

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC FACILITIES COMMITTEE REPORT

WEDNESDAY, NOVEMBER 9, 2011

Present: Ald. Schnipper (Chairman), Lennon, Albright, Salvucci, Gentile, Crossley, Danberg, and Lappin

Also present: Ald. Blazar, Fuller, Harney, Johnson, Rice, Hess-Mahan, Sangiolo, and Shapiro

City staff present: David Turocy (Commissioner of Public Works), Karen Griffey (Director of Administration, Department of Public Works), Stephanie Gilman (Public Buildings Commissioner), Alex Valcarce (Project Manager; Public Buildings Department), Michael Cronin (Director of Operations; School Department), and Sandra Guryan (Assistant Superintendent for Business, Finance & Planning; School Department)

Appointment by His Honor the Mayor

#291-11 MARIAN RAMBELLE, 24 Arlington Street, Newton appointed to the Solid Waste Commission for a term of office to expire December 31, 2014. (60 days 12/15/11) [10-11-11 @ 2:17 PM]

ACTION: **APPROVED 6-0 (Danberg, Lennon not voting)**

NOTE: Marian Rambelle met with the Committee to discuss her appointment to the Solid Waste Committee. As indicated in the attached resume, Ms. Rambelle has extensive experience in environmental remediation. She is an environmental engineer, who has worked around municipal landfills. She is certified by the Massachusetts Department of Environmental Affairs in waste disposal ban compliance.

Ms. Rambelle has had a longstanding interest in environmental affairs and now has the time to volunteer her expertise to the Solid Waste Commission. She has attended several Solid Waste Commission meetings and is aware of the issues facing the Commission. Ald. Lappin moved approval of the appointment, which carried unanimously. Committee members thanked Ms. Rambelle for her willingness to serve on the Commission.

Appointment by His Honor the Mayor

#290-11 SETH PARKER, 26 Shornecliffe Road, Newton appointed to the Solid Waste Commission for a term of office to expire December 31, 2014. (60 days 12/15/11) [10-11-11 @ 2:16 PM]

ACTION: **HELD 6-0 (Danberg, Lennon not voting)**

NOTE: Mr. Parker was unavailable to meet with the Committee; therefore, the Committee held the appointment for discussion at one of its upcoming meetings.

#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]

ACTION: **HELD 8-0**

NOTE: The item was docketed to get some information on current water billing practices. Recently Aldermen have received numerous calls complaining about excessive water bills. Public Works Commissioner David Turocy and the Public Works Department's Director of Administration Karen Griffey were present and began the discussion by providing the attached information. The information included a water meter history, a water/sewer bill example, a frequently asked questions sheet, payment options available for underestimated bills, and a water bill dispute process.

The City is in the process of replacing its water meter system. The new system has been installed in 85% of the residential buildings and 98% of the commercial buildings within the City. The City expects the replacement program to be complete by January 2012. The issue with the water bills began when the old water meters and meter reading devices started to fail. In May 2009, the water meter reading devices completely failed and the City no longer had the capability to read the meters. Residents were asked to read their meters and provide the data to the City or they would receive estimated bills. The City provided the request to read meters in water bills and placed door hangers on homes.

If the property owner did not read the meter, they received an estimated bill until their water meter was replaced. The City obtained the actual meter reading during the replacement of the water meter. Often times the estimates were over or under and required further review. The City determines the number of estimated readings, reviews the consumption history, and investigates for possible leaks within the property. If the bill was overestimated, the property owner received an abatement. Department of Public Works personnel meet with the property owner to discuss and review the water bill. If it is determined that the bill was underestimated, the property owner owes the City the difference between the estimate and actual usage for the timeframe that was estimated. The City must charge for all water used, as the water and sewer funds are self-supporting funds, and the City must pay the MWRA for its water usage. The property owner has a couple of options to make those payments. The City offers a "spread-over" option, which takes the average amount of water used over the time of the estimated billing quarters and apportions it equally to each quarter. The property owners are then billed at the appropriate rates and tiers for those quarters. The second option offers the property owner the ability to pay the bill over twelve monthly installments with no interest. If payment arrangements are not made and the water bill is not paid within a year, a lien for the bill is placed on the property.

Ald. Gentile encouraged the Commissioner to look at extending the timeframe for payback beyond a year for extremely high water bills. The Commissioner stated that he works with property owners on a case-by-case basis and has in one instance extended the time period. Ald. Shapiro suggested that the Department standardize how they deal with large water bills and publish that information in order to inform the property owners regarding what the available options are if they receive a significant water bill. Ald. Johnson felt that due to the economy many property owners are having difficulty paying their increased water bills. There should be more transparency around the process and the options on how to pay water bills. The City should be doing a little more to help people. She suggested that the Public Works Department work with the Law Department and Health and Human Services to address hardships.

Several property owners spoke on the water billing issue and water meters. The consensus was that property owners did not have any confidence in the water meter system.

People felt that there was the possibility that the meters were giving false reads and that they were being charged for water that was not used.

The Committee members suggested that the Public Works Department test water meters at five or six properties that have reported significant spikes in water usage at no charge to the property owner. The Committee felt that the Department of Public Works should restore property owner confidence in the water meter and water billing system. They requested that the Commissioner come back December 7, 2011 with a proposal to build confidence in the system. With that, Ald. Crossley moved hold, which carried unanimously.

