



Public Facilities Committee Report

City of Newton In City Council

Wednesday, April 7, 2021

Present: Councilors Leary (Chair), Laredo, Kelley, Danberg, Norton, Kalis, Gentile and Crossley

Also Present: Councilor Downs

City Staff Present: Commissioner of Public Works Jim McGonagle, Chief of Staff for the Department of Public Works Shawna Sullivan, Commissioner of Public Buildings Josh Morse, City Engineer Lou Taverna, and Deputy Director of Public Buildings Alex Valcarce

Public Hearing

#109-21 Petition for grant of location on Parmenter Road

EVERSOURCE ENERGY petition for a grant of location to install a guy wire, hip and anchor at pole #109/3 on Parmenter Road. (Ward 3)

Action: **Public Facilities Approved 7-0 (Councilor Danberg not voting)**

Note: Lou Taverna, Associate City Engineer presented the request for a grant of location in Parmenter Road. Shauna Kyle and Richard Schifone, Eversource representatives were also present for the discussion. This work is at the northeast corner of Parmenter, and Ellsworth near the Waltham line. Mr. Taverna explained that pole #109/3 is currently leaning and Eversource is proposing a guy wire with a yellow plastic sheet, so it is visible to pedestrians. The guy wire will help with the leaning of the pole. He noted that this is within in the grass strip and added that the Engineering has reviewed this site.

Committee members asked the following questions:

Q: Could this be a hazard for pedestrians?

A: Mr. Taverna explained that they have to maintain a 3 ft clear so that pedestrians can safely walk past the guy wire.

Q: Is this the best practice to secure a pole that is leaning?

A: Mr. Taverna explained that this is best practice and that there are guy wires throughout the City. Currently there are more wires pulling this pole to one side and the guy wire is a fix that will last for the foreseeable future.

Q: Were the abutters notified of this project?

A: Mr. Taverna confirmed that abutters were notified.

The public hearing was opened and with no member of the public wishing to speak the public hearing was closed.

Councilor Kelley motioned to approve which passed 7-0 with Councilor Danberg not voting.

Public Hearing

#110-21 National Grid petition for grant of location in Circuit Ave and Thurston Road
NATIONAL GRID petition for a grant of location to install and maintain gas main in Circuit Avenue and Thurston Road as follows:

- 1530'± of 4" plastic main in Thurston Road from the 8" plastic main in Circuit Avenue to the end of the main at #114 Thurston Road to replace 1530'± of 6" LP bare steel main;
- 1055'± of 4" of plastic main in Cottage Street from Thurston Road to Elliot Street to replace 845'± 4" LP cast iron and 10'± of 4" of LP plastic main;
- 320'± of 4" plastic main in Columbia Avenue from Cottage Street to the end of the main at #31 Columbia Avenue to replace 320'± of 4" LP bare steel main;
- 510'± of 4" plastic in Champa Street from Cottage Street to the end of the main at #41 Champa Street to replace 510'± 4" LP cast iron main

This work is a part of the Cast iron Main Replacement Program. (Ward 5)

Action: **Public Facilities Approved Subject to Second Call 8-0**

Note: Mary Mulrone, National Grid representative presented the request for a grant of location in Circuit Ave, Thurston Road, Cottage Street, Columbia Ave and Champa Street. She noted that this is a part of National Grid's Cast Iron Main Replacement Program.

Committee members asked the following questions:

Q: What will the process be to open all of these roads?

A: Mr. Taverna explained that they will be calling for a pre-construction conference as part of the Engineering permits that National Grid's contractor will need to obtain. The process will be discussed during this meeting along with road restoration and where each crew will be at any given time. The Fire and Police Department will be involved because these are narrow roads, and it may require closing roads during the day. The Engineering Department also requires a traffic management plan to be able to have a plan for pedestrians and bicyclist. Currently, this is all to be determined.

Q: Will the pre-construction conference include a community meeting?

