

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC FACILITIES COMMITTEE AGENDA

WEDNESDAY, MARCH 20, 2013

7:00 PM
Room 209

ITEMS SCHEDULED FOR DISCUSSION:

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]

Public hearing 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]

#114-13 HIS HONOR THE MAYOR requesting authorization to acquire a permanent sewer and drain easement in SEMINARY AVENUE. (Ward 4) [03-12-13 @4:51PM]

#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]

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 Guditz, 617-796-1156, via email at TGuditz@newtonma.gov or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting date.

NOTE: The Director of Utilities will provide an overview of the 20 Year Capital Improvement Plan for water and sewer infrastructure.

- #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]
- #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]
- #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]

REFERRED TO PROG. & SERV AND PUBLIC FACILITIES COMMITTEES

- #36-12 ALD. CROSSLEY & FULLER requesting Home Rule legislation or an ordinance to require inspections of private sewer lines and storm water drainage connections prior to settling a change in property ownership, to assure that private sewer lines are functioning properly and that there are no illegal storm water connections to the city sewer mains.
- A) Sewer lines found to be compromised or of inferior construction would have to be repaired or replaced as a condition of sale;
 - B) Illegal connections would have to be removed, corrected, and re-inspected in accordance with current city ordinances and codes, as a condition of sale.
- [01/24/12 @ 8:07 AM]

REFERRED TO 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]

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 April 3, 2013:

- #113-13 DESIGN REVIEW COMMITTEE in accordance with §5-58 of the City of Newton Ordinances petitioning for site plan approval for the following installation of modular classrooms:
- A) Four (4) modular classrooms with associated connectors at Bowen Elementary School, 280 Cypress Street (Ward 6)
 - B) One (1) modular classroom with associated connectors at Burr Elementary School, 171 Pine Street (Ward 4)
 - C) One (1) modular classroom with associated connectors at Horace Mann Elementary School, 687 Watertown Street (Ward 2)
 - D) Up to four (4) modular classrooms with associated connectors at Mason-Rice Elementary School, 149 Pleasant Street (Ward 6) [03/11/13 @ 2:41 PM]

Public hearing to be assigned for April 3, 2013:

- #112-13 VERIZON NEW ENGLAND, INC. petitioning for a grant of location to relocate Pole # 78/4 on WILLIAMS STREET northerly 65' + from its current location in order to relocate service to a customer. (Ward 3) [02/27/13 @ 9:35 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]
- #11-13 ALD. YATES requesting that His Honor the Mayor apply to the United States Environmental Protection Agency for designation as a Green Power Partner in addition to its designation by the Massachusetts Office of Energy Resource as a Green Power Community. [12/14/12 @ 3:03 PM]

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

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

#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]

#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

BOARD OF ALDERMEN

RECEIVED
Newton City Clerk

CITY OF NEWTON

DOCKET REQUEST FORM

2013 FEB 12 PM 4:40

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.

David A. Olson, Clerk
Newton, MA 02459

To: Clerk of the Board of Aldermen

Date: February 12, 2013

From (Docketer): Scott Lennon

Address: _____

Phone: _____

E-mail: _____

Additional sponsors: _____

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

President of the Board submitting Andrew Copelotti of 63 Broken Tree Road to serve as an Aldermanic appointee to the Design Review Committee for a term to expire on December 31, 2013.

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

- Fact-finding & discussion
- Appropriation, transfer,
- Expenditure, or bond authorization
- Special permit, site plan approval,
- Zone change (public hearing required)

- Ordinance change
- Resolution
- License or renewal
- Appointment confirmation
- Other: _____

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

- | | | |
|---|--|--|
| <input 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:

- 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

ANDREW J. COPELOTTI

SUMMARY:

A relationship focused real estate and construction professional with over 6,000 units of multi family construction & development experience in the greater Boston market. Expertise in defining solutions that enhance the organization's ability to meet business priorities, create new business and improve returns.

EXPERIENCE:

EQUITY RESIDENTIAL, Boston, MA

2006-Present

Vice President Construction & Development

I have personally managed \$440 million in new real estate developments in the Boston market for Equity Residential, the largest apartment REIT in the United States. Currently assisting the local development partner with:

- Permitting 500 luxury apartment units in two towers over an 850 car garage. The project is located in Boston's West End neighborhood. We recently filed the DPIR with the BRA and expect approval in 2nd quarter 2012.
- Permitted 176 Apartments in Washington, DC located at 455 I Street, NW. Construction scheduled to start second quarter 2013

Recently completed the following luxury rental projects:

- Emerson Place, Boston, Ma: 310 Luxury apartments in five buildings with 650 underground parking spaces at Charles River Park. Total developed cost is \$165,500,000.
- Highland Glen II, Westwood, Ma: In filled 102 apartments in an existing EQR property. Total developed cost \$20,000,000.
- 303 Third Street, Cambridge, Ma: Constructed 292 apartments and 190 luxury condominiums over 531 underground parking spaces with JV Partner Extell Development. Total developed cost \$255,000,000

