



**CITY OF SOMERVILLE, MASSACHUSETTS
CLERK OF COMMITTEES**

December 1, 2020

REPORT OF THE PUBLIC UTILITIES AND PUBLIC WORKS COMMITTEE

Attendee Name	Title	Status	Arrived
Jesse Clingan	Chair	Present	
William A. White Jr.	Vice Chair	Present	
Katjana Ballantyne	Ward Seven City Councilor	Present	

Others present: Khushbu Webber-Mayor's Office, Brian Postlewaite-Engineering, Jessica Fosbrook-Engineering, John Long-City Clerk and Nick Antanavica-ISD. There were several members from Eversource: Elizabeth Toner, Joe Diagostino, Giancarlo Romero, Eric Bosworth, Mike Needam and Jeffrey Evans-Mongeon.

The meeting was held virtually and was called to order at 6:01 p.m. by Chairperson Clingan and adjourned at 8:32 p.m.

Approval of the September 30, 2020 Minutes

RESULT:	ACCEPTED
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Engineering

209610: That the City Engineer and Commissioner of Public Works inspect the sidewalk on the east side of Cedar Street for all instances of spalling, and report to this Council 1) what caused it, 2) how the City will correct it, and 3) what measures the City will take against the contractor, if it was caused by improper installation.

Ms. Fosbrook thought this had been resolved previously. The contractor tried a newer material and these have been fixed. Mr. Postlewaite stated that each of the panels that were spalling were repaired this fall.

Councilor White stated that Mr. Raiche was on top of this item.

RESULT:	WORK COMPLETED
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210426: That the City Engineer and the Director of Water and Sewer appear discuss with this Council's Committee on Public Utilities and Works plans to address multiple drainage issues, including the broken drain on Medford Street at School Street and the insufficient

drainage on Richdale Avenue.

The Administration asked the chair to refer this item to the flood forum meeting scheduled for tomorrow night. Ms. Fosbrook will discuss this item at tomorrow's flood forum. Mr. Postlewaite stated there is utility involved in the structure on top of sewer and it was reinforced and does restrict the pipe. Mr. Postlewaite is not confident that the cause of the flooding is not solely the vault, it's a minor contribution not a major contribution.

Councilor Ballantyne asked what's to the homes along that street when it rains. Ms. Fosbrook stated they have an extensive presentation for tomorrow's flood forum. There is significant flooding in this area. They have done modeling and conceptual design for this area. Mr. Postlewaite stated the concern in this area is the downstream system when Medford Street backs up. This reduces the ability for Richdale Street to drain out and is the first area to flood.

Councilor White asked how could a utility construct an underground box that will interfere with the city's sewer system. Ms. Fosbrook stated over the years, when a public project or private utility comes through, they ensure the ownness is on the developer and the city reviews to make sure this does not happen in the future.

Ms. Fosbrook stated this problem probably happened more than 10 years ago but less than 20 years ago. Chair Clingan asked if there are any plans or recourse to deal with this problem and if the city is planning to push back on Verizon.

RESULT:

WORK COMPLETED

210739: That the Director of Engineering and the Director of Infrastructure and Asset Management urge Eversource to fix gas leaks at 721 Somerville Avenue and nearby, as identified by HEET, and appear with Eversource staff at the next meeting of the Council's Committee on Public Utilities and Public Works to discuss this matter.

There were a number of members from Eversource who attended tonight's meeting.

Ms. Toner, Eversource's community relations manager introduced the team from Eversource, Joel Diagostino, Giancarlo Romero, Eric Bosworth, Mike Needham, and Bob Buffore.

The chair sent over a few questions to be addressed at tonight's meeting. Mr. Diagostino stated they found a class 3 leak by BTU. Also, down the street by 709, they found a class 1 leak which was repaired immediately. He also stated that property at 721 is still open and has really low reading leak. They have been monitoring this property and it has not gotten any worse. Mr. Bosworth from Eversource stated that if it's considered a SEI leak, they have 2 years to repair. This leak is on cast iron and considered non-hazardous. It was stated that the repair is not one of the high priorities and will take place in 2025.

Chair Clingan stated this is a high priority and the city is unable to plant trees until the leaks are fixed. He read an email from a resident asking about 801 Somerville Ave. Mr. Romero stated that area was surveyed in May 2020 and that he could not speak to that specific box.

Ms. Fosbrook stated that it sounds like the city found methane in this area and it would be helpful to get more details like a survey report or plan for this area. There seems to be a discrepancy in what the arborist found and what Eversource has found. Chair Clingan stated we love our trees and 2025 is a long way off. He urged Eversource to work with the city by sharing survey information.

