

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC FACILITIES COMMITTEE AGENDA

WEDNESDAY, APRIL 11, 2012

Room 209  
7 PM

**ITEMS SCHEDULED FOR DISCUSSION:**

**THE FOLLOWING TWO ITEMS ARE SCHEDULED FOR PUBLIC HEARING:**

#71-12      BOSTON COLLEGE petitioning for a grant of location to remove Pole #s 404/1 through 404/15, a total of 15 utility poles, along the east side of COLLEGE ROAD and install the following:

- a) 1,150' ± duct bank within COLLEGE ROAD from the intersection of Hammond Street and College Road northerly thence turning easterly to an existing manhole on private property.
- b) 300' ± of duct bank in HAMMOND STREET from the intersection of College Road and Hammond Street northwesterly to Pole # 195/23
- c) Three telecommunication handholes in HAMMOND STREET at Poles 192/23, 192/24, and 192/25
- d) five 6'x6' manholes in COLLEGE ROAD at the following locations: the intersection of College Road and Hammond Street, 200' ± north of the intersection, 400' ± north of the intersection, 550' ± north of the intersection, and 750' ± north of the intersection.

#71-12(2)      BOSTON COLLEGE petitioning for a grant of location to install 8 ornamental light poles and fixtures in the east side of COLLEGE ROAD at the following locations:

- 50' ± northeast of the College Road and Beacon Street intersection
- 250' ± northeast of the College Road and Beacon Street intersection
- At the intersection of College Road and Quincy Road
- 150' ± northeast of the College Road and Quincy Road, near 58 College Road
- 350' ± northeast of the College Road and Quincy Road intersection, between 72 and 78 College Road
- 550' ± northeast of the College Road and Quincy Road intersection, near 90 College Road
- 400' ± south of the College Road and Commonwealth Avenue intersection, near 102 College Road
- 200' ± south of the College Road and Commonwealth Avenue intersection, between 116 and 122 College Road [03-27-12 @ 9:37 AM]

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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](mailto:TGuditz@newtonma.gov) or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting date.

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #90-12 HIS HONOR THE MAYOR a discussion regarding a revised stormwater fee structure that would 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. [04-02-12 @ 4:15 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]

**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]

- #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]

- #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. 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, 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.

(B2D) One million four hundred seventy-four thousand one hundred ninety-four dollars (\$1,474,194) of the remaining \$3,169,463 for the purpose of funding construction, construction administration and related expenses for the sprinkler system installations at the Burr, Zervas, and Horace-Mann Elementary Schools to be voted 03/05/12.

**#367-10(B2)** – \$ 1,695,269 (remaining balance) for renovations to the core of F.A. Day Middle School and sprinkler systems.

**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]

#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.

#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  
MASSACHUSETTS

PETITION for GRANT OF LOCATION

To the Petitioner:

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

Grant of Location Process:

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

RECEIVED  
Newton City Clerk  
David D. Dillon, Clerk  
Newton, MA 02459  
2012 MAR 12 PM 3:58

Questions my be directed to:

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

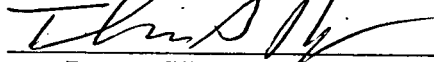
**I. IDENTIFICATION (Please Type or Print Clearly)**

Company Name Trustees of 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 2/28/12  
Person filing application

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

**II. DESCRIPTION OF PROJECT: to be completed by petitioner**

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 UTILITY POLE RENEWAL Date of plan 2/17/2012  
SITE PLANS

**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



03/14/2012

To the City of Newton,

Verizon has an agreement with Boston College to remove the poles on College Rd once all communications is off the pole line. Verizon will take approx. 2 to 3 days to remove all poles. Verizon will work with Terence Leahy from Boston College in coordinating the work the this project.

Verizon anticipates the work to be done in the summer of 2012.

Any questions please call me @ 617-276-2141

Regards,

A handwritten signature in cursive script that reads "Paul Godfrey".

Paul Godfrey  
Verizon Network Engineering

RECEIVED  
Newton City Clerk  
2012 MAR 14 PM 1:16  
David A. Olson, CMC  
Newton, MA 02459



**CITY OF NEWTON**  
ENGINEERING DIVISION

MEMORANDUM

To: Ald. Anthony Salvucci, Facilities Committee Chair.

From: John Daghlian, Associate City Engineer

Re: College Road ~ Proposed Undergrounding of Overhead Utilities

Date: April 4, 2012

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

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

*Boston College Utility Pole Removal*  
*Prepared By: Vanesse Hangen Brustlin, Inc.*  
*Dated: February 7, 2012*

Executive Summary:

*Boston College* has a petition and proposal to remove all of the existing overhead utility wires on *College Road* and to place them underground. The limits of work are from utility pole #404/15 (across #116 *College Road*) and going southerly to approximately 1,320 feet to utility pole #404/1 across *Roncalli Hall*. Additionally 700 feet of electric conduit will be placed along the westerly side of *College Road* to provide power to the buildings.

In association with the removal of the overhead wires, *Boston College* is proposing to install 8- ornamental streetlights along this alignment to replace the 8- existing “cobra-head” streetlights. Some of the underground conduit for the streetlights will be placed outside of the City’s right of way (on the east side) due to limited space as a result of existing various underground utilities. *Boston College* is proposing that they will furnish, install and maintain the ornamental streetlights *in-perpetuity*, while the City will pay for the power consumption under the existing streetlight account. In ‘light’ of this, a License Agreement will be needed to memorialize this understanding and can be a condition of the approval.

Additionally a dedicated 4” conduit will be provided for the Fire Department’s fire alarm from *Hammond Street* along with one spare conduit (pole #192/24 and extend 750-feet northward and connect to pole #225/7) in the rear of #84 *College Road*.

