

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC FACILITIES COMMITTEE REPORT

WEDNESDAY, FEBRUARY 7, 2001

Present: Ald. Schnipper (Chair), Gerst, Antonellis, McGrath and Mansfield

Absent: Ald. Salvucci, Yates and M. Lipof

City Officials Present: Gayle Smalley (Associate City Solicitor), Michael Rourke (Chief Administrative Officer), Robert Rooney (Commissioner of Public Works), Thomas Daley (City Engineer), Fran Towle (Commissioner of Parks and Recreation), Robert DeRubeis (Parks and Recreation Department), Roy LaMotte (Traffic Engineer) and Ron Mahan (Public Works Department)

48-01 PUBLIC FACILITIES COMMITTEE requesting discussion with relevant Department Heads to clarify the city's policy on snow removal from sidewalk.

ACTION: **HELD 5-0**

NOTE: This item was docketed in order to clarify the mission regarding snow removal from sidewalks. The mission is not clear as to whether the sidewalks just need to be passable or down to bare pavement. Mr. Rooney was present for discussion of the item. The Commissioner has researched snow removal from sidewalks on school routes. There are two conflicting expectations of the snow removal on sidewalks. The current equipment is only capable of plowing 3" or more of snow. Residents expect the sidewalk to be cleared regardless of the number of inches of snow. Unfortunately, the Public Works Department does not have equipment to clear minor snow accumulation.

Ald. McGrath explained that there was a committee formed a number of years ago to address snow clearing of sidewalks. The committee came up with the standard that the sidewalk must be wheelchair passable on determined school routes and village centers or business districts. Unfortunately, the committee did not come up with a policy for at what amount of snow to begin sidewalk plowing. There were two snow blowers purchased for the sidewalk clearing. The snow blowers have not been used in a number of years for sidewalk clearing but they are probably the best equipment for sidewalk clearing.

The Committee feels that the sidewalks need to be passable and safe. This will require the purchase of snow blowers, as the bombardiers are only effective in snow removal of significant amounts. Ald. Gerst suggested purchasing better equipment for sidewalk plowing gradually. The Commissioner agreed that the bombardiers need to be replaced for snow blowers.

Ald. McGrath moved hold for further research. The motion passed unanimously.

#508-00 ALD. SALVUCCI AND GERST requesting an amendment to Sections 23-5 and related sections of the City of Newton Ordinances requiring owners of poles located in a public way to petition for grants of location for second telephone poles.

ACTION: **HELD 5-0**

NOTE: Ald. Gerst presented the item. This amendment to the ordinances would require utilities to get a grant of location to create a double pole. This would allow the Board of Aldermen some control over the number of double poles erected within the city and the time double poles are allowed to remain. This would mean that the utilities would be required to get rid of double poles and if they did not, action could be taken under state law.

Gayle Smalley explained that the state law, which governs the grant of location process, does not give the city much discretion to come up with the details. Ms. Smalley brought copies of the state legislation in regards to when a grant of location is required, which is attached. Unfortunately, the proposed amendment is not one of the requirements for a grant of location. In 1997, the legislature established a rule that requires utilities to complete wire transfers from double poles within 90 days. The owner of the pole is responsible for notifying all other users of the pole of the start of the 90 days and shall require all users to move their wires. There is no penalty provided within the state statute for failure to meet the 90-day deadline. The city could go to court, as there is jurisdiction. There is the opportunity to file a formal complaint before the Department of Telecommunication and Energy and the city has nothing to lose by filing the complaint. Ms. Smalley has spoken to a representative of the Department of Telecommunication and Energy, who is generally aware of the situation. No one has ever filed a formal complaint but the procedures are quite casual and should be done. In addition, if poles are not used the Aldermen may cause the removal of unused poles within a public way. This would need to be discussed with the Commissioner of Public Works because of disposal and cost.

Ald. Schnipper suggested sending a copy of the state law and a letter stating that a formal complaint will be filed with the Department of Telecommunication and Energy if there is no response and if the poles are not removed the city will remove the poles and bill the utility company. Ald. McGrath suggested bringing in the city's state delegation as was recommended at a prior meeting on double poles. The committee agreed that both these measures should be undertaken. Gayle Smalley agreed to write the letter to the utility companies.

