

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC FACILITIES COMMITTEE AGENDA

WEDNESDAY, MARCH 6, 2013

7:00 PM
Room 209

ITEMS SCHEDULED FOR DISCUSSION:

Public hearing assigned for March 6, 2013:

#71-13 COMCAST petitioning for a grant of location to install 70' ± of 3" conduit in NEWTONVILLE AVENUE from 122' westerly of the intersection of Bowers Street and Newtonville Avenue in a westerly direction to 458-462 Newtonville Avenue. (Ward 2) [02/12/13 @ 11:31 AM]

Public hearing assigned for March 6, 2013:

#70-13 NSTAR ELECTRIC petitioning for a grant of location to install a new pole (100/8) in COLUMBUS STREET on the northeasterly side opposite Standish Street. (Ward 6) [02/04/13 @ 1:00 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#104-13 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of two hundred fifty thousand dollars (\$250,000) from Free Cash to the Public Works Snow/Ice Removal Account. [02/25/13 @ 6:32 PM]

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.

PROG & SERV APPROVED 5-0 (Ald. Baker not voting) on 02/06/13

#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]

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.

The Committee will meet jointly with the Programs & Services Committee to discuss the below item:

REFERRED TO PROG. AND SERVICES AND PUB. FACILITIES COMMITTEES

#99-13 SUPERINTENDENT FLEISCHMAN requesting the vote of the Board of Aldermen to complement the vote of the School Committee to authorize the Superintendent of Schools to submit to the Massachusetts School Building Authority (MSBA) the Statement of Interest that will be submitted to the MSBA no later than April 10, 2013 for the consideration in Fiscal Year 2013 for the Cabot Elementary School. [02/26/13 @ 2:03 PM]

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:

Public hearing to be assigned for March 20, 2013:

#97-13 BOSTON COLLEGE petitioning for a grant of location to install seven ornamental light poles and fixtures on the east side of COLLEGE ROAD at the following locations:

- 150' ± northeast of the College Road and Hammond Street intersection
- 370' ± northeast of the College Road and Hammond Street intersection, between 36 College Road and 4 Quincy Road
- 80' ± northeast of the College Road and Quincy Road intersection, near 50 College Road
- 250' ± northeast of the College Road and Quincy Road intersection, between 66 and 72 College Road.
- 430' ± northeast of the College Road and Quincy Road intersection, near 84 College Road.
- 500' ± south of the College Road and Commonwealth Avenue intersection, between 110 and 116 College Road. (Ward 7) [02/15/13 @ 3:17 PM]
- *Appointment by the President of the Board of Aldermen*
- #98-13 ANDREW COPELOTTI, 63 Broken Tree Road, Newton Centre appointed as a member of the Design Review Committee for a term to expire on December 31, 2013. [02/12/13 @4:40 PM]

#52-13 ALD. GENTILE, SANGIOLO AND HARNEY requesting a discussion on the status of Moulton Street and Colgate Circle that were built by the City of Newton through the Newton Redevelopment Authority as part of the Lower Falls Urban Renewal Project. (Ward 4) [01/28/13 @ 10:53 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

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

REFERRED TO 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]
- #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

CITY OF NEWTON
MASSACHUSETTS

PETITION for GRANT OF LOCATION

To the Petitioner:

City of Newton Ordinance Section 23-52 requires that each petition for grant of location be submitted to the Board of Aldermen before it is sent to the Public Works Department for a preliminary review. The comments of the Public Works Commissioner will be part of the record submitted to the Board of Aldermen. Upon filing with the Board of Aldermen, the petition will be scheduled for a public hearing before the Public Facilities Committee of the Board of Aldermen. **The petitioner is responsible for insuring that the petition is complete and all required materials are in order for review.** Attached please find the City Engineer's Standard Requirements for Plans and the Department of Public Works Permit Processing brochure.

Grant of Location Process:

1. Applicant submits completed Petition Form and required materials to the Board of Aldermen
2. Public Works Department conducts preliminary review and gives written comments to the applicant
3. Engineering Division files Petition Form with comments with the Clerk of the Board of Aldermen
4. Board of Aldermen schedules petition for a public hearing before the Public Facilities Committee of the Board of Aldermen
5. Public Facilities Committee recommendations are forwarded to the Board of Aldermen for a final decision

Questions my be directed to:

Lou Taverna, City Engineer, 617-796-1020
Shawna Sullivan, Clerk of the Board of Aldermen, 617-796-1213

I. IDENTIFICATION (Please Type or Print Clearly)

Company Name COMCAST OF NEW ENGLAND

Address 85 East Belcher Road, Foxboro, MA 02035

Phone Number 508 543 9022 EXT 37805 Fax Number 508 543 5769

Contact Person Manuel C Furtado Title Construction Engineer

Signature Manuel C Furtado Date _____
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

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.

See Attached Form: Comcast is requesting to petition the town of Newton with a request to trench in the Public Way: Starting at an existing location as pictured, continue trench 50' +/- to a location adjacent to the stairway of 460 Newtonville Ave. Continue by crossing south across Newtonville Ave. 15' +/- to Property line

B. Include or attach a sketch to provide a visual description of the project. If plans are attached, provide:

Title of Plan 460 Newtonville Ave Date of plan 2/11/13

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:

RECOMMENDATIONS:

V. RECOMMENDATION TO PUBLIC FACILITIES COMMITTEE:

Commissioner, Public Works

Date

Final Label Report

#71-13

SBL	Owner	Number	Street	Unit
22005 0019	LOWNEY KATHLEEN E	424	NEWTONVILLE AVE	
22004 0011	NIXON KATE K TR	425	NEWTONVILLE AVE	
22005 0024	PERRY CHAUNCY S & NANCY M	432	NEWTONVILLE AVE	
22004 0017	GALLAGHER PATRICIA J TR	439	NEWTONVILLE AVE	
22005 0025	JAIWAL GURVINDER K TR	440	NEWTONVILLE AVE	
22005 0031	NEWTON MASONIC ASSOCIATES INC	454	NEWTONVILLE AVE	
22005 0032	NEWTON MASONIC ASSOCIATES INC	456-460	NEWTONVILLE AVE	
22004 0015	RUSH REALTY HOLDINGS LLC	288	WALNUT ST	

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 of Aldermen.
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

RECEIVED
NEWTON CITY CLERK
2013 FEB - 4 PM 1:00
DAVIDA OLSON
NEWTON MA 02459

Questions may be directed to:

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

I. IDENTIFICATION (Please Type or Print Clearly)

Company Name NSTAR Electric

Address 200 CSHVRY Street
Waltham, MA 02453

Phone Number 617-369-6421 Fax Number 617-369-6328

Contact Person MAURKEEN CARROLL Title RIGHT OF WAY AGENT

Signature Maurkeen Carroll Date 2-24-13
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

#70-13

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.

Columbus street - Northeast side opposite Standish Street

Install one (1) New pole 100/8

WO # 1912994

B. Attach a sketch to provide a visual description of the project. If plans are attached, provide:

Title of Plan 56 Columbus Street, Newton Date of Plan 1-21-13

III. PUBLIC WORKS DEPARTMENT REVIEW

Date received by Public Works Department _____

Check One:

Minor Project

Major Projects

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:

2/6/13

- 1. No adverse conditions
- 2. Police detail required

RECOMMENDATIONS:

- 1. Bituminous concrete sidewalk shall be repaired if damaged to City of Newton specifications
- 2. Granite curbs shall be replaced, if broken, or reinstalled to original grade.
- 3. Traffic shall be maintained.

L. J. ... 2/6/13

IV. RECOMMENDATION TO PUBLIC FACILITIES COMMITTEE:

[Signature]
Commissioner, Public Works

2/6/13
Date



200 Calvary Street
Waltham, Massachusetts 02453

#70-13

January 25, 2013

Board of Aldermen
City Hall
1000 Commonwealth Ave
Newton, Ma 02159

RE: **Columbus Street**
Newton, Ma
W.O. # 1912994

RECEIVED
Newton City Clerk
2013 FEB -4 PM 1:00
DAVID A. OLSON, CMC
Newton, MA 02459

Dear Board of Aldermen:

The enclosed petition and plan is being presented by the NSTAR Electric Company, for the purpose of obtaining a Grant to install one (1) new pole 100/8 on Columbus Street, Newton.

This work is necessary because the owner of the property at #56 Columbus Ave currently receives their Electric Service via back yard construction. Property owner wants back yard construction removed and want to have their Electric Service provided via the proposed pole to be installed on Columbus Street, Newton.

Your prompt attention to this matter would be greatly appreciated. If you have any questions please call Maureen Carroll at (617) 369-6421.

Sincerely,

William D. Lemos
Rights & Permits Supervisor

WDL/aw
Attachments

PETITION OF NSTAR ELECTRIC COMPANY FOR LOCATION FOR POLES

To the **BOARD OF ALDERMEN** of the City of NEWTON, Massachusetts

Respectfully represents **NSTAR ELECTRIC COMPANY** a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission upon, along and across the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the **Board of Aldermen** may by Order grant to your petitioner permission to erect or construct, and a location for, such a line of wires, poles and such a line of wires, poles and such other fixtures including anchors and guys as may be necessary to sustain or protect the wires of the line, the said poles to be located, substantially as shown on the plan made by A. DeBenedictis dated January 21, 2013 and filed herewith, upon, along and across the following public way or ways of said City:

Columbus Street - Northeasterly side opposite Standish Street

Install one (1) new pole (100/8)

WO.# 1912994

Your petitioner agrees to reserve space for one crossarm 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
William D. Lemos, Supervisor
Rights and Permits

Dated this 24th day of January, 2013

City of NEWTON, Massachusetts

Received and filed _____, 2013.

City Clerk

RECEIVED
Newton City Clerk
2013 FEB -4 PM 1:00
David A. O'Neil CMC
Newton, MA 02459

ORDER FOR LOCATION FOR POLES

#70-13

City of NEWTON, Massachusetts, _____, 2013

IN Board of Aldermen

WHEREAS, **NSTAR ELECTRIC COMPANY** has petitioned for permission to erect or construct a line for the transmission of electricity for lighting, heating or power 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** be and hereby is granted permission to erect or construct, and a location for, such a line of wires, poles and such other fixtures as may be necessary to sustain or protect the wires of the line upon, along and across the following way or ways of said City:

Columbus Street - Northeasterly side opposite Standish Street

Install one (1) new pole (100/8)

WO.#1912994

RECEIVED
Newton City Clerk
2013 FEB -4 PM 1:00
David A. O'Shea
Newton, MA 02459

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 **January 21, 2013** on file with said petition. There may be attached to said poles by said company **BOSTON EDISON COMPANY** wires and cables necessary for the conduct of its 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 _____ 2013

Mayor

CERTIFICATE

I hereby certify that the foregoing Order was adopted after due notice and 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 Selectmen 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 on the _____ day of _____ at Board of Aldermen in said City.

City Clerk

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the Board of Aldermen of the City of NEWTON, Massachusetts, duly adopted on the _____ day of _____, 2013 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: _____

Final Label Report

#70-13

SBL	Owner	Number	Street	Unit
52008 0006	BALASA PHILLIP J & BARBARA H	46	COLUMBUS ST	
52006 0005	STREETMAN NANCY K T	49	COLUMBUS ST	
52008 0005	AGUILERA WILLIAM & ALIX	56	COLUMBUS ST	
52008 0004	PARISH OF ST PAUL OF NEWTON HLDS	60	COLUMBUS ST	
52007 0005	ROSES LORRAINE ELENA	63	COLUMBUS ST	
52008 0003	WALK EDWARD B & JUDITH P T/C	64	COLUMBUS ST	
52007 0006	JACOBS CLAUDIA J	69	COLUMBUS ST	
52008 0002	WORKSHOP OF WOMANS CLUB OF NEWTON	72	COLUMBUS ST	
52008 0001	HAMILTON LINEWT ASSOCIATES LLC	43-53	LINCOLN ST	
52007 0007	MALLIOS DIMITRIOS	55-65	LINCOLN ST	

#104-13

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

February 25, 2013

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

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to transfer the sum of \$250,000 from June 30, 2012 Free Cash to Acct # 0140110-5273 Snow/Ice Removal.

