

CITY OF NEWTON
IN BOARD OF ALDERMEN
PUBLIC FACILITIES COMMITTEE AGENDA

WEDNESDAY, JANUARY 19, 2011

7:00 PM
Room 209

ITEMS SCHEDULED FOR DISCUSSION:

Chairman's Note: The Committee will meet jointly with the Public Safety & Transportation Committee to discuss the following item:

REFERRED TO PS&T, PUB. FACIL. AND FINANCE COMMITTEES

#310-10 ALD. DANBERG, ALBRIGHT, BAKER, BLAZAR, CROSSLEY, FISCHMAN, FREEDMAN, HESS-MAHAN, JOHNSON, LINSKY, MERRILL, RICE AND SCHNIPPER requesting that §26-8 and §20-21 of the City of Newton Rev. Ords., 2007, be amended to establish criteria and provisions for requiring removal of snow in all districts by property owners, occupants, and property managers to sidewalks abutting their property and to review and amend enforcement provisions including structure of fines, for snow removal violations. [10/25/10 @ 4:39 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#31-11 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$2,065,000 from Free Cash to the Department of Public Works – Snow and Ice Removal Account. [01/10/11 @6:07 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]

ITEMS NOT YET SCHEDULED FOR DISCUSSION:

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:

(A) 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]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#311-10 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:

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 Kathleen Cahill, 617-796-1125, via email at KCahill@newtonma.gov or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting date.

(B) 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
[11/29/10 @ 3:23 PM]

REFERRED TO PUBLIC FACILITIES, PROG&SERV AND FINANCE COMMITTEES

#312-10 ALD. LENNON, LAPPIN, SCHNIPPER, SANGIOLO requesting a discussion with the School Committee on its plans to address space needs in the Newton public schools. [10-27-10 @11:07 AM]

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

#311-10 HIS HONOR THE MAYOR submitting the FY'12-FY'16 Capital Improvement Program, totaling \$174,246,135 pursuant to section 5-3 of the Newton City Charter and the FY'11 Supplemental Capital budget which require Board of Aldermen approval to finance new capital projects over the next several years. [10/18/10 @5:24PM]

#245-10 ALD. SCHNIPPER 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]

#214-10(3) COMMISSIONER OF PUBLIC WORKS, in accordance with Massachusetts General Law Ch. 40, Sec. 15, requesting abandonment of certain City water and drain utility easements located on the property at 200 – 230 Boylston Street (Chestnut Hill Square) as well as relocation of water and drain utilities, utility lines and acceptance of related water and drain utility easements. [12-10-10 @1:17 PM]

#192-10 POST AUDIT & OVERSIGHT COMMITTEE requesting review of **Section 26-30 Licenses for café furniture on sidewalks** with the Commissioner of Public Works and the role of the Board of License Commission. [06/22/10 @ 2:08 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]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #53-10 ALD. FULLER, SCHNIPPER, CROSSLEY & BAKER requesting a Resolution to His Honor the Mayor requesting the implementation of new parking meter payment methods and/or parking meter systems to eliminate the sole use of coins. [02/09/10 @ 12:43 PM]
(B) Resolution to His Honor the Mayor requesting the implementation of new parking meter payment methods and/or parking meter systems to eliminate the sole use of coins –HELD 7-0 on 03/03/10
- #22-10 ALD. YATES & DANBERG requesting a report from current and former members of the Design Review Committee on the treatment of the members of the committee relevant to the Newton North High School Project. [01/04/10 @8:16 PM]
- #397-09 NSTAR ELECTRIC petitioning for a grant of location to install a new pole (233/4-1X on the northeasterly side of HOMER STREET opposite Grafton Street. (Ward 6) [11-10-09 @ 12:24 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]

REFERRED TO PS&T AND PUBLIC FACILITIES COMMITTEE

- #196-09 ALD. MANSFIELD AND SANGIOLO requesting rescission of Sec. 19-99 (b), Speed humps of the Revised Ordinances of the City of Newton. [06/17/09 @ 11:24 PM]