#259-11 NextG NETWORKS OF NY, INC. petitioning for a grant of location to install 295' ± of underground conduit in SUMNER STREET on the easterly side approximately 58' from Alden Street in a southerly direction to the intersection of Rice Street and attach aerial fiber and related equipment to existing utility poles at the following locations:

Aerial Locations

Centre Street - 2,140' of aerial fiber attachment to exiting poles
Alden Street - 485' of aerial fiber attachment to existing poles
Sumner Street - 2,460' of aerial fiber attachment to existing poles
Ward Street - 1,050' of aerial fiber attachment to existing poles
Westbourne Road – 790' of aerial fiber attachment to existing poles
Everett Street 935' of aerial fiber attachment to existing poles
Dalton Road – 435' of aerial fiber attachment to existing poles
Grant Avenue – 530' of aerial fiber attachment to existing poles
Beacon Street – 1,925' of aerial fiber attachment to existing poles
Langley Road – 530' of aerial fiber attachment to existing poles
Braeland Avenue - 1,095' of aerial fiber attachment to existing poles
Cypress Street – 410' of aerial fiber attachment to existing poles
[07/28/11 @ 3:36 PM]

ACTION: **APPROVED AS AMENDED 4-2-2 (Lennon, Lappin opposed, Albright, Danberg abstaining)**

NOTE: Associate City Solicitor Ouida Young reviewed the attached draft Board Order. Ms. Young explained that the zoning aspects of the petition are not before the Public Facilities Committee. The issue of the petition and the City's zoning requirements regarding wireless communication equipment such as antennas still needs to be resolved by Inspectional Services Department and Law Department. Regardless of that decision, the conditions included in the draft board order are an opportunity for the City to be sure that there are some protections provided to the City. Ald. Gentile requested that the Board Order include the Federal Communications Commission's standard for radio frequency emissions for wireless communication equipment, as of today. Ms. Young said that the standard could be included.

The issue of connecting to a City streetlight pole has been resolved. NextG has found an alternative pole location, which is owned by Verizon located at 938 Commonwealth Avenue. The antenna and equipment box would still be located in front of a residential structure but it is also more visually obscured because of the street trees. As the alternative site came forward too late, it is not part of the draft Board Order and will require a separate grant of location.

Ms. Young had an opportunity to look at the pole on Hammond Pond Parkway in Brookline and said that the photo simulations are accurate representations of the equipment and antennas associated with this petition.

Chairman Schnipper questioned if the installation of the underground conduit on Centre Street required the digging up of Commonwealth Avenue. Ms. Young responded that it does but there is a condition in the Board Order that it be restored to the standards of the Department of Public Works.

Ald. Gentile requested that the Police and Fire Chiefs be consulted to determine if the NextG project could provide any benefits to their departments. President Lennon asked if NextG would be working with Verizon. The answer was “yes” and President Lennon said for that reason he could not vote for this petition. He referred to the problem on Church Street and said he would not support anything that will assist Verizon.

Peter Heimdahl of NextG responded that he has communicated to the city that there was, and still is, an opportunity for the City to enter into a licensing agreement with NextG that would provide a revenue share for gross revenues generated in the City. However, the City would have to work with NextG regarding the secondary zoning component. Ms. Young stated that entering into a license agreement is not without a concession on the city’s part and the question is does the city want to make that concession. Ms. Young said it should be considered that to enter into a license agreement, you have to consider the residents of Newton, who have been here and quite vocal and upset about adding RF frequencies and additional clutter on top of the utility poles. The license agreement is a policy call that needs to be made at a different level and if the Board wishes to pursue that type of agreement, the conversation should begin with the Mayor.

Ald. Schnipper suggested that the item be split into #259-11 and 259-11(2) for 938 Center Street. Ald. Salvucci moved approval of #259-11, which carried by a vote of four in favor, two opposed and two abstentions. A motion to hold #259-11(2) was made and approved unanimously.

#259-11(2) NextG NETWORKS OF NY, INC. petitioning for a grant of location to install an antenna and related equipment to an existing utility pole at 938 Centre Street.

ACTION: **HELD 8-0**

NOTE: Please see above note.

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]

Note: Seventy-five thousand dollars (\$75,000) of the \$5 million was approved on December 20, 2010 for site plan design work for modular classrooms at Horace Mann, Zervas, and Burr Elementary Schools and \$923,375 for installation of one modular classroom at Burr Elementary School, one modular classroom at Horace-Mann Elementary School, and two modular classrooms at Zervas Elementary School was approved on July 11, 2011.

367-10(B2) – \$4,001,625 (remaining balance) for renovations to the core of F.A. Day Middle School and sprinkler systems

NOTE: Item amended as shown below to reflect the following requests for funding from the remaining \$4,001,625:

#367-10(B2A) – Eighty-six thousand five hundred forty-five dollars (\$86,545) of the remaining \$4,001,625 for additional expenses related to the construction and installation of the four modular classrooms for the Horace Mann, Zervas, and Burr Elementary Schools.

