



Finance Committee Agenda

City of Newton **In City Council**

Monday, January 25, 2021

The Finance Committee will hold this meeting as a virtual meeting on Monday, January 25, 2021 at 7:00 pm. To view this meeting using Zoom use this link: <https://us02web.zoom.us/j/86880976352> or call 1-646-558-8656 and use the following Meeting ID: 868 8097 6352

Item scheduled for discussions:

#37-21 Authorization to expend a Massachusetts Secretary of the Commonwealth Grant
CITY CLERK requesting authorization to accept and expend a thirteen thousand seven hundred-seventy-eight dollar and twenty-five cent (\$13,778.25) grant from the Massachusetts Secretary of the Commonwealth for 2020 mailed ballot expenses.

Referred to Public Facilities and Finance Committees

#39-21 Appropriate \$256,000 from the Washington Place Special Permit Mitigation Fund
HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of two hundred and fifty-six thousand dollars (\$256,000) from the Washington Place Special Permit Mitigation Fund for the purpose of pedestrian enhancement design on a portion of Washington Street including design and bid preparation for fence replacements, fence artwork, landscaping and sidewalk installation on the south side of the street from Lowell Avenue to Walnut Street.
Public Facilities Approved 8-0 on 01/20/21

#38-21 CPC Recommendation to appropriate \$28,900 in CPA funding
COMMUNITY PRESERVATION COMMITTEE recommending appropriation of twenty-eight thousand nine hundred and ninety dollars (\$28,990) in Community Preservation Act Historic Resource funding for the replacement of the wood picket fence along the Jackson Road/ west property line at the Jackson Homestead.

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.

#395-20 Request for updates on budget and possible reimbursements at Newton Public Schools
The President of the Council, on behalf of the City Council, requesting updates to the Finance Committee from the Chief Financial Officer regarding budget expenditures and possible reimbursements related to school reopening at each meeting this fall.
Finance Held 4-0 on 01/11/21

Chair's Note: *Chief Financial Officer Maureen Lemieux will provide an update on the expenditure of funds for COVID-19 as related to item #239-20.*

Respectfully submitted,

Rebecca Walker Grossman, Chair

Cassidy Flynn

From: David A. Olson
Sent: Friday, January 22, 2021 12:07 PM
To: Cassidy Flynn
Subject: FW: Postage Reimbursement

From: Olson, David A. (Newton) <netdao@ct.sec.state.ma.us>
Sent: Friday, January 22, 2021 12:05 PM
To: David A. Olson <dolson@newtonma.gov>
Subject: FW: Postage Reimbursement

David A. Olson, CMC
Newton City Clerk
1000 Commonwealth Avenue
Newton, MA 02459

From: Rosenberry, William (SEC)
Sent: Monday, December 28, 2020 1:01 PM
To: All Clerks
Subject: Postage Reimbursement

Good afternoon and Happy Holidays,

We hope this email finds you well. You may have noticed that you recently received some monies for a postage reimbursement. As you might be aware, this office had applied for and received HAVA CARES funds which we've used previously for PPE, return postage on envelopes, and reimbursement for drop boxes, etc. The remaining funds must be spent by the end of the year and we have disbursed them among you to cover some of the postage for the November Election. The amount received is apportioned according to the number of ballots your community mailed for the November election.

I hope this information is helpful.

Regards,

Will Rosenberry
Elections Services Manager
Elections Division
One Ashburton Place, Room 1705
Boston, Massachusetts 02108
617-727-2828
fax: 617-742-3238

Cassidy Flynn

From: David A. Olson
Sent: Friday, January 22, 2021 12:08 PM
To: Cassidy Flynn
Subject: FW: Covid Reimbursement

From: Stephen Curley <scurley@newtonma.gov>
Sent: Monday, January 4, 2021 10:38 AM
To: Maureen Lemieux <mlemieux@newtonma.gov>; David A. Olson <dolson@newtonma.gov>
Subject: RE: Covid Reimbursement

Great thanks for this. I will create a new State grant account for the funds as they have already been received and will be hitting the GL in the next few days.

I can inactivate the account until the Council Order goes through, then do a transfer bill if you'd like after to reclass some old November election charges, or other related expenses.

Steve

From: Maureen Lemieux <mlemieux@newtonma.gov>
Sent: Monday, January 4, 2021 10:20 AM
To: David A. Olson <dolson@newtonma.gov>; Stephen Curley <scurley@newtonma.gov>
Subject: RE: Covid Reimbursement

Can you send me a request to docket and I will take care of it.

thanks!

From: David A. Olson <dolson@newtonma.gov>
Sent: Monday, January 4, 2021 10:17 AM
To: Maureen Lemieux <mlemieux@newtonma.gov>; Stephen Curley <scurley@newtonma.gov>
Subject: RE: Covid Reimbursement

Maureen,

I think it does need to be docketed. It was unexpected and could be considered a grant from the Secretary of the Commonwealth. The SOC had money left over after the elections that they had to spend by the end of the year and so divided it up across all of the cities and towns based on the number of ballots each community mailed.

David

From: Maureen Lemieux <mlemieux@newtonma.gov>
Sent: Monday, January 4, 2021 10:01 AM
To: David A. Olson <dolson@newtonma.gov>; Stephen Curley <scurley@newtonma.gov>
Subject: FW: Covid Reimbursement

David,

do we need to docket this??

Please let me know,

thanks,

Maureen

From: Stephen Curley <scurley@newtonma.gov>
Sent: Monday, January 4, 2021 9:57 AM
To: Maureen Lemieux <mlemieux@newtonma.gov>
Subject: RE: Covid Reimbursement

I was able to get this information attached from Kathy Poutas in the Clerk's office if it helps.

Steve

From: Stephen Curley
Sent: Monday, January 4, 2021 9:41 AM
To: Maureen Lemieux <mlemieux@newtonma.gov>
Subject: Covid Reimbursement

Hi Maureen,

Do you have an updated list of all of the funding that has come in for Covid related funding and how it is separated out between different state and federal funding sources?

It seems that money just keeps coming in from different sources and our office doesn't have knowledge of it and we don't know where this money goes. I know the \$3+ million should be 2221CV20 from a conversation Regina said she had with you, but also last week we got \$13,778.25 separately for Newton Cares-Postage Reimbursement from the Elections Division in the State. Is this also part of 2221CV20 or is this a different funding source?

Thanks,

Steve



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

39-21

Telephone
(617) 796-1100

Fax

(617) 796-1113

TDD/TTY

(617) 796-1089

Email

rfuller@newtonma.gov

January 11, 2021

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

Honorable City Councilors:

I respectfully submit this docket item to this Honorable Council requesting the authorization to appropriate and expend the sum of \$256,000 from the Washington Place Special Permit Mitigation Fund for the purpose of pedestrian enhancement design on a portion of Washington Street including design and bid preparation for fence replacements, fence artwork, landscaping and sidewalk installation on the south side of the street from Lowell Avenue to Walnut Street.

My request was developed in collaboration with the Ward Two City Councilors and the Washington Place Liaison Committee members.

Please see the attached memo from DPW Commissioner James McGonagle and Planning & Development Director Barney Health regarding the project. To date, there have been no appropriations or expenditures of this \$700,000 project mitigation fund.

Thank you for your consideration of this matter.

Sincerely,

Mayor Ruthanne Fuller

RECEIVED
2021 JAN 11
CITY CLERK
NEWTON, MA

Ruthanne Fuller
Mayor

OFFICE OF THE COMMISSIONER

1000 Commonwealth Avenue
Newton Centre, MA 02459-1449

To: Maureen Lemieux, Chief Financial Officer
Jonathan Yeo, Chief Operating Officer

From: James McGonagle, Commissioner of Public Works
Barney S. Heath, Director of Planning and Development

Subject: Request to Appropriate \$256,000 from the Washington
Place Special Permit Mitigation Funds

Date: January 8, 2020

We write to request that the Mayor docket the following request to appropriate and expend two hundred fifty-six thousand dollars (\$256,000) from the Washington Place Mitigation Fund for design of pedestrian enhancements and sidewalk installation on the south side of Washington Street between Lowell Avenue and Walnut Street.

The request was developed in consultation with the Ward Two Councilors and the Washington Street Liaison Committee. Attached is the quote for design services for pedestrian enhancements including fence design and landscaping. In addition, a cost estimate for sidewalk installation is attached.

Thank you for your consideration of this matter.

James McGonagle
Commissioner

Telephone: (617) 796-1009 • Fax: (617) 796-1050 • jmcgonagle@newtonma.gov

6/10/2020

This is an Order of Magnitude construction cost estimate for a new cement concrete sidewalk along the north side of Washington St from Lowell Ave to Walnut St.

Prices were based on MassDOT Weighted Average Bid Prices for District 6 area.

Sidewalk construction includes the following:

- Removal and resetting of the existing granite curb
- New cement concrete sidewalk

Other

Areas for quantities taken from CAD files.

This estimate does not consider:

1. Right of Way acquisitions
2. Construction year or increases in costs due to inflation
3. Underground utility relocations

CONCEPTUAL COST ESTIMATE - WASHINGTON ST SOUTH SIDE SIDEWALK

4/6/2020

<u>Description</u>	<u>Unit Price</u>	<u>Quantity</u>	<u>Total Cost</u>
Cement Concrete Sidewalk	\$178.00 /SY	525 SY	\$93,450.00
Existing Granite Curb R&R	\$45.00 /FT	800 FT	\$36,000.00
Erosion Control	\$9,700.00 /LS	1 LS	\$9,700.00
Police Detail	\$8,000.00 /ALL	1 ALL	\$8,000.00
SUBTOTAL:			\$147,150.00
Mobilization (3%)			\$4,414.50
Temporary Traffic Control (5%)			\$7,357.50
Contingencies (25%)			\$36,787.50
TOTAL:			\$195,709.50
SAY:			\$196,000

4/6/2020

UNIT COSTS**Cement Concrete Sidewalk**

	<u>Depth (in)</u>	<u>Conversion</u>	<u>Unit Cost</u>	
Cement Concrete Sidewalk at Driveways (Item 701.1)	N/A	N/A	\$136.43 /SY	\$136.43
Gravel Borrow (Item 151)	8.0	0.0278 Yd/in	\$50.00 /CY	\$11.12
Unclassified Excavation (Item 120.1)	12.0	0.0278 Yd/in	\$45.00 /CY	\$15.01
Fine Grading and Compacting (Item 170)	N/A	N/A	\$15.00 /SY	\$15.00
			<u>per SY Total=</u>	<u>\$178.00</u>

4/6/2020

UNIT COSTS

Erosion Control

Silt Sacks	\$250.00 /EA	3 EA	\$750.00
Compost Filter Tubes	\$10.00 /FT	895 FT	\$8,950.00
<u>Total Erosion Control =</u>			<u>\$9,700.00</u>

ENVIRONMENTAL PARTNERS

November 13, 2020

James McGonagle, Commissioner of Public Works
 Department of Public Works
 1000 Commonwealth Avenue
 Newton, MA 02459

RE: Pedestrian Enhancements along Washington St. from Lowell Ave. to Walnut St.

