



Public Facilities Committee Report

City of Newton **In City Council**

Wednesday, February 3, 2016

Present: Councilors Crossley (Chair), Albright, Brousal-Glaser, Gentile, Danberg, Laredo, and Lappin
Absent: Councilor Lennon

Also present: Councilors Auchincloss, Fuller, Kalis, Leary, and Sangiolo

City staff present: Maureen Lemieux (Chief of Staff/Chief Budget Officer), James McGonagle (Commissioner of Public Works), Ted Jerdee (Utilities Director), Shane Mark (Director of Operation; Public Works Department), Lou Taverna (City Engineer), and John Cowell (Financial Analyst; Public Works Department)

Referred to Public Facilities and Finance Committees

#455-14 Ordinance Amendment to create a storm water rate fee structure

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.

Action: Public Facilities Held 7-0

Note: The Chair explained that the Committee is holding a public hearing on proposed amendments to the City's ordinances to create a new tiered storm water fee structure for non-residential properties based upon impervious surface. Non-residential properties, as defined in the ordinance, would include any property parcel with more than four units of housing. The Water, Sewer Storm Water Working Group recommends that basing storm water fees on impervious surface is a more equitable method of assessing fees for larger parcels.

The Chair stated that residential properties with a commercial component (home business) to their property would not be considered non-residential, as long as the commercial component is subsidiary to the residential use, and comprises less than 50% of the structure. The City sent public hearing notice to 180 property owners that have a commercial component to their property before the City determined not to include those properties as non-residential.

Discussion regarding restructuring storm water fees based upon square footage of impervious surface area for non-residential properties began in November 2014. It was then determined that the City needed more accurate data to properly catalog impervious surface. Therefore, to begin to implement the system rehabilitation in last year's budget, the Board of Aldermen decided to raise the Fiscal Year 2016 storm water charge for residential properties from \$25 to \$75 per year and for non-residential properties from \$150 to \$200 per year. This was done with the understanding that the City Council would revisit the non-residential fees over the next year.

The City contracted with Weston and Sampson to provide a more detailed assessment of the impervious area associated with non-residential parcels. Weston and Sampson recently provided the necessary data in an updatable form. This data allows the City to move forward with charging non-residential properties based on an accurate accounting of impervious surface area. The City will continue to update the impervious surface area database with any new buildings or additions that change a property's impervious surface area, as they are permitted.

The City is currently in the first year of its 22-year, \$41 million storm water infrastructure improvement plan, which was created to address the significant work required to repair deteriorating storm water infrastructure, add capacity where needed, and implement upcoming federal storm water permit requirements. The requirements are related to regulating the quality of the storm water as it enters fresh water bodies. Most of the City's storm water runoff goes into fresh water bodies like the Charles River and the City will be significantly impacted when the new requirements are in place. The City must raise sufficient funds to move forward with the necessary improvements.

The proposed ordinance includes an up to 25% credit for properties that have storm water mitigation systems. The amount of the credit is dependent on what type and how much storm water mitigation is on the property. A property owner would need to apply for the credit, the City would then verify that storm water mitigation is in place on the property, and, once verified, the property owner would receive up to a 25% credit.

The attached PowerPoint presentation was given by Commissioner of Public Works Jim McGonagle, David Elmer of Weston & Sampson, and Chief of Staff/Chief Financial Officer Maureen Lemieux. The presentation includes information on the storm water infrastructure capital improvement plan, the storm water system, how the impervious surface area data was developed, the history of the storm water charge and the proposed rates.

The public hearing opened and Andreae Downes, 854 Chestnut Street, spoke on the item and stated that she supports the proposed ordinance and storm water plan. She feels the proposed fees are fair as they are based on impervious surface area. Ms. Downes commended the Administration, the Storm Water Working Group and Councilors for coming up with the proposed ordinance and plan. She is encouraged to see that the City is looking at more than repairing a badly deteriorated infrastructure but also starting to deal with the new requirements of the draft EPA permit on storm water, which should keep the pollutants that are currently washing into our water bodies out of them.

Priscilla Leith, representing the League of Women Voters, 162 Islington Road, stated that the League of Women Voters supports the proposed rates and tiers for non-residential storm water runoff which are based on impervious or non-porous surface area on each property. This is a more equitable way to charge property owners because it reflects how much runoff their lots and their buildings contribute to the flow into Newton's storm drains. The League supports the provisions in the rates including the option for the Commissioner of Public Works to establish mitigation credits of up to 25% to be applied if properties have on site, functioning storm water management

systems or use other ways to mitigate their use of storm drains. These rates range from \$250 a year for properties with less than 5,000 square feet of impervious surface area up to \$5,000 annually for 500,000 square feet or more. It is crucial that storm water income increase to cover fully the anticipated expenses of improvements, which the water and sewer department foresees in the next few years, as well as the routine maintenance required for the system. It is the League of Women Voters' understanding is that the storm water account has been running in deficit during the previous fiscal year. The League thanks all the City employees and the members of the City Council, who have worked so diligently to bring about these proposed new rates. It has been roughly five years of difficult work on water, sewer, and storm water and it is delightful that the City is finally here. The League of Women Voters of Newton provided the attached letter to the City Council.

Scott Oran, 147 Prince Street, spoke on the item and submitted his comments and recommendations for modifying the proposed ordinance, which are attached

Bruno DiFazio, 56 Winchester Street, stated that he feels that even if a property owner collects 100% of the storm water, the property owner should still have to pay into the system because most of the water comes from the runoff from properties whether the surface is impervious or not. If there is a 2" a day rain storm, the water is going to cascade off grass, out onto the street, and into the storm water system. The charge should be based on square footage of a property and not just the impervious area because water does cascade from pervious surface.

Marissa Panos, business owner at 141 California Street, stated that as a business owner there is a deep concern about the change in the proposed storm water rate structure. The owners are responsible to pay the bill but it is the tenants who will pay the price. When taxes went up to pay for the school projects, business owners paid for it. The water/sewer rate tiers have increased, and business owners pay for that as well. Newton currently has one of the highest rates in the State of Massachusetts, higher than Boston and Cambridge. The business owners applaud the City on updating the data to current information. Most business owners do not live in the City of Newton and if this goes to a vote, residents outweigh business 10 to 1. There are 31,000 residents in the City and probably only 10% of that are businesses. The plan development should have come via a Water and Sewer Commission. The improvement plan is a 22-year plan, which will exceed the present Mayor. It is a project with a \$41 million budget that is not going to be \$41 million in 22 years. The residents only pay \$75 but if residents paid at \$150, the City would have more than \$4.5 million a year for storm water and over 22 years that would be \$110 million.

Ms. Panos suggests that the City form a Water and Sewer Commission like Boston, Lynn, Medford and Cambridge. Today most businesses have no idea about the proposal. Yesterday Ms. Panos started to get a petition signed by business owners that want to reject the proposed storm water ordinance. Commercial tenants have employees and their employees buy products and services from the business here on their way to work, at lunch, and after work and if taxes on business keep rising the bigger companies might move their companies. If that happens, those employees will no longer shop for products and services in Newton. There is cause and effect and Ms. Panos hopes that the City Council keeps that in mind. Ms. Panos read from Mayor Warren's

address of April 22, 2014 “As we conclude the assessment on our last major capital infrastructure component, the storm water system, we will have completed our goal of a comprehensive citywide infrastructure assessment with its subsequently capital plan to best address the city’s larger capital needs in a prioritized and forward looking manor.” The business owners believe that the Mayor is working towards this goal; however, he did say that creating a business friendly planning environment is also key to a successful economic development strategy. The hope is that the Committee takes into consideration not just to single out businesses to pay more in taxes for the storm water infrastructure.

Greg Reibman, President of the Newton Needham Chamber of Commerce stated that the Newton Needham Chamber of Commerce understands that this is a real problem and the City has done a good job illustrating that and the businesses understand that fixing the storm water runoff really needs to be something that is addressed. Mr. Reibman appreciates that this is something that businesses need to contribute to. What concerns the Chamber is that this is real money for the business and this is going to be an added increase to the cost of doing business. It comes in context of so many other things that keep coming at businesses like last year’s decision to not allow businesses and non-profits to participate in the second water meter for irrigation program even though it was an issue of fairness. It was not fair to leave business out of that program. It was a real cost and a real increase to businesses and the Programs & Services Committee is currently discussing a leaf blower ordinance that could have real cost impact to business, even more significant than the cost would be if the proposed storm water ordinance is approved, as is.

If the Committee really wants to improve the quality of the water, prevent pollution, Mr. Reibman would urge that the City increase the storm water mitigation credit. It is his understanding that it could go up to 50% and he would urge the Council to do that as it is good for the environment, it is wise, it will incent people to put in storm water mitigation. By doubling the credit, the City could really give businesses a reason to provide mitigation. Mr. Reibman stressed that the new charges are going to hurt businesses and this is probably something the City has to do but he hopes that the Council keeps that in context with all of the other decisions that it makes in the future in terms of other fees and increases on to the backs of businesses. To paraphrase Edward Dirkston – A thousand here, a thousand there and pretty soon you have really put a hardship on businesses, you have really made it harder for them to do business here, and you’ve decreased the viability of attracting businesses here.

