

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC FACILITIES COMMITTEE REPORT

WEDNESDAY, SEPTEMBER 19, 2007

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

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

School Committee: Claire Sokoloff, Dori Zaleznik, Reenie Murphy and Susan Heyman

City staff: Lou Taverna (City Engineer), Dave Turocy (Acting Public Works Commissioner), Maria Rose (Environmental Engineer, Public Works Department), Fran Towle (Commissioner of Parks and Recreation), Mayor Cohen and Shawna Sullivan (Committee Clerk)

Chairman's Note: The Committee met jointly with the Programs & Services Committee on #86-07 & #276-06(2):

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#86-07 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$2,300,000 from bonded indebtedness for the purpose of funding the construction of a new synthetic turf recreation complex at Newton South High School. [03-13-07 @ 7:04 PM]

ACTION: PROG & SERV HELD 6-1-1 (Parker opposed; Sangiolo abstaining HELD 6-0 (Salvucci not voting))

NOTE: See the note below for discussion on this item.

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

#276-06(2) HIS HONOR THE MAYOR requesting an appropriation in the amount of \$1,800,000 from bonded indebtedness for the purpose of funding the construction of a new synthetic turf recreation complex at Newton South High School (these funds will supplement the requested CPA funds for this project under item #276-06).

ACTION: PROG & SERV HELD 6-1-1 (Parker opposed; Sangiolo abstaining HELD 6-0 (Salvucci not voting))

NOTE: The Programs & Services Committee and the Public Facilities Committee met jointly to discuss the two turf items. The Committees met on September 5, 2007 to listen to public comment on the items. Several Aldermen have inquired about the impact of synthetic turf on the existing drainage problems in the area of Newton South fields. The City Engineer joined the Committees to discuss the drainage. He stated that there is no drainage system located under the fields and they currently turn into ponds. The synthetic turf is very porous and water will bleed through it rapidly into the proposed drainage system. He believes that it could be a very good way to address surface drainage issues at the field. Mr. Taverna has suggested raising the

elevation of the fields to allow better drainage. He would recommend that the site plan be looked at from a drainage point of view. Maria Rose stated that she has not seen the plans but has done research on the use of synthetic turf.

Ald. Baker felt that there are three things the Board needs to determine regarding the turf before any action can be taken on the items. First, the Board needs to be sure that synthetic turf is appropriate for the Newton South playing fields. Second, whether there is any impact to the health of people using the synthetic turf or living in the area of synthetic turf. Third, how does the synthetic turf fit into the overall drainage in the area?

Ald. Salvucci inquired whether there were any galleys included in the proposed drainage plan. The City Engineer responded that he has not seen the plans since January of 2006 but it is his understanding that there are multiple smaller pipes that feed into a main pipe. A galley is a more solid structure. He pointed out that the project is only in preliminary stages and the drainage plans can be altered. Ald. Salvucci stated that he needed to view the drainage plan for the site before he would be comfortable voting on the items.

Ald. Parker has tried to put together the concerns the public and Aldermen have voiced and bring them to the proponents. He may have some answers to address the four major concerns. He asked if it would be possible to present these to the Committees. Ald. Schnipper felt that Ald. Parker should hold off on the presentation until at least the drainage discussion was complete.

Ald. Albright pointed out that the Board would never approve a special permit petition without a drainage study. Ald. Coletti pointed out that he has seen drainage systems similar to what is proposed and they have not worked. He would also like to know what type of system is currently located in that area, what manholes currently exist in the wetlands and surrounding area and what the groundwater level is on site. He feels that the City Engineer needs to hold this project to the standards that residents and business are held to when doing a project. Ald. Yates agreed with Ald. Coletti and Albright. It seems like the consensus that a technical analysis, a report on existing conditions and plans for drainage need to be put before the Board before there can be any action on the items. He did note that there is a breakdown of funds as part of the Mayor's request. Ald. Yates would be willing to move \$420,000 for geotechnical design, engineering and permitting from the survey portion of funding at the appropriate time.

Ald. Coletti stated that the City should send out an RFP for a drainage study. Ald. Lappin asked if the Engineering Department is prepared to draft an RFP. Ald. Baker stated that the study needs to have engineering and design work for more than just the fields. It seems appropriate to include the surrounding area. Ald. Harney would like to see an engineering study performed. It is important that the study go through the proper process and go out to bid. Ald. Hess-Mahan stated that there needs to be a scope of study, as well as a list of priorities. The City Engineer will have the draft RFP ready before the October 17, 2007 meetings of the Committees. Ald. Hess-Mahan moved hold on the item in Programs and Services, which carried by a vote of six in favor, one opposed and one abstention. Ald. Yates moved hold in Public Facilities, which carried unanimously.

#266-07 NSTAR ELECTRIC COMPANY petitioning for a grant of location to relocate Pole # 13/5 on the northerly side of BELLEVUE STREET 450' ± west of Centre Street. [08-14-07 @ 10:26 AM]

ACTION: **APPROVED 7-0**

NOTE: Maureen Carroll was present for the discussion of the petition to relocate a pole on Bellevue Street. The purpose of the pole relocation is to provide clear access to the driveway. The public hearing was opened and Richard Mallon, 25 Bellevue Street stated that he is in favor of the petition. The owner of 33 Bellevue Street was also present and explained that the pole is currently in the middle of the driveway rendering the driveway useless. The pole will still be located in front of the house. The public hearing was closed. Ald. Lappin moved approval, which carried unanimously.

#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: **APPROVAL FAILS TO CARRY 3-3-1 (Lappin, Salvucci, Schnipper opposed; Albright abstaining)**

NOTE: The Committee has previously discussed this item on two occasions and the reports are attached. Ald. Weisbuch reiterated his reasons for docketing this item. It is his belief that the city should not be in the business of supporting illegal activity when hiring contractors. The ordinance would go towards supporting fair labor and wage practices. Several committee members asked for a draft of the ordinance, which will be requested from the Law Department. Several Aldermen pointed out that state and federal law already exists that states an employer cannot knowingly employ an illegal alien. A memo from Gayle Smalley is attached, which responds to the committee's previous request for background legal information. Ald. Weisbuch moved approval of the item, which failed to carry

#282-07 ALD. SCHNIPPER requesting discussion with the City Engineer regarding the policy for homeowners tying into the City's drainage system. [09-07-07 @4:40 PM]

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

NOTE: Lou Taverna and Maria Rose joined the Committee for discussion of this item. The Committee reviewed the current ordinances and policies regarding drainage with them. The Committee felt that there were no changes needed; therefore, a motion of no action necessary was approved unanimously.

#327-06 ALD. LINSKY requesting discussion with representatives of NStar regarding why a particular section of Newtonville experiences ongoing power outages, including one occurring August 2, 2006, despite representations by NStar that service to this particular area has been upgraded and is more than adequate to carry the service load even though such load is soon due to increase with a new housing project coming on line.

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

NOTE: The Clerk has checked with Ald. Linsky to determine if there have been further instances of power outages in the area. Ald. Linsky spoke with some of his constituents, who have not experienced any recent problems. Ald. Linsky is comfortable with a vote of no action necessary. The Committee unanimously approved a motion of no action necessary.

Respectfully submitted,

Sydra Schnipper, Chairman