The Department of Public Works has now spent just under \$3 million. With the Board's approval of this action \$1.75 million remains in Free Cash and \$500 K in the Inclement Weather Reserve set aside should the City need additional funding for Snow Removal.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor

RECEIVED
Newton City Clerk
2013 FEB 25 PM 6:32
David A. Olson, CMC
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

Public Works Department
 FY13 Snow and Ice Projected Spending Through Thursday February 25, 2013

0140110 DESCRIPTION	A				B		C-A+B		D		E-C-D	
	ORIGINAL FY13 APPROPRIATION	TRANSFERS AND BOARD ORDERS	REVISED APPROPRIATION	EXPENDED, ENCUMBERED AND TO BE PROCESSED	AVAILABLE	EXPENDED, ENCUMBERED AND TO BE PROCESSED	AVAILABLE	EXPENDED, ENCUMBERED AND TO BE PROCESSED	AVAILABLE	EXPENDED, ENCUMBERED AND TO BE PROCESSED	AVAILABLE	
511001 SALARY WAGES	\$0	\$7,600	\$7,600	9,553	(\$1,953)							
511002 FULL TIME WAGES/HOURLY	\$0	\$0	\$0	0	\$0							
513001 REGULAR OVERTIME	197,800	\$425,000	\$622,800	477,103	\$145,697							
513001A REGULAR OVERTIME - BUILDINGS/SCHOOLS	30,000	\$0	\$30,000	46,255	(\$16,255)							
513004 WORK BY OTHER DEPARTMENTS - OVERTIME	1,000	\$0	\$1,000	1,905	(\$905)							
514311 DRIVING BONUS/STAND-BY SNOW PAY	30,000	\$0	\$30,000	58,422	(\$28,422)							
514318 SNOW WATCH PAY	20,000	\$0	\$20,000	14,022	\$5,978							
514321 PROMPTNESS PAY STIPEND	1,200	\$0	\$1,200	963	\$237							
5273 RENTAL: VEHICLE & EQUIPMENT	200,000	\$400,000	\$600,000	1,556,969	(\$956,969)							
5273A RENTAL: VEHICLE & EQUIPMENT BUILDINGS/SCHOOLS	100,000	\$0	\$100,000	190,483	(\$90,483)							
5386 WEATHER FORECAST SERVICE	1,655	\$0	\$1,655	1,655	\$0							
5480 GASOLINE	34,425	\$0	\$34,425	8,935	\$25,490							
5481 DIESEL FUEL	63,930	\$0	\$63,930	11,633	\$52,297							
5484 VEHICLE REPAIR PARTS	75,000	\$0	\$75,000	83,873	(\$8,873)							
5532 SAND AND SALT	239,980	(\$25,000)	\$214,980	498,343	(\$283,353)							
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	6,279	(\$6,279)							
TOTALS	\$1,000,000	\$807,600	\$1,807,600	\$2,966,394	(\$1,158,794)							

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)~~

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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

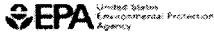
CITY OF NEWTON
LAW DEPARTMENT
INTEROFFICE MEMORANDUM

TO: Members of the Programs & Services Committee
FROM: Marie M. Lawlor, Assistant City Solicitor
RE: Docket Item #231-12
DATE: February 7, 2013

RECEIVED
Newton City Clerk
2013 FEB 11 AM 10:59
David A. Olson, CMC
Newton, MA 02459

The recommended recodifications to Chapter 11 and Chapter 20, section 20-21(f), listed in a May 2, 2012 memorandum to the Recodification Committee are necessary to correct current ordinance language which is inconsistent with state law and to clarify inconsistent provisions within the Chapter 11 itself. The reasons for the recommended changes are as follows:

1. Section 11-5. Recommended changes will correct language which currently does not conform to state law. In addition, recommended changes will correct confusing language in order to clarify that persons collecting garbage or trash are required to offer recycling services.
2. Section 11-6. Suggested removal of the italics on the phrase "Non-profit rubbish" to maintain consistency of style in the ordinance. Italics are not used elsewhere and are unnecessary.
3. Sections 11-7(h); 11-8(i); 11-9(a); and 11-10(c) and Section 20-21(f) (civil penalty). Recommended changes are to clarify that graduated offenses are counted per 365 day period, as law department review of committee reports confirms was the intent of the Board. Cross-reference to Section 1-6 of the Ordinances is recommended to place persons on notice that every day an ordinance offense continues constitutes a separate offense.
4. Section 11-11. The recommended changes are necessary to conform to state law. Current language is inconsistent with state law.



Green Power Partnership Become a Green Power Community

Becoming a Green Power Community (GPC) is as easy as 1-2-3:

1. The local government must join the Green Power Partnership as a partner and purchase or produce green power in amounts that meet [EPA minimum purchase requirements](#). The local government can be a town, village, city, county, or tribal government.
2. The local government (or its designee) initiates a community-wide green power campaign to encourage local businesses and residents to buy green power. EPA is available to provide technical and outreach assistance.
3. Once the community has met the green power purchase requirement, the local government submits the [GPC Partnership Agreement](#). All GPCs will automatically be enrolled in the [GPC Challenge](#).

After achieving the GPC designation, EPA can work with you on making an announcement regarding this accomplishment. For more information on EPA support, contact [Blaine Collison](mailto:collison.blaine@epa.gov) (collison.blaine@epa.gov).

Green Power Community Purchase Requirements

The following table outlines the respective EPA Green Power Community purchase requirements based on the community's electricity use. Working with your local utility or power provider, determine the amount of electricity used within the community boundary (city limits). The community must collectively use green power in amounts that meet or exceed the corresponding percentage for the matching baseload electricity use level.

Green Power Community Purchase Requirements	
Community annual Electricity Usage	Minimum GPC Purchase Requirements After January 1, 2011
> 100,000,000 kWh	3%
10,000,001-100,000,000 kWh	5%
1,000,001 - 10,000,000 kWh	10%
≤ 1,000,000 kWh	20%

Last updated on Tuesday, October 16, 2012

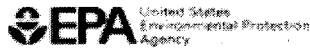


Green Power Communities

- [Green Power Communities](#)
- [GPC Challenge](#)
- [GPC Challenge Rankings](#)
- [Green Power Community Benefits](#)
- [Become a Green Power Community](#)
- [Green Power Communities Press](#)
- [Green Power Community Tools and Resources](#)

Questions about Green Power Communities?

Contact:
[Blaine Collison](mailto:collison.blaine@epa.gov)
collison.blaine@epa.gov
202-343-9139



Green Power Partnership Top 20 Local Government

As of October 4, 2012



The Green Power Partnership works with a wide variety of leading organizations — from Fortune 500® companies to local, state and federal governments, and a growing number of colleges and universities.

The following Top Partner Rankings highlight the annual green power use of leading Green Power Partners within the United States and across individual industry sectors.

Using green power helps reduce the environmental impacts of electricity use and supports the development of new renewable generation capacity nationwide. Usage amounts reflect U.S. operations only and are sourced from U.S.-based green power resources. Organizations can meet EPA Partnership requirements using any combination of three different product options: (1) Renewable Energy Certificates, (2) On-site generation, and (3) Utility green power products.

Usage figures are based on annualized Partner contract amounts (kilowatt-hours), not calendar year totals. These rankings are updated on a quarterly schedule. Find out how your organization can partner with EPA today! To view a top partner list, select from the chart below:

- | | |
|-----------------------------|-------------------------|
| National Top 50 | 100% Green Power Users |
| Top 20 Retail | Fortune 500® Partners |
| Top 10 Federal Government | Top 20 Local Government |
| Top 20 College & University | Top 20 Tech & Telecom |
| Top 20 On-site Generation | Top 20 K-12 Schools |



The Top 20 Local Government list represents the largest green power users among local government partners within the Green Power Partnership. The combined green power use of these organizations amounts to nearly 2.7 billion kilowatt-hours annually, which is equivalent to the carbon dioxide emissions from the electricity use of more than 230,000 average American homes annually.

- [Current and Past Partner Lists](#)

Annual Green Power Usage (kWh)	GP % of Total Electricity Use*	Green Power Resources	Providers (listed in descending order by kWh supplied to Partner)
1. <u>District of Columbia</u>			
534,084,977	100%	Wind	Washington Gas Energy Services°
2. <u>City of Houston, TX</u>			
438,000,000	35%	Wind	Reliant Energy
3. <u>City of Austin, TX</u>			
374,086,079	100%	Wind	Austin Energy°

Annual Green Power Usage (kWh)	GP % of Total Electricity Use*	Green Power Resources	Providers (listed in descending order by kWh supplied to Partner)
4. <u>City of Dallas, TX</u>			
295,883,744	40%	Wind	TXU Energy
5. <u>Montgomery County Clean Energy Buyers Group</u>			
136,247,000	26%	Wind	Renewable Choice Energy°
6. <u>City of Philadelphia, PA</u>			
127,300,000	18%	Solar, Wind	PPL EnergyPlus°, On-site Generation
7. <u>Suffolk County, NY</u>			
123,000,000	90%	Wind	3Degrees°
8. <u>Chicago Public Schools</u>			
107,709,620	20%	Solar	Element Markets°, On-site Generation
9. <u>Dallas/Fort Worth International Airport</u>			
87,000,000	30%	Wind	Champion Energy Services
10. <u>Port of Portland</u>			
75,030,000	106%	Solar, Wind	NextEra Energy Resources°, On-site Generation
11. <u>Marin Energy Authority</u>			
65,525,000	34%	Biogas, Biomass, Solar, Wind	Shell Energy North America, 3Degrees°
12. <u>Washington Suburban Sanitary Commission</u>			
59,637,000	28%	Wind	Constellation NewEnergy
13. <u>Forest County Potawatomi Community</u>			
55,035,000	107%	Solar, Wind	Invenergy, On-site Generation
14. <u>Los Angeles World Airports</u>			
35,827,829	22%	Biomass, Wind	Los Angeles Dept. of Water and Power
15. <u>City of San Francisco, CA</u>			
31,821,946	4%	Biogas, Solar	On-site Generation
16. <u>Chicago Park District</u>			
31,072,406	25%	Various	Integrus Energy°
17. <u>City of Santa Monica, CA</u>			
28,000,000	100%	Geothermal, Wind	Commerce Energy°

Annual Green Power Usage (kWh)	GP % of Total Electricity Use*	Green Power Resources	Providers (listed in descending order by kWh supplied to Partner)
18. <u>City of San Jose, CA</u>			
27,525,018	15%	Biogas, Solar	On-site Generation
19. <u>City of Bellingham, WA</u>			
24,000,000	108%	Biomass, Wind	Carbonfund.org°, Puget Sound Energy°
20. <u>City of Edmond, OK</u>			
23,686,324	74%	Wind	Oklahoma Municipal Power Authority

*Reflects the amount of green power as a percentage of total electricity use. Partners choosing to purchase green power in an amount exceeding 100 percent of their U.S. organization-wide electricity use are listed as such.

°Indicates Provider is selling Partner a third-party certified green power product. For more information on third-party certification, visit <http://www.epa.gov/greenpower/buygp/certified.htm>.

Current and past Top Local Government Partners lists are available here for you to view and print:

- [October 2012 list \(PDF\)](#) (2 pp., 63K, [About PDF](#))
- [July 2012 list \(PDF\)](#) (2 pp., 209K)
- [April 2012 list \(PDF\)](#) (2 pp., 209K)
- [January 2012 list \(PDF\)](#) (2 pp., 41K)
- [2011 lists \(PDF\)](#) (8 pp., 1.1M)
- [2010 lists \(PDF\)](#) (8 pp., 1.1M)
- [2009 lists \(PDF\)](#) (8 pp., 1.1M)
- [2008 lists \(PDF\)](#) (5 pp., 142K)
- [2007 lists \(PDF\)](#) (5 pp., 168K)
- [2006 list \(PDF\)](#) (2 pp, 44K)

For additional information on how your organization can join these Top Partners as Green Power Partners, please visit the [Join Us](#) page of this Web site.