No one else from the public wished to speak on the item. Councilor Laredo made motion to close the public hearing, which carried unanimously. The Committee thanked all of the speakers for their thoughtful comments.

Some Committee members asked why the Administration is not proposing a storm water charge based on per square foot of impervious surface. Ms. Lemieux responded that the Storm Water Working Group and Executive Office had countless conversations and tried to weigh the best way to charge for storm water. This is a first attempt to move forward with a charge based on impervious surface and the Administration tried to be judicious on how much of a cost would be passed on to each individual business including non-profit businesses. Although the Weston and

Sampson data is very good, it would be an incredible challenge right now to base the storm water charge on square footage, as the City's billing software is not set-up to handle charges based on square footage. In addition, larger properties would see a very significant increase in their storm water charge between this fiscal year and next. Some bills would go from \$200 to over \$20,000. The City can refine the storm water ordinance in the future to a square footage charge. It was stated that it is still hard to justify the storm water charges as they are not dollar to dollar.

It has taken a lot of work to get to the point where the City can base a storm water charge on a range of impervious surface area, which is a huge step forward in terms of equity. It was pointed out that the City of Newton will see the biggest increase in its storm water charge with the proposed ordinance. With the proposed storm water charges, the City will raise enough money to begin to implement its storm water improvement plan.

There was also concern that the City is not raising enough money for its infrastructure improvement plans for the water sewer and storm water. The City has delayed addressing its utility infrastructure issue and has an obligation to repair it, as quickly as possible. In addition, the City does not know what the cost of implementing the EPA's permit requirements for storm water will be.

It is also important that the City have a process in place to address challenges to the impervious surface data. Utilities Director Ted Jerdee stated that the Utilities Division will address any of those types of questions and verify the impervious surface area of a property if there is a challenge.

There was a request for additional information on the 25% storm water credit. It seems like an up to 25% credit is not enough incentive to encourage businesses to put in storm water mitigation. It was explained that the credit percentage is a judgement call and the more credit that is offered, the more people that do not have mitigation systems have to pay. The City certainly wants to reward people that have invested in mitigation. Once the EPA permitting requirements take effect, the City will need residential and non-residential properties to work with the City to improve the quality of the runoff. The thought is that the storm water mitigation credit would increase over time. The Storm Water Working Group could envision storm water mitigation credits of up to 75% in the future to encourage installation of mitigation systems. Ms. Lemieux added that as the maximum charge is \$5,000, the Administration felt that it was best to start at an up to 25% credit.

The Chair stated that if non-residential property owners had additional thoughts, they should submit the information to the Clerk of the City Council to be distributed to the City Council. The attached e-mails from David Pete of Hines Interests Limited Partnership and Andreae Downs were received on February 3, 2016 and the attached letter from the League of Women Voters was received on February 4, 2016. Scott Oran provided the attached supplementary comments on February 9, 2016. The Chair added that if any Councilors would like additional information, they should request it from the Administration or the Storm Water Working Group. The Chair expects to discuss the item in upcoming meetings and make recommendation to the City Council before the

Council sets the water and sewer rates and storm water charge for Fiscal Year 2017. With that, Councilor Laredo moved hold, which carried unanimously.

Referred to Public Facilities and Finance Committee

#47-16 **Transfer \$783,846 from various accounts for Auburndale Sq Traffic Improvements**
HIS HONOR THE MAYOR, requesting authorization to transfer the sum of seven hundred eight-three thousand eight hundred forty-six dollars to fully fund the Auburndale Square Traffic Improvements as follows:

From:

Riverside-Auburndale Improvements.....\$136,710
Repurposing Savings from Other Projects:
 Capital Project Fund Bond Balances Available
 for Appropriation\$327,752
 Unrestricted Capital Purposes\$27,061
 Bonded Capital Projects.....\$13,752
June 30, 2015 Free Cash\$278,571

To:

Auburndale Square Traffic Improvements\$783,846
[02-01-16 @ 11:53 AM]

Action: **Public Facilities Approved Subject to Second Call 6-0-1 (Lappin abstaining)**

Note: Chief of Staff Maureen Lemieux presented the request for an additional \$783,846 to fund the Auburndale Square traffic improvements. . A previous request from bonded indebtedness for the Auburndale Square traffic improvements was approved by the Board of Aldermen on July 13, 2015. When the previous docket request was filed by the Mayor on May 11, 2015, it was for \$1.5 million for Auburndale Square traffic improvements; however, a letter from the Mayor dated May 13, 2015 requested that the \$1.5 million be increased to \$2 million and that the scope of the traffic improvements be expanded to include traffic improvements in other areas of the City.

When the previous item was discussed by the Public Safety and Transportation Committee, it was then stated that the Auburndale project was estimated to cost \$1.2 million instead of the previously estimated \$1.5 million, which was repeated when the item was discussed in Public Facilities and Finance Committees. Attached are the reports for each of the three committees, the original docket letter for the \$1.5 million and the amended docket letter.

Although the scope of the Auburndale Square traffic improvement project has not changed, when the project first went out to bid in September 2015, it did not include the necessary police detail costs or the decorative traffic mast arm costs. The City received three bids and the low bid came in just over \$2 million. The City rebid the project with the addition of the police details and mast arms and received six bids on the project. The lowest bid was \$1,983,000. The additional requested funding would completely fund the project. The additional funds are \$136,710 from the Auburndale traffic improvements mitigation fund created as part of the Cabot, Cabot & Forbes

Special Permit approved in 1997, savings of \$368,565 from all other capital projects accrued to date, and \$278,571 Free Cash.

There was concern that other projects would be short changed if more funding was given to the Auburndale project. Ms. Lemieux assured the Committee that no project would be short changed. There was also concern that the project was underestimated by such significant amount. Commissioner of Public Works Jim McGonagle stated that it was one of the City's first attempts to incorporate components of a "complete streets project" into a traffic improvement project. The project should have undergone a peer review, which did not happen. Commissioner McGonagle will make sure that a peer review takes place on all large traffic improvement projects going forward. There was a request to include undergrounding utilities as part of "complete street projects" going forward.

The Committee requested several pieces of information related to the request including a budget summary of the project, further information on the extent of utility undergrounding in the project, a breakdown of what projects the \$2 million request included and their estimated costs and their actual or projected costs. Councilor Albright moved approval of the item subject to second call with the understanding that the information would be provided for the Finance Committee meeting. The Committee approved the motion by a vote of six in favor and one abstention. Councilor Lappin abstained in order to review the project budget. The requested information was received and is attached.

All other items before the Committee were held without discussion and the Committee adjourned at 9:10 PM.

Respectfully submitted,
Deborah J. Crossley, Chair

Stormwater Infrastructure Capital Improvement Plan



City of Newton, MA
February 3, 2016

Summary

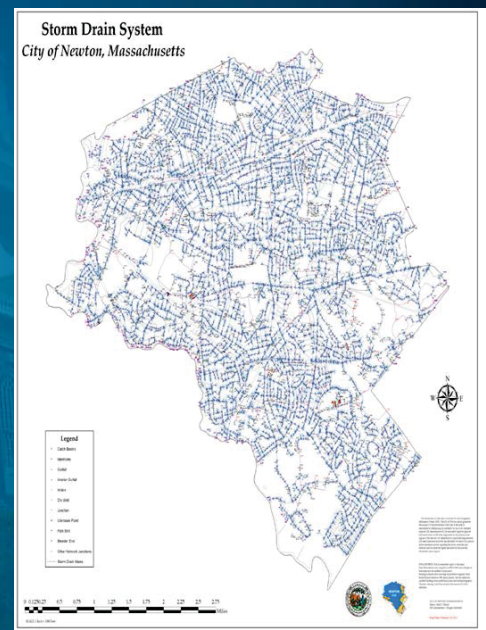
- State of Newton's current Stormwater system
- Assessing the City's Stormwater needs
- Understanding City-wide Impervious Area
- Rate Structure to support Stormwater Infrastructure Investment

Project Purpose

Develop a Stormwater Infrastructure Improvement Plan to efficiently invest City resources by planning & prioritizing stormwater projects to address Federal and State regulations as well as the City's operating and capital stormwater needs.