Finally, underground conduit and appurtenances for telecommunications & data conduit will be installed from the main campus opposite #84 College Road and heading southerly approximately 900 feet to the intersection of Hammond Street, then extend this conduit another 300' northwesterly to utility pole #192/23 on Hammond Street, including a spare conduit for the City.

In summary Boston College will be providing all underground utilities to every dwelling/building along the College Road alignment and funding 100% of the construction (installation & restoration) costs. College Road was completely reconstructed in 2007 all sidewalks, curbing and asphalt roadway shall be restored in kind to the City of Newton's Construction Standards. The issue of hanging banners, signs, and ornamentation should be discussed at the public hearing.

Conditions & Special Provisions:

1. All trenches within the roadway shall be milled 1-1/2" deep and overlaid with Type I-1 HMA curb line to curb line and 25' beyond the limits of the trench in both directions. The limits will be determined in the field by the City Engineer.
2. All excavation within the Public Right-of-Way shall be backfilled with Control Density Fill (CDF) Type I-E Excavatable type.
3. The contractor of record shall obtain from the Massachusetts Water Authority (MWRA) an 8M Permit, as most of the underground construction will be encroaching the MWRA's 36" water trunk line.
4. The contractor of record shall obtain a Street Opening, Sidewalk Crossing Permits with the DPW prior to construction.
5. The contractor of record shall obtain appropriate Permits with the Inspectional Services Department for all electrical, telecommunications 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.
7. Upon final installation & inspections of the various underground construction, an As Built drawing [plan & profile] indicating manhole, hand-hole, and all conduit installation shall be submitted in digital and hard copy (Mylar) format to the City Engineer.

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

# Final Label Report

#71-12

SBL	Owner	Number	Street	Unit
63016 0020	SANDER MARCEL & DANIEL T/C	342	BEACON ST	
63016 0019	TRUSTEES OF BOSTON COLLEGE	350	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 0002A	TRUSTEES OF BOSTON COLLEGE	90-100	COMMONWEALTH AVE	
63008 0051	BENEDICT COLEMAN J JR	137	COMMONWEALTH AVE	
63009 0002	TRUSTEES OF BOSTON COLLEGE	140	COMMONWEALTH AVE	
63008 0052	MORRISSEY WILLIAM P & DONNA C	143	COMMONWEALTH AVE	
63008 0053	MCMAMARA JOHN B JR	151	COMMONWEALTH AVE	
63008 0027	WONG PETER & LILY C	159	COMMONWEALTH AVE	
63008 0025	MALLOY PATRICIA & IONE	175	COMMONWEALTH AVE	
63013 0016	TRUSTEES OF BOSTON COLLEGE	176	COMMONWEALTH AVE	
63015 0001	TRUSTEES OF BOSTON COLLEGE	147-201	HAMMOND ST	
63014 0011	TRUSTEES OF BOSTON COLLEGE	180-200	HAMMOND ST	
63020 0004	TRUSTEES OF BOSTON COLLEGE	258	HAMMOND ST	
63017 0004	LONGTINE JANINA A	263	HAMMOND ST	
63020 0003	TRUSTEES OF BOSTON COLLEGE	292	HAMMOND ST	
63011 0001	LEE HENRY L & LINDA LUKE	49	MAYFLOWER RD	
63010 0014	ROBINSON PAULINA J	52	MAYFLOWER RD	
63010 0020	TRUSTEES OF BOSTON COLLEGE	18	OLD COLONY RD	
63016 0021	GREEN MARION TR	9	OLD ORCHARD RD	
63017 0005	HERMANN PETER Z & TAMARA S	14	OLD ORCHARD RD	
63014 0008	BOSKIN CLAIRE		QUINCY RD	
63014 0009	TRUSTEES OF BOSTON COLLEGE	4	QUINCY RD	
63014 0007	BOSKIN CLAIRE TR	18	QUINCY RD	
63014 0006	TRUSTEES OF BOSTON COLLEGE	24	QUINCY RD	
63017 0001	MCLAUGHLIN THOMAS M & SALLY H	9	WOODMAN RD	

Boston College – College Road Utility Pole Removal

**Street Lighting Locations**

The Boston College Utility Pole Removal Project on College Road in the City of Newton, MA includes the removal of existing utility poles which also serve as light poles for College Road. Boston College proposes to replace the lights currently mounted on the utility poles to be removed with Ornamental Light Poles & Fixtures at approximately the same location as the existing lights.

The proposed light poles (8 in total) will be located on the east side of College Road at the following locations:

- At Utility Pole (UP) 404-1 – approximately 50' Northeast of the College Road and Beacon Street intersection
- At UP 404-3 – approximately 250' Northeast of the College Road and Beacon Street intersection
- At UP 404-5 – at the intersection of College Road and Quincy Road
- At UP 404-7 – approximately 150' Northeast of the College Road and Quincy Road intersection, near 58 College Road
- At UP 404-9 – approximately 350' Northeast of the College Road and Quincy Road intersection, between 72 and 78 College Road
- At UP 404-11 – approximately 550' Northeast of the College Road and Quincy Road intersection, near 90 College Road
- At UP 404-13 – approximately 400' South of the College Road and Commonwealth Avenue intersection, near 102 College Road
- At UP 404-15 – approximately 200' South of the College Road and Commonwealth Avenue intersection, between 116 and 122 College Road

Submitting Agency: Boston Light source	Description: LTS30 E 100IL ACT 120 ANBK PEB1	Type: PT1
Project: Boston College - Gasson Hall	Notes:	

WITH ICEIRON LAMP, REF DWG L5235A

**LT30 Luminaires**



LT30 D

**SPECIFICATIONS**

**DESCRIPTION**

The octagonal shaped luminaire shall consist of a luminaire base with an integral ballast housing, an eight-sided lens frame, eight lens panels, an octagonal shaped hinged roof, and a spoked finial.

