CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC FACILITIES COMMITTEE AGENDA

WEDNESDAY, JULY 15, 2015

7:00 PM
Room 204

ITEMS SCHEDULED FOR DISCUSSION:

Public hearing assigned for July 15, 2015:

#173-15 EVERSOURCE ENERGY requesting grant of location to install 55' ± of conduit in ELM STREET from Manhole #15996 northwesterly thence turning and running northeasterly to Pole # 137/3A to provide service to 111 Elm Street. [06/15/15 @ 12:04 PM]

#174-15 HIS HONOR THE MAYOR appointing JAMES McGONAGLE as Commissioner of the Public Works Department effective August 24, 2015, pursuant to §3-3 of the City Charter. (30 days 08/12/15) [07/06/15 @ 3:51 PM]

#358-14 FINANCE COMMITTEE requesting that the Public Facilities Committee receive updates on the clean-up of the Rumford Avenue Landfill every three months. [09/11/14 @ 12:01 PM]

#129-15(2) COMMISSIONER OF PUBLIC WORKS requesting approval of the addition of a left turning lane from Winchester Street onto Nahanton Street. [06/11/15 @ 12:56 PM]

#245-12 RECODIFICATION COMMITTEE recommending that Chapter 11, RECYCLING AND TRASH as most recently amended by Ordinance Z-68 and Z-87, dated 6/21/10 and 5/16/11, respectively, be reviewed and be amended as necessary.

The Committee will be meeting jointly with the Programs & Services Committee to discuss the below item:

REFERRED TO PROGRAMS & SERVICES & PUBLIC FACILITIES COMMITTEES

#141-15(2) ALD LEARY, CROSSLEY, BROUSAL-GLASER, SANGIOLO, DANBERG, HESS-MAHAN, NORTON & YATES requesting a resolution to the State Legislature in support of House Bill 2870, an Act relative to protecting consumers of gas and electricity from paying for leaked and unaccounted for gas. [06/18/15 @ 4:50 PM]

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 Jini Fairley, at least two days in advance of the meeting: jfairley@newtonma.gov*, or 617-796-1253. For Telecommunications Relay Service dial 711.

The Committee will be meeting jointly with the Programs & Services Committee to discuss the below item:

REFERRED TO PROG & SERV AND PUBLIC FACILITIES COMMITTEES

#141-15 ALD. BROUSAL-GLASER, SANGIOLO, HESS-MAHAN, COTE, NORTON AND ALBRIGHT requesting a discussion with the Director of Urban Forestry, a representative of the Department of Public Works and a representative of the Law Department about tracking and improving the condition of the gas utility infrastructure in Newton, new state statutes governing infrastructure repairs, coordination of increased repair work with city operations, the status of negotiations with National Grid to compensate for tree deaths resulting from gas leaks, and the possibility of creating a utilities working group to monitor progress on these and related issues. [05/26/15 @ 2:52 PM]

ITEMS NOT SCHEDULED FOR DISCUSSION:

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#164-15 HIS HONOR THE MAYOR requesting authorization to appropriate and expend one million four hundred sixteen thousand two hundred fifty eight dollars ($1,416,258) to continue projects in City owned buildings under Phase 2 of the energy efficiency program. Funding from the following sources is requested:

Energy Stabilization Fund	$804,380
Green Communities Grant	$236,878
Utility Rebates to be Deposited Into the Energy Stabilization Fund	$375,000

REFERRED TO PROG & SERV AND PUBLIC FACILILTIES COMMITTEES

#140-15 PROGRAMS & SERVICES AND PUBLIC FACILITIES COMMITTEES requesting that the School Department and/or the Executive Department provide updates on the progress of the potential purchase of the Aquinas site as well as short and long-term plans for uses and operations at the site. [05/20/15 @8:53 PM]

Public Hearing continued:

#133-15 HIS HONOR THE MAYOR requesting authorization to enter into negotiations for the potential lease on city properties for purposes of third-party construction, ownership, and operation of on-site renewable solar energy generation from which the City will purchase electric output and/or net metering credits. [05/11/15 @ 5:00 PM]

#100-15 ALD. NORTON, SANGIOLO, LEARY, AND ALBRIGHT requesting that the Administration pursue municipal aggregation of energy purchasing with the goals of reducing and/or stabilizing electricity costs for resident, businesses and the City; and requiring the purchase of Class 1 RECs at some percentage above the level required by the Massachusetts Renewable Portfolio Standard. [04/06/15 @ 9:12 AM]

REFERRED TO PS&T, PUBLIC FACILITIES AND FINANCE COMMITTEES

#85-15 ALD. SANGIOLO requesting discussion with the Director of Transportation and the Transportation Coordinator to determine whether a fee could be imposed on all residents who own automobiles in the City. Such fee to be placed into a transportation fund to pay for roadway and sidewalk improvements. Residents would get a parking sticker in return for each automobile they have registered with the City that would enable them to bypass parking restrictions in the City except for Tow Zones and Fire Hydrants and any other emergency zones determined by the Police and Fire Departments.

#83-15 ALD. CROSSLEY, GENTILE, & ALBRIGHT requesting a discussion and update from the Administration on the following energy related items: status of municipal power purchasing contracts for gas and electricity; status of the Power Purchase Agreement including solar PV rooftop installations, power offset (cost benefit) to date and review of potential future projects; and an update on municipal energy consumption including the recent Green Communities report filed with the Department of Energy Resources. [03/26/15 @ 9:19 AM]

#82-15 ALD. SANGIOLO requesting the Public Works Department and the administration determine the cost if the City were to undertake complete sidewalk shoveling throughout the City, such costs might be charged back to residents with a fee. [03/12/15 @ 10:38 AM]

#72-15 PUBLIC FACILITIES COMMITTEE requesting a discussion with the Administration and Department of Public Works about the extent of damage to the City resulting from the recent extreme winter conditions including roadways, sidewalks, infrastructure, buildings and how the City is preparing to cope with the needed repairs. [03/09/15 @ 4:22 PM]

#48-15 ALD. JOHNSON, SANGIOLO & YATES requesting a discussion with the Commissioner of Public Works regarding: (1) short and long term snow clearing of streets and sidewalks, (2) proactive planning relative to potential issues resulting from melting snow, (3) short term plans for addressing potholes, and (4) how the Department of Public Works will use the data gathered from where potholes need to be filled to guide planning for street repairs. [02/23/15 @ 9:31 AM]

#47-15 ALD. RICE AND YATES requesting establishment of a pilot storm water treatment program for the streets in Waban between Quinobequin Road and Chestnut Street including but not limited to Amherst Road, Radcliffe Road and Tamworth Road. [02/11/15 @ 9:13 AM]

REFERRED TO PUB FACIL, PROG & SERV, AND PS&T COMMITTEES

#46-15 ALD. JOHNSON & CICCONE, requesting a discussion with the Commissioner of Department of Public Works and the School Department to determine and discuss parking options including use of school properties based on the current municipal parking lot programs including the issuance of permits. [02/11/15 @ 1:35 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#455-14 HIS HONOR THE MAYOR recommending amendment to Chapter 29, Section 80 **Sewer/Stormwater 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]

#328-14 ALD. ALBRIGHT, DANBERG, & LAREDO requesting a review of double poles in Newton including a random sampling of ten double on the north side and ten double poles on the south side of Newton to determine which utility is holding up the removal of double poles. [08/19/14 @ 9:16 AM]

#189-14 PUBLIC FACILITIES COMMITTEE requesting periodic updates on the Zervas Elementary School Project. [04/17/14 @ 10:48 PM]

#188-14 PUBLIC FACILITIES COMMITTEE requesting periodic updates on the Cabot Elementary School Project. [04/17/14 @ 10:48 PM]

REFERRED TO PROGRAMS & SERVICES AND PUBLIC FACILTIES COMMITTEES

#119-14 ALD. ALBRIGHT AND CROSSLEY requesting discussion with the Inspectional Services Department to explain the development of short and long term plans to identify and correct buildings, sidewalks, playgrounds, etc…that do not conform to American Disability Act (ADA) standards. The discussion should include information on how improvements will be incorporated into the Capital Improvement Plan or if less than $75,000 into a comprehensive budget plan to correct ADA deficiencies. [03/12/14 @ 4:18 PM]

#62-14 ALD. CROSSLEY, HESS-MAHAN, ALBRIGHT AND SALVUCCI requesting a report from the administration on the status of the City strategy to meet its obligations as a Department of Energy Resources Green Community, to reduce municipal energy consumption by 20% over five years, particularly regarding advancing the implementation of the building energy audits program recommending energy efficiency measures in existing buildings, and how that strategy is incorporated into the capital improvement plan. [02/24/14 @ 6:35 PM]

#417-13 PUBLIC FACILITIES COMMITTEE requesting that the Administration provide updates on the progress of the Angier Elementary School project. [11/21/13 @ 9:16 AM]

#131-13 ALD. CROSSLEY, FULLER, SALVUCCI, JOHNSON, CICCONE requesting periodic updates and discussion, at the discretion of the members of the Public Facilities Committee or the Commissioner of Public Works, on the condition functioning, operations and management of all elements of the City sewer, water and storm water systems including the following:

- Water meters
- Implementation of the ten project area strategic plan to remove infiltration in the City sewer system
- Implementation of the long range strategic plan to repair and replace City water mains, especially to correct for fire flow
- Status of the City's Private Inflow Removal Program to resolve and disconnect illegal storm water connections to the City sewer system
- Current billing practices
- Rates analyses needed to facilitate an informed comparison of billing options to include the following options either alone or in combination: seasonal rates, second meters, tiered rates, frequency of billing, low income credits. [03/23/13 @ 11:13 AM]

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 PROG. & SERV AND PUBLIC FACILITIES COMMITTEES

#36-12 ALD. CROSSLEY & FULLER requesting Home Rule legislation or an ordinance to require inspections of private sewer lines and storm water drainage connections prior to settling a change in property ownership, to assure that private sewer lines are functioning properly and that there are no illegal storm water connections to the city sewer mains.

A) Sewer lines found to be compromised or of inferior construction would have to be repaired or replaced as a condition of sale;
B) Illegal connections would have to be removed, corrected, and re-inspected in accordance with current city ordinances and codes, as a condition of sale. [01/24/12 @ 8:07 AM]

REFERRED TO PS&T AND PUBLIC FACILITIES COMMITTEES

#413-11 ALD. CICCONE, SALVUCCI, GENTILE & LENNON updating the Public Facilities and Public Safety & Transportation Committees on the progress of renovations to the city's fire stations. [11-17-11 @11:07 AM]

REFERRED TO PS&T, PUBLIC FACILITIES AND FINANCE COMMITTEES

#310-10(2) (#409-12) ALD. DANBERG, BLAZAR, KALIS, SCHWARTZ, ALBRIGHT, HESS-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]

#367-09 PUBLIC FACILITIES COMMITTEE requesting discussion with the Law Department on how to resolve the dispute with NStar regarding whose responsibility it is to repair the streetlight connection between the manhole and the base of the streetlight. [10/21/09 @ 9:00 PM]

#253-07 ALD. LINSKY ALBRIGHT, JOHNSON, HARNEY, SANGIOLO, SALVUCCI, MANSFIELD, BURG, SCHNIPPER requesting (1) a review as to how provisions of applicable ordinances, specifically 5-58, were implemented during the course of the Newton North project, and (2) consider proposed revisions of 5-58 including, but not limited to:

(a) timely provision of documentation by the public building department to the Board of Aldermen and Design Review Committee;
(b) establishment of liaison committees to facilitate communications and input from neighborhoods affected by projects subject to this ordinance;
(c) approval of final design plans by the Board of Aldermen of projects subject to this ordinance;
(d) oversight during the construction phase of projects subject to this ordinance by appropriate Board committee(s) both in respect to approval of change orders as well as design changes; and
(e) generation of a required record detailing the entire construction process by the public building department to guide present and future oversight of projects subject to this ordinance.
(f) establishment of a committee to provide oversight for public building construction and renovation during all phases of planning, design and construction. [08/07/07 @ 3:12 PM]

Respectfully submitted,

Deborah Crossley, Chairman

#173-15

RECEIVED
Newton City Clerk
2015 JUN 15 PM 12: 04
David A. Olson, CMC
Newton, MA 02459

CITY OF NEWTON
MASSACHUSETTS

PETITION for GRANT OF LOCATION

To the Petitioner:

City of Newton Ordinance Section 23-52 requires that each petition for grant of location be submitted to the Board of Aldermen before it is sent to the Public Works Department for a preliminary review. The comments of the Public Works Commissioner will be part of the record submitted to the Board of Aldermen. Upon filing with the Board of Aldermen, the petition will be scheduled for a public hearing before the Public Facilities Committee of the Board of Aldermen. **The petitioner is responsible for insuring that the petition is complete and all required materials are in order for review.** Attached please find the City Engineer's Standard Requirements for Plans and the Department of Public Works Permit Processing brochure.

