LOWELL CITY COUNCIL
REGULAR MEETING
TUESDAY, JUNE 28, 2016
CITY HALL, CITY COUNCIL CHAMBER
TIME 6:30 PM

CITY CLERK

1. CITY CLERK

1.1. Minutes of City Council Meeting June 14th; Public Safety SC June 14th, for acceptance.

GENERAL PUBLIC HEARINGS

2. GENERAL PUBLIC HEARINGS

2.1. Pace Energy (c/o Sonal Patel, LLC) request additional fuel storage of 25,000 gal. of gasoline and 5,000 gal. of diesel in underground tanks at 710 Lakeview Avenue.

2.2. Ordinance-Create new position of Working Foreman Electrician Grade B Masters and establish Salary in DPW and modify certain job titles

COMMUNICATIONS FROM THE CITY MANAGER

3. COMMUNICATIONS FROM THE CITY MANAGER

3.1. Motion Responses:
(A) LED Bulletin Board at the Lord Overpass
(B) St. Hilaire Car Wash
(C) Mansion Drive
(D) Extract Narrative Portions FY17 Budget for Marketing
(E) Update on Old Ferry Road
(F) Christian Hill Reservoir
(G) UMASS Expansion and Impact on Tax Revenue
(H) Update on PILOT Revenue
(I) Lowell Memorial Auditorium
(J) Road Work on Nesmith Street
(K) Residential Housing Versus Commercial Development at Connector Park
(L) South Common
Informational:
(M) Summer Programs
(N) Development Services Fine Revenue

3.2. Communication - City Mgr. request Out of State Travel (1) LPD; (1) Library.

VOTES FROM THE CITY MANAGER

4. VOTES FROM THE CITY MANAGER

4.1. Vote-Auth Mgr Execute MOU (Local 1705A) 7/1/15-6/30/18

4.2. Vote-Authorize Manager Execute MOU (SEIU, Local 888) 7/1/15-6/30/18

4.3. Vote-Authorize Manager Execute MOU (MVEA Wastewater Unit IIP) 7/1/15-6/30/18

4.4. Vote-Transfer $20,000 from Parking Dept to Disabilities Commission Revolving Fund

4.5. Vote-Transfer $196,812.00 to balance Snow & Ice Accounts

4.6. Vote-Transfer $140,365 to cover year end payroll deficits

4.7. Vote-Transfer $890,400 to cover additional debt service associated with refunding

4.8. Vote-Transfer $71,065.49 to provide funding for debt service cost associated with refunding etc. (sewer)

4.9. Vote-Transfer $86,979.46 to provide funding for debt service cost associated with refunding etc. (water)

4.10. Vote-Transfer $200,000 to Claims Police/Active Account associated with increased surgical costs

4.11. Vote-Auth Continuation of FY'17 Revolving Funds (7)

ORDERS FROM THE CITY MANAGER

5. ORDERS FROM THE CITY MANAGER

5.1. Order-Abandon Parcel A (driveway to Prince Co.), portion of Prince Ave, and portion of Carter St

ORDINANCES FROM THE CITY MANAGER

6. ORDINANCES FROM THE CITY MANAGER

6.1. Ordinance-Create Cultural Affairs and Special Events Program Assistant and Establish Salary in City Manager's Office

RESOLUTIONS FROM THE CITY MANAGER

7. RESOLUTIONS FROM THE CITY MANAGER

7.1. Resolution-Opposing removing Charter School Caps

CONSTABLE BONDS

8. CONSTABLE BONDS

8.1. Communication - City Mgr. request approval for Constable Bond for Ronald E. Bertheim.

REPORTS (SUB / COMMITTEE, IF ANY)

9. REPORTS (SUB / COMMITTEE, IF ANY)

9.1. (1) Neighborhoods SC June 27, 2016;
(2) Personnel SC June 28, 2016.

9.2. Wire Insp. - National Grid/Verizon NE - Req. permission to relocate JO pole 34' north of current location and to install SO pole on east side of Lawrence Street.

9.3. Wire Insp. - National Grid/Verizon NE - Request permission to install (1) JO pole on Industrial Avenue.

9.4. Wire Insp. - National Grid - Request permission to install approximately 125' of 2"-4" conduit encased in concrete on Lawrence Street.

PETITIONS

10. PETITIONS

10.1. Claim - (1) property.

10.2. Misc. - Network Building + Consulting (representing Eco-Site) request permission to lease portion of City property near Methuen Street for telecommunications facility.

10.3. Misc. - Markley Group (Atty. George Eliades) request permission to vacate, discontinue and abandon driveway to Prince Co., a portion of Carter Street and a portion of Prince Avenue.

CITY COUNCIL - MOTIONS

11. CITY COUNCIL - MOTIONS

11.1. C. Leahy - Req. City Mgr. have Opiate Task Force convene to discuss Lowell General Hospital $100,000 grant as voted by Council on June 14, 2016.

11.2. C. Leary - Req. City Mgr. report on the status of the upkeep of the grounds for "John Sheehy Memorial Park", Pawtucket Street.

11.3. C. Leary - Req. City Mgr. report on the status for the "dirt parking lot" on Pawtucket Street adjacent to UML– South Campus, report to include recommendations to pave and/or improve the current status of the lot.

11.4. C. Mercier - Req. City Mgr. invite new owner of the Spinners, Dave Heller, to a City Council meeting for introduction to Council and viewers and to address them as well.

11.5. C. Mercier - Req. City Mgr. instruct Superintendent Taylor (LPD) have officers patrol any vehicles with loud or objectionable noise emitting from exhaust systems.

11.6. C. Samaras - Req. City Mgr. provide update regarding status of the Hamilton Canal District parking garage.

11.7. C. Belanger - Req. City Mgr. have proper department clean all gateways entering the City in preparation for the Lowell Folk Festival.

11.8. C. Belanger - Req. City Mgr. update Council regarding the progress on the Smith Baker Center rehabilitation plan.

ANNOUNCEMENTS

12. ANNOUNCEMENTS

ADJOURNMENT

13. Time for meeting to stand adjourned.

The City of Lowell
Office of the City Clerk
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 422***

Meeting: **City of Lowell City Council**

Subject: **Minutes of City Council Meeting June 14th; Public Safety SC June 14th, for acceptance.**

Recommendation:

Background:

Attachments:

cc min
public safety sc min

Office of the City Clerk
City Hall • 375 Merrimack Street • Lowell, MA 01852
P: 978.674.4161 • F: 978.970.4007
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Lowell City Council
Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: Jun 14, 2016
Time: 6:30 PM
Location: City Council Chamber
375 Merrimack Street, 2nd Floor, Lowell, MA

MAYOR'S BUSINESS

1. - MAYOR'S BUSINESS

1.1. ***2016 / 412*** **- Communication - Charter School Cap Resolution.**

Roll Call showed 9 present.

Mayor Kennedy presiding.

C. Mercier requested moment of silence in darkened chamber for victims of the Orlando shootings. M. Kennedy requested moment of silence in darkened chamber for Robert Fairbank.

C. Milinazzo requested Item #6.1 be taken out of order and by general consent with no objections the matter was taken out of order.

In City Council, communication read, **Motion** "To accept and place on file" by M. Kennedy, seconded by C. Leary. So voted. M. Kennedy took Item #10.22 concurrently with this communication.

CITY CLERK

2. - CITY CLERK

2.1. ***2016 / 375*** **- Minutes of City Council Meeting May 31st, for acceptance.**

In City Council, minutes read, **Motion** "To accept and place on file" by C. Rourke, seconded by C. Samaras. So voted.

GENERAL PUBLIC HEARINGS

3. - GENERAL PUBLIC HEARINGS

3.1. ***2016 / 333*** **- Fuel Storage - The Markley Group, LLC - Request a license for storage of flammables at 2 Prince Avenue for 32,000 gallons of Diesel II fuel (AST).**

In City Council, Read twice and adopted. Public hearing held. Speaking in favor was William Tabor, representing the Markley Group and Louis Lepore of Markley Group as well. Speaking in opposition were Jacob Fortes and Nancy Fortes. C. Rourke questioned if fire department had been involved with inspection. Manager Murphy noted that the fire department had signed off on the petition. C. Leahy questioned future expansion of the license in the future. Manager Murphy commented on emergency access by the fire department on the property. C. Elliott questioned if generators and fuel tanks could be relocated. C. Rourke noted that the Markley Group must improve on providing documentation to the City. C. Mercier questioned the street closing procedure and its effect on the neighborhood. C. Leary noted that the general area needs infrastructure improvements. Manager Murphy noted meeting with neighborhood group and addressing their concerns. M. Kennedy noted the project was beneficial to City but concerns of neighborhood must be heard. C. Leahy questioned construction of tanks.

VOTING

Committee Member	YES	NO	ABSTAIN	RECUSE	MOTION	SECONDED
Kennedy, Jr, Edward J.	x					
Belanger, Corey	x					
Elliott, Rodney M.	x					
Leahy, John J.	x					
Leary, James	x					x
Mercier, Rita M.	x					
Milinazzo, James L.	x				x	
Rourke, Daniel P.	x					
Samaras, William	x					

UTILITY PUBLIC HEARINGS

4. - UTILITY PUBLIC HEARINGS

4.1. ***2016 / 340*** **- National Grid/Verizon NE - Req. permission to relocate JO pole 34' north of current location and to install SO pole on east side of Lawrence Street.**

In City Council, Given 2nd Reading and adopted. Public hearing held. Speaking in favor were Michelle Stacey of National Grid, Ann Murray (designer) and Lisa Demeo (City Engineer). No

remonstrants. **Motion** to refer to Wire Inspector for report and recommendation by C. Mercier, seconded by C. Rourke. So voted.

4.2. ***2016 / 341*** **- National Grid/Verizon NE - Request permission to install (1) JO pole on Industrial Avenue.**

In City Council, Given 2nd Reading and adopted. Public hearing held. Speaking in favor were Michelle Stacey of National Grid and Lisa Demeo (City Engineer). No remonstrants. **Motion** to refer to Wire Inspector for report and recommendation by C. Milinazzo, seconded by C. Mercier. So voted.

4.3. ***2016 / 342*** **- National Grid - Request permission to install approximately 125' of 2"-4" conduit encased in concrete on Lawrence Street.**

In City Council, Given 2nd Reading and adopted. Public hearing held. Speaking in favor were Michelle Stacey of National Grid, Ann Murray (designer) and Lisa Demeo (City Engineer). No remonstrants. **Motion** to refer to Wire Inspector for report and recommendation by C. Mercier, seconded by C. Rourke. So voted.

C. Leahy requested that Items #5.2; 5.3 and 5.4 be taken out of order and was done by general consent with no objections.

COMMUNICATIONS FROM THE CITY MANAGER

5. - COMMUNICATIONS FROM THE CITY MANAGER

5.1. ***2016 / 415*** **- Motion Responses:**
(A) Impact of the Pending Transformative Development Initiative (TDI)
(B) Business Improvement District (BID) Survey
(C) Mosquito Control
(D) Pyne Arts School Traffic Supervisor
(E) Huntoon Avenue Update
(F) Parking Agreements
(G) Financial and Infrastructure Impact of Ameresco
(H) Security and Supervision of Nesmith Street Property
(I) Downtown Banners
(J) DPD Data Position
(K) 268 Mt. Vernon Street
(L) Traffic and Pedestrian Patterns on Chelmsford Street
Informational:
(M) Solar Energy Production from City Solar Fields
(N) Working Cities Grant

In Council, **Motion** "To accept and place on file" by C. Mercier, seconded by C. Milinazzo. So voted.

C. Milinazzo commented on Motion Response A regarding Transformation Development Initiative noting the report. C. Elliott noted the program was important to the City and it should be taken advantage of.

C. Leahy commented on Motion Response B regarding BID survey noting the use of interns this summer to prepare needed survey.

C. Mercier commented on Motion Response C regarding mosquito control informing public that there would be spraying this year.

C. Leary commented on Motion Response D regarding traffic supervisor at Pyne Arts School indicating that there will be one available next school year.

C. Mercier commented on Motion Response E regarding Huntoon Avenue noting the procedure used to accept streets.

C. Belanger commented on Motion Response F regarding parking contracts by **Motion** to refer to Downtown Redevelopment SC for review, seconded by C. Samaras. So voted. C. Samaras noted the difficulty in locating spaces.