PROG & SERV APPROVED 3-0-1 (Sangiolo abstaining) on 11/09/11

ACTION: PUBLIC FACILITIES APPROVED 8-0

NOTE: The Public Facilities Committee and the Programs and Services Committee met jointly to discuss the docket item. When the original funding request for \$923,375 was appropriated for the installation and associated costs related to the modular classrooms and sprinkler design for the three elementary schools, the amount was based on an estimate. The lowest bid for the modular classrooms came in higher than the estimate. In order to award the bid, it was necessary for the Public Buildings Department to use the \$50,000 originally allocated to sprinkler design for the modular classroom funding. In addition, the cost of design for the modular classrooms was an additional \$40,976 above the \$75,000 allocated for design that was approved on December 20, 2010. Therefore, the Public Buildings Department needs an additional \$86,545 to pay for the installation of the four modular classrooms at the three elementary schools. The total cost of the modular classrooms including construction, installation, design, and contingency is \$1,085,000. There is a potential issue with the soil at the site of the modular classroom at the Horace-Mann Elementary School. It is likely that a small portion of the contingency will be necessary to replace unstable loam with a more dense and stable soil.

Members of both Committees were concerned with the lack of detailed backup for the request. The Commissioner of Public Buildings Stephanie Gilman agreed to provide the Finance Committee with further backup information before it discussed the request. With that, Ald. Gentile moved approval in the Public Facilities Committee, which carried unanimously and Ald. Hess-Mahan moved approval in the Programs and Services Committee which carried by a vote of three in favor, none opposed and one abstention.

Clerk's Note: The Public Buildings Commissioner stated that the total cost of the F.A. Day addition, the sprinkler systems for the three elementary schools and Day Middle School, and the four modular classrooms is estimated to cost \$9,036,500 as reflected in the FY2013-FY2017 Five-Year Capital Improvement Plan under the CIP by Funding tab.

#367-10(B2B) One hundred two thousand one hundred seventeen dollars (\$102,117) of the remaining \$4,001,625 for the design of sprinkler systems for the Horace Mann, Zervas, and Burr Elementary Schools.

PROG & SERV APPROVED 3-0-1 (Sangiolo abstaining) on 11/09/11

ACTION: PUBLIC FACILITIES APPROVED 7-0-1 (Lappin abstaining)

NOTE: The Public Facilities Committee and the Programs and Services Committee met jointly to discuss the docket item. The requested \$102,117 would be used to cover the cost of the design for sprinkler systems at Horace Mann, Zervas, and Burr Elementary Schools. A recent change in Massachusetts General Law requires that if an addition is added to a building with a square footage of 7,500 square feet or more, the building and addition must have a sprinkler system. There are a total of four modular classrooms being added to the three elementary schools and each of the schools has a square footage over 7,500 square feet requiring a sprinkler system.

The Public Buildings Department is working with the Fire Department to refine the scope of the project and to make sure that all fire codes are met. It is anticipated that the \$102,117 should cover the full cost of the design for the sprinkler systems in all three school. The Public Building Department needs the funds in order to go out to bid for the design.

The modular classrooms are anticipated to have sprinkler systems installed by September 1, 2012. The State has given Newton a waiver to allow the City to install the sprinklers in the school buildings by September 1, 2012; however, the City will need to apply for an additional waiver as the previously existing elementary school spaces will not have sprinkler systems installed until September 1, 2012.

Committee members were concerned that the sprinkler design funds were coming from the above request, as they expected design money and the installation money to be part of the Capital Improvement Plan. It was explained that all of the money for the modular classrooms and Day Middle School is to be from bonded indebtedness. Further detail of the funding plan will be available as the Day Project and sprinkler system installations progress.

Ald. Gentile moved approval in the Public Facilities Committee, which carried by a vote of seven in favor and one abstention and Ald. Hess-Mahan moved approval in the Programs and Services Committee which carried by a vote of three in favor, none opposed and one abstention.

#367-10(B2) – \$3,812,963 (remaining balance) for renovations to the core of F.A. Day Middle School and sprinkler systems

PROG & SERV HELD 4-0 ON 11/09/11

ACTION: PUBLIC FACILITIES HELD 8-0

NOTE: The above item reflects the remainder of the \$5 million in the original docket request.

#288-09(2) HIS HONOR THE MAYOR requesting that Board Order #288-09 be amended to reflect the subsequent decision to undertake additional classroom space at F. A. Day Middle School instead of modular class rooms as originally requested in a

letter from the Executive Department dated September 15, 2009. [11-01-11 @ 2:11 PM]

ACTION: **APPROVED 8-0**

NOTE: Board Order #288-09 for the installation of modular classrooms at Oak Hill Elementary and design funds at Day Middle School specifies that the design funds are to be used for modular classrooms. The design funds were actually used for permanent construction design at Day Middle School. The Board Order should be amended to reflect the actual use of the design funds. The Committee understood the necessity and Ald. Gentile moved approval, which carried unanimously.

#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.

ACTION: **APPROVED 6-1-1 (Salvucci opposed; Gentile abstaining)**

NOTE: Ald. Schnipper noted that this item has been on the Committee agendas for seven years. Traffic Council supported some type of traffic calming for Mill Street in 2004 and at a discussion in 2008, Committee members suggested that perhaps the use of speed humps should be considered. At that time, there was an ordinance limiting the installation of speed humps and the Committee held the item until the ordinance could be revisited. Since that time, the Board has approved an ordinance for the use of several traffic calming devices, which includes speed humps. Therefore, the Committee felt that it was appropriate to send a resolution to the Mayor requesting funding for traffic calming on Mill Street. A motion to approve the resolution carried by a vote of six in favor, one opposed and one abstention.