A: Mr. Taverna explained that they are able to have a community meeting.

Q: What is the timeframe for this project?

A: Mr. Taverna explained that this is based on National Grid's schedule. He noted that once it is approved by the Public Facilities Committee, it does still need to be approved by the full City Council.

Q: Is this only pipe replacement or will there be an extension?

A: Mr. Taverna explained that this is his understanding. Ms. Mulrone confirmed that this work is to replace old pipes.

Q: It states in the docket item that National Grid will be installing 1055'± of 4" of plastic main in Cottage Street from Thurston Road to Elliot Street to replace 845'± 4" LP cast iron and 10'± of 4" of LP plastic main. Is this a correct statement?

A: Ms. Mulrone explained that this may be an error in the language but she would get back to the Committee on this question.

The public hearing was opened.

Paul Coletti, 34 Columbia Ave explained that the gas line that comes down Columbia Ave is only on the public portion of the street. He noted that in the docket language it states the line will be going down to #31 Columbia Ave which is part of the private way. Mr. Coletti explained that he believes that the gas line ends at 23-25 Columbia Ave. He noted that neighbors have had problems with moisture in the gas line and the heat sometimes shutdowns because it is at the end of the line. Mr. Coletti explained that in the private way there are boilers running on oil which are 45 years old and would like to see the gas main continue so that he and his neighbors can convert to gas. He questioned if there is a way for National Grid to connect the gas main all the way down Columbia Ave to Elliot Street.

Mr. Taverna explained that they did reach out to National Grid about this issue and National Grid explained that they can't connect the Columbia Ave gas main to the Elliot Street main because of pressure differences. They would consider an extension to the end of Columbia Ave at Elliot Street not connecting but they would charge the customers for this work. Mr. Taverna explained that he could put Mr. Coletti in touch with the salesperson at National Grid.

Mr. Coletti noted that National Grid should explain to abutters what they would be putting at the end of the line to disperse the moisture that collects in these lines He also added that half of his house is connected to the Elliot Street line and the other half of the house runs on oil. Additionally, he believes that the first 100 ft of gas main is free for customers.

Ms. Mulroney explained that she will further investigate the concern of the work going into the private way.

The public hearing was closed.

Committee members made the following comments:

The abutters should be notified as soon as it is determined when this work will begin.

Mr. Taverna noted that they will make sure that National Grid notifies everyone and will plan on have an on-site meeting with residents.

The City should help facilitate a conversation between National Grid and the homeowners on the private section of Columbia Avenue so that they can also connect to the gas main. It also maybe more convenient to extend the line while National Grid is doing this work.

Mr. Taverna noted that the City Council does not have jurisdiction on a private way to extend the gas main. If they were to extend the line into the private way this would not require an application through the City Council.

Mr. Taverna also noted that he will keep the City Council informed about this project.

Councilor Crossley motioned to approve subject to second call with the following conditions which passed unanimously.

DPW will work with National Grid to organize a pre-construction meeting with abutters.

There needs to be clarification on where this project ends on Columbia Ave.

There also needs to be clarification on the footage for the following part of the project.

“1055'± of 4” of plastic main in Cottage Street from Thurston Road to Elliot Street to replace 845'± 4” LP cast iron and 10'± of 4” of LP plastic main;”

It was noted that these items need to be clarified by the Friday before the April 20th City Council meeting.

The Committee was provided with the attached information regarding the conditions after the conclusion of the meeting.

Referred to the Public Facilities and Finance Committees

#121-21 **Transfer \$146,257 from the Cabot Elementary School Owner's Contingency budget**
HER HONOR THE MAYOR requesting the authorization to transfer the sum of one hundred forty-six thousand two hundred and fifty-seven dollars (\$146,257) from the Cabot Elementary School Owner's Contingency budget to the Architect & Consultants budget so that the additional design services costs can be reviewed for eligibility by the MSBA.

