

CITY OF NEWTON
IN BOARD OF ALDERMEN
PUBLIC FACILITIES COMMITTEE AGENDA

WEDNESDAY, MARCH 9, 2011

8 PM
Room 209

ITEMS SCHEDULED FOR DISCUSSION:

- #40-11 ALD. ALBRIGHT AND CROSSLEY requesting discussion regarding the possibility of changes to Newton's trash program to charge for the removal of white and bulky goods. [01/21/11 @ 1:42 PM]
- #55-11 ALD. FULLER, CROSSLEY, ALBRIGHT, DANBERG, FREEDMAN, HESS-MAHAN recommending that Section 29-67A of the City of Newton Revised Ordinances 2007 regarding sewer clean-out fees be updated either to increase the fee from \$25 during normal hours (\$75 during overtime hours) to a fee more closely representing the full cost of service of cleaning a privately-owned building sewer lateral or, alternatively, eliminating the service. [02/14/11 @ 5:25 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]
PROG & SERV VOTED NO ACTION NECESSARY 7-0 on 11/17/10

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]
FINANCE VOTED NO ACTION NECESSARY 7-0 on 03/08/10
- #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:

Public hearing assigned for March 23, 2011:

- #77-11 DAN MATLOFF, 21 Studio Road, Auburndale petitioning for construction of a common sewer in WOODLAND ROAD and STUDIO ROAD from an existing

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.

sewer main in Woodland Road northwesterly 59' ± thence turning westerly 20' ± to a proposed sewer manhole in Studio Road (Ward 4). [02-25-11 @ 11:22 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #60-11 HIS HONOR THE MAYOR requesting the budget for the Newton North High School construction project be amended by transferring funds from the owner's contingency line item to the construction manager at risk line item for the purpose of funding additional costs related to the demolition phase of the project. [02/10/11 @ 9:18 AM]

Public hearing assigned for March 23, 2011:

- #214-10(4) COMMISSIONER OF PUBLIC WORKS requesting abandonment of the 80' building setback line along Boylston Street (Route 9) located on the property at 200 – 230 Boylston Street (Chestnut Hill Square) established by Board Order #100483, dated December 3, 1951, as it conflicts with proposed building locations shown on plans related to Special Permit Board Order #214-10 dated 12/06/10. [12-10-10 @ 1:17 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]
- #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:
(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(2) 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]
- (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

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]
- #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]
- #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]

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]
- #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

City of Newton



DEPARTMENT OF PUBLIC WORKS

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

David B. Cohen
Mayor

May 23, 2003

2003 MAY 23 AM 11:46
CITY CLERK
NEWTON, MA. 02159

To: Sydra Schnipper (Chair) and Members of Public Facilities Committee

Subject: Fee Increase Justification (Overview)

Per the request of the Committee at the FY04 Budget hearing on May 21, 2003, I am including the analysis and actual costs to the City for managing the permitted processes and the resultant proposed fees. The costs below do not include depreciation of equipment, future salary adjustments, legal costs associated with claims, insurances, other liabilities, debt, or in most cases, senior management time. Thus these calculations are conservative.

Surveys were conducted in surrounding communities for engineering work, sewer back-ups, freon & white good charges whos fees are comparable or higher than these proposed.

1) Engineering Permits—

This includes street openings, water, sewer and drain permits. Logging in, discussing bonds, project with Contractor, reviewing permit, initial inspection of the site issuing the permit and reviewing with the Contractor requires 3 hours calculated at \$125.40, overhead at \$6.39.

Actual Cost: \$131.79 [Proposed Fee: \$100 Previous Charge: \$25]

(multiple permits will be consolidated and requiring less bonds estimated at \$125 each, resulting in a reduced cost to the applicant of as high as \$250 per project)

Sidewalk crossings, street occupancy and repair/install of sidewalks and curbs are calculated at a different rate. The time required logging in, speaking with the Contractor about the project, bonds, review of the permit and initial site inspection is 65 minutes at a cost of \$42.80 with \$6.39 overhead. Final inspection of closeout of permit and closing record at \$26.33.

Actual Cost: \$75.52 [Proposed Fee: \$50 Previous Charge Sidewalk \$25, Occupancy \$0]

2) Utilities (Water/Sewer)

This fee analysis includes both regular and overtime costs. Salary for a pipelayer and foreman for approximately 1.5 hours and administrative overhead including scheduling, billing, speaking with customers, and equipment costs are \$135.06.