#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]

ACTION: **HELD 8-0**

NOTE: Ald. Gentile informed the Committee that it will be necessary to install some poles along the Lowell Avenue side of the baseball and softball fields in order to install a net to catch foul balls before they end up in neighboring yards. However, the nets will not catch every ball. For example, if a ball is hit extremely high, it will still go over the net into the parking lot or neighboring yard. Ald. Schnipper added that signage would be placed throughout the school parking lot on Lowell Avenue suggesting that the cars in the parking lot be moved after school.

Ald. Gentile stated that there is proposal to put fence along the slope at Hull Street, which will be brought up in the Liaison Committee. The installation of that fence would cover the City's liability if people sled at that location. There was a motion to hold, which carried unanimously.

Respectfully submitted,

Sydra Schnipper, Chairman



SETTI D. WARREN
MAYOR

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October 11, 2011

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

Ladies and Gentlemen:

I am pleased to appoint Ms. Marian Rambelle of 24 Arlington Street, Newton to the Solid Waste Commission. Her term of office shall expire December 31, 2014 and her appointment is subject to your confirmation.

Thank you for your attention to this matter.

Sincerely yours,

Setti D. Warren
Mayor

OCT 11 P 2:17
CITY CLERK
NEWTON, MA. 02159

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

MARIAN RAMBELLE

24 Arlington Street, Newton MA 02458
(617) 527-4590 | (617) 285-8182 cell | marian@cobelle.org

QUALIFICATIONS

- **Environmental Engineer/Project Manager** – hazardous waste site investigations/remediation
 - **Waste Ban Compliance Professional (WBCP)** – MassDEP-trained for waste disposal ban compliance inspections at solid waste facilities
 - **EPA Oversight Representative/Field Operations Leader** – Superfund site cleanups in EPA Region I
 - Overall project performance ratings by EPA of *Outstanding* – Cannon Engineering Corp, Re-Solve sites
 - Oversaw RP contractors' investigation, design, on-site remediation, and monitoring activities for compliance with EPA-approved project plans and guidance
 - Prepared detailed comments on RP contractor project plans and reports
 - Prepared oversight work plans and reports
 - Worked closely with EPA Remedial Project Managers and state regulatory officials
 - **Environmental Site Assessments** for industrial/commercial property transfers (MA/PA/MN)
 - Performed underground storage tank removals, sampling, excavation, off-site disposal activities
-

PROFESSIONAL EXPERIENCE

BOIS CONSULTING CO., INC, FRAMINGHAM, MA 2/2011-present

Technical Assistance to consulting company:

- Waste Disposal Ban Compliance Professional support for solid waste facilities (per 310 CMR 19.017)
 - Received MassDEP training as Waste Ban Compliance Professional
 - Prepared Waste Disposal Ban Plan for municipal landfill
 - Responsible for preparation of quarterly WBCP reports for MassDEP
 - Review of facility reports submitted to MassDEP
- Vapor intrusion MCP site at town facility – Immediate Response Action Plan/Remedial Monitoring Report support
- Due diligence investigation under MCP support at former gas station (MA)

RAYTHEON ENVIRONMENTAL SERVICES, CAMBRIDGE, MA 1990–1998

Senior Environmental Engineer/Environmental Engineer: Field Operations Leader (EPA Oversight Representative) for Superfund site cleanups under ARCS and RAC contracts, including Cannon Engineering Corporation (CEC) Bridgewater (1st Construction Completed site in New England); Re-Solve, Inc.; Kellogg-Deering Well Field (Norwalk, CT).

- Oversaw/monitored performance of investigation, design, on-site remediation, and monitoring activities conducted by Responsible Parties' (RP) contractors. Identified and utilized in-house technical resources to support project work.
- Prepared detailed comments on RP contractor project plans and reports for EPA (RI/FS, RD, RAWP, SAP, FOSP, H&SP, IP, Project Operations Plans, RA reports).
- Site contaminants included VOCs, SVOCs, PCBs, metals, dioxin. Remediation activities included excavation of soils and sediments, on-site soils/groundwater treatment, backfilling of treated soils, treated water discharge, sampling all media, health and safety monitoring. Performed split sampling for analysis by EPA and comparison to RP data.
- Prepared oversight sampling and analysis plans and work plans/reports for EPA (SAP, Remedial Action Reports, Long-Term Monitoring Plans, Annual Monitoring Reports, Five-Year Reviews).

Environmental Site Assessments/Investigations:

- Conducted ESAs at industrial and commercial properties, such as Boston Edison generating facilities (So. Boston, Everett).
- Project Manager of subsurface soil/groundwater investigation at industrial site in Goleta, CA.

ENSR, ACTON, MA 1986–1990

Environmental Engineer: Project Manager for environmental site assessments and underground storage tank removals, sampling, and excavation activities at industrial and commercial properties.