Action: **Public Facilities Approved 8-0**

Note: Commissioner of Public Buildings, Josh Morse presented the request to transfer \$146,257 from the Cabot Elementary School Owner's Contingency budget to the Architect & Consultants budget so that the additional design services costs can be reviewed for eligibility by the MSBA. Commissioner Morse explained that there are no additional costs but during the post audit it was identified that there is protentional for up to \$60,000 of reimbursement from the MSBA by making this transfer. These funds were billed against the construction contingency but to be eligible for the reimbursement they would need to be bill against the owner's contingency. These costs will then be submitted MSBA to see how much of these funds could be reimbursed.

Committee members asked the following comment:

When this is brought to the Finance Committee there should be a clear financial break down to show where these funds are being transferred to.

Councilor Crossley motioned to approve which passed unanimously.

#80-20 **Discussion on the cost and benefits of undergrounding utility wires/cables**
COUNCILOR LAREDO requesting a discussion to consider the costs and benefits of undergrounding utility wires/cables when major streets are repaved.

Action: **Public Facilities Held 8-0**

Note: Commissioner of Public Works, Jim McGonagle explained that there are benefits of undergrounding utility wires/cables. These include the aesthetics, the condition of wires and not having to deal with down or double poles. Commissioner McGonagle explained that they have two options for undergrounding with Eversource. The first option is that the City funds 100% of the project which could also include a private/ public partnership. Eversource does require \$5 million per mile of undergrounding utilities. They also require a deposit of 10% of design for the \$5 million a mile figure. Commissioner McGonagle explained that on Austin Street there was approximately 722 ft of undergrounding which was shared between the City and the Austin Street Project. The City paid approximately \$413,000 to underground the wires on Austin Street. The second option is Mass General Law which is if the City wanted to require the utilities to underground the wires there would need to be a public hearing, issue a report and adopt a bylaw. Eversource estimates that it would take 15 weeks to underground 1 mile of utilities. Commissioner McGonagle explained it was a much longer process for the Austin Street project

with only 722 ft of undergrounding but noted that it is doable. This is a timely and expensive process. Eversource can be brought-in to discuss this with the committee.

Committee members asked the following questions:

Q: For the Northland project the City required the wires to be undergrounded, how much would that cost per square footage?

A: Commissioner McGonagle explained that there a couple of factors that go into this price. The first factor is that this is new development so there is a cost regardless of if the wires are overhead or undergrounded. It does make more sense in this case to underground. Commissioner McGonagle explained that they can investigate what the costs are for Northland. The difference between Northland and Austin Street is that there was overhead power at Austin Street.

Q: Can a process be made to investigate the cost of undergrounding wires when there is reconstruction or new development?

A: Commissioner McGonagle explained that this is doable but it would not be a simple process. The first step is to identify which areas of the City would like to underground utility wires. He noted that it is not expensive to open a trench but there are different regulations that will make undergrounding wires more difficult. Commissioner McGonagle explained that they will continue to investigate this issue. He noted that they may need help on the legislation side because the utilities report to the Department of Public Utilities and if there is no legislation than that is a significant amount funds that the City would have to pay before even deciding if they want to do this work. The design funds are nonrefundable.

Q: Is there an independent engineer that can help with understanding the cost and the feasibility?

A: It was noted that there are consultant firms that deal with this. Newton is also not the first community that has discussed undergrounding utilities and this has been a practice in the western part of the United States. Woodstock, Vermont has also undergrounded their utilities.

Committee members made the following comments:

This is an important public policy question for a number of reasons. One reason is that overhead wires are more vulnerable to damage than undergrounded wires. Additionally, if the goal is to continue to beautify this City than for aesthetic purposes the wires should be underground. This is especially important in Village Centers. Lastly, utility poles take space that could be used for trees. The utilities also come in and cut into existing trees so they do not interfere with the power lines. There should be a cost comparison for when wires are underground and repairs are not necessary anymore. The City Council should be looking at new developments and require wires to be underground.