Actual Cost (straight time): \$135.06 [Proposed Fee \$100 Previous Charge: \$25]

Salary at time and 1/2 for a minimum 4 hours, administrative overhead and equipment costs.

Actual Cost (overtime): \$275.06 [Proposed Fee \$200 Previous Charge: \$75]

3) Solid Waste (Freon and White Goods)

Actual cost incurred by the City of Newton to pick up, purge and dispose Freon Products is \$15.00 per contract bid price per item. White goods are picked up at costs of \$120 per ton or an average of \$12 each. Administrative overhead which includes purchasing and issuing stickers for both is \$8.00.

Actual Cost: \$20 - \$23.00 [Proposed Fee: \$20 Previous Charge: \$0]

4) Landscape Compost

Newton charges a flat fee for a 8-10 week season with unlimited leaf delivery during the week. A full-time person manages the entry into the compost site, a loader operator turns the leaves for about one and a half years (daily in first few months, and weekly later in decomposition) prior to using resultant compost for public ways and resident pick-up. Costs of landfill site maintenance is not included. An average landscaper could easily provide one ton of resultant compost.

Equipment hourly cost estimated at \$90 and administrative and overhead costs of \$23.70 / ton.

Total costs of composting operation approximately \$132,000 per year for 90 ton production.

Actual Cost (per ton): \$1200-1500 [Proposed Fee \$800 Previous Charge: \$600]

5) Banners

Application fee requires speaking on the phone to the applicant, explaining procedures and any insurance requirements, sending letters with application, reviewing the site, final application review, indemnity agreements (by Law Dept), overall plan development, and follow-up inspection upon termination. Includes salary and administrative overhead.

Actual Cost: \$56.80 [Proposed Fee: \$50 Previous Charge: \$0]

6) Road Races

Application fee requires speaking on the phone to the applicant, explaining procedures and any insurance requirements, sending letters with application, reviewing the site by both Public Works and Police, road project review and conflict resolution, detour preparation, final application review, barricade delivery for road closures, and final pick-up of materials upon termination. Includes salary and administrative overhead per #5 above.

Actual Cost: \$76.80 [Proposed Fee: \$50 Previous Charge: \$0]

7) Vending Boxes (sidewalks)

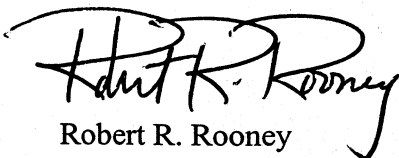
New Application: It takes approximately 45 minutes to find the owner, phone contact, explain the process, type a letter and send application with copy of the Ordinance, process the application, and issue the permit. With overhead, administration cost is \$29.45. Inspection of boxes (patrol) costs \$19.20. Termination date tracking (records update) and final site inspection \$18.53.

(Overall plan development and policy generation as well as legal consult and overview costs hundreds of dollars annually).

Actual Cost: \$67.18 [Proposed Fee \$50 Previous Charge: \$25 w/ \$10 renewal]

Should you desire, I would be happy to answer further questions of these permit costs.

Sincerely,



Robert R. Rooney

stated that the crew fixes the problem whether or not it is on the City side or private side. He also explained that the crew tells the homeowner that the best way to fix the problem is to replace the pipe.

Ald. Salvucci moved denial of the item, which failed to carry by a vote of three in favor (Salvucci, Gerst, Mansfield) and five opposed (Linsky, Stewart, Yates, Schnipper, Lappin). Ald. Lappin moved approval of the item with an amendment to clarify the fee based hours by replacing "normal hours" with Monday through Friday, 7 AM to 11 PM and including 11 PM through 7 AM and weekends and holidays as overtime hours. Ald. Mansfield offered an amendment (attached) to the proposed fees. The amendment failed to carry by a vote of two in favor (Mansfield, Gerst) and six opposed (Linsky, Salvucci, Stewart, Yates, Schnipper, Lappin). The Committee approved Ald. Lappin's motion including the amendment to clarify the hours.

* #220-03(3) HIS HONOR THE MAYOR recommending that Sec. 11 of the City of Newton Revised Zoning Ord., 2001 be amended to institute a fee for collection of "white goods".

