

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC FACILITIES COMMITTEE AGENDA

WEDNESDAY, FEBRUARY 22, 2012

Room 209
7:45 PM

ITEMS SCHEDULED FOR DISCUSSION:

THE FOLLOWING THREE ITEMS ARE SCHEDULED FOR PUBLIC HEARING:

- #41-12 NATIONAL GRID petitioning for a grant of location to install and maintain approximately 125 feet of gas main easterly from the existing 4” gas main at the intersection of Broken Tree Road to provide service to 131 Old Farm Road.
- #49-12 HIS HONOR THE MAYOR requesting modification of the layout of ELM ROAD in Newtonville between Lowell Avenue and Walnut Street including relocation, widening, and discontinuance of portions of ELM ROAD as follows:
- a) 33,456 sq. ft. of Elm Road to be relocated along the northern boundary of the school property adjacent to Russell Court from Walnut Street toward Kimball Terrace.
 - b) Elm Road from Lowell Avenue to Kimball Terrace to be widened, adding 18,835 sq. ft. in area to accommodate the current physical roadway layout.
 - c) 22,657 sq. ft. of Elm Road from Kimball Terrace to Walnut Street to be discontinued in its current layout as it lies beneath the new school. [02/13/12 @ 3:57 PM]
- #50-12 ROBERT CICHETTI, 44 Oak Street, petitioning for a common sewer to be constructed in OAKDALE ROAD from a sewer manhole in WALNUT HILL ROAD 125' + easterly through a proposed 20' wide easement in OAKDALE ROAD to a proposed sewer manhole to provide service to a new building on Oakdale Road. [02/13/12 @ 3:57 PM]
PETITIONER TO PAY ENTIRE COST

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.

The below item will be discussed jointly with the Programs & Services Committee:

REFERRED TO PROG & SERV, PUBLIC FACIL. AND FINANCE COMMITTEES

- #367-10 HIS HONOR THE MAYOR requesting authorization to appropriate an amount not to exceed five million dollars (\$5,000,000) from bonded indebtedness for the following:
- (B) installation of up to six modular classrooms at five elementary schools as well as the addition of permanent classrooms and renovations to the core of F.A. Day Middle School. [11/29/10 @ 3:23 PM]
 - (A) \$75,000 for site plan work for 1 modular at Horace Mann, 2 at Zervas, and 1 at Burr was approved on December 20, 2010.
 - (B1) \$923,375 for installation of 4 modulars was approved on July 11, 2011
 - (B2A) \$86,545 for additional expenses related to the construction and installation of modular was approved on November 21, 2011.
 - (B2B) \$102,117 for design of sprinkler systems at three elementary schools was approved on November 21, 2011.
 - (B2C) Six hundred forty-three thousand five hundred dollars (\$643,500) of the remaining \$3,812,963 for the design and other related expenses associated with the building renovations to F.A. Day Middle School was approved on December 19, 2011.
- #367-10(B2)** – \$3,169,463 (remaining balance) for renovations to the core of F.A. Day Middle School and sprinkler systems.

Note: The Mayor is proposing an appropriation of \$1,196,883 for the construction and construction administration of the sprinkler system installations at the Burr, Zervas, and Horace-Mann Elementary Schools.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #407-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of ninety thousand dollars (\$90,000) from bonded indebtedness for the purpose of purchasing a backhoe for the Department of Public Works. [10/31/11 @ 2:48 PM]

REFERRED TO PUBLIC FACILITIES & FINANCE COMMITTEES

- #89-11 FINANCE COMMITTEE recommending that **Sec. 29-72(b) Same— Assessments upon owners of estates passed by new sewers.** of the City of Newton Rev Ordinances, 2007, be amended to increase the fixed uniform rates assessed upon owners of all estates passed by new sewers to rates that more accurately represent the estimated average cost of installing such sewers. [03-07-11 @9:30 AM]
- #280-11 ALD. SALVUCCI AND LINSKY requesting an amendment to Section 26-51 of the City of Newton Ordinances, 2007 – Public way improvements constituting specific repairs, to add the following design change text to paragraph 9a): “or any adjustment of the curbing that causes an intrusion into the roadway.” [09/20/11 @ 10:38 AM]

ITEMS NOT SCHEDULED FOR DISCUSSION:

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #54-12 ALD. SALVUCCI, BLAZAR AND FULLER requesting the creation of a revolving fund into which 50% of all betterment income shall be deposited to be used exclusively for individual requests for betterments. [02/02/12 @ 10:21 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]

- #13-12 ALD. ALBRIGHT, LINSKY AND JOHNSON requesting discussion with the appropriate utilities and City departments regarding the prolonged construction on Walnut Street during the Fall of 2011, which caused tremendous loss of revenue for Newtonville businesses. [12/13/11 @ 12:13 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]

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

- #383-11 HIS HONOR THE MAYOR submitting the FY13-FY17 Capital Improvement Program pursuant to section 5-3 of the Newton City Charter and the FY12 Supplemental Capital budget, which require Board of Aldermen approval to finance new capital projects over the next several years. [10/31/11 @ 3:12 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #374-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of twenty-five thousand dollars (\$25,000) from FY11 Free Cash for the purpose of repairing/replacing a broken jail cell door and track at Police Headquarters. [10/31/11 @ 2:49 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]
- #174-11 ALD. DANBERG AND BLAZAR requesting a raised device on Cypress Street near Bow Road recommended by the Traffic Engineer and approved by the Traffic Council (TC22-11) on May 26, 2011. [05-27-11 @ 10:53 AM]
- #173-11 ALD. DANBERG AND BLAZAR requesting a raised crosswalk on Cypress Street in the vicinity of 280 Cypress Street, in association with modifications to the Bowen Elementary School entrance, as approved on May 26, 2011 in Traffic Council (TC20-11), and to be paid for through MassDOT's Safe Routes to School Infrastructure Program. [05-27-11 @ 10:53 AM]
- #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]
- #139-11 ALD. LINSKY, DANBERG & SALVUCCI proposing that §26-71, 26-72 and 26-73, **Sidewalk construction requested by owners, Materials for sidewalk construction, and New curbing installation**, respectively, be amended to extend participation in the betterment program to property owners who voluntarily pay the residual 50% of the costs over time in addition to the 50% initial payment provided under the ordinance. [04-27-11 @9:38 AM]
- #138-11 ALD. CROSSELY 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 PUBLIC FACILITIES AND FINANCE COMMITTEES**
- #311-10(A) HIS HONOR THE MAYOR requesting an appropriation in the amount of three million three hundred thirty-five thousand dollars (\$3,035,000) from bonded indebtedness for the purpose of funding the FY 2011 Capital Improvement Plan projects as follows: [11/29/ 10 @ 3:23 PM]
- Architectural Design and Engineering/ Next Scheduled Fire Station \$400,000
A-2 - HELD 6-0 \$270,000 for final design bidding and construction admin on 12/08/10

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]
- #116-10 ALD. CROSSLEY AND HESS-MAHAN requesting discussion regarding status of ESCO weatherization audit focusing on building envelope retrofits proposed for Phase II and Phase III and coordinating those efforts to inform decision making on related capital expenditures. [04/13/10 @ 7:24 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.

