



CITY OF SOMERVILLE, MASSACHUSETTS  
CLERK OF COMMITTEES

May 13, 2019

REPORT OF THE PUBLIC UTILITIES AND PUBLIC WORKS COMMITTEE

Attendee Name	Title	Status	Arrived
William A. White Jr.	Chair	Present	
Jefferson Thomas ("J.T.") Scott	Vice Chair	Present	
Katjana Ballantyne	Ward Seven City Councilor	Present	

The meeting was held in the Committee Room and was called to order by Chairman White at 6:04pm and adjourned at 7:19pm.

Others present: Stan Koty - DPW; Rich Raiche - Engineering; Annie Connor - Legislative Liaison; Frank Wright - Law; Kimberly Wells - Assistant Clerk of Committees

**Approval of the November 29, 2018 Minutes**

**RESULT: ACCEPTED**

**200773: That the Commissioner of Public Works describe to this Board, the rationale for treating multi-unit residences the same as single family residences for purposes of volume-based escalation of water rates.**

The Chair moved that the Committee recommend that this item be referred to the Finance Committee, which was unanimously approved.

**RESULT: REFERRED FOR DISCUSSION**

**205811: That the Director of Engineering and Superintendent of Inspectional Services report to this Board on the registration of paving contractors pursuant to Ordinance 11-33.**

Mr. Raiche shared that driveway and curb-cut permits are fully on Citizen Serve, with a list of all of the contractors doing this work. Chairman White asked what the approval process looks like, and Mr. Raiche noted that this ordinance doesn't require vetting or registration, but rather a list of contractors who have done the work.

**RESULT: WORK COMPLETED**

**205813: That the Director of Engineering and the Superintendent of Inspectional Services report to this Board on enforcement of the ordinance on driveway construction and paving**

**over front, back or side yards, with a list of violations and fines levied in 2016 and 2017.**

Mr. Raiche noted that ISD should be included in this discussion and was unavailable this evening.

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**206303: That the Director of Engineering share how pedestrian detours are required for planned street work resulting in sidewalk closures.**

Mr. Raiche shared that as construction progresses, there are often daily deviations, and there is not a good line of communication for what is reviewed, approved and implemented. Some potential changes have been identified, which will be tied to the funding of a new position that can focus more on enforcement.

<b>RESULT:</b>	<b>WORK COMPLETED</b>
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**206707: That the Administration endeavor to add a properly signed and signaled crosswalk at 45 Beacon Street to enhance safety for residents accessing the Whole Foods Market.**

Councilor Scott shared that if we are re-working the pavement and pedestrian plan, this location is a natural place for crossing, and should be considered for adjustment. Chairman White noted that Traffic & Parking would have to make a determination to approve this before Engineering could implement any changes.

Councilor Scott made a resolution that the Traffic Commission approve the creation of a crosswalk at 45 Beacon Street.

The Resolution was approved with the resolution to be sent to the Traffic Committee and the Traffic Commission.

<b>RESULT:</b>	<b>WORK COMPLETED</b>
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**206780: That the Administration work with other municipalities for the creation of a DPU community advisory board, similar to the MWRA's advisory board, to provide input on the regulation of utilities.**

Ms. Connor shared that this is something that would have to happen at the state level. Chairman White noted that the City could spearhead working with other communities to accomplish this and Ms. Connor said she would explore that further.

<b>RESULT:</b>	<b>WORK COMPLETED</b>
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**206783: That the Administration and this Board support Bill H2683, "An Act relative to protecting consumers of gas and electricity from paying for leaked and unaccounted for gas."**

Ms. Connor shared that the bill has been refiled and incorporated into a larger bill, H2848, and referred to the Telecommunication, Utilities and Energy Committee. Mr. Sellers-Garcia is working on a resolution to be filed in support of this.

<b>RESULT:</b>	<b>WORK COMPLETED</b>
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**205059: That the Administration present the information described herein about the Brown School's physical plant and planned and completed renovations, to this Board, to the School Committee, and to the Brown School community.**

Mr. Koty noted that the heating system has been updated.

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**206960: That the Commissioner of Public Works provide the Committee on Public Utilities and Public Works with the number of outstanding requests to replace defective or dangerous utility poles.**

Mr. Koty shared a list, showing that problem poles have increased by 7 since September. He will be meeting with the utilities to address the list and emphasize that it is required that these be corrected.

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**207190: That the Director of Engineering report to this Board on his review of the process and algorithm use for the 5-year street paving plan and any revisions that may be considered.**

Mr. Raiche shared the algorithm and noted that there is a goal is to include a factor for bicycles into this algorithm for future years. There has been some contemplation of changing the weighting factors, but there aren't any factors that will allow the City to address the entirety of the backlog as quickly as it would like to. Councilor Scott asked if there was a consideration for how funds in the Capital Improvement Plan (CIP) can be used to help re-prioritize this work. Mr. Raiche noted that the budget proposal being prepared aims to better address cross-program prioritization.

<b>RESULT:</b>	<b>WORK COMPLETED</b>
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**207191: That the Administration update this Board on legal action against Newport Construction regarding the improper removal of trees on Beacon St.**

See #207904

<b>RESULT:</b>	<b>WORK COMPLETED</b>
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**207192: That the City Engineer advise this Board as to what use the city can make of the information received under the proposed gas leak ordinance, and what additional capacity would be needed to maximize that use.**

The ordinance passed is primarily informational, and more expertise is needed to determine the best way to proceed to evaluate that information.

