

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC FACILITIES COMMITTEE REPORT

WEDNESDAY, DECEMBER 7, 2005

Present: Ald. Schnipper (Chair), Albright, Stewart, Yates, Mansfield and Lappin

Absent: Ald. Gerst and Salvucci

Also present: Ald. Lennon and Ald.-elect Weisbuch

City personnel: Lou Taverna (City Engineer), Robert Rooney (Commissioner of Public Works), Sandy Pooler (Chief Budget Officer) and Shawna Sullivan (Committee Clerk)

Appointment by His Honor the Mayor

#349-05 MARC KAUFMAN, 553 Walnut Street Newtonville appointed by His Honor the Mayor to the Design Review Commission as the Community Representative for the Newton North High School Project. (60-day Board action date 12-19-05)

ACTION: **APPROVED 6-0**

NOTE: Mr. Kaufman was present for the discussion of his appointment to the Design Review Committee, as the community representative for the Newton North High School project. Mr. Kaufman was a member of the Citizens' Task Force on Newton North and is the parent co-chair of the Newton North School Council. He is also very involved with the community surrounding Newton North High School.

Mr. Kaufman is well known to Ald. Albright and she is very enthused about his appointment. Ald. Mansfield asked if Mr. Kaufman was a close abutter to the school. Mr. Kaufman responded that he lives on Walnut Street very close to the school. Ald. Stewart questioned how Mr. Kaufman saw his role in resolving conflicts between the city's interests and abutters' interests. Mr. Kaufman stated that conflicts between the neighborhood and the school have existed since the site has been used for a high school. Each of neighborhoods located on the sides of the school have different issues. The Lowell Avenue side is concerned with the demolition, the Hull Street side is concerned with ongoing littering by students and the Walnut Street side is anxious about the placement of the new building. It is Mr. Kaufman's belief that it is the architects job to provide a project that is palatable to the neighborhood. Ald. Stewart feels that it is the City's obligation to build the finest school. He does not believe that it is the City's responsibility to improve the neighborhood and he is not sure that it is the City's responsibility to mitigate the neighborhood problems. Mr. Kaufman declared that the goal should be to bring the citizens of the City together to get the best school possible, which overrides any individual.

Ald. Lappin pointed out that it is possible to build the school with everybody in mind including the abutters. She felt it was important to have a community representative on the Design Review Committee to voice the abutters' concerns. Ald. Albright feels that in many ways the City and the abutters share the same interests, such as traffic and design. She looks to the architects to diffuse any situations. Ald. Yates would not go looking for conflicts. However he asked if flooding has been a frequent occurrence. Mr. Kaufman is aware that the Newton North tennis courts have been flooded many times. The problem is not Laundry Brook but the culvert, which runs under Walnut Street. When there is heavy rain the culvert cannot handle the amount of water flowing through it. The City should not site the building on Lowell Avenue on top of the culvert. Mr. Kaufman also pointed out that nobody is aware of what is in the soil.

Ald. Mansfield agreed with Mr. Kaufman that in order to achieve the best possible school a complete site analysis needs to be done. It may be that the City cannot get the best possible school on the site. Ald. Mansfield asked if Mr. Kaufman had considered other sites for the school. Mr. Kaufman responded that Newton North and Newton South could have been combined ten years ago and sited at Cold Spring Park, however, that possibility is no longer feasible.

Ald. Schnipper thanked Mr. Kaufman for his willingness to serve and felt his wealth of knowledge and interest in the project would be a great benefit to the Design Review Committee. Ald. Albright moved the appointment, which carried unanimously.

#423-05 KEYSPAN ENERGY DELIVERY petitioning for a grant of location to install and maintain 237' \pm of 4" gas main in WINSTON ROAD from the existing 4" gas main in Winston Road at 69 Winston Road to 91 Winston Road.

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

NOTE: Fran O'leary, Keyspan Permit Representative, was present for the discussion of the petition for the grant of location. The request is to provide gas for heat, hot water and cooking to a home on Winston Road. Keyspan has notified the residents of Winston Road regarding the gas main extension and is hoping to pick up additional customers. Keyspan will begin the project in the spring. The Public Works Department has reviewed the petition and has no problem with the petition. The public hearing was opened and no one spoke for or against the petition. Ald. Lappin moved approval of the petition, which carried unanimously.

