

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC FACILITIES COMMITTEE REPORT

WEDNESDAY, JUNE 20, 2007

Present: Ald. Schnipper (Chairman), Weisbuch, Albright, Salvucci, Yates, Mansfield and Lappin

Absent: Ald. Gentile

Also present: Ald. Baker, Danberg, Harney, Hess-Mahan, Johnson, Merrill, Samuelson, Sangiolo and Vance

City personnel: Jeffrey Young (Superintendent of Schools), Dori Zaleznik (Chair of School Committee), Reenie Murphy (School Committee Member), Anne Larner (School Committee Member), Susan Heyman (School Committee Member), Candace Havens (Chair of the Traffic Council), David Koses (Traffic Council Member), Sgt. James Norcross (Traffic Council Member), Clint Schuckel (Traffic Engineer), Robert Rooney (Commissioner of Public Works), Lou Taverna (City Engineer), Ouida Young (Associate City Solicitor) and Shawna Sullivan (Committee Clerk)

Please note the Committee met jointly with Programs & Services Committee on the following item:

REFERRED TO PROGRAMS & SERVICES & PUBLIC FACILITIES COMMITTEES

#205-07 SUPERINTENDENT YOUNG requesting vote of the Board of Aldermen to complement the vote of the School Committee to instruct him to submit a statement of interest to the School Building Authority by July 31, 2007. [06-08-07 @ 9:52 AM]

ACTION: **PROG. & SERV. APPROVED 4-0-1 (Johnson Abstaining; Lipof not voting)**
PUBLIC FACILITIES APPROVED 6-0 (Mansfield not voting)

NOTE: The Committee met jointly with the Programs and Services Committee to discuss the above item. Several School Committee members, Superintendent Young and the architectural team, who performed the school building study, were also present for the discussion. Ald. Baker stated that there is a draft resolution (attached) for the Committees to review. The language used in the draft is specified on Page 12 of the Massachusetts School Building Authority (MSBA) packet previously provided to the Board. The operational information about the specific schools and the specific priorities are omitted from the draft because the School Committee has had general discussion but has not set the final list. The question is whether it is agreeable to the Committees to have the blanks filled in by the School Committee with the recognition of the proviso that there is no commitment by either the City or the MSBA.

Dori Zaleznik apologized to the Committee for the rushed nature of the item. The School Committee did not appreciate that the submittal required both School Committee and Board

approval until last week. She recognizes that the School Committee is asking the Board to do things outside of the usual routine. The School Committee has been very strongly advised in conversations with the MSBA and the architects that performed the school building study that this is a no lose proposition to be on the MSBA's list. The MSBA is setting out to engage communities in conversation regarding what the needs are for schools and what the priorities might be. The School Committee is concerned that if they are not on the list that it might preclude the City from getting state funding in the future. Ms. Zaleznik reiterated that the submittal does not imply a commitment from either the City or the MSBA. Presumably, the new process for MSBA funding will be tightened up as time goes on, but it seems like the City should be on the MSBA list. The School Committee will be voting on which buildings to submit on the list on June 25, 2007. Therefore, the draft list will be available for the Board of Aldermen's vote on July 9, 2007. Once the School Committee actually votes and reviews the statement of interest, they can easily forward those on to the Board members. The School Committee's understanding is that the MSBA prescribes who they want to vote in cities, and in towns and it appears that they want to be sure that the community leaders are behind pursuing compensation with them. The City has time while the MSBA is going through their elaborate process in determining whether they agree with the needs that have been set by the City, to have conversations as a community regarding what the priorities are.

