

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC FACILITIES COMMITTEE REPORT

WEDNESDAY, SEPTEMBER 23, 2009

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

Absent: Ald. Yates

Also present: Ald. Linsky

City personnel present: Clint Schuckel (Traffic Engineer), Nick Parnell (Commissioner of Public Buildings), and Shawna Sullivan (Committee Clerk)

CHAIRMAN'S NOTE: Clint Schuckel, Traffic Engineer provided the Committee with an update on the streetlight conversion project. The streetlight conversion began in May of 2007 in an effort to improve energy efficiency. The Board of Aldermen appropriated \$1,483,000 for the streetlight conversion and the net cost of the conversion was \$1.2 million. The project has since paid for itself, with a return of approximately \$500,000 in FY'08 and \$625,000 in FY'09. From this point forward, the City will only see savings from the conversion. There was a 65% reduction in the budget line this year. The conversion was done on time and within budget. The conversion has also simplified maintenance by reducing the number of different types of bulbs required for streetlight outages. Electrical use has been reduced by 5 million kilowatt hours, which is equal to electrical usage of 650 households. Complaints regarding the streetlights are substantially down since the initial conversion. The City receives the occasional request for additional streetlight and if there is a need, a new streetlight is installed.

There are still some outstanding issues with NStar that need to be resolved; however, the Public Facilities Committee will hold a separate discussion on October 21, 2009 regarding those issues. Ald. Gentile was pleased with the good news but asked if the City received what it expected in rebate funds from NStar. The City received \$340,000 from NStar. Mr. Schuckel reminded the Committee the rebate was only for the conversion of mercury vapor and only about 1/3 of the streetlights were mercury vapor. Ald. Mansfield praised the very efficient conversion. Ald. Mansfield received calls regarding less light, when the conversion first took place. He pointed out that there is a cost to the conversion, as the high-pressure sodium bulbs do not give as much light as the mercury vapor lights and areas are not necessarily as safe. He suggested that when technology allows for better lighting the City investigate substituting the high-pressure sodium lights. The Committee was pleased with the update and there were no further questions or comments.

#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.

ITEM RECOMMITTED TO PUBLIC FACILITIES ON 7/13/09

ACTION: MAIN ITEM HELD 8-0

A) TRAFFIC SIGNAL AT WALNUT STREET AND TROWBRIDGE AVENUE APPROVED 6-1 PER CONDITION #5 OF THE SITE PLAN

APPROVAL BOARD ORDER #224-06 (Albright opposed; Mansfield not voting)

NOTE: Traffic Engineer Clint Schuckel and Commissioner of Public Buildings Nick Parnell were present for the discussion of this item. The Public Facilities Committee approved a traffic signal at the intersection of Trowbridge Avenue and Walnut Street without any further traffic restriction on June 17, 2009. The Board of Aldermen recommitted the traffic improvement to the Public Facilities Committee on July 13, 2009 for further discussion. The PowerPoint presentation of the Newton North High School Traffic/Parking Conditions from June 17, 2009, was attached to the September 9, 2009 agenda. There are ten alternative traffic improvements for the school driveway located at Walnut Street and Trowbridge Avenue included within the presentation.

Ald. Schnipper stated that she, the Ward Two Aldermen, and Mr. Schuckel met with a traffic engineer from a private consulting firm. It was Ald. Schnipper's impression that the private traffic engineer agreed with Mr. Schuckel's recommendation that the City should begin with the full signal located at the driveway entrance with no turn restrictions. Because of that meeting, Ald. Schnipper stated that she would be happy to file an item with the Traffic Council in order to be proactive to any traffic issues at that intersection that may arise once the new school is opened. An item before Traffic Council would allow the City to monitor the intersection for one month after the school opens to determine if it is necessary to implement turn restrictions or some other type of traffic regulation and put it in place right away.

Mr. Schuckel stated that at the previous discussion of this intersection, the question arose as to whether or not the Board of Aldermen can take an action to put in turn restrictions. Mr. Schuckel consulted the Law Department who responded that turn restrictions are under Traffic Council's purview. They also noted that the School Department has jurisdiction over the school driveway and the implementation of any traffic regulations on the driveway. The City can put turn restrictions on Walnut Street but would need to request turn restriction from the School Department for the school driveway. It is difficult to enforce turn restrictions, as it would require constant monitoring of the intersection. Ald. Gentile felt that the site plan board order allowed the Board of Aldermen to study the intersection and approve traffic restrictions. Ald. Gentile stated that he is aware that the ceremonial drive is private but would like to look at accepting it as a public street. Committee members asked Mr. Schuckel what the pros and cons are of accepting the driveway as a public way. Mr. Schuckel responded that it would be appropriate to have the Law Department weigh in on the question of public versus private. Mr. Schuckel pointed out that a portion of Elm Road was also private and under the School Department's jurisdiction. Commissioner Parnell added that the portion of Elm Road was given to the School Department during the construction of existing school in the early 1970s. Committee members would like to have an attorney from the Law Department join the Committee to answer questions regarding the private driveway, the private portion of Elm Road and who implements traffic regulations at that intersection.

