

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC FACILITIES COMMITTEE REPORT

WEDNESDAY, JUNE 23, 2004

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

Absent: Ald. Schnipper and Yates

City personnel: Cathy Salchert (Assistant City Solicitor), Michael Cronin (Chief of Operations; School Department), David Naparstek (Commissioner of Health), Robert Rooney (Commissioner of Public Works) and Shawna Sullivan (Committee Clerk)

#274-04      VERIZON NEW ENGLAND, INC. requesting a grant of location to place 56' ± of conduit in LAKE TERRACE westerly to LAKE AVENUE, thence southerly place 180' ± of conduit with a 10' crossing to 160 Lake Avenue.

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

**NOTE:**      Gary Savignano, Verizon Right of Way Manager, presented the petition to the Committee. The conduit is to provide for service to a new home at 160 Lake Avenue. The previous home at 160 Lake Avenue was serviced from an overhead wire from 12 Lake Terrace. The conduit will be located in the gutter of both streets and it should take a couple of days to complete the installation. Linda Goorin, 152 Lake Avenue, submitted a letter to the committee, as she could not be present for the public hearing. Ms. Goorin's letter stated that she objected to the petition because she does not want disruption of service, dust or noise due to the placement of the conduit. Mr. Savignano explained that there would be no disruption of service and as the conduit is to be placed in the street should create little dust in her house.

The public hearing was opened and Steve and Gayle Gerzof, 12 Harwich Road, stated that they are the new owners of 160 Lake Avenue and require the service. The previous connection between the two houses was not reliable and the new connection will provide underground service, which is very reliable. They are very pleased with the proposed petition.

Sageet Bar-Yam, 12 Lake Terrace, spoke in favor of the petition. He is the owner of the home, where the overhead wire to 160 Lake Avenue was attached. Mr. Bar-Yam requested that Verizon clean up the overhead wires in his yard and in the area, as there are many hanging wires. Mr. Savignano agreed to send a Verizon representative to look at the overhead wires. Mr. Bar-Yam also asked if it was possible to provide his home with underground service as part of this petition. Mr. Savignano responded that Mr. Bar-Yam would have to contact Verizon regarding underground service.

The public hearing was closed and the discussion moved back into committee. Ald. Lappin asked Mr. Savignano if Verizon had contacted people in the neighborhood to see if they were interested in service. Mr. Savignano responded that Verizon can only do what is requested and cannot solicit. Members of the committee had no other questions regarding this petition and on a motion to approve voted unanimously.

#275-04 BOSTON EDISON d/b/a NSTAR ELECTRIC requesting a grant of location to relocate Pole 74/11 in MONTROSE STREET located on the northerly side approximately 665' east of Ivanhoe Street.

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

**NOTE:** Maureen Carroll, NStar Right of Way Manager, presented the petition to the Committee. The MWRA has asked NStar to move the pole, as they need to work on a pipe located under the pole. Montrose Street is a dead end and the pole will be moved 22' from the nearest house.

The public hearing was opened and no one spoke for or against the petition. Ald. Salvucci asked who will move the street light that is attached to the pole and who will re-power the pole after it is moved.

Commissioner Rooney responded that the City has a budget for the transfer of streetlights. NStar will re-energize the pole when it is moved. The City has always been notified when a pole is moved and it has never been a problem. With that, Ald. Stewart moved approval of the item, which carried unanimously.

#### **Re-appointment by His Honor the Mayor**

#296-04 HALINA BROWN, 56 Cloverdale Road, Newton Highlands, re-appointed as a member of the NEWTON CITIZENS COMMISSION ON ENERGY for a term of office expiring July 16, 2006 (60-day Board action date 8-20-04).

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

**NOTE:** The Committee approved Ms Brown's reappointment to the Citizens' Commission on Energy after a brief discussion. The Committee felt it unnecessary for Ms. Brown to be present for the reappointment discussion, as she had joined the Public Facilities Committee for discussion of her appointment to fill a vacancy on the commission in October 2003. Ms. Brown provided a detailed resume to the Committee, which was attached to the agenda. Ms. Brown is a Professor of Environmental Health and Policy and an Adjunct Professor of Biology and Chemistry at Clark University. The Committee felt that Ms. Brown's background made her a great addition to the Citizens' Commission on Energy.

**REFERRED TO PUB. FACILITIES AND PROGRAMS & SERVICES COMMITTEES**

#83-03 ALD. GENTILE, BRYSON, COLETTI AND LIPSITT requesting that the Health Commissioner conduct/oversee a testing program to evaluate the air quality at Newton North High School and, if necessary, make recommendations to ensure the safety of all students and staff in the building.

**ACTION:** **NO ACTION NECESSARY (Gerst not voting)**

**NOTE:** Michael Cronin and Commissioner Naparstek joined the Committee for discussion of this item. This is an ongoing discussion of the air quality at Newton North High School. When the item was previously discussed in February, it was held for a third test of the air quality in April after the exhaust vents at the school had been repaired or unblocked. Air quality tests were performed in April on all rooms that had readings <1,000 parts per million of carbon monoxide at the time of the last tests. The results were provided to the Committee (attached) during the meeting.