Last updated on Tuesday, November 13, 2012



Green Power Partnership

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What's New



Nov. 26 [Green Power Partnership Program Update, Issue 2](#)

Nov. 13 [Registration Open for Dec. 7 Webinar: Global Warming's Six Americas: Understanding and Communicating with a Diverse Public](#)

Oct. 22 [Top Partner Rankings Updated](#)

Oct. 22 [College & University Challenge Rankings Updated](#)

Top Partner Rankings

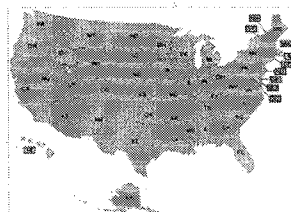
[Steps to Becoming a Partner](#)

[Benefits of Being a Partner](#)

EPA promotes several national- and sector-focused [Top Partner Rankings](#), which generate significant promotional opportunities. These lists represent the leading organizations that make the largest green power purchases in the Partnership, those purchasing 100% green power, and the partners generating and using the most green power on-site.

Green Power Locator

Select your state to find information about green power options available to you.



Green Power Communities



Do you live in a Green Power Community? GPCs are cities, towns, and villages in which the local government, businesses, and residents collectively buy green power in amounts that meet or exceed EPA's Green Power Community purchase requirements. [Find out more information](#) on how your community can buy green power and become a Green Power Community.

1 2 3 4

Last updated on Monday, November 26, 2012

CITY OF NEWTON

DOCKET REQUEST FORM

DEADLINE NOTICE: Aldermanic Rules require items to be docketed with the Clerk of the Board NO LATER THAN 7:45 P.M. ON THE MONDAY PRIOR TO A FULL BOARD MEETING.

To: Clerk of the Board of Aldermen

Date: February 26, 2013

From (Docketer): Dr. David Fleishman, Superintendent

Address: Newton Public Schools, 100 Walnut St., Newton

Phone: 617-559-6100

E-mail: david fleishman@newton.k12.ma.us

Additional sponsors: _____

1. Please docket the following item (it will be edited for length if necessary):

Superintendent Fleishman requesting the vote of the Board of Aldermen to complement the vote of the School Committee to authorize the Superintendent of Schools to submit to the Massachusetts School Building Authority (MSBA) the Statement of Interest that will be submitted to the MSBA no later than April 10, 2013 for the consideration in FY13 for the Cabot Elementary School.

2. The purpose and intended outcome of this item is:

- | | |
|--|--|
| <input type="checkbox"/> Fact-finding & discussion | <input type="checkbox"/> Ordinance change |
| <input type="checkbox"/> Appropriation, transfer, | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Expenditure, or bond authorization | <input type="checkbox"/> License or renewal |
| <input type="checkbox"/> Special permit, site plan approval, | <input type="checkbox"/> Appointment confirmation |
| <input type="checkbox"/> Zone change (public hearing required) | <input checked="" type="checkbox"/> Other: <u>Submit Statement of Interest</u> |

3. I recommend that this item be assigned to the following committees:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Programs & Services | <input type="checkbox"/> Finance | <input type="checkbox"/> Real Property |
| <input type="checkbox"/> Zoning & Planning | <input type="checkbox"/> Public Safety | <input type="checkbox"/> Special Committee |
| <input checked="" type="checkbox"/> Public Facilities | <input type="checkbox"/> Land Use | <input type="checkbox"/> No Opinion |
| <input type="checkbox"/> Post Audit & Oversight | <input type="checkbox"/> Committee on Community Preservation | |

4. This item should be taken up in committee:

- Immediately (Emergency only, please). Please state nature of emergency:

Statement of Interest must be submitted by April 10, 2013

- As soon as possible, preferably within a month
- In due course, at discretion of Committee Chair
- When certain materials are made available, as noted in 7 & 8 on reverse
- Following public hearing

PLEASE FILL OUT BOTH SIDES

5. I estimate that consideration of this item will require approximately:

#99-13

- | | |
|---|--|
| <input checked="" type="checkbox"/> One half hour or less | <input type="checkbox"/> Up to one hour |
| <input type="checkbox"/> More than one hour | <input type="checkbox"/> An entire meeting |
| <input type="checkbox"/> More than one meeting | <input type="checkbox"/> Extended deliberation by subcommittee |

6. The following people should be notified and asked to attend deliberations on this item. (Please check those with whom you have already discussed the issue, especially relevant Department Heads):

City personnel

Citizens (include telephone numbers/email please)

Sandy Guryan, School Dept. x9025

Stephanie Gilman or Josh Morse

Carol Chafetz, School Dept. x9000

Mike Cronin, School Dept. x9000

7. The following background materials and/or drafts should be obtained or prepared by the Clerk's office prior to scheduling this item for discussion:

School Committee Vote, December 12, 2012 designating Cabot SOI to be submitted to MSBA for FY13
School Committee Vote, February 25, 2013
Statement of Interest for Cabot School approved by School Committee on February 25, 2013

8. I have or intend to provide additional materials and/or undertake the following research independently prior to scheduling the item for discussion. *

(*Note to docketer: Please provide any additional materials beyond the foregoing to the Clerk's office by 2 p.m. on Friday before the upcoming Committee meeting when the item is scheduled to be discussed so that Aldermen have a chance to review all relevant materials before a scheduled discussion.)

Please check the following:

9. I would like to discuss this item with the Chairman before any decision is made on how and when to proceed.
10. I would like the Clerk's office to contact me to confirm that this item has been docketed. My daytime phone number is:
11. I would like the Clerk's office to notify me when the Chairman has scheduled the item for discussion.

Thank you.



Signature of person docketing the item

[Please retain a copy for your own records]

**NEWTON
PUBLIC SCHOOLS**

100 Walnut Street, Newtonville, MA 02460

Office of the School Committee

MEMO

To: Sandy Guryan, Deputy Superintendent/Chief Administrative Officer
From:  Deirdre J. Reade, Confidential Executive Assistant
Date: December 12, 2012
Re: Vote re: Cabot Priority (SOI)

At the 12/10/12 meeting, the School Committee voted that, after Angier Elementary School, Cabot Elementary School is designated the district's next highest priority major project for submission in the MSBA's FY13 SOI process.

Joseph Russo, Assistant Superintendent for Elementary Education
Mike Cronin, Chief of Operations
Carol Chafetz, Director of Operations & Environmental Affairs ✓
Mary Lou DiBella, Principal

djr

Form of Vote

Resolved: Having convened in an open meeting on February 25, 2013, the School Committee of Newton, MA in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest that will be submitted to the MSBA by no later than April 10, 2013 for consideration in FY2013 for the Cabot Elementary School, located at 229 Cabot Street, Newtonville, MA 02460 which describes and explains the following deficiencies and the priority category(s) for which Newton, MA may be invited to apply to the Massachusetts School Building Authority in the future:

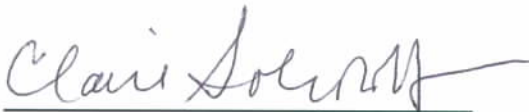
Priority #2, Elimination of existing severe overcrowding; the school has a significantly low net square footage per pupil of classroom and core program space when compared to MSBA guidelines;

Priority #4, Prevention of severe overcrowding expected to result from increased enrollments; five-year projections forecast growing enrollments at Cabot and across the district;

Priority #5, Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems to increase energy conservation and decrease energy related costs to a school facility; constructed in 1929, a majority of the building's systems are original, energy inefficient and not up to current code;

Priority #7, Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements ; the majority of the building's net area is devoted to core classrooms leaving insufficient space for special programs which are a part of the district's educational program;

and hereby further specifically acknowledges that by submitting this Statement of Interest, that Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority.



Claire Sokoloff
Chair, Newton School Committee

Massachusetts School Building Authority

School District Newton

District Contact TEL:

Name of School Cabot

Submission Date 11/17/2011

SOI CERTIFICATION

To be eligible to submit a Statement of Interest (SOI), a district must certify the following:

- The district hereby acknowledges and agrees that this SOI is NOT an application for funding and that submission of this SOI in no way commits the MSBA to accept an application, approve an application, provide a grant or any other type of funding, or places any other obligation on the MSBA.
- The district hereby acknowledges that no district shall have any entitlement to funds from the MSBA, pursuant to M.G.L. c. 70B or the provisions of 963 CMR 2.00.
- The district hereby acknowledges that the provisions of 963 CMR 2.00 shall apply to the district and all projects for which the district is seeking and/or receiving funds for any portion of a municipally-owned or regionally-owned school facility from the MSBA pursuant to M.G.L. c. 70B.
- The district hereby acknowledges that this SOI is for one existing municipally-owned or regionally-owned public school facility in the district that is currently used or will be used to educate public PreK-12 students and that the facility for which the SOI is being submitted does not serve a solely early childhood or Pre-K student population.
- After the district completes and submits this SOI electronically, the district must sign the required certifications and submit one signed original hard copy of the SOI to the MSBA, with all of the required documentation described under the "Vote" tab, on or before the deadline.
- The district will schedule and hold a meeting at which the School Committee will vote, using the specific language contained in the "Vote" tab, to authorize the submission of this SOI. This is required for cities, towns, and regional school districts.
- Prior to the submission of the hard copy of the SOI, the district will schedule and hold a meeting at which the City Council/Board of Aldermen or Board of Selectmen/equivalent governing body will vote, using the specific language contained in the "Vote" tab, to authorize the submission of this SOI. This is not required for regional school districts.
- On or before the SOI deadline, the district will submit the minutes of the meeting at which the School Committee votes to authorize the Superintendent to submit this SOI. The District will use the MSBA's vote template and the vote will specifically reference the school and the priorities for which the SOI is being submitted. The minutes will be signed by the School Committee Chair. This is required for cities, towns, and regional school districts.
- The district has arranged with the City/Town Clerk to certify the vote of the City Council/Board of Aldermen or Board of Selectmen/equivalent governing body to authorize the Superintendent to submit this SOI. The district will use the MSBA's vote template and submit the full text of this vote, which will specifically reference the school and the priorities for which the SOI is being submitted, to the MSBA on or before the SOI deadline. This is not required for regional school districts.
- The district hereby acknowledges that this SOI submission will not be complete until the MSBA has received all of the required vote documentation and certification signatures in a format acceptable to the MSBA.

Chief Executive Officer *

School Committee Chair

Superintendent of Schools

(print name)

(print name)

(print name)

(signature)

(signature)

(signature)

Date

Date

Date

* Local chief executive officer: In a city or town with a manager form of government, the manager of the municipality; in other cities, the mayor; and in other towns, the board of selectmen unless, in a city or town, some other municipal office is designated to the chief executive office under the provisions of a local charter.

Massachusetts School Building Authority

School District Newton

District Contact TEL:

Name of School Cabot

Submission Date 10/27/2011

Note

The following Priorities have been included in the Statement of Interest:

- 1. Replacement or renovation of a building which is structurally unsound or otherwise in a condition seriously jeopardizing the health and safety of school children, where no alternative exists.
- 2. Elimination of existing severe overcrowding.
- 3. Prevention of the loss of accreditation.
- 4. Prevention of severe overcrowding expected to result from increased enrollments.
- 5. Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility.
- 6. Short term enrollment growth.
- 7. Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements.
- 8. Transition from court-ordered and approved racial balance school districts to walk-to, so-called, or other school districts.

