

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC FACILITIES COMMITTEE REPORT

WEDNESDAY, APRIL 19, 2006

Present: Ald. Schnipper (Chair), Salvucci, Gentile, Yates, Mansfield and Lappin

Absent: Ald. Weisbuch and Albright

Also present: Ald. Vance and Harney

City staff: John Daghlian (Associate City Engineer), Nicholas Parnell (Public Buildings Commissioner), Sandy Pooler (Chief Administrative Officer), Dori Zaleznik (School Committee), Jonathan Yeo (School Committee), Susan Heyman (School Committee) and Shawna Sullivan (Committee Clerk)

#156-06      BOSTON EDISON d/b/a NSTAR petitioning for a grant of location to install one pole (212/28A) on the southerly side of HOMER STREET at Greenlawn Avenue. (Ward 6)

**ACTION:**      **APPROVED SUBJECT TO SECOND CALL 4-0-2 (Mansfield and Yates abstaining)**

**NOTE:**      Maureen Carroll, NStar Right of Way Manager, was present for the discussion of this petition. The petition is to place a new pole on Homer Street at the corner of Greenlawn Avenue. The pole is needed to improve reliability in the area. The pole will be located 75.6' from the next existing pole. Currently, the span between the two existing poles is very long. There will be a switch at the top of the new pole to in order to have the ability to switch circuits when there is an outage. The Committee reviewed the conditions required by the Public Works Department with Ms. Carroll and there were no problems with any of the conditions.

The public hearing was opened and Lily Ethier, 258 Homer Street, spoke on the petition. She asked why NStar was putting another pole on the street and whether there would be more wires added. Ms. Carroll explained that the pole was needed for the addition of the switch and that there would be no additional wires. In addition, the pole will not be located in front of her home but across the street. Ms. Ethier inquired whether the lines were ever placed underground. The Chair responded that there is a City task force looking at putting lines underground, however, right now the cost is prohibitive.

John Daghlian requested that in the future NStar show any trees located in the area of a proposed pole location on their plans. He would also suggest that digital photographs of the site be included. There is a tree located in the vicinity of the new pole location on Homer Street and the wires run through the tree. Ald. Mansfield asked if the pole location is too close to the tree.

Mr. Daghlian responded that the pole should be 5' away from the drip line of the tree. The addition of the new pole may take up the slack of the wires to pull them out of the tree. Ald. Mansfield also suggested checking with the City Tree Warden, Marc Welch, when a tree is possibly affected by the addition of a pole. Ms. Carroll will speak with the designer to see if this is possible with the addition of the pole. Ald. Mansfield asked if the main reason for the new pole is the switch and whether it is possible to put the switch at street level. Ms. Carroll responded that there is no other pole to put the switch on and it is not possible to put the switch at ground level as the service is in an overhead area.

Ald. Yates questioned why there were so many wires on the poles in the area and whether they are all necessary. Ms. Carroll explained that NStar is only responsible for its own wires and cannot touch the cable, telephone or fire alarm wires. Ald. Salvucci requested a record of the number of outages in the area. Ald. Salvucci moved approval of the item subject to second call, which carried by a vote of four in favor and two abstentions.

#157-06      BOSTON EDISON d/b/a NSTAR petitioning for a grant of location to install one pole (330/8) on the westerly side of OLD ORCHARD ROAD 737± east of Hammond Street. (Ward 7)

**ACTION:**      **APPROVED 4-0-1 (Mansfield abstaining)**

**NOTE:**      Maureen Carroll, NStar Right of Way Manager, was present for the discussion of this petition. The petition is for a new pole on the westerly side of Old Orchard Road to improve reliability in the area. There have been several outages in the area. There are no overhead wires between the two existing poles and the span is too great to run the wires between those two poles. Therefore, the new pole is necessary to attach the wires and there will be a switch on the new pole, as well. The pole will be placed on the grass strip and there is a note from the Engineering Department that NStar take care not to damage the stone wall located on the property line 5' from the new pole location.

Ald. Mansfield questioned whether the abutters had been notified that there would be new wires. The abutters were notified about the addition of the new pole but not that there would be wires connected to the pole.

The public hearing was opened and no one spoke for or against the petition. Ald. Gentile asked if the Historic District Commission reviewed pole locations in historic districts. It is unlikely that the Historic District Commission reviews pole locations but the Committee Clerk will check with the Law Department to be sure. Ald. Schnipper moved approval of the item, which carried by a vote of four in favor and one abstention.