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

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

NOTE: Fran O'Leary, Keyspan Permit Representative, was present for the continuation of the discussion and public hearing of the item. The item was previously held in order to obtain a cross section of the utilities located on Quinobequin Road. Keyspan submitted the cross section

to the Engineering Department and there are no outstanding issues. The public hearing was reopened and no one spoke on the petition. Ald. Yates moved approval, which carried.

#371-05 KIT YEE KWONG TAM, 24 Silver Lake Avenue, petitioning for laying out, grading and acceptance of SILVER LAKE AVENUE as a public way from the intersection of Adams Street easterly approximately 260' to the easterly property line of 24 Silver Lake Avenue.

ACTION: **REFERRED TO THE 2006-2007 BOARD 5-0 (Mansfield not voting)**

NOTE: Lou Taverna and Ald. Lennon joined the Committee for discussion of this item. It is a petition to make a portion of Silver Lake Avenue a public way. The Public Works Department would do the work and assess the abutters 100% of the cost. Ald. Stewart asked what kind of problems would occur if a street is half accepted. Mr. Taverna has consulted with the Law Department and there is an enhanced liability to owners along the portion remaining private. Ald. Lennon asked if the City would plow both the private and public portion of the street. Mr. Taverna explained that the City plows all private ways. Ald. Lappin asked if there would be problems if only a portion of the street were paved. Mr. Taverna stated that the City would terminate the asphalt into the existing roadway surface.

The public hearing was opened and Dr. David Proia, 30 Silver Lake Avenue, spoke on the petition. The street is in very bad shape and it is used as a thru-way between Adams Street and Bridge Street. Kit Yee Kwong Tam, 24 Silver Lake Avenue, also stated that the street is in such terrible conditions her friends and family will not visit.

Ald. Stewart asked if Chapel Bridge, which owns more than half of the private way, is in favor of the project. Mr. Taverna responded that they were notified of the petition and he has not received a response from them. Ald. Stewart suggested that there be an effort to talk with Chapel Bridge as they will be responsible for paying for more than half of the project. Ald. Stewart is also bothered that all of the residents of Silver Lake Avenue are not in favor of making it a public way.

Ald. Lennon is also concerned about a partial acceptance of the street, as all the abutters are not in favor of acceptance. He pointed out that there is no benefit to Chapel Bridge Park as there is no entrance or exit from the parking lot onto Silver Lake Avenue. Ald. Lappin also stated that she would like to hear from Chapel Bridge Park.

Ald. Schnipper suggested referral to the next Board, as the project cannot begin until the spring and it will give the City an opportunity to contact Chapel Bridge Park. The City Engineer agreed to contact Chapel Bridge Park before the next meeting of the Committee, therefore, the item was referred to the next Board.

#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 5-0 (Mansfield not voting)**

NOTE: This item was previously discussed and held in order to review the draft ordinance. The amendment will clarify that the acceptance of streets require sidewalks on both sides unless exempted by the Board. Ald. Yates asked that the words “and/or reasonable” be added after the word feasible in the draft ordinance (amended draft ordinance attached). The Committee had no problem with this, as long as Gayle Smalley agreed. Ald. Stewart moved approval of the item which carried unanimously.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#457-05 HIS HONOR THE MAYOR requesting that the sum of \$767,000 be appropriated from bonded indebtedness for the purpose of purchasing heavy equipment and heavy duty trucks for the Department of Public Works.

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

NOTE: Commissioner Rooney was present for the discussion of the item. There is some urgency, as it takes four to six months to receive heavy equipment once it is ordered. Also the sooner the equipment is ordered the less it will cost, as steel goes up about 5-10% a year. Most of the City’s fleet is over 26 years old and in desperate need of replacement. A list of the equipment to be purchased is attached.

The Commissioner informed the Committee that there will be a letter from the Mayor amending the docket item by an addition \$120,000 for a sidewalk tractor (attached). The Committee agreed to amend the item on the floor of the Board if necessary.

Ald. Lappin asked how much bonding capability the City has this year. Mr. Pooler explained that the total bonding capability is a little under \$3.5 million. Mr. Pooler then gave a breakdown of what the bonding will be used for this year: \$148,000 for the Countryside School roof, \$450,000 for the Bowen and Ward Schools, \$560,000 for the Pierce School windows, \$200,000 for the Pierce School boiler, \$150,000 for a space study at the elementary schools, \$850,000 for a ladder truck and \$150,000 for the fire stations repairs.