**DIMENSIONS**

Fixture dimensions shall be as detailed on back page.

**MATERIALS**

The luminaire base, ballast housing, frame assembly, roof, and finial shall be heavy wall, copper free, cast aluminum produced from certified ASTM 356.1 ingot per ASTM B-179-95A or ASTM 826-95, formed true to the pattern with complete detail. Lens panels shall be smooth, textured, or prismatic. Lenses are available in clear polycarbonate or clear acrylic. Internal refractors shall be borosilicate glass and reflectors shall be polished aluminum. All hardware shall be stainless steel. All exterior hardware shall be tamper resistant.

**INSTALLATION**

The luminaire shall mount on a 3" O.D. x 3" tenon with six 1/4" dia. socket set screws. The ballast and socket assembly shall be furnished with a quick disconnect plug and mount on a removable ballast plate. The ballast plate shall be removed by loosening a thumb screw.

**FINISH**

For finish specifications and color options see "Finish" section in catalog.

**LIGHT SOURCE**

Luminaires shall be furnished with an H.I.D. ballast and socket assembly. Luminaires shall be UL listed and labeled as suitable for wet locations. Sockets shall be glazed porcelain, mogul or medium base, with a copper alloy nickel plated screw shell and center contact. Ballast shall be core and coil, high power factor, regulating type.

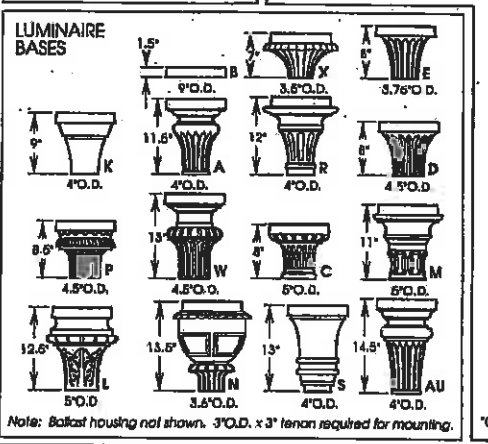
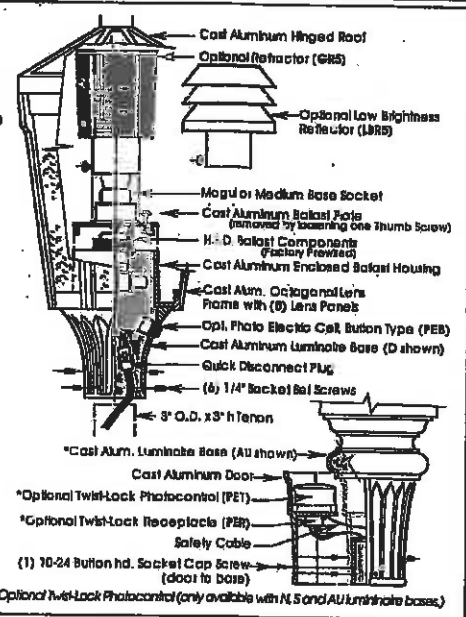
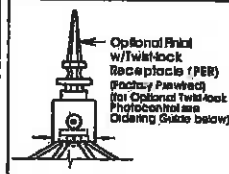
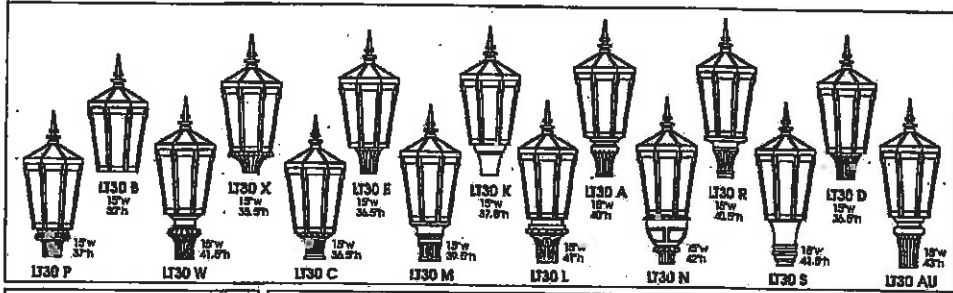
**CERTIFICATION**

Upon request, manufacturer shall certify the use of 356.1 Ingot alloy. Upon request, manufacturer shall supply UL file# and listing information.

**ANTIQUE**  
**Street Lamps**  
 2011-RW Rundberg Ln • Austin, TX 78755  
 Ph (512) 977-8444 • Fax (512) 977-9622

Submitting Agency: Boston Light source	Description: LTS30 E 100IL ACT 120 ANBK PEB1	Type: PT1
Project: Boston College - Gasson Hall	Notes:	

LTS30 Luminaires



Note: Ballast housing not shown. 3" O.D. x 3" h tenon required for mounting.

\*Optional Twist-Lock Photocontrol (only available with N, S, and AU luminaire bases)

**ORDERING INFORMATION**  
Choose the ballast catalog name/number that best suits your needs and write it on the appropriate line.