Grant of Location Process:

1. Applicant submits completed Petition Form and required materials to the Board of Aldermen
2. Public Works Department conducts preliminary review and gives written comments to the applicant
3. Engineering Division files Petition Form with comments with the Clerk of the Board of Aldermen
4. Board of Aldermen schedules petition for a public hearing before the Public Facilities Committee of the Board of Aldermen
5. Public Facilities Committee recommendations are forwarded to the Board of Aldermen for a final decision

Questions my be directed to:

Lou Taverna, City Engineer, 617-796-1020
Shawna Sullivan, Clerk of the Board of Aldermen, 617-796-1213

I. IDENTIFICATION (Please Type or Print Clearly)

Company Name NStar Electric Company d/b/a Eversource Energy

Address 200 Calvary Street
Waltham, MA 02453

Phone Number 1-781-314-5053 Fax Number 1-781-314-5165

Contact Person Maureen Carroll Title Right of Way Agent

Signature Maureen Carroll Date 6-15-2015
Person filing application

If a telecommunications company, indicate how certified by the Department of Telecommunications and Energy:

II. DESCRIPTION OF PROJECT: to be completed by petitioner

A. Write here or attach a description of the project including, location, proposed time frame for completion, type of materials to be used, benefit provided to the City, project mitigation plan as applicable, street reconstruction plan including timetable for completion.

See attached.

B. Include or attach a sketch to provide a visual description of the project. If plans are attached, provide:
Title of Plan Elm Street Date of plan June 09, 2015

III. PUBLIC WORKS DEPARTMENT REVIEW

Date received by Public Works Department _____

Check One:
Minor Project ☐ Major Project ☐ Lateral ☐

(Refer to City Engineer Standard Requirements for Plans for definition of minor and major project)

Plans Submitted:
Certified Plot Plan ☐ Stamped Plans ☐

DATE AND COMMENTS:	RECOMMENDATIONS:
	Elm St. was paved in 2012 therefore trench restoration shall include milling 1½" curb to curb + overlay with Type I-1 Bituminous Concrete. Any services disturbed shall be restored to current City Standards

L. Tavernia 6/22/15

V. RECOMMENDATION TO PUBLIC FACILITIES COMMITTEE:

Commissioner, Public Works

Date 6/22/15

#173-15

EVERSOURCE
ENERGY

200 Calvary Street
Waltham, Ma 02453

June 11, 2015

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

To the Board of Aldermen:

RE: Elm Street
Newton, MA 02459
W.O. 2059960

The enclosed petition and plan is being presented by the NStar Company d/b/a EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install 55± feet of conduit in Elm Street.

This reason for this work is to provide electric service to 111 Elm Street.

Your immediate attention to this matter is appreciated. If you have any questions, please call Maureen Carroll at (781) 314-5053.

Sincerely,

William D. Lemos
Rights & Permits Supervisor

WDL/cf
Attachments

PETITION OF NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY FOR LOCATION FOR CONDUITS AND MANHOLES

To the **Board of Aldermen** of the City of **Newton** Massachusetts

Respectfully represents NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission under the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Board may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be loacted substantially as shown on the plan made by **A. DeBenedictis dated June 09, 2015** and filed herewith, under the following public way or ways of said City.

Elm Street - Northwesterly from MH 15996 approximately 100 feet southeast of Border Street thence turning and running northeasterly to p137/3A a distance of about 55 feet – conduit.

WO# 2059960

NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY

By: William D. Lemos
William D. Lemos, Supervisor
Rights and Permits

Dated this 11th of June ,2015

City of **Newton,** Massachusetts

Received and filed _____, 2015

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES

City of **Newton** Massachusetts, June 11, 2015

In **Board of Aldermen**

WHEREAS, NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY has petitioned for permission to construct a line for the transmission of electricity for lighting, heating, or power under the public way or ways of the City hereinafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY be and hereby is granted permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein under the following public way or ways of said City:

Elm Street - Northwesterly from MH 15996 approximately 100 feet southeast of Border Street thence turning and running northeasterly to p137/3A a distance of about 55 feet - conduit.

WO# 2059960

All construction work under this Order shall be in accordance with the following conditions:

1. Conduits and manholes shall be located as shown on made by **A. DeBenedictis** plan dated **June 09, 2015**
2. Said Company shall comply with the requirements of existing ordinances and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. All work shall be done to satisfaction of the **Board of Aldermen** or such officer or officers as it may appoint to supervise the work.

A True Record. Attest: _____
City Clerk

Approved _____ 2015

_____
Mayor

CERTIFICATE

I hereby certify that the foregoing Order was adopted after due notice and public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.) and any additions thereto or amendments thereof, to wit:--after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the City Clerk to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation and a public hearing held on the____day of _____ 2015, at **Board of Aldermen** in the said City

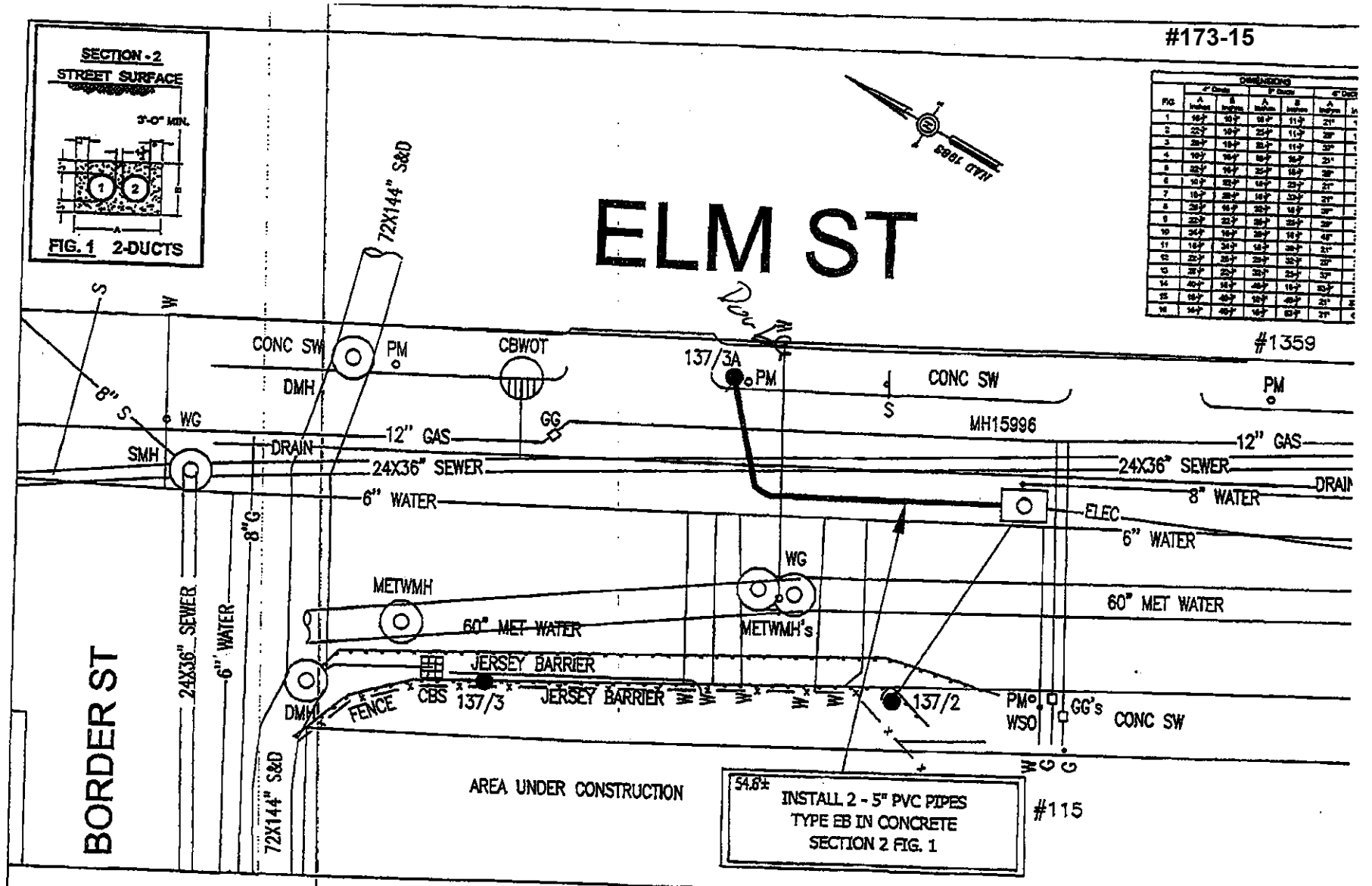
_____
City Clerk

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the **Board of Aldermen** of the City of **NEWTON** Massachusetts duly adopted on the _____ day of _____, 2015 and recorded with the records of location Orders of said City. Book ____ Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____
Clerk of City of **NEWTON**, Massachusetts

#173-15



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MASS. LAW:
REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233

C# 91-15	NSTAR Electric d/b/a EVERSOURCE
Ward #	1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125
Work Order # 2059960	Plan of ELM STREET, NEWTON
Surveyed by: SC/LM	
Research by: JM	
Plotted by: LMERCURY	Showing PROPOSED CONDUIT LOCATION
Proposed Structures: PDM	
Approved: A DEBENEDICTIS	Scale 1"=20' Date JUNE 9, 2015
P#	SHEET 1 of 1

Final Label Report

Elm

SBL	Owner	Number	Street	Unit
33013 0012	BORDER ST ASSOC LLC	7	BORDER ST	
33008 0001Z	FIRST UNITARIAN SOCIETY OF NEWTON	1326	WASHINGTON ST	
33008 0001	FIRST UNITARIAN SOCIETY OF NEWTON	1326	WASHINGTON ST	
33012 0001	KENMORE REALTY CORPORATION	1345-1355	WASHINGTON ST	
33012 0002	KENMORE REALTY CORPORATION	1357-1369	WASHINGTON ST	
33008 0002	DONAHUE JOHN F	1362	WASHINGTON ST	
33015 0032	KENMORE REALTY CORPORATION	1371-1379	WASHINGTON ST	
33015 0028	1381-1389 WASHINGTON ST I LLC	1381	WASHINGTON ST	
33015 0033	1381-1389 WASHINGTON ST I LLC	1385-1389	WASHINGTON ST	
33015 0034	CAHALY RONALD F TR	1391-1397	WASHINGTON ST	

#174-15

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

June 30, 2015

RECEIVED
Newton City Cl
2015 JUL -6 PM 3:51
David A. Olson, CMC
Newton, MA 02459

David Olson, Clerk of the Board of Aldermen
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

Dear Mr. Olson:

Pursuant to Section 3-3 of the City Charter, I am pleased to notify you that I have appointed James McGonagle as the Commissioner of the Department of Public Works for the City.

Jim McGonagle comes as a veteran Public Works professional with 27 years' experience. He served 22 years with the Town of Groton, CT Public Works Department before being recruited to the City of Boston as Director of Central Fleet. Under McGonagle's leadership, Boston has been transformed from an antiquated department to an Industry leading operation that has been included in the Top 50 fleets in the country for 2014 and 2015.

He was awarded the American Public Works Association's (APWA) 2014 Outstanding Achievement in Public Works Award. Currently, he serves as Chairman of the National Association of Fleet Administrators' (NAFA) Sustainable Fleet Accreditation Program and was recently appointed to the APWA Technical Services Committee.

Jim will be available at the Public Facilities Committee meeting on July 15th to meet members of the Honorable Board.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

Cc: Maureen Lemieux, Chief of Staff/CFO
Jeffrey Honig, Interim Director of Human Resources

JAMES R. MCGONAGLE

#174-15

59 Stearns Rd, West Roxbury, MA 02132 ◆ H: 860-857-5791 ◆ C: 8608575791 ◆ jrmcgonagle@yahoo.com

PROFESSIONAL SUMMARY

Versatile Public Works professional successful in spearheading and completing comprehensive reorganizations and capital improvement projects while maintaining positive relations between management and employees, both union and non. Natural leader and skilled negotiator with a commitment to excellence.

SKILLS

- Process improvement techniques
- Crisis and emergency communications
- Sound judgment
- Labor relations and negotiations
- Operations management
- Budgeting

WORK HISTORY

Director of Central Fleet, 09/2010 to Current
City Of Boston – Boston, MA

- Managed and developed a $2.5 million annual operating budget with a $6 million yearly vehicle replacement schedule.
- Reorganized entire fleet structure to include technician career ladder through ASE certification, implemented preventive maintenance program.
- Achieved ASE Blue Seal Certified Facility recognition.
- Named as one of Government Fleet Magazines Top 100 Fleets 2013, 2014, 2015.
- Managed and maintained 7 fueling sites throughout the City.
- Maintained support and provided operational guidance during snow events for outside departments.
- Initiated the planning and construction of a $15 million capital upgrade to facility.
- Established close working relationships with other municipalities and governmental agencies to achieve better use of resources and increase efficiencies .
- Completed an upgrade of the Fleet Management System to achieve increased reporting, fuel management and replacement planning.
- Conducted weekly production and operations contractor meetings, which facilitated stronger communication and the ability to resolve critical issues.
- Spearheaded sustainability efforts, including adding fuel reduction and alternative fuel vehicles to the fleet, resulting in achieving NAFA sustainable fleet accreditation.
- Recommended process and systems improvements such as electronic mapping of snowplow routes, addition of efficient snow removal/plowing equipment along with asphalt repair products and equipment.
- Assessed vendor products and maintained positive vendor relations.
- Established operational objectives and work plans and delegated assignments to subordinate managers.