Ald. Yates asked if the new equipment is included in the Capital Improvement Plan. Commissioner Rooney is certain that it is contained in the CIP. Ald. Yates asked that the Commissioner or Sandy provide the page from the CIP (attached) as backup before the item is discussed in Finance Committee. Ald. Yates moved approval of the item which carried unanimously.

REFERRED TO PUBLIC FACILITIES & FINANCE COMMITTEES

#203-05 ALD. STEWART proposing the establishment of a commission to investigate the creation of a municipal electric distribution enterprise in Newton.

ACTION: **DENIED 5-0 (Mansfield not voting)**

NOTE: Ald. Stewart moved denial of the item. He does not feel that it is the right time to establish a commission and the Undergrounding Task Force is dealing with some aspects of undergrounding utilities. Therefore, the Committee voted to deny the item.

#259-02 HIS HONOR THE MAYOR requesting an informational discussion of authorization of a lease for municipal parking purposes of property owned by NSTAR located on Homer Street immediately west of the Main Library parking lot.

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

NOTE: The Committee voted this item no action necessary, as there has been no progress on leasing the property and there is not likely to be any in the near future.

#257-02 ALD. SCHNIPPER requesting a discussion of the state and federal laws that govern the shared use of utility poles, including a review of the standards and procedures employed in determining whether poles have adequate space and weight-bearing capacity to support the attachment of additional cables and wires.

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

NOTE: Ald. Schnipper was willing to vote this item no action necessary, as there seems to be some progress on double pole issues. The Committee voted unanimously for a recommendation of no action necessary.

The following items were all referred 5 -0 (Mansfield not voting) to the 2006-2007 Board:

#424-05 ALD. SANGIOLO & HARNEY requesting an update from the School Department regarding the energy audit that was begun during last year's budget review.

REFERRED TO PROGRAMS & SERVICES, 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.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#456-05 HIS HONOR THE MAYOR requesting that the sum of \$200,000 be appropriated from bonded indebtedness for the purpose of replacing the generator at the Peirce Elementary School.

#246-05 ALD. LINSKY, SCHNIPPER, JOHNSON AND ALBRIGHT requesting a discussion with representative(s) of NStar regarding why sections of Newtonville seem to be experiencing ongoing brown-outs despite representations by NStar that service to the area has been improved.

REFERRED TO PUB. FAC. & PUB. SAFETY & TRANS. COMMITTEES

#317-05 ALD. SCHNIPPER requesting that the following duplicate street names be changed:

Charles Street	Forest Avenue
Fuller Street	Howard Street

Lake Avenue	Maple Street
Maple Terrace	North Street
Norwood Avenue	Oakwood Road
Orchard Avenue	Pleasant Street
Rockland Street	Rogers Street
Russell Road	Upland Road
Walnut Place	Willard Street
William Street	

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

#428-05 HIS HONOR THE MAYOR submitting the FY07-FY11 Capital Improvement Program pursuant to section 5-3 of the Newton City Charter which requires Board of Aldermen approval of a plan to finance \$179,120,279 of new local projects over the next several years:

SUMMARY

PUBLIC WORKS (City-Funded)	\$ 12,544,000
PUBLIC WORKS (Grant/Fee Funded)	\$ 53,255,000
PUBLIC SAFETY.	\$ 3,910,289
PUBLIC BUILDINGS	\$ 5,420,420
SCHOOL DEPARTMENT	\$ 92,415,000
PARKS AND RECREATION	\$ 8,807,410
OTHER	\$ 2,768,160
TOTAL	\$179,120,279

FINANCE REFERRED TO 2006-2007 BOARD 7-0

#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.

REFERRED TO PUB. SAFETY/TRANS. AND PUBLIC FACILITIES COMMITTEES

#61-05 ALD. SAMUELSON, DANBERG AND CANDACE HAVENS requesting that, as part of the reconstruction process for TYLER TERRACE and/or CLARK STREET, speed humps be redesigned in order to improve safety for moving traffic while still slowing speeds to 25 mph.

REFERRED TO PUBLIC SAFETY & PUBLIC 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.