#126-09 ALD. LAPPIN requesting an update on the status of repairs and rental of the Kennard Estate. [04/17/09 @ 2:49 PM]

#385-07 ALD. SCHNIPPER AND GENTILE updating the Public Facilities Committee on the progress of the Newton North High School Project. [11/21/07 @ 10:23 AM]

Respectfully submitted,

Anthony J. Salvucci, Chairman

City of Newton



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

Setti D. Warren
Mayor

February 13, 2012

To: Robert R. Rooney, Chief Operating Officer
From: David F. Turocy, Commissioner Public Works
Subject: Proposed Elm Road Relocation, Widening, and Discontinuance

APPROVED
2-13-12

Elm Road in Newtonville runs along the north side of the Newton North High School property, between Lowell Avenue and Walnut Street. Currently, Elm Road is laid out as a public way. However, changes in the physical roadway configuration due to the construction of the new high school require some of the existing public way to be relocated, some to be widened, and some to be discontinued. All roadway configuration changes are within City of Newton property boundaries.

The attached roadway plan indicates the portions of Elm Road proposed to be relocated, widened, and discontinued. 33,456 square feet (sq ft) of Elm Road is proposed to be relocated along the northern boundary of the school property, adjacent to Russell Court, from Walnut Street toward Kimball Terrace. Elm Road from Lowell Avenue to Kimball Terrace is proposed to be widened, adding 18,835 sq ft in area, to accommodate the current physical roadway layout. Elm Road from Kimball Terrace to Walnut Street is proposed to be discontinued in its current layout, 22,657 sq ft, since this portion now lies beneath the new high school.

The roadway, as it now exists, meets the engineering design and construction standards of the city. No additional roadway construction is required, and no additional funding is requested.

Should these proposed roadway layout changes be accepted by the Board of Aldermen, the layout plan will be filed with the Middlesex Registry of Deeds.

Should you agree with this proposal, please docket with the Board of Aldermen.

Sincerely,

David F. Turocy
Commissioner

cc: Robert Waddick, Law Department
Louis M. Taverna, P.E., City Engineer

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Newton City Clerk
2012 FEB 13 PM 3:56
David A. Olson, CMC
Newton, MA 02459

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Newton City Clerk

CITY OF NEWTON
IN BOARD OF ALDERMEN

2012 FEB 13 PM 3: 57

XXXXXXXX XX, 2012

David A. Olson, CMC
Newton, MA 02459

**DISCONTINUANCE AND MODIFICATION
OF PORTIONS OF ELM ROAD**

WHEREAS, the City of Newton owns and operates a public way known as Elm Road which has been recognized as a public way in the City of Newton since at least 1894; and

WHEREAS, a petition has been presented to this Board seeking to modify Elm Road by discontinuing a portion, modifying a portion by widening and modifying a portion by relocation; and

WHEREAS, this Board has appointed a time for a public hearing and has caused a notice thereof, and said hearing has been held; and

WHEREAS, in the opinion of this Board, the public necessity and convenience no longer requires that the City of Newton maintain a portion of Elm Road as a public way, it is therefore

ORDERED, that the public way status of a portion of Elm Road consisting of 22,657 square feet, more or less, which is shown as "PART TO BE DISCONTINUED" on a plan entitled "CITY OF NEWTON MASSACHUSETTS ELM ROAD RELOCATION, WIDENING AND DISCONTINUANCE PLAN" dated February 13, 2012, by Louis M. Taverna, City Engineer, be and is hereby discontinued.

WHEREAS, in the opinion of this Board, the public necessity and convenience require that such portions of Elm Road be modified as further described below, it is therefore

ORDERED, that the public way layout for Elm Road is hereby modified to include a parcel of land, consisting of 18,835 square feet, more or less, which is shown as "PART TO BE WIDENED" on the aforementioned plan. Accordingly, such parcel is hereby laid out, graded and accepted as a part of Elm Road, and it is hereby further

ORDERED, that the public way layout for Elm Road is hereby modified to include a parcel of land, consisting of 33,456 square feet, more or less, which is shown as "PART TO BE RELOCATED" on the aforementioned plan. Accordingly, such parcel is hereby laid out, graded and accepted as a part of Elm Road, and it is hereby further

ORDERED, that the public way layout of Elm Road, as modified hereunder, includes, as the property of the City of Newton, all water mains, sanitary sewer mains, storm drains, conduits and associated manholes and appurtenances that are now installed in, through or under Elm Road.

So far as is known to the Board, the owner of the land over which the entire area of Elm Road, as modified hereunder, is laid out, graded and accepted, is the City of Newton.

Final Label Report

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SBL	Owner	Number	Street	Unit
24016 0014	ADELSHEIM LESLIE S & JAMES S	12	BLITHEDALE ST	
24015 0004	SLAYTON SYLVIA E	15	BLITHEDALE ST	
24016 0013	CRONIN CHARLES B	16	BLITHEDALE ST	
24016 0012	SHUFRO STEVEN M & PAMELA REED	20	BLITHEDALE ST	
24015 0005	TOULAN MELISSA	21	BLITHEDALE ST	
24016 0011	RUDDEN MICHAEL & MARIA	26	BLITHEDALE ST	
24016 0009	MORRIS TERRENCE P	57	ELM RD	
24016 0010	HSU SU-HSIN TR	63	ELM RD	
24015 0006	OBRIEN STEPHEN J TR	73	ELM RD	
24015 0007	SANTI GEORGE	83-85	ELM RD	
24015 0008A	BERGER RACHEL	89-91	ELM RD	2
24015 0008	FLASHNER CORY S	89-91	ELM RD	1
24016 0005	STANLEY RALPH M & PRISCILLA H	11	KIMBALL TER	
24017 0014	KETT JOHN A	12	KIMBALL TER	
24016 0006	SOX COLIN	15	KIMBALL TER	
24017 0013	ALAJAJIAN JOHN & MARION A	16	KIMBALL TER	
24016 0007	STEENSTRUP NIELS E	21	KIMBALL TER	
24016 0008	PETERS JESSICA R & JOHN S	25	KIMBALL TER	
24015 0009	BAGLEY ELLEN F TR	320	LOWELL AVE	

PETITION FOR DRAIN AND SEWER

City of Newton



Date: 2-13-12

To the Board of Aldermen of Newton:

The undersigned believing that the public convenience the public health require it respectfully petition that a main drain and common sewer be constructed in OAKDALE ROAD

Insert street, way, or private lands, give names of owners

from WALNUT HILL ROAD
to 125' EAST OF WALNUT HILL ROAD
in that part of Newton called NEWTON CENTRE

Signatures of petitioners here:	Addresses
	44 OAK ST NEWTON 02464

RECEIVED
Newton City Clerk
2012 FEB 13 PM 4:10
David A. Olshin, DMIC
Newton, MA 02459

