

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC FACILITIES COMMITTEE AGENDA

WEDNESDAY, APRIL 21, 2010

7:45 PM
Room 209

Public Hearing assigned for April 21, 2010

#104-10 VERIZON requesting a grant of location to install approximately 1,580' ± of 2" conduit in Quincy Road, Priscilla Road, Old Colony Road and Mayflower Road and 10 hand holes to be located in front of House Nos. 60, 54, 45, and 29 Old Colony Road; House Nos. 40 and 18 Priscilla Road; and House Nos. 52, 49, 40, and 37 Mayflower Road. [03/11/10 @10:13 AM]

Public Hearing Assigned for April 21, 2010

#103-10 VERIZON requesting a grant of location to install approximately 400' ± of 4" conduits in CYPRESS STREET from Manhole 47/172 in Cypress Street @ Braceland Avenue to Manhole 47/212 in Cypress Street @ Paul Street to Manhole 47/172 In Cypress Street @ Parker Street. [03/11/10 @10:13 AM]

Public Hearing assigned for April 21, 2010

#102-10 NATIONAL GRID petitioning for a grant of location to install and maintain 130' ± of 4" gas main in COLUMBIA AVENUE from the existing 4" gas main in Columbia Avenue at High Street westerly to House No. 122 for a new gas service. [03/29/2010@ 10:45 AM]

Public Hearing assigned for April 21, 2010

#115-10 COMCAST CABLE petitioning for a grant of location to install and maintain 163' ± conduit in a westerly direction in DAVIS STREET and crossing HIGHLAND STREET to a proposed handhold located at 1326 Highland Street.

Appointment by His Honor the Mayor

#105-10 JONATHAN KANTAR, 672 Chestnut Street, Waban, appointed as a member of the Citizen's Commission on Energy for a term of office to expire on April 20, 2013. (60-days: 06/04/10) [03/30/10 @4:09 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#111-10 HIS HONOR THE MAYOR requesting authorization to enter into an Inter-Municipal Agreement with the Town of Needham for Trommel Screening rental services for a three-year period (to be used to process compost to be used for resale in the coming year). [03/30/10 @ 4:08 PM]

- #106-10 HIS HONOR THE MAYOR proposing amendments to Chapter 11, Recycling and Trash, of the City of Newton Revised Ordinances 2007. [03/30/10 @ 4:08 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #120-10 HIS HONOR THE MAYOR requesting an appropriation in the amount of seventy-two thousand dollars (\$72,000) from Free Cash for the purpose of supplementing the snow and ice budget in the Department of Public Works.
- #385-07 ALD. SCHNIPPER AND GENTILE updating the Public Facilities Committee on the progress of the Newton North High School Project. [11/21/07 @ 10:23 AM]

ITEMS NOT YET SCHEDULED FOR DISCUSSION:

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

- #121-10 HIS HONOR THE MAYOR, in accordance with Section 5-1 of the City of Newton Charter, submitting the FY'11 Municipal/School Operating Budget totaling \$340,073,328, passage of which shall be concurrent with the FY'11- FY'15 Capital Improvement Program.
EFFECTIVE DATE OF SUBMISSION: 04/20/10; LAST DATE TO PASS BUDGET 06/4/10
- #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.

REFERRED TO CMT ON COMM PRES., PUB. FAC. AND FIN. COMMITTEES

- #83-10 THE COMMUNITY PRESERVATION COMMITTEE recommending that the sum of sixty three thousand, eight hundred forty five dollars (\$63,845) be appropriated from the FY10 Community Preservation Fund's historic resources and general reserves to be expended by the Public Buildings Department to complete the design of storage and accessibility improvements for the archives at the Jackson Homestead. [03/09/10 @ 4:20 PM]

REFERRED TO COMM. PRES., PUB FAC & FINANCE COMMITTEES

- #147-08 COMMUNITY PRESERVATION COMMITTEE recommending that the sum of \$359,400, including \$2,000 for legal costs, be appropriated from the FY'08 Community Preservation Fund's historic resources and general reserves, for a project to rehabilitate and expand storage space for the research library and archives at the Newton History Museum, to preserve the existing collections, and enhance public access to the collections. [04-01-08 @ 4:10 PM]
COMMUNITY PRESERVATION APPROVED 6-0 on 4-29-08
(A) DESIGN FUNDS ESTIMATE \$37,500.00 – BOA APPROVED ON 07/21/08
(B) BALANCE OF PROJECT ESTIMATE \$321,900.00 – HELD

REFERRED TO POST AUDIT AND PUBLIC FACILITIES COMMITTEE

- #107-10 ALD. YATES, LAPPIN, FREEDMAN, FISCHMAN AND HESS-MAHAN requesting an update on the Newton South High School athletic field drainage project. [03/15/10 @ 12:09 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]
(A) Resolution to His Honor the Mayor requesting that the pay station for the Cypress Street Municipal Lot be installed within 120 days APPROVED 7-0 on 03/03/10
(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
- #23-10 ALD. YATES & DANBERG proposing a Resolution urging His Honor the Mayor to re-present the city's request for State bond money to be appropriated to implement the Needham Street reconstruction plan developed in partnership with the Needham Street property owners over the past decade. [01/04/10 @ 8:16 PM]
- #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]

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

- #376-09 HIS HONOR THE MAYOR submitting the FY11-15 Capital Improvement Program, totaling \$140,377,285 and the FY10 Supplemental Capital budget, which require Board of Aldermen approval to finance new capital projects over the next five years.
- #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]

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

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

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

REFERRED TO PUBLIC FACILITIES AND PROGRAMS & SERVICES

#8-09 ALD. HESS-MAHAN LINSKY, ALBRIGHT, FREEDMAN, MANSFIELD, JOHNSON, HARNEY & VANCE proposing an ordinance requiring that the installation of synthetic in-filled turf athletic fields on city-owned property shall use sustainable, recyclable, lead-free, non-toxic products to the maximum extent feasible. [12/30/08 @9:55 AM]

#457-08 ALD. LAPPIN AND SALVUCCI requesting discussion with NStar regarding the timely repair of City streetlights and the development of a standard response timeframe. [11/20/08 @ 12:51 PM]

REFERRED TO PROG. & SERV. AND PUBLIC FACILITIES COMMITTEES

#271-08 ALD. JOHNSON proposing a RESOLUTION to His Honor the Mayor requesting that he work with the Board of Aldermen, the Parks and Recreation Department, and the Department of Public Works in order to determine the most effective and efficient way to organize the work of managing our public resources. [07/17/08 @ 9:53 AM]

#208-08 ALD. GENTILE, SANGIOLO, SALVUCCI AND SCHNIPPER requesting a discussion on establishing a permanent Building Committee in the City of Newton. [05/16/08 @ 11:47 AM]

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

#89-08 ALD. PARKER requesting the following:
A) review of the maintenance practices for buildings, parks and other properties owned by the City (including School Department facilities and grounds)

- B) development of a comprehensive maintenance plan that includes regular schedules for preventive maintenance for each specific site or facility
- C) a RESOLUTION requesting that implementation of said maintenance plan be funded using operating budget funds. [02/13/08 @ 12:07 PM]

ITEM RECOMMITTED TO PUBLIC FACILITIES AND FINANCE ON 6/19/08
REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#11-08 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$1,200,000 from bonded indebtedness for the purpose of funding the installation of four modular classrooms. [01/02/08 @ 4:53 P.M.]

B) \$1,225,000 from bonded indebtedness

NOTE: Letter received from Mayor on 1/4/08 requesting that appropriation amount be amended to \$1.3 million. Letters received 5/7 and 5/21 requesting that the funding source to capital stabilization for costs incurred for design work and the remaining \$1,225,000 from bonded indebtedness be voted no action necessary. Part A) \$75,000 from Capital Stabilization approved on 6/19/08.

#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]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#76-07 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$300,000 from Free Cash for the purpose of conducting a study of the municipal buildings throughout the city. [02-27-07 @ 4:16 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.
- #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
MASSACHUSETTS

#104-10

PETITION for GRANT OF LOCATION

To the Petitioner:

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

Grant of Location Process:

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

Questions may be directed to:

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

I. IDENTIFICATION (Please Type or Print Clearly)

Company Name VERIZON
Address 285 LOCUST ST.
WOBURN, MA. 01801
Phone Number 781-939-3564 Fax Number 781-937-5978
Contact Person John Callahan Title ENGINEER
Signature John Callahan Date 3/11/2010
Person filing application

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

II. DESCRIPTION OF PROJECT: to be completed by petitioner

A. Write here or attach a description of the project including, location, proposed time frame for completion, type of materials to be used, benefit provided to the City, project mitigation plan as applicable, street reconstruction plan including timetable for completion. #104-10

Place approximately 1,500' of 2" CONDUIT, 10 HOUND HOLES, FOR FIBER SERVICE

B. Include or attach a sketch to provide a visual description of the project. If plans are attached, provide:
 Title of Plan _____ Date of plan _____

III. PUBLIC WORKS DEPARTMENT REVIEW

Date received by Public Works Department _____

Check One:
 Minor Project Major Project Lateral

(Refer to City Engineer Standard Requirements for Plans for definition of minor and major project)

Plans Submitted:
 Certified Plot Plan Stamped Plans

DATE AND COMMENTS:
 3/19/10

RECOMMENDATIONS:

1. 36" minimum cover on all trenches.
2. Backfill shall be excavatable flowable fill.
3. Bituminous concrete roadway shall be replaced in kind to City of Newton Specifications.
4. Concrete sidewalks and aprons shall be replaced if damaged to City of Newton Specifications.
5. Granite and concrete curbs shall be replaced if broken or reinstalled to original grade.
6. Trees shall be protected from any damage.
7. Traffic shall be maintained.

1. Street opening permit required from Newton DPW.
2. Notify Engineering 48 hours prior to work
3. Police detail required

L. Taveras

B. J. O'Shea

V. RECOMMENDATION TO PUBLIC FACILITIES COMMITTEE:

[Signature]
 Commissioner, Public Works

3/28/10
 Date



March 8, 2010

Mr. David A. Olson
City Clerk
City Hall
1000 Commonwealth Avenue
Newton Centre, Ma 02159

10 MAR 11 AM 10:44
CITY CLERK
NEWTON, MA. 02159

Dear Mr. Olson:

Enclosed please find Verizon Petition No. D10-7 to place approximately 1,580' of 2" conduit, 10 Hand Hole's (24" x 36"). Verizon to extend conduit from HH 1 Quincy Rd to provide FIOS Service to Priscilla Rd, Old Colony Rd and Mayflower Rd. Hand Hole's to be located in front of 60, 54, 45, and 29 Old Colony Rd and on 40, 18 Priscilla Rd and on 52, 49, 40, 37 Mayflower Rd. (See enclosed plans)

A public hearing is required and abutters will have been properly notified.

Sincerely,

John Callahan
Specialist, Right of Way
Verizon New England Inc.
285 Locust St
Woburn, Ma. 01801
Phone: 781-939-3564
Fax 781-937-5978

E-Mail john.e.callahan,jr@verizon.com

PETITION FOR CONDUIT - CITIES AND TOWNS

To the **Board of Aldermen:**
of the **City of Newton, Massachusetts.**

VERIZON NEW ENGLAND Inc requests permission to place, lay and maintain underground conduits and manholes, wires and cables to be placed therein, under the surface of the following public way or ways:

Quincy Rd, Priscilla Rd, Old Colony Rd, Mayflower Rd:

To place approximately 1,580' of 2" conduit, 10 Hand Hole's (24" x 36"). Verizon to extend conduit from HH 1 Quincy Rd to provide FIOS Service to Priscilla Rd, Old Colony Rd and Mayflower Rd.

Also for permission to place, lay and maintain underground conduits, manholes, cables and Wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

Plan marked **VERIZON NEW ENGLAND Inc., No. D10-7** dated March 8, 2010, showing the location of conduit to be constructed is filed herewith.