Leader, 09/2001 to 09/2010
Town of Groton Public Works – Groton, CT

- Maintained fleet of 350 Public Works, Water Pollution Control, Parks and Recreation, Fire, Police, and EMS vehicles and equipment
- Formulated a safety and hazardous chemical handling and storage program to comply with OSHA, DEP and Town requirements.
- Unit President, United Steelworkers of America, Local 9411 from 9/05 - 9/10. Negotiated labor agreements, developed labor and retirement contract proposals between the Town and the Union, organized union meetings and oversaw voting procedures.

Interim Waste Transfer Station Coordinator, 10/2008 to 04/2009
Town of Groton Public Works – Groton, CT

- Responded to citizen concerns and maintained positive public relations
- Organized transportation for removal of recyclables and solid waste.

Chief Equipment Technician, 09/1988 to 09/2001
Town of Groton Public Works – Groton, CT

CERTIFICATIONS

- Certified Automotive Fleet Manager(CAFM), NAFA Fleet Management Association 2010–2020
- Certified Public Fleet Professional(CPFP), American Public Works Association 2009–2019

Shawna Sullivan

From: William Paille
Sent: Tuesday, July 07, 2015 3:19 PM
To: Shawna Sullivan
Cc: Deborah J. Crossley
Subject: Nahanton & Winchester

Shawna,

I have spoken with WorldTech and they inform me the latest plan for this intersection includes retaining the existing lane configuration and width along both Nahanton and Winchester. And although the proposed improvements include restriping Winchester to accommodate a separate left turn and right turn lane onto Nahanton, the existing paved width will not change as a result.

Therefore, I do not believe Public Facilities needs to review or approve the proposed improvements at this intersection.

Bill

HOUSE DOCKET, NO. 1173 FILED ON: 1/14/2015

HOUSE . . . . . No. 2870

The Commonwealth of Massachusetts

PRESENTED BY:

Lori A. Ehrlich and James B. Eldridge

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to protecting consumers of gas and electricity from paying for leaked and unaccounted for gas.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Lori A. Ehrlich	*8th Essex*
James B. Eldridge	*Middlesex and Worcester*
Marjorie C. Decker	*25th Middlesex*
Stephen Kulik	*1st Franklin*
Chris Walsh	*6th Middlesex*
Louis L. Kafka	*8th Norfolk*
Denise Provost	*27th Middlesex*
Kenneth I. Gordon	*21st Middlesex*
Josh S. Cutler	*6th Plymouth*
Stephen L. DiNatale	*3rd Worcester*
Barbara L'Italien	*Second Essex and Middlesex*
Dennis A. Rosa	*4th Worcester*
Ellen Story	*3rd Hampshire*
Peter V. Kocot	*1st Hampshire*
Bruce E. Tarr	*First Essex and Middlesex*
Todd M. Smola	*1st Hampden*
Cory Atkins	*14th Middlesex*

Paul McMurtry	*11th Norfolk*
Tricia Farley-Bouvier	*3rd Berkshire*
Ruth B. Balser	*12th Middlesex*
RoseLee Vincent	*16th Suffolk*
Carolyn C. Dykema	*8th Middlesex*
James M. Cantwell	*4th Plymouth*
Carmine L. Gentile	*13th Middlesex*
Walter F. Timilty	*7th Norfolk*
Mary S. Keefe	*15th Worcester*
Thomas M. McGee	*Third Essex*
Cynthia S. Creem	*First Middlesex and Norfolk*
Edward F. Coppinger	*10th Suffolk*
Jason M. Lewis	*Fifth Middlesex*
Timothy R. Madden	*Barnstable, Dukes and Nantucket*
Michelle M. DuBois	*10th Plymouth*
Patricia A. Haddad	*5th Bristol*
Michael J. Barrett	*Third Middlesex*
Linda Dorcena Forry	*First Suffolk*
Sean Garballey	*23rd Middlesex*
Kay Khan	*11th Middlesex*
Angelo J. Puppolo, Jr.	*12th Hampden*
Jonathan Hecht	*29th Middlesex*
Frank I. Smizik	*15th Norfolk*
Christine P. Barber	*34th Middlesex*
Linda Dean Campbell	*15th Essex*
Steven Ultrino	*33rd Middlesex*
Paul R. Heroux	*2nd Bristol*
Brendan P. Crighton	*11th Essex*
Sarah K. Peake	*4th Barnstable*
James R. Miceli	*19th Middlesex*
David M. Rogers	*24th Middlesex*
Jay D. Livingstone	*8th Suffolk*
Jeffrey Sánchez	*15th Suffolk*
Timothy J. Toomey, Jr.	*26th Middlesex*

HOUSE DOCKET, NO. 1173 FILED ON: 1/14/2015

HOUSE . . . . . No. 2870

By Representative Ehrlich of Marblehead and Senator Eldridge, a joint petition (accompanied by bill, House, No. 2870) of Lori A. Ehrlich, James B. Eldridge and others relative to protecting consumers of gas and electricity from paying for leaked and unaccounted for gas. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act relative to protecting consumers of gas and electricity from paying for leaked and unaccounted for gas.

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

1 The General Laws of the Commonwealth of Massachusetts are hereby amended as
2 follows:

3 SECTION 1 Chapter 164 of the General Laws, as appearing in the 2014 Official Edition,
4 is hereby amended by adding the following section:

5 Section 147. (a) As used in this Section, the following words shall have the following
6 meanings:

7 "Gas" - natural gas and any of its products, components or derivatives and methane,
8 whether produced by, or gathered from or collected as a result of exploration and production by
9 well, mining or otherwise, hydraulic fracturing, biomass gasification reactors, biogas reactors,

10 anaerobic digestion, methane emissions from landfills and liquid natural gas and whether mixed
11 with propane air or not or with synthetic natural gas or not.

12 "Hydraulic fracturing" - the process of pumping a fluid into or under the surface of the
13 ground in order to create or develop or enhance the flow through fractures in rock for the
14 purpose of the production or recovery of oil or gas.

15 "Liquefied natural gas " - a natural gas that has been changed into a liquid by cooling the
16 temperature at atmospheric pressure to approximately 260°F.

17 "Local Distribution Company" – includes a municipal distribution company, and is
18 referred to as an LDC.

19 "Local retail outlets" – Distributors of gas at retail to retail customers for individual
20 household use.

21 "Natural gas " - a type of gas which originates in the ground and is predominantly
22 methane.

23 "Propane air" - a type of gas produced by those facilities which add commercial grade
24 propane to air for mixture with natural gas .

25 "Provider" – anyone that purchases, acquires, transmits, barters, forfeits, exchanges,
26 transports, stores, processes, compresses or decompresses, distributes, sells or conveys gas for
27 resale or reuse and any Public Utility. A Provider may use one or more system types.

28 "Public Utility" – a gas or electric company as defined in section one of chapter one
29 hundred and sixty four, or any municipal corporation which owns or may acquire municipal
30 lighting plants as referred to in section two of said chapter one hundred and sixty four or any

31 person, firm, association, or private corporation which owns or operates works or a distribution
32 plant for the manufacture and sale or distribution and sale of gas for heating and illuminating
33 purposes, or of electricity, within the Commonwealth as referred to in section two of said chapter
34 one hundred and sixty four or any domestic electric utility or foreign electric utility as defined
35 in section one of chapter one hundred and sixty four A.

36 "Synthetic natural gas " - a type of gas which is made by a facility which produces a
37 gaseous fuel from the manufacture, conversion or reforming of liquid or solid hydrocarbons.

38 "System type" – any one of a gas distribution system, gas transmission or transportation
39 system, gas storage facility whether in liquefied or other state, gas production, gathering or
40 handling system. and a Public Utility.

41 Unaccounted-for-gas (UFG) —The difference between the total gas available from all
42 sources that is acquired by a system type and the total gas accounted for as sales, net interchange
43 and company use. This difference includes leakage or loss by other means, discrepancies due to
44 measuring or monitoring inaccuracies, variations of temperatures or pressures, or both, and other
45 variants .

46 (b). Calculation of UFG.

47 (1) When possible, UFG must be measured, computed and reported by system type.

48 (2) UFG for a system type equals Gas Received less Gas Delivered less Adjustments.

49 (3) Percent of UFG equals UFG divided by Gas Received times 100

50 (4) Gas received, gas delivered, and adjustments must represent actual gas quantities.
51 Measuring and monitoring equipment that meets current industry standards applicable in

52 Massachusetts must be installed. Estimates shall be treated as UFG unless clearly identified,
53 have supporting justification, assumptions and calculations and can be determined to be at least
54 as accurate as measured results. All records of acquisition by purchase or otherwise, sales and
55 internal usage must be made available and have been kept in the usual course of business.

56 (5) All lost and unaccounted for gas shall be presumed to be lost gas unless the portion
57 represented by unaccounted for gas, including but not limited to losses to company used gas,
58 liquids extraction, and meter errors due to inaccurate calibration or temperature and pressure
59 fluctuations, is proven by a preponderance of the evidence in a given ratemaking proceeding.

60 (6) A Provider shall be responsible for the UFG of each other Provider that is a source of
61 gas within the state that is not subject to ratemaking and the gas received for measuring UFG
62 shall be the gas received within the state by that Provider that it not subject to rate making.

63 (c). The cost of UFG in excess of the maximum allowable and all expenses for decreasing
64 UFG down to the maximum allowable shall be disallowed for ratemaking purposes.

65 (1) The maximum allowable loss is as shown in the following table.

66 Maximum Allowable Loss as a Percent of UFG per System Type

67 Year/ Distribution/ Transmission/ Storage/ Public utility/ Other

68 1/ 1.00%/ 0.50%/ 0.25%/ 0.25%/ 0.25%

69 2/ 0.750%/ 0.25%/ 0.10%/ 0.10%/ 0.10%

70 3/ 0.50%/ 0.10%/ 0.05%/ 0.05%/ 0.05%

71 4/ 0.25%/ 0.05%/ to/ to/ to

72 5/ 0.10%/ to

73 6/ 0.00%/ 0.00%/ 0.00%/ 0.00%/ 0.00%

74 (2) The calculation of the percentage of lost and unaccounted for gas shall be based on an
75 annual period. Notwithstanding the choice of test year for other aspects of ratemaking, and
76 unless a more appropriate period can be demonstrated by a preponderance of the evidence in a
77 given ratemaking proceeding, the annual period ends June 30, and is the most recent such period
78 for which data are available.

79 (3) Local retail outlets shall use best available technology and practices for preventing
80 leakage.

81 SECTION 2. Section 1 shall take effect on January 1. 2017.

City of Waltham, Massachusetts

Resolution

Concerning Lost and Unaccounted For Gas

June 8, 2015

WHEREAS… "Unaccounted For Gas" (UFG) or "Lost And Unaccounted For Gas" (LAUF) represents the difference between the total gas from all sources and the total gas accounted for as sales, interchange, and use and includes leakage or loss by other means, discrepancies in measuring or monitoring, variations of temperatures or pressures and other variants, and

WHEREAS… The cost of UFG is typically passed down from providers to consumers, and

WHEREAS… There are 157 reported unrepaired gas leaks in Waltham as of March 2015, and

WHEREAS… Leaking gas in the ground is harmful to vegetation and can kill valuable shade trees by depriving roots of oxygen, and

WHEREAS… Massachusetts House Bill (H.2870), "An Act relative to protecting consumers of gas and electricity from paying for leaked and UFG", seeks to protect all gas and electricity customers from paying for UFG, by prohibiting providers from including the cost of UFG, as well as the costs of reducing or remedying loss, in the rate base, and

WHEREAS… H.2870 will provide economic incentive to gas providers to mitigate loss, pushing development of improved technologies and practices, as well as to reduce heat-trapping gasses released during transportation, distribution and storage, which have an impact on global warming;

THEREFORE, BE IT RESOLVED… That the Waltham City Council supports H.2870, and

BE IT FURTHER RESOLVED… That the Waltham City Clerk forward an engrossed copy of this resolution to the elected Waltham delegation in the House and Senate as well as House Speaker Robert A. DeLeo and Senate President Stanley C. Rosenberg on behalf of the entire Waltham City Council;

Read and adopted_____ **Attest: Rosario C. Malone, City Clerk**

Respectfully submitted:

_____
Councillor Ward 3 George A. Darcy III

_____
Councillor Ward 1 Daniel P. Romard

_____
Councillor Ward 2 William H. Fowler

_____
Councillor Ward 4 John J. McLaughlin

_____
Councillor Ward 5 & Pres. Gary J. Marchese

_____
Councillor Ward 6 Robert J. Waddick

_____
Councillor Ward 7 Joseph M. Giordano Jr.

_____
Councillor Ward 8 Stephen F. Rourke

_____
Councillor Ward 9 Robert G. Logan

_____
Councillor-At-Large & V.P. Diane P. LeBlanc

_____
Councillor-At-Large Kathleen B. McMenimen

_____
Councillor-At-Large Patrick J. O'Brien

_____
Councillor-At-Large Thomas M. Stanley

_____
Councillor-At-Large Joseph W. Vizard

Gas Leaks Bill Summary: Chapter 149 of the Acts of 2014

Gas leak monitoring and repair

- Requires the Department of Public Utilities to develop a uniform grading system for gas leaks, clearly defining what is a grade one leak (the most immediately hazardous to humans), a grade two leak (potential to be hazardous to humans), or a grade three leak (not currently considered to be hazardous to humans). Prior to enactment of this law, gas companies used their own standards to grade leaks and there was no uniform definition. Gas companies will now be required to monitor and report all leaks according to this classification schedule.
- Requires all grade one leaks to be repaired or replaced as immediately as possible
- Requires grade two leaks to be repaired or replaced within 12 months, and monitored for potential reclassification every 6 months
- Requires all grade three leaks to be monitored and reevaluated every 12 months or at the request of public safety officials
- When a road is opened up for a road or utility project, the pipes under the road must be surveyed for gas leaks, and all grade 1 and 2 leaks must be repaired.
- Repairs to gas leaks in a school zone must be prioritized
- Requires the DPU to investigate the feasibility and effectiveness of requiring "winter patrols" of gas pipelines
- Bans blasting operations from taking place within 500 feet of a natural gas pipeline

Natural gas infrastructure replacement

- Gas companies may submit a plan to DPU of either 20 years or what the DPU determines to be a reasonable period of time for a plan to replace pipeline in such a way that will improve reliability and reduce lost and unaccounted for gas. Gas companies will be allowed to bill ratepayers for this, but not at a cost of more than 1.5% of the company's total sales, or a rate otherwise determined reasonable by DPU.
- Gas companies may also submit a plan to DPU to construct pipeline infrastructure to expand gas service to new customers. These projects can be funded either by a fee on new customers, a fee on all ratepayers, or a combination of the two, as long as DPU determines the plan does not put too much of a burden on existing customers.

