

CITY OF NEWTON  
IN BOARD OF ALDERMEN  
PUBLIC FACILITIES COMMITTEE REPORT

WEDNESDAY, DECEMBER 8, 2004

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

Absent: Ald. Albright

Also present: Ald. Linsky

City personnel present: Nicholas Parnell (Commissioner of Public Buildings), Arthur Cabral (Budget and Special Projects Specialist, Public Buildings Dept.), Ted Jerdee (Superintendent of Utilities), Lou Taverna (City Engineer), Robert Rooney (Commissioner of Public Works) and Shawna Sullivan (Committee Clerk)

##320-04(8) ALD. LINSKY, ALBRIGHT AND JOHNSON requesting an explanation as to current status of feasibility study relative to Newton North High School, particularly in respect to whatever work, if any, continues to be done by the architect, construction and/or any other consultant hired for the purposes of assisting the city's application for state assistance in constructing a new building.

**ACTION:** **NO ACTION NECESSARY 7-0**

**NOTE:** Commissioner Parnell and Arthur Cabral were present for the discussion of this item. Ald. Linsky docketed this item because he questioned why the City was still paying money out of the feasibility account. He would also like to try to collect information from this point forward on the work and expenditures and make the information available to all.

Arthur Cabral provided the Committee with a breakdown of the cost of the feasibility study and remaining expenses (attached). Commissioner Parnell explained that there is one last pending payment of \$12,000 to the Project Manager, Turner Construction. There is also a payment due to Trane Company for the chiller work to be completed at Newton North High School. Ald. Linsky was pleased with the explanation provided by the Public Buildings Department.

The Commissioner also explained that costs related to the RFQ for a project manager and architect will be paid from this account in the next few months. Several Aldermen asked about the status of the RFQs for the project manager and architect. Commissioner Parnell responded that there have been forty inquiries for the RFQ for a project manager and he has received three applications. All applications will be submitted by December 9, 2004, but he does not expect the

interviews by the Designer Selection Committee to begin until after the first of the year.

The Designer Selection Committee has begun drafting the RFQ for the architect and the Commissioner would expect the RFQ to reach final form in mid to late January. Ald. Mansfield asked the Commissioner to explain how the Resolutions from the Board have been incorporated into the RFQ for the designer. The Commissioner stated that he would prefer the Designer Selection Committee members answer the question. However, he believes that it will be a two-phase selection process. The Designer Selection Committee will be visiting recently constructed schools to speak with the users, such as the faculty and School Committee. The Designer Selection Committee has not decided on a finalized program but some type of process will be built into the RFQ. The Commissioner also stated that every possible piece of information would be available for architects to review before submitting an application. The Commissioner has requested an updated site plan that will be available on the City website.

Ald. Stewart asked if there needed to be more studies or if the site plan is complete. The Commissioner stated that there needs to be more site work but the funds are part of the \$3.8 million dollars the Board has approved.

Ald. Stewart suggested that the Commissioner routinely brief the Public Facilities Committee on the progress of the project. He also suggested that Aldermen submit any questions to the Committee Clerk before the update in order to allow the Commissioner time to prepare answers to questions. Ald. Lappin asked if an update on the database could be included. The Commissioner stated that he would come to the first meeting of the Public Facilities Committee meeting each month and provide a brief update.

Ald. Yates moved no action necessary item, which carried unanimously.

#467-04

ALD. YATES AND SCHNIPPER requesting a response from the Commissioner of Public Works to the findings of the Environmental Protection Agency that pollution enters the Charles River from Newton.

**ACTION:**

**HELD 7-0**

**NOTE:**

Commissioner Rooney, Lou Taverna and Ted Jerdee were present for discussion of this item. The City received an order from the Environmental Protection Agency (EPA) requiring the City to investigate and correct pollution entering the Charles River from Newton by April 23, 2005. Samples were taken by a citizen volunteer from several Newton locations along the Charles River between March 2003 and March 2004. Four locations were found to contain organic contaminants above the EPA's allowed levels. The four locations are the mouth of the Cheesecake Brook, Cheesecake Brook at Watertown Street and Albemarle

Road, Nonantum Road at the Newton Yacht Club and the Jasset Street underdrain.

The City received a communication from the EPA in May stating that contaminants were found in the samples and requesting a plan of action to deal with the contaminants within thirty days. The City met with the EPA in June for clarification of the test results and sites. The City responded with a plan in July and in August the EPA asked for quarterly reports. The City sent the first quarterly report in September and in October scheduled a meeting for November 10, 2004. On November 9, 2004, the City received the order from the EPA and the scheduled meeting was cancelled.