ESA representative clients:

- Sprague Electric Co. (electrical manufacturing complex) in N. Adams, MA
- Shade Computer Forms manufacturing facilities in PA and MN
- Arlwood in Woburn, MA
- Bangor Mall
- Gasoline stations
- Movie theaters

Additional experience includes:

- Preparation of sampling and analysis plans
- Preparation of cleanup volume/cost estimates
- Direction of excavation and transportation/disposal of contaminated soils at commercial and UST sites
- Primary client and state regulatory agency contact person/liaison
- Preparation of request for bid document for Superfund site remediation in Region II

Representative projects include:

- Thomas Graves' Landing condominiums, Cambridge, MA – Project Manager for on-site delineation/removal of contaminated soils during underground garage construction
- Beal's Cove Apartments, Hingham, MA – Project Manager for site investigation of oil-contaminated apartment complex
 - Site was granted nonpriority disposal status and a waiver of approvals under the MCP by DEP
- Daylin-Grace, Jersey City, NJ – directed implementation of interim remedial measures at chromium-contaminated site

ADDITIONAL EXPERIENCE

PROPERTY MANAGER 2007–present (PART TIME)

Management of Boston and Belmont, MA rental properties:

- Increased occupancy from approximately 50% to 100% within first six months at both locations, and identified/leased to reliable domestic and international tenants
- Hiring/oversight of contractors
- Liaison between landlords, tenants, contractors, and realtor
- Prospective tenant solicitation/screening, background/credit checking, and leasing

US CENSUS BUREAU, DEPARTMENT OF COMMERCE, WALTHAM, MA 2010 (PART TIME)

Census Enumerator/Field Verifier:

- Conducted field and phone interviews with decennial census non-respondents and neighbors/recorded data
- Located assigned addresses and determined the status of housing units for inclusion in decennial census data
- Dubbed as team's "Supersleuth" by supervisor for resourcefulness and diligence in solving cases; one of three (of 16) of team selected for subsequent field verification phase

E-GREEK LLC, WALTHAM, MA 2002-2006 (PART TIME)

Quality Control Manager for interactive social networking website for national collegiate fraternity members/alumni; membership reached over 20,000.

- Planned, tested, and edited pages during development of website
- Following website launch, monitored quality and provided customer support for registration, approval of notices, and other queries

EDUCATION

BS (Civil and Environmental Engineering), Cornell University, Ithaca, NY

Water Bill Dispute Process

Determine Accuracy of Bill

- Review Consumption History
- Determine if estimated or actual reading. If possible, obtain actual reading.

Overestimated

- On consumption history worksheet, identify all estimated bills to be abated
- Abate back to current reading
- Send letter(s) confirming abatements processed on each bill
- If paid prior to abatement, Treasury refunds credits at the end of the month

Underestimated

- Determine number of previous estimated readings
- Review consumption history for similar trends in seasonal usage (irrigation). Determine if usage is the same, not the dollar amount
- Investigate possible leaks (toilet, faucet) to explain accumulated usage. Owner can read meter overnight or minimum 3-hour period with no water usage. Any change in meter reading would then signify a leak. Offer dye tablets to check toilet leaks.
- Offer appointment to have meter reader confirm the reading. Take manual reading, inspect meter, test meter operation with water running/not running.
- Offer meter to be tested (old meter - \$25/test, meter is maintained for 6 months after replacement, new meter - \$250/test, factory tested, determined to be accurate)
- Failing any exceptions, actual readings are considered valid and all water used, including “catch-up” amounts, must be paid.

Payment Options

- Offer a “spread-over”. Average all water usage over the time of the estimated bills to determine average quarterly usage. Apply appropriate rates for each billing period to determine amount of new bill. If new bill is less, abate the original bill to the spread-over amount.
- Offer a payment plan on a “catch-up” bill, interest free for one year, with 12 monthly installments

Unable to resolve bill

- Meet with DPW Administration Director (Head of W/S Billing) to discuss bill. Appointment hours are Tuesday, 2:00pm – 8:00pm and Thursday, 2:00pm – 5:00pm.
- Appeal to DPW Director, and Legal representative

Water Billing Frequently Asked Questions

1. What does A, E, C mean on my water bill?
2. Why is my bill so high this time?
3. How do I know my old water meter was working properly?
4. How can I tell my new water meter is working properly?
5. Who can I talk to about my water bill?
6. If I get a high bill due to a high actual read after multiple estimates, what are my options for reducing the amount or paying over time?
7. Can I “opt out” of getting a new water meter?

Public Facilities Committee

Water Billing Process

History

Water meters were installed in early '80's.

Twenty year life expectancy – tend to slow down over time

Water Meter Reading Devices started to fail ~6-7 years ago

Reading devices failed to get proper read – no readings, false readings, etc.

City awarded Bid in 2009 for \$9.2 M for water meter replacement:

Elster/Amco (water meter & reading system) and Vanguard (installation)

May 2009, City's last two reading devices failed. Residents were asked to read meter or have estimated bills.

Water Meter Replacement Program

January 2010 – began replacement process.

First six months – focused on commercial meters

July 2010 – October 31, 2011 – Commercial 98%, Residential 85%

Expected completion – January 2012

Water Meter History

• #352-11

Water meters were installed in early '80's.

