

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC FACILITIES COMMITTEE REPORT

WEDNESDAY, JULY 21, 2004

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

Absent: Ald. Gerst and Mansfield

Also present: Ald. Johnson, Hess-Mahan, Sangiolo, Coletti, Parker, Baker, Fischman, Linsky, Gentile and Danberg

City officials present: Mayor Cohen, Sandy Pooler (Chief Budget Officer), Anne Larner (Chair; School Committee), Nancy Levine (School Committee), Susan Heyman (School Committee), Patricia Kellogg (School Committee), Marc Laredo (School Committee), Dori Zaleznik (School Committee), Jeffrey Young (Superintendent of Schools) Nicholas Parnell (Commissioner of Public Buildings and Amelia Ravin (Public Building Department)

#316-04      KEYSPAN ENERGY DELIVERY petitioning for a grant of location to install and maintain 90' ± of 6" gas main in HUNTINGTON ROAD from the existing 6" gas main at #59 Huntington Road east to #61 Huntington Road. (Ward 7)

**ACTION:**      **APPROVED 4-0 (Lappin and Yates not voting)**

**NOTE:**      Mr. Francis O'Leary, Keyspan Permit Representative, presented the petition to the Committee. The petition is to close a 90' foot gap in 6" gas main on Huntington Road. When the gap is closed, it will increase the pressure and improve service in the area. Keyspan will pay the entire cost of the project. It was noted that the petition should read #57 Huntington Road instead of 59 Huntington Road. Mr. O'Leary corrected the error. The public hearing was opened and no one spoke for or against the petition. Ald. Stewart moved approval of the item, which carried unanimously.

#317-04      KEYSPAN ENERGY DELIVERY petitioning for a grant of location to install and maintain 90' ± of 6" gas main in GREENWOOD STREET from the existing 6" gas main in Greenwood Street at #106 Greenwood Street to #6 Sevlund Road. (Ward 8)

**ACTION:**      **APPROVED 4-0 (Lappin and Yates not voting)**

**NOTE:**      Mr. Francis O'Leary, Keyspan Permit Representative, presented the petition to the Committee. The petition is to provide heat, hot water and cooking gas to #4 Sevlund Road. The public hearing was opened and Ken Freshman, 106 Greenwood Street presented pictures to the Committee showing the condition that

the gas company had left the street in the last time did work. He wanted to be assured that Keyspan would resurface the street properly. Mr. O'Leary responded that the street is scheduled for resurfacing by the City once Keyspan finishes its work. Keyspan has coordinated with the City regarding this project.

David Smookler, 4 Sevlard Road, spoke on the petition. He stated that the petition should read #4 Sevlard Road instead of #6 Sevlard Road. He shares his neighbor's concern regarding the street's condition after the work is done even though he is requesting the service.

The Committee pointed out that it should not be a problem this time as the street is being reconstructed by the City but pointed out that it was unacceptable for Keyspan to leave a street in poor condition. The Committee asked Mr. O'Leary if he was aware of the requirement of a police detail. Mr. O'Leary explained that it is Keyspan's policy to always hire a police detail for safety reasons. Ald. Stewart moved approval of the petition, which carried unanimously.

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

#320-04 **HIS HONOR THE MAYOR** requesting authorization for the issuance of 20-year bonds in the amount of \$10,250,000 for design fees, legal fees, and project management costs associated with constructing a new Newton North High School.

**ACTION:** **PROGRAMS & SERVICES APPROVED AS AMENDED 6-0-1 (Sangiolo abstaining) @ 3.8 MILLION**  
**PUBLIC FACILITIES APPROVED AS AMENDED 6-0 @ \$3.8 MILLION**

**NOTE:** The Programs and Services Committee joined the Public Facilities Committee to discuss this item jointly. Mayor Cohen presented the item to the Committees. The city is at a point where it can begin to move forward with the proposed new high school. The state has approved Newton's request for a new high school and will be reimbursing the city in the capital amount of \$46.5 million dollars plus any interest that it may accrue. The Mayor is asking the Board to appropriate funds to begin the Designer Selection Committee's process.