C. Leary commented on Motion Response G regarding Ameresco noting it was a strong analysis.

C. Samaras commented on Motion Response H regarding group home on Nesmith Street indicating that the program is not suited for that area as it lacks supervision and is not helping troubled youth. C. Leahy noted the draining of resources without any results. C. Rourke noted it was a non-profit organization which owns property. Manager Murphy noted concern and indicated he would speak with court system regarding future placements.

C. Leary commented on Motion Response L regarding Chelmsford Street corridor by **Motion** to refer to Transportation SC for further discussion, seconded by C. Rourke. So voted.

C. Elliott commented on Informational Response M regarding solar fields by **Motion** to refer to Financial SC, seconded by C. Leary. So voted.

C. Belanger commented on Informational Response N regarding Working Cities Grant noting the uniqueness of the grant and how it will benefit the Acre. C. Samaras lauded the work of the administration in obtaining the grant. Kevin Coughlin (DPD) reported on the grant and how it would be administered in the community and be used as a model for other neighborhoods. Mr. Coughlin recognized partners in this endeavor.

5.2. ***2016 / 397*** **- Communication-Reappoint Kevin Dillon, William Lovely, Katelyn Biedron, Geoffrey McDonough to Conservation Commission**

In Council, **Motion** "To accept and place on file" by C. Leary, seconded by C. Leahy. So voted.

5.3. ***2016 / 398*** **- Communication-Appoint Janelle Diaz to Lowell Commission on Disability**

In Council, read and adopted. Ms. Diaz addressed the Council.

VOTING

Committee Member	YES	NO	ABSTAIN	RECUSE	MOTION	SECONDED
Kennedy, Jr, Edward J.	x					
Belanger, Corey	x					
Elliott, Rodney M.	x					
Leahy, John J.	x					x
Leary, James	x				x	
Mercier, Rita M.	x					
Milinazzo, James L.	x					
Rourke, Daniel P.	x					
Samaras, William	x					

5.4. ***2016 / 399*** **- Communication-Appoint Brandon Crocker to Hunger Homeless Commission (Merrimack Valley Catholic Charities Rep)**

In Council, **Motion** "To accept and place on file" by C. Leary, seconded by C. Leahy. So voted. Mr. Crocker addressed the Council.

5.5. ***2016 / 400*** **- Communication-Accept Resignation of Eileen Donoghue (Civic Stadium Commission)**

In Council, **Motion** "To accept and place on file" by C. Rourke, seconded by C. Samaras. So voted. C. Elliott questioned if commission is still needed. Manager Murphy noted it was created by statute and still in place.

5.6. ***2016 / 419*** **- Communication - City Manager request Out of State Travel (1) LPD.**

In Council, read and adopted.

Motion by C. Rourke, seconded by C. Belanger to bundle Items #6.1 to 6.6 inclusive and take as one. So voted.

Motion by C. Rourke, seconded by C. Belanger to waive full reading and adopt Vote item #6.1 to 6.6 inclusive. Adopted per Roll Call vote, 9 yeas. So voted.

VOTING

Committee Member	YES	NO	ABSTAIN	RECUSE	MOTION	SECONDED
Kennedy, Jr, Edward J.	x					
Belanger, Corey	x					
Elliott, Rodney M.	x					
Leahy, John J.	x					
Leary, James	x					
Mercier, Rita M.	x				x	
Milinazzo, James L.	x					
Rourke, Daniel P.	x					x
Samaras, William	x					

VOTES FROM THE CITY MANAGER

6. - VOTES FROM THE CITY MANAGER

6.1. *2016 / 401* - Vote-Auth Mgr Ex. MOU MVEA Unit I 7.1.15-6.30.18

In Council, read twice, waived full reading and adopted. C. Elliott questioned the number of unions left without contracts. Manager Murphy commented on outstanding contracts.

VOTING

Committee Member	YES	NO	ABSTAIN	RECUSE	MOTION	SECONDED
Kennedy, Jr, Edward J.	x					
Belanger, Corey	x					x
Elliott, Rodney M.	x					
Leahy, John J.	x					
Leary, James	x					
Mercier, Rita M.	x					
Milinazzo, James L.	x					
Rourke, Daniel P.	x				x	
Samaras, William	x					

6.2. *2016 / 402* - Vote-Auth Mgr Ex. MOU MVEA WW Unit II 7.1.15-6.30.18

In Council, read twice, waived full reading and adopted.

VOTING

Committee Member	YES	NO	ABSTAIN	RECUSE	MOTION	SECONDED
Kennedy, Jr, Edward J.	x					
Belanger, Corey	x					x
Elliott, Rodney M.	x					
Leahy, John J.	x					
Leary, James	x					
Mercier, Rita M.	x					
Milinazzo, James L.	x					
Rourke, Daniel P.	x				x	
Samaras, William	x					

6.3. ***2016 / 403*** **- Vote-Auth Mgr Ex. MOU MVEA Unit C 7.1.15-6.30.18**

In Council, read twice, waived full reading and adopted.

VOTING

Committee Member	YES	NO	ABSTAIN	RECUSE	MOTION	SECONDED
Kennedy, Jr, Edward J.	x					
Belanger, Corey	x					x
Elliott, Rodney M.	x					
Leahy, John J.	x					
Leary, James	x					
Mercier, Rita M.	x					
Milinazzo, James L.	x					
Rourke, Daniel P.	x				x	
Samaras, William	x					

6.4. ***2016 / 404*** **- Vote-Auth Mgr Ex. MOU MVEA Unit D 7.1.15-6.30.18**

In Council, read twice, waived full reading and adopted.

VOTING

Committee Member	YES	NO	ABSTAIN	RECUSE	MOTION	SECONDED
Kennedy, Jr, Edward J.	x					
Belanger, Corey	x					x
Elliott, Rodney M.	x					
Leahy, John J.	x					
Leary, James	x					
Mercier, Rita M.	x					
Milinazzo, James L.	x					
Rourke, Daniel P.	x				x	
Samaras, William	x					

6.5. ***2016 / 405*** **- Vote-Auth Mgr Ex. MOU MVEA Inspectors 7.1.15-6.30.18**

In Council, read twice, waived full reading and adopted.

VOTING

Committee Member	YES	NO	ABSTAIN	RECUSE	MOTION	SECONDED
Kennedy, Jr, Edward J.	x					
Belanger, Corey	x					x
Elliott, Rodney M.	x					
Leahy, John J.	x					
Leary, James	x					
Mercier, Rita M.	x					
Milinazzo, James L.	x					
Rourke, Daniel P.	x				x	
Samaras, William	x					

6.6. ***2016 / 406*** **- Vote-Auth Mgr Ex. MOU The Association of Traffic Supervisors 7.1.15-6.30.18**

In Council, read twice, waived full reading and adopted.

VOTING

Committee Member	YES	NO	ABSTAIN	RECUSE	MOTION	SECONDED
Kennedy, Jr, Edward J.	x					
Belanger, Corey	x					x
Elliott, Rodney M.	x					
Leahy, John J.	x					
Leary, James	x					
Mercier, Rita M.	x					
Milinazzo, James L.	x					
Rourke, Daniel P.	x				x	
Samaras, William	x					

6.7. ***2016 / 407*** **- Vote-Apply/Accept/Expend $53,799 Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2016**

In Council, read twice, waived full reading and adopted.

VOTING

Committee Member	YES	NO	ABSTAIN	RECUSE	MOTION	SECONDED
Kennedy, Jr, Edward J.	x					
Belanger, Corey	x					
Elliott, Rodney M.	x				x	
Leahy, John J.	x					x
Leary, James	x					
Mercier, Rita M.	x					
Milinazzo, James L.	x					
Rourke, Daniel P.	x					
Samaras, William	x					

6.8. ***2016 / 413*** **- Vote-Auth Mgr Ex. Construction Access Agreement between UML and City re: Marginal Street Sewer Relief Pipe Project**

In Council, read twice, waived full reading and adopted.

VOTING

Committee Member	YES	NO	ABSTAIN	RECUSE	MOTION	SECONDED
Kennedy, Jr, Edward J.	x					
Belanger, Corey	x					
Elliott, Rodney M.	x					
Leahy, John J.	x					
Leary, James	x					
Mercier, Rita M.	x					
Milinazzo, James L.	x					x
Rourke, Daniel P.	x				x	
Samaras, William	x					

6.9. ***2016 / 414*** **- Vote-Transfer $2,000 Inspector Education Training**

In Council, read twice, waived full reading and adopted.

VOTING

Committee Member	YES	NO	ABSTAIN	RECUSE	MOTION	SECONDED
Kennedy, Jr, Edward J.	x					
Belanger, Corey	x					
Elliott, Rodney M.	x					
Leahy, John J.	x					
Leary, James	x					
Mercier, Rita M.	x					
Milinazzo, James L.	x					
Rourke, Daniel P.	x				x	
Samaras, William	x					x

6.10. ***2016 / 420*** **- Vote-Accept/Expend $100,000 from Lowell General Hospital to Health Dept (feasibility study on substance abuse prevention in the Lowell School District)**

In Council, read twice, waived full reading and adopted. C. Belanger questioned costs regarding study. Kerran Vigroux (Health Director) outlined the reason and the costs of the study. C. Belanger questioned the number of students covered by the grant. Ms. Vigroux noted the first part would be a pilot program to work out any issues. C. Leahy noted he wished more students would be covered. C. Leary noted it was funded by Lowell General Hospital who he recognized for their contribution and that they should ensure that the grant is used to capacity.

VOTING

Committee Member	YES	NO	ABSTAIN	RECUSE	MOTION	SECONDED
Kennedy, Jr, Edward J.	x					
Belanger, Corey	x					
Elliott, Rodney M.	x					
Leahy, John J.	x					
Leary, James	x					
Mercier, Rita M.	x					
Milinazzo, James L.	x					
Rourke, Daniel P.	x				x	
Samaras, William	x					x

6.11. ***2016 / 421*** **- Vote-Approving certified project application for Kronos, Inc. and authorizing a Tax Increment Financing (TIF) Agreement for CP Associates, LLC**

In Council, read twice, waived full reading and adopted. Manager Murphy outlined the TIF and commented on the company. Chris Todd of Kronos outlined the company structure and commented on partnership with the City and their involvement in the community. C. Mercier noted the agreement would be of benefit to the City and was in favor of same. C. Samaras noted the size of the company and that it was a good fit for Lowell. Manager Murphy noted any prior TIF on the building had expired and recognized his team for putting together the agreement.

C. Elliott, with general consent and no objection, requested Item #10.1 be taken out of order.

VOTING

Committee Member	YES	NO	ABSTAIN	RECUSE	MOTION	SECONDED
Kennedy, Jr, Edward J.	x					
Belanger, Corey	x					
Elliott, Rodney M.	x					
Leahy, John J.	x					
Leary, James	x					
Mercier, Rita M.	x					
Milinazzo, James L.	x				x	
Rourke, Daniel P.	x					
Samaras, William	x					x

ORDINANCES FROM THE CITY MANAGER

7. - ORDINANCES FROM THE CITY MANAGER

7.1. ***2016 / 417*** **- Ordinance-Create new position of Working Foreman Electrician Grade B Masters and establish Salary in DPW and modify certain job titles**

In City Council, Given 1st Reading, **Motion** to refer matter to Public Hearing on June 28, 2016 at 7 PM by C. Rourke, seconded by C. Milinazzo. So voted.

REPORTS (SUB / COMMITTEE, IF ANY)

8. - REPORTS (SUB / COMMITTEE, IF ANY)

8.1. ***2016 / 385*** **- Public Safety SC June 14, 2016.**

In City Council, C. Leahy reported on Public Safety SC noting the attendance and the discussion about the collaborative efforts of the Lowell Police Department and the UMass-Lowell Police Department. **Motion** to accept the report as a report of progress by C. Leahy, seconded by C. Leary. So voted.

C. Rourke noted that the Neighborhoods SC will be meeting June 27th at Eagle Park at 6:30 PM to discuss neighborhood issues. C. Milinazzo noted that the Personnel SC will meet June 28th at 5:30 PM to finish Manager evaluations.