RECEIVED
Newton City Clerk
2015 MAY -1 PM 2:33

David A. Olson, CMC
Newton, MA 02459

#141-15

Print

Acts
2014
Chapter 149 AN ACT RELATIVE TO NATURAL GAS LEAKS

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. Section 105A of chapter 164 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

Any person, firm or corporation who violates any provision of any code adopted by the department pertaining to the safety of pipeline facilities and the transportation of gas, or any regulation or rule thereunder, at a time when the department has submitted and has in effect the annual certification to the United States Secretary of Transportation provided for in 49 U.S.C. section 60105 shall be subject to civil penalties as specified in 49 U.S.C. section 60122(a)(1) or any successor statute enacted into federal law for the same purposes as said section 60122(a)(1).

SECTION 2. Said chapter 164 is hereby further amended by adding the following 2 sections:-

Section 144. (a) There shall be uniform natural gas leaks classification for all gas companies.

(b) (1) Gas companies shall assess a grade to all reported natural gas leaks based on the system provided in this section.

(2) A Grade 1 leak shall be a leak that represents an existing or probable hazard to persons or property. Grade 1 leaks require repair as immediately as possible and continuous action until the conditions are no longer hazardous. The gas company shall immediately schedule a completion of repairs and the condition shall be kept under continuous surveillance until the hazard or source of the leak is eliminated. Whenever appropriate and feasible, a gas company shall notify the fire department and chief law enforcement officer in each city or town where a Grade 1 leak is identified.

(3) A Grade 2 leak shall be a leak that is recognized as non-hazardous to persons or property at the time of detection, but justifies scheduled repair based on probable future hazard. The gas company shall repair Grade 2 leaks or replace the main within 12 months from the date the leak was classified. All Grade 2 leaks shall be reevaluated by a gas company at least once every 6 months until eliminated; provided, however, that the frequency of reevaluation shall be determined by the location and magnitude of the leakage condition.

(4) A Grade 3 leak shall be a leak that is recognized as non-hazardous to persons or property at the time of detection and can be reasonably expected to remain non-hazardous.

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The gas company shall reevaluate Grade 3 leaks during the next scheduled survey, or within 12 months from the date last evaluated, whichever occurs first, until the leak is eliminated or the main is replaced. A municipal or state public safety official may request a reevaluation of a Grade 3 leak prior to the next scheduled survey, or sooner than 12 months of the date last evaluated, if the official reasonably believes that the Grade 3 leak poses a threat to public safety.

(c) Upon the undertaking of a significant project on a public way exposing confirmed natural gas infrastructure, and with sufficient notice, a municipality or the commonwealth shall submit written notification of the project to a gas company. The gas company shall survey the project area for the presence of Grade 1 or Grade 2 leaks and set repair and replacement schedules for all known or newly detected Grade 1 or Grade 2 leaks. The gas company shall ensure that any shut off valve in the significant project area has a gate box installed upon it or a reasonable alternative that would otherwise ensure continued public safety and that any critical valve that has not been inspected and tested within the past 12 months is verified to be operational and accessible. The gas company shall provide the repair and replacement schedule of gas leaks to the municipality or the commonwealth.

(d) Gas companies shall prioritize any pipeline repairs required under this section for gas leaks detected within a school zone. For the purposes of this section, “school zone” shall mean on or within 50 feet of the real property comprising a public or private accredited preschool, accredited Head Start facility, elementary, vocational or secondary school.

(e) As part of the annual service quality standards report required by section 1I, each gas company shall report to the department the location of each Grade 1, Grade 2 and Grade 3 leak existing as of the date of the report, the date each Grade 1, Grade 2 and Grade 3 leak was classified and the dates of repairs performed on each Grade 1, Grade 2 and Grade 3 leak. A gas company shall specify any reclassification of previously identified leaks in its annual report. Gas leak information shall be made available to any municipal or state public safety official upon written request to the department.

(f) The department shall promulgate regulations necessary to implement the uniform natural gas leak classifications as specified in this section and shall oversee and monitor company response and reporting.

Section 145. (a) For the purposes of this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

“Customer”, a retail natural gas customer.

“Eligible infrastructure replacement”, a replacement or an improvement of existing infrastructure of a gas company that: (i) is made on or after January 1, 2015; (ii) is designed to improve public safety or infrastructure reliability; (iii) does not increase the revenue of a gas company by connecting an improvement for a principal purpose of serving new customers; (iv) reduces, or has the potential to reduce, lost and unaccounted for natural gas through a reduction in natural gas system leaks; and (v) is not included in the current rate base of the gas company as determined in the gas company’s most recent rate proceeding.

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"Plan", a targeted infrastructure replacement program construction plan that a gas company files pursuant to subsection (b).

"Project", an eligible infrastructure replacement project proposed by a gas company in a plan filed under this section.

(b) A gas company may file with the department a plan to address aging or leaking natural gas infrastructure within the commonwealth in the interest of public safety and reducing lost and unaccounted for natural gas through a reduction in natural gas system leaks.

(c) Any plan filed with the department shall include, but not be limited to: (i) eligible infrastructure replacement of mains, services, meter sets and other ancillary facilities composed of non-cathodically protected steel, cast iron and wrought iron, prioritized to implement the federal gas distribution pipeline integrity management plan annually submitted to the department and consistent with subpart P of 49 C.F.R. part 192; (ii) an anticipated timeline for the completion of each project; (iii) the estimated cost of each project; (iv) rate change requests; (v) a description of customer costs and benefits under the plan; and (vi) any other information the department considers necessary to evaluate the plan.

Upon filing an initial plan under this section, a gas company shall include a timeline for removing all leak-prone infrastructure on an accelerated basis specifying an annual replacement pace and program end date with a target end date of either (i) not more than 20 years, or (ii) a reasonable target end date considering the allowable recovery cap established pursuant to subsection (f). The department shall not approve a timeline as part of a plan unless the allowable recovery cap established pursuant to subsection (f) provides the gas company with a reasonable opportunity to recover the costs associated with removing all leak-prone infrastructure on the accelerated basis set forth under the timeline utilizing the cost recovery mechanism established pursuant to this section. After filing the initial plan, a gas company shall, at 5-year intervals, provide the department with a summary of its replacement progress to date, a summary of work to be completed during the next 5 years and any similar information the department may require. The department may require a gas company to file an updated long-term timeline as part of a plan if it alters the cap established pursuant to subsection (f).

(d) If a gas company files a plan on or before October 31 for the subsequent construction year, the department shall review the plan within 6 months. The plan shall be effective as of the date of filing, pending department review. The department may modify a plan prior to approval at the request of a gas company or make other modifications to a plan as a condition of approval. The department shall consider the costs and benefits of the plan including, but not limited to, impacts on ratepayers, reductions of lost and unaccounted for natural gas through a reduction in natural gas system leaks and improvements to public safety. The department shall give priority to plans narrowly tailored to addressing leak-prone infrastructure most immediately in need of replacement.

(e) If a plan is in compliance with this section and the department determines the plan to

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reasonably accelerate eligible infrastructure replacement and provide benefits, the department shall issue preliminary acceptance of the plan in whole or in part. A gas company shall then be permitted to begin recovery of the estimated costs of projects included in the plan beginning on May 1 of the year following the initial filing and collect any revenue requirement, including depreciation, property taxes and return associated with the plan.

(f) On or before May 1 of each year, a gas company shall file final project documentation for projects completed in the prior year to demonstrate substantial compliance with the plan approved pursuant to subsection (e) and that project costs were reasonably and prudently incurred. The department shall investigate project costs within 6 months of submission and shall approve and reconcile the authorized rate factor, if necessary, upon a determination that the costs were reasonable and prudent. Annual changes in the revenue requirement eligible for recovery shall not exceed (i) 1.5 per cent of the gas company's most recent calendar year total firm revenues, including gas revenues attributable to sales and transportation customers, or (ii) an amount determined by the department that is greater than 1.5 per cent of the gas company's most recent calendar year total firm revenues, including gas revenues attributable to sales and transportation customers. Any revenue requirement approved by the department in excess of such cap may be deferred for recovery in the following year.

(g) All rate change requests made to the department pursuant to an approved plan, shall be filed annually on a fully reconciling basis, subject to final determination by the department pursuant to subsection (f). The rate change included in a plan pursuant to section (c), reviewed pursuant to subsection (d) and taking effect each May 1 pursuant to subsection (e) shall be subject to investigation by the department pursuant to subsection (f) to determine whether the gas company has over collected or under collected its requested rate adjustment with such over collection or under collection reconciled annually. If the department determines that any of the costs were not reasonably or prudently incurred, the department shall disallow the costs and direct the gas company to refund the full value of the costs charged to customers with the appropriate carrying charges on the over-collected amounts. If the department determines that any of the costs were not in compliance with the approved plan, the department shall disallow the costs from the cost recovery mechanism established under this section and shall direct the gas company to refund the full value of the costs charged to customers with the appropriate carrying charges on the over collected amounts.

(h) The department may promulgate rules and regulations under this section. The department may discontinue the replacement program and require a gas company to refund any costs charged to customers due to failure to substantially comply with a plan or failure to reasonably and prudently manage project costs.

SECTION 3. On or before January 1, 2015, the department of public utilities shall authorize gas companies, as defined in section 1 of chapter 164 of the General Laws, to design and offer programs to customers which increase the availability, affordability and feasibility of natural gas service for new customers.

(a) As part of the department's approval of a program and prior to implementation of a

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program, the department shall: (i) review each gas company's determination that a main or service extension is economically feasible; (ii) review each gas company's contribution in aid of construction policy and methodology; and (iii) allow for alternative rate mechanisms or company project review methodology that facilitate access to natural gas service for new customers, including: (1) new service-territory-wide surcharges to aid in the financing of gas service expansion to new off-main customers; (2) new area surcharges applicable only to zones of new off-main customers to aid in the financing of gas service expansion to new off-main customers; or (3) both; provided, however, that natural gas distribution system expansion surcharges shall not unreasonably burden existing customers. The department may establish guidelines pursuant to this section that outline the department's methods and procedures for reviewing proposals, including factors the department shall consider for program or policy approval.

(b) Gas companies may petition the department independently or in coordination with the department of energy resources to approve: (i) financing programs for customer natural gas conversion costs repaid on participating customer bills; (ii) other financing programs developed by a gas company; or (iii) other cost-effective programs that reasonably accelerate the expansion of and conversion to natural gas usage in the commonwealth; provided, however, that the programs do not unreasonably burden existing natural gas customers.

(c) The department shall issue a decision on gas company expansion programs filed with the department pursuant to this section within 8 months of the filing date. Gas companies shall file appropriate tariff changes and otherwise implement any gas expansion programs or policies approved under this section.

(d) The department shall consider programs that are likely to accelerate the conversion or expansion to natural gas usage for low-income consumers currently eligible for the federal Low Income Home Energy Assistance Program, 42 U.S.C. section 8621 et seq., including programs that exempt new residential low-income heating customers from any new area surcharge developed pursuant to this section. Notwithstanding subsection (b), the department may approve alternative methods of cost recovery by a gas company for low-income programs, policies or exemptions, including impacts on uncollectible costs and shall exempt low-income customers eligible for the Low Income Home Energy Assistance Program from any new surcharge imposed pursuant to subsection (a).

SECTION 4. Notwithstanding any general or special law to the contrary, the department of public utilities shall open an investigation into gas operator compliance with the directives set forth in its Order D.T.E.\D.P.U. 06-48-A. The department shall complete its investigation and submit its findings to the clerks of the house of representatives and the senate and the house and senate chairs of the joint committee on telecommunications, utilities and energy on or before June 1, 2015.

SECTION 5. Notwithstanding any general or special law to the contrary, each operator shall give notice to the department of public utilities of each incident at the earliest practicable moment following discovery of said incident, in such form as the department may require. As

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used in this section, the terms “incident” and “operator” shall be defined as in 49 CFR section 191.3. The department of public utilities may open an investigation to determine the cause of said incident. Within 30 days of notice of an incident under this section, the department of public utilities shall post a notice on its website describing whether it will investigate said incident. In the event the department determines not to investigate the incident, it shall set forth in writing the reasons for its decision. Nothing in this section shall be construed to affect or modify the authority of the department of public utilities under state or federal law.