Ald. Hess-Mahan asked if the MSBA is ultimately going to decide what the priorities are among cities and towns as well as within a list submitted by a particular city or town. Ms. Zaleznik responded that the MSBA reserves the right to do that. Although, if they choose a project the City is not interested in, the City can pass. The MSBA does not do make their decisions in isolation. They send people out to review the facilities and then meet with the city officials to discuss what they found and what they think should be done. The MSBA is prescribing to some type of interactive process; however, ultimately they would determine what projects they are interested in supporting. Ald. Johnson pointed out that there is no guarantee that the MSBA will support any proposed project. Just being on the list does not mean that there will be any guarantee. Ald. Schnipper felt that as a community there needs to be acknowledgement that twenty-five years of deferred maintenance to all of our capital stock has come home to roost. The City is now at the point where it has no choice but to address capital issues. Her concern is that every other community in the state is in the same place and the lists are going to be so enormous that even the large sum of money that the state is thinking about is not even going to hit the tip of the iceberg. It is time for everybody to stand up and say we have enormous needs. Ald. Johnson concurred with Ald. Schnipper's statements.

Ald. Sangiolo pointed out that there is no need for a community to have completed a study or hired anyone to submit a statement of interest. The MSBA is looking for input from the local educators, parents and all of the stakeholders to hear what needs exist in a community. The City went ahead and hired a company to do a study for the City but the MSBA did not require it. Ald. Salvucci pointed out that the study is a good thing. Ald. Sangiolo agreed but stated that the City could have submitted the list in January and avoided the rush to meet the deadline. Dori Zaleznik explained that if you look at the flow chart from the MSBA, in the very first line of how this process works there is a master facilities analysis required. It is step four of the process. The fact that the City did it in advance of being able to set out all of the needs only puts the City a step ahead and whether we submitted on January 31, 2007 or whether we submit on

July 30, 2007 makes no difference in terms of where the City is in the process. The MSBA has not agreed to work with any communities yet, so that the city has not lost time in terms of doing the study. Ms. Zaleznik believes that there would have been some trouble looking at the system as a whole without the study. Ald. Sangiolo understands the argument but at the same time, it is sad that the City needs the study and does not have an internal system to check on what kind of needs the school system has in terms of facilities. She would suggest that going forward the City makes sure it stays on top of its buildings and knows when replacement and repairs need to be done.

Ald. Salvucci moved approval of the item in Public Facilities Committee, which carried unanimously. Ald. Merrill moved approval on the item in Programs and Services Committee. Ald. Johnson stated that she had not had a chance to read the documentation; therefore, she will abstain. The motion carried by a vote of four in favor and one abstaining.

#188-07 KEYSPAN ENERGY DELIVERY petitioning for a grant of location to install and maintain 135' ± of 8" gas main in COMMONWEALTH AVENUE from the existing 12" gas main in Commonwealth Avenue at 2000 Commonwealth Avenue in a northerly direction to Rowe Street. [5-16-07 @10:50 AM]

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

NOTE: Francis O'Leary, Keyspan Energy Permit Representative, presented the petition to the Committee. Mr. O'Leary explained that the reason for the petition is to increase the gas pressure in the area. Keyspan is closing some gaps in the system. In this particular location, the main goes from a 12" to a 6" main, which decreases pressure. The change to an 8" main will improve the pressure. This is a system improvement and Keyspan will bear the cost of the entire project.

Lou Taverna stated that the only comment he had on the petition was that the Public Works Department is planning on micro surfacing that area in mid to late August and he would like to coordinate with Keyspan to ensure that Keyspan's work is completed before the micro-surfacing. Mr. O'Leary agreed that Keyspan would coordinate with the Department of Public Works. Mr. Taverna also pointed out that Keyspan would need a Mass. Water Resources permit because they are crossing their water mains.

The public hearing was opened and Gupta Ruchira Das, 143 Rowe Street, asked if there would be any impact on gas service or if the project would require that any streets be closed. Mr. O'Leary stated that there would be no impact to service and no street closings. He also stated that everyone would have access to his or her driveways.

Ald. Salvucci moved approval of the petition, which carried unanimously.