The Mayor has looked at how much money is absolutely necessary to move forward and has determined that \$3.8 million dollars is required for a schematic design of the new school, with the understanding that additional funds will be requested as needed to move forward. The approximate breakdown of the funds is as follows: 1) \$2.8 million for the architect, 2) \$.5 million for the project manager, 3) \$250,000 for site tests and 4) \$250,000 for miscellaneous funds including legal fees. The legal fees are an important part of the appropriation. The legislature has moved forward with a bill changing the way contracts are bid giving the City much more freedom to select the contractor and due to this it makes the contract documents critically important. The Mayor would like advice

from outside counsel who has done this type of contract before to make sure that the new law turns into an asset rather than a liability.

Anne Larner, Chair of the School Committee, spoke on the item. She is very glad that the City is finally at this point. It has been a long time coming. The various issues surrounding the high school have been discussed since the 1990s. In the past year the School Committee has sorted out that the best solution to the many issues is a new high school and is very happy that the state agreed. In the past month the School Committee has wrestled with reducing the size of the building. The School Committee supported the Superintendent's position that the state's figure of 1,750 students is too tight. After considerable discussion, the School Committee was comfortable with constructing a school for 1,850 students. The new projected enrollment figures are slightly less than what was originally thought. Carl Franchesci of DRA laid out how the new school would be set up for a utilization of 78% allowing room for several hundred additional students. The School Committee would like the new building to be designed so that it can be easily expanded should there be unforeseen programmatic or enrollment issues in the future.

Superintendent Young provided the Committees with a recent history of the Newton North High School Project (attached). He reviewed the time line with the Committees. The state suggested that the City cut the project space by 40,000' based on enrollment figures. He explained that the state's assumed enrollment of 1,750 students is based on the renovation and enlargement of Newton South High School, which now has the capacity for 1,950 students. The total projected enrollment for Newton is 3,700 high school students meaning that Newton North would only require space for 1,750 students. To reach a student level of 1,750 students at Newton North would require further redistricting and the expected number of students is expected to rise to 1,850 in the next few years. Superintendent Young has worked closely with the staff and faculty at Newton North High School to determine where space could be cut.

The original plan for the new high school was based on enrollment figures of 1,950 students, which has been shrunk to 1,850. There were to be 60 general classrooms and 16 science labs, which have been reduced to 58 general classrooms and 15 science labs. These changes do not change the nature or the quality of the educational program at Newton North. The plan allows all programs to remain at Newton North High School. The Superintendent would like to add a couple of technical programs to Newton's curriculum but these will most likely be housed at Newton South as there is space. DRA has looked at tightening the space and presented a proposal to the staff. The staff and DRA have worked back and forth to reduce the space.

Ald. Gentile questioned the wisdom of having career and technical vocation programs split, with the majority at Newton North and a small amount at Newton South. Superintendent Young responded that he feels it is a good idea and allows Newton South students to participate in technical vocation. It also creates a better sense of equity between the two high schools. Ald. Johnson asked why the City had not considered sending students in the tech voc program to Minuteman Tech. Superintendent Young responded that the transport would be very costly and the City would need to pay the non-resident fee for each student to Minuteman Tech. Ald. Johnson requested further information on the costs. Superintendent Young has provided that information (attached). Also, if the tech voc program was removed from Newton North it would put constraints on students' choices for electives. Ald. Yates asked if there were any provisions for students who wish to learn basic tech voc. Superintendent Young explained that students are encouraged to take part in some type of hands-on activity. Therefore, technical courses are offered as electives to all students. Ald. Coletti asked how the vocational program is to be integrated safely into the new school. Superintendent Young stated that it is a design issue, which the architects will address. The space will need to be isolated so there are no fumes but he would like the vocational program to be part of the school as it is integral part of the educational program.

