

CITY OF NEWTON
IN BOARD OF ALDERMEN
PUBLIC FACILITIES COMMITTEE REPORT

WEDNESDAY, SEPTEMBER 22, 2004

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

Absent: Ald. Lappin

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

City personnel: Nicholas Parnell (Commissioner of Public Buildings), Robert Rooney (Commissioner of Public Works), Clint Schuckel (Traffic Engineer), Anne Lerner (School Committee), Susan Heyman (School Committee) and Marc Laredo (School Committee)

Appointment by the President of the Board of Aldermen

#383-04 HOWARD GOLDBERG, P.E., 27 Theodore Road, Newton Centre appointed as an Aldermanic appointee to the Designer Selection Committee to fill the vacancy created by the resignation of Bernard Feldstein, which term will expire December 31, 2005.

ACTION: **APPROVED 7-0**

NOTE: President Baker introduced Mr. Goldberg to the Committee. Mr. Feldstein, who resigned due to his membership on the State's Designer Selection (see attached letter), recommended him. The President asked that Mr. Goldberg give the Committee his background.

Mr. Goldberg provided the Committee with his background. Mr. Goldberg has been a resident of Newton since 1977. He graduated with a BS in Civil Engineering and MS in Civil Engineering from Northeastern University. Mr. Goldberg is a registered professional civil engineer in Massachusetts, first registered in 1978. He has worked on a number of projects in Boston, as well as working on the site work for the Newton Library. His company also did the site work for the Norfolk County Jail located in the middle of Route 128. He has interfaced with a number of the architects in Boston and the surrounding area. Mr. Goldberg has worked on a number of school projects in Massachusetts.

Ald. Lappin asked for Mr. Goldberg's opinion on a design competition for the high school. Mr. Goldberg responded that he would like to reserve comment until he has an opportunity to review the project. He added that the competition is more than what the building might look like. Ald. Salvucci moved approval of Mr. Goldberg's appointment, which carried unanimously. The Chairman thanked Mr. Goldberg for his willingness to serve the City.

#356-04 VERIZON NEW ENGLAND, INC. requesting permission to lay and maintain underground conduits and manholes, with the wires and cables to be placed therein, under the surface of the following public way or ways:

Wiswall Road	42' of conduit	
Kerr Path	429' of conduit	1 handhole
Shumaker Path	207' of conduit	1 handhole
Nightingale Path	252' of conduit	1 handhole
Osborne Path	1018' of conduit	6 handholes
O'Rourke Path	227' of conduit	1 handhole
Caldon Path	295' of conduit	1 handhole
Callahan Path	597' of conduit	2 handhole
Chinian Path	588' of conduit	2 handholes
Timson Path	197' of conduit	1 handhole

ACTION: **APPROVED 7-0**

NOTE: Gary Savignano, Verizon Right of Way Manager, presented the petition to the Committee. Verizon would like to replace all the conduit and cables located in the above paths. The current equipment has been in place for a number of years and requires frequent repair. The new equipment will provide better service to the homes located in the area.

Ald. Lappin asked when Verizon would begin the project, as the Public Works Department has stopped replacing concrete in the pathways to allow Verizon to do this work. Mr. Savignano responded that Verizon would start work as soon as the Board of Aldermen approves the petition. It is Verizon's hope that the work will be completed within a month of the start date. Ald. Lappin then asked if it would be possible to repair each path as soon as the work is completed on the path. Mr. Savignano stated that Verizon will put all new sidewalks and will work with the City on the schedule of repair. Ald. Lappin also asked why the new handholes are larger than the current handholes. Mr. Savignano explained that the new cables are very small but require larger handholes to do the connections. Ald. Lappin asked if the handholes would be on the pathways, because the old ones are sinking into the ground due to plowing and age. The new handholes are designed to withstand plows and cars running over them.

The public hearing was opened and no one spoke for or against the petition. The Commissioner of Public Works has reviewed the petition and has stated that Verizon must replace the pathways where disturbed and start on paths adjacent to Spiers Road. Mr. Savignano is in agreement with the conditions. A motion to approve the item was made, which carried unanimously.

#357-04 VERIZON NEW ENGLAND, INC. requesting to reinforce existing buried copper network with fiber optic cables, with the wires and cables to be placed therein, under the surface of the following public way or ways:

Cavanaugh Path	461' of conduit	1 handhole
Tocci Path	257' of conduit	2 handholes
Avery Path	177' of conduit	1 handhole

Shute Path	286' of conduit	2 handholes
Keller Path	277' of conduit	2 handholes
Kappius Path	392' of conduit	3 handholes
Sawmill Brook Pkwy	176' of conduit	
Spiers Road	106' of conduit	
Van Wart Path	510' of conduit	4 handholes

ACTION: **APPROVED 7-0**

NOTE: Gary Savignano, Verizon Right of Way Manager, presented the petition to the Committee. Verizon would like to replace all the conduit and cables located in the above paths. Verizon decided to do the entire Oak Hill area to upgrade all of the service in the area at once. Ald. Lappin stressed the necessity of the repair of the pathways, as they are in terrible shape. She would like Verizon to complete the work as quickly as possible in order to allow the Department of Public Works to complete their work on the paths. Mr. Savignano assured the Committee that Verizon would complete the project as quickly as possible. The public hearing was opened and no one spoke for or against the petition. The Commissioner of Public Works has reviewed the petition and noted that Verizon must replace the pathways where disturbed and start on paths adjacent to Spiers Road. A motion to approve was made, which carried unanimously.

#358-04 C/S KESSELER, LLC by CORNERSTONE MANAGER, INC., 725 Canton Street, Canton requesting Construction of Main Drain and Common Sewer in unnamed cul-de-sac, from the existing manhole in Brookline Street over private land of C/S Kessler, LLC.

PETITIONER TO PAY ENTIRE COST

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

NOTE: Bernard F. Shadrawy, Jr., Representative of C/S Kessler, LLC, Thomas Southworth, Managing Partner of C/S Kessler, LLC and John McKinnon, Project Engineer from H.W. Moore Associates, were present for the discussion of this item. Attorney Shadrawy explained that this project is part of the Kessler Woods Development that is part of a cooperative agreement entered into in April of 2003 with the City of Newton as partner. This is the first phase of a two-phase development. A subdivision of the land was approved and this land is Lot J, which is the single-family home section development of the whole parcel. The Planning Board acting as the Board of Survey, the Conservation Commission, the Conservators and the City under the cooperative bidding agreement has approved thirteen single-family home lots. C/S Kessler has received all the decisions and the appeal periods have run. It was explained to C/S Kessler that they had to petition for the drain, water and sewer connection through the Board.

The site plan and grading plan have been submitted to the Committee. Mr. McKinnon reviewed the proposed project with the Committee. They are proposing to connect to the sewer in Brookline Street, as well as in Harwich Road and provide extensions of the sewer along both roadways. In addition, there will be a loop connection of the water system from Harwich Road up through to Brookline Street, which will service all of the lots on the cul-de-sac. The Public

Works Department required the loop. The petitioner has also entered into an inflow and infiltration plan with the Public Works Department, where the company will pay money to the City for certain remediation for existing and pre-existing conditions out in the general area.