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**207193: That the Administration, SPCD, and Arts Council host events to bring pedestrians to the affected Union Square and Ball Square areas during construction detours.**

Ms. Connor shared that the Economic Development team has been working on this, but was unavailable to speak to the Committee at the moment.

Chairman White moved that the Director of Economic Development provide a response in writing.  
The motion was approved.

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**207360: That the Commissioner of Public Works report to this Board on an alternative to snow plows completely burying the already-shoveled sidewalks on the south side of Summer Street between Cedar and Porter Streets.**

Mr. Koty noted that the bike lane makes this difficult, and is a priority route for cyclists per the Bicycle Committee. The vehicles are often sent back numerous times to try to rectify the situation, but this may not be happening immediately due to manpower issues. Councilor Scott added that the City also often does the work that falls under MassDOT's purview to allow for as much mobility as possible. The handicapped ramps and bus stops are cleared within 36 hours.

<b>RESULT:</b>	<b>WORK COMPLETED</b>
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**207363: That the Commissioner of Public Works replace the unsafe sidewalk at 50 Dartmouth Street.**

Mr. Koty stated that this has been completed.

<b>RESULT:</b>	<b>WORK COMPLETED</b>
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**207462: That the Commissioner of Public Works discuss with this Board, why the snow is not plowed to the curb during snow emergencies.**

Mr. Koty shared that the snow is plowed to the curbs where possible, unless the snow is too heavy and the vehicles aren't able to do so. They try not to overly push things back if parking is available on both sides and there is sufficient space for emergency vehicles. They are also very careful to ensure that bike lanes are cleared. President Ballantyne commented that though this is the policy, it is not happening in practice. Mr. Koty added that there are different drivers, and he will monitor more closely. President Ballantyne added that with the aging population in the City, shoveling can be a challenge.

<b>RESULT:</b>	<b>WORK COMPLETED</b>
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**207581: Commissioner of Public Works responding to #206594 re: a complaint for the removal of trees on Beacon St.**

<b>RESULT:</b>	<b>WORK COMPLETED</b>
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**207592: That the Commissioner of Public Works direct the appropriate utility to remove and/or bury the utility poles on Trull Lane prior to upcoming construction there, and that the Commissioner express in writing to the Committee on Public Utilities and Works the feasibility of this work prior to construction.**

Mr. Koty noted that it is his understanding that any new construction must go underground. This would include Mr. McEachern and ISD, whom he will connect with. President Ballantyne asked why this would only be done for new construction rather than all permits, and Mr. Koty noted that it is a legal issue to

take away certain values from existing property owners. Chairman White added that the utility companies would also require compensation in these cases. As this property is new construction, it should be able to be completed. Mr. Koty will update the Committee after consulting with the utilities.

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**207595: That the Director of SPCD prioritize Cameron Avenue for street paving this year.**

Mr. Raiche shared that the general update for all things paving is being updated by a consultant into the database. He should have a revised paving priority plan within the month. This will be submitted with a request for funding for FY20. Currently, Cameron Avenue ranks such that there is approximately \$40M worth of work scheduled at a higher priority. The funding from the state is about \$3.9M per year. The department is still working with Finance to determine the appropriate amount to request to account for the degrading state of the PCI (pavement condition index). There is now a separate sidewalk prioritization based on where people want to walk, rather than where people have been driving. The goal is to have a separate sidewalk construction package to focus on high priority sidewalks. President Ballantyne confirmed that there could be more paving done with this optimization. Further, the Bicycle Committee would also like to put bike lanes on the road but has opted not to, as the road is in such poor condition. The most recent projection for Cameron Avenue was 2023, but many streets are getting pushed back due to the need to address issues on Broadway. Chairman White added that the movement of some funds to address sidewalk work affects this calculation as well.

<b>RESULT:</b>	<b>WORK COMPLETED</b>
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**207904: That the City Solicitor update this Council as it relates to the communication received from Newport Construction Corp. on March 25, 2019.**

Mr. Wright shared that based on his discussions with Attorney Grossfield, Newport Construction has taken the position that this is not their responsibility. Follow-up of legal strategy can be discussed in the future in executive session.

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**208010: That the Director of Engineering and appropriate staff report on the date and method of implementation of the residential exemption for sewer and water charges.**

The Chair moved that the item be referred to the Finance Committee.

<b>RESULT:</b>	<b>REFERRED FOR DISCUSSION</b>
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**208011: That the Director of Engineering and appropriate staff discuss with this Council the legal limits of progressive water and sewer rate assessments.**

Councilor Scott wondered whether more brackets can be created to tier the rate structure. Mr. Raiche shared that there is no legal limit that he is aware of, and the department will explore this further. Typically, there are practical limitations to the way the tiers are structured (i.e. based on demand and need for conservation).

<b>RESULT:</b>	<b>WORK COMPLETED</b>
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**Handouts:**

- Pavement Algorithm (with 207190, 207595)
- Law Department Response (with 207904)
- Double Pole Report (with 206960)