



Finance Committee Agenda

City of Newton **In City Council**

RECEIVED

By ssullivan at 1:47 pm, Apr 07, 2017

POSTED
City Clerk

Wednesday, April 12, 2017

**7:45 PM Please note the time
Room 211**

Items Scheduled for Discussion:

Referred to Public Facilities and Finance Committees

#255-14(5) Transfer of funds within the Zervas School Project Budget

HIS HONOR THE MAYOR requesting an amendment to the Zervas Elementary School Project – Project Budget – legal Level of Control included in Board order #255-14(4) approved December 1, 2014 by transferring a total amount of two hundred thirty-two thousand nine hundred thirty-one dollars (\$232,931) from the “Owners Contingency” as follows: \$179,356 to the “Furniture / Fixtures / Equipment” line item, \$35,305 to the “Computer Equipment” line item, and \$18,270 to the “Moving” line item. [03/27/17 @ 2:20 PM]

Public Facilities Approved 4-0 on 04/05/17

#86-17 Accept grant for a conference/training for Environmental Health Specialists

HIS HONOR THE MAYOR requesting authorization to accept and expend a grant in the amount of three thousand dollars (\$3,000) from Association of Food and Drug Officials to allow for attendance to a conference for training for the Environmental Health Specialists. 03/27/17 @ 2:19 PM]

#87-17 Accept grant for recruiting and training medical reserve corps members

HIS HONOR THE MAYOR requesting authorization to accept and expend a grant from the National Association of Country and City Health Officials in the amount of thirteen thousand dollars (\$13,000) for the purpose of helping to recruit and train medical reserve corps members to increase health and human service capacity to conduct outreach on health programming and initiatives throughout the community. [03/27/17 @ 2:20 PM]

The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton’s ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: jfairley@newtonma.gov or (617) 796-1253. The city’s TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

Referred to Public Facilities and Finance Committees

#77-17

Amendment to include ordinances on illicit discharges to storm drains

HIS HONOR THE MAYOR requesting amendments to the City of Newton Revised Ordinances, 2012 to include new sections related to illicit discharges to storm drains, which meet the requirements set forth under the City's Municipal Separate Storm Sewer System Permit. [03/13/17 @ 4:39 PM]

Public Facilities Approved 7-0 on 03/22/17

Referred to Public Facilities and Finance Committees

#78-17

Appropriate \$71,800 for engineering services

HIS HONOR THE MAYOR requesting authorization to appropriate and expend seventy-one thousand eight hundred dollars (\$71,800) from the Storm Water Surplus Account for the purpose of funding professional engineering services for the design and construction engineering phases of the rehabilitation of the Flowed Meadow Pump Station. [03/13/17 @ 4:39 PM]

Public Facilities Approved 7-0 on 03/22/17

#88-17

Transfer of \$25,000 to purchase bicycle racks

HIS HONOR THE MAYOR requesting authorization to transfer the sum of twenty-five thousand dollars (\$25,000) from the Department of Public Works Full-time Salaries-Transportation Account to the Department of Public Works Other Capital Equipment Account for the purpose of purchasing bicycle racks to be located throughout the City. [03/27/17 @ 2:20 PM]

Referred to Public Facilities and Finance Committees

#92-17

Transfer \$130,000 for repair of traffic signals

HIS HONOR THE MAYOR requesting authorization to transfer the sum of one hundred thirty thousand dollars (\$130,000) from the Department of Public Works Full-time Salaries Account to the Department of Public Works Transportation Electrical Equipment Repairs & Maintenance Account to fund costs associated with the repair of traffic signals throughout the City due to knock-downs as well as general maintenance requirements. {03/27/17 @ 2:19 PM]

Public Facilities Approved 4-0 on 04/05/17

Referred to Public Facilities and Finance Committees

#94-17

Authorize bond for intersection realignments and traffic signals on Dedham St

HIS HONOR THE MAYOR requesting authorization to appropriate the sum of one million four hundred thousand dollars (\$1,400,000) from bonded indebtedness for the purpose of funding the Dedham and Nahanton Streets intersection and the Dedham, Brookline, and Carlson Streets intersection realignments and traffic signalization upgrades. [03/27/17 @ 2:19 PM]

Public Facilities Approved 4-0 on 04/05/17

Referred to Public Facilities and Finance Committees

#93-17

Appropriation of \$4,582,904 for the Accelerated Roads Program

HIS HONOR THE MAYOR requesting authorization to appropriate and expend the following amounts for the purpose of funding the City's Accelerated Roads Program:

<u>Account</u>	<u>Amount</u>
Parking Metter Receipts-14D Accts	\$982,904
Free Cash	\$3,600,000

Public Facilities Approved 4-0 on 04/05/17

Referred to Zoning & Planning, Land Use and Finance Committees

#104-15

Qualification of affordable units developed at Comm Ave, Pearl St, and Eddy St

ALD. JOHNSON, LAREDO, AND GENTILE requesting a report from the Planning Department re how many of the affordable units developed at Commonwealth Avenue, Pearl Street, and Eddy Street qualify for inclusion on the State's Subsidized Housing Inventory List; if a property is not on the list, what can be done to make it eligible. [04/09/15 @ 12:00 PM]

Items Not Scheduled for Discussion at this Meeting:**Referred to Public Facilities and Finance Committees**

#91-17

Licensing agreement for wireless carriers to install equipment on city poles

COUNCILORS CROSSLEY, ALBRIGHT AND LAPPIN requesting a discussion with the administration regarding possible licensing agreements with wireless carriers, and to create a policy and to develop and adopt a uniform license agreement for wireless carriers to install wireless communication devices on city-owned poles in the public way. [03/27/17 @ 4:44 PM]

Referred to Zoning & Planning and Finance Committees

#90-17

Transfer of \$75,000 to develop a Complete Streets Guidebook

HIS HONOR THE MAYOR requesting authorization to transfer the sum of seventy-five thousand dollars (\$75,000) from the Planning Department Full-time Salaries Account to the Planning Department Consulting Services Account for the purpose of developing a Complete Streets Guidebook. [03/27/17 @ 2:20 PM]

Referred to Zoning & Planning and Finance Committees

#89-17

Transfer of \$125,000 to create a citywide economic development strategy

HIS HONOR THE MAYOR requesting authorization to transfer the sum of seventy-five thousand dollars (\$75,000) from the Planning Department Full-time Salaries Account and fifty thousand dollars (\$50,000) from the Economic Development Full-time Salaries Account to a specific project account to be established for the purpose of funding the creation of a citywide economic development strategy. [03/27/17 @ 2:20 PM]

Referred to Public Facilities and Finance Committees

- #56-17 Request to increase the Public Works Department by one full-time position**
HIS HONOR THE MAYOR requesting authorization to add one full-time employee within the Public Works Department to manage all detail requests submitted to the Police Detail Coordinator. [02/27/17 @ 2:42 PM]

Referred to PS&T, Prog & Serv, Public Facilities and Finance Committees

- #59-17 Appropriate \$350,000 for construction of a Parks & Recreation/Police building**
HIS HONOR THE MAYOR requesting authorization to appropriate three hundred fifty thousand dollars (\$350,000) from Overlay Surplus for the purpose of funding the construction of a new combined Parks & Recreation and Police Department facility to be located at the Elliot Street DPW yard. [02-17-17 @ 9:29 AM]

Referred to Public Facilities and Finance Committees

- #6-17 Request to establish filing fee for wireless attachments in the public way**
COUNCILORS CROSSLEY, ALBRIGHT, LAPPIN AND GENTILE requesting the establishment of a filing fee from petitioners seeking to attach wireless communications devices to existing or proposed structures in the public way. [12/23/2016 @ 8:37 AM]
Public Facilities Approved 6-0 and referred the item to Finance (Gentile, Albright not voting)

Referred to Zoning & Planning and Finance Committees

- #444-16 Amendment add fines for certain violations of the Accessory Apartment Ord.**
COUNCILOR BAKER AND COMMISSIONER OF INSPECTIONAL SERVICES proposing an amendment to Chapter 20 of the City of Newton Revised Ordinances to allow non-criminal ticketing of certain violations of the Accessory Apartment Ordinance. [12/16/16 @ 1:40 PM]
- #397-16 Discussion w School Administration re \$1.2 million budget deficit**
COUNCILOR GENTILE requesting a discussion with the School Department and members of the School Committee regarding the \$1.2 million deficit in the School Department budget as outlined in the 2017 Fiscal and Operational Update Memo dated October 24, 2016. [11/16/16 @ 10:48 AM]

Referred to Programs & Services, Public Facilities and Finance Committees

- #387-16 Appropriate \$250,000 for renovation of 1st Floor of the Ed Center**
HIS HONOR THE MAYOR requesting authorization to appropriate and expend two hundred fifty thousand dollars (\$250,000) from the Override Capital Stabilization Fund for the purpose of renovating the space on the 1st floor of the Ed Center which has been vacated by the relocation of the Pre-K Program to the

Aquinas site to house the Central High School Program, additional professional development meeting space, and general office space. [10/31/16 @ 2:05 PM]

Programs & Services Approved 4-0 on 11/09/16

Public Facilities Held on 11/09/16

Referred to Public Facilities and Finance Committees

#385-16

Discussion about the Community Solar Share Program

PUBLIC FACILITIES COMMITTEE requesting discussion with the Administration and Public Buildings Department about the Community Solar Share Program, which intends to provide credits resulting from solar power generated at 70 Elliot Street to qualifying low income residents. [10/26/16 @ 4:20 PM]

Public Facilities Held on 11/09/16

Referred to Public Facilities and Finance Committees

#384-16

Appropriate \$71,000 to build an observation deck on the greenway

HIS HONOR THE MAYOR requesting authorization to appropriate and expend seventy-one thousand dollars (\$71,000) from Free Cash for the purpose of construction an observation on the greenway walking corridor. [10/31/16 @ 2:05 PM]

Public Facilities Held on 11/09/16

Referred to Finance and Appropriate Committees

#359-16

Submittal of the FY 2018 to FY 2021 Capital Improvement Plan

HIS HONOR THE MAYOR submitting the Fiscal Years 2018 to 2022 Capital Improvement Plan pursuant to section 5-3 of the Newton City Charter. [10/11/16 @ 11:28 AM]

Referred to Public Facilities and Finance Committees

#357-16

Reallocate \$250,467.24 for decommissioning two elevated storage tanks

HIS HONOR THE MAYOR requesting authorization to reallocate the sum of two hundred fifty thousand four hundred sixty-seven dollars and twenty-four cents (\$250,467.24) from the Waban Hill Reservoir Improvements Account to be used for the decommissioning of the Stanton Avenue and Winchester Street elevated storage tanks. [10/11/16 @ 11:29 AM]

Public Facilities Approved 6-0 on 10/19/16

#353-16

Review/Acceptance of the FY 2018 – FY 2022 5-year Financial Forecast

HIS HONOR THE MAYOR submitting the Fiscal Years 2018 to 2022 5-Year Financial Forecast for City Council review/acceptance. [10/11/16 @ 11:28 AM]

Referred to Land Use, Programs & Services and Finance Committees

#256-16

Request to extend notification area of notice for special permit petitions

COUNCILORS COTE, NORTON, HARNEY, BLAZER, BROUSAL-GLASER, AND LEARY requesting an amendment to the City Council Rules, Article X; Section 6 – Additional Notification Requirements, to include that the area of notice for special permit petitions be expanded beyond the abutters to abutters within 300’ required by Massachusetts General Law Chapter 40A to also include property owners within 600’ of the subject property. This notification will apply to all classes of building except for residential 1 and 2-family units that will remain 1 or 2-family units after receiving a special permit. Only abutters to abutters within 300’ will be entitled to the rights conferred by Massachusetts General Law Chapter 40A. [07/01/16 @2:09 PM]

#209-16 Discussion of expenditures related to the Complete Streets Grant
COUNCILOR FULLER requesting discussion regarding expenditures related to the Complete Streets grant with representatives of the Department of Public Works. [05/26/16 @ 1:11 PM]

#112-16 Appropriation of mitigation funds for pedestrian and traffic improvements
HIS HONOR THE MAYOR requesting authorization to appropriate and expend the following Mitigation Funds:

A. Village Café at 719 Washington Street	\$2,500
B. 258 Nevada Street at Linwood Street	\$1,500
C. Cherry Street at Washington Street	\$2,000
D. O’Hara’s Restaurant, Newton Highlands	\$2,500
E. Rox Diner Parking & Pedestrian Improvements	\$2,500
G. Canton Circle LLC, 714-724 Beacon Street	\$10,000

#40-16 Request to accept MGL 149 Sec 148C related to earned sick time for employees
COUNCILOR SANGIOLO requesting that City of Newton formally accept and/or take all necessary steps to accept Massachusetts General Law Chapter 149, Section 148C, in order to qualify full-time, part-time, seasonal, and temporary employees coverage under the earned sick time regulation, 940 CMR 33, as approved by the voters of Massachusetts in the 2014 Election as Ballot Question 4 – Earned Sick Time for Employees. [01/19/16 @ 2:35 PM]

#223-15 Referred to Public Facilities and Finance Committees
Discussion on the process of licensing the use of city buildings
ALD. LAREDO requesting a discussion of the process of licensing the current and future use of city building, including: (a) how licensees may request the use of city buildings; (b) the process for determining which licensees will get the use of city buildings; (c) how the fees for the use of city buildings are set; and (d) how the current process compares to the process for permitting the use of school buildings. [08/13/15 @ 11:20 AM]

- #190-15 Discussion of policy to record all meetings and post meeting materials online**
ALD. SANGIOLO requesting a discussion with the Executive Department relative to creating a policy to require audio recordings of all meetings of boards and commissions and requiring them to be posted to the City's website, as well as posting of all documentation that is reviewed by boards and commissions and/or by their designated City staff member.