PETITIONS

9. - PETITIONS

9.1. ***2016 / 381*** **- Claims - (2) property.**

In Council, read and **Motion** to refer to Law Department for report and recommendation by C. Leary, seconded by C. Belanger. So voted.

9.2. ***2016 / 380*** **- Misc. - Pace Energy (c/o Sonal Patel, LLC) request additional fuel storage of 25,000 gal. of gasoline and 5,000 gal. of diesel in underground tanks at 710 Lakeview Avenue.**

In City Council, Given 1st Reading, **Motion** to refer matter to Public Hearing on June 28, 2016 at 7 PM by C. Elliott, seconded by C. Belanger. So voted.

9.3. *2016 / 387* - **Misc. - Lorrie Carrington Arsenault request permission to install two-way street sign at the circle of D Street.**

In Council, read and **Motion** to refer to Traffic Engineer for report and recommendation by C. Samaras, seconded by C. Rourke. So voted.

CITY COUNCIL - MOTIONS

10. - **CITY COUNCIL - MOTIONS**

10.1. *2016 / 376* - **C. Elliott - Req. City Mgr. provide report on UMASS expansion of dormitories at Residences at Perkins Park and the Lofts at Perkins Park and impact of city tax revenue.**

In Council, seconded by C. Mercier, read and referred to City Manager. So voted. C. Elliott noted the concerns of the residents raised at recent meeting and how they felt they had been misled. The following registered speakers addressed the Council: Ralph Sutter; Greg Poirier; Hilary Behrens; Leon Goodwin; Erin Goodwin; Stancie Greenlaw and Bob Kelly. C. Mercier noted the residents were fighting for Lowell and they should be protected and informed the Manager to enter into dialogue with the University regarding the matter and other issues. C. Leahy noted he was not sure what City could do but there should be more conversation among the group. C. Belanger noted these residents need to be a part of Lowell and that the University should have been more transparent and that the Manager should be part of discussion especially with the owner of property as well. C. Samaras noted the residents display the good about Lowell and that City should see if there is legal manner to become involved. Manager Murphy noted there was no legal standing but getting involved would be the right thing to do. C. Milinazzo noted the residents are worth fighting for and that a balance should be struck between all parties. C. Leary requested dialogue begins with the University as the City cannot lose market rate properties from the tax base. C. Rourke noted the residents were treated very unfairly. C. Elliott noted he was troubled by actions of the developer in this case and requested a friendly amendment, without objection, to his motion to include beginning a discussion with the developer as well. M. Kennedy relinquished Chair to Vice-Chair Rourke at 7:45 PM. M. Kennedy noted that the solution may be with the residents to make offer to developer, if possible. M. Kennedy noted the breakdown with the University and he has concerns for other projects in the City as UML continues to grow and acquire land with an abundance of resources. C. Mercier noted the developer took advantage of tax credits and that the City needs to protect its interests down the road. C. Samaras noted a balance must be struck with University and residents. C. Leahy noted the need to protect year round residents. C. Leary commented that the City should know how much the University would be able to

purchase. Manager Murphy noted upcoming meeting with University and has provided them with a proposed agreement regarding these issues. C. Milinazzo noted that housing may be for more than just students and that discussion should be done to strike a balance. C. Rourke returned Chair to M. Kennedy at 8:05 PM.

10.2. ***2016 / 377*** **- C. Elliott - Req. City Mgr. look into LED bulletin board at Lord Overpass to replace current plastic banners and future use following realignment of overpass.**

In Council, seconded by C. Leary, read and referred to City Manager. So voted. C. Elliott noted that area needed to be cleaned up and this board may be a solution and it could be paid for by advertising. C. Belanger commented on different ways to use the billboard.

10.3. ***2016 / 378*** **- C. Elliott - Req. City Mgr. report on the city's real-estate taxes agreement with UMass Lowell involving UML Inn & Conference Center and the establishment and use of funds in the community improvement Fund.**

In Council, **Substitute Motion** by C. Samaras, seconded by C. Rourke to refer to City Manager and Education Partnerships SC. So voted. C. Mercier noted her displeasure with the UML approach to acquiring property in the City. C. Milinazzo noted that the current Chancellor has no involvement with past practices of the University. C. Leary noted the need to have a master agreement to govern procedures in the future. C. Samaras note that concerns of the City Council should be discussed. C. Elliott noted his concern with transparency and secret agreements and that the relationship with UML is important to both parties. C. Elliott voiced his objection to the Planning Board's recent decision to exclude recommendation which would hinder sales to non-profit entities in certain circumstances. M. Kennedy noted that there were no secret agreements if there was knowledge by of such agreements by City officials.

10.4. ***2016 / 379*** **- C. Elliott - Req. City Mgr. report on agreement signed in December 2013 for the forgiveness of $300,00 in taxes at the Inn and Conference Center downtown and provide agreement signed in 2014,**

In Council, **Substitute Motion** by C. Samaras, seconded by C. Rourke to refer to City Manager and Education Partnerships SC. So voted.

10.5. ***2016 / 386*** **- C. Elliott - Req. City Mgr. work with Board of Parks to honor Al Hebert at stone/memorial dedicated to the people of Pawtucketville.**

In Council, seconded by C. Leary, read and referred to City Manager. So voted. C. Elliott noted the contributions of Mr. Hebert and left it to the administration to find a manner in which to honor him.

10.6. *2016 / 389* **- C. Elliott - Req. City Mgr. provide report on number of properties zoned to allow construction of dormitories.**

In Council, **Substitute Motion** by C. Samaras, seconded by C. Rourke to refer to City Manager and Zoning SC. So voted.

10.7. *2016 / 390* **- C. Elliott - Req. City Mgr. provide information on language to be added to zoning code requiring a PILOT for properties sold to nonprofits.**

In Council, **Substitute Motion** by C. Samaras, seconded by C. Rourke to refer to City Manager and Zoning SC. So voted.

10.8. *2016 / 382* **- C. Mercier - Req. City Council support a freeze on sale of all tax paying properties to UMass-Lowell until a fair formula for payment in lieu of taxes is reached between the parties.**

In Council, **Substitute Motion** by C. Samaras, seconded by C. Rourke to refer to City Manager and Education Partnerships SC. So voted. C. Milinazzo noted this was referred to Manager and not a vote to support.

10.9. *2016 / 383* **- C. Mercier - Req. City Mgr. have Inspectional Services continue to oversee the St. Hilaire Car Wash property at 1682 Middlesex St. for health/safety violations as occurred on the evening of June 4th as well as the removal of the Planet Aid Box on the premises.**

In Council, seconded by C. Leary, read and referred to City Manager. So voted. C. Mercier noted the issue and it is being resolved.

10.10. *2016 / 408* **- C. Samaras - Req. City Mgr. work with the LPD Superintendent to remove vagrants sleeping in the South Common and any other playground in the City.**

In Council, seconded by C. Rourke, read and referred to City Manager. So voted. C. Samaras noted the summer months are being more vagrants into the parks at night.

10.11. *2016 / 409* **- C. Samaras - Req. City Mgr. work with staff to extract narrative portions of the FY17 Budget Report to be used as information document for developers.**

In Council, seconded by C. Rourke, read and referred to City Manager. So voted. C. Samaras noted the document was full of useful information that should be put forth to developers.

10.12. *2016 / 384* - **C. Samaras/C. Leary - Req. City Mgr. invite the Chancellor of the University of Massachusetts Lowell to the Economic Development SC in order to discuss our shared vision of economic growth; the city and universities specific needs, and to begin to develop objective criteria in order to measure our shared expectations.**

In Council, **Substitute Motion** by C. Samaras, seconded by C. Rourke to refer to City Manager and Education Partnerships SC. So voted.

10.13. *2016 / 418* - **C. Leary - Req. City Mgr. work with the City Auditor in order to provide a report outlining all contractual financial accounts that are not included within the budget and are not annual or one time grant funds.**

In Council, seconded by C. Leahy, read and referred to City Manager. So voted. C. Leary noted motion spoke for itself.

10.14. *2016 / 391* - **C. Leahy - Req. City Mgr. provide a copy of the TIF agreement for the Perkins Property as well as any additional information regarding the original sale of the property by the City.**

In Council, withdrawn by C. Leahy.

10.15. *2016 / 392* - **C. Leahy - Req. City Mgr. have proper department work with School Department in maintaining school grounds as pertaining to lawn care and trash removal.**

In Council, seconded by C. Leary, read and referred to City Manager. So voted. C. Leahy noted the work that needs to be done. C. Milinazzo noted that the area around fire department was in need of attention.

10.16. *2016 / 393* - **C. Leahy - Req. City Mgr. have proper department provide City Council with updates regarding road work on Nesmith Street between Andover and East Merrimack Streets.**

In Council, seconded by C. Leary, read and referred to City Manager. So voted. C. Leahy noted motion is self-explanatory.

10.17. *2016 / 394* - **C. Leahy - Req. City Mgr. have proper department update City Council regarding tree plantings for FY17.**

In Council, seconded by C. Leary, read and referred to City Manager. So voted. C. Leahy noted motion is self-explanatory.

10.18. ***2016 / 395*** **- C. Milinazzo - Req. City Mgr. add Mansion Drive to the paving list.**

In Council, seconded by C. Rourke, read and referred to City Manager. So voted. C. Milinazzo noted motion is self-explanatory.

10.19. ***2016 / 396*** **- C. Milinazzo - Req. City Mgr. have the Law Department weigh in on recent decisions rendered by the License Commission regarding a number of violations at downtown bars.**

In Council, seconded by C. Rourke, read and referred to City Manager. So voted. C. Milinazzo noted there are a few bars that may need added attention due to numerous violations.

10.20. ***2016 / 416*** **- C. Belanger - Req. City Mgr. invite Winn Development to appear before City Council to discuss their vision for the Hamilton Canal District.**

In Council, seconded by C. Elliott, read and referred to City Manager. So voted. C. Belanger noted that there should be a discussion with new developer of the Hamilton Canal District.

10.21. ***2016 / 410*** **- M. Kennedy - Req. City Mgr. and Assessors Office report to City Council regarding the potential for taxing the commercial portion of the properties located at 50 Warren Street and 220 Pawtucket Street.**

In Council, **Substitute Motion** by C. Samaras, seconded by C. Rourke to refer to City Manager and Education Partnerships SC. So voted.

10.22. ***2016 / 411*** **- M. Kennedy - Req. City Council adopt a resolution opposing removing Charter School caps similar to resolution recently adopted by the Lowell School Committee.**

In Council, seconded by C. Leary, read and referred to City Manager. So voted. M. Kennedy noted that this motion is concurrent with Item #1.1. C. Belanger noted his disappointment with charter school in dealing with principal of the school.

ANNOUNCEMENTS

11. - ANNOUNCEMENTS

In City Council, C. Mercier noted the tribute to Audrey McMahon will by June 24th. C. Belanger noted the Lowell Walks program beginning downtown.

ADJOURNMENT

12. - Time for meeting to stand adjourned.

Motion to Adjourn by C. Mercier, seconded by C. Leary. So voted.

Meeting adjourned at 9:59 PM.

Michael Q. Geary, City Clerk

Office of the City Clerk
City Hall • 375 Merrimack Street • Lowell, MA 01852
P: 978.674.4161 • F: 978.970.4007
www.LowellMA.gov

Lowell City Council
Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: Jun 14, 2016
Time: 5:30 PM
Location: City Council Chamber
375 Merrimack Street, 2nd Floor, Lowell, MA

1. ***2016 / 388*** **- Public Safety SC June 14, 2016.**

RE: Discussion of Motions
(1) BY C. ROURKE, seconded by C. Leahy
"City Council request City Mgr. brings Supt. Taylor (LPD) and Chief Randy Brashears (UML-Police) before Council to speak of the partnership between the City and the University".

(2) BY C. LEAHY, seconded by C. Elliott
"City Council request City Mgr. facilitates a meeting between LPD and UML Police to discuss safety issues and collaborative projects between both groups".

The Public is invited to attend.

PRESENT:

Present on Roll Call were Chairman Leahy, C. Leary and C. Rourke. Also present were Chief Randy Brashears (UML Police); C. Milinazzo; Supt. Taylor (LPD); C. Mercier; C. Belanger and Manager Murphy.