Several of the rooms are still above <1,000 ppm even with the exhaust vents repaired and unblocked. The Commissioner explained that there is no physical danger to people in these rooms but there is a sense of stale air. He also stated that as long as safe practices and controls are in place the building will always be safe. The state's standard is up to 600 parts per million of carbon monoxide and only 23% of the rooms at Newton North would meet that standard. However, 41% of the rooms measure at or below 800 PPM, which is the national standard. Unfortunately, Newton North High School is not designed to meet these standards.

Mr. Cronin stated that the School Department has hired a consultant to develop plans and policy and train personnel from the Health Department and School Department on how to deal with environmental issues within the schools. The consultant will educate and monitor the use of safe practices at the high school to ensure that the carbon monoxide levels do not rise.

Ald. Stewart moved no action necessary on the item as the Health Department and School Department have done everything that they can to improve the air quality at the school. Unfortunately, the school will never meet the state standards due to the design of the school. The Committee voted unanimously in favor of Ald. Stewart motion.

#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 6-0**

**NOTE:**

Commissioner Rooney and Cathy Salchert were present for the discussion of this item. This item was previously discussed on March 17, 2004 and the report on the item is attached. Commissioner Rooney gave a presentation to the Committee, which is attached and includes a memo regarding the item and the draft ordinance.

The proposed ordinance would allow homeowners on a private way another option when petitioning for acceptance as a public way. The homeowners would pay 100% of the cost and Public Works' employees would perform the street construction to meet current City standards. During the presentation, the Commissioner reviewed the comparative costs to the homeowner between the City performing the work and a contractor. The City costs are approximately 65% of the contractor costs. The proposed ordinance would also allow the City to start some of the backlog of petitions, many of which have been waiting for ten years.

The Committee had many questions regarding the proposed ordinance and the costs. Ald. Albright felt the cost of equipment should be factored into the entire cost. Commissioner Rooney explained that the fleet suffers from lack of use during the spring and summer. There would be more maintenance costs but it should not have a big impact on the costs of constructing the private ways. Ald. Stewart asked when the City would begin construction. The Commissioner responded that the roadwork schedule for this season is full and it would begin next year. Ald. Stewart felt that there were several loose ends that needed to be tied up before the ordinance could be approved. He would like the abutters of private ways to be contacted with an explanation of the new procedure. He also felt that it was an unusual step by the City to do the work in-house instead of privatizing and it should be thought through thoroughly. He would also like to see some compromise in regards to the construction standards for streets, such as requiring sidewalks on both sides. Commissioner Rooney responded that the Board may waive some of the standards. Ald. Mansfield asked why the mechanism of selling a bond is appropriate. The Commissioner stated that the abutters would be paying 100% of the cost including interest. Therefore, there would be no cost to the City. The question of whether petitioners could pay the cost up front also arose. Ms. Salchert stated that she would need to check. There was also some question as to who would decide whether the private way would be done through the traditional betterment process or the new option. The Commissioner responded that it would be the Board's decision. The Committee asked whether the workforce would need to be increased to perform the work. The Commissioner stated that he would not increase the workforce until the ordinance was in place and he had a better idea of the impact on the workforce.

Ald. Albright moved hold for further information and the Committee voted unanimously to hold the item.

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

**NOTE:** Ald. Stewart made a motion for no action necessary on this item, as it is a duplicate of the above item. The Committee voted the item no action necessary.

#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.

**RECOMMITTED BY FULL BOARD ON 04-06-04**

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

**NOTE:** The item was previously discussed on March 17, 2004 and the majority of the Committee felt that it would be appropriate for some of the existing Boards, Commissions and Committees to address the issue. Therefore the Committee voted the item no action necessary and requested that a letter be sent to the related Boards, Commissions and Committees requesting that they discuss undergrounding wires. Ald. Stewart than requested that the item be recommitted because he felt that it would be worthwhile for a commission to be formed to work exclusively on undergrounding wires. The item was recommitted on April 6, 2004.

Ald. Stewart explained that he feels it is important for the City to begin looking at undergrounding the wires in the City and to stay on top of new developments in that area. He realizes it is not something that can be solved in the next few years but the City should be proactive not reactive when the resources are available to consider undergrounding. Ald. Stewart has spoken with the Mayor, who is in favor of forming some type of group as long as the Public Works Commissioner is in favor.

Commissioner Rooney felt that it would be a good idea as long as inertia is not generated. He thinks that certain areas of the City should be looked at, such as Needham Street. Ald. Salvucci questioned who would pay for the undergrounding. He does not want to see everyone's electric bill raised due to undergrounding on certain streets. It would benefit few at the cost of everyone. There was some question on how the commission would be formed. It was decided to send a resolution to the Mayor requesting that he form such a committee. Therefore, Ald. Stewart moved no action necessary on the item, which carried unanimously.

#146-04(2) PUBLIC FACILITIES COMMITTEE offering a resolution to His Honor the Mayor requesting the creation of a committee to investigate the technical,

financial and policy feasibility of placing utility wires in the City of Newton underground.

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

**NOTE:** Please see above note.

Respectfully submitted,

Anthony J. Salvucci, Acting Chairman