VERIZON NEW ENGLAND Inc

By


Specialist - Rights of Way

Dated this 8th day of March, 2010

ORDER FOR CONDUIT LOCATION

By the Board of Aldermen

Of the City of Newton, Massachusetts

ORDERED:

That permission be and hereby is granted **VERIZON NEW ENGLAND Inc.** to lay and maintain underground conduits and manholes, with the wires and cables to be placed therein, under the surface of the following public way or ways as requested in petition of said Company dated the 8th day of March, 2010.

Quincy Rd. , Priscilla Rd. , Old Colony Rd. , Mayflower Rd:

To place approximately 1,580' of 2" conduit, 10 Hand Hole's (24" x 36"). Verizon to extend conduit from HH 1 Quincy Rd to provide FIOS Service to Priscilla Rd, Old Colony Rd and Mayflower Rd. Hand Hole's to be located in front of 60, 54, 45, and 29 Old Colony Rd and on 40, 18 Priscilla Rd and on 52, 49, 40, 37 Mayflower Rd.

Substantially as shown on plan marked – **VERIZON No. D10-7.**, Dated March 8, 2010 filed with said petition.

Also that permission be and hereby is granted said **VERIZON NEW ENGLAND Inc.** to lay and maintain underground conduits, manholes, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

The foregoing permission is subject to the following conditions:

1. The conduits and manholes shall be of such material and construction and all work done in such manner as to be satisfactory to the Board of Selectmen or to such officers as it may appoint to the supervision of the work, and a plan showing the location of conduits constructed shall be filed with the Town when the work is completed.
2. In every underground main line conduit constructed by said Company hereunder one duct not less than three inches in diameter shall be reserved and maintained free of charge for the use of the fire and police telephone and telegraph signal wires belonging to the Town and used by it exclusively for municipal purposes.
3. Said Company shall indemnify and save the Town harmless against all damages, costs and expense whatsoever to which the Town may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the Town.
4. In addition said Company shall, before a public way is disturbed for the laying of its wire or conduits, execute its bond in a penal sum of Five Thousand Dollars (\$5,000) (reference being had to the bond already on file with said Town) conditioned for the faithful performance of its duties under this permit.
5. Said Company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and wires, so far as the same are not inconsistent with the laws of the Commonwealth.

I hereby certify that the foregoing order was adopted at a meeting of the Board of Aldermen of the City of Newton, Massachusetts, held on the _____ day of _____, 2010.

(over)

City Clerk



D# 6AA70N

Quincy Rd

DIGSAFE#
OK TO DIG ON
AFTER AM

Measurements:

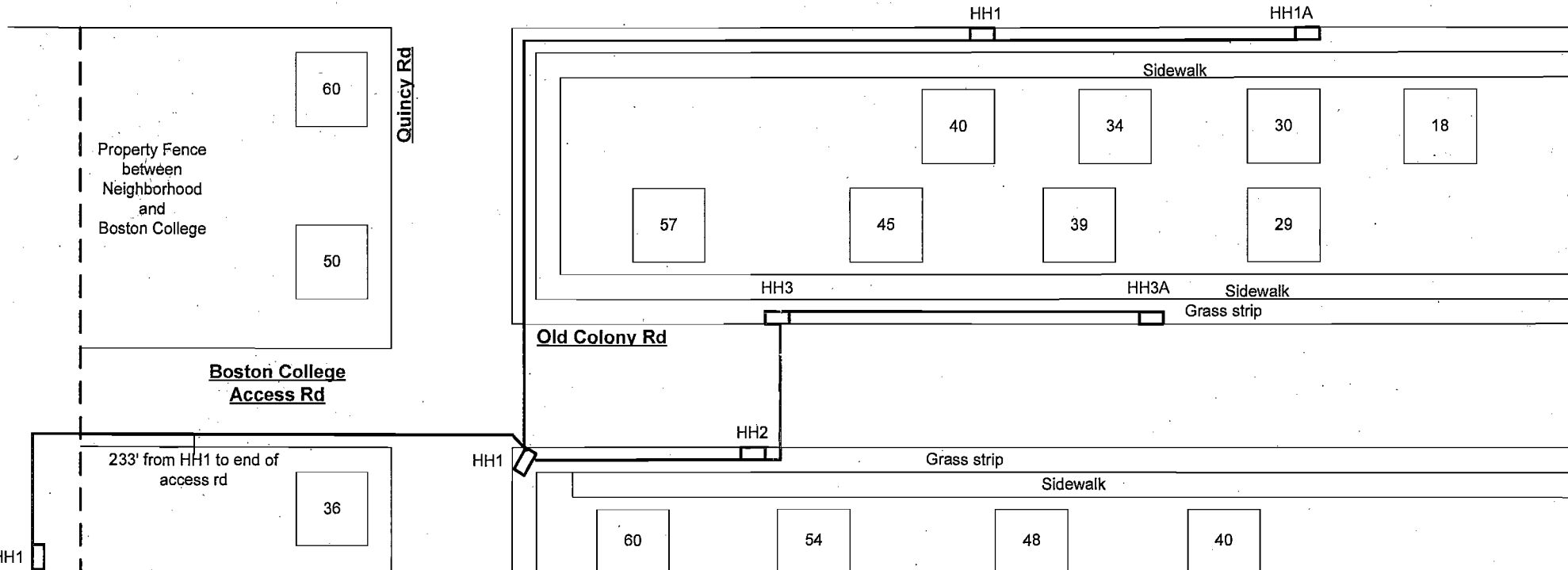
Grass strips : 2'

Sidewalks : 5'