MEETING CALLED TO ORDER:

Chairman Leahy called the meeting to order at 5:30 PM in the Council Chamber. Chairman Leahy read the public notice that had been posted.

ORDER OF BUSINESS:

Supt. Taylor noted the need of the LPD and the UML Police to work together and that the each had concurrent jurisdiction in the community and how each department would back up the

other. Supt. Taylor outlined the combined efforts which included training at the academy, in service and Active Shooter training. Supt. Taylor commented on the communication system that is shared by the parties including encrypted codes. Chief Brashears commented on the special initiatives in the City including joint patrols, underage drinking prevention, and coffee with a cop and home follow-up visitations. Supt. Taylor noted the departments are very close which makes for greater efficiency. Chief Brashears noted the relationship is noted throughout the State and he spoke of protocol regarding campus overdoses. C. Leahy lauded the working relationship between the parties and it is important as the University continues to expand. Chief Taylor noted any issues between departments are addressed quickly.

ADJOURNMENT:

Motion "To Adjourn" by C. Rourke, seconded by C. Leary. So voted.

Meeting adjourned at 5:55 PM.

Michael Q. Geary, City Clerk

The City of Lowell
Office of the City Clerk
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 380***

Meeting: **City of Lowell City Council**

Subject: **Pace Energy (c/o Sonal Patel, LLC) request additional fuel storage of 25,000 gal. of gasoline and 5,000 gal. of diesel in underground tanks at 710 Lakeview Avenue.**

Recommendation:

Background:

Attachments:

pace fuel

CITY OF LOWELL

PETITION

TO THE
CITY COUNCIL

Pace Energy Corp.
c/o Sonal Patel LLC
710 Lakeview Ave.
Lowell MA.

Req additional fuel
Storage 25,000 gls gasoline
underground, 5,000 gls Diesel
underground

In City Council

June 14, 2016

Read and

FP-2A
(Rev. 04-2010)

The Commonwealth of Massachusetts

City/Town of LOWELL

Application For License

Massachusetts General Law, Chapter 148 §13

☐ New License ☒ Amended License

GIS Coordinates
LAT.
LONG.
License Number

Application is hereby made in accordance with the provisions of Chapter 148 of the General Laws of Massachusetts for a license to store flammables, combustibles or explosives on land in buildings or structures herein described.

Location of Land: 710 LAKEVIEW AVE. 28300/60 S19220
Number, Street and Assessor's Map and Parcel ID

Attach a plot plan of the property indicating the location of property lines and all buildings or structures.

Owner of Land: PACE ENERGY CORP C/O SONAL PATEL LLC

Address of Land Owner: 9 SANFORD ROAD CHELMSFORD, MA 01824

Use and Occupancy of Buildings and Structures: GAS STATION AND CONVENIENCE STORE

If this is an application for amendment of an existing license, indicate date of original license and any subsequent amendments 11/28/61, 12/6/94
Attach a copy of the current license

Flammable and Combustible Liquids, Flammable Gases and Solids

Complete this section for the storage of flammable and combustible liquids, solids, and gases; see 527 CMR 14; Attach additional pages if needed. All tanks and containers are considered full for the purposes of licensing and permitting.

PRODUCT NAME	CLASS	MAXIMUM QUANTITY	UNITS gal., lbs, Cubic feet	CONTAINER UST, AST, IBC, drums
REGULAR UNLEADED	(3)	20,000	GALLONS	UST
SUPER UNLEADED	(3)	5,000	GALLONS	UST
DIESEL	(COMBUSTIBLE)	5,000	GALLONS	UST

Total quantity of all flammable liquids to be stored: 25,000

Total quantity of all combustible liquids to be stored: 5,000

Total quantity of all flammable gases to be stored: _____

Total quantity of all flammable solids to be stored: _____

LP-gas *(Complete this section for the storage of LP-gas or propane)*

Indicate the maximum quantity of LP-gas to be stored and the sizes and capacities of all storage containers. *(See 527 CMR 6)*

- Maximum quantity *(in gallons)* of LP-gas to be stored in aboveground containers: _____

  List sizes and capacities of all aboveground containers used for storage: _____

- Maximum quantity *(in gallons)* of LP-gas to be stored in underground containers: _____

  List sizes and capacities of all underground containers used for storage: _____

Total aggregate quantity of all LP-gas to be stored: _____

Fireworks *(Complete this section for the storage of fireworks)*

Indicate classes of fireworks to be stored and maximum quantity of each class. *(See 527 CMR 2)*

- Maximum amount *(in pounds)* of Class **1.3G**: _____ Type/class of magazine used for storage: _____
- Maximum amount *(in pounds)* of Class **1.4G**: _____ Type/class of magazine used for storage: _____
- Maximum amount *(in pounds)* of Class **1.4**: _____ Type/class of magazine used for storage: _____

Total aggregate quantity of all classes of fireworks to be stored: _____

Explosives *(Complete this section for the storage of explosives)*

Indicate classes of explosive to be stored and maximum quantity of each class. *(See 527 CMR 13)*

- Maximum amount *(in pounds)* of Class **1.1**: _____ Number of magazines used for storage: _____
- Maximum amount *(in pounds)* of Class **1.2**: _____ Number of magazines used for storage: _____
- Maximum amount *(in pounds)* of Class **1.3**: _____ Number of magazines used for storage: _____
- Maximum amount *(in pounds)* of Class **1.4**: _____ Number of magazines used for storage: _____
- Maximum amount *(in pounds)* of Class **1.5**: _____ Number of magazines used for storage: _____
- Maximum amount *(in pounds)* of Class **1.6**: _____ Number of magazines used for storage: _____

I, ANAND PATEL, hereby attest that I am authorized to make this application. I acknowledge that the information contained herein is accurate and complete to the best of my knowledge and belief. I acknowledge that all materials stored pursuant to any license granted hereunder must be stored or kept in accordance with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts Chapter 148, and the Massachusetts Fire Code (527 CMR). I further acknowledge that the storage of any material specified in any license granted hereunder may not exceed the maximum quantity specified by the license.

Signature Anand Patel Date 5/26/16 Name ANAND PATEL

Fire Department Use Only

I, Philip Charron, Head of the Lowell Fire Department endorse this application with my

☒ Approval ☐ Disapproval

Signature of Head of the Fire Department 6/3/16 Date

Recommendations: _____

The City of Lowell
Law Department
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 417***

Meeting: **City of Lowell City Council**

Subject: **Ordinance-Create new position of Working Foreman Electrian Grade B Masters and establish Salary in DPW and modify certain job titles**

Recommendation:

Background:

Attachments:

Comment

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

ORDINANCE

An Ordinance creating one (1) new full time position of Working Foreman Electrician Grade B Master's License and establishing the salary therefor in the Department of Public Works and further modifying certain job titles to more accurately reflect job duties.

The complex needs of the Public Works Department would be better served by deleting the position of WF TRY Signal Maint/F.A., and changing the position name to that of a Grade B Elec/Fire Alarm Maint/Journeyman; and

The City Council by virtue of General Laws, Chapter 43, Section 5 has the right to reorganize the departments of the City of Lowell; and

The voters of Massachusetts have adopted the Home Rule Amendment to the Constitution of Massachusetts (Amendment 89 of Article II of the Constitution of Massachusetts); and

The City Council, by virtue of Massachusetts General Laws, Chapter 43, Section 105, has the authority to create and/or delete positions.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOWELL, as follows:

The Code of Ordinances City of Lowell, Massachusetts, hereinafter called the "Code", adopted by the City Council on December 23, 2008, as amended, is hereby further amended as follows:

1. In accordance with Chapter 43, Section 105 of Mass. General Laws, there is hereby deleted in the Public Works Department, the following position:

WF TRY Signal Maintenance/FA

2. In accordance with Chapter 43, Section 105 Mass. General Laws, the following positions and salaries are created in the Public Works Department, effective upon passage:

One (1) Full Time
"Working Foreman Electrician Grade B/Master's License"
Salary – min. $55,180.00 – max. $65,958.76

3. Furthermore, the following titles shall be changed or modified at no salary change as follows:

- The title of "WF TRY Signal Maint/F.A.," shall be modified to "a Grade B Elec/Fire Alarm Maint/Journeyman;"

4. All provisions of the Code of the City of Lowell, as amended, which are not inconsistent with this Ordinance shall continue in effect, but all provisions of said Code inconsistent herewith are repealed.

5. This Ordinance shall take effect upon its passage in accordance with the provisions of Chapter 43 and 40A of the General Laws of the Commonwealth of Massachusetts.

APPROVED AS TO FORM:

Christine P. O'Connor
City Solicitor

Ordinance/reorgelectricians/2016

CITY OF LOWELL
Job Description
Please Post ~ Month/Day/Year
Deadline ~ Month/Day/Year
Department of Public Works
Working Foreman Electrician Grade B Master's License

Job Title:	Working Foreman Electrician Grade B/Master's License (xxx-xx, xxxx)
Department:	Public Works – Electrical Division
Reports To:	Asst. City Manager/DPW Commissioner, City Electrician, and other designated personnel
FLSA Status:	NON-EXEMPT
Union:	AFSCME 1705
Salary:	$55,180.00(min)-$65,958.76(max)

SUMMARY

Plans layout, installs, and repairs wiring, electrical fixtures, apparatus, and control equipment by performing the following duties. Supervises Electrical Division in the absence and under the direction of City Electrician

ESSENTIAL DUTIES AND RESPONSIBILITIES include the following. Other duties may be assigned.

Plans new or modified installations to minimize waste of materials, provide access of future maintenance, and avoid unsightly, hazardous, and unreliable wiring, consistent with specifications and local electrical codes.
Prepares sketches showing location of wiring and equipment, or follows diagrams or blueprints, ensuring that concealed wiring is installed before completion of future walls, ceilings, and flooring.
Measures, cuts, bends, threads assembles, and installs electrical conduit.
Pulls wiring through conduit.
Splices wires by stripping insulation from terminal leads, twisting or soldering wires together, and applying tape or terminal caps.
Connects wiring to lighting fixtures and power equipment.
Installs control and distribution apparatus such as switches, relays, and circuit-breaker panels.
Connects power cables to equipment, such as electric range or motor, and installs grounding leads.
Tests continuity of circuit to ensure electrical compatibility and safety of components with testing instruments such as ohmmeter, battery and buzzer, and oscilloscope.
Observes functioning of installed equipment or system to detect hazards and need for adjustments, relocation, or replacement.
Repairs faulty equipment or systems; troubleshoots and repairs faulty wiring, defective

equipment and machinery; uses common hand tools and electrical test equipment.
Interprets company policies to workers and enforces safety regulations.
Interprets specifications, blueprints, and job orders to workers, and assigns duties.
Establishes or adjusts work procedures to meet production schedules.
Recommends measures to improve production methods, equipment performance, and quality of product.
Suggests changes in working conditions and use of equipment to increase efficiency of shop, department, or work crew.
Analyzes and resolves work problems, or assists workers in solving work problems.
May maintain time requisitions, and inspects materials.
Confers with other supervisors to coordinate activities of individual departments.
Sets up machines and equipment; performs activities of workers supervised; operates various motor vehicle equipment as required for the duties; cuts and welds steel structural member.
Performs related duties as required.

SUPERVISORY RESPONSIBILTIES
Directly supervises Electrical Division Grade B Electricians in the Department of Public Works.
Carries out supervisory responsibilities in accordance with the organization's policies and applicable laws.
Responsibilities include interviewing and training employees; planning, assigning, and directing work; appraising performance; rewarding and disciplining employees; addressing complaints and resolving problems.
Assign and coordinate work for electricians as directed by City Electrician.
Provide emergency assistance when needed.
Assume duties of City Electrician when s/he is unavailable due to vacation, sick, etc.
Assist in maintaining records for work orders, receipts and P.O's.
Assist of day-to-day operations of office.
Supervise at special events.
Assist when needed with after hour emergency calls.
Coordinate overtime schedule and supervise overtime work.

QUALIFICATIONS
To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

EDUCATION and/or EXPERIENCE
High school diploma or general education degree (GED); two years related experience and/or training; or equivalent combination of education and experience.