#154-06      WALNUT HILL, LLC, JEFFREY FEUERMAN TRS., 3 Craftsland Road, Chestnut Hill petitioning for Construction of a Common Sewer in BEECHER TERRACE from existing sewer main in Beecher Terrace southeasterly 120' ± across private property within a proposed easement.

**PETITIONER TO PAY ENTIRE COST**

**ACTION:     APPROVED 4-0-1 (Mansfield abstaining)**

**NOTE:**     John Daghlian presented the petition for a new sewer main in Beecher Terrace to service two lots. The extension of the main will require the acceptance of an easement across private property. The petitioner will pay 100% of the cost of the sewer main. The public hearing was opened and no one spoke for or against the petition. Mr. Daghlian explained that the two lots have not been developed and the rear lot cannot be developed without the approval of the sewer main. Ald. Mansfield has some concerns about the development of the two lots, as there is a significant amount of ledge on the two lots. Ald. Yates moved approval of the item, which carried.

#155-06     JAMES A. BLACKBURN, 105 Wood End Road, Newton Highlands petitioning for laying out, grading and acceptance of WOOD END ROAD as a public way from the intersection of Mountfort Road westerly to the intersection of Nantucket Road (a distance of 360'±) to be the width of 45'.

**ACTION:     HELD 5-0**

**NOTE:**     John Daghlian joined the Committee for discussion of this petition. The petition is to make a portion of Wood End Road a public way. The abutters will pay 100% of the cost and the work will be done by the Public Works Department. The roadway is currently a mix of broken asphalt, gravel and stone. The estimated cost of a full depth reconstruction including full sidewalks, curbing and drainage is \$60,000. MWRA property runs the length of one side of the proposed street acceptance portion of Wood End Road and the City cannot assess the MWRA. Therefore, the City would bear the cost of the \$33,281 estimated assessment.

The public hearing was opened and Mr. James Blackburn, 105 Wood End Road, spoke in favor of the petition. The road is in poor condition and cars have driven onto his lawn and torn down his fence in order to avoid potholes. The street is very dangerous, there was a motorcycle accident, and the rider sued Mr. Blackburn over the condition of the private way.

The Committee received a letter from the Bolters, 119 Wood End Road, stating that they were unable to attend the public hearing but are not in favor of the street acceptance. A letter was also received from Richard and Angela Nielsen, 129 Wood End Road, stating that they are unable to attend the public hearing but are not in favor of the proposed acceptance. The Niensens requested that the Committee hold the item in order to speak on the petition. The Committee asked if there was money within the Public Works Department to pay the MWRA portion of the street reconstruction.

Ald. Lappin questioned whether there would be a problem with deterioration of the roadway if it ended in dirt. Mr. Daghlian explained that plowing would probably create some damage. Ald. Mansfield recalled that there was a similar petition a number of years ago and many people on Nantucket Road were opposed to the street acceptance, as they felt it would create a cut through from Lincoln Street. Ald. Mansfield requested that the people on Nantucket Road be notified of the next meeting to discuss the petition.

The item was held in order to find out if there were available funds in Public Works and to give the other abutters a chance to weigh in on the petition. In addition, there was some discussion of the abutters picking up the cost of the MWRA portion if the City did not have the funds and the Law Department needs to be consulted regarding whether this is possible. The Committee voted unanimously to hold the item.

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

#453-05 HIS HONOR THE MAYOR requesting that the sum of \$150,000 be appropriated from bonded indebtedness for the purpose of funding a space needs study for the elementary schools throughout the City.

**ACTION:** **APPROVAL FAILED TO CARRY (1-3-1 (Gentile, Mansfield, Lappin opposed; Yates abstaining))**

**NOTE:** Nicholas Parnell, Sandy Pooler, Dori Zaleznik, Susan Heyman and Jonathan Yeo joined the Committee for the discussion of this item. The item was discussed at the previous meeting and held in order to have questions answered. Mr. Pooler began the discussion and stated that the funding for the study will come from the Capital Stabilization Fund. There will be a letter from the Mayor changing the funding source. Mr. Pooler has begun to look at extending this type of study to all City buildings. He has spoken with Commissioner Parnell and concluded that it is a good idea to have a comprehensive study on all City buildings but different architects would be needed for the City buildings. The architects needed for this study would be architects that specialize in school buildings and it would be best to keep the studies separate. The Public Buildings Department needs to investigate further and come up with a scope for a City building studies.