#189-07 KEYSPAN ENERGY DELIVERY petitioning for a grant of location to install and maintain 175' ± of 8" gas main in RICHARDSON STREET from the existing 6" gas main in Richardson Street at 42 Richardson Street northerly to the existing 12" gas main in Centre Street at the Mass Pike off ramp. [5-16-07 @10:50 AM]

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

NOTE: Francis O'Leary, Keyspan Energy Permit Representative, presented the petition to the Committee. Mr. O'Leary explained that this project is a system improvement to increase gas pressure in the area. There will be no disruption to traffic at the Mass Pike eastbound off ramp in Newton Corner. The City Engineer has no problem with the petition; however, Keyspan will need to get a permit from the Mass Pike for work on their property.

The public hearing was opened and no one spoke for or against the petition. Ald. Lappin moved approval of the item, which carried unanimously.

Please note the Committee met jointly with the Traffic Council on the following item:

REFERRED TO TRAFFIC COUNCIL & PUBLIC FACILITIES COMMITTEE

#206-07 COMMISSIONER OF PUBLIC WORKS requesting a bump out on LANGLEY ROAD at the driveway at 287 Langley Road to Langley Path as a traffic calming measure for pedestrian safety. [06-12-07 @ 11:52 AM]

ACTION: **APPROVED 7-0**

NOTE: The Committee met jointly with the Traffic Council on the above item. Commissioner Rooney presented the item. The concept is to facilitate a safer crossing for schoolchildren at Bowen Elementary School. Langley Road is very heavily trafficked, which exposes children to danger while crossing the street. The plan is to narrow the roadway by extending the curb to reduce the width of the crossing. The extension will gradually extend out to 6' beginning after the driveway to the Terraces to the crosswalk at Langley Road and Langley Path. The road will be narrowed to 27' at its narrowest point. There are no driveways within the proposed extension. The crosswalk located on the other side of Langley Path will be removed.

Candace Havens, Chair of the Traffic Council, asked if there had been any pedestrian counts at the location. The Commission responded that there were no counts but there is a crossing guard at this location during school hours. The School Safety Officer, Dawn Fleming is supportive of the extension. Sergeant Norcross of the Traffic Council questioned whether there had been any consideration of eliminating parking in the extension area. Commissioner Rooney has not considered any parking restriction; however, he felt that restrictions might be a good idea. David Koses, Traffic Council member, asked if there would be bicycle lanes on Langley Road. The Commissioner explained that the roadway is adequate for cyclists but discussion continues regarding whether to go with markings or with bicycle signage and markings.

The public hearing was opened and Marion Lent, 167 Warren Street, spoke on the proposal. She asked if the proposed changes would effect response time of emergency vehicles on Langley Road. The Commissioner stated that he has consulted the Fire Department on the proposal and the street is an adequate width for emergency vehicles. Ms. Lent also inquired if state approval was needed for the modification. The City does not need approval from the state for this type of modification. Sean Roche, 42 Daniel Street, gave a history of the proposed modification. The idea originated in one of the Bowen Thompsonville Board meetings and the concept was emailed to the Bowen Thompsonville Neighborhood Association for suggestions. The Bowen Elementary School PTO is in favor of the curb extension. Mr. Roche worked with the Ward Aldermen to bring the project forward before Langley Road was resurfaced. Steven

Flier, 287 Langley Road, asked if the crossing guard would be able to handle the new crossing. The Commissioner explained that it would be easier as there is one less crosswalk. Mitzi Kaitz, 186 Langley Road, asked if there are any additional plans for traffic calming at other locations along Langley Road. She has had a speeding car end up in her front yard. The Commissioner explained that Ms. Kaitz could petition the Traffic Council for other traffic calming measures.

The Commissioner has looked at the infrastructure of the road. It is a rough road with a dip before the bridge that cannot be fixed until the MBTA works on the bridge. The Commissioner's goal is to get the road paved before Labor Day. Signs and speed limits can be added after the road is completed. Commissioner Rooney has met with the MBTA to coordinate construction, while the MBTA is using busses between Green Line stations. He has suggested that a better route would be to use Beacon Street. Clint Schuckel, Traffic Engineer, stated that the repairs to the Green Line should be completed by August 3, 2007. Candace Haven also told neighbors that the Newton Centre Task Force is looking at traffic calming in the overall area. The public hearing was closed.