REFERRED TO PS&T AND PUBLIC FACILITIES COMMITTEES

- #196-09(2) PUBLIC SAFETY & TRANSPORTATION COMMITTEE requesting to broaden Sec. 19-99, Speed humps of the Revised Ordinances of the City of Newton to cover all vertical deflection: raised intersections, raised crosswalks and speed humps, regardless of dimension. [01/20/10]
- #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]
- #126-09 ALD. LAPPIN requesting an update on the status of repairs and rental of the Kennard Estate. [04/17/09 @ 2:49 PM]
- #111-09 ALD. ALBRIGHT AND MANSFIELD requesting discussion of recent information (made available to the Land Use Committee) from NStar related to double poles, focusing on the 350 double poles waiting only for removal of wires or streetlights by the City of Newton.

REFERRED TO PS&T, PUBLIC FACILITIES AND FINANCE COMMITTEES

- #60-09 ALD. SANGIOLO, GENTILE AND HARNEY requesting the installation of traffic islands on CONCORD STREET to be funded with the Cabot, Cabot and Forbes Traffic Mitigation Fund for Lower Falls (Ward 4). [02/03/09 @ 1:01 PM]

RECOMMITTED TO FINANCE AND PUBLIC FACILITIES ON 02/17/09

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #13-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend three hundred eighty-five thousand dollars (\$385,000) from bonded indebtedness to the Public Works Department for the purpose of replacing both the salt shed and the Quonset hut at Crafts Street. [12/30/08 @ 5:04 PM]

REFERRED TO PUBLIC FACILITIES AND PROGRAMS & SERVICES

- #8-09 ALD. HESS-MAHAN LINSKY, ALBRIGHT, FREEDMAN, MANSFIELD, JOHNSON, HARNEY & VANCE proposing an ordinance requiring that the installation of synthetic in-filled turf athletic fields on city-owned property shall use sustainable, recyclable, lead-free, non-toxic products to the maximum extent feasible. [12/30/08 @ 9:55 AM]
- #457-08 ALD. LAPPIN AND SALVUCCI requesting discussion with NStar regarding the timely repair of City streetlights and the development of a standard response timeframe. [11/20/08 @ 12:51 PM]

REFERRED TO PROG. & SERV. AND PUBLIC FACILITIES COMMITTEES

- #271-08 ALD. JOHNSON proposing a RESOLUTION to His Honor the Mayor requesting that he work with the Board of Aldermen, the Parks and Recreation Department, and the Department of Public Works in order to determine the most effective and efficient way to organize the work of managing our public resources. [07/17/08 @ 9:53 AM]
- #208-08 ALD. GENTILE, SANGIOLO, SALVUCCI AND SCHNIPPER requesting a discussion on establishing a permanent Building Committee in the City of Newton. [05/16/08 @ 11:47 AM]
- #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]

- 54-07 ALD. SANGIOLO requesting discussion with the School Department and the Public Buildings Department about giving the School Department increased control over maintenance of school building facilities thereby allowing the School Department to have direct authority to deploy/hire staff to make necessary repairs to their school facilities. [02/09/07 @ 1:46 PM]
- #224-06(2) ALD. LINSKY, ALBRIGHT & JOHNSON, BAKER & SCHNIPPER requesting further deliberation on the conditions set forth in the Site Plan Approval Board Order relating to the Newton North High School project, considering possible expansion and modification of the conditions.
- #155-06(2) ALD. BLAZAR on behalf of James A. Blackburn, 105 Wood End Road, Newton Highlands petitioning for laying out, grading and acceptance of WOOD END ROAD as a public way from the intersection of Mountfort Road westerly to the intersection of Nantucket Road, a distance of approximately 360 feet to the width of 45 feet. [05/18/10 @ 11:52 AM]
- #152-06 PS&T COMMITTEE requesting discussion re Road Classification Design Types (as outlined by the Planning and Development Department) for future use as an overall management tool for the City.
- #386-04 ALD. SANGIOLO, HESS-MAHAN, JOHNSON, AND DANBERG proposing an ordinance to require that designers selected have LEED certification and include high performance/life cycle analysis for all municipal construction projects in the City of Newton.
- #321-04(2) ALD. JOHNSON requesting a RESOLUTION to His Honor the Mayor requesting that he expeditiously as possible find funding to create traffic calming measures on Mill Street as requested by the Traffic Council.