HH : 1' off rd in Grass strip



Priscilla Rd

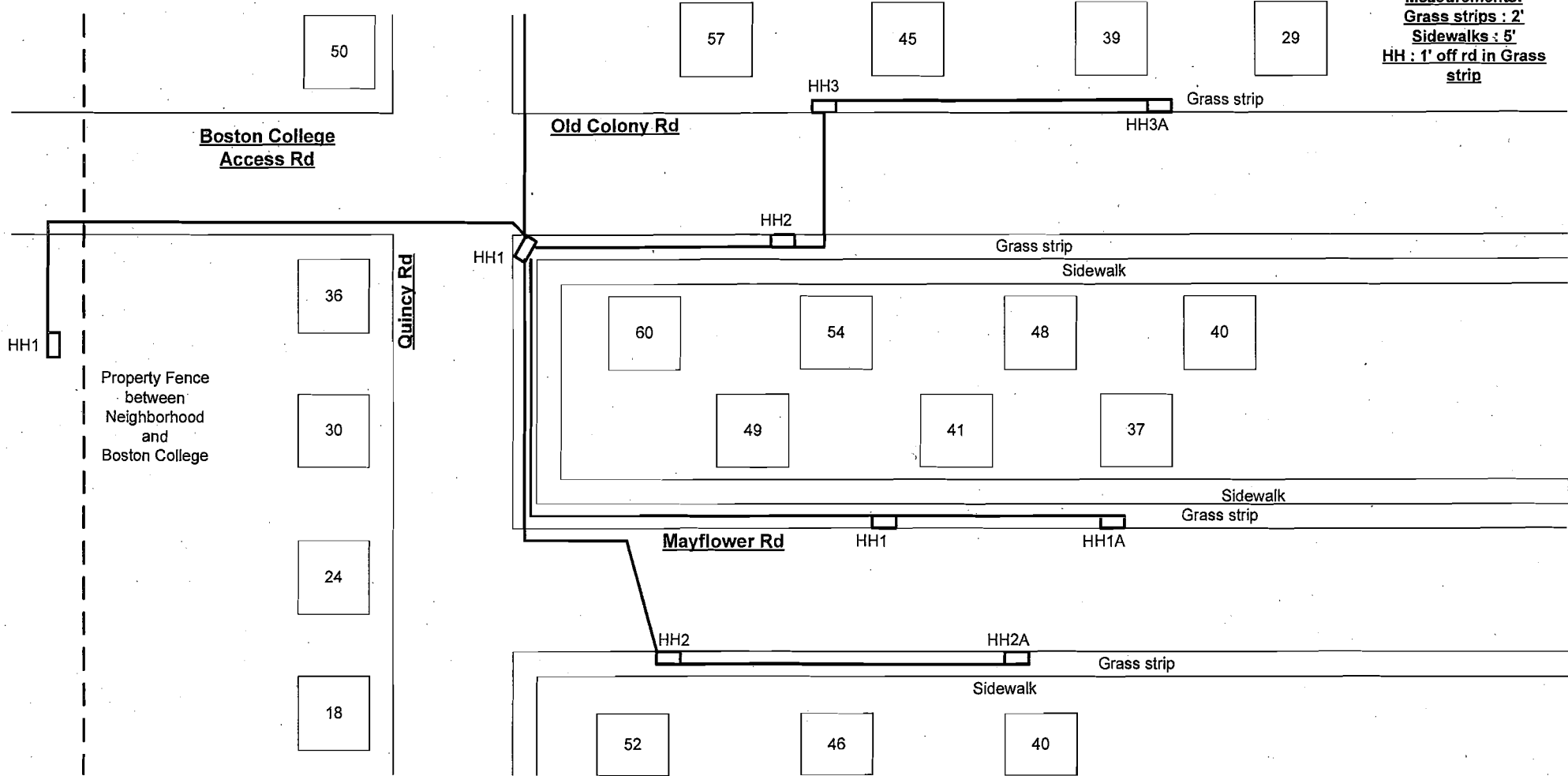


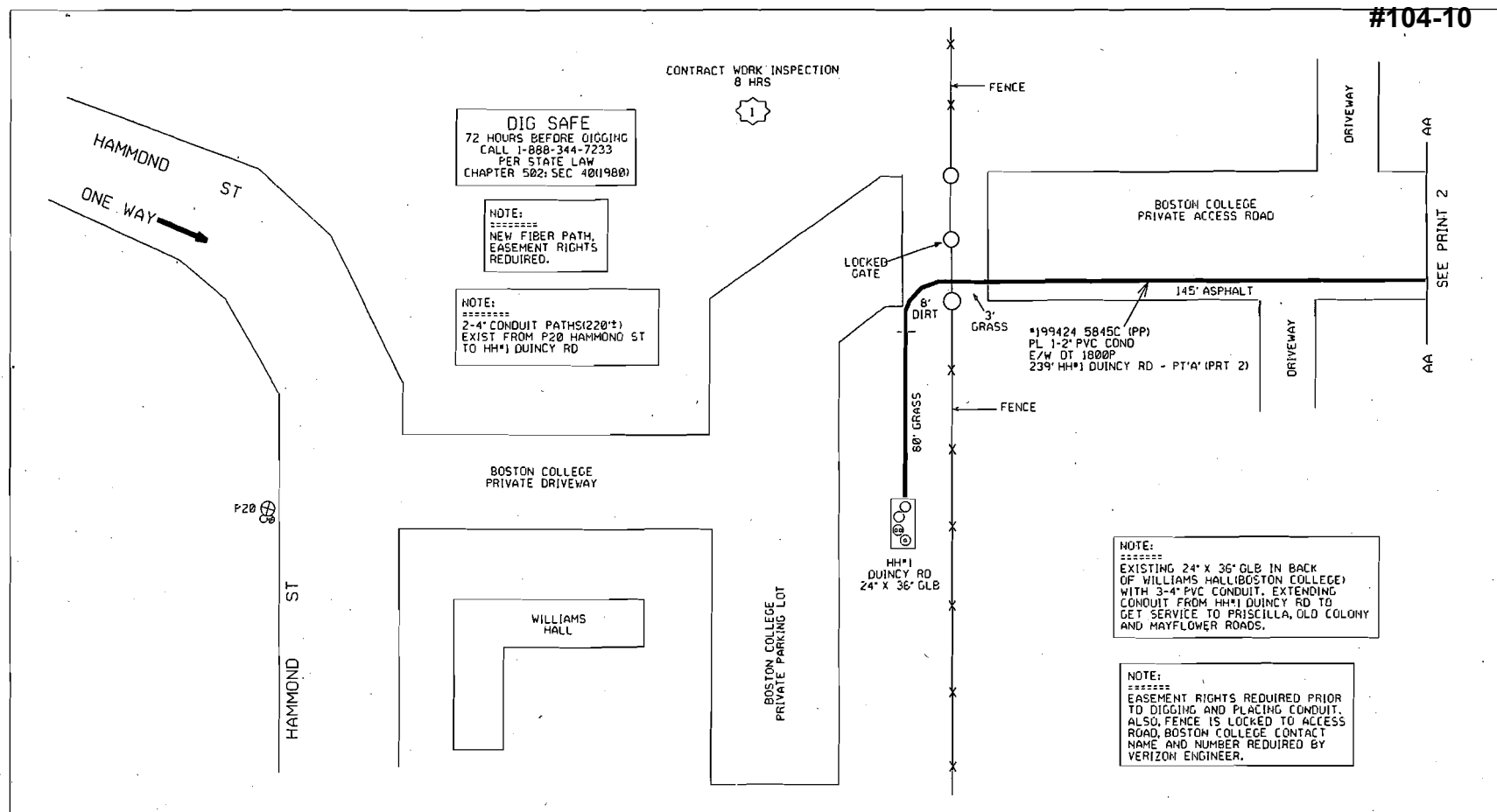


D# 6AA70N

Quincy Rd
DIGSAFE#
OK TO DIG ON
AFTER AM

Measurements:
Grass strips : 2'
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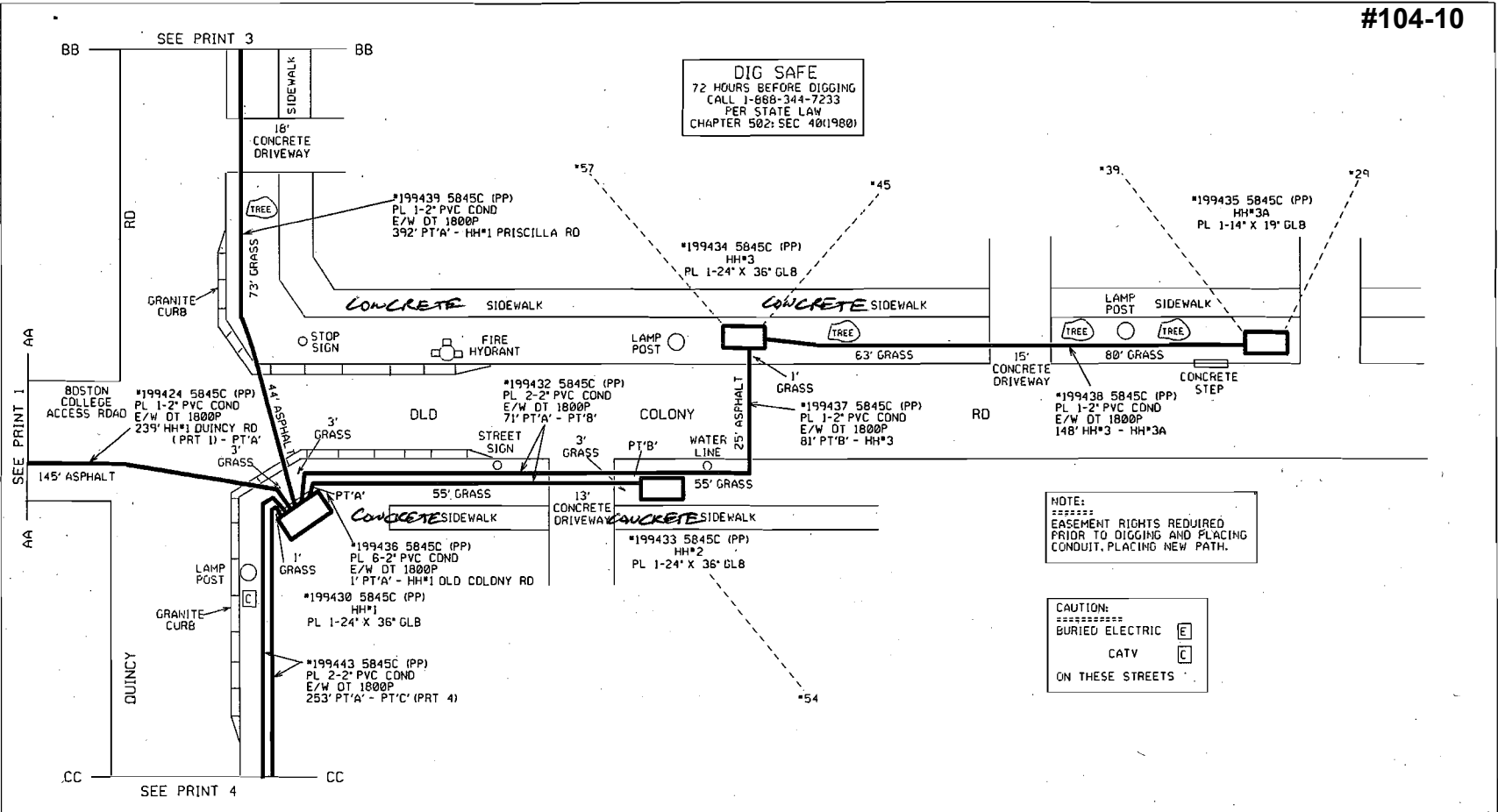
NOTE AREA —

F1213	VERIZON	AREA	STATE: MA
DIVISION:		EXCH.: 6221	REM. CD.:
KILOVOLTS 7.98	W.C.: 6221	WD NO.: 6AA70N	CONTROL NUMBER:
PRIMARY VOLTAGE (JT,USE) (BUR,JT.)	TITLE: FITP-FDH3035	TAX DST.: 6221001	
EXPOSED	TWP: *	RNG.: *	SEC.: *
	DATE: 09/03/09	REV. DATE:	SAL: XXX
	FILE: WP1	DRWN EDS	ENG TTE
		APRVD	PRINT
			1 OF 4



NEWTON MA

DIG SAFE
 72 HOURS BEFORE DIGGING
 CALL 1-888-344-7233
 PER STATE LAW
 CHAPTER 502, SEC 40(1980)



NOTE:

 EASEMENT RIGHTS REQUIRED
 PRIOR TO DIGGING AND PLACING
 CONDUIT, PLACING NEW PATH.

CAUTION:

 BURIED ELECTRIC [E]
 CATV [C]
 ON THESE STREETS

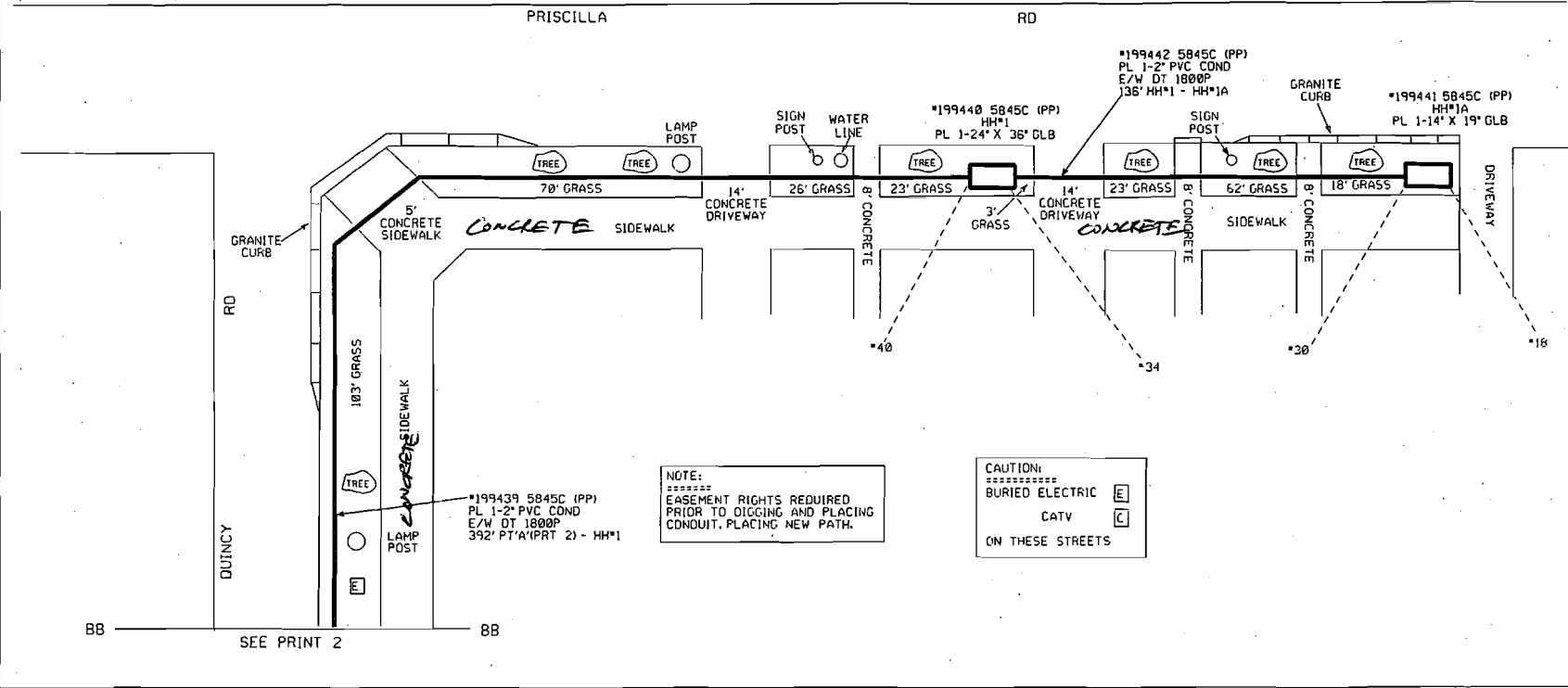
NOTE AREA —



NEWTON MA

F1213	VERIZON	AREA	STATE: MA
	DIVISION:	EXCH.: 6221	REM. CD.:
KILOVOLTS 7.98	W.C.: 6221	WO NO.: 6AA70N	CONTROL NUMBER:
PRIMARY VOLTAGE (JT. USE) (BUR. JT.)	TITLE: FTTP-FDH3035	TAX DST.: 6221001	
	TWP: *	RNG.: *	SEC.: *
	DATE: 09/03/09	REV. DATE:	SAL: XXX
EXPOSED	FILE: WP2	DRWN EDS	ENG TTE
		APRVD	PRINT
			2 OF 4

DIG SAFE
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 PER STATE LAW
 CHAPTER 502: SEC 40(1980)