Stormwater System

- 320 miles of drain pipe
- 12,750 catch basins
- 2 Pump stations
- 183 exterior outfalls/interconnections
- 201 interior outfalls
- 14 miles of streams



Current Drainage Operations

- Street sweeping
- Catch basin cleaning
- Inspection/Cleaning of storm drains
- Prepare for storm events
- Illicit discharge detection & elimination work

Stormwater Infrastructure Capital Improvement Plan

- Federal Stormwater permit compliance
- Localized flooding projects
- Stream cleaning projects
- Culvert & critical infrastructure projects



Culvert at Runaway Brook Near Grove Street

David Elmer
Weston & Sampson



City of Newton, MA

February 3, 2016

Plan Development Process

Weston & Sampson and Newton Utilities

- Project prioritization
- Stormwater infrastructure improvement plan development



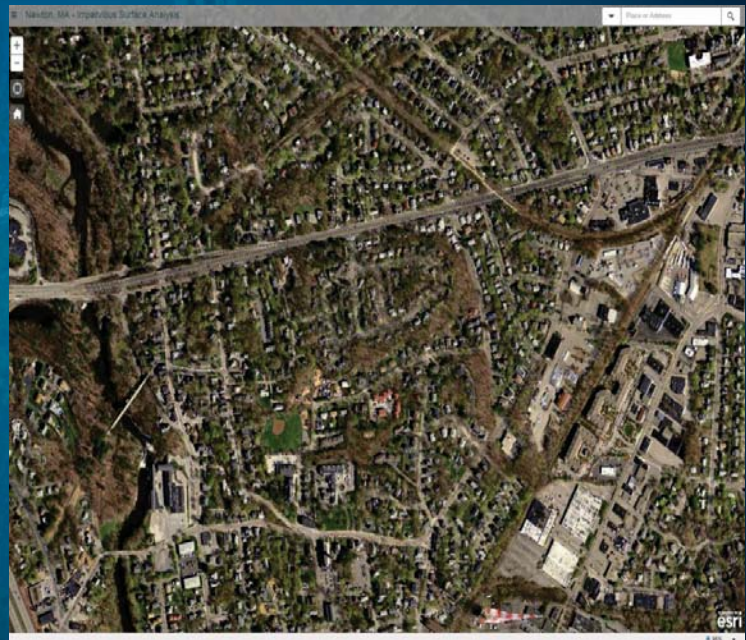
Project Purpose

Provide an assessment of the impervious area associated with non-residential parcels for the City's use in assessing Stormwater fees.

Non-Residential parcel – Property used primarily for non-residential purposes and/or has over four residences.

Data Sources

- **March 2013 USGS Color Ortho Imagery**
- **Assessor's Parcel Data**



Impervious Area



Impervious Area



Approach

- Impervious areas generated for each parcel using GIS software.
- Delineated impervious surfaces greater than 10 sq. ft.
- Impervious area broken down by surface type:
 - Sidewalks/Walkways
 - Driveway/Paved Area
 - Roof Area
 - Deck
 - Patio
 - Utility Pad
 - Tennis/Basketball Court
 - Private Roadway
 - Other Misc. Impervious Surfaces.

Final Deliverable

- ESRI Geodatabase
- Microsoft Excel

Newton, MA - Impervious Area Dataset for Non-Residential Parcels Generated Using 2013 Aerial Imagery from MassGIS (8/16/15)

| Map Parcel ID | Address Number | Street | Land Use Code | Land Use Description | Total Impervious Area (ft ²) |
|---------------|----------------|----------------|---------------|--|--|
| 11001 0001 | 137-139 | CALIFORNIA ST | 401 | Warehouses for storage of manufactured products | 40,646.12 |
| 11001 0001A | 141-145 | CALIFORNIA ST | 340 | General Office Buildings | 61,646.60 |
| 11001 0001B | 153 | CALIFORNIA ST | 340 | General Office Buildings | 3,645.73 |
| 11001 0001C | 44 | RIVERDALE AVE | 400 | Buildings for manufacturing operations | 15,041.12 |
| 11001 0001D | 149 | CALIFORNIA ST | 400 | Buildings for manufacturing operations | 15,019.19 |
| 11001 0003 | 36 | RIVERDALE AVE | 337 | Parking Lots - a commercial open parking lot for motor vehicles | 7,503.44 |
| 11001 0004 | 30 | RIVERDALE AVE | 031 | Mixed Use (Primarily Commercial, some Residential) | 29,775.81 |
| 11001 0005 | | RIVERDALE AVE | 920 | Dept. of Conservation and Recreation (DCR) - Division of Urban Parks and Recreation (non-reimbursable) | 6,334.40 |
| 11002 0001 | 37 | RIVERDALE AVE | 013 | Mixed Use (Primarily Residential, some Commercial) | 7,811.78 |
| 11002 0003A | | RIVERDALE AVE | 132 | Undevelopable Residential Land | 2,397.18 |
| 11002 0003 | 167 | CALIFORNIA ST | 400 | Buildings for manufacturing operations | 6,406.78 |
| 11002 0004 | 173 | CALIFORNIA ST | 031 | Mixed Use (Primarily Commercial, some Residential) | 8,837.91 |
| 11002 0007 | 15 | RIVERDALE AVE | 400 | Buildings for manufacturing operations | 109,572.49 |
| 11002 0008 | 8 | MIDLAND AVE | 340 | General Office Buildings | 13,778.57 |
| 11002 0010 | | RIVERDALE AVE | 920 | Dept. of Conservation and Recreation (DCR) - Division of Urban Parks and Recreation (non-reimbursable) | 0.00 |
| 11004 0005 | 25-29 | LOS ANGELES ST | 336 | Other Storage, Warehouse, and Distribution facilities (see also usecode 401) | 16,574.67 |
| 11004 0005A | 189 | CALIFORNIA ST | 326 | Eating and Drinking Establishments - restaurants, diners, fast food establishments, bars, nightclubs | 6,217.25 |
| 11004 0005B | 41 | LOS ANGELES ST | 332 | Auto Repair Facilities | 8,421.04 |
| 11004 0006 | 197 | CALIFORNIA ST | 326 | Eating and Drinking Establishments - restaurants, diners, fast food establishments, bars, nightclubs | 30,405.10 |
| 11004 0007 | 213 | CALIFORNIA ST | 400 | Buildings for manufacturing operations | 19,795.71 |
| 11004 0008 | 217 | CALIFORNIA ST | 400 | Buildings for manufacturing operations | 28,163.30 |
| 11004 0009 | 225 | CALIFORNIA ST | 336 | Other Storage, Warehouse, and Distribution facilities (see also usecode 401) | 10,622.11 |
| 11004 0010 | 227 | CALIFORNIA ST | 336 | Other Storage, Warehouse, and Distribution facilities (see also usecode 401) | 6,947.00 |
| 11004 0013 | 229 | CALIFORNIA ST | 931 | Improved, Selectmen or City Council (Municipal) | 61,454.96 |
| 11004 0017 | 247 | CALIFORNIA ST | 102 | Residential Condominium | 2,903.78 |
| 11004 0021 | 42-44 | RUSTIC ST | 102 | Residential Condominium | 7,603.67 |
| 11004 0024 | 14-28 | RUSTIC ST | 102 | Residential Condominium | 12,521.90 |
| 11004 0029 | | RIVERDALE AVE | 920 | Dept. of Conservation and Recreation (DCR) - Division of Urban Parks and Recreation (non-reimbursable) | 10,201.52 |
| 11005 0001 | 11-21 | RUSTIC ST | 102 | Residential Condominium | 8,281.69 |
| 11005 0008 | 205 | CALIFORNIA ST | 954 | Function Halls, Community Centers, Fraternal Organizations (Charitable Org.) | 38,171.15 |
| 11005 0008A | 295 | CALIFORNIA ST | 954 | Function Halls, Community Centers, Fraternal Organizations (Charitable Org.) | 68,884.78 |
| 11005 0008B | 31 | RUSTIC ST | 111 | Apartments with Four to Eight Units | 10,574.29 |
| 11005 0010 | 305-307 | CALIFORNIA ST | 111 | Apartments with Four to Eight Units | 7,902.05 |

Maureen Lemieux

Chief Financial Officer



City of Newton, MA

February 3, 2016

Stormwater Infrastructure Capital Improvement Plan

- Stormwater fee established in 2006 to partially fund stormwater costs \$25 residential; \$150 commercial
- July 1, 2015 fee adjusted to \$75 residential; \$200 commercial

Stormwater Infrastructure Capital Improvement Plan

- 22-Year Plan
- Annual Investment \$1 to \$3 million
- Total Investment \$41 million Over 22 Years

