

CITY OF NEWTON
IN BOARD OF ALDERMEN
FINANCE COMMITTEE AGENDA

MONDAY, MARCH 9, 2015

7 PM
Room 211

Chairman's Note: The Committee will review the June 30, 2014 Independent Financial Audit Report with Matt Hunt of Clifton, Larson, Allen, LLC, the City's independent auditor. Please bring the Management Letter, GAO and OMB A-133 Reports, and the Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 2014 that you received in this week's packet.

ITEMS SCHEDULED FOR DISCUSSION:

Appointment by His Honor the Mayor

#49-15 SARAH ECKER, 68 Prospect Park, Newtonville appointed as a member of the OTHER POST-EMPLOYMENT BENEFITS TRUST FUND for a term to expire March 31, 2018 (60 days 05/02/15) [02/24/15 @ 1:28 PM]

#51-15 HIS HONOR THE MAYOR requesting authorization to transfer the sum of fifteen thousand dollars (\$15,000) to the City Clerk's Advertising/Publication Account from the following City Clerk accounts:

| | |
|------------------------------|----------|
| Seasonal Wages | \$10,000 |
| Voting Machine Supplies..... | \$5,000 |

#54-15 COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of twenty thousand dollars (\$20,000) from the Community Preservation Fund to the City Clerk, to create a strategic plan for the long-term preservation, storage and use of archival and historic records held by all City departments, as described in the proposal submitted in November 2013. [02/17/15 @ 8:57 AM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#15-15 COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of nine hundred eighty thousand dollars (\$980,000) from the Community Preservation Fund's general fund balance and reserve to the Parks and Recreation Department for the Waban Hill Reservoir at Manet Road and Reservoir Drive in Chestnut Hill, including: real property acquisition; a grant to the Newton Conservators for monitoring and enforcing a conservation restriction; initial dam safety compliance, public safety and accessibility improvements; and a master plan, as described in the proposal submitted November 13, 2013. [12/22/14 @ 8:57 AM]

PROGRAMS & SERVICES APPROVED 7-0-1 (Hess-Mahan abstaining) on 02/04/15

The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, *please contact John Lojek, at least two days in advance of the meeting: jllojek@newtonma.gov, or 617-796-1064. For Telecommunications Relay Service dial 711.*

- #33-15 HIS HONOR THE MAYOR requesting authorization to expend nine thousand four hundred twenty-three dollars (\$9,423) in additional grant funding received as part of the Massachusetts Municipal Public Safety Staffing Grant. [01/26/15 @ 1:03 PM]
- #53-15 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of two thousand two hundred thirty dollars (\$2,230) from ISD Fines Receipt Reserved for Appropriation to ISD expenses for the purpose of hiring a land surveyor and the purchase of enforcement tickets. [02/23/15 @ 4:55 PM]
- #52-15 HIS HONOR THE MAYOR requesting authorization to transfer the sum of ten thousand dollars (\$10,000) from the Liability Self Insurance Fund to the Judgment and Settlements Account to cover the settlement of a claim against the City of newton regarding an automobile accident involving a city vehicle. 02/23/2015 @ 4:55 PM]
- #50-15 HIS HONOR THE MAYOR requesting authorization to appropriate eleven thousand five hundred fifty dollars (\$11,550) from the Energy Stabilization Fund to obtain an Energy solar Consultant to assist the City in developing solar projects on the landfill and several other locations on City properties. [02/23/15 @ 4:55 PM]
- #34-15 HIS HONOR THE MAYOR requesting authorization to accept and expend one million one hundred sixty-three thousand sixty-two dollars (\$1,163,062) received from the Massachusetts Department of Transportation as a result of an increase in Chapter 90 funding. [01/26/15 @ 1:04 PM]

Reappointment by His Honor the Mayor

- #56-15 MICHAEL FLYNN, 23 Thelma Road, Dorchester, re-appointed to the BOARD OF ASSESSORS for a term expiring on February 1, 2015. (60 days 05-02-15) [02-27-15 @ 3:06 PM]
- #41-11(2) ALD. CICCONE requesting implementation of the fees associated with the Winter Overnight Parking Pilot Program. [09/19/13 @ 3:49 PM]

ITEMS NOT SCHEDULED FOR DISCUSSION:

REFERRED TO LAND USE & FINANCE COMMITTEES

- #55-15 COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of five hundred eighty-four thousand twenty-nine dollars (\$584,029) from the Community Preservation Fund to the Planning & Development department for a grant to citizens for Affordable Housing Development in Newton (CAN-DO), to create two units of permanently affordable rental housing at 54 Taft Avenue, West Newton, as described in the proposal submitted in January 2015. [02/17/15 @ 8:57 AM]
- #25-15 ALD. GENTILE requesting a discussion regarding the establishment of an Investment Advisory Committee to be comprised of the Treasurer, Chief of Staff/Chief Financial Officer, Comptroller, Chairman of Finance and three residents of the City of Newton. [01/09/15 @ 1:57 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #471-14 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of four hundred thousand dollars (\$400,000) from Free Cash to fund the design, construction, and relocation of modular buildings from Zervas Elementary School to Newton South High School for special education program needs. [11/24/14 @ 3:43 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #470-14 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of one million dollars (\$1,000,000) from bonded indebtedness for the purpose of funding the installation of an elevator and other accessibility improvements at the War Memorial at City Hall. [11/24/14 @ 3:43 PM]

REFERRED TO PUBLIC SAFETY & TRANS AND FINANCE COMMITTEES

- #465-14 ALD. SANGIOLO, GENTILE AND HARNEY requesting a discussion regarding reducing the fee charged to residents for permit parking programs. [11/17/14 @ 12:40 PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #464-14 ALD. SANGIOLO requesting discussion with the Department of Veteran's Services and the Executive Department regarding updates on programming at the Newton Senior Center and budgeting for new initiatives. [11/24/14 @ 3:41 PM]
- #461-14 ALD. FULLER AND JOHNSON requesting a report from the Executive Department regarding the current open positions with a report listed by Department of the days open, current month/quarter forecasted to fill, and candidate pipeline/strategy for hiring. [11/17/14 @ 9:22 AM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #455-14 HIS HONOR THE MAYOR recommending amendment to Chapter 29, Section 80 **Sewer/Storwater use charge**. of the City of Newton Ordinances to create a storm water rate fee structure based upon square footage of impervious surface area.

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

- #375-14 HIS HONOR THE MAYOR submitting the FY16-FY20 Capital Improvement Plan pursuant to section 5-3 of the Newton City Charter. [10/15/14 @ 3:01 PM]
- #373-14 HIS HONOR THE MAYOR submitting the FY16- FY20 Five-Year Financial Forecast for Board of Aldermen review/acceptance. [10/15/14 @ 3:01 PM]

REFERRED TO ZONING & PLANNING AND FINANCE COMMITTEES

- #315-14 ALD. HESS-MAHAN, ALBRIGHT, CROSSLEY AND DANBERG proposing an amendment to Chapter 2 of the City of Newton Ordinances setting forth requirements for procurement of materials and services by non-governmental recipients of federal, state or local funds administered by the City, such as CDBG and CPA funds. In order to

encourage non-profit and other private organizations to participate in affordable housing, cultural and other public-private collaborations, such procurement requirements should accommodate the needs of non-governmental recipients for flexibility given the multiple public and private sources of funds necessary for any project by not placing undue or unreasonable burdens on them. [08/04/14 @ 5:08PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#216-14

ALD. HESS-MAHAN, ALBRIGHT, BAKER, CROSSLEY, NORTON AND SANGIOLO proposing the following amendments to Chapter 12 Health and Human Services of the Revised Ordinances to:

- require owners of dwellings requiring a Certificate of Habitability under Section 12-1 and real estate agents/brokers who receive compensation in connection with the particular real estate transaction to notify the Commissioner of Health and Human Services whenever an apartment, tenement, or room in a lodging house is vacated by the occupant or when an area in an existing building is converted to a condominium prior to being reoccupied by a new tenant, lodger or occupant;
- require educational institutions to disclose addresses of undergraduates living off-campus in Newton;
- require a fee for certification; and
- impose a fine for violation of these provisions. [05/14/14 @ 11:51 AM]

REFERRED TO LAND USE AND FINANCE COMMITTEES

#49-14

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

#34-14

ALD. FULLER requesting a discussion with the Executive Office regarding the current status and challenges related to the City of Newton pension and retiree healthcare (OPEB) systems. [01/11/14 @ 5:22 PM]

REFERRED TO FINANCE AND PROGRAMS & SERVICES COMMITTEE

#402-13

ALD. FULLER, GENTILE, RICE and LINSKY requesting a Home Rule Petition to amend Article 9 of the Charter to clarify that Neighborhood Area Councils shall maintain and control their own financial accounts and records, independent of City finances; and to further clarify that such independent financial accounts and records shall remain subject to City audit. [10/28/13 @ 10:18 AM]

REFERRED TO ZAP, PROG & SERV AND FINANCE COMMITTEES

- #397-13(3) ALD. SANGIOLO AND DANBERG requesting creation of an ordinance to protect trees deemed ~~historie~~ significant by the ~~Historical Commission and the City's Tree Warden~~ with the advice and counsel of the Urban Tree Commission. [05-05-14 @ 4:32 PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #254-12 (3) PROGRAMS & SERVICES COMMITTEE proposing an ordinance to require a fee, charged to consumers, for the use of paper bags at certain retail establishments in the City of Newton. [01/10/14 @ 3:36 pm]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #41-13 ALD. CROSSLEY, FULLER AND SALVUCCI requesting a discussion with the administration to review how the city inventories, plans for, budgets and accounts for needed smaller capital expenditures (currently set at under \$75,000), which are excluded from the Capital Improvement Plan (CIP); how to make these non-CIP capital maintenance items visible, and how to integrate them with the overall planning, CIP, and budgeting processes. [01/14/13 @ 5:02 PM]

REFERRED TO ZONING & PLANNING, LAND USE & FINANCE COMMITTEES

- #273-12 ALD. CROSSLEY & HESS-MAHAN requesting a restructuring and increase in fees for permits charged by the Inspectional Services Department and fees charged by the Planning Department and City Clerk to assure that fees are both sufficient to fund related services provided and simple to administer.

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #185-12 ALD. BAKER, BLAZAR, SANGIOLO, LINSKY, ALBRIGHT & DANBERG requesting that the Board of Aldermen adopt a RESOLUTION to His Honor the Mayor asking that, when the Mayor seeks future Board approval for bonding the cost of additional capital facilities or equipment for the schools, he include in that funding request, as well as in the city-wide Capital Improvement Plan, the estimated costs needed for funding the capital technology needs of the Newton Schools, including the appropriate portions of the estimated project costs of the School Committee's three-year district-wide technology plan not anticipated to be funded by the Information Technology Department budget; the anticipated technology grants from Boston College for the elementary schools; and/or estimated revenue from the E-rate Technology Reimbursement Program.
PROGRAMS & SERVICES APPROVED 6-0 on 07/11/12

REFERRED TO ZONING AND PLANNING AND FINANCE COMMITTEES

- #102-11 ALD. HESS-MAHAN, JOHNSON, COMMISSIONER LOJEK, AND CANDACE HAVENS requesting an amendment to Chapter 17 to establish a fee for filing a notice of condo conversion. [03-29-11 @ 4:55PM]
ZONING & PLANNING APPROVED 6-0 on 6/10/13

REFERRED TO ZONING AND PLANNING AND FINANCE COMMITTEES

- #95-11 ALD. HESS-MAHAN proposing an ordinance requiring that a notice of conversion to condominium ownership be filed with the Inspectional Services Department and that the property be inspected to determine compliance with all applicable provisions of the state and local codes, ordinances and the rules and regulations of all appropriate regulatory agencies. [03-24-11 @ 9:30AM]
ZONING & PLANNING APPROVED 6-0 on 6/10/13

REFERRED TO LAND USE & FINANCE COMMITTEES

- #276-10 ALD. FULLER, CROSSLEY, DANBERG, LINSKY requesting a review of guidelines for mitigation fund provisions to maximize the use of such funds on behalf of the city together with mechanisms by which the city can better track such funds to ensure they are used in a timely fashion.

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

- #257-12 RECODIFICATION COMMITTEE recommending (1) review of the Fees, Civil Fines/Non-Criminal Disposition contained in Chapter 17 LICENSING AND PERMITS GENERALLY and Chapter 20 CIVIL FINES/NON-CRIMINAL DISPOSITION CIVIL FINES to ensure they are in accordance with what is being charged and (2) review of the acceptance of G.L. c. 40 §22F, accepted on July 9, 2001, which allows certain municipal boards and officers to fix reasonable fees for the issuance of certain licenses, permits, or certificates.
- #248-12 RECODIFICATION COMMITTEE recommending that **ARTICLE IV. PURCHASES AND CONTRACTS, Secs. 2-182 through 2-205**, be amended to make it consistent with state law.
- #247-12 RECODIFICATION COMMITTEE recommending that Chapter 18 MEMORIAL FUNDS AND TRUSTS be reviewed relative to the consequences and practices of special legislation passed by the General Court in 2007, Chapter 75 of the Acts of 2007, in which the City sought and was granted an exemption from G.L. Chapter 44 §54, which intent was to allow the City greater flexibility in terms of investments.

REFERRED TO PS&T, PUBLIC FACILITIES AND FINANCE COMMITTEES

- #310-10(2) ALD. DANBERG, BLAZAR, KALIS, SCHWARTZ, ALBRIGHT, HESS-
(#409-12) MAHAN, RICE, COTE, LEARY, AND NORTON requesting amendments to Sec. 26-8D of the City of Newton Ordinances to modify and make permanent the trial program for removal of snow and ice from sidewalks and to provide for enforcements and fines for violations. [09/10/14 @ 2:12 PM]

Respectfully submitted,

Leonard J. Gentile, Chairman



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#49-15
Telephone
(617) 796-1100
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(617) 796-1113
TDD/TTY
(617) 796-1089
E-mail
swarren@newtonma.gov

February 24, 2015

Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Ladies and Gentlemen:

In accordance with Article XVII City of Newton Other Post-Employment Benefits Trust §§ 18-231 – Board of Trustees, I write to request that your Honorable Board docket for consideration a request to approve the appointment of Sarah Ecker, 68 Prospect Park, Newton, MA for a three-year term to expire March 31, 2018.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

RECEIVED
NEWTON CITY HALL
2015 FEB 24 PM 1:28
DAVID A. O'NEIL, CLERK
NEWTON, MA 02459





SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#51-15
Telephone
(617) 796-1100
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swarren@newtonma.gov

DAVID A. CLARK, CLERK
Newton, MA 02459

RECEIVED
CITY OF NEWTON
2015 FEB 23 PM 4:55

February 23, 2015

Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Ladies and Gentlemen:

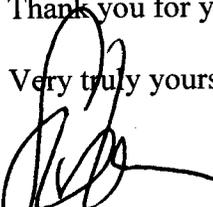
I write to request that your Honorable Board docket for consideration a request to transfer the sum of \$15,000 to the City Clerk's Advertising/Publications budget in order to fund the placement of public hearing notices in the City's papers of record. The Transfers are to be as follows:

| From | <u>Account #</u> | <u>Amount</u> |
|---------------------------|------------------|---------------|
| ✓ Seasonal Wages | 0110105-512001 | \$10,000 |
| ✓ Voting Machine Supplies | 0110105-5586 | \$5,000 N/A/N |

| To | <u>Account #</u> | <u>Amount</u> |
|------------------------|------------------|---------------|
| Advertising/Publishing | 0110101-5343 | \$15,000 |

Thank you for your consideration of this matter.

Very truly yours,


Setti D. Warren
Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE



Maureen Lemieux
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

February 20, 2015

Dear Maureen,

I write to request funds be transferred to the Advertising/Publications budget line item in the Board of Aldermen budget. The large number of Special Permit Applications that have been filed this year have depleted the funds budgeted for the placement of public hearing notices in the City's papers of record. I ask that the following transfers be made within the Board of Aldermen/City Clerks budget to cover upcoming advertising costs:

From:

| <u>Account</u> | <u>Account #</u> | <u>Amount</u> |
|-------------------------|------------------|---------------|
| Seasonal Wages | 0110105-512001 | \$10,000 |
| Voting Machine Supplies | 0110105-5586 | \$5,000 |

To:

| <u>Account</u> | <u>Account #</u> | <u>Amount</u> |
|--------------------------|------------------|---------------|
| Advertising/Publications | 0110101-5343 | \$15,000 |

I also ask that the Board of Aldermen budget line item for Advertising/Publications currently proposed in the FY16 draft budget be increased from \$26,000 to \$40,000.

Thank you,

David A. Olson
City Clerk



Maureen Lemieux
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

February 20, 2015

Dear Maureen,

I write to request funds be transferred to the Advertising/Publications budget line item in the Board of Aldermen budget. The large number of Special Permit Applications that have been filed this year have depleted the funds budgeted for the placement of public hearing notices in the City's papers of record. I ask that the following transfers be made within the Board of Aldermen/City Clerks budget to cover upcoming advertising costs:

From:

| <u>Account</u> | <u>Account #</u> | <u>Amount</u> |
|-------------------------|------------------|---------------|
| Seasonal Wages | 0110105-512001 | \$10,000 |
| Voting Machine Supplies | 0110105-5586 | \$5,000 |

To:

| <u>Account</u> | <u>Account #</u> | <u>Amount</u> |
|--------------------------|------------------|---------------|
| Advertising/Publications | 0110101-5343 | \$15,000 |

I also ask that the Board of Aldermen budget line item for Advertising/Publications currently proposed in the FY16 draft budget be increased from \$26,000 to \$40,000.

Thank you,

David A. Olson
City Clerk



Setti D. Warren
Mayor

City of Newton, Massachusetts
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1000 Commonwealth Avenue Newton, Massachusetts 02459

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James Freas,
Acting Director

Community Preservation Committee Funding Recommendation for CITY ARCHIVES STRATEGIC PLAN

date: 23 February 2015
from: Community Preservation Committee
to: The Honorable Board of Aldermen

PROJECT GOALS & ELIGIBILITY

Building on the 2011 project, supported with CPA funds, that produced *The City of Newton: A Survey and Inventory of its Historical Records*, the proposed *City Archives Strategic Plan* will evaluate and prioritize Newton's options for meeting both its legal and cultural obligations to preserve its irreplaceable historical records and make these records accessible to future residents, researchers and City staff.

Two factors have created an urgent need for an interdepartmental, strategic approach to the City's archives. First, the 2011 *Survey* concluded that some records held by separate City departments were at risk of loss, due to minimal climate control or fire suppression in their current, scattered locations. Second, as of winter 2015, planning has begun for new projects that may reconfigure or reduce some space currently used for archives at City Hall, as well as the space specifically designed for archives on the first floor of the Newton Free Library.

The CPA eligibility of Newton's archives was established for multiple previous projects, listed under [City Archives](#) from the [Proposals & Projects](#) page of the program website, www.newtonma.gov/cpa.

RECOMMENDED FUNDING

On 12 February 2015 by a vote of 7-0 (member Don Fishman absent, no current Planning & Development Board appointee) the Community Preservation Committee recommended appropriating \$20,000 for this project from the Community Preservation Fund's historic resources fund balance and reserves, and if needed from its general fund balance, to the control of the City Clerk, for the purposes summarized in this budget:

| City Archives Strategic Plan - Project Budget | | | |
|--|-----------------|---|-----------------|
| Uses | | Sources | |
| Consultant | \$20,000 | Community Preservation Act funds | \$20,000 |
| Archivist @ 20 hours | \$700 | City FY15 Operating Budget (for City staff time) | \$3,780 |
| 5 Member Planning Team @ 8 hours each | \$2,360 | | |
| 9 Staff responsible for departmental archives @ 2 hours each | \$720 | | |
| TOTAL | \$23,780 | TOTAL | \$23,780 |

website www.newtonma.gov/cpa

contact Alice E. Ingerson, Community Preservation Program Manager

email aingerson@newtonma.gov phone 617.796.1144

SPECIAL ISSUES CONSIDERED BY THE CPC

Interdepartmental collaboration & support: This project is spearheaded by City Clerk David Olson and part-time City Archivist Nancy Kougeas (hired partly in response to the 2011 *Survey and Inventory*). However, its success depends critically on the collaboration of all City departments. Based on the minimal evidence of interdepartmental support that accompanied the proposal when it was first submitted in 2013-14, the CPC was initially concerned that this collaboration might be difficult to elicit. Since then, however, Kougeas's work has drawn the attention of many City departments both to the value of their historical records and to practical options for managing those records, by using scarce City space more efficiently than in the past. The planned new projects for City Hall and the Newton Free Library have reinforced this new attention to archives.

Digital & physical preservation: Digitization cannot eliminate the need for archival storage facilities with adequate climate control and fire suppression. However, as noted by David Olson and demonstrated by Newton's past CPA-funded archival projects, digitization can help to preserve original records by reducing the need to handle the paper records physically. The CPC therefore hopes the *City Archives Strategic Plan* will evaluate options that include digitization as well as physical preservation and facilities improvements.

Facilities: David Olson and Nancy Kougeas have explained that Newton needed special state authorization to move some of its historical records to the purpose-built vault and compact shelving in the new main library, when that building was constructed across the street from City Hall; and that the state is unlikely to authorize housing any of Newton's physical archives at a location other than either City Hall or the library. However, the CPC hopes the *Strategic Plan* will press the question of whether some original records could be stored in less central locations, if digital versions of those records were made widely accessible. If the state's requirements are at all flexible, the CPC also hopes the *Strategic Plan* will explore converting for archives storage surplus or underused City buildings not on Homer Street.

ADDITIONAL RECOMMENDATIONS (*funding conditions*)

1. The *City Archives Strategic Plan* should be completed within 1 year of the date when CPA funds are appropriated by the Board of Aldermen, or by any extension of that deadline granted in writing by the CPC or its designee.
2. The City Clerk and City Archivist should provide to the CPC and Board of Aldermen project updates upon request; present and summarize the completed *Strategic Plan* at a public meeting of the CPC, along with a brief written comparison between the project's actual and budgeted expenditures.
3. Any CPA funds appropriated but not used for the purposes stated herein will be returned to the Newton Community Preservation Fund.

KEY OUTCOMES

The Community Preservation Committee will evaluate this project based on these key outcomes:

- Completion of the *City Archives Strategic Plan* within the original proposal budget and by the original deadlines above.