LANGUAGE SKILLS
Ability to read and interpret documents such as safety rules, operating and maintenance instructions, and procedure manuals. Ability to write routine reports and correspondence. Ability to speak effectively before groups of customers or employees of organization.

MATHEMATICAL SKILLS
Ability to add, subtract, multiply, and divide in all units of measure, using whole numbers, common fractions, and decimals. Ability to compute rate, ratio, and percent and to draw and interpret bar graphs.

REASONING ABILITY
Ability to solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists. Ability to interpret a variety of instructions furnished in written, oral, diagram, or schedule form.

CERTIFICATES,LICENSES,REGISTRATIONS
MA Master Electrician License required. Will be required to comply with any additional license requirements that may arise in the near future.

PHYSICAL DEMANDS
The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to stand; walk; sit; use hands to finger, handle, or feel; reach with hands and arms; climb or balance; stoop, kneel, crouch, or crawl; talk or hear; and taste or smell. The employee must occasionally lift and/or move up to 50 pounds and occasionally lift and/or move up to 100 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and ability to adjust focus.

WORK ENVIRONMENT
The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.
While performing the duties of this job, the employee is frequently exposed to wet and/or humid conditions; moving mechanical parts; high, precarious places; fumes or airborne particles; toxic or caustic chemicals; outside weather conditions; risk of electrical shock; and vibration. The noise level in the work environment is usually moderate.

The City of Lowell is a smoke and drug free employer and requires physical with drug screen, and CORI post offer.

Qualified individuals should send application/resume with cover letter to the Human Relations Office, Mary Callery, HR Director Room 19 - City Hall, Lowell, MA 01852 by 4:00 PM: Deadline ~ Month Date, Year. Applicants may also send application/resume with cover letter to fax 978-446-7102 or email to cityjobs@lowellma.gov

Proposed Salary Grid for WF/Electrician Grade B/Master's License -1705										
EFFECTIVE DATE	GROUP/BU	GROUP/BU DESC	GRADE/RANK OR PAYBAND	DESCRIPTION	PAY BASIS DESC					
07/01/2014	2000	AFSCME								
DEFAULT PAY PERIO	HOURS PER	HOURS PER PERIOI	HOURS PER YEAR	DAYS PER PERIOD	DAYS PER YEAR					
52.0000	8.00	40.00	2,088.00	5.00	262.00					
		STEP/LEVEL	HOURLY RATE	DAILY RATE	PERIOD SALARY	ANNUAL SALARY				
									dollar	percentage
		0								
		1	$ 26.5288	$ 212.2308	$ 1,061.1538	$ 55,180.00				
		2	$ 27.0681	$ 216.5451	$ 1,082.7254	$ 56,301.72		difference from step 1-2	$ 1,121.72	2.03284%
		3	$ 27.6212	$ 220.9698	$ 1,104.8488	$ 57,452.14		difference from step 2-3	$ 1,150.42	2.04331%
		4	$ 28.1878	$ 225.5025	$ 1,127.5126	$ 58,630.66		difference from step 3-4	$ 1,178.52	2.05130%
		5	$ 28.7685	$ 230.1480	$ 1,150.7398	$ 59,838.47		difference from step 4-5	$ 1,207.82	2.06004%
		6	$ 29.3644	$ 234.9156	$ 1,174.5778	$ 61,078.05		difference from step 5-6	$ 1,239.58	2.07154%
		7	$ 29.9745	$ 239.7959	$ 1,198.9794	$ 62,346.93		difference from step 6-7	$ 1,268.88	2.07748%
		8	$ 30.5995	$ 244.7960	$ 1,223.9799	$ 63,646.96		difference from step 7-8	$ 1,300.03	2.08515%
		9	$ 31.1502	$ 249.2019	$ 1,246.0096	$ 64,792.50		difference from step 8-9	$ 1,145.54	1.79983%
		10	$ 31.7109	$ 253.6875	$ 1,268.4377	$ 65,958.76		difference from step 9-10	$ 1,166.26	1.80000%

[redacted]

City of Lowell
Job Description
Please Post: August 20, 2015
Deadline: Open Until Filled
Department of Public Works
Electrician Grade B Journeyman

Job Title:	**Electrician Grade B- Fire & Traffic Alarm-Journeyman** (2000-78, 2186)
Department:	Public Works: Electrical Division
Reports To:	City Electrician and other designated personnel as required
FLSA Status:	Non-exempt
Union Status:	AFSCME 1705
Salary:	$17.4633 (min) to $25.0930 (max) per hour

SUMMARY

Supervises and works with electrical employees engaged in construction, maintenance and repair of electric power, municipal traffic and fire alarm maintenance systems and lighting by performing the following duties.

ESSENTIAL DUTIES AND RESPONSIBILITIES include the following. Other duties may be assigned.

Plans wiring and installation of equipment and fixtures such as motors, generators, switches, circuit breakers, and fuse boxes.
Inspects wiring and fixtures for conformance to local electrical codes.
Studies production schedules and estimates worker hour requirements for completion of job assignment.
Uses common hand tools and electrical test equipment.
Interprets City policies to workers and enforces safety regulations.
Interprets specifications, blueprints, and job orders to workers, and assigns duties.
Installs, maintains, adjusts and repairs traffic lights, signal and control devices including aerial or underground circuits.
Maintains fire alarms and traffic signal devices throughout the City.
Performs tests and troubleshooting of circuits and equipment.
Locates and replaces faulty parts, switches, fuses, wiring and other components relative to traffic and fire alarm maintenance.
Repairs fire and/or police signal systems consisting of boxes, registers, switches, relays, lights, switchboards, bells, sirens, circuits and cables.
Recommends measures to improve production methods, equipment performance, and quality of product.
Suggests changes in working conditions and use of equipment to increase efficiency of shop, department, or work crew.

Analyzes and resolves work problems, or assists workers in solving work problems. May maintain time and production records.
May estimate, requisition, and inspect materials.
Confers with supervisors to coordinate activities of individual departments.
Sets up machines and equipment.
Performs skilled electrical work at the journeyman level.
Installs, tests, repairs, troubleshoots and maintains electrical circuits, wiring systems, fixtures, appliances and equipment.
Troubleshoots and repairs faulty wiring, defective equipment and machinery such as motors, generator, transformer, switches, sockets etc.
Operates motor vehicles in conjunction with electrical duties.
Performs activities of workers supervised.

SUPERVISORY RESPONSIBILITIES

May directly supervise 2-3 employees. Carries out supervisory responsibilities in accordance with the organization's policies and applicable laws. Responsibilities include training employees; planning, assigning, and directing work; and resolving problems.

QUALIFICATIONS

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

EDUCATION and/or EXPERIENCE

Two years of related experience required. Knowledge of state and local electrical codes. Knowledge of the principles and theory of electricity. Knowledge of the types and uses of small hand tools used in electrical practice. Knowledge of the types and uses of equipment including testing equipment used in electrical trade. Knowledge of inspection techniques used in trade. Skill in using small hand tools. Skill in the use of precision measuring equipment, gauges and instrumentation used in electrical work. Ability to understand and explain and apply the laws and regulations governing assigned unit activities. Ability to follow oral and written instructions. Ability to make decisions and act quickly in emergency situations. Ability to climb and work from ladders and other equipment. Ability to install, maintain and repair electrical wiring systems and equipment. Ability to detect and locate causes of electrical failure or breakdown of equipment. Ability to work with tools, materials and equipment of the electrical trade. Knowledge of the methods and techniques of testing fire alarm systems. Knowledge of the procedures and methods followed in installing, maintaining and repairing fire alarm systems. Knowledge of testing street lighting systems. Knowledge of the methods and techniques of testing traffic control systems.

LANGUAGE SKILLS

Ability to read and interpret documents such as safety rules, operating and maintenance instructions, and procedure manuals. Ability to write routine reports and correspondence.

MATHEMATICAL SKILLS

Ability to add, subtract, multiply, and divide in all units of measure, using whole numbers, common fractions, and decimals. Ability to perform algebraic calculations to determine voltage, amperage and resistance factors. Ability to compute ratio, and percent and to draw and interpret bar graphs.

REASONING ABILITY
Ability to solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists. Ability to interpret a variety of instructions furnished in written, oral, diagram, or schedule form.

LICENSES
MA Journeyman Electrical License required.

PHYSICAL DEMANDS
The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to stand; walk; sit; use hands to finger, handle, or feel; reach with hands and arms; climb or balance; stoop, kneel, crouch, or crawl; talk or hear; and taste or smell. The employee must frequently lift and/or move up to 100 pounds and occasionally lift and/or move more than 100 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, and depth perception.

WORK ENVIRONMENT
The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently exposed to wet and/or humid conditions; moving mechanical parts; high, precarious places; fumes or airborne particles; toxic or caustic chemicals; outside weather conditions; extreme cold; extreme heat; risk of electrical shock; and vibration. The employee is occasionally exposed to explosives and risk of radiation. The noise level in the work environment is usually moderate.

The City of Lowell is a smoke and drug free employer and requires a physical with drug screen and CORI, post offer.

Qualified individuals should send application/resume with cover letter to the Human Relations Office, Mary Callery, HR Director Room 19 - City Hall, Lowell, MA 01852 by 4:00 PM: Deadline ~ Open Until Filled. Applicants may also send application/resume with cover letter to fax 978-446-7102 or email to cityjobs@lowellma.gov

EOE/AA/504 Employer

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05/15/2016 12:15 | CITY OF LOWELL | P 1
ndo | SALARY TABLES | pmgrstep

EFF. DATE	GROUP/BU	GRADE/ RANK	DESCRIPTION	PAY BASIS	FREQUENCY	CALC	PERIODS	HRS/ DAY	HRS/ PERIOD	DAYS/ PERIOD	HRS/ YEAR	DAYS/ YEAR	USE PCT
07/01/2014	2000 AFSCME	78	ELECTR/GRB JRNY	W WEEKLY	W WEEKLY	21	52.0000	8.00	40.00	5.00	2088.00	262.00	N

Change was made by 2.5000%
added 2 new steps 1.80% between steps 8/9 effective 7-1-15

STEP/LEVEL	PERCENT	HOURLY RATE	DAILY RATE	PERIOD SALARY	ANNUAL SALARY
00	0.0000	3.7445	29.7273	149.78	7,788.56
01	0.0000	17.4633	138.6395	698.53	36,323.56
02	0.0000	18.4605	146.5566	738.42	38,397.84
03	0.0000	19.8060	157.2385	792.24	41,196.48
04	0.0000	21.1443	167.8627	845.77	43,980.04
05	0.0000	22.4973	178.6041	899.89	46,794.28
06	0.0000	23.8500	189.3435	954.00	49,608.00
07	0.0000	24.3410	193.2415	973.64	50,629.28
08	0.0000	24.8440	197.2348	993.76	51,675.52
09	0.0000	25.2913	200.7855	1,011.65	52,605.80
10	0.0000	25.7465	204.3997	1,029.86	53,552.72

** END OF REPORT - Generated by Nancy Do **

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www.LowellMA.gov

Ralph Snow, PE
Assistant City Manager/Commissioner

MEMORANDUM

TO: Kevin J. Murphy, City Manager

FROM: Ralph Snow, Assistant City Manager/DPW Commissioner

DATE: June 9, 2016

SUBJECT: CITY ELECTRICIAN POSITION

Over the past few years, the Electrical Division has evolved within the Lands and Buildings Department of the DPW. Due to the technical nature of the scope of work, much of the work load does not easily translate into the capable workload of Lands and Buildings specialists. As a result, the Electrical Division acts much like an independent division and reports directly to the DPW Commissioner with minor oversight from the Deputy Commissioner of Lands and Buildings. For this reason, we have proposed a change in the reporting structure and have created the Working Foreman Position within the Electrical Division.

Currently, the City Electrician is the only person of authority over his work group. In his absence, there lacks a defined chain of command to carry out essential duties and to assume emergency responsibilities. This position affords the Electrical Division a licensed Master Electrician to assume responsibilities in the City Electricians absence. This includes a direct line 24/7 beeper and cell phone to respond to emergency calls. At present, emergency calls are directed to the DPW Commissioner in the City Electrician's absence. It also creates an efficient chain of command within the Division without increasing or decreasing the number of positions, without adding to the overall salaries and wages, and without drastically increasing the workload to our current staff.