- Twenty year life expectancy – tend to slow down over time
- Water Meter Reading Devices started to fail ~6-7 years ago
 - Reading devices failed – no readings, false readings, etc.
- City awarded Bid in 2009 for \$9.2 M for water meter replacement: Elster (water meter & reading system) and Vanguard (installation)
- May 2009, City's last two reading devices failed. Residents were asked to read meter or have estimated bills. (Bill notice, pink inserts, door hangers)
- Water Meter Replacement Program
 - January 2010 – began replacement process.
 - First six months – focused on commercial meters
 - July 2010 – October 2011 – Commercial 98%, Residential 85%
 - Expected completion – January 2012

Water Sewer Bill Sample

Bill Date	Read Type	Reading	Usage		Combined W/S Rate		Charge Amount	Notes
			Old Meter	New Meter	1-20 hcf's	21-70 hcf's		
10/1/2011	A	93		27	13.38	16.05	\$ 380	
7/1/2011	A	64		26	13.38	16.05	\$ 364	New rates = 7.7%
4/1/2011	A	36		24	12.42	14.91	\$ 308	
1/1/2011	A	12		12	12.42	14.91	\$ 666	36 + 12 = 48 hcf's
11/15/2010		0		0				new meter installed
11/15/2010	A	4680	36					old meter removed
10/1/2010	E	4644	22		12.42	14.91	\$ 278	
7/1/2010	E	4622	23		12.42	14.91	\$ 293	
4/1/2010	E	4599	19		12.42	14.91	\$ 236	
1/1/2010	E	4580	18		12.42	14.91	\$ 224	new rates = 11.02%
10/1/2009	E	4562	22		11.16	13.39	\$ 250	
7/1/2009	E	4540	20		11.16	13.39	\$ 223	new rates = 12%
4/1/2009	A	4520	24		9.96	11.95	\$ 239	
1/1/2009	A	4502	22		9.96	11.95	\$ 223	
10/1/2008	A	4480	26		9.96	11.95	\$ 271	
7/1/2008	A	4454	25		9.96	11.95	\$ 259	new rates = 13%
4/1/2008	A	4429	22		8.81	10.57	\$ 197	
1/1/2008	A	4407	22		8.81	10.57	\$ 197	

Water Sewer Bill Sample

Bill Date	Read Type	Reading	Usage		Combined W/S Rate		Charge Amount	Notes
			Old Meter	New Meter	1-20 hcf's	21-70 hcf's		
10/1/2011	A	93		27	13.38	16.05	\$ 380	
7/1/2011	A	64		26	13.38	16.05	\$ 364	New rates = 7.7%
4/1/2011	A	36		24	12.42	14.91	\$ 308	
1/1/2011	A	12		12	12.42	14.91	\$ 666	36 + 12 = 48 hcf's
11/15/2010		0		0				new meter installed
11/15/2010	A	4680	36					old meter removed
10/1/2010	E	4644	22		12.42	14.91	\$ 278	
7/1/2010	E	4622	23		12.42	14.91	\$ 293	
4/1/2010	E	4599	19		12.42	14.91	\$ 236	
1/1/2010	E	4580	18		12.42	14.91	\$ 224	new rates = 11.02%
10/1/2009	E	4562	22		11.16	13.39	\$ 250	
7/1/2009	E	4540	20		11.16	13.39	\$ 223	new rates = 12%
4/1/2009	A	4520	24		9.96	11.95	\$ 239	
1/1/2009	A	4502	22		9.96	11.95	\$ 223	
10/1/2008	A	4480	26		9.96	11.95	\$ 271	
7/1/2008	A	4454	25		9.96	11.95	\$ 259	new rates = 13%
4/1/2008	A	4429	22		8.81	10.57	\$ 197	
1/1/2008	A	4407	22		8.81	10.57	\$ 197	

Water Sewer Bill Sample

Bill Date	Read Type	Reading	Usage		Combined W/S Rate		Charge Amount	Notes
			Old Meter	New Meter	1-20 hcf's	21-70 hcf's		
10/1/2011	A	93		27	13.38	16.05	\$ 380	
7/1/2011	A	64		26	13.38	16.05	\$ 364	New rates = 7.7%
4/1/2011	A	36		24	12.42	14.91	\$ 308	
1/1/2011	A	12		12	12.42	14.91	\$ 666	36 + 12 = 48 hcf's
11/15/2010		0		0				new meter installed
11/15/2010	A	4680	36					old meter removed
10/1/2010	E	4644	22		12.42	14.91	\$ 278	
7/1/2010	E	4622	23		12.42	14.91	\$ 293	
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4/1/2009	A	4520	24		9.96	11.95	\$ 239	
1/1/2009	A	4502	22		9.96	11.95	\$ 223	
10/1/2008	A	4480	26		9.96	11.95	\$ 271	
7/1/2008	A	4454	25		9.96	11.95	\$ 259	new rates = 13%
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Water Sewer Bill Sample

Bill Date	Read Type	Reading	Usage		Combined W/S Rate		Charge Amount	Notes
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7/1/2011	A	64		26	13.38	16.05	\$ 364	New rates = 7.7%
4/1/2011	A	36		24	12.42	14.91	\$ 308	
1/1/2011	A	12		12	12.42	14.91	\$ 666	36 + 12 = 48 hcf's
11/15/2010		0		0				new meter installed
11/15/2010	A	4680	36					old meter removed
10/1/2010	E	4644	22		12.42	14.91	\$ 278	
7/1/2010	E	4622	23		12.42	14.91	\$ 293	
4/1/2010	E	4599	19		12.42	14.91	\$ 236	
1/1/2010	E	4580	18		12.42	14.91	\$ 224	new rates = 11.02%
10/1/2009	E	4562	22		11.16	13.39	\$ 250	
7/1/2009	E	4540	20		11.16	13.39	\$ 223	new rates = 12%
4/1/2009	A	4520	24		9.96	11.95	\$ 239	
1/1/2009	A	4502	22		9.96	11.95	\$ 223	
10/1/2008	A	4480	26		9.96	11.95	\$ 271	
7/1/2008	A	4454	25		9.96	11.95	\$ 259	new rates = 13%
4/1/2008	A	4429	22		8.81	10.57	\$ 197	
1/1/2008	A	4407	22		8.81	10.57	\$ 197	

Payment Options for Underestimated Bills

- City will bill for all water used.
- Office appointments to review bill.
- Spread-over – average the amount of water used over the period of estimates and apportion equally to each quarter. Bill according to appropriate rates and tiers for respective quarters.
- Payment Plan – Pay bill over 12 monthly installments, interest free.