Example: LTS30 A100M MED ACT GR5 120 ANBK PEB1

Series	Wattage/Lamp M.L.D. ballast & socket	Distribution	Voltage	Finish*	Options
LTS30 A	50W MED	GR5 Glass Receptor, Type V	120	ANBK Black	H5 House Side Entry
LTS30 AU	70M MED	GR3 Glass Receptor, Type B	208	ANDB Dark Bronze	PEB1 Photoelectric Cell button 120v
LTS30 B*	100M MED	LBR5 Low Bright Refl, Type V	240	ANDG Dark Green	PEB2 Photoelectric Cell button 200-240V
LTS30 C	150M MED	ACT Acrylic, Clear Textured (Standard)	277	ANVG Verde Green	PER NEMA Twist-Lock Receptacle only
LTS30 D	260M MCG	PCI Polycarbonate, Clear Textured	347	ANPP Prime Painted	PE1 NEMA Twist-Lock Photocontrol 100/120/240V
LTS30 E	35S MED	APM Acrylic, Polarmic	480 <sup>1</sup>	CM Custom Match	PE3 NEMA Twist-Lock Photocontrol 347V
LTS30 K	80S MED	PPM Polycarbonate, Prismatic	120	CS Custom Select	PE4 NEMA Twist-Lock Photocontrol 480V
LTS30 L	70S MED	ACS Acrylic, Clear Smooth	120	CS Custom Select	PE7 NEMA Twist-Lock Photocontrol 277V
LTS30 M	100S MCG	PCS Polycarbonate, Clear Smooth	120	CS Custom Select	SF Single Fusing
LTS30 N	150S MCG		120	CS Custom Select	DF Double Fusing
LTS30 P	250S MCG		120	CS Custom Select	
LTS30 R	42TRV		120	CS Custom Select	
LTS30 S			120	CS Custom Select	
LTS30 W			120	CS Custom Select	
LTS30 X			120	CS Custom Select	

**NOTES:**  
 1. Medium Base Ballast (120, 208, 240, 277V, (120, 277, 347V in Canada).  
 2. For finish and color options, see Finish section in catalog.  
 3. Twist-Lock Photo Control only available with M, S, and AU bases. For other bases, the photo control will be in the optional trim (shown above).  
 4. Custom factory for wattages for S Series luminaire base.  
 5. 260M & 250S not available with luminaire bases X, E, R, P, and C.

**OSRAM**

RIPMAN LIGHTING CONSULTANTS SUBMITTAL REVIEW 17OCT10

APPROVED  AS NOTED

APPROVAL WITHHELD PENDING APPROVAL OF  REVISED DRAWINGS  SAMPLE

REVISE + RESUBMIT  REJECTED

PRIOR TO FABRICATION  NOT CONFORMING TO CONTRACT DOCS

FOR RECORD ONLY  NOT SPEC'D BY RLC

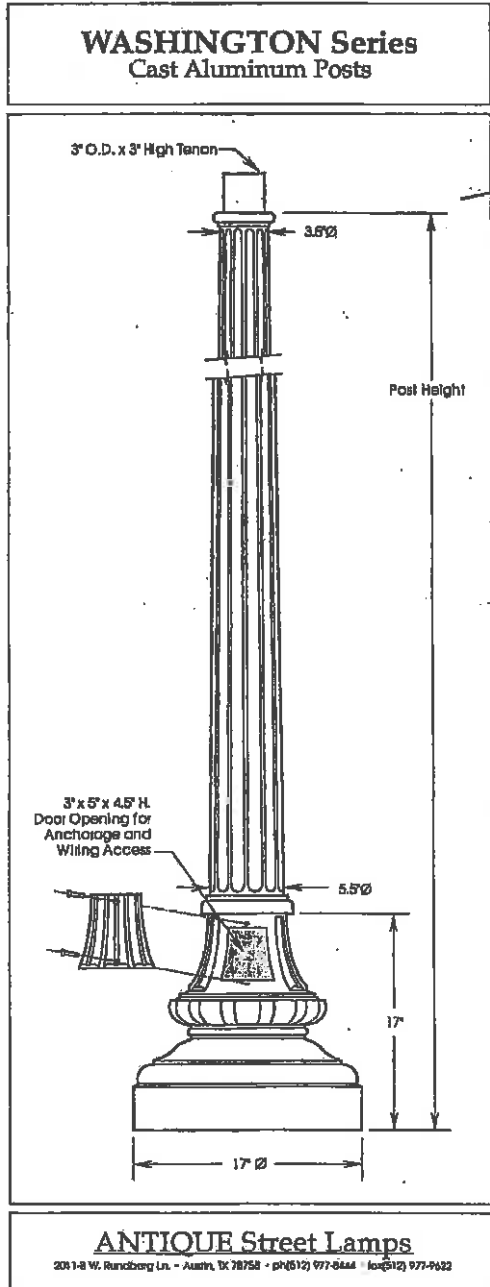
471-12(2)

CONTRACTOR RESPONSIBLE FOR DIMENSIONS, COUNTS, COORDINATION. NO COST CHANGES APPROVED WITHOUT ARCHITECT'S CHANGE ORDER

Submitting Agency: Boston Light source	Description: PA W17 10 AB3/12 3T3 ANBK	Type: PT1
Project: Boston College - Gasson Hall	Notes:	