SOI Vote Requirement

I acknowledge that I have reviewed the MSBA’s vote requirements for submitting an SOI which are set forth in the Vote Tab of this SOI. I understand that the MSBA requires votes from specific parties/governing bodies, in a specific format using the language provided by the MSBA. Further, I understand that the MSBA requires certified and signed vote documentation to be submitted with the SOI. I acknowledge that my SOI will not be considered complete and, therefore, will not be reviewed by the MSBA unless the required accompanying vote documentation is submitted to the satisfaction of the MSBA.

Potential Project Scope: Potential New School

Is this SOI the District Priority SOI? NO

School name of the District Priority SOI: A E Angier

District Goal for School: Please explain the educational goals of any potential project at this school

Upon completion of the Angier School building project, Cabot Elementary School is the City of Newton and Newton Public Schools’ next priority school with respect to reimbursement from the MSBA for the construction or renovation as outlined in the Cabot School SOI. The City and school district’s goal is to have new or renovated schools that meet the school district’s standards for teaching and learning. The district seeks high performance design elements that extend beyond minimum building codes. These standards promote: a school facility and site plan that advances the health and wellbeing of users of the facility; a

school that is efficient in its use of materials and resources and is easy to operate and maintain; a school that is safe and secure; a school that will accommodate future programmatic changes while maintaining its standards of performance and reliability. The expectation is that high performance standards utilizing proven technologies will create a state of the art school that will complement and fit well within the context of the site and surrounding neighborhoods, be a model of energy, water, and materials efficiency, and be cost effective to maintain over the lifetime of the building. Specifically, the following educational and building specifications are desired: Educational Specifications • Core classrooms shall be 850 net square feet with sinks • Kindergarten classrooms shall be 1000 net square feet with toilet rooms located within or nearby • Gymnasium shall be 3000 NSF (one station) in a school housing less than 400 students and 6000 net square feet (two stations) in a school housing up to 450 students. In a larger building, a 6000 square foot gym will allow two classes of physical education to meet at the same time. • Dedicated After School classroom, office and storage • Special Education Programs, including self-contained classrooms, resource rooms, and other ancillary support space, may total approximately 3500 square feet in a school housing less than 400 students, 7000 square feet in a school housing up to 450 students. While self-contained classrooms are located at selected schools, other programs, offices and related support spaces are required at all of Newton's elementary schools: • Speech & Language Program • Learning Center office and teaching space • Reading Program/Literacy Room • ELL Program • Occupational and Physical Therapy Programs • Quiet room for students who need to regulate their behavior • Psychologist • Social Worker • Inclusion Facilitators' office • Literacy Specialist office and teaching space • Small Group Tutorial Space • Library • Nurse's office • Principal's and administrative suite with conference space • Workroom for copier, paper cutter, laminators • Teachers' room • Storage both general and specific (Art) The following program areas that are not currently provided at all elementary schools are included in the educational specifications: • Cafeteria with stage for school performances • Kitchen adjacent to cafeteria • Dedicated Art and Music rooms, with the required storage • Maximum access to natural daylight throughout the building • Superior ventilation • Superior acoustic environment • Reliable and flexible control of the internal environment • A design that feels welcoming throughout the facility • A building that enhances the function of teaching and learning, including areas for chance encounters between students and adults and spaces that facilitate private student/teacher conferences • A design that is easy to navigate • A design that provides efficient and reliable use of resources in building operations and maintenance at the lowest cost • A design that satisfies lifecycle costing to achieve reduced demand for natural resources (energy, water) • Safety and security including controlled building access and a design that maximizes natural supervision of space • Flexibility to accommodate change • Anticipate changing student/staff spatial needs • Anticipate changing technology for major systems

District's Proposed Schedule: What is the District's proposed schedule to achieve the goal(s) stated above?

To achieve the City's goal of providing new or renovated schools that meet the district's standards for teaching and learning for all students, the School Committee, the Mayor and the Board of Aldermen have approved the priority order of the SOI's for replacement elementary schools. The City has approved and allocated funds for the feasibility study for the Angier School which is in process with the MSBA. The City is holding a special election on March 12, 2013 seeking an override of Proposition 2 ½ for amounts required to pay for the bonds issued in order to renovate or replace the Angier Elementary and the Cabot Elementary Schools. The City has also funded design for the renovation and repair of the former Carr School building, which will be used to house the students during the building and repair process. Final votes for construction funding are anticipated by April 2013 at which time the project will be advertised for construction bids and filed sub-bids.

Is this part of a larger facilities plan? YES

If "YES", please provide the following:

Facilities Plan Date: 6/1/2007

Planning Firm: HMFH , Architects Inc.

Please provide an overview of the plan including as much detail as necessary to describe the plan, its goals and how the school facility that is the subject of this SOI fits into that plan:

A Long-Range Facilities Master Plan was completed in June 2007 and updated in November 2011 by HMFH Architects. During the spring of 2012, the district presented the first draft of a Long Range Facilities Plan (completed in-house) to the School Committee and to the Board of Aldermen of the City of Newton. As part of overall City planning and the district's strategic plan, the draft focused solely on the elementary schools with the goal of creating additional capacity to address growing enrollment, improving facilities, and balancing feeder patterns to the two high schools. The draft Long Range Facilities Plan offered two scenarios with differing timelines during which larger projects such as the replacement or renovation of Angier and Cabot Schools alternated and overlapped with mid-

range projects to add capacity at other schools. The plan depicted in detail how many classrooms were added each year to ameliorate classroom shortages for both regular education needs as well as the needs of special populations. The HMFH Long-Range Facilities Master Plan, updated in November 2011, provided the City of Newton and the Newton Public Schools with space needs assessments, space standards, facility conditions, and long-range utilization plans for the elementary and middle schools. The study consisted of educational and facility standards, enrollment projections, facilities assessment, and system-wide options. Note that seven of Newton's elementary school buildings are greater than 50 years old and four are greater than 80 years old. Five buildings have undergone renovations and/or additions in the last 12 years. The remaining facilities are outdated and have code-related deficiencies. Many of the educational spaces do not meet today's standards. Educational standards were developed for elementary, middle and pre-school programs using MSBA guidelines as a reference to develop Newton-specific requirements to meet the needs of Newton's inclusive programs. Facility standards were developed to reflect the preferred materials and systems. These standards provide a benchmark to assess the existing educational spaces and facility conditions. The November 2011 update of the Master Plan by HMFH utilized October 1, 2011 enrollment projections extending up to ten years. To ensure a consistent comparison and rating, the same group of professionals at HMFH conducted the Master Plan update. Based on detailed and objective assessments of each property with regard to educational space needs, facility conditions, and enrollment projections, a numerical evaluation was assigned to each property. Representatives of each school completed assessment Questionnaires. The responses identified how well each building meets the physical space and educational needs of the programs and its occupants. Each assessment provided the number of classrooms required to accommodate the projected enrollment, distributed the elementary population evenly between the north and south sides of the city, upgraded all the schools in need of improvement over the long term, and provided for future flexibility and on-going reassessment of the master plan. Cabot Elementary School is rated at the highest level of need in terms of facility condition index and educational space needs in the long-range master plan. This rating reflects undersized classrooms, low net square feet of space per pupil, and minimal sizes and quantity of shared spaces. Many of the deficiencies are due to the age of the building. Educational requirements have changed dramatically in the past 84 years. Constructed in 1929, Cabot is the fourth oldest building in the Newton school system. There have been no major improvements; minor improvements include upgrades to fire alarm, telephone, and sound/intercom systems and lighting. Most interior finishes are original and are worn and/or do not meet current code requirements. The building has minimal accessibility for the physically disabled; there are only exterior ramps to the ground floor. Most classrooms are undersized at an average of 790 square feet, not including the modularity. There is no cafeteria and no auditorium. The corridors are used for small group teaching space. The net square feet per pupil of 66 is low in comparison with MSBA guidelines of 113 NSF/pupil. Cabot has only a wood platform stage in the gym for performance space. It has no auditorium or cafeteria. Cabot is currently overcrowded by 36 students and is projected to grow by 22 students in the next five years. It has been designated by the district and the City as the second highest priority school in need of replacement after the Angier School. A feasibility study will determine the scope of the project based on enrollment projections at that time.

Please provide the current student to teacher ratios at the school facility that is the subject of this SOI: 22 students per teacher

Please provide the originally planned student to teacher ratios at the school facility that is the subject of this SOI: 22 students per teacher

Does the District have a Master Educational Plan that includes facility goals for this building and all school buildings in District? YES

If "YES", please provide the author and date of the District's Master Educational Plan.

"Vision 2020", Newton Public Schools Strategic Plan, Fall 2012 Update, authored by the District's Strategic Planning Committee. One goal of the Strategic Plan is to ensure up-to-date teaching and learning environments by: developing steps to address the short- and long-term needs of all facilities; engaging in financially sustainable multi-year financial planning; building network infrastructure that support robust access to the internet and allows students to learn anywhere, anytime.

Is there overcrowding at the school facility? YES

If "YES", please describe in detail, including specific examples of the overcrowding.

The overcrowding at the Cabot Elementary School has a direct impact on student learning and instructional best practices. Due to overcrowding issues and space constraints, over the years, Cabot teachers and specialists have become very creative finding spaces to teach. Many of these "spaces" are tables in the hallway or small closet areas without adequate ventilation or windows. Small group and individual instruction takes place in the hallway which is a distracting environment and potentially stigmatizing for the students. For the students who require small group instruction, the overcrowding has not allowed for comparable learning spaces to larger group instruction. There are no private, quiet spaces for students to focus on learning.

Cabot has one co-taught integrated classroom in Grade 5, which means that there is a regular education teacher, a special education teacher and a fulltime intern in that room. All other classrooms across grades provide inclusion for students with special needs. It is critical to provide small quiet working areas within these classrooms to meet the educational needs of inclusion and integrated students. In addition, there are the following significant space constraints:

- After School program has no dedicated space and must use the corridors; the After School office shares space with the custodian.
- Special Education quiet room is in the old kitchen space, a small partitioned area in the lobby.
- Art and Music have both been relocated to a temporary modular building.
- Inclusion Facilitator's office is in a small 15x11 office.
- Stage in the gymnasium is used for storage. There is no fully functioning cafeteria; students eat in a converted classroom.
- Food service warming kitchen was created out of space in the lobby area and is not adjacent to the lunchroom.
- Most classrooms are undersized and smaller than Newton and MSBA guidelines.
- There are no areas to hold whole school assemblies; the gymnasium is used for assemblies but cannot accommodate the entire school population.
- The Literacy Program, English Language Learners, and Math Coach share one room.
- The Learning Center room is shared by two learning center teachers, an occupational therapist, physical therapist and speech/language pathologist.
- There is a lack of meeting space for monthly IEP meetings for the 14 inclusion students and the bi-weekly PLC meetings.
- The staff for mental health services shares one small room creating challenges for testing, counseling individuals and groups and meeting with parents.
- There is a lack of sufficient space during MCAS testing; as a result, all spaces allocated to other grades/specialists are taken.
- Storage units for instructional, art and music materials are located in hallways due to small classrooms.

Has the district had any recent teacher layoffs or reductions? NO

If "YES", how many teaching positions were affected? 0

At which schools in the district?

Please describe the types of teacher positions that were eliminated (e.g., art, math, science, physical education, etc.).

Has the district had any recent staff layoffs or reductions? NO

If "YES", how many staff positions were affected? 0

At which schools in the district?

Please describe the types of staff positions that were eliminated (e.g., guidance, administrative, maintenance, etc.).

Please provide a description of the program modifications as a consequence of these teacher and/or staff reductions, including the impact on district class sizes and curriculum.

Does Not Apply

Please provide a detailed description of your most recent budget approval process including a description of any budget reductions and the impact of those reductions on the district's school facilities, class sizes, and educational program.