ACTION: **HELD 8-0**

NOTE: Commissioner Rooney and Sandy Pooler were present for discussion of this item. Ald. Mansfield noticed that the draft Ordinance approved by Public Facilities varied from the draft approved by the Finance Committee. The draft provided to the Public Facilities Committee applied a fee to appliances containing CFCs, HCFCs or Freon only. The draft before the Finance Committee applied a fee for all white goods and it included a white goods definition. Ald. Mansfield felt that the definition was unclear because it did include; stoves, ranges, washers, dryers, water heaters but it did not clearly include microwaves, toaster ovens and barbecue grills. Ald. Mansfield is very concerned that this is the beginning of a movement towards pay as you throw fee system in the City. Sandy Pooler responded that the City in the near future must decide where it is going with trash disposal. This fee is not meant to be a prelude to pay as you throw fee system. It is because of the waste ban and Public Works being proactive towards it. He also explained that the Public Works' budget is based on these fees.

Commissioner Rooney explained that the Law Department inadvertently left out the definition of white goods in the draft ordinance provided to the Public Facilities Committee. The definition included in the current draft is from the State standards for white goods. The Commissioner provided the Committee with the State's law about waste bans that include white goods (attached). He explained that the DEP is enforcing the removal of white goods from waste loads. He feels that the City would be close to negligent not to abide by the DEP's waste ban. Elaine Gentile explained that the way the State law is written it could include microwaves and toaster ovens, while the City's ordinance applies to large

appliances not microwaves and toaster ovens. Ald. Lappin asked if gas grills would be considered a white good. It is Ms. Gentile's recommendation that gas grills be picked up as regular waste for the time being. At some point in time gas grills and toaster items may be included as white goods.

Currently, white goods are separated from regular waste stream after pickup and it is up to the incinerator and Waste Management to remove the white goods. The City just received a letter stating that Waste Management was cited for having several white good items in the trash. There is serious concern that Waste Management will no longer pick up white goods.

Commissioner Rooney explained that many companies that sell appliances would remove old appliance when they deliver new ones. This is an incentive for people to offset paying the disposal costs and thereby saving the City the extra costs of disposal. He feels that the recycling of white goods is the right thing to do from a policy and economic standpoint. A metal recycler will use as much metal as possible from the appliances. The bid for a metal contractor will open tomorrow. The bid includes language that all of the items must be recycled if possible.

Ald. Mansfield felt that when these fees originally came to the Board as part of an overall increase in fees charged by Public Works it was not clear that it was a recycling initiative. If it is a recycling initiative why are we charging citizens to recycle white goods if we do not charge for other recyclables. He would also like to know what the City's policy is if someone dumps a white good in front of a home. Ald. Gerst feels that the City should not take a step in the direction of charging for trash collection. Ald. Stewart and Mansfield felt that it would be helpful to see the contract or a draft for the collection of white goods before voting on the item. Ald. Mansfield would like an outline of how the City currently handles items called out in the DEP waste ban pamphlet. Elaine Gentile explained that the City has an idea of how many white goods will be collected within a year. Therefore, the City is able to estimate the cost to the City for the collection.

Ald. Yates had two questions about the draft language. He feels that under the definition it should say to heat or cool air or water and the language in subsection (d) should be clearer in regards to the distinction between white goods and those containing chlorofluorocarbons, hydrofluorocarbons, Freon or any other similar substance. Ald. Linsky asked what other surrounding communities' policies are regarding white good collection and if there is concern about people dumping white goods. Ms. Gentile provided the Committee with a handout of a white goods fee survey of the surrounding communities. Commissioner Rooney thinks that it is highly unlikely that people will dump white goods on other people's property. He has, however, received numerous calls from residents about people bringing their trash and dumping it in Newton.

made to make the fee more equitable to the cost to the City. Regardless of whether the Public Works Department implements a second-shift, the fees need to be increased. However, the draft ordinance states that there will be a \$100 fee for service calls between 7 a.m. and 11 p.m., Monday through Friday. Lou Taverna explained that if a second shift is not added the cost to the City for a service call between 3 p.m. and 11 p.m. will be greater as the City will be paying the employees overtime. The Commissioner went on to explain that even if the second-shift goes nowhere the \$100 fee would still be an improvement on the current fees.