Referred to Land Use and Finance Committees

- #49-14 Implementation of technology to monitor compliance with special permits**
LAND USE COMMITTEE requesting discussion with the Chief Financial Officer and the Chief Information Officer regarding the critical need to implement technology which enables the development, management and use of shared, searchable, mobile-accessed (both read and write) database which contains parcel-based information that can be accessed by all city departments (including Planning, Inspectional Services (ISD), Assessing, Engineering, Fire, Police, Health), the Board of Aldermen and the community. This technology must support the work of ISD and other departments in both the office and the field to more effectively and efficiently monitor and enforce compliance with approved special permits and other related Board Orders. [02/10/14 @ 6:47 PM]

Respectfully submitted;

Leonard J. Gentile, Chair



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#255-14(5)

Telephone
(617) 796-1100

Telefax
(617) 796-1113

TDD
(617) 796-1089

E-mail
swarren@newtonma.gov

March 27, 2017

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

RECEIVED
Newton City Clerk
2017 MAR 27 PM 2:20
David A. Olson, @MC
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to authorize the following transfers within the Zervas School project budget per the attached request:

<u>Transfer</u>	<u>From</u>	<u>To</u>
\$179,356	Owner's Contingency	Furniture
\$35,305	Owner's Contingency	Technology
\$18,270	Owner's Contingency	Moving Expenses

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor

CITY OF NEWTON, MASSACHUSETTS
ZERVAS ELEMENTARY PROJECT
PROJECT BUDGET - LEGAL LEVEL OF CONTROL
BOARD ORDER #255-14(4)

	Original Budget BO# 203-14	Board Order # 256-14(A)-(C)	Docket Item # 255-14(4)	Amended Budget	Revenue/Expenditures November 30, 2014	Encumbrances November 30, 2014	Unobligated Balance
TRANSFER - CAPITAL STABILIZATION FUND BOND PROCEEDS	\$ 1,000,000	\$ 2,415,000	\$ 36,585,000	\$ 3,415,000	3,415,000.00	-	-
Total Financing Budget	\$ 1,000,000	\$ 2,415,000	\$ 36,585,000	\$ 40,000,000	3,415,000.00	-	36,585,000.00
REPAIR & MAINT. PUBLIC BUILDINGS	30,177.45	-	-	30,177.45	30,177.45	-	-
CONSULTANTS	4,316.33	-	145,684	150,000.00	4,316.33	-	145,683.67
MOVING	-	-	60,000	60,000.00	-	-	60,000.00
ADVERTISING	-	-	1,500	1,500.00	-	-	1,500.00
PRINTING	-	-	37,500	37,500.00	-	-	37,500.00
ARCHITECTURAL SERVICES	628,664.00	-	2,786,378	3,415,042.00	487,065.98	129,976.02	2,798,000.00
CONSTRUCTION CONTRACT MANAGEMENT	150,152.25	-	936,670	1,086,822.55	150,152.25	-	936,670.30
DEMOLITION	-	-	60,000	60,000.00	-	-	60,000.00
CONSTRUCTION	-	-	100,000	100,000.00	-	-	100,000.00
CONSTRUCTION MANAGER AT RISK	160,000.00	-	29,000,000	29,160,000.00	-	20,000.00	29,140,000.00
BUILDING COMMISSIONING	-	-	100,000	100,000.00	-	-	100,000.00
SITE IMPROVEMENTS	-	-	-	-	-	-	-
OFF-SITE IMPROVEMENTS	-	-	500,000	500,000.00	-	-	500,000.00
FURNITURE/FIXTURES/EQUIPMENT	-	-	600,000	600,000.00	-	-	600,000.00
COMPUTER EQUIPMENT	-	-	600,000	600,000.00	-	-	600,000.00
LAND ACQUISITION	-	2,415,000	-	2,415,000.00	-	-	2,415,000.00
MAYOR'S CONTINGENCY (1)	26,689.97	-	292,268	318,958.00	-	-	318,958.00
BOARD OF ALDERMEN CONTINGENCY (2)	-	-	1,365,000	1,365,000.00	-	-	1,365,000.00
Total Expenditure Budget	\$ 1,000,000.00	\$ 2,415,000.00	\$ 36,585,000.00	\$ 40,000,000.00	671,712.01	149,976.02	\$ 39,178,311.97

{1} Transfers from the construction contingency may be made with the prior approval of the Mayor.

{2} Transfers from the owners contingency may be made upon the recommendation of the Mayor and approval of the Board of Aldermen

#255-14(5)



Setti D. Warren
Mayor

PUBLIC BUILDINGS DEPARTMENT

Josh Morse, Building Commissioner

Telephone (617) 796-1600

FAX (617) 796-1601

TTY: (617) 796-1608

52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

March 27, 2017

Mayor Setti D. Warren
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

RE: Zervas School FF&E/ Technology / Moving

Dear Mayor Warren:

The Public Buildings Department respectfully requests \$179,356 transferred from Owners Contingency to Furniture and \$35,305 transferred from Owners Contingency to Technology. The Project had an established budget of \$600,000 for Furniture, Fixtures & Equipment (FF&E) as well as \$600,000 for Technology. Budgets were established early on in the project based on the evaluation of programming needs and before actual bids had been received for the Angier School Project. This budget was based on the MSBA standard of approximately \$1200/student back in 2004. Since that time, student needs have evolved and the cost of FF&E and Equipment has increased. The FF&E revised budget that was established was \$815,750 and the revised Technology budget has been established as \$672,750.

Bids for FF&E have come in under the revised budget. Several of the Technology items are currently being bid, while other pricing is from State Contracts. Both revised Budgets exceed the original Project Budgets, a transfer from Project Contingency to the respective budgets is required.

In addition to the FF & E and Technology, additional funding is required to cover the anticipated costs of moving back into the new Zervas School from the Carr School. The Project Budget of \$60,000 for all moving was based on the use of cardboard boxes to pack the various classroom and other items. During the course of the project, it was determined that plastic crates would be purchased in lieu of cardboard boxes for the move out and back of the Zervas School.

Due to the increase cost of plastic crates versus cardboard boxes, an additional \$5,000 was transferred from the Mayor's Contingency to cover their purchase. The revised total cost of moving is now \$83,270.00, leaving a shortfall of \$18,270.00. The required Transfer of Funds are listed below:

\$179,356.00 from Owners Contingency (32C2A15-5795A) to FF&E (32C1A15-58FFE)
\$ 35,305.00 from Owners Contingency (32C2A15-5795A) to Technology (32C1A15-58ITE)
\$ 18,270.00 from Owners Contingency (32C2A15-5795A) to Moving Expenses (32C1A15-5727)

Sincerely,

Josh Morse
Public Buildings Commissioner

cc: Maureen Lemieux, Chief Financial Officer
Alex Valcarce, Program Director
Dori Zaleznik, Chief Admin Officer

ZERVAS CONSTRUCTION PROJECT BUDGET BALANCES AS OF MARCH 22, 2017

										March 27, 2017	
										Proposed Transfer	
										of Funds	
Year	LOWPROJ	LOWPROJ Title	Account	Account Title	Budget	YTD Expenses/Receipts	Encumbrances/Receivables	Balance	Revised Budget	Revised Balances	
2017	ZERVAS14	ZERVAS RENOVATIONS	52407	PUBLIC BUILDING R-M	\$ 30,177.45	\$ 30,177.45	\$ -	\$ -	\$ 30,177.45	\$ -	
2017	ZERVAS14	ZERVAS RENOVATIONS	5301	CONSULTANTS	\$ 150,000.00	\$ 67,760.78	\$ 73,688.55	\$ 8,550.67	\$ 150,000.00	\$ 8,550.67	
2017	ZERVAS14	ZERVAS RENOVATIONS	530202	ARCHITECTURAL SERVICES	\$ 3,415,042.00	\$ 2,958,801.53	\$ 416,014.47	\$ 40,226.00	\$ 3,415,042.00	\$ 40,226.00	
2017	ZERVAS14	ZERVAS RENOVATIONS	530219	BLDG SYSTEM COMMISSIONING	\$ 100,000.00	\$ 29,214.00	\$ 70,687.00	\$ 99.00	\$ 100,000.00	\$ 99.00	
2017	ZERVAS14	ZERVAS RENOVATIONS	530220	CONSTR PROJECT MGMT SVS	\$ 1,136,822.55	\$ 906,083.35	\$ 211,068.90	\$ 19,670.30	\$ 1,136,822.55	\$ 19,670.30	
2017	ZERVAS14	ZERVAS RENOVATIONS	530225	CONSTR MGR AT RISK	\$ 29,160,000.00	\$ 17,724,595.40	\$ 11,121,146.60	\$ 314,258.00	\$ 29,160,000.00	\$ 314,258.00	
2017	ZERVAS14	ZERVAS RENOVATIONS	5342	PRINTING	\$ 17,500.00	\$ 13,422.37	\$ -	\$ 4,077.63	\$ 17,500.00	\$ 4,077.63	
2017	ZERVAS14	ZERVAS RENOVATIONS	5343	ADVERTISING/PUBLICATIONS	\$ 1,500.00	\$ 1,222.80	\$ -	\$ 277.20	\$ 1,500.00	\$ 277.20	
2017	ZERVAS14	ZERVAS RENOVATIONS	5727	MOVING EXPENSES	\$ 65,000.00	\$ 61,075.00	\$ -	\$ 3,925.00	\$ 83,270.00	\$ 22,195.00	
2017	ZERVAS14	ZERVAS RENOVATIONS	5793	PROJECT CONTINGENCY	\$ 313,958.00	\$ -	\$ -	\$ 313,958.00	\$ 313,958.00	\$ 313,958.00	
2017	ZERVAS14	ZERVAS RENOVATIONS	5795A	BOA PROJECT CONTINGENCY	\$ 1,365,000.00	\$ -	\$ -	\$ 1,365,000.00	\$ 1,132,069.00	\$ 1,132,069.00	
2017	ZERVAS14	ZERVAS RENOVATIONS	5810	LAND	\$ 2,415,000.00	\$ 2,415,000.00	\$ -	\$ -	\$ 2,415,000.00	\$ -	
2017	ZERVAS14	ZERVAS RENOVATIONS	5825	BUILDING IMPROVEMENTS	\$ 70,000.00	\$ 7,733.00	\$ -	\$ 62,267.00	\$ 70,000.00	\$ 62,267.00	
2017	ZERVAS14	ZERVAS RENOVATIONS	585DEMO	DEMOLITION/SALVAGE	\$ 60,000.00	\$ 60,000.00	\$ -	\$ -	\$ 60,000.00	\$ -	
2017	ZERVAS14	ZERVAS RENOVATIONS	585FFE	FURN/FIXTURES/EQUIP	\$ 600,000.00	\$ -	\$ -	\$ 600,000.00	\$ 779,356.00	\$ 779,356.00	
2017	ZERVAS14	ZERVAS RENOVATIONS	585SITE	INFO TECH EQUIPMENT	\$ 600,000.00	\$ -	\$ -	\$ 600,000.00	\$ 635,305.00	\$ 635,305.00	
2017	ZERVAS14	ZERVAS RENOVATIONS	585OSITE	OFF-SITE IMPROVEMENTS	\$ 500,000.00	\$ 5,277.45	\$ 279,427.00	\$ 215,295.55	\$ 500,000.00	\$ 215,295.55	
					\$ 40,000,000.00	\$ 24,280,363.13	\$ 12,172,032.52	\$ 3,547,604.35	\$ 40,000,000.00	\$ 3,547,604.35	
									\$ -		



MEMORANDUM -- ZERVAS ELEMENTARY SCHOOL

To: The City of Newton City Council Finance Committee
Cc: Alex Valcarce (NPB), Josh Morse (NPB), Liam Hurley; Julie Kirrane (NPS)
From: NV5
Date: March 24, 2017
Re: Zervas Elementary School – City Council Transfer Request
FF&E (Furniture, Fixtures and Equipment) and Technology Budgets

The Zervas project had originally established a budget of \$600,000 for Furniture, Fixtures & Equipment (FF&E) and \$600,000 for Technology and Computer Equipment. This budget was based on an allowance of \$1,200/student for each category which was equal to the MSBA per student reimbursement limit set for the Angier School Project. In our experience, for most districts, this budget is not sufficient to meet the current needs of the schools but the strategy was to let the final Angier purchasing process inform the final budgets for the Zervas School.

The Angier furnishing and technology purchasing is complete and the approved expenditures for that project were \$740,750 for furnishings and \$610,880 for technology. That translates to approximately \$1,593 per student and \$1,314 per student respectively.

Adjusting those figures for the greater number of students in Zervas and for pricing escalation to 2017 we've calculated a budget of \$815,750 for furnishings and \$672,750 for technology, for a total budget of \$1,488,500.

Based on the FF&E bids received for Zervas and the review by Point Line and Space, the FF&E Consultant, the total recommended award for the low responsive bidders is \$779,356.00 or \$1,591 per student.

Although final bids and quotes have not yet been solicited for all the Technology items, based on quotes and/or costs taken from the State Contract list the Technology budget is estimated at \$635,305. Other than sole source items, the Technology items will be put out to bid. Costs listed on the State contract list tend to be a bit higher so it is our expectation that final bids may be a bit lower. While the technology infrastructure is built to accommodate the full enrollment projection of 490 students, the proposed technology procurement is based on the projected student population during the first few years of occupancy, which is less.

Moving costs were originally budgeted at \$65,000. Based on final costs incurred for the Angier move and bids we've received to date we anticipate additional \$18,270 will be required for the Zervas move.

Since, as anticipated, the costs exceed the budget established in 2014, **a transfer of \$232,931 from Owner's Contingency**, (\$179,356 to Furniture/Fixtures/Equipment; \$35,305 to Information Technology; and \$18,270 for Moving) needs to be approved by the City Council. These budget categories are treated as a soft cost, therefore, additional costs would need to come from City Council's Contingency.