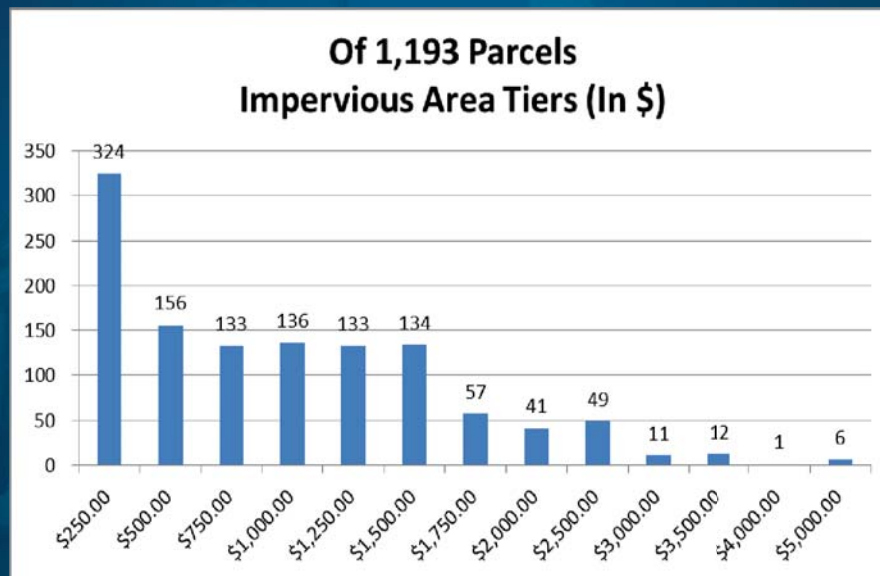
Stormwater Improvements



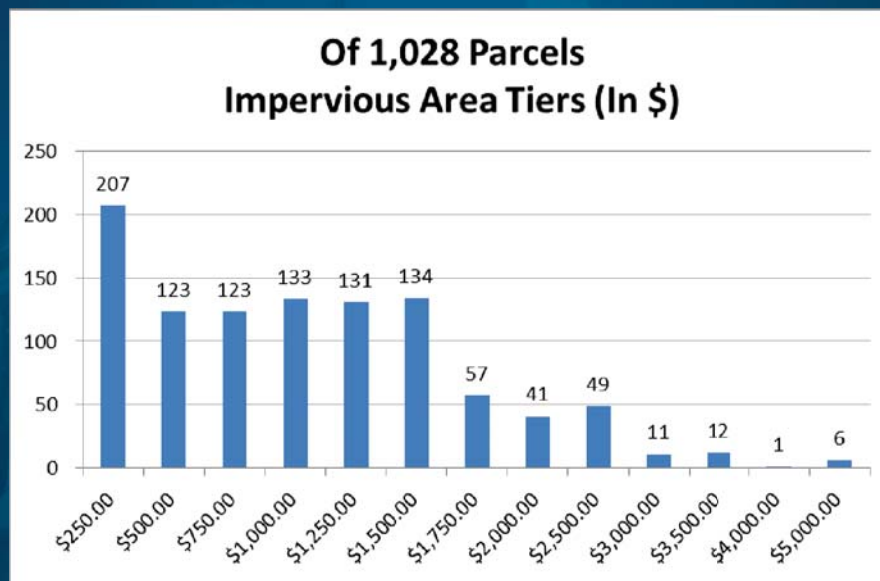
Proposed Rates

| Tier (in square feet) | Rate per Parcel |
|-----------------------|-----------------|
| 0-5,000 | \$ 250.00 |
| 5,000-7,500 | \$ 500.00 |
| 7,500-10,000 | \$ 750.00 |
| 10,000-15,000 | \$1,000.00 |
| 15,000-25,000 | \$1,250.00 |
| 25,000-50,000 | \$1,500.00 |
| 50,000-75,000 | \$1,750.00 |
| 75,000-100,000 | \$2,000.00 |
| 100,000-200,000 | \$2,500.00 |
| 200,000-300,000 | \$3,000.00 |
| 300,000-400,000 | \$3,500.00 |
| 400,000-500,000 | \$4,000.00 |
| >500,000 | \$5,000.00 |

Where do the Non-residential properties fall?



Where do the Non-residential properties fall?



Scott I. Oran
147 Prince Street
Newton, MA 02465

4 February 2015

The Honorable Mayor Setti Warren and Newton City Council
City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Re: #455-14 Ordinance Amendment to create storm water rate fee structure

Dear Mayor Warren and Councilors:

Getting rid of the City's stormwater safely and effectively must be counted among the most unsexy of roles of local government. Our stormwater management system is mostly unseen, often rank with the unwanted detritus of modern life, and almost always out of mind. Yet it determines the health and quality of the water of our favorite ponds, lakes, and rivers like Bullough's Pond, Crystal Lake, and the Charles River.

I applaud you then for carefully quantifying the cost of necessary upgrades (\$40+ million), setting a reasonable schedule to complete the work (22 years) and proposing to revamp the fees that residential and commercial landowners will pay to cover the costs of upgrading our stormwater management system.

With new stormwater user fees set to raise over \$2 million a year, it's important to get them right, so I encourage you to reconsider the current fee proposal for commercial landowners. The best fee regimes are equitable (i.e., fair and progressive), transparent (i.e., easily understood) and ameliorative (i.e., aimed at encouraging positive behavioral changes).

With these goals in mind, I respectfully offer three suggestions:

First, new user fees should be progressive and set based on the square footage of impervious area. New charges should be directly proportional to the size of a parcel's impervious area rather than based on a regressive tiered system. As currently proposed, a small landowner with 10,000 to 15,000 square feet of impervious area would pay a rate eight to 10 times higher than a large landowner with 500,000 square feet of impervious area.

The proposed tiered system of rates is regressive, imposing higher rates on the smallest landowners of impervious area -- often those least able to pay -- and subsidizing the largest landowners of impervious area -- often those most able to pay. Small users would subsidize large users. Small businesses would subsidize universities, private golf courses, large multi-family housing complexes, office parks, hospitals, and shopping centers.

Stormwater impacts are directly proportional to impervious area so there is no apparent rationale for decreasing rates with increasing impervious area. Fairness dictates a progressive system imposing directly proportional larger fees on those with larger impervious areas who are typically better able to pay. Not only fairer, it will also encourage users seeking to reduce fees to re-examine and reduce impervious areas and decrease stormwater runoff to the City's system.

Shawna Sullivan

From: Pete, David <David.Pete@hines.com>
Sent: Wednesday, February 03, 2016 4:29 PM
To: Shawna Sullivan
Cc: greibman@nnchamber.com; Brown, Greg; Estes, David
Subject: FW: Newton Storm Water rate increase feedback

Hello Shawna –

I would like to pass along our feedback for the proposed Storm Water Rate Increase. Our thoughts are of frustration with this proposal given the following approach to commercial water bills:

- Existing tiered rates that already charge commercial accounts according to use. The greater the consumption, the greater the rate.
- We are not permitted to get a sewer credit for evaporated water from our roof top cooling towers, like given in most communities. (approximately 875,369 gallons evaporated per year)
- We, as a commercial property are not permitted to participate in the outside metered irrigation rates/credit. (approximately 1 million irrigation gallons per year never hit the sewer, however a sewer charge is paid)
- Commercial RE tax rates are higher than residential, as they are in many communities, but continuing to add additional expense to commercial users.

I hope you will share our views at the city meeting.

Sincerely,

David T. Pete, RPA
General Property Manager - Riverside Center
Hines Interests Limited Partnership
275 Grove Street Suite 2-110
Newton, MA 02466
P 617.969.7200 ext 23 | F 617.969.7400
david.pete@hines.com

Hines

Setting the Standard in Real Estate Investment,
Development and Management the World Over

Make a difference. Print wisely.



Shawna Sullivan

From: David A. Olson
Sent: Wednesday, February 03, 2016 4:47 PM
To: citycouncil
Cc: Shawna Sullivan
Subject: Fw: For tonight's PF hearing

From: Andreae Downs <andreaedowns@gmail.com>
Sent: Wednesday, February 3, 2016 2:16 PM
To: David A. Olson
Subject: For tonight's PF hearing

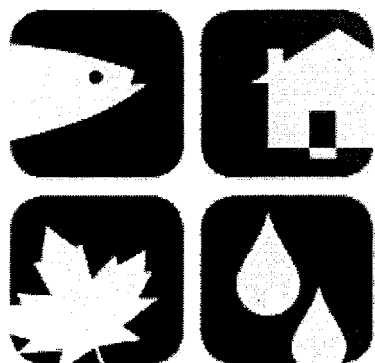
Hi David:

Could you distribute this to the city council please?

Dear Councilors:

I came across this informational blog post about storm water utilities being considered in Milton.

<https://www.neponset.org/home-b-level/is-a-stormwater-utility-right-for-milton/>



Is a Stormwater Utility Right for Milton?

www.neponset.org

By Ian Cooke, February 2, 2016 -- Cities and towns across the state universally fund drinking water and wastewater (aka sewage) services through water and waste

Newton is ahead of the game by having a storm water utility already, but this may be of some help in answering basic questions about why the impervious surface discussion the Council will be starting today is important.

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Is a Stormwater Utility Right for Milton?

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On Tues., Feb. 8, Milton Town Meeting will debate whether to create a "Stormwater Utility," an innovative, fee-based approach to fund maintenance of stormwater infrastructure.

By Ian Cooke, February 2, 2016 — Cities and towns across the state universally fund drinking water and wastewater (aka sewage) services through water and wastewater fees. The fees that homeowners and businesses pay are based on the amount of water they use or sewage they generate. But stormwater—the third and often neglected branch of municipal water infrastructure, which causes violations of water quality standards in an amazing two-thirds of the Commonwealth's waterways—is almost universally funded through the property tax.



<https://www.neponset.org/wp-content/uploads/2016/02/Storm-Drain-1.jpg> Stormwater utilities are an idea that have been getting much more attention around the state as the US Environmental Protection Agency prepares to issue a much tougher municipal stormwater permit that will require towns to take additional steps to reduce the amount of pollution they discharge to rivers, lakes and wetlands via their storm drains.

As towns anticipate having to increase stormwater costs, many are considering the potential benefits of putting stormwater on an equal footing with water and wastewater, by funding stormwater through a dedicated fee on each property's amount of pavement and other hardened "impervious surfaces," instead of continuing to use the property tax.