The Committee discussed whether the fees needed to align with non-overtime and overtime hours. Ald. Lappin suggested not including hours in the Ordinance. Ald. Linsky felt that it was important to include what fee is in place at what time in the ordinance. He also felt that it is not necessary to link the hours to the overtime hours for the City. It was suggested that the item be voted as is and if necessary the Board can always amend the ordinance at a latter date.

Ald. Salvucci and Ald. Gerst revoiced their opinion that these fees are already included within the water/sewer bill. They will not support this item. Ald. Stewart reiterated his belief that the City should not provide this service to the citizens. It is his feeling that the homeowner should take full responsibility for the connection. Secondly, he is very concerned that there will be a loss of income to members of the Utility Department due to the implementation of a second shift. He would like to be assured that the passage of the fees would not give the administration some advantage in terms of negotiations with the union on the second shift. Ald. Schnipper asked that he speak privately with the Commissioner, as the question was not relevant to what is before the Committee. Ald. Lappin moved approval of the item, which carried by a vote of 4 in favor, two opposed and one abstention.

* #220-03(3)

HIS HONOR THE MAYOR recommending that Sec. 11 of the City of Newton Ord., 2001 be amended to institute a fee for collection of "white goods".

ACTION: **APPROVED 5-2 AS AMENDED fee to be \$10 (Gerst and Salvucci opposed)**

NOTE: Commissioner Rooney and Elaine Gentile joined the Committee for the discussion of this item. The Commissioner provided the Committee with a memo (attached) detailing how the City disposes of banned goods and the cost to the City. The memo also provided a definition of "white goods" containing five items. The white goods definition does not include items containing chlorofluorocarbons ("CFCs"), hydrofluorocarbons ("HFCs"), or Freon. The Commissioner and the Committee were under the impression that the white goods and Freon containing products had been voted separately. Unfortunately, that was not the case; therefore, there will be an early meeting on September 15, 2003 to institute a fee for the items containing CFCs, HFCs and Freon.

The Commissioner reviewed the specifications of the contract for collection of white goods. The City is asking that the contractor pick-up white goods within three days of notification except during severe weather or whenever requested units will require immediate pick-up. There were two bidders on this contract. One bid was \$7.00 per item and the other was \$17.50 per item. The low bidder is the firm who is currently picking up the Freon containing products. It is the Commissioner's understanding that the bid is low because the contractor is already in Newton collecting the Freon products. The contract also states that the firm chosen must dispose of the white goods as scrap metal for recycling per state and federal laws and per the Department of Environmental Protection regulations. The contract is for one year with two renewable optional years.

Ald. Salvucci asked what happens to white goods that are placed at curbside until the new fee and sticker program is implemented. Commissioner Rooney explained that white goods are picked up at curbside and will continue to be until the program is implemented. Ald. Salvucci asked if the City was being charged for this. Commissioner Rooney explained that the cost is part of the weight towards the tonnage fee.

Elaine Gentile explained the administrative costs and the process of obtaining a sticker for the pick-up of white goods. Many Committee members felt that a fee should not be instituted as the administrative costs of implementing the program are \$1 more than the cost of picking the white goods up and the need for white good pick-up is infrequent and the process for residents is cumbersome. A sticker program will be implemented for Freon containing goods, whether the white goods are included in the sticker program or not. Many Committee members would like the Public Works Department to come up with a less cumbersome method for residents to obtain stickers. Ms. Gentile feels that this fee is no different from any other user fee. The fee is will be used to offset the ever rising cost of the solid waste disposal contract. The state and federal government are banning more and more items from landfills.

Ald. Salvucci voiced his objection to implementing this fee as he feels that these services are already included in the taxed. Therefore, he moved denial of the item, which failed to carry.

After Ms. Gentile explanation, most of the Committee understood the necessity of the fee but felt that the fee should be lowered to \$10. Ald. Stewart moved approval of the item, which carried.

#339-03

ALD. SALVUCCI, on behalf of Anthony R. Cucchi, requesting that the square at Watertown and Adams Streets be named San Donato Square.

ACTION:

HELD 6-1 (Salvucci opposed)

CITY OF NEWTON
IN BOARD OF ALDERMEN

September 15, 2003

ORDERED:

That, contrary to the recommendation of the Public Facilities Committee through its Chairman Ald. Sydra Schnipper, the following item be and is hereby DENIED:

#220-03(3) HIS HONOR THE MAYOR recommending that Sec. 11 of the City of Newton Ord., 2001 be amended to institute a fee for collection of "white goods".