I respectfully request that we create a position of authority from within the remaining positions in the Electrical Division and to keep them under the 1705 umbrella. Specifically, I would like to change the "Working Foreman Traffic Signal Maintenance and Fire Alarms" position into a "Working Foreman Grade B Master" licensed position with commensurate salary increase. This position and increase will be funded from the retirement of the incumbent Working Foreman Traffic Signal Maintenance and Fire Alrms Technician.

The City of Lowell
Office of the City Manager
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Agenda Item: ***2016 / 455***

Meeting: **City of Lowell City Council**

Subject: **Motion Responses:**
(A) LED Bulletin Board at the Lord Overpass
(B) St. Hilaire Car Wash
(C) Mansion Drive
(D) Extract Narrative Portions FY17 Budget for Marketing
(E) Update on Old Ferry Road
(F) Christian Hill Reservoir
(G) UMASS Expansion and Impact on Tax Revenue
(H) Update on PILOT Revenue
(I) Lowell Memorial Auditorium
(J) Road Work on Nesmith Street
(K) Residential Housing versus Commercial Development at Connector Park
(L) South Common

Informational:
(M) Summer Programs
(N) Development Services Fine Revenue

Recommendation:
Background:
Attachments:

(A) Motion Response - LED Bulletin Board at the Lord Overpass

(B) Motion Response - St. Hilaire Car Wash

(C) Motion Response - Mansion Drive

(D) Motion Response - Extract Narrative Portions FY17 Budget for Marketing

(E) Motion Response- Update on Old Ferry Road

(F) Motion Response - Christian Hill Reservoir

(G) Motion Response - UMASS Expansion and Impact on Tax Revenue

(H) Motion Response - Update on PILOT Revenue

(I) Motion Response- Lowell Memorial Auditorium

(J) Motion Response - Road Work on Nesmith Street

(K) Motion Response - Residential Housing versus Commercial Development at Connector Park

(L) Motion Response - South Common

(M) Informational - Summer Programs

(N) Informational - Development Services Fine Revenue

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MEMORANDUM

Diane Nichols Tradd
Assistant City Manager/DPD Director

Kevin E. Coughlin
Deputy Director

TO: Kevin J. Murphy, City Manager

FROM: Diane N. Tradd, Assistant City Manager/DPD Director

SUBJECT: COUNCIL MOTION OF 6/14/16 BY COUNCILOR ELLIOTT REQUEST CITY MANAGER LOOK INTO LED BULLETIN BOARD AT LORD OVERPASS TO REPLACE CURRENT PLASTIC BANNERS AND FUTURE USE FOLLOWING REALIGNMENT OF OVERPASS

The Department of Planning and Development will work with the Cultural Affairs and Special Events office to explore possibilities from both a short-term and long-term approach to placing electronic Variable Message Signs (VMS) on the Lord Overpass.

Short-term, staff began initial pricing and received costs of upwards of $30,000 for a basic 4x8 single color LED board. Signs typically weigh between 250-300 lbs.; it will be prudent to conduct a structural assessment of the Overpass railing system to ensure it can hold the load. Safety and liability are of the utmost concern.

Long-term, the feasibility of placing an electronic VMS on Thorndike Street will be studied as part of the Lord Overpass project. Initial plans are to create an Intelligent Transportation System (ITS) network for the Thorndike/Dutton Street corridor which would incorporate VMS signs, cameras, and interconnected traffic signals all coordinated from a central computer. The VMS sign(s) would display event information, parking availability, and emergency information to motorists. This new system will most likely be a mounted roadside, for safety reasons.

Also, according to ordinance §171-36, the plastic banners on the Lord Overpass are technically an illegal nuisance:

> "Article IV: Nuisance Posting
>
> 171-36. Nuisance. The City of Lowell hereby determines that the posting of items as described below is a nuisance.
>
> 171-37. Violations. It is illegal for any person to [attach or affix by any means] whatsoever any handbill, poster, notice, sign, advertisement, sticker or other printed material upon any curb, gutter… bridge, elevated train structure… or other similar public item on any street."

The signage creates a danger when the signs break free, as has happened several times in the past year. In addition, some citizens have expressed concerns about the unattractiveness of the multiple signs and the lack of timeliness in removing them after an event. As a result, all banners have been removed from the Lord Overpass as of June 16, 2016 and DPW has been directed to remove any banners that are hung on the Overpass in the future.

DNT/ns
6/24/16
cc: Ralph Snow, Assistant City Manager/DPW Commissioner
Nicolas Bosonetto, Transportation Engineer
Susan Halter, Director Cultural Affairs
Henri Marchand, Special Events Coordinator

The City of Lowell • Dept. of Planning and Development • Division of Development Services
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Diane N. Tradd
Assistant City Manager/DPD Director

R. Eric Slagle
Director of Development Services

Shaun Shanahan
Building Commissioner

MEMORANDUM

TO: Kevin J. Murphy, City Manager
Diane Tradd, Assistant City Manager/DPD Director

FROM: R. Eric Slagle, Director of Development Services

SUBJECT: COUNCIL MOTION OF 6/14/16 BY COUNCILOR MERCIER REQUEST CITY MANAGER HAVE DEVELOPMENT SERVICES CONTINUE TO OVERSEE THE ST. HILAIRE CAR WASH PROPERTY AT 1682 MIDDLESEX STREET FOR HEALTH/SAFETY VIOLATIONS AS OCCURRED ON THE EVENING OF JUNE 4TH AS WELL AS THE REMOVAL OF THE PLANET AID BOX ON THE PREMISES

This memorandum addresses the request from Councilor Mercier regarding the property located at 1682 Middlesex St., currently operated as a car wash. As noted in the motion, members of Development Services staff, including Building Commissioner Shaun Shanahan, were called out to the property on June 4, 2016 for a report of excessive trash on the property. At that time, staff worked with the property owner to have the site cleaned, by the owner, that evening. Additionally, staff is working with Planet Aid to remove the donation box from the property, or in the alternative, move the box to the rear of the property and properly fence and screen it from the abutting properties.

Development Services will continue to monitor the site for code compliance, and will follow up with the owner if violations are observed onsite in the future.

ES
6/24/2016

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Ralph Snow, PE
Assistant City Manager/Commissioner

MEMORANDUM

TO: Kevin J. Murphy, City Manager

FROM: Ralph Snow, Assistant City Manager/DPW Commissioner

DATE: June 22, 2016

SUBJECT: MOTION NO. 2016/395 C. MILINAZZO

REQUEST CITY MANAGER ADD MANSION DRIVE TO THE PAVING LIST.

As requested, Mansion Drive will be added to the paving list. The current pavement condition index (PCI) for Mansion Drive is 53, which is below the City's average PCI of 70. This makes it a good candidate for repaving. As the contracts are already in place for this year's paving, Mansion Drive will be included in a future year's list to be determined upon the completion of a new street inventory and condition ratings for the entire city which is currently being updated. The new ratings will be available before we create next year's work program.

Please let me know if there are any questions regarding this information.

cc: Lisa DeMeo, City Engineer

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Diane Nichols Tradd
Assistant City Manager/DPD Director

Kevin E. Coughlin
Deputy Director

MEMORANDUM

TO: Kevin J. Murphy, City Manager

FROM: Conor Baldwin, Chief Financial Officer
Diane N. Tradd, Assistant City Manager/DPD Director

SUBJECT: MOTION OF 06/14/2016 BY COUNCILOR SAMARAS
REQUEST CITY MANAGER WORK WITH STAFF TO EXTRACT NARRATIVE PORTIONS OF THE FY17 BUDGET REPORT TO BE USED AS INFORMATION DOCUMENT FOR DEVELOPERS

The Department of Planning and Development is updating its marketing brochures and will include relevant portions of the FY17 Budget Report in these materials. The economic development office distributes marketing materials to companies considering locating in Lowell and to developers seeking new opportunities to build in the City. The economic development office also highlights many of the projects and statistics called out in the report in a monthly e-newsletter that reaches 1,900 readers.

DPD will also update its pages on www.lowellma.gov and www.lowell.org to reflect the information provided in the Budget Report.

cc: Allison Lamey, Economic Development Director

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Diane Nichols Tradd
Assistant City Manager/DPD Director

Kevin E. Coughlin
Deputy Director

MEMORANDUM

TO: Kevin J. Murphy, City Manager

FROM: Diane N. Tradd, Assistant City Manager/DPD Director

SUBJECT: UPDATE TO COUNCIL MOTION OF 1/12/16 BY COUNCILORS SAMARAS AND LEARY REQUEST CITY MANAGER HAVE TRAFFIC ENGINEER EXPLORE TRAFFIC SAFETY ISSUE CREATED BY CARS USING BREAKDOWN LANE TO TURN RIGHT ONTO OLD FERRY ROAD FROM ROUTE 110 (PAWTUCKET BOULEVARD)

The right turn lane from Pawtucket Boulevard onto Old Ferry Road has been installed at minimal cost to the City:

1) MassDOT generously restriped the approach to Old Ferry Road to include the right turn lane and arrow markings as part of their repaving project.
2) The City Electrician had his crews realign the signal heads and install the arrow lenses with existing supplies.
3) The Sign and Meter Department is ordering a lane indication sign to replace the "Travel Prohibited on Breakdown Lane" sign.

DNT/ns
6/24/16
cc: Nicolas Bosonetto, Transportation Engineer
Steve Coutu, City Electrician
John Cooper, Sign and Meter Department

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Diane Nichols Tradd
Assistant City Manager/DPD Director

Kevin E. Coughlin
Deputy Director

MEMORANDUM

TO: Kevin J. Murphy, City Manager

FROM: Diane N. Tradd, Assistant City Manager/DPD Director

SUBJECT: COUNCIL MOTION OF 3/22/16 BY COUNCILOR LEARY
REQUEST CITY MANAGER REVIEW THE FEASBILITY OF TURNING THE CHRISTIAN HILL "OPEN" RESERVOIR INTO A PUBLIC PARK AND/OR RECREATIONAL SPACE

In order to adequately respond to this motion, the Department of Planning and Development (DPD) reached out to the Water Department and the Parks and Cemeteries Department.

Erik Gitschier, Executive Director of the Water Department provided the following information:

On March 30, 2016 the Water Department reached out to Woodard & Curran and asked that they give the City a cost estimate to fill the reservoir in at two elevations. The first elevation would be an approximate elevation of 184' or the current top of the dam. The cost estimate for the current elevation would be $2.9 million. The second elevation would be 175' or ten feet below the current elevation. Under this scenario, the gatehouse would require some maintenance to maintain the aesthetics but we believe with some sloping and landscaping the desired effect can be achieved. The cost estimate for this scenario would be $1.7 million.

Tom Bellegarde, Commissioner of Parks and Cemeteries informed DPD that for years the Parks Department has worked on transforming large areas of overgrowth into landscaped areas, which all but eliminated the illegal activities at the site. Several hundred linear feet of chain link fence has been removed along Beacon Street, and black post and chain has been installed in its place. Partnerships with neighborhood groups and gardening groups have resulted in the planting of ornamental gardens and trees, and granite benches have also been and installed.

The Parks Department has a weekly maintenance schedule (cutting, cleaning, etc.), maintains regulatory signage (park hours, usage, animal control, etc.); and the Water Department has removed growth along the interior field and continues to monitor the water levels at the site. The ROTC cadets from Lowell High School are scheduled for dates to rake leaves, paint, and plant flowers during the fall season, and provide cornstalks, etc. during the holidays.

Residents of this neighborhood enjoy this passive recreational area, and if the reservoir is to be filled and used for additional recreational space, neighborhood groups and gardening groups should meet with City departments to discuss the future use of this green space.