Dear Mr. McGonagle:

Environmental Partners (EP) and Klopfer Martin Design Group (KMDG) are pleased to submit the following proposal for professional engineering and landscape architectural design services for the Pedestrian Enhancements along Washington Street from Lowell Avenue to Walnut Street project. The project is anticipated to consist of the following:

- Fence replacement along the southern side of Washington Street from east of Lowell Avenue to approximately 170 feet east of Walnut Street
- Landscape zone including planting and possible paved surfaces and furniture along the southern side of Washington Street from 270 feet west of Walnut Street to approximately 170 feet east of Walnut Street
- Opportunities for the integration of fence artwork will be identified, although neither the creation nor selection of artwork selection is included in the below Scope of Services
- Any previously discussed gateway treatments (at the Walnut Street intersection) are not included in the below Scope of Services
- Opportunities for locating way-finding signage will be identified but the below Scope of Services does not include involvement with a way-finding consultant or the design of the wayfinding

The project is anticipated to be reviewed through the City only. For budgeting purposes, no reviews or coordination is anticipated with MassDOT and/or MBTA. Likewise, it is anticipated that the City will handle all MassDOT/MBTA coordination, right-of-way, permitting and public outreach; this Scope of Services does not involve right-of-way or permitting assistance.

Scope of Services

The proposed project includes preparation of conceptual design and engineering design, and preparation of bid documents (plans, specifications, and estimate) in an efficient manner.

1. Base Plan Review / Site Visits

- a. The City will perform topographic survey and prepare/provide a base plan adequate for the design of the subject project in AutoCAD Civil3D. This will include the sidewalk and the area south of the sidewalk and south of the existing fence including topography, trees

and shrub areas. All trees greater than 3" caliper shall be captured in the survey. This shall include the extent of canopy and the type of tree. EP and KMDG (the Team) will perform a site visit to verify major visible conditions are reflected; any noticeable lacking information will be reported to the City for further survey and base plan correction. This Scope of Services does not include field measurements, or verifying accuracy of the base plan.

2. Conceptual Design

- a. The Team will attend one initial virtual conference call with the City which will include any individuals who will be involved in the review of the subject project in order to identify design and treatment parameters and expectations.
- b. The Team will provide up to three (3) alternatives for a fence treatment to be presented in cut-sheet format. Potential opportunities for the integration of art on the fences will be identified.
- c. One planting strategy will be drawn conceptually in plan-view and colored and will also provide images of selected plants
- d. The above fence alternatives and the conceptual planting strategy will be provided to the City for the City coordinate with city boards/departments and the public. This Scope of Services assumes the Team will not be involved in city or public coordination/meetings. Two-dimensional and three-dimensional rendering are not included in this Scope of Services.
- e. The City will inform the Team of the selected fence treatment and any minor comments on the conceptual planting plan as a result of their internal meetings and public outreach. This Scope of Services assumes that only limited changes will be required and that new concepts will not be required.

3. Final Design

- a. The Team will address minor review comments provided by representatives of the City and advance the plans from Conceptual Design phase to Final Design phase incorporating the City-selected fence and minor refinements on the conceptual planting plan. It is anticipated that only minor changes will be made to the design as it advances. For budgeting purposes, regressing in the design process and significant changes in design are not anticipated.
- b. In this phase, the Team will prepare a general plan set including construction plans, landscape plans, details, and also provide a preliminary construction cost estimate.

4. Bid Document Preparation

- a. The Team will prepare adequate bid documents for bidding purposes including plans, specifications, and estimate. Also, ENVIRONMENTAL PARTNERS will prepare

supplementary specifications to the Massachusetts Department of Transportation "Standard Specifications for Highways and Bridges" (latest edition) in the form of Special Provisions which shall incorporate relevant sections of the City's standard specifications where applicable. This work includes the preparation of the bid tabulation and technical specification sections of the contract bid documents. Standard bidding requirements, general conditions, agreement or other information associated with procurement requirements and procedures will be provided by the City.

- b. This Scope of Services presumes that guard rail or available reinforced fence will be available options to address crash loading; the custom structural design of a fence for crash and/or wind loads is not anticipated or included nor is geotechnical exploration or borings.
- c. The Team will provide a final construction cost estimate. The final construction cost estimate will include the quantity, unit price, and estimated cost of all pay items. The estimate will be based on prevailing prices established by MassDOT and recently advertised and awarded projects completed by the City and ENVIRONMENTAL PARTNERS. A bid tab will be prepared and included in the Measurement and Payment section of the bid document providing the quantity for each bid item.
- d. This Scope of Services does not include bid phase or construction phase services.

5. *Meetings / Coordination*

- a. For budgeting purposes, this Scope of Services assumes input from any City departments or boards will only be provided during the below noted meetings and additional discussions and concepting will not be required. Should additional meetings and/or coordination be requested, additional budget will be negotiated.
- b. The Team will attend up to three (3) video conference meetings with representatives of the City. This Scope of Services assumes that all meetings will be via Zoom or another similar platform and that the City will manage public outreach and planning technical coordination/setup.
- c. This Scope of Services assumes the Team will not attend public meetings or meetings with City boards or departments, nor will the Team prepare graphics, renderings or PowerPoint presentations.
- d. No additional coordination time is anticipated outside of the above meetings.

Fee

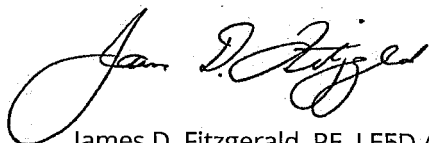
ENVIRONMENTAL PARTNERS proposes a lump-sum budget of **\$59,300** total based on the above outlined Scope of Services and below Fee Schedule.

Fee Schedule

1. <i>Base Plan Review/Site Visits</i>	\$ 6,430
2. <i>Conceptual Design/Renderings</i>	\$ 8,200
3. <i>Final Design</i>	\$24,620
4. <i>Bid Document Preparation</i>	\$ 9,770
5. <i>Meetings/Coordination/Presentation Materials</i>	<u>\$10,280</u>
TOTAL	\$59,300

We appreciate the opportunity to be of service to the City of Newton and look forward to discussing this proposal with you. In the meantime, please do not hesitate to contact me with any questions.

Sincerely,
Environmental Partners Group, Inc.



James D. Fitzgerald, PE, LEED AP
Principal
P: 617.657.0256
E: jdf@envpartners.com

CITY COUNCIL

#

RECEIVED

CITY OF NEWTON

DOCKET REQUEST FORM

2021 JAN -4 PM 12:14

DEADLINE NOTICE: Council Rules require items to be docketed with the Clerk of the Council NO LATER THAN 7:45 P.M. ON THE MONDAY PRIOR TO A FULL COUNCIL MEETING.

To: Clerk of the City Council

Date: December 30, 2020

From (Docketer): Lara Kritzer, Community Preservation Program Manager

Address: Planning Department, Newton City Hall, 1000 Commonwealth Avenue Newton MA 02459

Phone: 617-796-1144

E-mail: lkritzer@newtonma.gov

Additional sponsors: Community Preservation Committee

1. Please docket the following item (it will be edited for length if necessary):

Recommendation from the Community Preservation Committee to allocate \$28,990 in Community Preservation Act Historic Resource funding for the replacement of the wood picket fence along the Jackson Road/west property line at the Jackson Homestead

2. The purpose and intended outcome of this item is:

- ☐ Fact-finding & discussion
☒ Appropriation, transfer,
☐ Expenditure, or bond authorization
☐ Special permit, site plan approval,
☐ Zone change (public hearing required)

- ☐ Ordinance change
☐ Resolution
☐ License or renewal
☐ Appointment confirmation
☐ Other: _____

3. I recommend that this item be assigned to the following committees:

- | | | |
|--|---|--|
| <input type="checkbox"/> Programs & Services | <input checked="" type="checkbox"/> Finance | <input type="checkbox"/> Real Property |
| <input type="checkbox"/> Zoning & Planning | <input type="checkbox"/> Public Safety | <input type="checkbox"/> Special Committee |
| <input type="checkbox"/> Public Facilities | <input type="checkbox"/> Land Use | <input type="checkbox"/> No Opinion |

4. This item should be taken up in committee:

- ☐ Immediately (Emergency only, please). Please state nature of emergency:

- ☒ As soon as possible, preferably within a month
☐ In due course, at discretion of Committee Chair
☐ When certain materials are made available, as noted in 7 & 8 on reverse
☐ Following public hearing

PLEASE FILL OUT BOTH SIDES

5. I estimate that consideration of this item will require approximately:

- | | |
|--|--|
| <input type="checkbox"/> One half hour or less | <input checked="" type="checkbox"/> Up to one hour |
| <input type="checkbox"/> More than one hour | <input type="checkbox"/> An entire meeting |
| <input type="checkbox"/> More than one meeting | <input type="checkbox"/> Extended deliberation by subcommittee |

6. The following people should be notified and asked to attend deliberations on this item. (Please check those with whom you have already discussed the issue, *especially relevant Department Heads*):

City personnel

Citizens (include telephone numbers/email please)

☒ Lara Kritzer

☐ _____

☒ Lisa Dady

☐ _____

☐ _____

☐ _____

☐ _____

☐ _____

☐ _____

☐ _____

7. The following background materials and/or drafts should be obtained or prepared by the Clerk's office prior to scheduling this item for discussion:

8. I ☒ have or ☐ intend to provide additional materials and/or undertake the following research independently prior to scheduling the item for discussion. *

CPC Funding Recommendation includes the full proposal, a copy of the Historical Commission's presentation and approval for the new fence design, and the Dec. 9 updated proposal for the work

(*Note to docketer: Please provide any additional materials beyond the foregoing to the Clerk's office by 2 p.m. on Friday before the upcoming Committee meeting when the item is scheduled to be discussed so that Councilors have a chance to review all relevant materials before a scheduled discussion.)