Under Suspension of Rules

Readings Waived and Item DENIED

8 yeas (Ald. Fischman, Lappin, Merrill, Samuelson, Schnipper, Stewart, Yates, and Lipsitt)

13 nays (Ald. Baker, Basham, Bryson, Ciccone, Coletti, Gentile, Gerst, Johnson, Lennon, Linsky, Mansfield, Parker, Salvucci) 2 absent (Ald. Lipof and Sangiolo) 1 vacancy

(SGD) EDWARD G. ENGLISH, City Clerk

City of Newton



DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE COMMISSIONER

1000 Commonwealth Avenue

Newton Centre, MA 02459-1449

David B. Cohen
Mayor

May 23, 2003

2003 MAY 1 11:46
CI
NEWTON
CLERK
MA.02159

To: Sydra Schnipper (Chair) and Members of Public Facilities Committee

Subject: Fee Increase Justification (Overview)

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Actual Cost (straight time): \$135.06 [Proposed Fee \$100 Previous Charge: \$25]

Salary at time and ½ for a minimum 4 hours, administrative overhead and equipment costs.

Actual Cost (overtime): \$275.06 [Proposed Fee \$200 Previous Charge: \$75]

PUBLIC FACILITIES COMMITTEE REPORT
MAY 21, 2003**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- * #220-03 HIS HONOR THE MAYOR recommending that Department of Public Works fees be increased to more accurately reflect the City's cost of providing services. The increased revenue from these fees is to be part of the FY04 revenue estimates prepared by the Chief Budget Officer.

ACTION: **APPROVED 6-0**

- * #220-03(2) HIS HONOR THE MAYOR recommending that Department of Public Works fees for sewer back-ups be increased to more accurately reflect the City's cost of providing services. The increased revenue from these fees is to be part of the FY04 revenue estimates prepared by the Chief Budget Officer.

ACTION: **APPROVED 5-1 (Salvucci Opposed)**

NOTE: Commissioner Rooney reviewed the proposed increased fees (attached) with the Committee. The fees have not been increased in the past ten years; therefore, the increase on average is about %75. However, the fees are still somewhat lower than what it costs the City to provide these services or permits. The Committee requested that the Commissioner provide a breakdown of the cost to the City compared to the fee in the next packet. The Committee had no problem with most of the increases but there was a discussion regarding the sewer back-up fees. Ald. Stewart and Linsky felt that those fees should be raised even further. It is their belief that the charge for this service should be the same as a private company's charge. Ald. Salvucci felt that the proposed fee was excessive as people pay taxes for these types of services. Ald. Schnipper pointed out that if the Committee voted approval of the increased fees there is always the opportunity to revisit the fees.

Ald. Salvucci requested that the sewer back-up fees be taken as a separate item. The Committee had no problem with this and Ald. Yates moved approval of both items.

Respectfully submitted,

Sydra Schnipper, Chairman

CITY OF NEWTONIN BOARD OF ALDERMENPUBLIC FACILITIES COMMITTEE REPORT

WEDNESDAY, JUNE 18, 2003

Present: Ald. Schnipper (Chairman), Gerst, Linsky, Salvucci, Stewart, Yates, Mansfield and Lappin

City personnel: Lou Taverna (Utilities Director) and Sandy Pooler (Chief Budget Officer)

ITEM RECOMMITTED TO PUBLIC FACILITIES ON 6/16/03

* #220-03(2) HIS HONOR THE MAYOR recommending that Department of Public Works fees for sewer back-ups be increased to more accurately reflect the City's cost of providing services. The increased revenue from these fees is to be part of the FY04 revenue estimates prepared by the Chief Budget Officer.

ACTION: **HELD 8-0**

NOTE: The Committee had a brief discussion regarding this item. Ald. Stewart would like an exhaustive review of the city's policies concerning sewers. Several Aldermen had questions on sewer blockages, fees for blockage removal and the causes of the blockages. Lou Taverna agreed to provide the Committee with answers to their questions.

There is an additional item for the implementation of fees for the disposal of white goods. Mr. Pooler requested that the Committee discuss this item as soon as possible as the fees influence the Public Works Department's budget. The Committee held the item for discussion on July 9 when the white goods disposal fees will be discussed.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#94-03 HIS HONOR THE MAYOR requesting Board of Aldermen support of a RESOLUTION affirming a change in water and sewer billing policy that will result in individual condominium units being billed on par with single family homes.