ROSELAND PROPERTY COMPANY, Boston, MA

2003-2006

Vice President Construction Management

Managed all construction in the New England area for Roseland Property Company and assisted the local development partner with permitting and pre-construction for multiple projects in various stages of approval. Managed the implementation of the following for sale and luxury rental projects:

- Completed construction of 310 luxury apartments at Overlook Ridge in Revere, Ma. Project was completed on time and on budget. Total developed cost was \$95,000,000.
- Provide permitting assistance, managed design development and began site work for 770-market rate high-rise condominiums at Overlook Ridge in Malden, Ma. Total developed cost was \$175,000,000, construction began Fall 2006
- Completed construction documents for 330 condominiums and 175 luxury apartments on the Boston waterfront. Total developed cost: \$305,000,000, construction began early Fall 2006
- Completed permitting and construction documents for 276 luxury apartments in Randolph, Ma. Total developed cost is \$48,500,000.
- Redeveloped the Hingham Shipyard to construct 150 high-end waterfront condominiums. Total developed cost is \$142,500,000, construction began April 2006
- Started construction of 412 Luxury apartments in Revere, MA with a separate 541 space 5 story pre-cast parking garage. Total developed cost is \$94,500,000.

ANDREW J. COPELOTTI

THE R.F. WALSH COMPANY, INC., Boston, MA

2003

Project Executive

Program Manager for Channel Center, a \$400M mixed use residential, retail and office development for Beacon Capital Partners. Constructed loft condominiums in an existing building and a new 13 story high rise containing 136 units averaging \$600 per SF. Single point of contact for Beacon Capital, primary responsibilities include tracking of project costs (both soft and hard), coordination of multiple construction managers and design firms, securing required City of Boston permits and approvals, liaison for neighborhood relations, preparation of pro-forma's for owner review in evaluation of future phases. Manage a staff of four construction professionals.

PLUMB HOUSE, INC., Milford, MA

1995-2003

Vice President: 1999 – 2003
Director Business Development: 1997 – 1999
Project Manager: 1995 - 1997

Established market for general contractor specializing in multi-family projects, increasing sales six fold over 7-year period, with sales peaking in fiscal 2003 at \$55M. Launched pre-construction initiative to help clients establish pro forma development budgets. Created external sales and marketing materials, budget estimate formats; conceived and developed the Plumb House web site www.plumbhouse.com; created local advertising campaigns in collaboration with outside vendors; responsible for identifying and cultivating prospective clients; implemented internal procedures to help manage and sustain rapid growth

Developed, implemented and constructed the following key projects in collaboration with local development partners:

- Northridge Development LLC: Northridge Condominiums, 56 units, N. Reading, MA \$8,600,000
- Danforth Village LLC: Danforth Village, 23 units, Billerica, MA \$3,550,000
- John M. Corcoran Co.: Hawthorne Commons, Salem, MA, 120 units, \$10,500,000
- Beacon Management: The Woodlands Abington Station, Abington, MA, 192 units, \$18,500,000
- Lincoln Properties: The Maples at Little River, Haverhill, MA, 174 units, \$14,700,000
- Archstone-Smith: Spickett Commons, Methuen, MA, 164 units, \$13,500,000
- Beacon Residential Management: Walkover Commons, Brockton, MA, 80 units, \$8,000,000
- The Dolben Company: Cumberland Crossing, Cumberland, RI, 288 units \$21,500,000

DALTON BUILDERS, INC., Milford, MA (Plumb House labor subsidiary)

1995-2003

Vice President:

Managed 120-person open shop wood-frame subcontractor. Implemented programs to improve individual employee performance: designed and implemented employee handbook, established 401K program, created 40-hour work week incentive program, conceived WearGuard safety reward program, formalized application procedures, established year-end compensation summaries.

KIMBERLY CLARK CORPORATION, Neenah, WI

1993-1995

Facility Planner: Conway Mill, Conway, Arkansas
Transportation Analyst: Corporate Headquarters, Neenah, Wisconsin
Staff Planner: Corporate Headquarters, Neenah, Wisconsin

Increased inventory turns, improved machine efficiency, streamlined distribution of consumer products between multiple warehouse locations. Promoted twice in less than two years.

PLUMB HOUSE, INC., Milford, MA

1988-1991

Estimator/Project Manager:

ANDREW J. COPELOTTI

Estimated and managed labor and material for multi-family wood-framed projects for general contractors and developers with values from \$300,000 to \$3,500,000.