Final Label Report

####

SBL	Owner	Number	Street	Unit
81036 0011	CICCHETTI ROBERT		OAKDALE RD	
81024 0028	WHITE SELMA	63	OAKDALE RD	
81025 0017	BARBONI HENRY J & DORIS A	70	OAKDALE RD	
81024 0029	HURWITZ FREYA L & JEFFERY T	71	OAKDALE RD	
81025 0015	SPINGARN ROGER W	76	OAKDALE RD	
81024 0030	SUGARMAN BARRY N & SHARON F	77	OAKDALE RD	
81025 0014	KITZIS ADAM & BETH	82	OAKDALE RD	
81024 0032	RESH HARVEY J & BARBARA R	83	OAKDALE RD	
81025 0012	MCDONALD SEAN	88	OAKDALE RD	
81024 0033	SIEGAL BRUCE A & RANDI H	89	OAKDALE RD	
81024 0027	TU VANESSA T	11	WALNUT HILL RD	
81037 0023	BOISCLAIR EDMUND J ET AL	14	WALNUT HILL RD	
81037 0022	VARADY LASZLO & RITA	16	WALNUT HILL RD	
81025 0019	WOO KENNETH	25	WALNUT HILL RD	
81036 0010	HOLOHAN JOHN	26	WALNUT HILL RD	
81025 0020	FREEDLAND SCOTT & CAROLE	31	WALNUT HILL RD	
81036 0009	BROUDE SERGEY	32	WALNUT HILL RD	

CITY OF NEWTON
ENGINEERING DIVISION

MEMORANDUM

To: Ald. Anthony Salvucci, Facilities Committee Chair.

From: John Daghlian, Associate City Engineer

Re: Oakdale Road

Date: February 16, 2012

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:

*Proposed Sewer Connection
Oakdale Road
Prepared By: Verne T. Porter, Jr., PLS
Dated: February 8, 2012*

Executive Summary:

The proposal is to extend the existing sanitary sewer main approximately 122-feet easterly from the intersection of Walnut Hill Road & Oakdale Road to the dead end portion of Oakdale Road to provide a service connection to an existing garage. The service connection will be gravity flow from the garage to an existing sewer manhole.

The applicants have submitted an easement plan that will allow the City to perform future maintenance on the sanitary sewer main. A written easement document needs to accompany the plan; the document shall indicate that the owners are hereby granting the City permission to enter upon and perform maintenance on the sanitary sewer main. Both the plan & document shall be recorded at the Middlesex Registry of Deeds prior to the acceptance of the sanitary sewer main. A copy of the recording instrument indicating the book and page shall be submitted with the As-Built plans.

The applicants are funding 100% of the installation cost.

Conditions:

1. All downstream catch basins shall be retrofitted with an approved type of siltation control devices, details of this shall be submitted to the City Engineer. The contractor of record shall maintain these catch basins throughout the construction process, and ensure that street and property flooding does not occur during construction.
2. The contractor of record shall contact the Newton Police Department and arrange for Police Detail to help residents navigate around the construction equipment.
3. The proposed main, manholes, and service connections shall be pressure and/or vacuum tested in accordance to the City's Construction Standards. A representative of the Engineering Division shall witness the testing, 48-hours prior notification shall be given prior to the inspection. The test results shall be submitted in type written report format to the City Engineer.
4. Upon final installation & testing of the sewer system an As Built drawing [plan & profile] indicating rim, invert elevations, and slopes shall be submitted in digital and hard copy (Mylar) format to the City Engineer.
5. The applicant's contractor shall apply for a Utility Connection and Trench Permit with the DPW prior to any construction. Since this is a private way, no street opening permit will be required.

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

#367-10

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

February 13, 2012

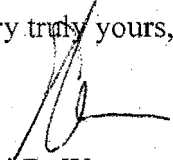
Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to amend *Docket #367-10(B2) – \$3,169,463 (remaining balance) for renovations to the core of F.A. Day Middle School and sprinkler systems*, by appropriating \$1,196,883 for the purpose of funding the construction and construction administration of the sprinkler system installation at the Burr, Zervas, and Horace-Mann Elementary Schools.

I look forward to discussing this very important project with your Honorable Board. Thank you for your consideration of this matter.

Very truly yours,


Setti D. Warren
Mayor

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2012 FEB 13 PM 1:51
David A. Oison, CMO
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

City of Newton



PUBLIC BUILDINGS DEPARTMENT

Stephanie Kane Gilman, Commissioner
Telephone (617) 796-1600
FAX (617) 796-1601
TTY: (617) 796-1089
52 ELLIOT STREET
NEWTON HIGHLANDS, MA 02461-1605

Setti D. Warren
Mayor

February 9, 2012

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

Re: Request for construction funds to complete the Sprinkler System installation at Burr, Zervas, and Horace-Mann Elementary Schools.

Dear Mayor Warren:

The Public Buildings Department requests the sum of \$1,196,883.00 for the purpose of funding the construction and construction administration of the sprinkler system installation at the Burr, Zervas, and Horace-Mann Elementary Schools.

Sincerely,

Stephanie Kane Gilman
Public Building Commissioner

CC: Robert Rooney, Chief Operations Officer
Maureen Lemieux, Chief Financial Officer



City of Newton, Massachusetts
Office of the Mayor

Telephone
(617) 796-1100

Telefax
(617) 796-1113

TDD
(617) 796-1089

E-mail
swarren@newtonma.gov

SETTI D. WARREN
MAYOR

February 17, 2012

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

RECEIVED
Newton City Clerk
2012 FEB 17 PM 4:33
David A. Olson, CMC
Newton, MA 02459

Ladies and Gentlemen:

I write to amend the request to fund the sprinkler project at the Zervas, Horace-Mann, and Burr Schools submitted February 13, 2012. With a greater degree of design now completed, the cost estimate has greater accuracy and the request must be amended to reflect the total cost estimate of \$1,724,194.

The main areas where the cost increased include accessibility improvements, identified hazardous materials, and more extensive ceiling demolition needed at two of the schools.

While this project is an increase in the funds needed, the source of funding will continue to remain long term bonding, the difference to be made up by cost reductions of recently bid or completed projects.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor

Encl.



PUBLIC BUILDINGS DEPARTMENT

Stephanie Kane Gilman, Commissioner

Telephone (617) 796-1600

FAX (617) 796-1601

TTY: (617) 796-1089

52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

Setti D. Warren
Mayor

17 February 2012

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

Re: Request for construction and construction administration funds for the sprinkler installation at the Burr, Zervas, and Horace-Mann Schools.

Dear Mayor Warren:

I request to amend the original request for financing the sprinkler project submitted earlier. The cost estimate for the sprinkler project prior to the design at Zervas, Horace-Mann, and Burr Schools had a construction value of \$1,196,883.00. Now that we have a good portion of the design work done, we have a clearer picture of the construction cost. The updated cost estimate for construction is \$1,724,194.00, which includes administration costs of \$34,194.00.

The key factors leading to the elevated cost are as follows:

- * Accessibility improvements triggered by this project at all 3 schools
- * Hazardous material identified during the design in concealed areas
- * Extensive ceiling demolition and reconstruction needed at Horace-Mann and Zervas

Docket Item #367-10 approved \$102,117.00 for the purpose of funding project design through construction documents. This amended request will cover the remaining design funds, and the latest construction estimates. With this new estimate, I request that the amount be amended to \$1,724,194.00. Should you have any questions, please feel free to contact me.