ACTION: **NO ACTION NECESSARY 8-0**

NOTE: Please see the note below.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#199-03 ALD. STEWART recommending a change in water and sewer billing policy that will result in individual rental units being billed on a par with single family homes.

ACTION: **NO ACTION NECESSARY 7-0 (Gerst not voting)**

CITY OF NEWTONIN BOARD OF ALDERMENPUBLIC FACILITIES COMMITTEE REPORT

WEDNESDAY, JULY 9, 2003

Present: Ald. Schnipper (Chairman), Gerst, Linsky, Salvucci, Stewart, Yates, Mansfield and Lappin

City Personnel: Lou Taverna (Director of Utilities) Sandy Pooler (Chief Budget Officer), Robert Rooney (Commissioner of Public Works), Elaine Gentile (Director of Environmental Affairs), Paul Whelan (Utilities Department) and Doug Bartley (Public Works Department)

ITEM RECOMMITTED TO PUBLIC FACILITIES ON 6/16/03

- * #220-03(2) HIS HONOR THE MAYOR recommending that Department of Public Works fees for sewer back-ups be increased to more accurately reflect the City's cost of providing services. The increased revenue from these fees is to be part of the FY04 revenue estimates prepared by the Chief Budget Officer.

ACTION: **APPROVED 5-3 (Salvucci, Mansfield, Gerst Opposed)**

NOTE: Lou Taverna, Robert Rooney and Sandy Pooler were present for discussion. A spreadsheet reflecting the breakdown of responses to sewer blockages was provided to the Committee (attached). The rationale for increasing fees is to encourage property owners to replace problem lines, discourage people from using the service to just have their lines cleaned and possibly reduce the number of hours crews spend on private blockages.

Ald. Lappin asked if any data regarding whether tree root damage to private sewer lines is caused by city or private trees. Mr. Taverna explained that there is currently no data available. Ald. Lappin asked that the Utilities Division start a database to collect that data and Mr. Taverna agreed. Ald. Stewart feels that it is in the best interest of the City to discontinue providing the service, as it is not fair to have all water/sewer users pay for a limited number of people using the service. Ald. Mansfield feels that this item needs in depth discussion. He feels that the City should continue to provide the sewer blockage service and does not feel the fees should be raised in light of the override. Ald. Linsky voiced his support of raising the fees. Ald. Gerst does not support raising the fees. However, he would support an incremental increase for people who repeatedly call for service. Ald. Lappin stated that the increase in fees does not even cover the actual cost to the City. She is in support of raising the fees.

Ald. Mansfield that it was important for the City to respond to sewer blockages, as it gives the City the opportunity to fix a blockage on the City side. Paul Whelan

stated that the crew fixes the problem whether or not it is on the City side or private side. He also explained that the crew tells the homeowner that the best way to fix the problem is to replace the pipe.

Ald. Salvucci moved denial of the item, which failed to carry by a vote of three in favor (Salvucci, Gerst, Mansfield) and five opposed (Linsky, Stewart, Yates, Schnipper, Lappin). Ald. Lappin moved approval of the item with an amendment to clarify the fee based hours by replacing "normal hours" with Monday through Friday, 7 AM to 11 PM and including 11 PM through 7 AM and weekends and holidays as overtime hours. Ald. Mansfield offered an amendment (attached) to the proposed fees. The amendment failed to carry by a vote of two in favor (Mansfield, Gerst) and six opposed (Linsky, Salvucci, Stewart, Yates, Schnipper, Lappin). The Committee approved Ald. Lappin's motion including the amendment to clarify the hours.

* #220-03(3)

HIS HONOR THE MAYOR recommending that Sec. 11 of the City of Newton Revised Zoning Ord., 2001 be amended to institute a fee for collection of "white goods".