ATTACHMENTS

(delivered to the clerks of the Programs & Services Committee and Finance Committee)

- Original proposal and supplemental information requested by the CPC
- Two slide presentations to the CPC: original proposal (February 2014) and project update (February 2015)
- Copy of the CPC's "City Archives" project webpage, with links to additional information, including letters of support: <http://www.newtonma.gov/gov/planning/cpa/projects/farlow.asp>

Please note that all written public comments received on this proposal are on the project webpage but are not included with this recommendation.



Community Preservation Program

Newton City Archives

location: City Hall, Newton Free Library & Jackson Homestead (Newton History Museum)

goals: Preserve archival material held by all City departments, including but not limited to the City Clerk, City Engineer, Newton Free Library, and the Jackson Homestead (the City's history museum, as a partner in Historic Newton), by providing state-of-the art, climate-controlled, fireproof, accessible storage; and by preserving fragile or frequently used historic documents digitally, physically, or both.

funding: \$194,581 CP funds appropriated & spent (historic resources)
\$20,000 CP funds requested (historic resources)

contacts: See individual projects below.

total projects: 4 (listed below in reverse chronological order)

[City Archives Survey & Strategic Plan](#)
[Engineering Archives](#)
[City Archives - Combined](#) (City Clerk, Newton Free Library & Newton History Museum/Jackson Homestead)
[City Archives - City Clerk](#)

See also [Museum Archives](#) facilities improvement project for the Jackson Homestead, from our project page for [Historic Newton](#).

City Archives - Survey & Strategic Plan

goals: Survey and make strategic recommendations to preserve the historic records held by all 25 City departments, using an appropriate combination of facilities improvements and electronic scanning, and make these records accessible for research.

funding: \$44,000 Survey - CPA funds appropriated & spent (historic resources)

\$20,000 Strategic Plan - CPA funds requested
\$3,780 Strategic Plan - contributed City and volunteer staff time for project management

contacts: David Olson, City Clerk
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459
email: dolson@newtonma.gov
phone: 617.796.1210

Proposal Review & Appropriations

survey

19 August 2010 [survey proposal](#)

NOTE: This proposal is cosponsored by Historic Newton (specifically, by the Jackson Homestead as the City department in that public-private partnership) and by the Newton Free Library.

14 October 2010 [CPC funding recommendation](#)

15 November 2010 [Board order](#) (appropriation)

strategic plan

3 June 2013 [strategic plan pre-proposal](#)

[background for strategic plan proposal from archives survey](#) (see full text of survey report under "Project News" below)

14 November 2013 [strategic plan full proposal](#) (partial)

13 February 2014 [additional required attachments](#), including

- project manager's resume
- City department information (operating budgets & letters from directors of the Newton Free Library and Jackson Homestead)
- project listing in *Capital Improvement Plan*
- community letters of support

26 February 2014 [minutes of public hearing](#) on full proposal

11 April 2014 [additional attachments](#) (email from City Engineer)

9 May 2014 [proposal withdrawn temporarily by sponsor](#)

22 January - [proposal resubmission & updates for the CPC](#)

12 February 2015

23 February 2015 [CPC recommendation](#) for requested funding

Project News

6 December 2011 [City Archives Survey - final report](#): *The City of Newton: A Survey and Inventory of its Historical Records*

City Archives - Engineering Plans & Maps

- goals: Preserve and digitize the oldest and most fragile engineering maps and plans that the City is legally required to retain. The project will provide backup records as part of disaster recovery planning, and reduce the chance of further deterioration caused by active use, and allow access to the data from these maps through the City's geographic information system.
- funding: \$1,903,000 CP funds requested (historic resources)
- contacts: Darrell Azure, Engineering Archivist
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459
email: dazure@newtonma.gov
phone: 617.796.1027

Proposal Review & Appropriations

- 15 October 2010 [proposal](#)
[project manager's qualifications](#) (submitted separately)
[photos](#)
[letters of support](#)
- 17 November 2010 public hearing [presentation](#) (includes photos, may load slowly)

On [18 May 2011](#) the Community Preservation Committee voted to reject this proposal and require a revised pre-proposal by whatever deadline applies to the fiscal year in which this project is identified as a priority in the City's *Capital Improvement Plan*.
<http://www.newtonma.gov/gov/executive/cip/default.asp>

City Archives - Combined

- goals: Preserve digitally and physically, as appropriate, archival material held in the Special Collections of the Newton Free Library, and partially duplicated in the vaults of the City Clerk and collections of the Jackson Homestead/Newton History Museum.

Specific collections covered by this proposal include: city directories from 1868 to 1934; 19th-century photographs of Newton Corner, Nonantum, the Nathaniel Allen House and from the Newell family; the original draft ms. of Samuel Francis Smith's 1880 History of Newton; and 1845-87 materials from the Eliot Church.
- funding: \$36,545 CP funds appropriated (historic resources)
\$7,860 unspent funds returned
\$28,685 CP funds spent
- contacts: Ryan Hanson
Assistant Director, Newton Free Library
330 Homer St.

Newton Centre, MA 02459
email: rhanson@minlib.net
phone: 617.796.1404

Proposal Review & Appropriations

- 16 October 2009 [proposal](#)
- Oct - Dec 2009 [letters of support](#) (incl. review/determination by Newton Historical Commission)
- 18 November 2009 public hearing [presentation](#)
- 7 January 2010 [supplemental information](#) requested by CPC (long file, may take a while to load)
- 2 February 2010 [CPC funding recommendation](#)
- 15 March 2010 [Board order](#) (appropriation)

Project News

- September 2010 [digitizing historic city directories](#): request for proposals
- April 2011 Full text of city directories online (1868-1934) from City Clerk's genealogical research webpage:
<http://www.newtonma.gov/gov/clerk/geneo/default.asp>

In addition to names & addresses, directories list residents' occupations and information about the City budget, schools, clubs, religious institutions, and many other aspects of community life. Starting in 1889 you can use the "house directory" section to find out who lived in your house, how they were related to each other, and what they did for a living.

Don't miss the advertisements, like the 1868 one for the drugstore at Centre & Elmwood, where "Foreign leeches will always be kept on hand."

- 19 September 2011 [request for revised scope](#) (no additional funds requested)
- October 2011 The historic documents, city directories, maps & photos preserved through this project are now online at Digital Newton:
<http://guides.newtonfreelibrary.net/digitalnewton>

This online archive documents Newton's social, cultural and governmental past, with a special focus on the 19th through the early 20th century, a time when Newton was transforming from agriculture to industry and becoming a suburban Boston residential community. Please browse the collection online and leave your comments. Your input can help shape the future of this valuable community resource.
- 6 December 2011 [project final report](#)

City Archives - City Clerk

goals: Preserve archival material held in the vaults of the City Clerk and City Engineer by providing climate- controlled, fireproof storage facilities, additional shelving to improve access; and preserving documents in danger of deterioration or loss, both digitally and physically.

funding: \$151,846 CP funds appropriated (historic resources)
\$15,257 unspent funds returned
\$136,589 CP funds spent

contacts: David Olson, City Clerk
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459
email: dolson@newtonma.gov
phone: 617.796.1210

Proposal Review & Appropriations

- October 2006 [proposal](#), both parts
- 9 November 2006 [presentation](#) (PowerPoint)
- 21 February 2007 [CPC funding recommendation](#), part 1
- 17 April 2007 [Board order](#), part 1 (appropriation)
- December 2007 [proposal](#), part 2
- 23 January 2008 [presentation](#), part 2 (PowerPoint)
- 14 April 2008 [CPC funding recommendation](#), part 2
- 19 May 2009 [Board order](#), part 2 (appropriation)

Project News

January 2009 City Clerk's genealogical research webpage:
<http://www.newtonma.gov/gov/clerk/geneo/default.asp>
Including full text of birth, marriage, & death records and links to City directories.

January 2009 City of Newton's historic maps webpage:
http://www.newtonma.gov/gov/it/gis/historic_maps.asp
including:

- town maps: 1831, 1848, 1855
- insurance/tax atlases with parcel boundaries, platted subdivisions (including some that were never actually built), building footprints & materials, and owners' names: 1874, 1886, 1895, 1907, 1917, & 1929
- 1892 map of wetlands and streams
- 1921 zoning map (Newton's first)



Community Preservation Committee
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

January 22, 2015

Dear Committee Members,

I am resubmitting the proposal to fund a Strategic Plan for the Archives of the City of Newton that was originally submitted to the CPC in November of 2103 and withdrawn in May of 2014 due to delays in approval by the committee.

The need for a Strategic Plan for Newton's Archival material has hit a critical point as construction projects within City Hall, and plans for the expansion of Child and Teen services within the Newton Free Library, threaten the existence of adequate and sufficient archival storage spaces in these two buildings. The City Clerk's Office and the Inspectional Services Department are in the process of moving more than 1 million building plans dating back to the early 1900s from the current Inspectional Services archival storage area in the basement of City Hall's War Memorial to other spaces within the building. This is being done to make way for the installation of a new elevator in the War Memorial which will begin in March.

A Strategic Plan for the long-term storage and care of City Archival collections stored in public buildings around the City needs to be completed so that this material is protected and made accessible for generations to come. I will provide more information to the committee on the plans that the Library is proposing when this request is scheduled for discussion. I urge the committee to avoid delaying the review of this request.

Sincerely,

David Olson
Newton City Clerk

A Strategic Plan for Newton's Archives and Records

Submitted by:
Newton City Clerk
Newton City Archivist

Presentation to Newton Community Preservation Committee,
12 February 2015



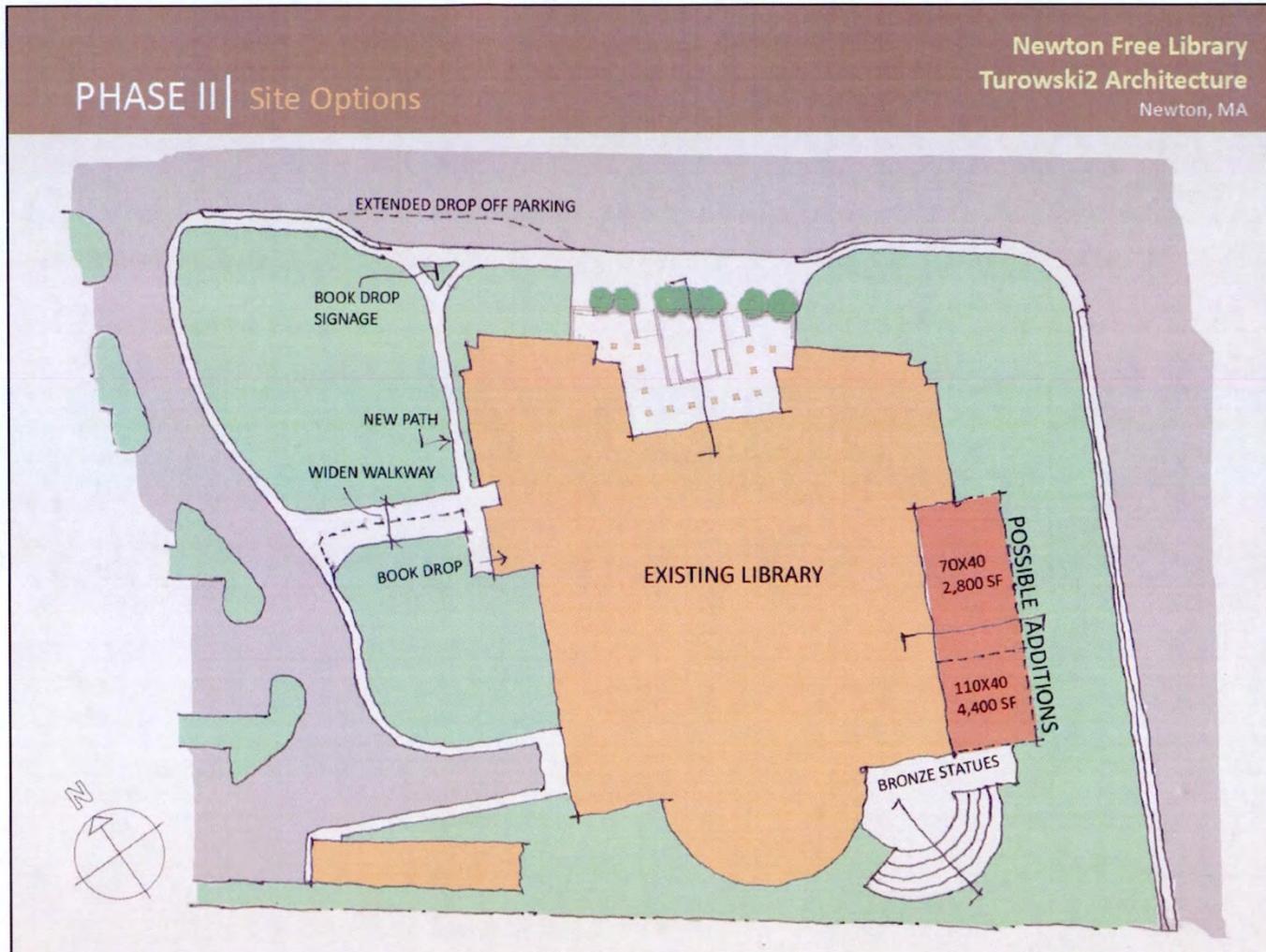
#54-15



#54-15



Feasibility Study



PHASE II | Site Options

Newton Free Library
Turowski2 Architecture
Newton, MA



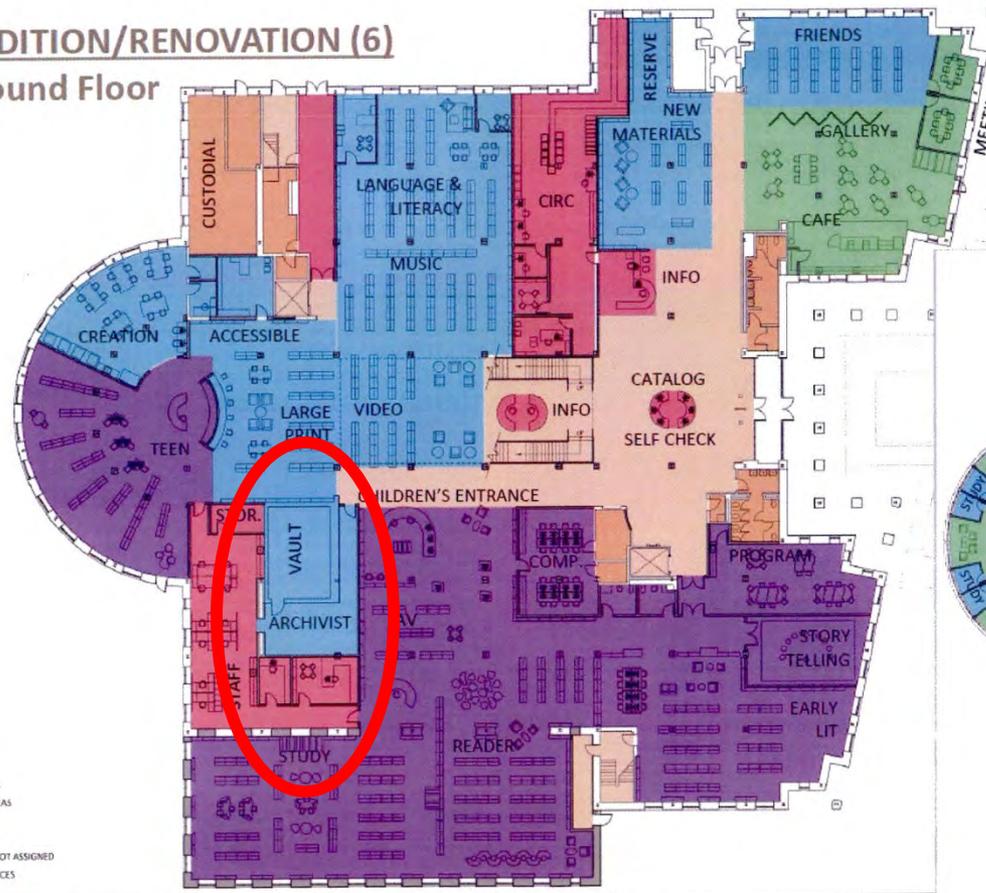
Newton Free Library

Strategic Direction

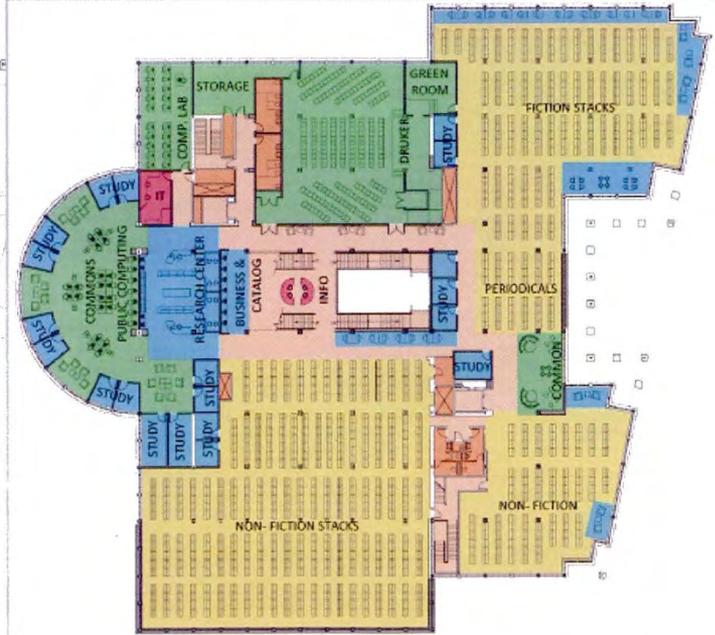
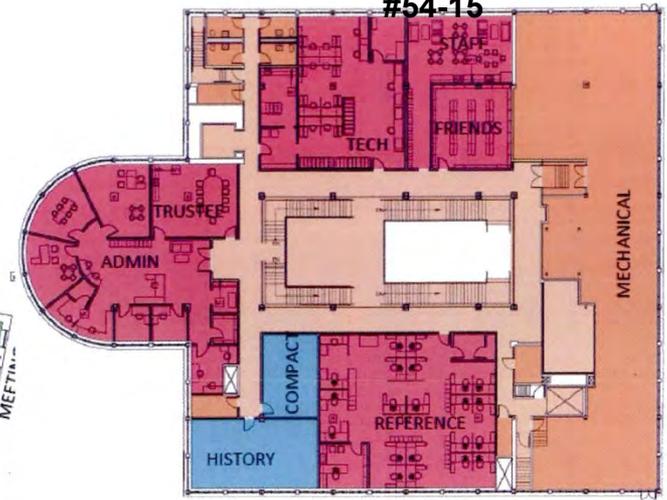
October 22, 2014

Feasibility Study

ADDITION/RENOVATION (6) Ground Floor



- ACTIVITY AREAS
- CHILDREN'S AREAS
- STAFF AREAS
- PUBLIC SPACES
- COLLECTIONS NOT ASSIGNED
- BUILDING SERVICES



A Strategic Plan for Newton's Archives and Records

Storage areas currently in use:

Top: Building Plans stored in the basement of City Hall;

Bottom: records stored in the Executive Office Vault, City Hall



Records Storage, Public Works, Elliot Street



The City of Newton: A Survey and Inventory of its Historical Records

CPC staff note:

The full final report of this survey is online from the CPC's "City Archives" project web page.

Selected pages are included here as background for Archives Strategic Plan (pre)proposal.

Nancy V. Kougeas
26 Clifton Street
Belmont, MA 02478
617-620-9812

nancy.kougeas@gmail.com

December, 2011

Water Damage and Mold

Water damage was observed throughout the storage rooms in the City Hall, from the basement to the second floor. Approximately a year ago, after two heavy, consecutive rainstorms, the water table rose and offices and storage rooms in the basement of City Hall were inundated. Offices were evacuated for over four months while the damaged areas were repaired. Some storage areas were affected and many records had to be destroyed. Some of the records destroyed in the flood were permanent ones. While many areas were cleaned extensively, in others record cartons still sit on the floor showing evidence of past water damage.

Water damage was also observed on the first floor, particularly in rooms used for by Veteran's services and the Licensing Board; on the second floor in the storage areas used by the Solicitor's Office (the room behind the Aldermanic Chambers; and in the Ladies' Room opposite Room 214.) In addition, standing water was observed in the Boiler Room (on the floor) and in a sink in a storage room in the basement used by the Planning Department.

Although portions of the basement are air conditioned, there is no climate control. A vent pipe is uncovered in the Engineer's "cage" in the basement, and vermin or insects could easily enter the area, and infect not only that area but adjacent ones. Many records stored in the basement and other areas have obviously sat on shelves uncovered for long periods of time and are extremely dirty. Many show evidence not only of dirt but of mold. It is difficult to eradicate the latter and very likely that a mold could bloom and spread with the environmental conditions observed.



Water damage in City Hall: Above, standing water in the boiler room; at right, in a room used by Veteran's Services, plaster has fallen from a water-damaged area.



Damage was observed in other areas used to store records. The Solicitor's Office uses a shelf in the ladies room opposite its office; the ceiling there shows past evidence of water damage. (Below, left.) The walls and ceiling of the Inspectional Services offices have also been damaged by leaking water (Below, right.)



In early September, when Hurricane Irene threatened to hit New England, areas in the basement were sandbagged so that water would not reach the hallways. While the basement did not flood, the roof above the storage room used by the Solicitor's Office (behind the Aldermen's Chambers) did leak resulting in damage to record cartons stored there.



Recommendations:

Overall:

1. The City of Newton needs to develop a comprehensive archives and records management program such as exists in other municipalities. A good example is the City of Boston, whose “Office of City Clerk Archives and Records Management Division (the “City Archives”) develops and implements citywide policy and procedures for the systematic management and disposition of all the municipal government records of Boston. As per statute, chapter 68, section 6 of the Acts of the Commonwealth of 1988 these records include those of “any city department, agency, board, office, commission or public corporation.”
2. The City of Newton needs to begin planning to create climate controlled, secure storage space for its archives and departmental records. The archives area in the Newton Free Library is full. There are currently more historical records held by City departments than are in the City Archives. Given the current conditions, particularly in the City Hall basement storage areas, it is only a matter of time before there is a devastating loss--not only of historical records but also of the records that departments need to function. In the short term, options such as storing records off-site should be considered.