SECTION 6. Notwithstanding any general or special law to the contrary, the secretary of public safety and security or a designee shall issue a report on the adequacy of state regulations governing the safety standards for utility transformer vaults located within buildings subject to the state building code. The report shall include, but not be limited to, an analysis of the standards for access, structural integrity, ventilation and lighting requirements of the regulations and the inspection and enforcement requirements, if any, of the regulations. The report shall further address structural limitations of older buildings containing utility transformer vaults, any ancillary costs, including the cost of inspections and possible costs to businesses and municipalities to comply with any proposed new regulations, and any recommendations for legislation necessary to further implement minimum safety standards for utility transformer vaults. Before the final report is issued, the secretary of public safety or a designee shall hold a public hearing. The report, together with any proposed regulations or legislation necessary to carry out the recommendations, shall be submitted to the clerks of the house of representatives and the senate on or before November 15, 2014.

SECTION 7. Notwithstanding any general or special law to the contrary, explosive material, as defined in 527 CMR 13.03, shall not be used to fire a blast in any blasting operation at a site primarily used as a source of mined products from the earth if such site is within 500 feet of a natural gas pipeline or metering and regulation station without written approval by the department of public utilities.

SECTION 8. The department of public utilities shall investigate whether it shall require the winter surveillance and patrol of cast iron gas pipelines in the commonwealth and shall determine whether the presence of extended frost cap conditions may result in additional stress on cast iron pipe segments, requiring enhanced surveillance and patrol. The department may establish minimum uniform procedures for cast iron winter surveillance and patrols consistent with any federally mandated standards for integrity management programs for distribution pipelines. Gas companies, as defined in section 1 of chapter 164 of the General Laws, may establish procedures that exceed any minimum standards, subject to applicable filing requirements with the department.

SECTION 9. The department of public utilities shall issue a report addressing the prevalence of gas leaks in the natural gas system. The report shall include, but not be limited to: (i) the total number of Grade 1, Grade 2 and Grade 3 leaks as classified in section 144 of chapter 164 of the General Laws and reported in the previous year; (ii) estimates for lost and unaccounted for natural gas and methane emissions as a result of such Grade 1, Grade 2

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and Grade 3 leaks; and (iii) time and cost estimates for eliminating the backlog of Grade 1, Grade 2 and Grade 3 leaks. The department shall issue the first report not later than 1 year after the effective date of this act. The second and all subsequent reports shall be filed annually thereafter until the department determines that the backlog has been sufficiently addressed and the natural gas distribution system is in a state of good repair. The final annual report issued by the department pursuant to this section shall estimate the total cost of eliminating the backlog and the annual estimated cost to maintain a state of good repair. The second report and all subsequent reports shall be filed with the house and senate chairs of the joint committee on telecommunications, utilities and energy and the house and senate chairs of the joint committee on public safety and homeland security on or before December 31 of each year.

SECTION 10. Section 145 of chapter 164 of the General Laws shall take effect on October 1, 2014.

Approved, June 26, 2014.

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Boston Gas Company
Colonial Gas Company
d/b/a National Grid
D.P.U. 14-__
Exhibit DGI-3
Page 5 of 6

Boston Gas Company
Planned Proactive Main Replacement Miles
Calendar Year 2015

Line #	Division	Town	Description (street/segment)	Diameter	Material	Pressure	GSEP Feet
225	Malden	Melrose	24-84 GRANITE ST, MEL, VISTA ST & BEECH AVE	6	Cast Iron	LP	1345
226	Malden	Melrose	27-103 LEBANON ST, MEL	6	Cast Iron	LP & 60	1840
227	Malden	Melrose	3-63 GLENDALE AV, MEL	3	Cast Iron	LP	910
228	Malden	Melrose	54-77 OOSS AV, MEL, & 35-73 HAROLD ST	6	Cast Iron	LP	1030
229	Malden	Revere	145-240 HARRIS ST, REV	6	Cast Iron	LP	925
230	Malden	Somerville	1-126 WASHINGTON ST, SOM	4	Cast Iron	LP	2570
231	Malden	Somerville	1-128 CROSS ST, SOM, & ELLSWORTH ST	6	Cast Iron	LP	2290
232	Malden	Somerville	2-43 BRADLEY ST, SOM, 4-44 RADCLIFFE RD & JAMES	3	Cast Iron	LP	845
233	Malden	Winchester	79-145 POND ST, WNC, & 9-25 CHESTERFORD RD	4	Cast Iron	LP	1595
234	Malden	Winchester	8-19 WINCHESTER PL, WNC	4	Cast Iron	LP	420
235	Malden	Winchester	32-51 MYRTLE TER, WNC, GREELEY RD & S BORDER RD	2	Wrought Iron	LP	1495
236	Malden	Woburn	1-70 FOWLE ST, WOB	6	Steel	25	950
237	Malden	Woburn	19-21 CHARLES ST, WOB	2	Steel	LP	80
238	Malden	Woburn	2-10 DAWES CIR, WOB, 1-5 PATRIOT RD	2	Steel	60	825
239	Malden	Woburn	1-70 FOWLE ST, WOB	4	Cast Iron	LP	965
240	Malden	Woburn	3-26 BURLINGTON ST, WOB	2	Wrought Iron	LP	755
241	Malden	Woburn	8-47 GREEN ST, WOB, & 3-49 MT PLEASANT ST	3	Wrought Iron	LP to 25	4570
242	Waltham	Arlington	11-50 MELVIN RD, ARL, & 81-104 WINCHESTER RD	4	Steel	LP	1590
243	Waltham	Arlington	3-28 CLYDE TER, ARL, LAWRENCE LN & WASHINGTON	4	Steel	LP	1295
244	Waltham	Arlington	11-59 MORNINGSIDE DR, ARL, HODGE, BRADLEY &LOVELL	6	Cast Iron	LP	2115
245	Waltham	Arlington	143-178 PARK AV, ARL	4	Cast Iron	LP	1040
246	Waltham	Arlington	2-42 BELLEVUE RD, ARL, MORTON RD & SPRING ST	6	Cast Iron	LP to 25	1785
247	Waltham	Arlington	355-455 MYSTIC ST, ARL, & OLD MYSTIC ST	6	Cast Iron	LP to 25	2275
248	Waltham	Arlington	40-51 WINCHESTER RD, ARL, HUTCHINSON RD&MORNINGSID	6	Cast Iron	LP	1050
249	Waltham	Arlington	54-110 MARY ST, ARL, & 4-15 LITTLEJOHN ST	4	Cast Iron	LP	1070
250	Waltham	Arlington	59-122 SPY POND PKWY, ARL, & 2-29 SHERATON PK	4	Cast Iron	LP	2000
251	Waltham	Arlington	60-138 NEWLAND RD, ARL, SUNSET RD & BLOSSOM ST	4	Cast Iron	LP to 60	2185
252	Waltham	Arlington	777-849 CONCORD TPKE, ARL, & 3 BELLINGTON ST	4	Cast Iron	LP	1205
253	Waltham	Belmont	234-274 GROVE ST, BEL, & 3-20 LIVERMORE RD	20	Steel	25	895
254	Waltham	Belmont	118-232 CONCORD AV, BEL	6	Cast Iron	LP	1470
255	Waltham	Belmont	14-60 GLENDALE RD, BEL	4	Cast Iron	LP	550
256	Waltham	Belmont	14-93 CLARK ST, BEL	3	Cast Iron	LP	1030
257	Waltham	Belmont	19-75 MARSH ST, BEL	6	Cast Iron	LP	895
258	Waltham	Belmont	335-426 MARSH ST, BEL	6	Cast Iron	LP	875
259	Waltham	Belmont	7-64 PROSPECT ST, BEL, & 5-31 RICHMOND RD	6	Cast Iron	LP	1115
260	Waltham	Lexington	1-31 GRASSLAND ST, LEX	3	Steel	25	995
261	Waltham	Lexington	6-50 DEXTER RD, LEX, & 31-38 SIMONDS RD	4	Cast Iron	2	1130
* 262	Waltham	Newton	10-87 GRAY CLIFF RD, NEW, SQUIRREL LN	4	Cast Iron	LP	1275
263	Waltham	Newton	112-284 WINCHESTER ST, NEW	12	Cast Iron	22	2990
264	Waltham	Newton	11-64 BROADWAY, NEW, & 9-20 BROADWAY TER	4	Cast Iron	LP	1245
265	Waltham	Newton	141-192 GROVE ST, NEW, & MYRTLE AV	8	Cast Iron	LP	1000
266	Waltham	Newton	172-186 PARK ST, NEW, 169-237 FRANKLIN ST	3	Cast Iron	LP	1435
267	Waltham	Newton	194-300 CRAFTS ST, NEW	4	Cast Iron	LP	960
268	Waltham	Newton	215-246 LAKE AV, NEW, LAKEWOOD, NORMAN & ROGERS	4	Cast Iron	LP	1350
269	Waltham	Newton	2280-2340 COMMONWEALTH AV, NEW	6	Cast Iron	LP	960
270	Waltham	Newton	24-177 WARREN ST, NEW, WARREN TER & RENEE TER	4	Cast Iron	LP	2335
271	Waltham	Newton	267-302 MT VERNON ST, NEW, & 39-85 HILLSIDE AV	6	Cast Iron	LP	575
272	Waltham	Newton	27-68 BROOKS AV, NEW	4	Cast Iron	LP	735
273	Waltham	Newton	33-53 CHURCHILL ST, NEW, & 14-17 CHURCHILL TER	3	Cast Iron	LP	605
274	Waltham	Newton	337-647 WASHINGTON ST, NEW	10	Cast Iron	LP	3300
275	Waltham	Newton	62-115 PINE RIDGE RD, NEW, & 619-667 CHESTNUT ST	4	Cast Iron	LP	1395
276	Waltham	Newton	76-126 CHURCH ST, NEW, & 42-105 ELDREDGE ST	3	Cast Iron	LP	1525
277	Waltham	Newton	77-120 ATWOOD AV, NEW	6	Cast Iron	LP	570
278	Waltham	Waltham	1-44 GRANT PL, WAL	4	Cast Iron	LP	650
279	Waltham	Waltham	176-230 RIVER ST, WAL	6	Cast Iron	LP	520
280	Waltham	Waltham	46-109 CUSHING ST, WAL, & 25-62 LOWELL ST	3	Cast Iron	LP	1260

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Boston Gas Company
Planned Proactive Main Replacement Miles
Calendar Years 2016 - 2019