ACTION: **HELD 8-0**

NOTE:

Commissioner Rooney and Sandy Pooler were present for discussion of this item. Ald. Mansfield noticed that the draft Ordinance approved by Public Facilities varied from the draft approved by the Finance Committee. The draft provided to the Public Facilities Committee applied a fee to appliances containing CFCs, HCFCs or Freon only. The draft before the Finance Committee applied a fee for all white goods and it included a white goods definition. Ald. Mansfield felt that the definition was unclear because it did include; stoves, ranges, washers, dryers, water heaters but it did not clearly include microwaves, toaster ovens and barbecue grills. Ald. Mansfield is very concerned that this is the beginning of a movement towards pay as you throw fee system in the City. Sandy Pooler responded that the City in the near future must decide where it is going with trash disposal. This fee is not meant to be a prelude to pay as you throw fee system. It is because of the waste ban and Public Works being proactive towards it. He also explained that the Public Works' budget is based on these fees.

Commissioner Rooney explained that the Law Department inadvertently left out the definition of white goods in the draft ordinance provided to the Public Facilities Committee. The definition included in the current draft is from the State standards for white goods. The Commissioner provided the Committee with the State's law about waste bans that include white goods (attached). He explained that the DEP is enforcing the removal of white goods from waste loads. He feels that the City would be close to negligent not to abide by the DEP's waste ban. Elaine Gentile explained that the way the State law is written it could include microwaves and toaster ovens, while the City's ordinance applies to large

CITY OF NEWTONIN BOARD OF ALDERMENPUBLIC FACILITIES COMMITTEE REPORT

WEDNESDAY, SEPTEMBER 3, 2003

Present: Ald. Schnipper (Chair), Gerst, Linsky, Salvucci, Stewart, Yates and Lappin

Absent: Ald. Mansfield

Also present: Ald. Lennon

City personnel present: Robert Rooney (Commissioner of Public Works), Lou Taverna (Director of Utilities), and Elaine Gentile (Director of Environmental Affairs)

Appointment by His Honor the Mayor

#338-03 HALINA BROWN, 56 Cloverdale Road, Newton Highlands, appointed as a member of the Citizens Commission on Energy for a term of office expiring 02/04/04 (60-day Board action date 10/10/03).

ACTION: **HELD 7-0**

NOTE: The item was held, as the appointee was not present to discuss her appointment to the Citizens Commission on Energy.

ITEM RECOMMITTED TO PUBLIC FACILITIES ON 8/11/03

* #220-03(2) HIS HONOR THE MAYOR recommending that Department of Public Works fees for sewer back-ups be increased to more accurately reflect the City's cost of providing services. The increased revenue from these fees is to be part of the FY04 revenue estimates prepared by the Chief Budget Officer.

ACTION: **APPROVED 4-2-1 (Gerst and Salvucci opposed, Stewart abstaining)**

NOTE: Ald. Lennon, Commissioner Rooney and Lou Taverna were present for the discussion of this item. Ald. Salvucci moved hold on the item as Ald. Mansfield was unable to attend the meeting and he has an interest in this item. The motion to hold failed to carry by a vote of one in favor (Salvucci) and six opposed. Ald. Lennon asked that the item be recommitted to the Public Facilities Committee because he had questions regarding the addition of a second shift in the Utilities Division. The Chair explained that issues related to collective bargaining and impact bargaining do not belong before the Board. She suggested that Ald. Lennon speak with Commissioner Rooney privately but the Commissioner did not need to respond because collective and impact bargaining are not public discussions.

Commissioner Rooney explained that the second shift issue was discussed as part of the budget this past May. The request for an increase in the sewer fees was

made to make the fee more equitable to the cost to the City. Regardless of whether the Public Works Department implements a second-shift, the fees need to be increased. However, the draft ordinance states that there will be a \$100 fee for service calls between 7 a.m. and 11 p.m., Monday through Friday. Lou Taverna explained that if a second shift is not added the cost to the City for a service call between 3 p.m. and 11 p.m. will be greater as the City will be paying the employees overtime. The Commissioner went on to explain that even if the second-shift goes nowhere the \$100 fee would still be an improvement on the current fees.

The Committee discussed whether the fees needed to align with non-overtime and overtime hours. Ald. Lappin suggested not including hours in the Ordinance. Ald. Linsky felt that it was important to include what fee is in place at what time in the ordinance. He also felt that it is not necessary to link the hours to the overtime hours for the City. It was suggested that the item be voted as is and if necessary the Board can always amend the ordinance at a latter date.

