization or other legal entity.

Public street or highway: The entire width between property lines of every way open to the use of the public for purposes of travel.

Roadway: That portion of a public street or highway between the regularly established curb line or that part, inclusive of shoulders, improved and intended to be used for vehicular traffic.

Sidewalk: That portion of a public street or highway set aside for pedestrian travel.

Sidewalk vending machine: Any coin or token operated box, or other container, stand, rack, storage unit or other dispenser or device installed, placed, used, operated or maintained for the display and sale or free distribution of newspapers, periodicals, magazines, advertisements or other printed matter.

Taxi stand: An area in the roadway in which certain taxicabs are authorized and required to park while waiting to be engaged.



Setti D. Warren
Mayor

City of Newton, Massachusetts
Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459

Telephone **#316-12**
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Candace Havens
Director

MEMORANDUM

DATE: January 11, 2013

TO: Marcia Johnson, Chair of Zoning and Planning Committee
Members of the Zoning and Planning Committee

FROM: Candace Havens, Director of Planning and Development
John Lojek, Commissioner of Inspectional Services
Bob Rooney, Chief Operating Officer
Dori Zaleznik, Commissioner of Health and Human Services

SUBJECT: Sidewalk Cafés

MEETING DATE: January 14, 2013

CC: Bruce Proia, Fire Chief
Dave Turocy, Commissioner of Public Works
Chief Mintz, Police Department
Donnalyn Kahn, City Solicitor
Linda Plaut, Director of Cultural Affairs
Ana Gonzalez, Director of Community Engagement

BACKGROUND

Over the summer of 2012, department heads from Planning, ISD, Health and Human Services, and the Executive Office (Economic Development Cluster) met to discuss the potential for sidewalk cafés to enliven our streetscapes and enhance the vitality of our commercial areas. Consistent with other current initiatives of the Mayor, the Zoning and Planning Committee and Economic Development Commission, as well as the objectives of the *Comprehensive Plan*, the Economic Development Cluster has developed a proposal that also incorporates the health, safety and general welfare interests of various City departments, which could be crafted into ordinance language, if supported by the Zoning and Planning Committee.

Several City departments oversee activities that occur on City sidewalks, particularly with regards to restaurants. The Department of Health and Human Services monitors licensing of food and liquor sales, as well as “extensions of premises” through the Board of License Commissioners. The Commissioner of Public Works is generally responsible for maintenance of City sidewalks and for anything placed on them. The Fire Department oversees occupancy limits and fire safety features, especially in restaurant kitchens. The Planning Department evaluates allowed uses, with

particular attention paid to parking requirements that may be triggered by additional seating. Inspectional Services staff enforces compliance with the zoning and building codes, including accessibility standards.

The Economic Development Cluster reviewed sidewalk café ordinances from Boise, ID; Chicago, IL; Charleston, SC; Hoboken, NJ; San Luis Obispo, CA; Port Huron, MI; Lodi, CA; San Francisco, CA; Philadelphia, PA; Brookline, MA; Banff, Alberta; and several boroughs in Manhattan, NY. The group identified some common characteristics and gained insights into the kinds of controls others have used to oversee their cafés. After thorough review of these documents, the group concluded it would be best to designate one department to accept the applications and obtain feedback from the other departments noted previously. Because the Health and Human Services Commissioner is the liaison to the Board of License Commissioners, all agreed that the Health and Human Services Department would be an appropriate place for restaurateurs to apply for sidewalk café permits. The Commissioner of HHS would route proposals to Police, Fire, DPW, ISD, and Planning and schedule appropriate reviews for licensing before the Licensing Board, and would make a determination as to whether all agreed-upon standards are met.

PROGRAM FEATURES

Accessibility. There must be a minimum of four feet of unobstructed sidewalk to allow clear access for people of all abilities between the outdoor dining area (including tables, chairs, umbrellas, signs, and other dining amenities that are placed on the sidewalk adjacent to the eatery) and any other permanent or temporary structures or devices (including but not limited to trees, parking meters, utility poles, bike racks, trash cans, flower beds, or other items that may be placed between the building and the curb line).

Parking. Restaurants with parking that conforms to City standards may request up to eight chairs or 10% more seating than the maximum allowed by the Zoning Regulations, whichever is greater. If the restaurant desires more than this number of seats, parking must be provided in conformance with the City's parking regulations and may be subject to a special permit. The staff of the Departments of Planning or Inspectional Services can assist applicants in determining the parking required for a business, as well as ways to meet the requirement. No new parking spaces will be required if legally allowed seats from inside the restaurant are moved outside, and no more than eight new seats or 10% more seating than allowed by ordinance are added in order for the restaurant to begin operations; however, the "extra" outdoor spaces may not be moved inside, thus increasing their total interior seat count without requiring a recalculation of the parking requirement and assessment as to whether the extra seating triggers a requirement for additional parking and/or a special permit.

Serving of Alcohol. A restaurant that has a license to sell alcohol inside the premises may also serve alcohol outdoors within an approved area designated for restaurant service. Prior to selling alcohol outside, the restaurant must appear before the Board of License Commissioners to request an extension of the premises. All legal requirements for sale of alcohol must be honored. Such establishments must post a sign at all exits that reads, "*It is unlawful to consume alcoholic beverages not purchased on the premises or to remove them from the boundaries of this sidewalk café.*" There must also be an unobstructed view of the outdoor seats from inside the restaurant.

Designated dining area. Where alcohol is served, the area where it is consumed and/or served must be clearly delineated with a barrier such as a planter, rope, handrail, or other feature that separates it from the sidewalk or publicly accessible way and is no less than three feet in height, stable, removable, and not fastened to the sidewalk. No alcohol may be served or carried beyond this designated area. Where alcohol is not served, such barriers are allowed, but not required. Only those areas immediately adjacent to the building where the restaurant is located may be used for outdoor dining and dining may not spill over to areas in front of adjacent properties.

Maintenance. The area surrounding the café shall be free of litter, debris, food, and wrappers and sidewalks shall be washed down on a daily basis. Food from the café shall not be disposed of in city containers.

Sun protection. Umbrellas and awnings that offer protection from the elements and enliven the streetscape are encouraged, and must be fastened, weighted, and stable. Building permits may be required for awnings, so applicants should provide a rendering of any proposed awning to the Department of Inspectional Services to make that determination in advance of ordering or installing such features.

Sidewalk expansions. Restaurants located on a corner, by a mid-block crosswalk, or where an expansion of the sidewalk would be complementary to the physical design of the streetscape, may request permission to expand the sidewalk at their own expense in order to create additional seating outdoors. The applicant shall be responsible for designing the proposed expansion subject to the approval of the Traffic Council (if parking is removed), the Planning and Development Director, and the Commissioner of Public Works. Plans for the sidewalk extension shall be submitted with the application to the Commissioner of Health and Human Services, who will route the plans to the Engineering Division of the Public Works Department for review. The Department of Public Works will be responsible for installing such sidewalk extensions, if plans meet with the approval of the aforementioned departments. The cost of installations will vary, but would be charged at the current rate of construction.

ADMINISTRATION

Permit Required. A sidewalk café permit shall be required to allow sales and consumption of food and/or beverages at a sidewalk café. To be eligible for a permit, applicants must comply with the requirements listed below. Failure to comply with these requirements may result in denial of the application. Once issued, a permit is valid for one year and expires at midnight on March 31 of each year unless application for annual renewal has been made prior to the expiration date.

Renewals. Sidewalk Café permits must be renewed annually to remain in effect and are due on April 1 of each year. If conditions change, a new application must be submitted to the Commissioner of Health and Human Services, noting the changes requested, including change of ownership.

Filing Fee. A filing fee is required at the time of application for sidewalk café permit and is nonrefundable. Thereafter, an annual renewal fee shall be required. Both fees shall be as established by the Board of Aldermen.

Permit Determination. The Health and Human Services Department shall be given the authority to process, grant or deny all sidewalk café applications. The Department shall review the application for completeness, then will route the request to the Police Chief, Fire Chief, Commissioner of Public Works, Commissioner of Inspectional Services, Director of Planning and Development, and Commissioner of Health and Human Services. Each of the departments may recommend conditions or terms for approval that may be necessary to carry out the policies of the City and to protect the health, safety and welfare of the public, or to prevent disturbance or nuisance. In considering whether to approve an application, the Commissioner of Health and Human Services or designee shall verify that the applicant is qualified to apply, that all application requirements have been met, and all departments noted have been consulted and have recommended approval, with or without conditions.

Transferability. Sidewalk café permits may be transferred only to the successor in interest to any licenses or permits issued to the permittee, provided that the transferee has verified that s/he and the café meet application requirements.

Termination and Enforcement. Restaurants are expected to comply with the provisions of the ordinance. Violations will be enforced by Inspectional Services, which will contact other departments as needed to assure compliance with public health and safety violations. The restaurant will receive a warning upon the first violation; upon a second violation, the applicant must appear before the Health and Human Service Commissioner, who will consider revocation of the license and will have authority to take final action on permit approvals and renewals. Any

department shall have the authority to request revocation of a sidewalk café permit for failure to comply with the conditions of their permit or the requirements of the sidewalk café ordinance.

Liability insurance. The applicant shall be required to provide general liability insurance with limits of not less than \$500,000 for the term of the sidewalk café permit, which names the City as additional insured.

The ED Cluster also recommends a sidewalk café ordinance include:

Intent of Sidewalk Café Ordinance. Sidewalk cafes can enhance the use of public space and complement businesses operations from fixed premises, as well as to promote overall social and economic activity in the City’s villages and other commercial areas. They shall be allowed subject to the provisions of the Sidewalk Café Ordinance for legally established restaurants.

Sidewalk Café Definition. A sidewalk café is an outdoor dining or sitting area of a food retailer, contiguous to the food retailer’s premises, which is located in whole or in part on a sidewalk and containing removable tables, chairs, barriers, planters, or related appurtenances.