ANDREW J. COPELOTTI

63 Broken Tree Road □ Newton, MA 02459 □ 617.244.2241 (H) □ 617.594.9788 (C) □
andrew.copelotti@gmail.com

EDUCATION:

MBA, Operations and Logistics Management

Eli Broad Graduate School of Management
Michigan State University, Lansing, MI

Academic Honors:

Libby-Owens-Ford Graduate scholarship recipient
Graduate Assistant to Keith Helfrich, PhD, Department Chair

BSBA, Construction Management

The Daniels College of Business @ The University of Denver, Denver, CO
Additional concentration in Real Estate

PROFESSIONAL AFFILIATIONS:

Boston Area Greater Builders (BAGB), member 2006 Board of Directors
2003 President, Board of Directors, GW Gould Construction Institute
Member Board of Directors, GW Gould Construction Institute, 1996-2002
Member Board of Directors, Associated Builders and Contractors, 1999-2002
Member - Rental Housing Association
Affiliate Member, Boston Society of Architects
National Association of Home Builders
Mass. Construction Supervisor License #067752

PERSONAL AFFILIATIONS:

Cyclist and fundraiser, Pan Mass Challenge 1999-2003. "Heavy Hitter" 3 years in a row
Board member, JVC East charity fundraiser, 2000-2003
Board member, Lexington Golf Club 2004 - 2007
Member Oakley Country Club, Watertown, MA

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.

RECEIVED
NEWTON CIVIC CENTER
2013 FEB 15 10 31 AM
DAVIDA COSTA
NEWTON MA 02459

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

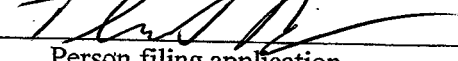
IDENTIFICATION (Please Type or Print Clearly)

Company Name BOSTON COLLEGE

Address ST. CLEMENT'S HALL
140 COMMONWEALTH AVENUE
CHESTNUT HILL, MA 02467

Phone Number 617 552 8992 Fax Number 617 552 0360

Contact Person THOMAS RUNYON Title SENIOR CONSTRUCTION PROJECT MANAGER

Signature  Date 2/4/13
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

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 DESCRIPTION

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

Title of Plan BOSTON COLLEGE - COLLEGE ROAD Date of plan 2/1/13
STREET LIGHT POLE INSTALLATION

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

Boston College – College Road Street Light Pole Installation

Street Lighting Locations

Boston College petitioning for a grant of location to install 7 ornamental light poles and fixtures on the east side of College Road at the following locations

- Approximately 150' Northeast of the College Road and Hammond Street intersection
- Approximately 370' Northeast of the College Road and Hammond Street intersection, between 36 College Road and 4 Quincy Road
- Approximately 80' Northeast of the College Road and Quincy Road intersection, near 50 College Road
- Approximately 250' Northeast of the College Road and Quincy Road intersection, between 66 and 72 College Road
- Approximately 430' Northeast of the College Road and Quincy Road intersection, near 84 College Road
- Approximately 500' South of the College Road and Commonwealth Avenue intersection, near 96 College Road
- Approximately 325' South of the College Road and Commonwealth Avenue intersection, between 110 and 116 College Road

RECEIVED
Newton City Clerk

2013 FEB 15 PM 4: 03

David A. Olson, CMC
Newton, MA 02459

Final Label Report

#97-13

SBL	Owner	Number	Street	Unit
63016 0020	SANDER MARCEL & DANIEL T/C	342	BEACON ST	
63014 0010	TRUSTEES OF BOSTON COLLEGE	36	COLLEGE RD	
63010 0013	TRUSTEES OF BOSTON COLLEGE	50	COLLEGE RD	
63010 0012	TRUSTEES OF BOSTON COLLEGE	58	COLLEGE RD	
63010 0011	ONEILL INDUSTRIES LLC	66	COLLEGE RD	
63010 0010	TRUSTEES OF BOSTON COLLEGE	72	COLLEGE RD	
63010 0009	TRUSTEES OF BOSTON COLLEGE	78	COLLEGE RD	
63010 0008	TRUSTEES OF BOSTON COLLEGE	84	COLLEGE RD	
63010 0007	TRUSTEES OF BOSTON COLLEGE	90	COLLEGE RD	
63010 0006	TRUSTEES OF BOSTON COLLEGE	96	COLLEGE RD	
63010 0005	TRUSTEES OF BOSTON COLLEGE	102	COLLEGE RD	
63010 0004	TRUSTEES OF BOSTON COLLEGE	110	COLLEGE RD	
63010 0003	TRUSTEES OF BOSTON COLLEGE	116	COLLEGE RD	
63010 0002	TRUSTEES OF BOSTON COLLEGE	122	COLLEGE RD	
63010 0001	TRUSTEES OF BOSTON COLLEGE	128	COLLEGE RD	
63009 0002	TRUSTEES OF BOSTON COLLEGE	140	COMMONWEALTH AVE	
63015 0001	TRUSTEES OF BOSTON COLLEGE	147-201	HAMMOND ST	
63014 0011	TRUSTEES OF BOSTON COLLEGE	180-200	HAMMOND ST	
63014 0009	TRUSTEES OF BOSTON COLLEGE	4	QUINCY RD	

CITY OF NEWTON
ENGINEERING DIVISION

MEMORANDUM

To: Ald. Anthony Salvucci, Facilities Committee Chair.