Line #	Division	Town	Description (street/segment)	Diameter	Material	Operating Pressure	GSEP Footage
1939	Waltham	Lexington	OUTLOOK DR	2	Steel	25	532.4
1940	Waltham	Lexington	PHINNEY RD	2	Steel	25	659.6
1941	Waltham	Lexington	REVERE ST	6	Cast Iron	2	537.2
1942	Waltham	Lexington	SCOTLAND RD	3	Steel	60	874.9
1943	Waltham	Lexington	SUZANNE RD	2	Steel	60	539
1944	Waltham	Lexington	TROTTING HORSE DR	3	Steel	25	849.6
1945	Waltham	Lexington	TUFTS RD	4	Steel	25	549.9
1946	Waltham	Lexington	VINE ST	2	Steel	60	523.4
1947	Waltham	Lexington	VOLUNTEER WY	4	Steel	60	639.3
1948	Waltham	Lexington	WATERTOWN ST	4	Steel	25	776.8
1949	Waltham	Lexington	WINSTON RD	3	Steel	25	761.2
1950	Waltham	Lexington	WOODCLIFFE RD	3	Steel	25	805
1951	Waltham	Newton	347-407 CENTRAL ST, NEW	6	Cast Iron	LP	730
1952	Waltham	Newton	398-490 WALTHAM ST, NEW, & 5-45 LINDBERGH AV	4	Cast Iron	LP	1855
1953	Waltham	Newton	4-49 JASSET ST, NEW	4	Cast Iron	LP	610
1954	Waltham	Newton	550-618 BEACON ST, NEW	4	Cast Iron	LP	825
1955	Waltham	Newton	6-140 ROUNDWOOD RD, NEW, WHITE PINE & HEMLOCK	4	Steel	22	3860
1956	Waltham	Newton	631-731 BEACON ST, NEW, & 11-15 COUSENS CIR	4	Cast Iron	LP	1625
1957	Waltham	Newton	75-171 LOWELL AV, NEW	3	Cast Iron	LP	1535
1958	Waltham	Newton	ACACIA AV	6	Cast Iron	LP	681.9
1959	Waltham	Newton	AGAWAM RD	6	Cast Iron	LP	636.1
1960	Waltham	Newton	ALBEMARLE RD	4	Cast Iron	LP	650.3
1961	Waltham	Newton	AUBURN ST	4	Cast Iron	LP	622.7
1962	Waltham	Newton	BARBARA RD	6	Cast Iron	LP	653.1
1963	Waltham	Newton	BELMONT ST	6	Cast Iron	LP	581.7
1964	Waltham	Newton	BIGELOW RD	4	Cast Iron	LP	736.6
1965	Waltham	Newton	BROOKSIDE AV	4	Cast Iron	LP	513.2
1966	Waltham	Newton	CARLETON ST	4	Cast Iron	LP	594.8
1967	Waltham	Newton	CARLTON RD	4	Cast Iron	LP	507.6
1968	Waltham	Newton	CHASE ST	3	Cast Iron	LP	623.7
1969	Waltham	Newton	CHESWICK RD	4	Cast Iron	LP	720.1
1970	Waltham	Newton	CLARK ST	6	Cast Iron	LP	540.6
1971	Waltham	Newton	CLEMENTS RD	4	Cast Iron	LP	646.4
1972	Waltham	Newton	CLINTON PL	4	Cast Iron	LP	651.4
1973	Waltham	Newton	CONCOLOR AV	6	Cast Iron	LP	750.5
1974	Waltham	Newton	COOK ST	4	Cast Iron	LP	511.4
1975	Waltham	Newton	CYPRESS ST	4	Cast Iron	LP	950.6
1976	Waltham	Newton	DALBY ST	4	Cast Iron	LP	706.1
1977	Waltham	Newton	DANEHILL RD	6	Cast Iron	LP	770.1
1978	Waltham	Newton	DAVIS AV	6	Cast Iron	LP	562.6
1979	Waltham	Newton	DEVONSHIRE RD	6	Cast Iron	LP	531.1
1980	Waltham	Newton	DEXTER RD	4	Cast Iron	LP	646.8
1981	Waltham	Newton	DUNSTER RD	4	Cast Iron	LP	592.6
1982	Waltham	Newton	EDGE HILL RD	6	Cast Iron	LP	548.6
1983	Waltham	Newton	ELGIN ST	6	Cast Iron	LP	562.2
1984	Waltham	Newton	ERIE AV	6	Cast Iron	LP	814.5
1985	Waltham	Newton	FAIRMONT AV	3	Cast Iron	LP	571.2
1986	Waltham	Newton	FARLOW RD	4	Cast Iron	LP	509
1987	Waltham	Newton	FAXON ST	4	Cast Iron	LP	552.1
1988	Waltham	Newton	FERN ST	6	Cast Iron	LP	540.6
1989	Waltham	Newton	FISHER AV	4	Cast Iron	LP	510.8
1990	Waltham	Newton	FLORAL ST	4	Cast Iron	LP	597.7
1991	Waltham	Newton	FOREST AV	6	Cast Iron	LP	540.9
1992	Waltham	Newton	GATE HOUSE RD	6	Cast Iron	LP	577.9
1993	Waltham	Newton	GIBBS ST	4	Cast Iron	LP	583.5
1994	Waltham	Newton	GLENWOOD AV	4	Cast Iron	LP	519.1
1995	Waltham	Newton	GRANT AV	4	Cast Iron	LP	660.6

Boston Gas Company
Planned Proactive Main Replacement Miles
Calendar Years 2016 - 2019

Line #	Division	Town	Description (street/segment)	Diameter	Material	Operating Pressure	GSEP Footage
1996	Waltham	Newton	GROVE HILL PK	4	Cast Iron	LP	515.8
1997	Waltham	Newton	HALCYON RD	6	Cast Iron	LP	634.6
1998	Waltham	Newton	HALE ST	4	Cast Iron	LP	765.6
1999	Waltham	Newton	HAMLIN RD	6	Cast Iron	LP	602.1
2000	Waltham	Newton	HAMMOND ST	6	Cast Iron	LP	610
2001	Waltham	Newton	HAWTHORNE AV	4	Cast Iron	LP	568.4
2002	Waltham	Newton	HUNTINGTON RD	6	Cast Iron	LP	771
2003	Waltham	Newton	JAMESON RD	6	Cast Iron	LP	583.2
2004	Waltham	Newton	JOHNSON PL	6	Cast Iron	LP	503.5
2005	Waltham	Newton	KENRICK ST	6	Cast Iron	LP	501.1
2006	Waltham	Newton	KENSINGTON ST	4	Cast Iron	LP	715.3
2007	Waltham	Newton	LOCKE RD	6	Cast Iron	LP	616.1
2008	Waltham	Newton	LOMBARD ST	6	Cast Iron	LP	621.6
2009	Waltham	Newton	LOS ANGELES ST	4	Cast Iron	LP	602.5
2010	Waltham	Newton	MANOR HOUSE RD	6	Cast Iron	LP	615.5
2011	Waltham	Newton	MASON RD	6	Cast Iron	LP	555.2
2012	Waltham	Newton	MELBOURNE AV	6	Cast Iron	LP	632.8
2013	Waltham	Newton	MILL ST	6	Cast Iron	LP	621.9
2014	Waltham	Newton	MOFFAT RD	6	Cast Iron	LP	526.9
2015	Waltham	Newton	MT ALVERNIA RD	6	Cast Iron	LP	690
2016	Waltham	Newton	NANCY RD	4	Cast Iron	LP	623.6
2017	Waltham	Newton	NEVADA ST	4	Cast Iron	LP	514.9
2018	Waltham	Newton	NEWTONVILLE AV	4	Cast Iron	LP	543.3
2019	Waltham	Newton	NOBLE ST	6	Cast Iron	LP	539.6
2020	Waltham	Newton	NORTH ST	4	Cast Iron	LP	696.3
2021	Waltham	Newton	OAK AV	4	Cast Iron	LP	544.6
2022	Waltham	Newton	OAKDALE RD	6	Cast Iron	LP	517.8
2023	Waltham	Newton	OAKLAND AV	4	Cast Iron	LP	655.6
2024	Waltham	Newton	ORCHARD AV	4	Cast Iron	LP	589.7
2025	Waltham	Newton	OTIS ST	6	Cast Iron	LP	766.6
2026	Waltham	Newton	OWATONNA ST	4	Cast Iron	LP	583.8
2027	Waltham	Newton	OXFORD RD	4	Cast Iron	LP	960
2028	Waltham	Newton	PAUL ST	6	Cast Iron	LP	599.4
2029	Waltham	Newton	PLEASANT ST	6	Cast Iron	LP	779.5
2030	Waltham	Newton	PRAIRIE AV	4	Cast Iron	LP	527
2031	Waltham	Newton	PROSPECT PK	4	Cast Iron	LP	815.4
2032	Waltham	Newton	QUINOBEQUIN RD	6	Cast Iron	LP	586.6
2033	Waltham	Newton	RESERVOIR AV	4	Cast Iron	LP	758
2034	Waltham	Newton	RICE ST	4	Cast Iron	LP	521.5
2035	Waltham	Newton	RIDGE AV	6	Cast Iron	LP	692.7
2036	Waltham	Newton	RIPLEY ST	4	Cast Iron	LP	585.6
2037	Waltham	Newton	ROSALIE RD	6	Cast Iron	LP	513.4
2038	Waltham	Newton	SALISBURY RD	6	Cast Iron	LP	547.1
2039	Waltham	Newton	SHORNECLIFFE RD	4	Cast Iron	LP	860.1
2040	Waltham	Newton	SMITH AV	6	Cast Iron	LP	659.1
2041	Waltham	Newton	STAFFORD RD	6	Cast Iron	LP	558.7
2042	Waltham	Newton	STUDIO RD	4	Cast Iron	LP	590.2
2043	Waltham	Newton	TEMPLE ST	4	Cast Iron	LP	747.2
2044	Waltham	Newton	THAXTER RD	6	Cast Iron	LP	506.2
2045	Waltham	Newton	THE LEDGES RD	4	Cast Iron	LP	613.8
2046	Waltham	Newton	TYLER TER	6	Cast Iron	LP	1390.3
2047	Waltham	Newton	UPLAND RD	4	Cast Iron	LP	508.2
2048	Waltham	Newton	VINEYARD RD	6	Cast Iron	LP	611.1
2049	Waltham	Newton	W PINE ST	4	Cast Iron	LP	508.3
2050	Waltham	Newton	WABAN AV	4	Cast Iron	LP	588.6
2051	Waltham	Newton	WABAN HILL RD	4	Cast Iron	LP	564.5
2052	Waltham	Newton	WALKER ST	3	Cast Iron	LP	568.8

Boston Gas Company
Planned Proactive Main Replacement Miles
Calendar Years 2016 - 2019

Line #	Division	Town	Description (street/segment)	Diameter	Material	Operating Pressure	GSEP Footage
2053	Waltham	Newton	WALTER ST	6	Cast Iron	LP	720.8
2054	Waltham	Newton	WARD ST	4	Cast Iron	LP	839.9
2055	Waltham	Newton	WARWICK RD	4	Cast Iron	LP	853.2
2056	Waltham	Newton	WASHINGTON PK	3	Cast Iron	LP	598
2057	Waltham	Newton	WATERSTON RD	4	Cast Iron	LP	637.3
2058	Waltham	Newton	WHITNEY RD	6	Cast Iron	LP	627.5
2059	Waltham	Newton	WILDWOOD AV	4	Cast Iron	LP	756.3
2060	Waltham	Newton	WILLIAM ST	4	Cast Iron	LP	701.4
2061	Waltham	Newton	WINDERMERE RD	4	Cast Iron	LP	560.9
2062	Waltham	Newton	WINONA ST	4	Cast Iron	LP	524.9
2063	Waltham	Newton	WINSLOW RD	6	Cast Iron	LP	784.6
2064	Waltham	Newton	WOLCOTT ST	4	Cast Iron	LP	508.7
2065	Waltham	Newton	WOODBINE ST	3	Cast Iron	LP	508.3
2066	Waltham	Newton	WYKEHAM RD	4	Cast Iron	LP	738.3
2067	Waltham	Newton	WYOMING RD	6	Cast Iron	LP	593.8
2068	Waltham	Waltham	1450-1490 TRAPELO RD, WAL	6	Steel	60	540
2069	Waltham	Waltham	18-58 DOTY ST, WAL	3	Steel	60	535
2070	Waltham	Waltham	285-379 NEWTON ST, WAL	3	Cast Iron	LP	1290
2071	Waltham	Waltham	4-72 CAUGHEY ST, WAL, MARION ST &FARNSWORTH ST	4	Cast Iron	LP	1905
2072	Waltham	Waltham	8-33 PALMER ST, WAL	3	Cast Iron	LP	445
2073	Waltham	Waltham	8-75 HIGHLAND ST, WAL, & 9-14 BROOK AV	3	Cast Iron	LP to 60	1165
2074	Waltham	Waltham	ALBEMARLE RD	6	Cast Iron	LP	570.9
2075	Waltham	Waltham	ASH ST	6	Cast Iron	LP	838.8
2076	Waltham	Waltham	BARBARA RD	6	Cast Iron	LP	687.9
2077	Waltham	Waltham	BEAL RD	4	Steel	LP	747
2078	Waltham	Waltham	BEECHWOOD RD	4	Steel	LP	567.5
2079	Waltham	Waltham	BRIGHTWOOD RD	4	Steel	LP	538.9
2080	Waltham	Waltham	BROOKFIELD RD	4	Cast Iron	LP	509.3
2081	Waltham	Waltham	CANTERBURY RD	4	Steel	LP	849.2
2082	Waltham	Waltham	CHERRY ST	6	Cast Iron	LP	602
2083	Waltham	Waltham	CLEVELAND RD	4	Steel	LP	769
2084	Waltham	Waltham	COPLEY AV	6	Cast Iron	LP	557.1
2085	Waltham	Waltham	CRESCENT ST	4	Cast Iron	LP	559.1
2086	Waltham	Waltham	CUTTER ST	4	Cast Iron	LP	500.7
2087	Waltham	Waltham	DOUGLAS RD	4	Steel	LP	537.4
2088	Waltham	Waltham	ELLERY RD	4	Steel	LP	713.1
2089	Waltham	Waltham	FARNUM RD	4	Steel	LP	573.1
2090	Waltham	Waltham	FLORENCE RD	4	Cast Iron	LP	501.2
2091	Waltham	Waltham	FRANCIS ST	3	Cast Iron	LP	612.7
2092	Waltham	Waltham	GREENWOOD LN	4	Cast Iron	LP	619.3
2093	Waltham	Waltham	GROSVENOR RD	4	Steel	LP	543.2
2094	Waltham	Waltham	GUINAN ST	6	Cast Iron	LP	985.8
2095	Waltham	Waltham	HARRIS ST	3	Cast Iron	LP	534.3
2096	Waltham	Waltham	MARIANNE RD	6	Cast Iron	LP	686.5
2097	Waltham	Waltham	MASSASOIT ST	4	Cast Iron	LP	770.7
2098	Waltham	Waltham	MAYALL RD	6	Cast Iron	LP	822.9
2099	Waltham	Waltham	ORANGE ST	3	Cast Iron	LP	510.3
2100	Waltham	Waltham	PORTER RD	6	Cast Iron	LP	509
2101	Waltham	Waltham	PRENTICE ST	6	Cast Iron	LP	528.6
2102	Waltham	Waltham	RIVERVIEW AV	3	Cast Iron	LP	630.2
2103	Waltham	Waltham	ROBBINS ST	3	Cast Iron	LP	556.3
2104	Waltham	Waltham	RUSSELL ST	4	Cast Iron	LP	908.3
2105	Waltham	Waltham	SPARKILL ST	6	Cast Iron	LP	528.6
2106	Waltham	Waltham	TURNER ST	3	Cast Iron	2	525
2107	Waltham	Waltham	VAN VECHTEN ST	6	Cast Iron	LP	525.5
2108	Waltham	Waltham	VIRGINIA RD	6	Cast Iron	LP	665.2
2109	Waltham	Waltham	WOBURN ST	2	Steel	60	667.3

LAW DEPARTMENT MEMORANDUM

To: **Alderman Deborah Crossley, Chairman and Members of the Public Facilities Committee**

From: **Marie M. Lawlor**
Assistant City Solicitor

Date: **July 10, 2015**

Re: Docket Item # 245-12, Recycling and Trash

As part of the 2012 recodification, the Recodification Committee recommended review and possible amendments to clarify portions of Chapter 11, Recycling and Trash.