NOTE:
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 PRIOR TO DIGGING AND PLACING
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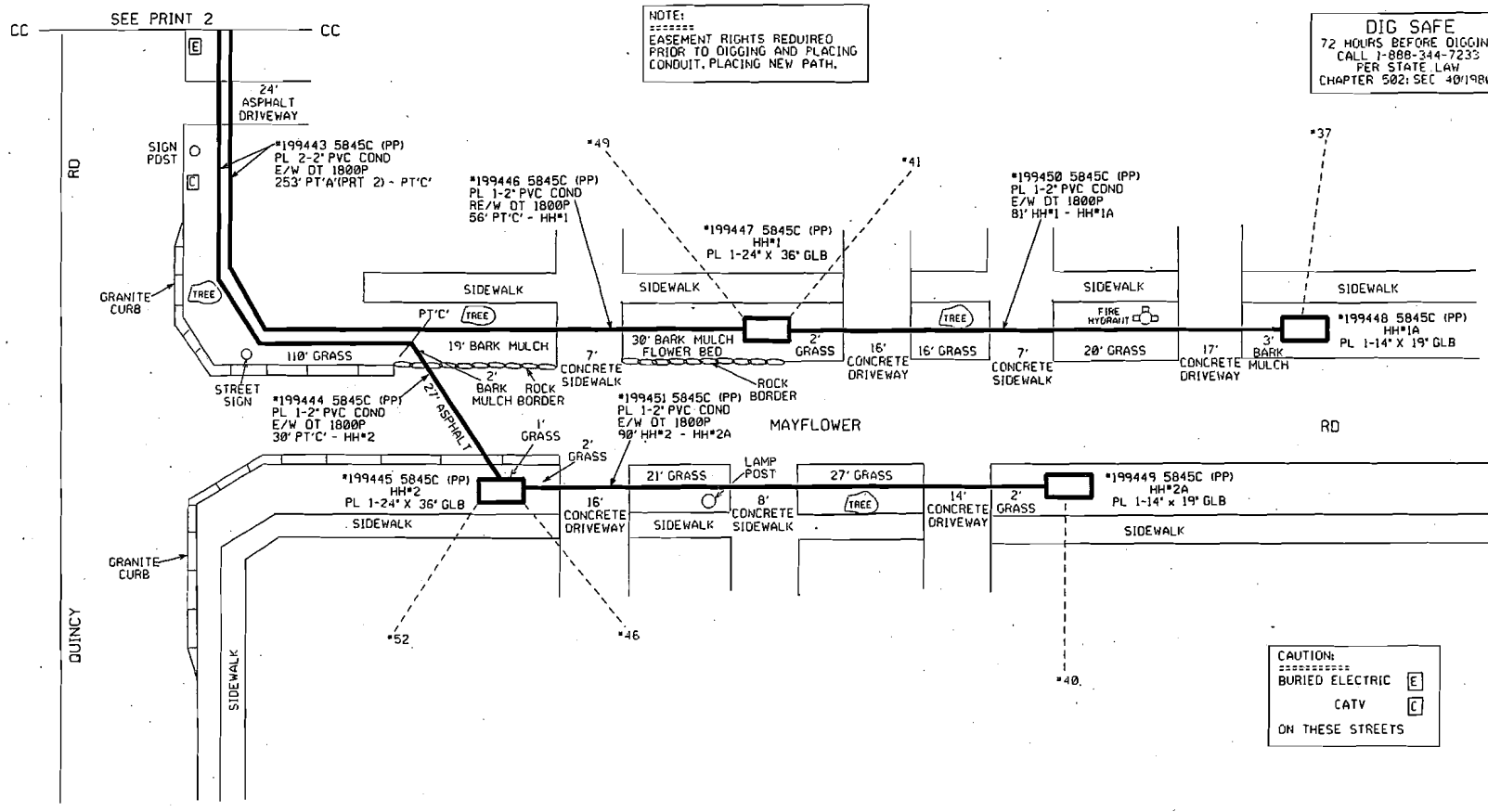
CAUTION:
 =====
 BURIED ELECTRIC [E]
 CATV [C]
 ON THESE STREETS

NOTE AREA —

F1213	VERIZON	AREA	STATE: MA
KILOVOLTS 7.90	DIVISION:	EXCH.: 6221	REM. CD.:
PRIMARY VOLTAGE (LT. USE) (BUR. JT.)	W.C.: 6221	WO NO.: 6AA70N	CONTROL NUMBER:
EXPOSED	TITLE:	FTTP-F0H3035	TAX DST.: 6221001
	TWP: .	RNG.: .	SEC.: .
	SAL: XXX		
	DATE: 09/03/09	REV. DATE:	SCALE: 1"=50.00'
FILE: WP3	DRWN: EDS	ENG: TTE	APRVD: PRINT
			3 OF 4



NEWTON MA

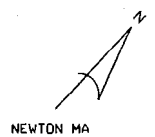


NOTE:
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DIG SAFE
 72 HOURS BEFORE DIGGING
 CALL 1-888-344-7233
 PER STATE LAW
 CHAPTER 502: SEC 40(1980)

CAUTION:
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 BURIED ELECTRIC E
 CATV C
 ON THESE STREETS

NOTE AREA —



F1213		VERIZON		AREA		STATE: MA	
KILOVOLTS		DIVISION:		EXCH.: 6221		REM. CD.:	
7.98		W.C.: 6221		WD NO.: 6AA70N		CONTROL NUMBER:	
PRIMARY VOLTAGE (JT.USE) (BUR. JT.)		TITLE: FTTP-FDH3035		TAX DST.: 6221001			
EXPOSED		TWP: *		RNG.: *		SEC.: *	
		DATE: 09/03/09		REV. DATE:		SCALE: 1"=50.00'	
FILE: WP4		DRWN EDS		ENG TTE		APRVD PRINT	
						4 OF 4	

CITY OF NEWTON
MASSACHUSETTS

103-10

PETITION for GRANT OF LOCATION

To the Petitioner:

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

Grant of Location Process:

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

Questions may be directed to:

Lou Taverna, City Engineer, 617-796-1020

Shawna Sullivan, Clerk of the Board of Aldermen, 617-796-1213

I. IDENTIFICATION (Please Type or Print Clearly)

Company Name VERIZON

Address 285 LOCUST ST.

WOBURN, MA. 01801

Phone Number 781-939-3564 Fax Number 781-937-5978

Contact Person John Callahan Title ENGINEER

Signature John Callahan Date 3/11/2010

Person filing application

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

II. DESCRIPTION OF PROJECT: to be completed by petitioner

A. Write here or attach a description of the project including, location, proposed time frame for completion, type of materials to be used, benefit provided to the City, project mitigation plan as applicable, street reconstruction plan including timetable for completion.

Place 400' of 4" CONDUIT. EAST-WEST DUCT BANK THAT IS AT 100% CAPACITY.

B. Include or attach a sketch to provide a visual description of the project. If plans are attached, provide: Title of Plan _____ Date of plan _____

III. PUBLIC WORKS DEPARTMENT REVIEW

Date received by Public Works Department _____

Check One:

Minor Project Major Project Lateral

(Refer to City Engineer Standard Requirements for Plans for definition of minor and major project)

Plans Submitted:

Certified Plot Plan Stamped Plans

DATE AND COMMENTS:

3/19/10

RECOMMENDATIONS:

- 1. Street opening permit required from Newton DPW
- 2. Notify Engineering 48 hours prior to work
- 3. Police detail required

- 1. 36" minimum cover on all trenches.
- 2. Backfill shall be excavatable & flowable fill.
- 3. Bituminous concrete roadway shall be replaced in kind to City of Newton Specifications.
- 4. Concrete sidewalk and aprons shall be replaced if damaged to City of Newton Specs.
- 5. Granite curbs shall be replaced if broken or reinstalled to original grade.
- 6. Traffic shall be maintained on Cypress St. and Bracland Ave.

B. J. O'Shea
L. Laramie 3/19/10

V. RECOMMENDATION TO PUBLIC FACILITIES COMMITTEE:

Commissioner, Public Works

3/25/10

Date



March 10, 2010

Mr. David A. Olson
City Clerk
City Hall
1000 Commonwealth Avenue
Newton Centre, Ma 02159

10 MAR 11 AM 10:53
CITY CLERK
NEWTON, MA. 02159

Dear Mr. Olson:

Enclosed please find Verizon Petition No. D10-8 to place approximately 400' of 4" conduit a total of six conduits, from Cypress St @ Braeland Av to Cypress St @ Parker St. Verizon has an existing four conduit bank between MH 47/211 Cypress St @ Braeland Av to MH 47/212 Cypress St @ Paul St to MH 47/172 Cypress St @ Parker St. that is at 100% capacity. (See enclosed plan)

Verizon's request to dig on Cypress St to add six additional conduits of which two will be given to the Newton Fire for their relocation of their fiber affecting the new Newton North High School.

A public hearing is required and abutters will have been properly notified.

Sincerely,

John Callahan
Specialist, Right of Way
Verizon New England Inc.
285 Locust St
Woburn, Ma. 01801
Phone: 781-939-3564
Fax 781-937-5978

E-Mail john.e.callahan.jr@verizon.com

PETITION FOR CONDUIT - CITIES AND TOWNS

To the **Board of Aldermen:**
of the **City of Newton, Massachusetts.**

VERIZON NEW ENGLAND Inc requests permission to place, lay and maintain underground conduits and manholes, wires and cables to be placed therein, under the surface of the following public way or ways:

Cypress Street:

To place 400 feet of 4" conduit a total of six conduits, from MH 47/211 Cypress St @ Braceland Av to MH 47/212 Cypress st @ Paul St to MH 47/172 Cypress St @ Parker St.

Also for permission to place, lay and maintain underground conduits, manholes, cables and Wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

Plan marked **VERIZON NEW ENGLAND Inc., No. D10-8** dated March 8, 2010, showing the location of conduit to be constructed is filed herewith.

VERIZON NEW ENGLAND Inc

By


Specialist - Rights of Way

Dated this 10th day of March, 2010

ORDER FOR CONDUIT LOCATION

By the Board of Aldermen

Of the City of Newton, Massachusetts

ORDERED:

That permission be and hereby is granted **VERIZON NEW ENGLAND Inc.** to lay and maintain underground conduits and manholes, with the wires and cables to be placed therein, under the surface of the following public way or ways as requested in petition of said Company dated the 8th day of March, 2010.

Cypress St:

To place 400 feet of 4" conduit a total of six conduits, from MH 47/211 Cypress St @ Braceland Av to MH 47/212 Cypress st @ Paul St to MH 47/172 Cypress St @ Parker St.

Substantially as shown on plan marked – **VERIZON No. D10-8.**, Dated March 8, 2010 filed with said petition.

Also that permission be and hereby is granted said **VERIZON NEW ENGLAND Inc.** to lay and maintain underground conduits, manholes, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

The foregoing permission is subject to the following conditions:

1. The conduits and manholes shall be of such material and construction and all work done in such manner as to be satisfactory to the Board of Selectmen or to such officers as it may appoint to the supervision of the work, and a plan showing the location of conduits constructed shall be filed with the Town when the work is completed.
2. In every underground main line conduit constructed by said Company hereunder one duct not less than three inches in diameter shall be reserved and maintained free of charge for the use of the fire and police telephone and telegraph signal wires belonging to the Town and used by it exclusively for municipal purposes.
3. Said Company shall indemnify and save the Town harmless against all damages, costs and expense whatsoever to which the Town may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the Town.
4. In addition said Company shall, before a public way is disturbed for the laying of its wire or conduits, execute its bond in a penal sum of Five Thousand Dollars (\$5,000) (reference being had to the bond already on file with said Town) conditioned for the faithful performance of its duties under this permit.
5. Said Company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and wires, so far as the same are not inconsistent with the laws of the Commonwealth.

I hereby certify that the foregoing order was adopted at a meeting of the Board of Aldermen of the City of Newton, Massachusetts, held on the _____ day of _____, 2010.