The department should look at what the cost for undergrounding utilities are in other communities.

There should be a study on what it cost on resident's utility bills to underground all of the wires in the City. The department should also find out if any other community has undergrounded all of their wires.

Seth Parker, a Newton resident provided the attached questions and comments to the Committee and the Commissioner McGonagle.

Mr. Parker explained that the City should have a process to consider whether or not to underground utility wires whenever a street is opened. This way the City can make an informed decision if it makes financial sense to underground the wires. He also noted that every situation will be different. Additionally, he noted that if the street is already being opened than cost should not be as great as proposed. The City should be requiring this as part of the design process to figure out what the cost will be to underground the wires.

It was noted that when Washington Street goes under reconstruction major improvements will be made and utility poles will need to be moved. This could be a good opportunity to underground these wires at a lesser cost.

There should be further conversations on measuring the true costs and look at how developments like Northland are able to do that successfully. There should also be data on what other communities have found for cost savings after 5 to 10 years. It may also be helpful to include Ann Berwick, Sustainability Director in these conversations because that is an aspect of this issue. This may be the work for a working group with councilors, residents, the Commissioner or his designee and Ms. Berwick.

It was noted that Northland is for-profit and they have many options to be able to pay for these wires to be undergrounded, which is different to what the City can do.

Councilor Laredo motioned to hold which passed unanimously.

#111-21 **Discussion on private way acceptance and maintenance**
PUBLIC FACILITIES COMMITTEE requesting an overview of Mass General Laws and City Ordinances pertaining to private way acceptance and maintenance.

Action: **Public Facilities NAN 8-0**

Note: Commissioner McGonagle provided the attached backup related to private way acceptance and maintenance. There are approximately 360 private ways city-wide which is approximately 23 miles of street. Private ways are governed by state law and city ordinance which allows the City to do a limited number of things in private ways. The City can plow snow and collect trash in private ways. He noted that property owners can petition the City Council for

things like street acceptance and repairs. This usually requires signatures from 25%-50% of the residents on the private way depending on what they are asking for.

Councilors asked the following questions:

Q: Is there a reason the City has so many private ways and are there benefits to making these public ways?

A: Commissioner McGonagle explained that most private ways would not be accepted by the City because they do not meet engineering regulations to be a public way. This would also need to be on a case-to-case basis. There may also be the need for land taking if the street does not have sidewalks. He noted that repairs can be made by the City at the cost of the abutters. The department is not looking for anything on this item at this time. One of the things that the City can do is supply gravel to fill potholes but the residents would need to do the work. The other issue is that some residents are not aware that they are living on private ways.

Q: Can the City educate residents to make them aware they are on a private way and what their options are?

A: Commissioner McGonagle explained that they are going to be putting together a fact sheet. He also noted that there are some residents are private roads that do want to keep their roads private. There are also private road residents that do not even request materials to fix potholes from the City so that people do not speed down their road.

Q: Does the City require any design funds from residents on private ways when investigating how to make the road eligible to be public?

A: Commissioner McGonagle explained that this is not required and the City does expend time and funds to research. He noted that even if the residents decide they do not want to move to a public way the costs can't be reimbursed. Lou Taverna, City Engineer explained that they try to do the design in-house but sometimes they do need to outsource it.

Councilors made the following comments:

It was noted that private ways are private for repair purposes but trucks can still travel down these streets and create damages. The burden of fixing that does fall on the resident. It was suggested that on private ways traffic could be restricted to low speeds to minimize this damage.

Commissioner McGonagle explained that private ways can exclude trucks from traveling down the street and they can restrict parking. He noted that he will check to see if they can regulate the speed limit on a private way.

It was noted that if residents do go through Traffic Council for parking restrictions and it does passes than the City can enforce these restrictions.

The Law Department along with the Department of Public Works should review the ordinance to see if there are any changes that can be made to make the process of making a private way public.