Specific Recommendations:

- i. The City should move toward centralizing its archives and records management functions. This is particularly important as departments move towards scanning and digitizing records. An archivist/records manager working with the Clerk’s Office would ensure that this process would proceed with the greatest efficiency.
- ii. The Clerk’s Office, the Jackson Homestead, and the Newton Free Library should work together to ensure they are not collecting overlapping materials. In particular, the Jackson Homestead and the Newton Free Library should amend their collections policies so they do not collect documents that are, according to Massachusetts law, the responsibility of the City Clerk’s Office. This of course, may only be done if the Clerk’s Office has appropriate personnel and storage space to carry out this mandate.
- iii. Improve finding aids: the Clerk’s Office, Jackson Homestead and Newton Free Library need to work together to create finding aids to their collections which are accessible to researchers. It would be ideal if there was one place that these could be published and the creation of an on-line archives should be considered.
- iv. Systematically destroy obsolete records that do not have historical, administrative, fiscal or legal value. Many storage areas are filled with records that have passed their retention period and could be destroyed after applying for permission to do so from the Secretary of State’s Office.
- v. Some of the City’s “at risk” records are those which are not listed as requiring permanent retention on the State’s Schedules. However, these files document the history of the City of

Newton, and many should be retained. It is recommended that a group of historical “stakeholders”--working with an archivist--be appointed to discuss and make recommendations about which of these records document the City’s history and should be kept. Departments holding large amounts of these records include: the Executive Office, Health and Human Services, and the Planning Department.

- vi. Create a disaster plan for records so that in the event of a flood or other disaster, a recovery plan is in place.
- vii. Seek out and collect the records of departments that do not have many historical records; encourage departments to collect materials that document their department’s history and activities.

At Risk Records:

Immediate attention should be given to projects that stabilize and improve the conditions where the following records are stored and/or to preservation and conservation of the records themselves:

a) the approximately 100,000 sets of plans that Inspectional Services has stored in the basement of City Hall. These date back to 1911; most are blueprints, are rolled (they should be stored flat), fragile, and extremely dirty. On visits to this area, mold was observed on the records and on the walls;

b) records stored at offsite locations, particularly in the records storage room used by Public Buildings, Health and Human Services, and the School Department. All of these have substantial numbers of historical records;

c) Archival records stored in the basement areas of Newton City Hall. These areas include those containing: records of the Election, Engineering, Planning, Comptroller’s Treasurers, and particularly the Executive offices;

d) Archival records of the Veterans Services and Licensing departments on the first floor of Newton city Hall;

e) the Engineering Plans & Maps--a proposal has been submitted to preserve and digitize these records. This is a worthwhile project which would protect materials that are used on a daily basis that area also historically important. However, the records listed in a--d above are at greater risk of destruction due to the extremely poor conditions under which they are stored.

f) Artwork: several pieces of artwork were found during the course of this survey, and they should be transferred to the City Archives.

FY2016-2020 CIP by Priority

Provided by CPC staff

| | | | | | | | Overall Condition input | % Life Left as input | % Life Left from data | | |
|--------------|----------|------------------|--|--|---|--------------------|--|------------------------------------|-----------------------|-------------------------|--|
| | | | | | | | Weight | Weight | | | |
| | | | | | | | 2 | 1 | | | |
| Old Priority | Priority | Dept | Project Title | Project Description / Justification | Comments | Est Cost in FY2015 | Overall Condition 0: Worse to 10: Best | % Life Left 0: Expired to 100: New | Est. Year Installed | Est. Service Life (yrs) | |
| 253 | 173 | Public Buildings | City Hall - Increase City Clerk Archive Storage | Develop plans to expand archival storage to accommodate and preserve archival collections and to comply with MGL mandated record storage requirements. | The only city Archival Storage space is in the Newton Free Library and is 95% full. Needs to be expanded to accommodate MGL mandated record storage and preservation into the future. A plan needs to be developed to address this critical need before space runs out. | \$ 100,000 | 3 | 30% | | | |

| Project Title | CONSEQUENCES OF FAILURE (IF NOT IMPLEMENTING PROGRAM) RATINGS AND WEIGHTS --0 (No Impact) to 10 (High Impact) | | | | | | | | Threshold | Threshold | | |
|---|--|---------------------|----------------------|------------------------|-----------------|-----------------|--------|-------------------------|-----------------------|----------------|-------------|----------------|
| | Weight | Weight | Weight | Weight | Weight | Weight | Weight | Weight | 0.75 | 6 | | |
| | 9.0 | 6.0 | 8.0 | 10.0 | 5.0 | 7.0 | 6.0 | 6.0 | | | | |
| Project Title | City Operations | Programs / Services | Costs/ Savings Ratio | Codes/ Health & Safety | Property Damage | Quality of Life | Energy | Dept. Mission or Vision | Likelihood of Failure | Conseq. Factor | Risk Factor | Funding Source |
| City Hall - Increase City Clerk Archive Storage | 7 | 8 | 4 | 0 | 6 | 6 | 0 | 10 | 0.700 | 4.82 | 33.8 | CPA Eligible |



Newton Free Library

The door to your imagination

Library Director
Philip E. McNulty

#54-15



Mayor
Setti D. Warren

November 20, 2013

Mr. David Olson
City Clerk

Re: Community Preservation Program Funding Request Proposal

Dear Mr. Olson,

The Board of Library Trustees and I have reviewed your proposal for developing "A Strategic Plan for Newton's Archives and Records." We fully support the concept behind the proposal and recognize the need for action on this.

Your proposal mentions that the City Archives located here are at capacity. Placement of these archival materials outside of the City Hall required special legislative approval. The close relationship between the Library and the City Clerk that has resulted from this arrangement has been very positive. As the plan is developed, we are sure that it will examine the most appropriate use of that space going forward.

In the larger picture, we fully recognize that the ad hoc nature of archival storage in many departments has and will further lead to operational problems in those departments and will jeopardize the City's ability to meet our legal obligations and the expectations of the citizens regarding the retention of these important records.

Developing a strategic plan that addresses these needs City-wide makes the utmost sense and this proposal will make that plan a reality in the most timely manner possible.

Philip E. McNulty, Director
Newton Free Library

Barbara Lietzke, Chair
Board of Library Trustees



527 Washington Street, Newton, MA 02458
TELEPHONE 617-796-1450
FAX 617-552-7228
www.historicnewton.org

December 10, 2013

Alice Ingerson, Manager
Community Preservation Program
Planning Department
Newton City Hall
1000 Commonwealth Ave.
Newton, MA.

Dear Alice,

I am writing this letter in support of the Clerk's Office proposal to develop a strategic plan for the care of important historical city records currently being held in conditions that threaten the longevity of those records. The City of Newton has very limited appropriate storage facilities for its historical business/vital records, no matter what department they are located in. Much of this archival material is currently in the basement of Newton City Hall, piled helter skelter, and subject to damp and mold. Instead, these records should be cared for in a climate controlled facility with archival furniture and boxes and a good fire suppression system. The funding of this proposal will enable the Clerk's Office to bring in consultants to develop a strategy to address this problem. This will ensure that the business/vital records of the city of Newton will be available for generations to come.

I urge your committee to support this project.

Sincerely,

A handwritten signature in black ink that reads "Cindy Stone". The signature is written in a cursive style and is placed over a light blue rectangular background.

Cindy Stone,
Director
Historic Newton

Support of CPA Archives Proposal, 2013-2014

The City of Newton's 2007 Comprehensive Plan devotes 20 pages to envisioning goals, evaluating tools, and suggesting how to coordinate historic resources to foster community. Most of the section focuses on preservation of historic places, buildings, and areas. Wider use of the "GIS" system is often recommended.

Little mention is made in the Comprehensive Plan of the underlying "stuff"--the paper records, photographs, planning documents, maps, meeting notes-- from which our understanding of history derives. Newton's 2011 "Survey and Inventory of Historical Records" shows that departmental non-current records are scattered throughout the city, with inadequate preservation and insufficient guides to finding specific material. Before we can "do more with history" we need to preserve and care for the paper and other archival material which enable us to access the many layered histories of our City. Before we can use the documents that make up a large portion of the material from which we develop historical knowledge, we must carefully preserve them. Before we can digitize records, we must organize and preserve the paper records on which they are based. Providing climate controlled facilities for storing archival material, and processing it so that specific information is findable are basic necessities. Newton has an abundance of material that can be used to foster the use of historic knowledge, but as the photographs submitted by the Archives proposal show, much of them remain un-conserved, unorganized, and in danger of disintegration. The City does not have adequate vault space at City Hall to safeguard our large accumulation of non-current records.

A plan needs to be developed to address these issues and to set priorities. We need space; we need professional attention, and we need resources to manage and maintain the valuable documentation of the City's rich histories. If we allow the paper records of the City to disintegrate, we will have few resources with which to try to meet the ambitious goals of the Comprehensive Plan.

(People often suggest digitizing historic resources without realizing how short the usable life of electronic records are (not only are the data collected digitally short-lived--10 years instead of hundreds of years for proper paper records--, but digitizing means preserving the programs and hardware with which to read them. Digitizing records increases rather than decreases the problems)

I strongly support this proposal because civic work of all kinds depends on good record keeping, including careful preservation of our historic (that is, non-current) documents. The 2011 Survey and Inventory was the first step; now we must build on that.

Linda C Morrison, archivist
14 Floral Pl
Newton Highlands 02461
lcmorrison@mindspring.com
December 14, 2013, Jan 1, 2014

Re: A Strategic Plan for Newton's Archives and Records
To: CPA Chair and Committee
From: Susan D. Abele, Retired Archivist
Date: February 12, 2014

Members of the Committee:

Adequate storage is the key to preservation of the city's municipal archives. Crowded offices, and crowded basement storage areas subject to excessive heat or to moisture and mildew, are not adequate.

In the 1970s, the city with the help of a federal grant, took an important first step in municipal archives management. Our collection of 18th and early 19th century town documents was preserved and catalogued, and the city hired an archivist to manage the already substantial collection of municipal documents that, even then, had begun to overflow storage areas in city hall. In the 1980s, we built a storage area and vault to hold municipal archives in the new library; these areas are nearing capacity. Within City Hall, the Engineering and Inspectional Services departments in particular are stretched beyond capacity. City departments, including police, fire, public buildings, in locations outside of city hall have limited or non-existent storage capacities, thus putting their archival collections at risk.

The City's *Survey and Inventory of its Historical Records* made in 2011 was a major step towards understanding the extent of the collections. Reinstating the City Archivist position was another important step, but we must address the issue of adequate storage, which is the overarching element in the preservation process. Space in city buildings is tight and funds are even tighter, but it is prudent to begin a strategic planning process to determine the needs of these departments, and the options available to meet these needs. We cannot go forward without information and planning, and we cannot do business in the city without robust and well-managed archives.

With regard,



From: Louis M. Taverna
Sent: Wednesday, April 09, 2014 1:29 PM
To: Alice Ingerson
Cc: Darrell Azure; Nancy V. Kougeas
Subject: grant [for City Archives Strategic Plan]

Engineering Division is aware of this and will participate in this grant (attached).

Lou Taverna



Setti D. Warren
Mayor

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

#15-15
Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

James Freas,
Acting Director

Community Preservation Committee Funding Recommendation for WABAN HILL RESERVOIR

date: 22 December 2014
from: Community Preservation Committee
to: The Honorable Board of Aldermen

PROJECT GOALS & ELIGIBILITY

The Waban Hill Reservoir, on a five-acre parcel bordered by Ward Street, Woodlawn Drive, Reservoir Drive, and Manet Road in Chestnut Hill, was originally built by the City of Newton in the late 1870s and sold to Boston's Metropolitan Water Board in 1900. When the Massachusetts Water Resources Authority recently decommissioned the Reservoir, the state legislature authorized its sale to the City of Newton, with a restriction limiting its uses to public open space and recreation, for a price to be set through an independent appraisal. The current funding request includes both the acquisition cost and initial site improvements such as dam safety compliance, new fencing, an access road, parking, and a path. The project is eligible for CPA funds as the acquisition, creation and rehabilitation of either open space or land for outdoor recreation.

RECOMMENDED FUNDING

On 11 December 2104 by a vote of 6-1, the Community Preservation Committee recommended appropriating \$980,000 for this project to the control of the Commissioner of Parks & Recreation. All CPA funds for this project should be treated as "recreation" and be appropriated first from the Community Preservation Fund's open space fund balance and current reserve, then as needed from its general (unrestricted) funds.

| Waban Hill Reservoir – Sources | |
|--|------------|
| CPA Funds | \$ 980,000 |
| TBD | \$ 136,946 |
| Total \$ 1,116,946 | |
| Waban Hill Reservoir – Uses | |
| Acquisition (determined by state-commissioned appraisal) | \$ 404,800 |
| Conservation Restriction (CR) Monitoring & Enforcement Fund | \$ 30,000 |
| Master Plan Design/Public Process | \$ 30,000 |
| Initial Site Improvements (dam regulatory compliance, gatehouse, water quality, public safety & accessibility) | \$ 461,488 |
| First-year Site Mowing (not CPA-eligible) | \$ 4,500 |
| Design & Construction Contingency: CPA Funding (\approx 11% of costs other than acquisition & CR fund) | \$ 53,712 |
| Design & Construction Contingency: Non-CPA Funding (\approx 27% of costs other than acquisition & CR fund) | \$ 132,446 |
| Total \$ 1,116,946 | |

website www.newtonma.gov/cpa

contact Alice E. Ingerson, Community Preservation Program Manager

email aingerson@newtonma.gov phone 617.796.1144

SPECIAL ISSUES CONSIDERED BY THE CPC

Site Acquisition & Conservation Restriction

The CPC received approximately 105 letters, emails or public hearing comments about this proposal, from approximately 85 unique households—all in support of acquiring this site and converting it to a public park. All CPC members supported recommending the funds requested to acquire the site and to assist the Newton Conservators in monitoring and enforcing the conservation restriction (CR) required by the state as a condition for selling the site to the City of Newton.

Site Uses, Planning, Design & Construction

The proposal's contingency is listed as 20% of total costs, including acquisition, but is approximately 37% of listed planning, design and construction costs. Most CPC members saw this large contingency as evidence of significant uncertainty about both costs and priorities for long-term improvements at the site. Some letters and public hearing comments also highlighted this uncertainty. For example, hearing speakers suggested replacing the gatehouse with a simpler structure or lowering the dam, to reduce maintenance costs, improve safety and increase the site's usable land area. If these options were chosen after certain improvements listed in the proposal had already been made (gatehouse repairs, fence, access road, parking, path), those improvements might need to be rebuilt or relocated.

For these reasons, many CPC members initially preferred to consider funding for these improvements only when a completed master plan could support clearer site-specific cost estimates, with a smaller contingency. Ultimately, however, 6 CPC members were persuaded that guaranteeing the immediate availability of design and construction funds might be critical for final approval of the acquisition itself. CPC member Beryl Gilfix voted against the final funding motion because she continued to prefer phased funding.

Finally, the amount of funding recommended reflects all CPC members' preference for a contingency smaller than that in the current proposal. The Committee cannot enforce this as a requirement, but it hopes that stating its preference clearly will encourage the Parks & Recreation Dept. to complete a master plan for the Waban Hill Reservoir prior to constructing significant site improvements.

CPA Eligibility: Maintenance vs. Capital Improvements

The CPC recognizes that it is not always easy to distinguish CPA-ineligible "maintenance" from CPA-eligible "capital improvements." However, all CPC members agreed that lawn mowing falls under "maintenance." The Committee urges the Parks & Recreation Dept. to avoid spending any CPA funds on lawn mowing, even in the short period immediately after site acquisition.

ADDITIONAL RECOMMENDATIONS

1. **Deadlines & Extensions**, starting from the date CPA funds are appropriated: site acquisition will be completed, and planning/design work will begin, within 6 months; and initial site improvements using CPA funds will be completed within 2 years. Both deadlines may be extended by the CPC or its officers in response to a written request by the Parks & Recreation Department.
2. **Reporting**: The Parks & Recreation Department will provide project updates to the CPC and Board of Aldermen upon request, and prior to spending the final 10 percent of CPA funds, will present to the CPC an in-person and written final report, including a clear comparison of budgeted to actual expenditures.
3. **Return of Unspent Funds**: Any CPA funds appropriated but not used for the purposes stated herein will be returned to the Newton Community Preservation Fund.

KEY OUTCOMES

The Community Preservation Committee will evaluate this project based on these key outcomes:

- Completion by the deadlines listed above of both the acquisition and any CPA-funded site improvements identified as high priorities in a completed master plan.
- Adequate future maintenance of the site, using a combination of the City of Newton operating budget and additional resources provided on a voluntary basis by the community.

ATTACHMENTS See detailed list on the following page.

ATTACHMENTS (delivered to the clerks of the Programs & Services Committee and Finance Committee)

- **draft Board order**
- **CPC project webpage**, including links to the full text of all documents and community feedback for which the Board is receiving only summaries in this packet:

www.newtonma.gov/gov/planning/cpa/projects/waban_hill.asp
- **Excerpts from the Community Preservation Act** (MGL Chapter 44B) re: open space vs. recreation land, maintenance vs. capital improvements, requirement for permanent restrictions
- **Maps & photos** presented at 11 December 2014 CPC public hearing on this proposal
- **Project budgets:** acquisition & capital improvements; 10-year projected operating/maintenance costs
- **Proposal** submitted November-December 2014, **plus selected attachments:**
 - Listings for this project in City of Newton *Capital Improvement Plan* and *Recreation & Open Space Plan*
 - State legislation authorizing sale of the reservoir to the City of Newton and state-commissioned appraisal (summary page)
 - Waban Hill Reservoir Advisory Group – executive summary of final report
 - Waban Hill Reservoir - Planning Dept. staff report
 - Engineering Evaluation (Stantec) – executive summary
- **Community feedback:**
 - Full letters from organizations: Newton Conservators, League of Women Voters, Waban Hill Reservoir Advisory Group, Friends of Waban Hill Reservoir, Chestnut Hill Neighborhood Association
 - CPC staff summary of individual letters: supporting households by village/neighborhood, valued site features/desired uses

As noted above, the CPC received approximately 105 letters, emails or public hearing comments about this proposal, from approximately 85 unique households, all in support of acquiring this site and converting it to a public park.

CITY OF NEWTON
IN BOARD OF ALDERMEN

_____, 2015

ORDERED:

That, in accordance with the recommendations of the Community Preservation Committee (CPC) through its Chairman, Joel Feinberg; the Programs & Services Committee through its Chairman Alderman Amy Sangiolo; and the Finance Committee through its Chairman Alderman Leonard J. Gentile; the sum of nine hundred eighty thousand dollars (\$980,000) be appropriated from the fund balances & reserves of the Community Preservation Fund as shown below, to the control of the Parks & Recreation Commissioner for property acquisition and initial site improvements to convert the Waban Hill Reservoir in Chestnut Hill into a new public park, as detailed in the CPC's December 2015 funding recommendation to the Board of Aldermen.

| | | |
|-------|---|--------------|
| From: | CPA open space fund balance (21-3321A) | \$349,234.99 |
| | CPA 2015 open space reserve (21-57890A) | \$422,807 |
| | CPA general fund balance (21-3599)..... | \$207,958.01 |
| To: | Waban Hill Reservoir (21?? -5797) | \$980,000 |



Community Preservation Program

Waban Hill Reservoir

location: Ward Street & Manet Road
Chestnut Hill, MA 02467

goals: Acquire this site from the Massachusetts Water Resources Authority for ownership by the City of Newton, to preserve the man-made pond and scenic vistas, and add site improvements to support primarily passive recreation.

| | | |
|----------|------------------|--|
| funding: | \$1,073,446 | CPA funds requested (recreation) |
| | \$0 | funds to be requested from other sources |
| <hr/> | | |
| | \$1,073,446 | TOTAL PROJECT COST |
| | \$980,000 | CPA funds recommended |

contacts: Bob DeRubeis
City of Newton Commissioner of Parks & Recreation
124 Vernon Street
Newton Corner, MA 02458
email: bderubeis@newtonma.gov
phone: 617.796.1502

Katy Hax Holmes, Senior Planner
City of Newton Planning & Development Department
City Hall, 1000 Commonwealth Avenue
Newton Centre, MA 02459
email: kholmes@newtonma.gov
phone: 617.796.1143

Proposal Review & Appropriations

- 31 May 2013 [pre-proposal](#), including basic map & aerial photos
- 19 June 2013 [minutes of CPC's pre-proposal discussion](#) with the proposal sponsor
- 13 November 2014** [full proposal](#) (33 pp.), including
 - maps & photos
 - project budgets & operating budget for Parks & Recreation Dept. [project budgets only](#) (for ease of reference; same information is also included in the full proposal)
 - listings for this project in City of Newton *Capital Improvement Plan* and *Recreation & Open Space Plan*

#15-15

- state legislation governing sale of this property to the City of Newton
- letters of support - summary (see full letters below)
- sample master plan table of contents
- state environmental approval

[excerpts from reports](#) (28 pp.):

- JAPG (Joint Advisory Planning Group - neighborhood & community advisory committee)
- Planning Dept.
- appraisal
- engineering evaluation

[letters of support](#) (78 pp.), full text of all letters submitted by sponsor with proposal

full text of documents excerpted in full proposal above:

- 6 June 2013 [Waban Hill Reservoir Advisory Group report:](#)
- [executive summary, main text & references](#) (34 pp.): recommendations for site use & design
 - [appendixes 1-2](#) (33 pp.): comparisons with other Newton open spaces
 - [appendixes 3, 4 & 6](#) (22 pp.): examples of outdoor public art, parking analysis, supporting emails from neighborhood residents
 - [appendix 5](#) (49 pp.): preliminary engineering evaluation
- 10 June 2013 [Planning Dept. report](#) (9 pp.)
- January - November 2013 [state actions authorizing purchase by the City of Newton:](#)
- January 2013 MWRA declares the site "surplus property"
 - November 2013 state legislation authorizing transfer
- March - June 2014 [engineering evaluation of reservoir & dam:](#)
- [main text](#) (20 pp.): site description and analyses of subsurface conditions, slope stability and hazard re-classification
 - [appendixes](#) (50 pp.): borings from 1983 and 2014, laboratory test results, slope stability results, 1944 design drawing
 - [executive summary](#) (6 pp.): including 2006 design drawing
- August 2014 [state-commissioned appraisal](#) (51 pp.), required by state legislation to determine the City of Newton's acquisition cost for the property
- 11 December 2014 [presentation at CPC public hearing](#)
- [project budgets only](#) (originally part of presentation but posted separately for legibility)
- 22 December 2014 [CPC funding recommendation](#)
- [community feedback:](#)
CPC staff summary & all emails/letters, including those submitted with the proposal in November 2014 (this long file may load slowly)

Project News

#15-15

- 2012-13 [Waban Hill Reservoir Advisory Group webpage](#) (Planning & Development Dept., "High-Interest Projects"), including:
- October 2012 Planning Dept. background memo
 - detailed maps, site surveys & cross-section diagrams of the reservoir
 - January-April 2013 agendas & minutes of advisory group meetings
 - community survey/brainstorming by advisory group
 - June 2013 final reports from advisory group and Planning Dept. (see direct links above to these reports)
- 19 June 2013 [Planning Dept. staff slide presentation](#) to the Programs & Services Committee of the Board of Aldermen (multiple color photos) *This long file may load slowly.*
- 22 April 2014 [Board order appropriating funds for appraisal](#) (non-CPA funds)

Project Olds (Historical Background)

Newton undertook the creation of a municipal water system almost immediately after converting from town to city government in 1873. The Waban Hill Reservoir was the first major project for the new system. Newton joined the metropolitan Boston sewer system in the late 19th century but relied largely on its own municipal system for a supply of clean water until it joined the water supply part of the metropolitan system in the 1950s. The sources below summarize this history.