Please check the following:

9. ☐ I would like to discuss this item with the Chairman before any decision is made on how and when to proceed.
10. ☒ I would like the Clerk's office to contact me to confirm that this item has been docketed. My daytime phone number is:
11. ☒ I would like the Clerk's office to notify me when the Chairman has scheduled the item for discussion.

Thank you.

Lara Kritzer
Signature of person docketing the item

[Please retain a copy for your own records]



Ruthanne Fuller
Mayor

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

38-21

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

Barney S. Heath
Director

**Community Preservation Committee
Funding Recommendation for the
Jackson Homestead Fence Replacement Project**

Date: December 23, 2020
From: Community Preservation Committee
To: The Honorable City Council
CC: The Honorable Mayor Ruthanne Fuller

PROJECT GOALS & ELIGIBILITY

Historic Newton requests CPA historic resource funding in the amount of \$28,990 to replace the badly deteriorated cedar picket fence running along the Jackson Road (west) property line. The existing fence has reached the end of its useful life and is proposed to be completely replaced with new cedar picket fencing with a scallop style design that mimics the picket fence seen in this location in a ca. 1940s photograph of the property. The project will install 210 feet of 4' tall wood picket fencing with "Post Savers" sleeves to be installed on the end posts to protect and strengthen the fence.

The Jackson Homestead has been listed on the National Register of Historic Places since 1973 and is also a documented stop on the Underground Railroad, listed on the State Register of Historic Places, considered to be of "High Significance" in City historic surveys, and protected by a preservation restriction in 1997. This project is eligible for CPA funding for the restoration/ rehabilitation of an historic resource.

RECOMMENDED FUNDING

At the CPC's regularly scheduled meeting on Tuesday, November 10, the Community Preservation Committee recommended, with a vote of 5 to 1, the appropriation of \$28,990 in Community Preservation Act Historic Resource funds to the control of the Planning & Development Department for the installation of a new custom wood picket fence along the west/Jackson Road property line of the Jackson Homestead site.

SPECIAL ISSUES CONSIDERED BY THE CPC

In considering the use of CPA funding for this purpose, the CPC noted the high significance of this historic resource to the City of Newton and the commitment shown by the City in the past to its preservation and restoration. Members recognized the role that the fence plays in defining the property line and protecting the important site from unwanted access. The one member to vote against the project (Mark Armstrong) supported the replacement of the ca. 1940s era fence in this location but did not consider it to be historic preservation because of the fence's relatively ordinary design.

www.newtonma.gov/cpa

Lara Kritzer, Community Preservation Program Manager
lkritzer@newtonma.gov 617.796.1144

Preserving the Past  Planning for the Future

Architectural and Historical Significance: As previously noted, the Jackson Homestead is one of the City's most significant historic resources. The ca. 1809 house was occupied and maintained by the Jackson family and their descendants for nearly 300 years before becoming the property of the City in 1949. Since that time, the City has worked hard to research and maintain the historic character of the site and develop it as a space to both protect and share the City's historic resources and information.

In reviewing this project, the CPC discussed the history of the fence and its importance to the site. While the fence was never intended to be a prominent element of the historic site, it plays an important role in defining the boundaries of the property and protecting it from unauthorized access. The Applicants noted that this type of fence was commonly used to enclose side and rear yards in the nineteenth century, and their research later confirmed that a similar fence has been located there for at least a century. In the earliest available site plan for the property created in 1935, a picket fence is shown running along the Jackson Road border of the property with a single opening near its center leading to a side door in the west façade of the house. The fence next appears in a ca. 1940s photograph of the site as a scallop topped picket fence extending along Jackson Road. Historic Newton used this documentation to revise their initial proposal to reflect the design of the fence as it appears in this ca. 1940s photograph. By relating the design of the new fence to that of the historic fence shown in the photograph, the project meets the Secretary of the Interior's Standards for Restoration by using historic information to recreate a known design element on the site using historically appropriate materials.

Funding leverage & project costs: The proposed budget includes the cost of hiring Steelco Fence, an existing City contractor, to replicate the 1940s wood fence and install it on the site. The project includes an additional \$1,000 in project oversight costs to be covered by the staff time of Lisa Dady (Historic Newton) and Derek Mannion (Public Buildings). The CPA funding will be used to cover the entire cost of the new fence's construction and installation, approximately 97% of the project costs. The project budget is based on an updated quote dated December 9, 2020 from Steelco Construction (see attachments).

Community spaces & services: The property is owned by the City of Newton and operated by Historic Newton as the City's history museum and archives. The property is a city-wide resource which welcomes school groups to tour the historic house and grounds and hosts events and community programs in its meeting and education spaces.

Project design & permitting: Historic Newton is working closely with Steelco Fencing to ensure that the new fence matches the details shown in the ca. 1940s photograph and is consistent in design and materials to fencing of that period. They are also proposing to add an additional element, fence post sleeves, to protect the posts from rot and extend their useful life. The fencing will be installed in coordination with the Public Buildings Department, a co-applicant on this project, and will meet all permitting requirements.

ADDITIONAL RECOMMENDATIONS (*funding conditions*)

1. Recommended CPA funds should be appropriated within 6 months and the project should be completed within 2 years after the date of any CPC recommendation, with the understanding that these deadlines may be extended by submitting a written request to the CPC outlining the reason the extension is necessary and the proposed new deadline.
2. All CPA funding must be used for the installation of new wood picket fencing along Jackson Road as reviewed by the Newton Historical Commission and recommended by the CPC.
3. The Applicant should be prepared to update the CPC at regular intervals as requested on the status of the project. Periodic site visits to check the status of the work may also be requested.
4. The CPC will hold 10% of the project's CPA funding until all work is complete, at which time a final report and updated project budget must be submitted to the CPC for approval. The Applicant is expected to present these materials at a public meeting of the CPC for their review and approval before the final funds are released.
5. Any unused CPA funds remaining in the project fund at the completion of the project must be returned to the CPA general fund for use on other future projects.

KEY OUTCOMES

This project will be considered to be successfully completed when a new scallop-topped cedar picket fence, which replicates the fencing in the ca. 1940s photo of the property, is installed along the west/Jackson Road boundary of the property. The new fencing will be installed by Steelco Fencing according to Option #2 in their December 9, 2020 quote to insure the longevity of the new fence in this location. This work is important to both the future protection of the Jackson Homestead property, as the fence provides a physical and visual barrier between the property and the public sidewalk, and the safety of the public using the sidewalk as the existing fence is in danger of collapse.

ATTACHMENTS

- Historic Newton's Jackson Homestead Fence Replacement Proposal submitted for the November 10 meeting of the CPC.
- The October 6, 2020 presentation to the Newton Historical Commission with the historic photos and site plan
- The December 9, 2020 revised quote from Steelco Fencing (Recommendation follows Option #2)

Additional project information is available on the CPC's website at:

<https://www.newtonma.gov/government/planning/community-preservation-program/proposals-projects/museum>

City of Newton

Ruthanne Fuller
Mayor

Newton, Massachusetts Community Preservation Program FUNDING REQUEST

☐ PRE-PROPOSAL☒ PROPOSAL(For staff use)
date rec'd:

Last updated February 2020.

Please submit this completed file directly – do not convert to PDF or other formats.

For full instructions, see www.newtonma.gov/cpa or contact:

Lara Kritzer, Community Preservation Program Manager

City of Newton Planning & Development Department, 1000 Commonwealth Ave., Newton, MA 02459

lkritzer@newtonma.gov

617.796.1144

You may adjust the space for each question, but the combined answers to all questions on this page must fit on this page.

Project TITLE	Historic Newton Jackson Homestead Fence Replacement			
Project LOCATION	Full street address (with zip code), or other precise location. 527 Washington Street, Newton, MA 02458			
Project CONTACTS	Name & title or organization	Email	Phone	Mailing address
Project Manager	Lisa Dady Director Historic Newton	ldady@newtonma.gov	617-796-1451	527 Washington Street Newton, MA 02458
Other Contacts	Derek Mannion Superintendent of Maintenance Newton Parks, Recreation & Culture	dmannion@newtonma.gov	617-796-1532	246 Dudley Rd. Newton, MA 02459
Project FUNDING	A. CPA funds requested: \$18,244	B. Other funds to be used: \$1,000	C. Total project cost (A+B): \$19,244	
Project SUMMARY	Explain how the project will use the requested CPA funds. You may provide more detail in attachments, but your PROJECT SUMMARY MUST FIT IN THE SPACE BELOW. Use a cover letter for general information about the sponsoring organization's accomplishments.			

Historic Newton and Newton's Department of Park, Recreation and Culture request \$18,244.00 in Community Preservation Act funds for the replacement of approximately 200-210 feet of four-foot high spaced picket cedar fence for the Jackson Homestead property along Jackson Road. This includes two 4' x 4' walk gates and one 12' double gate for vehicles. The CPA funds would cover the cost of removal and disposal of old materials as well as the installation of a new fence. The fence is in need of total replacement, and two of the gates are unusable due to decay and damage. It is unknown when the fence was installed but the prudent plan is to replace it with in-kind style and materials.

The accessible entrance for disabled visitors as well as many groups (school groups, Scouts, Head Start groups, festival goers, etc.) to the lawn and lower exhibit galleries of the Jackson Homestead is through this fence. Currently the entrances' state of disrepair hinders the use of the grounds and building for groups and visitors with mobility limitations.

Jackson Homestead serves as the history institution for the entire city and its exhibits and programming draw thousands of people from the region. It is not only important to have a well-kept appearance for the public but also we must make this area safe for visitors.

The project will be completed by City contractor Steelco Fencing and will be overseen by Derek Mannion of Parks, Recreation and Culture and Lisa Dady of Historic Newton.

You may adjust the space for each question, but the combined answers to all questions on this page must fit on this page.