(over)

City Clerk

Request to Dig on Cypress St:

Dig Safe # 20100800204

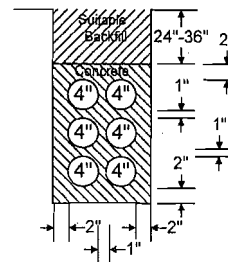
103-10

Verizon has an existing 4 duct conduit bank between Cypress at Braeland Av and Cypress at Parker. The ducts are full. There is an existing 400 pr copper cable that is failing. This cable feeds up Parker Rd. There is no space in the existing duct bank. The trench will be 3' wide by 4' deep

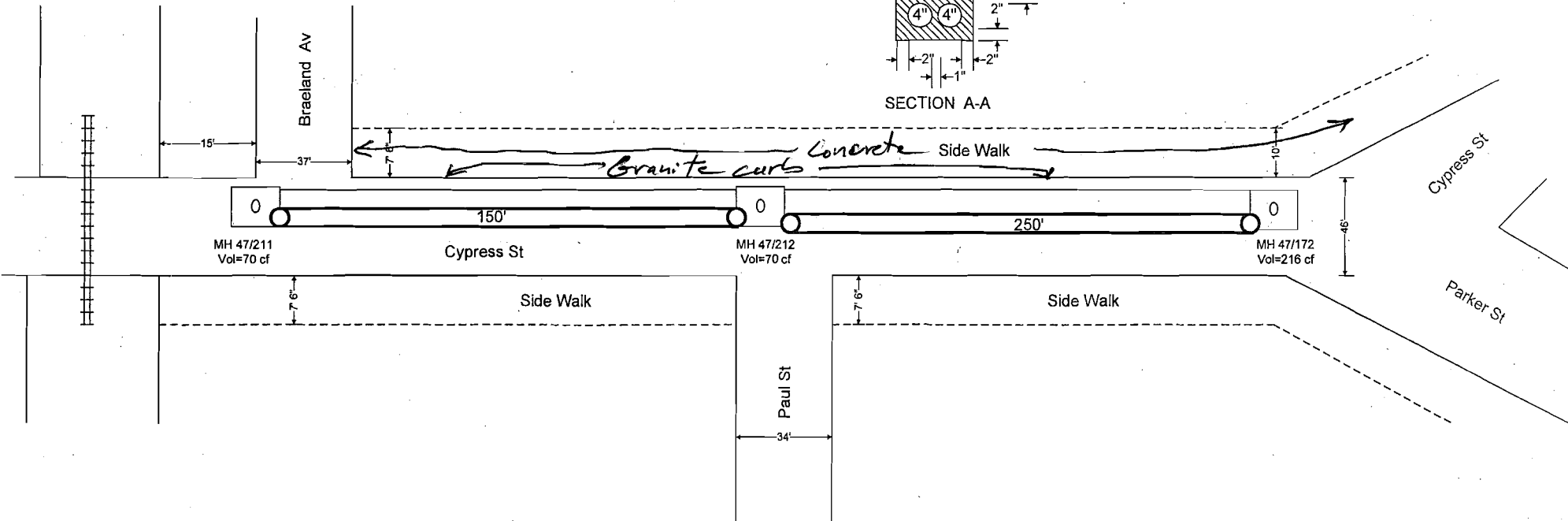
GOOD AFTER 2/22/ 2010 @ 8:00 AM

Request to dig Cypress St between MH 47/211 to MH 47/212 to MH 47/172. We need to place an additional 4 conduits for Verizon services and 2 conduits for the City of Newton Fire Department. Fire Department needs 2 conduits to relocated their fiber affecting the new Newton North High School

New Conduit to be placed



- Existing Verizon Manhole
- Proposed Verizon Manhole Location
- Existing Verizon conduit
- Proposed Verizon Conduit Location
- Existing Verizon Buried Cable
- Proposed Verizon Buried Cable Location



PETITION FOR GRANT OF LOCATION

To the Petitioner:

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

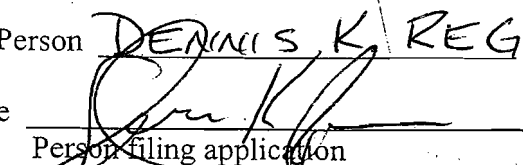
Grant of Location Process:

1. Applicant submits completed Petition Form and required materials to Clerk of the Board's Office
2. Engineering Division of Public Works conducts preliminary review and provides written comments (estimated timeframe two weeks)
3. If there is no conflict, the Public Works Department files Petition Form with the Clerk of the Board. Petitioner has the right to file contested petition form to the Clerk of the Board.
4. Board of Aldermen schedules petition for a public hearing before the Public Facilities Committee of the Board of Aldermen
5. Public Facilities Committee recommendations are forwarded to the Board of Aldermen for a final decision

Questions may be directed to:

Shawna Sullivan, Committee Clerk, 796-1213
Lou Taverna, City Engineer, 796-1020

I. IDENTIFICATION (Please Type or Print Clearly)

Company Name NATIONAL GRID
Address 40 SYLVAN RD.
WATTHAM MA. 02451
Phone Number 617-293 0480 Fax Number 617-469 6374
Contact Person DENNIS K. REGAN Title PERMIT REPRESENTATIVE
Signature  Date 3-9-10
Person filing application

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

10 MAR -9 AM 11:45
CITY CLERK
NEWTON, MA 02459

II. DESCRIPTION OF PROJECT: to be completed by petitioner

#102-10

A. Write here or attach a description of the project including, location, proposed time frame for completion, type of materials to be used, benefit provided to the City, project mitigation plan as applicable, street reconstruction plan including timetable for completion.

TO INSTALL AND MAINTAIN APPROXIMATELY 130 FEET MORE OR LESS OF 4 INCH GAS MAIN IN COLUMBIA AVE. NEWTON FROM THE EXISTING 4 INCH GAS MAIN IN COLUMBIA AVE. AT HIGH ST. WESTERLY TO HOUSE #122 FOR A NEW GAS SERVICE

B. Attach a sketch to provide a visual description of the project. If plans are attached, provide:

Title of Plan KENNETH ST @ COLUMBIA AVE NEWTON MA.

Date of Plan 3-4-10

10 MAR -9 AM 11:15
CITY CLERK
NEWTON, MA. 02159

III. PUBLIC WORKS DEPARTMENT REVIEW

Date received by Public Works Department _____

Check One:

Minor Project

Major Projects

Lateral

(Refer to City Engineer Standard Requirements for Plans for definition of minor and major project)

Plans Submitted:

Certified Plot Plan

Stamped Plans

DATE AND COMMENTS:

3/10/10

- 1. Street opening permit required from Newton DPW
- 2. Notify Engineering 48 hours prior to work
- 3. Police detail required

L. Larena 3/11/10

L. J. O'Shea

RECOMMENDATIONS:

- 1. 36" minimum cover on all trenches
- 2. Backfill shall be 95% compaction
- 3. Bituminous concrete roadway shall be replaced in kind to City of Newton Specifications
- 4. Concrete sidewalk and apron panels shall be replaced in kind to City of Newton Specifications.
- 5. Concrete curbing shall be replaced if broken and or reinstalled to original grade. Loam and seed grassed areas disturbed.
- 6. Traffic shall be maintained

IV. RECOMMENDATION TO PUBLIC FACILITIES COMMITTEE:

Commissioner, Public Works

Date

3/12/10

PETITION OF NATIONAL GRID FOR GAS MAIN LOCATIONS

#102-10

City of Newton / Board of Aldermen:--

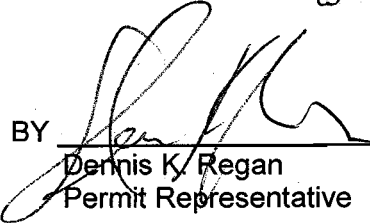
The Nationalgrid hereby respectfully requests your consent to the locations of mains as hereinafter described for the transmission and distribution of gas in and under the following public streets, lanes, highways, and places of the **City of Newton** and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same:

To install and maintain approximately 130 feet, more or less of 4 inch gas main in Columbia Avenue, Newton.

From the existing 4 inch gas main in Columbia Avenue at High Street Westerly to House #122 for a new gas service.

Submitted is a set of plans of said gas mains.

DATE **March 9, 2010**

BY 
Dennis K. Regan
Permit Representative

10 MAR -9 AM 11:15
CITY CLERK
NEWTON, MA. 02159

ORDER FOR GAS MAIN LOCATION

City of Newton / Board of Aldermen:--

IT IS HEREBY ORDERED that the locations of the mains of the Nationalgrid for the transmission and distribution of gas in and under the public streets, lanes, highways, and places of the **City of Newton** substantially as described in the petition dated **March 9, 2010** attached hereto and hereby made a part hereof, and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and/or accomplish the objects of said Company, and the digging up and opening the ground to lay or place same, are hereby consented to and approved.

The said Nationalgrid shall comply with all applicable provisions of law and ordinances of the **City of Newton** applicable to the enjoyment of said locations and rights.

Dated this _____ day of _____, 20 ____.

I hereby certify that the foregoing order was duly adopted by the _____ of the City of _____, MA on the _____ day of _____ 20 ____.

BY _____

Title

MN # 144-8502-

**RETURN ORIGINAL TO THE PERMIT SECTION
NATIONAL GRID
52 SECOND AVENUE, WALTHAM, MA 02451
RETAIN DUPLICATE FOR YOUR RECORDS**

PETITION OF NATIONAL GRID FOR GAS MAIN LOCATIONS

#102-10

City of Newton / Board of Aldermen:--

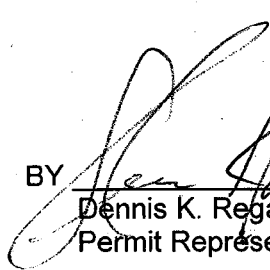
The Nationalgrid hereby respectfully requests your consent to the locations of mains as hereinafter described for the transmission and distribution of gas in and under the following public streets, lanes, highways, and places of the **City of Newton** and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same:

To install and maintain approximately 130 feet, more or less of 4 inch gas main in Columbia Avenue, Newton.

From the existing 4 inch gas main in Columbia Avenue at High Street Westerly to House #122 for a new gas service.

Submitted is a set of plans of said gas mains.

DATE March 9, 2010

BY 
Dennis K. Regan
Permit Representative
CITY CLERK
NEWTON, MA. 02459
10 MAR -9 AM 11:15

ORDER FOR GAS MAIN LOCATION

City of Newton / Board of Aldermen:--

IT IS HEREBY ORDERED that the locations of the mains of the Nationalgrid for the transmission and distribution of gas in and under the public streets, lanes, highways, and places of the **City of Newton** substantially as described in the petition dated March 9, 2010 attached hereto and hereby made a part hereof, and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and/or accomplish the objects of said Company, and the digging up and opening the ground to lay or place same, are hereby consented to and approved.

The said Nationalgrid shall comply with all applicable provisions of law and ordinances of the **City of Newton** applicable to the enjoyment of said locations and rights.

Dated this _____ day of _____, 20 ____.

I hereby certify that the foregoing order was duly adopted by the _____ of the City of _____, MA on the _____ day of _____, 20 ____.

BY _____

Title

MN # 144-8502-

**RETURN ORIGINAL TO THE PERMIT SECTION
NATIONAL GRID
52 SECOND AVENUE, WALTHAM, MA 02451
RETAIN DUPLICATE FOR YOUR RECORDS**

CITY OF NEWTON
MASSACHUSETTS

#115-10

PETITION for GRANT OF LOCATION

To the Petitioner: -

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

Grant of Location Process:

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

Questions may be directed to:

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

I. IDENTIFICATION (Please Type or Print Clearly)

Company Name COMCAST

Address 339A CALIF Hwy, Epping, NH

Phone Number 617-279-1982 Fax Number _____

Contact Person Terrence O'Brien Title Construction Supervisor

Signature [Signature] Date 4/02/10
Person filing application

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

II. DESCRIPTION OF PROJECT: to be completed by petitioner

A. Write here or attach a description of the project including, location, proposed time frame for completion, type of materials to be used, benefit provided to the City, project mitigation plan as applicable, street reconstruction plan including timetable for completion.

#115-10

We are looking to provide service to house of worship and additional commercial customers, (1) 4" PVC from Pole 4 to intersection of Davis & Highland - set vault at private property line. Approx 160' west Restored to City of Newton Spec.

B. Include or attach a sketch to provide a visual description of the project. If plans are attached, provide:
 Title of Plan Proposed UG Feed to 1326 Date of plan 4/01/10
WASHINGTON ST - NEWTON

III. PUBLIC WORKS DEPARTMENT REVIEW

Date received by Public Works Department _____

Check One:

Minor Project

Major Project

Lateral

(Refer to City Engineer Standard Requirements for Plans for definition of minor and major project)

Plans Submitted:

Certified Plot Plan

Stamped Plans

10 APR - 2 PM 12:55
 CITY CLERK
 NEWTON, MA 02159

DATE AND COMMENTS:

RECOMMENDATIONS:

4/8/10	1. Street opening permit required from Newton DPW	3. Bituminous concrete roadway shall be replaced in kind to City of Newton Specifications.
	2. Notify Engineering 48 hours prior to work	4. Concrete apron shall be replaced if damaged to City of Newton Specifications.
	3. Police detail required	5. Bituminous concrete sidewalk shall be repaired in kind to City of Newton Specs.
	<i>S. J. O'Shea</i>	6. Granite curbs shall be replaced if broken or reinstalled to original grade.
	<i>L. Torero</i> 4/8/10	7. Traffic shall be maintained.