Ald. Salvucci asked if the sewer was only going to serve the seven units located in the cul-de-sac. The proposed sewer along the sub-division roadway will service all of the houses along that roadway including two lots, which front on Brookline Street. In addition, there are two lots further on Brookline Street towards the westerly side, which will be serviced from the existing sewer in Brookline Street. Ald. Salvucci then asked if they would need to come back to the Board for further sewer and drain connections. There is a separate lot (Lot H) that has been subdivided, but the necessary site work has not begun. Ald. Stewart asked where Kessler Woods stands in terms of the total layout of the project. Phase I development plans have been completed. C/S Kessler, LLC has not begun to finalize the plans for Phase II, which is the condominium development. They are in the process now of finalizing the plans. All of the permits are in place for Phase I of the project. The Acting City Engineer has signed the definitive subdivision plan.

The public hearing was opened. Anatol Zuckerman, 17 Noble Street, West Newton, spoke on the petition. Mr. Zuckerman is in opposition of this project, as he feels it flies in the face of all the principles of a smart growth that has been advocated by the State of Massachusetts for the last thirty years. The proponent is razing the entire 10 ½ acres of the hill, cutting off about 18' of the hill, blasting the ledge and cutting all of the trees for the sake of seven monster houses. It is a very expensive project, the proponent is going to spend an enormous amount of money for the site development than sell the infrastructure to a willing buyer, and the buyer will have to raise the price of the homes. There are many problems. The encroachment on the river, buffer zone and the wetlands is more than 10%. There are many problems with the run-off water. There have been measures taken to remediate that but Mr. Zuckerman does not like this project in principle. He has spoken with several developers and they do not like the project. The developers do not understand why the project is being done this way because it is so invasive and expensive. Mr. Zuckerman urged the Committee to reject the petition.

The Committee would like a sign-off from the Commissioner of Public Works. Ald. Mansfield requested background information on Planning Board acting as Board of Survey proceedings in regards to Kessler Woods (Certificate of Action attached). Secondly, there appear to be more lots shown on the petitioner's plan than the one distributed to the Committee. He would like to know how many lots the new sewer serve, whether the sewers are designed so that they could be extended to serve additional lots at some time in the future and whether the lots shown on Brookline Street in the petitioner's plan but not shown on the plans provided in the packet are to be served by the sewer and are they part of the subdivision. The petitioner responded that the two lots that are not on the Committee's plans are A and R lots that do not require any approvals so they are not part of the Planning Board decision or the Conservation Commission decision.

The two lots will tie directly into Brookline Street. There will be eleven lots of the thirteen total new lots that will tie into the new water/sewer access. Ald. Mansfield would like to be sure that when the Commissioner of Public Works is evaluating the petition that he is aware of the two lots on Brookline Street, as he will need to be sure the capacity of the sewer in Brookline Street will allow two new tie-ins. The petitioner responded that all the numbers submitted include all of the new lots. The petitioner also stated that the development is self-contained and the Planning Board decision deals only with this as a subdivided lot. Therefore, the sewer and drain are not designed to be extended and do not include any additional lots. The Chair asked what the timeframe was for the construction. The petitioner responded that they are only constructing the road and the infrastructure, including the detention base and the utilities and will start as soon as they receive the permit.

Ald. Stewart moved approval of the petition subject to second call with the assumption that a sign-off from the Commissioner of Public Works will be received before the full Board meeting. The Committee voted to approve the petition unanimously. The Chair requested that any Alderman with concerns contact the Commissioner of Public Works with any specifics that they would like to see addressed in the sign-off.

Group Petition filed with City Clerk on 08/02/04

#320-04(6) DIANA J. KAZMAIER et al. filing on 8/2/04 a petition, pursuant to Section 10-2 of the City Charter, for a public hearing that for the purposes of selecting a specific architectural design for the building of a new Newton North High School the city will establish a state-wide open architectural competition in accordance with the American Institute of Architects guidelines

ACTION: **HELD 6-1 (Stewart opposed)**

NOTE: The public hearing was opened and the following people spoke on the item:

A. Peter Kastner, 49 Woodbine Street, spoke on the item. Mr. Kastner has been following with some interest the question of whether or not to use an outside competition. Mr. Kastner used an analogy to describe the choice of an architect for the school. It is his belief that is important to choose an architect with a good record of accomplishment in designing school buildings. Everything that the architect designs is a test of their ability to translate the demands of the community into something that takes a form. The difficulty with competitions often is that people may have a wonderful design but in fact, they may not have a record of accomplishment of those things that are important. They may not know how to outfit an art room, what goes into a classroom, how much storage is needed or how a gym is designed. All of these are very specific, technical issues that architects gain by experience. There are bodies within the City government that have responsibility for the functions of choosing an architect. Mr. Kastner feels that it would be better to give a tested architect and the people who use the building additional time to design the programming and to develop the specifications. He would be very reluctant to have another party become involved that takes away the primary function of those organizations within City

government that have the ability to do it. The failure of Newton North High School is not the failure of an overall design concept. The failure of Newton North is basic things such as the sinking swimming pool, the leaking roof, the windows and the inability to repair the HVAC system. There is no need for an innovative designer or master designer to give you a building that does not leak. Mr. Kastner feels that one of the advantages of competitions is that it allows people that have good ideas but relatively little experience to get into the design. The conservative nature of architecture and public bodies makes it hard for people to get into the competition, but when you go out if you receive good merchandise and good service, you return. He urges the City to go with what has already been established.

Jeremiah Eck, 14 Eliot Memorial Road, who has been a member of the Designer Selection Committee for a number of years, spoke on the item. He was involved in the site selection and designers for the Newton Free Library. Mr. Eck is also an architect and has direct experience in design competitions. He has taken part in many competitions over the years. He has served on juries and selection committees for a number of competitions. He is against the idea of a competition for a number of reasons. First, there is very little experience or track record in running such a competition in this city, state, or country for public work. It is true that in Europe, such competitions are the norm but the design climate and systems already in place for such competitions are much different than they are here in the United States. Given all the difficult experiences regarding Newton North High School thus far, does it really make sense to experiment with the notion that we can somehow change the designer selection climate here over night?

Second, such a competition, if it were held, would be very time consuming and expensive. In order to do it right a professional advisor would have to be paid. An official program to ensure fairness would have to be developed and a jury made up of very knowledgeable individuals would have to be involved to serve. Such a process would take many months in a schedule that is already behind.