Newton's FY13 School Committee Approved Budget is \$178.8 million, or \$6.9 million (+4%) greater than FY12. The budget

process began in December 2011 with the approval by the School Committee of the FY13 Budget Guidelines, with emphasis on educational and operational infrastructure, breath of program, realistic class sizes, and support for student services. The FY13 budget is a result of significant cost savings including the successful negotiation of all collective bargaining agreements including wages and benefits, to allow for growth of less than 2.5% annually. Notwithstanding unprecedented enrollment growth over the past nine years, which is expected to continue for at least the next five years, the FY13 budget contained no cuts to teachers at any grade level; this was a significant change from recent years when staffing reductions were required. Cost savings of \$1.2 million annually have been achieved by the outsourcing of the food service program. Full implementation of new fees also served to ameliorate the need to cut instructional staff. For the first time, in FY12, student services, including special education, had an annual operating budget surplus with the successful implementation of cost savings initiatives. Efforts to lower energy costs have also paid off. Major challenges for the district include immediate short and long term space constraints at the elementary and middle schools, the need to upgrade aging and poorly maintained school buildings, and the requirement for increased support to maintain and upgrade technology.

General Description

BRIEF BUILDING HISTORY: Please provide a detailed description of when the original building was built, and the date(s) and project scopes(s) of any additions and renovations (maximum of 5000 characters).

Cabot School was built in 1929 with an addition constructed in 1957. It is one of four elementary schools in Newton that was constructed prior to 1930, and expanded 30 years later in 1957 to accommodate the post-WWII enrollment boom. The three-story 43,584 GSF Cabot School sits on 1.78 acres of land. The addition in 1957 added 11,000 square feet including a multi-purpose gymnasium, three classrooms, and a kindergarten room, toilet rooms and storage space, a small kitchen, and a lobby. The steel single-pane storefront system is from the 1957 addition and is in poor condition. Along with creative reassignment of spaces, capacity issues have been addressed at Cabot by adding two modular classrooms totaling 2980 square feet in 1991 and two more modular classrooms and a connector totaling 2500 square feet in 2007. Because Cabot School sits on a small 1.78 acre parcel of land abutting public roads on two sides and residential properties on the remaining two sides, the school cannot reasonably expand further. The mechanical system is original to the building and past its normal useful life. There was a new boiler installed in 2010; however, the HVAC infrastructure has outlived its useful life despite ongoing repairs and preventive maintenance. The steam distribution system has aged to a point where system pressure cannot be maintained without the boiler running on high fire. Additionally, this condition causes a constant makeup water feed, which further deteriorates the piping. One of the main six-inch steam lines runs under the parking lot outside the building for over 100 feet. With no insulation, the portion of the building that this serves is constantly chilly. Steam leaks in the crawl spaces throughout the building produce a constant musty smell. The heating control system has failed. The condensate vacuum system has failed. Corrosion of the steam pipes has reduced inside pipe diameter to the point that there is very little flow or heat transfer. There are no digital controls for the systems and no occupancy sensors for the lighting. The original shingle roof does not meet current energy code requirements. Exterior windows have inefficient single-pane glazing. A school building security project was implemented, funded through a Homeland Security Grant, providing installation of electronic access card readers on two exterior doors. All appropriate staff have electronic access via a key fob device. Access to the building is much more secure and records of access by individuals are monitored via a live database. The grant also funded installation of new classroom door locks, which enable a teacher to secure the classroom from the inside. In 2013, a video/buzzer monitoring system is in the process of being installed at two entrances. The building does not have a fire sprinkler system.

TOTAL BUILDING SQUARE FOOTAGE: Please provide the original building square footage PLUS the square footage of any additions.

43584

SITE DESCRIPTION: Please provide a detailed description of the current site and any known existing conditions that would impact a potential project at the site. Please note whether there are any other buildings, public or private, that share this current site with the school facility. What is the use(s) of this building(s)? (maximum of 5000 characters).

Built in 1929 with an addition constructed in 1957 and modulars added in 1991 and 2007, the three-story 43,584 GSF Cabot School sits on 1.78 acres of land surrounded by a dense residential neighborhood and the Cabot Park. The parking lot is made of bituminous concrete and is in poor condition with potholes. The concrete curb ramp, entrance ramp and stairs are also in poor condition. Sidewalks are concrete and bituminous and are in fair condition. The concrete ramp to the play area entrance is in poor condition. The wooden stairs and ramp that allow access to the school from the parking area are in good condition. A brick seating area on the north side of the school serves as an outdoor classroom and is in good condition. There is a turf field with a skinned base area, used for Little League baseball and soccer, which is not accessible. Mature trees surround the front of the school, play area, and turf. Play structures consist of five steel structures and wooden swings which are in fair condition but not accessible. A bituminous concrete paved area is located at the front of the school for ball sports. Recycled composite benches are located by the fields and seating area. There is a metal bike rack on site. A chain link fence

found at the perimeter is in fair condition. Exterior lighting was upgraded to LED fixtures for energy conservation and safety in 2012.

ADDRESS OF FACILITY: Please type address, including number, street name and city/town, if available, or describe the location of the site. (Maximum of 300 characters)

229 Cabot Street, Newtonville, MA 02460

BUILDING ENVELOPE: Please provide a detailed description of the building envelope, types of construction materials used, and any known problems or existing conditions (maximum of 5000 characters).

Cabot School has an asphalt shingle pitched roof over the main building with no active leaks. There is also a flat rubber roof with no active leaks and a metal edge in good condition. The original shingle roof does not meet current energy code requirements. Exterior walls are load-bearing masonry/concrete and are not insulated. The sills/stone detailing at the main façade is in good condition, all original, but there are minor cracks and staining at masonry and lintels. Windows are aluminum with thermal break and glazing, fixed, hopper and awning types with opaque panels at the top. Replacement glass is plexi-glass/lexan. Metal louvers are dented, rusted, and peeling. The steel single-pane storefront system is from the 1957 addition and is in poor condition. Exterior hardware is metal, aluminum, and wood and is non-accessible. Exterior steps and ramps are in fair condition with deteriorating concrete and rusting railing supports. Some railings do not meet accessibility code. There are no structural concerns.

Has there been a Major Repair or Replacement of the EXTERIOR WALLS ? YES

Year of Last Major Repair or Replacement: 1957

Description of Last Major Repair or Replacement:

Repairs were made in a 1951 renovation and in the 1957 building addition.

Has there been a Major Repair or Replacement of the ROOF? YES

Year of Last Major Repair or Replacement: 1992

Type Of ROOF: Slate, 1936 Rubber, 1992

Description of Last Major Repair or Replacement:

Roof replacement in 1992. Additional repairs were made in 2012 to slate, rubber membrane, flashing gutters and downspouts.

Has there been a Major Repair or Replacement of the WINDOWS? YES

Year of Last Major Repair or Replacement: 1982

Type Of WINDOWS: Single pane, 1936 Thermopane, 1982

Description of Last Major Repair or Replacement:

Windows were replaced in 1982.

MECHANICAL and ELECTRICAL SYSTEMS: Please provide a detailed description of the current mechanical and electrical systems and any known problems or existing conditions (maximum of 5000 characters).

The HVAC system is steam fired by gas. There are unit ventilators in classrooms, some with companion exhausters. There is A/C in the office (window units) and modulars. There are two boilers, one original to the building and the other installed in 2010. The burners were replaced in the 1970s. As the result of a 2012 energy conservation project, steam traps were replaced to improve the flow of steam heat throughout the building and a heat timer was installed on the boiler to regulate boiler operation based on outside air temperature.

Despite these improvements there are major heating infrastructure problems including leaking steam pipes, inoperable pneumatic controls, and unit ventilators that have outlived their useful life. Plumbing is original and fixtures are not accessible. There is no domestic hot water throughout all areas of the building. The domestic water piping is corroded with pitting on the inside, leaks are patched with clamps. There is no fire protection in the school. Electrical service is 600A, three phase, 4 wire, and 120/208V and is over 50 years old. There are insufficient working clearances as well. Also over 50 years old are the circuit breaker panel boards with conduit and the wire feeder. The emergency system is a 10kW gas generator in the boiler room; it serves corridor and stair lighting. Again, there are insufficient working clearances located in a two-hour fire rated

room. The fire alarm system is multi-zone but is not ADA compliant. There are smoke detectors in the library and corridors, door holders, and an exterior master box. However, the alarm cannot be heard throughout the building.

Has there been a Major Repair or Replacement of the BOILERS? YES

Year of Last Major Repair or Replacement: 2010

Description of Last Major Repair or Replacement:

New boiler installed in 2010.

Has there been a Major Repair or Replacement of the HVAC SYSTEM ? YES

Year of Last Major Repair or Replacement: 1989

Description of Last Major Repair or Replacement:

New unit ventilators

Has there been a Major Repair or Replacement of the ELECTRICAL SERVICES AND DISTRIBUTION SYSTEM? YES

Year of Last Major Repair or Replacement: 1988

Description of Last Major Repair or Replacement:

Electrical upgrades were made during renovations or to areas where modulars were installed.

BUILDING INTERIOR: Please provide a detailed description of the current building interior including a description of the flooring systems, finishes, ceilings, lighting, etc. (maximum of 5000 characters).

The building's interior partitions are painted plaster and concrete and painted gypsum wallboard that is patched, peeling, and cracked. Door surrounds do not meet the accessibility code. Floors are VCT, VAT, sheet vinyl and carpet and, generally are in poor condition, although some floor tiles were replaced in the summer of 2010. Ceilings are painted plaster, 2x4 ACT and 2x2 ACT. Doors are solid wood core with metal framed and are original. Hardware is also original and is non-accessible. There are some built-in furnishings of wood, laminate, and metal, all original and in fair condition. Wood cubbies and metal lockers of variable sizes are in fair condition; many are relocated from other schools. Window treatments are rolling shades, but in good condition. Bathrooms are non-accessible. Adult bathrooms are painted plaster and gypsum wallboard with VCT and VAT, and wood or metal partitions. These are original. Student bathrooms are made of glazed or painted CMU with ceramic tile floors and walls; partitions are metal. Student bathrooms are also non-accessible. Stairs are painted concrete with steel nosing and wood or metal hand rails and are non-accessible. There is no elevator in the school. Plastic plaques are installed as signage, but do not include Braille. The gymnasium has a wood athletic floor and backstops, wood paneling and painted CMU above with exposed acoustic deck, original and in good condition. There is a wood platform with fabric curtains that is not accessible. The only kitchen is a warming kitchen. Among code concerns: the majority of the building is inaccessible, hardware is inaccessible, open cubbies create a flammability risk and no visual of the front entry creates a security risk. There is no fire sprinkler system in the building. The telephone system is new and has multiple outside lines. The lighting system is generally 2x2 recessed with surface wraps and surface metal box fluorescents, and is not energy efficient. Receptacles are standard duplex type, some are 50 years old. There is a keypad at the custodian door, motion detectors in corridors and main office, and monitor switches on exterior doors that notify the UL Central Station. A push button at the rear and front entrances as well as in the main office serves as doorbells. Classrooms and most offices have speakers for the intercom/sound system, as do the corridors and the gymnasium. Classrooms and offices have battery-operated clocks, the corridors and classrooms have bell tones. Data is located in classrooms and office areas, but there is minimal wireless coverage. There are cable outlets in the science classroom and an adjacent room as well.

PROGRAMS and OPERATIONS: Please provide a detailed description of the current programs offered and indicate whether there are program components that cannot be offered due to facility constraints, operational constraints, etc. (maximum of 5000 characters).

Programs offered:

- Classrooms for each grade
- Special education services (academic instruction), occupational therapy, physical therapy and speech and language share one room

- English Language Learners, Literacy program and math coach share one room
- Psychologist
- Inclusion Facilitator
- Nurse, principal, administrative offices
- After School

Programs with components not offered due to facility restraints:

- After School is very constrained for space; office is shared with the custodial staff
- Spaces for small group instruction for regular and students with special needs
- Quiet/safety space needed for students to regulate their behavior
- Small learning spaces for discrete trial training provided by behavior therapists
- Tutorials
- Rooms for parents to gather
- Cafeteria
- Multi-purpose spaces
- Rooms for instrumental music
- Assembly space for the whole school and performances
- Newton Community Education programs

CORE EDUCATIONAL SPACES: Please provide a detailed description of the Core Educational Spaces within the facility, a description of the number and sizes (in square feet) of classrooms, a description of science rooms/labs including ages and most recent updates, and a description of the media center/library (maximum of 5000 characters).