REFERRED TO PROG. & SERV., PUB. FAC. AND FINANCE COMMITTEES

- #309-01 ALD. PARKER requesting increase in the income eligibility level of the 30% water/sewer discount for low-income senior citizens.

Respectfully submitted,

Sydra Schnipper, Chairman

12/8/10

DRAFT LANGUAGE FOR SIDEWALK SNOW REMOVAL TRIAL PROGRAM - 3 year trial

The proposed pilot program leaves in place the current Sec. 26-28 sidewalk snow removal requirement pertaining to business districts and commercial properties, and inserts a new section, with a sunset provision, applicable to all other properties. This proposed new section would be enforceable (\$50.00 fine) while it is in effect. The proposal would also increase all currently existing snow removal fines (§ 26-8 sidewalk snow removal in business districts; § 26-9 placing snow on public ways) from \$25.00 to \$50.00 with no sunset.

1. Insert a new section **26-8D** as follows:

Sec. 26-8D Trial program for removal of snow and ice from sidewalks.

In order to allow for safe pedestrian and wheelchair passage, every owner or occupant of a building or lot of land abutting upon a paved sidewalk or any person having charge of such property shall cause snow to be removed from the sidewalk, including handicap access ramps, and ice on the sidewalk, including handicap access ramps, to be removed, sanded or salted to allow for a passageway of at least forty-eight (48) inches in width, provided that where the sidewalk as defined herein is less than forty-eight (48) inches in width, the passageway shall encompass the entire width of such sidewalk and shall include handicap access ramps. Snow shall be removed and ice shall be removed, sanded or salted within twenty-four (24) hours after such snow has ceased to fall or such ice has come to be formed. This section shall apply to snow and ice which falls from buildings, other structures, trees or bushes, as well as to that which falls from clouds. This section shall not apply to owners or occupants of a building or lot covered by Section 26-8. The provisions of this section shall expire three (3) years from the date of its adoption unless terminated earlier or renewed or modified by the board of aldermen.

2. Amend paragraph (d) of section 20-21, **Enforcing persons and revised ordinances subject to civil fine**, relative to ordinances enforced by the Police Department by:

A. Deleting, in Sec. 26-8 **Removal of snow and ice in certain districts**, the penalty amount of "25.00" and inserting in its place the penalty amount of "50.00."

B. Adding after Sec. 26-8 the following language:

Sec. 26-8D. Removal of snow and ice from sidewalks (pilot program)

() Any offense.....\$50.00

C. Deleting, in Sec. 26-9 **Putting snow and ice upon streets, sidewalks and bridges**, the penalty amounts of "\$25.00", and inserting in their place the penalty amounts of "\$50.00

Snow Clearing Trial Proposal

December 8, 2010

- Authority to require clearing allowed by State Law; 11 communities in metro Boston have adopted similar; Brookline since 1987
- Education/Outreach (notification) in first year; no fines
- Sunset provision after 3 years without BOA action
- 48" width to support ADA recommendation
- 24 hour period after storm ceases to have sidewalk cleared (same as current Ordinance requirement of businesses)
- Sidewalks abutting all public property will be cleared this winter regardless of Ordinance
- Plowing contracts modified to support stronger enforcement of "Piles on Corners"; contractor can now be fined
- Police to use "informed discretion" to assess standards
- Shoveling list (for fee) on City website, and public facilities
- Additional volunteer (free) list held by Health and Human Services for those who qualify: income AND health/disability AND "circumstantial" criteria
- Abutters in business districts have been required since 1973 to clear sidewalks; no successful challenges to Ordinance for slippage on snow & ice.



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Office of the Mayor

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SETTI D. WARREN
MAYOR

January 10, 2011

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

11 JAN 10 P 6:06
CITY CLERK
NEWTON, MA 02159

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to appropriate the sum of \$2,065,000 from Free Cash to the Department of Public Works – Snow and Ice Removal Account.