From: John Daghlian, Associate City Engineer

Re: College Road Street Lights

Date: March 5, 2013

CC: Lou Taverna, PE City Engineer (via email)
Shawna Sullivan, Associate City Clerk (via email)

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

*Boston College ~ College Road
Street Light Pole Installation
College Road
Newton, MA
Prepared By: VHB Inc.
Dated: February 15, 2013*

Executive Summary:

Boston College has a petition to install seven new ornamental streetlights similar to the eight streetlights that were approved by the Public Facilities on April 5, 2012.

The proposed seven lights will be placed between the existing eight lights along the southeasterly side of College Road. All the conduit for each of the lights were installed as part of original installation, thus only pole bases will have to be installed for the seven new lights.

Minimal damage is expected at only the specific installation points; the applicant will replace cement concrete sidewalks damaged by the installation.

As previously, agreed *Boston College* will purchase, install, and maintain in perpetuity the ornamental streetlights, and the City will be responsible for the power consumption.

Conditions & Special Provisions:

1. If any service connections are disturbed by the contractor of record during construction, they shall be updated and replaced to the City's current Construction Standards.
2. Upon final installation, an As Built drawing shall be submitted in digital and hard copy (Mylar) format to the City Engineer.
3. The applicant's contractor shall apply for a Utility Connection and Sidewalk Crossing Permit with the DPW prior to any construction.
4. All excavation within the Public Right-of-Way shall be backfilled with Control Density Fill (CDF) Type I-E Excavatable type.
5. The contractor of record shall obtain appropriate Permits with the Inspectional Services Department for all electrical construction.
6. The contractor of record shall contact the Newton Police Department and arrange for Police Detail to help residents navigate around the construction activity.

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



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#114-13

Telephone
(617) 796-1100

Telefax
(617) 796-1113

TDD
(617) 796-1089

E-mail
swarren@newtonma.gov

March 12, 2013

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

Ladies and Gentlemen:

I request your approval to take a drain and sewer easement in Seminary Avenue in order to extend the sewer service to approximately forty residents in the Aspen Avenue area who are currently on septic systems.

When Lasell Village was built about ten years ago, the drain/sewer system was extended from Grove Street up Seminary Avenue, currently a private way. In order to extend this infrastructure (drain and sewer lines) upstream along Aspen Avenue and other sides streets, it is necessary to take the privately owned section in Seminary Avenue as originally intended at the time Lasell Village was constructed. Lasell College is in full agreement with this action and no financial impacts will be realized by the City.

Thank you for your attention to this important matter.

Sincerely,

Setti D. Warren
Mayor

Encl.

Cc: Donnalyn Kahn, City Solicitor
Lou Taverna, City Engineer

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2013 MAR 12 PM 4:51
David A. Oison, CMC
Newton, MA 02459

LAW DEPARTMENT



CITY OF NEWTON, MASSACHUSETTS

CITY HALL

1000 COMMONWEALTH AVENUE

NEWTON CENTRE, MA 02459

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- ANGELA BUCHANAN SMAGULA
- ROBERT J. WADDICK
- MAURA E. O'KEEFE
- JEFFREY A. HONIG
- ALAN D. MANDEL
- JULIE B. ROSS

March 12, 2013

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

Re: Sewer Easement-Seminary Avenue

Dear Honorable Mayor Warren:

I respectfully request that you docket an item seeking the taking of an easement for sewer and drain purposes in Seminary Avenue, a private way in the City of Newton.

The easement is required in order for the city to acquire and maintain the main drain and sewer installed by Lasell College in Seminary Avenue in accordance with the prior approval of the City of Newton.


No damages will be awarded for the acquisition of the easement.

Respectfully submitted,

Donnalyn B. Lynch Kahn
City Solicitor

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 David A. Olson, CMC
 Newton, MA 02459

**CITY OF NEWTON
LAW DEPARTMENT
INTEROFFICE MEMORANDUM**

DATE: March 14, 2013
TO: Anthony Salvucci, Chairman,
Public Facilities Committee
FROM: Robert J. Waddick, Assistant City Solicitor 
RE: Sewer Easement-Lasell College

In 2002, the Board of Aldermen granted Lasell College permission to extend the sewer main from Grove Street through Seminary Avenue. Seminary Avenue had been relocated on the ground pursuant to a petition to the Planning Board Acting as the Board of Survey in 1998. Although the city was supposed to acquire an easement for maintenance of the sewer main in Seminary Avenue, it was not acquired.

The Law Department renewed efforts to finalize acquisition of the easement in 2007. The land abutting Seminary Avenue, owned by Lasell College, was undergoing a registration process in the Land Court at about that time. The parcels owned by Lasell consisted of registered and unregistered land. Record documents which included a ground lease and voluminous financing instruments made for a somewhat involved and complicated title. It was determined that the acquisition of the easement would be best accomplished after the Land Court had completed the registration process for the Lasell parcels.

Although Seminary Avenue had been relocated on the ground years earlier, a relocation plan was not filed with the Registry of Deeds until 2010. Consequently, it may not have been possible to complete the acquisition of the easement prior to the recording of the relocation plan in any case.