Cast Aluminum Posts tapered fluted shafts	<b>WASHINGTON Series</b> 17" dia. base
<p><b>SPECIFICATIONS</b></p> <p><b>DESCRIPTION</b> The post shall be of cast aluminum construction with a classic double-tapered, fluted base and a gracefully tapered 12-flute cast shaft. The post shall be Antique Street Lamps' catalog number PA W17 28 832.</p> <p><b>MATERIALS</b> The post shall be heavy wall, copper free, cast aluminum produced from certified ASTM 355.1 Ingot per ASTM B179-95a or ASTM B26 95. The castings shall be true to the pattern with complete detail. All hardware shall be 100% resistor stainless steel. Anchor bolts to be completely hot-dip galvanized.</p> <p><b>CONSTRUCTION</b> The cast shaft shall be circumferentially welded to the base casting and shipped as one piece for maximum structural integrity. All exposed welds below 3' shall be ground smooth. All welding shall be per ANSI/AWS D1.2-90. All welders shall be certified per Section 5 of ANSI/AWS D1.2-90.</p>	<p><b>DIMENSIONS</b> The post shall be 2'-0" in height with a 17" diameter base. The shaft diameter shall taper from 5.5" above the base to 3.5" at the top. An Integral 3" O.D. x 3" tenon shall be provided at the top for luminaire mounting. The post top shall include a transitional donut between the fluted shaft and the tenon.</p> <p><b>INSTALLATION</b> The post shall be provided with four hot-dip galvanized L-type anchor bolts to be installed on a 12" bolt circle. A door shall be provided in the base for anchorage and wiring access. A grounding screw shall be provided inside the base opposite the door.</p> <p>For finish specifications and color options, see "Finish" section in catalog.</p> <p style="text-align: center;"><b>ANTIQUE Street Lamps</b></p> <p style="text-align: center;">2011-B W. Rundberg Ln. - Austin, TX 78758 • ph(512) 977-9444 • fax(512) 977-9422</p>

Submitting Agency: Boston Light source	Description: PA W17 10 AB3/12 3T3 ANBK	Type: PT1
Project: Boston College - Gasson Hall	Notes:	



### ORDERING INFORMATION

Choose the boldface catalog nomenclature that best suits your needs and write it on the appropriate line.

Example: **PA W17 12 ANBK** Options

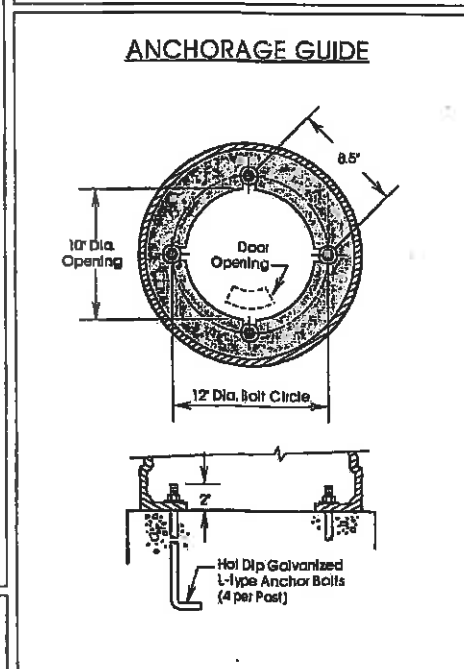
Post Series	Height	Finish
PA W17	8	ANBK Black
Post. Cast Aluminum	10	ANDS Dark Bronze
WASHINGTON	12	ANDG Dark Green
17" base	14	ANVG Verde Green
		ANPP Prime Painted
		CM Custom Match
		CS Custom Select
		RAL color

**Options**

- \_\_\_\_\_ Receptacles
- \_\_\_\_\_ Banner Arms
- \_\_\_\_\_ Flagpole Holders
- \_\_\_\_\_ Custom Logos
- \_\_\_\_\_ Signage

(see Signage & Accessories section in the catalog or contact Antique Street Lamps)

**NOTES:**  
1. For finish specifications and color options, see finish section in catalog or contact Antique Street Lamps.





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

RECEIVED  
Newton City Clerk  
2012 APR -2 PM 4:15  
David A. Oisovich  
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

City of Newton



Setti D. Warren  
Mayor

## Department of Public Works Utilities Division

Frederick W. Russell, PE, Director of Utilities  
60 Elliot Street  
Newton, Ma. 02461  
Telephone (617) 796-1640 Fax (617) 796-1653

**TO:** Shawna Sullivan

**FROM:** Frederick W. Russell, PE, Director of Utilities

A handwritten signature in blue ink, appearing to be "FWR", located to the right of the "FROM:" field.

**DATE:** April 6, 2012

**SUBJECT: AGENDA ITEM #90-12: Revisions to Stormwater Fee Structure**

The following is submitted for distribution for the Public Facilities Committee meeting to be held on Wednesday, April, 11, 2012:

- "Draft" Stormwater System User Fees Ordinance
- Instructions and Guidelines for Stormwater System Fee Credits
- Copy of original Ordinance No. X-212 from 2006

If you have any questions or need additional information, please do not hesitate to give me a call.

**CC:** David Turocy, Commissioner of Public Works

**DRAFT**

**ARTICLE X. Stormwater System User Fees**

**29-147 Established**

A stormwater management division within the Department of Public Works was established with the initiation of flat stormwater fees in fiscal year 2007. This ordinance was drafted to correct inequities in the fee structure for non-residential properties and codify the purpose and use of funds this ordinance. This Article will supersede the ordinance changes made to Section 29-80.

**29-148 Purpose**

The stormwater management division shall administer the stormwater management program of the City. It shall be funded by revenue collected through the stormwater user fee and such other revenue as may, from time to time, be appropriated. The stormwater management program is designed to promote the health and safety of the public, to protect property from flooding and the damage caused by stormwater runoff by maintaining and upgrading the City's drainage infrastructure and stormwater management facilities, and to protect and manage water quality by controlling the level of pollutants in stormwater runoff to comply with the 1987 Water Quality Act.

**29-149 Authority**

This article is adopted in accordance with the authority granted, *inter alia*, by Amendment Article 89 to Article II of the Massachusetts Constitution, Chapter 294 of the Acts of 1920, as amended, Sections one through twenty-four of Chapter 83 of the General Laws of the Commonwealth of Massachusetts and such other powers as granted to cities in the said General Laws.

**29-150 Definitions**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

*Credit* means a deduction in the amount of a Stormwater User Fee charge to the owner of a particular property for the existence and use of privately owned, maintained and operated on-site or off-site stormwater management systems or facilities, or continuing provision of services or activities that reduce or mitigate the City's cost of providing stormwater management services for that particular property.