Sincerely,

Stephanie Kane Gilman
Commissioner of Public Buildings

CC: Robert Rooney, Chief Operating Officer
Maureen Lemieux, Chief Financial Officer

City of Newton
January 9, 2012
Page 4

Proposed Fee

Task	Amount
Schematic Design/Construction Documents	\$ 71,430.00
Bidding Phase	\$ 4,170.00
Construction Administration	\$ 7,800.00
Administer Construction Meetings	\$ 7,800.00
Code Consulting Services and Report	\$ 6,500.00
Total	\$97,700.00

Other Services	Amount
Civil Engineering (Allowance)	\$15,000.00
Hazardous Material Assessment, Testing and Monitoring (Allowance)	\$ 8,000.00
Construction Administration Adjustments for Separate Bid Packages (3) (Allowance)	\$3,120.00

The above stated fee will be invoiced monthly, based on a lump sum, percent complete basis, by task.

Reimbursable Expenses

Reimbursable expenses will consist of printing of bid documents, travel, courier, and film and will be invoiced at cost. We expect the cost not-to-exceed \$6,000.00.

Project Assumptions

- City of Newton will provide as-builts for the existing building.

Optional Services

- Expansion of the scope of this project.
- Any significant lengthening of the project schedule.
- Preparation of revisions to the contract documents after submission of the contract documents, caused by design changes initiated by the owner or others.
- Value engineering.
- Upgrades to existing fire alarm systems.
- Upgrades to Carbon Monoxide detection systems.
- Upgrades to door closers, smoke door holders, corridor smoke doors.
- Audio/Visual upgrades to modular classrooms.
- Witness fire protection/fire alarm systems testing beyond initial testing.
- Hydrant Flow Test.



Andover, MA
Boston, MA

Richard D. Kimball Company, Inc.
200 Brickstone Square
Andover, MA 01810-1488

P 978-475-0298
F 978-475-5768
W www.rdkengineers.com

CONSTRUCTION COST ESTIMATE - Newton Schools - Zervas, Mann & Burr

Project phase: Construction		Project:		Newton Elementary Schools		Sheet	
Trade Specification Section: 16300		Zervas, Mann and Burr Schools		Fire Protection/Alarm Systems		10 of 12	
By: ram Checked By:		RDK Project Number:		20120013		Date	
				2/17/2012			
Description	Qty	Units	Material		Labor		Total
			Unit Cost	Total	Unit Cost	Total	
DIVISION 16300 - Fire Alarm Systems							
Fire Alarm System							
<u>Zervas</u>							
Fire Alarm Circuitry New Points on Ext Sys							
Conductors/Cabling	1,200	lf	2.50	3,000	1.75	2,100	5,100
Conduit/Surfact-Mounted Raceway	1,200	lf	4.50	5,400	3.00	3,600	9,000
New Fire Alarm Devices							
Horn/Strobe Devices	15	ea	125.00	1,875	75.00	1,125	3,000
Smoke Detectors	0	ea	165.00	0	75.00	0	0
Manual Pull Stations	10	ea	80.00	800	75.00	750	1,550
Flow Switch	1	ea	100.00	100	75.00	75	175
Tamper Switch	4	ea	100.00	400	75.00	300	700
Fire Alarm System Reprogramming/Testing	1	ls	0.00	0	2,500.00	2,500	2,500
Zervas Subtotal							22,025
<u>Mann</u>							
Fire Alarm Circuitry New Points on Ext Sys							
Conductors/Cabling	1,200	lf	2.50	3,000	1.75	2,100	5,100
Conduit/Surfact-Mounted Raceway	1,200	lf	4.50	5,400	3.00	3,600	9,000
New Fire Alarm Devices							
Horn/Strobe Devices	4	ea	125.00	500	75.00	300	800
Smoke Detectors	0	ea	165.00	0	75.00	0	0
Manual Pull Stations	5	ea	80.00	400	75.00	375	775
Flow Switch	7	ea	100.00	700	75.00	525	1,225
Tamper Switch	9	ea	100.00	900	75.00	675	1,575
Fire Alarm System Reprogramming/Testing	1	ls	0.00	0	2,500.00	2,500	2,500
Mann Subtotal							20,975
<u>Burr</u>							
Fire Alarm Circuitry New Points on Ext Sys							
Conductors/Cabling	1,200	lf	2.50	3,000	1.75	2,100	5,100
Conduit/Surfact-Mounted Raceway	1,200	lf	4.50	5,400	3.00	3,600	9,000
New Fire Alarm Devices							
Horn/Strobe Devices	10	ea	125.00	1,250	75.00	750	2,000
Smoke Detectors	0	ea	165.00	0	75.00	0	0
Manual Pull Stations	5	ea	80.00	400	75.00	375	775
Flow Switch	2	ea	100.00	200	75.00	150	350
Tamper Switch	4	ea	100.00	400	75.00	300	700
Fire Alarm System Reprogramming/Testing	1	ls	0.00	0	2,500.00	2,500	2,500
Burr Subtotal							20,425



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#407-11

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

November 14, 2011

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

11 NOV 14 P 4:56
CITY CLERK
NEWTON, MA 02159

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to authorize the following appropriation and authorize a general obligation borrowing of an equal amount for the purpose of funding the FY2012 Capital Improvement Plan.

<u>Project</u>	<u>Amount</u>
Department of Public Works – Backhoe	\$ 90,000

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor



City of Newton



DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE COMMISSIONER

1000 Commonwealth Avenue
Newton Centre, MA 02459-1449

Setti D. Warren
Mayor

To: Honorable Mayor Setti D. Warren

From: David F. Turocy, Public Works Commissioner

A handwritten signature in black ink, appearing to read "D. Turocy", written over the printed name of the sender.

Via: Maureen Lemieux, Chief Financial Officer
Robert Rooney, Chief Operating Officer

Re: Request to Appropriate Funds for Capital Equipment

Date: November 1, 2011

Public Works requests authorization to use \$90,000 for the purpose of purchasing one backhoe for the Highway Division. This vehicle is used in daily construction activities for sidewalk and curbing maintenance, as well as snow removal operations in the winter. It is replacing a 1995 backhoe that was taken out of service this summer due to its deteriorated condition.

cc: B. Zaniboni, DPW Deputy Commissioner
R. Ferrara, DPW Chief of Budget
S. Tocci, DPW Highway Director
R. Mahan, DPW Fleet Maintenance Superintendent



CITY OF NEWTON DEPARTMENT OF PUBLIC WORKS

Memo

To: Maureen Lemieux, Finance Director
From: David F. Turocy, Commissioner of Public Works
Date: January 29, 2012
Re: Backhoe Bid

The Department of Public Works had previously docketed a request of the Board of Aldermen to approve \$90,000 for the purchase of backhoe for the Highway Division of DPW.