ZERVAS ELEMENTARY SCHOOL - NEWTON, MA

TRANSFER REQUEST SUMMARY

FURNISHINGS

FURNITURE - AWARD PACKAGE A		Award \$	Award #	Newton PO #
01	School Furnishings	\$ 256,000.81	ZES-001-SF	
02	Creative Office Pavillion	\$ 163,288.00	ZES-002-COP	
03	Robert H. Lord	\$ 111,591.46	ZES-003-RHL	
04	Atkinson Carpet	\$ 17,300.22	ZES-004-AC	
06	BSN Sports (40' gym traverse wall)	\$ 11,442.65	ZES-006-BSN	
08	Kittredge Equipment	\$ 9,784.38	ZES-008-KT	
09	Lakeshore Learning Materials	\$ 7,641.51	ZES-009-LKS	
10	Monitor Equipment	\$ 17,238.46	ZES-010-MO	
A	FFE sub-total (8 awards):	\$ 594,287.49		
FURNITURE - AWARD PACKAGE B		Award \$	Award #	Newton PO #
05	WB Mason	\$ 105,602.03	ZES-005-WB	
07	Hillyard RoVic	\$ 46,495.04	ZES-007-HR	
B	FFE sub-total (2 awards):	\$ 152,097.07		
FURNITURE - AWARD PACKAGE C (NO BID ITEMS)				
C	FFE sub-total (ESTIMATED):	\$22,811.00		
FURNITURE - AWARD PACKAGE D (MISC. CLASSROOM ITEMS)				
D	FFE sub-total (ESTIMATED):	\$ 10,160.00		
SUMMARY - FURNISHINGS			cumulative	budget balance
A	SUB-TOTAL - AWARD PACKAGE:	\$ 594,287	\$ 594,287	\$ 5,712.51
B	SUB-TOTAL - AWARD PACKAGE:	\$ 152,097	\$ 746,385	\$ (146,384.56)
C	SUB-TOTAL - AWARD PACKAGE:	\$ 22,811	\$ 769,196	\$ (169,195.56)
D	SUB-TOTAL - AWARD PACKAGE:	\$ 10,160	\$ 779,356	\$ (179,355.56)
ESTIMATED TOTAL - PACKAGES A + B + C + D:			\$ 779,356	\$ (179,355.56)
ESTIMATED Amount Exceeding Budget:			\$ 179,356	

COMPUTER EQUIPMENT

SUMMARY - COMPUTER EQUIPMENT	
COMPUTER EQUIPMENT BUDGET	\$ 600,000
SUB-TOTAL - AWARD PACKAGE (Estimated based on State Contract pricing):	\$ 635,305
ESTIMATED Amount Exceeding Budget:	\$ 35,305

MOVING

SUMMARY - MOVING	
MOVING BUDGET	\$ 65,000
SUB_TOTAL MOVING COSTS:	\$ 83,270
ESTIMATED Amount Exceeding Budget:	\$ 18,270

TOTAL (ESTIMATED) EXCEEDING BUDGET - REQUEST TO TRANSFER:	\$ 232,931
---	------------

		Zervas Technology List		#255-14(5)
	Units		Unit Price	Total Price
09.TC.WN00	69	Wireless Access Point Total	\$ 850.00	\$ 58,650.00
09.TC.CD01	2	Admin Desktop Total	\$ 800.00	\$ 1,600.00
09.TC.ST01	66	Student iPad Total	\$ 398.00	\$ 26,268.00
09.TC.CL02	65	Student Laptop Total	\$ 918.00	\$ 59,670.00
09.TC.CD02	10	Student Desktop Total	\$ 1,144.00	\$ 11,440.00
09.TC.IP01	31	Interactive Projector Total	\$ 2,250.00	\$ 69,750.00
09.TC.DC01	31	Document Camera Total	\$ 557.00	\$ 17,267.00
09.TC.PR01	11	Small Laser Printer Total	\$ 300.00	\$ 3,300.00
09.TC.PR02	6	Laser Printer, Work Group Total	\$ 899.00	\$ 5,394.00
09.TC.NS00	1	Network Switches Total	\$ 112,376.38	\$ 112,376.38
09.TC.PS00	1	Phone System Total	\$ 33,466.08	\$ 33,466.08
09.TC.AV00	1	Ceiling Mounted Data Projector - Cafeteria	\$ 5,500.00	\$ 5,500.00
09.TC.CC01	4	Charging Cart W/25 MBA 11" Total	\$ 24,950.00	\$ 99,800.00
09.TC.CL01	28	Charging Locker Total	\$ 1,250.00	\$ 35,000.00
09.TC.PR03	3	RICOH Printer Total	\$ 10,000.00	\$ 30,000.00
09.TC.POS0	2	POS Total	\$ 1,900.00	\$ 3,800.00
09.TC.AT01	28	Apple TV - 64GB Total	\$ 199.00	\$ 5,572.00
09.TC.AV01	28	AV Control Total	\$ 300.00	\$ 8,400.00
09.TC.DD02	2	70" Display With Mount Total	\$ 1,500.00	\$ 3,000.00
09.TC.DD01	1	75" Touch Screen LCD With Mount	\$ 2,300.00	\$ 2,300.00
09.TC.AV02	1	Audio Rack w/Microphones for Stage and Speakers Total	\$ 15,500.00	\$ 15,500.00
09.TC.MC01	2	Media Center iPad Pro 12.9"	\$ 878.00	\$ 1,756.00
09.TC.CD03	3	Admin iMac - Wired Mouse/Keyboard/AppleCare	\$ 1,500.00	\$ 4,500.00
09.TC.FM01	1	Fax Machine	\$ 184.00	\$ 184.00
09.TC.SC01	1	Scanner	\$ 500.00	\$ 500.00
09.TC.WT01	24	2-Way Radio	\$ 173.85	\$ 4,172.40
09.TC.IC01	66	iPad Case	\$ 45.00	\$ 2,970.00
09.TC.ARPR	1	Color Printer - Art	\$ 449.00	\$ 449.00
	46	Wall Phone Total	\$ 150.00	\$ 6,900.00
	12	Admin Phone Total	\$ 200.00	\$ 2,400.00
	2	Conference Room Phone Total	\$ 810.00	\$ 1,620.00
	12	Desk Phone Total	\$ 150.00	\$ 1,800.00
				\$ 635,304.86

Summary of Moving Costs for the Zervas School Project:

Original Budget (based on using cardboard boxes)	\$	60,000
Transfer from Mayor's Contingency	\$	5,000
Revised Moving Budget	\$	65,000
Expenses:		
Purchasing of crates in lieu of cardboard boxes	\$	18,215
Moving of FF & E from Zervas to Carr	\$	19,200
Moving of surplus FF & E from Zervas to Aquinas	\$	17,253
Disposing of damaged Zervas FF & E into dumpsters	\$	4,047
Dumpsters to dispose of damaged FF & E	\$	<u>2,360</u>
Current Balance	\$	3,925
Anticipated Expenses		
Moving of FF & E from Carr (current Zervas) to new Zervas	\$	17,500
Moving of Library Books, etc. from Carr (current Zervas) to new Zervas	\$	1,800
Contingency	\$	<u>2,895</u>
Sub Total	\$	22,195
Additional Funding Request	\$	18,270

#86-17



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

Telephone
(617) 796-1100

Telefax
(617) 796-1113

TDD
(617) 796-1089

E-mail
swarren@newtonma.gov

RECEIVED
Newton City Clerk
2017 MAR 27 PM 2:19
David A. Olson, CMC
Newton, MA 02459

March 27, 2017

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request accept and expend a grant, Grant G-T1611-04224 in the amount of \$3,000 to allow for attendance to a conference for training for the Environmental Health Specialists.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Setti D. Warren".

Setti D. Warren
Mayor

VOLUNTARY NATIONAL RETAIL FOOD
REGULATORY PROGRAM STANDARDS
(RETAIL STANDARDS) GRANT PROGRAM



January 9, 2017

Grant Number: G-T-1611-04224

Project Title: Trainings for the Environmental Health Specialists to attend conferences to meet the requirements of Standard 2, maintain CEU's as well as stay up to date on the newest ideas, standards, code interpretations and technology.

Award Value: \$3,000.00

Project Period: January 11, 2017 to December 31, 2017

Robin Williams
Senior Environmental Health Specialist
City of Newton Health and Human Services
1000 Commonwealth Ave.
Newton, Massachusetts 02459

Dear Robin Williams:

We have approved your application for Trainings for the Environmental Health Specialists to attend conferences to meet the requirements of Standard 2, maintain CEU's as well as stay up to date on the newest ideas, standards, code interpretations and technology. as part of the Retail Standards Grant Program, funded by the United States Food and Drug Administration (FDA). Approval is based on review of the application submitted by you on behalf of City of Newton Health and Human Services to the Association of Food and Drug Officials (AFDO).

As part of your application your agency has made an assurance that it will comply with all applicable Federal statutes and regulations in effect during the grant period, including applicable parts of 45 CFR Parts 74 and 92. Acceptance of this award and/or any funds provided by the Retail Standards Grant Program acknowledges agreement with all of the terms and conditions in this award letter.

Your award is based on the above-title project application, submitted to and approved by AFDO, and is subject to the following terms and conditions:

- **The grantee must complete the full scope of work and all tasks outlined in the approved grant application by December 31, 2017 unless a written exception is granted by the AFDO Programmatic Point of Contact for this grant award.**
- **Any changes to the scope, tasks, deliverables, or expenses of this project must be approved in advance and in writing by the AFDO Programmatic Point of Contact prior to work being modified or completed.**
- The grantee must abide by the grant guidance for the program, available as a PDF file on the Retail Standards Grant Program portal at <http://afdo.org/retailstandards>. This portal is also the site where you can find additional information/updates regarding this grant program, and where you can log in for project status and submission of required reports.
- Per United States Department of Health and Human Services Grants Policy, expenses for food or beverage are generally not allowed unless it is part of a per diem allowance provided in conjunction with allowable travel.
- A Final Project Report must be submitted through the online grants portal no more than 45 days after December 31, 2017. As part of the final report, the grantee must provide a full accounting of all expenditures made with funds from this grant award, accompanied by the documentation specified in the reporting section of the grant guidance.
- As a reminder, recipients of funding through this program are required to assure that project activities achieve greater conformance with the FDA Voluntary National Retail Food Retail Program Standards, available at: http://afdo.org/fda_vnrfrps.

The amount of \$3,000.00 represents the full amount of funds to which you are entitled. Grant awards are made with the understanding that Retail Standards Grant Program staff may require clarification of information within your application, as necessary, during the application, project, or reporting periods. These inquiries may be necessary to allow us to appropriately carry out our administrative responsibilities. #86-17

Please note, the Catalog of Federal Domestic Assistance (CFDA) number for this United States Food and Drug Administration grant, awarded to the Association of Food and Drug Officials (AFDO) on 8/11/2016, is 93.103. Your grant is considered a subaward under this AFDO grant.

If you have questions about this award, please contact your AFDO Programmatic Point of Contact. Additionally, the Retail Food Safety Specialist from your FDA Region is an integral part of your jurisdiction's successful completion of Retail Standards activities, and is available to assist with your funded project. Contact information for both individuals is listed below.

We appreciate your ongoing commitment to achieving greater conformance with the Voluntary National Retail Food Regulatory Program Standards.

Sincerely,



Joe Corby
Executive Director
Association of Food and Drug Officials
2550 Kingston Road
Suite 311
York, PA 17402

AFDO Programmatic Point of Contact:

Michael Turner
retailstandards@afdo.org
(850) 583-4593

Follow the link below to obtain contact information for the FDA Regional Food Specialist assigned to assist your jurisdiction:

<http://afdo.org/retailstandards/fdaregionalcontacts>

cc: Daniel Lukash (daniel.lukash@fda.hhs.gov)
Catherine Hosman (catherine.hosman@fda.hhs.gov)



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#87-17

Telephone
(617) 796-1100

Telefax
(617) 796-1113

TDD
(617) 796-1089

E-mail

warren@newtonma.gov

RECEIVED
Newton City Clerk

2017 MAR 27 PM 2:20

David A. Olson, EMC
Newton, MA 02459

March 27, 2017

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request accept and expend a National Association of County and City Health Officials (NACCHO) Grant in the amount of \$13,000 for the purpose of helping to help recruit and train medical reserve corps members to increase HHS capacity to conduct outreach on health programming and initiatives throughout the community.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor



January 30, 2017,

Dear MRC Challenge Award Applicant,

The National Association of County and City Health Officials (NACCHO) is pleased to inform you that your application for a 2017 MRC Challenge Award was **approved**. With over 170 MRC Challenge Award applications submitted, your MRC Challenge Award application exhibited an innovative practice and impressed reviewers.

Please read the following guidelines below and acknowledge via email to mrc@naccho.org that you agree to follow them and the intent of your project as submitted. Your contract will be sent once we receive your acknowledgement that you have read this letter.

By accepting the MRC Challenge Award funding, you are agreeing to:

- Unit's that received MRC Challenge Award funding for 2015-16 **must be current in reporting requirements** before a contract will be sent out for 2017.
- Provide NACCHO an initial project report by 1 June 2017 and a final project no later than 1 April 2018. Report formats will be sent out by NACCHO at least 30 days prior to the due dates.
- Update your unit's profile on the Medical Reserve Corps Program website, www.medicalreservecorps.gov, (including contact information, volunteer numbers, unit activities, and additional unit information) quarterly in alignment with the Federal fiscal calendar (Q1: October 1 – December 31, Q2: January 1 – March 31, Q3: April 1 – June 30 and Q4: July 1 – September 30).
- Participate in special MRC projects (e.g., Network Profile Study, evaluations, surveys, etc.), when requested to do so by NACCHO.
- Participate in a Technical Assistance (TA) Assessment, when requested to do so by an MRC Regional Coordinator.
- Use your MRC Challenge Award funds as described in your award application and budget submission. Ensure that your budget is expended in accordance with all applicable guidelines, laws and executive orders. Monies under this award **shall not be used** for food or beverages, incentives/give-away/swag or promotional items.
- Use MRC Challenge Award funds for only approved MRC related activities that assist in the development of the unit's capacity and sustainability and/or promote community resiliency as specified in the funding application. If future changes to your budget, as outlined in the application, exceed 10% of the overall budget you must submit a proposed budget modifications to NACCHO for approval. Include your budget as it was submitted, an explanation of where you are moving money from/to or the cost difference, and a date by which you will execute the work as you have proposed in your revision. All budget modification requests must be emailed to mrc@naccho.org. You should submit a copy of your initial budget, a narrative with a brief explanation of where you are moving monies from/to and a justification for doing so. We strongly recommend you use the "read receipt" feature and keep copies of all communications in your funding file.

- Please see Federal Guidance, [45 CFR Part 200](#) (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) for guidance on using the MRC Award funding.
- Any branding of durable equipment purchases must include MRC branding to acknowledge the intent of the funding. Equipment purchases are not transferable to partner agencies or organizations.
- **Please acknowledge that you have read this letter and agree to the terms of the funding opportunity, by sending an email to mrc@naccho.org.** Please include your MRC unit number. Sample language may be found in the attached guidance to successfully submit your contract.
- Contracts will be sent out upon receipt of acknowledgement of terms. **All contracts must be signed and returned to NACCHO by March 31, 2017**, or risk possible non-funding of the award. Checks will be sent via Fedex within 4 weeks of receipt of the signed contract.

We look forward to your execution of the innovative concepts and strategies presented in your application. We strongly recommend that you capture information on how your MRC Challenge Award activities translate into building your unit's capacity or enhancing your community's resiliency through quantifiable metrics and measures and report the information quarterly as required to HHS, MRC Program office. If you have any questions, please contact NACCHO MRC staff at mrc@naccho.org.

Thank you for your support and commitment to the Medical Reserve Corps mission.

Sincerely,

A handwritten signature in black ink, appearing to read 'A.C.', followed by a long horizontal line.