- 1880 from [S. F. Smith's History of Newton](#) (excerpt on Newton's first few years as a city, including creation of the water system)
- 1900 [deed transferring ownership from the City of Newton to the Boston Metropolitan Water Board](#) (for \$60,000)
- 1990s history of Newton's water & sewer systems, from [website of the Jackson Homestead/Historic Newton](#)
- 2011 section on Newton's water and sewer systems highlighted from "[Landscaping the Garden City: Transportation, Utilities, and Parks in Newton, Massachusetts, 1874-1915,](#)" by John H. Spiers (Boston College), *Historical Geography* vol. 39

Newton, Massachusetts, Community Preservation Committee
Funding Recommendation for **Waban Hill Reservoir**

Relevant excerpts from the **Community Preservation Act**, MGL Ch. 44B, 2010 Official Edition, as amended by St. 2012, c. 139, §§ 69-83, from Massachusetts Department of Revenue, January 2013

Section 2. [Definitions] —

... **“Capital improvement”**, reconstruction or alteration of real property that: (1) materially adds to the value of the real property, or appreciably prolongs the useful life of the real property; (2) becomes part of the real property or is permanently affixed to the real property so that removal would cause material damage to the property or article itself; and (3) is intended to become a permanent installation or is intended to remain there for an indefinite period of time.

... **“Maintenance”**, incidental repairs which neither materially add to the value of the property nor appreciably prolong the property’s life, but keep the property in a condition of fitness, efficiency or readiness. ...

“Open space”, shall include, but not be limited to, land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh and salt water marshes and other wetlands, ocean, river, stream, lake and pond frontage, beaches, dunes and other coastal lands, lands to protect scenic vistas, land for wildlife or nature preserve and land for recreational use.

... **“Recreational use”**, active or passive recreational use including, but not limited to, the use of land for community gardens, trails, and noncommercial youth and adult sports, and the use of land as a park, playground or athletic field

... **“Rehabilitation”**, capital improvements, or the making of extraordinary repairs ... for the purpose of making ... historic resources, open spaces, lands for recreational use and community housing functional for their intended uses, including, but not limited to, improvements to comply with the Americans with Disabilities Act and other federal, state or local building or access codes; ... with respect to historic resources, “rehabilitation” shall comply with ... the United States Secretary of the Interior’s *Standards for the Treatment of Historic Properties* ...

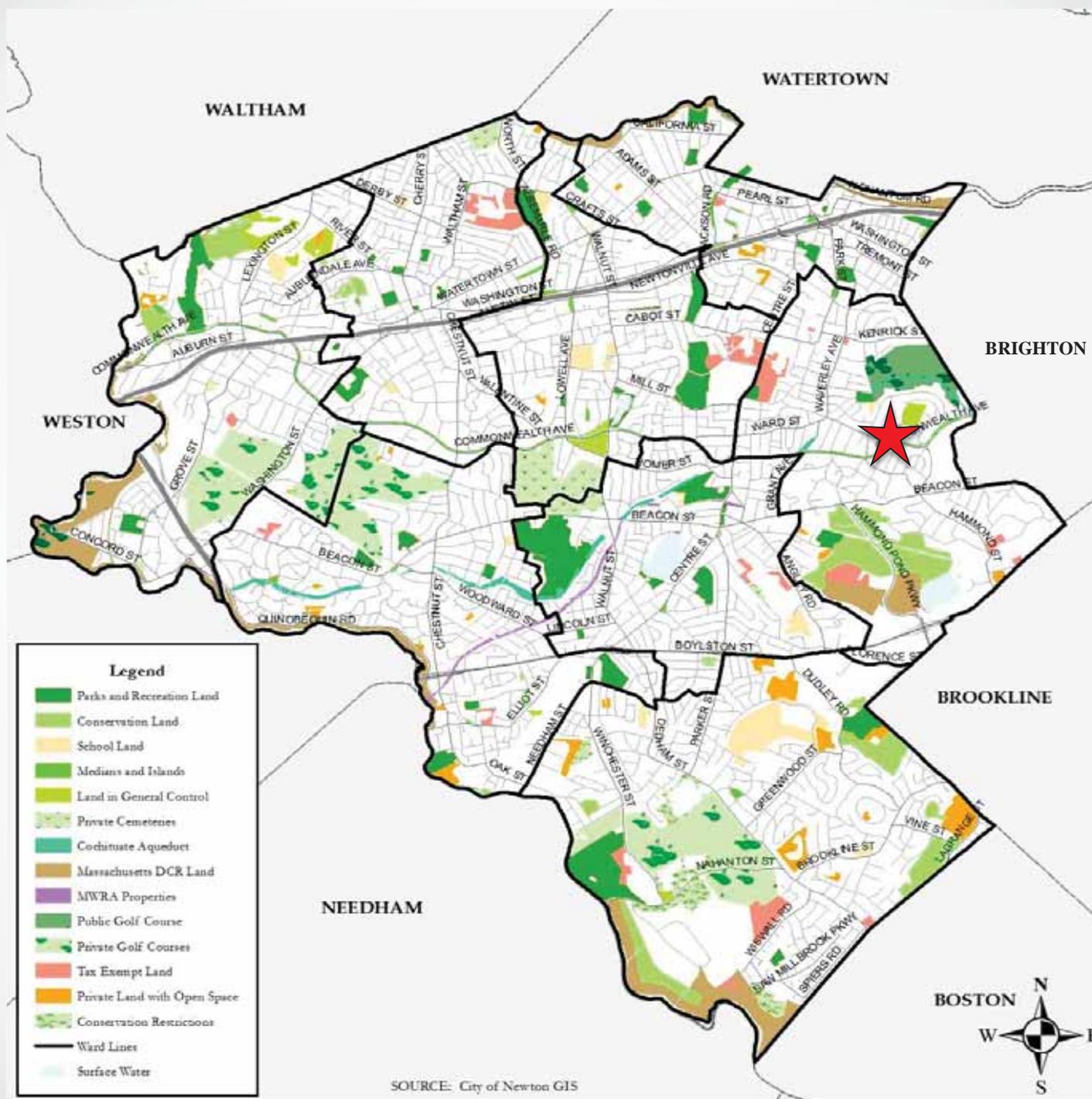
Section 5. ... **(b) (2)** ... funds expended pursuant to this chapter **shall not be used for maintenance.**

Section 12. (a) A real property interest that is acquired with monies from the Community Preservation Fund shall be bound by a permanent restriction, recorded as a separate instrument, ... The permanent restriction shall run with the land and shall be enforceable by the city or town or the commonwealth. The permanent restriction may also run to the benefit of a nonprofit organization, charitable corporation or foundation selected by the city or town with the right to enforce the restriction. The legislative body may appropriate monies from the Community Preservation Fund to pay a non-profit organization created pursuant to chapter 180 to hold, monitor and enforce the deed restriction on the property.

Waban Hill Reservoir

Acquisition and Improvements

Community Preservation Act Funding Request
Newton Parks and Recreation
December 11, 2014



SOURCE: City of Newton GIS







Waban Hill Reservoir



Manet Rd, Newton, MA 02467, USA

© 2014 Google

Google earth

1995

Imagery Date: 8/24/2013 42°20'18.31" N 71°10'25.95" W elev 294 ft eye alt 3514 ft

#15-15

239 Commonwealth Avenue

  Exit Street View



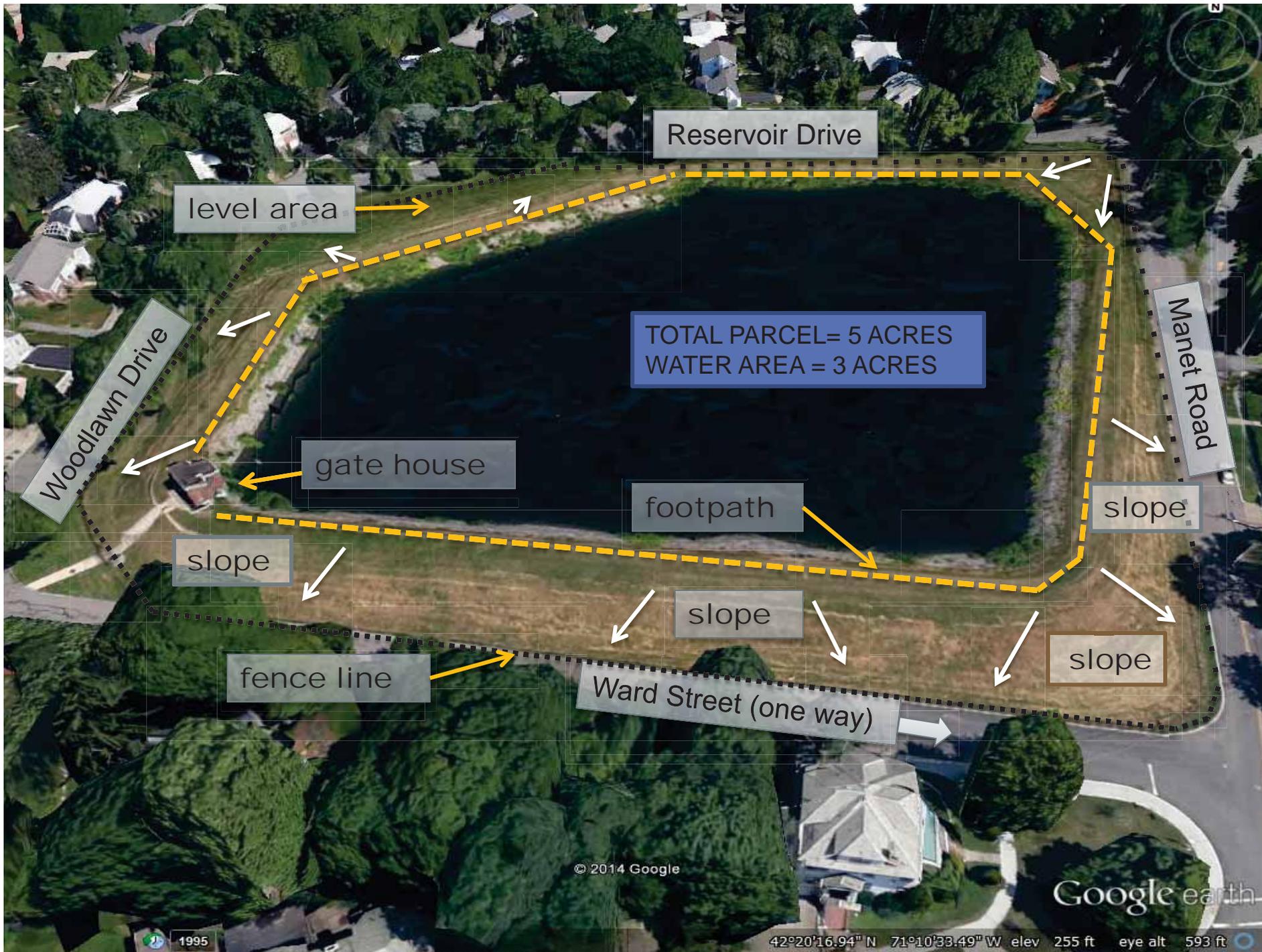
[Report a problem](#)

© 2014 Google
© 2014 Google

Google earth

42°20'14.97" N 71°10'30.84" W elev 236 ft eye alt 243 ft 





level area

Reservoir Drive

Manet Road

TOTAL PARCEL= 5 ACRES
WATER AREA = 3 ACRES

Woodlawn Drive

gate house

footpath

slope

slope

slope

slope

fence line

Ward Street (one way)







WABAN HILL RESERVOIR Full Proposal Budgets

CAPITAL #15-15 IMPROVEMENTS / DEVELOPMENT BUDGET

| Item Description | Source*/Comments | Purchase / CR / Design / Regulatory Compliance / Public Safety / ADA Improvements FY15-FY18 |
|---|--|--|
| ● Appraisal/Purchase: | | \$ 404,800 |
| ● Conservation Restriction | | \$ 30,000 |
| purchase/conservation restriction subtotal: | | \$ 434,800 |
| ● Master Plan Design/Public Process: | | |
| Landscape Architect/Engineering Firm - Master Plan Only | scope of work: facilitate public process, develop coherent design, address parking, accessibility and site maintenance | \$ 30,000 |
| master plan design/public process subtotal: | | \$ 30,000 |
| ● Dam Safety Regulatory Compliance: | | |
| Phase I Dam Inspection & Evaluation Report* (every other year) | Stantec / next inspection due 9/14 to Office of Dam Safety; required every 2 yrs | \$ 5,000 |
| Emergency Action Plan (EAP) 1st yr only* (followed by annual updates) | Stantec / cost to update EAP: \$1K every year after; could be performed by City staff | \$ 12,000 |
| Civil Engineering Consultant w/10 yrs dam experience | permitting requirements; cost TBD | \$ 10,000 |
| regulatory compliance subtotal: | | \$ 27,000 |
| ● Site Restoration: | | |
| Mow grass areas (non-embankment areas) - 15 cuts per year | contractual - annual | \$ 500 |
| Mow embankment grass 1-2x per year* | Stantec / annual | \$ 4,000 |
| Remove upstream (rip rap) vegetation - 1st yr. only | 1st year - contractual - 3-man crew for 4 days | \$ 12,000 |
| Remove upstream (rip rap) vegetation - annually | cost depends on in-house vs. contractual crew, as well as permit requirements | -- |
| site restoration subtotal: | | \$ 16,500 |

WABAN HILL RESERVOIR Full Proposal Budgets

**CAPITAL
#15-15
IMPROVEMENTS /
DEVELOPMENT BUDGET**

| Item Description | Source*/Comments | Purchase / CR / Design / Regulatory Compliance / Public Safety / ADA Improvements FY15-FY18 |
|---|---|--|
| purchase/conservation restriction subtotal: | | \$ 434,800 |
| master plan design/public process subtotal: | | \$ 30,000 |
| regulatory compliance subtotal: | | \$ 27,000 |
| site restoration subtotal: | | \$ 16,500 |
| Gatehouse, Water Quality, Public Safety Improvements/ADA | | |
| ● Compliance: | | |
| Gatehouse: replace roof* | Stantec / cost TBD | \$ 30,000 |
| Gatehouse: install new slide gate* | Stantec / existing gates inoperable; noted in 2010 report; requires a diver | \$ 25,000 |
| Gatehouse: fill voids beneath steps up to gatehouse* | Stantec / public safety issue | \$ 25,000 |
| Water depth regulator/aerator/pump | | \$ 40,000 |
| Electrical connection and cabinet | | \$ 10,000 |
| 4' H black ornamental fence/gates, waterside only (1320 LF) | 1380 LF, 2 pedestrian gates, vehicular gate | \$ 70,000 |
| Remove and dispose of existing c.l. fence and footings (880 LF) | 2640 LF | \$ 14,080 |
| Rebuild top of dam stone dust pathway (8' wide; 1/4 mile long) | 1/4 mile | \$ 20,000 |
| Paved accessible site route/HC parking/ramp/signage | | \$ 150,000 |
| Design/Engineering Fee (10% of site improvements construction) | | \$ 38,408 |
| gatehouse/public safety/water quality/ADA compliance subtotal: | | \$ 422,488 |
| purchase + start-up improvements subtotal: | | \$ 930,788 |
| 20% Contingency: | | \$ 186,158 |
| Project Total: | | \$ 1,116,946 |

*Stantec, Geotechnical Engineering Evaluation Report, Executive Summary, 2014

- (1) Assume possible additional costs related to access issues and unknown subsurface conditions.
- (2) The Waban Hill Reservoir Embankment Dam is a high hazard dam that must conform to the requirements of 302 CMR 10.00 "Dam Safety."
- (3) All sitework would need to be permitted by the Newton Conservation Commission.
- (4) Regulatory compliance/landscape management assumes 2% annual inflation.

WABAN HILL RESERVOIR
Full Proposal Budgets

10-YEAR OPERATING BUDGET

#15-15

| Item Description | Source*/Comments | Regulatory Compliance / Maintenance FY18 | Regulatory Compliance / Maintenance FY19 | Regulatory Compliance / Maintenance FY20 | Regulatory Compliance / Maintenance FY21 | Regulatory Compliance / Maintenance FY22 | Regulatory Compliance / Maintenance FY23 | Regulatory Compliance / Maintenance FY24 | Regulatory Compliance / Maintenance FY25 | Regulatory Compliance / Maintenance FY26 | Regulatory Compliance / Maintenance FY27 | 10-Year Total Ongoing Compliance / Maintenance |
|---|---|--|--|--|--|--|--|--|--|--|--|--|
| ● Regulatory | | ● Dam Safety Regulatory Compliance (FY18-FY27) - NOT CPA-ELIGIBLE | | | | | | | | | | |
| Phase I Dam Inspection & Evaluation Report* (every other year) | Stantec / next inspection due 9/14 to Office of Dam Safety; required every 2 yrs | -- | \$ 5,202 | -- | \$ 5,412 | -- | \$ 5,631 | -- | \$ 5,858 | -- | \$ 6,095 | \$ 28,198 |
| Emergency Action Plan (EAP) 1st yr only* (followed by annual updates) | Stantec / cost to update EAP: \$1K every year after; could be performed by City staff | \$ 1,000 | \$ 1,020 | \$ 1,040 | \$ 1,061 | \$ 1,082 | \$ 1,104 | \$ 1,126 | \$ 1,149 | \$ 1,172 | \$ 1,195 | \$ 10,950 |
| Civil Engineering Consultant w/10 yrs dam experience | permitting requirements; cost TBD | -- | \$ 2,000 | -- | \$ 2,000 | -- | \$ 2,000 | -- | \$ 2,000 | -- | \$ 2,000 | \$ 10,000 |
| Regulatory compliance subtotal: | | \$ 1,000 | \$ 8,222 | \$ 1,040 | \$ 8,473 | \$ 1,082 | \$ 8,735 | \$ 1,126 | \$ 9,007 | \$ 1,172 | \$ 9,290 | \$ 49,148 |
| ● Site Restoration: | | ● Landscape Maintenance (FY18-FY27) - NOT CPA-ELIGIBLE | | | | | | | | | | |
| Mow grass areas (non-embankment areas) - 15 cuts per year | contractual - annual | \$ 510 | \$ 520 | \$ 531 | \$ 541 | \$ 552 | \$ 563 | \$ 574 | \$ 586 | \$ 598 | \$ 609 | \$ 5,584 |
| Mow embankment grass 1-2x per year* | Stantec / annual | \$ 4,080 | \$ 4,162 | \$ 4,245 | \$ 4,330 | \$ 4,416 | \$ 4,505 | \$ 4,595 | \$ 4,687 | \$ 4,780 | \$ 4,876 | \$ 44,675 |
| Remove upstream (rip rap) vegetation - 1st yr. only | 1st year - contractual - 3-man crew for 4 days | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | \$ - |
| Remove upstream (rip rap) vegetation - annually | cost depends on in-house vs. contractual crew, as well as permit requirements | \$ 6,000 | \$ 6,120 | \$ 6,242 | \$ 6,367 | \$ 6,495 | \$ 6,624 | \$ 6,757 | \$ 6,892 | \$ 7,030 | \$ 7,171 | \$ 65,698 |
| subtotal: | | \$ 10,590 | \$ 10,802 | \$ 11,018 | \$ 11,238 | \$ 11,463 | \$ 11,692 | \$ 11,926 | \$ 12,165 | \$ 12,408 | \$ 12,656 | \$ 115,958 |