Sidewalk Definition. That portion of the public right of way, which is between the curb lines and adjacent property lines, and is designed for, improved, and ordinarily used for pedestrian travel.

At the present time, there are approximately 400 licensed food establishments in the City, many of which are not candidates for sidewalk seating, due to lack of frontage with sidewalks or due to the nature of the businesses. There are 26 restaurants that have requested sidewalk seating permits to date; a one-stop application process and some of the features of the ordinance are likely to incentivize other restaurants to consider setting out tables, chairs and benches in nice weather, so it is possible this number could double. Provided that the recommended standards are followed, the Economic Development Cluster does not anticipate any problems associated with this increase, particularly since seating will be limited by the space available on the sidewalks.

PREVIOUS REVIEW

In May 2012, the Zoning and Planning Committee considered two related proposals: one to waive parking requirements for outdoor seating and the other to allow additional seating in restaurants. The Board concurred that no action was necessary at that time, given that staff was reviewing parking, generally, and that the concept of sidewalk cafés merited considerations from various departments whose interests could be integrated into a more comprehensive approach.

NEXT STEPS

Staff welcomes the Board’s feedback on the proposed concept. If the Committee is generally satisfied with this proposal, staff can begin crafting suitable implementing language. If the Committee wishes to have additional information, it would be helpful to the working group if the Committee could identify their concerns so staff can perform the necessary research to further shape an appropriate ordinance. The Licensing Board normally hears requests for annual permits in April, and it would be ideal if an ordinance were in place for the upcoming requests this year.

Attachment A: Sample one-stop application





Setti D. Warren
Mayor

City of Newton, Massachusetts
1000 Commonwealth Avenue Newton, Massachusetts 02459

SIDEWALK CAFÉ PERMIT APPLICATION

ATTACHMENT A

Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

To applicants: Sidewalk cafés are an outdoor dining or sitting area of an existing indoor eating establishment which is located in whole or in part on a sidewalk and containing removable furnishings and dining amenities. A sidewalk café permit is required to allow sales of food and drink and may be issued by the Department of Health and Human Services provided that the sidewalk café meets all the requirements (listed on a separate sheet). Applicants should review the requirements, complete this application, and submit with the items noted below:

- Completed Application Form.** The fee shall be set by the Board of Aldermen. The recommended current fee is \$100 for a new application and \$50 for renewals.
- Explanation of Proposal.** A letter should be submitted with the application that describes the business, indicates proposed hours of operation, explains how additional required parking will be provided, and how the dining area will be separated from the public walkway. The explanation shall also include a detailed description of the type, color, and material of all proposed outdoor furniture, such as tables, chairs, barriers, planters, umbrellas, signs, lighting, and heaters; and any new construction of the façade of the facility or adjacent sidewalk to accommodate the sidewalk café.
- Site Plan.** The site plan should show property lines, structures on the property, layout and dimensions of the outdoor dining area, proposed number and location of tables, chairs and other furnishings to be included in the dining area; the relationship of the outdoor dining area to the indoor dining area; and all permanent and temporary fixtures or objects between the curb line and the restaurant (such as trees, utility poles, trash cans, bike racks, signs, etc.). Applicant shall submit three copies on 1"=10' minimum scaled with one set reduced to an 8 ½" x 11" sheet.
- License(s) to sell food and/or alcohol.** Existing licenses to sell food or alcohol must be in place before selling alcohol; the facility must apply for an extension of premises and appear before the Board of License Commissioners.
- Proof of Liability Insurance.** Liability insurance must meet City standards, naming the City as additionally insured for the term of the permit to the approval of the City Solicitor's Office.

Applicant's Name _____ Phone _____ E-mail _____

Address _____

Property Owner's Signature _____

STAFF USE ONLY

Please return to the Department of _____ by ____ (date) _____.

Please initial and date of sign-off in space beside department below, and attach any addition comments or conditions:

- Health and Human Services _____ Public Works _____ Planning _____
- Inspectional Services _____ Fire _____ Police _____

ACTION: Approved Denied Date _____ BY _____

LAW DEPARTMENT MEMORANDUM

To: Recodification Committee

From: Marie Lawlor, Assistant City Solicitor 

Date: May 2, 2012

Re: Trash and Recycling: Summary and redlines of Law Department's recommended recodification changes to Chapter 11 and to corresponding portions of Chapter 20, § 20-21

SECTION	RECOMMENDED CHANGES	REASON
§11-5	<ol style="list-style-type: none"> 1. Caption: add "trash"; delete "exceptions"; add "recycling services required." 2. Text: Add "trash"; insert "such" before "collection" and delete "of trash" after "collection." 	Conform to G.L. c. 111 §31A, Paragraph 1 (health dept. permit required for garbage collected within Newton) and to clarify that persons collecting garbage or trash (which includes materials other than garbage) in Newton are required to offer recycling services.
§11-6	Remove italics for "Non-profit rubbish"	Consistency of style
§§11-7(h); 11-8(i); 11-9(a); 11-10(c)	<ol style="list-style-type: none"> 1. Add language counting the graduated offenses per 365 day period; 2. Add cross-reference to §1-6 (general penalty); 3. Change format of cross-references 	<ol style="list-style-type: none"> 1. Conform to Board intent and to §20-21(f); 2. Cross-reference to general provision that every day an ordinance offense continues constitutes a separate offense; 3. Consistency of style
§11-11	<ol style="list-style-type: none"> 1. Caption: Delete misleading caption & replace with "Registration for transporting garbage through Newton." 2. Text: delete "trash and/or recyclables"; replace with "garbage" 	Conform to G.L. c. 111 §31A, Paragraph 2 (registration for transporting non-Newton trash through Newton streets); distinguish from §11-5 which applies only to collection of trash & garbage within Newton (see above)
§20-21(f) (for each listed offense)	Delete all references to "first day", "second day", third day and each day thereafter" for each offense.	Clarity; instead, add cross reference to §1-6 (each day an ordinance offense continues constitutes a separate offense) to penalty sections of Chapter 11 (see above)

Sec. 11-4. Reserved.

Sec. 11-5. Trash, Garbage—Permit required to transport; ~~exceptions~~ recycling services required.

All persons transporting trash or garbage through the public ways of the city from places within or to destinations within the city shall first obtain from the health department a permit therefor. All persons offering these services are required to offer full recycling services to all places where such collection of trash occurs within the city. All persons shall show evidence of such recycling plan of services, which plan must be approved by the commissioner of public works or his/her designee and recommended to the commissioner of health and human services at the time of the annual permit request. All such permits shall expire at the end of the calendar year in which they are issued. No permit may be transferred without approval of the health and human services department. (Rev. Ords. 1973, § 8-38(a); Ord. No. 59, 2-20-75; Ord. No. S-1, 7-11-83; Ord. No. X-175, 05-26-05; Ord. No. Z-68, 06-21-10)

Cross reference—Licensing and permits generally, Ch. 17; G.L. c. 111, sec. 31A.

Sec. 11-6. Collection, processing, and disposal of Non-Profit Rubbish for a fee.

~~Non-profit rubbish from religious and charitable organizations may be set out for collection for a fee that reflects the total cost of removal and disposal as determined by the commissioner of public works or his/her duly authorized agent. All non-profit rubbish shall be placed for collection in accordance with this chapter. All non-profit rubbish collected by the city under this section shall comply with all requirements of this chapter. (Ord. No. Z-68, 06-21-10)~~

Formatted: Font: Not Italic

Sec. 11-7. How trash to be placed for collection; weight of receptacles.

(a) The city shall provide, or cause to be provided, one receptacle to each residential premises which receives municipal rubbish disposal services. The receptacle size shall be determined by the commissioner of public works. The receptacle shall be owned by the city. The residents of each such premises shall:

- (1) take proper care to protect such receptacle from misuse, loss, and damage as the city may require the resident to pay for any replacement carts due to such misuse, loss and/or damage; and
- (2) return such receptacle to the city, or its contractor, upon request of the commissioner of public works; and
- (3) in the event that they vacate the premises, shall leave such receptacle with the premises for use by the subsequent residents or if taken the city may require payment for such cart.

(b) If additional receptacles are required, additional receptacles shall be provided at the request of the homeowner at an annual charge established by the commissioner of public works. Only city authorized receptacles will be accepted for collection.

(c) Residents may also purchase trash bags, designated by the city for the sole purpose of trash collection, at a cost per bag established by the commissioner of public works. Only city authorized bags will be accepted for collection. Bags shall not exceed fifty (50) pounds in weight.

(d) All material set out for collection must be in the city supplied receptacle, additional city supplied receptacle, as requested, or designated bags. Loose material will not be collected. All material put out must fit within the receptacle provided so that the receptacle lid remains closed.

(e) Receptacles and designated bags shall be placed for collection in a manner and on days of the week as designated by the commissioner of public works or his/her designee which does not obstruct vehicular and / or pedestrian passage. All receptacles must be placed so that they are easily accessible for collection by the city, and/or in such a place as the commissioner of public works, or his/her duly authorized agent, may designate or

permit.

(f) The commissioner of public works may determine if a multiple residential site (apartment building, condominium units, townhouses, etc.) currently being collected from will require a dumpster. The commissioner will determine the size and location of the dumpster. Multiple unit locations will abide by the same standards as for collection in single residential sites.

(g) No person except those individuals and companies authorized by the commissioner of public works shall collect or pick up or cause to be collected or picked up, trash which has been placed for collection pursuant to Section 11-7.

(h) Failure to comply shall result in the imposition of a written warning for the first offense, fifty dollar (\$50.00) civil fine for the second offense and seventy-five dollar (\$75.00) civil fine for the third and subsequent offenses occurring in any three hundred sixty-five (365) day period. (Ord. No. Z-68, 06-21-10)
(see Article III, Section 20-21). (Ord. No. Z-68, 06-21-10)

Cross reference – general penalty, §1-6; civil fines, §20-21

Sec. 11-8. How recyclable materials to be placed for collection.