Lastly, there is no guarantee that such a competition will guarantee a better design. If you look at the real facts regarding the full process of designing a building, especially a building of this magnitude, results of a design competition would represent only about 15% of the overall work or schematics as defined by the American Institute of Architects. The remaining 85% of the work like design development, construction documents and construction itself might be left in the hands of the so-called winner and that winner could be almost anyone and worst yet almost anyone with no real experience in both the building type and the public work process in Massachusetts. It is highly probable that such a winner would have to team up with another firm constituting a marriage of no experience and unknown results. Mr. Eck is reminded that after all of the great expectations over the winning scheme of the recent Ground Zero Competition in New York the competition designer has already been marginalized almost completely out of existence. In the end, he had neither the political nor the practical experience necessary to actually do the work.

Mr. Eck would argue that real creativity comes from first a thorough, thoughtful process about the selection of absolute best design, a team that is made up of not only the best architect but also the best engineers to consult. Second, a direct a labor-intensive collaboration with the eventual users. He pointed out that this type of direct communication is discouraged in competitions, which is one more reason that the results of competitions are often off the mark and not as creative as might be imagined. Third, a thorough examination of the design documents that should not only be the most creative but also the most complete to protect the city's financial interest. Four, the selection of the best possible contractor to build the project.

Mr. Eck asked "do we have such short memories that we can't look across the street at the Newton Free Library, now one of the most respected in the state indeed the country, for an example of what happens when we do it right?" He has heard arguments that we need to think outside the box and why are we in such a big hurry. For the answer to the second questions, he would ask that the parents and students be addressed whose high school life will end while they wait for a new facility and administration. The faculty of Newton North has already suffered through a process that used up much more of the time than it ever could have imagined. For the notion that we need to think outside of the box, he has already had over twenty-five years of experience first hand designing construction. Mr. Eck has been around long enough to have seen a number of alternative suggestions and tried thinking outside the box such as fast track design building competition and he challenges anyone to name any public building in this city or more than a very few in this state that have benefited from such an approach. Mr. Eck took this opportunity to respond to an article in the press where he was referred to as "mossback" for not completely embracing the idea of a competition. He was supposed to recognize the beauty of the Sydney Opera House as a result of competition. The designer of Sydney Opera House was fired half way through the project for huge cost overruns and after fifty years, he has never returned to that project over disagreements with the competition sponsors. He would challenge those that make such statements to demonstrate their experience in competition to the City of Newton. This is not a criticism; it is merely a statement of fact. In the end brain surgery is brain surgery and the vast majority of best buildings are designed and built the old fashioned way with a thoughtful client, architect and contractor doing what they no how to do best. There is in the end no magic bullet to a better high school or any good design for that matter. Instead of risking the future again, let us use the great resources we already know. We are lucky to have a thoughtful faculty and school administration that put together an excellent program and a wealth of talented designers and contractors in Boston and in the east. There will be no problem in attracting them to design and build a new high school especially if that process is seen as thoughtful.

Mark Marderosian, 83 Pleasant Street – "Good evening, I appreciate the opportunity to speak. I come from a family of architects including my father and my sister and in an otherwise misspent youth playing pinball I was a drafter for two years, as well. However, I do not presume to have the experience that the people behind me have but as a private citizen, I would like to add my two cents

and speak in favor of the design competition from a couple of points and from these angles. The high school that my daughter is now a senior in and on a personal and a bit angrier notes the high school that my daughter has suffered because of the weakened facilities. She has suffered the past four years at this high school, which was built with the RFQ system in place. If there is a system that can be brought about, that is more competitive and is an improvement over the present system I would be for that. I am keeping an open mind about this because I think our children deserve to have the best process in place. Our children deserve no less. They do not deserve business as usual. In eight short years, I have a son who will be attending the high school. I hope that it will be a new high school, one that reflects the best possible means to achieve the greatest facilities that our children in the city deserve. I am just conceited enough to think that the people in Newton, including myself, are pretty special and one of the reasons that I live here is because I feel that these people deserve the best. It is xenophobic of me, I know but I have a great love for these people and I think that their children of whom my child is friends with and I'm friends with their parents, like me support a new high school but they would like to see it done in the best way possible. One that is open to competition because also on a personal note in my business I think that at the risk of mixing apples and oranges I am constantly competing even for projects that are as low as \$200. Competition being the American way I think that this is all the more reason for a process that is involving a building that is \$100,000,000. Again, I think I am keeping an open mind about this. I support the design competition and hope that as it moves forward that proper procedures are put in place and that our children deserve the building that they should receive and have not received to date."

Albert Fine, 55 Wilde Road, "I am a member of the Designer Selection Committee and the Design Review Committee. I own a firm in downtown Boston. I have taught at the Boston Architectural Center. I have worked on a number of competitions and I am the designer of an award winning school. First of all, I am against a competition. I concur with the premise that there are enough talented and capable firms in the region, the Designer Selection Committee members, through their careers know who they are, and we are sure most will submit, many in joint ventures for an opportunity of this magnitude. I am already getting inquiries. It is my belief that a targeted RFQ process, with design as a high priority and the requisite prequalification will yield a successful award, a superior building design and give the city the proper control over the destiny of the project. The design of public schools is a specialty and all design firms do not necessarily possess this skill. By comparison, hospitals are largely designed by firms that do only hospital work or related projects. Public schools are a similar venue.

In addition to design, technical and managerial skills a qualified firm will have experience with state and federal regulations pertaining to program requirements such as classroom quantity, sizes, walking distances, materials, food delivery, maintenance and building systems. Some of what is incorporated into a new construction school is predetermined based on these guidelines as well as the experience of the local jurisdiction with such buildings. School departments and educators rely on design firms who have this kind of experience to incorporate

these kinds of programmatic issues in their designs. The educators and the school departments do not teach these things to the designers. To move this notion one step further the design of a \$90,000,000 is a specialty within a specialty. Not all design firms who are capable and are qualified to design a public school are capable and qualified to design a \$90,000,000 school, perhaps they are not even qualified to design a \$25,000,000 school or a \$50,000,000 school. The firm the city will hire to be responsible for the project will have to have multiple project experience at this level. This is key. It will have managerial architects with strong credentials and it will have design and production teams that have been through this a number of times before together.

On a more practical side, the awarded firm or firms will probably have at least 50 architects on staff and be capable of the insurance and contractual requirements of such a project and this is not an insignificant item. As a prerequisite, as well it is Design Selection Committee's intention to require a strong design presence within each submission, period. Strong design capability will be a core requirement. All of us are clear on how crucial and important this is. We can make this part of the scoring process in the application and if a submitter cannot demonstrate strong design credentials and reputation, it will affect their score. An open competition, my colleagues and I feel, is not appropriate for a \$90,000,000 publicly bid and publicly constructed statement project.