C.N. Wood (Volvo) was the only bidder who met all specifications. However, their bid was price \$97,000, well above our estimates of \$90,000. After subsequent discussions with C.N. Wood, as the only qualified bidder, they reduced their bid price to \$93,500 per machine. In addition, they agreed to a 2% prompt payment discount, which brings the cost per machine down to \$91,630.

Please revise the docket request amount to \$91,630 for the purchase of this backhoe.

RECEIVED
Newton City Clerk
2012 FEB - 1 AM 10: 25
David A. Olson, CMC
Newton, MA 02459

City of Newton



Setti D. Warren
Mayor

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

#89-11

February 17, 2012

RECEIVED
Newton City Clerk
2012 FEB 17 PM 12:40
David A. Olson, Clerk
Newton, MA 02459

To: Honorable Board of Aldermen
From: David F. Turocy, Commissioner of Public Works
Subject: Docket Item 89-11, Request for Ordinance Change
Assessments upon owners of estates passed by new sewers

I request an ordinance change regarding assessments upon owners of estates passed by new sewers. The assessment rate calculation is currently based on the fixed uniform rate methodology, which is a fixed unit cost per frontage and per area, and is unrelated to the actual cost of construction of the sewer extension. I propose that the assessment rate calculation be based on the uniform unit methodology, where sewer assessments are based on 50% of the actual construction costs of the sewer extension project, divided proportionally based on the equivalent dwelling unit (single family residence) of estates passed by the new sewers. The other 50% is to be funded by the City.

City Ordinance Section 29-71 and 29-72, based on MGL c83 s15, establishes assessments upon owners of estates passed by new sewers, using the fixed uniform rate method, at \$1.00 per linear foot of frontage, plus \$0.25 per square foot of area up to 125 feet from the street line, for all properties abutting roads where sewers are to be extended. These rates were established in 1988, and were somewhat related to sewer construction costs at that time. However, these fixed rates are now unrelated to the current actual construction cost of sewer extension project. Using these fixed uniform rates, the City pays a substantial portion of the sewer extension construction costs as compared to the abutters. For the California Street sewer extension (214 linear feet), completed in 2009 at a cost of \$144,100, only \$6,629 (4.6%) was collected in sewer betterments as compared to the City's cost of \$137,471 (95.4%). For the upcoming Aspen Ave-Hawthorne Ave-Studio Rd sewer extension project (2000 linear feet), at an estimated cost of \$800,000, the City will collect about \$115,642 (14.4%) in sewer betterments, as compared to the City's cost of \$684,358 (85.6%).

Public Works has evaluated some options with regard to revising the sewer assessment rates. Based on the above, it is obvious that the cost of sewer installation varies per location, and per linear foot of sewer installed. For the California St sewer project, there was no economy of scale, so the City paid a premium for the 214 feet of sewer installation. For the Aspen Ave-Hawthorne Ave-Studio Rd sewer extension, there is an economy of scale for the 2000 feet of sewer to be installed. The cost of installation also varies with the subsurface conditions, as well as the amount of rock to be excavated for the installation. With this in mind, we recommend that the

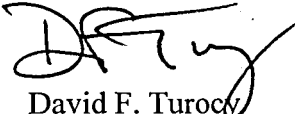
sewer assessment cost be based on the uniform unit method, not on a fixed rate cost per foot plus area basis, as also allowed under MGL c83 s15. #89-11

Sewer betterments would be calculated as follows. "Assessments shall be made upon owners of estates the frontage of which is passed in any part by streets or ways where sewers are constructed, in accordance with the uniform unit method. The uniform unit method shall be based upon a maximum of 50% of the sewer construction cost divided among the total number of existing and potential sewer units to be served. Each sewer unit shall be equal to a single family residence. Potential sewer units shall be calculated on the basis of zoning then in effect. Existing and potential multifamily, commercial, industrial, and semipublic uses shall be converted into sewer units on the basis of residential equivalents." This is a more equitable way of calculating sewer betterments, as it directly relates to construction cost, not on a fixed rate per foot and area basis.

Ordinance section 29-71 requires the City to pay a minimum of 50% of the cost of installation. We would therefore propose that the preliminary sewer betterment cost be calculated based on 50% of the estimated construction cost (with the City paying the other 50%). Once the actual construction cost is known, actual sewer betterments would be assessed based on 50% of actual construction cost.

Attached please find examples which calculate the proposed change as it would be applied to the Aspen Ave-Hawthorne Ave-Studio Rd sewer extension project. We have included the betterment cost per estate based on the current ordinance rates, and then the proposed ordinance change (50% of construction costs proportional share based on equivalent residential unit). Aspen Ave-Hawthorne Ave-Studio Rd sewer betterments will be assessed using the current methodology.

Respectfully,


David F. Turocy
Commissioner

cc: R. Waddick
L. Taverna, P.E., City Engineer



PART I ADMINISTRATION OF THE GOVERNMENT
(Chapters 1 through 182)

TITLE XIV PUBLIC WAYS AND WORKS

CHAPTER 83 SEWERS, DRAINS AND SIDEWALKS

Section 15 Sewerage systems; adoption; assessment; uniform units; separation of costs

Section 15. The city council of a city or a town may adopt a system of sewerage for a part or the whole of its territory, and may provide that assessments under section fourteen shall be made upon owners of land within such territory by a fixed uniform rate or a rate based upon a uniform unit method.

A fixed uniform rate shall be based upon the estimated average cost of all the sewers therein, according to the frontage of such land on any way in which a sewer is constructed, or according to the area of such land within a fixed depth from such way, or according to both such frontage and area; but no assessment in respect to any such land, which by reason of its grade or level or any other cause cannot be drained into such sewer, shall be made until such incapacity is removed. If the assessment is according to the area within such fixed depth, the lien therefor shall attach to the parcel assessed.

A uniform unit method shall be based upon sewerage construction costs divided among the total number of existing and potential sewer units to be served, after having proportioned the cost of special and general benefit facilities. Each sewer unit shall be equal to a single family residence. Potential sewer units shall be calculated on the basis of zoning then in effect. Existing and potential multifamily, commercial, industrial and semipublic uses shall be converted into sewer units on the basis of residential equivalents.

A city by ordinance or a town by by-law may separate the costs of general benefit facilities, including but not limited to pumping stations, trunk and force mains, from that of special benefit facilities, including but not limited to the sewer mains, serving adjacent properties. A portion of costs of the general benefit facilities may be apportioned by the uniform unit method on all areas to receive benefits within the pumping district or combination of districts. The cost of the general benefit facilities, attributable to undeveloped land not abutting a sewer street, may not be assessed until properties are serviced by public sewerage. The proportional cost of the special benefit and general benefit facilities may be assessed against all properties abutting a sewer street.