Since receiving the order, the City has met with the EPA to clarify the order. The Commissioner was very surprised that the EPA decided to issue an order, as a working relationship had been established. The EPA felt that the order would help the City qualify for funding. The Commissioner stated that the City will make every effort to meet the date of April 23, 2004.

The Chairman asked the Commissioner if the samples collected by the volunteer were scientifically collected and if the City has run its own tests. The Commissioner responded that he is fairly certain that the samples were pure, as the volunteer is experienced in collecting samples. The City has also tested the sites and found contaminants.

Ald. Lappin asked how the problem will be fixed. Ted Jerdee explained that the underdrain at Jasset Street and the outfall at Nonantum Street will be plugged and abandoned. The two spots at Cheesecake Brook will require further investigation to see where the contamination is occurring. It is possible that it is caused from ambient fauna from dogs and geese. Several Aldermen were concerned that the plugging of the Jasset Street underdrain would cause flooding in basements in a residential area. Mr. Jerdee explained that the City will carefully monitor the area so flooding does not occur.

Ald. Lappin asked if the City would try to renegotiate the order. The Commissioner stated that the City plans to file a report with the EPA by December 15, 2004 and submit an action plan by the end of the month. The Committee was pleased with the report and asked to be kept abreast of any further issues with the order.

Ald. Yates stated that he received a letter with an engineering study from several constituents in regards to Quinobequin Road, Larkspur Road and Devonshire Road asking for assistance with extensive flooding and fecal contamination. Ald. Yates went on to explain that the problem began when an old City pipe, which runs through private property broke causing storm water to backup into

yards. The residents in the area hired a private engineering firm who provided them with an analysis and solutions to the storm drainage problems (attach).

Commissioner Rooney is aware of the flooding and has been investigating solutions to the problems. He explained that the Utilities Division discovered a failed septic system in the area, which has since been repaired. There is a map from 1812, which shows a stream running through the effected backyards. Commissioner Rooney will meet with Martha Aherin Horn regarding conservation issues surrounding the stream. It is his belief that the stream was enclosed in the storm drain pipe. The gradient in the area is approximately .1%, which is very flat and makes for slow drainage. The Commissioner feels that the solution may be to run the storm drain pipe down Larkspur Road to the Charles River, but would like to investigate the option further to make sure it is the best possible solution.

The Chairman opened the meeting for public comment from the residents of the Quinobequin Road area. Alexander Rossolimo, 69 Devonshire Road, stated that there was no failed septic system. However, there is a dry well on his property that has been abandoned.

Christine Alpert, 564 Quinobequin Road, home is located in the area most affected by the flooding. She would like the City to restore the damaged property as well as move the pipe. She also asked what the time frame would be for the repair.

James Murray, 564 Quinobequin Road, stated that the neighborhood has been working with the City since 2003. He would like the storm drain to be moved from private property, if it is feasible. He is constantly worried about the health issues surrounding the contaminated storm water. The whole situation has been incredibly frustrating and it ruins the neighborhood.

Meryl Stowbridge, 69 Devonshire Road, explained that she cannot walk in her yard without sinking up to her ankles. She feels that the standing storm water is attractive to children and could cause a real danger to the safety of children in the neighborhood. She is also deeply concerned about the mature, beautiful trees in the yards. If the trees continue to sit in standing water, the roots will rot.

Several other residents of the area were in agreement with the people who spoke and questioned when the work to redirect the pipe could take place. Commissioner Rooney explained that the soonest the work could begin is in the spring of 2005. The relocation of the pipe will require a permit from the Environmental Protection Agency for a new outfall. The Commissioner does not anticipate a problem with the permit, as they will be abandoning the old outfall.

Several Aldermen asked how long it would be before a permit could be obtained. The Commissioner was not sure but will investigate.

Ald. Stewart asked if there were differences between the City's possible solutions and the private engineering firm's solution. Lou Taverna stated that he had just received the report from the private engineering firm and has not had a chance to review it.

The Committee requested that the Commissioner come up with a plan of action within thirty days and present it to the Committee. Ald. Mansfield requested that the plan include a time frame for the EPA permit. He is concerned that if the water is contaminated, the City will not get the permit. Ted Jerdee stated that the City will investigate the source of contamination and correct the problem. The Committee held the item for further discussion in January.

Respectfully submitted,

Sydra Schnipper, Chairman