Water Sewer Bill Sample

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			Old Meter	New Meter	1-20 hcf's	21-70 hcf's		
10/1/2011	A	93		27	13.38	16.05	\$ 380	
7/1/2011	A	64		26	13.38	16.05	\$ 364	New rates = 7.7%
4/1/2011	A	36		24	12.42	14.91	\$ 308	
1/1/2011	A	12		12	12.42	14.91	\$ 625	36 + 12 = 48 hcf's
11/15/2010		0		0				new meter installed
11/15/2010	C	4680	12.5714					old meter removed
10/1/2010	C	4667.43	24.57143		12.42	14.91	\$ 317	
7/1/2010	C	4642.86	24.57143		12.42	14.91	\$ 317	
4/1/2010	C	4618.29	24.57143		12.42	14.91	\$ 305	
1/1/2010	C	4593.71	24.57143		12.42	14.91	\$ 305	new rates = 11.02%
10/1/2009	C	4569.14	24.57143		11.16	13.39	\$ 284	
7/1/2009	C	4544.57	24.57143		11.16	13.39	\$ 284	new rates = 12%
4/1/2009	A	4520	24		9.96	11.95	\$ 239	
1/1/2009	A	4496	22		9.96	11.95	\$ 223	
10/1/2008	A	4474	26		9.96	11.95	\$ 271	
7/1/2008	A	4448	25		9.96	11.95	\$ 259	new rates = 13%
4/1/2008	A	4423	22		8.81	10.57	\$ 197	
1/1/2008	A	4407	22		8.81	10.57	\$ 197	

DRAFT

CITY OF NEWTON

IN BOARD OF ALDERMEN

November 21, 2011

GRANT OF LOCATION FOR INSTALLATION
OF CONDUIT, FIBER CABLE, ANTENNAS,
AND RELATED EQUIPMENT

ORDERED:

That, in accordance with the recommendation of the Public Facilities Committee through its Chairman Sydra Schnipper, the following public utility petition is hereby approved by the Honorable Board of Aldermen.

PETITIONER: NextG Networks of NY, Inc.
131-05 14th Avenue
College Point, NY 11356

WHEREAS, on July 28, 2011 pursuant to Massachusetts General Laws Chapter 166, Section 22, NextG Networks of NY, Inc. (“NextG”) filed a petition for a grant of location to operate, repair, and maintain a telecommunication transport service via a distributed antenna system (“DAS”) with the installation of aerial fiber cables, wires, and related materials attached to utility poles along and across the public ways, together with the installation of antennas, equipment boxes and related materials attached to utility poles at 4 locations, and the installation of underground telecommunications conduit and wires, and related materials across Commonwealth Avenue (collectively, the “Facilities”) at the following locations:

Underground Conduit

378' ± of underground conduit in SUMNER STREET on the easterly side approximately 58' from Alden Street in a southerly direction, crossing Commonwealth Avenue, to the intersection of Rice Street

Aerial Locations

Centre Street - 2,140' of aerial fiber attachment to exiting poles
Alden Street - 485' of aerial fiber attachment to existing poles
Sumner Street - 2,460' of aerial fiber attachment to existing poles
Ward Street - 1,050' of aerial fiber attachment to existing poles
Westbourne Road – 790' of aerial fiber attachment to existing poles

Everett Street - 935' of aerial fiber attachment to existing poles
Dalton Road – 435' of aerial fiber attachment to existing poles
Grant Avenue – 530' of aerial fiber attachment to existing poles
Beacon Street – 1,925' of aerial fiber attachment to existing poles
Langley Road – 530' of aerial fiber attachment to existing poles
Braeland Avenue – 1,095' of aerial fiber attachment to existing poles
Cypress Street – 410' of aerial fiber attachment to existing poles

Antenna and equipment box locations

150 Eastbourne Road - Pole #180/1
1035 Centre Street – Pole #73/54
62 Dalton Road – Pole #177/2
538 Beacon Street – #125/30

WHEREAS the City of Newton, acting by and through its Board of Aldermen, duly noticed a public hearing on NextG's petition and conducted a public hearing on September 21, 2011, October 19, 2011, and November 9, 2011, THEREFORE,

BE IT HEREBY ORDERED:

That the Petitioner, as described above, be and is hereby granted locations pursuant to the provisions of Massachusetts General Laws Chapter 166, Section 22 and the provisions set out herein to install, operate, repair and maintain such Facilities along and under such public ways as requested in such petition and more particularly as shown on a set of plans filed with the Office of the City Clerk, which plans are entitled:

- a. "NextG Networks Newton, MA Strand Map – New Nodes," dated 1/07/11, revised date 02/03/11;
- b. "Node 4D-02 Newton, MA 150 Eastbourne Rd.," dated 07/05/11, consisting of 6 sheets;
- c. "Node 4D-03 Newton, MA 1033 Centre St.," dated 07/05/11, consisting of 6 sheets;
- d. "Node 4D-04 Newton, MA 62 Dalton Rd.," dated 07/05/11, consisting of 6 sheets;
- e. "Node 4D-05 Newton, MA 536 Beacon St.," dated 07/05/11, consisting of 6 sheets; and

- f. "Sumner St at Commonwealth Ave Newton, MA NextG Petition Plan," dated 7/27/11, consisting of 2 sheets

Such plans, including all notes shown thereon, are hereby incorporated as part of this Order.