(a) The city shall provide, or cause to be provided, one recycling receptacle to each residential premises which receives municipal rubbish disposal services. The receptacle size shall be determined by the commissioner of public works. Only city authorized receptacles will be accepted for collection. The residents of each such premises shall:

- (1) take proper care to protect such recycling container from misuse, loss and damage as the city may require the resident to pay for any replacement carts due to such misuse, loss and/or damage; and
- (2) return such recycling container to the city, or its contractor, upon request of the commissioner of public works; and
- (3) in the event that they vacate the premises, shall leave such recycling container with the premises for use by the subsequent residents or, if taken the city may require payment for such cart.

(b) If additional receptacles are required, additional receptacles shall be provided at the request of the homeowner at an annual charge established by the commissioner of public works. Only city authorized receptacles will be accepted for collection.

(c) Recyclable materials are to be set out in containers as directed by the rules and regulations of the commissioner of public works.

(d) Leaf and yard waste is to be set out in containers as directed by rules and regulations of the commissioner of public works.

(e) All recyclable material set out for collection must be in the city supplied receptacle. Loose material will not be collected. All material put out must fit within the receptacle provided so that the receptacle lid remains closed.

(f) Receptacles shall be placed for collection in a manner and on days of the week as designated by the commissioner of public works or his/her designee which does not obstruct vehicular and / or pedestrian passage. All receptacles must be placed so that they are easily accessible for collection by the city, and/or in such a place as the commissioner of public works, or his/her duly authorized agent, may designate or permit.

(g) The commissioner of public works may determine if a multiple residential site (apartment building, condo

NEWTON CODE ONLINE RECYCLING AND TRASH

§ 11-10

units, townhouses, etc.) currently being collected from will require a dumpster for single stream recycling. The city will determine the size and location of the dumpster. Multiple unit locations will abide by the same standards as for collection in single residential sites.

(h) No person except those individuals and companies authorized by the commissioner of public works shall collect or pick up or cause to be collected or picked up, recyclable materials which have been placed for collection pursuant to Section 11-8.

(i) Failure to comply shall result in the imposition of a written warning for the first offense, fifty dollar (\$50.00) civil fine for the second offense and seventy-five dollar (\$75.00) civil fine for the third and subsequent offenses occurring in any three hundred sixty-five (365) day period. (see Article III, Section 20-21). (Rev. Ords. 1973, § 8-42; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. R-105, 12-15-80; Ord. No. T-92, 6-18-90; Ord. No. Z-68, 06-21-10)

Cross reference – general penalty, §1-6; civil fines, §20-21.

Sec. 11-9. Participation in and enforcement of recycling and trash program.

(a) All persons whose trash is collected by the city shall comply with sections 11-7 and 11-8 when placing materials for collection, unless specifically exempted pursuant to the provisions of subsection (b). Failure to comply with section 11-9 shall result in the imposition of a written warning for the first offense, fifty dollar (\$50.00) civil fine for the second offense and seventy-five dollar (\$75.00) civil fine for the third and subsequent offenses occurring in any three hundred sixty-five (365) day period. (see Article III, Section 20-21)

Cross reference – general penalty, §1-6; civil fines, §20-21.

(b) If compliance with the requirements of subsection (a) imposes undue hardship upon a person, that person may request an exemption from this ordinance from the commissioner of public works. (Ord. No. R-105, 12-15-80; Ord. No. S-249, 3-16-87; Ord. No. T-92, 6-18-90; Ord. No. Z-68, 06-21-10)

Sec. 11-10. When trash and recyclable materials to be placed for collection; carts to pass through streets only once.

(a) Trash and recyclable materials shall be placed for collection on such day or days as may be designated for collection by the commissioner of public works. The commissioner of public works may designate the specific days of collection for particular areas of the city and/or types of trash and/or recyclable materials. Trash and recyclable materials shall be placed for collection between 4:00 p.m. of the day preceding collection and 7:00 a.m. of the day of collection. Collection vehicles having passed through the street will not be sent back to collect any such materials placed for collection after 7:00 a.m.

(b) All empty receptacles, barrels, cans or rubbish containers of any kind shall be removed from the area of collection and returned to the private property of the person(s) who owns or is assigned to the specific receptacle(s) prior to midnight of the day of collection.

(c) Any occupant of a building who places or causes to be placed trash or recyclable materials for collection at times other than those designated in subsection (a) of this section or fails to remove said trash containers or recycling containers or receptacles from the area of collection prior to midnight of the day of collection shall be subject to the following penalties for offenses occurring in any three hundred sixty-five (365) day period. (see Article III, Section 20-21):

NEWTON CODE ONLINE RECYCLING AND TRASH

§ 11-14

- (1) For the first offense—a written warning;
- (2) Second offense-fifty dollars (\$50.00);
- (3) Third and subsequent offenses-seventy-five dollars (\$75.00)

The written warning for each first offense shall be attributable to the dwelling unit occupied by the offending party. Any subsequent offense by any occupant of said dwelling unit shall result in the fine referred to above and shall be attributable to the head of the household.

Provided, however, that when the collection of trash or recyclable materials is delayed due to weather conditions, holidays, or other causes, no penalty shall be imposed for placement thereof in accordance with the time periods established for collection as set forth in subsection (a) above. (Rev.Ords. 1973, § 8-42; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. R-56, 3-17-80; Ord. No. S-1, 7-11-83; Ord. No. T-92, 6-18-90; Ord. No. T-168, 9-3-91; Ord. No. Z-68, 06-21-10)

Cross reference—Licensing and permits generally, Ch. 17; general penalty, §1-6; civil fines, §20-21.

Sec. 11-11. Permit to cart trash and/or recyclable materials. Registration for transporting garbage through Newton.

All persons transporting ~~trash and/or recyclable materials~~ garbage on public ways of the city from points outside the city and to destinations outside the city shall register with the city health and human services department pursuant to Mass. Gen. Laws c. 111, § 31A. Such garbage shall be transported in accordance with such rules and regulations as the health and human services department shall make. (Rev. Ords. 1973, § 8-43; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. S-1, 7-11-83; Ord. No. X-175, 5-26-2005; Ord. No. Z-68, 06-21-10)

Sec. 11-12. Definition of pickup point, placement of refuse for collection from mixed-use buildings, persons responsible for fee.

For buildings utilizing dumpsters, each dumpster location shall constitute a pickup point. Refuse from non-residential and residential units shall not be placed into the same dumpster for collection. For receptacle or bag collection, each street address shall constitute a pickup point, provided however, that in the case of multi-unit buildings, each unit shall constitute a pickup point, and provided further, that the refuse and recycling generated by each non-residential unit in such building shall not be set out for collection.

Nothing herein shall be deemed to render any person liable for charges incurred by a previous owner. (Rev. Ords. 1973, § 8-45; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. R-105, 12-15-80; Ord. No. R-201, 12-7-81; Ord. No. S-1, 7-11-83; Ord. No. Z-68, 06-21-10)

Sec. 11-13. Tipping over, etc.; slippery substances.

No person shall willfully or maliciously disturb or handle the contents of or tip over or upset containers or receptacles standing upon the sidewalk or within the street limits or throw or place upon any sidewalk, crosswalk, street or way any banana skin, orange peel or other slippery substance. (Rev. Ords. 1973, § 8-48; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. S-1, 7-11-83; Ord. No. Z-68, 06-21-10)

Sec. 11-14. Large, bulky, etc., refuse.

(a) Large and/or bulky items such as discarded or broken furniture, large toys, mattresses, rugs, and other large or unwieldy refuse which cannot be placed in the assigned receptacle shall be considered bulky waste. The department of public works may remove and dispose of up to five (5) bulky waste items per household per week without charge. All the materials put out for removal shall be of such form and so prepared and placed as the

ARVIN GRABEL

Department of Electrical and Computer Engineering
 Northeastern University
 Boston, Massachusetts 02115

EDUCATION

B.E.E., College of Engineering, New York University, 1956
 M.E.E., College of Engineering, New York University, 1957
 Sc.D., School of Engineering and Applied Science, New York University, 1964

Continuing Education

Harvard Alumni College, July 1978; "Science and Society - A Challenge for Democracy"

PROFESSIONAL EXPERIENCE

NORTHEASTERN UNIVERSITY, 1964-present
 Professor of Electrical and Computer Engineering
 Interim Chair, 1997-

Primary responsibilities: Undergraduate and graduate course instruction and course development in integrated-circuit design and active network theory. Thesis supervision/reader for Ph.D Engineer's Degree and M.S. students. Instruction and course development in History and Science and Technology and Restrospective Technology Assessment (History Department). Instruction in High Technology MBA Program on Social Implications of Technology. Lecturer in Law, Society and Public Policy Program.

UNIVERSITY OF CALIFORNIA AT SANTA BARBARA, 1983-84, Summer 1985
 Visiting Professor of Electrical and Computer Engineering

Primary responsibilities: Instruction in undergraduate circuits and electronics courses. Research in gallium arsenide integrated circuits.

THE COOPER UNION FOR THE ADVANCEMENT OF ART AND SCIENCE, 1976-77
 Visiting Professor of Engineering

Primary responsibilities: Curriculum development for Project SHAPE (Synthesis of a Holistic Approach to Professional Education), a total undergraduate curriculum in which the humanities and social sciences are integrated with engineering and science. Developed and provided instruction in a systems-design-oriented experimental electronics course.

NEW YORK UNIVERSITY, 1956-64
 Instructor in Electrical Engineering
 Research Fellow (1959-60), Graduate Assistant (1956-57)

Primary responsibilities: Teaching undergraduate courses and developing laboratories in electronic and circuit theory. Development of and instruction in graduate courses in solid-state devices and circuits at the NYU Graduate Center at Bell Telephone Laboratories. Research on solid-state circuits and active network synthesis.