Waban Hill Reservoir

Project Budgets



- ◆ Capital Improvements
- ◆ 10-year Projected Operating Costs & Maintenance

Waban Hill Reservoir Embankment Dam
Probability of Cost

#15-15

Received 13 November 2014

| WABAN HILL RESERVOIR Full Proposal Budgets | | CAPITAL IMPROVEMENTS / DEVELOPMENT BUDGET |
|---|--|---|
| Item Description | Source*/Comments | Purchase / CR / Design / Regulatory Compliance / Public Safety / ADA Improvements FY15-FY18 |
| ● Appraisal/Purchase: | | \$ 404,800 |
| ● Conservation Restriction | | \$ 30,000 |
| purchase/conservation restriction subtotal: | | \$ 434,800 |
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| Civil Engineering Consultant w/10 yrs dam experience | permitting requirements; cost TBD | \$ 10,000 |
| regulatory compliance subtotal: | | \$ 27,000 |
| ● Site Restoration: | | |
| Mow grass areas (non-embankment areas) - 15 cuts per year | contractual - annual | \$ 500 |
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| site restoration subtotal: | | \$ 16,500 |
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| Gatehouse: replace roof* | Stantec / cost TBD | \$ 30,000 |
| Gatehouse: install new slide gate* | Stantec / existing gates inoperable; noted in 2010 report; requires a diver | \$ 25,000 |
| Gatehouse: fill voids beneath steps up to gatehouse* | Stantec / public safety issue | \$ 25,000 |
| Water depth regulator/aerator/pump | | \$ 40,000 |
| Electrical connection and cabinet | | \$ 10,000 |
| 4' H black ornamental fence/gates, waterside only (1320 LF) | 1380 LF, 2 pedestrian gates, vehicular gate | \$ 70,000 |
| Remove and dispose of existing c.l. fence and footings (880 LF) | 2640 LF | \$ 14,080 |
| Rebuild top of dam stone dust pathway (8' wide; 1/4 mile long) | 1/4 mile | \$ 20,000 |
| Paved accessible site route/HC parking/ramp/signage | | \$ 150,000 |
| Design/Engineering Fee (10% of site improvements construction) | | \$ 38,408 |
| gatehouse/public safety/water quality/ADA compliance | | \$ 422,488 |
| purchase + start-up improvements subtotal: | | \$ 930,788 |
| 20% Contingency: | | \$ 186,158 |
| Project Total: | | \$ 1,116,946 |
| *Stantec, Geotechnical Engineering Evaluation Report, Executive Summary, 2014 | | |
| (1) Assume possible additional costs related to access issues and unknown subsurface conditions. | | |
| (2) The Waban Hill Reservoir Embankment Dam is a high hazard dam that must conform to the requirements of 302 CMR 10.00 "Dam Safety." | | |
| (3) All sitework would need to be permitted by the Newton Conservation Commission. | | |
| (4) Regulatory compliance/landscape management assumes 2% annual inflation. | | |

Waban Hill Reservoir Embankment Dam
Probability of Cost

#15-15

| | | | | | | | | | | | | |
|---|--|---|---|---|---|---|---|---|---|---|---|--|
| Received 13 November 2014 | | | | | | | | | | | | |
| WABAN HILL RESERVOIR Full Proposal Budgets | 10-YEAR OPERATING BUDGET | | | | | | | | | | | |
| Item Description | Regulatory Compliance / Maintenance FY18 | Regulatory Compliance / Maintenance FY19 | Regulatory Compliance / Maintenance FY20 | Regulatory Compliance / Maintenance FY21 | Regulatory Compliance / Maintenance FY22 | Regulatory Compliance / Maintenance FY23 | Regulatory Compliance / Maintenance FY24 | Regulatory Compliance / Maintenance FY25 | Regulatory Compliance / Maintenance FY26 | Regulatory Compliance / Maintenance FY27 | 10-Year Total Ongoing Compliance / Maintenance | |
| ● Dam Safety Regulatory Compliance: | ● Dam Safety Regulatory Compliance (FY18-FY27) - NOT CPA-ELIGIBLE | | | | | | | | | | | |
| Phase I Dam Inspection & Evaluation Report* (every other year) | -- | \$ 5,202 | -- | \$ 5,412 | -- | \$ 5,631 | -- | \$ 5,858 | -- | \$ 6,095 | \$ 28,198 | |
| Emergency Action Plan (EAP) 1st yr only* (followed by annual updates) | \$ 1,000 | \$ 1,020 | \$ 1,040 | \$ 1,061 | \$ 1,082 | \$ 1,104 | \$ 1,126 | \$ 1,149 | \$ 1,172 | \$ 1,195 | \$ 10,950 | |
| Civil Engineering Consultant w/10 yrs dam experience | -- | \$ 2,000 | -- | \$ 2,000 | -- | \$ 2,000 | -- | \$ 2,000 | -- | \$ 2,000 | \$ 10,000 | |
| regulatory compliance subtotal: | \$ 1,000 | \$ 8,222 | \$ 1,040 | \$ 8,473 | \$ 1,082 | \$ 8,735 | \$ 1,126 | \$ 9,007 | \$ 1,172 | \$ 9,290 | \$ 49,148 | |
| ● Site Restoration: | ● Landscape Maintenance (FY18-FY27) - NOT CPA-ELIGIBLE | | | | | | | | | | | |
| Mow grass areas (non-embankment areas) - 15 cuts per year | \$ 510 | \$ 520 | \$ 531 | \$ 541 | \$ 552 | \$ 563 | \$ 574 | \$ 586 | \$ 598 | \$ 609 | \$ 5,584 | |
| Mow embankment grass 1-2x per year* | \$ 4,080 | \$ 4,162 | \$ 4,245 | \$ 4,330 | \$ 4,416 | \$ 4,505 | \$ 4,595 | \$ 4,687 | \$ 4,780 | \$ 4,876 | \$ 44,675 | |
| Remove upstream (rip rap) vegetation - 1st yr. only | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | \$ - | |
| Remove upstream (rip rap) vegetation - annually | \$ 6,000 | \$ 6,120 | \$ 6,242 | \$ 6,367 | \$ 6,495 | \$ 6,624 | \$ 6,757 | \$ 6,892 | \$ 7,030 | \$ 7,171 | \$ 65,698 | |
| site restoration subtotal: | \$ 10,590 | \$ 10,802 | \$ 11,018 | \$ 11,238 | \$ 11,463 | \$ 11,692 | \$ 11,926 | \$ 12,165 | \$ 12,408 | \$ 12,656 | \$ 115,958 | |
| *Stantec, Geotechnical Engineering Evaluation Report, Executive Summary, 2014 | | | | | | | | | | | | |
| (1) Assume possible additional costs related to access issues and unknown subsurface conditions. | | | | | | | | | | | | |
| (2) The Waban Hill Reservoir Embankment Dam is a high hazard dam that must conform to the requirements of 302 CMR 10.00 "Dam Safety." | | | | | | | | | | | | |
| (3) All sitework would need to be permitted by the Newton Conservation Commission. | | | | | | | | | | | | |
| (4) Regulatory compliance/landscape management assumes 2% annual inflation. | | | | | | | | | | | | |

| Priority | Dept | Project Title | Project Description / Justification | Est Cost in FY2015 | Risk Factor | Funding Source | Prior Year Funding | FY2016 | FY2017 | FY2018 | FY2019 | FY2020 |
|----------|-----------------------------------|--|---|--------------------|-------------|---------------------|--------------------|--------------|--------------|---------------|--------|--------|
| 17 | Schools | Pre-School Program Feasibility Study | Feasibility Study of Pre-School Space Options; e.g. renovation of existing space at the Ed Center, renovation of another building, new construction | \$ 13,000,000 | 45.9 | Bonding | \$ - | \$ 200,000 | \$ 1,800,000 | \$ 11,000,000 | \$ - | \$ - |
| 18 | Parks/Rec | Purchase Manet Road MWRA Reservoir | Five acre parcel located at Manet Road has been surplus by the MWRA in January 2013. Appraisal to take place in October 2014 | \$ 850,000 | 45.8 | CPA Eligible | \$ - | \$ 820,000 | \$ - | \$ - | \$ - | \$ - |
| 19 | DPW/ Storm | Repair Hammond St Drain | Storm drain pipe has partially collapsed and requires repair to prevent flooding. | \$ 210,000 | 45.6 | Enterprise Funds | \$ - | \$ 210,000 | \$ - | \$ - | \$ - | \$ - |
| 20 | DPW | Street Paving - Cold Plane and Pave 21 Streets | Streets include Vernon, Eldredge, Elmwood, Beacon, Pembroke, Durant, Hanson, Bishopsgate, Hammondswood, Monadnock, Otis, Adams, Circuit, | \$ 3,200,000 | 45.6 | Chapt 90/ Alt Funds | \$ - | \$ 3,200,000 | \$ - | \$ - | \$ - | \$ - |
| 21 | Fire Dept | Replace Fire Dept Pumper Truck in Newton Corner (Engine 1) | Replace 1999 Pumper Truck exceeding NFPA 15-yr life expectancy; will replace a 1992 spare engine. | \$ 650,000 | 45.4 | Bonding | \$ - | \$ 650,000 | \$ - | \$ - | \$ - | \$ - |
| 22 | DPW/ Water | Clean and Line Water Pipes to Improve Water Quality | Cleaning and lining of water pipes to improve water quality, ensure pipe integrity and capacity. Precedes scheduled roadway paving. | \$ 4,321,500 | 45.1 | Enterprise Funds | \$ - | \$ 4,321,500 | \$ - | \$ - | \$ - | \$ - |
| 23 | DPW | Parking Meters | Upgrade city parking meters to accept credit cards and smart-phone payments | \$ 750,000 | 44.7 | Bonding | \$ - | \$ 750,000 | \$ - | \$ - | \$ - | \$ - |
| 24 | DPW/ Sewer | Sewer Inflow /Infiltration Project - Newton Centre | Part of 12 yr \$49.1 M program to remove excess inflow and infiltration into sewer system. Design (FY16) and constr (FY17) for Newton Centre area. | \$ 4,370,000 | 44.3 | Enterprise Funds | \$ - | \$ 610,000 | \$ 3,891,600 | \$ - | \$ - | \$ - |
| 25 | DPW | DPW - Replace 1985 Excavator | Replacement of existing city vehicle/ equipment used for street & sidewalk repairs. (#110) Beyond usefull life expectancy. | \$ 280,000 | 43.8 | Bonding | \$ - | \$ 280,000 | \$ - | \$ - | \$ - | \$ - |
| 26 | DPW/ Sewer | Prairie Avenue Sewer Pump Station | Station built 1950, rehabbed in 1992. Contains 2 (5 hp) pumps. Replace wet well. | \$ 110,000 | 43.7 | Enterprise Funds | \$ - | \$ 110,000 | \$ - | \$ - | \$ - | \$ - |
| 27 | Schools | FA Day School - Electrical/ Emergency Generator | Replace emergency generator with smaller unit and install battery back-up emergency egress lighting system. Upgrade elec service/ panels. | \$ 150,000 | 43.7 | Bonding | \$ - | \$ 150,000 | \$ - | \$ - | \$ - | \$ - |
| 28 | Public Buildings / Sustainability | City Hall - Exterior Windows & Doors | Restore/Replace windows in phases to improve energy efficiency, functionality and comfort, and to preserve exterior wall. | \$ 1,000,000 | 42.4 | CPA Eligible | \$ - | \$ - | \$ 517,500 | \$ 535,613 | \$ - | \$ - |
| 29 | Fire Dept | Replace Fire Dept Bucket Truck | Replace 1996 F800 with 165K miles on it. Not cost effective to keep it on the road. Safety components are failing, putting personnel at risk. | \$ 225,000 | 41.8 | Bonding | \$ - | \$ 225,000 | \$ - | \$ - | \$ - | \$ - |
| 30 | DPW | Sidewalk Improvements | Improve pedestrian safety. Repair/replacement of sidewalks in poor condition and new sidewalks in village centers, school zones, on major roads. | \$ 150,000 | 41.4 | Chapt 90/ Alt Funds | \$ - | \$ 150,000 | \$ - | \$ - | \$ - | \$ - |
| 31 | DPW/ Sewer | Replace 1995 Sewer Jet Truck | Replacement of vehicle/ equipment used to clear out blockages in the sewer system to prevent sewer backups. (#369). | \$ 240,000 | 41.0 | Enterprise Funds | \$ - | \$ 240,000 | \$ - | \$ - | \$ - | \$ - |
| 32 | DPW | Walnut Street (Homer Street to Route 9) - Final Design | Eliminate deteriorated roadway condition and enhance public safety. Arterial minor. Federal funds for constr only. Design funded by City. | \$ 250,000 | 40.9 | Chapt 90/ Alt Funds | \$ - | \$ 250,000 | \$ - | \$ - | \$ - | \$ - |
| 33 | DPW/ Storm | Rehabilitation of Forest Grove Storm System Pump Station | Pump station is used for flood and mosquito control of Flowed Meadow and needs upgrades and repair work to function properly. | \$ 150,000 | 40.8 | Enterprise Funds | \$ - | \$ 150,000 | \$ - | \$ - | \$ - | \$ - |
| 34 | Schools | Bigelow School - Mechanical Upgrades | Two boilers are 54 years old and beyond their useful life. Replace one boiler, storage, and enhance circulation system. | \$ 450,000 | 40.8 | Bonding | \$ - | \$ - | \$ 465,750 | \$ - | \$ - | \$ - |
| 35 | Schools | Horace Mann School - Replace Roof | Replace Total Building 1986 Built up roof area. Roof has reached its life expectancy. | \$ 400,000 | 40.6 | Bonding | \$ - | \$ - | \$ 414,000 | \$ - | \$ - | \$ - |
| 36 | DPW | Handicap curbcut access to sidewalks | Provide appropriate curb cuts to comply with federal ADA requirements and to provide safe, accessible means to and from City sidewalks. | \$ 63,500 | 40.5 | CDBG Eligible | \$ - | \$ - | \$ 65,723 | \$ - | \$ - | \$ - |

City of Newton

Open Space and Recreation Plan

2014-2020



March 19, 2014

Prepared per the requirements of the Massachusetts Exec. Office of Energy and Environmental Affairs

1. Active Recreation

There is currently a disparate distribution of active recreational facilities within Newton. In general, given the distribution of the City's population and of its active recreational open space, there is a need for additional facilities and improvements to existing facilities in the more densely populated northern sector of Newton. In addition, there is a City-wide need for enhancing linkages among existing and future recreational areas.

Together with needs identified by the 2003-07 Plan which have not been addressed, the following active recreation needs have been identified for the next five-year plan period. They result from changing local conditions and improved knowledge of recreational needs, such as changing demographics, anticipated increasing demand in youth sports, and the increased interest in multi-purpose field space. *Section 9 –Seven-Year Action Plan* addresses these needs more specifically.

Summary of Active Recreation Needs

Acquisition

- Identify and acquire suitable vacant parcels as they become available for use as vest pocket parks in densely populated neighborhoods.
- Revisit options pertaining to reusing the former Pine Street Landfill site to meet recreational needs. Review considerations and implications of transferring the site from the Department of Public Works to the Parks & Recreation Department and acquisition of the adjacent private Apodemi land bisecting the overall site, all subject to review and consideration of potential environmental concerns.
- Explore opportunities for acquisition of Manet Rd. MWRA reservoir for possible use to meet active and/or passive recreation needs. Decommissioning by MWRA of parts of its water supply system may make this site available.

Facility Development and Improvement needs:

Parks

- Complete Crystal Lake park improvements, including swim area, beach, shoreline, and renovations of Champagne Bath House consistent with the *Crystal Lake Bathhouse Public Park Task Force Master Plan*, and at nearby Levingston and Cronin's coves.
- Complete Master Plan for Cold Spring Park and complete pathway system and general improvements.
- Install special facilities designed for people with disabilities in neighborhood parks and playgrounds where feasible and as addressed in Appendix D: ADA Access Self-Evaluation.
- Undertake studies for accessibility improvements at Cabot Pk., McGrath Pk., and Weeks Pgd.

Playgrounds/Playfields

and existing open spaces to the southwest and northeast, and contributing to a regional recreational network. At present, a City-community task force is exploring the possibilities and challenges involved. In addition, staffs of the City of Newton and Town of Needham are also exploring the potential for public transportation options in the railbed, including extension of light rail service. “Greenway” initiatives to develop pedestrian ways and bikeways are not intended to preclude public transportation considerations, including options for shared use to maximize travel alternatives in a context-sensitive manner. The future configuration of uses within this railbed right of way will be subject to further investigation and feasibility determination.

Another opportunity exists in Lower Falls with respect to the unused former Boston & Albany Railroad railbed, which might potentially serve as a “rail trail” linking the recently DCR-renovated and popular pedestrian/bicycle bridge (from Wellesley to Lower Falls) at Concord St. with points at Riverside and Auburndale. Here too further work is needed to explore and better understand associated challenges, including but not limited to ownership and legal considerations, abutter concerns, alternative pathway options, and potential additional bridge renovations.

Prioritized Passive Use Actions

Intended actions are listed in priority order, with lead organization, budget implications, and target start dates. Since many of these projects are still in the preliminary planning stages, specific funding sources are not listed. It can be assumed that for any given project, funds would come from a combination of City departmental budgets, CPA funding, and state grant awards.

Acquisition by City of Newton by Gift, by Purchase or Negotiation of an Agreement

| Priority | Action | Lead Org. | Est. Cost | Timeframe |
|----------|---|------------------------|-------------|-----------|
| 1 | Manet Rd. MWRA Reservoir (Waban Hill Reservoir) – explore opportunities for acquisition for active and/or passive recreation use when site becomes available from the MWRA. | Planning Dept. and P&R | \$1,000,000 | FY14 |
| 2 | Identify and acquire suitable vacant parcels as they become available for use as vest pocket parks in densely populated neighborhoods | Planning Dept. and P&R | \$ TBD | ongoing |

Acquisition by Mass. Department of Conservation and Recreation (DCR) by Gift, by Purchase, or by other Negotiation of Easements for the Charles River Pathway System

| Priority | Action | Lead Org. | Est. Cost | Timeframe |
|----------|--|-----------|-----------|-----------|
| 1 | 165-199 Concord St. (river access easement) | DCR | \$ TBD | ongoing |
| 2 | Bridge Street – scenic easement | DCR | \$ TBD | ongoing |
| 3 | Charles River Country Club access or conservation easement | DCR | \$ TBD | ongoing |

October 16, 2014

Mr. Warren A. Madden
Division of Capital Asset Management

Waban Hill Reservoir
Newton, MA

SPECIAL ASSUMPTIONS:

Pursuant to Chapter 154 of the Acts of 2013, the Commonwealth may convey to the City of Newton a state-owned parcel containing 5.09 acres, including a reservoir and a gatehouse.

Chapter 154 AN ACT AUTHORIZING THE COMMISSIONER OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE TO CONVEY CERTAIN LAND TO THE CITY OF NEWTON.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith provide for the conveyance of certain land from the commonwealth to the city of Newton, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the commissioner of capital asset management and maintenance may convey a certain parcel of state owned land in the city of Newton to the city of Newton; provided, however, that any deed conveying the parcel shall contain the restriction required pursuant to section 2. The parcel, known as the Waban Hill reservoir, and also known as the Ward Street reservoir, is located on the east side of Ward Street in the city of Newton and the exact boundaries of the parcel shall be established prior to such conveyance by a survey commissioned by the commissioner. The parcel is further described in a deed from the city of Newton to the Metropolitan Water Board dated October 20, 1900 and recorded in the Middlesex south district registry of deeds in book 2853, page 42. The consideration for the conveyance shall be the full and fair market value of

October 16, 2014

*Mr. Warren A. Madden
Division of Capital Asset Management*

*Waban Hill Reservoir
Newton, MA*

the parcel as determined by the commissioner pursuant to an independent professional appraisal.

SECTION 2. The parcel described in section 1 shall be conveyed subject to a conservation restriction with the benefit of section 32 of chapter 184 of the General Laws limiting the use of the parcel to open space or active or passive recreation purposes. If at any time the property ceases to be used for the purposes described in this section, the commissioner of capital asset management and maintenance shall give written notice to the city of the unauthorized use. The city shall, upon receipt of the notice, have 30 days to respond and a reasonable time to establish an authorized use of the parcel. If an authorized use of the parcel is not thereafter established, the title to the parcel, upon the recording of a notice thereof by the commissioner in the appropriate registry of deeds, shall revert to the commonwealth and any further disposition of the property shall be subject to Article XCVII of the amendments to the constitution and chapter 7C of the General Laws.

SECTION 3. The inspector general shall review and approve the appraisal conducted pursuant to section 1. The review shall include an examination of the methodology utilized for the appraisal. Within 30 days of receiving the appraisal, the inspector general shall prepare a report of such review and file the report with the commissioner of capital asset management and maintenance. Within 15 days of receiving the inspector general's report and not later than 15 days before the execution of any agreement or other document relating to the conveyance, the commissioner shall submit it to the house and senate committees on ways and means and the joint committee on bonding, capital expenditures and state assets.

SECTION 4. The city of Newton shall be responsible for all costs and expenses including, but not limited to, costs associated with any engineering, surveys, appraisals and deed preparation related to the transfers and conveyances authorized in this act as such costs may be determined by the commissioner of capital asset management and maintenance. Upon conveyance of the parcel, the city shall be solely responsible for all costs, liabilities and expenses of any nature and kind for the development, maintenance, use and operation of the parcel.

Approved, November 25, 2013.

October 16, 2014

Mr. Warren A. Madden
Division of Capital Asset Management

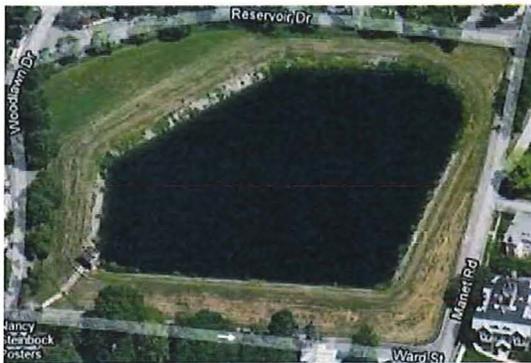
SUMMARY OF IMPORTANT FACTS AND CONCLUSIONS _____

| | |
|--|--|
| Subject Property: | A Reservoir |
| Property Address: | Waban Hill Reservoir, along Ward Street, Newton |
| Property Owner: | Commonwealth of Massachusetts |
| Appraisal Objectives: | Estimate market value of the subject property |
| Appraisal Function: | Provide guidance on current market value for purpose of disposition and acquisition |
| Effective Valuation Date: | August 11, 2014 |
| Property Rights Appraised: | Fee simple |
| Site: | 5.09 acres |
| Improvements: | 250 square foot gate house |
| Zoning: | PUB Public Use |
| Highest and Best Use: | Conservation/Open Space/Passive Recreation |
| Valuation Analysis Conclusions: | |
| Income Approach: | N/A |
| Market Approach: | \$404,800 |
| Cost Approach: | N/A |
| Final Market Value Conclusion: | \$404,800 |
| Anticipated Market Exposure: | six to twelve months |

FINAL REPORT

Waban Hill Reservoir Advisory Group (WHRAG)

June 6, 2013



The Waban Hill Reservoir is like no other site in our city. Perched near the peak of the highest hill in Newton, visitors are treated to breathtaking panoramic views including spectacular sunrises and sunsets. The 5-acre Reservoir site provides a unique opportunity for enjoyment for people of all ages and from all neighborhoods, away from the bustle of the streets below. The WHRAG strongly supports the acquisition by the City of Newton of the Waban Hill Reservoir site, a site of unique topographic and historical significance, to expand and enhance the public open space resources for the citizens of Newton. The Reservoir is easily accessible, being located at the top of Heartbreak Hill, directly adjacent to Commonwealth Avenue.