Mr. Pooler has spoken with the Citizens' Commission on Energy about some of the energy audits and energy performance contractors and he would like to take advantage of an energy efficiency audit. Mr. Pooler believes that the audits would be a different analysis and would supplement this study but would not take the place of the study. This study will be comprehensive on a number of different issues about the structures of the buildings. It will look at ADA compliance, the infrastructures and the HVAC systems and so forth.

Ald. Yates asked what is the point of doing the study now, as the major part of the City's capital money will be going towards paying for Newton North High School for at least the next ten years. Mr. Pooler responded that other capital projects have been built into the finance plan. In FY'06, \$3.5 million was used for repair of windows at the Crafts Street Fire Station, a fire truck, replacement of windows at the Peirce School and there will be more capital projects going forward in the coming year. The City does have capacity to borrow some other money for other projects in the City. The issue is how we allocate and prioritize the projects. His general feeling is that we are going to have to figure out how we are going to repair the buildings we have now.

Dori Zaleznik stated that there are three things that the study will accomplish. The first is to provide a database, which includes what stock is available, what repairs are needed, how many classrooms the schools have, how many other types of spaces exist and what they can be used for

and accessibility issues, etc... Second the study would provide a list of short-term projects that can be done and thirdly to set up processes for longer term goals.

Ald. Lappin questioned why the Public Buildings Department cannot handle that type of database. The Commissioner knows the inventory and what the issues are in school buildings. The study covers more than just inventory and repairs. Ms. Zaleznik explained the study also includes program issues, what the City needs in terms of educational spaces, such as tutorial rooms and ADA accessibility.

Ald. Yates requested that the architectural disciplines needed to perform the study be specified in the RFP, as well as clarification of standards to be developed. Ald. Yates pointed out that there are no clear objectives specified in the RFP. Ms. Heyman responded that it is a way of creating a standard for the schools and in the near future, the SBA will be coming up with these types of standards for projects. The standards will contain size data for spaces within schools, such as the x number of feet a classroom, tutorial space or library should be. Ald. Yates was baffled that these types of standards do not already exist. The School Committee members agreed to put the standards and disciplines into the RFP. Ald. Yates would be more comfortable putting \$150,000 into implementation of energy conservation that yields something now when the City is under the gun. Ms. Heyman stated that the School Department will be implementing some of the energy conservation recommendation from savings in the health insurance costs. Ald. Yates is also not persuaded that the City will have money for capital projects in the near future and if the City does have the money that it will be able to be used for the recommendations of the study.

Ald. Gentile reiterated his strong opposition to the study. Although he does think that the study may be helpful, he questions the timing of the expenditure. All the study is going to do is set up a list of expectations of different parents looking for immediate action that the City cannot afford to act on at this time. There is a strong possibility that when the City has the funding to implement some of the recommendations the study will be obsolete.

Ald. Mansfield is concerned that the docket item request does not have the right source and it is not for a space study. More than that, the RFP needs to be tightened up and limited. Until he sees something more in line with what is being discussed he cannot vote in favor of it.

Alan Schlessinger spoke on the item. He does not believe in treating problems by acting like an ostrich and burying your head. The Cabot Elementary School does not have any minimum standards. It does not have an elevator or tutorial rooms. It is not right to not determine what the space and structural problems are within the schools. The School Department needs to be able to plan and come up with solutions. Rosemary Mullen also spoke on the item. She stated that the Board has no idea how bad the problems are within the schools. The custodian at one elementary school does not put in work orders unless it is a crisis because no one responds due to finances. Therefore, not all of the problems within that school are recorded by the Public Buildings Department.

Commissioner Parnell was very disturbed that the custodian was not reporting problems. Ald. Gentile responded that we should spend money to fix problems, not on a study. Ald. Yates is disturbed that the people in immediate charge of buildings do not report problems because of lack of response. Ald. Lappin is concerned because she is not sure that the money for new growth will happen every year. She also felt that it is important to address the reporting problems. Ald. Gentile pointed out that the School Department has a charter maintenance account, which other city buildings do not have.

The Chair moved approval of the item, as everyone seems to have decided his or her position on item. The item failed to carry by a vote of one in favor, three opposed and one abstention.

Respectfully submitted,

Sydra Schnipper, Chairman