NEW YORK UNIVERSITY, 1954-63

Research Scientist, Electrical Engineering Department (Summers)

Engaged in research in electronic circuits and active networks related to communication and digital control systems. Had supervisory responsibility for masters and undergraduate students' research projects.

CONSULTANT

Northeast Systems Associates; The Gordon Institute; Panametrics, Inc.; Avco Systems Division; Analytic Technologies, Inc.; Safeguard Technology, Inc.; Edward Segal, Inc.

Primary responsibilities: Design, development and evaluation of electronic circuits for high-speed data interconnections, instrumentation, process and motor control and antenna-feed systems.

HONORS

Outstanding Teacher Award, National Technological University, 1994, 1995, 1996
Elected to membership in Sigma Xi, Tau Beta Pi, Eta Kappa Nu
Second Prize AIEE National Student Paper Contest, 1956
First Prize IRE Student Paper Contest (Metropolitan, NY) 1955
Hugo Gemback Scholarship, 1955-56

PUBLICATIONS AND COLLOQUIA

4 Books
24 Journal Articles and Reports
Over 36 Seminars and Colloquia

PROFESSIONAL ACTIVITIES

1. Working Group - Stanford Educational Forum
2. Professional Activities Committee, IEEE
3. Representative, IEEE History of Electrical Engineering
4. Variety of IEEE Editorial Functions
5. Variety of IEEE International Conference Committee

MICHAEL A. GEVELBER

Boston University, Manufacturing Engineering

Education

MASSACHUSETTS INSTITUTE OF TECHNOLOGY Cambridge, MA

Ph.D in Mechanical Engineering, August 1988. Specialties: Controls, dynamics, heat transfer, and thermodynamics. Thesis: "Dynamics and Control of the Czochralski Process", G. Stephanopoulos, Dept. of Chemical Engineering, advisor.

MASSACHUSETTS INSTITUTE OF TECHNOLOGY Cambridge, MA

S.M. degree in Mechanical Engineering, February 1984. Thesis: "Control System Analysis and Dynamic Simulation of an OTEC Power Plant", D.N. Wormley, advisor.

BROWN UNIVERSITY Providence, RI

Sc.B. in Physics, June 1978. Thesis: "Nuclear Magnetic Resonance Study of Motional Narrowing in Glass and Crystalline Cadmium Lithium Nitrate"
Honors in Physics, 1978, Sigma Xi, 1978

Experience

Department of Mechanical Engineering, Boston University Boston, MA
Assistant (1988) and Associate Professor (1996). Research interests in advanced control design for enhanced materials processing including control and system design, modeling, instrumentation, and development of control analysis techniques. Co-chair of the Universities Energy Working Group and member of the Universities Sustainability Committee.

Cyber Materials LLC Newton, MA
Founder (2004) and Manager. Development and commercialization of advanced control and sensor solutions to improve industrial material processing capabilities.

Consultant Cambridge, MA
August 1983 to January 1985. Simulation and control analysis for industrial process.

U.S. Department of Energy Washington, DC
Sept. 1979 to Feb. 1981. Analyst in Office of Plans and Technology Assessment, Fossil Energy.

Energy and Environmental Analysis Inc. Washington, DC
November 1978 to September 1979. Analyst. Equipment modeling and cost estimation.

Professional Activities

- Editorial Board, "Robotics and Computer Integrated Manufacturing, An International journal of manufacturing and product and process development", IFAC, the International Federation of Automatic Control, 2003-2009.
- Founder (2005-2010) and co-director of Burr Elementary School Science and Engineering Discovery Week, a program that brings scientists and engineers into the classroom to give students a feeling of what real scientists and engineers do and why its exciting.
- Thermal Spray Society Program Committee, ASM International, 2003-2010
- International Thermal Spray Conference Program Committee, 2003-2010.
- Session Chair, International Symposium on Flexible Automation, July 2006, Osaka Japan.
- Program Committee for Thermal Spray Society Workshop: Consistency & Reliability of Thermal Spray Coatings: Issues and Practical Solutions: Sensors and Controls, Fall 2004.
- INEEL Summer Faculty Fellowship (1998, 1999)
- Program Committee for 3rd International Workshop on Modeling and Crystal Growth, 2000
- Program Committee for Japan-USA Symposium on Flexible Automation, 1994, 1996
- Journal Reviewer:
 - Automatica
 - Polymer
 - International Journal of Modelling and Simulation
 - IIE Transactions on Design and Manufacturing
 - IEEE Transactions on Control Systems Technology
 - Journal of Crystal Growth
 - Journal of Heat and Fluid Flow
 - Journal of Dynamic Systems, Measurement, and Control
 - Journal of Engineering for Industry.
- * Reviewer, International Federation of Automatic Control (IFAC) conference proceedings
- Proposal reviewer for NSF SBIR program 1997-2002, research proposal reviewer NSF 1998-2003, 2009 for the Division of Design Manufacture and Industrial Innovation, Nanotechnology Program
- Organizer of Emerging Technology and Best Industry Practices Seminar series, Boston University, Manufacturing Engineering Department, 1992-2002.

New Course Development:

- **MN 500/GE 520 Course on Analysis of Energy Conservation/Supply Alternatives: BU Case Study**, offered in conjunction with the Center for Energy and Environmental Studies. Multi-

disciplinary evaluation of technical, economic, and organizational issues of conservation options for the Charles River Campus of Boston University.

- **EK 546: Assessment of Sustainable Energy Technologies:** This course provides students with the background needed to assess the potential for energy efficiency and effectiveness of different technologies, the related economics, identify the key technical risks in emerging technologies, evaluating the life cycle implications of emerging technologies, manufacturing issues, as well as estimating performance.. Examples are drawn from a variety of emerging technologies.

Patents

- 1) "Control System for the Czochralski Process", M.A. Gevelber and G. Stephanopoulos, U.S. Patent no. 4,857,278, 8/89
- 2) "Interface Angle Estimation System", M.A. Gevelber and A.T. Patera, U.S. Patent no. 4,943,160, 7/90.
- 3) "Method for Closed-Loop Control of CVD Process", M.A. Gevelber and M. Toledo-Quinones, U.S. Patent no. 6,162,488, 12/2000.
- 4) "Feedback Enhanced Plasma Spray Tool", M.A. Gevelber, D. Wroblewski, Fincke, W. D. Swank, R.L. Bewley, D.C. Haggard, U.S. Patent 6,967,304, 11/22/2005.
- 4) "Feedback Enhanced Plasma Spray Tool", M.A. Gevelber, D. Wroblewski, U.S. Patent divisional application, molten plasma flux control, application, 9/2007, 20060198944, granted 4/11.
- 5) "Ebeam Vision System for Monitoring and Control", Michael Gevelber, Brian Vattiat, and Adam Brewster, U.S. Patent no. 7,479,632, 1/20/2009.
- 6) Michael Gevelber and Xuri Yan, Provisional Patent Application, 10/09/2007, "Control System for Electrospinning of Nano-Fibers" (60/998,214), BU case 07-79.
- 7) Vattiat, B., Wroblewski, D., Gevelber, M., "Plasma State and Flux Sensor", patent application (serial no. 12/008787), joint Boston University/Cyber Materials application January, 2008.

Referred Publications: Journal, Conference Proceedings, and Book Chapters,

1. J. Winkler, M. Neubert, J. Rudolph, N. Duanmu, and M. Gevelber, Chapter 3, "Czochralski Process Dynamics and Control Design", in "*Crystal Growth Processes Based on Capillarity: Czochralski, Floating zone, shaping and crucible techniques*", edited by Thierry Duffar, April 2010.
2. D. Wroblewski, G. Reimann, M. Tuttle, D. Radgowski, M. Cannamela, S. Basu, M. Gevelber, "Sensor Issues and Requirements for Developing Real-Time Control for Plasma Spray Deposition", *Journal of Thermal Spray Technology*, Vol. 19(4), June 2010, pp. 723—735.

3. X. Yan, M. Gevelber, "Investigation of Electrospun Fiber Diameter Distribution and Process Dynamics", published in the Proceedings of the Electrostatics Joint Conference, Boston University, June 16-18, 2009 and in the *Journal of Electrostatics*, 68 (October 2010), pp. 458-264.
4. E. Speyerer, M. Gevelber, D. Radgowski, "Development of an Adaptive System ID Method for Enabling Advanced E-Beam Sweep Pattern Design", pp 1-8 TuAT6.1, in the 2010 ASME Dynamic Systems and Control Conference Proceedings, ed P. Meckl, Cambridge MA, September 2010.
5. M. Gevelber, D. Wroblewski, M. Cannamela, S. Basu, D. Radgowski, and M. Tuttle, "Sensor and Control Design Issues for Developing Real-Time Deposition Rate Control for Plasma Spray", pp 1-8, TuAT6.6, in the 2010 ASME Dynamic Systems and Control Conference Proceedings, ed P. Meckl, Cambridge MA, September 2010.
6. X. Y and and M. Gevelber, "Process Dynamics and Control Analysis for Electrospinning Nanofibers", pp1-8, WeBT4.1, in the 2010 ASME Dynamic Systems and Control Conference Proceedings, ed P. Meckl, Cambridge MA, September 2010.
7. X. Yan, and M. Gevelber, "Electrospinning of Nanofibers: Analysis of Diameter Distribution and Process Dynamics for Control", In the "2010 International symposium on Flexible Automation" Conference Proceedings, ed. N. Sugimura and J. Cao, July 2010, Tokyo Japan
8. M. Gevelber, D. Wroblewski, M. Canemella, S. Basu, "Sensor Design Issues for Implementation of Real-Time Deposition Rate Control for Plasma Spray", In the "2010 International symposium on Flexible Automation" Conference Proceedings, ed. N. Sugimura and J. Cao July 2010, Tokyo Japan
9. M. Gevelber, D. Wroblewski, B. Vattiat, O. Ghosh, M. VanHout, and S.N. Basu, "Issues and Requirements for Developing a Plasma Spray Deposition Rate Sensor for Real-time control", *International Thermal Spray Conference*, Maastricht, The Netherlands, June 2-4, 2008, Conference Proceedings: ed. E. Lugscheider, 2008, pp 912-916.
10. D. Wroblewski, O. Ghosh, A. Lum, M. VanHout, S.N. Basu, M. Gevelber, and D. Willoughby, "Analysis of Plasma Spray Particle State Distribution for Deposition Rate Control", *International Thermal Spray Conference*, Maastricht, The Netherlands, June 2-4, 2008, Conference Proceedings: ed. E. Lugscheider, 2008, pp 838-843
11. Gevelber, D. Wroblewski, M. VanHout, O. Ghosh, D. Willoughby, S. Basu, "Sensor and Control Design Issues for Implementation of Real-Time Deposition Rate Control for Plasma