A Chevelle Glymph, MPH, CPM

Director, Community Preparedness and Resilience

National Association of County and City Health Officials (NACCHO)

Newton HHS Community Connections Initiative

The Newton Health and Human Services (Newton HHS) Department seeks to build and sustain community resiliency, and to better serve our most vulnerable residents by implementing a new outreach program designed to do the following:

- 1) Educate and learn from diverse stakeholders throughout the city including community-based organizations, faith-based organizations and local associations, of the services, programs, and expertise located throughout Newton in order to gain their support in connecting those with unmet needs to services
- 2) Create dialogues among these stakeholders to identify potential points of collaboration and shared agendas to strengthen community work and increase positive impacts for residents
- 3) Develop sustainable communication systems across these stakeholders to better organize both day-to-day community-based work as well as enhance emergency preparedness, response and recovery

The Newton HHS department – where the Newton Medical Reserve Corps is housed -- is a robust Massachusetts local public health department offering a variety of programs and services across the lifespan to the 88,000 Newton residents it serves in this suburban Boston city.

To implement this initiative, HHS/MRC staff will develop a training program and toolkit for MRC “ambassadors” to conduct ongoing personal outreach to community and faith-based organizations and associations. This outreach will encompass both frequent communication about ongoing programs and services that these organizations can connect their clients/membership to, and opportunities for staff to meet with other partner organizations and participate in relevant trainings and events.

For example, the MRC ambassador will visit a local synagogue to provide suicide prevention posters and resource cards, and a flyer about the next community-based suicide prevention training. A follow-up phone call would encourage synagogue to attend the training, where s/he would have an opportunity to connect with other partner organizations also concerned about mental health and seeking resources. The ambassador would also offer these resources and others on the department’s tobacco and substance abuse prevention, food safety, social connectedness programming at a table during one of many Newton’s well attended festival-like “Village Days” held throughout the year.

This initiative encourages connection through multiple mechanisms – in person, electronically, (email, social media), and during training and events held at Newton City Hall, churches, temples, libraries and community centers.

Together, this initiative will build and sustain community resiliency by creating and strengthening connectivity within Newton, increasing the likelihood that all residents will be aware of what’s available to them and that wherever a need is recognized, there are professional bonds established to help ensure needs are met.



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#77-17

Telephone
(617) 796-1100

Telefax
(617) 796-1113

TDD
(617) 796-1089

E-mail
swarren@newtonma.gov

March 13, 2017

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

RECEIVED
Newton City Clerk
2017 MAR 13 PM 4:39
David A. Olson, Clerk
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to authorize the addition and acceptance of Illicit Discharges to Storm Drains Ordinance Section 29-134 through 29-147.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor

City of Newton



DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER
1000 Commonwealth Avenue
Newton Centre, MA 02459-1449

Setti D. Warren
Mayor

March 10, 2017

To: Maureen Lemieux, Chief of Staff, and Chief Financial Officer

From: James McGonagle, Commissioner
Theodore J. Jerdee, Utilities Director

Subject: Request for Docket the addition and acceptance of Illicit Discharges to Storm Drains Ordinance-Section 29-134 through 29-147

I request for consideration the addition and acceptance of Illicit Discharges to Storm Drains ordinance, Section 29-134 through 29-147 (see attached)

Brief Description: The City of Newton is required under the Municipal Separate Storm Sewer System (MS4) permit to systematically find and eliminate sources of non-stormwater discharges to its municipal separate storm sewer system and implement procedures to prevent such discharges. The City needs adequate legal authority to prohibit illicit discharges, that authority consists of a current effective ordinance. The attached ARTICLE 5 Section 29-134 through 29-147 meets the requirements set forth in the city's existing MS4-2003 permit and will be renewed on July 1, 2017.

Please docket this request with the Honorable City Council for their consideration.

Sincerely,

A handwritten signature in dark ink, appearing to be "J. McGonagle", is written over the typed name.

James McGonagle
Commissioner Public Works

CITY OF NEWTON, MASSACHUSETTS
(To be added as **Article V in Chapter 29** of the City of Newton Ordinances)

Last updated on:
February 14, 2017

DRAFT

ARTICLE V. Prohibition of Illicit Discharges to the Storm Drain System

29-134 Purpose

- (a) Increased and contaminated stormwater runoff is a major cause of impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands and groundwater; contamination of drinking water supplies; alteration or destruction of aquatic and wildlife habitat; and flooding. Regulation of illicit connections and discharges to the municipal storm drain system is necessary for the protection of the natural resources and infrastructure of the City of Newton (hereafter the "city"), and to safeguard the public health, safety, welfare and the environment.
- (b) The objectives of this article are:
 - (1) To prevent pollutants from entering the city's municipal storm drain system (MS4);
 - (2) To prohibit illicit connections and unauthorized discharges to the (MS4);
 - (3) To require the removal of all such illicit connections;
 - (4) To comply with state and federal statutes and regulations relating to stormwater discharges; and
 - (5) To establish the legal authority to ensure compliance with the provisions of this article through inspection, monitoring, and enforcement.

Editor's Note: The term "MS4" as used in federal and state regulations is an acronym for "municipal separate storm sewer systems." As used in this article, "MS4" refers to the city's municipal storm drain system.

29-135 Definitions

For purposes of this article, the meaning of the terms used shall be as follows:

Best Management Practice (BMP): An activity, procedure, restraint, or structural improvement that helps to reduce the quantity or improve the quality of stormwater runoff.

Clean Water Act: The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.) as hereafter amended.

CFR: The Code of Federal Regulations

CMR: The Code of Massachusetts Regulations

Commissioner: The commissioner of the department of public works or his/her designee.

Discharge of Pollutants: The addition from any source of any pollutant or combination of pollutants into the municipal storm drain system or into the waters of the United States or Commonwealth from any source.

Discharger: A person or persons who discharge or allows to be discharged any pollutant or combination of pollutants into the municipal storm drain system or into the waters of the United States or Commonwealth from any source.

Groundwater: Water that comes from or resides in the ground.

Illicit Connection: A surface or subsurface drain or conveyance, which allows an illicit discharge into the municipal storm drain system, including without limitation sewage, process wastewater, or wash water and any connections from indoor drains, sinks, or toilets, regardless of whether said connection was previously allowed or approved before the effective date of this article.

Illicit Discharge: Direct or indirect discharge to the municipal storm drain system that is not composed entirely of stormwater, except as exempted herein. The term does not include a discharge in compliance with an NPDES Stormwater Discharge Permit or a Surface Water Discharge Permit or to discharges or flows exempted pursuant to the provisions of section 29-141 hereof.

Impervious Surface: Any material or structure on or above the ground that prevents water infiltrating the underlying soil. Impervious surface includes without limitation roads, paved parking lots, sidewalks, and roof tops.

MS4: The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, or other drainage structure(s) that together comprise the storm drainage system owned or operated by the city. MS4 is an acronym for "municipal separate storm sewer system." As used in this article, MS4 refers to the city's municipal storm drain system.

National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit: A permit issued by United States Environmental Protection Agency or jointly with the Commonwealth of Massachusetts that authorizes and regulates the discharge of pollutants to waters of the United States.

Non-Stormwater Discharge: Discharge to the MS4 not composed entirely of stormwater.

Notice of Violation: A written notice given to a person by the commissioner that states that said person has violated the provisions of this article on any specified occasion.

Outfall: the terminus of a storm drain or other stormwater structure where stormwater is discharged.

Person: An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person, or any other entity.

Pollutant: Any element or property of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter whether originating at a point or nonpoint source, that is or may be introduced into any sewage treatment works or waters of the Commonwealth. Pollutants shall include without limitation:

- (1) paints, varnishes, and solvents;

- (2) oil, gasoline and other automotive fluids;
- (3) non-hazardous liquid and solid wastes and yard wastes;
- (4) refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordnances, accumulations and floatables;
- (5) pesticides, herbicides, and fertilizers;
- (6) hazardous materials and wastes;
- (7) sewage, septage, fecal coliform and pathogens;
- (8) dissolved and particulate metals;
- (9) animal wastes;
- (10) rock, sand, salt, soils;
- (11) construction wastes and residues; and
- (12) noxious or offensive matter of any kind.

Process Wastewater: Water which during manufacturing or processing comes into direct contact with or results from the production or use of any material, intermediate product, finished product, or waste product.

Recharge: The process by which groundwater is replenished by precipitation through the percolation of runoff and surface water through the soil.

Stormwater: Runoff from precipitation or snow melt.

Surface Water Discharge Permit: A permit issued by the Department of Environmental Protection (DEP) pursuant to 314 CMR 3.00 that authorize the discharge of pollutants to water of the Commonwealth of Massachusetts.

Toxic or Hazardous Material or Waste: Any material, which because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Toxic or hazardous materials include any synthetic organic chemical, petroleum product, heavy metal, radioactive or infectious waste, acid and alkali, and any substance defined as Toxic or Hazardous under G.L. c.21C and c.21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.0000.

Watercourse: A natural or man-made channel through which water flows or a stream of water, including a river, brook or underground stream.

Waters of the Commonwealth: All waters within the jurisdiction of the Commonwealth of Massachusetts, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, and groundwater.

Wastewater: Any sanitary waste, sludge, or septic tank or cesspool overflow, and water that during manufacturing, cleaning or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct or waste product.

29-136 Applicability

This article shall apply to flows entering the MS4, a watercourse, and any waters of the Commonwealth located within the boundaries of the City of Newton. The provisions of this article shall take precedence over any conflicting provisions of any ordinances or parts of ordinances of the city.

29-137 Authority

This article is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule Procedures Act, and pursuant to the regulations of the Federal Clean Water Act found at 40 CFR 122.34.

29-138 Responsibility for Administration and Enforcement

The commissioner of the department of public works or his/her designee shall administer, implement and enforce the provisions of this article.

29-139 Regulations

The commissioner may promulgate rules and regulations to effectuate the purposes of this article. Failure by the commissioner to promulgate such rules and regulations shall not have the effect of suspending or invalidating the provisions of this article.

29-140 Prohibited Activities

- (a) **Illicit Discharges.** No person shall dump, discharge, cause or allow to be discharged any pollutant or non-stormwater discharge into the MS4, into a watercourse, or into the waters of the Commonwealth.
- (b) **Illicit Connections.** No person shall construct, use, allow, maintain or continue any illicit connection to the MS4, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.
- (c) **Obstruction of the MS4.** No person shall obstruct or interfere with the normal flow of stormwater into or out of the MS4 without prior consent from the commissioner. No person shall dump or dispose of yard waste (leaves, grass clippings, etc.) into the open watercourses (swales, brooks and streams) that make up the MS4.

29-141 Exemptions

The following non-stormwater discharges or flows are exempt from the prohibition of non-stormwaters

provided that the source is not a significant contributor of a pollutant to the MS4, as determined by the commissioner:

- (1) Waterline and hydrant flushing;
- (2) Flow from potable water sources;
- (3) Discharge of flow resulting from fire fighting activities;
- (4) Discharge from de-chlorinated swimming pool water (less than one part per million chlorine) provided the water is allowed to stand for one week prior to draining and the pool is drained in such a way as not to cause a nuisance;
- (5) Discharge from landscape irrigation or lawn watering;
- (6) Water from individual residential car washing;
- (7) Discharge from street sweeping;
- (8) Dye testing, provided verbal notification is given to the commissioner prior to the time of the test;
- (9) Water from exterior foundation drains, footing drains overflow from infiltration structures (not including active groundwater dewatering systems), crawl space pumps, or air conditioning condensation;
- (10) Flow from springs;
- (11) Natural flow from riparian habitats and wetlands;
- (12) Diverted stream flow;
- (13) Rising groundwater;
- (14) Non-stormwater discharge permitted under an NPDES permit, waiver, or waste discharge order administered under the authority of the United States Environmental Protection Agency, provided that the discharge is in full compliance with the requirements of the written approval, waiver, or order and applicable laws and regulations; and
- (15) Discharge for which advanced written approval is received from the commissioner as necessary to protect public health, safety, welfare or the environment. In particular, this exemption shall apply to sand and salt that is applied to driveways, sidewalks, streets and parking lots for de-icing and public safety purposes.

29-142 Emergency Suspension of Storm Drainage System Access

- (a) The commissioner may suspend MS4 access to any person or property without prior written notice when such suspension is necessary to stop an actual or threatened discharge of pollutants that presents imminent risk of harm to the public health, safety, welfare or the environment. In the event any

person fails to comply with an emergency suspension order, the commissioner may take all reasonable steps to prevent or minimize harm to the public health, safety, welfare or the environment.

- (b) No person shall reinstate MS4 access that has been suspended or terminated without the prior written approval of the commissioner.

29-143 Industrial or Construction Activity Discharges

Any person subject to an industrial or construction activity NPDES storm water discharge permit may be required to provide proof of compliance with said permit in a form acceptable to the commissioner prior to the allowance of discharges to the MS4. The commissioner shall be permitted to enter and inspect facilities subject to regulation as often as may be necessary to determine compliance with this article.

29-144 Watercourse Protection and Maintenance

Every person owning or in control of property through which a watercourse passes, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly restrict the flow of water through the watercourse. The provisions in this section are intended to complement, not replace, maintenance responsibilities of the city where a drainage easement has been established.

29-145 Notification of Spills

Notwithstanding other requirements of local, state or federal law, as soon as a person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of or suspects a release of materials at that facility or operation resulting in or which may result in discharge of pollutants to the MS4, a watercourse, or waters of the Commonwealth, said person shall take all necessary steps to ensure containment, and cleanup of the release in accordance with the provisions of this article and any regulations promulgated pursuant to this article. Further, in the event of a release of oil or hazardous materials, the person shall immediately notify the city's fire department and the commissioner. In the event of a release of other pollutants, the person shall notify the commissioner no later than the next business day. Notification of a release to the commissioner shall include all pertinent information regarding the release including proof of notification to the Massachusetts Department of Environmental Protection if such notification was required.

29-146 Enforcement

- (a) The commissioner shall enforce the provisions of this article and any regulations promulgated hereunder and may issue and prosecute violation notices and enforcement orders and may pursue all civil and criminal remedies for such violations.
- (b) Entry to Perform Duties Under This Article: To the extent permitted by state law, upon reasonable notice to the owner or other party in control of the property, or if authorized by the owner or other party in control of the property, the commissioner, his/her agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this article and the regulations promulgated hereunder and may make or cause to be made such examinations, surveys or sampling as the commissioner deems reasonably necessary. What constitutes reasonable notice shall be determined by the commissioner in his/her sole discretion, based upon the nature and the imminence of a threat to the city's natural resources, environment, infrastructure, public health,

public safety or public welfare.