Aspen Ave-Hawthorne Ave-Studio Rd
Sanitary Sewer Extension
Betterment Assessment *
D R A F T FEB 2012
NOT FOR ACTUAL ASSESSMENTS

Ordinance rates

Address	Owner	Book & Page #	Lot Area Sq. Feet	Lot Area Sq Ft	Cost @ \$0.25 Per Sq Ft.	Frontage Feet	Cost @ \$1.00 Per Ft.	Total Betterment
239 Woodland Rd	Lasell College	9135/268	21262	21262	\$ 5,315.50	214	\$ 214.00	\$ 5,529.50
21 Studio Rd	Daniel Matloff	54242/250	17010	11875	\$ 2,968.75	95	\$ 95.00	\$ 3,063.75
29 Studio Rd	James E. & Kathleen W. Muller	30379/29	17010	11875	\$ 2,968.75	95	\$ 95.00	\$ 3,063.75
35 Studio Rd	Catherine M. Kosa	28080/578	15588	11875	\$ 2,968.75	95	\$ 95.00	\$ 3,063.75
47 Studio Rd	Kevin Shea (vacant lot)	22400/129	22350	19200	\$ 4,800.00	190	\$ 190.00	\$ 4,990.00
67 Studio Rd	Susan Sansby	32299/352	25001	20625	\$ 5,156.25	165	\$ 165.00	\$ 5,321.25
91 Aspen Ave	Betty I. Momingstar	25390/191	25010	13050	\$ 3,262.50	136	\$ 136.00	\$ 3,398.50
84 Aspen Ave	A. Leon Jr & Evelyn Higginbotham	23177/97	25016	25016	\$ 6,254.00	240	\$ 240.00	\$ 6,494.00
83 Aspen Ave	Richard D. Sewall	53854/188	20966	14375	\$ 3,593.75	115	\$ 115.00	\$ 3,708.75
81 Aspen Ave	Jerrold C & Lisa A Capasso Trs	41262/127	25000	23750	\$ 5,937.50	190	\$ 190.00	\$ 6,127.50
75 Aspen Ave	Annette L Baker	25222/538	21042	13500	\$ 3,375.00	108	\$ 108.00	\$ 3,483.00
63 Aspen Ave	Frank E Litwin	24498/359	41190	18500	\$ 4,625.00	148	\$ 148.00	\$ 4,773.00
55 Aspen Ave	Timothy P & Deborah W Moore	1128/82	50269	19375	\$ 4,843.75	155	\$ 155.00	\$ 4,998.75
50 Aspen Ave	Sisters of Charity Supporting	27551/117	17200	16250	\$ 4,062.50	130	\$ 130.00	\$ 4,192.50
41 Aspen Ave	Maria Bianchi Rosen	50933/5	37488	14500	\$ 3,625.00	116	\$ 116.00	\$ 3,741.00
33 Aspen Ave	Robert Anderson Stuart-Vail	34673/496	9965	9965	\$ 2,491.25	92	\$ 92.00	\$ 2,583.25
27 Aspen Ave	Susan L Rosen	1333/68	6860	6860	\$ 1,715.00	100	\$ 100.00	\$ 1,815.00
24 Aspen Ave	Carol Salter	49541/392	7091	7091	\$ 1,772.75	140	\$ 140.00	\$ 1,912.75
14 Aspen Ave	Ronald A Marini	42729/58	8383	8383	\$ 2,095.75	85	\$ 85.00	\$ 2,180.75
6 Aspen Ave	Mahmoud & Afarin Kebab	24770/205	20123	15000	\$ 3,750.00	120	\$ 120.00	\$ 3,870.00
111 Hawthorne Avt	Laura F Zigman	1300/93	7577	7577	\$ 1,894.25	77	\$ 77.00	\$ 1,971.25
110 Hawthorne Avt	Elmer E Jr & Elizabeth W Kendall	9976/36	10714	10714	\$ 2,678.50	108	\$ 108.00	\$ 2,786.50
107 Hawthorne Avt	Barry Robinson	1325/139	5800	5800	\$ 1,450.00	58	\$ 58.00	\$ 1,508.00
101 Hawthorne Avt	John J & Tracy J Aber	1262/46	5300	5300	\$ 1,325.00	53	\$ 53.00	\$ 1,378.00
98 Hawthorne Ave	Karl Jr & Carole Aghassi	33176/228	8583	8583	\$ 2,145.75	87	\$ 87.00	\$ 2,232.75
97 Hawthorne Ave	John J Jr & Stelita M Cronin	810/9	6000	6000	\$ 1,500.00	60	\$ 60.00	\$ 1,560.00
96 Hawthorne Ave	Marc & Donna Heimlich	1327/16	6905	6905	\$ 1,726.25	78	\$ 78.00	\$ 1,804.25
85 Hawthorne Ave	Michael G Kuronen	48205/73	10740	9125	\$ 2,281.25	73	\$ 73.00	\$ 2,354.25
79 Hawthorne Ave	Mark A & Andrea L Mahoney	53536/360	10110	9375	\$ 2,343.75	75	\$ 75.00	\$ 2,418.75
78 Hawthorne Ave	Robet Hanlon	46406/45	25727	21625	\$ 5,406.25	173	\$ 173.00	\$ 5,579.25
73 Hawthorne Ave	Jean K & Charles R Jr Mixer	33129/492	9812	9000	\$ 2,250.00	72	\$ 72.00	\$ 2,322.00
63 Hawthorne Ave	L Noreen & F Robert Rolfe	25258/257	25007	14375	\$ 3,593.75	115	\$ 115.00	\$ 3,708.75
57 Hawthorne Ave	John J & Anne W Freitas	22758/95	14209	9625	\$ 2,406.25	77	\$ 77.00	\$ 2,483.25
51 Hawthorne Ave	Helen R Wallstrom	7042/290	22182	20250	\$ 5,062.50	162	\$ 162.00	\$ 5,224.50

Total Assessment \$ 115,642 14.5%

Total Est Cost (City's Up Front Cost) \$ 800,000

* Per City Ordinance 29-71 and 29-72.

City's Final Cost (Less Betterments) \$ 684,358 85.5%

Aspen Ave-Hawthorne Ave-Studio Rd
Sanitary Sewer Extension
Betterment Assessment *