Commissioner McGonagle noted that the there is a mix of residents that would like to make the change to a public way so unless there is not a push to do so there may not need to make any changes.

The main focus should be on educating residents about private ways.

Councilor Laredo motioned no action necessary which passed unanimously.

#112-21 Discussion on the City's Street Sweeping Program

PUBLIC FACILITIES COMMITTEE requesting an update on the City's Street Sweeping Program regarding; signage, ways to improve efficiencies and ensuring that the City is in compliance with the National Pollutant Discharge Elimination System (NPDES) permit.

Action: Public Facilities Held 8-0

Note: Commissioner McGonagle explained that the City's NPDES permit does require the City is swept at least once a year and then there needs to be a plan for targeted areas. The City currently owns eight street sweepers and they range between \$240,000 to \$350,000 per machine. They are also the highest maintenance piece of equipment. The City has been meeting their NPDES requirements and the Environmental Protection Agency (EPA) has been working with legislators and communities on giving extra credit for street sweeping. This is because data is now showing that street sweeping is critical during certain times of the year for phosphorus removal. In FY20 the City disposed over 2,000 tons of street sweepings and it is becoming more difficult to dispose of these due to regulations by the EPA. The City spent approximately \$72,000 to dispose of the street sweepings last year and this is expected to continue to increase. There have also been issues around the City with cars being parked on the street during street sweeping times. The department is looking do conduct a 6-month pilot in the Nonantum area to be able to address this issue. Commissioner McGonagle explained that they will work with Ward 1 Councilors and residents in this area to figure out what streets are impacted the most. The pilot program could include signage and enforcement.

Councilors made the following comment:

It does make sense to have a pilot program where there is signage that states the two days a month that will be set for the street sweeping. In other communities' cars that are parked on the street are either fined or towed.

Teresa Sauro, and Mairead Devlin, Nonantum residents joined the committee to discuss their concerns with street sweeping in Nonantum.

Ms. Sauro explained that Cook Street does not get swept due to cars being parked in the road. She noted since the parking ban has been lifted there have been cars parked on the street at all times. She explained that she would like to try the pilot program in Nonantum.

Ms. Devlin explained that she also has the same concerns in her area. She noted that she would be happy to help out with the pilot program.

Councilor Laredo motioned to hold which passed unanimously.

The Committee adjourned at 9:13 p.m.

Respectfully Submitted,

Alison M. Leary, Chair

The City Councilors had follow up questions to the Grant/ petition for Cottage Street the other night. I sent the questions out and here are the responses I received back. Please let me know if you have any further questions as I know this is going for a second approval (hearing). Just a note I believe that Mr. Paul Coletti has been contacted by our sales department they are aware of his request.

1. Councilor Crossley would like to have a Community Meeting with Nationgrid and The DPW to discuss a traffic plan for the residents. The City of Newton DPW engineer Lou Taverna said that will not be a problem for him.

National grid will have Tammy Saporito and Jeff Moore (supervisor) available for the Neighborhood meeting that Councilor Crossley requests. Lou can reach out to them when needed.

2. Please review request the 845 feet and 10 feet replacement does not equal 1055 feet of new 4 inch plastic.

The uneven footage is because of the 200 foot extension in Cottage St to Thurston Rd in order to upgrade the system from LP to 22 psig. There is a Public Works work order (wo#1370006 - CIRCUIT AVE, NEW - LP to 22#) planned for this year as well that we plan to tie into. I have talked to Gene Au and he said that this is still in the plan for this FY and it looks like are just waiting on a permit.

3. The address on Columbia Ave is house #31 that is a private road .

I believe #31 in the long description was a rough estimation of where the main ends, but we will only be going up until where it actually stops. If the main stops at #22 then we will only relay the main up until #22 and dead end our new plastic main there. Sorry for the confusion, but sometimes when the long description is created a rough address range is added even though the main might not exactly reach that house number.