The Waban Hill Reservoir has long been a potential target for acquisition by the City. The City of Newton Recreation and Open Space Plan Update 2013- 2019 (“Newton Open Space Plan”), in Section 7, page 10 of 16, explicitly states the goal: “Explore opportunities for acquisition of Manet Rd. MWRA reservoir for possible use to meet active and/ or passive recreation needs.” (See Appendix 3 for detailed discussion of how the Plan for site use meets Newton’s Recreation and Open Space Plan.) Key arguments for acquiring the reservoir site are the following:

- The site’s elevation and topographic prominence create a unique Newton landscape that affords to the public broad vistas not available elsewhere in the city.
- The site location along Commonwealth Avenue at the top of Heartbreak Hill, a popular walking, running, biking route, provides an opportunity to create a citywide destination.
- The site is located in a portion of Newton which is relatively underserved in terms of accessible open space resources.

The MWRA is now in the process of decommissioning the reservoir, which presents an unexpected opportunity for the City to purchase a valuable property at a vastly reduced price, provided the site is used as open space.

The Committee believes that preservation of the Reservoir, as a 2.9 acre body of water, is the single most important aspect of future use of the site. Water is a magnet for all types of people and activities. The popularity of water cannot be understated as evidenced by the number of people attracted to places like the Chestnut Hill Reservoir, Bulloughs Pond, the Charles River and the Brookline Reservoir. Water allows for both activity as well as contemplation, as a place to gather and a place to be alone. The Waban Hill Reservoir site will be attractive to many different populations in Newton who will use it for a variety of purposes. There is no other site in Newton, where one can walk or run along a wide, flat path around a large body of water (see Appendix 1, which shows how the Waban Hill Reservoir is unique among other Open Spaces in Newton). Despite the fact that Waban Hill Reservoir has been fenced off for decades, it nevertheless has drawn many visitors, who walk or run around the periphery, or who stop to appreciate the remarkable vista from one of the highest points of elevation in the City of Newton.

By simply making the site safe for public access, the Waban Hill Reservoir could become immediately usable, without requiring expensive, major modifications. Street level access with on-street parking currently exists at three distinct locations on the site, which provide access to both the berm crest as well as the grassy, lower expanse around the earthen dam. While the Reservoir is the most dominant feature of the site, the opportunity exists for additional features to be added in the future. The site could be further enhanced by the addition of: an imaginative pre-school play area with water features (possibly incorporating the berm slope); a informal mini-amphitheater at the highest point of the site; shaded seating at various points, both on the berm and in the lower area; stretching stations throughout the site; terracing of the exterior of the berms to expand plantings and seating; public art located at various points around the site; an orchard of apple trees managed by Newton Community Farm; and tables at the lower part of the site, as well as at the entrance closest to Commonwealth Avenue.

The WHRP Plan transforms a currently inaccessible parcel of land into a welcoming open space, that addresses a number of goals articulated in the Newton Recreation and Open Space Plan. The Plan is a simple, relatively low cost and low maintenance approach that will benefit the entire City and all of its residents, and will be able to support additional uses and features over time.

Abstract

The Waban Hill Reservoir Advisory Group (WHRAG) was appointed by the City of Newton to provide community advice to the Board of Aldermen concerning the acquisition and use of the Waban Hill Reservoir. The committee consisted of the following persons: Steven Bader, Madelyn Bell, Peter Clote, Sharon Cushing (nonparticipating), Novelle DuPen-Meyerhoff, Cathy Eaton, Muriel Esdale, Jean Fulkerson, Ben Ostrow, Gail Silberstein, Susan Servais, Dan Von Kohorn, co-chaired by Gail Silberstein and Peter Clote. The committee was tasked to formulate a vision about how the Waban Hill Reservoir site could be designed as open space to benefit residents from all parts of Newton, if the City of Newton were to acquire the Waban Hill Reservoir site from the Commonwealth of Massachusetts. In this report, we describe background issues, provide a case for Newton's acquisition of the reservoir site, and furnish a compelling vision of how to construct an open space park that provides a unique contribution to the Newton park system.

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Setti D. Warren
Mayor

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Candace Havens
Director

MEMORANDUM

DATE: June 6, 2013

TO: Board of Aldermen
Mayor Setti D. Warren

FROM: Candace Havens, Director of Planning and Development
Alexandra Ananth, Chief Planner, Current Planning
Katy Hax Holmes, Senior Planner

SUBJECT: **Potential Purchase of Waban Hill Reservoir**

Cc: Robert R. Rooney, Chief Operating Officer
Maureen Lemieux, Chief Financial Officer
Dave Turocy, Commissioner of Public Works
Members of the Waban Hill Reservoir Advisory Group

A handwritten signature in black ink, appearing to be "SH".

EXECUTIVE SUMMARY

The Massachusetts Water Resources Authority (MWRA) is seeking to decommission and sell the Waban Hill Reservoir property located on a parcel bordered by Ward Street, Woodlawn Drive, Reservoir Drive, and Manet Road in Ward 7, Chestnut Hill. To gather community input, the City organized an advisory group comprised of Chestnut Hill and greater Newton residents (WHRAG), to develop their vision for future uses of the property. This group mirrored a JAPG-style format in its proceedings and its meetings were attended by the Ward 7 Aldermen, Planning Department staff, Parks and Recreation Department staff, and the public. In its final report, the WHRAG recommended that the City purchase this parcel as dedicated open space. Potential uses for this site were



envisioned by the WHRAG to be consistent with the City of Newton Open Space Plan, *Comprehensive Plan*, and the funding goals for the Community Preservation Act (CPA), and to enable public use and access to open space that has been off limits to the public for decades. Planning staff agrees that its best use is for open space and recreation, and further suggests consideration of a broad range of potential such uses to serve the needs of the community.

BACKGROUND

Known as the Waban Hill Reservoir Advisory Group (WHRAG), this group is comprised of 14 members, 12 of whom are Ward 7 residents and included two professional planners, local neighbors, representatives from active recreation organizations, and advocates for affordable housing, conservation, and public art. This group met bi-monthly from February to May 2013 and its efforts have culminated in a separate report. Though not an official JAPG, the group was nevertheless assembled using the JAPG format. Two members attended most of the meetings but resigned from the group before the report was completed, and one member did not attend any meetings. Hence, the report lists the names of 11 individuals.

The WHRAG was conscious of the need to create a space that would serve the community at large and actively worked to devise a vision for the site that it believed met the needs of the Newton community, particularly the young and the elderly. Members of the Planning Department who worked on the acquisition of the Hannon property on Crystal Lake recall concerns of this nature arising when the Newton Center house lot was acquired for open space. This site has subsequently become a lovely lakeside park for picnickers, swimmers, and walkers and in a short time has become a year-round destination in Newton. In neither case was the City in the position to choose where these open space opportunities occurred. The Planning Department believes the City should continue to position itself in such a way as to take advantage of unexpected open space opportunities when they arise.

The WHRAG report is not intended to design the new open space, but to recommend a course of action for the reservoir property. The Planning Department supports the consideration of planning mechanisms to allow for universal access, such as connections between the reservoir and buses along Commonwealth Avenue, and parking and transportation improvements to the village that further enliven the area and potentially contribute to the City's tax base over time. Both the WHRAG and the Planning Department hope that appropriate use of what could be a City-owned parcel will encourage continued communication and cooperation amongst property owners and the high number of renters in the neighborhood.

The Planning Department recognizes this as a unique opportunity to create active and passive recreational opportunities to serve the community and recommends the City purchase this property for open space.

I. SIGNIFICANT ISSUES FOR CONSIDERATION

When deciding whether to allocate money toward the purchase of this site, the Board should consider whether:

- purchase of the site would provide universal access to open space that no one has legally been able to enjoy for decades;
- this parcel might act as a catalyst for the enlivenment of the commercial corridor along Commonwealth Avenue;
- the project could add revenues to the City, either in the short- or long-term or, preferably, both;
- the project would assist the City in meeting its goal for creating and providing opportunities to enjoy open space in the City as stated in the *2007 Comprehensive Plan* and the 2013-1019 Open Space Plan; and
- the use of this land will require additional parking to satisfy the anticipated increased demand for parking expected with the creation of new, accessible open space that can be met either on-site or off-site.

II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

A. Neighborhood and Zoning

The Waban Hill Reservoir site is surrounded by a residential neighborhood that is densely developed on relatively small lots. Staff agrees with the WHRAG that usage of the reservoir property should be compatible with its residential context, including but not limited to compatibility in visual scale.

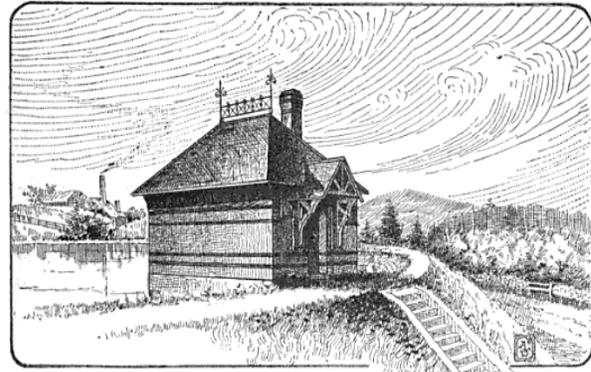
This site is currently zoned Public Use. The surrounding neighborhood is zoned Single Residence 2 and Multiple Residence 1, which allows for single and two-family dwellings, and uses such as a congregate living facility, hospital, cultural center, riding school, stock farm, and private garage. However, these uses do not seem to immediately fit in to this Chestnut Hill neighborhood. In the MR1 zone, subject to a special permit, uses such as boarding houses, non-profit organizations, single-family attached dwellings and 'cluster developments' may be allowed, provided the site meets dimensional and parking controls.

The Planning Department believes that the Public Use zone most closely resembles what is suitable for this site, and allows by right much of what was envisioned by the WHRAG, including commons, public gardens, parks, conservation areas, playgrounds, public parking lots, waterworks reservations, public purposes, and accessory uses to those listed above. Allowed uses in the Public Use zone also include railroads, public streets and highways, and public cemeteries, though these latter uses are less likely for this five-acre site. As the property owner, the City could limit the intensity of the uses allowed on the site to only those believed to meet its goals for the area. The Board of Aldermen may also vote to approve temporary licenses for farm stands, markets, fairs and festivals at the site except where other City departments may have jurisdiction.

B. Site

Built in 1877, the Waban Hill Reservoir is a 1,100-foot long earthenware embankment dam. The dam is 22 feet tall at its highest point and has a crest width of approximately

15 feet. The large embankment surrounds approximately three quarters of the total site. The City owned and operated this water repository until it sold it to the Massachusetts Water Board (now the Massachusetts Water Resources Authority) in 1900. At that time, the reservoir served to regulate water pressure during periods of high use and as a backup water supply during times of emergency. The reservoir stores water off-stream, has no watershed area, and does not store water for human consumption. A brick gatehouse currently standing at the south end of the reservoir was built c.1900 and replaced a frame structure at this location that stood until at least 1889. This dam is located in a residential neighborhood and has been rendered inaccessible to pedestrian traffic by a tall protective fence.



Gate at Waban-Hill Reservoir, Chestnut Hill.

Image from King's Handbook of first gate house on Reservoir site

III. REUSE ANALYSIS

A. Land Use

The Division of Capital Asset Management (DCAM) could declare this parcel open space under Article 97, thus reducing its value as non-developable land and cutting the purchase price of the property. As this site is not currently envisioned as an income-producing property, the sale of the City-owned Pump House lot (photo at left), located in Chestnut Hill and currently landlocked by house lots on the west side of Woodlawn Drive (SBL 63005-0002), could generate income toward the reservoir property's long-term maintenance. This lot could be rezoned and sold as a house lot or divided into smaller parcels to be sold to adjacent neighbors. This parcel is approximately 7,750 square feet in size and is zoned Public Use, with an assessed value of \$163,600.



B. Open Space

The WHRAG recommends that 100% of the site be devoted to open space. This requirement may include small pocket parks or pedestrian ways in and around the site and need not be in one contiguous portion of the site. The Planning Department agrees with this recommendation.

Purchase of this parcel as open space meets the primary objective of the Open Space Plan, which addresses the City's "ongoing need to preserve, protect and provide additional open space including pocket parks in the more densely populated neighborhoods of Newton." (Section 1 – Plan Summary, page 1 of 2). The Open Space Plan acknowledges a deficit of available land for passive and active recreation, particularly for the growing populations of the very young and the very old in Newton. Although the Open Space Plan also acknowledges a deficit in active playing fields in the City, the Planning Department believes further study is necessary to assess whether the site is conducive to funding and accommodating athletic fields and the necessary amount of parking and accompanying vehicular traffic that comes with team athletic events. The WHRAG noted this deficit but in its report stated its belief that due to issues related to increased traffic and noise the site was not conducive to use by sports teams.

In the City of Newton's *Comprehensive Plan*, the Open Space element incorporates four goals for its non-developed parcels. Beneath each goal is a listed example in the Plan which would be met on the Waban Hill Reservoir site.

- a. To recognize, preserve and maintain the City's important natural assets and resources
 - *Distinctive landscapes- land with scenic character and land that affords vistas and panoramic views.* The Waban Hill Reservoir has one of the highest scenic vantage points in Newton.

- b. To protect and preserve remaining large open spaces, including golf courses and parcels owned by institutions and private entities
 - The Waban Hill Reservoir, though not a large parcel, is one of the few remaining in the City for possible purchase.

- c. To ensure an adequate amount, variety, and distribution of open space for both public benefit and biodiversity
 - *Distribution– opportunities to enhance and expand active and passive recreation sites in northern parts of the city.* The Waban Hill Reservoir would provide open space in a neighborhood that currently has no public land available for passive or recreational use.

- d. To integrate compatible recreation and conservation uses.
 - *Passive recreation- sensitively manage the increased demand for playing fields with the increased popularity of passive activities (walking, bird-watching, cross-country skiing etc.) and interests (plant identification, scenic effects, etc.)* The Waban Hill Reservoir has been envisioned as a destination for all of the passive activities listed in the Plan.

The site features steep berms topped with a wide, flat rim and historic vestiges of turn-of-the-century water engineering. The reservoir is on one hand a holding tank for rainwater, while also notable as providing one of the highest natural vantage points in Newton. The Advisory Group wrestled with ways in which the site could be adapted to more active use, which included considering the financial commitment necessary to

convert the site to something other than passive use. The Planning Department agrees that the subject parcel is a valuable asset in the City and that it would appeal to visitors both City- and region-wide, particularly during the Boston Marathon.

With the reservoir's location at the top of Heartbreak Hill, this site has attracted marathon audiences for over a hundred years, all of whom technically trespass on MWRA land in order to obtain the best views of the race on Commonwealth Avenue below. The group discussed future ways in which Marathon fans could continue to view the race from the reservoir property, as well as ways in which the reservoir might become part of a national memorial to those injured or lost in the Marathon bombings in Boston on April 15, 2013. The Planning Department supports this idea and encourages citizen's efforts to incorporate the reservoir site into the Boston Marathon zeitgeist on a local, regional, and national level.

Based on the broad requirements of the Massachusetts Community Preservation Act, and the slightly narrower ones in the Newton Community Preservation Committee's current Funding Guidelines, this project may be eligible for CPA funds in three categories. CPA funds could be used to acquire this reservoir as open space or as recreation land, for active or passive recreational use, to protect pond frontage (albeit man-made), or to preserve scenic vistas from the uppermost rim of the dam. Protection of the historic gatehouse on this site could also qualify for funding under the CPC category for Historic Resources, though that would require either adding the dam and gatehouse to the State Register of Historic Places, or having the Newton Historical Commission declare them locally significant.

A representative from the Newton Girls' Soccer organization served on the WHRAG and contributed thoughtful ideas for consideration as potential income-producing and active recreation activities at the site. The Newton Farm Commission also submitted a letter advocating for additional farmland in the City. The Planning Department believes that the possibilities for the City to produce income at this site should continue to be considered over time as additional funding for site improvements becomes available. The Planning Department also believes that not all vacant land in the City is suitable for every type of use and that further discussion and consideration be given to the reservoir site's unique development possibilities.

The Planning Department recommends that the net fiscal benefit to the City of acquiring this parcel, whether it is used for passive recreation in the short-term or long-term, be taken into consideration. Possible sale of the Pump House lot and potential income-generating uses on the site, in whole or in part, should also be studied as part of a fiscal analysis of the site.

To ensure the lowest purchase price for the reservoir property, the Planning Department recommends that the City buy the reservoir property from the MWRA as land which qualifies as open space under Article 97 of the Article of Amendment to the

Constitution of the Commonwealth of Massachusetts, voted into place in 1972. Land classified under this article is to be left in its natural state for the people's right to enjoy natural open space settings.

Contingent upon review by the Law Department, the reservoir property appears to qualify as open space under Article 97. Legal interpretations over time have allowed that playgrounds and active recreation sites have also qualified as Article 97 uses. The Planning Department supports this purchase strategy for the reservoir site, leaving open the possibility for changes in the level of recreational intensity of its usage over time.

C. Affordable Housing

In consultation with the Departments of Law, and Parks and Recreation, the Planning Department reviewed possible development of the site for housing. Newton has a unique developmental history of pocket parks, which have dotted the Newton landscape since the 1840s. Planning staff worked on the concept of creating house lots on the reservoir parcel that surround a central small park. In an attempt to create housing that would be in keeping with the surrounding neighborhood, the Planning Department mirrored the existing lot sizes of the adjacent lots, which were approximately 8000 square feet in size.

Although housing on the site was not ruled out by the Planning Department as a long-term use in principal, the Department is concerned that the time and money necessary to make this argument while devising a purchase strategy for this parcel would raise the purchase price for the lot and potentially jeopardize the sale of the parcel to the City. Any effort to make the site viable for development would involve paying market price for the parcel, having it rezoned by the Board of Aldermen, and putting the project out to bid. Protecting the site as open space would keep the purchase price low, expedite the transfer, and allow for the existing zoning (Public Use) to remain in place. Since this property is currently open space, rezoning it for housing would likely require legislative review and action by the State under the provisions of Article 97 of the Article of Amendment to the Constitution of the Commonwealth of Massachusetts.

The challenge for the City will be to prioritize its needs in tandem with the challenges posed by the reservoir site, and balance them to ensure a financially feasible project. The Planning Department supports submitting an application to the Community Preservation Commission (CPC) to obtain funding to purchase the parcel.

D. Building and Site Design

The WHRAG rated preservation of the site and design as one of its most important issues. Chief among the WHRAG's concerns is that any proposed use of the site respect the density and scale of the surrounding neighborhood and be compatible with its

context. The group also recommended locating most recreation activities at the northwest corner of the site, where the land is at grade and easily accessible.

If the site were to remain a holding pond with walking trails above, as has been initially proposed, the Planning Department agrees with the proposed placement of these activities. The Department also recommends that on-street parking be allowed around the site in such a way as to ensure that the pedestrian experience is not interrupted by vehicular traffic, and local residents are able to enter and exit their driveways unimpeded.

E. Infrastructure

The site is accessed by four surrounding streets and from steps leading up to the gatehouse from the south. The City should conduct baseline traffic counts at intersections in the area that are likely to be affected by increased pedestrian and vehicular access to the site (in particular Ward St./Woodlawn Drive, Woodlawn Drive Rd/Reservoir Rd, Reservoir Rd/Manet Road, and Manet Road/Ward Street). In the event the existing body of water is to be retained on site, the City should conduct a baseline study of the site's water capacity, drainage and soil tests to determine whether there is contamination that must be addressed, as well as the structure's long-term viability as a retention pond. While these studies will incur a cost in the short-term, their long-term benefits will be measurable for the best future development of the site.

Unlike other acquisitions of open space in Newton, understanding the engineering implications of this site are of paramount importance, both for historical reasons and for the long-term viability of the site as a usable, safe destination for active and passive recreation. MWRA has categorized this reservoir as a High Hazard dam due to its service as a retention pond in a densely developed neighborhood. Though maintenance reports for this reservoir identified its deteriorated condition and minimal maintenance invested over the years, the dam in its current condition has not been deemed to be dangerous. If the reservoir is to be preserved in its present condition and converted to passive use, the structural stability of the site should be thoroughly examined by an engineering firm or professional engineering staff prior to any public access to the site.

IV. RECOMMENDATION

As a tightly encircled urban space in a neighborhood that lacks parks and recreation areas for its residents, the Planning Department recognizes the unique opportunity to purchase the parcel. The City's Open Space Plan identifies this parcel as a future acquisition, and the reservoir property is included in the CIP priority list for the Parks and Recreation Department.

The Planning Department recommends that the Board of Aldermen direct the City staff to pursue purchase the decommissioned Waban Hill Reservoir from the MWRA and

devote the site to protected open space consistent with the recommendations of the WHRAG and the Planning Department.

GEOTECHNICAL ENGINEERING EVALUATION REPORT

EXECUTIVE SUMMARY

The Waban Hill Reservoir Dam is regulated by the Commonwealth of Massachusetts, Department of Conservation and Recreation (DCR), Office of Dam Safety per 302 CMR 10.00 "Dam Safety." The dam is classified as Intermediate Size, (22 feet high, maximum storage of 60 acre-feet at the top of the dam) and High Hazard (located in an urban area where a failure would cause loss of life and/or significant property damage to commercial and residential buildings, secondary highways or railroads or cause interruption of use).

The Waban Hill Reservoir is an off stream impoundment that was used by the Massachusetts Water Resources Authority (MWRA) to provide high service pressure. It was filled via water pumped through a water supply pipeline to provide a water source to provide backpressure in a connecting pipeline to start an emergency pump at the Chestnut Hill Reservoir Pump Station. The reservoir is now a redundant feature in the water supply system and has been decommissioned from service. The 20-inch diameter pipeline used to fill the reservoir has been disconnected making it impossible to fill the reservoir beyond the current levels other than by rainfall. The drainage area of the reservoir is limited to the interior of the embankments and encompasses approximately 2.9 acres of the 5 acre property. There is no overflow spillway at the reservoir. The outlet works at the gatehouse serve as the only discharge structure at the dam.