In 2011 the Land Court registration process was completed. In 2012, Lasell provided an updated plan reflecting the relocated Seminary Avenue and the parcel identification information consistent with the Land Court's Decree which was issued following the completion of the registration process.

A timeline of the events discussed in the foregoing paragraphs is attached hereto.

The city and Lasell are now in a position to finalize the easement. Although it was anticipated that the easement would be acquired by a grant from Lasell, the Law Department recommends that the easement is acquired by a taking. There are a few reasons for this recommendation.

First, in order to obtain an easement which will pass muster with the Land Court, we may have to ensure that all parties with an interest in the property have first assented to the grant of easement, whereas with a taking we simply have to notify mortgagees of record after an easement is taken. Given the Lasell title, it may be difficult and time consuming to obtain all of the assents and in form acceptable to the Land Court.

In addition, we have determined that there are two other property owners who may have an interest in Seminary Avenue and from whom we may need an easement. The Assessing Department has opined that these property owners would not be entitled to any damages resulting from a sewer easement taken by the city in Seminary Avenue. This is because the sewer main is already built and there will be no disruption to the road. In addition, these property owners are not taxed on any square footage within the boundaries of Seminary Avenue. One of the property owners uses Seminary Avenue for passage only. The other, doesn't appear to use Seminary Avenue for any purpose. Therefore, it does not appear that the taking of a sewer easement would have an impact on their properties or on the value of their properties.

Given all of the circumstances, the most economical and efficient means of obtaining the necessary sewer easement is through a taking rather than a grant. Lasell College, through its attorney concurs with this approach. Accordingly, for all of the foregoing reasons, we recommend that the Board of Alderman complete the acquisition of a sewer easement in Seminary Avenue through a taking in accordance with Chapter 79 of the General Laws.

Lasell Sewer Extension/Easement Timeline

- 1998 Lasell petitions Planning Board Acting as Board of Survey for relocation of Seminary Avenue. Relocation plan not recorded at Registry of Deeds.
- 2002 Board grants permission for sewer main extension from Grove Street through relocated Seminary Avenue. City supposed to acquire sewer easement.
- 2007 Law Department renews efforts to acquire sewer easement.
- 2009 Lasell pursuing registration of parcels abutting Seminary Avenue in the Land Court. City awaiting completion of Land Court registration process to acquire easement.
- 2010 Seminary Avenue Relocation plan recorded by Lasell.
- 2011 Land Court registration process completed.
- 2012 Sewer easement plan reflecting relocated Seminary Avenue and current parcel identification information in accordance with Land Court Decree resulting from registration process, provided by Lasell.
- 2013 Anticipated acquisition of sewer easement.

CITY OF NEWTON
IN THE BOARD OF ALDERMEN
TAKING OF EASEMENT
FOR DRAIN AND SEWER PURPOSES

WHEREAS, a petition for the extension of the main drain and common sewer in Seminary Avenue was approved by the Board of Aldermen and the Mayor of the City of Newton; and,

WHEREAS, in the opinion of the Board of Aldermen public necessity and convenience, require that the City of Newton acquire an easement for drain and sewer purposes in Seminary Avenue, it is therefore,

ORDERED: that a perpetual easement be and is hereby taken for the purpose of installing, placing, constructing, renewing, repairing, relocating, inspecting, maintaining and forever operating main drains, common sewers, pipes, manholes, conduits and all appurtenances for the operation of public sewer and drain service utilities in, under, and on, including the right of ingress and egress, that portion of Seminary Avenue and adjoining land shown as "Easement Area (35' WIDE)" on a plan entitled "Easement Plan of Land, Lasell Village, Newton, Massachusetts," dated July 27, 2012 by Verne T. Porter, Jr., PLS, recorded in the Middlesex South District Registry of Deeds as Plan No. _____ of 2013. Said easement parcel as shown on said plan is bounded and described as follows:

Beginning at a point on the southerly side of Seminary Avenue S 57° 31' 08" W, one hundred forty and ninety one hundredths (140.91) feet from a drill hole;

Thence, running S 57° 31' 08" W, one hundred eighty eight and forty seven hundredths (188.47) feet to a point;

Thence, turning and running on a curve to the left having a radius of eighty three and zero hundredths (83.00) feet, and a length of thirty three and fifty five hundredths (33.55) feet to a point;

Thence, turning and running S 34° 21' 24" W, one hundred thirty seven and six hundredths (137.06) feet to a point;

Thence, turning and running on a curve to the left having a radius of eighty and zero hundredths (80.00) feet and a length of fifty eight and fifty eight hundredths (58.58) feet to a point;

Thence, turning and running S 01° 52' 15" E, one hundred fifteen and eighty seven hundredths (115.87) feet to a point;

Thence, turning and running on a curve to the right having a radius of three hundred fifty five and zero hundredths (355.00) feet and a length of one hundred eighty and eight hundredths (180.08) feet to a point;