DNT/ns
6/10/16
cc: Erik Gitschier, Executive Director – Water Department
Thomas Bellegarde, Commissioner of Parks and Cemeteries

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Conor Baldwin
Chief Financial Officer

MEMORANDUM

TO: Kevin J. Murphy, City Manager

FROM: Conor Baldwin, Chief Financial Officer

CC: Susan LeMay, Chief Assessor

DATE: June 20, 2016

SUBJECT: MOTION 8.8 2016/324 C. Elliott – Req. City Mgr. provide report on UMASS expansion of dormitories at Residences at Perkins Park and the Lofts at Perkins Park and impact of city tax revenue

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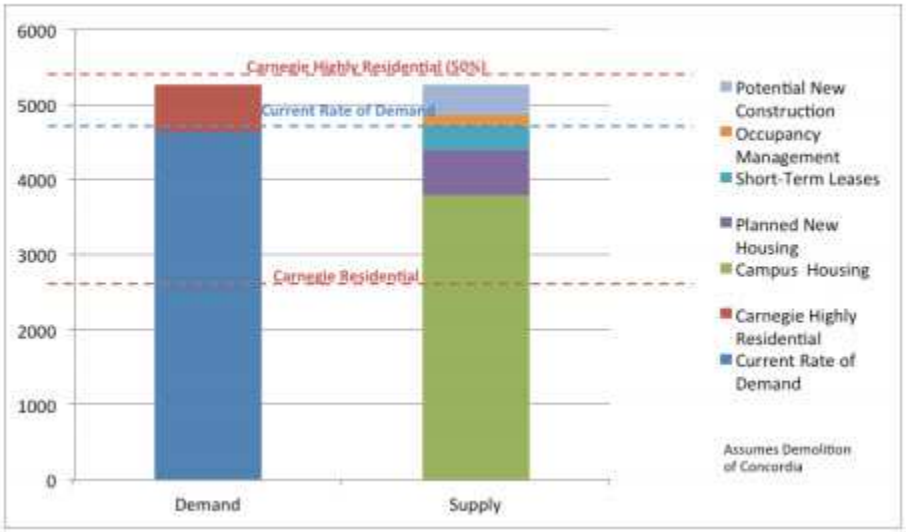
The 2014 UML Capital Plan Update sets forth its enrollment goals of 20,000 total students, including 12,000 undergraduate students by 2018. The document further states that UMass Lowell is actively working to add 600-700 beds to its inventory over the next three years through planned projects. The table below is taken from the UMass Lowell Capital Plan document and shows that—in order to meet the demand rate projected by the University—new construction or acquisition would be necessary.

UMass Lowell Fall 2018 Housing Supply and Demand



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Conor Baldwin
Chief Financial Officer

Map #	Parcel Number	Address	FY16 Actual Taxes Collected	FY17 Tax Bill Projection
1	P11945	1 Perkins Street	$ 17,315	$ 17,661
2	P11950	21 Perkins Street	$ 64,999	$ 66,298
3	P11955	39 Perkins Street	$ 139,812	$ 142,608
4	P11960	40 Perkins Street	$ 48,407	$ 49,375
5	R10455	65 Perkins Street	$ 50,642	$ 51,655
			$ 321,173	$ 327,597

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Conor Baldwin
Chief Financial Officer

The table and map on the previous page detail the tax impact of the expected July purchase of the various properties on Perkins Street. UMass Lowell will be buying The Lofts at Perkins Park, the Residences at Perkins Park, the Ames Garage, and adjacent surface parking lots, and the Hoff Advancement Center Building. UMass plans to convert the apartments to a student residence hall in summer 2017 for occupancy starting in the fall of 2017. The purchase was executed by the UMass Building Authority, which is a Boston-based agency that handles real estate and construction for all of the University of Massachusetts campuses.

Those properties to be purchased by the University collectively paid $321,173 in tax revenue in fiscal year 2016. Based on the Assessor's preliminary FY2017 estimates, that figure would have grown to $327,597 in the upcoming fiscal year.

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Conor Baldwin
Chief Financial Officer

MEMORANDUM

TO: Kevin J. Murphy, City Manager

FROM: Conor Baldwin, Chief Financial Officer

CC: Susan LeMay, Chief Assessor

Rodney Conley, Deputy Chief Financial Officer

DATE: June 21, 2016

SUBJECT: FOLLOW-UP to MOTION 8.8 2016/324 C. Elliott – Req. City Manager report on the amount of revenue received from Payment in Lieu of Taxes programs (PILOT)

At a recent City Council meeting, the City Council requested some additional information regarding the motion response on PILOT payments in Lowell.

Attached to this memorandum is a list generated by the Assessors' Office which details each non-profit organization in the city, their location, land area, and the total dollar amount requested by the city in fiscal year 2015. The formula used for determining the request is based on a model developed in Cambridge, Massachusetts. The request is derived by dividing the fiscal year tax levy by the total square footage of land in Lowell. In fiscal year 2015, this equated to $0.33 per square foot of land. That dollar figure is then multiplied by the total square footage of each organization. The total amount of PILOTs requested from the organizations was $1,985,327.52; the amount received was $16,828.97, less than 1% of the total. The assessed value of the land, buildings, and personal property are not currently considered into the request. If these values were factored into the formula, the request would be much higher.

UMass Lowell is absent from the enclosed list because they were not sent a letter in FY15. Based on the aforementioned formula for calculating potential PILOT payments, however, the University would receive a request for $1,867,385 for the 5,603,893 square feet of space it occupies across the city. While the Commonwealth does reimburse municipalities for state-owned land each year on the Cherry Sheet, if FY15 the city received only $201,060 for all land owned by the Commonwealth.

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Conor Baldwin
Chief Financial Officer

Some communities, such as the City of Boston, have established PILOT task force committees to study and analyze the impact of non-profit organizations. In January 2009, former Boston Mayor Tom Menino created a Task Force to examine the relationship between the City and tax-exempt institutions, specifically the major educational and medical institutions. Lowell could model a similar committee to investigate and determine the best course of action moving forward.

The following would be the PILOT Task Force's primary objectives:

- Set a standard level of contributions - in programs and payments - to be met by all major tax-exempt land owners in Lowell.
- Develop a methodology for valuing community partnerships made by tax-exempt institutions.
- Propose a structure for a consolidation program and payment negotiation system, which will allow the City and its tax-exempt institutions to structure longer term, sustainable partnerships focused on improving services for Lowell's residents.
- Clarify the costs associated with providing City services to tax-exempt institutions.
- If necessary, provide recommendations on legislative changes needed at the City or state level.

The Massachusetts Municipal Association has developed, as part of its legislative package for the 2015-2016 legislative sessions that began on January 7, 2015, two bills relative to PILOT payments (H. 2584 and S. 1451). Copies of those two bills are also attached to this memorandum. The bills would allow cities and towns, upon local acceptance, to require certain tax-exempt charitable organizations to make payments in lieu of taxation (PILOT) to host cities and towns equal to 25 percent of what they would pay if the property were not exempt. The bill would require cities and towns to adopt bylaws or ordinances to provide for agreements between the municipality and organizations that may provide for exemptions from payment, consideration of community benefits as payment, and administration of payments.

FORMULA: Lowell total sf of land = 352,478,695 ***FY 15 tax levy: 117,457,260.91*** ***/352,478,695 = 0.33323 per sq. ft.*** ***$ 0.33***

Organization Name	Account No.	St. No.	Location	Area Impr?	Land Area	Total Sq. Ft.	FY 2015 Request	Request Mailed	Amount Rec'd	Date Rec'd
ADVOCATES INC ONE CLARKS HILL STE 305 FRAMINGHAM, MA 01702	211020	278	EMERY AVE	Y	17,100	17,100	5,643.00	4/13/14	$ -	Letter filed
ALTERNATIVE SUPPORTS INC 47 CALVERY ST WALTHAM, MA 02153-5974	210548	170	TOWNSEND AVE	Y	10,000					
	210578	56	EVERGREEN RD	Y	8,211					
	210631	47	HENRY AVE	Y	14,423					
	210547	15	RIVERBY ST	Y	7,964	40,598	13,397.34	4/13/14	$ -	
AMERICAN LEGION POST 87 PO BOX 2001 - HIGHLAND STATION LOWELL, MA 01851	201356	684	WESTFORD ST	Y	35,909	35,909	11,849.97	4/13/14	$ -	
AMERICAN TRAINING INC 10 GLENN ST LAWRENCE, MA 01843	210947	150	INDUSTRIAL AVE E	Y	67,723	67,723	22,348.59	4/13/14	$ -	
APPLETON HOUSING CORP 99 CHURCH ST LOWELL, MA 01852	200054	136	LAWRENCE ST	Y	37,026	37,026	12,218.58	4/13/14	$ -	
ARMENIAN RELIEF SOCIETY INC 142 LIBERTY ST LOWELL, MA 01851	210046	142	LIBERTY ST	Y	3,022	3,022	997.26	4/13/14	$ 200.00	4/21/2015
ASSEMBLY OF CHRISTIAN CHURCHES INC. 60 LAWRENCE ST LOWELL, MA 01852	201477	60	LAWRENCE ST	Y	10,354	10,354	3,416.82	4/13/14	$ 800.00	4/23/2015
BOCHASANWASI SHREE AKSHAR PURUSHOTTAM SW 50 STEDMAN ST LOWELL, MA 01851	210669	50	STEDMAN	Y	98,517	98,517	32,510.61	4/13/14	$ -	

CALVARY BAPTIST CHURCH 60 HASTINGS ST LOWELL MA 01851	200877	204	LIBERTY ST	Y	45,078	45,078	14,875.74	4/13/14	$ -	
CAMBOIDAN MUTUAL ASSISTANCE ASSOC OF GL 465 SCHOOL ST LOWELL MA 01851	211067	465	SCHOOL ST	Y	11,200	11,200	3,696.00	4/13/14	$ -	
CATHOLIC CHARITABLE BUREAU 49 FRANKLIN ST BOSTON, MA 02110	201478	48	LAWRENCE ST	Y	23,348	23,348	7,704.84	4/13/14	$ -	
CATHOLIC CHARITABLE BUREAU 75 KNEELAND ST BOSTON, MA 02110	201040	70	LAWRENCE ST	Y	17,235	17,235	5,687.55	4/13/14	$ -	
CIRCLE HEALTH INC P O BOX 1965 LOWELL MA 01853	210213	336	F/K/A VNA CENTRAL ST	Y	29,582	29,582	9,762.06	4/13/14	$ -	
THE COMMUNITY FAMILY INC 236 BROADWAY ST LOWELL, MA 01854	290020	236	BROADWAY ST	Y	9,105	9,105	3,004.65	4/13/14	$ -	
COMMUNITY OF KHMER BUDDIST MONKS INC	211070	800	VARNUM AVE	Y	352,073					
48 TOWNSEND AVE	211071	810	VARNUM AVE	N	117,227					
LOWELL, MA 01854	211069	52	TOWNSEND AVE	N	8,468					
	211068	48	TOWNSEND AVE	Y	8,042	477,768	157,663.44	4/13/14	$ -	
COMMUNITY TEAM WORK INC	210714	360	PAWTUCKET ST	Y	15,491					
155 MERRIMACK ST	210712	767	MERRIMACK ST	Y	3,325					
LOWELL MA 01852-3259	210716	772	MERRIMACK ST	N	5,940					
	210353	126	PHOENIX AVE	Y	167,630					
	210926	45	KIRK ST	Y	6,534					
	210927	30	LEE ST	Y	7,496	206,416	68,117.28	4/13/14	**$ 10,867.23**	**5/6/2015**

FAIRHAVEN HEALTHCARE CENTER INC											
10 CHESTNUT ST	210971	450	VARNUM AVE	N	78,844						
PEABODY, MA 01960	210970	476	VARNUM AVE	Y	142,236	221,080	72,956.40	4/13/14	$	-	
FORT HILL AVENUE INC											
321 CENTRAL ST											
LOWELL MA 01852	210137	111	FORT HILL AVE	Y	6,854	6,854	2,261.82	4/13/14	$	-	
GIRLS INC OF GREATER LOWELL											
220 WORTHEN ST											
LOWELL MA 01852	200996	200	WORTHEN ST	Y	10,816	10,816	3,569.28	4/13/14	$	-	
GREATER LOWELL FAMILY YMCA											
35 YMCA DR											
LOWELL MA 01852	201004	35	YMCA DR	Y	127,353	127,353	42,026.49	4/13/14	$	-	
GREATER LOWELL YWCA											
97 Central St Unit 302											
LOWELL MA 01852	210319	41	ROCK ST	Y	4,988	4,988	1,646.04	4/13/14	$	-	
GREATER LYNN SPECIAL NEEDS HOUSING											
PO BOX 408											
LYNN MA 01903	210246	65	HARVARD ST	Y	24,100	24,100	7,953.00	4/13/14	$	-	
GREEK AMERICAN LEGION POST #1											
228 WORTHEN ST											
LOWELL MA 01852	201248	228	WORTHEN ST	Y	3,961	3,961	1,307.13	4/13/14	$	-	
HOLY GHOST SOCIETY INC	210149	65	VILLAGE ST	Y	117,578						
PO BOX 8546	200349	375	VILLAGE ST	N	9,106						
LOWELL MA 01853	210227	379	VILLAGE ST	N	6,215	132,899	43,856.67	4/13/14	$	-	
HORN HOME FOR AGED THE											
98 SMITH ST											
LOWELL MA 01851	200989	98	SMITH ST	Y	36,936	36,936	12,188.88	4/13/14	$	-	