50% of construction cost per equivalent unit
allowed per MGL c 83 s 15

Address	Owner	Book & Page #	Equivalent Unit	Percent of total	Total Betterment
239 Woodland Rd	Lasell College	9135/268	1	3%	\$ 11,764.71
21 Studio Rd	Daniel Matloff	54242/250	1	3%	\$ 11,764.71
29 Studio Rd	James E. & Kathleen W. Muller	30379/29	1	3%	\$ 11,764.71
35 Studio Rd	Catherine M. Kosa	28080/578	1	3%	\$ 11,764.71
47 Studio Rd	Kevin Shea (vacant lot)	22400/129	1	3%	\$ 11,764.71
67 Studio Rd	Susan Sansby	32299/352	1	3%	\$ 11,764.71
91 Aspen Ave	Betty I. Morningstar	25390/191	1	3%	\$ 11,764.71
84 Aspen Ave	A. Leon Jr & Evelyn Higginbotham	23177/97	1	3%	\$ 11,764.71
83 Aspen Ave	Richard D. Sewall	53854/188	1	3%	\$ 11,764.71
81 Aspen Ave	Jerrod C & Lisa A Capasso Trs	41262/127	1	3%	\$ 11,764.71
75 Aspen Ave	Annette L Baker	25222/538	1	3%	\$ 11,764.71
63 Aspen Ave	Frank E Litwin	24499/359	1	3%	\$ 11,764.71
55 Aspen Ave	Timothy P & Deborah W Moore	1128/82	1	3%	\$ 11,764.71
50 Aspen Ave	Sisters of Charity Supporting	27551/117	1	3%	\$ 11,764.71
41 Aspen Ave	Maria Bianchi Rosen	50933/5	1	3%	\$ 11,764.71
33 Aspen Ave	Robert Anderson Stuart-Vail	34673/496	1	3%	\$ 11,764.71
27 Aspen Ave	Susan L Rosen	1333/68	1	3%	\$ 11,764.71
24 Aspen Ave	Carol Salter	49541/392	1	3%	\$ 11,764.71
14 Aspen Ave	Ronald A Marini	42729/58	1	3%	\$ 11,764.71
6 Aspen Ave	Mahmoud & Afarin Kebab	24770/205	1	3%	\$ 11,764.71
111 Hawthorne Avt	Laura F Zigman	1300/93	1	3%	\$ 11,764.71
110 Hawthorne Avt	Elmer E Jr & Elizabeth W Kendall	9976/36	1	3%	\$ 11,764.71
107 Hawthorne Avt	Bary Robinson	1325/139	1	3%	\$ 11,764.71
101 Hawthorne Avt	John J & Tracy J Aber	1262/46	1	3%	\$ 11,764.71
98 Hawthorne Ave	Karl Jr & Carole Aghassi	33176/228	1	3%	\$ 11,764.71
97 Hawthorne Ave	John J Jr & Stella M Cronin	810/9	1	3%	\$ 11,764.71
96 Hawthorne Ave	Marc & Donna Heimlich	1327/16	1	3%	\$ 11,764.71
85 Hawthorne Ave	Michael G Kuronen	48205/73	1	3%	\$ 11,764.71
79 Hawthorne Ave	Mark A & Andrea L Mahoney	53536/360	1	3%	\$ 11,764.71
78 Hawthorne Ave	Robet Hanlon	46406/45	1	3%	\$ 11,764.71
73 Hawthorne Ave	Jean K & Charles R Jr Mixer	33129/492	1	3%	\$ 11,764.71
63 Hawthorne Ave	L Noreen & F Robert Rolle	25258/257	1	3%	\$ 11,764.71
57 Hawthorne Ave	John J & Anne W Freitas	22758/95	1	3%	\$ 11,764.71
51 Hawthorne Ave	Helen R Wallstrom	7042/290	1	3%	\$ 11,764.71
					\$ 400,000.00
					\$ 400,000.00
Total Assessment (50%)					\$ 400,000 50%
Total Est Cost (City's Up Front Cost)					\$ 800,000
City's Final Cost (Less Betterments)					\$ 400,000 50%

Sewer Betterment Assessment

		Current Ordinance	Option 1	Option 2
California Street (214 feet) (4 residences)	Assessment %	5/95%	50/50 %	33/67%
	Project Cost (Actual)	\$144,100	\$144,100	\$144,100
	City Cost	\$137,471	\$72,050	\$96,547
	Total Resident Cost	\$6,629	\$72,050	\$47,553
	Average Residential Assessment	\$1,657	\$18,012	\$11,888
	Assessment Range	\$1,169 - \$2,748	\$10,100 - \$20,874	\$6,666 - \$13,777
Aspen Ave Hawthorne Ave Studio Rd (3,997 feet) (34 residences)	Assessment %	15/85%	50/50 %	33/67%
	Project Cost (Estimated)	\$800,000	\$800,000	\$800,000
	City Cost	\$684,358	\$400,000	\$536,000
	Resident Cost	\$115,642	\$400,000	\$264,000
	Average Residential Assessment	\$3,401	\$11,765	\$7,765
	Assessment Range	\$1,379 - \$6,494	\$5,304 - \$24,018	\$3,501 - \$15,852

made gastight and watertight. When conformance thereto is not possible, the commissioner may grant exceptions to the prescribed procedures and materials, provided such exceptions do not conflict with applicable statutes, ordinances, or state codes, and will not, in the opinion of the commissioner, contribute to a nuisance condition. (Ord. No. R-153, 6-17-81)

Sec. 29-67. Connections involving gasoline-using establishments.

Garages and other establishments where gasoline is used or where wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients can be discharged and are connected with public sewers, shall be provided with a suitable trap or separator. All traps or separators shall be of a type and capacity approved by the commissioner and shall be located so as to be readily and easily accessible for cleaning and inspection. (Ord. No. R-153, 6-17-81)

Sec. 29-67A. Sewer cleaning fees.

(a) Whenever the city is engaged to rod-out, unclog or otherwise clean a building sewer, a fee shall be charged. Except in those cases involving excavation, such fees shall be as follows:

\$220.00 flat rate for a service call during normal hours;

\$225.00 flat rate for a service call during overtime hours.

(b) All charges for services under this section shall be billed and collected in the same manner as is provided for sewer use charges pursuant to section 29-80 subsections (d) through (i). (Ord. No. V-93, 10-21-96; Ord. No. Z-86, 05-16-11)

DIVISION 3. PUBLIC SEWERS

Sec. 29-68. Restrictions on entry, etc., into public sewers.

No person shall uncover, make any connections with or opening into, alter, or disturb any public sewer or appurtenance thereof without first obtaining written permission from the commissioner. The acquisition of such permission shall not relieve the holder thereof of the responsibility of obtaining any permits from any other city department and/or the M.W.R.A. required by ordinance, statute, code, or regulation. Any person proposing a new connection into the system or a change in the volume or character of pollutants that are being discharged into the system which may result in a change in the characteristics of discharge which (1) constitutes fifteen (15) percent or more of the limitations specified in section 29-76(c); (2) exceed any limit specified in section 29-76(c); or (3) result in the discharge of water or waste specified in section 29-76(b), shall notify the commissioner at least forty-five (45) days prior to the proposed change or connection. (Rev. Ords. 1973, § 18-25; Ord. No. 90, 10-6-75; Rev. Ords. 1979, § 29-85; Ord. No. R-153, 6-17-81)

Sec. 29-69. Public sewers, order required to lay, connect.

(a) No public sewer shall be laid or connected with any existing public sewer until both of the following conditions have occurred: (1) the board of aldermen has ordered the extension of such sewer and (2) the commissioner of public works has received prepayment for installation of at least one building sewer which will be served by such public sewer; provided, however, that the commissioner's issuance of a license for installation of building sewer by private contractor pursuant to section 29-61 shall be deemed to satisfy this prepayment condition.

(b) The board of aldermen shall not make an order for the extension of a public sewer until said board has held a public hearing and determined that the petitioner(s) for such sewer extension has received estimates of all costs associated with connecting to the proposed public sewer.

(c) The board of aldermen shall schedule such public hearings so as to minimize the length of time between the public hearings and the anticipated construction date, taking into consideration the availability of funding and, where applicable, the existence of any public health emergency as determined by the health and human services commissioner. (Rev. Ords. 1973, § 18-3; Rev. Ords. 1979, § 29-60; Ord. No. R-153, 6-17-81; Ord. No. T-231, 7-13-92; Ord. No. X-175, 05-26-05)

Sec. 29-70. Duty of city engineer as to construction of common sewers; plans and profiles thereof.