The Milton Board of Selectmen decided in December to put the stormwater utility idea to the voters at their February Special Town Meeting, and turned to NepRWA and the Metropolitan Area Planning Council (<http://www.mapc.org>) (MAPC) to provide technical assistance and outreach on the topic. Since then, NepRWA and MAPC have helped the town analyze their data on impervious surface, develop a rate proposal, and present at three public meetings to discuss the idea.

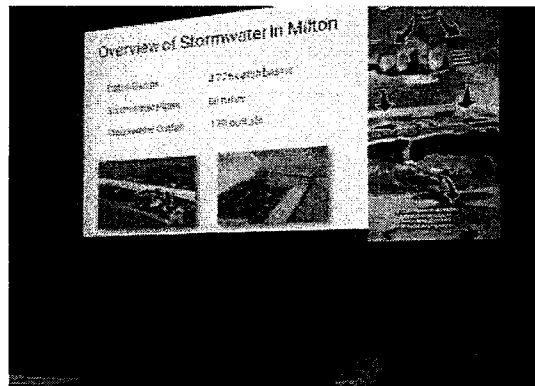
What do YOU think? Is your town doing an adequate job protecting local waterways from polluted runoff? Is additional revenue needed? If increased costs are unavoidable, would you want your town to consider a stormwater utility or continue relying on the property tax?

Add a comment below to let us know what you think or if you are a Milton resident, more importantly, let your town meeting representative know what you think. The list of Milton Town Meeting Representatives is [HERE](http://www.townofmilton.org/Public_Documents/MiltonMA_Clerk/Town%20Meeting/TMM.pdf) (http://www.townofmilton.org/Public_Documents/MiltonMA_Clerk/Town%20Meeting/TMM.pdf) and a map of Milton's precincts is [HERE](http://www.townofmilton.org/Public_Documents/MiltonMA_Engineer/GIS/Precincts18x24.pdf) (http://www.townofmilton.org/Public_Documents/MiltonMA_Engineer/GIS/Precincts18x24.pdf).

Details on Milton's Stormwater Utility Proposal

Below is some much more detailed background on how a stormwater utility works and what is being proposed in Milton, or download our [printable pdf Fact Sheet \(https://www.neponset.org/wp-content/uploads/2016/02/Milton-SW-Utility-Handout-v2.pdf\)](https://www.neponset.org/wp-content/uploads/2016/02/Milton-SW-Utility-Handout-v2.pdf).

What Is a Stormwater Utility?



<https://www.neponset.org/wp-content/uploads/2016/02/Sarah-staff-meeting-milton-1-27-16.jpg>

NepRWA's Sarah Bounty presents at the information session on Milton's stormwater utility proposal

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Sat., Feb. 6 – Winter Birds of Squantum Point Park, Quincy – 10am
<https://www.neponset.org/happenings/winter-birds-2/>

Feb. 8-12 – Canton High School Water Conservation Poster Exhibit, MA State House
<https://www.neponset.org/happenings/feb-8-12-canton-high-school-water-conservation-poster-exhibit-ma-state-house/>

Tues., Feb. 23 – Blue Hills Winter Fest, Canton – 5-8pm
<https://www.neponset.org/happenings/tues-feb-23-blue-hills-winter-fest-canton-5-8pm/>

Art Exhibit: Museum of American Bird Art, MA Audubon, Canton – on-going
<https://www.neponset.org/happenings/art-exhibit-museum-of-american-bird-art-ma-audubon-canton-thru-jan-18-2016/>

Milton is facing new **federal requirements** to reduce the amount of polluted stormwater runoff it discharges to waterways. This will require the Town to increase its investment in **stormwater infrastructure**.

While Milton is required to incur these increased costs, it does have choices about how to fund the work.

The Town currently funds stormwater infrastructure through **property taxes**. One alternative for funding stormwater infrastructure is through a **stormwater utility**, which is based on user fees for the amount of hardened or impervious surface—such as parking lots, driveways and buildings—that cause stormwater runoff on each parcel.

Like water and sewer fees, a stormwater utility allocates costs based on the amount of use, in this case, the amount of stormwater being generated.

Reasons to Consider a Utility Rather Than Continuing to Rely on the Property Tax Equity

In Milton, 94% of property tax revenue comes from residential property, but these properties account for only 79% of the Town's impervious cover. Many of the properties in town with the most impervious cover pay no property tax.

Transparency

Fees added to the stormwater enterprise fund could be used only for stormwater, would be consolidated in one account, and would automatically roll over for future use if there was a surplus.

Accountability

Just as with water and sewer, the stormwater utility budget must be reviewed by the Selectmen and Warrant Committee, and approved by Town Meeting annually.

Consistency

Fee-based revenues provide consistent funding for long-term investments and annual maintenance needs, thus reducing long-term costs.

Incentives

A stormwater utility encourages property owners to reduce impervious cover. Over time, this reduces pollution, flooding, and the Town's costs.

What is Polluted Stormwater Runoff?

Developed areas like Milton include many parking lots, buildings, roadways and other hardened "impervious surfaces." When it rains, water runs off impervious surfaces and picks up pet waste, oil, sand, fertilizers, and other pollutants. It then flows into gutters and storm drains, which discharge it directly into the nearest waterway.

Polluted stormwater runoff is the single largest source of pollution to Milton's ponds and waterways.

Impervious surfaces are also a major factor in flooding problems. Everyone who owns or uses any impervious surfaces, contributes to the creation of stormwater runoff and everyone depends on Milton's stormwater system to prevent streets and homes from being flooded.

What is Stormwater Infrastructure?

Milton's stormwater infrastructure collects runoff from all over town through a network of 3,776 storm drain inlets, more than 1,000 manholes, more than 80 miles of pipe, and 178 discharge points. The system discharges directly into local waterways, which are themselves a critical part of Milton's stormwater system.

<https://www.neponset.org/wp-content/uploads/2016/02/impervious-cover-by-property.png>

How is Milton's Infrastructure Maintained?

Milton must actively maintain its stormwater system through tasks such as: street sweeping, storm drain inlet cleaning, inspection and repair of pipes, manholes, and storm drain inlets, upgrading treatment facilities, issuing permits for stormwater discharges on private property, and many other activities.

Milton's Current Stormwater Budget

The costs of stormwater management are spread across many town departments and there is no estimate that covers all these costs. However, many of Milton's stormwater activities are carried out by the Department of Public Works (DPW) which estimates the cost of its current program is \$865,000 per year when debt service on capital projects is included.

How is Milton's Stormwater Regulated?

Since 2003, the US Environmental Protection Agency (EPA) has issued Milton a permit to discharge stormwater. The 2003 permit has not reduced widespread water pollution problems due to stormwater in MA. As a result, EPA is issuing a new permit with much stricter requirements which will be more expensive.

Anticipated Cost Increase

The DPW estimates it will need an additional \$120,000 to comply with the new EPA permit during the first year and they expect these costs to increase further as more requirements take effect in future years

What Does the Town Meeting Article Do?

The proposed Town Meeting article amends Milton's existing stormwater bylaw to establish a stormwater enterprise fund, and directs the Selectmen to establish a fee structure to collect the amount of funding authorized by Town Meeting each spring.

The DPW would be responsible for administering the program, and the stormwater fee would become an additional line item on the quarterly water/sewer bill.

What Happens If the Article Is Adopted?

There would be a series of steps to create the utility if the proposed article is adopted:

1. The Selectmen would send the proposed budget for the stormwater utility (\$705,000) to the Warrant Committee for review.
2. The Selectmen would hold public hearings on the proposed rate structure, and regulations governing operation of the stormwater utility. These would be finalized before the May Town Meeting.
3. The stormwater utility budget would be submitted for approval or rejection by Town Meeting in May with the budgets for all other Town departments.
4. Finally, Town staff would take the budget (if any) approved by Town Meeting, plug it into the rate structure adopted by the Selectmen, and set up their computer systems to add an additional line item to the quarterly water/sewer bills.

How Much Would Be Raised Via the Fee?

The Selectmen have indicated that they will ask the spring Town Meeting to approve a budget of \$705,000 for the first year. This includes \$509,000 of existing direct costs, \$121,000 of new direct costs for the new permit requirements, and \$75,000 of indirect costs. The Selectmen are not planning to include the cost of debt service for existing stormwater capital improvement projects (\$281,000/yr). Also excluded are costs in departments other than the DPW.

What Properties Would Be Covered?

The fee would apply to all parcels that have impervious cover except for public roadways. This would include residential and commercial properties as well as nonprofit and tax exempt properties. It would also apply to parcels owned by the state government and town.

Has This Been Done in Other Places?

Stormwater utilities are common across the country, with more than 1,400 in operation. They are less common in MA but at least nine communities have implemented or authorized a utility already including: Reading, Newton, Gloucester, Fall River, Yarmouth, Westfield, Chicopee, Northampton, and Canton.

How Would the Fee Be Calculated?

The basic "rate" for a stormwater fee is calculated by dividing the amount to be raised (\$705,000), by the total area of impervious cover in the town excluding public roadways (38,576,071 square feet). This equals 46 cents per 100 square feet of impervious per quarter.

How Would the Fee Be Structured?

The Selectmen are proposing that commercial, government, nonprofit and multi-family residential parcels—about 1,100 parcels in all—be charged based on the number of square feet of impervious cover on each parcel using the basic rate of 46 cents, per quarter per 100 square feet.