V. RECOMMENDATION TO PUBLIC FACILITIES COMMITTEE:


 Commissioner, Public Works

4/9/10
 Date



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#105-10
Telephone
(617) 796-1100
Facsimile
(617) 796-1113
TDD/TTY
(617) 796-1089
E-mail
swarren@newtonma.gov

March 30, 2010


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

Ladies and Gentlemen:

I am pleased to submit Mr. Jonathan Kantar of 672 Chestnut St in Newton for appointment as a member of the Citizen's Commission on Energy for a term of office expiring April 20, 2013.

Thank you for your attention to this matter.

Very truly yours,


Setti D. Warren
Mayor

CC: David Tannozi, Public Buildings Department Engineer
Art Cabral, Interim Director, Public Buildings Department

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

10 MAR 30 PM 4:59
CITY CLERK
NEWTON, MA. 02459

JONATHAN A. KANTAR

Sage Builders LLP
672 Chestnut Street
Newton, MA 02468
617.965.5272

jonathan@sagebuilders.com

Professional Experience

Sage Builders LLP, Principal and Managing Partner 2000 - present

Current responsibilities include general management, sales and marketing, estimating, employee management and development, business planning and financial management, and client relations. Sage Builders LLP is a multi-award winning residential design-build company specializing in sustainable renovations and additions with annual sales of \$3.5 million.

KMC Construction, Inc., President 1992 - present

Founded and managed residential and light commercial construction company operating in the metropolitan Boston area. Responsible for and organized all aspects of the company, including execution of the work. Gross sales volume ranged from \$300,000 to \$700,000. Also re-developed a single family home into two (2) individual townhouses.

The Boston Company, Associate 1989 - 1992

As a member of this elite real estate investment group within The Boston Company, worked in small teams to identify, evaluate, and develop various real estate investment vehicles for major pension funds. Responsibilities included market and investment analysis and various types of financial analysis.

The Beacon Companies, Project Manager and Analyst 1986 - 1989

Provided financial analysis on investment opportunities; developed cash flow projection models and valuations for development projects. Provided development project management on the South Station, Boston inter-modal transportation center. Responsible for overseeing code compliance issues and development and construction of the retail program at South Station.

Admiral Construction Corp., General Manager 1985 - 1986

Coordinated and facilitated all operating aspects of this medium sized, light commercial construction company. Responsibilities included client relations, estimating, project management, coordination and scheduling. Also converted accounting system to a computerized operation.

Community Leadership

Member, Governor's Zero Net Energy Buildings Advisory Council
Board Member, Historic Newton
Chair, Buildings and Grounds Committee, Historic Newton
Chair, Newton High Performance Building Coalition
Former Chair, Remodeling Council, Builders Association of Greater Boston
Underwriter, NewtonServes

Education

BA, History, Magna Cum Laude, The University of Michigan, 1985
MA, Sustainable Design and Construction, Boston Architectural Center, 2007 - present

City of Newton



DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE COMMISSIONER

1000 Commonwealth Avenue

Newton Centre, MA 02459-1449

Setti D. Warren
Mayor

To: Mayor Setti D. Warren
From: Thomas E. Daley, P.E. / Commissioner of Public Works
Subject: Request to Docket Inter-Municipal Agreement with Needham
Date: March 30, 2010

10 MAR 30 PM 4: 08
CITY CLERK
NEWTON, MA. 02159

I am writing to request that you please docket the attached Inter-Municipal Agreement with Needham for Trommel Screening Rental Services. We previously had this agreement with Needham from 2005 through 2008. We are now requesting to adopt the same agreement again for another three year period.

This agreement is crucial for our ability to continue to receive and process compost efficiently at our Rumford Ave. facility. We currently have a lot of material to process and remove so as to make room for this year's new material.

Thank you for your consideration. Please contact myself or Elaine Gentile if you have any questions.

Cc: R. Rooney / Chief Operations Officer E. Gentile / Dir. of Env. Affairs
S. Ecker / Chief Financial Officer Solid Waste Commission
D. Turocy / Dep. Comm. of P.W.

APPROVED
[Signature]
3/30/10

**JOINT AGREEMENT FOR
TROMMEL SCREENING RENTAL SERVICES
PROVIDED BY THE TOWN OF NEEDHAM**

THIS AGREEMENT for trommel screening rental services is made this ____ day of _____ 2005, pursuant to M.G. L. Chapter 40, Section 4A and is exempt from M.G.L. Chapter 30B, by and between the Town of Needham, a municipal corporation duly organized under the laws of the Commonwealth of Massachusetts and the Towns/Cities of _____, all municipal corporations duly organized under the laws of the Commonwealth of Massachusetts. This Agreement is made for the mutual public interest of the participating municipalities. The purpose of this Agreement is to provide for sharing of the cost of operation, material and labor to operate a MCB 512R Trommel Screener between the participating municipalities who have executed this Agreement.

THEREFORE, in consideration of the foregoing and the mutual promises contained herein, and intending to be legally bound by this Agreement, the parties hereto agree as follows:

This Agreement shall become effective when each of the participating municipalities has received the necessary statutory authorization of approval from their respective city/town councils and/or mayor, or their Town meetings. The votes authorizing each municipality to participate shall be attached to this Agreement in the form of a Certificate of Vote.

SCOPE OF THE AGREEMENT

The Town of Needham will provide Trommel Screening Rental Services at a weekly rate. This service will consist of delivering the Trommel Screener to a participating municipality and picking up the Trommel Screener when service is complete (See Attachment I). Additionally, when a participating municipality requires multi-week service, the Town of Needham will provide weekly preventative maintenance and inspection service.

EQUIPMENT INCLUDED IN THE AGREEMENT

The equipment covered by this Agreement is a MCB 512R Trommel Screener, hereinafter the "Screener", which will be stored, and transported by the Town of Needham.

TERM OF THE AGREEMENT

This Agreement shall be in effect for a period of three (3) years, subject to the termination right of each participant municipality as provided herein. At the end of three (3) years any successor agreement must receive the necessary statutory authorizations.

COSTS AND CHARGES

Each municipality will be charged the full week rate for each week the Screener is utilized (See Attachment I, Needham Trommel Screening Rental Services Rate and Contact Sheet for all rates and fees).

COSTS AND CHARGES- continued

If the Screener should experience mechanical problems and the screening operation is discontinued, the municipality will only be charged for actual time used. Time will be prorated according to the hour meter.

The Town of Needham reserves the right to assess rental rates on an annual basis and adjust the rates if needed to maintain the operational readiness of the Screener.

PAYMENT

Payment for Trommel Screening Rental services are due thirty (30) day from receipt of invoice.

RECORD KEEPING

Pursuant to M.G.L. Chapter 40, Section 4A, the Town of Needham shall keep accurate and comprehensive records of the services performed, costs incurred and payments, reimbursements and contributions received. Such records will be subject to regular audits and financial statements shall be issued to any and all participants upon request.

TERMINATION AND DEFAULT

Each municipality may terminate its participating in this Agreement at the end of any fiscal year so long as at least 60 days prior to its termination it gives written notice to the Town of Needham, and provided that the terminating municipality has first obtained the same authorization as was required to enter the Agreement and the municipality's financial obligation to the Town of Needham has been satisfied. The Town of Needham may declare a participating municipality in default of this Agreement if its financial obligation to the Town of Needham has not been satisfied within ninety (90) days of trommel screening rental services having been rendered or the conditions of this Agreement have not been met.

The Town of Needham reserves the right to deny the rental of the Screener to any municipality or entity who has demonstrated operational negligence or inappropriate use or application of the Screener.

REPAIRS AND MAINTENANCE

The Town of Needham, their employees, designees or contractors shall perform all repairs and maintenance of equipment. The Town of Needham shall keep records available for inspection by other municipalities as to the repair and maintenance of the equipment.

MUNICIPAL REPRESENTATIVES

Each participating municipality shall designate in writing an authorized representative or representatives to carry out the duties of this Agreement and provide any necessary consent or vote required by this Agreement.

Signed and Sealed this _____ day of _____, 20__.

By the TOWN OF NEEDHAM:

Attachment I - continued

- PROCESSING SITE:** In your community or elsewhere by arrangement.
- SITE VISITS:** Participating communities should assess processing sites and materials to be processed; Needham officials will answer any additional questions.
- MAINTENANCE/REPAIR:** Preventative maintenance and parts replacement due to normal operational wear, will be provided by Town of Needham; costs covered in service price.
- EQUIPMENT DAMAGE:** Participating Community will be responsible for all damages to Trommel Screener due to operator error or negligence, including damages caused by the introduction of oversized or unacceptable material into the Trommel Screener.



MCB 512R

Attachment II

The Town of Needham
Department of Public Works
Recycling & Transfer Station Division
1421 Central Avenue
Needham, MA 02492
PH: (781) 455-7584

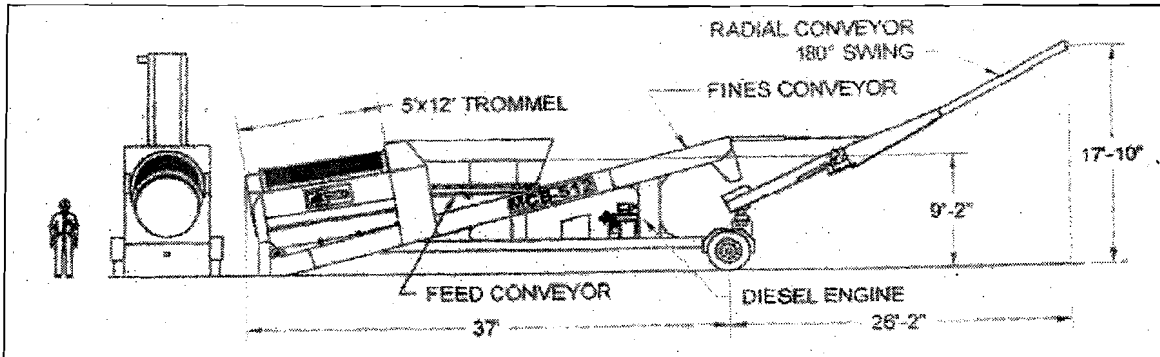
TROMMEL SCREENER DAILY INSPECTION REPORT

Location (address) of Screener: _____

Municipality (Renter): _____

Date: _____ Hour Meter Reading: _____ Time: _____ AM PM

Inspected by: _____ Title: _____



Description	Yes	No	Noted Damage:
Fuel Level			
Engine Coolant			
Engine Oil Level			
Hydraulic Oil level			
Conveyor Belts			
Need Grease (Every 40 Hrs.)			
Photo Taken?			

Attachment II - continued

Additional Notes or Comments on Back Side:

Notes:

APPROVED

#106-10

Setti

3/30/10

City of Newton



DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE COMMISSIONER

1000 Commonwealth Avenue

Newton Centre, MA 02459-1449

Setti D. Warren
Mayor

To: Mayor Setti D. Warren
From: Thomas E. Daley, P.E. / Commissioner of Public Works
Subject: Request to Docket Revised Solid Waste Ordinances
Date: March 30, 2010

AL

10 MAR 30 PM 4:08
CITY CLERK
NEWTON, MA 02459

I am writing to request that you please docket the attached revised Chapter 11, Recycling and Trash Ordinances of the City of Newton. After many years of effort by residents of the City of Newton, including the Board of Alderman, Solid Water Commission and the staff of the Dept. of Public Works, last October, we implemented very successful changes to our Solid Waste and Recycling programs here in the City of Newton. The program continues to operate well with good customer support, lower costs and a sustained approximate 30% reduction in trash tonnages.