Ald. Gentile than asked the Mayor to review the Designer Selection Committee's process, as the Board is not involved in that aspect of the project (ordinance attached). The Mayor explained that the process is set by state law and city ordinance. The process is done through open meetings. An RFQ is sent out and posted in the state register and applications are submitted. The Designer Selection Committee interviews potential architects, deliberates and makes three recommendations to the Mayor, which they can rank. The Mayor then selects the architect for the project. The process takes about four to six months. Ald. Sangiolo asked if the Designer Selection Committee asked for conceptual plans or if the decision were made based on a resume. The Mayor stated that it is up to the Designer Selection Committee how they wish to proceed with the selection process.

Ald. Stewart asked the Mayor his thoughts on an architectural competition for the project. The Mayor stated that he has spoken with the Designer Selection Committee. The Designer Selection Committee is not in favor of a design competition and the Mayor defers to their expertise. Ald. Johnson asked if there were any laws that would prevent the City from holding a design competition. The Mayor does not believe that there is any law preventing a design competition. Ald. Fischman then spoke on a design competition. He would recommend staying away from a competition. The competition becomes the objective not the design and the City will have selected an architect and not a team for the project. There is the potential to waste a lot of time matching the architect with the rest of the team. He also feels that the American Institute of Architects' guidelines for

design competition are in conflict with the laws regarding public construction. Ald. Baker related that when Suffolk University was renovated the potential architects made presentations before a panel and it worked out well. Ald. Danberg added that if there is to be a competition it is important to get the public's input on the proposed designs. The Newton Citizens Vigilance Committee provided the Committees with a letter, which is attached.

Ald. Stewart than asked if the process is comparable to what other cities have gone through, in terms of program and what is new with the process. Mr. Franchesci replied that it is always a challenge to balance what will work now and what will work forty years down the road when doing a school. The trend is leaning towards smaller learning communities, more customized programs and more personal interaction.

Ald. Coletti appreciates the offer to amend the original appropriation request. He is happy to divide the request into three components because it allows the Board to revisit the project several times instead of seeing it again in a year and a half. It is easier for the Board to comment on a project when they are closely involved. Ald. Albright questioned whether the City would attract top architects if the original request was split. Ald. Coletti responded that it was done with the library and it worked very well. He urged both committees to amend the item.

Ald. Sangiolo asked if it was equitable for Newton North to have a pool when Newton South does not have a pool. She would also like an explanation of what the courtroom area will be used for. The proposed courtroom is slightly larger than a regular classroom. It will be furnished with pieces from the Newton courthouse, which were given to the School Department when the courthouse was renovated. The room will be used for English classes, history classes and the mock trial team. Superintendent Young stated that he does not mean that both schools need to be the same by the term equitable. Newton South has a new field house, a competition track and basketball courts. Ald. Sangiolo also questioned whether the utilization figures at Newton South included the Kessler Woods and Woodside developments. Superintendent Young has worked closely with the Planning Department to get the figures and those figures should include the new developments.

Ald Parker congratulated the Mayor, School Committee and Superintendent on reaching this point in the project. He asked if the state had forced the City to cut the size of the school. The decision was a combination, as the state will only fund the project at the 1,750 enrollment figure and the City would have to fully pay the additional portion of the costs of a larger school. Ald. Parker asked if the project should involve LEED certified architects. The Citizens Commission on Energy submitted a letter to the Programs and Services recommending green practices,

which is attached. The project will include as many environmental designs as feasible.

Ald. Baker would like assurances that enough money and homework has been done at the front end. He would like to every bit of care is taken with this project. The Mayor stated that he is committed to getting a first class architect. Ald. Baker would like to see the City learn from previous renovation and construction project experiences such as Newton South, Newton North and the Library. Ald. Lappin raised her concern that an informational database of past successes, mistakes and errors that have occurred during other projects has not been set-up, as it was approved several months ago. Nick Parnell responded that he will work with Ann Conaro to get the database up and running.