Programs offered:

- Classrooms for each grade
- Special education services (academic instruction), occupational therapy, physical therapy and speech and language share one room
- English Language Learners, Literacy program and math coach share one room
- Psychologist
- Inclusion Facilitator
- Nurse, principal, administrative offices
- After School

Programs with components not offered due to facility restraints:

- After School is very constrained for space; office is shared with the custodial staff
- Spaces for small group instruction for regular and students with special needs
- Quiet/safety space needed for students to regulate their behavior
- Small learning spaces for discrete trial training provided by behavior therapists
- Tutorials
- Rooms for parents to gather
- Cafeteria
- Multi-purpose spaces
- Rooms for instrumental music
- Assembly space for the whole school and performances
- Newton Community Education programs

CAPACITY and UTILIZATION: Please provide a detailed description of the current capacity and utilization of the school facility. If the school is overcrowded, please describe steps taken by the administration to address capacity issues. Please also describe in detail any spaces that have been converted from their intended use to be used as

classroom space (maximum of 5000 characters).

Cabot School is over capacity based on its current enrollment of 420 students and its current programs and spaces. When using the standard 40 square feet per pupil classroom size, Cabot should have a maximum of 339 students without consideration of the modular classrooms, and 384 if the modulares are considered in the calculation. This does not take into account the deficient spaces and nonexistent programs. When factoring in future enrollment projections showing an additional 20 students and that Cabot currently does not have the educational spaces required to meet Newton standards nor MSBA guidelines, Cabot is greatly over capacity. Cabot School has a mere 43,584 gross square feet (including 4 modulares) with a high net to gross area ratio of 1.60. Despite every conceivable space being used for educational purposes it has a low net square feet per pupil of 66 nsf/pupil, which is significantly lower than the MSBA space guidelines of 113 NSF per pupil. Cabot School is 100% utilized.

MAINTENANCE and CAPITAL REPAIR: Please provide a detailed description of the district's current maintenance practices, its capital repair program, and the maintenance program in place at the facility that is the subject of this SOI. Please include specific examples of capital repair projects undertaken in the past, including any override or debt exclusion votes that were necessary (maximum of 5000 characters).

Regular maintenance and preventive maintenance (PM) programs are funded annually by City Charter funding with a requirement of up to 2% of the prior fiscal year's school budget and City capital funds from bonding/free cash.

PM and regular maintenance work orders are processed in a web-based electronic system enabling efficiency and data gathering. Custodians receive annual training on PM procedures. PM program includes:

- Asbestos inspection every 3 years
- Boiler cleaning annually
- Elevator inspection
- Emergency generator inspections monthly
- Fire suppression testing annually
- Replacing carpet with vinyl tile
- HVAC maintenance including duct cleaning
- Infrared roof inspection
- Steam trap replacement
- Univent filter changes 3x/year

The Summer Projects Program tailors repairs and improvements to each building, including items such as painting, flooring, bathroom upgrades and space re-organization to meet enrollment/programmatic demands. Capital funds pay for larger repairs from a plan formulated jointly with the Public Buildings Department and include:

- Accessibility improvements
- Communication system upgrades
- Masonry repairs/waterproofing
- Generators
- Major HVAC system repairs, including replacement of boilers, roof top units, univents
- Energy efficient lighting installation
- Roof/gutter replacements
- Window/door replacements

Priority 2***Question 1: Please describe the existing conditions that constitute severe overcrowding.***

Cabot School is currently overcrowded based on its current enrollment of 420 students and its current programs and spaces. When using the standard 40 square feet per pupil classroom size, the Master Plan updated in November 2011 by HMFH Architects stated that Cabot should have a maximum of 339 students without consideration of the modular classrooms, and 384 if the modulars are considered in the calculation. This capacity calculation does not take into account the deficient spaces and nonexistent programs. When factoring in future five-year enrollment projections showing an additional 22 students and the fact that Cabot currently does not have the educational spaces required to satisfy either Newton standards or MSBA guidelines, Cabot will become increasingly overcrowded in the future. Cabot School has a mere 43,584 gross square feet with a high net to gross area ratio of 1.60. Despite every conceivable space being used for educational purposes it has the lowest net square feet per pupil in the Newton school system of 66 nsf/pupil, which is significantly lower than the MSBA space guidelines of 113 NSF per pupil.

Priority 2

Question 2: Please describe the measures the School District has taken to mitigate the problem(s) described above.

Cabot School is currently overcrowded based on its current enrollment of 420 students and its current programs and spaces. When using the standard 40 square feet per pupil classroom size, the Master Plan updated in November 2011 by HMFH Architects stated that Cabot should have a maximum of 339 students without consideration of the modular classrooms, and 384 if the modulars are considered in the calculation. This capacity calculation does not take into account the deficient spaces and nonexistent programs. When factoring in future five-year enrollment projections showing an additional 22 students and the fact that Cabot currently does not have the educational spaces required to satisfy either Newton standards or MSBA guidelines, Cabot will become increasingly overcrowded in the future. Cabot School has a mere 43,584 gross square feet with a high net to gross area ratio of 1.60. Despite every conceivable space being used for educational purposes it has the lowest net square feet per pupil in the Newton school system of 66 nsf/pupil, which is significantly lower than the MSBA space guidelines of 113 NSF per pupil.

Priority 2

Question 3: Please provide a detailed explanation of the impact of the problem described in this priority on your district's educational program. Please include specific examples of how the problem prevents the district from delivering the educational program it is required to deliver and how students and/or teachers are directly affected by the problem identified.

To Most of Newton's elementary schools are over 50 years old, with four over 80 years old. The buildings are crowded for two reasons. First, net growth at the elementary schools is projected to continue following an increase of 852 students, or 17%, since 2003-04. Newton has 21 modular classrooms in place to deal with the elementary increases, four added last year. Newton also converted spaces not originally intended as classrooms into classrooms thus creating more classrooms in buildings than the core facilities (library, multi-use spaces) can support. Five schools have no auditorium/multi use spaces, limiting large group gatherings. No school has a traditional cafeteria close to the warming kitchen, but some schools have crafted an eating area in a corridor or on the auditorium stage. However, many children must eat lunch in their classrooms. Secondly, the buildings were built in a different era for a different educational program than the one Newton offers today. Over the years, classrooms and other spaces were converted to accommodate these new needs. When built, Newton schools did not have special education and ELL programs in neighborhood schools, children went home for lunch, kindergarten was a half-day double session, no After School programs existed nor was there dedicated space for art and music instruction. Newton provides an inclusive special education program in its elementary and middle schools, but none of the buildings are fully ADA compliant. There are special education services that are provided outside of the general education classroom that require ancillary spaces for occupational and physical therapy, speech and language therapy, music therapy, social pragmatics, academic instruction and counseling. Teachers and specialists have become creative in finding spaces to teach. Many of these spaces are tables in hallways, small closets and former storage spaces with inadequate ventilation and lighting.

Cabot has no auditorium or cafeteria. There are five lunch periods in a crowded former classroom converted to a lunchroom. All Grade 1 students eat lunch in their classrooms. The lunchroom is not adjacent to the warming kitchen. The small 2,400 sq. ft. gymnasium has a small platform area that serves as a stage; however, the gymnasium is not large enough for the entire student body to assemble. Two former classrooms are being used as specialist offices and some are shared as many as ten staff and five aides at one time. The ability to have private tutorial space is non-existent. There are tables and chairs in hallways that are already crowded with cubbies and storage cabinets for curriculum materials and copying machines. The building does not support its current enrollment. And with a projected increase of 22 more students in the next five years, the overcrowding is extreme. The negative impact on teachers and student learning only increases when they do not have access to quiet, well-ventilated space in which to teach and learn without distraction. With the majority of classrooms being less than 800 sq. ft., classrooms are noisy and difficult to organize. Often educational materials are not readily available as they are stored in cabinets in the hallways. Despite ongoing repairs, the mechanical, electrical and plumbing systems are old and inefficient, providing an uncomfortable learning environment when rooms are too hot or too cold. Ventilation is below standard and missing in some spaces. The building is not fully accessible. Inadequate electrical infrastructure prevents classrooms from adequately supporting the technology that supports 21st century education.

Please also provide the following:

Cafeteria Seating Capacity: 75

Number of lunch seatings per day: 5

Are modular units currently present on-site and being used for classroom space?: YES

If "YES", indicate the number of years that the modular units have been in use: 22

Number of Modular Units: 4

Classroom count in Modular Units: 4

Seating Capacity of Modular classrooms: 25

What was the original anticipated useful life in years of the modular units when they were installed?: 15

Have non-traditional classroom spaces been converted to be used for classroom space?: YES

If "YES", indicate the number of non-traditional classroom spaces in use: 4

Please provide a description of each non-traditional classroom space, its originally-intended use and how it is currently used (maximum of 1000 characters)::

Modulars installed 1991 (2 classrooms), 2007 (1 art, 1 music)

Please explain any recent changes to the district's educational program, school assignment policies, grade configurations, class size policy, school closures, changes in administrative space, or any other changes that impact the district's enrollment capacity (maximum of 5000 characters):

The Newton Public Schools instituted a full neighborhood inclusion program in the 1990s and all school facilities have been adapted to meet the needs of all students. For example, regular classroom space has been used for special education programs; office space for support services such as speech/language, occupational therapy, physical therapy, social workers, psychologists, and inclusion facilitators has been created out of existing space. In many instances these spaces are in former closets, storage rooms, and rooms without proper lighting or privacy. Handicapped-accessible lifts have been installed where needed; however, Cabot School does not have a lift. The addition of programs and staff that address the needs of these learners has had a tremendous impact on school facilities and space availability. In addition to the neighborhood inclusion needs, several of Newton's elementary schools also have citywide special education programs that require the use of classroom space as well, thus putting further pressure on already strained space needs. The district's out-of-assigned district policy recently changed to allow for flexibility in assigning students; key considerations for out-of-assigned district placements include impact on enrollment, staffing and space availability as the student moves up within the school system. The Education Center administrative building has seven integrated pre-school classrooms because they no longer fit into the elementary school buildings. In addition, four integrated pre-school classrooms are located at Lincoln-Eliot Elementary School.

Until recently, elementary schools without auditoriums or other multi-use spaces used gymnasiums for large school gatherings until it was determined that this violated fire code. They now have no large space for the entire school to gather.

Newton is an urban suburb whose demographics have changed over the years. Many students' first language is not English. These ELL students are supported in small group settings and tutorials, thus the need for smaller classrooms and space where they can receive English instruction. Title 1 schools and subsidized housing are all present in Newton. The city's population is far more diverse than that of the neighboring communities to which Newton is most often compared.

What are the district's current class size policies (maximum of 500 characters)?:

The class size guidelines recognize that in recent years budget gaps have elevated class sizes. The goal is to keep average class sizes close to current levels and ensure equity across the district; lower class sizes in K-2 are a priority. Creative staffing mechanisms are used to offset higher class sizes by improving the adult-student ratio. Examples include the use of combination classes (K-1), placing 0.5 FTE teachers in classrooms with large class sizes, and the use of class size aides.

Priority 4

Question 1: Please describe the conditions within the community and School District that are expected to result in increased enrollment.

Enrollment in Newton Public Schools has experienced eight consecutive years of growth with 902 students added from 2005 to 2012; growth is expected to continue for the next five years. There are 258 additional elementary students projected in the next five years. This year's kindergarten population of 934 students is 39 more students than last year and the largest since 1975-76. While Massachusetts ranks low in expected school age population growth from 2000-2030 by the Census Bureau, Newton's enrollment projections are not typical of Massachusetts. Student enrollments from four of Newton's largest residential rental complexes have increased. In addition, there is another proposed rental complex in the City's development review process which is expected to generate approximately 45 more students. Through the first eight months of 2012, real estate sales totaled 802 versus 667 in the same period a year earlier. Many realtors indicate that many homes sales are generated by an older population of empty nesters selling to young families.