- Spray”, ASME International Mechanical Engineering Congress , Oct 31-Nov. 6, 2008, Boston, IMECE2008-68958, pp 10.
12. D. Wroblewski, O. Ghosh, A. Lum, D. Willoughby, M. VanHout, K. Hogstrom, S. Basu, M. Gevelber “Modeling and Parametric Analysis of Plasma Spray Particle State Distribution for Deposition Rate Control”, IMECE2008-68752, *ASME International Mechanical Engineering Congress*, Oct 31-Nov. 6, 2008, Boston.
 13. X. Yan, M. Gevelber, “Analysis of Electrospinning Nanofibers: Diameter Distribution, Process Dynamics, and Control”, *ASME International Mechanical Engineering Congress* , Oct 31-Nov. 6, 2008, Boston, IMECE2008-68299, pp8
 14. G. Reimann, D. Radgowski, M. Gevelber, “Methods for Improving Optical Coating Quality for E-beam Deposition: Minimizing Deposition Rate Variations and Manufacturing Case Studies”, *51st Annual Technical Conference Proceedings of Society of Vacuum Coaters*, 2008 Apr 19-24 Chicago IL , Apr 19-24, 2008 Chicago IL , pp 427-432.
 15. D. Radgowski, G. Reimann, M. Gevelber, "Critical Measurement and Control Issues in Selecting a Quartz Crystal Monitor," *51st Annual Technical Conference Proceedings of Society of Vacuum Coaters*, Apr 19-24, 2008 Chicago IL pp. pg 27-30, 2008.
 16. S.N. Basu, G. Ye, R. Khare, B. McCandless, M. Gevelber, D. Wroblewski, “Dependence of splat remelt and stress evolution on surface roughness length scales in plasma sprayed thermal barrier coatings,” *Int. Journal of Refractory Metals and Hard Materials*, 2009.
 17. G. Reimann, D. Radgowski, M. Gevelber, "Achieving reliable optical thickness without an optical monitor: industrial benchmarks," *50th Annual Technical Conference Proceedings of Society of Vacuum Coaters*, pp. 348-353, 2007.
 18. Gevelber, M., Xu, B., Reimann, G., “Tools for Improving Precision Optical Coatings Through E-Beam Sweep Design”, published in the proceedings of the 2007 Optical Interference Coatings (OIC) Conference, June 2007, Tucson AZ, OSA, paper TuCPDP1.
 19. Michael Gevelber, Xuri Yan, Jian H. Yu, Gregory C. Rutledge, “Electrospinning Process Dynamics and Fiber Diameter Distributions for Development of Real-Time Control”, presented at and published in proceedings of Symposium B. Processing of Nanofibers, MRS Fall 2006, MRS Proceedings, Vol. 948E, “Structure, Processing and Properties of Polymer Nanofibers for Emerging Technologies”, editors K.Kiick and T. Long, paper 0948-B07-02
 20. Gevelber, M., Cui, C., Vattiat, B., Ghosh, O., Wroblewski, D., Basu, S., “Real Time Control for Plasma Spray: Sensor issues, torch nonlinearities, and control of coating thickness”, Paper 0255, Proceedings of the 2006 International Symposium on Flexible Automation, Osaka, pp. 686-691, July 2006

21. Reimann, G., Vattiat, B. Brewster, A., Gevelber, M., "Development of a Robust and Optimized Automatic Tuning System For Control of Evaporation Processes", Paper 0238, Proceedings of the 2006 International Symposium on Flexible Automation, Osaka, pp. 663-670, July 2006.
22. Gevelber, M., B. Xu, D. Smith, "Improved Rate Control for E-beam Evaporation and Evaluation of Optical Performance Improvements", Applied Optics, Vol. 45, Issue 7, March 2006, pp 1456-1460.
23. Reimann, G., Vattiat, B., Brewster, A., Gevelber, M., Hildebrand, J., Hildebrand, C., "Robust Controller Tuning for Evaporative Deposition Processes: Results from Manufacturing Case Studies", Proceedings of the Society of Vacuum Coaters, 49th annual technical conference, Washington DC, 2006, pp. 421-427.
24. Xu, B., Gevelber, M., Smith, D., Reimann, G., Bellum, J., "E-gun Sweep Design to Improve Silica Coating Performance: E-Gun nonlinearity investigation and silica evaporation modeling for sweep design", Proceedings of the Society of Vacuum Coaters, 49th annual technical conference, Washington DC, 2006, pp. 319-325.
25. Basu S.N., Ye G., Gevelber M., and Wroblewski D., "Microcrack formation in Plasma Sprayed Thermal Barrier Coatings", *International Journal of Refractory Metals and Hard Materials*, 23, 335-343(2005).
26. Reimann, G., Gevelber, M., Vattiat, B., Hildebrand, J., Hildebrand, C., "Robust System Identification and Optimized Tuning for Control of Evaporation Processes", Proceedings of the Society of Vacuum Coaters 48th annual technical conference. Denver, CO, 2005, pp 697-702.
27. Xu, B., Gevelber, M., Smith, D., Vattiat, B., "Improving Rate Control in Electron-Beam Evaporated Optical Coatings: maintaining source surface uniformity for large size laser optics coatings and evaluation of system drift", Proceedings of the Society of Vacuum Coaters 48th annual technical conference. Denver, CO, 2005, pp 400-405.
28. Gevelber M., Cui C., Vattiat B., Ghosh O. , Wroblewski D., Basu S., "Real Time Control for Plasma Spray: Sensor Issues, Torch Nonlinearities, and Control of Coating Thickness", International Thermal Spray Conference, Basel, 2005, pp. 667-672.
29. M. Gevelber, B. Xu, D. Smith, "Improving Rate Control in Electron-Beam Evaporated Optical Coatings", in Vacuum Technology and Coating, August 2004, pp 58-65
30. Gevelber, M., B. Xu, D. Smith, "Improved Rate Control for E-beam Evaporation and Evaluation of Optical Performance Improvements", paper ME 9 in the Proceedings of the Ninth Optical Interference Coating Conference of the OSA, Tucson, June 2004.
31. M. Gevelber, B. Xu, D. Smith, J. Oliver and J. Howe, "Improving Rate Control in Electron-Beam Evaporated Optical Coatings: the role of arcing and controller tuning", Proceedings of the Society of Vacuum Coaters 47th annual technical conference. Dallas, TX, April 24 - 29, 2004, pp92-98.

32. M. Gevelber, B. Xu, N. Duanmu, D. Smith, "Development of Improved SiO₂ Rate Control for Electron-Beam Evaporated Optical Coatings", published in the Proceedings of the Japan – USA Symposium on Flexible Automation, Denver, Colorado, July 19-21, 2004, paper UL 75.
33. M. Gevelber, C.Cui, B. Vattiat, D. Wroblewski, "Real-Time Control for Plasma Spray: Production Issues and Engineering Coating Structures", published in the Proceedings of the 2004 Japan-USA Symposium on Flexible Automation; July 19-21 2004; Denver, Colorado, Paper UL 67.
34. S.N. Basu, G. Ye, M. Gevelber and D. Wroblewski, "Microcrack Formation in Plasma Sprayed Thermal Barrier Coatings", to be submitted to the International Journal of Refractory Metals and Hard Materials
35. Gevelber, M., Cui, C., Vattiat, B., Wroblewski, D., Fincke, J.R., and Swank, W.D., "Real-Time Control for Plasma Spray: production issues and distribution implications" , International Thermal Spray Conference, 5-8 May, 2003, in Orlando, FL., pp 1121-1120.
36. Gevelber, M., Xu, B., Smith, D., "Improving Rate Control for E-Beam Deposited Optical Coatings", published in the 46th Proceedings of the Society of Vacuum Coaters, San Francisco CA., May 2003, pp 18-23.
37. Fincke, Swank, Bewley, Haggard, Gevelber, Wroblewski, "Control of Particle Temperature, Velocity, and Trajectory in the Thermal Spray Process", International Thermal Spray Conference, 5-8 May, 2003, in Orlando, FL., pp. 1093-1100.
38. Basu, S.N., Ye, G., Gevelber, C. Cui, D. Wroblewski, M., Fincke, J.R., and Swank, W.D., "Plasma Sprayed Coatings with Engineered Microstructures", International Thermal Spray Conference, 5-8 May, 2003, in Orlando, FL., pp. 1599-1608
39. Wroblewski, D., Khare, R., Gevelber, M., 2002, "Solidification Modeling of Plasma Sprayed TBC: Analysis of Remelt and Multiple Length Scales of Rough Substrates," J. of Thermal Spray Tech, Vol. 11 (2) June 2002, pp 266-275.
40. M. Gevelber, D. Wilson, N. Duanmu, "Modelling Requirements for Development of an Advanced Czochralski Control System", Journal of Crystal Growth, 230 (2001) pp217-223.
41. J.R. Fincke, W.D. Swank, R.L. Bewley, D.C. Haggarda, M. Gevelber, D. Wroblewski, "Diagnostics and Control in the Thermal Spray Process", April 2001, Journal of Surface and Coatings Technology, Sept-Oct 2001, pp. 537-543.
42. M. Gevelber, D. Wroblewski, J. Fincke, W.D. Swank, "System Characterization and Plasma Particle Distribution Analysis for Development of Closed Loop Control for Plasma Spray", HTD Vol. 366-3; Proceedings of the ASME: Heat Transfer Division, November 2000, Vol 3, pp. 419-426.
43. M. Gevelber, "Process Control", in the Encyclopedia of Electrical and Electronic Engineering, John Wiley & Sons, 1999.