Project TITLE	Historic Newton Jackson Homestead Fence Replacement																						
USE of CPA FUNDS	HISTORIC RESOURCES	preserve	rehabilitate/ restore ✓																				
COMMUNITY NEEDS	<p>From each of at least 2 plans linked to the <u>Guidelines & Forms</u> page of www.newtonma.gov/cpa, provide a brief quote with plan title, year, and page number, showing how this project meets previously recognized community needs. You may also list other community benefits not mentioned in any plan.</p> <p>The CPA plan calls out "special public resources and public-private partnerships: publicly or privately owned assets that benefit all Newton residents & neighborhoods," as a priority. As the history institution for all of Newton this site is a special public resource.</p> <p><i>Capital Improvement Plan (CIP)</i> – Requires that projects on City-owned sites, or that involve work by City staff, must be sponsored by the appropriate City department. In this case the project is sponsored by two City departments: Historic Newton and Parks, Recreation and Culture.</p> <p>The NEWTON PUBLIC BUILDINGS SURVEY PHASE II – ANALYSIS OF HISTORICAL SIGNIFICANCE lists Jackson Homestead with a Level of Significance of High. [Individually listed building on the National Register of Historic Places, 1973 ... Preservation Phase II: Analysis of Historically Significant City Buildings, Newton, Massachusetts Jackson Homestead DRAFT 2/17/2012 PART 1 – Analysis].</p> <p>This project has been on the City's to-do list for several years and as the fence has deteriorated to a dangerous condition (pieces falling on the street, gates falling over) it has a high level of priority.</p>																						
COMMUNITY CONTACTS	<p>List at least 3 Newton residents or organizations willing and able to comment on the project and its manager's qualifications. No more than 1 should be a supervisor, employee or current work colleague of the project manager or sponsor. Consult staff on the community contacts required for your specific proposal.</p> <table border="1"> <thead> <tr> <th>Name & title or organization</th> <th>Email</th> <th>Phone</th> <th>Mailing address</th> </tr> </thead> <tbody> <tr> <td>Russel Feldman, AIA</td> <td>rfeldman@tbaarchitects.com</td> <td>617/964-3915</td> <td>85 Langley Road Newton Centre, MA 02459</td> </tr> <tr> <td>Katy Hax-Holmes, Chief Preservation Planner</td> <td>KHOLMES@newtonma.gov</td> <td>617/796-1143</td> <td>Planning Department City of Newton 1000 Commonwealth Ave Newton, MA 02459</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>			Name & title or organization	Email	Phone	Mailing address	Russel Feldman, AIA	rfeldman@tbaarchitects.com	617/964-3915	85 Langley Road Newton Centre, MA 02459	Katy Hax-Holmes, Chief Preservation Planner	KHOLMES@newtonma.gov	617/796-1143	Planning Department City of Newton 1000 Commonwealth Ave Newton, MA 02459								
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You may adjust the space for each question, but the combined answers to all questions on this page must fit on this page.

Full proposals must include separate, detailed budgets in addition to this page.

Project TITLE	Historic Newton Jackson Homestead Fence Replacement	
SUMMARY CAPITAL/DEVELOPMENT BUDGET		
Uses of Funds		
Jackson Homestead Fence Removal		\$ 3,300
Jackson Homestead Fence Replacement		\$ 14,944
D. TOTAL USES (should equal C. on page 1 and E. below)		\$18,244
Sources of Funds	Status (requested, expected, confirmed)	
CPA funding	Requested	\$18,244
		\$(amount)
		\$(amount)
E. TOTAL SOURCES (should equal C. on page 1 and D. above)		\$ 18,244
SUMMARY ANNUAL OPERATIONS & MAINTENANCE BUDGET (cannot use CPA funds)		
Uses of Funds		
Oversight of project by Lisa Dady (HN) and Derek Mannion (PRC)		\$ 1,000
		\$(amount)
		\$(amount)
		\$(amount)
F. TOTAL ANNUAL COST (should equal G. below)		\$1,000
Sources of Funds		
Operating budget for HN and PRC salaries		\$1,000
		\$(amount)
G. TOTAL ANNUAL FUNDING (should equal F. above)		\$1,000
Project TIMELINE	Phase or Task	Season & Year
Removal and Replacement of Jackson Homestead Fence = approximately five days		Fall-Winter 2020

Attachments struck out below will be required only for a full proposal, if the CPC agrees to consider one.

Project TITLE		Historic Newton Jackson Homestead Fence Replacement	
↓ Check off submitted attachments here.			
REQUIRED		PHOTOS	of existing site or resource conditions (2-3 photos may be enough)
		MAP	of site in relation to nearest major roads (omit if project has no site)
Pre-proposal: separate attachments not required, just use page 3 of form. Full proposal: separate, detailed budget attachments REQUIRED.	PROJECT FINANCES printed and as computer spreadsheets, with both uses & sources of funds		
		development pro forma/capital budget: include total cost, hard vs. soft costs and contingencies, and project management—amount and cost of time from contractors or staff (in-kind contributions by existing staff must also be costed)	
		operating/maintenance budget, projected separately for each of the next 10 years (CPA funds may not be used for operations or maintenance)	
		non-CPA funding: commitment letters, letters of inquiry to other funders, fundraising plans, etc., including both cash and est. dollar value of in-kind contributions	
		purchasing of goods & services: briefly summarize sponsor's understanding of applicable state statutes and City policies	
REQUIRED.		HISTORIC SIGNIFICANCE	For all historic resource projects, see separate instructions for 3 attachments showing how project meets the Secretary of the Interior's Standards for Rehabilitation
REQUIRED	SPONSOR FINANCES & QUALIFICATIONS, INSTITUTIONAL SUPPORT		
		for sponsoring department or organization, most recent annual operating budget (revenue & expenses) & financial statement (assets & liabilities); each must include both public (City) and private resources ("friends" organizations, fundraising, etc.)	
		for project manager: relevant training & track record of managing similar projects	
		COVER LETTER	from Parks, Rec & Culture and Executive Office, confirming project's priority and commitment of staff time for project management. Jonathan Yeo has been contacted. Nicole Banks has written a letter and will send it within a day or two.
	ZONING & PERMITTING		
		environmental mitigation plans: incl. lead paint	
		other approvals required: Newton Historical Commission, Katy Holmes has been contacted.	
	DESIGN & CONSTRUCTION		
	professional design & cost estimates: include site plan, floor plans & elevations		
	materials & finishes; highlight "green" or sustainable features & materials		
OPTIONAL		LETTERS of SUPPORT	from Newton residents, organizations, or businesses



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

38-21

Telephone
(617) 796-1100
Fax
(617) 796-1113
TDD/TTY
(617) 796-1089
Email
rfuller@newtonma.gov

September 25, 2020

Newton Community Preservation Committee
c/o Chair Mark Armstrong
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Dear Chairperson Armstrong and Members of the Newton CPC,

I am writing in support of the Historic Newton's proposed fence project at Jackson Homestead.

The fence at this important City landmark has reached the end of its useful life. It serves as a key boundary marker to this historic property. It not only an eye sore (not up to the standard that we want to present at City sites) but is unsafe for the public who use the sidewalk on Jackson Road as well as visitors to the site.

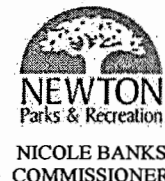
The Administration fully supports the use of departmental time for this project and the use of CPC funds to assist in the project's completion.

Thank you for your consideration of this project at one of the City's premiere historic places.

Sincerely,

A handwritten signature in dark ink that reads "Ruthanne Fuller".

Ruthanne Fuller
Mayor
City of Newton



Newton Parks, Recreation & Culture Department
246 Dudley Road, Newton, MA 02459
Office: (617) 796-1500
parks@newtonma.gov

August 24, 2020

Mark Armstrong, Chair
Community Preservation Committee
Planning Department, Newton City Hall
1000 Commonwealth Ave., Newton, MA

Dear Chairperson Armstrong and Members of the Community Preservation Committee,

I am writing to express my support for the need to replace the fencing at the Jackson Homestead. Together with Historic Newton's Executive Director Lisa Dady, we are requesting the funds for the fence purchase and installation. Representatives from both of our departments will be coordinating this project including project oversight. The Parks, Recreation & Culture Department (PRC) customarily assists with CPC project work when we have the expertise to contribute.

During these times of socially distancing, PRC has strived to keep as many parks and open space areas accessible to the public. We understand the need for people to get outside, explore nature, and get some fresh air. The Jackson Homestead is a site that is frequented by residents looking for historical and cultural experiences. Having this site available for community enjoyment during these times is so important and allows for people to experience Newton's cherished assets while feeling safe.

With your support for this project our Grounds Superintendent Derek Mannion will work alongside Lisa Dady to ensure that the replacement fencing is installed in a timely manner with minimal disruption to prospective guests.

Thank you for your consideration of this project.

Sincerely

Nicole Banks

Parks, Recreation & Culture Commissioner

Cc: Lisa Dady, Historic Newton Executive Director
Derek Mannion, Superintendent of Maintenance

Project

Historic Newton Jackson Homestead Fence Replacement

TITLE

275 Washington Street, Newton, MA 02458

Supplemental Attachments for HISTORIC RESOURCES PROPOSALS

18 August 2020

1. Analysis of Historical Significance (narrative; min. 1 paragraph - max. 1 page)

Jackson Homestead, built in 1809, is a National Register of Historic Places property. Its significance is well described in the National Register nomination form:

"The Jackson Homestead is significant as an example of a property acquired by an early Newton settler, and occupied and maintained by his descendants for nearly 300 years.

Edward Jackson (1602-1681) was the fourth settler in Cambridge Village, now called Newton. He built a salt box house on the Homestead property in 1670 for his son, Sebas, and owned about 1600 acres at his death. An Indian trail crossed his land. He was "constantly present with the Rev. John Eliot at his lectures to the Indians, taking notes and answering questions". He owned two menservants and was probably the first slave owner in Newton. Forty-four of his Newton descendants were in the Revolutionary army.

Major Timothy Jackson (1756-1814) built the present house in 1809, using boards, hand-hewn beams and bricks from the old house where possible. He joined the Militia when 15 years old and became a Corporal two years later. While serving in the Revolution, he spent three years on the high seas aboard privateers and other war vessels, was captured several times and escaped after suffering severe hardships, including seven months in a British Army prison in New York. He settled down to farming in Newton at the age of 24. Later, he became a successful candle and soap manufacturer * and was able to leave a fine estate to his children. His civic activities included such positions as school teacher, member of the School Board, Selectman for six years. Moderator at town meetings. Justice of the Peace, and Deputy Sheriff.