Cabot School is currently overcrowded based on its current enrollment of 420 students and its current programs and spaces. When using the standard 40 square feet per pupil classroom size, the Master Plan updated in November 2011 by HMFH associates stated that Cabot should have a maximum of 339 students without consideration of the modular classrooms, and 384 if the modulars are considered in the calculation. This capacity calculation does not take into account the deficient spaces and nonexistent programs. When factoring in future five-year enrollment projections showing an additional 22 students and the fact that Cabot currently does not have the educational spaces required to satisfy neither Newton standards nor MSBA guidelines, Cabot will become increasingly overcrowded in the future.

Priority 4

Question 2: Please describe the measures the School District has taken or is planning to take in the immediate future to mitigate the problem(s) described above.

Newton has completed a Long-Range Facilities Planning process to address overcrowding on a district wide basis. Enrollment has experienced eight consecutive years of growth with 902 students added from 2005 to 2012. This year (2012-13) there were 103 additional elementary school students and the current K-5 elementary school population is the highest since the mid-1970s. To mitigate the problem, the district has added 12 modular elementary classrooms since 2007. The district is currently planning to add 7-9 additional elementary modulars by September 2013. The district is also working with the MSBA to conduct a feasibility study for the Angier Elementary School which, if reconstructed, will enlarge the school building and increase capacity. Despite these mitigating measures on a school-by-school basis there continues to be overcrowding due to inadequate facility sizes (gymnasiums, cafeterias, specialist spaces) and inappropriate educational spaces in basements and hallways. Although the Cabot School population is projected to increase by 22 students in the next five years, there are few remaining options for creative reassignment of space and/or adding more than the existing four modular classrooms. Cabot School sits on a 1.78 acre parcel of land abutting public roads on two sides and residential properties on the remaining two sides; the school cannot reasonably expand further.

Priority 4

Question 3: Please provide a detailed explanation of the impact of the problem described in this priority on your district's educational program. Please include specific examples of how the problem prevents the district from delivering the educational program it is required to deliver and how students and/or teachers are directly affected by the problem identified.

Most of Newton's elementary schools are over 50 years old, with four over 80 years old. The buildings are crowded for two reasons. First, net growth at the elementary schools is projected to continue following an increase of 852 students, or 17%, since 2003-04. Newton has 21 modular classrooms in place to deal with the elementary increases, four added last year. Newton also converted spaces not originally intended as classrooms into classrooms thus creating more classrooms in buildings than the core facilities (library, multi-use spaces) can support. Five schools have no auditorium/multi use spaces, limiting large group gatherings. No school has a traditional cafeteria close to the warming kitchen, but some schools have crafted an eating area in a corridor or on the auditorium stage. However, many children must eat lunch in their classrooms. Secondly, the buildings were built in a different era for a different educational program than the one Newton offers today. Over the years classrooms and other spaces were converted to accommodate these new needs. When built, Newton schools did not have special education and ELL programs in neighborhood schools, children went home for lunch, kindergarten was a half-day double session, no after school programs existed nor was there dedicated space for art and music instruction. Newton runs an inclusive special education program in its elementary and middle schools, but none of the buildings are fully ADA compliant. There are special education services that are provided outside of the general education classroom that require ancillary spaces for occupational and physical therapy, speech and language therapy, music therapy, social pragmatics, academic instruction and counseling. Teachers and specialists have become creative in finding spaces to teach. Many of these spaces are tables in hallways, small closets and former storage spaces with inadequate ventilation and lighting.

Cabot has no auditorium or cafeteria. There are five lunch periods in a crowded former classroom converted to lunchroom and all Grade 1 students eat lunch in their classrooms. The lunchroom is not adjacent to the warming kitchen. The small 2,400 sq. ft. gymnasium has a small platform area that serves as a stage; however, the gymnasium is not large enough for the entire student body to assemble. Two former classrooms are being used as specialist offices, and some are shared by as many as ten staff and five aides at one time. The ability to have private tutorial space is non-existent. There are tables and chairs in hallways that are already crowded with cubbies and storage cabinets for curriculum materials, and copying machines. The building does not support its current enrollment. With a projected increase of 22 more students in the next five years, the overcrowding is extreme. The negative impact on teachers and student learning only increases as students and their teachers do not have quiet, well-ventilated spaces in which to teach and learn without distraction. With the majority of classrooms being less than 800 sq. ft., classrooms are noisy and difficult to organize. Often educational materials are not readily available as they are stored in cabinets in the hallways. Despite ongoing repairs, the mechanical, electrical and plumbing systems are old and inefficient, providing an uncomfortable learning environment when rooms are too hot or too cold. Ventilation is below standard and missing in some spaces. The building is not fully accessible. Inadequate electrical infrastructure prevents classrooms from adequately supporting the technology that supports 21st century education.

Please also provide the following:

Cafeteria Seating Capacity: 75
Number of lunch seatings per day: 5
Are modular units currently present on-site and being used for classroom space?: YES
If "YES", indicate the number of years that the modular units have been in use: 22
Number of Modular Units: 4
Classroom count in Modular Units: 4
Seating Capacity of Modular classrooms: 25
What was the original anticipated useful life in years of the modular units when they were installed?: 15
Have non-traditional classroom spaces been converted to be used for classroom space?: YES
If "YES", indicate the number of non-traditional classroom spaces in use: 4
Please provide a description of each non-traditional classroom space, its originally-intended use and how it is

currently used (maximum of 1000 characters):

Modulars installed 1991 (2 classrooms), 2007 (1 art, 1 music)

Please explain any recent changes to the district's educational program, school assignment policies, grade configurations, class size policy, school closures, changes in administrative space, or any other changes that impact the district's enrollment capacity (maximum of 5000 characters). :

The Newton Public Schools instituted a full neighborhood inclusion program in the 1990s and all school facilities have been adapted to meet the needs of all students. For example, regular classroom space has been used for special education programs; office space for support services such as speech/language, occupational therapy, physical therapy, social workers, psychologists, and inclusion facilitators has been created out of existing space. In many instances, these spaces are in former closets, storage rooms, or rooms without proper lighting or privacy. Lifts have been installed where needed. Cabot School does not have a lift or an elevator. The addition of programs and staff that address the needs of these learners has had a tremendous impact on school facilities and space availability. In addition to the neighborhood inclusion needs, several of Newton's elementary schools also house citywide special education programs that require the use of classroom space as well, thus putting further pressure on already strained space needs. The district's out-of-assigned district policy has changed in order to add flexibility to student enrollment; optional districts where parents had the choice of two schools were eliminated. Instead, optional districts are now known as buffer zones, and the school department reserves the right to assign new families to the least crowded school serving the buffer zone. Over the past two school years, the buffer zone policy has served to ameliorate overcrowding in two schools.

Until recently, elementary schools without auditoriums or other multi-use spaces used gymnasiums for large school gatherings until it was determined that this violated fire code. They no longer have a large space for the entire school to gather.

The Education Center administrative building has seven integrated pre-school classrooms because they no longer fit into the elementary school buildings. In addition, four pre-school classrooms are located at the Lincoln-Eliot Elementary School.

Newton is an urban suburb whose demographics have changed over the years. Many students' first language is not English. These ELL students are supported in small group settings and tutorials, thus the need for smaller classrooms and space where they can receive English instruction. Title 1 schools and subsidized housing are all present in Newton. The city's population is far more diverse than that of the neighboring communities to which Newton is most often compared.

What are the district's current class size policies (maximum of 500 characters)?:

The class size guidelines recognize that in recent years budget gaps have elevated class sizes. The goal is to keep average class sizes close to current levels and ensure equity across the district; lower class sizes in K-2 are a priority. Creative staffing mechanisms are used to offset higher class sizes by improving the adult-student ratio. Examples include the use of combination classes (K-1), placing 0.5 FTE teachers in classrooms with large class sizes, and the use of class size aides.

Priority 5

Question 1: Please provide a detailed description of the issues surrounding the school facility systems (e.g., roof, windows, boilers, HVAC system, and/or electrical service and distribution system) that you are indicating require repair or replacement. Please describe all deficiencies to all systems in sufficient detail to explain the problem.

Constructed in 1929 with an addition built in 1957 and the addition of two modular buildings in 1991 and two modular buildings in 2007, the Cabot School's mechanical systems are outdated and past their scheduled life cycle; and in some cases, original to the building.

There are no digital controls for the systems and no occupancy sensors for the lighting (occupancy sensors have been installed and a very rudimentary DDC system is in the process of being installed). The original slate shingle roof does not meet current energy code requirements (R-38 cellulose insulation was installed in the attic as part of an energy project and that insulation exceeds the stretch code). Walls are not insulated. Exterior glazing is comprised of wood frame or aluminum awning style, or vinyl double hung windows that are all in fair or worse condition and inefficient by today's performance standards. Recognizing that all of our older buildings are energy inefficient, the City of Newton hired a Sustainability Project Manager to oversee sustainability and energy projects throughout city and school buildings. The total number of energy conservation measures that would be needed at the Cabot School is too numerous for a building of this age. Those that are feasible and have a quick payback are being pursued. These include: steam trap replacements, attic insulation, basic energy management system, and energy efficient lighting. The estimated savings in annual heating and electricity costs is \$29,300 with a four-year payback.

Priority 5

Question 2: Please describe the measures the district has already taken to mitigate the problem/issues described in Question 1 above.

Newton has recently completed a Long-Range Facilities Master Planning process encompassing all its elementary and middle school buildings. Based on current best practices and Newton's educational mission, educational and building standards that address the reduction of energy consumption have been established as part of the master plan. In recent years, energy efficient lighting has been installed throughout the system by partnering with the NStar Lighting Rebate Program. The City's Public Buildings Department has hired an HVAC specialist who has initiated a preventative maintenance program for the district's heating equipment. The City has also hired a Sustainability Project Manager responsible for evaluating consumption and pursuing options to reduce consumption. The School's Operations Department has hired a building operator responsible for troubleshooting daily building systems operations. The oversight of mechanical and electrical systems by this team has a direct impact on reduced energy consumption and energy expenditures. The district has clear policies and procedures for reducing energy use throughout the day and evening. Heat is not turned on within school buildings until October 15. During the school day thermostats are kept at the lowest possible temperatures and staff and students are reminded to dress warmly and rearrange classroom furnishing to maximize distribution of heat. Similarly, custodians lower thermostats accordingly during the night and on weekends. Policies are in place to shut off lights and use natural lighting whenever possible. The Superintendent periodically sends out reminders regarding these energy conservation policies. There is a staff environmental team in each school that is responsible for encouraging environmental and energy awareness.

In 2012, the City entered into a contract with Thielsch Engineering. This company has conducted an energy audit of the Cabot School and has reviewed the historic consumption of all utilities and calculated the available energy costs savings that will result from recommended energy conservation projects that will deliver those savings. The total number of projects that would be needed at the Cabot School is too numerous for a building of this age. Those that are feasible and have a quick payback are being pursued. These include: steam trap replacements, attic insulation, basic energy management system, and energy efficient lighting. The estimated savings in annual heating and electricity costs is \$29,300 with a four-year payback.

Priority 5

Question 3: Please provide a detailed explanation of the impact of the problem/issues described in Question 1 above on your district's educational program. Please include specific examples of how the problem prevents the district from delivering the educational program it is required to deliver and how students and/or teachers are directly affected by the problem identified.