Ald. Salvucci and Ald. Gerst revoiced their opinion that these fees are already included within the water/sewer bill. They will not support this item. Ald. Stewart reiterated his belief that the City should not provide this service to the citizens. It is his feeling that the homeowner should take full responsibility for the connection. Secondly, he is very concerned that there will be a loss of income to members of the Utility Department due to the implementation of a second shift. He would like to be assured that the passage of the fees would not give the administration some advantage in terms of negotiations with the union on the second shift. Ald. Schnipper asked that he speak privately with the Commissioner, as the question was not relevant to what is before the Committee. Ald. Lappin moved approval of the item, which carried by a vote of 4 in favor, two opposed and one abstention.

* #220-03(3)

HIS HONOR THE MAYOR recommending that Sec. 11 of the City of Newton Ord., 2001 be amended to institute a fee for collection of "white goods".

ACTION: **APPROVED 5-2 AS AMENDED fee to be \$10 (Gerst and Salvucci opposed)**

NOTE: Commissioner Rooney and Elaine Gentile joined the Committee for the discussion of this item. The Commissioner provided the Committee with a memo (attached) detailing how the City disposes of banned goods and the cost to the City. The memo also provided a definition of "white goods" containing five items. The white goods definition does not include items containing chlorofluorocarbons ("CFCs"), hydrofluorocarbons ("HFCs"), or Freon. The Commissioner and the Committee were under the impression that the white goods and Freon containing products had been voted separately. Unfortunately, that was not the case; therefore, there will be an early meeting on September 15, 2003 to institute a fee for the items containing CFCs, HFCs and Freon.

CITY OF NEWTON
IN BOARD OF ALDERMEN

November 17, 2003

ORDERED:

That, contrary to the recommendations of the Public Facilities and Finance Committees through their respective Chairmen Sydra Schnipper and Paul E. Coletti, the following item be and is hereby DENIED:

#220-03(2) HIS HONOR THE MAYOR recommending that Department of Public Works fees for sewer back-ups be increased to more accurately reflect the City's cost of providing services. The increased revenue from these fees is to be part of the FY04 revenue estimates prepared by the Chief Budget Officer.

Under Suspension of Rules

• Readings Waived and Item DENIED

9 yeas (Ald. Baker, Gentile, Hess-Mahan, Lappin, Linsky, Samuelson, Stewart, Yates, Lipsitt)

10 nays (Ald. Bryson, Coletti, Fischman, Gerst, Lennon, Mansfield, Merrill, Parker, Salvucci, Sangiolo)

5 absent (Ald. Basham, Ciccone, Johnson, Lipof, Schnipper)

(SGD) EDWARD G. ENGLISH, City Clerk

REFERRED TO PS&T, PUBLIC FACILITIES & 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]

ACTION: **NO ACTION NECESSARY 7-0**

NOTE The Committee voted no action necessary on the item with the understanding that if the other committees took a different action on the item, it would come back before the Finance Committee.

ITEM RECOMMITTED TO PUB. FAC. AND FINANCE COMM. 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]

ACTION: **NO ACTION NECESSARY 7-0**

NOTE: The Committee voted no action necessary on the item with the understanding that if the Public Facilities Committee took a different action the item, it would come back before the Finance Committee. In addition, the Committee felt that the Mayor should re-docket the item if it is still a priority.

#352-08 ALD. COLETTI requesting discussion monthly reports from the Chief Budget Officer and Comptroller on the status of the Health Insurance Trust Fund. [09-30-08 @ 1:54 PM]

ACTION: **NO ACTION NECESSARY 7-0**

NOTE: The Committee currently receives monthly reports from the Comptroller on the Health Insurance Trust Fund. The Comptroller assured the Committee that they will continue to receive reports regardless of whether or not there is a docket item. Therefore, on a motion of no action necessary, the committee supported the motion unanimously..

#348-08 ALD. COLETTI requesting discussion on the Executive Department submission of a new 5-year forecast for FY2010 budget preparation. [09-30-08 @ 1:54 PM]

ACTION: **NO ACTION NECESSARY 7-0**

NOTE: The Committee supported a motion of no action necessary, as the item is now outdated.

REFERRED TO POST AUDIT & OVERSIGHT AND FINANCE COMMITTEES

#300-08 ALD. JOHNSON AND SWISTON requesting discussion with Mayor David Cohen and Superintendent Jeffrey Young as to the procedures that are in place to ensure accountability of their staff in respect to adherence to the authorization of purchasing and expenditures policy and procedures. [07-21-08 @ 9:03 AM]

ACTION: **NO ACTION NECESSARY 7-0**