

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC FACILITIES COMMITTEE REPORT

WEDNESDAY, NOVEMBER 9, 2005

Present: Ald. Schnipper (Chairman), Gerst, Albright, Salvucci, Stewart, Yates and Mansfield

Absent: Ald. Lappin

Also present: Ald. Sangiolo, Harney, Parker and Baker

City Personnel: Lou Taverna (City Engineer), Sandy Pooler (Chief Budget Officer), Nick Parnell (Commissioner of Public Buildings) and Shawna Sullivan (Committee Clerk)

#370-05 KEYSPAN ENERGY DELIVERY petition for a grant of location to install and maintain 27' ± of 4" gas main in GOULD ROAD from the existing 4" gas main in Gould Road to Quinobequin Road.

ACTION: **HELD 7-0**

NOTE: Due to the late start of the meeting, Fran O'Leary from Keyspan was not present for the discussion of this item. The petition for a grant of location is for 27' of gas main in Gould Road, which will continue onto Quinobequin Road. Quinobequin Road is a State road; therefore, it does not require a grant of location. The petition has been approved by the Conservation Commission, as it is in the flood plain of the Charles River.

The public hearing was opened and no one spoke for or against the petition. Ald. Yates raised his concerns regarding the safety of the placement of the gas main on Quinobequin Road. Ald. Schnipper queried whether there was anything emergent regarding the petition. Lou Taverna stated that he is not aware of anything of an emergency nature regarding the petition. He also stated that Keyspan could provide a cross-section if the utilities located in the public way.

Ald. Yates moved hold on the item until a cross section could be provided to the Committee and the Clerk could speak with Fran O'Leary from Keyspan to find out if there is any emergent situation attached to this petition.

#348-05 ALD. STEWART recommending an amendment to Section 26-47 (c) of the revised ordinance to allow for the acceptance of new streets without sidewalks.

ACTION: **APPROVED 7-0 SUBJECT TO SECOND CALL**

NOTE: Ald. Stewart is proposing an amendment to the ordinance governing street standards. He would like the Board to have the option of accepting streets without sidewalks. There are already some exemptions for street standards within the Board's purview. Ald. Stewart

used Belmore Park as an example of a street that does not require sidewalks. Belmore Park is a small dead-end street with 11 homes and minimal pedestrian traffic. Adding the option to constructing streets without sidewalks will probably encourage residents on private ways to have their streets reconstructed. He is sure that there are several other streets will take advantage. Ald. Stewart requested a draft amendment from the Law Department last week but the Law Department was unable to provide the language for the meeting. However, the Law Department will be able to provide the language by the next full Board meeting.

Ald. Yates pointed out that perhaps there should be a possibility of an option to waive sidewalks. However, he was concerned that once a roadway is improved it may increase the traffic creating safety issues for pedestrians. Ald. Salvucci was not comfortable with there being no sidewalks on a city street, as it creates a safety issue. He would be supportive of the possibility of requiring sidewalks on one side of the street. Ald. Mansfield asked for clarification of the proposal. He was unsure whether proposal was for no berm or absolutely no sidewalk. Ald. Yates suggested asking the Law Department how to word the amendment. Ald. Gerst was supportive, as it gives the Aldermen more flexibility in accepting streets.

Ald. Stewart moved approval of the item subject to second call in order to review the draft amendment (memo and draft attached.) The Chairman suggested having an early meeting before the full Board meeting to review the amendment with the President's permission.

#175-05 ALD. YATES requesting the School Department, School Committee and Public Building Department to request information from other communities across the Commonwealth and the nation as to problems encountered with HVAC systems in schools to find possible commonalities that might lead to possible joint legal action against defective suppliers or contractors and to possible connections to defective systems that have been successful elsewhere.

ACTION: **HELD 6-0 (Gerst not voting)**

NOTE: Ald. Yates has heard that another community in Massachusetts and one in Connecticut have been having problems with their newly installed HVAC system. He is concerned that perhaps the HVAC industry is selling faulty equipment.

Ald. Schnipper asked if the quality problems were related to public bid. Commissioner Parnell has heard of all kinds of problems with HVAC systems including within the private sector. He thinks that is why commissioning is necessary, as soon as the HVAC is installed. He has been learning a lot from the commissioning at Newton South High School. The Commissioner attends the Boston Society of Architects Educational Facilities Groups, which meets monthly to discuss school design and construction. He will confer with that group regarding HVAC issues in other school construction projects and report back.

Parts of the difficulty with HVAC systems are that they are very complex in order to be efficient and meet the requirements of air quality within schools. It is very difficult to determine

where the problem lies within the system. The Commissioner will be requesting funding for an HVAC repair position within his department.

Ald. Yates will provide the Commissioner with a contact person from the community in Massachusetts with similar problems. Ald. Yates moved hold until the Commissioner could gather further information, which carried unanimously.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#160-05 ALD. HARNEY, SANGIOLO, PARKER AND HESS-MAHAN requesting an independent audit and possible appointment of an independent commission to investigate the Newton South construction project.

ACTION: DENIED 3-0-3 (Albright, Yates, Mansfield abstaining; Gerst not voting)

NOTE: Ald. Sangiolo, Harney, Parker and Baker joined the Committee for discussion of this item. Commissioner Parnell is concerned as the City is trying to close the Newton South High School project out that it is not in the best interest of the City to begin an audit at this time. He also explained that there is an audit process through the School Building Assistance Program. He thinks that there will be some things that will happen in the next month or so that will change some of the conceptions regarding the project. It is his belief that it would be helpful to have the Law Department involved with the discussion.