An open competition is not compatible with the regulations this project would be built under. An open competition will add time, it will add money and it will add complexity. The end result after close to a year is an awarded design. The process runs through first stage design, second stage design, final jury and again almost a year has elapsed and where are you – 5% to 15% complete with design, which is preliminary design. You have ten to fifteen drawings. You have a model but you do not necessarily have a qualified firm. You do not necessarily have a firm the city wants to work with. You do not necessarily have a project that will meet the budget. In the extreme where the winner is not qualified to be responsible for execution you have a design the jury ranks number one and now you need to hire a qualified design team to execute the project and then you need to match that award winning design with a team that did not author the project. They have to inherit it. They have to develop it for let us say sixteen months, manage it and build it. I am not so sure that makes a lot of sense. Therefore, in the end, I think this is about common sense. It is not a turf battle between the Designer Selection Committee and a jury to process. It is about how Newton gets the best possible building and I believe you get that by hiring the best possible team, requiring the team to be superior in design. I do not believe the best result will be by commissioning an outside entity to choose the best drawing and model than leave the city to figure out how to get it done.”

Neil Fleisher, 58 Parker Street – “At the last meeting of the Public Facilities Committee a number of members from the Designer Selection Committee spoke on the topic of an open design competition as the means of selecting an architect for the design of the new Newton North High School. Some of the members of the Designer Selection Committee displayed a great deal of passion while speaking on the subject. Passion is admirable. We want people involved who are

passionate about getting the best results possible. Along with passion, we need facts on which to base our decision. It is not enough for someone to say we are the experts, we know best, trust us. The city is about to undertake the most expensive public building process in its history. Most of those advocating for this new building say that the present building was not built correctly. We trusted the experts at the time. We cannot delegate the responsibility for getting it right this time. We need to be hands on and we need to really investigate what we plan to do before it is done, so that we know we are doing what is best. What is the best way to select an architect for this building project? In recent years, the city has selected an architect by having the Designer Selection Committee review qualifications and make a recommendation to the Mayor, who then makes a decision.

Currently, there are a group of citizens and Aldermen who have suggested that another means of selection would be advantageous. This is a process known as the open design competition, which is fairly common in Europe and Japan but to date has been very limited in use within this country. One of the most comparable projects which utilized an open design competition in this country was the design competition held in Perth Amboy, New Jersey for the construction of a new public high school. Design competitions take on many forms. It is very flexible. The one held for the Perth Amboy High School was a national open design competition and it had two stages. I would like to go over the stages so you have a sense of what actually takes place. Stage 1 is a submission by the architect of a maximum of five pages. The first page is a 500 word summary. The remaining pages include sketches, drawings and photos. At the conclusion of stage one there are finalists that are selected for stage two. The finalists for stage two need to be pre-qualified in their qualifications. There is a mandatory visit to the site to meet school representatives. This is completely contrary to what has been stated up until this point by at least one of the members of the Designer Selection Committee. The onsite visits by the architects are encouraged during this process. They are not discouraged. Architectural models are included, a maximum of ten panels, which includes a site plan, a floor plan, building sections, interior and exterior perspectives. Drawings include construction material and most importantly also a fee proposal is included. Competitors are encouraged to explore innovative, cost-reducing construction techniques, materials and methods. Specifically, in the Perth Amboy High School Competition the total cost to the City of Perth Amboy for running this competition to conclusion was \$190,000. The number of registrants that asked for information and signed up were 200 architects and each of them paid \$100. The \$190,000 does not include \$20,000 that is subtracted out from the cost of the entry fee. The number of submissions that actually took place was 136. The City of Perth Amboy got to review 136 schematic drawings of what different architects felt was the ideal solution for their problem and that was before they paid anything more than \$190,000. There were four finalists selected for that stage two, again these were pre-qualified individuals, and there were seven jurors that made up the jury to decide who would be the winner. The timetable for this project is as follows: the material packets were available on May 12, 2003, the awards were originally supposed to be announced on December 5, 2003, that is a six-month window. The final award was announced in February. The reason for that was one of the finalists withdrew

and the city decided to select an alternate to replace them but under ordinary conditions it would have been a six to seven month period and it was still under nine months when the final selection was made, not one year as you recall.

In comparing the open design competition versus the currently used request for qualifications, we have the selection for an architect under the request for qualifications is based on reputation, firms known to the Selection Committee. From what I hear tonight, some of these members already know whom they are going to select. They do not have to get any more information. They know who is the best-qualified person based on information they have had in the past. The competition is based on design for this specific project and it is anonymous. You submit it and it is reviewed and it is based on the merits of the project. The cost of the schematic design, the RFQ that the Mayor has been requesting at this point is between \$2, 000,000 to \$3,000,000. The competition was \$195,000. The incentive for cost control in the RFQ – There really is not any. We tell them how much the project is going to cost and they design and build to that specification. In the competition, they are encouraged to cost control and come up with innovative ways to control all of the costs associated with the project. It does not prove that a design competition will cost more. In fact, it will cost the city less upfront and may result in a building design that is not only more innovative and better looking but might also cost less in the end. The reason that there is such a strong incentive to create such a design with all of these features is because there is a competition involved here. The design competition will offer us an opportunity to review many schematic designs before committing to any one design. We will have the chance to see just what choices are available and the cost to do this is less than what has been proposed to date. We have nothing to lose and much to gain. The community and especially the children who will attend this school in the future will benefit the most. I hope the Committee and the Aldermen as a group will take the time to seriously investigate this option before voting on the matter.”

Anatol Zuckerman, 17 Noble Street, representing CIVIC – “Dear Aldermen, as you know our community group CIVIC advocates an open architectural competition and opposes the usual requests for proposals for there is nothing usual in the Newton North situation. After four years of studying and programming, we still do not know whether some parts of the existing school are worth saving. We are not even sure of the project’s scope and program. The competition will ask designers to answer this question by specific designs while the RFQ will ask them to show their experience. Well, experience may tell us what a designer may be capable of but competitive designs will finally show us the full range of real possibilities. The specific advantages of a competition were described in the local press and discussed at many meetings. They are also contained in the packages in front of you and displayed here on posters for your convenience. We based our testimony on the most successful design competition of our time - the Perth Amboy High School in New Jersey. As you can see, the competition saved taxpayers money and resulted in highly innovative architecturally excellent school. The winning design was published in the national and international magazines. The competition collected 136 entries from qualified architects including Dromey, Rosane and Anderson, who are currently

employed by the City of Newton. Nevertheless, you heard from our Designer Selection Committee, some members of it actually, that the competition would not attract highly qualified architects. Does that mean that Dromey, Rosane and Anderson are not qualified? If they participated in the Perth Amboy competition, why wouldn't they take part in the Newton North competition? If the Designer Selection Committee did so many competitions themselves, why are they so intent on denying a similar experience to their fellow architects? They say that the very idea of a school competition is a pie in the sky but the long list of successful competitions over the last decade proves them wrong. Florida University School of Architecture, St. Francis High School in Louisville Kentucky, Chicago Public School prototypes, University of South Dakota School of Business, University of New Mexico School of Architecture, Cornell University Scholarship Architecture, Lake Wilmerding High School in San Francisco, Berkley Montessori School just to name a few. Take a look; this is the front page of the Perth Amboy Competition Report. Here are designs of the four finalists selected by an independent jury. Two of them are world famous architects and the other two are small firms but highly qualified firms. I wonder why our Designer Selection Committee is silent about that. Some of them say that competition is too expensive. Too expensive for whom? For some architectural firms who do not want to compete without a prior payment, that is true but evidently many excellent firms compete for the chance of winning. So why not let them. If the City of Perth Amboy paid \$195,000 for the four schematics designs produced by some of the best American architects, why should you appropriate \$2.8 million for just one design? If Massachusetts architects usually charge from six to 10 percent of the cost of construction for the full set of their services including construction observation, why should you appropriate the whopping 13% for the same purpose proposed by the Mayor?