Ald. Albright spoke on the possible improvements to the intersection. She thinks that the conversation has turned into a conversation about Trowbridge Avenue and it was never meant to be exclusively about Trowbridge Avenue. Ald. Albright believes that Walnut Street will be a mess with no turn restrictions and a traffic light. Ald. Albright is aware that Mr. Schuckel feels

that the driveway is considered the entrance to the front door of the school; therefore, a traffic light should be installed at the intersection. Ald. Albright feels that the intersection does not need a traffic signal. Ald. Albright moved the installation of a delta island at the driveway entrance and a mid-block crossing with a pedestrian warning signal. She believes that this alternative better suits the area and that it addresses the necessary pedestrian safety enhancements. She also requested that if her motion failed and a motion for a traffic signal at the intersection carried, that the Committee send a resolution to the Board requesting that an item be forwarded to Traffic Council to pursue turn restrictions. In addition, if the traffic signal is approved, it should not be an industrial style light but should be in keeping with the neighborhood. Ald. Mansfield stated that he supports the motion, as the alternative is one of the less intensive and less expensive alternatives. He feels that the City should start with a less comprehensive traffic improvement. Secondly, if the City is going to install a flush island, it will need to be put in before the school opens. Mr. Schuckel stated that a flush island could be installed at any time. Ald. Linsky voiced his support of Ald. Albright's motion. No one else wished to speak on the motion and the motion failed to carry by a vote of one in favor five opposed.

The Chair asked if there was an alternative motion that any committee member wished to offer. Ald. Salvucci moved approval of the full traffic signal with no traffic restrictions. Ald. Albright asked if the Board had any control over the style of the light. Mr. Schuckel responded that he could come back to the Committee with various options during the development phase of the signalization of the intersection. The City currently uses a dark green color instead of yellow or galvanized steel for the traffic signal. It is the traffic engineer's preference to standardize the traffic lights within the City but he will price out other options for the light. The signalization would consist of just one overhead arm and the pole for the arm would be located on the school side of Walnut Street. There would also be posts on each of the corners. The traffic engineer will need to have a decision on the type of light fairly soon, if light is to be in place for the next school year. Ald. Gentile wanted to be clear that the motion was for "alternate four," which is a full signal with no turn restrictions. He felt that this alternative gave the city an opportunity to evaluate the intersection and make any necessary changes. Ald. Schnipper stated that an item would be immediately filed with the Traffic Council from the Public Facilities Committee to avoid any lag time if there is a problem with the intersection once the school is open. Ald. Gentile felt that the bottom line is that the intersection needs to be as safe as possible for pedestrian and full signal is the alternative to achieve that goal. The Committee voted in favor of the motion by a vote of five in favor and one opposed.

#284-09 COMMISSIONER OF PUBLIC WORKS requesting Board of Aldermen approval to remove the traffic island at the intersection of Walnut Street and Hull Street and to construct associated traffic safety improvements at this location in accordance with Condition #4 of Board Order #224-06. [09-15-09 @ 4:54 PM]

ACTION: **APPROVED 5-0 (Albright and Mansfield not voting)**

NOTE: The removal of the traffic island and extending the curb lines at Hull Street and Walnut Street was previously discussed and approved by the Committee through a straw vote at June 17, 2009 meeting of the Public Facilities Committee. The concept plans were included in the presentation for the June 17, 2009 meeting, which was attached to the agenda. There was a question of whether the traffic improvements could be included as part of the Newton North

High School Project. The Law Department has discussed the question with bond counsel and the attorney is comfortable that the funding from the bond appropriation board order could be used for the traffic improvements at this intersection. A memo from the Law Department regarding the use of project funds for the traffic improvements is attached. The Board of Aldermen needs to formally vote on the removal of a traffic island, as the ordinances require it. The Mayor will proceed with the funding once the Board has approved the item. Ald. Lappin moved approval of the item, which carried unanimously.

#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]

ACTION: **HELD 5- 0 (Albright and Mansfield not voting)**

NOTE: Clint Schuckel provided the Commonwealth Avenue construction update to the Committee. Ald. Schnipper stated that there appears to be a large number of posts located on the sidewalks within the project area. Mr. Schuckel explained that there are currently two sets of traffic lights with poles; however, all the darker posts will be taken down in the upcoming weeks. The State will be paving Grant Avenue and Commonwealth Avenue and milling the carriage lane next week. The project is currently 15% ahead of schedule. It is also on budget and there have not been any surprises. It is a State project but if the budget exceeds the 10% contingency the city will have to cover the difference.

