

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC FACILITIES COMMITTEE REPORT

WEDNESDAY, MARCH 17, 2004

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

City personnel present: Robert Rooney (Commissioner of Public Works), Sandy Pooler (Chief Budget Officer), Cathy Salchert (Assistant City Solicitor) and Shawna Sullivan (Committee Clerk)

**Chairman's Note:** The Commissioner of Public Works' presentation on the upcoming street construction for this season was postponed, as the City Engineer was unavailable.

#143-04      KEYSPAN ENERGY DELIVERY requesting a grant of location to install and maintain 56'± of 4" gas main in ADAMS AVENUE, West Newton from the existing 4" gas main in Adams Avenue at House #167 westerly to House #160.

**ACTION:**      **APPROVED 8-0**

**NOTE:**      Fran O'Leary, Keyspan Permit Representative, was present for the discussion of the petition. Keyspan is requesting a grant to install 56' of gas main to provide gas for heat, hot water and cooking to 160 Adams Avenue. The construction work is scheduled for the end of April. The Committee reviewed the recommendations for the reconstruction of the road from the Department of Public Work, which were standard. The public hearing was opened and no one spoke for or against the petition. Ald. Salvucci moved approval, which carried unanimously.

#146-04      ALD. STEWART recommending creation of a commission to investigate the technical, financial and policy feasibility of placing utility wires in the City underground.

**ACTION:**      **NO ACTION NECESSARY 6-2 (Stewart and Albright opposed)**

**NOTE:**      Ald. Stewart explained that he docketed this item to begin to look at the possibility of placing all wires underground. He is not proposing that this can be done in the near future but the City should begin to look at all the considerations in regards to placing wires underground. There are several communities in eastern Massachusetts who have made some progress in this area. Ald. Stewart would like a group of six to eight people formed to study the different technical and financial aspects.

Ald. Lappin theoretically agrees with the concept but feels that it is prohibitive at this time as the cost is between \$300 and \$1,200 per foot. Ald. Salvucci asked what areas of the City would be done first and Ald. Stewart responded that would

be something that was discussed by the group. Ald. Salvucci also pointed out that when the Stop and Shop special permit was discussed the possibility of placing all of the wires on Needham Street underground. It was explained that the cost would be to the whole City not just the property owners on Needham Street. Ald. Gerst stated that there is a large volume of information on this subject for Cabot Street. When the cost was determined, it was so large it was decided not to pursue it. Ald. Stewart responded that in the end it would be considerably cheaper to put the utilities underground as the number of repairs and pole replacement would be greatly reduced.

Ald. Albright asked if the group could be staffed by a department to create ownership. She also suggested investigating grant opportunities. Ald. Mansfield suggested that the City may already have a Board or Commission in place, which could become involved. The Committee felt that a memo should be sent to the Urban Design and Beautification Commission, Planning and Development Board, Comprehensive Planning Advisory Committee, Economic Development Commission, Citizens Commission on Energy and Urban Tree Commission requesting that they look at the possibility of placing utility wires underground.

Ald. Salvucci moved the item no action necessary, as existing Committees could address the issue. The motion carried unanimously.

#145-04      ALD. STEWART recommending review of and possible changes in Article II, Section 26-53 "Construction of streets and ways" to make it easier and quicker to improve the condition of private ways in the City.

**ACTION:**      **HELD 8-0**

**NOTE:**      Cathy Salchert, Commissioner Rooney and Sandy Pooler were present for the discussion. This item and #159-04 were discussed in conjunction, as they are related. Ald. Stewart docketed his item because there are a host of private ways that have been awaiting acceptance for a number of years. He would like to discuss possible changes in the standard of construction and financial aspects for street acceptances in order to speed up the process.