William Jackson (1783-1855) was Timothy's son. In 1806 he married Hannah Woodward of Newton, who died in 1814 leaving five children. William later married Mary Bennett, moving to the Homestead in 1820. There were 14 children when Mr. Whipple of Boston took a remarkable Daguerreotype of the entire family in 1846. William's impressive public career included the following: Head of Temperance Society, first member and Deacon of Eliot Church, member of the 22nd and 23rd Congress, General Agent for the Boston and Worcester Railroad, member of the Newton School Board, President of the Newton National Bank, owner of the soap and candle factory already established on this property, member of a real estate board dedicated to the development of Auburndale in 1848, member of the Liberal Party, and an Abolitionist who made his house an Underground Station for runaway slaves."

During the history of the Jackson Homestead, at least twelve brides were married in the parlour, and the dining room held as many as forty-two at Thanksgiving dinner. Bunk beds lined the wall of the first-floor nursery where the young Jacksons slept.

Jackson relatives lived here until about 1930. In 1949, a ninth-generation descendant gave the Homestead to the City of Newton. The furnishings represent those of a house of the early 1800's, including many things that belonged to the Jackson family. The house is relatively unchanged and is a good example of hip roofed Federal style with its original outbuildings. The Homestead is now used as a museum, where lectures are given and tours conducted as part of an active educational program.

2. Description of Historically Significant Features (keyed to attachment 1; max. 1 page)

Also from the National Register nomination form:

"The Jackson Homestead, on the corner of Washington Street and Jackson Road, has wide lawns on the front (south) and west sides, with about one half acre of fields to the rear (north); one-story outbuildings extend to the east. Large trees surround the house. In front the property is bounded by an elaborate wooden fence which is terminated at both ends by paneled square posts topped with urns; posts of the same design mark the center entrance. On Jackson Road the land is enclosed by a simple picket fence.

The 1809 house was built on a foundation of granite blocks brought from Quincy by oxcart. Inside are six fireplaces with hand carved mantel and a kitchen fireplace and oven used for cooking; hand-hewn beams, bricks and boards from the 1670 house; a 300 year old well in the first floor laundry room; [and] the original front door...."

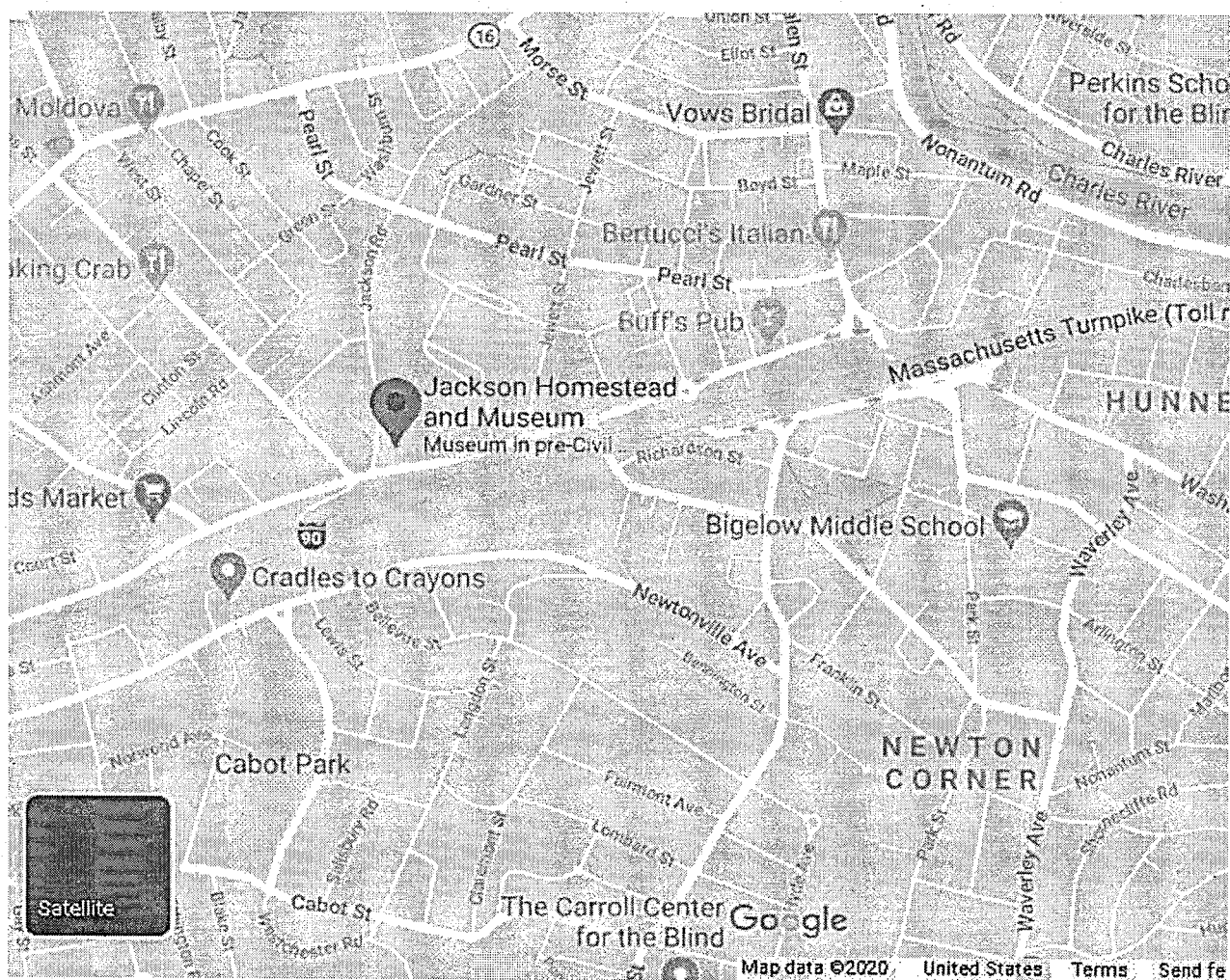
These features remain today.

3. Summary & Justification of Proposed Treatment (keyed to attachment 2; max. 1 page)

Historic Newton has looked into saving a portion of the fence, but we have been advised that it is best to conduct a complete replacement. In terms of the federal Standards for historic buildings, the project will be a *rehabilitation* in that the replacement is based on the existing fence.

4. Newton Historical Commission confirmation of local historic significance, if the resource is not already on the National register of Historic Places.

N/A. The resource is on the National Register of Historic Places.



Newton Historical Commission • Preservation Restriction Review

6 October 2020 • Lisa Dady, Director of Historic Newton / Jackson Homestead

HISTORIC
*Newton***Project Description**

The Jackson Homestead site dates to the mid-17th century as the Jacksons were among the first European immigrants to the area. The current house was built in 1809 for Timothy Jackson. The site is owned by the City of Newton and operates as a museum. The proposed work is not physically connected to the building, rather it is the fence that runs along the property's western border, along Jackson Road.

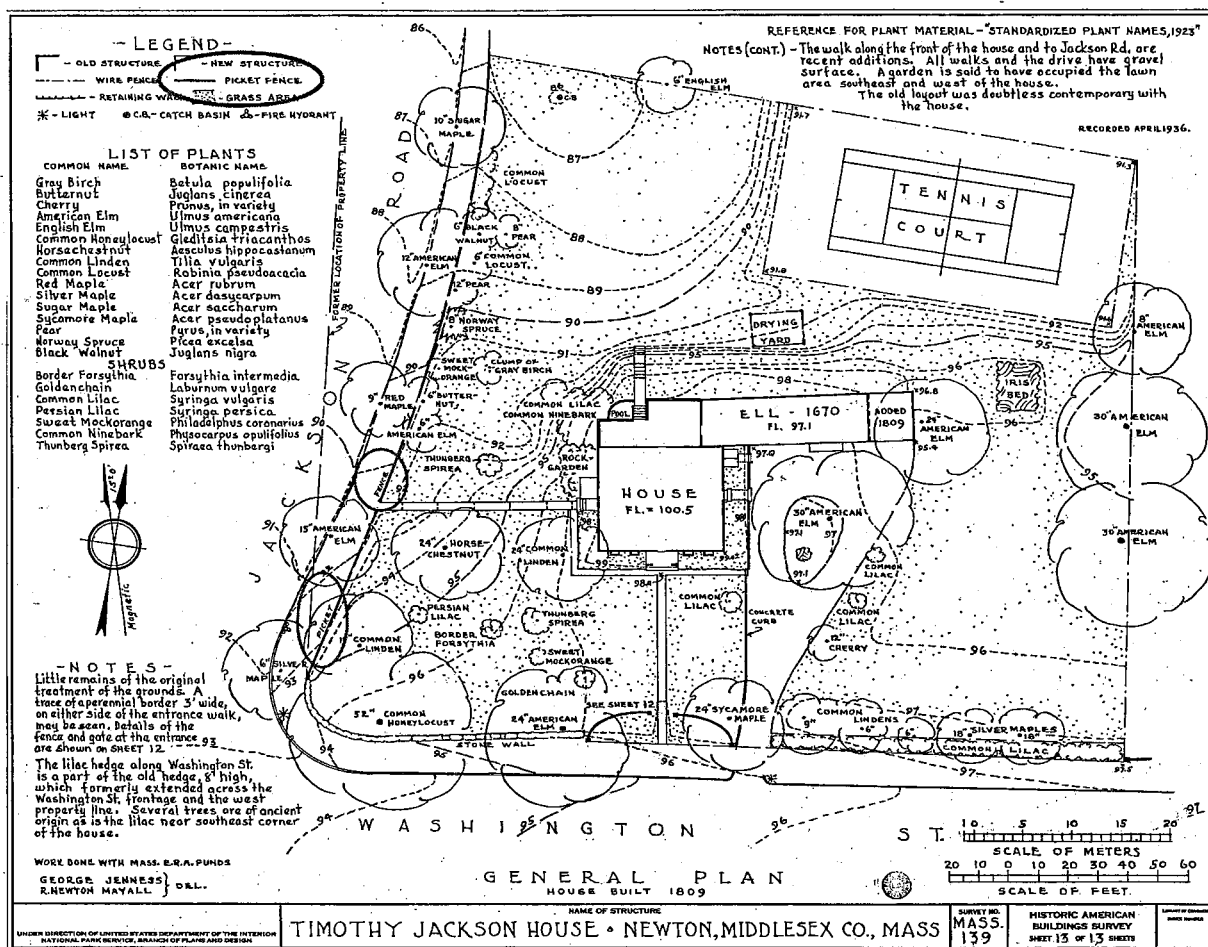
The current fence has reached the end of its useful life and needs to be replaced. The replacement design is based on four pieces of evidence: 1. the existing fence is a wooden picket fence with a scalloped top, 2. The 1935 HABS-HAER site plan indicates a wooden picket fence in that location, 3. a 1940s photo shows the design that we wish to replicate (again with a scalloped top), 4. Two photos from 1997; while they do not exactly match the 1940s design, they are quite similar and help us to understand the history of the design.