Several Committee members asked to look at the concept design of the bicycle promenade for the Carriage Lane created by students at Northeastern University. There is major concern on the part of the residents that live on the carriage lane that the bicycle promenade will become an actuality. Mr. Schuckel explained that the design was an academic exercise by a Northeastern University professor and his students. There is nothing currently before any of the City's boards and commissions regarding a bike promenade. Mr. Schuckel believes that there is some support for the design by the Bicycle/Pedestrian Task Force and Bike Newton. There are four issues with the configuration of Commonwealth Avenue. The carriage lane merges at four intersections along Commonwealth Avenue. The stop signs are not consistent throughout the carriage lane. It is Mr. Schuckel's preference not to have stop signs on the carriage lane. The design also includes legalized two-way bike traffic on the carriage lane. Mr. Schuckel will try to provide the Committee with the Northeastern University design of the promenade. Ald. Lappin moved hold on the item, which carried unanimously.

#126-09 ALD. LAPPIN requesting an update on the status of repairs and rental of the Kennard Estate. [04/17/09 @ 2:49 PM]

ACTION: **HELD 5- 0 (Albright and Mansfield not voting)**

NOTE: Commissioner Parnell gave the Committee an update on the Kennard Estate. The property has been empty about 2 ½ years. The Law Department has determined that the Planning Department should handle the rental of the estate and related request for proposal (RFP) due to Massachusetts law. Therefore, the Public Buildings Department is no longer responsible for the rental; however, Mike Kruse, Director of Planning was not available to attend the meeting. The Planning Department is currently developing an RFP.

Commissioner Parnell thinks that there is a fair amount of exterior works that needs to be done before any rental could occur. The house is 4,000 square feet and it contains lead. The City is looking into the possibility of renting the estate to an institution. An institution would not require the same extent of deleading, as there would not be the possibility of children residing within the house. The cost of deleading the house and replacing the windows is approximately \$90,000. There is approximately \$10,000 to \$15,000 worth of improvements on the grounds and \$30,000 worth of house exterior work. Due to the costs of the improvements, the city is pursuing institutions. If the City opts to do a residential rental, the house will need to be deleading before it is occupied. If the City could find an institution to rent the house, the deleading could take place in steps.

There has been some work done to maintain the house but it is not in great shape. Although the kitchen has been renovated recently, the bathrooms have not been renovated. The repair work is at a stand still unless the Public Buildings Department can get money for the lead abatement and exterior work to proceed with residential rental. Ald. Gentile suggested that the Commissioner look at applying for community preservation funds, as the estate might qualify as a historic site. The Commissioner agreed to pursue community preservation funds. Ald. Lappin moved hold on the item until there was further information regarding the use of community preservation funds. The motion to hold carried unanimously.

#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 5- 0 (Albright and Mansfield not voting)**

NOTE: Ald. Schnipper and Ald. Gentile were unable to attend the Friday construction meeting. Ald. Schnipper reiterated that the project is under budget and on time. There is a waiver hearing before the State Plumbing Board scheduled for October 7, 2009 regarding piping. It is hopeful that the city will get the waiver. The Mayor has stated that he will provide an update to the Board of Aldermen in October.

Respectfully submitted,

Sydra Schnipper, Chairman

FYI

CITY OF NEWTON
LAW DEPARTMENT
INTEROFFICE MEMORANDUM

#284-09

DATE: September 9, 2009
TO: Sydra Schnipper, Chairperson, Public Facilities
FROM: Ouida C.M. Young, Associate City Solicitor
RE: Bond Appropriation/New Newton North High School
Traffic Improvements - Walnut & Hull Intersection

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Per your request, I have discussed the purpose of and funding for the above referenced traffic improvements with the City's bond counsel, Rick Manley. As you may recall, the final bond appropriation board order for the new Newton North High School Project recited that the bonded funds were to be used for

... the purpose of paying additional costs of constructing, equipping and furnishing a new Newton North High School, ... *and for the payment of all other costs incident and related thereto.*
(Emphasis Added)

Attorney Manley was very comfortable that funding from this bond appropriation board order could be used to pay for traffic improvements made to improve pedestrian and vehicle safety for those coming to the new Newton North High School. These improvements would include those proposed for the Walnut Street and Hull Street intersection.

Please let me know if you have any further questions.

Thank you.

cc: David Wilkinson, Comptroller
Clint Schuckel, Traffic Engineer
Sandy Pooler, Chief Administrative Officer