Waban Hill is drumlin, a small hill composed of glacial till. The reservoir was formed by the construction of a 1,300 feet long earthen embankment that was cut into the hillside at the northeast corner with a maximum height of 22 feet and a maximum storage capacity of 60 acre-feet. The historic normal pool elevation for the reservoir is at elevation (El) 259 Boston City Base. The bottom of the reservoir is at El 246 and the top of the embankment is at El 270. The current reservoir level is at El 255± one foot leaving a water depth of 9 feet. The upstream slope is armored with hand placed granite block riprap at a 1.5 horizontal (H) to 1 vertical (V) slope. The crest of the embankment is flat; grass covered, and is about 15 feet wide. The downstream slope is also grass covered at 1.7H to 1V and varies in height from 0 feet at the northeast corner to 22 feet at the southeast corner of the reservoir. The gatehouse is located at the southwest corner of the reservoir. The primary inlet/outlet to/from the gatehouse was a 20-inch diameter cast iron pipe that has been permanently disconnected from the MWRA system. A secondary outlet is an 8-inch diameter cast iron drain which can be used to manually control the reservoir elevation. This 8-inch drain discharges to an 8-inch diameter cast iron pipe in Ward Street and is the only means for lowering and controlling the water level within the reservoir. With the disconnection from the MWRA system, the reservoir impoundment is only effected by rainfall and evaporation. If the impoundment level increases, the water surface can be manually lowered by discharging water into the City of Newton storm water drainage system.

Eight test borings (B-1 through B-8) were drilled to determine the internal makeup of the embankment in January 2014. The test borings generally encountered a surficial topsoil layer underlain by embankment fill and glacial till. Embankment fill samples primarily consisted of dense brown fine silty sand and extended to a depth of about 20 feet or El 250 in each of the four borings drilled from the dam crest. Beneath the embankment fill, a stratum of glacial till approximately 17.5 feet to 24 feet in thickness was encountered and described as a very dense gray/brown, fine to coarse sandy silt, trace clay. Bedrock was



GEOTECHNICAL ENGINEERING EVALUATION REPORT

between El 251 to 248, respectively. Although the results of the slope stability analyses did not meet the minimum failure requirement for the steady state condition, it is believed that the embankment will remain basically stable under the current conditions. The potential failure surfaces identified in the stability analyses are surficial and relatively shallow. A substantial embankment would remain if a slide did occur minimizing the impact of a release of the stored water within the reservoir. With the reservoir maintained at El 255, the water storage is limited to 17 acre-feet which is further reduced due to the toe of the embankment at the maximum section near the intersection of Ward Street and Manet Road being at El 248.

The following items were discussed during the presentation of the Waban Hill Reservoir Embankment Dam Investigation and Evaluation Results on April 1, 2014.

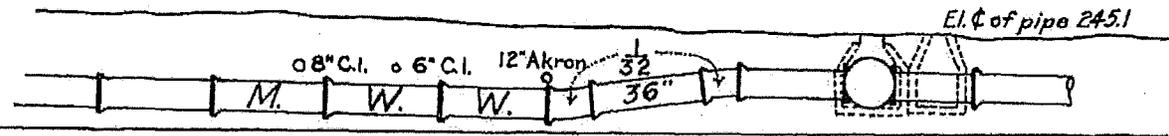
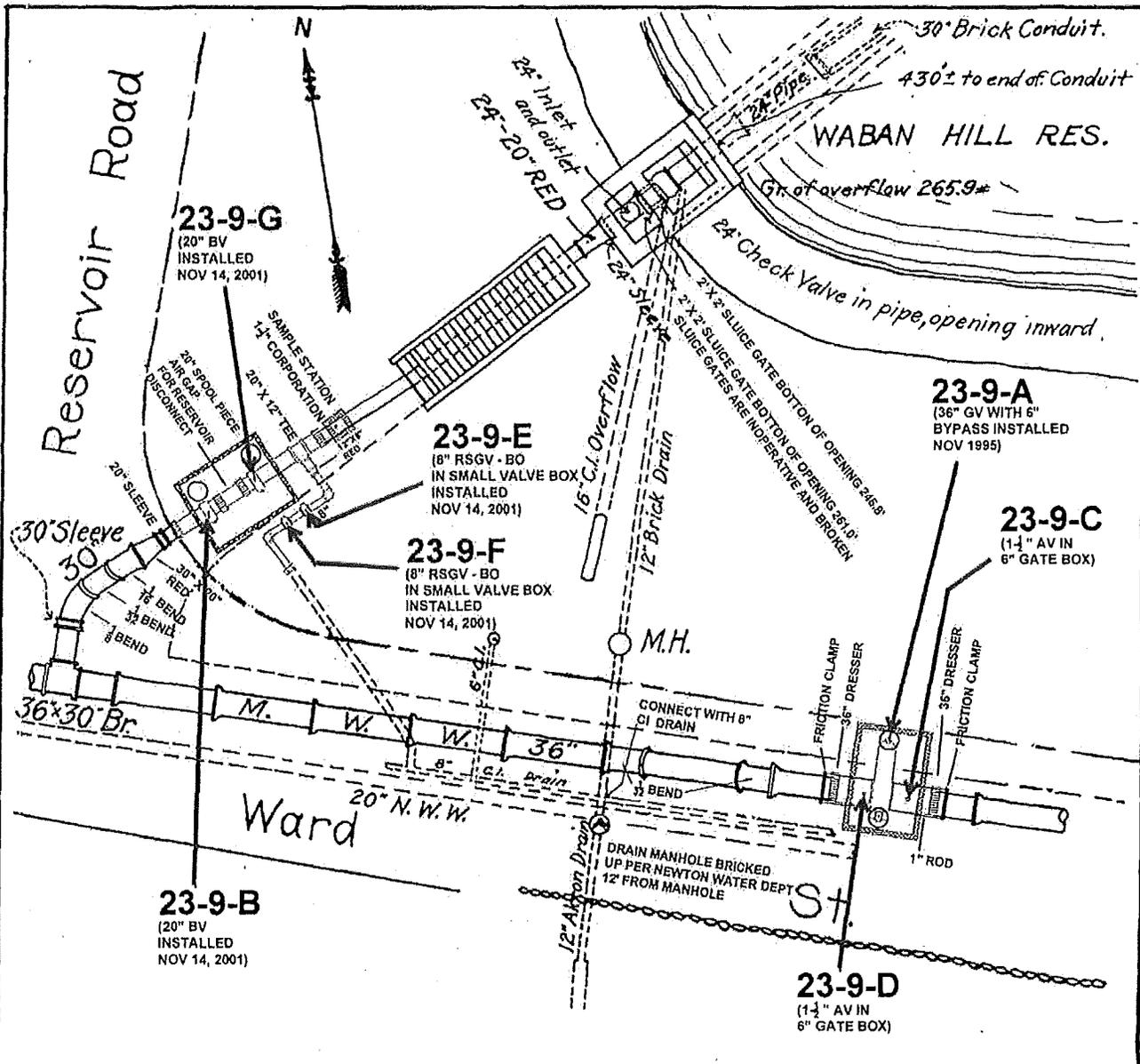
If the reservoir and embankment are maintained in its present condition, the annual maintenance costs would amount to mowing of the grass on the embankments one or two times per year (approximately \$2,000 to \$4,000). Because the dam is currently rated as High Hazard Dam, a Phase I Dam Inspection/Evaluation Report is required to be submitted to the Office of Dam Safety every 2 years. The next inspection is due in September 2014. The cost for the inspection and report is approximately \$4,000 to \$5,000 every other year. In addition, an update to the Emergency Action Plan (EAP) prepared for the dam is required to be submitted to the Office of Dam Safety annually. Assuming MWRA has a plan in place, the initial update of the EAP will require the inclusion of current City emergency responders. The cost for the update would range between \$8,000 to \$12,000. Thereafter, the annual EAP update would be approximately \$1,000 and could be performed by City personnel.

Regarding the repairs outlined in the 2012 Phase I Dam Inspection/Evaluation Report, the vegetation growth along the upstream slope of the dam should be removed. The estimated cost for this maintenance item was between \$5,000 to \$10,000 and could be performed by City personnel. Based upon the results of the stability analyses performed, the heaving/bulging on the granite block slope protection along the upstream slope of the embankment does not need to be reconstructed. It appears that the observed movement was the result of a sudden drawdown of the water surface within the reservoir for the startup of the emergency pump at the Chestnut Hill reservoir, a condition that can no longer occur due to the decommissioning of the reservoir from the MWRA system. The blocks do not need to be reset or grouted. The blocks do enhance the stability of the upstream slope and should be left in place.

Filling of the voids beneath the steps to the gatehouse does not have an impact on the stability/performance of the reservoir. It is a potential safety issue that should be addressed by the City if opened to public use. The estimated cost for the repairs to the steps ranged between \$10,000 to \$25,000. There were no active animal burrow holes observed along the downstream slope of the embankment. If noted the animals should be trapped and removed. Active use of the reservoir by the public and regular maintenance of the embankment with grass mowing will discourage burrowing animals.

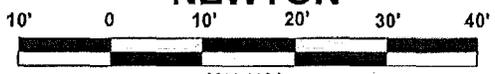
Repairs to the gatehouse would include roof replacement and the installation of a new slide gate to allow the City to maintain a maximum water surface elevation within the reservoir no higher than El 256 (current levels) via the 8-inch diameter drain pipe to the City storm water drainage system in Ward Street. A copy of the gatehouse/valve locations is attached. New resilient seated gate valves were installed along





240 FT. ABOVE BOSTON CITY BASE
PROFILE

36" GATE VALVE WITH 6" BY-PASS INSTALLED NOV 1995
20" BUTTERFLY VALVES, 8" BLOW OFF RETROFIT AND
RESERVOIR DISCONNECT INSTALLED
NOVEMBER 2001
GATE HOUSE AT WABAN HILL RESERVOIR - WARD STREET
NEWTON



DRAFTED MARCH 13, 2006

JAN 1901
CORRECTED FEB 1913

From Chestnut Hill Res. Sta. 79+18 A.V.

Detail Record 23-9

Waban Hill Reservoir

Community Feedback



Full text of letters from organizations:

- ◆ Newton Conservators
- ◆ League of Women Voters
- ◆ Waban Hill Reservoir Advisory Group,
- ◆ Friends of Waban Hill Reservoir (2 letters)
- ◆ Chestnut Hill Neighborhood Association

CPC staff summary of all letters/public hearing appearances by individuals:

- ◆ Supporting households by village/neighborhood
- ◆ Comments on valued site features/desired uses

12/11/14 – The Newton Conservators

The Newton Conservators support the City of Newton's acquisition of the Waban Hill Reservoir in Chestnut Hill for preservation as open space. We support this because the Waban Hill Reservoir is listed in the current Recreation and Open Space Plan; it is in keeping with the City of Newton's Comprehensive Plan; and it meets our mission statement goals for "the protection and preservation of natural areas for the enjoyment and benefit of the people of Newton." Furthermore, the Newton Conservators are willing to hold the conservation restriction on this property.

We also support the allocation of funds needed to ensure that structures on the property are stable and that the property is made safe for public use.

The Conservation Commission voted that the Waban Hill Reservoir is not a "jurisdictional" property, which allows some (or all) of the reservoir to be filled in in the future. There is no consensus on how the property should be adapted to meet the needs of either passive or active recreation or what features should be added. It seems reasonable to wait to approve other funds until all parties have reached consensus on what is to be done, and the Conservators would like to be part of that discussion.

Additional statement on funding to monitor CR

Given that we do not know what changes will be made to the property and to what uses it will be put, it is hard for us to know the cost of monitoring the conservation restriction. In the past, we have not received funds for other properties, and it has been a challenge to find that money in our budget. We request that a restricted fund be created in the amount of \$25,000 to cover all future costs of bi-annual monitoring of the property, water testing if needed, and any legal action needed to defend the conservation restriction.

League of Women Voters of Newton Comments on the Waban Hill Reservoir Application to the CPC

The LWVN realizes that this parcel could be sold and developed, and thus supports its acquisition for the city as open space. The neighborhood has few public green spaces, and the city rarely gets an opportunity to acquire open space. There is strong community support city-wide (78 letters) and \$3850 in pledges.

The proposal is congruent with the City's Open Space Plan, Comprehensive Plan and is on the CIP priority list for Parks & Recreation. It also fits the LWVN position on Recreation and Open Space (2006) supporting the "gradual provision of new recreational facilities to serve the entire city as need is established."

However, our readers were left with serious questions that we urge the CPC to address in its deliberations:

- Our readers' main issue was with the lack of a long-term Master Plan for this site. Currently, Newton would be paying \$1m to acquire the property, open it, and replace the fence. We need reassurance that there will be greater public benefit than just a new fence.
- If taxpayer funds are used to acquire and improve a park, it becomes the city's responsibility to ensure that the site's benefits are not limited to just a small neighborhood. Therefore we recommend a transparent Master Planning process that recruits representatives from all Newton neighborhoods.
- We were also troubled by the exclusive dependence on CPA funds for the improvement of this site. We would like to see more outside funds (suggest the enlistment of neighbors, Boston College and Mt. Alvernia for both funding and volunteers for maintenance).
- Does Parks & Recreation have enough funding and staff to maintain this property well? Is the budget for maintenance adequate?
- The time-line for making the proposed improvements to the site seems long. Could this be expedited?
- The depth, safety and size of the pond worried many readers. LWVN members have recently heard that the reservoir cannot be filled in. However, the application and supplemental paperwork makes no mention of this, and in fact gives alternative uses like gardens and playgrounds. Our concern is that it is not yet clear what possible uses this site can accommodate legally, and that this information is not being correctly or fully considered in the application or by members of the public.
- If not, could the water body be used for active recreation, such as kayaking lessons?
- The gatehouse repairs take \$80,000. Is this the best solution? Why retain the gatehouse?
- Why does the application seem to indicate the funding use as recreation only, when it clearly also falls under Open Space?

CHESTNUT HILL ASSOCIATION

MEMORANDUM
In Support of
CPC Funding for the Waban Hill Reservoir
Public Hearing – December 11, 2014

The Chestnut Hill* Association strongly supports the CPC funding in the amount of \$1,073,446 for the acquisition and improvements of the Waban Hill Reservoir.

The Waban Hill Reservoir is a lovely parcel of land located at one of the highest points in Newton with breathtaking views and sunsets. It is a unique natural resource and presents an extremely rare opportunity to provide usable open space to the village of Chestnut Hill and to all residents of the City of Newton. The village of Chestnut Hill does not have any open parks available to its residents for active or passive recreational use. Our village is comprised of residential housing, shopping malls, major transportation routes and Boston College. This presently, under utilized parcel of land has the potential of becoming a popular park setting that could provide much enjoyment, open space and recreational needs to the village and to all Newton residents.

The Waban Hill Reservoir Advisory Committee (WHRAG) was thoughtful and thorough in their study of this parcel and the CHA enthusiastically endorses the recommendations found in their Final Report dated June 6, 2013. We understand that there are more details to discuss and topics to work out, but urge you to move forward with a favorable recommendation for funding the acquisition, safety improvements and recreational uses for this parcel for the City of Newton.

On behalf of our members and the residents of Chestnut Hill, we thank you for your time and consideration.


Chestnut Hill Association, Inc.
Ken Lyons Esq., President

* The CHA is a neighborhood citizen's group with over 500+ members
(www.chanewton.org)

Written comments in support of request to CPC for funds for acquisition and improvement to Waban Hill Reservoir site.

We are writing in support of the requested expenditure under the Newton Massachusetts Community Preservation Program for the acquisition of the Waban Hill Reservoir site and upgrade of uses consistent with the Waban Hill Reservoir Advisory Group (WHRAG) Report. The WHRAG, of which we are the co-chairs met regularly in the first half of 2013 and submitted its report in June 2013.

The WHRAG concluded that the preservation of the Reservoir, as a 2.9 acre body of water, is the single most important aspect of future use of the site. The popularity of water cannot be understated as evidenced by the number of people attracted to places like the Chestnut Hill Reservoir, Bulloughs Pond, the Charles River and the Brookline Reservoir. The Waban Hill Reservoir site will be attractive to many different populations in Newton who will use it for a variety of purposes. There is no other site in Newton, where one can walk or run along a wide, flat path around a large body of water. Despite the fact that Waban Hill Reservoir has been fenced *off* for decades, it nevertheless has drawn many visitors, who walk or run around the periphery, or who stop to appreciate the remarkable vista from one of the highest points of elevation in the City of Newton. By simply making the site safe for public access, the Waban Hill Reservoir could become immediately usable, without requiring expensive, major modifications.

Newton Massachusetts Community Preservation Program specifies “allowable spending purposes” which include preservation of Historic resources, open space or land for recreational purposes.

Funds used for the acquisition and improvements to the Waban Hill Reservoir site as discussed above, fit squarely within these 3 criteria. Waban Hill Reservoir is easily accessible, being located at the top of Heartbreak Hill, directly adjacent to Commonwealth Avenue, a popular walking, running and biking route. This central location affords the opportunity to become a citywide destination and will benefit residents from all part of Newton.

We have begun to solicit support for the project, and expect that residents will provide both “sweat equity” and financial support to the project. We envision a plethora of activities to occur on the site over time and look forward to watching it grow into a valuable community resource.

Thank you for your time and attention

Gail Silberstein
Peter Clote

From: Susan Servais [mailto:susan.servais@gmail.com]
Sent: Friday, November 28, 2014 9:57 AM
To: Alice Ingerson
Subject: Waban Hill Reservoir

Friends of the Waban Hill Reservoir (first letter)

4 Garrison Street
Newton, MA 02467
[617-347-1932](tel:617-347-1932)
susan.servais@gmail.com
ggavris@yahoo.com

Dear Community Preservation Committee,

We are writing on behalf of the Friends of the Waban Hill Reservoir. We are very excited about the support we have received from people throughout Newton to preserve this beautiful open space, the Waban Hill Reservoir.

The Waban Hill Reservoir is a beautiful, unique 5 acre site visible to all on the internationally famous Heartbreak Hill of the Boston Marathon. When it was learned that the DCR (formerly MWRA) was planning to sell the property, we knew that the purchase of this property was aligned with the movement in Newton to preserve open spaces for perpetuity.

The preliminary outreach done by the Friends of the Waban Hill Reservoir resulted in 84 letters of support from residents living in 8 villages of Newton. We asked for a small \$25.00 pledge as a show of support and received over \$5,000 in pledges. We have not yet collected the pledges since Newton does not yet own the property. The funds raised will be used to assist in future amenities and enhancement of the project. We also have received support from residents indicating their willingness to contribute sweat equity in the form of planting, community building activities, etc. and help grow this project into a valuable community resource.

We ask that you approve the funding request for the Waban Hill Reservoir by the City of Newton. Preserving this land for our children, grandchildren and beyond is something we can all be proud of. Thank you for your leadership in maintaining the gardens and open spaces for all the residents of Newton. Together we can keep Newton "The Garden City".

Sincerely,

Susan Servais
Co-Chair

Gloria Garvis
Co-Chair

Villages where support letters came from include: Newton Highlands, West Newton, Auburndale, Newtonville, Newton Centre, Waban, Newton Corner, Chestnut Hill

Staff note to CPC:

For full text of the 78 letters of support submitted with the proposal, see the project webpage on your website, www.newtonma.gov/gov/planning/cpa/projects/waban_hill.asp.

The direct link for the file of letters is: www.newtonma.gov/civicax/filebank/documents/62469

Friends of the Waban Hill Reservoir
4 Garrison Street
Newton, MA 02467
617-347-1932
susan.servais@gmail.com
ggavris@yahoo.com

Dear Community Preservation Committee,

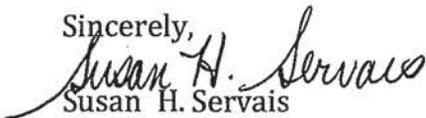
We are writing on behalf of the Friends of the Waban Hill Reservoir. We are very excited about the support we have received from across Newton to preserve this beautiful open space, the Waban Hill Reservoir. When it was learned that the DCR (formerly MWRA) was planning to sell the property, we knew that the movement in Newton to preserve open spaces when available would want this space to be kept open for perpetuity. It was amazing the immediate response we got from villages across the city asking that Newton purchase this property. The sentiment is the same everywhere; that Newton needs to do everything they can to preserve any and all that open spaces whenever the opportunity arises, no matter which village they are in.

We all share frustration with the constant construction of homes and destruction of gardens to create mega-homes. We have seen everything from red oaks and kwanza flowering cherry trees to beautiful lily gardens cut down for these projects, never to appear again. The Waban Hill Reservoir is a beautiful, unique 5 acres visible to all on the internationally famous Heartbreak Hill of the Boston Marathon.

The preliminary outreach done by the Friends of the Waban Hill Reservoir resulted in 84 letters from 9 villages of Newton. We asked for a small \$25.00 pledge as a show of support and received over \$5,000 in pledges. We have not yet collected the pledges since Newton does not yet own the property. The funds raised will be used to assist in future amenities and enhancement of the project. We also have received support from neighbors of their willingness to contribute sweat equity in the form of planting, community building activities, etc. and will help grow this project into a valuable community resource.

We ask that you approve the purchase of the Waban Hill Reservoir by the City of Newton. Preserving this land for our children, grandchildren and beyond is something we can all be proud of. Thank you for your leadership in maintaining the gardens and open spaces for all the residents of Newton.

Sincerely,


Susan H. Servais
Co-Chair


Gloria M. Gavris
Co-Chair

Village where support letters came from include:
Newton Highlands, West Newton, Auburndale, Newtonville, Newton Centre, Auburndale,
Waban, Newton Corner, Chestnut Hill

Newton, Massachusetts, Community Preservation Committee
Funding Recommendation for **Waban Hill Reservoir**

CPC Staff Summary of Emails & Public Hearing Attendance/Comments

The full text of all emails sent to the CPC is online from the project webpage at:

www.newtonma.gov/gov/planning/cpa/projects/waban_hill.asp

Organizations The full emails from the following are included both online and as attachments to the CPC funding recommendation: Newton Conservators, League of Women Voters, Waban Hill Reservoir Advisory Group (email in addition to full report), Friends of Waban Hill Reservoir (2 emails), Chestnut Hill Neighborhood Association.