The Law Department has consulted with Elaine Gentile, and recommends the Public Facilities Committee consider the proposed amendments delineated in the attached redlined Chapter 11(trash and recycling) and Section 20-21(f) (DPW civil fines). (Please note that deleted language is struck through; added language is underscored).

The proposed amendments will alleviate issues that the DPW has encountered in administering the trash ordinance over the last several years, especially issues that have arisen since the automated collection started.

The recommended amendments are summarized as follows:

1. Add a definition of "Bulky waste items" in Section 11-1; delete the definition language for bulky items from the substantive text contained in Section 11-14.

2. Amend in Section 11-1 the definitions of "Cleanouts" and "Moveouts" to delete the substantive requirements language currently contained in the definition. Place the substantive requirement language in a new Section 11-16 *Moveouts and Cleanouts*.

3. Add language in Sections 11-7 and 11-8 to clarify that persons shall not remove assigned trash and recycling receptacles from the premises to which they are assigned, and also shall not be in possession of a receptacle not assigned to their premises.

4. Clarify penalty portions currently contained in several sections of the chapter by consolidating all penalties into one enforcement section, Section 11-9; by listing in that section all individual sections subject to civil fine; and by adding the owner of the premises as a person who may be fined.

5. Amend the provisions of Section 20-21(f) *Department of Public Works* to include the individual sections subject to civil fine that are not currently listed.

cc: Alderman Lisle Baker, Chair, Recodification Committee
Shane Mark, Interim Commissioner, DPW
Elaine Gentile

Chapter 11

RECYCLING AND TRASH*

Art. I. In General, §§ 11-1—11-33
Art. II. Public Landfills and Recycling Depots, §§ 11-34—11-36

ARTICLE I.
IN GENERAL

Sec. 11-1. Definitions.

For the purposes of this chapter the following words and phrases shall have the meanings respectively ascribed to them in this section:

Bulky waste items: Bulky waste items are large items that are burnable, such as discarded or broken furniture, large toys, mattresses, rugs, and other large or unwieldy refuse that cannot be placed in the assigned receptacle. Hard plastic and metal items are not bulky items

Clean and uncontaminated paper: Paper that has not been exposed to foreign substance or substances, or conditions rendering it unusable for recycling.

Cleanouts: cleaning of basements, attics, garages, etc. so that large amounts of trash are generated that require multiple collections or truck load out. ~~Cleanouts are not considered normal residential trash and will not be collected by the City. If, for whatever reason, the city finds it necessary to remove and dispose of a cleanout, the owner or occupant of the building or premises shall pay the city the total cost of removal and disposal as determined by the commissioner of public works or his/her duly authorized agent.~~

Commercial rubbish: Any refuse and recyclable materials generated by the use of property for non-residential purposes, including, but not limited to, hotels, motels, institutions, offices, businesses and industry. The term "institution" includes, but is not limited to, hospitals, schools, and educational and benevolent organizations.

Construction Material: Items from building construction, deconstruction, renovations, repairs, etc. This is not considered residential trash and will not be collected by the city.

Garbage: Putrescible waste matter, animal or vegetable, from tables, kitchens, markets and stores.

Moveouts: Vacating residential premises and depositing large amounts of trash at curbside.
~~Moveouts are not considered normal residential trash and will not be collected by the city. If, for whatever reason, the city finds it necessary to remove and dispose of a moveout, the owner or occupant of the building or premises shall pay the city the total cost of removal and disposal as determined by the commissioner of public works or his/her duly authorized agent.~~

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*__Editor's note__: Ordinance T-92, adopted June 18, 1990, changed the title of this chapter from "Garbage, Trash and Refuse" to "Recycling and Trash".

Cross references—Health and human services, Ch. 12; secondhand and junk dealers, Ch. 17, Art. IV

Non-profit rubbish: Any refuse and recyclable materials generated by the use of property for residential and non-residential non-profit institutions. The term "institution" includes, religious, and charitable organizations that do not pay city real estate tax.

Recyclable materials: Clean and uncontaminated paper; cardboard; glass; cans; aluminum; leaf and yard wastes; plastics; metals and other such materials as set forth by the Department of Environmental Protection of the Commonwealth of Massachusetts or as the commissioner of public works may determine.

Refuse: All non-putrescible household solid wastes except those which constitute recyclable materials as defined herein.

Leaf and yard wastes: Leaves, grass clippings, wood chips, shrub trimmings, plant cuttings and other materials as set forth by the Department of Environmental Protection of the Commonwealth of Massachusetts or as the commissioner of public works may determine.

Plastics: High density polyethylene (HDPE) and polyethylene terephthalate (PET) plastics and other plastics as the commissioner of public works may determine.

Recycling depot: A site designated on a permanent or temporary basis for drop-off and collection of certain recyclable materials.

Receptacle: Any container that the commissioner of public works may determine to be acceptable to utilize for the collection of trash and / or recyclable materials and or any other material that the commissioner of public works may determine.

Trash: All trash, including, garbage and refuse from residential premises which receive municipal trash disposal services. Sometimes also called "rubbish" or "residential rubbish."

Single Stream Recycling: also known as fully commingled recycling refers to a system in which all paper materials and co-mingled containers are mixed together in a collection truck, instead of being sorted into separate commodities (newspaper, cardboard, plastic, glass, etc.) by the resident and handled separately throughout the collection process.

Waste Bans: Materials as listed under the Commonwealth of Massachusetts Regulation 310 CMR 19.017: Waste Disposal Ban Regulation. All items as listed will either not be collected or collected as a special collection per the commissioner of public works.

White goods: Large household appliances such as washing machines, clothes dryers, refrigerators, stoves, and the like, formerly finished with white enamel but now often with varied finishes, as well as electronic devices such as televisions and computers."

(Rev. Ords. 1973, § 8-34; Ord. No. 11, 8-15-74; Ord. No. R-56, 3-17-80; Ord. No. R-105, 12-15-80; Ord. No. S-1, 7-11-83; Ord. No. T-92, 6-18-90; Ord. No. Z-68, 06-21-10; Ord. No. Z-87, 05-16-11)

Cross reference—Rules of construction and definitions generally, § 1-3

Sec. 11-2. Department of public works—To have charge of removal, processing and disposal.

The department of public works, or its contractor, shall remove and process or dispose of all refuse, recyclable materials and garbage from residential premises, except those residential premises which are required pursuant to special permit or other zoning requirements to make their own private arrangements therefor, which are properly placed in accordance with the requirements of this chapter. (Rev. Ords. 1973, § 8-35; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. S-1, 7-11-83; Ord. No. T-92, 6-18-90; Ord. No. Z-68, 06-21-10)

Sec. 11-3. Same—Employees, contractors and agents not to enter premises to remove; exception.

Employees, contractors and agents of the department of public works shall not enter upon private property to remove, garbage, refuse or recyclable materials, except when and where directed by the commissioner of public works or his duly authorized agent. (Rev. Ords. 1973, § 8-36; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. T-92, 6-18-90; Ord. No. Z-68, 06-21-10)

Sec. 11-4. Reserved.

Sec. 11-5. Trash, Garbage—Permit required to transport; recycling services required.

All persons transporting trash or garbage through the public ways of the city from places within or to destinations within the city shall first obtain from the health department a permit therefor. All persons offering these services are required to offer full recycling services to all places where such collection of trash or garbage occurs within the city. All persons shall show evidence of such recycling plan of services, which plan must be approved by the commissioner of public works or his/her designee and recommended to the commissioner of health and human services at the time of the annual permit request. All such permits shall expire at the end of the calendar year in which they are issued. No permit may be transferred without approval of the health and human services department. (Rev. Ords. 1973, § 8-38(a); Ord. No. 59, 2-20-75; Ord. No. S-1, 7-11-83; Ord. No. X-175, 05-26-05; Ord. No. Z-68, 06-21-10; Ord. No. A-14, 03-18-13)

Cross reference—Licensing and permits generally, Ch. 17; G.L. c. 111 sec. 31A.

Sec. 11-6. Collection, processing, and disposal of non-profit rubbish for a fee.

Non-profit rubbish from religious and charitable organizations may be set out for collection for a fee that reflects the total cost of removal and disposal as determined by the commissioner of public works or his/her duly authorized agent. All non-profit rubbish shall be placed for collection in accordance with this chapter. All non-profit rubbish collected by the city under this section shall comply with all requirements of this chapter. (Ord. No. Z-68, 06-21-10)

Sec. 11-7. How trash to be placed for collection; weight of receptacles.

(a) The city shall provide, or cause to be provided, one receptacle to each residential premises which receives municipal rubbish disposal services. The receptacle size shall be determined by the commissioner of public works. The receptacle shall be owned by the city. The residents of each such premises shall:

(1) take proper care to protect such receptacle from misuse, loss, and damage as the city may require the resident to pay for any replacement carts due to such misuse, loss and/or damage; and

(2) return such receptacle to the city, or its contractor, upon request of the commissioner of public works; and

(3) in the event that they vacate the premises, shall leave such receptacle with the premises for use by the subsequent residents or if taken the city may require payment for such cart; and.

(4) not remove the assigned receptacle from the premises unless granted permission by the commissioner of public works; and

(5) not be in possession of any receptacle not assigned to his or her premises.

(b) If additional receptacles are required, additional receptacles shall be provided at the request of the homeowner at an annual charge established by the commissioner of public works. Only city authorized

receptacles will be accepted for collection.

(c) Residents may also purchase trash bags, designated by the city for the sole purpose of trash collection, at a cost per bag established by the commissioner of public works. Only city authorized bags will be accepted for collection. Bags shall not exceed fifty (50) pounds in weight.

(d) All material set out for collection must be in the city supplied receptacle, additional city supplied receptacle, as requested, or designated bags. Loose material will not be collected. All material put out must fit within the receptacle provided so that the receptacle lid remains closed.

(e) Receptacles and designated bags shall be placed for collection in a manner and on days of the week as designated by the commissioner of public works or his/her designee which does not obstruct vehicular and / or pedestrian passage. All receptacles must be placed so that they are easily accessible for collection by the city, and/or in such a place as the commissioner of public works, or his/her duly authorized agent, may designate or permit.

(f) The commissioner of public works may determine if a multiple residential site (apartment building, condominium units, townhouses, etc.) currently being collected from will require a dumpster. The commissioner will determine the size and location of the dumpster. Multiple unit locations will abide by the same standards as for collection in single residential sites.

(g) No person except those individuals and companies authorized by the commissioner of public works shall collect or pick up or cause to be collected or picked up, trash which has been placed for collection pursuant to Section 11-7.

~~(h) Failure to comply shall result in the imposition of a written warning for the first offense, fifty dollar ($50.00) civil fine for the second offense and seventy-five dollar ($75.00) civil fine for the third and subsequent offenses occurring in any three hundred sixty-five (365) day period.~~ (Ord. No. Z-68, 06-21-10; Ord. No. A-14, 03-18-13)

Cross reference – general penalty, §1-6; civil fines, §20-21

Sec. 11-8. How recyclable materials to be placed for collection.

(a) The city shall provide, or cause to be provided, one recycling receptacle to each residential premises which receives municipal rubbish disposal services. The receptacle size shall be determined by the commissioner of public works. Only city authorized receptacles will be accepted for collection. The residents of each such premises shall:

(1) take proper care to protect such recycling container from misuse, loss and damage as the city may require the resident to pay for any replacement carts due to such misuse, loss and/or damage; and

(2) return such recycling container to the city, or its contractor, upon request of the commissioner of public works; and

(3) in the event that they vacate the premises, shall leave such recycling container with the premises for use by the subsequent residents or if taken the city may require payment for such cart.

(4) not remove the assigned receptacle from the premises unless granted permission by the commissioner of public works; and

(5) not be in possession of any receptacle not assigned to his or her premises.

(b) If additional receptacles are required, additional receptacles shall be provided at the request of the homeowner at an annual charge established by the commissioner of public works. Only city authorized receptacles will be accepted for collection.

(c) Recyclable materials are to be set out in containers as directed by the rules and regulations of the commissioner of public works.

(d) Leaf and yard waste is to be set out in containers as directed by rules and regulations of the commissioner of public works.

(e) All recyclable material set out for collection must be in the city supplied receptacle. Loose material will not be collected. All material put out must fit within the receptacle provided so that the receptacle lid remains closed.

(f) Receptacles shall be placed for collection in a manner and on days of the week as designated by the commissioner of public works or his/her designee which does not obstruct vehicular and / or pedestrian passage. All receptacles must be placed so that they are easily accessible for collection by the city, and/or in such a place as the commissioner of public works, or his/her duly authorized agent, may designate or permit.