The city engineer shall make and prepare all needed specifications describing and governing the work of construction, and shall make plans and profiles of all common sewers showing their locations with reference to other sewers and the street lines. Such plans and profiles shall be filed in the office of the city clerk, and after being so filed, shall be deposited in the office of the engineering division of the department of public works, which shall be deemed a part of the office of the city clerk for the keeping of such plans. The city engineer shall keep an accurate account of the cost and expenses of each common sewer. (Rev. Ords. 1973, § 18-2; Rev. Ords. 1979, § 29-59; Ord. No. 153, 6-17-81; Ord. No. V-289, 3-20-00)

State law reference—Provision authorized, G.L. c. 40, § 21(5)

Sec. 29-71. Installation cost of new public sewers—City to pay fifty percent.

A minimum of fifty per cent (50%) of the cost of installation of new public sewers shall be paid by the city. (Rev. Ords. 1973, § 18-6; Rev. Ords. 1979, § 29-62; Ord. No. R-153, 6-17-81)

Sec. 29-72. Same—Assessments upon owners of estates passed by new sewers.

(a) Assessments of that part of the cost of installation of new public sewers not borne by the city shall be made upon owners of estates the frontage of which is passed in any part by said new sewer. The assessment shall be at a fixed uniform rate based upon the estimated average cost of such sewers, both according to the frontage of such estates which is passed by the sewer and according to the area of such estates within a fixed depth of one hundred twenty-five (125) feet from such street or way, but no assessment in respect to any such estate which by reason of its grade or level or for any other cause cannot be drained into such sewer shall be made, certified or notified until such incapacity is removed. Where such estates abut upon more than one street or way, such assessments shall be assessed upon one such street or way, and upon so much of such other street as is not exempted by the board of aldermen. The board may exempt from assessment so much of the frontage on such other street as it deems just and equitable.

(b) The fixed uniform rate to be assessed upon estates is established at one dollar (\$1.00) upon each foot of frontage on any street or way where a sewer is constructed, and twenty-five cents (\$.25) upon each square foot of area within a fixed depth of one hundred twenty-five (125) feet from such street or way, the same having been so found and determined.

(c) No such assessments shall be made upon owners of lots having frontage on any street or way in which a sewer shall have been constructed under bond by the developer of a subdivision pursuant to rules and regulations of the planning board. (Rev. Ords. 1973, § 18-7; Ord. No. 50, 1-20-75; Rev. Ords. 1979, § 29-63; Ord. No. R-153, 6-17-81; Ord. No. T-231, 7-13-92)

State law reference—sewer betterments, G.L. c. 83 § 15

Sec. 29-73. Same—Owners of estates not liable to assessments.

Owners of estates or parts of estates not liable to assessments as set forth in section 29-72, or not in fact assessed, shall pay for the use of public sewers for the disposal of their sewage from such estates or parts of estates such reasonable sum as the board of aldermen shall determine. (Rev. Ords. 1973, § 18-8; Rev. Ords. 1979, § 29-64; Ord.

No. R-153, 6-17-81)

Sec. 29-74. Same—Plan of estates to be assessed therefor; entry of assessments thereon; assessments to be lien until paid.

Upon notification by the board of aldermen of the board's intent to lay out or construct a public sewer, the city engineer shall prepare and submit to the board of aldermen plans of the estates to be assessed pursuant to this chapter showing the owners' names, frontages and areas, together with a schedule showing the assessments on the estates abutting and benefited. The amount ascertained, assessed and certified by the mayor and aldermen shall be entered upon the plan prepared for assessment and shall form a lien against the estate until the same is paid. The city clerk shall furnish the city collector-treasurer, the comptroller of accounts and the engineering division of the department of public works with a certified copy of such schedule with the order of the board of aldermen thereon, as approved by the mayor. (Rev. Ords. 1973, § 18-9; Rev. Ords. 1979, § 29-65; Ord. No. R-153, 6-17-81; Ord. No. V-289, 3-20-00)

Sec. 29-75. Same—Collection of assessments therefor; apportionment of assessments.

The city collector-treasurer, upon receipt of the certified copy of the schedule of assessments pursuant to section 29-74 with the order thereon, shall send notices to the parties named therein with demand of payment of the amount assessed, and such amount shall be due and payable thirty (30) days after the assessment list has been committed to the collector-treasurer, after which time interest shall be charged thereon at the highest rate allowed by law, provided that if at any time before demand for payment by the collector-treasurer under the provisions of Chapter 60 of the General Laws, the owner of land assessed gives notice to the board of assessors to apportion such assessment, or if the board in its discretion makes such apportionment at any time before the proceedings for the enforcement of the collection without such notice to the board, such assessment shall be due and payable as provided by law and the first part of such apportionment, with interest thereon at the highest rate allowed by law, shall be added to the next annual tax bill thereafter. The board of assessors shall furnish to the city collector-treasurer and the comptroller of accounts a certificate of all assessments apportioned as above. (Rev. Ords. 1973, § 18-10; Rev. Ords. 1979, § 29-66; Ord. No. R-153, 6-17-81)

Sec. 29-76. Discharge of certain waters or substances forbidden.

(a) No person shall discharge or cause to be discharged into any public sewer any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, unpolluted industrial process waters or any other substances, waters or wastes which the commissioner or the M.W.R.A. has identified as likely, either singly or by interaction with other substances, to:

- (1) harm either the sewerage system or the water treatment process,
- (2) be otherwise incompatible with the treatment process,
- (3) cause a violation of the federal or state discharge permits issued to the commission,
- (4) adversely affect receiving waters,
- (5) endanger life, limb, or public property, or
- (6) constitute a nuisance.

(b) Specifically, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

Sec. 26-51. Public way improvements constituting specific repairs.

Major construction work on public ways that falls within one or more of the subsections below shall be deemed "specific repairs" which require approval by the board of aldermen pursuant to the provisions of G.L. c. 82, § 17:

(a) design changes which would result in a change of the flow of vehicular traffic, such as adding or deleting a traffic island or changing the width of the roadway portion of a way so as to result in a deletion or addition of one or more travel or turning lane(s), or an adjustment of the curbing that extends it three feet or more into a minor arterial roadway depicted on the Functional Road Classification Map dated March 23, 2006, as amended;

(b) Projects that include the addition, relocation, or removal of vertical deflections in a public roadway surface constructed for the primary purpose of reducing vehicle speeds. Such devices include, but are not limited to: speed humps, raised crosswalks, and raised intersections;

Prior to approval of projects under (a) and (b), the board of aldermen shall review the associated traffic council action and its consistency with Board policies set forth in Section 19-33(a); and

(c) work that is privately funded and estimated by the city engineer to cost a sum greater than one hundred thousand dollars (\$100,000.00).

(Ord. No. U-20, 6-6-94; Ord. No. X-69, 12-15-03; Ord. No. Z-81, 2-22-11)