Now, the group of Newton environmentalists called High Performance Building Committee wants to include the principles of renewable energy into the Newton North project. This is a noble goal but that too can be achieved to a greater degree of success in case of the competition because a wider field of design professionals will provide a greater inventiveness at lesser cost. I know that currently an open design competition is not the usual way of selecting designers but it is gaining popularity in the United States and it is destined to become common practice in the future.

I am asking you to carefully consider all of the complicated information that we provided for you before you make any decision about this very important project.

Alice Ingerson, 1923 Beacon Street – “I am a member of the Comprehensive Planning Advisory Committee but I am not here speaking on anybody's behalf. I am just an interested citizen for this purpose. The idea I wanted to sort of bring out might be in some ways a compromise. With other members of the Comprehensive Planning Advisory Committee, we talk about this a little this summer and I brought up the “Boston Globe” Architecture Critic, Bob Campbell's point and I think it has come up quite a bit with the discussion of Ground Zero in New York as well that great architecture requires more than great architects it also requires great clients and it seems to me we as clients could maybe improve a

little. As clients, certainly, most of us are not born great and we might not know great architecture until we see it and we might not know it than without a little help. A couple of ideas that came up in this conversation were 1) to think about having an exhibit. I think a competition would work with that. I think that was one of the most appealing things about the Perth Amboy competition was that people got to actually see. Those of us who are not designers, who cannot think about design in words, really need the picture, actually got to see contrasting and comparable pictures.

I think you could also do something really simple and inexpensive before a competition or even an RFQ was completed, which would be simply to ask some of the architects in Newton, who have been involved in this process, to identify some of the great schools they can think of and put up a little exhibit in City Hall and put up an online version. This stuff is usually now documented - an online portfolio for architects. It is not hard to just borrow the images, link to their websites. Just let people take a look at some physical alternatives, things that architects themselves think are great designs. More importantly, is to have a public forum around that exhibit. To have members of the Designer Selection Committee, other architects and planners in Newton and the Schools just sit in a non-hearing and talk with the public with what makes it great-What is great about this design and what is not great about it. Just help us to sort of talk more intelligently about these things instead of just butting heads all the time.

The Perth Amboy competition I looked at and I have to say that its co-sponsors are an interesting list. It is not just the city and it is not just the Board of Education. It is also the New Jersey School Construction Authority, the Robert Wood Johnson Foundation and the National Endowment for the Arts. I do not know if they all went in on the \$190,000 or if that is just the city's share and I don't think that I would suggest that Newton should get the National Endowment for the Arts involved, that would probably really add to the time line. I think it would be good to get that range of people involved not necessarily in voting on the design but in understanding what makes great architecture. The thing that I hear talking to people around Newton a lot about schools is there is a strong emotional attachment to the schools we have that are now 100 years old. They were really built as symbols of civic pride. People have an enormous attachment to those that are not schools anymore, as well. It would be nice if this time we could build a school that we felt like that about, that was worth recycling and adapting to new needs rather than one that as I have been told by architect friends a lot of them are now told that in institutional design you should not design a building to last more than about 30 to 35 years because clients tastes change so fast you are going to have to tear it down even if it is not ready to be demolished at that point. It would be nice for Newton to build a 70 or 100 year building this time not a 30-year building.

I think I agree with Jeremiah Eck, in particular, a great design does not come from either simply having a client give you a to do list and you giving them everything they ask for or you as an architect telling them what they should want. It is an educational process of give and take, tug of war, persuading, talking, and exploring. It would be nice if we could have something like that at the beginning.

I do not think creating a little exhibit would cost a lot of money. I do not think a panel would cost anything; New TV could tape it, maybe Newton Magazine would publish it especially if there were some images from the exhibit, the Newton Tab could publish it and you could have ways for people to come and question and get a little educated as clients. This is what I am suggesting. Just as a last thing, if people have not looked at it, this is Stuart Brand's book called How Buildings Learn: What Happens After They Are Built and it is a very interesting book and it is a lot of fun to look at and that is the sort of thing that I would like to have us have an opportunity to think about-not just the initial design but the lifetime of the building."

Albert Novansky, 75 Cragmore Road – "I am listening to both sides for some reason I became interested in this but something is really bothering me. What in God's name prevents any of the contractors for the RFP from entering the design competition, nothing? If they were so good and so great, I would think that they would love the chance to demonstrate it to the world or more specifically the world of Newton. As a citizen of Newton, I find it rather bothersome that so much money has been spent so far on nothing, really nothing. The design competition is not that expensive it has demonstrated results. It would certainly not hurt the city to try something new. Getting out of the mud is, in general, an enlightening experience."

Kevin Dutt, 10 Norwood Avenue – I am representing the High Performance Building Coalition. I just briefly want to speak regarding high performance buildings. There has been some discussion about it and we are going to have an opportunity to present to the Aldermen I believe in the beginning of October. I just simply want to say that regardless of the process that is used to decide on the designer, a high performance building approach will be applicable. It won't be affected whether we do a design competition or the RFQ process."

Florence Rubin, 1504 Centre Street – "I would like to speak in opposition of the design competition. It was my pleasure to work on the design and construction of the new main library across the street. The experience was an especially good experience. The architects were selected via the Designer Selection Committee, they were excellently qualified, very easy to work with, and very good at resolving problems that developed that we had not anticipated. I was a library trustee at the time and worked with the architects with Virginia Tashjian in the preparation of the design. Many problems occurred not specifically because of the design needs of the building. We had a program when we started meeting with the architects and the main work was to turn the program into a beautiful building but there were problems that occurred with the site and there were things that had to be changed that we did not anticipate initially and the architects were very good at addressing the problems that occurred and resolving those problems with us, so that the building was a very well thought out building that has been extremely popular with the community and is one of the best libraries in the country. I commend your desire to improve the process for constructing a building in the community but I would suggest that you would be better off to turn your attention to the construction part of the process. When we got to working on that part of the program, we found that the site that we were going to be using, though

beautiful in appearance, was a wetland. The library does not have a basement because the water table was too high. The architects helped us resolve this problem, helped us figure out how to retain as much of the beauty of the site that was possible and yet give us good solutions to the problems. We also initiated a different mechanism to monitor the construction that I would suggest that you think of doing for this building. A client team that included representation from all the stakeholders was chaired by Joe Michelson, who was at that time, and is currently the Chair of the Designer Selection Committee, and worked without any expenditure of extra of extra money to monitor the construction on a monthly basis and see to it that no excessive change orders went through. This building was finished not only as beautiful facility but also on time and under budget. There are many other communities that have adopted that policy of a citizen/client team to work with the professionals in the construction phase and I would think that the community of Newton would benefit significantly if that same practice was followed for the construction of the new high school.”