- (c) Civil Relief: The commissioner may seek injunctive relief in a court of competent jurisdiction to restrain a person from continued violations of the provision of this article or the regulations promulgated hereunder, or any notices, orders or written approvals or to compel said person to abate or remediate violations hereunder.
- (d) Orders: The commissioner may issue a written order to enforce the provisions of this article and the regulations promulgated hereunder, which may include:
 - (1) elimination of illicit connections or discharges to the MS4;
 - (2) performance of monitoring, analyses, and reporting;
 - (3) that unlawful discharges, practices, or operations shall cease and desist;
 - (4) remediation of contamination in connection therewith;
 - (5) payment of a fine to cover administrative and remediation costs; and
 - (6) implementation of source control or treatment BMPs.
- (e) If the commissioner determines that abatement or remediation of contamination is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the city may, at its option, undertake such work, and expenses thereof shall be charged to the violator.
- (f) Within thirty (30) days after completion by the city of all measures necessary to abate the violation or to perform remediation, the violator and the property owner will be notified of the costs incurred by the city, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the commissioner within thirty (30) days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within thirty (30) days following a decision of the commissioner affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall become a special assessment against the property owner and shall constitute a lien on the owner's property for the amount of said costs. Interest shall accrue on any unpaid costs in accordance with the provisions of Massachusetts law.
- (g) Notices of Violation and Orders shall be written and shall be served by the city upon the persons to whom or to which they apply.
- (h) Criminal Penalty: Any person who violates any provision of this article, the regulations promulgated hereunder, or an order or written approval issued hereunder, shall be subject to a fine not to exceed three hundred dollars (\$300.00). Each day or part thereof that such violation occurs or continues shall constitute a separate offense. Violations may result in the revocation of city licenses.
- (i) Non-Criminal Disposition: As an alternative to criminal prosecution or civil action, the city may elect to utilize the non-criminal disposition procedure set forth in G.L. c. 40, §21D.

- (j) Appeals: The decisions or orders of the commissioner shall be final. Further relief shall be to a court of competent jurisdiction.
- (k) Remedies Not Exclusive: The remedies listed in this section are not exclusive of any other remedies available under any applicable federal, state or local law.

29-147 Severability

The provisions of this article are severable. If any provision, paragraph, sentence, or clause, of this article or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this article.

City of Newton



Setti D. Warren
Mayor

Department of Public Works Utilities Division

Theodore J. Jerdee, Utilities Director

60 Elliot Street

Newton, Ma. 02461

Telephone (617) 796-1650 Fax (617) 796-1653

To: Deborah Crossley, Public Facilities Chair

Thru: James McGonagle, Commissioner of Public Works

From: Theodore J. Jerdee, Utilities Director

Date: March 16, 2017

Subject: Proposed Ordinance: *Prohibition of Illicit Discharges to Storm Drain System*

Newton is authorized to discharge our stormwater to the Charles River and its tributaries under the Environmental Protection Agency's (EPA) National Pollutant Discharge Elimination System (NPDES) Program. Since 2003, we have received coverage as a Small Municipal Separate Storm Sewer System (MS4) community.

In order to comply with our MS4 General Permit, the Department of Public Works is proposing a new ordinance to enforce our existing Illicit Discharge Detection and Elimination (IDDE) Program. The objective of any IDDE program is to find and eliminate sources of non-stormwater discharges and implement procedures to prevent such discharges. Furthermore, our Permit requires that we establish "legal authority to prohibit illicit discharges; investigate suspected illicit discharges; eliminate illicit discharges, including discharges from properties not owned by or controlled by the MS4 that discharge into the MS4 system; and implement appropriate enforcement procedures and actions."

We present the attached Draft *Prohibition of Illicit Discharges to the Storm Drain System* Ordinance to establish the required legal authority stipulated in our MS4 permit. This Draft is based upon a model Massachusetts stormwater by-law, provided as a resource for regulated communities, and a review of similar ordinances from neighboring communities. This draft ordinance has been reviewed by the Law Department and the Conservation Commission/Agent.

The adoption of an ordinance, by-law or other regulatory mechanism to prohibit illicit discharges is required under our current MS4 permit term, which expires on June 30, 2017.



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#78-17
Telephone
(617) 796-1100
Telefax
(617) 796-1113
TDD
(617) 796-1089

E-mail
swarren@newtonma.gov

March 13, 2017

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

RECEIVED
Newton City Clerk
2017 MAR 13 PM 4:39
David A. Olson, CMG
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to authorize the appropriation and expenditure of \$71,800 from the Storm Water Surplus Account # 26A401A-5790 for the purpose of professional engineering services in the design and construction services during the rehabilitation of the Flowed Meadow Pump Station.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor

City of Newton



DEPARTMENT OF PUBLIC WORKS

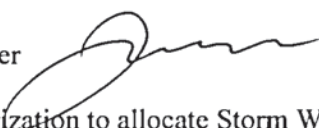
OFFICE OF THE COMMISSIONER

1000 Commonwealth Avenue
Newton Centre, MA 02459-1449

Setti D. Warren
Mayor

March 6, 2017

To: Maureen Lemieux, Chief of Staff and Chief Financial Officer

From: Jim McGonagle, Commissioner 

Subject: Docket Request for the authorization to allocate Storm Water Surplus funds
For the Rehabilitation of the Flowed Meadow Pump Station

I respectfully request a docket item be submitted for the authorization to allocate \$71,800.00 from the Storm Water surplus account (Account No. 26A401A-5790) for the purpose of professional engineering services in the design and construction services during the rehabilitation of the Flowed Meadow Pump Station.

The Flowed Meadow Pump Station is located in the northwest section of the city off Wabasso Street, the pump station controls the water elevation in Flowed Meadow for mosquito abatement. The scope of work under this agreement includes engineering design and preparation of bid documents for Structural Upgrades to the existing structure, Heating, Ventilation, Air Conditioning (HVAC), Supervisory Control and Data Acquisition (SCADA) upgrades and site improvements. In addition, Construction Services during the rehabilitation of the pump station is included.

Please let me know if you have questions or concerns.

Cc: Shane Mark, Director of Operations
Louis M. Taverna, City Engineer
Rob Symanski DPW Business Manager

**COMMITMENT & INTEGRITY
DRIVE RESULTS**

40 Shattuck Road | Suite 110
Andover, Massachusetts 01810
www.woodardcurran.com

T 800 702.6371
T 978 557.8150
F 978 557.7948



**City of Newton, Massachusetts
Department of Public Works, Water & Sewer Division
Professional Engineering Services for the
Rehabilitation of the Forest Grove / Flowed Meadow Pump Station Facility**

Woodard & Curran is pleased to present the City of Newton, Massachusetts (the City) with the following proposal for professional engineering services for the rehabilitation of the Forest Grove / Flowed Meadow Pump Station Facility (facility). This scope of services is based on our meeting with Mr. Jerdee and site visit on September 1, 2016.

The project includes professional engineering services for the design, bidding and construction administration for repairs and upgrades to the facility including structural repairs, electrical, Supervisory Control And Data Acquisition (SCADA) upgrades and associated site improvements. The project will be completed in accordance with the scope of services, compensation, schedule, and terms and conditions as defined herein.

SCOPE OF SERVICES

Woodard & Curran will provide the following services for the rehabilitation of the facility.

PHASE 1 – Design and Bidding Services

Woodard & Curran will prepare design plans and specifications suitable for public bidding for repairs and upgrades of the facility. Rehabilitation of the facility will include structural upgrades and repairs to address damaged components as well as upgrades to existing components including HVAC, electrical, and the SCADA system. Pump upgrades or modifications are not included at this time.

Task 1.0 – Facility Rehabilitation Design**Task 1.1 – Facility Structural Upgrades**

- Conduct a site visit to assess the existing facility and obtain information and dimensions necessary for the design of structural improvements.
- Structural repairs and upgrades to the building will include: roof replacement, removal and replacement of the entry door and associated hardware, permanent closure of two window openings, and upgrade the existing wooden plank floor to aluminum grating. A review and assessment of the existing brickwork and concrete will be conducted, and if warranted, details for brick and concrete repair will be provided.
- Prepare structural design plans to include: demolition of existing systems; a floor plan; details of floor grating and associated grate supports; exterior building elevations; door and finish schedules, sections and details; and a roof plan including the design of a roof hatch.
- Exterior structural facility repairs of the existing trash rack and channel entry grating.
- Prepare technical specifications to include: concrete repair, masonry, miscellaneous metals, rough carpentry, sealants, membrane roofing, flashing and sheet metal, doors, frames, hardware, and paints and coatings to be incorporated into the project bid documents.



Task 1.2 - Facility Electrical, HVAC & SCADA Upgrades

- Conduct a site visit to review existing instrumentation and electrical components.
- Improvements to the facility will include: a new utility service and meter, replacement of the electrical panel, a new manual transfer switch and generator receptacle, GFCI receptacle, interior lighting, exterior lighting, and entry door security.
- Review existing equipment size and ratings, to be provided by the City, in design of the electrical service and panel.
- Exhaust fans and louvers will be designed to fit within the existing window openings, to be permanently closed.
- It should be noted that due to the open nature of the facility inlet channel, a facility unit heater is not recommended; therefore, individual cabinet heaters will be designed, as needed.
- The design will accommodate a new level sensor and transmitter.
- Existing VFDs and SCADA equipment, to remain, will be relocated and re-wired in conjunction with the new electrical equipment.
- The existing SCADA panel will be re-wired to accommodate the new equipment.
- Existing SCADA plans will be updated to reflect the system modifications.
- Electrical plans are anticipated to include the following: a one-line diagram; instrumentation; schedules and details.
- Prepare applicable electrical, SCADA and HVAC technical specifications for incorporation into the project bid documents.

Task 1.3 - Site Improvements

- Site improvements will include the removal and replacement of an existing fence enclosure at the inlet channel. It is anticipated that the fence enclosure will include a gate, consistent with existing conditions and a wire fabric top enclosure.
- Technical specifications will be prepared for the fence, gate and top enclosure to be included in the project bid documents; however, it is assumed that a plan is not required.

It should be noted that the site is located within resource areas and associated buffer areas, therefore a Request for Determination of Applicability (RDA) should be filed with the City of Newton Conservation Commission. Woodard & Curran will assist the City in applying for a RDA. Since the project includes only repairs to an existing structure, it is assumed that a Notice of Intent (NOI) will not be required. The submittal of a NOI, wetlands flagging or survey is not included in this scope of services.

Task 1.4 - Bid Documents

- Prepare draft technical bid documents including plans and specifications for public bidding under Massachusetts General Laws Chapter 149 for the structural, electrical, HVAC, SCADA and site improvements identified in Tasks 1.1 to 1.3.
- Meet with the City to review the 90% draft plans and specifications and obtain their comments.
- Prepare a construction cost estimate, broken down by discipline.



- Incorporate the City's comments into a final set of technical plans and specifications for the above referenced scope of services.

Task 2.0 – Bidding Services

- Coordinate with the City to incorporate the technical plans and specifications into the City's final bid documents.
- Provide the City bid documents in electronic format and up to 10 sets of printed bid documents.
- Assist with questions during the bidding process and provide the City in electronic format, addenda as appropriate to clarify, edit or change the bid documents.
- Attend a pre-bid meeting if one is scheduled.
- Evaluate the bids received and provide a summary to the City.

Assumptions / Exclusions

The scope of services presented above are based on the following assumptions/exclusions:

- A Chapter 34 Structural Code Review, or any facility upgrades which may be required in conjunction with Chapter 34, is not included.
- A Hazardous Materials Survey is not included.

PHASE 2 – Construction Phase Engineering Services

Woodard & Curran will provide the following professional engineering services during the construction phase of the project.

1. Consult with the City and act as City's representative during construction.
2. Participate in a pre-construction conference prior to commencement of work at the site.
3. Participate in up to two construction meetings.
4. In connection with observation of Contractor's work while it is in progress, Woodard & Curran will provide five site visits at key stages of construction to observe, as an experienced and qualified design professional, the progress and quality of the Work.
5. Recommend to Client that Contractor's work be disapproved and rejected while it is in progress, if on the basis of such observations, Woodard & Curran believes that such work will not produce a completed Project that conforms generally to the Contract Documents or that it will prejudice the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents.
6. Issue necessary clarifications and interpretations of the Contract Documents as appropriate to the orderly completion of Contractor's work. Such clarifications and interpretations will be consistent with the intent of and reasonably inferable from the Contract Documents. Woodard & Curran may issue Field Orders authorizing minor variations from the requirements of the Contract Documents.
7. Recommend Change Orders and Work Change Directives to the City, as appropriate, and prepare Change Orders and Work Change Directives as required.
8. Review and approve or take other appropriate action with respect to Shop Drawings, Samples and other data which Contractor is required to submit, but only for conformance with the



information given in the Contract Documents and compatibility with the design concept of the completed Project as a functioning whole as indicated in the Contract Documents. Such reviews and approvals or other action will not extend to means, methods, techniques, sequences or procedures of construction or to safety precautions and programs incident thereto.

9. Evaluate and determine the acceptability of substitute or "or equal" materials and equipment proposed by Contractor.
10. Require such special inspections or tests of Contractor's work as deemed reasonably necessary, and receive and review all certificates of inspections, tests, and approvals required by Laws and Regulations or the Contract Documents. Woodard & Curran's review of such certificates will be for the purpose of determining that the results certified indicate compliance with the Contract Documents and will not constitute an independent evaluation that the content or procedures of such inspections, tests, or approvals comply with the requirements of the Contract Documents. Woodard & Curran shall be entitled to rely on the results of such tests.
11. Render formal written decisions on all claims of the City and Contractor relating to the acceptability of Contractor's work or the interpretation of the requirements of the Contract Documents pertaining to the execution and progress of Contractor's work.
12. Based on Woodard & Curran's observations as an experienced and qualified design professional and on review of Applications for Payment and the accompanying supporting documentation:
 - a. Determine the amounts that Woodard & Curran recommends Contractor be paid. Such recommendations of payment will be in writing and will constitute Woodard & Curran's representation to the City, based on such observations and review, that, to the best of Woodard & Curran's knowledge, information and belief, Contractor's work has progressed to the point indicated, the quality of such work is generally in accordance with the Contract Documents (subject to an evaluation of such work as a functioning whole prior to or upon Substantial Completion, to the results of any subsequent tests called for in the Contract Documents and to any other qualifications stated in the recommendation), and the conditions precedent to Contractor's being entitled to such payment appear to have been fulfilled in so far as it is Woodard & Curran's responsibility to observe Contractor's work. In the case of unit price work, Woodard & Curran's recommendations of payment will include final determinations of quantities and classifications of Contractor's work (subject to any subsequent adjustments allowed by the Contract Documents). The responsibilities of Woodard & Curran contained in paragraph 12.1 are expressly subject to the limitations set forth in paragraph 12.2 and other express or general limitations in this Agreement and elsewhere.
 - b. By recommending any payment Woodard & Curran shall not thereby be deemed to have represented that on-site observations made by Woodard & Curran to check the quality or quantity of Contractor's work as it is performed and furnished have been exhaustive, extended to every aspect of the work in progress, or involved detailed inspections of the work beyond the responsibilities specifically assigned to Woodard & Curran in this Agreement and the Contract Documents. Neither Woodard & Curran's review of Contractor's work for the purposes of recommending payments nor Woodard & Curran's recommendation of any payment including final payment will impose on Woodard & Curran's responsibility to supervise, direct or control Contractor's work in progress or for the means, methods, techniques, sequences or procedures of construction or safety precautions or programs incident thereto, or Contractor's compliance with Laws and Regulations applicable to Contractor's furnishing and performing the work. It will also not



impose responsibility on Woodard & Curran to make any examination to ascertain how or for what purposes Contractor has used the moneys paid on account of the Contract Price, or to determine that title to any portion of the work in progress, materials or equipment has passed to City free and clear of any liens, claims, security interests or encumbrances, or that there may not be other matters at issue between City and Contractor that might affect the amount that should be paid.