The vast majority of mechanical, electrical, and plumbing systems at Cabot School are original and not up to current code. The impact of this problem is experienced in the teaching and learning environment. Ambient temperatures and air quality affect student and staff comfort levels. Despite repairs and energy conservation improvements, heat continues to be uneven; some rooms are too hot; others are too cold. Ventilation is below standard and lacking in some spaces. Windows are old and do not provide sufficient natural daylight. The school has too few toilet rooms for both students and staff. The building is not accessible or ADA compliant in many ways. Classrooms do not have the ability to adequately support the technology that is part of 21st century education. There are minimal wireless systems and no cable service. There are too few receptacles in classrooms. The phone systems are new but there are no phone lines in classrooms. All of the systems in the buildings are past their useful life affecting comfort and security as well as teaching and learning.

Priority 5

Question 4: Please describe how addressing the school facility systems you identified in Question 1 above will extend the useful life of the facility that is the subject of this SOI and how it will improve your district's educational program.

The heating system of a building is a major piece of building infrastructure and its replacement and/or modernization will extend the useful life of the facility. Technology has changed significantly since the heating system of this facility was constructed. Today there are high efficiency boilers, variable speed drives and sophisticated electronic controls for heating system management. Decreased maintenance needs for heating systems increases not only its useful life, but has a positive effect on the building as a whole. Approximately one-third of the district's maintenance and repair budget is devoted to repairing failing heating equipment. There is an opportunity cost in this scenario whereby other facility systems must compete for dollars. Heating system emergencies take a high priority over other maintenance concerns. Heating system upgrades will reduce the operating cost and allow those dollars to be spent on preventative maintenance and other types of facility improvements. In 2010, Cabot School converted its heating from oil to natural gas, which allows for cleaner emissions and fewer maintenance needs.

The mechanical system is original to the building and past its normal useful life. There was a new boiler installed in 2010; however, the HVAC infrastructure has outlived its useful life despite ongoing repairs and preventive maintenance. The steam distribution system has aged to a point where system pressure cannot be maintained without the boiler running on high fire. Additionally, this condition causes a constant makeup water feed that further deteriorates the piping. One of the main six-inch steam lines runs under the parking lot outside the building for over 100 feet. With no insulation, the portion of the building that this serves is constantly chilly. Steam leaks in the crawl spaces throughout the building produces a constant musty smell. The heating control system has failed. The condensate vacuum system has failed. Corrosion of the steam pipes has reduced inside pipe diameter to the point that there is very little flow or heat transfer.

Please also provide the following:

Have the systems identified above been examined by an engineer or other trained building professional?: YES

If "YES", please provide the name of the individual and his/her professional affiliation (maximum of 250 characters)::

Josh Morse, Director of Facilities, City of Newton
Mechanical Engineer, U.S. Navy

The date of the inspection:: 2/1/2013

A summary of the findings (maximum of 5000 characters)::

In addition to the inspection findings provided by Joshua Morse, listed above, the following trained building professionals were also responsible for building system inspection discussed in this SOI:

Michael Cronin, Chief of Operations, Newton Public Schools, BS/ME
Lori Cowles, senior principal, HMFH Architects, AIA, LEED AP
Maciej Konieczny, Sustainability Manager, City of Newton

Inspection Findings:

Roof – The roof is asphalt shingle pitched roof over the main building with no active leaks. There is also a flat rubber roof with no active leaks and a metal edge in good condition. The original shingle roof does not meet current energy code requirements. (R-38 cellulose insulation was installed in the attic as part of an energy project and that insulation exceeds the stretch code).

Windows – The exterior glazing is comprised of wood frame or aluminum awning style or vinyl double hung windows that

are all in fair or worse condition and inefficient by today's performance standards.

Boilers and heating and ventilation systems -- The mechanical system is original to the building and past its normal useful life. There was a new boiler installed in 2010; however, the HVAC infrastructure has outlived its useful life despite ongoing repairs and preventive maintenance. The steam distribution system has aged to a point where system pressure cannot be maintained without the boiler running on high fire. Additionally, this condition causes a constant makeup water feed that further deteriorates the piping. One of the main six-inch steam lines runs under the parking lot outside the building for over 100 feet. With no insulation, the portion of the building that this serves is constantly chilly. Steam leaks in the crawl spaces throughout the building produces a constant musty smell. The heating control system has failed. The condensate vacuum system has failed. Corrosion of the steam pipes has reduced inside pipe diameter to the point that there is very little flow or heat transfer.

Accessibility – The building is not ADA compliant as there is no elevator and toilet rooms are not compliant.

Priority 7

Question 1: Please provide a detailed description of the programs not currently available due to facility constraints, the state or local requirement for such programs, and the facility limitations precluding the programs from being offered.

The Cabot Elementary School is one of four elementary schools in Newton that was constructed prior to 1930. It was built in 1929 and renovated and expanded in the 1950s to accommodate the post-WWII enrollment boom. Cabot contains 43,584 gross square feet of space and has a high net area of 27,185 net square feet (NSF) (including four modular classrooms), giving it a net-to-gross ratio of 1.60. Most of this usable area is contained in the 20 regular classrooms which have an average size of 790 NSF with a total of 15,705 NSF. Since such a large portion of Cabot's net area is allocated to regular classrooms (13 of which contain only 740 NSF and two of which are modular units), there is very little net area devoted to the special programs which are a major part of the district's educational program. The library is a minimal 1,119 NSF. There are many programs that have to share space. The Literacy program shares a room with English Language Learners and the math coach. The Learning Center shares a room with occupational therapy, physical therapy, and speech and language.

The art room is 812 NSF and the music classroom is 929 NSF (both in modulars). The 2,400 NSF gymnasium is small for a 400-student school and there is a stage of 745 NSF at one end of the gymnasium. There is no cafeteria; students eat lunch in a crowded converted classroom and students Grade 1 eat in their classrooms. The Cabot School is missing dedicated facilities for a school psychologist, a guidance counselor, a school social worker, the occupational/physical therapy services, the English Language Learners program and the inclusion program. The Cabot School is an inadequate elementary school facility from an educational standpoint.

Priority 7

Question 2: Please describe the measures the district has taken or is planning to take in the immediate future to mitigate the problem(s) described above.

During the spring of 2012, the district presented the first draft of a Long Range Facilities Plan to the School Committee and to the Board of Aldermen of the City of Newton. As part of overall City planning and the district's strategic plan, the draft focused solely on the elementary schools with the goal of creating additional capacity to address growing enrollment, improving facilities, and balancing feeder patterns to the two high schools. The draft Long Range Facilities Plan offered two scenarios with differing timelines during which larger projects such as the replacement or renovation of Angier and Cabot Schools alternated and overlapped with mid-range projects to add capacity at other schools. The plan depicted in detail how many classrooms were added each year to ameliorate classroom shortages for both regular education needs as well as the needs of special populations. Another important aspect of planning was the HMFH Long-Range Facilities Master Plan, updated in November 2011. HMFH provided the City of Newton and the Newton Public Schools with space needs assessments, space standards, facility conditions, and long-range utilization plans for the elementary and middle schools. The study consisted of educational and facility standards, enrollment projections, facilities assessment, and system-wide options. The on-going intent is to use the Master Plan as a blueprint for mitigating the educational inadequacies of the existing elementary and middle school physical plant.

In the meantime, the City continues to locate additional modular classrooms at those schools experiencing the most severe overcrowding and, where unavoidable, to take over space from special programs to convert to regular classroom use. In addition, the limited use of buffer zones helps to alleviate overcrowding between adjacent schools. While these measures provide some short-term relief, it only points to the need for a comprehensive approach to the City's elementary and middle school educational needs for the next 25 years.

Priority 7

Question 3: Please provide a detailed explanation of the impact of the problem described in this priority on your district's educational program. Please include specific examples of how the problem prevents the district from delivering the educational program it is required to deliver and how students and/or teachers are directly affected by the problem identified.

Most of Newton's elementary schools are over 50 years old, with four over 80 years old. The buildings are crowded for two reasons. First, elementary enrollment surged over the past eight years and is expected to continue to grow over the next five years. Newton has 21 modular classrooms in place to deal with the elementary increases, four added in 2007. Newton also converted spaces not originally intended as classrooms into classrooms thus creating more classrooms in buildings than the core facilities (library, multi-use spaces) can support. Five schools have no auditorium/multi use spaces, limiting large group gatherings. No school has a traditional cafeteria close to the warming kitchen, but some schools have crafted an eating area in a corridor or on the auditorium stage. However, many children must eat lunch in their classrooms. Secondly, the buildings were built in a different era for a different educational program than the one Newton offers today. Over the years, classrooms and other spaces were converted to accommodate these new needs. When built, Newton schools did not have special education and ELL programs in neighborhood schools, children went home for lunch, kindergarten was a half-day double session, no After School programs existed nor was there dedicated space for art and music instruction. Newton has an inclusive special education program in its elementary and middle schools, but none of the buildings are fully ADA compliant. Special education services require self-contained classrooms and ancillary spaces for speech and language, occupational and physical therapy and small group tutorial spaces. Teachers and specialists have become creative in finding spaces to teach. Many of these spaces are tables in hallways, small closets and former storage spaces with inadequate ventilation and lighting.

Cabot has no auditorium or cafeteria. There are five lunch periods in a crowded former classroom converted to lunch room and all Grade 1 students eat lunch in their classrooms. The lunchroom is not adjacent to the warming kitchen. The small 2,400 sq. ft. gymnasium has a small platform area that serves as a stage; however, the gymnasium is not large enough for the entire student body to assemble. Two former classrooms are being used as specialist offices and some are shared by as many as ten staff and five aides at one time. The ability to have private tutorial space is non-existent. There are tables and chairs in hallways that are already crowded with cubbies and storage cabinets for curriculum materials and copying machines. The building does not support its current enrollment. With a projected increase of 22 more students in the next five years, the overcrowding is extreme. The negative impact on teachers and student learning only increases as students and their teachers do not have quiet, well-ventilated spaces in which to teach and learn without distraction. With the majority of classrooms being less than 800 sq. ft., classrooms are noisy and difficult to organize. Often educational materials are not readily available as they are stored in cabinets in the hallways. Despite ongoing repairs, the mechanical, electrical and plumbing systems are old and inefficient, providing an uncomfortable learning environment when rooms are too hot or too cold. Ventilation is below standard and missing in some spaces. The building is not fully accessible. Inadequate electrical infrastructure prevents classrooms from adequately supporting the technology that supports 21st century education.

Vote

Vote of Municipal Governing Body YES: NO: Date:

Vote of School Committee YES: NO: Date:

Vote of Regional School Committee YES: NO: Date:

CITY OF NEWTON
IN BOARD OF ALDERMEN

(DATE)

RESOLUTION TO THE NEWTON SUPERINTENDENT OF SCHOOLS AUTHORIZING THE SUPERINTENDENT TO
SUBMIT TO THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY A STATEMENT OF INTEREST FOR FY13
FOR THE CABOT ELEMENTARY SCHOOL BY APRIL 10, 2013

BE IT RESOLVED : that the Board of Aldermen of Newton, MA having convened in an open meeting on ____DATE_____ in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest that will be submitted to the MSBA by no later than April 10, 2013 for consideration in FY2013 for the Cabot Elementary School, located at 229 Cabot Street, Newtonville, MA 02460 which describes and explains the following deficiencies and the priority category(s) for which Newton, MA may be invited to apply to the Massachusetts School Building Authority in the future:

Priority #2, Elimination of existing severe overcrowding; the school has a significantly low net square footage per pupil of classroom and core program space when compared to MSBA guidelines;

Priority #4, Prevention of severe overcrowding expected to result from increased enrollments; five-year projections forecast growing enrollments at Cabot and across the district;

Priority #5, Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems to increase energy conservation and decrease energy related costs to a school facility; constructed in 1929, a majority of the building's systems are original, energy inefficient and not up to current code;

Priority #7, Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements ; the majority of the building's net area is devoted to core classrooms leaving insufficient space for special programs which are a part of the district's educational program;

and hereby further specifically acknowledges that by submitting this Statement of Interest, that Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority.

(VOTES)

(SGD) DAVID A. OLSON, City Clerk