However, the current City Ordinances do not reflect the current program that is in place. Therefore, after much work with the Solid Waste Commission and the Law Dept., I am requesting that the attached ordinance revisions be docketed with the Honorable Board of Alderman for approval.

In general, the revisions are mostly a reflection of the changes to the actual program, however, there are a few additional items to note that are being recommended by the D.P.W. and the Solid Waste Commission. Those additional changes are:

- 1) The elimination of household "cleanouts" and "moveouts" being picked up by the City.
- 2) The allowance of having the City being able to collect trash and recycling from non-profit religious and charitable organizations for a fee.
- 3) The allowance of D.P.W. staff to be able to issue warnings and a civil fine for not following proper procedures for putting out trash and recycling.

I hope this information is helpful. Please contact myself or Elaine Gentile if you have any questions.

Cc: R. Rooney / Chief Operations Officer	E. Gentile / Dir. of Env. Affairs
S. Ecker / Chief Financial Officer	Solid Waste Commission
D. Turocy / Dep. Comm. of P.W.	

Chapter 11

RECYCLING AND TRASH*

Art. I. In General, §§ 11-1—11-33

Art. II. Public Landfills and Recycling Depots, §§ 11-34—11-36

ARTICLE I. IN GENERAL

Sec. 11-1. Definitions.

For the purposes of this chapter the following words and phrases shall have the meanings respectively ascribed to them in this section:

Clean and uncontaminated paper: Paper that has not been exposed to foreign substance or substances, or conditions rendering it unusable for recycling.

Cleanouts: cleaning of basements, attics, garages, etc. so that large amounts of trash are generated that require multiple collections or truck load out. Cleanouts are not considered normal residential trash and will not be collected by the City.

Commercial rubbish: Any refuse and recyclable materials generated by the use of property for non-residential purposes, including, but not limited to, hotels, motels, institutions, offices, businesses and industry. The term "institution" includes, but is not limited to, hospitals, schools, and educational and benevolent organizations.

Construction Material: Items from building construction, deconstruction, renovations, repairs, etc. This is not considered residential trash and will not be collected by the City.

Garbage: Putrescible waste matter, animal or vegetable, from tables, kitchens, markets and stores.

Moveouts: Vacating residential premises and depositing large amounts of trash at curbside. Moveouts are not considered normal residential trash and will not be collected by the City.

Non-profit rubbish: Any refuse and recyclable materials generated by the use of property for residential and non-residential non-profit institutions. The term "institution" includes, religious, and charitable organizations, that do not pay City real estate tax.

Recyclable materials: Clean and uncontaminated paper; cardboard; glass; cans; aluminum; leaf and yard wastes; plastics; metals and other such materials as set forth by the Department of Environmental Protection of the Commonwealth of Massachusetts or as the commissioner of public works may determine.

Refuse: All non-putrescible household solid wastes except those which constitute recyclable materials as defined herein.

Deleted: Ashes: All the earthy or mineral part of combustible substances remaining after combustion.

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*Editor's note: Ordinance T-92, adopted June 18, 1990, changed the title of this chapter from "Garbage, Trash and Refuse" to "Recycling and Trash".

Cross references—Health and human services, Ch. 12; secondhand and junk dealers, Ch. 17, Art. IV

NEWTON CODE ONLINE RECYCLING AND TRASH

§ 11-5

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- Inserted: 11-33
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Leaf and yard wastes: Leaves, grass clippings, wood chips, shrub trimmings, plant cuttings and other materials as set forth by the Department of Environmental Protection of the Commonwealth of Massachusetts or as the commissioner of public works may determine.

Plastics: High density polyethylene (HDPE) and polyethylene terephthalate (PET) plastics and other plastics as the commissioner of public works may determine.

Recycling depot: A site designated on a permanent or temporary basis for drop-off and collection of certain recyclable materials.

Receptacle: Any container that the commissioner of public works may determine to be acceptable to utilize for the collection of trash and / or recyclable materials and or any other material that the commissioner of public works may determine.

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Trash: All trash, including, garbage and refuse from residential premises which receive municipal trash disposal services. Sometimes also called "rubbish" or "residential rubbish." (Rev. Ords. 1973, § 8-34; Ord. No. 11, 8-15-74; Ord. No. R-56, 3-17-80; Ord. No. R-105, 12-15-80; Ord. No. S-1, 7-11-83; Ord. No. T-92, 6-18-90)

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Cross reference—Rules of construction and definitions generally, § 1-3

Single Stream Recycling: also known as fully commingled recycling refers to a system in which all paper materials and co-mingled containers are mixed together in a collection truck, instead of being sorted into separate commodities (newspaper, cardboard, plastic, glass, etc.) by the resident and handled separately throughout the collection process.

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Waste Bans: Materials as listed under the Commonwealth of Massachusetts Regulation 310 CMR 19.017: Waste Disposal Ban Regulation. All items as listed will either not be collected or collected as a special collection per the Commissioner of Public Works.

Sec. 11-2. Department of public works—To have charge of removal, processing and disposal.

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The department of public works, or its contractor, shall remove and process or dispose of all, refuse, recyclable materials and garbage from residential premises, except those residential premises which are required pursuant to special permit or other zoning requirements to make their own private arrangements therefor, which are properly placed in accordance with the requirements of this chapter. (Rev. Ords. 1973, § 8-35; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. S-1, 7-11-83; Ord. No. T-92, 6-18-90)

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Sec. 11-3. Same—Employees, contractors and agents not to enter premises to remove; exception.

Employees, contractors and agents of the department of public works shall not enter upon private property to remove, garbage, refuse or recyclable materials, except when and where directed by the commissioner of public works or his duly authorized agent. (Rev. Ords. 1973, § 8-36; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. T-92, 6-18-90)

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Sec. 11-4. Reserved.

Sec. 11-5. Garbage—Permit required to transport; exceptions.

All persons transporting garbage through the public ways of the city from places within or to destinations within the city shall first obtain from the health department a permit therefor. All persons offering these services are required to offer full recycling services to all places where collection of trash occurs within the city. All persons shall show evidence of such recycling plan of services, which plan must be approved by the commissioner of public

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works or his/her designee and recommended to the commissioner of health and human services at the time of the annual permit request. All such permits shall expire at the end of the calendar year in which they are issued. No permit may be transferred without approval of the health and human services department. (Rev. Ords. 1973, § 8-38(a); Ord. No. 59, 2-20-75; Ord. No. S-1, 7-11-83; Ord. No. X-175, 05-26-05)
Cross reference—Licensing and permits generally, Ch. 17

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Sec. 11-6. Collection, processing, and disposal of Non-Profit Rubbish for a fee.

Non-profit rubbish from religious and charitable organizations may be set out for collection for a fee to be determined by the Commissioner of Public Works. All non-profit rubbish shall be placed for collection in accordance with this chapter. All non-profit rubbish collected by the City under this section shall comply with all requirements of this chapter.

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¶
Ashes shall be placed for collection in sound metal containers, weighing not more than one hundred fifty (150) pounds when filled, on the outer edges of the sidewalk fronting the premises or in such other place as the commissioner of public works, or his duly authorized agent, may designate. (Rev. Ords. 1973, § 8-39, Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75)

Sec. 11-7. How trash to be placed for collection; weight of receptacles.

(a) The City shall provide, or cause to be provided, one receptacle to each residential premises which receives municipal rubbish disposal services. The receptacle size shall be determined by the commissioner of public works. The receptacle shall be owned by the City. The residents of each such premises shall:

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(1) take proper care to protect such receptacle from misuse, loss, and damage as the City may require the resident to pay for any replacement carts due to such misuse, loss and/or damage; and

(2) return such receptacle to the City, or its contractor, upon request of the commissioner of public works; and

(3) in the event that they vacate the premises, shall leave such receptacle with the premises for use by the subsequent residents or if taken the City may require payment for such cart.

(b) If additional receptacles are required, additional receptacles shall be provided at the request of the homeowner at an annual charge established by the commissioner of public works. Only City authorized receptacles will be accepted for collection.

(c) Residents may also purchase trash bags, designated by the City for the sole purpose of trash collection, at a cost per bag established by the commissioner of public works. Only City authorized bags will be accepted for collection. Bags shall not exceed fifty (50) pounds in weight.

(d) All material set out for collection must be in the City supplied receptacle, additional City supplied receptacle, as requested, or designated bags. Loose material will not be collected. All material put out must fit within the receptacle provided so that the receptacle lid remains closed.

(e) Receptacles and designated bags shall be placed for collection in a manner and on days of the week as designated by the commissioner of public works or his/her designee which does not obstruct vehicular and / or pedestrian passage. All receptacles must be placed so that they are easily accessible for collection by the City, and/or in such a place as the commissioner of public works, or his/her duly authorized agent, may designate or permit.

(f) The Commissioner of Public Works may determine if a multiple residential site (apartment building, condominium units, townhouses, etc.) currently being collected from will require a dumpster. The Commissioner will determine the size and location of the dumpster. Multiple unit locations will abide by the same standards as for collection in single residential sites.

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(b) If additional receptacles are required, additional receptacles shall be provided at the request of the homeowner at an annual charge established by the commissioner of public works. Only City authorized receptacles will be accepted for collection. ¶
¶
(c) Residents may also purchase trash bags, designated by the City for the sole purpose of trash collection, at a cost per bag established by the commissioner of public works. Only City authorized bags will be accepted for collection. Bags shall not exceed fifty (50) pounds in weight. ¶
¶
(d) All material set out for collection must be in the City supplied receptacle, additional City supplied receptacle, as requested, or designated bags. Loose material will not be collected. All material put out must fit within the receptacle provided so that the receptacle lid remains closed. ¶
¶
(e) Receptacles and designated bags shall be placed for collection in a mann... [1]

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(g) No person except those individuals and companies authorized by the commissioner of public works shall collect or pick up or cause to be collected or picked up, trash which has been placed for collection pursuant to Section 11-7.

(h) Failure to comply shall result in the imposition of a written warning for the first offense, fifty dollar (\$50.00) civil fine for the second offense and seventy-five dollar (\$75.00) civil fine for the third and subsequent offenses (see Article III, Section 20-21).

Sec. 11-8. How recyclable materials to be placed for collection.

(a) The City shall provide, or cause to be provided, one recycling receptacle to each residential premises which receives municipal rubbish disposal services. The receptacle size shall be determined by the commissioner of public works. Only City authorized receptacles will be accepted for collection. The residents of each such premises shall:

- (1) take proper care to protect such recycling container from misuse, loss and damage as the City may require the resident to pay for any replacement carts due to such misuse, loss and/or damage; and
- (2) return such recycling container to the City, or its contractor, upon request of the commissioner of public works; and
- (3) in the event that they vacate the premises, shall leave such recycling container with the premises for use by the subsequent residents or if taken the City may require payment for such cart.

(b) If additional receptacles are required, additional receptacles shall be provided at the request of the homeowner at an annual charge established by the commissioner of public works. Only City authorized receptacles will be accepted for collection.

(c) Recyclable materials are to be set out in containers as directed by the rules and regulations of the commissioner of public works.

(d) Leaf and yard waste is to be set out in containers as directed by rules and regulations of the commissioner of public works.

(e) All recyclable material set out for collection must be in the City supplied receptacle. Loose material will not be collected. All material put out must fit within the receptacle provided so that the receptacle lid remains closed.

(f) Receptacles shall be placed for collection in a manner and on days of the week as designated by the commissioner of public works or his/her designee which does not obstruct vehicular and / or pedestrian passage. All receptacles must be placed so that they are easily accessible for collection by the City, and/or in such a place as the commissioner of public works, or his/her duly authorized agent, may designate or permit.

(g) The Commissioner of Public Works may determine if a multiple residential site (apartment building, condo units, townhouses, etc.) currently being collected from will require a dumpster for single stream recycling. The City will determine the size and location of the dumpster. Multiple unit locations will abide by the same standards as for collection in single residential sites.