Thence, turning and running S 27° 11' 38" W, four hundred six and ninety eight hundredths (406.98) feet to a point;

Thence, turning and running on a curve to the right having a radius of seventy seven and sixty two hundredths (77.62) feet and a length of one hundred fifty seven and eighty four hundredths (157.84) feet to a point;

Thence, turning and running on a curve to the left having a radius of two hundred thirty one and ninety eight hundredths (231.98) feet and a length of one hundred thirty two and seventy three hundredths (132.73) feet to a point;

Thence, turning and running N 69° 05' 00" W, ninety and fifty four hundredths (90.54) feet to a point;

Thence, turning and running on a curve to the left having a radius of fifteen and zero hundredths (15.00) feet and a length of twenty six and twenty nine hundredths (26.29) feet to a point;

Thence, turning and running along Grove Street N 10° 30' 00" E, seventy one and seventeen hundredths (71.17) feet to a point;

Thence, turning and running on a curve to the left having a radius of fifteen and zero hundredths (15.00) feet and a length of twenty and eighty three hundredths (20.83) feet to a point;

Thence, turning and running S 69° 05' 00" E, one hundred three and forty one hundredths (103.41) feet to a point;

Thence, turning and running on a curve to the right having a radius of two hundred seventy one and ninety eight hundredths (271.98) feet and a length of one hundred forty four and three hundredths (144.03) feet to a point;

Thence, turning and running N 85° 41' 59" E, seventy two and forty eight hundredths (72.48) feet to a point;

Thence, turning and running N 27° 11' 38" E, three hundred ninety two and sixty one hundredths (392.61) feet to a point;

Thence, turning and running on a curve to the left having a radius of three hundred fifteen and zero hundredths (315.00) feet and a length of one hundred fifty nine and seventy nine hundredths (159.79) feet to a point;

Thence, turning and running N 01° 52' 15" W, one hundred twenty six and seventeen hundredths (126.17) feet to a point;

Thence, turning and running on a curve to the right having a radius of one hundred twenty and zero hundredths (120.00) feet and a length of seventy five and eighty seven hundredths (75.87) feet to a point;

Thence, turning and running N 34° 21' 24" E, one hundred thirty seven and six hundredths (137.06) feet to a point;

Thence, turning and running on a curve to the right having a radius of one hundred twenty three and zero hundredths (123.00) feet and a length of forty nine and seventy two hundredths (49.72) feet to a point;

Thence, turning and running N 57° 31' 08" E, one hundred eighty eight and forty seven hundredths (188.47) feet to a point;

Thence, turning and running S 32° 28' 52" E, forty and zero hundredths (40.00) feet to the point of the beginning.

This order of taking shall include the acquisition of all storm drains, sanitary sewer mains, manholes, conduits and all appurtenances thereto that are now or hereafter constructed or installed in through or under the above described easement parcel and the public way portion of Seminary Avenue except that this order of taking shall not include any building service pipes or appurtenances for which the property owners shall have the perpetual right and responsibility to maintain.

The following are the names of the owners of parcels over which an easement is taken for the purposes described hereinabove so far as known to the Board of Aldermen.

The references to the parcels are as they appear in the records of the Southern Middlesex Land Court Registry District or the Middlesex South District Registry of Deeds.

REGISTERED LAND

OWNER/PROPERTY ADDRESS

TITLE REFERENCE

Michael F. Iodice, Jr.
Trustee, M.J. Realty Trust II
204-290 Grove Street,
Newton, MA

Certificate No. 178835
Book 1024, Page 85

Lasell College
Seminary Avenue
Newton, MA

Lots A and B
Certificate No. 114065
Book 700, Page 115

Lasell College

L.C. Case 43023

Seminary Avenue
Newton, MA

Certificate No. 249733
Book 1406, Page 63

Lasell College
Seminary Avenue
Newton, MA

Certificate No. 114064
Book 700, Page 114

RECORDED LAND

OWNER/PROPERTY ADDRESS

TITLE REFERENCE

Aaron and Mary
Neiderheman
248 Grove Street
Newton, MA

Book 47699, Page 179

Lasell College
Seminary Avenue
Newton, MA

Book 10498, Page 120

The monetary damages which are awarded to the owners of the parcels on which an easement has been taken for the purposes described hereinabove are NONE.

There shall be no betterment assessments to the abutters.

The trees upon the land on which an easement has been taken and the structures affixed to said land, other than those described hereinabove, are not taken.

Public Facilities Committee (March 20, 2013)

Proposed Agenda:

- Water Meters
 - Status

- Overview of 20 Year CIP
 - Sewer I/I Projects – status
 - Water Improvement Projects – status

- Water/Sewer Rate Analysis
 - Status

- Private Inflow Removal
 - Status

- Stormwater Rate Methodology
 - Status

approximately eight years due to the environment in which they operate and when one fails, it is used for spare parts.