*Developed land* means a parcel of land in single and separate ownership altered from its natural state to include impervious surface area greater than five hundred (500) square feet.

*Dwelling unit* shall mean the individual, private premises contained in any building intended, whether occupied or not, as the residence for one household, regardless of the number of individuals in the household. A building may contain more than one dwelling unit.

*Drainage infrastructure* means assets owned and maintained by the City; such as, storm drain pipes, catch basins, stormwater quality units, detention / retention basins, drain manholes, inlet protection, headwalls, culverts, outfalls, natural and man-made channels, swales.

*Impervious surface* means those areas which prevent or impede the infiltration of stormwater into the soil, in the manner in which it entered the subsurface soil under natural conditions, prior to development.

Common impervious surfaces include, but are not limited to, rooftops, parking lots and driveways, concrete, pavers / patio areas, compacted gravel, awnings and other surfaces which prevent or impede the natural infiltration of stormwater runoff which existed prior to development.

*Stormwater* shall mean excess water from rainfall and snow melt that does not evaporate or penetrate into the ground, which flows overland and is collected and transported to water of the State of Massachusetts or the United States by the drainage system, together with any material that becomes dissolved or suspended in such water during its overland flow before entering the drainage system.

*Stormwater management systems* means natural and manmade drainage channels, swales, ditches, streams, brooks, reservoirs, ponds, lakes, drainage ways, swamps, floodplains, catch basins, drain manholes, pipes, culverts, headwalls, bridges, dams and improvements that transfer, control, convey or otherwise influence the movement of stormwater runoff.

*Stormwater user fee* means the periodic fee imposed pursuant to this Article by the City of Newton for providing stormwater management services.

*Undeveloped land* shall mean any property that exists in a natural state with no more than five hundred (500) square feet of impervious surface.

#### **29-151 Establishment of Stormwater User Fees**

- (a) A user fee based on an Equivalent Residential Unit (ERU) shall be imposed on every owner of developed land within the City. An ERU shall equal the square footage that represents the median of impervious surface area for all single and two-family residences in the City. The Board of Alderman shall, by resolution, review and update the square footage that constitutes one ERU on a periodic basis.
- (b) The Board of Alderman shall have the authority to set and modify the user fee rates so that the total revenue generated by said charges, and any secondary sources of revenue, shall be sufficient to fund the City's stormwater program.
- (c) The Board of Alderman shall establish by resolution the quarterly rate for each ERU.
- (d) Exempt property is limited to roadways and railroad rights-of-way. Property on which railroad stations, maintenance buildings associated with highway maintenance, or other developed land used for transportation purposes shall not be exempt.

#### **29-152 Scope of Responsibility**

- (a) The City owns or otherwise has rights which allow it to operate, maintain, improve and access drainage infrastructure and stormwater management systems which are located:
  - 1) Within public road rights-of-way;
  - 2) On private property but within easements granted to, and accepted by, the City of Newton, or are otherwise permitted to be located on such private property by written agreements for rights-of-entry, rights-of-access, rights-of-use or such other lawful means to allow for operation, maintenance, improvement and access to stormwater management systems located thereon;

- 3) On public land which is owned by the City and/or land of another governmental entity upon which the City has agreements providing for the operation, maintenance, improvement and access to the drainage infrastructure and stormwater management systems located thereon.
- (b) Operation, maintenance and/or improvement of drainage infrastructure and stormwater management systems which are located on private or public property not owned by the City, and for which the City lacks a lawful right of entry, maintenance and repair shall be and remain the legal responsibility of the property owner, except as otherwise provided for by state and federal laws and regulations.

**29-153 Rates**

- (a) The Board of Alderman shall establish reasonable rates to defray the cost of administering and implementing the stormwater management program of the City. The initial rates, and any later modifications, shall be based upon recommendation of the Director of Utilities and shall be set by the adoption of a written Resolution by vote of the Board of Alderman. A schedule of said rates shall be on file in the Customer Service office at Newton City Hall.
- (b) There shall be two classifications of rates: small residential and all others. Single and two-family residences will be billed at separate flat rates; three-family, large residential and all other developed land will be billed on the total impervious surface of the parcel divided by the ERU and multiplying this number by the base rate established for each ERU. The fee structure is detailed in Exhibit A.
- (c) For parcels where the rate is based upon impervious surface, the data shall be obtained from the City's GIS and MassGIS information. A site plan prepared and signed by a Massachusetts Professional Land Survey may be used to verify or correct the impervious area attributed to a parcel.

**29-154 User Fee Credits, Elderly and Low Income Discount**

- (a) The Public Works Commissioner is hereby authorized to grant credits to property owners to be applied against the stormwater user fee based upon the technical and procedural criteria set forth in the Stormwater User Fee Credit Policy (Credit Policy) as developed, maintained and, from time to time, amended by DPW. The Credit Policy shall be available for inspection by the public at the Engineering and Customer Service offices.
- (b) Any credit allowed against the stormwater user fee charge is conditioned on continuing compliance with the City's design and performance standards as stated in the Credit Policy and/or upon continuing provision of the controls, systems, property owner or owners upon which the credit is based. The DPW may revoke a credit at any time for noncompliance with the applicable standards and criteria established in the Credit Policy or this article.
- (c) In order to obtain a credit, the property owner must make application to the City using the forms provided by the DPW for such purpose. The forms must be completed in accordance with the instructions and guidelines in the Credit Policy. Within fourteen (14) days DPW will determine if the application is complete with all supporting documentation provided. Once an application is deemed complete by DPW, the Director of Utilities or his designee shall have thirty (30) days to

determine to the amount of credit to be granted or deny the credit. No credit shall exceed seventy-five (75%) percent of the applicable quarterly fee for a given property.