Vassilios Valaes, 12 Dexter Road – “I am an abutter of Newton North and also an architect that works for a firm that mostly does public schools in Massachusetts. First of all, I want to state that I am against the design competition mostly for the statements that were made by the Designer Selection Committee members and also the first public speaker. One thing that has not been mentioned so far that I just wanted to point out to you was normally during the designer selection process an architect will respond to the RFQ and submit a proposal and that would include the entire designer team. It would include the mechanical, electrical, plumbing engineers and it would include the civil engineers. A whole team has submitted that has usually worked on public schools in Massachusetts and has experience. With the competition method there is no guarantee that you are going to have a team that can work cohesively together. You might have a winner that is a sole petitioner that will be asked to develop a team that might not have worked together in the past. There is no guarantee that you are going to get a good team to work together.”

Ed Chang, 58 Central Street – “I am an architect and like many of our colleagues here tonight I have a love-hate relationship with competitions, as someone who has participated in several and had mixed results like Mr. Eck has mentioned. I wanted to just give you a little perspective from my experience in doing some of these competitions. One thing to know is that competitions are fabulous, wonderful devices to get whole communities energized, to get many different diverse populations involved in the process and to bring a certain creative energy to a process that in this particular case might have been stalled or different people have skeptical reason for proceeding along its current path. Therefore, in that regard a competition is really wonderful. The other thing it does is that it will guarantee, in mind, wonderful, if not the perfect design, creative designs that you are not likely to get just through a Designer Selection Committee review because you don’t really know what they can bring to the table without implementing any schematic designs up front. The one thing that Newton has going for it that probably 90% of the competitions in the United States do not is you have the funds secured for the project and if people know that is the case that will significantly increase the talent pool, the amount of interest and the seriousness

with which people will take this competition. So there are a lot of conditions in place, I believe, that will suggest a competition in theory is a good idea.

Here are some reasons that a competition may not be such a good idea. 1) I think it is most important for the people who are thinking about this competition to seriously answer the question - what is the city really fishing for. In addition, I use that word fishing for because that is the thought that designers will have when they read the competition brief. Is the city intending on really building this school, do they have the money for it, how is the money secured, are they looking at a technical solution, do they want to find the best architect or do they want to find the best design, does the city want to see radical different designs, who is on the jury, what kind of bias will they bring to it, are the community representatives heavily influenced, for example, by the school board that suggests a certain type of solution and all of these things play mightily into the mind of someone who is competing in a competition. Therefore, if you are going to do a competition, I urge you to not only hire a professional advisor but to go into the process very slowly. Therefore, whatever they say about Perth Amboy being a year long competition you should really find out how long it took to formulate the competition rules and regulations, to develop the program. After all, we have been doing this for four years now, what conclusions can you put into writing so that everyone responds to the exact same thing? If you want to have people respond to lots of different things, that is fine but then you have to be prepared to 1) when the completion boards up and in place and public comment is welcome and juries look at it you have to be able to make a snap decision right then and say you know what I like that option because it preserves some of the school. It is not time to debate whether or not the school should be preserved because that one entry does it. You should make that decision well ahead of time. So my conclusion is this, competitions are great. I am skeptical whether or not it is the correct vehicle for this particular time and place and what I would actually conclude is that maybe instead of directly rejecting the notion of a competition could we perhaps at some later point talk about the idea of a limited competition where maybe three well qualified teams would be paired with very specific maybe young design talent to ensure the type of quality and innovation in design that we all expect in the city. It still allows us to look outside the box but guarantees us some of the technical capabilities that we all seek and demand for a project of this complexity or could we look at the designer selection criteria and not rank firms according to the number of times they have done a high school. In my mind that is pretty irrelevant. Ask Kallmann, McKinell and Wood how many libraries they did before they did ours. If you are a good designer and if you have the technical expertise and backup, put together, and assemble a good team there should be no reason that it cannot be part of the qualification process.

Ald. Gerst asked if Mr. Chang, as the only actual architect that has worked for the city to design a project, to describe his experience with the city's actual selection process. Mr. Chang responded that the selection process was very fair and extremely professional but it was based on a certain bias because we had in advance of that short list been involved in a competition from which we were culled out along with some other firms that had better credentials than we did. He feels that it was a balance between his firm being able to express themselves and

to gain from confidence from the city from a design perspective in combination with other firms coming in based on their professional experience in that particular job. He thinks that the Designer Selection Committee is good but whether or not they can actually get to which firm has the best capabilities he does not know. He feels that they look at qualifications in a very technical regard and some of the enthusiasm and creation are not often shown in a portfolio. He does not think it is fair to hire someone, necessarily, for a \$100,000,000 job unless put them on the spot, ask them to create a little bit and to maybe have half and half, qualifications and little bit of creative spirit.

The public hearing was closed. It is not the intent of the Committee to vote the item at this time. Ald. Sangiolo pointed out that on Monday evening during the Board meeting she had documents put on everyone's desks that are supportive information and should be looked at in terms of making a decision of whether a competition is right or not. She included the minutes from the Newton North Taskforce meetings that were held back in February because there was an ideas forum. There was some suggestion that there were not enough entries. There were actually seven entries. There was some suggestion that it did not work because of the lack of entries but it was actually pulled for a different reason and the minutes detail the reason. Also, included was a synopsis of general guidelines for architectural design competitions, which really gives a nice listing of the competition process, the types of competitions that may be considered and it really makes you think about when a competition appropriate. She was glad that compromises were suggested such as looking at through an exhibit process or asking through the RFQ process additional criteria in order to make our selection and the suggestion of limited or select competitions. She thinks that there were implications that if you have a competition, and maybe that is only for an open competition, that the city will just get anybody walking off the street. With a commission competition or a limited competition the client can have the design options investigated by a small number of architects, whose work is of interest and that could be determined by the designer selection process or through the RFQ process. There is also a listing of United States based competition advisors, there is a letter from an advisor who did the Perth Amboy competition, there is information on other schools that held design competitions.

In addition, the group CIVIC also provided a very telling letter from Ellen Shokes, who was the Competition Manager for the Perth Amboy High School. Ms. Shokes details out exactly how they went through the process and she looked at Newton's website to look at the process Newton goes through. She complimented the city on their comprehensive planning process that the city is engaged in, which helped you make the decision to abandon the first course of action, the more modest renovation of the school. She understands that having delayed progress on the project the city is anxious to move ahead. She also states that the city has already considered many conceptual design alternatives and that some people may fear that holding the design competition now will delay and complicate an already delayed and complex process. She feels that the city has completed the most time consuming phase by getting citizen input, evaluating alternatives, building consensus on a strategy and developing forward-looking education specifications.