44. Gevelber, M.A., Bufano, M., Quinones, M.T., "Dynamic Modelling Analysis of Chemical Vapor Deposition for Control", *Journal of Dynamic Syst., Meas. and Control*, Vol. 120, 1998, pp164-169.
45. Gevelber, M., Quinones, M.T., Bufano, M.L., "Towards Closed-Loop Control of CVD Coating Microstructure, February 1995, *Journal of Materials Science and Engineering A*, Vol. 209, 1996, pp. 377-383.
46. Gevelber, M.A., M.C. Deniz, R. Liu, and E. Sumitra, "Modelling TiN Deposition for Control of CVD", "International Conference on CVD XIII", 189th meeting of the Electrochemical Society, Los Angeles, May 1996, *Proceedings Vol 96-5*, ed. T.M. Bessmann et. al., pp. 157-162.
47. Smith, C.W., Narendra, K.S., and Gevelber, M.A., "Modelling for Control of Induction Plasma Deposition", *Chemical Engineering Science*, Vol. 50, No. 23, 1995, pp3747-3761.
48. Gevelber, M.A., Quinones, M.T., Bufano, M.L., "Dynamic Modelling of CVD for Real-Time Control of Microstructure", in the *Materials Research Society Symposium on CVD of Refractory Metals and Ceramics III*, edited by Lee, W.Y., Gallois, B.M., Pickering, M.A., Vol. 363, 1995, pp. 33-38.
49. Gevelber, M.A., Quinones, M. T., and Bufano, M., "Dynamic Characterization of CVD for Real-Time Control", in the *Proceedings of the 1994 Japan-USA Symposium on Flexible Automation*, Kobe Japan, July 1994, pp. 1417-1423.
50. Gevelber, M.A., Bufano, M, Quinones, M. T., Brown, D., and Passaro, R., "Dynamic Modelling for Control of CVD", *American Control Conference Proceedings*, June 29, 1994, pp. 2623-2627.
51. Quinones, M.T., Bufano, M., and Gevelber, M., "Lumped Modelling and Analysis of CVD Mass Transport and Chemical Reaction Dynamics", in *Transport Phenomena in Non-Conventional Manufacturing and Materials Processing*, edited by V. Prasad and F. Copera, pp. 93-100, HTD-259, Nov. 1993.
52. Narendra, K.S., Smith, C.W., and Gevelber, M.A., "Analysis of Induction Plasma Deposition Dynamics for Control", *Journal of Dynamic Systems, Measurement, and Control*, Vol. 117, No. 3, pp429-432.
53. Gevelber, M.A., "Dynamics and Control of the Czochralski Process, Part 4: Control structure design for interface shape control and performance evaluation", *Journal of Crystal Growth*, 139, 1994, pp.286-301.
54. Gevelber, M.A., "Dynamics and Control of the Czochralski Process, Part 3: Interface dynamics and control requirements", *Journal of Crystal Growth*, 139, 1994, pp. 271-285.
55. Gevelber, M.A., and Stephanopolous, G., "Modelling and Dynamic Characterization of the Czochralski Process", in *Journal of Dynamic Systems, Measurement, and Control*, Vol. 115, No. 1, pp. 109-114, 1993.

56. Gevelber, M.A., and Stephanopolous, G., "Control and System Design for the Czochralski Crystal Growth Process Journal of Dynamic Systems, Measurement, and Control, Vol. 115, No. 1, pp. 115-121, 1993.
57. Narendra, K.S., and Gevelber, M.A., "Modelling and Control of Induction Plasma Deposition", Control Methods for Manufacturing Processes, ASME, Dynamic Systems and Controls, November 1991, DSC-Vol. 28, pp 7-12.
58. Gevelber, M.A., "A Geometric Analysis Method for Control Structure and System Design", in Control Methods for Manufacturing Processes}, edited by J.L. Stein, Y. Koren, J. Holmes, ASME DSC vol. 18, December 1989, pp 123-128.
59. Gevelber, M.A. and Stephanopoulos, G., "Control and System Design for the Czochralski Crystal Growth Process", in Control Methods for Manufacturing Processes}, edited by D.E. Hardt, ASME DSC vol. 9, November 27, 1988, pp. 35-40.
60. Gevelber, M.A., Stephanopoulos, G., and Wargo, M.J., "Dynamics and Control of the Czochralski Process, Part 2: Objectives and control structure design", Journal of Crystal Growth, 91, 1988, pp. 199-217.
61. Gevelber, M.A., Stephanopoulos, G., and Wargo, M.J., "Dynamics and Control of the Czochralski Process, Part 1: Modelling and dynamic characterization", Journal of Crystal Growth, 84, 1987, pp. 647-668.
62. Gevelber, M.A., Wargo, M.J., Stephanopoulos, G., "Advanced Control Design Consideration for the Czochralski Process", Journal of Crystal Growth, 85, 1987, pp. 256-263.

Conference Presentations

1. M. A. Gevelber, "Process Dynamics and Measurement Considerations for Developing Electrospinning Control: needle and free surface system", presented at "Nanofibers for the 3rd Millennium", NC State, The Nonwovens Institute, August 2010.
2. M.A. Gevelber, M. Cannemela, D. Wroblewski, S. Basu, "Alternative Real-Time Control Strategies and Sensing Requirements for Improving Thermal Spray Performance", presented at paper given at the International Thermal Spray Conference, Las Vegas, May 2009.
3. D. Wroblewski, M. Cannamela, M. Gevelber, O. Ghosh, M. VanHout, A. Lum, K. Hogstrom, S. Basu, "Plasma Spray Process Modeling for Control: Effect of Torch Inputs on Particle State Distributions", paper given at the International Thermal Spray Conference, Las Vegas, May 2009.
4. M. A Gevelber, "Alternative Control Strategies and Requirements for Improving Thermal Spray Performance", presented at the "Symposium on Improving Reliability and Consistency

in Thermal Spray, Dec 2-3 , 2008, Montreal Quebec, organized by the ASM Thermal Spray Society.

5. X. Yan, M. Gevelber, "Investigation of Electrospinning Parameters that Determine Fiber Diameter Distribution" The Fiber Society 2008 Technical Conference, Oct 1-3, 2008, Boucherville Canada, Abdellah Ajji, Chair
6. M. Gevelber and X. Yan, "Analysis of Electrospinning Process Dynamics and Resulting Nanofiber Diameter Distributions" The Fiber Society 2007 Technical Conference, Oct 9-11, 2007, University of California at Davis, CA, , You-Lo Hsieh, Chair
7. Gevelber, M., Ghosh, O., Cui, C., Wang, H., Basu, S., Wroblewski, D., "Alternative Strategies for Plasma Sprayed Coating Thickness Control", paper given at the International Thermal Spray Conference, Seattle, May 2006.
8. Reimann, G., Vattiat, B., Brewster, A., Gevelber, M. A., Hildebrand, J., Hildebrand. C., "Robust System Identification and Optimized Tuning for Control of Evaporation Processes: benchmark study results of manufacturing performance", paper given at AVS, Boston November 2005.
9. Gevelber, M., "Manufacturing Performance Evaluation of Alternative Control Strategies for IGT Thermal Barrier Coatings", Combustion Turbine Coatings Symposium, Houston Texas, October 26, 2005, invited.
10. Michael Gevelber, Brian Vattiat, Chenhuan Cui, Boston University, Manufacturing Engineering, Larry Pollard, William Barker, Progressive Technologies, David Harter, Siemens Westinghouse Power Corporation-Stationary Fuel Cells, Performance Comparison of Various Sensor Systems and Plasma Spray Torches", poster given at the International Thermal Spray Conference, Basel, May 2005.
11. M. Gevelber, C. Cui, B. Vattiat, D. Wroblewski, S. Basu, "Real-Time Control for Plasma Spray: Production requirements, sensor issues, control design problems and solutions", paper given at the Sensors and Controls 2004 Workshop, International Thermal Spray Society, October 2004
12. Gevelber, M., B. Xu, D. Smith, "Improved Rate Control for E-beam Evaporation and Evaluation of Optical Performance Improvements", presented at the Optical Interference Coating Conference of the OSA, Tuscon, June 2004.
13. Basu, S.N., Ye, G., Cui, C., Gevelber, M., Wroblewski, D., Fincke J.R., and Swank, W.D., Engineering Plasma Sprayed Coating Microstructure by Advanced Control, presented at the Fall MRS Meeting, Dec. 2-6, 2002, Boston, MA.

14. Ye, G., Basu, S., Wroblewski, D., Gevelber, M., Fincke, J., Swank, W, "Characterization of the Plasma Spray Process for the Development of Closed Loop Control", presented at the ASM Materials Solutions Conference, Cincinnati, November 1999.
15. Khare, R., Wroblewski, D., Gevelber, M.A., "2-D Thermal Modeling of Splat Cooling on Rough Substrates", presented at ASM Materials Solutions Conference, Cincinnati, November 1999.
16. Y. Chen, Z. Ren, P. Nair, and M. Gevelber, "Model Based Control Analysis of the Czochralski Process", Presented at the 13th International Conference on Crystal Growth, Jerusalem Israel, July 1998.
17. Y. Chen, J. Jiang and M. Gevelber, "Process Modelling Analysis for Enhanced Control of INP Synthesis", Presented at the 13th International Conference on Crystal Growth, Jerusalem Israel, July 1998.