13. Contractor's Completion Documents. Receive and review maintenance and operating instructions, schedules, and guarantees.
 - a. Receive bonds, certificates or other evidence of insurance required by the Contract Documents, certificates of inspection, tests and approvals, Shop Drawings, Samples and other data approved as provided under paragraph 8, and the annotated record documents which are to be assembled by Contractor in accordance with the Contract Documents to obtain final payment. The extent of such Woodard & Curran's review will be limited as provided in paragraph 8.
 - b. Woodard & Curran shall transmit these documents to the City.
14. Conduct an inspection to determine if the Project is Substantially Complete. If, after considering any objections of City, Woodard & Curran considers the Project Substantially Complete, Woodard & Curran shall deliver a certificate of Substantial Completion to City and Contractor.
15. Conduct a final inspection to determine if the completed work of Contractor is acceptable so that Woodard & Curran may recommend, in writing, final payment to Contractor. Accompanying the recommendation for final payment, Woodard & Curran shall provide notice that the Project is acceptable (subject to the provisions of paragraph 12.2) to the best of the Woodard & Curran's knowledge, information and belief and based on the extent of the services provided by Woodard & Curran under this Agreement.

Exclusions

The following construction related activities are not included and will require additional compensation:

1. Services in connection with Work Change Directives and Change Orders to reflect changes requested by City so as to make the compensation commensurate with the extent of the Additional Services rendered.
2. Services in evaluating and determining the acceptability of a substitution which is found to be inappropriate for the Project or an excessive number of substitutions.
3. Preparing to serve or serving as a consultant or witness for City in any litigation, arbitration or other dispute resolution process related to the project.
4. Evaluating an unreasonable claim or an excessive number of claims submitted by the Contractor or others in connection with the Work.

Limitations of Responsibilities

Woodard & Curran shall not be responsible for the acts or omissions of any Contractor, or of any Subcontractor, suppliers, or of any other individual or entity performing or furnishing any of the Work. Woodard & Curran shall not, in the performance of its services hereunder, supervise, direct or have control over Contractor's work nor shall Woodard & Curran have authority over or responsibility for the means, methods, techniques, sequences or procedures of construction selected by Contractor(s), for safety precautions and programs incident to the work of Contractor(s) or for any failure of Contractor(s)



to comply with laws, rules, regulations, ordinances, codes or orders applicable to Contractor(s) furnishing and performing their work. Woodard & Curran shall not be responsible for Contractor's failure to perform or furnish the work in accordance with the Contract Documents except to the extent that the Contractor's failure results from Woodard & Curran's failure to perform its duties as required by this Agreement.

The Engineer is not responsible for costs related to errors or omissions within the Standard Duty of Care expected of Design Professionals in the industry.

COMPENSATION

The compensation for the above Scope of Services will be a fixed fee of \$71,800. The fee is based on the following budget:

Phase 1 – Design and Bidding	\$45,000
Phase 2 – Construction Services	<u>\$26,800</u>
Total – Design, Bidding, & Construction Services:	\$71,800

This fee will not be exceeded without prior written approval by the City of Newton. Monthly invoices will be submitted for the services completed during the previous billing period.

SCHEDULE

The design will begin immediately upon written authorization to proceed and will be completed within two months. The bidding phase will proceed according to a schedule agreed upon by the City of Newton and Woodard & Curran. The schedule for construction administration services for the project will be coordinated and determined with the City of Newton and the contractor's project completion schedule.

TERMS AND CONDITIONS

The Terms and Conditions will be per the executed Agreement for Engineering Services between the City of Newton and Woodard & Curran.

Please review this proposal and if it is acceptable to you, an Agreement for Engineering Services will be prepared for signatures by the City of Newton.

By:
WOODARD & CURRAN INC.

Carol A. Harris
Vice President | Senior Client Manager

Flowed Meadow Pump Station



Electrical Service



Interior Flooring



Window/SCADA/Electrical Service

78-17





SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#88-17

Telephone
(617) 796-1100

Telefax
(617) 796-1113

TDD
(617) 796-1089

E-mail
swarren@newtonma.gov

March 27, 2017

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

RECEIVED
Newton City Clerk
2017 MAR 27 PM 2:20
David A. Olson, CMC
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to authorize the transfer of \$25,000 from Account # 0140115-511002 Full Time Wages DPW Transportation to Acct # 0140115-585899 Other Capital Equipment for the purpose of purchasing bike racks to be located throughout the City.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#92-17

Telephone
(617) 796-1100

Telefax
(617) 796-1113

TDD
(617) 796-1089

E-mail
swarren@newtonma.gov

March 27, 2017

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to authorize the transfer of \$130,000 from Acct # 0140104-511002 Department of Public Works Full-Time Wages to Acct # 0140115-52404 DPW Transportation Electrical Equipment Repairs & Maintenance to fund costs associated with the repair of traffic signals throughout the City due to knock-downs as well as general maintenance requirements.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor

RECEIVED
Newton City Clerk
2017 MAR 27 PM 2:19
David A. Olson, CMC
Newton, MA 02459

City of Newton



Setti D. Warren
Mayor

DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER
1000 Commonwealth Avenue
Newton Centre, MA 02459-1449

April 6, 2017

To: The City Council

From: James McGonagle, Commissioner
Nicole Freedman, Director of Transportation

Subject: Traffic Signal Expenditures

RECEIVED
Newton City Clerk
2017 APR -6 AM 11:45
David A. Olson, CNIC
Newton, MA 02459

The Department of Public works requests \$130,000 in funding for repair of knocked-down traffic signals as well as maintenance and repair of traffic signals and streetlights. Malfunctions and knockdowns of traffic signals are deemed emergency situations and require immediate attention when they happen.

Our current rate of spending in FY'17 on emergency repairs is approximately \$36,000 per month, which necessitates this additional funding. The City has \$19,913.99 available in claim reimbursements for knockdowns that can be used for repairs, roughly \$40,000 in operating funds, as well as \$8,636.25 that is being reimbursed to the city from its streetlight vendor. These funds, along with the docket request, should adequately fund the cost of signal and streetlight maintenance through fiscal year end.

Sincerely,

James McGonagle
Commissioner Public Works

#94-17



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

Telephone
(617) 796-1100

Telefax
(617) 796-1113

TDD
(617) 796-1089

E-mail
swarren@newtonma.gov

March 27, 2017

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to authorize the appropriation and authorize a general obligation borrowing of an equal amount for the purpose of funding the Dedham/Nahanton/Brookline/Carlson intersection realignment and traffic signalization upgrade in the amount of \$1,400,000.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Setti D. Warren".

Setti D. Warren
Mayor

RECEIVED
Newton City Clerk
2017 MAR 27 PM 2:19
David A. Olson, CMC
Newton, MA 02459

Project:

Project Manager:

Engineer:

Contractor:

Division:

Dedham/Nahantton/Brookline

Nicole Freedman

Environmental Partners

Transportation

PROJECT BUDGET:	
Design	\$1,400,000
Construction	\$115,280
Contingency	1,188,328.0
Incentives	58,992
Change Orders	N/A
Total Project	N/A
	\$1,400,000

CITY OF NEWTON Dedham Street Intersection Improvements



March 28, 2017

Environmental Partners
GROUP
A partnership for engineering solutions.

www.envpartners.com

Project Location



A partnership for engineering solutions.



Project Goal

To improve safety for *all* users...

- Motorists
- Pedestrians
- Bicyclists

To address crash history and local concerns (predominantly vehicle to vehicle crashes)



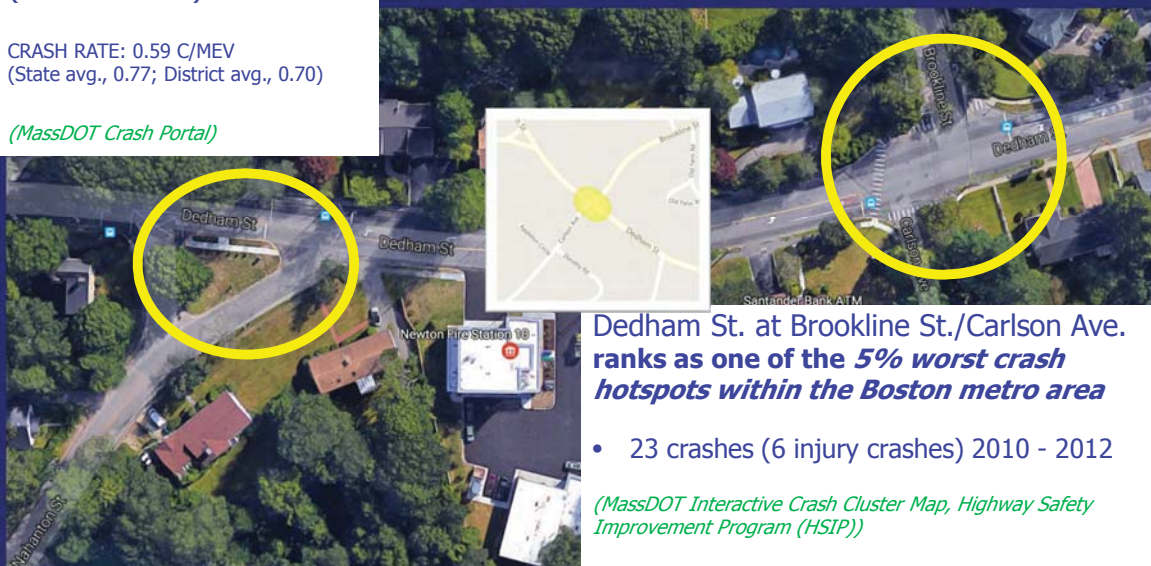
A partnership for engineering solutions.

Crash History — Dedham St. at Nahanton St.

16 crashes in 5 years (2010 to 2015)

CRASH RATE: 0.59 C/MEV
(State avg., 0.77; District avg., 0.70)

(MassDOT Crash Portal)



Dedham St. at Brookline St./Carlson Ave.
ranks as one of the **5% worst crash hotspots within the Boston metro area**

- 23 crashes (6 injury crashes) 2010 - 2012

(MassDOT Interactive Crash Cluster Map, Highway Safety Improvement Program (HSIP))

MassDOT Crash Portal records show 29 crashes in 5 years (2010 to 2015)
CRASH RATE: 0.81 C/MEV (crashes per million entering vehicles),
higher than State average (0.77) and District average (0.70)

A partnership for engineering solutions.

Existing Conditions



Existing Conditions — Dedham St. at Nahanton St.

Deficiencies:

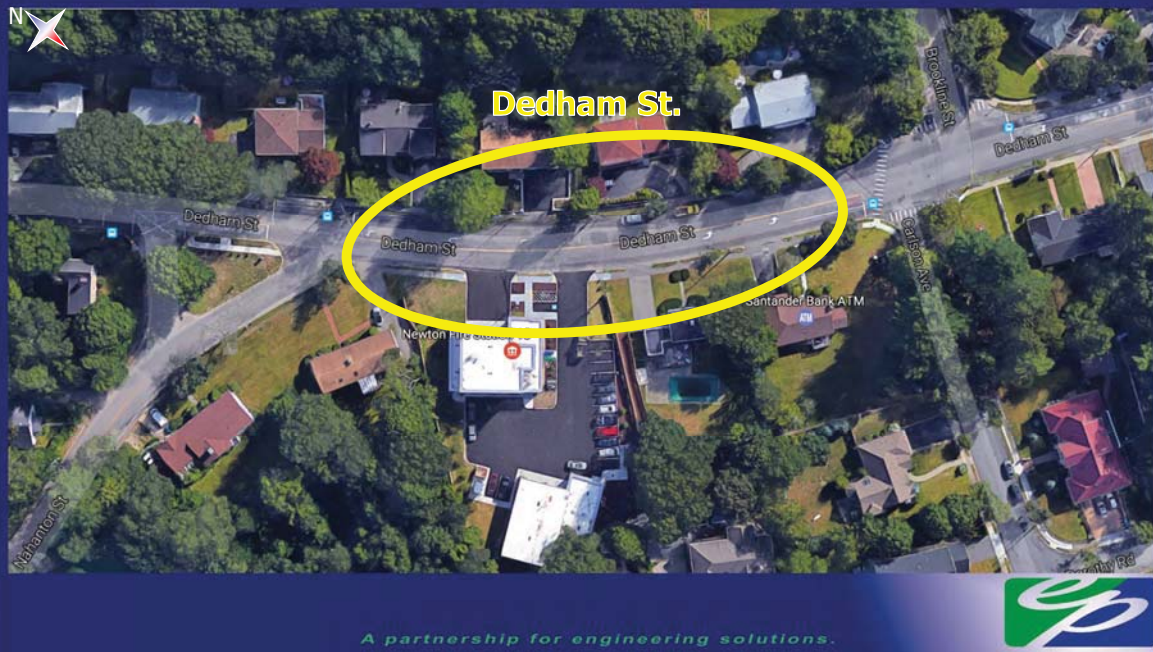
- Unnecessary Points of Conflict
- Difficult Left Turn from Nahanton St.
- Grade Differential on Nahanton St.
- Non-continuous Ped. Accommodations

Restrictions:

- Utilities (Electric & Gas)