Clint Schuckel moved approval of the item in Traffic Council, which carried unanimously. Ald. Weisbuch asked for a resolution to the Commissioner of Public Works requesting a pedestrian sign in the crosswalk located at the extension. The resolution carried by a vote of three in favor and two opposed (Ald. Lappin and Salvucci). A motion for approval carried unanimously.

#100-07 NSTAR ELECTRIC COMPANY/VERIZON NEW ENGLAND INC., petitioning for a grant of location to install one (1) hip guy and anchor on the northwesterly side of CENTRE STREET @ Pole 73/80, approximately 80 feet southeast of Cypress Street. [3-7-07 @9:58 AM]

HELD ON 5-9-07

ACTION: DENIED 5-0 (Weisbuch and Salvucci not voting)

NOTE: The item was held in May in order for Ald. Albright and Ald. Mansfield to make a site visit to determine whether a hip guy and anchor would be detrimental to pedestrian safety at this location. Both Ald. Albright and Mansfield visited the site and felt that a hip guy and anchor were not appropriate for this location, as it is an area with a significant amount of pedestrians. Therefore, the Committee denied the petition.

#206-06 ALD. SAMUELSON on behalf of the Fuller Street residents requesting that the reconstruction plan of Fuller Street from Chestnut Street to Commonwealth Avenue (westbound) include bump outs at three locations.

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

NOTE: Commissioner Rooney presented the item to the Committee. Fuller Street is parallel to Commonwealth Avenue and used as a bypass. Speeds on Fuller Street are well above the allowable speed limit. The Commissioner is proposing three bump outs at three locations on Fuller Street. Braeburn County Club has agreed to finance the bump out in front of the country club. The original plan for the street was to bump out both sides of the street 4'; however, it was not effective in reducing speeds. The Commissioner is proposing to bump out the curbs on one

side of the street approximately 7' in each location forcing drivers to slow down and turn. He has spoken with the Fire Department regarding the proposal. The Fire Department is not thrilled with the design but it is acceptable.

The first location is in front of Braeburn Country Club. The curb will be extended out 9' ± for a distance of 170'. The bump out reduces the width of the street to 22' and creates a safer pedestrian crossing. The extension also forces traffic to slow down in front of the country club. There will be warning signs at each of the bump out locations and possible vertical plantings on the curb extensions. The second location is at the intersection of Fuller and Exeter Streets. The proposed bump out would be on the south side of Fuller Street across from Exeter Street. The bump out is located on either side of a driveway. The curb will extend out approximately 9' at its widest point. The third location is at Fuller and Dartmouth Street on the south side. The extension is the same design.

Ald. Samuelson stated that the neighborhood hired a traffic consultant that provided a different design to slow traffic. The Commissioner explained that he felt that the traffic consultant's plan did not reduce speed enough. Ken Budreau, 148 Fuller Street, spoke on the item. He appreciates the city trying to get the traffic improvements done. He can see the Commissioner's plan potentially being more effective in reducing speeds. However, he would ask that the neighborhood be consulted regarding the new plan to make sure there are no issues. He also felt that drivers have slowed down during the sand bag trials. Mr. Budreau would suggest switching the curb extensions at Dartmouth and Fuller Streets to the north side of Fuller Street. He feels that it would slow traffic even further. Candace Havens agreed with Mr. Budreau. The Commissioner felt that it was possible to switch sides.

Ald. Salvucci moved approval of the item with the condition that the extension at Fuller and Dartmouth Streets be located on the north side of the street. The Commissioner agreed to put the extension on the north side and consult the neighborhood before proceeding with the extensions. The Committee unanimously voted to approve the item.