- (d) Property owners that meet the criteria set forth in Section 29-36(b) are eligible for a discount of thirty (30%) off the stormwater user fee.

#### **29-155 Billing and Collection**

- (a) Stormwater user fees will be billed quarterly and shall be reflected on the water and sewer bills for each property owner or realty management trust. The bill shall also state the ERUs allocated to each property.
- (b) A property owner may appeal an allocation of ERUs on their bill by submitting a written notice of appeal to the Director of Utilities within fifteen (15) calendar days of the mailing date of the bill. The Director of Utilities or his designee shall promptly meet with the property owner and issue a decision on the allocation of ERUs.
- (c) In the event any stormwater user fee is not paid within thirty (30) days from the billing date, a late penalty charge will be added to the fee together with interest charges. The amount of late penalty charge and the interest rate on overdue accounts shall be the same as those applied to delinquent taxes. If such payment is not made, such stormwater user fee shall be a lien upon real estate and may be collected in the manner provided in MGL \_\_\_\_\_. Any payment made to the City for user fees shall first be allocated to delinquent water, then delinquent sewer, then delinquent stormwater fees. The remaining amount of the payment shall first be allocated to current water, then current sewer, then current stormwater fees.

#### **29-156 Expenditures**

The user fees, as well as any secondary sources of revenue, shall be used to fund the City's efforts to manage stormwater and maintain our drainage infrastructure and stormwater management systems. Acceptable expenditures include, but are not limited to, capital construction, maintenance and operations, engineering and planning, regulation and enforcement, water quality programs, special services (e.g., flood relief assistance, grant writing), administration and management, reserve funds and miscellaneous overhead costs.

All unspent, unencumbered funds from each fiscal year will be rolled into the stormwater reserve account.

Exhibit A  
Stormwater System User Fee Structure

A statistical analysis was performed for all developed properties in the City of Newton in 2010, utilizing Newton's Geographical Information Systems (GIS) data. Based upon this study, the following rate structure has been developed.

The median impervious area for Newton's single and two-family residences is 2,600 square feet (SF). Therefore, the Equivalent Residential Unit (ERU) = 2,600 Square Feet.

The base rate assigned per ERU = \$6.25 per quarter and has not changed since 2007.

<b>Property Classification</b>	<b>Rate Method</b>	<b>Quarterly Fee</b>
Single-family residences	1 ERU	\$ 6.25
Two-family residences	1.5 ERU	\$ 9.375
Three-family residences and 3+ unit apartments or condominiums	Impervious Area Calculation*	Varies by amount of impervious area
Commercial and Industrial	Impervious Area Calculation*	Varies by amount of impervious area
Institutional	Impervious Area Calculation*	Varies by amount of impervious area

Three-family residences, large residential properties and all non-residential property will be assessed a stormwater management fee based upon the impervious area on each developed property.

\*The formula is as follows: (Impervious area on property ÷ ERU) x base rate = Quarterly Fee

Example:

A commercial property is located on a 150,000 SF lot of which 82% (123,000 SF) is covered by buildings, pavement or sidewalk. The stormwater user fee = (123,000 SF ÷ 2,600 SF) x 6.25 = \$295.67 per quarter.

## Instructions and Guidelines for Stormwater System Fee Credits

The City of Newton offers credits against the stormwater user fee for service customers who undertake specific actions to reduce the impact of stormwater runoff on the public storm drainage system, or provide an on-going benefit related to stormwater management or can, without question, demonstrate that the calculated impervious cover as per the City's GIS is incorrect. Credits are evaluated based upon two categories 1) On-site stormwater management systems and 2) Stormwater Quality Treatment. Residential and non-residential properties may apply using the same form.

If a property owner, school or business wishes to obtain a credit for the storm drain fee, a completed application form with supporting documentation shall be submitted to the Stormwater Program Manager. Please attach to the application any plans, sketches or engineering reports that indicate the location of these structures (e.g., dry wells, leaching galleys, detention basins, etc.) and the area captured by these stormwater controls or best management practices.

The Stormwater Program Manager will review the application and conduct a site visit, if necessary, to determine the appropriate fee reduction based upon the following schedule.

	<u>Residential</u>	<u>Non-Residential</u>
Roof runoff captured and infiltrated:	25 to 50%	25 to 50%
Driveway / parking lot captured and infiltrated:	15 to 25%	25 to 50%
Stormwater Quality (pre-treatment prior to entering public drainage system):	10 to 20%	10 to 20%

Since house, building, driveway and/or parking lot areas vary greatly with the properties in Newton; a range of percentages is given so that a fair evaluation may be given to all applicants.

The following are examples of how the above rate structure may be applied:

Single-family house with all roof leaders connected underground to an infiltration system sized to handle 7 inches of rain over a 24-hour period (100-year storm) = 50% deduction.

All driveway runoff is collected by a catch basin that conveys water to a second infiltration system, sized for the 100-year storm = 25% reduced fee.

Local gas station installs and maintains a Stormceptor™ such that all stormwater runoff on their property passes through this unit prior to entering the public drain = 20% deduction.\*

The total number of credits given to any property **cannot exceed 75% of the stormwater user fee.**

It is the responsibility of the property owner to apply for a credit and to provide the necessary supporting documentation with the application. Credit applications will only be reviewed if they are filled out completely. The review will be performed within four (4) weeks of receiving the application. Final approval of the application, if any, shall be made by the Director of Utilities or his designee.

\* Note: Annual maintenance records are required to be submitted annually in order to maintain the credit on your bill.