Existing Conditions



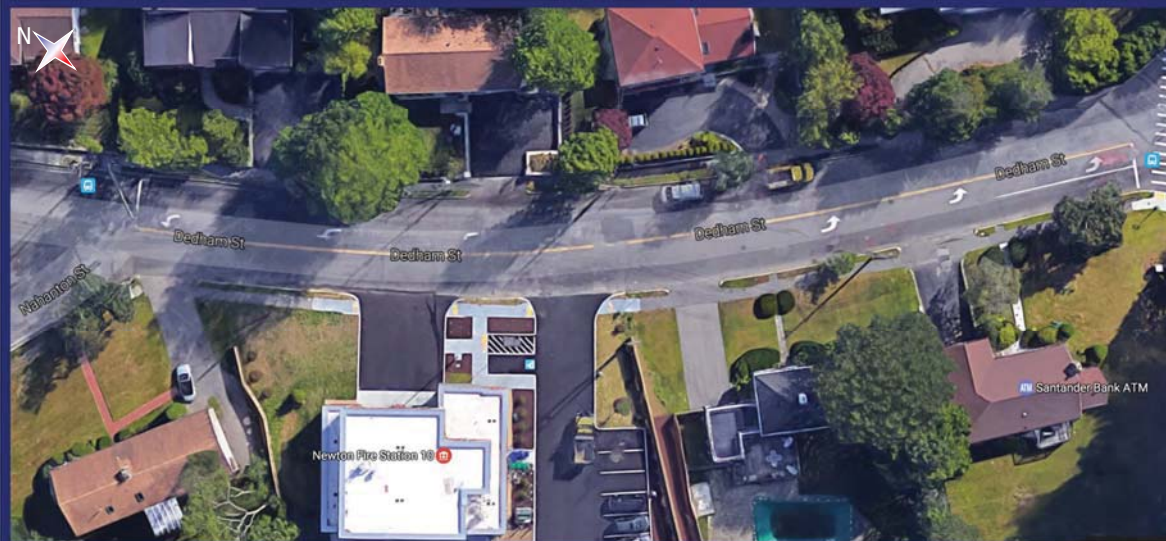
Existing Conditions — Dedham Street

Considerations:

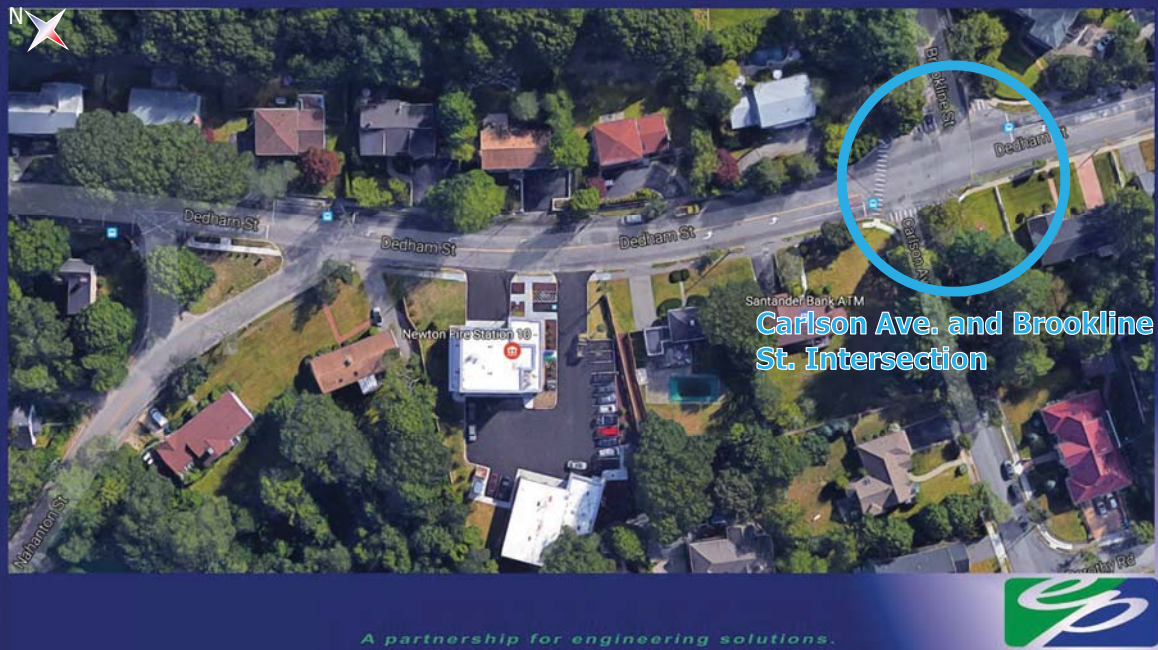
- Fire Station / Emergency Access
- Lacking Bicycle Accommodations

Restrictions:

- Retaining Walls
- Utility Poles



Existing Conditions



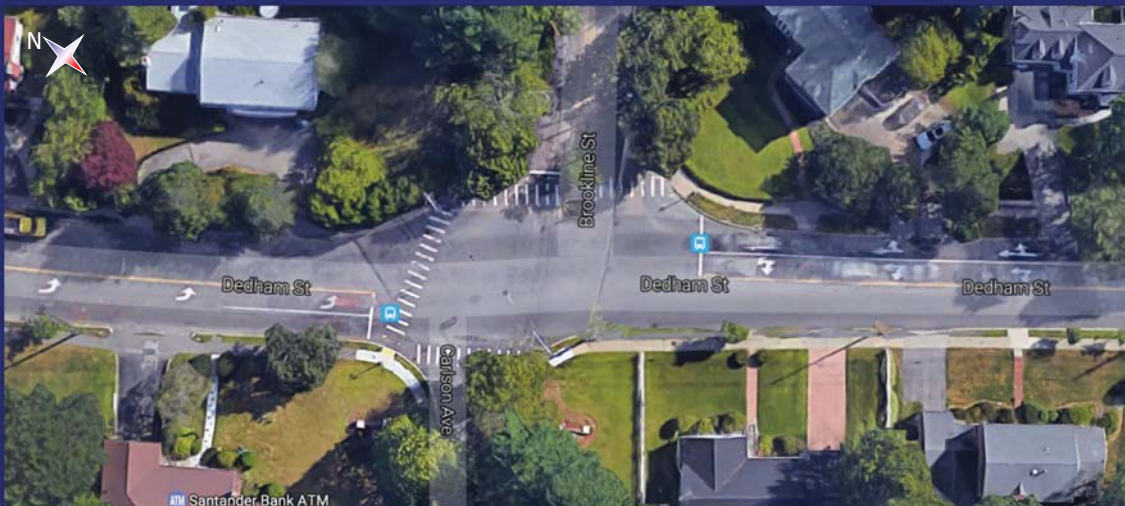
Existing Conditions – Dedham St. at Carlson Ave and Brookline St.

Deficiencies:

- Offset T-Intersections
- Brookline Rights- Poor Delineation
- Difficult Left onto Carlson
- Skewed & Long Pedestrian Crossing (62',91')

Restrictions:

- Mt. Ida Gateway

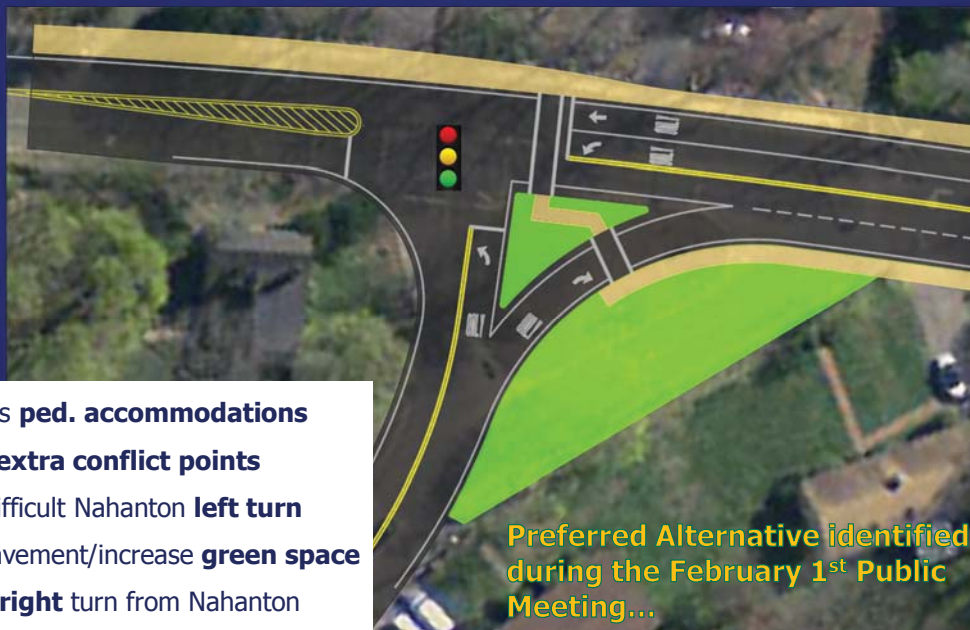


Proposed Improvements:

- Alignment Improvements
- Shorter Pedestrian Crossings
- Accessible Pedestrian Signals
- ADA Compliant Ramps
- Fully Actuated Traffic Signals
- Coordination
- Emergency Pre-Emption

Preferred Alternative identified during the February 1st Public Meeting...

Preferred Alternative — Dedham St. at Nahanton St.



- Continuous **ped. accommodations**
- Eliminate **extra conflict points**
- Address difficult Nahanton **left turn**
- Reduce pavement/increase **green space**
- **Efficient right** turn from Nahanton
- More **capacity** along Dedham

Preferred Alternative identified during the February 1st Public Meeting...

Preferred Alternative — Dedham St. at Carlson Ave. and Brookline St.



- Shorter/safer **pedestrian crossings**
- Brookline & Carlson **aligned**
- New **left turn lane** along Dedham
- **Aligned left turns** along Dedham
- **Delineation** for side street turns
- Efficient use of **Brookline** width
- **Efficient right** turn from Brookline
- **More queuing** for Brookline lefts
- **Impacts:** Mount Ida property
Utility pole

hip for engineering solutions.



Feedback – February 1, 2017 Public Meeting

COMMENT:

Improve pedestrian safety at channelized right turn lanes:

- Signalization or
- Visible Crossings; Straighter Alignment

RESPONSE:

Nahanton St. Intersection

Preference to shift Nahanton traffic south

Extend sidewalk down Nahanton St.

Maintenance of added green

Queues from Winchester St. intersection

Brookline/Carlson Intersection

Consider eliminating a crosswalk

Brush overgrowth along northern corner

A partnership for engineering solutions.



Feedback – February 1, 2017 Public Meeting

COMMENT:

- Improve pedestrian safety at channelized right turn lanes:
- Signalization or
 - Visible Crossings; Straighter Alignment



RESPONSE:

Altered Alignment;
Options for Highly Visible Crossings



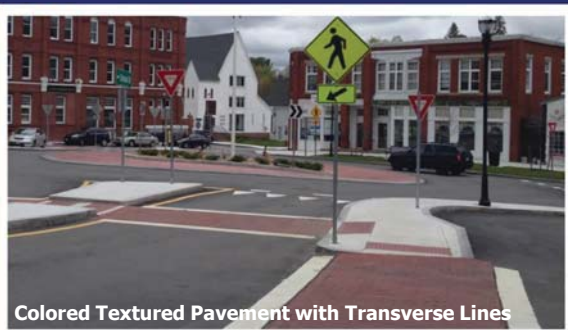
Highly Visible Crossing Options



Colored Textured Pavement with Shark Teeth Markings



Longitudinal Markings



Colored Textured Pavement with Transverse Lines

Highly Visible Crossing Options



A partnership for engineering solutions.

Channelized Alignment

Before (Preferred Alt. at 2/1 Public Meeting)



Tighter = Slower Speeds

Alignment into proper lane & visibility

After (Preliminary Design)



Mountable Option for Trucks

Before (Preferred Alt. at 2/1 Public Meeting)



After (Prelim. Design)



A partnership for engineering solutions.



A partnership for engineering solutions.



Nahanton St. Intersection

Preference to shift Nahanton traffic south



Slight shift to extent possible

Extend sidewalk down Nahanton St.

Maintenance of added green

Queues from Winchester St. intersection

Brookline/Carlson Intersection

Consider eliminating a crosswalk

Brush overgrowth along northern corner

A partnership for engineering solutions.





Nahanton St. Intersection

Preference to shift Nahanton traffic south

→ Slight shift to extent possible

Extend sidewalk down Nahanton St.

→ Granite curb provided for future sidewalk

Maintenance of added green

Queues from Winchester St. intersection

Brookline/Carlson Intersection

Consider eliminating a crosswalk

Brush overgrowth along northern corner



A partnership for engineering solutions.



Nahanton St. Intersection

Preference to shift Nahanton traffic south

→ Slight shift to extent possible

Extend sidewalk down Nahanton St.

→ Granite curb provided for future sidewalk

Maintenance of added green

→ City maintenance

Queues from Winchester St. intersection

Brookline/Carlson Intersection

Consider eliminating a crosswalk

Brush overgrowth along northern corner



A partnership for engineering solutions.



Nahanton St. Intersection

- Preference to shift Nahanton traffic south → Slight shift to extent possible
- Extend sidewalk down Nahanton St. → Granite curb provided for future sidewalk
- Maintenance of added green → City maintenance
- Queues from Winchester St. intersection → Being investigated by the City

Brookline/Carlson Intersection

- Consider eliminating a crosswalk
- Brush overgrowth along northern corner



A partnership for engineering solutions.

Preliminary Design- Signal Design/Phasing



Preliminary Design

**Nahanton St. Intersection**

- | | |
|--|---|
| Preference to shift Nahanton traffic south | ➡ Slight shift to extent possible |
| Extend sidewalk down Nahanton St. | ➡ Granite curb provided for future sidewalk |
| Maintenance of added green | ➡ City maintenance |
| Queues from Winchester St. intersection | ➡ Being investigated by the City |

Brookline/Carlson Intersection

- | | |
|--|--------------------------------------|
| Consider eliminating a crosswalk | ➡ Would limit pedestrian circulation |
| Brush overgrowth along northern corner | |



Nahanton St. Intersection

- | | |
|--|---|
| Preference to shift Nahanton traffic south | ➡ Slight shift to extent possible |
| Extend sidewalk down Nahanton St. | ➡ Granite curb provided for future sidewalk |
| Maintenance of added green | ➡ City maintenance |
| Queues from Winchester St. intersection | ➡ Being investigated by the City |

Brookline/Carlson Intersection

- | | |
|--|--------------------------------------|
| Consider eliminating a crosswalk | ➡ Would limit pedestrian circulation |
| Brush overgrowth along northern corner | ➡ Pruning proposed |

A partnership for engineering solutions.