With much of the work behind the city, conducting a design competition would be relatively easy.

Ald. Sangiolo is not sure whether a competition will work for the city or not but she thinks it is worthy of thorough debate, discussion and review of whether or not some form of competition or some sort of amended RFQ process is the way to go. It is a \$104.6 million building, it should be a building to last for 75 to 100 years that people can look back on and want to keep and preserve.

Ald. Albright thanked Ald. Sangiolo for bringing the idea and providing the backup. She found it very informative and very thoughtful reading. Having read the packet Ald. Albright searched web about the Perth Amboy project. Her search made her realize that doing a competition changes the way a project is done. Although Ms. Shokes letter states that all the hard work is behind us, Ald. Albright feels that it is not. The outside funding that was part of the project in Perth Amboy funded a yearlong planning process that involved citizen groups and all kinds of interesting combinations of people that were thinking about what is a good school. There was a lot planning that in Newton usually goes on after the designer selection, they work with the School Committee, the Mayor's Office and the Public Buildings Commissioner. The work is done after the designer has been selected. In the instance of Perth Amboy, they did all of the work before the designer was selected and there really was not any contact with the community except for the site visit. A competition is going to change the dynamics of the city's process and the city has to think about which way it wants to go with the project. She thinks that the statements that the Perth Amboy project was only a yearlong did not take into account all of the pre-planning that was done that was funded by the National Endowment of the Arts and all of the other sponsors. There is the time that it will take to do the design competition but there is also the time it is going to take to do all of the planning to get a good document ready to go out for a competition.

Ald. Stewart commented that as part of the whole process of considering this item the Committee needs to look at the reality of what would happen if the Board of Aldermen came up with an ordinance to force the city to hold a design competition for construction projects exceeding \$90,000,000. Assuming that a draft came before the Board of Aldermen, it will take several months to get through the Board and get language. What is apt to happen is that the Mayor and Designer Selection Committee will be opposed to such an ordinance and possibly several members of the Designer Selection Committee would resign because they do not want to have anything to do with a competition. His point is that at some point the City is going to have to put together an organization to run the whole design, which is not going to be an easy thing to do. It will take some time to put the whole administrative structure together to run a competition. These considerations are very real that people should be thinking about before this is voted. Ald. Stewart also stated that he felt that Ms. Ingerson's suggestion of having an exhibit and publishing of the design ideas is very good. It is not the same, as a design competition but conceivably someone will come up with a grand design that will lead the architect that might be selected to use some of the ideas in the design of the building. It is a good way to involve the public in the

whole project and to give people some sense of exactly what is involved in the design of a high school of this magnitude.

The Chair entertained a motion to hold and explained that the Committee will come back to the item at the next meeting. A motion to hold was made, which carried by a vote of six in favor and one opposed. Ald. Stewart was opposed because the item is a request for a public hearing, which has been held and there is another item, which addresses the question of a design competition.

#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.

ACTION: **HEARING CONTINUED TO 11/17/04**

NOTE: The Chair explained that the Committee is not prepared to vote on the item. The Committee may opt to continue based on whether the community has had adequate time to voice their feelings. Commissioner Rooney and Clint Schuckel were present for the discussion. The Commissioner reviewed the scope of the project. There are a couple of key issues that make the Walnut Street project difficult. The plan is 6,300 linear feet of roadway that goes from Homer Street to Centre Street and then down Centre Street to the Route 9 ramps. The estimated cost is about \$3,200,000 and the key items on the scope of work involve three traffic light systems at Beacon and Walnut Streets, Lincoln and Walnut Streets and Centre and Walnut. There are no new traffic light systems; these are upgrades of the existing traffic light systems. It involves new curbing, new sidewalks, and repair of drainage structures, the repaving of the street, the planting of trees and the layout to accommodate bicycles under the Paulson Bill, which requires bicycle accommodation on any state funded project under the TIP. The scope of work is not that different from many of the Public Works Department's projects that are conducted around the city.

The road is about 32' to 34' wide in most sections and it has a berm and sidewalks. There are areas near the Whole Foods Store that do not have a berm and the roadway is a little bit narrower at that point. There is restricted parking only in the area between the Whole Foods and Berwick Street, which is the next block down. There is no parking on both sides of the street. The rest of Walnut Street is open for parking and in the village center; there are parking meters and designated stalls. The typical roadway has 12' width lanes. If you have two lanes, it is 24', which leaves 8' for sidewalks and berms. From a city standard perspective, Walnut Street can only accommodate parking on one side and the 12' lanes. In reality, what the city has is parking on both sides of Walnut Street and traffic that goes in both directions. If you drive down Walnut Street, you will see cars parked on the sidewalk and berms out of necessity because Walnut Street is not wide enough. If you superimpose on that issue the state standards that require bicycle accommodations 4' in width on both sides of the street, there is no room for parking. If the city wants state funding through the TIP, at \$3,200,000 than it is the Commissioner's opinion that the city will have to abide by the requirement for bicycles on Walnut Street. The Commissioner has submitted a waiver from Forest Street through the village to propose an alternate bypass for bicycles

because there is no way to provide for bike lanes in that area. He has also submitted for a waiver for the curvature at Forest Street, where it is too tight and he believes that both waivers should be approved.

The Chairman asked for an estimate on how many parking spots will be lost to bicycle lanes. The Commissioner responded that it would be the full length from Homer Street to Forest Street. Theoretically, the city is losing hundreds of parking spaces but the reality is the city is losing about a dozen. The Commissioner is not anticipating losing any spaces in the village. The design may show a loss of one or two because of a bus pull off but the Commissioner is not sure that the city has to abide by the pull off. The Traffic Engineer stated that there is on average of five cars that park between Homer Street and Forest Street.

Ald. Salvucci asked if the project is a total reconstruction or just a paving job. The Commissioner responded that it is a total reconstruction. Ald. Gerst questioned whether signage would be replaced by the large no parking signs that are the state standard. The Commissioner responded that all of the signs would be replaced. Ald. Gerst would prefer to keep the city signs in place as he feels the larger signs would be out of place on a suburban street. Ald Gerst also asked whether the city was required to have audible sounds at traffic light for the sight impaired. The Commissioner explained that there are suggested guidelines to include them in new traffic light installations. However, he believes that the city is not required to install them. Ald. Gerst reminded the Commissioner that recently an audible signal was placed at an intersection, which impacts a residential neighborhood and has causes a nightmare situation for neighbors. The residents find themselves unable to sleep because the city is accommodating audible traffic signals.

Ald. Mansfield asked for a couple of things to be clarified. He is in agreement with Ald. Gerst regarding the no parking signs every fifty feet. He feels that if accepting money from the state means that we have to accept that kind of highway signing on residential streets, we should not be accepting that money. He thinks that the city should find it elsewhere or use it elsewhere. Ald. Mansfield stated that there is currently an Ordinance that restricts parking between Beacon and Berwick on both sides of Walnut and yet that's the only place where he regularly see cars parked on Walnut Street, because it is the widest portion of the street. Ald. Parker parks his car there every day, and is not ticketed. Secondly, Ald. Mansfield remembers the design that the Committee saw in the spring and thought the plans eliminated spaces on both sides of Walnut Street in the Village Center on one side for the bus pull off and on the other side for a right turn lane to being created at the Center and Walnut Street intersection.