Invited Seminars, presented by M. Gevelber

1. "Process Control for Improving Materials Processing Capabilities and Sustainability Initiatives at Boston University, presented at the ASM Boston Chapter meeting, November 2010.
2. "Process Dynamics and Measurement Considerations for Developing Electrospinning Control: needle and free surface systems", presented at the Elmarco and University of North Carolina Nonwoven Institute conference: "NANOFIBERS FOR THE 3RD MILLENNIUM 2010", August 2010, Raleigh, North Carolina.
3. "Boston University's Plasma Spray Research", presented to China Academy Institute of Machinery (CAM), Zhejiang Branch and Hangzhou Turbine Power Corp, Hangzhou, China, July 2010.
4. "Electrospinning Process Dynamics and Fiber Diameter Distributions for Development of Real-Time Control Donaldson, Minneapolis, MN, March 2007.
5. Real-time Control for Improving Materials Processing Capabilities: examples from e-beam deposition of precision optical coatings and plasma spray of TBC and fuel cells", M.I.T., Laboratory for Manufacturing, October, 2006.
6. "Advanced Control for Improved Electron Beam Deposition for Precision
a. Optical Coatings", Shanghai Institute of Optics and Fine Mechanics, Chinese Academy of Sciences, Jiading, Shanghai, July 2006.
7. "Advanced Control for Improved Electron Beam Deposition for Precision", Shincron LTD, Tokyo, July 2006.
8. "Advanced Control for Improving Materials Processing Capabilities: examples from e-beam deposition for optical coatings and plasma spray of TBC and fuel cells", Department of Mechanical Engineering, UCLA May 2006.

9. "Advanced Control for Improving Materials Processing Capabilities: examples from e-beam deposition for optical coatings and plasma spray of TBC and fuel cells", Department of Mechanical Engineering, UCSB May 2006
10. Gevelber, M., "Analysis of Electrospinning Dynamics for Development of Real Time Control", Department of Polymer Chemistry, University of Akron, February 2006
11. Gevelber, M., "Development of Real-Time Control for Plasma Spray: sensing and nonlinear issues, University der Bundeswehr, Munich, Department of Electrical Engineering, November 2005.
12. Gevelber, M., "Development of Real-Time Control for Electron Beam Coatings for Precision Optics", Leybold, Aseneu Germany, November 2005.
13. "Advanced Real-time Control for Enhanced Processing Capabilities for E-beam Deposited Optical Coatings", Laboratory for Laser Energetics, University of Rochester, August 2003.
14. "Advanced Control for Engineering Plasma Sprayed Coating Structure: system characterization and implementation results", Mechanical Engineering Department, University of Toronto, Center for Advanced Coating Technology, August 2003.
15. "Advanced Control for Engineering Plasma Sprayed Coating Structure: system characterization, sensor issues, and implementation results", Institute of Materials Science, University of Connecticut, June, 2003.
16. "Real-Time Control for Improving Materials Processing Capabilities: examples from e-beam deposition of optical coatings and plasma spray of TBC and fuel cells", Mechanical Engineering Department, University of California, Berkeley, May 2003.
17. "Real-Time Control for Plasma Spray: production issues and distribution implications" SUNY Stony Brook, Center for Thermal Spray, Feb. 2003.
18. "Real-Time Control for Plasma Spray: production issues and distribution implications" NIST, Ceramics Division, Washington DC, Dec. 2002.
19. "Real-Time Control for Plasma Spray: performance evaluation and production/implementation issues", SURFTEC annual meeting, Industrial Materials Institute, National Research Council Canada, Montreal, November 2002.
20. "Advanced Control for Engineering Plasma Sprayed Coating Structure: system characterization, sensor issues, and implementation results", September 2001, presented at the University of Connecticut, Department of Mechanical Engineering.
21. "Real-Time Control for Plasma Deposition: system characterization, sensor issues, and implementation results", Tufts University, Thermal Manufacturing Workshop, School of Engineering, M. Gevelber, June 2001,

22. "Dynamic Modeling Analysis for Control of CVD" , University of California, Santa Barbara, Mechanical Engineering Seminar, May 1998
23. "Process Control for Enhanced Processing of Engineered Materials", June 16-20, 1997 at M.I.T., part of the New Developments in Manufacturing Process Technology Seminar at the Laboratory for Manufacturing and Productivity.
24. "Advanced Control for Enhanced Processing of Engineered Materials", IEEE Control and Systems Society, Boston, January 15, 1997,
25. "Real-Time Control of CVD", February 1998, Kennametal.
26. "Real-Time Control of CVD", October 1997, Northeastern University.
27. "Dynamic Modelling of CVD for Real-time Control of Microstructure", NASA Lewis, Systems Dynamics Branch, June 16, 1995.
28. "Dynamic Modelling of CVD for Real-time Control of Microstructure", RPI Mechanical Engineering Seminar, March 23, 1995.
29. "Dynamic Modelling of CVD for Real-time Control of Microstructure", University of Minnesota, Mechanical Engineer Seminar Program, March 8, 1995.
30. "Modelling of Induction Plasma Deposition for Control Design", University of Minnesota, Guest Lecturer, Plasma Processing Graduate Seminar, March 8, 1995.
31. "Dynamic Modeling of CVD for Real-Time Control of Coating Microstructure", Brown University, Joint Materials Science/Solid Mechanics Seminar, Sept. 28, 1994.
32. "Control of Materials Processing", Kao Corp, Recording and Imaging Science Lab, Tochigi Japan, July 18, 1994.
33. "Dynamic Modelling of CVD for Real-Time Control of Microstructure", Berkeley, Mechanical Engineering Department, April 1994,
34. "Dynamic Modelling of CVD for Real-Time Control of Microstructure", Stanford University, Electrical Engineering Department, April 1994.
35. "Dynamic Modelling of CVD for Real-Time Control of Microstructure"., University of Michigan, March 1994.
36. "Modelling for Control of Induction Plasma Deposition", Universite de Limoges, Laboratoire de Materiaux Ceramiques et Traitements de Surface, P. Fauchais, November 1993.
37. "Control of Materials Processing", MIT, Sematech Center of Excellence meeting, March 5, 1993.
38. "Modelling and Control of Induction Plasma Deposition", University of Wisconsin, Plasma-Aided Manufacturing Research Center, March 6, 1992.

39. "Modelling and Control of Induction Plasma Deposition", GE Engineering Materials Technology Laboratories, Lynn MA, October 9, 1991.
40. "Dynamics and Control of Czochralski Crystal Growth", University of Rochester, December 13, 1988.
41. "Dynamics and Control of Czochralski Crystal Growth", Harshaw/Fitrol Comp., , December, 1988.
42. "Materials Processing: Design and Control", Boston University Minuteman Seminar: Frontiers in Manufacturing,
43. October 1988.
44. "Control Design Consideration for the Czochralski Process", General Electric Corporate Research & Development, Control Division Schenectady. September 1987.
45. "Dynamics and Control Design for the Czochralski Process", New England Section of the American Association for Crystal Growth, Boston. May 1987.

Research Grants

1. "Analysis for Development of Electrospinning Control Concepts", to U.S. Army Natick Soldier RD&E Center, 5/1/11-4/30/12, \$85,430.
2. "Real-Time Control for Engineering Electrospun Nanofiber Diameter Distributions for Advanced Applications", Gevelber, PI, NSF, 9/2008-8/2011, \$224,100
3. "STTR Phase II: Development of Advanced E-Beam Sweep Patterns and Control Systems", Cyber Materials LLC / NSF, \$151,217.00, 4/1/06 - 3/31/08, co PI
4. "GOALI: Engineering Coating Microstructure Through Advanced Plasma Spray Processing: Fuel Cell and Thermal Barrier Applications ", National Science Foundation, \$398,954.00, 5/1/03 - 4/30/07, PI
5. "GOALI: Engineering Coating Microstructure Through Advanced Plasma Spray Processing: Fuel Cell and Thermal Barrier Applications (REU Supplement)",
6. National Science Foundation, \$12,000.00, 5/1/05 - 4/30/07, PI
7. STTR Phase 1 Proposal: Advanced Control of Electron-Beam Deposition for High Precision Optical Coatings, NSF SBIR, BU subcontract: \$58,240, 1 year, PI: Douglas Smith, Vacuum Process Technology, Michael Gevelber, co-PI
8. Proposal to Develop Advanced Control Capabilities for E-beam Deposition, Sandia, via VPT \$34,656 for 8 months, Gevelber (PI), 8 months,

9. "Control Development and Modelling for Enhanced Crystal Growth: Application to Novel New Technologies and Extension of Conventional Capabilities", PI, National Science Foundation, \$270,000.00, 9/1/01 - 8/31/05
10. "Control Development and Modelling for Enhanced Crystal Growth: Application to Novel New Technologies and Extension of Conventional Capabilities (REU)", PI, National Science Foundation, \$30,000.00, 9/15/01 - 8/31/05
11. Development of Advanced Instrumentation for Student Research and Education on Plasma Coating Crack Formation Fundamentals, equipment grant, \$88,900, NSF/DMR, Gevelber (PI), Wroblewski, and Basu.
12. Supplemental Research Experience for Undergraduates, NSF, Gevelber (PI) \$12,000.
13. Integrated Plasma Deposition Processing for Advanced Control of Coating Structure", \$334,000 for 3 years, NSF, Gevelber (PI), Wroblewski, and Basu.
14. DURIP Equipment Proposal: Real Time Control for Advanced Materials Processing", \$120,000 from AFOSR, Gevelber (PI), Wroblewski, Basu
15. Intelligent Process Control for Czochralski Crystal Growth, ARPA/AFOSR through SUNY Stony Brook, Gevelber, co-PI, 2 year for \$149,594.
16. Research Gift from Intelcore, related to work in analysis of control performance for Fiber Preform Manufacture and Fiber Draw: \$34,000. Summer 2001.
17. "Supplemental Research Experience for Undergraduates," NSF, from 1998-2003, \$32,000
18. Intelligent Process Control for Czochralski Crystal Growth, ARPA/AFOSR through SUNY Stony Brook, Gevelber, co-PI, 3 year for \$224,391.
19. Integrated Plasma and Chemical Vapor Deposition Processing for Advanced Control of Coating Structure", \$12,000, 1 year grant from United Technologies University Program, Gevelber, Wroblewski and Basu.
20. Real-Time Control of Engineered Coating Microstructure, Gevelber (PI) and Sarin, NSF, \$179,706, 3 years.
21. Modelling and Control of Plasma Deposition for Enhanced Materials Production, Gevelber, NSF, \$204,155, 3 years
22. Insitu Intelligent Materials Processing Equipment Grant, Gevelber and Sarin, NSF, \$47,066.