# City of Newton Stormwater Fee Abatement Application

**Instructions:**

- Forms must be signed by the financially responsible person if an individual, or if not an individual, by an officer, director, partner, or registered agent with authority to execute instruments for the financially responsible person.
- Mail the completed form to: City of Newton - Dept. of Public Works  
Stormwater Program Manager, Engineering Division  
1000 Commonwealth Ave  
Newton Centre, MA 02459  
(or hand deliver)

Property Owner or Business Name: \_\_\_\_\_

Property Owner Address: \_\_\_\_\_

Property Owner Phone Numbers: Day: \_\_\_\_\_ Cell: \_\_\_\_\_

Authorized Contact (if different than property owner): \_\_\_\_\_

Authorized Contact mailing address: \_\_\_\_\_

Property Location: \_\_\_\_\_ Utility Account Number: \_\_\_\_\_

Type(s) of Stormwater Management on property: (check all that apply)

Dry wells, galleys (underground concrete structures)

Detention / Retention Basin

StormTech chamber(s) (underground HDPE structures)

Permeable pavement or pavers\*  
\* min. of 10% void area per square foot

Rainwater recovery tank

Other (describe): \_\_\_\_\_

Stormceptor®

Installation Date of above: \_\_\_\_\_

Site Plan, hydrologic calculations or other documentation attached:  Yes  No

Has the Engineering Division reviewed your Stormwater Management Plan as part of a building or Special permit?  Yes  No

If yes, we will locate your permit file and copy the pertinent information.

I hereby request the Stormwater Program Manager to review this application and I give authorization to enter onto my property for purposes of verifying this information. I certify that I have authority to make such a request and grant such authority for this property. The information provided is true and correct to the best of my knowledge and belief. I agree to provide corrected information to the City of Newton Department of Public Works should there be any change in the information provided herein.

Signature: \_\_\_\_\_ Date \_\_\_\_\_

Name: \_\_\_\_\_

Do not write in the shaded area (Utility Use Only)

Credit Approved (check one):  Yes for \_\_\_\_\_ % of Annual Fee  No

If No, provide a brief explanation for denial:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_ Name: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

CITY OF NEWTON  
IN BOARD OF ALDERMEN

May 24, 2006

ORDINANCE NO. X-212

BE IT ORDAINED BY THE BOARD OF ALDERMEN  
OF THE CITY OF NEWTON AS FOLLOWS:

That the Revised Ordinances of the City of Newton, 2001, as amended, be and are hereby amended relative to **Section 29-80**, as follows:

1. Amend the catchline for section 29-80 to provide:

**Section 29-80. Sewer/Stormwater Use Charge**

2. Delete the existing provisions of subsection (a), as follows:

(a) Every estate whose building sewers discharge directly or indirectly into public sewers of the city shall pay a charge for the use of such sewage works, which charge shall be made in proportion to water consumption.

and insert the following new provisions in their place:

(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.

3. Delete the following provisions of subsection (b):

(b) Sewer rates

(1) Such sewer use bills shall be issued on a quarterly basis. Each sewer use bill shall be based on the water meter reading, or estimated water meter reading, for the same property, for the prior quarterly billing period at the following schedule of rates or prices...

and insert the following new provisions in their place:

(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.

RECEIVED

JUN 16 2006

MAYOR'S OFFICE

b) a charge for use of sewer, which charge shall be made in proportion to water consumption, based on the water meter reading, or estimated water meter reading, for the same property, for the prior quarterly billing period at the following schedule of rates or prices...

4. Amend the provisions of subsection (b)(2)b) by inserting the words "for use of sewer" after the words "...applicable price or rate."


5. Amend the provisions of subsection (c) as follows:

Second sentence: By striking the phrase "...such board shall also determine said person to be eligible for a discount from the sewer use charge pursuant to this section..." as it appears in the second sentence, and inserting in its place the phrase, "such board shall also determine said person to be eligible for a discount from the sewer/stormwater use charges pursuant to this section"

Third sentence: By striking the phrase "...the bills issued for the use of sewage works." as it appears at the end of the third sentence, and inserting in its place the phrase, "...the bills issued for sewer/stormwater use."

6. Amend the typographical error that appears in subsection (i) as follows: strike the word "rebater" as it appears in the second sentence and insert in its place the word "rebates."


Approved as to legal form and character:

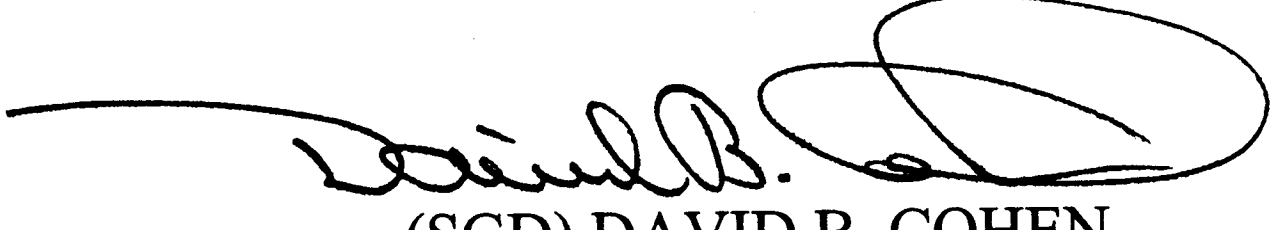
  
Gayle A. Smalley  
DANIEL M. FUNK  
Acting City Solicitor

Readings Waived and Adopted  
17 yeas, 6 nays (Aldermen Harney, Lennon, Mansfield,  
Parker, Sangiolo and Weisbuch), 1 absent (Alderman Lipof)

EXECUTIVE DEPARTMENT

Approved: May 26, 2006

  
(SGD) DAVID A. OLSON  
City Clerk

  
(SGD) DAVID B. COHEN  
Mayor

RECEIVED

JUN 16 2006

MAYOR'S OFFICE