Commissioner Rooney indicated that because he is submitting for the accommodation waiver there is no requirement to remove them. The plans may show the bus pull off on the right hand side and recommend losing a space but he

thinks from the state's standpoint that if the city wanted to keep the spaces it would be acceptable, as it still works and there are no proven accidents. Ald. Mansfield asked about tree removal on the street. Commissioner Rooney explained that trees that are healthy and prosperous would probably be left in place. Where there are voids with no trees for quite a stretch, the city typically plants trees. Trees are probably the most flexible part of the plan regarding how many up to the budget amount the city can add and subtract at will based on recommendations and input. If everybody said we want trees on every block twenty-five feet apart, we would design it that way.

Ald. Albright asked when a waiver is submitted whether the Commissioner has a feeling on the likelihood of the waiver being accepted. Commissioner Rooney's sense is if there is any way to make these plans work, the city must get waiver. His gut feeling is that the state and the bureaucratic systems are still people who have reason and realize that to remove parking from village center would cause stress on the businesses. The State has a lot of reason to grant a waiver because the city is giving an alternate route around the village center for bicycles. The back up plan would be to draw the line at Forrest Street and say the city will pay for the Village Center paving.

Ald Albright asked if it would be Public Work's employees who would be doing the work and would they have the opportunity to speak with the neighbors or the abutters as they are doing the work. The state's procedure is that it is their money and they will bid the project and select the contractor. Newton is then rendered as a third party to the project. The state is understaffed, they have multiple projects and projects managers are going between three and four towns. The state cannot keep their eyes on the project and they do not have the concerns of the residents foremost in their mind. The Mayor has every intention to go to the Governor, if need be, to request that the funding stay in place but the city takes ownership of the project directly and manages it, which is within the city's capability Ald. Albright asked when the city would know the answer to whether the city could manage the project. The Commissioner thinks that once the city is at 100% plans and it is on the TIP list for a year the city can approach the state and ask for management of the project.

Ald. Albright is in favor of the bike path, as far as she is concerned it is a good idea. If the city provides a place for bikes on the street, you might see more people biking. She thinks it makes the community a more livable place to have bike paths.

Ald. Parker has spoken with residents of Walnut Street regarding their concerns about the reconstruction. The residents are very concerned about any loss of parking on Walnut Street. It is a valuable resource and if removed will give the street the feel of a highway. The residents would also like to see wider sidewalks

with higher curbs and grass berms along the residential portion of Walnut Street. People tend to park on the sidewalk and a planted element and a higher curb would discourage parking on the sidewalk. Ald. Parker stated people had suggested no parking on the south side of Walnut Street, as people who park on the south side park on the sidewalk because if they did not their car would block the south bound lane. Ald. Parker feels strongly that the city needs to have control over this project, as past state projects have created many time delays and traffic problems.

The public hearing was opened and Mr. Joseph Sanroma, 1000 Walnut Street, spoke on the reconstruction. The parking on Walnut Street is essential to the residents, particularly on weekends. He is not in favor of the bike paths, as he feels it is a tremendous waste of resources. He would ask the City to look at alternate funding for the reconstruction, as the street does need to be repaved. Janice Bourque, 238 Lincoln Street, the President of the Newton Highlands Neighborhood Area Council spoke on the item. She applauds the City's efforts to improve Walnut Street. She is aware that curbing, berms and sidewalks, as well as paving need to be improved. There is some concern that the cost of the reconstruction almost forces the city to use state funding, which would require the city to meet the state's criteria for the reconstruction, including the bike lanes.

The Newton Highlands Neighborhood Area Council will hopefully hold a community meeting on October 28, 2004 with Commissioner Rooney and the Ward Aldermen. The Area Council would like an opportunity to gather further input from Newton Highland residents and business owners and present it to the Public Facilities Committee. She would like the public hearing to be continued until November 17, 2004.

Steve Buchbinder, Esq., 1200 Walnut Street, spoke on the Walnut Street petition. He spoke on behalf of O'Hara's Pub and himself. The loss of parking spaces is a great concern of all the business in the Newton Highlands business district, as well as the residents. Mr. Buchbinder thanked Commissioner Rooney for spending time to review the project and answer questions. It became clear during the discussion that the city is looking for funds to improve the roadway, as it is very expensive. The problem with using TIP funds is that the state funds are given with constraints and limitations. It is clear that accepting the funds comes at the great cost of sacrificing parking for bicycle lanes. Mr. Buchbinder also stated that if the street is repaved and there are no cars parked it would encourage speeding on Walnut Street. He feels the proposed community meeting will be helpful because it is important to notify the greater Newton Highlands area. He hopes that if the project is approved it is conditioned with not losing any parking spaces in the Newton Highlands business district.

Serge Nedecovich, 15 Bemuth Road, Vice President of the Newton Highlands Area Council, stated that the general community surrounding the Walnut Street area has not really had an opportunity to review and comment on the plans for reconstruction. It is important that the Area Council hold a community meeting to allow business owners and residential members of the community who will be impacted to speak on the reconstruction. He would ask the Committee and the Board to deny the twenty-five percent design plans, as they are seriously flawed.

Mr. Nedecovich is very upset about the loss of parking. He stated that the addition of bicycle lanes is a ploy to widen the street knowing that bicyclists will never use the lanes. The fact that it widens the road encourages more cars and encourages speeding, which creates potential safety hazards.

Carol Cotes, 936 Walnut Street, agrees with all of the comments made by Mr. Nedecovich. She reiterated the extreme opposition to removal of parking and bicycle paths because they are unsafe. She would be in favor of parking on one side of the street if removal of parking were necessary. She feels that if the state were removed from the equation the project would move more quickly and the city would have control.

Paul Gifford, 1110 Walnut Street, lives very near the fountain on Walnut Street. He is very concerned that there are plans to ease the curve at the fountain. He has seen cars land in the fountain and his front lawn. Mr. Gifford thinks that if the curve is eased it will encourage drivers to speed up.

Patricia Kellogg, 29 Manchester Road would like to encourage the Aldermen to get the City to do the project. The city would be a lot more sensitive to maintaining the residential quality of Walnut Street. She thinks if the sidewalks are expanded and berms created the visual appearance will lend itself towards calming traffic.

The Chairman asked the members of the Newton Highland Area Council what mechanism would be used to notify people of the community meeting. Ms. Bourque responded that they will get labels from the Election's Office and Economic Development Commission that would cover most of Newton Highlands. In addition, the business would be notified instead of the owner of the property.

The Committee decided to hold the public hearing open in order to get further testimony from the public on November 17, 2004.