Nahanton St. Intersection

- | | |
|--|---|
| Preference to shift Nahanton traffic south | ➡ Slight shift to extent possible |
| Extend sidewalk down Nahanton St. | ➡ Granite curb provided for future sidewalk |
| Maintenance of added green | ➡ City maintenance |
| Queues from Winchester St. intersection | ➡ Being investigated by the City |

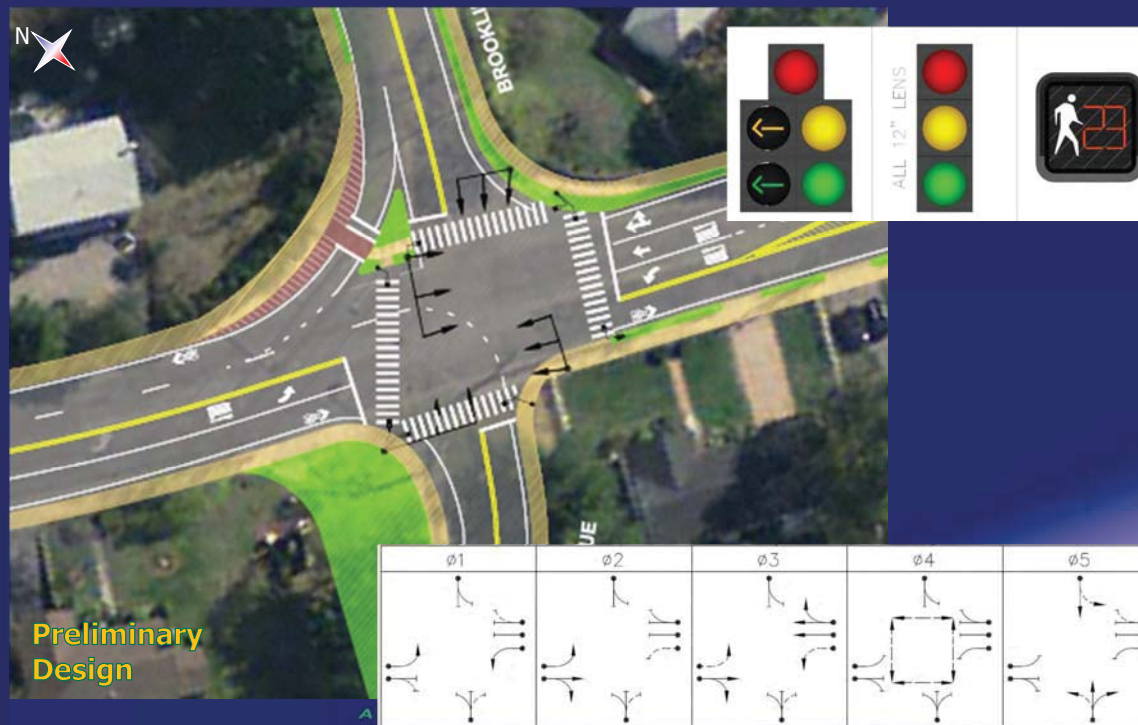
Brookline/Carlson Intersection

- | | |
|--|--------------------------------------|
| Consider eliminating a crosswalk | ➡ Would limit pedestrian circulation |
| Brush overgrowth along northern corner | ➡ Pruning proposed |

A partnership for engineering solutions.



Preliminary Design- Signal Design/Phasing



Next Steps...

Preliminary Design (Nearing Completion)

Final Design/Bid Document Preparation

Bid Phase (Advertise/Bid Review & Award)

Construction Phase



Construction

- WHEN:** July thru November 2017 (estimated)
- TIMES:** Monday thru Friday
Off-peak hours (typ. 9am-3pm) within road
- TRAFFIC:** Encourage alternate routes
- ACCESS:** Maintain 1 lane (min.) open each direction
Maintain Emergency Access
Maintain driveway access (except during limited periods)

COMMUNICATIONS: City notices to abutters
Website

QUESTIONS/CONCERNS:

Contact Nicole Freedman
City's Director of Transportation
nfreedman@newtonma.gov

A partnership for engineering solutions.



Thank you!



Nicole Freedman
Director of Transportation
City of Newton
nfreedman@newtonma.gov

James D. Fitzgerald, P.E., LEED AP
Environmental Partners Group
jdf@envpartners.com

A partnership for engineering solutions.





SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#93-17

Telephone
(617) 796-1100
Telefax
(617) 796-1113
TDD
(617) 796-1089

E-mail
swarren@newtonma.gov

March 27, 2017

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to authorize the appropriation and expenditure of the following amounts for the purpose of funding the City's Accelerated Roads Program:

<u>Account</u>	<u>\$ Amount</u>
Parking Meter Receipts – 14D Accts	\$ 982,904
Certified Free Cash, June 30, 2016	\$3,600,000

As you know, it is our expectation that we will need to spend approximately \$9.5 million each year for the next ten years in order to bring the City's roadways to an average condition rating of "good" or "very good". This will be accomplished by utilizing funding from a number of sources including: Chapter 90, funding from the 2013 Override, Free Cash, DPW General Operating Funds, and Bonding where appropriate.

We look forward to discussing this program with you. Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor

RECEIVED
Newton City Clerk
2017 MAR 27 PM 3:53
David A. Olson, CMC
Newton, MA 02459

City of Newton



DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE COMMISSIONER

1000 Commonwealth Avenue
 Newton Centre, MA 02459-1449

Setti D. Warren
 Mayor

March 29, 2017

To: Maureen Lemieux, Chief of Staff, and Chief Financial Officer

From: James McGonagle, Commissioner
 Louis M. Taverna, P.E., City Engineer

Subject: Request for Docket Item for 2017 Roadway Rehabilitation Funds

The funds will be used for milling, paving, sidewalk rehabilitation, curb betterments installation, tree stump removal, and accessible curb ramp installation on the following streets:

Street Name	Length (LF)	Avg. ePCI	Cost
Beacon Street (Centre St to Windsor Rd)	10,600	53	\$1,290,000
Brandeis Road (Adeline St to Greenwood St)	3,100	50	\$495,000
Chestnut Street (Turnpike Bridge to Commonwealth Ave)	4,700	47	\$510,000
Church Street (Oakland St to Park St)	2,500	62	\$325,000
Commonwealth Avenue (Lowell Ave to Centre St)	5,400	62	\$580,000
Greenwood Street (Dedham St to Dudley Rd)	4,000	56	\$360,000
Waltham Street (Crafts St to Waltham City Line)	1,700	52	\$320,000
Total	32,000		\$3,875,000

Sincerely,

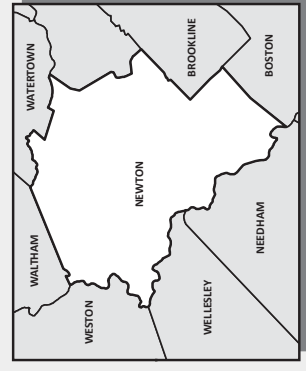
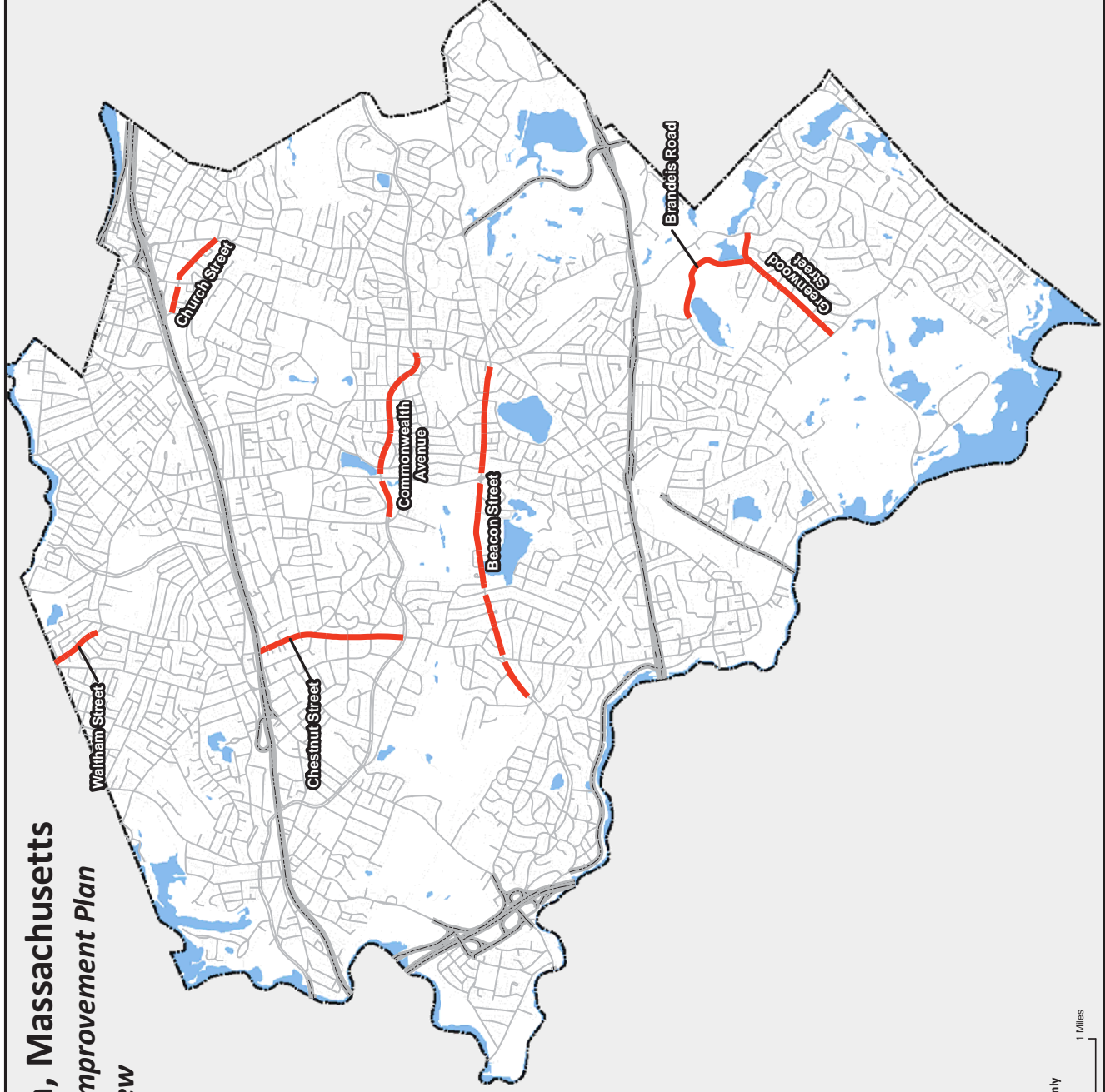
James McGonagle
 Commissioner Public Works

City of Newton, Massachusetts

Proposed Capital Improvement Plan

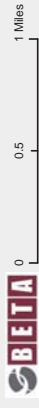
Locus Map Overview

#93-17



DRAFT

Issue Date: February 28, 2017
This Map is Intended for Planning Purposes Only



Shawna Sullivan

From: Lenny Gentile <lennypmgi@aol.com>
Sent: Thursday, April 09, 2015 11:59 AM
To: Shawna Sullivan

please docket this with ZAP, Land Use and Finance

Ald. Johnson, Laredo and Gentile requesting a report from the the Planning Department with the following information:
How many of the affordable units developed at Commonwealth Ave., Pearl St, and Eddy St qualify to be included on the
State's Subsidized Housing Inventory List. If a property is not currently on the list what can be done to make it eligible.

Lenny

Shawna Sullivan

From: Nathan Robinson
Sent: Monday, March 20, 2017 11:11 AM
To: Karyn Dean
Cc: Shawna Sullivan; Barney Heath
Subject: Pearl, Eddy and Comm Ave. SHI Agenda
Attachments: Pearl St. Eddy St.pdf

Hi Karyn,

I'm following up with you on your email to Barney regarding the status of the CAN-DO projects on Pearl St., Eddy St., and Comm. Ave for eligibility for the Subsidized Housing Inventory.

Attached is a memo that was prepared by Planning Dept. staff in February 2016 regarding the status of those projects. It appears that P&D staff submitted the units to DHCD for inclusion on the SHI but the request was denied because the units did not have an affirmative marketing plan when they were leased.

Regards,
Nathan

Nathan Robinson
Housing Planner
Planning and Development Department
City of Newton
617-796-1146



Setti D. Warren
Mayor

City of Newton, Massachusetts
Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459

#104-15

Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

James Freas
Acting Director

MEMORANDUM

To: Finance Committee

From: Stephen Pantalone, Housing Planner, Planning and Development Department
James Freas, Acting Director, Planning and Development Department

Cc: Alice Ingerson

Date: February 28, 2016

Re: Requested Items

Responses to the following items were requested by the City's Finance Committee.

Subsidized Housing Inventory

The Planning Department completed an application to place the affordable housing units at 54 Eddy Street, 61 Pearl Street, and 2148-2150 Commonwealth Ave on the Subsidized Housing Inventory. DHCD indicated to the Planning Department that the units were not currently eligible to be placed on the SHI, as rental units in general cannot be placed on the SHI retroactively (i.e. after being filled). In addition, the marketing process that was used when the units were initially rented did not follow DHCD guidelines, which requires a lottery process.

At this time these units cannot be added to the SHI. CAN-DO should utilize a DHCD approved marketing plan, which includes a lottery process, when/if the existing tenants are replaced with new tenants. CAN DO is currently working with DHCD on the Taft Avenue project to create a marketing plan that would qualify units for the SHI. CAN DO can utilize a similar approach when these units turnover.

Taft Ave Conditions

The conditions in the Taft Ave CDBG/HOME agreement regarding CAN DO, and the status of each condition are provided below.

- 1) CAN DO provides a report to the Planning and Development Board at a six-month interval
 - a. Real estate Owned Schedule - *Provided to P&D Board December 2015*

- b. Operating and replacement reserves *No reserves drawn based on schedules provided to P&D Board December 2015*
 - c. Projected versus actual organizational budget *Provided to P&D Board December 2015*
- 2) Organizational strategic plan that includes the following elements which CAN-DO promised to provide to the City in 2009 as part of the loan forgiveness agreement - *Has not yet been provided to the City*
 - 3) Federal Funds will not be released until a building permit for the project is granted – *Federal funds were released for the acquisition of the property. No federal funds have been released for soft costs or construction costs. This is consistent with the allocation schedule for the project. Some funds will mostly likely need to be disbursed for soft costs in order to create the building permit set of plans. Federal funds will not be released for construction costs until a building permit is obtained.*
 - 4) Project cost savings are returned to the respective grant programs upon completion – *Not applicable at this time*
 - 5) Notify Planning Department if/when operating reserves are disbursed for the project. *Not applicable at this time*
 - 6) When or if the funds become available, proof of CAN-DO's submitted application for Massachusetts Rental Voucher Program funding to pay for the projects supportive services. *Not applicable at this time*
 - 7) Provide narrative of the supporting services program design, identifying proposed benchmarks for success and the sustainability of those services. *Has not yet been provided to the City*