This request is made pursuant to the City of Newton's Financial Management Policies adopted January 22, 2008, which state:

Snow and ice control – The City may make the annual appropriation for snow and ice control purposes in an amount that will not be less than the median annual expenditure for this purpose for the trailing five year period. It is the policy of the City that, after Free Cash is certified, the Mayor will seek an appropriation of funds into snow and ice accounts in amount equal to the difference between the amount of the trailing five year average expenditure on snow and ice and the amount already in the accounts.

The average cost for snow and ice control in the City of Newton for the five year period beginning FY2006 through FY2010 totals \$3,121,764. Therefore, this appropriation will comply with the City's policy. I request that an initial amount of \$1,000,000 of this request be approved, with additional amounts being approved as necessary.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

City of Newton



DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE COMMISSIONER

1000 Commonwealth Avenue
Newton Centre, MA 02459-1449

Setti D. Warren
Mayor

January 10, 2011

To: Mayor Setti D. Warren

From: David Turocy, Deputy Commissioner of Public Works

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

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

Subject: Request for Transfer from Free Cash to Snow and Ice Budget

The Department of Public Works respectfully requests the Honorable Board docket for consideration a request to appropriate and expend \$2,065,000.00 from Free Cash for the purpose of supplementing the Snow and Ice Budget in the Department of Public Works.

The past five years, the City has experienced an average of 46" of snowfall and expended an average of \$3,121,000 in the combined DPW and Parks & Recreation budgets. As of January 4, 2011, we have had 19.5" of snow and spent \$911,142 of our original budget of \$1,055,795 (see attached spreadsheet).

This supplemental request is intended to take the Department through the remainder of an average winter season. We will continue to closely monitor our spending on Snow and Ice and provide monthly summaries of the budget status.

Thank you for your consideration of this request.

cc: T. Daley, DPW Commissioner
R. Ferrara, DPW Chief of Finance/Budget

Public Works Department
 FY11 Snow and Ice Spending Through Tuesday, January 4, 2011

	A	B	C=A+B	D	E=C-D
511001 SALARY WAGES	\$0	\$0	\$0	0	\$0
511002 FULL TIME WAGES/HOURLY	\$0	0	\$0	0	\$0
513001 REGULAR OVERTIME	230,080	0	\$230,080	156,486	\$73,594
513001A REGULAR OVERTIME - BUILDINGS/SCHOOLS	30,402	0	\$30,402	16,928	\$13,474
513004 WORK BY OTHER DEPARTMENTS - OVERTIME	19,938	0	\$19,938	1,152	\$18,786
514311 DRIVING BONUS/STAND-BY SNOW PAY	7,000	0	\$7,000	22,960	(\$15,960)
514318 SNOW WATCH PAY	20,000	0	\$20,000	10,307	\$9,693
52403 MOTOR VEHICLE REPAIR AND MAINTENANCE	10,000	0	\$10,000	2,500	\$7,500
5273 RENTAL: VEHICLE & EQUIPMENT	302,000	(150)	\$301,850	334,480	(\$32,630)
5273A RENTAL: VEHICLE & EQUIPMENT BUILDINGS/SCHOOLS	91,400	0	\$91,400	129,767	(\$38,367)
5386 WEATHER FORECAST SERVICE	1,075	570	\$1,645	1,645	\$0
5460 GROUNDS MAINTENANCE SUPPLIES	900	0	\$900	0	\$900
5484 VEHICLE REPAIR PARTS	20,000	93,000	\$113,000	90,792	\$22,208
5532 SAND AND SALT	320,000	(93,420)	\$226,580	144,126	\$82,454
5712 MEALS	0	0	\$0	0	\$0
5783 PRIVATE PROPERTY DAMAGE	3,000	0	\$3,000	0	\$3,000
TOTALS	\$1,055,795	\$0	\$1,055,795	\$911,142	\$144,653

ORIGINAL YTD TRANSFERS AND REVISED ENGINEERING TO BE PROCESSED AVAILABLE
 APPROPRIATION BOARD ORDERS BE PROCESSED AVAILABLE