(g) The commissioner of public works may determine if a multiple residential site (apartment building, condo units, townhouses, etc.) currently being collected from will require a dumpster for single stream recycling. The city will determine the size and location of the dumpster. Multiple unit locations will abide by the same standards as for collection in single residential sites.

(h) No person except those individuals and companies authorized by the commissioner of public works shall collect or pick up or cause to be collected or picked up, recyclable materials which have been placed for collection pursuant to Section 11-8.

~~(i) Failure to comply shall result in the imposition of a written warning for the first offense, fifty dollar ($50.00) civil fine for the second offense and seventy-five dollar ($75.00) civil fine for the third and subsequent offenses occurring in any three hundred sixty-five (365) day period.~~ (Rev. Ords. 1973, § 8-42; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. R-105, 12-15-80; Ord. No. T-92, 6-18-90; Ord. No. Z-68, 06-21-10; Ord. No. A-14, 03-18-13)

Cross reference – general penalty, §1-6; civil fines, §20-21.

Sec. 11-9. Participation in and enforcement of recycling and trash program; hardship exemption.

(a) All persons whose trash is collected by the city shall comply with the provisions of this chapter ~~sections 11-7 and 11-8~~ when placing materials for collection, unless specifically exempted pursuant to the provisions of subsection (b). Failure to comply with sections 11-~~9~~7, 11-8, 11-10, 11-14, 11-15 or 11-16 shall result in the imposition of a written warning for the first offense, fifty dollar ($50.00) civil fine for the second offense and seventy-five dollar ($75.00) civil fine for the third and subsequent offenses occurring in any three hundred sixty-five (365) day period. The written warning for each first offense shall be attributable to the dwelling unit occupied by the offending party. Any subsequent offense by any occupant of said dwelling unit shall result in the fine referred to above and shall be attributable to the head of the household or the owner of the premises.

Cross reference – general penalty, §1-6; civil fines, §20-21.

(b) If compliance with the requirements of subsection (a) imposes undue hardship upon a person, that person may request an exemption from this ordinance from the commissioner of public works. (Ord. No. R-105, 12-15-80; Ord. No. S-249, 3-16-87; Ord. No. T-92, 6-18-90; Ord. No. Z-68, 06-21-10; Ord. No. A-14, 03-18-13)

Sec. 11-10. When trash and recyclable materials to be placed for collection; carts to pass through streets only once.

(a) Trash and recyclable materials shall be placed for collection on such day or days as may be designated for collection by the commissioner of public works. The commissioner of public works may designate the specific days of collection for particular areas of the city and/or types of trash and/or recyclable materials. Trash and recyclable materials shall be placed for collection between 4:00 p.m. of the day preceding collection and 7:00 a.m. of the day of collection. Collection vehicles having passed through the street will not be sent back to collect any such materials placed for collection after 7:00 a.m.

(b) All empty receptacles, barrels, cans or rubbish containers of any kind shall be removed from the area of collection and returned to the private property of the person(s) who owns or is assigned to the specific receptacle(s) prior to midnight of the day of collection.

(c) Any occupant of a building who places or causes to be placed trash or recyclable materials for collection at times other than those designated in subsection (a) of this section or fails to remove said trash containers or recycling containers or receptacles from the area of collection prior to midnight of the day of collection shall be subject to the ~~following~~ penalties provided in section 9 (a), ~~for offenses occurring in any three hundred sixty-five (365) day period:~~

~~(1) For the first offense—a written warning;~~

~~(2) Second offense-fifty dollars ($50.00) ,~~

~~(3) Third and subsequent offenses-seventy-five dollars ($75.00)~~

~~The written warning for each first offense shall be attributable to the dwelling unit occupied by the offending party. Any subsequent offense by any occupant of said dwelling unit shall result in the fine referred to above and shall be attributable to the head of the household.~~

~~P~~provided, however, that when the collection of trash or recyclable materials is delayed due to weather conditions, holidays, or other causes, no penalty shall be imposed for placement thereof in accordance with the time periods established for collection as set forth in subsection (a) above. (Rev.Ords. 1973, § 8-42; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. R-56, 3-17-80; Ord. No. S-1, 7-11-83; Ord. No. T-92, 6-18-90; Ord. No. T-168, 9-3-91; Ord. No. Z-68, 06-21-10; Ord. No. A-14, 03-18-13)

Cross reference—Licensing and permits generally, Ch. 17; general penalty, §1-6; civil fines, §20-21.

Sec. 11-11. Registration for transporting garbage through Newton.

All persons transporting garbage on public ways of the city from points outside the city and to destinations outside the city shall register with the city health and human services department pursuant to Mass. Gen. Laws c. 111, § 31A. Such garbage shall be transported in accordance with such rules and regulations as the health and human services department shall make. (Rev. Ords. 1973, § 8-43; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. S-1, 7-11-83; Ord. No. X-175, 5-26-2005; Ord. No. Z-68, 06-21-10; Ord. No. A-14, 03-18-13)

Sec. 11-12. Definition of pickup point, placement of refuse for collection from mixed-use buildings, persons responsible for fee.

For buildings utilizing dumpsters, each dumpster location shall constitute a pickup point. Refuse from non-residential and residential units shall not be placed into the same dumpster for collection. For receptacle or bag collection, each street address shall constitute a pickup point, provided however, that in the case of multi-unit buildings, each unit shall constitute a pickup point, and provided further, that the refuse and recycling generated by

each non-residential unit in such building shall not be set out for collection.

Nothing herein shall be deemed to render any person liable for charges incurred by a previous owner. (Rev. Ords. 1973, § 8-45; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. R-105, 12-15-80; Ord. No. R-201, 12-7-81; Ord. No. S-1, 7-11-83; Ord. No. Z-68, 06-21-10)

Sec. 11-13. Tipping over, etc.; slippery substances.

No person shall willfully or maliciously disturb or handle the contents of or tip over or upset containers or receptacles standing upon the sidewalk or within the street limits or throw or place upon any sidewalk, crosswalk, street or way any banana skin, orange peel or other slippery substance. (Rev. Ords. 1973, § 8-48; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. S-1, 7-11-83; Ord. No. Z-68, 06-21-10)

Sec. 11-14. ~~Large, b~~Bulky waste items~~, etc., refuse.~~

(a) ~~Large and/or bulky items such as discarded or broken furniture, large toys, mattresses, rugs, and other large or unwieldy refuse which cannot be placed in the assigned receptacle shall be considered bulky waste.~~ The department of public works may remove and dispose of up to five (5) bulky waste items per household per week without charge. All the materials put out for removal shall be of such form and so prepared and placed as the commissioner of public works may specify or accept, otherwise they shall not be removed by the city.

(b) The commissioner of public works in his sole discretion may remove and dispose of more than five (5) bulky waste items per household per week in accordance with the provisions relating to cleanouts and moveouts. (Rev. Ords. 1973, § 8-49; Ord. No. 11, 8-15-74; Ord. No. 90, 10-6-75; Ord. No. S-1, 7-11-83; Ord. No. Z-68, 06-21-10)

Sec. 11-15. White goods.

White goods may be removed and disposed of by the department of public works upon application to the commissioner of public works by the owner or occupant of a building or premises who shall pay a fee of eighteen dollars ($18.00) per stop, which will include one cathode ray tube item (TV or computer monitor). Each additional cathode ray tube item (TV and/or computer monitor) shall be charged an additional eighteen dollar ($18.00) fee. All other white good items, as defined in Section 11-1 shall be included in each stop for no additional charge All white goods offered for removal by application shall be of such form and so prepared and placed as the commissioner of public works may specify or accept, otherwise they shall not be removed by the city. (Ord. No. Z-87, 05-16-11; Ord. No. A-54, 01-20-15)

Sec. 11-16. Moveouts and cleanouts

Moveouts and ~~C~~cleanouts are not considered normal residential trash and will not be collected by the City. If, for whatever reason, the city finds it necessary to remove and dispose of a moveout or cleanout, the owner or occupant of the building or premises shall pay the city the total cost of removal and disposal as determined by the commissioner of public works or his/her duly authorized agent.

Sec. 11-1~~6~~7. Annual appropriation for publicizing recycling program.

The recycling program shall receive an annual appropriation to be used to advertise the program on a regular basis and to inform citizens of their collection days. (Rev. Ords. 1973, § 8-50; Ord. No. 11, 8- 15-74; Ord. No. S-1, 7-11-83; Ord. No. Z-68, 06-21-10; Ord. No. Z-87, 05-16-11)

Secs. 11-1~~6~~8—11-33. Reserved.

ARTICLE II.
PUBLIC LANDFILLS AND RECYCLING DEPOTS

Sec. 11-34. Control of operation and use.

The commissioner of public works shall have custody and control and charge of the operation of all landfills and recycling depots maintained by the city. He is authorized, subject to the provisions of this article and to any other applicable order of the board of aldermen, to prescribe, and from time to time amend, rules and regulations governing the operation and use thereof. (Rev. Ords. 1973, § 8-56; Ord. No. 90, 10-6-75; Ord. No. T-92, 6-18-90)

Sec. 11-35. Regulations of use.

Use of landfills, transfer haul stations and recycling depots maintained and/or operated by the city or by a contractor under contract with the city to do the same, by other than city employees acting within the scope of their employment, shall be limited to residents of the city, to owners or employees of commercial or industrial establishments located within the city and to such other persons as may establish to the satisfaction of the commissioner of public works that they are engaged in business activities within the city which require the disposal of trash or depositing of recyclable materials from such operations. All such use shall be upon permission of and in accordance with the rules of the commissioner of public works. No person shall dispose of any trash or deposit any recyclable materials originating outside the limits of the city to any such landfill, transfer haul station or recycling depot. All persons and commercial haulers, except city employees acting within the scope of their employment, using any such landfill, transfer haul station or recycling depot shall do so at their own risk. (Rev. Ords. 1973, § 8-57; Ord. No. 60, 2-18-75; Ord. No. 90, 10-6-75; Ord. No. T-92, 6-18-90)

Sec. 11-36. Recycling depots.

The commissioner of public works shall have custody and control and charge of the operation of recycling depots maintained by the city. The commissioner may use these recycling depots for the collection of recyclable materials such as office grade paper; corrugated cardboard; automobile batteries and other such materials as he shall determine. (Ord. No. T-92, 6-18-90)

Cross reference—Licenses and permits generally, Ch. 17

Sec. 20-21. Enforcing persons and revised ordinances subject to civil fine.

(f) DEPARTMENT OF PUBLIC WORKS: The commissioner of public works, and/or his or her designee, shall be authorized to issue written notice of the following violations:

.....PENALTY

Sec. 11-7. How trash to be placed for collection.

( ) First offense per 365 day period ....written warning

( ) Second offense per 365 day period $50.00

( ) Third offense and subsequent offenses per 365 day period $75.00

Sec 11-8. How recyclables to be placed for collection.

( ) First offense per 365 day period ....written warning

( ) Second offense per 365 day period $50.00

( ) Third offense and subsequent offenses per 365 day period $75.00

~~Sec. 11-9(a). Participation in and enforcement of recycling and trash program~~

~~( ) First offense per 365 day period ....written warning~~

~~( ) Second offense per 365 day period .... $50.00~~

~~( ) Third offense and subsequent offenses per 365 day period .... $75.00~~

Sec. 11-10 (c) When trash and recyclable materials to be placed for collection

( ) First offense per 365 day period ....written warning

( ) Second offense per 365 day period $50.00

( ) Third offense and subsequent offenses per 365 day period..... ..... $75.00

Sec. 11-14 Improper placement of bulky waste items for collection

( ) First offense per 365 day period ....written warning

( ) Second offense per 365 day period $50.00

( ) Third offense and subsequent offenses per 365 day period..... ..... $75.00

Sec. 11-15 Improper placement of white goods for collection

( ) First offense per 365 day period …… .....written warning

( ) Second offense per 365 day period …….....$50.00

( ) Third offense and subsequent offenses per 365 day period…….....$75.00

Sec. 11- 16 Improper placement of moveouts or cleanouts for collecton

( ) First offense per 365 day period …… .....written warning

( ) Second offense per 365 day period …….....$50.00

( ) Third offense and subsequent offenses per 365 day period…….....$75.00

(Ord. No. T-126, 3-4-91; Ord. No. T-241, 10-21-91; Ord. No. U-29, 10-3-94; Ord. No. V-8, 2-6-95; Ord. No. V-63, 2-5-96; Ord. No. V-69, 3-4-96; Ord. No. V-193, 8-10-98; Ord. No. V-197, 10-5-98; Ord. No. V-255, 8-9-99; Ord. No. V-275, 12-6-99; Ord. No. X-14, 4-1-02; Ord. No. X-142, 03-21-05; Ord. No. X-175, 05-26-05; Ord. No. X-244, 12-18-06; Ord. No. Z-17, 12-17-07; Ord. No. Z-27, 05-19-08; Ord. No. Z-32, 07-14-08; Ord. No. Z-57, 11-16-09; Ord. No. Z-60, 12-21-09; Ord. No. Z-68, 06-21-10; Ord. No. Z-78, 02-22-11; Ord. No. A-11, 02-04-13; Ord. No. A-14, 03-18-13; Ord. No. A-18, 04-01-13; Ord. No. A-41, 06-16-14; Ord. No. A-50, 12-01-14; Ord. No. A-56, 01-20-15)

Secs. 20-22 Reserved.