The Public Works Department needs at least six street sweepers to meet their goal of sweeping all streets four times a year and sweeping village centers and parking lots once a week. With one of the sweepers out of service, there are six functional sweepers available for street sweeping. Street sweepers are a high-maintenance machine, which means that one machine is generally being serviced on any given day. The Department of Public Works requires seven sweepers in order to keep six out on the streets.

Mr. Mahan requested that the docket item be amended, as the estimate of \$160,000 did not include the purchase of necessary spare tires and equipment. The total purchase price with the related equipment is \$172,000. Ald. Lappin moved approval of the item as amended, which carried unanimously.

#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]

ACTION: **HELD 8-0**

NOTE: Utilities Director Fred Russell provided an update on the City's goal of removing illegal sewer connections from private properties. The Committee last discussed the item on January 18, 2012 but there was an informal update on the program on June 6, 2012, as part of the discussion on the Underground Infrastructure Strategic Improvement Plan. Mr. Russell provided the Committee with the attached update on the Private Source Removal Program.

During the meter replacement project, 669 illegal sump pumps were identified. Sixty-seven notification letters were sent to properties owners with illegal sump pumps over the past year. The letter stated that the property owner had a year to address the removal of the illegal connection. Mr. Russell has had contact with the 54 property owners to educate them on their options to deal with the illegal connections. Twenty-six illegal connections have been removed at this point. A second letter was recently sent out to the property owners, who did not respond to the first letter.

Mr. Russell continues to work with property owners with illegal sump pumps to find the most feasible and economical way to address the illegal connection. The City's Environmental Engineer is also working with Mr. Russell to follow up with the property owners. Mr. Russell hopes to address all the illegal connections over the next couple of years. The Utilities Division of Public Works also recently sent notification letters to 42 properties with illegal driveway drains or roof leaders and will begin to work with those property owners to address those illegal

connections. Mr. Russell would like to confer with all of the property owners who have received letters from the Utilities Division before sending out the next set of letters.

Committee members inquired if there were any fines associated with the illegal connections. Mr. Russell responded that there are provisions within the ordinances that allow a per day fine of \$300 until the illegal connection is removed. However, the City has not reached the point where fines are being considered. However, if the property owners do not address the illegal connection, the City may need to levy fines, as an incentive to remove the illegal connection. With that, Ald. Danberg moved hold for future updates on the program, which carried unanimously.

All other items before the Committee were held without discussion.

Respectfully submitted,

Anthony J. Salvucci, Chairman

Private Source Removal Program

(update: July 18, 2012)

Sump Pumps:

TOTAL: 669

Notification letters sent-sump pumps: 67

Removed: 26

Incorrectly identified: 7

Sump Pumps Remaining: 636

Other (Area A):

Total Driveway Drains: 36

Total Roof Leaders: 6

Notification letters sent-roof leaders/driveway drains: 42

City of Newton



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

Setti D. Warren
Mayor

April 2, 2012

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

Dear Mayor Warren:

I write to request that you docket for consideration with the Honorable Board, a request to have a discussion regarding a revised Stormwater Fee structure. This revision would continue to charge single family residences a base rate of \$25.00 per year; however, two-family residences would be charged \$37.50 per year, and multi-family residences (3 units or more), commercial, industrial, and institutional properties (to include non-profits), would be charged based on the amount of impervious area on their lots. The current rate structure is a flat rate of \$25.00 per year for all residential units and \$150.00 per year for all commercial and industrial properties.

This revision would more appropriately meet the purpose of the stormwater fee by providing a more equitable structure that takes into account the size of the property and its resultant impact on the City's drainage system. Public Works estimates revenues as a result of implementing this structure to be \$1,065,262 for FY 2013. Current annual revenues are \$725,000. I request that this matter be taken up prior to, and separate from, the FY13 Budget, as it necessitates adequate discussion and yet will directly impact the rates that are taken up by the Honorable Board in May.

Thank you for your consideration of this matter.

Sincerely,

David F. Turocy
Commissioner

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David A. Oiso
Newton, MA 02459



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#383-11(4)

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

April 9, 2012

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

Ladies and Gentlemen:

In accordance with Newton Revised Ordinances, I write to request that your Honorable Board docket for consideration the revision of the stormwater rates effective July 1, 2012 as follows:

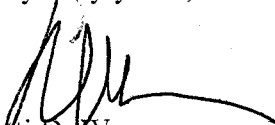
Single Family Residences: \$25.00 per year

Two Family Residences: \$37.50 per year

Multi Family Residences (3 units or more), commercial, industrial, and institutional properties (to include non-profits) would be charged at a rate of \$25.00 per Equivalent Residential Unit (ERU) of 2,600 square feet of impervious surface on the property.

Thank you for your consideration of this matter.

Very truly yours,


Setti D. Warren
Mayor

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1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

(a) Every estate whose building sewers discharge directly or indirectly into public sewers of the city, shall pay a charge for the use of main drains, stormwater facilities and sewage works.