To simplify administration, the Selectmen are proposing that the 7,000+ single family parcels in town be divided into two groups or "tiers," those with more than 2,600 square feet of impervious and those with less than 2,600 square feet of impervious. Homes in each of these tiers would be charged for the average amount of impervious cover within their tier using the same basic rate of 46 cents per 100 square feet per quarter. This creates a simple flat rate for the two categories of single family parcels.

What Would the Typical Fees Look Like?

The proposed rate structure would be finalized by the Selectmen based on input they collect during required public hearings. The total amount of funding to be raised would be determined by Town Meeting in May. See the tables below for sample fees based on the proposed fee structure and a budget of \$705,000.

(<https://www.neponset.org/wp-content/uploads/2016/02/Single-Family-Fees.png>)



LEAGUE OF WOMEN VOTERS NEWTON

PO Box 610207 Newton, MA 02461 www.lwvnewton.org

617-383-4598 Email: info@lwvnewton.org

February 4, 2016

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President Scott Lennon
Newton City Council
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

RE: Proposed Non-Residential Storm Water Rates

Dear President Lennon and Members of the City Council:

The League of Women Voters of Newton (LWVN) supports the proposed rates and tiers for non-residential storm water runoff. These rates range from \$250 per year up to \$5,000 per year, based on the amount of impervious or non-porous surface on each property. The Commissioner of Public Works will be able to establish "use credit charges" of up to 25% if properties have on-site functioning storm water management systems or mitigate their use of storm drains on other ways.

It is crucial that storm water income increase to fully cover the expenses related to planned improvements and routine maintenance. Our understanding is that the storm water account has been running a deficit during this fiscal year, and so an increase is necessary. Basing the fees on the amount of impervious surface draws a direct connection with use of this vital—but unseen—piece of city infrastructure. LWV Newton has long studied and supported clean water, responsible environmental policies, and sound municipal finances.

We thank all the city employees who have worked so diligently to bring about these proposed new rates.

Sincerely,

A handwritten signature in cursive script that reads "Susan Flicop".

Susan Flicop
President, LWVN

LWVNEWTON

The League of Women Voters encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.

Scott I. Oran
147 Prince Street
Newton, MA 02465

5 February 2015

The Honorable Mayor Setti Warren and Newton City Council
City Hall
1000 Commonwealth Avenue
Newton, MA 02459

**Re: #455-14 Ordinance Amendment to create storm water rate fee structure
Additional Comments**

Dear Mayor Warren and Councilors:

In response to questions I received regarding my February 4, 2016 letter, I offer these additional observations and suggestions:

1. **Scrub the data more carefully.** I note in passing, for example, that the Newton Yacht Club is recorded as having 305,418 square feet of impervious area – about 7 acres. I think this and other large impervious areas need to be checked carefully to maintain the integrity of your proposed program and the confidence of citizens and taxpayers.
2. **Combine contiguous parcels in common ownership.** Again, I note in passing, for example, that Boston College has well over 20 small but probably mainly contiguous parcels. To the extent they are contiguous and in common ownership, the combined square footage should be used to determine the user fee.
3. **Exclude city owned parcels.** No need for the City to charge itself a user fee. And why include these parcels and not City streets? Inclusion of City owned parcels obfuscates the true revenue impact of the proposed user fee. Again, I note in passing, upon quick perusal, that the City appears to own more than 50 parcels totaling 4 million square feet with more than \$80,000 in proposed user fees assessed on the City. Even with this exclusion, the City should adopt a policy to minimize impervious area on all its owned properties to the greatest extent practicable.

Finally, I was asked to propose an alternative tiered user fee (rather than the per square foot paradigm) that follows the precepts I suggested in my prior letter. I have attached three alternatives to the current proposal for your consideration.

As I suggested previously, the current proposal could be made fairer and more progressive. I calculate that the proposed average rate is approximately \$3 per 1000 impervious square feet but that users would pay from \$0.77 (large owners) to \$7.50 (small owners) per square foot. I call the ratio of the highest rate per square foot to the lowest the “equity ratio” and calculate it to equal 9.4 in the current proposal. A perfectly progressive and fair regime would have an equity ratio of 1. That is, every user would pay in direct proportion to its impervious area.

The three options I illustrate are much fairer with equity ratios from 1.5 to 1.7 and would result in lower fees for most users. In one option, 74% of all users would pay less than \$500 per year and in two options, 74% of all users would pay less than \$750 per year. In all cases, only the 19

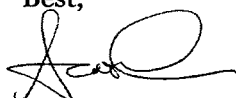
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DAVID L. ORAN
NEWTON, MA 02465

largest owners, the top 1%, would pay \$10,000 or more. And only 60 parcels (2% of the total) would pay \$5000 to \$10,000. So 97% of users would pay less than \$5000 just as in the current proposal.

These options and brief analysis should be viewed as illustrative. I have done these calculations with only the public information I have had access over just a few hours. More study could possibly result in a more equitable regime.

Thank you for your thoughtful consideration.

Best,

A handwritten signature in black ink, appearing to read 'Scott I. Oran', with a stylized, cursive script.

Scott I. Oran

City of Newton
Stormwater Management User Fees
Proposed Rates

(1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12)
Source: Per proposed ordinance City presentation (3)*(4) (5)/Total fees assessed (3)/(2) (7)/lowest rate ((1)+(2))/2 (9)/total (10)*total fees assessed (11)/(4)

Impervious Area PROPOSED

| > SF | <SF | Fee per parcel # of parcels | % of total parcels | Fees assessed | Fees as % total | Rate per KSF | Equity Ratio | Impervious SF | % total | Fees assessed by ISF% | Avg Fee/Parcel |
|---------|---------|--------------------------------|-----------------------|------------------|--------------------|-----------------|-----------------|------------------|---------|-----------------------------|-------------------|
| | | | | | | | | | | | |
| - | 5,000 | \$250 | 324 | \$81,000 | 7% | \$5.00 | 6.3x | 810,000 | 2% | \$24,577 | \$76 |
| 5,000 | 7,500 | \$500 | 156 | \$78,000 | 7% | \$6.67 | 8.3x | 975,000 | 3% | \$29,583 | \$190 |
| 7,500 | 10,000 | \$750 | 133 | \$99,750 | 8% | \$7.50 | 9.4x | 1,163,750 | 3% | \$35,310 | \$265 |
| 10,000 | 15,000 | \$1,000 | 136 | \$136,000 | 12% | \$6.67 | 8.3x | 1,700,000 | 4% | \$51,581 | \$379 |
| 15,000 | 25,000 | \$1,250 | 133 | \$166,250 | 14% | \$5.00 | 6.3x | 2,660,000 | 7% | \$80,709 | \$607 |
| 25,000 | 50,000 | \$1,500 | 134 | \$201,000 | 17% | \$3.00 | 3.8x | 5,025,000 | 13% | \$152,467 | \$1,138 |
| 50,000 | 75,000 | \$1,750 | 57 | \$99,750 | 8% | \$2.33 | 2.9x | 3,562,500 | 9% | \$108,093 | \$1,896 |
| 75,000 | 100,000 | \$2,000 | 41 | \$82,000 | 7% | \$2.00 | 2.5x | 3,587,500 | 9% | \$108,851 | \$2,655 |
| 100,000 | 200,000 | \$2,500 | 49 | \$122,500 | 10% | \$1.25 | 1.6x | 7,350,000 | 19% | \$223,012 | \$4,551 |
| 200,000 | 300,000 | \$3,000 | 11 | \$33,000 | 3% | \$1.00 | 1.3x | 2,750,000 | 7% | \$83,440 | \$7,585 |
| 300,000 | 400,000 | \$3,500 | 12 | \$42,000 | 4% | \$0.88 | 1.1x | 4,200,000 | 11% | \$127,435 | \$10,620 |
| 400,000 | 500,000 | \$4,000 | 1 | \$4,000 | 0% | \$0.80 | 1.0x | 450,000 | 1% | \$13,654 | \$13,654 |
| 500,000 | + | \$5,000 | 6 | \$30,000 | 3% | \$0.77 | 1.0x | 4,500,000 | 12% | \$136,538 | \$22,756 |
| | | | 1193 | \$1,175,250 | 100% | \$3.03 | | 38,733,750 | 100% | 1,175,250 | |