Gayle Smalley also called attention to an ordinance, which requires a pole owner to get a permit from the city's Inspector of Wires before replacing a pole. The Inspector of Wires role is to approve the material of the poles. These permits have not been used in a number of years. It may be worth reinstating the permitting process and requiring the owner of the pole to show that all other users of the pole have been notified of the 90-day timeline. Instituting the permit process will need more research.

The Committee held the item for further information and in order to meet with the state delegation.

#509-00 ALD. YATES requesting a discussion with the Public Works Commissioner on the feasibility of converting part of the Department of Public Works fleet to compressed natural gas.

ACTION: **HELD 5-0**

NOTE: Commissioner Rooney and Ron Mahan were present for the discussion of this item. Mr. Mahan discussed the pros and cons of converting the Public Works fleet to natural gas. The advantages of a conversion would be the reduction of fuel costs as gasoline prices have increased dramatically. The use of natural gas would also reduce the amount of pollution generated by the vehicles.

Approximately seven years ago Boston Gas paid for the conversion of three city vehicles as part of a natural gas test program. The vehicles were equipped with a switch, which allowed the driver to change from natural gas to regular fuel if needed. A natural gas line was run into the Crafts Street yard and is still there. The program worked well but in order to fill the natural gas bottles on the vehicles you have to compress the gas, which takes about six hours. It was determined that in order for the city to convert to natural gas a massive supply of natural gas bottles would be required. At the time, it was thought that residents around the site for the storage of the natural gas would be nervous. The other issue was where to put the gas station to fuel the vehicles. The proposed sites were both out of the city, which would not be cost or time effective.

The item was held to give Ald. Yates and opportunity to discuss the item with the Commissioner of Public Works and Ron Mahan.

#510-00 ALD. GERST seeking a report from the departments of Public Works and Parks and Recreation on the operational status of water fountains in city parks and schoolyards.

ACTION: **NO ACTION NECESSARY 5-0**

NOTE: Ald. Gerst presented the item. There are a number of city water fountains, which do not function and this is not acceptable. The city fountains need to be tested for water quality and repaired or replaced. If the fountain is not used much it should be removed. It was suggested that a request for funds for the replacement of water fountains be put in the Capital Improvement Plan.

Mr. DeRubeis spoke on the item. He presented the Committee with a brief list of the water fountains showing whether they were operational or not, which is attached. The fountains are the responsibility of three departments. The Parks and Recreation Department supplies the bubbler heads and turns them on and off. The Public Works Department is responsible for the below ground workings and Public Buildings is responsible for the structure and piping down to the ground. It would be much easier if the fountains fell under one department. The Committee will request that the Mayor make one city department responsible for the water

fountains. The Committee voted the item no action necessary, as all questions were answered.

ITEM RECOMMENDED BY FULL BOARD FEBRUARY 5, 2001

7-01

HOWARD MARSHALL, 11 Cumberland Road, requesting a common sewer to be constructed in CUMBERLAND ROAD from Stratford Road southerly 80'± to cover 11 Cumberland Road, West Newton.

PETITIONER TO PAY ENTIRE COST

ACTION:

APPROVED 5-0

NOTE:

This item was recommitted by the Full Board at the last meeting to work out a few minor details. Tom Daley and Gayle Smalley were both present for the discussion of this item. Mr. Daley explained that there are still some minor revisions needed on the plan. There were some questions regarding the condition of ownership of the force main. There are two portions of the sewer extension. The homeowner will be responsible for the second portion, which begins at the farthest upstream terminus gravity sewer manhole to house, which is referred to as the force main. Gayle Smalley explained that there were no legal issues with this condition as the ownership of the force main is always the responsibility of the homeowner. Gayle Smalley presented a draft board order for the petition, which is attached to the report.

The petitioners made a statement requesting that the city clarify the sewer petition process for petitioners. The petition process has been frustrating and difficult due to several misunderstandings. They feel that the city really needs to make it an effective, easy process especially when it is a Title V matter. The Committee agreed that the petition information should be readily available. Mr. Daley explained that he is making an effort to improve the service within the Engineering Division in regards to petition process but this will take some time.

Ald. McGrath moved approval of the item subject to second call with the conditions contained in the attached draft board order. The Committee approved the item unanimously.

All other items were held without discussion.

Respectfully submitted,

Sydra Schnipper, Chair