23. System and Control Analysis of Low Pressure Plasma Deposition", Gevelber, NSF, \$70,000 (Research Initiation Award).

Related Research Grants through Cyber Materials with significant Boston University Involvement

1. Air Force SBIR, Phase 1, "Control of Plasma Sprayed Coating Structure", \$100,000 [with S, Basu]
2. NSF SBIR, Phase II grant, "Plasma Spray Sensor Development", \$500,000 [with Donald Wroblewski].
3. NSF SBIR, Phase I grant, "Plasma Spray Sensor Development", \$100,000 [with Donald Wroblewski]

Ph.D Thesis Supervision (advisor and first reader).

1. Xuri Yan, "Electrospinning of Nanofibers: analysis of diameter distribution and process dynamics for control", Ph.D. in Mechanical Engineering, Oct. 2010.
2. Chenhuan Cui, " Experimental and modeling analysis of plasma spray nonlinearities for advanced process control design", Ph.D. in Manufacturing Engineering, 2007.
3. Bing Xu, "Experimental and modeling analysis for developing improved electron beam processing capabilities for precision optical coatings", Ph.D. in Manufacturing Engineering, 2007.
4. Ning Duanmu, "Modeling, dynamics, and control of the Czochralski crystal growth process", Ph.D. in Manufacturing Engineering, 2006.
5. Manuel Toledo-Quinones, "Dynamic Modelling of Chemical Vapor Deposition for Real-Time Control", May 1995, Ph.D. in Electrical Engineering,

M.S Thesis advisor and first reader:

1. Onomitra Ghosh, "Modeling and sensing strategies of plasma spray particle distributions for deposition rate control", 2007, M.S. in Manufacturing Engineering.
2. Brian Vattiat, "Analysis of the Sensor and Measurement Requirements for Feedback Control of Plasma Spray Processes", January 2004, MS, Mechanical Engineering,
3. D. Wilson, "Modelling of Czochralski Crystal Growth for Advanced Control Design", May 2002, M.S. in Electrical Engineering,

4. R. Liu, "Modelling and Dynamic Analysis of TiN Deposition for Control of CVD", May 1998, M.S. in Manufacturing Engineering,
5. M. Sikka, "Modeling for Control of Plasma Deposition: Plasma-Particle Interactions and Solidification Process", May 1997, M.S. in Manufacturing Engineering,
6. E. Sumitra, "Modeling and Analysis of CVD for Closed Loop Control: Deposition Physics, Dynamic Characterization and Experimental Verification", May 1997, M.S. in Manufacturing Engineering,
7. C. Smith, "Low Order Modelling and Control Analysis of Induction Plasma Deposition", May 1995, MS in Manufacturing Engineering, First Reader. Publications: [12, 17
8. M. Bufano, "Dynamic Modelling of Heat and Mass Transport for Control Of Chemical Vapor Deposition", January 1995, MS in Mechanical Engineering,
9. M. Sharma, "Control Structure Analysis and Design for Poorly Conditioned Multivariable Systems", May 1993, MS in Manufacturing Engineering,
10. K.S. Narendra, "Modelling and Control of Induction Plasma Deposition", January 1992, MS in Manufacturing Engineering.



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#44-13

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

January 14, 2013

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

RECEIVED
Newton City Clerk
2013 JAN 14 PM 5:34
David A. Olson, CMC
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to transfer the sum of \$500,000 from Acct # 0110498-5794 Reserve for Removal of Snow & Ice to the following accounts:

Acct # 0140110-513001	Regular Overtime	\$125,000
Acct # 0140110-5273	Rental Vehicles	\$375,000

The City has incurred approximately \$700,000 to date in expenditures in this account. Therefore, this request is meant to be proactive so that funds would be available in the event of another storm this winter.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

Public Works Department
 FY13 Snow and Ice Projected Spending Through Thursday January 10, 2013

	A	B	C=A+B	D	E=C-D	
0140110	DESCRIPTION	ORIGINAL FY13 APPROPRIATION	TRANSFERS AND BOARD ORDERS	REVISED APPROPRIATION	EXPENDED, ENCUMBERED AND TO BE PROCESSED	AVAILABLE
511001	SALARY WAGES	\$0	\$5,000	\$5,000	4,911	\$89
511002	FULL TIME WAGES/HOURLY	\$0	\$0	\$0	0	\$0
513001	REGULAR OVERTIME	197,800	\$0	\$197,800	174,154	\$23,646
513001A	REGULAR OVERTIME - BUILDINGS/SCHOOLS	30,000	\$0	\$30,000	5,672	\$24,328
513004	WORK BY OTHER DEPARTMENTS - OVERTIME	1,000	\$0	\$1,000	6,036	(\$5,036)
514311	DRIVING BONUS/STAND-BY SNOW PAY	30,000	\$0	\$30,000	20,470	\$9,530
514318	SNOW WATCH PAY	20,000	\$0	\$20,000	9,233	\$10,767
514321	PROMPTNESS PAY STIPEND	1,200	\$0	\$1,200	253	\$947
5273	RENTAL: VEHICLE & EQUIPMENT	200,000	\$0	\$200,000	297,738	(\$97,738)
5273A	RENTAL: VEHICLE & EQUIPMENT BUILDINGS/SCHOOLS	100,000	\$0	\$100,000	60,448	\$39,553
5386	WEATHER FORECAST SERVICE	1,655	\$0	\$1,655	1,655	\$0
5480	GASOLINE	34,425	\$0	\$34,425	0	\$34,425
5481	DIESEL FUEL	63,930	\$0	\$63,930	0	\$63,930
5484	VEHICLE REPAIR PARTS	75,000	\$0	\$75,000	34,414	\$40,586
5532	SAND AND SALT	239,990	\$0	\$239,990	77,085	\$162,905
5712	MEALS	0	\$0	\$0	0	\$0
5783	PRIVATE PROPERTY DAMAGE	5,000	\$0	\$5,000	0	\$5,000
57MEDA	MEDICARE PAYROLL TAX	0	\$0	\$0	2,284	(\$2,284)
TOTALS		\$1,000,000	\$5,000	\$1,005,000	\$694,352	\$310,648

CITY OF NEWTON
IN BOARD OF ALDERMEN

November 19, 2012

**WATER MAIN EXTENSION AND
TAKING OF EASEMENT: BOULDER ROAD**

WHEREAS, a request from His Honor the Mayor for extension of the water main in Boulder Road has been presented to the Board of Aldermen, and

WHEREAS, said Board has appointed a time for a public hearing and has caused a notice thereof and of its intention in the matter to be given, and

WHEREAS, said public hearing has been held before the Board of Aldermen and it is the opinion of the Board of Aldermen that it is necessary for the public convenience and the public health that such water main be extended; it is hereby

ORDERED: that a water main shall be laid, made, repaired and maintained in the following location: Boulder Road, from the existing water main in Boulder Road in a southwesterly direction a distance of approximately 300 feet. A portion of Boulder Road is a private way; therefore, it is further hereby

ORDERED: that an easement be and is hereby taken for the purpose of placing, constructing, installing, repairing, renewing, relocating, inspecting, operating and forever maintaining a water main, drain and sewer including pipes, manholes, handholes, valves, conduits and other necessary appurtenances for the operation of a water main, drain and sewer

The easement parcel is shown as "Boulder Road Unaccepted" on a plan entitled "Boulder Road Land Taken for Main Drain and Common Sewer, Scale 1" = 40', dated October 10, 2012, by Louis M. Taverna P.E., City Engineer City of Newton Massachusetts. Said plan is designated plan #T44-38914 in the City Engineer's records. It shall be recorded together with a copy of this order at the Registry of Deeds.

The following are the names, addresses and title references of the persons whose property may have been taken or affected by the taking of this easement in the above parcel of land, so far as known to the Board of Aldermen; and the Board of Aldermen does assess and award as the damages sustained by them the amounts severally set against their names. The first column refers to the Section-Block-Lot designation used by the City for parcel identification.

<u>Sec-Blk-Lot</u>	<u>Names/Property Addresses</u>	<u>Book/Page</u>	<u>Damages</u>
81-18-08	Julia Faigel 20 Boulder Road Newton Centre 02459	53250/585	None
81-17-01	Alice B. Kurk Trustee	49379/358	None
81-17-02	Alice B. Kurk 2007 Revocable Trust 348 Dedham Street Newton Centre 02459		

Under Suspension of Rules
Readings Waived and Approved
22 yeas 0 nay 2 absent (Aldermen Ciccone and Gentile)

(SGD) DAVID A. OLSON
City Clerk

(SGD) SETTI D. WARREN
Mayor

Date: _____