Thank you again,
Mary Mulrone (National Grid Representative)

April 5, 2021

To: City of Newton Public Facilities Committee

Re: April 7, 2021 Meeting Item 80-20 Undergrounding Utility Wires

Dear Committee Members,

First, I want to thank this Committee for studying my suggestion for the City to consider undergrounding utility wires. The City should have reasonably accurate information to decide whether to underground utility wires when a major street is repaved. The City should be able to enjoy a low incremental cost of undergrounding utilities when the street (including those on bridges) is uncovered and accessible. This could be accomplished by requiring the project engineer to prepare an incremental cost estimate for any major repaving project, consistent with the base cost estimate.

Any incremental cost estimate should take into account any cost savings:

- Avoiding having to trench and repave the street
- Avoiding the need to install new poles and transfer overhead wires
- Having work crews and equipment mobilized

Commonwealth Avenue and City Hall are excellent examples of the visual benefits of undergrounding utility wires. Minimizing outages by protecting those wires is an added benefit.

Second, please see my comments below on Commissioner's McGonagle's April 1, 2021 memo on Undergrounding Information (reproduced in blue).

The first option: The City funds 100% of the project.

The typical rule of thumb for an estimated cost for undergrounding is approximately \$5.25 million per cable mile for Eversource's portion of the construction only. These costs can escalate substantially depending on the congestion of the roadway or the many different electrical service requirements of each individual electrical customer. Recent estimates in the area were more than the \$5.25 million per mile for the electric portion only.

The incremental cost to underground utility wires likely varies considerably, so a rule of thumb is unreliable. The City should not rely upon this it without the following information.

- What are the key assumptions behind this rule of thumb? For example, is this for urban, suburban, or rural locations? When and how was it prepared?
- What is "Eversource's portion" and what is not? Is service to customers along the route included?
- Are there economies of scale for distances and number of wires?
- Does this include trenching and repaving work that would not be required if a street is to be repaved?

It would be much more valuable if Eversource could provide a recent cost estimate for an actual undergrounding project in a New England location comparable to Newton.

Eversource requires a design deposit for engineering and design work. The initial cost for the engineering and design is 10% of the approximately \$5.25 million per cable mile for the area proposed to underground. The deposit for Eversource's engineering and design is nonrefundable and will be deducted from the final cost should the project move forward. Eversource will not begin any of the engineering and design work for a project until the design deposit is paid in full.

A design deposit should not dissuade the City. Please bear in mind the City pays these costs anyway:

- It is customary for the City to pay the entire cost for street repaving work. Design costs get rolled into and are part of the total costs.
- When utility poles are moved as part of such work, the pole owners and utility wire companies recover those costs from the City through their rates.

Eversource estimates that it will take approximately 15 weeks for each mile to engineer and design the infrastructure needed for the new underground service but our experience with any of their engineering is it takes much longer for design.

Before a street is repaved, I understand the City typically checks if the existing underground utilities need to be replaced to avoid having to dig up a newly repaved street. The necessary design and engineering work takes time. Including consideration of undergrounding utility wires will add time, but the 15 week/mile for incremental design and engineering work is likely as unreliable as the \$5.25/mile rule of thumb.

- What is the basis for a 15 week/mile engineer and design period? Is this the incremental time for a street that will be repaved?
- If a street is to be repaved, the engineer would have to consider all the existing utilities, e.g., water, sewer, gas. Adding conduit for power, cable, and phone wires should be manageable.

In summary, the City is not addressing any particular street project at this time. My suggestion is to put a process in place for the City to have accurate and pertinent information (including cost) to properly consider undergrounding utility wires when major street are to be repaved in the future. Please contact me if you require any more information.