Commissioner Rooney has been in discussion with the Mayor and Sandy Pooler regarding the private way issues. Currently, the City pays a significant amount of the cost for street betterments. The City cannot fund private way acceptances in the current financial climate. The Mayor is proposing an amendment to the City Ordinances to allow Public Work employees to perform the street betterment work. This would decrease the cost of the projects and allow the work to be performed more rapidly. The amendment would also give abutters the option of paying the full cost of the work, through the betterment process. By giving the abutters that option, the City will be able to do the projects. Commissioner Rooney explained that if the City did the work it would be about half of the cost of a contractor.

Ald. Salvucci asked what the interest would be on the twenty-year betterment. Cathy Salchert responded that she was not sure what the interest would be. Ald. Stewart asked if the City had the manpower to take this on and make progress in the backlog. The Commissioner stated that they will begin slowly but the work can be done on overtime, which is still a significant saving over a contractor. Ald. Stewart then asked if there were any comparison figures. Commissioner Rooney has made comparisons but has no written figures. Sandy Pooler will come back to the Committee with figures for review. Ald. Salvucci asked if the City would need to purchase new equipment and whether bonding would be required. Mr. Pooler responded that bonding will be necessary. It is the intention to match the betterment payments with the debt payments. Ald. Lappin requested a comparison for a specific street and the cost per resident. Ald. Stewart asked for the total number of private ways in the City. He would also like to know if the City has more of an obligation to fix private ways, which the City uses, such as school routes. He would also like to have a comprehensive policy and statement regarding public ways.

Sandy Pooler explained that it was not the intention for the amendment to be approved right away. The Executive Department wanted to get the Committee's input and questions. Mr. Pooler agreed to provide the Committee with written answers to their questions. Ald. Yates moved hold until Mr. Pooler had the information available.

#159-04      HIS HONOR THE MAYOR requesting that Chapter 26-49 of the City of Newton Ordinances, 2001 be amended to provide for a revised system of street betterments, using Department of Public Works employees to perform the work

**ACTION:**      **HELD 8-0**

**NOTE:**      See the above note for discussion of this item.

#108-04      ALD. SAMUELSON AND YATES requesting the creation of requirements and municipal review before a utility company can locate a utility pole on private property especially in residential areas.

**ACTION:**      **HELD 8-0**

**NOTE:**      Ald. Samuelson and Yates docketed this item because there was pole placed on a lot right next to the property line in the front yard during construction. It is their hope that the City can create requirements and a review process before a pole can be located on private property. Ald. Salvucci suggested that perhaps the pole was temporary. John Daghlian, Acting City Engineer, looking into the placement of the pole. Ald. Schnipper pointed out that the City may not be able regulate private property.

Cathy Salchert explained that she needs more time to review the zoning aspects and prepare a legal analysis. Therefore, Ald. Yates moved hold on the item and the Committee voted unanimously to hold 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:** **HELD 8-0**

**NOTE:** Commissioner Rooney presented the item to the Committee. The purpose of the item is to get the Board's input on entering into a lease with NStar. Each year the pressure on the library lot for parking spaces has increased and the Board has raised issues regarding pressures on the City Hall parking spaces. NStar is willing to lease the City two small lots on either side of the building on Homer Street. The lease will be for five years and provide the City with 15 additional parking spaces for City vehicles. NStar has requested an abatement on the taxes for the portion of the property that will be used by the City. The taxes are minimal but NStar does not want to set a precedent.

Ald. Mansfield asked what had happened to the original plan to use the back portion of the land for parking. Unfortunately, NStar may be using that land to place a transformer. Ald. Mansfield asked if the City would require a special permit for parking in the setbacks of the property. Commissioner Rooney did not have the information. He will look into it and have the information available the next time the item is discussed.

Ald. Salvucci asked why the City did not develop the area on Commonwealth Avenue across from City Hall for parking, as it would not affect anyone. Commissioner Rooney responded that it was looked at but it would create a hazard for pedestrians and vehicles entering and leaving the lot.

Ald. Yates moved hold on the item for further updates, which the Committee approved unanimously.

Respectfully submitted,

Sydra Schnipper, Chairman