Councilor Ballantyne asked Ms. Toner based on what Ms. Fosbrook requested, when could the Eversource produce the requested survey information. Mr. Diagostino stated they can turnaround a survey of the area within a week and cross reference with the information that city has on record. Councilor Ballantyne asked if the information would be submitted to the engineering department. Ms. Fosbrook stated they do not have a formal process for this work and they are in regular contact with Eversource gas to coordinate closely with the upgrades to the city. Councilor Ballantyne stated that gas leaks are very important issues for the city and Mothers Out Front have done a wonderful job organizing the city and bringing information to the city's attention about trees.

Councilor White stated that it's important for Eversource and the city's arborist coordinate their efforts. He will ask the city solicitor to file action with DPU, if this is preventing the city from planting trees. He hopes that Eversource will expedite this request from the year 2025 so that the city does not have to file a complaint with DPU.

Mr. Bosworth clarified 2025 would be the general time to replace cast iron pipe. Mr. Diagostino stated that in the Cambridge/Somerville area, leaks are much lower now. Additionally, Grade 2 leaks do not go over 2 years and are addressed within 6 months.

Chair Clingan asked Ms. Toner for the leak report for the whole city of Somerville. Ms. Toner will regroup internally and discuss turnaround time to provide the survey information.

The chair allowed someone from the community who talked about the gas leak and how it effects the trees. She asked if the survey was done, what intersection and what was found. Additionally, she asked about the square feet of leak. It was stated that the leak at 731 was measured at the highest reading and area calculations. The resident stated there are series of dead trees in the area.

RESULT:	KEPT IN COMMITTEE
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210824: That the Director of Engineering appear before this Council's Committee on Public Utilities and Public Works to discuss the Medford Street sidewalk repaving "book job" and the subsequent usage conditions left as a result of bringing the sidewalks to ADA compliance.

Items 210824 and 210825 were discussed together.

Mr. Postlewaite described the difference between a "book job" and a "design job. Design jobs are contracted based upon a specific location solving a unique problem. Book job have standard details with unit costs. See attached presentation with more details. Book jobs are repeatable and do not change conditions or design but are can be used to bring up to code. Book jobs are also time related, two years from start to finish for a relatively quick project. Book jobs also gives you time to fix something without going through major design conditions.

Mr. Postlewaite addressed common issues with book jobs. On Medford Street issues with too steep sidewalk slopes. The city wanted to bring the sidewalks up to code.

Mr. Postlewaite provided a case study to help illustrate this case better by showing 392 Medford St with cross sloping. The neighbors had concerns and the engineering group were able to fix the area. This book job on Medford Street, gave them the ability to reconstruct the panels without a lengthy change order process and it was standard cost without any markups. He also

gave examples about a double sidewalk on Thurston Street. The photo showed the area with a non-compliant accessible curb cut. Mr. Postlewaite stated this is more challenging to navigate for people with wheelchairs. The city is working with a contractor to get railings up on some streets doing the month of December.

He talked about Sycamore Street with narrower sidewalks to less than 36 inches due to traffic signal. They worked to bump out sidewalk to get around obstacles. There were additional benefits to shorten crosswalks for pedestrians. Councilor Ballantyne asked Mr. Postlewaite how many book jobs are there vs. design jobs and what's the % of each during the year? He stated that on a dollar basis, there are more design jobs vs. book jobs. Councilor Ballantyne also asked about the protected bike lanes and if they are book or design. Mr. Postlewaite stated they are almost always in design jobs and they are working with IAM to start incorporating bike lanes into book jobs.

RESULT:	WORK COMPLETED
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210825: That the Director of Engineering address residents' concerns regarding possible property owner liability relating to the conditions created by the City in its efforts to bring sidewalks to ADA compliance.

Items 210824 and 210825 were discussed together.

Mr. Postlewaite talked to the city solicitor's office. There were questions about the snow covering the slope. It was stated that the key takeaway for abutting property owners is they do not have civil liability unless the abutter created or caused the unsafe issue. They are not responsible for the construction of the sidewalk in front of their property, however, property owners are responsible for clearing the assessible route of their sidewalk.

RESULT:	WORK COMPLETED
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ISD

209691: That the Superintendent of Inspectional Services inform the Committee on Public Utilities and Public Works whether the newspaper boxes throughout the city are permitted.

Mr. Antanavica stated that ISD does not issue permits for newspaper boxes and believes this is through the clerk's office. Councilor White stated that the BOA passed an ordinance regulating the newspaper boxes and the ISD superintendent played a role in this matter. Councilor White stated that some of the boxes were previously abandoned. The ordinance was given to ISD to make sure that applicants follow the certificate. He asked Mr. Antanavica to review Section 12, 66 and 67 and 69 which talks about the fees. The committee will invite Mr. Antanavica back to the committee in a month.