REFERRED TO PS&T AND PUBLIC FACILITIES COMMITTEES

#479-04 ALD. LENNON, GENTILE, SALVUCCI, COLETTI et al requesting that a detailed analysis be conducted by the Public Buildings Dept., Fire Dept. (and any necessary outside sources) of all necessary improvements for each fire station within the city. Said analysis should include, but not be limited to: living quarters (bedrooms, kitchens, etc); offices and workstations; HVAC and plumbing systems; window replacement; apparatus floor and any other physical plant improvements. Said analysis should assist the Board of Aldermen in understanding and prioritizing all needed improvements and create a “blueprint” and timeline to have improvements implemented and completed.

REFERRED TO PS&T AND PUBLIC FACILITIES COMMITTEES

#478-04 ALD. SAMUELSON and CANDACE HAVENS, along with ALDS. JOHNSON, LENNON, HESS-MAHAN, LINSKY, ALBRIGHT, HARNEY, SCHNIPPER, YATES, DANBERG AND LIPOF proposing creation of a new Ordinance to allow for installation of raised crosswalks, where deemed necessary, as a traffic calming measure.

#386-04 ALD, SANGIOLO, HESS-MAHAN, JOHNSON, AND DANBERG proposing an ordinance to require that designers selected have LEED certification and include high performance/life cycle analysis for all municipal construction projects in the City of Newton.

#321-04(2) ALD. JOHNSON requesting a RESOLUTION to His Honor the Mayor requesting that he expeditiously as possible find funding to create traffic calming measures on Mill Street as requested by the Traffic Council.
PROG & SERV REFERRED TO PUBLIC FACILITIES COMMITTEE 5-0 (Lipof, Harney not voting)

#246-04 COMMISSIONER OF PUBLIC WORKS requesting approval of the 25% design plan submittal for Walnut Street from Homer Street to Centre Street including a small section of Centre Street to Route 9.

#178-04(2) ALD. LAPPIN requesting an update on progress and implementation of the construction information database.

#144-04 HIS HONOR THE MAYOR requesting that the area along UNION STREET in Newton Centre be designated as Picadilly Square.

#104-04 ALD. YATES requesting a report from the Chief of Police as to how the ordinance prohibiting the blockage of sidewalks with snow can be more easily enforced.

REFERRED TO PUBLIC FAC. AND PUBLIC SAFETY & TRANS. COMMITTEES

- #35-04 ALD. SAMUELSON requesting an ordinance amendment to Section 26-8 of the City of Newton Revised Ordinances, 2001 to require all property owners or residents to remove snow from sidewalks abutting their property.
- #522-03 ALD. PARKER AND LENNON requesting an ordinance amendment to improve enforcement related to snow removal.
- # 27-03 ALD. SALVUCCI, SCHNIPPER, LINSKY, STEWART, LAPPIN AND YATES requesting a review of all change orders to date with Public Buildings Commissioner and the Project Manager on the Newton South High School project.
- #435-02(2) TRAFFIC ENGINEER proposing intersection safety improvement project at the intersection of HIGH STREET/ELLIOT STREET/OAK STREET (Ward 5).
PS&T APPROVED 5-0-1 (Lennon abstaining) REFERRED TO PUBLIC FACILITIES FOR REVIEW AND PUBLIC HEARING ON INTERSECTION RECONFIGURATION
- REFERRED TO PROG. & SERV., PUB. FAC. AND FINANCE COMMITTEES**
- #309-01 ALD. PARKER requesting increase in the income eligibility level of the 30% water/sewer discount for low-income senior citizens.
FINANCE DENIED 6-1 (Linsky opposed)
- #146-99 GRACE J. VIGORITO, 33 Bencliffe Circle, petition for laying out, grading and acceptance of BENCLIFFE CIRCLE from Chaske Avenue to 730' to be the width of 45 feet.
- # 94-99 RALPH S. ROBART 28 Richardson Road, Petition for Laying Out, Grading, and Acceptance of RICHARDSON ROAD from Route 9 northerly 180'± to be the width of 30 feet.
- #93-99 RUTH M. THOMPSON 5 Belmore Park, Petition for Laying Out, Grading and Acceptance of BELMORE PARK from Washington Street to end 505' to be the width of 45 feet.

Respectfully submitted,

Sydra Schnipper, Chairman