Sincerely,

Seth Parker
26 Shornecliffe Rd
Newton, MA
Cell: 617.480.2131

Part I	ADMINISTRATION OF THE GOVERNMENT
Title VII	CITIES, TOWNS AND DISTRICTS
Chapter 40	POWERS AND DUTIES OF CITIES AND TOWNS
Section 6C	REMOVAL OF ICE AND SNOW FROM PRIVATE WAYS; CONDITIONS

Section 6C. A city or town which accepts this section in the manner provided in section six D may appropriate money for the removal of snow and ice from such private ways within its limits and open to the public use as may be designated by the city council or selectmen; provided, that, for the purposes of section twenty-five of chapter eighty-four, the removal of snow or ice from such a way shall not constitute a repair of a way.



Private Ways

Definitions:

Private way. Any way which is not a public way.

Qualifying private way. Any private way (as defined above) which, if it were to be laid out as a public way under the standards set forth in section 26-47, would result in a layout which substantially and adversely affects existing land uses, historical or geological features.

Major temporary repairs. The surfacing or resurfacing of a way with bituminous concrete and the installation of drainage where appropriate as determined by current city standards and by recommendation of the commissioner of public works.

Minor temporary repairs. The filling of potholes, depressions and ruts with bituminous concrete or other suitable material, and not including installation of drainage.

Privately funded repairs. Repairs as deemed necessary and prudent by the commissioner of public works as further provided in subsection (e).

Repair Options for Qualifying Private Ways

Minor temporary repairs - The DPW may make minor temporary repairs on a qualifying private way upon receipt of a petition signed by no less than twenty-five percent (25) of the owners of the abutting estates on said private way. Such repairs shall be made only after the commissioner of public works has determined that such repairs are required by public necessity and prudence and subject to resource availability. The cost of minor temporary repairs shall be borne entirely by the city

Major temporary repairs – At least fifty percent (50%) of the owners of the abutting properties on the private way submit a petition requesting major temporary repairs to the City Council. If the City Council approves the petition, the major temporary repairs can be done. One hundred percent (100%) of the total cost of major temporary repairs are assessed as betterments upon the owners of abutting properties in proportion to the lineal frontage of their estates. In no event shall the betterments exceed the betterments that would be assessed on such owners pursuant if the way were to be laid out as a public way.

Petitions must include a statement that the way will remain open for public use for the life of the repairs.

Delivery of gravel. The commissioner of public works may, upon request by any owner of a property abutting any private way, provide gravel for use by the residents for filling potholes, depressions and ruts in such private way. The cost of providing such material shall be borne entirely by the city

Repair Options for Non-Qualifying Private Ways

Privately funded temporary repairs - The DPW may make temporary repairs on a private way upon receipt of a petition signed by no less than twenty-five percent (25%) of the owners of the abutting properties on said private way, provided that payment for such repairs is made in full by said petitioners. Such repairs shall be made only after the commissioner of public works has determined that such repairs are necessary and prudent to make such private way safe and convenient for travel and only after the commissioner of public works has also determined that the city has the necessary resources available to devote to such repairs. The commissioner shall require the petitioners to produce a certificate from the city collector-treasurer that the amount of cost of performing the repairs, as estimated by the commissioner, has been deposited with the city collector-treasurer, before such repairs are undertaken. Before beginning privately funded repairs the commissioner shall require execution of an agreement providing that the final cost of such work, even though in excess of the estimated amount deposited, will be paid within thirty (30) days after the rendering of the bill, provided however that such additional amount shall not exceed twenty percent (20%) of the original estimated amount, unless otherwise mutually agreed by the parties.

Street Acceptance

No street or way shall be laid out and accepted by the city unless the construction thereof conforms to the provisions of section 26-47 and no permits for building thereon shall be issued by the commissioner of inspectional services. (Rev. Ords. 1973, § 19-74; Ord. No. S-301, 2-1-88; Ord. No. S-324, 5-2-88)

Sec. 26-47. Specifications. The final construction of all streets or ways constructed completely by the owners, or constructed by the city under the law relating to the assessment of betterments, shall conform to the following specifications, which specifications shall constitute minimum requirements for the layout, construction and acceptance of streets or ways in the city....