City of Newton
Stormwater Management User Fees
Proposed Rates

| Impervious Area | | PROPOSED | | OPTION 1 PROGRESSIVE | | OPTION 2 PROGRESSIVE | | OPTION 3 PROGRESSIVE | |
|---------------------|---------|--------------|------------------|---|--------------|---|--------------|---|--------------|
| > SF | <SF | # of parcels | Cum % of parcels | Fee per parcel | Rate per KSF | Fee per parcel | Rate per KSF | Fee per parcel | Rate per KSF |
| - | 5,000 | 324 | 27% | \$250 | \$5.00 | \$200 | \$2.00 | \$200 | \$4.00 |
| 5,000 | 7,500 | 156 | 40% | \$500 | \$6.67 | \$250 | \$2.67 | \$250 | \$3.33 |
| 7,500 | 10,000 | 133 | 51% | \$750 | \$7.50 | \$300 | \$3.00 | \$350 | \$3.50 |
| 10,000 | 15,000 | 136 | 63% | \$1,000 | \$6.67 | \$400 | \$2.67 | \$500 | \$3.33 |
| 15,000 | 25,000 | 133 | 74% | \$1,250 | \$5.00 | \$500 | \$2.00 | \$750 | \$3.00 |
| 25,000 | 50,000 | 134 | 85% | \$1,500 | \$3.00 | \$1,000 | \$2.00 | \$1,000 | \$2.00 |
| 50,000 | 75,000 | 57 | 90% | \$1,750 | \$2.33 | \$2,000 | \$2.67 | \$1,500 | \$2.00 |
| 75,000 | 100,000 | 41 | 93% | \$2,000 | \$2.00 | \$3,000 | \$3.00 | \$2,500 | \$2.50 |
| 100,000 | 200,000 | 49 | 97% | \$2,500 | \$1.25 | \$5,000 | \$2.50 | \$5,000 | \$2.50 |
| 200,000 | 300,000 | 11 | 98% | \$3,000 | \$1.00 | \$7,500 | \$2.50 | \$7,500 | \$2.50 |
| 300,000 | 400,000 | 12 | 99% | \$3,500 | \$0.88 | \$10,000 | \$2.50 | \$10,000 | \$2.50 |
| 400,000 | 500,000 | 1 | 99% | \$4,000 | \$0.80 | \$15,000 | \$3.00 | \$12,500 | \$2.50 |
| 500,000 | + | 6 | 100% | \$5,000 | \$0.77 | \$20,000 | \$3.10 | \$15,000 | \$2.32 |
| | | 1193 | | | | | | | |
| Fees Raised | | | | \$1,175,250 | | \$1,338,600 | | \$1,190,100 | |
| Equity Ratio | | | | 9.4x | | 1.5x | | 1.6x | 1.7x |
| | | | | 74% of all owners would pay \$500 or less | | 74% of all owners would pay \$750 or less | | 74% of all owners would pay \$750 or less | |

Auburndale Traffic Improvement Item

The original docket request received on May 11, 2015 was for an appropriation of \$1.5 million for traffic signal improvements at several intersections in Auburndale. On May 13, 2015, the Executive Department submitted an amendment to that request. The amended request was for \$2 million in order to expand the scope of traffic signal improvements to include the attached list of intersections.

As the request did not specify that the improvements included geometric changes to some of the intersections, the item was not originally referred to the Public Facilities Committee. When the Finance Committee discussed the item on June 8, 2015, the Committee learned that the project included geometric changes and referred the item to Public Facilities.

Below are the reports from each Committee in date order and additional back-up information.

Public Safety & Transportation Meeting

June 3, 2015

REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES

#129-15 HIS HONOR THE MAYOR, requesting authorization to appropriate the sum of two million dollars (\$2,000,000) from bonded indebtedness for the purpose of improving the traffic signals at several intersections in Auburndale and traffic improvements in Nonantum and Oak Hill, as well as other areas of the City.
[05/11/15 @ 5:00 PM]

ACTION: **APPROVED 6-0-1, Ald. Schwartz abstaining**

NOTE: Ald. Gentile, Mr. Mark and Mr. Paille joined the Committee for discussion on this item.

Committee members were provided with locations and projected costs where traffic signals are slated for improvement. Mr. Mark stated that the City is striving to be pro-active with traffic signal upgrades. The City has prioritized traffic signals requiring upgrades, timing adjustments and hardware. A goal is to complete as many of the projects as possible with this funding.

The Auburndale project is estimated at approximately 1.2 million in projected costs for construction and implementation. The \$800,000 remaining funds would go towards as many projects in Nonantum and Oak Hill as possible. This appropriation also allows the City to have the intersections designed and simple upgrades made in Nonantum and Oak Hill. The majority of the funding is for construction.

Ald. Gentile stated that the Auburndale project, Nahanton and Winchester Streets projects would be referred to the Public Facilities Committee due to the proposed geometric changes. If there are no geometric changes, a project does not need to be referred. He requests that Mr. Mark and Mr. Paille report and update this Committee, as needed. Mr. Paille and Mr. Mark agreed. Mr. Paille said that he would provide an update to the Public Facilities Committee if requested on the

Watertown and Pearl Streets traffic signalization improvement even though road geometry will not change. It is necessary to approve this appropriation as requested to keep projects and design work moving forward.

Mr. Paille answered that approximately two years ago all City intersections were prioritized by age, needs, traffic volume and accident data.

Committee members requested a detailed construction list including any geometry changes, if necessary, locations, break down of costs, equipment, timeline and an implementation plan. Committee members then asked how the seventeen intersections were prioritized and asked that they be provided the list.

Chair Ciccone requested that backup material be provided to Committee members when a project is slated to begin. Mr. Paille agreed.

Without further discussion, Ald. Lipof made the motion to approve this appropriation. Committee members agreed 6-0-1, Ald. Schwartz abstaining. Ald. Schwartz abstained awaiting information as requested.

Finance Committee Meeting

June 8, 2015

REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES

#129-15 **HIS HONOR THE MAYOR** requesting authorization to appropriate the sum of two million dollars (\$2,000,000) from bonded indebtedness for the purpose of improving the traffic signals at several intersections in Auburndale and traffic improvements in Nonantum and Oak Hill, as well as other areas of the City.
05/11/15 @ 5:00 PM]

PUBLIC SAFETY APPROVED 6-0-1 (Schwartz abstaining) on 06/03/15

FINANCE COMMITTEE SPLIT THE ITEM INTO PART A AND B

**(A) \$1.2 MILLION FOR AUBURNDALE TRAFFIC IMPROVEMENT
PLAN**

ACTION: HELD 8-0

**(B) \$800,000 FOR TRAFFIC IMPROVEMENTS AT VARIOUS
LOCATIONS WITHIN THE CITY**

APPROVED 7-0-1 (Fuller abstaining)

NOTE: Commissioner Turocy presented the request to fund \$2,000,000 in traffic signal and intersection improvements at a number of intersections in Auburndale and other locations in the City. The Auburndale Project is estimated to cost \$1.2 million dollars and includes geometric changes at intersections, which will require approval by the Public Facilities Committee before the funding is approved. The Committee raised concern that delaying all of the funding would hold up the signal improvements in the other locations.

The Committee split the item into Part A for the \$1.2 million for the Auburndale improvements and Part B for the remaining \$800,000 to fund traffic improvements at other intersections in the City. The Finance Committee held Part A and referred it to the Public Facilities Committee for discussion. A motion to approve Part B was made and approved by a vote of seven in favor and one abstention with the understanding that the Public Safety and Transportation Committee would receive regular updates on the projects and if any of the improvements required approval by the Public Facilities Committee that they would be docketed.

Public Facilities Meeting

June 17, 2015

REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES

#129-15 **HIS HONOR THE MAYOR** requesting authorization to appropriate the sum of two million dollars (\$2,000,000) from bonded indebtedness for the purpose of improving the traffic signals at several intersections in Auburndale and traffic improvements in Nonantum and Oak Hill, as well as other areas of the City.
05/11/15 @ 5:00 PM]

PUBLIC SAFETY APPROVED 6-0-1 (Schwartz abstaining) on 06/03/15
FINANCE COMMITTEE SPLIT THE ITEM INTO PART A AND B; PART B WAS
APPROVED BY PUBLIC SAFETY AND FINANCE
(A) \$1.2 MILLION FOR AUBURNDALE TRAFFIC IMPROVEMENT
PLAN FINANCE HELD 8-0 and REFERRED (A) TO PUBLIC
FACILITIES COMMITTEE on 06/08/15

ACTION: APPROVED 8-0

NOTE: Director of Transportation Bill Paille and representatives from WorldTech Engineering joined the Committee to provide an overview of the proposed Auburndale Square traffic improvements. The project includes some changes to the curb alignment, which requires approval by the Public Facilities Committee. All of the proposed improvements are designed to create a safer area for vehicles, pedestrians, and bicyclists and improve the level of service of the intersections in Auburndale Square. There would be no loss of legal parking spaces in the Auburndale Square area because of the proposed improvements.

The proposed plans include a change to the right hand turn lane from Lexington Street onto Commonwealth Avenue approaching Auburndale Square from the south. The west corner of Lexington Street and Commonwealth Avenue would be extended shifting the right-hand turn lane closer to Lexington Street and the island between the right hand turn lane and Lexington Street would be significantly reduced and shifted creating a shorter intersection crossing for pedestrians and bicyclists.

The change would result in the loss of one tree but would open up more green space that could be enhanced. The consultants are working with the community regarding the existing Veteran Memorial, as the improvements to the square are an opportunity to move the memorial and do more with it. Julia Malakie, Urban Tree Commission member, provided the attached e-mail and photos regarding the loss of the tree. The shift will eliminate the gas station exit onto

Commonwealth Avenue. Vehicles will only be able to enter the gas station from Commonwealth Avenue. If a vehicle wants to exit onto Commonwealth Avenue from the gas station, they would need to exit onto the carriage lane, continue to Melrose Street, and access Commonwealth Avenue from that point. The Committee asked that the Fire Department be consulted regarding turning radii of the turns from Commonwealth Avenue to the carriage lane at the gas station and at the mountable curb cut.