Mr. Long stated that he remembers the ordinance coming into effect and working with ISD. ISD had less capacity at the time, than the clerk's office and they had agreed to take on the responsibility of the news rack. It was stated that it's very difficult to track down the owners of the news racks. Two-thirds of the news racks were not in compliance and did not have a certificate. DPW was asked to remove the news rack and was asked to get a legal opinion. The city solicitor's office stated that the news racks are related to free speech and the compliance fell off.

Councilor White suggested to fine those who are not in compliance and if the fine is unpaid then the news rack should be removed. Councilor White will speak with the city solicitor's office about this matter.

RESULT:	KEPT IN COMMITTEE
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210588: That the Director of Inspectional Services update this Council on the implementation of the Short-Term Rental Ordinance.

Mr. Antanavica stated the short-term rental ordinance has been implemented. Mr. Antanavica stated as intended, they investigate accordingly or they are they fined. The contractor that was hired has a program to filter the city's criteria through their filters and run the short terms sites like AirBNB. They have gone through 30-40 short term sites to verify any complaints received by the city. Chair Clingan asked if the there has been any abuse and if the service has been a significant help. Mr. Antanavica stated the system has confirmed at least a dozen that the city has received complaints about. Mr. Antanavica also stated there has been a significant drop since the ordinance went into effect.

RESULT:	WORK COMPLETED
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210589: That the Director of Inspectional Services update this Council on the implementation of the Vacant Properties Ordinance.

Mr. Antanavica stated the ordinance has been enacted. He is working on the known address list to issue 90 day for vacant property. They are moving through the process to get everyone registered.

RESULT:	WORK COMPLETED
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210821: That the Director of Inspectional Services update this Council on the processes used to better manage and enforce conditions identified in building permits.

Mr. Antanavica stated he has established weekly meetings with planning on zoning guidance. They are working with inspectors to train and retrain on what is expected to review plans. The biggest items missed are the ones involving zoning compliance. They are working to coordinate standard conditions that will be issued and used for ZBA so that all is written the same. They are also putting the ownness on the developers to prove to the city that they have met the conditions. ISD is requiring developers to provide a written narrative on how they have met the requirements.

The chair left this in committee to revisit in a few months.

RESULT:	WORK COMPLETED
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OSPCD

210207: That the Director of SPCD and the Commissioner of Public Works work with MA DOT to install a temporary protected pedestrian lane on the Rt. 28/Fellsway Mystic River Bridge.

Mr. Rawson stated the city prepared a protected bike lane a couple of years ago. This would free up pedestrian space. The city was able to compete for grant funding. They are at the end of the production of the project. The work will be deferred until the spring time. Mr. Rawson will check the SomerVoice page for conceptual drawings for the public about the new bridge configuration.

RESULT:	WORK COMPLETED
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209785: That the Director of Infrastructure and Asset Management and the Director of SPCD inform the Ward 7 Councilor of the location and width of the Algonquin gas line easement under Route 16, Stop & Shop and any other locations which are not state-owned.

Councilor Ballantyne stated that she received something in writing and had spoken to Mr. Raiche. Ms. Fosbrook stated the gas company is not willing to share information with the city. If construction happens in this area, it will be marked out for Dig safe.

RESULT:	WORK COMPLETED
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City Clerk

210676: That the City Clerk, in consultation with other departments as needed, discuss with this Council the discrepancies in abutter notifications in applications from various utilities for Grants of Location, and propose mechanisms to resolve those discrepancies.

Mr. Long submitted a response in writing and was also present for this item. He highlighted that abutters are not clearly defined in states statutes. See response. Abutters are people on either side of the street where the condo is being installed. The public is given an opportunity to response. The city requires the utility company to put together the abutters list. The utility company has incentive to give complete abutter lists if not the abutter can formally complain that they were not properly notified. The court could remand the matter back to the city council for proper notice. He stated that Councilor Scott suggested that there be discussion with law office that city clerk office confirm they have an accurate list. There was a problem that only had listed 2 out of the 5 abutters and the city did not independently confirm the list. Councilor Clingan asked what does abutter mean and is there a radius. Mr. Long stated that going forward, they would hold off of the public hearing if they do not have a complete list of abutters.

RESULT:	WORK COMPLETED
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210873: City Clerk responding to #210676 re: discrepancies in abutter notifications in applications from various utilities for Grants of Location.

RESULT:	PLACED ON FILE
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City Solicitor

209714: Assistant City Solicitor responding to #206959, deeming Newport Construction and Northern Tree to be “not considered responsible bidders or offerors” for 5 years.

No one from the City Solicitor’s office was present. The response is in the file.

RESULT:

PLACED ON FILE

Handouts:

- FY19 Medford St (with 210824)