This Grant of Location is made subject to the following conditions:

1. All antennas and equipment boxes shall be constructed in accordance with the plans referenced in this Order. The antennas shall not exceed 48" in height. The equipment boxes shall not exceed 48" x 14" x 16" in size. The equipment boxes shall not be mounted on the utility poles lower than 20' from the ground, and the related electrical meters shall not be mounted on the utility poles lower than 8' from the ground, provided that this height restriction may be modified if required by applicable safety codes such as the NESC and ADA. All antennas and equipment boxes must be painted to blend in with the utility pole on which they are mounted. The total height of the utility pole with the antenna mounted on top shall not exceed sixty (60) feet.
2. If new technological changes permit smaller antennas or equipment boxes, NextG shall take advantage of such changes and replace the equipment approved herein to the extent feasible at a particular location, and provided that smaller equipment does not diminish NextG's network performance.
3. All antennas and equipment boxes shall be installed and maintained in accordance with the Operating Criteria for Wireless Telecommunications Equipment as set forth in Sec. 30-18A(c)(1), (2), (10), and (12) of the City of Newton Ordinances in effect on the date of this Order. Pursuant to those Operating Criteria, prior to installing any antenna, NextG shall submit a report from a qualified engineer or other appropriate professional certifying that the proposed antenna equipment will operate below the radio frequency emissions standards set out by the FCC in the Telecommunications Act of 1996 (*i.e.*, FCC Limits for Maximum Permissible Exposure (MPE), General Population/Uncontrolled Exposure, OET Bulletin 65 Edition 97-01), and as those standards may be amended in the future. Additionally, prior to installing any equipment box, NextG shall submit a report from a qualified acoustical engineer or other appropriate professional certifying that the proposed equipment meets the requirements of Sec. 20-13 of the City of Newton Ordinances ("the Noise Ordinance"). NextG shall maintain the antennas and equipment boxes in compliance with the provisions of this section at all times when such antennas and equipment boxes are in operation.
4. NextG shall not install any antennas, equipment boxes, or fiber cable to any "double" utility pole. This Grant of Location only authorizes installation of such equipment on a single utility pole. If subsequent to NextG's installation, the utility owning the pole

creates a “double” pole, NextG’s original grant of location for such pole shall not lapse.

5. The proposed conduit infrastructure to be installed by NextG shall consist of a “quad duct.” Pursuant to Sec. 23-37 of the Ordinances of the City of Newton, NextG shall, free of expense to the City of Newton, install and reserve for use of fire, police and other telegraph and telephone signal wires belonging to the City of Newton and used exclusively for municipal purposes, including without limitation, voice, video and data, one duct of 1 1/4 inches in diameter for a distance of 378’ linear feet (the full length of this grant of location for the underground conduit).
6. For all underground conduit construction which is the subject of this Order, NextG shall adhere to the following street excavation and restoration requirements:
 - a. NextG shall restore the pavement it disturbs by the construction of conduit with a permanent trench restoration in accordance with the specifications set out in City of Newton General Construction Details, and as directed by the City of Newton Commissioner of Public Works or his designee. Controlled density fill (“CDF”) shall be used for all backfill, Type I-E.
 - b. An as-built plan in a digital CAD file and paper format showing the locations, including elevations, and bearing the endorsement of a Licensed Surveyor, shall be filed with the City Engineer within thirty (30) days after the completion of construction of the underground conduit. In the event that NextG subsequently carries out modifications to the conduit, updated plans of the same type shall be so filed within thirty (30) days after completion of such modifications.
 - c. Prior to commencing any excavation in the public ways pursuant to this Grant of Location Order, and prior to any subsequent maintenance, upgrade or repair which requires excavation in the public ways, NextG shall pay the applicable fee, as provided for under Sec. 26-11, and receive a street opening permit issued by the Commissioner of Public Works, or such City official who may have control over the maintenance of public ways.
 - d. NextG shall comply with all laws of the Commonwealth applicable to its construction of the Facilities, including but not limited to the Massachusetts Dig-Safe law.
 - e. NextG shall obtain an M-8 permit from the MWRA as the proposed underground conduit crosses a 60-inch diameter water transmission trunk.

CERTIFICATE

I hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Massachusetts General Laws Chapter 166, Section 22, and Chapter 32, Section 23B, as amended, after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Board of Aldermen to all owners of real estate abutting upon that part of the way or ways upon, along or across which the conduit and wires are to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on September 21, 2011, October 19, 2011, and November 9, 2011, in said City of Newton.

David Olson
City Clerk, City of Newton

CERTIFICATE

I hereby certify that the foregoing is a true copy of the Grant of Location Order and certificate of hearing with notice adopted by the Board of Aldermen of the City of Newton, Massachusetts on the day of , 2011, and recorded with the records of location orders of said City, Book , Page . This certified copy is made under the provisions of Massachusetts General Laws Chapter 166, Section 22, as amended.

Attest:

City Clerk, City of Newton