Ald. Sangiolo stated that there are different types of audits, which produce different types of data. She feels it is important to understand what occurred in terms of Change Orders and to have a database of the problems with construction before going forward with a new school. The database would clarify any mistakes that were made and keep the City from repeating the same mistakes.

Commissioner Parnell explained that Change Orders have been investigated, questioned and explained to a candidate for Alderman, the Public Facilities Committee and the Mayor's Office. The Commissioner will not have an external list of the problems that occurred during renovations at Newton South High School. However, he will have an internal list. He has learned a lot from the Newton South project especially in terms of commissioning. It is very difficult to place blame on one specific company or product. He is very uncomfortable putting a bad name on someone or something.

Ald. Sangiolo asked if it was a timing issue in terms of starting an audit. The Commissioner responded that it is unlikely that the Newton South High School project will be closed out before the Newton North High School project begins. He added that the Tier 1 project was just recently closed out. Right now, the City has direct payment plans with 14 subcontractors on the Newton South project. There is so much going on with the project that he is very concerned about documenting anything.

Ald. Salvucci asked Ald. Sangiolo what she hoped to accomplish with the audit. Ald. Sangiolo responded that she hopes to find out what we can learn from the Newton South project.

She hopes to see a list of what went wrong. Ald. Salvucci pointed out that no matter what something always go wrong with a construction project. He pointed out that information about change orders is currently available.

Ald. Stewart has never been enthusiastic with the database concept. Who will be learning from the database. He would hope that everyone involved with the Newton North High School have a much broader experience than just Newton South High School. It seems to focus on the problems at Newton South does not make any sense.

Ald. Parker would like a concise summary of the problems and solutions at Newton South High School. The Commissioner explained that the Board receives a monthly status report on both the Newton South and Newton North projects. Ald. Salvucci explained that the information already exists through the Clerk of the Works logbook. Commissioner Parnell will try to provide answers to questions wherever possible.

Ald. Schnipper pointed out that the Board needs to acknowledge some of the problems with Newton South where due to it being done quickly in order to get in before the change in the School Building Assistance Program. It is her hope that it will be very different with Newton North, as it is new construction and the City can take the time to do it right. She has met with the architects and felt very comfortable with their preliminary discussions. She has also asked that the architects answer why, if they do not utilize parts of the existing building. It is her hope with new public bidding process the Newton North project will go much more smoothly. Commissioner Parnell pointed out that people lose sight of the fact that Newton South High School has now changed into a 21st century school.

Ald. Albright requested that the Board receive monthly updates on Newton North High School. Ald. Schnipper would also like a listing of what meetings are occurring. Ald. Salvucci asked why the Board could not receive portions of the project, as they are ready instead of trying to absorb all at once. Commissioner Parnell will make sure that the Board has the information, as it becomes available.

Ald. Stewart moved denial of the item. However, Ald. Schnipper pointed out that once everything is resolved the item could be redocketed. Ald. Yates offered a friendly amendment of no action necessary, which was not accepted by Ald. Stewart because he believes that the correct action is denial. Commissioner Parnell stated that if he were given specific questions in writing he would answer them. The Committee voted the motion of denial, which carried.

REFERRED TO PUB. FAC., PS&T. AND FINANCE COMMITTEES

#378-05 HIS HONOR THE MAYOR requesting an appropriation in the amount of
(314-05) \$150,000 from bonded indebtedness for the purpose of making repairs and
renovations to various firehouses within the City of Newton.

ACTION: **APPROVED 6-0 (Gerst not voting)**

NOTE: Commissioner Parnell and Sandy Pooler presented the item to the Committee. The Commissioner explained that this is a capital piece. He will provide the Board with a spreadsheet

describing what has been done, what has not been done and why in terms of repairs. A study by an on call consultant is currently being undertaken to come up with a list of what needs to be done at each of the stations. The consultant's report should be completed and available by the end of December or beginning of January.

The \$150,000 is to attack those things that are life safety issues and building envelope related. The alarm upgrades will be done and Station 4 will get new windows. The windows are in terrible shape and inefficient. Ald. Salvucci asked if there has been anything done about the heating. Commissioner Parnell explained that it makes the most sense to put the money where it will not need to be undone when future repairs are made on the stations.

Ald. Salvucci stated that the only way to fix the stations is to set aside a fire station a year and renovate in much the way the Tier One Program for the elementary schools was done. The City needs to set aside a fire station a year for renovation until all renovations are complete. Mr. Pooler responded that part of the questions that were asked of the consultant were about timing and phasing. The City will need to figure out how to balance with the rest of the capital expenses.

Ald. Yates felt that the City needs to explore outside funding sources, such as grants and Homeland Security funds. Commissioner Parnell looks to the Chief to inform him about any available grants. Mr. Pooler will talk with the Mayor and Chief Administrative Officer regarding resources put into grants. Mr. Pooler is aware of several times that the Fire Department has received funds from Homeland Security.

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

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#379-05 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$26,000 from Free Cash for the purpose of making repairs to the Burr Park Field House, which was damaged during the October 25, 2005 wind storm when a tree fell on it.

ACTION: **APPROVED 6-0 (Gerst not voting)**

NOTE: Commissioner Parnell presented the item. A tree fell during a storm, crushed a rafter, and put a three-foot hole in the roof of the Burr Park Field House. Commissioner Parnell has contacted the Parks and Recreation Department to prune the trees or take them down in the area. The Commissioner explained that the Public Buildings Department has begun the repairs but needs the \$26,000, the cost of the repairs, to replenish the accounts, in order to continue with other projects. The Committee had no problems with this appropriation and recommended approval of the item.

Respectfully submitted,

Sydra Schnipper, Chairman