As seen in the 1940s photo, the posts only go up to the top rail and the pickets are entirely in front of the entire frame, rails and posts alike, with the scalloping of the pickets continuous along the street face, including in front of the posts. Steelco fence (City vendor) has given us a quote for the 4' tall, cedar picket fence. We are requesting an installation that has longevity, so Steelco has recommended: "Put post sleeves on all gate & terminal posts, also put a sleeve on one line post in 50' run and three line posts in 100' run." "That way you'll have a post set rock solid every 3 panels max and on all swing posts."

Thank you for your consideration of this proposal for one of Newton's most important historic sites.



Lisa Dady
Director, Historic Newton / Jackson Homestead
527 Washington Street, Newton MA 02458
617-796-1450
ldady@newtonma.gov



HABS-HAER
 Site Plan for
 Jackson
 Homestead,
 1935.



Jackson Homestead, 1940s



Jackson Homestead, 1940s.
Detail, west picket fence



Jackson Homestead, 1997.
West picket fence

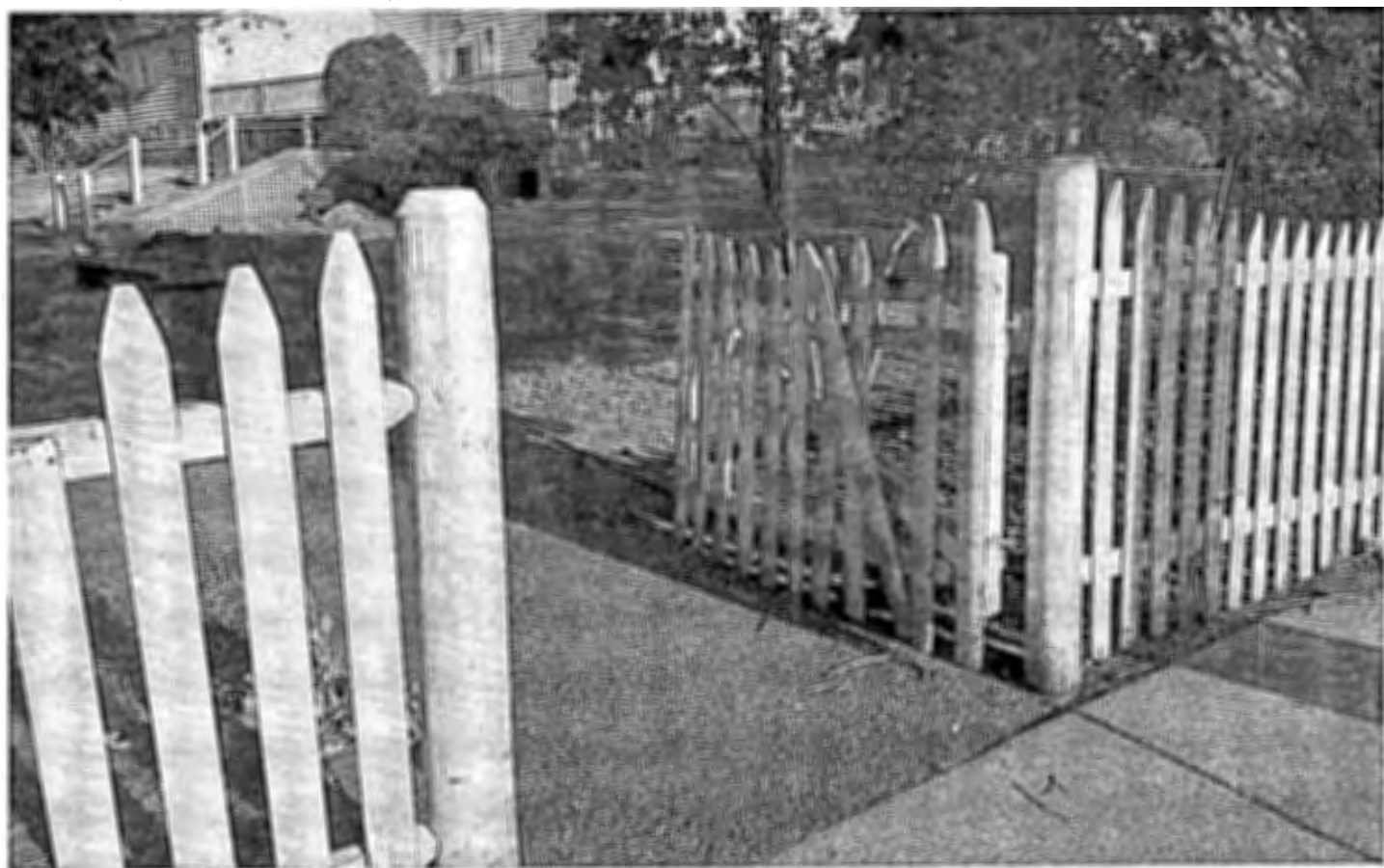


Jackson Homestead, 1997.
West picket fence

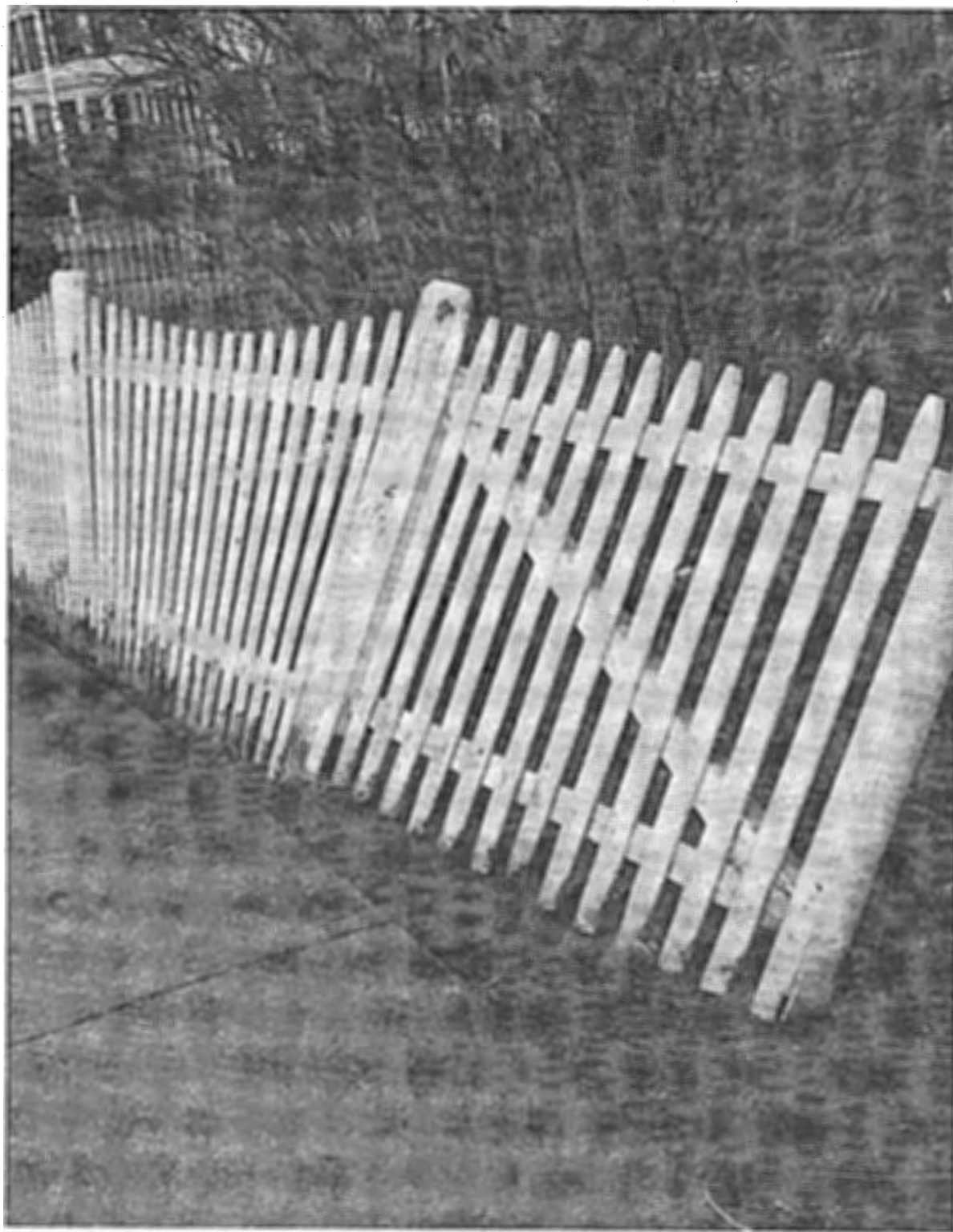


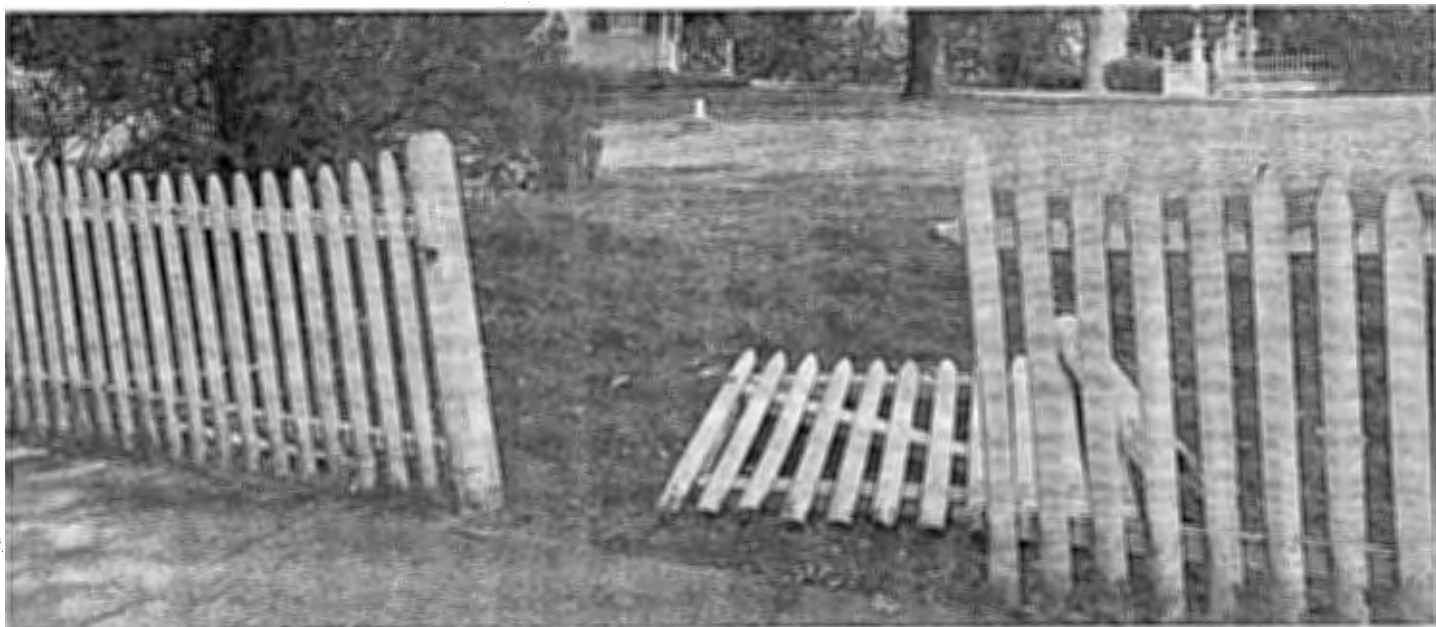
Jackson Homestead, 2020. West picket fence





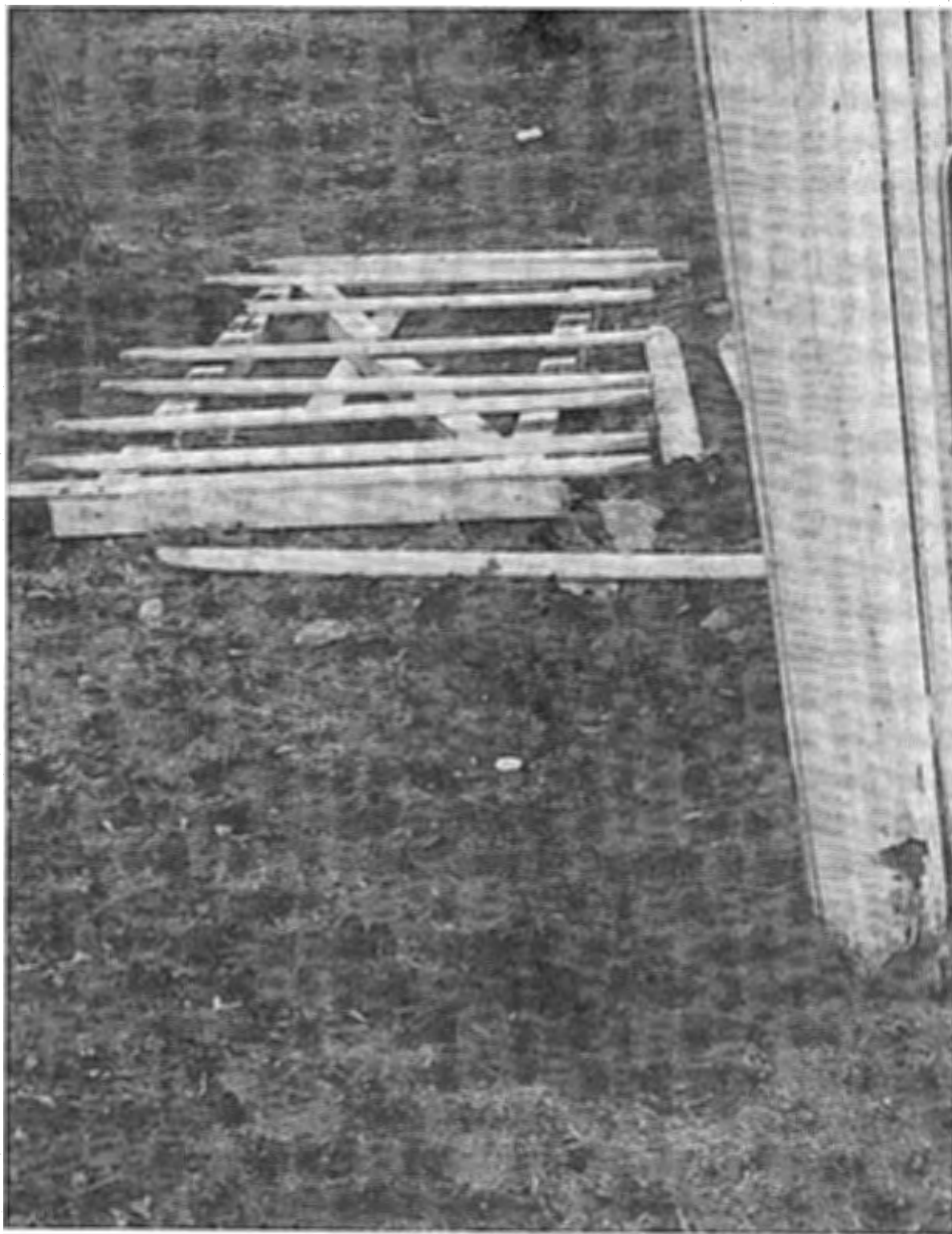
Jackson Homestead, 2020. West picket fence





Jackson Homestead, 2020. West picket fence

HISTORIC
Newton





Ruthanne Fuller
Mayor

City of Newton, Massachusetts

Department of Planning and Development

1000 Commonwealth Avenue Newton, Massachusetts 02459

Telephone **38-21**
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Barney S. Heath
Director

Newton Historical Commission Demolition Review Decision

Date: 10/16/2020 Zoning & Dev. Review Project# 20100029