(b) Sewer/Stormwater rates

(1) Such sewer/stormwater use bills shall be issued on a quarterly basis. Each sewer/stormwater use bill shall consist of two components as follows:

a) A charge for use of main drains and stormwater facilities:

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

for all other properties: \$37.50 per quarter

b) a charge for use of sewer, which charge shall be made in proportion to water consumption, based on the water meter reading, or estimate water meter reading, for the same property, for the prior quarterly billing period at the following schedule of rates or prices (*effective July 1, 2011*):

Seven dollars and ninety-six cents (\$7.96) per hundred cubic feet for consumption from 0 to 20 hundred cubic feet;

Nine dollars and fifty-five cents (\$9.55) per hundred cubic feet for consumption from 21 to 70 hundred cubic feet;

Eleven dollars and forty-six cents (\$11.46) per hundred cubic feet for consumption above 70 hundred cubic feet;

(2) Multi-dwelling properties

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

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

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

(c) Such charges shall be reduced by a discount of thirty percent (30%) for those dwellings which are owned and inhabited by any person who is certified as eligible for the water discount program described in section 29-36(b). Whenever the board of assessors determines that a person is eligible for such water discount program, such board shall also determine said person to be eligible for a discount from the sewer/stormwater use charges pursuant to this section, which certification shall continue for the same term as such person's certification for the water discount program; and said board shall forthwith so notify the Water and Sewer Division. Upon receipt of such notice, the Water and Sewer Division shall take the steps necessary to so reduce the bills issued for the use of sewer/stormwater use.

(d) All bills issued under this section, properly numbered for identification, shall be made out in the office of the

commissioner. Such bills, together with a warrant for their collection, shall be delivered to the comptroller of accounts for forwarding to the city collector-treasurer as soon as made out, and the city collector-treasurer shall thereupon assume responsibility for such collection. Bills shall be due and payable thirty (30) days from their issuance.

(e) All charges shall constitute a lien upon the land connected with the public sewer from the time of assessment and shall continue for the same period and under the same conditions as a lien established under General Laws, Chapter 80.

(f) If a bill for sewer use becomes a lien, it shall bear interest at the rate provided by law from thirty (30) days after the date of billing until it is committed as part of a tax.

(g) The occupant of any building shall be liable for the payment of the sewer use charge for such building, and the owner shall also be liable.

(h) Except where the properties served are owned, occupied and operated by one owner and not sublet to various tenants, the rates for each meter shall be figured independently of all other meters. In multiple tenant properties served by one meter, the rates shall be based upon water usage recorded from said meter billed to the owner accordingly.

(i) The commissioner is authorized to make abatements and rebates of charges when disproportionate to the service rendered. The commissioner shall certify to the comptroller of accounts the amounts of abatements and rebates for forwarding to the city collector-treasurer. (Rev. Ords. 1973, § 18-18; Rev. Ords. 1979, § 29-64; Ord. No. R-153, 6-17-81; Ord. No. T-28, 6-5-89; Ord. No. T-77, 3-5-90; Ord. No. T-78, 3-5-90; Ord. No. U-5, 4-26-94; Ord. No. V-76, 5-1-96; Ord. No. V-124, 7-14-97; Ord. No. v-180, 6-15-98; Ord. No. V-123, 5-17-99; Ord. No. V-308, 6-19-00, Ord. No. W-47, 6-20-01; Ord. No. X-22, 7-8-02; Ord. No. X-56, 6-18-03; Ord. No. X-95, 06-21-04; Ord. No. X-98, 07-12-04; Ord. No. X-212, 05-24-06; Ord. X-220, 6-19-06; Ord. Y-22, 06-04-07; Ord. No. Z-29' 06-02-08; Ord. No. Z-49, 05-18-09; Ord. No. Z-56, 12-07-09; Ord. No. Z-64, 05-17-10; Ord. No Z-88, May 23, 2011)

Historical note—Ord. Nos. T-77 and T-78 permitted certain estates with garden sprinkler meters to be billed on a water use basis only for water consumed prior to 12-30-90.

DIVISION 4. PROTECTION FROM DAMAGE

Sec. 29-81. Damage, etc., to sewage works forbidden.

No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewage works. (Ord. No. R-153, 6-17-81)

Sec. 29-82. Laying of other pipes, etc., not to obstruct; removal.

Whenever any street is opened for laying or repairing any utilities or for any other purpose, the work shall be executed so as not to obstruct the course, capacity or construction of a public sewer. When any pipe or conduit shall be found to exist in such location as to interfere with the building of any public sewer, the person having charge of or maintaining the same shall, on notice, at once remove, change or alter such pipe or conduit, in such a manner as the commissioner shall direct; and if said person neglects or refuses to do so, the commissioner may make such removal, change or alteration at the expense of the party so notified. In instances involving conflicts with other municipal utilities the city engineer shall provide the necessary revisions in locations and grade which must be followed to resolve such conflicts. (Rev. Ords. 1973, § 18-4; Ord. No. 90, 10-6-75; Rev. Ords. 1979, § 29-61; Ord. No. R-153, 6-17-81)