Several members of both committees had concern about how the selection of a project manager. The selection of a project manager is the Mayor's decision. State law requires that a project manager be in place. The Mayor is considering Turner Construction as they have done a good job for the City with Newton South. Commissioner Parnell stated that it is very important to have the project manager in place, as they provide the City with their own cost analysis. The Mayor has also been considering proposing an Ordinance to require a committee to choose three project managers similar to the Designer Selection Committee ordinance.

Ald. Gentile asked when the Board would have the opportunity to express opinions and concerns about the new school. The Mayor responded that he envisions a give and take with the Board and the public through the whole process including during the schematics phase. Ann Larner explained that the School Committee voted a general plan leaving room for discussion. She believes things are going to go back and forth throughout the project. Ald. Johnson raised her concerns regarding the four neighborhoods surrounding the school. She is confident it will be an open process and has spoken with the Mayor and been assured that the neighborhoods will be included in discussions.

Ald. Coletti would like to know that the old building cannot be used. He is concerned that the City may need the building in the future. If the City could use the existing building it would save \$3,000,000 in demolition costs. He questioned whether the state had encouraged a new pool and vocational space or if parts of the existing building could be used for the vocational program and pool needs. Superintendent Young does not know if the space can be used. He feels that the state's looked at what type of educational experience the City was trying to provide for students and did not review the details. Ald. Sangiolo would encourage an analysis of the use of the existing high school. It would be great if there was community use of the site and/or the City could lease the property. Ald. Parker asked what effect keeping the original building would have on the athletic

program, as field space would be greatly reduced. Susan Heyman spoke on the standards the state uses for space for students. The standard is twenty acres and one acre for every 100 students. The site does not come close to that standard and if the old school were to stay would require that sports were offsite. There is also a parking issue to consider. Ald. Albright stated that there is not enough parking on the site to support additional uses of the site. Ald. Gentile is supportive of exploring the opportunity of reusing the existing building but without holding up the process. Ald. Sangiolo proposed a resolution in the Programs and Services Committee requesting an analysis of reusing all or part of the site (see below). The resolution was approved in the Programs and Services Committee.

Ald. Albright moved the main item with an amendment that the amount be reduced to \$3,800,000 in Public Facilities, which carried unanimously. Ald. Baker moved approval of the item with the amendment that the amount be reduced to \$3,800,000, which carried by a vote of five in favor and one abstention (Ald. Sangiolo).

#320-04(2) PROGRAMS AND SERVICES COMMITTEE proposing a resolution to His Honor the Mayor, the Superintendent of Schools and the Designer Selection Committee requesting an analysis of reusing all or part of the space at the existing Newton North High School by the City or through leasing to a private establishment.

**ACTION:** **APPROVED 5-2 (Baker and Fischman opposed)**

**REFERRED TO PUBLIC FACILITIES. AND FINANCE COMMITTEES**

#94-03(3) HIS HONOR THE MAYOR proposing Sec. 29-36(a) and Sec. 29-80(b) of the Revised Ordinances of the City of Newton, 2001 be amended to include language and a definition for single meter/multi-residence water and sewer rates.

**ACTION:** **NO ACTION NECESSARY 4-0(Lappin and Yates not voting)**

**NOTE:** This item and the following two were voted no action necessary, as the Board of Aldermen has revised the ordinances to include a rate structure for condominiums and apartments.

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

#94-03(4) PROGRAMS AND SERVICES COMMITTEE requesting His Honor the Mayor submit Home Rule Legislation to create a separate rate structure for water and sewer rates for condominiums and apartments.

**ACTION:** **NO ACTION NECESSARY 4-0(Lappin and Yates not voting)**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#519-03 ALD. SANGIOLO requesting a discussion and possible ordinance amendment to Sec. 29-36 "Rates, schedule" and 29-80 "Sewer use charge" of the City of Newton Revised Ordinances, 2001 regarding water and sewer rates for condominiums.

**ACTION:**    **NO ACTION NECESSARY 4-0(Lappin and Yates not voting)**

Respectfully submitted,

Sydra Schnipper, Chairman