Individuals: Supporting Households By Village or Neighborhood

Most people residing at the same address co-signed their emails, but a few sent separate emails. This summary counts all letters or public hearing appearances by 2 or more people residing at the same address as 1 “supporting household.”

| village or neighborhood (from most to fewest households) | number of households (total ≈ 85) |
|---|--------------------------------------|
| Chestnut Hill | 56 |
| Newton Centre (incl. at least 3 south of Route 9, perhaps better considered as “South Newton”) | 17 |
| West Newton | 9 |
| Newtonville | 8 |
| Newton Highlands | 7 |
| Waban | 6 |
| Auburndale | 5 |
| Newton Corner | 5 |

Organizations & Individuals: Valued Site Features or Desired Uses

This summary excludes emails that consisted solely of one of the 3-4 standard texts circulated by project proponents for submission to the CPC or the Board of Aldermen.

| valued site features or desired uses (from most to fewest mentions) | number of mentions |
|---|-----------------------|
| walking or running | 9 |
| water | 6 |
| views, vistas | 5 |
| other features or uses: | |
| active recreation in general, or specific activities: bicycles, skateboarding, rollerblading, basketball, kayaking | 4 |
| passive recreation in general, or specific activities: picnics, relaxing with friends, reading | 4 |
| wildlife, natural vegetation | 3 |
| new plantings | 2 |



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#33-15
Telephone
(617) 796-1100
Facsimile
(617) 796-1113
TDD/TTY
(617) 796-1089
E-mail
swarren@newtonma.gov

January 26, 2015

Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to accept and authorize the expenditure of \$9,423 (Acct # 19D120115) of additional grant funding received from the Massachusetts Municipal Public Safety Staffing grant.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

RECEIVED
NEWTON CITY OFFICE
2015 JAN 26 PM 1:03
DAVID A. OLSON, CLERK
NEWTON, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE



City of Newton Police Department



TELEPHONE
(617) 796-2101
FAX # (617) 796-3679

Office of the Chief of Police

HEADQUARTERS
1321 WASHINGTON STREET
NEWTON, MASSACHUSETTS 02459

HOWARD L. MINTZ
CHIEF OF POLICE

January 12, 2015

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

RECEIVED
NEWTON CITY OFFICE
JAN 26 PM 1:04
DAVID A. OLSON, CHIEF
NEWTON, MA 02459

Dear Honorable Mayor Warren:

I respectfully request to spend the remaining money received from The Massachusetts Municipal Public Safety Staffing grant. The original grant was for \$64, 434.00. The Board of Aldermen had previously authorized the expenditure of \$55,000.00 I am requesting permission to spend the remaining balance of \$9,423.00. The monies should be placed in account number 19D120115.

Thank you for your consideration in this matter.

Very truly yours,

Howard L. Mintz
Chief of Police





SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#53-14

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
warren@newtonma.gov

RECEIVED
CITY OF NEWTON
2015 FEB 23 PM 4: 55
DAVID A. O'NEILL, CLERK
NEWTON, MA 02459

February 23, 2015

Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request for \$2,230 to be appropriated from ISD Fines Receipt Reserved for Appropriation to ISD Expenses for the hiring on a land surveyor and the purchasing of the enforcement tickets.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

Inspectional Services Department

City of Newton
Massachusetts

Inter-Office Correspondence

Date: 2/17/15

To: Maureen Lemieux

From: David R. Norton, Deputy Commissioner of Inspectional Services



Re: Appropriation for Enforcement Issue (ZBA Case)

Attached please find a quote for the hiring of a Surveyor to verify lot measurements for the subdivision of 330 Langley Road. This is an enforcement issue that has been appealed to the Zoning Board of Appeals. As you may already know the City does not have a surveyor on staff and has to hire an outside surveyor whenever one may be required. The estimate that we received is for the amount of \$1200. I know that John Lojek has sent to you a similar request on 2/2/15 in the amount of \$1030 for the purchase of enforcement tickets.

We are asking that the total amount of \$2230 be appropriated for both the hiring of a land surveyor and the purchasing of the enforcement tickets. We have a ZBA hearing coming up on March 24, 2015 on the Langley Road enforcement and we will absolutely need the results of that survey. We are hoping to talk with the Board of Alderman about these funds at their March 3rd meeting.

Thank you for your quick attention to this matter.

EVERETT M. BROOKS CO. INC
49 LEXINGTON ST. WEST NEWTON MA, 02465
(617)527-8750 FAX (617)332-1578 INFO@EVERETTBROOKS.COM

Authorization to Proceed

February 5, 2015

Client David R Norton Phone Number
 Deputy Commissioner dnorton@newtonma.gov
 Inspectional Services Dept 617-796-1078
 City of Newton
 1000 Commonwealth Ave
 Newton MA

Project Address 330 Langley Rd Newton

Estimated Completion Date 2~3 weeks after signed confirmation

Project Manager Bruce Bradford

| Project Type | Estimated Project Fee |
|---|-----------------------|
| Research, field survey and calculations to verify dimensions and area shown on Plan 395 of 2013 | \$1,200.00 |

- This estimate is valid for thirty days.
- Project completion dates are estimates based on current workload and MAY VARY DUE TO INCLEMENT WEATHER and other unforeseen circumstances.
- Any other services requested by the client or their agents will be billed at the current hourly rates.
- Changes subsequent to February 5, 2015 of any codes, standards, regulations or laws may require an adjustment to the stated fee.
- Invoices for services shall be rendered either upon completion of services or on a monthly basis, at the option of Everett M. Brooks Co. and are payable upon presentation. Invoices shall be mailed to the client at the above address. ~~It is our policy to require payment of services before plans are released. You may pay by cash, check, MasterCard or Visa.~~
- See other side for Standard Contract Provisions.

Signing and returning this form will serve as your authorization to proceed.

I agree to the terms and standard provisions of this contract

_____ Date _____

Please check here if you would like to receive invoices by email _____

EVERETT M. BROOKS CO.
49 LEXINGTON ST. WEST NEWTON MA, 02465
(617)527-8750 FAX (617)332-1578 INFO@EVERETTBROOKS.COM

Standard Contract Provisions

- No Special Permits or Variances for the proposed construction will be required.
- Architectural plans will be complete, **dimensioned**, accurate and capable of complying with the applicable zoning regulations. Revisions to or **incomplete** Architectural plans may entail an additional fee or delay the completion of the project.
- Surveys for building permits do not include marking property lines. This service can be provided for an additional fee, please contact us for details.
- Surveys are done without benefit of title report and may not reflect items contained therein.
- If the client is not the record owner of the site at the time that this contract is executed, it shall be the client's responsibility to obtain right of entry from the owner of record.
- The location of Wetland and Flood Plain Districts will not be required.
- New utility connections will not be required. **Drainage design will not be required.**
- Drawing, sketches, field books, field notes, electronic field data, computer files and other similar documents are instruments of service, and as such are to remain the property of Everett Brooks Co.
- Alterations to final plans, calculations, reports and other data requested by the client or any regulatory agency may entail an additional fee.
- Additional As-builts and inspections requested may entail an additional fee.
- **If construction staking is requested, hard copies of the approved building plans and a minimum of 2 business days notice are required. It shall be the client's responsibility to provide us with the current, approved plans.**

Retainers A retainer shall be paid by the client at the execution of this contract. Retainers are held in full and credited at the final billing at the completion of services.

Cancellation of Service If a project is canceled, the client will be responsible for any costs that have been incurred prior to the cancellation. A cancellation becomes effective upon our receipt of a written notice.

Service charges and costs of collection A service charge of one and one-half percent per month will be added to any unpaid balance. Everett M. Brooks Co. reserves the right to terminate work under this contract if payment is not received in accordance with this provision. The Client agrees to pay all costs of collection, including attorney's fees.

Change of Scope If, during the progress of work under this contract, there is a change in scope of the work as ordered by the client, or as required by circumstances or by other authorities with the acknowledgment of the client, a change order to this contract will be required before work will proceed. Everett M. Brooks Co. will not change the scope of work on the basis of an oral order by the client or by anyone else.

Limitation of Professional Liability The Client agrees to indemnify and hold Everett M. Brooks Co. harmless to such an extent that will limit any and all liability, claim for damages, cost of defense, or expenses which may be levied against Everett M. Brooks Co. on account of any error, omission, negligence or any design defect, to a sum not to exceed the fees for services quoted herein. In the event of any alleged error, omission, negligence or design defect, the client shall bring claim against Everett M. Brooks Co. no later than one year after the completion of services described herein.

Inspectional Services Department

City of Newton
Massachusetts

Inter-Office Correspondence

Date: 2/2/15

To: Maureen Lemieux

From: John D. Lojek, Commissioner Inspectional Services 

Re: Appropriation for enforcement tickets

Attached please find a quote for the printing of enforcement tickets for zoning and building violations. As you may recall, Bill Forte worked with the Law Office to create these tickets so we can avoid having to file criminal charges for simple and straight forward violation which now can be adjudicated as non-criminal offences. We have found that this process is far less threatening and effective than the writing of violation notices and having to follow a criminal filing and subsequent hearings and trials.

We are asking that this amount (\$1030.00) be appropriated for the purchase. David Wilkerson informs me that the existing fund contains over \$15,000.

**FULL LINE
GRAPHICS**

A Complete Print Communication Company
508 238 1914 Fax 508 238 5151
www.flg.net email info@flg.net

12/2/14

Quote#GD1121

TO: City of Newton, Inspectional Services Department

ATTN: William Forte

DESCRIPTION: Violation tickets /Books

QUANTITY: 1000 sets, 40 books of 25 sets per

PAGES: 5 parts, parts 4 & 5 also make up envelope

SIZE: 3 5/8" x 7 3/4", part 5 is 8 3/8"

PAPER: Standard weights, white CB, canary CFB, pink CFB, manila tag 105 CF, and part 5 is a 24# bond

PRESS: Parts 1-4 print 1/0, a green PMS, all the same copy with marginal wording, crash numbering. Part 5 prints 0/2 black and fluorescent green (full coverage)
We will match green as close as possible.

BINDERY: Wrap around covers, no print, and chipboard backing. No front cover.

SCHEDULE: 7-10 working days after proof approval, plus shipping time

PAYMENT TERMS: Net 30 days

PRICE: \$1030.00

SHIPPING: Included

An overrun/under run of 10% will constitute fulfillment of order. Exceptions: Electronic prep, color proofs, halftones, screens, traps, additional prep and artwork requested by customer and not listed above will be added to the quoted price. Please note quote is valid for 30 days from date and is subject to change based on stock availability and fluctuations in marketplace of all materials.

Thank you,
Aaron Leppo

8 PROSPECT STREET SOUTH EASTON, MA 02375



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#52-15
Telephone
(617) 796-1100
Facsimile
(617) 796-1113
TDD/TTY
(617) 796-1089
E-mail
swarren@newtonma.gov

February 23, 2015

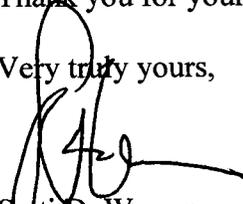
Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to transfer \$10,000 from the Liability Self Insurance Fund to the Judgment and Settlements account to cover the settlement of a claim against the City of Newton regarding an automobile accident involving a city vehicle.

Thank you for your consideration of this matter.

Very truly yours,



Setti D. Warren
Mayor

RECEIVED
Newton City Hall
2015 FEB 23 PM 4:55
DAVID A. O'NEIL, CLERK
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

LAW DEPARTMENT



CITY OF NEWTON, MASSACHUSETTS

CITY HALL

1000 COMMONWEALTH AVENUE

NEWTON CENTRE, MA 02459

TELEPHONE (617) 796-1240

FACSIMILE (617) 796-1254

CITY SOLICITOR
DONNALYN B. LYNCH KAHN

ASSOCIATE CITY SOLICITOR
OUIDA C.M. YOUNG

ASSISTANT CITY SOLICITORS

MARIE M. LAWLOR
ANGELA BUCHANAN SMAGULA
ROBERT J. WADDICK
MAURA E. O'KEEFE
JEFFREY A. HONIG
ALAN D. MANDL
JULIE B. ROSS
DENNIS A. MURPHY
JILL M. MURRAY

February 20, 2015

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

Re: *Arbella Insurance Group v. City of Newton*
City of Newton File No. 14-540

Dear Honorable Mayor Warren:

On February 13, 2014 a vehicle, owned and operated by the City of Newton, collided with a vehicle owned and operated by Stephanie Hayes. The collision took place at the intersection of Auburndale Avenue and Prairie Avenue in Newton. Prior to the accident, Ms. Hayes was traveling along Auburndale Avenue and the City vehicle was traveling along Prairie Avenue. The collision caused significant damage to Ms. Hayes' vehicle and it was determined to be a total loss. In addition to the damage to her car, Ms. Hayes also incurred medical and rental expenses as a result of the collision.

A thorough investigation into the incident was conducted and it was determined that a court of competent jurisdiction would likely find the City liable for some portion, if not the total amount, of damages claimed.

Arbella Insurance Group, as subrogee of Ms. Hayes, made a timely claim pursuant to chapter 258 of the General Laws for the cost of these damages in the amount of \$17,283.53. This claim was supported by documentary evidence. In an effort to settle the matter expeditiously, the City offered and Arbella Insurance Group accepted \$10,000.00 in full and final settlement of the matter, subject to appropriation.

Therefore, I respectfully request that you docket this item seeking to appropriate \$10,000.00 from the Reserve Account and authorize the expenditure thereof as full and final settlement of this claim against the City of Newton.

Respectfully submitted,



Maura E. O'Keefe
Assistant City Solicitor

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



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#50-15
Telephone
(617) 796-1100
Facsimile
(617) 796-1113
TDD/TTY
(617) 796-1089
E-mail
swarren@newtonma.gov

February 23, 2015

Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

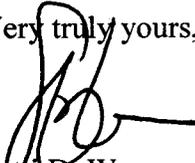
RECEIVED
NEWTON CITY HALL
2015 FEB 23 PM 4:55
DAVID A. OLSON, CLERK
NEWTON, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request for \$11,550.00 from the Energy Stabilization Fund to obtain an Energy Solar Consultant to assist the City in developing solar projects on the landfill and several other locations on City properties.

Thank you for your consideration of this matter.

Very truly yours,


Setti D. Warren
Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



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PUBLIC BUILDINGS DEPARTMENT

Josh Morse, Interim Building Commissioner

Telephone (617) 796-1600

FAX (617) 796-1601

TTY: (617) 796-1608

52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

Setti D. Warren
Mayor

February 12, 2015

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

RE: Fire Station #1 Emergency Generator

Dear Mayor Warren:

The Public Buildings Department respectfully requests \$11,550.00 to obtain an Energy Solar Consultant to assist the City in developing solar projects on the landfill and several other locations on City properties.

Sincerely,

Josh Morse
Public Buildings Commissioner

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



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#34-15
Telephone
(617) 796-1100
Facsimile
(617) 796-1113
TDD/TTY
(617) 796-1089
E-mail
swarren@newtonma.gov

January 26, 2015

Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to accept and authorize the expenditure of \$1,163,062 in additional Chapter 90 Mass DOT funds.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

DAVID A. OLSON, CLIC
Newton, MA 02459

2015 JAN 26 PM 1:03

RECEIVED
Newton City Hall

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

City of Newton



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

Setti D. Warren
Mayor

January 14, 2015

To: Honorable Mayor Setti D. Warren
Via: Maureen Lemieux, Chief of Staff and Chief Financial Officer
From: David F. Turocy, DPW Commissioner
Subject: Request for Authorization of use of Additional Chapter 90 Mass DOT Funds

RECEIVED
Newton City/DPW
2015 JAN 26 PM 1:04
David A. Olson, Clerk
Newton, MA 02459

I respectfully request an authorization to use up to \$1,163,062.00 in additional Chapter 90 Mass DOT funds. On January 8, 2015, Governor Baker increased the statewide Chapter 90 funding from \$200 million to \$300 million. Newton's share of this increase is \$1,163,062.00. See letter attached.

Funds will be used for additional roadway rehabilitations and related projects in the spring 2015 construction season.

Please docket this item for Board of Aldermen consideration.

Respectfully,

David F. Turocy

cc: David Wilkinson, Comptroller
Brian Zaniboni, Deputy Commissioner
Louis M. Taverna, City Engineer
Richard Pishkin, DPW Business Manager



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(617) 725-4000

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

January 8, 2015

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

Dear Mr. Warren:

We are pleased to inform you that the Chapter 90 local transportation aid funding for Fiscal Year 2015 has increased from \$200 million to \$300 million statewide.

This letter certifies that the City of Newton's Chapter 90 apportionment for Fiscal Year 2015 has been increased from \$2,326,126 to \$3,489,188. This apportionment will automatically be incorporated into your existing 10-Year Chapter 90 contract, which will soon be available on the MassDOT website. <http://www.massdot.state.ma.us/chapter90>.

We look forward to working closely with your community to ensure the continuing success of the Chapter 90 program in the years to come.

Please feel free to contact Matthew Bamonte at (857) 368-9151 with any questions you may have regarding the Chapter 90 program.

Sincerely,

Governor

RECEIVED
NEWTON CITY CLERK
2015 JAN 26 PM 1:04
DAVID A. OLSON, CLERK
NEWTON, MA 02459



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

February 27, 2015

Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Ladies and Gentlemen:

I hereby reappoint Michael Flynn of 23 Thelma Road, Dorchester, MA as a member of the Board of Assessors for a term expiring February 1, 2018.

Thank you for your attention to this matter.

Very truly yours,

Setti D. Warren
Mayor

RECEIVED
Newton City Hall
2015 FEB 27 PM 3:06
David A. O'Brien, Clerk
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

#56-12

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov



SETTI D. WARREN
MAYOR

June 11, 2012

City of Newton, Massachusetts
Office of the Mayor
RECEIVED
Newton City Clerk

2012 JUN 12 PM 5:29

David A. Olson, CMC
Newton, MA 02459

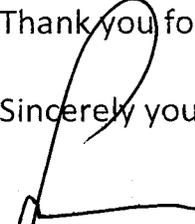
Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

Ladies and Gentlemen:

I am pleased to reappoint Mr. Michael Flynn of 23 Thelma Road, Dorchester, MA as a member of the Board of Assessors. His term of office shall expire February 1, 2015 and his appointment is subject to your confirmation.

Thank you for your attention to this matter.

Sincerely yours,


Setti D. Warren
Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

Michael Flynn, M.A.A.
23 Thelma Road
Dorchester, Massachusetts 02122
617-288-7663 (H)
617-620-8514 (C)

EXPERIENCE:

City of Newton
Commercial Assessor 2008-Present
Board of Assessors, Member: 2008 - Present

Responsibilities: Valuation of 4,939 commercial, industrial, apartments, personal and exempt properties totaling more than \$2.6 billion. Supervise and manage a staff of 2.5 full time employees.

City of Somerville
Board of Assessors, Member: 2006- Present

Town of Framingham
Chief Assessor 1994 - 2008
Board of Assessors, Chairman 1994- 2008

Responsibilities: Valuation of 25,440 real, personal and exempt properties totaling more than \$6.8 billion. 26% of the total taxable valuation is commercial and industrial. Defense of those properties at the Appellate Tax Board if needed. Proficient in all Microsoft products. Proficient in ArcView 3.2. Manage all Tax Increment Finance, Chapter 121A and Brownfield agreements. Supervise and manage a staff of 6 full time and 2 part time employees. Prepare a budget in the amount of \$500,000. Recipient of the 1997 Public Information Award from the Massachusetts Association of Assessing Officers.

Town of Plymouth
Director of Assessing 1991 - 1994

Responsibilities: Valuation of 25,009 real, personal and exempt properties. 35% of the total valuation was commercial and industrial. Defense of those properties at the Appellate Tax Board as needed. Proficient in Lotus spreadsheet applications. Manage and supervised a staff of 7 full time employees. Prepared a budget in the amount of \$300,000.

City of Boston
Supervisor of Assistant Assessors 1984 - 1991

Responsibilities: Valuation of 12,000 real and exempt properties. 25% of the total valuation was commercial and industrial. Defense of those properties at the Appellate Tax Board as needed. Supervised and managed a staff of two full time employees.

TRAINING:

- American Institute of Real Estate Appraisers:
 - Appraisal Techniques
 - Single- Family Residential Appraisal
- Massachusetts Department of Revenue
 - Course 101 - Assessment Administration
 - Electric Generation, Transmission and Distribution
- Massachusetts Board of Real Estate Appraisers

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Newton City Clerk
2012 JUN 12 PM 5:29
David A. Olson, CMC
Newton, MA 02459

Income Capitalization Theory
Massachusetts Association of Assessing Officers
MASSACHUSETTS ACCREDITED ASSESSOR, No. 586
Course 200 - Principles of Assessing
Instructor - Course 2 - Income Approach to Value
Course 5 – Mass Appraisal of Real Estate

International Association of Assessing Officers
Course 1 - Fundamentals of Real Property Appraisal
Course 2 - Income Approach to Valuation
Course 3 - Development and Writing of Narrative Appraisal Reports
Course 302 - Mass Appraisal of Income-Producing Property
Workshop on Contemporary Capitalization Methods and Techniques
Course 201 - Appraisal of Land
Course 500 – Assessment of Personal Property
Standards of Professional Practices and Conduct
Valuation of Nuclear Power Plants - St. Louis, Missouri
Course 207 - Industrial Property Appraisal
Workshop on Contaminated Land
Certificate of Educational Recognition
Course 4 - Assessment Administration
Course 402 - Tax Policy
Valuing Property Affected by Environmental Contamination
Course 312 – Commercial/Industrial Modeling Concepts
Forum #910 – Valuation of Convenience Stores

Commonwealth of Massachusetts
Notary Public

EDUCATION:

University of Massachusetts-Boston
Framingham State College
Boston College

MEMBERSHIPS:

Massachusetts Association of Assessing Officers: Past - President
Massachusetts Association of Assessing Officers – Legislative Committee
Ethics Committee
Appellate Tax Board Committee
By-Laws Committee
International Association of Assessing Officers – Member
MA. Chapter IAAO – Vice President

AWARDS:

Massachusetts Association of Assessing Officers – Past President Award
Northeast Regional Association of Assessing Officers – Sherry Vermilya Award

References furnished upon request