#101-04 ALD. SAMUELSON requesting implementation of traffic calming measures on FULLER STREET, Waban and West Newton (Wards 5 and 3).

PUBLIC SAFETY & TRANS APPROVED 7-0 ON 9-20-06

REFERRED TO PUBLIC FACILITIES BY FULL BOARD ON 10-03-06

ACTION: NO ACTION NECESSARY 5-0 (Albright and Mansfield not voting)

NOTE: Ald. Salvucci moved no action necessary on this item, as it serves the same purpose as the above item but is not as specific as to what type of traffic calming. The Committee voted unanimously on the action.

REFERRED TO PUB. SAF/TRANS. AND PUB FACILITIES COMMITTEES

#21-05(5) ALD. STEWART requesting that certain pedestrian safety improvements, including traffic islands, rebuilt curb cuts, and relocation of a stop sign, be made at the intersection of Hagar and Concord Streets, Newton Lower Falls.

ACTION: APPROVED SUBJECT TO SECOND CALL 5-0 (Salvucci and Weisbuch not voting)

NOTE: The above item was held on March 21, 2007 in order for the Public Works Department to perform a sandbag trial at the intersection of Grove and Hagar Streets. The Commissioner of Public Works presented the trial results. He deems the trial results successful and feels there has been an improvement to traffic flow.

Josh Princeton and Norm Seaman of the Lower Falls Improvement Association presented an alternative plan to the Grove and Hagar Street intersection. They would propose a four-way stop at that intersection to create an improvement to pedestrian safety. The Committee preferred the Association's plan. However, the stop signs require approval from the Traffic Council. Candace Havens, Chair of the Traffic Council, agreed to take up the stop signs at the next Traffic Council meeting.

The Committee voted in favor of approval subject to second call, as the preferred plan will not work without the stop signs.

#391-06 (2) ALD. VANCE & BAKER proposing that subsection 5-54(b) of Chapter 5, Establishing the Design Review Committee, be amended by adding thereto a requirement that the Design Review Committee's study of the feasibility of a proposed public facility include the proposed facility's level of achieving efficient use and conservation of natural resources and energy.

ACTION: APPROVED 5-0 (Salvucci and Weisbuch not voting)

NOTE: Ouida Young was present for the discussion of the item. Ald. Albright asked if the Design Review Committee has a set of criteria that they review. Ms. Young stated that under 5-54 they are directed very distinctly and in 1998 the Board added a provision that the Design Review Committee's study of the feasibility of a proposed facility include a review of the indoor environment for health issues. The Design Review Committee may make recommendations for specific program requirements for the proposed facility to address indoor environmental health issues. She is assuming that the Board wants to do something similar concerning efficient use and conservation of natural resources and energy.

Ald. Baker explained that this item is designed to be parallel to what was approved in the Zoning and Planning Committee. The Zoning and Planning Committee passed energy conservation and natural resources special permit criteria and what this item proposes is to have a mirror image of that in the design review process. Ms. Young explained that the special permit language talks about anytime that a special permit for public buildings, additions to buildings, individually or on the aggregate 20,000 or more square feet the site planning, building design, construction maintenance and long-term upgrades to the premises show how that design, site planning construction maintenance and long-term operation will contribute significantly to the efficient use and conservation of natural resources and energy. Ald. Yates suggested using language along the lines of the indoor environmental health ordinance and including "contribute significantly" as part of the ordinance language. Ald. Baker was in favor of the language. Ald. Yates moved approval of the item, which carried unanimously. A draft ordinance is attached.

#69-07 ALD. WEISBUCH proposing an ordinance requiring all contractors working on City building projects to certify that they will not use undocumented workers, that they will not accept altered or fabricated documents from their employees and that contractors also be required to verify workers' immigration status without engaging in unlawful discrimination. {2/26/07 @ 3:28 PM}

ACTION: **HELD 5-0 (Salvucci and Weisbuch not voting)**

NOTE: This item was held without discussion.

Respectfully submitted,

Sydra Schnipper, Chairman