(h) No person except those individuals and companies authorized by the commissioner of public works shall collect or pick up or cause to be collected or picked up, recyclable materials which have been placed for collection pursuant to Section 11-8, (Rev. Ords. 1973, § 8-42; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. R-105, 12-15-80; Ord. No. T-92, 6-18-90)

Deleted: Rubbish, with the exception of ashes, shall be placed in barrels, plastic bags or other sound receptacles for collection, provided that rubbish which cannot be readily placed into such containers, such as tree branches, rugs, boards and brush may instead be securely tied into bundles which do not exceed four (4) feet in length. Each such barrel, bag, receptacle and bundle may not exceed one hundred (100) pounds and shall be placed on the outer edges of the sidewalk so as not to obstruct free passage of foot travelers thereon, or in such other place as the commissioner of public works, or his duly authorized agent, may designate or permit. (Rev. Ords. 1973, § 8-40; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. R-105, 12-15-80; Ord. No. T-92, 6-18-90)

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(b) If additional receptacles are required, additional receptacles shall be provided at the request of the homeowner at an annual charge established by the ... [2]

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Inserted: d) All recyclable material set out for collection must be in the C ... [4]

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Inserted: e) Receptacles shall be placed for collection in a manner ... [5]

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(c) All such containers and recep ... [7]

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NEWTON CODE ONLINE RECYCLING AND TRASH

§ 11-10

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(i) Failure to comply shall result in the imposition of a written warning for the first offense, fifty dollar (\$50.00) civil fine for the second offense and seventy-five dollar (\$75.00) civil fine for the third and subsequent offenses (see Article III, Section 20-21).

Sec. 11-9. Participation in and enforcement of recycling and trash program.

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(a) All persons whose trash is collected by the city shall comply with sections 11-7 and 11-8 when placing materials for collection, unless specifically exempted pursuant to the provisions of subsection (b). Failure to comply with section 11-9 shall result in the imposition of a written warning for the first offense, fifty dollar (\$50.00) civil fine for the second offense and seventy-five dollar (\$75.00) civil fine for the third and subsequent offenses. (see Article III, Section 20-21).

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(b) If compliance with the requirements of subsection (a) imposes undue hardship upon a person, that person may request an exemption from this ordinance from the commissioner of public works. (Ord. No. R-105, 12-15-80; Ord. No. S-249, 3-16-87; Ord. No. T-92, 6-18-90)

Sec. 11-10. When trash and recyclable materials to be placed for collection; carts to pass through streets only once.

(a) Trash and recyclable materials shall be placed for collection on such day or days as may be designated for collection by the commissioner of public works. The commissioner of public works may designate the specific days of collection for particular areas of the city and/or types of trash and/or recyclable materials. Trash and recyclable materials shall be placed for collection between 4 P.M. of the day preceding collection and 7 A.M. of the day of collection. Collection vehicles having passed through the street will not be sent back to collect any such materials placed for collection after 7 A.M.

(b) All empty receptacles, barrels, cans or rubbish containers of any kind shall be removed from the area of collection and returned to the private property of the person(s) who owns or is assigned to the specific receptacle(s) prior to midnight of the day of collection.

(c) Any occupant of a building who places or causes to be placed trash or recyclable materials for collection at times other than those designated in subsection (a) of this section or fails to remove said trash containers or recycling containers or receptacles from the area of collection prior to midnight of the day of collection shall be subject to the following penalties (see Article III, Section 20-21):

- (1) For the first offense—a written warning;
- (2) Second offense-fifty dollars (\$50.00).
- (3) Third and subsequent offenses-seventy-five dollars (\$75.00).

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The written warning for each first offense shall be attributable to the dwelling unit occupied by the offending party. Any subsequent offense by any occupant of said dwelling unit shall result in the fifty dollar (\$50.00) fine referred to above and shall be attributable to the head of the household.

Provided, however, that when the collection of trash or recyclable materials is delayed due to weather conditions, holidays, or other causes, no penalty shall be imposed for placement thereof in accordance with the time periods established for collection as set forth in subsection (a) above. (Rev.Ords. 1973, § 8-42; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. R-56, 3-17-80; Ord. No. S-1, 7-11-83; Ord. No. T-92, 6-18-90; Ord. No. T-168, 9-3-91)

NEWTON CODE ONLINE RECYCLING AND TRASH

§ 11-33

Cross reference—Licensing and permits generally, Ch. 17

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Sec. 11-11. Permit to cart trash and/or recyclable materials.

All persons transporting trash and/or recyclable materials on public ways of the city from points outside the city and to destinations outside the city shall register with the city health and human services department pursuant to Mass. Gen. Laws c. 111, § 31A. Such garbage shall be transported in accordance with such rules and regulations as the health and human services department shall make. (Rev. Ords. 1973, § 8-43; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. S-1, 7-11-83; Ord. No. X-175, 5-26-2005)

Sec. 11-12. Definition of pickup point, placement of refuse for collection from mixed-use buildings, persons responsible for fee.

For buildings utilizing dumpsters, each dumpster location shall constitute a pickup point. Refuse from non-residential and residential units shall not be placed into the same dumpster for collection. For receptacle or bag collection, each street address shall constitute a pickup point, provided however, that in the case of multi-unit buildings, each unit shall constitute a pickup point, and provided further, that the refuse and recycling generated by each non-residential unit in such building shall not be set out for collection.

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Nothing herein shall be deemed to render any person liable for charges incurred by a previous owner. (Rev. Ords. 1973, § 8-45; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. R-105, 12-15-80; Ord. No. R-201, 12-7-81; Ord. No. S-1, 7-11-83)

Sec. 11-13. Tipping over, etc.; slippery substances.

No person shall willfully or maliciously disturb or handle the contents of or tip over or upset containers or receptacles standing upon the sidewalk or within the street limits or throw or place upon any sidewalk, crosswalk, street or way any banana skin, orange peel or other slippery substance. (Rev. Ords. 1973, § 8-48; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. S-1, 7-11-83)

Sec. 11-14. Large, bulky, etc., refuse.

Large and/or bulky items, which cannot be placed in the assigned receptacle shall be considered bulky waste and shall be collected per the commissioner of public works.

Bulky waste such as discarded or broken furniture, large toys, mattresses, rugs, and other large, bulky or unwieldy refuse may be removed and disposed of by the Department of Public Works upon application to the commissioner of public works by the owner or occupant of the building or premises, who shall pay to the city therefor the actual cost of removal and disposal as determined by the commissioner of public works or his/her duly authorized agent. All the materials offered for removal by application shall be of such form and so prepared and placed as the commissioner of public works may specify or accept, otherwise they shall not be removed by the city. (Rev. Ords. 1973, § 8-49; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. S-1, 7-11-83)

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- Deleted: provided, that the mayor may suspend for one week in the year, to be determined by him, the provision of this section requiring payment for removal.

Sec. 11-15. Annual appropriation for publicizing recycling program.

The recycling program shall receive an annual appropriation to be used to advertise the program on a regular basis and to inform citizens of their collection days. (Rev. Ords. 1973, § 8-50; Ord. No. 11, 8-15-74; Ord. No. S-1, 7-11-83)

Secs. 11-16—11-33. Reserved.

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§ 11-33

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Add the following paragraph (f) to:

ARTICLE III: CIVIL FINES/NON-CRIMINAL DISPOSITION

Sec. 20-21

Add (f) DEPARTMENT OF PUBLIC WORKS: The Commissioner of Public Works, and/or his or her designee, shall be authorized to issue written notice of the following violations:

PENALTY

Sec. 11-7 How trash to be placed for collection.

- () First offense..... written warning
- () Second offense..... \$50.00
- () Third offense and subsequent offenses.....\$75.00
in calendar year

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- Warning:.....
- \$0.00
- ¶

Sec 11-8 How recyclables to be placed for collection.

- () First offense..... written warning
- () Second offense..... \$50.00
- () Third offense and subsequent offenses.....\$75.00
in calendar year

Sec. 11-9 (a) Participation in and enforcement of recycling and trash program

- () First offense..... written warning
- () Second offense..... \$50.00
- () Third offense and subsequent offenses..... \$75.00
in calendar year

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Sec. 11-9 (a) Participation in and enforcement of recycling
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Sec. 11-10 (c) When trash and recyclable materials to be placed for collection

- () First offense..... written warning
- () Second offense..... \$50.00
- () Third and subsequent offenses.....\$75.00
in calendar year

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Delete Article III, Section 20-21(d), sec 11-8 and 11-10

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City of Newton

DEPARTMENT OF PUBLIC WORKS

#121-10



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

Setti D. Warren
Mayor

APPROVED

April 13, 2010

2/12/10

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

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

Dear Mayor Warren:

The Department of Public Works respectfully requests the Honorable Board docket for consideration a request to appropriate and expend seventy two thousand dollars (\$72,000) from Free Cash for the purpose of supplementing the snow and ice budget in the Department of Public Works. This will be the final DPW transfer request for additional snow and ice funding in FY10. As of April 9, 2010, the snow and ice account has a deficit balance of \$66,432. DPW is requesting an additional \$5,568 to cover projected snow watch costs through the end of April and other miscellaneous labor related costs.

DPW is projecting to spend \$2,479,526 on snow and ice removal for the 2009-2010 season broken down as follows:

Plow Contractors	\$894,061
Salt/Sand	\$816,749
Labor/Parts/Etc.	\$768,716

The city has had 43.1 inches of snow through eleven weather events. DPW utilized outside plow contractors for four of the storms and utilized in-house plows for two other storms in addition to numerous salting operations.

Thank you for your consideration of this matter.

Sincerely,

David Turocy
Deputy Commissioner of Public Works

- CC: T. Daley, DPW Commissioner
- M. Lemieux, Chief Financial Officer
- S. Ecker, Director of Community Relations
- R. Rooney, Chief Operating Officer
- D. Wilkinson, Comptroller
- K. Griffey, DPW Director of Administration
- R. Ferrara, DPW Chief of Budget and Finance

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CITY CLERK
NEWTON, MA 02159

Public Works Department
 FY10 Snow and Ice Spending Through Friday, April 9, 2010

0140110	DESCRIPTION	A ORIGINAL FY10 APPROPRIATION	B TRANSFERS AND BOARD ORDERS	C=A+B REVISED APPROPRIATION	D EXPENDED, ENCUMBERED AND TO BE PROCESSED	E=C-D AVAILABLE
511001	SALARY WAGES	\$0	\$0	\$0	0	\$0
511002	FULL TIME WAGES/HOURLY	\$0	1,000	\$1,000	50	\$950
513001	REGULAR OVERTIME	230,080	263,400	\$493,480	517,179	(\$23,699)
513004	WORK BY OTHER DEPARTMENTS - OVERTIME	18,938	(12,900)	\$6,038	6,027	\$11
514311	DRIVING BONUS/STAND-BY SNOW PAY	7,000	57,700	\$64,700	66,196	(\$1,496)
514318	SNOW WATCH PAY	20,000	(8,200)	\$11,800	16,686	(\$4,886)
52403	MOTOR VEHICLE REPAIR AND MAINTENANCE	10,000	15,000	\$25,000	20,430	\$4,571
5273	RENTAL: VEHICLE & EQUIPMENT.	302,000	594,206	\$896,206	894,061	\$2,146
5386	WEATHER FORECAST SERVICE	1,075	664	\$1,739	1,739	\$0
5484	VEHICLE REPAIR PARTS	20,000	125,000	\$145,000	132,830	\$12,170
5530	CONSTRUCTION SUPPLIES	0	2,500	\$2,500	2,450	\$50
5532	SAND AND SALT	320,000	437,500	\$757,500	816,749	(\$59,249)
5712	MEALS	0	130	\$130	130	\$0
5783	PRIVATE PROPERTY DAMAGE	3,000	0	\$3,000	0	\$3,000
	TOTALS	\$932,093	\$1,476,000	\$2,408,093	\$2,474,525	(\$66,432)