The plans also include the addition of a curb extension along a portion of the west side of Lexington Street by the gas station egress onto Lexington Street in order to improve the alignment of Lexington Street. The signal located at Wolcott Street and Lexington Street would also signalize the gas station driveway. The carriage lane egress at Commonwealth Avenue near Auburndale Square would be closed to vehicles, as dangerous for vehicles attempting to exit onto Commonwealth Avenue so near an intersection. Therefore, WorldTech Engineering is recommending that the City install a mountable curb cut for emergency access only.

The WorldTech representatives continued the presentation of the proposed plan by reviewing the locations of the new traffic signals, which include overhead signals. Overhead signals are a federal requirement, as they increase signal visibility. All of the signals would be coordinated to work together to create efficient traffic flow. The pedestrian crossing phases at Auburndale Square would be concurrent, which would allow pedestrians to cross at the same time as the green light in the same direction. Concurrent pedestrian crossings are used at other locations in the City including West Newton Square. Some Auburndale residents would prefer an exclusive phase pedestrian crossing where all lights turn red during the crossing phase. It was suggested that the City should try the concurrent crossing as recommended by the consultants and change to exclusive phasing, if necessary.

The traffic signal at Melrose Street and Commonwealth Avenue would have an added left hand turn signal and a curb extension with an accessible ramp. Some neighbors would like to see a stop sign at Melrose Street and the carriage lane but that could create a dangerous intersection due to the signalization at Melrose Street and Commonwealth Avenue.

It was pointed out that it would make sense to look at including the traffic signals at the intersection of Central Street and Auburn Street in the coordination of all of the signals in the area of Auburndale Square. The consultants will look at coordinating those signals, as part of the overall plan. Mr. Rod Kelly, Freeman Street, asked if there would be a dedicated left turn signal going north on Lexington Street for Freeman Street. It was explained that the roadway is not wide enough to accommodate a left turn lane but the backup would be no worse than what exists today. Mr. Kelly also disagrees with the coordinated crossing, as it seems dangerous. The consultant has assured the City that it is safe for pedestrians; however, if it does not work, it can be changed. With that, Ald. Gentile moved approval, which carried unanimously.

Finance Meeting

June 22, 2015

REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES

#129-15 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of two million dollars (\$2,000,000) from bonded indebtedness for the purpose of improving the traffic signals at several intersections in Auburndale and traffic improvements in Nonantum and Oak Hill, as well as other areas of the City.
 05/11/15 @ 5:00 PM]
PUBLIC SAFETY APPROVED 6-0-1 (Schwartz abstaining) on 06/03/15
FINANCE COMMITTEE SPLIT THE ITEM INTO PART A AND B; PART B WAS APPROVED BY PUBLIC SAFETY AND FINANCE
(A) \$1.2 MILLION FOR AUBURNDALE TRAFFIC IMPROVEMENT PLAN
APPROVED BY PUBLIC SAFETY -0-1 (Schwartz abstaining) on 06/03/15;
FINANCE HELD 8-0 and REFERRED (A) TO PUBLIC FACILITIES
COMMITTEE on 06/08/15
PUBLIC FACILITIES APPROVED 8-0 on 06/17/15
ACTION: APPROVED 7-0

NOTE: The Committee discussed the item two weeks ago and split it into Part A and Part B in order to refer Part A to the Public Facilities Committee to discuss the geometrical changes associated with the traffic improvements in Auburndale Square. The Board of Aldermen approved part B of the item on June 15, 2015. The Public Safety & Transportation and Public Facilities Committees have reviewed the improvements and approved the \$1.2 million dollars for traffic improvements to Auburndale Square.

The review process in both Committees included neighborhood input. There has been discussion regarding whether the traffic light at Melrose Street and Commonwealth Avenue should be removed. The traffic consultants feel that the light enhances the traffic improvement plan. There is some concern related to the proposed concurrent pedestrian crossing phase at Auburndale Square, which would allow pedestrians to cross at the same time as the green light in the same direction. Concurrent pedestrian crossings are used at other locations in the City including West Newton Square. Some neighbors would prefer an exclusive phase pedestrian crossing where all lights turn red during the crossing phase. When the signals are installed, the City will be using the concurrent phasing crossing but if there is any problem, it can easily be switched to an exclusive phasing crossing. Ald. Sangiolo joined the Committee for the discussion and suggested that the Administration should consult with the Commission on Disability on the crossings. It was pointed out that the proposed pedestrian crossings in Auburndale Square are shorter due to the increase in the size of the traffic island.

Once the final design for the project is complete, the Public Facilities Committee will review the design. With that Ald. Fuller moved approval of #129-15A, which carried by a vote of seven in favor and none opposed.

REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES

#129-15 HIS HONOR THE MAYOR, requesting authorization to appropriate the sum of two million dollars (\$2,000,000) from bonded indebtedness for the purpose of improving the traffic signals at several intersections in Auburndale and traffic improvements in Nonantum and Oak Hill, as well as other areas of the City. [05/11/15 @ 5:00 PM]

The monies would be used on the following locations pertaining to Auburndale Square: Projected cost \$1.2 mil

*Commonwealth Ave @ Lexington Street
Commonwealth Ave @ Melrose Street
Lexington @ Wolcott Street
Lexington @ Auburndale Avenue*



projected cost 1.2 Mil

The remaining funds would go towards as many of the following as possible Est remaining \$800,000

*Watertown Street @ Adams Street
California Street @ Bridge Street
Nahanton Street @ Winchester Street
Washington Street @ Auburn Street
Washington Street @ Perkins Street
Washington Street @ Prospect Street*



projected cost \$150,000

projected cost \$75,000

projected cost \$250,000

projected cost \$375,000



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#29-16

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May 13, 2015

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

Ladies and Gentlemen:

I write to request that your Honorable Board amend my original request of May 11, 2015 by replacing the sum of one million five hundred thousand dollars (\$1,500,000) with the sum of two million dollars (\$2,000,000) and by expanding the scope of traffic improvements to include Nonantum and Oak Hill, as well as other areas of the City.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor

RECEIVED
David A. Olson, CHC
Newton, MA 02459

2015 MAY 13 AM 11:22

RECEIVED
Newton City Clerk

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE



SETTI D. WARREN
MAYOR

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Office of the Mayor

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May 11, 2015

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

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to authorize the appropriation of \$1,500,000 and authorize a general obligation borrowing of an equal amount for the purpose of improving the traffic signals at several intersections in Auburndale.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor

RECEIVED
Newton City Clerk
2015 MAY 11 PM 5:00
David A. Olson, CMC
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

City of Newton



DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE COMMISSIONER

1000 Commonwealth Avenue
Newton Centre, MA 02459-1449

Setti D. Warren
Mayor

February 5, 2016

To: Maureen Lemieux, Chief Financial Officer
From: James McGonagle, Commissioner Public Works

Subject: Council Order #47-16, Auburndale Square Traffic Improvements
Answers to Councilor's Questions

Budget Summary of the Auburndale Square Traffic Improvements Project:

| | |
|--------------------------|-----------------|
| *Traffic Control Devices | \$910,251 |
| *Other Incidental Work | \$254,250 |
| Road Work | \$619,345 |
| Police Details | \$200,000 |
| Total Bid | \$1,983,846 |

*Traffic Control Devices includes: traffic and pedestrian signal equipment, mast arms, electronic controllers, pullboxes, electrical handholds and service connections (overhead and underground)

*Other Incidental Work includes: Concrete sidewalks and driveway aprons, ADA ramps and equipment, asphalt sidewalks and driveway aprons, mobilization, loam, seed and mulch

Undergrounding of Utilities:

The scope of the project did not include the relocation of all utilities underground. For a project of this size, our design engineer has stated they would typically expect costs to vary anywhere from \$1M - \$2M per mile depending on the complexity and number of conflicts. This Auburndale project is approximately 0.4 miles; costs to the City would also include the relocation of any water, sewer, and drain mains that would conflict with the proposed underground utilities. The actual costs would need to be estimated based on the design.

Original request for \$2,000,000:

See Board Order #129-15, dated 5/11/15. These are the additional traffic signal projects as they were estimated in May 2015.

| | <u>Estimated</u> | <u>Projected Cost</u> |
|--|------------------|-----------------------|
| Auburndale Square Project | \$1,200,000 | \$1,983,846 |
| Watertown Street at Adams Street | \$150,000 | \$179,000 |
| California Street at Bridge Street | \$75,000 | \$75,000 |
| Nahanton Street at Winchester Street | \$250,000 | \$154,000 |
| Washington Street at Prospect/Auburn/Perkins | \$375,000 | \$430,000 |

Standardizing light and pedestrian pole mast arm types from standard galvanized steel to a decorative design with powder coated finishes did increase the projected cost.

Funds requested in this council order:

| | |
|----------------------------|-------------|
| Bid amount | \$1,983,846 |
| Current funds available | \$1,200,000 |
| Additional funds requested | \$783,846 |