Address of structure: 527 Washington Street, LL, PR – Certificate of Appropriateness

Type of building : House and grounds

If partial demolition, feature to be demolished is fence replacement in kind

The building or structure:

is is not X in a National Register or local historic district not visible from a public way.
is X is not on the National Register or eligible for listing.
is X is not importantly associated with historic person(s), events, or architectural or social history
is X is not historically or architecturally important for period, style, architect, builder, or context.
is is not X located within 150 feet of a historic district and contextually similar.

is NOT HISTORICALLY SIGNIFICANT as defined by the Newton Demolition Delay Ordinance.
Demolition is not delayed and no further review is required.

is X HISTORICALLY SIGNIFICANT as defined by the Newton Demolition Delay Ordinance (See below).

The Newton Historical Commission staff:

X APPROVES the proposed project based upon materials submitted see below for conditions (if any).
Demolition is not delayed, further staff review may be required.

 DOES NOT APPROVE and the project requires
Newton Historical Commission review (See below).

The Newton Historical Commission finds the building or structure:

is NOT PREFERABLY PRESERVED
Demolition is not delayed and no further review is required.

is PREFERABLY PRESERVED – (SEE BELOW).

Delay of Demolition:

 is in effect until

 has been waived - see attached for conditions

Owner of Record:

Please Note: if demolition does not occur within two years of the date of expiration of the demolition delay, the demolition will require a resubmittal to the Historical Commission for review and may result in another demolition delay.

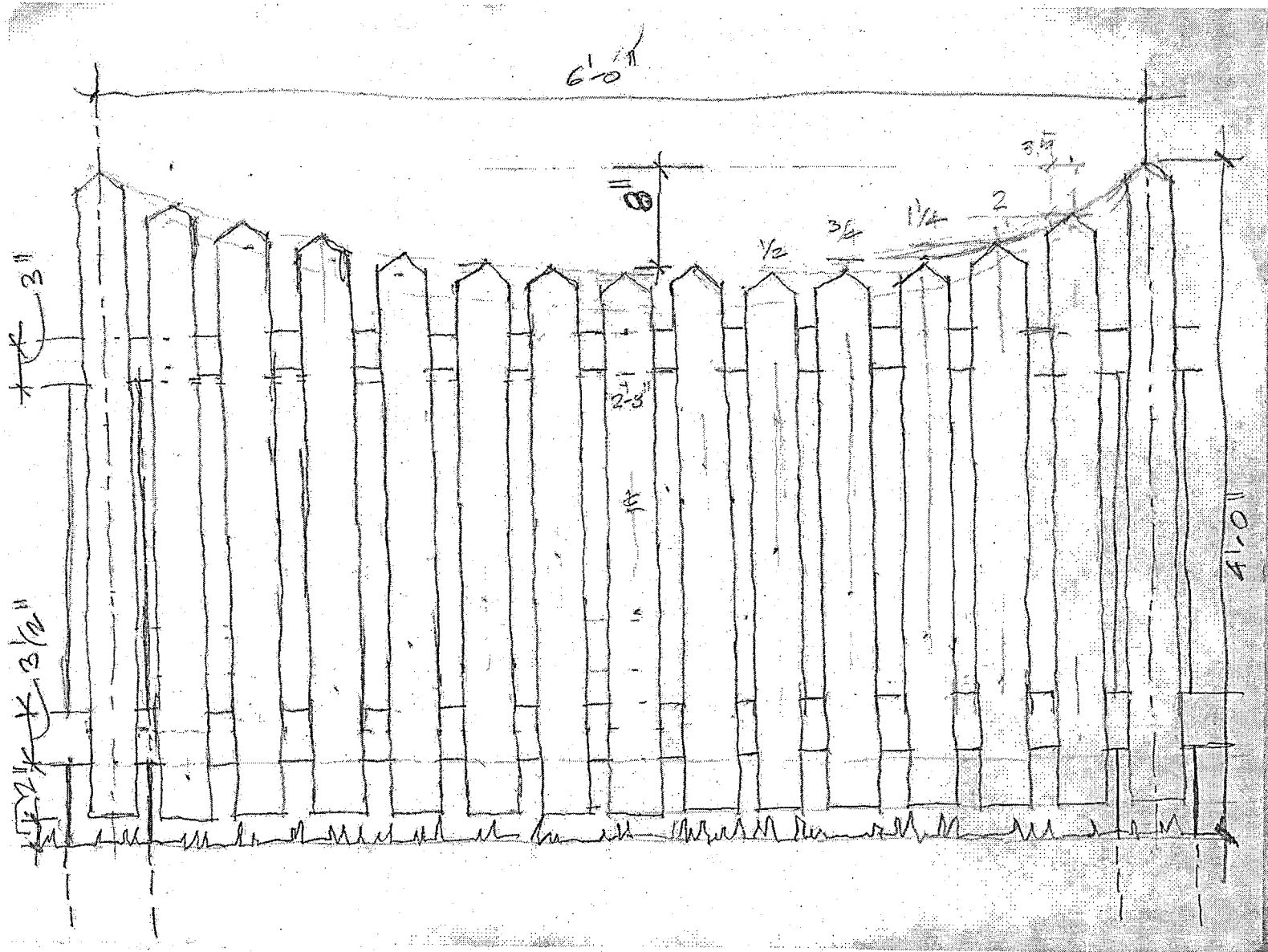
Determination made by:

Katy Hax Holmes, NHC

Preserving the Past



Planning for the Future



STEELCO FENCE

19 Brook Road – PO Box 520
Needham Heights, MA 02494
781-449-8990
781-449-7182 Fax

PROPOSAL

38-21
HIGH SECURITY FENCE
ORNAMENTAL FENCE
CHAIN LINK FENCE
WOOD FENCING
GUARDRAIL
CONSTRUCTION FENCE RENTAL

DATE: 12/9/2020		PROJECT INFO: Jackson House – Removal of Existing Fence, Installation of New Custom Wood Fence & Gates
CUST: City of Newton 1000 Commonwealth Ave. Newton, MA		
ATTN: Derek Mannion	CELL: (617) 212-5191	
PHONE:	FAX:	
EMAIL: dmannon@newtonma.gov		Taxable: <input type="radio"/> YES <input checked="" type="radio"/> NO - Need exempt certs ST 5c and ST-2

ITEM	Cost
<p>Scope: Remove approximately 210 linear feet of 4' high spaced picket cedar fence with one 12' double gate and two 4' single gates along sidewalk at Jackson House. Steelco will then furnish & install 210' of new custom designed cedar fence. New fence to include:</p> <ul style="list-style-type: none">-4' high x 8' wide panels with two 2" x 3" backing rails. Top rails shall be mounted flat (3" side down) to tops of posts. Bottom rails shall be mounted vertically (2" side down) into dado cuts in posts.-Spear-topped pickets shall be 3" wide x 1" thick flat face boards spaced 2" apart and scalloped. A full 4' high picket shall be affixed to face of each post.-Posts shall be 5" round x 4' high with a 2" x 3" dado cut at bottom to accommodate bottom rail.-Gates to be hung with black latches and 8" black butterfly hinges. Gate specs to match those of fence. <p style="text-align: right;">Pricing:</p> <p style="text-align: right;">Option #1 – Post Savers on All Posts:</p> <p style="text-align: right;">Material required to complete work as requested = \$11,722.84</p> <p style="text-align: right;">2-man crew equipped & experienced to complete work as requested @ \$275.00 / hour x 68 = \$18,700.00</p> <p style="text-align: right;">Option #1 Price: \$30,422.84</p> <p style="text-align: right;">Option #2 – Post Savers on End Posts Only:</p> <p style="text-align: right;">Material required to complete work as requested = \$11,389.64</p> <p style="text-align: right;">2-man crew equipped & experienced to complete work as requested @ \$275.00 / hour x 64 = \$17,600.00</p> <p style="text-align: right;">Option #2 Price: \$28,989.64</p> <p>Notes:</p> <ul style="list-style-type: none">-Price assumes Steelco personnel will have direct, unimpeded, uninterrupted access to work area throughout installation process along with a continuous & convenient place to park work vehicle(s).-Price excludes staining, permits, police details / traffic controls. Additional exclusions on following page.	

<p>Quote Valid 15 Days</p> <p><input checked="" type="radio"/> Net 30 Days with Approved Credit</p> <p><input type="radio"/> COD Payment Due Upon Install - Cash or Check Only</p> <p><input type="radio"/> 50% Down and 50% Upon Completion</p> <p>Rep: Reid Ogren, PM/Estimator</p> <p>Email: reid@steelcofence.com</p>	<p>I have read and understand the terms and conditions on the front and attached sheet.</p> <p>X</p> <p>Date:</p>
--	---

TERMS: Description of work will be followed exactly as specified unless there is a note on the contract indicating change. COD customers must pay on delivery with check or cash only. No retainage on fence rentals. Pricing based on having unimpeded access to the installation area for personnel, trucks, auger equipment and redimix trucks to install the entire scope of work. EXCLUSIONS: Engineering, structural certifications, review and stamping of drawings by a registered engineer, surveying, layout, establishing finished grades, permits, fees, restoration, traffic controls, patching, removal of excavated materials, union stewards, non-standard insurance (I.E. L&H Insurance, etc.), bond premiums. All design criteria the responsibility of the spec writer. Winter Exclusions: Pricing is based on normal weather conditions. Snow removal, frost excavation, and severe cold conditions are not included. ADDITIONAL FEES billed unless otherwise noted above: Any time spent for special employee training, customer or owner training & orientation, drug tests, CORI, badging time, downtime not caused by Steelco, and wasted trips. *Additional terms and conditions on the attached Steelco Terms sheet are incorporated by reference into this agreement.

STEELCO CHAIN LINK FENCE CO., INC. hereinafter called Seller, agrees to sell material and/or labor and material to the person listed on the front hereof, hereinafter called Buyer.

ADDITIONAL EXCLUSIONS - Unless specified, the following exclusions apply to all projects: Clearing, grubbing, grading, painting or staining, electrical grounding, mow strips, sono tubes, and, for fence on walls, anchor bolts or sleeves to be furnished and installed by others.

ACCEPTANCE - ENTIRE AGREEMENT - This Proposal, when signed by Buyer is a binding contract between Seller and Buyer. The Seller reserves the right to charge an amount equal to 25% of the amount of the total contract price for cancellation.

Buyer **PROMISES TO PAY** for the work to be done in accordance with the **TERMS** on the face hereof.

INTEREST 18% PER YEAR - Any payment not paid on or before due date bears interest at the rate of 18% per year from the date of the invoice until paid in full.

REPOSSESSION OF MATERIALS - If payments are not made when due, the Seller reserves the right to repossess all materials delivered to the jobs without recourse.

LEGAL FEES - If the Seller employs an attorney to collect a payment not paid when due, the Buyer will pay, as liquidated damages, 1/4 of the total contract price if payment is made after the **DEMAND LETTER** but before arbitration is demanded or suit is filed, 1/2 of the total contract price after arbitration is demanded or suit is filed and 3/4 of the total contract price if the arbitration or suit is taken to judgment. In addition, the Buyer will pay all arbitration fees, court costs and other reasonable expenses incurred in collecting the amount due.

The Buyer hereby authorizes the Seller to, as deemed necessary by Seller, arrange with a qualified contractor to furnish any labor, tools, equipment, and materials necessary to complete the work contracted herein, and the Seller to pay said contractor his charge upon completion thereof.

The Buyer hereby assumes full responsibility for location of the line upon which said material is to be installed and agrees to hold the Seller and the contractor harmless for all claims arising from questions of survey of said property or location of said lines, and from all claims for personal injury, property damage or trespass from or by means of the installation of said fence material.

CHANGES - If proposed work is changed, after an agreement is signed, or extra material is installed, or the installation crew performs extra services, or if undue delay is caused the Seller, the Buyer shall pay labor and materials per Steelco's standard Additional Work Rate sheet. A copy of the current rate sheet is available upon request. A per trip mobilization fee shall apply where a separate trip is required to perform work regardless of whether contractual unit prices are established.

If **PAYMENT** is made to salesman it must be shown on the contract and a receipt received. The Seller will issue an official

receipt for all monies received at its main office. The receipt will be mailed to the Buyer. The Seller will not be responsible for monies not receipted for in this manner. The Plans and Instructions on reverse side of this Contract are a part of the **CONTRACT. PLEASE READ YOUR PLAN.**

You, as the Buyer **ARE SOLELY RESPONSIBLE FOR LOCATING PROPERTY LINES.**

In submitting this Proposal, it is assumed that there is no underlying **ROCK** on the **PROPERTY** which will necessitate **DRILLING** or **BLASTING**, or any other **UNUSUAL CONDITIONS** involving **EXTRA LABOR** in the erection of this fence. Should any of the above conditions be encountered or should any **CHANGES** be made by the Buyer after **SHIPMENT** is made, **CHARGE WILL BE MADE** covering the actual cost of such work plus 20% for overhead and profit.

When erection is **SUSPENDED** at the Buyer's **REQUEST**, the **EXPENSE** of **TIME** and **TRAVEL** to return to complete the job is to be **CHARGED TO Buyer** plus 20% for overhead and profit.

Before the work of installation is commenced Buyer **SHALL FURNISH** the Seller with the **LOCATION** and **CHARACTER** of any **UNDERGROUND WIRES, PIPES, SEWERS, CONDUITS, OBSTRUCTIONS, CONDITIONS** or **RESTRICTIONS** of any nature which might interfere with or be damaged by the Seller's work or be the cause or occasion of injuries or other damages. If Buyer **SHALL FAIL TO DO SO**, Buyer agrees to release, indemnify, save harmless and defend the Seller from and against all **LIABILITY, LOSS, DAMAGE, and EXPENSE** caused or occasioned thereby.

In the event that the fulfillment of this contract is not completed within 30 days - that material and labor completed shall be due and payable each and every 30 days as work progresses.

NO CONDITIONS, AGREEMENTS or **STIPULATIONS, VERBAL** or **OTHERWISE**, except those listed on the front and back of this contract shall be binding upon the parties.

ARBITRATION - Any controversy or claim arising out of or relating to this contract, or the breach thereof, shall be settled by arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof. The locale of any Arbitration Proceeding held under this Agreement shall be Boston, Massachusetts and the applicable law shall be the laws of the Commonwealth of Massachusetts.

SPECIAL CONDITIONS

1. On pools that incorporate the house or other buildings as part of the enclosure doors and windows that lead to the pool area should have additional child proof locks.
2. Gates should be padlocked.
3. A secondary fence between the pool and the house should be considered for reasons of safety.
4. Steelco recommends 6' high fence for pools.

BUYER INITIALS: _____