HOUSE OF HOPE HOUSING INC	210666	185	SALEM ST	Y	4,642					
812 MERRIMACK ST	210667	191	SALEM ST	Y	5,393					
LOWELL MA 01854	210668	203	SALEM ST	Y	1,040					
	210357	800	MERRIMACK ST	N	3,627					
	210358	802	MERRIMACK ST	N	3,393					
	210359	806	MERRIMACK ST	N	4,680					
	210245	35	VARNUM AVE	Y	35,284					
	210237	812	MERRIMACK ST	Y	7,605					
	210696	179	SALEM ST	Y	2,115	67,779	22,367.07	4/13/14	$ -	
HURREN ST INC										
34 HURD ST	210944	34	HURD ST	Y	10,468					
LOWELL MA 01852	201814	44	HURD ST	Y	10,600	21,068	6,952.44	4/13/14	$ -	
IGLESIA FUENTE DE VIDA INC										
P.O. BOX 9558										
LOWELL MA 01853	200845	49	BLOSSOM ST	Y	9,000	9,000	2,970.00	4/13/14	$ -	
JUSTICE RESOURCE INSTITUTE INC.										
545 BOYLSTON ST STE 700										
BOSTON MA 02116	210937	319	WILDER ST	Y	26,737	26,737	8,823.21	4/13/14	$ -	
LIFELINKS INC	210544	158	COLUMBIA RD	Y	7,200					
145 LEXINGTON AVE	210512	11	LOCUST ST	Y	8,000					
LOWELL MA 01854	210382	50	CIDALIA DR	Y	7,500					
	210383	210	PARKER ST	Y	9,649					
	210384	101	VARNUM AVE	Y	8,920					
	210355	1904	MIDDLESEX ST	Y	15,013					
	210318	87	BEDFORD AVE	Y	30,056					
	200055	145	LEXINGTON ST	Y	17,400	103,738	34,233.54	4/13/14	$ -	
LOWELL ART ASSOCIATION	210664	213	WORTHEN ST	N	2,343					
243 WORTHEN ST	210614	70.1	DUMMER ST	Y	2,457					
LOWELL MA 01852	210665	217	WORTHEN ST	N	9,763					
	201038	243	WORTHEN ST	Y	9,168	23,731	7,831.23	4/13/14	$ -	

LOWELL BOYS CLUB ASSOCIATION	200993	647	MIDDLESEX ST	N	3,609					
657 MIDDLESEX ST	200992	647.1	MIDDLESEX ST	N	16,685					
LOWELL MA 01851	200994	657	MIDDLESEX ST	Y	2,643					
	200995	665	MIDDLESEX ST	Y	35,084					
	201568	679	MIDDLESEX ST	Y	19,706	77,727	25,649.91	4/13/14	$ -	
LOWELL DAY NURSERY ASSOCIATION INC										
119 HALL ST										
LOWELL MA 01854	201177	119	HALL ST	Y	47,790	47,790	15,770.70	4/13/14	$ -	
LOWELL GENERAL HOSPITAL	201031	122	STACKPOLE ST	Y	92,207					
295 VARNUM AVENUE	210143	12	BARTLETT ST	Y	123,042					
LOWELL MA 01854	201312	178.2	STACKPOLE ST	Y	1,154					
	210218	280	E MERRIMACK ST	Y	68,314					
	210620	2	HOSPITAL DR	Y	81,871					
	200954	295	VARNUM AVE	Y	2,784,123	3,150,711	1,039,734.63	4/13/14	$ -	
LOWELL HEBREW COMMUNITY										
171 OLD MIDDLESEX CANAL										
LOWELL MA 01851	200978	171	OLD MIDDLESEX CANAL	N	109,298	109,298	36,068.34	4/13/14	$ -	
LOWELL HOUSE INC	210246	65	HARVARD ST	y	11,939					
555 MERRIMACK ST	200997	102	APPLETON ST	Y	3,736					
LOWELL, MA 01854	210556	555	MERRIMACK ST	Y	22,360	38,035	12,551.55	4/13/14	$ -	
LOWELL HUMANE SOCIETY										
951 BROADWAY ST										
LOWELL MA 01854	201042	951	BROADWAY ST	Y	36,634	36,634	12,089.22	4/13/14	$ -	
LOWELL MASONIC ASSOC INC										
79 DUTTON ST	201046	35	ARCAND DR	Y	7,078					
LOWELL MA 01852	200854	79	DUTTON ST	Y	25,588	32,666	10,779.78	4/13/14	$ -	
LOWELL MIDDLESEX ACADEMY CHARTER SCH										
67 MIDDLE ST										
LOWELL MA 01852	211008	55	MIDDLE ST	Y	10,849	10,849	3,580.17	4/13/14	$ -	

LOWELL TRANSITIONAL LIVING CENTER INC 189 MIDDLESEX ST LOWELL MA 01852	210645	205	MIDDLESEX ST	Y	5,559	5,559	1,834.47	4/13/14	$ -	
MECHANICS HALL CORPORATION 167 DUTTON ST LOWELL MA 01852	210456	167	DUTTON ST	Y	8,026	8,026	2,648.58	4/13/14	**$ 2,648.58**	**5/12/2015**
MERRIMACK RIVER VALLEY HOUSE INC 520 FLETCHER ST	201001	520	FLETCHER ST	Y	33,812					
LOWELL MA 01854	210691	536	FLETCHER ST	N	7,398	41,210	13,599.30	4/13/14	$ -	
MERRIMACK VALLEY FOOD BANK 735 BROADWAY ST LOWELL MA 01854	210325	735	BROADWAY ST	Y	16,693	16,693	5,508.69	4/13/14	$ -	
MIDDLESEX NORTH RESOURCE CENTER INC	210755	129	WILLIE ST	N	4,500					
321 CENTRAL STt	210653	94	ROCK ST	Y	7,608					
LOWELL MA 01852	210654	106	ROCK ST	N	6,333	18,441	6,085.53	4/13/14	$ -	
MISSIONARY SISTERS OF THE BLESSED 157 FAYETTE ST	210545	141	FAYETTE ST	N	1,701					
LOWELL MA 01852	201225	153	FAYETTE ST	Y	6,622	8,323	2,746.59	4/13/14	$ -	
MUSEUM OF AMERICAN TEXTILE 491 DUTTON STREET LOWELL MA 01854	210252	475	WORTHEN ST	Y	3,285	3,285	1,084.05	4/13/14	$ -	
N E ANN CONF OF AFRICAN METHODIST 78 GRAND ST LOWELL MA 01851	200866	78	GRAND ST	Y	6,432	6,432	2,122.56	4/13/14	$ -	

NEW ENGLAND DISTRICT ADVISORY BOARD	200858	51	FIRST ST BLVD	Y	6,906						
180 ADAMS ST	200921	55	FIRST ST BLVD	N	22,658						
QUINCY MA 02169	200920	55.1	FIRST ST BLVD	N	75,050	104,614	34,522.62	4/13/14	$	-	
NOTRE DAME TRAINING SCHOOL											
30 JEFFREYS NECK RD	210040	284	GIBSON ST	Y	4,170						
IPSWICH MA 01938	210206	477	PARKER ST	Y	9,723	13,893	4,584.69	4/13/14	$	-	
OBLATE MISSIONARIES OF MARY IMMACULATE											
56 Brookfield St											
Lawrence, MA 01843	210684	53	ENDICOTT ST	Y	7,440	7,440	2,455.20	4/13/14	$	-	
PLACE OF PROMISE INC	210996	149	LUDLAM ST	Y	2,400						
PO BOX 240925	210763	203	LUDLAM ST	Y	2,370						
DORCHESTER MA 02124	210593	204	LUDLAM ST	Y	6,595	11,365.00	3,750.45	4/13/14	$	-	
PORTUGUESE-AMERICAN LOWELL YOUTH											
739 CENTRAL ST											
LOWELL MA 01852	200037	745	CENTRAL ST	Y	9,694	9,694	3,199.02	4/13/14	$	-	
RECREATIONAL ADULT RESOURCE ASSOC OF GL											
295 HIGH ST											
LOWELL MA 01852	200064	291	HIGH ST	Y	9,880	9,880	3,260.40	4/13/14	$	-	
SALVATION ARMY OF MASS INC	210719	130.1	APPLETON ST	N	660						
147 BERKELEY STREET	200842	623	ANDOVER ST	Y	14,946						
BOSTON MA 02116	200844	130	APPLETON ST	Y	12,583						
	210950	160	APPLETON ST	Y	5,816						
	210949	170	APPLETON ST	Y	3,120						
	210955	72	SOUTH ST	Y	1,850						
	210959	49	WINTER ST	Y	114						
	210956	76	SOUTH ST	Y	1,559						
	200853	21	DAVIS ST	N	2,407	43,055	14,208.15	4/13/14	$	-	

SEVEN HILLS COMMUNITY SERVICES INC											
81 HOPE AVE											
WORCESTER MA 01603	210628	4	GLENMERE ST	Y	9,501	9,501	3,135.33	4/13/14	$ -		
SOCIETY OF ST VINCENT DE PAUL											
1280 WASHINGTON ST	210275	691	MERRIMACK ST	Y	4,379						
BOSTON MA 02118-3910	210201	701	MERRIMACK ST	Y	4,360	8,739	2,883.87	4/13/14	$ -		
SOUTHERN NEW ENGLAND CONFERENCE											
P O BOX 1169	210004	211	CHARLES ST	Y	9,857						
SO LANCASTER MA 01561	200882	20	MEADOWCROFT ST	Y	6,619	16,476	5,437.08	4/13/14	$ -		
THREE GEMS INC											
678 MASSACHUSETTS AVE	210675	23	DECATUR ST	N	2,686						
CAMBRIDGE MA 02139	210670	738	MERRIMACK ST	Y	3,566	6,252	2,063.16	4/13/14	$ 2,063.16	5/13.15	
TOWARD INDEPENDENT LIVING & LEARNNG INC											
20 EASTBROOK RD	210758	96	MT GROVE ST	Y	29,368						
DEDHAM MA 02149	210592	96	WENTWORTH AVE	Y	6,305	35,673	11,772.09	4/13/14	$ -		
TRS BENEFIT SISTERS OF CHARITY											
42 VIOLA ST											
LOWELL MA 01851	210360	42	VIOLA ST	Y	5,650	5,650	1,864.50	4/13/14	$ 250.00	4/27/2015	
TRS OBLATE REAL ESTATE TRUST											
285 ANDOVER ST											
LOWELL MA 01852	200818	285	ANDOVER ST	Y	82,633	82,633	27,268.89	4/13/14	$ -		
TRS OBLATE REAL ESTATE TRUST	210274	21	KIRK ST	Y	3,662						
29 KIRK ST	201470	29	KIRK ST	Y	1,957						
LOWELL MA 01852	200874	37	LEE ST	Y	16,177	21,796	7,192.68	4/13/14	$ -		
UNITED TEEN EQUALITY CENTER	211060	27	PRESCOTT ST	y	4488						
106 MERRIMACK ST	211061	40	CENTRAL ST	Y	1711						
LOWELL MA 01852	211110	31	WARREN ST	N	1280						
	211109	15	WARREN ST	Y	5655	13,134	4,334.22	4/13/14	$ -		

VINFEN CORPORATION 950 CAMBRIDGE ST CAMBRIDGE, MA 02141	211091	20	BURLINGTON AVE	Y	9,337	9,337	3,081.21	4/13/14	$	-	
WOMEN IN TRANSITION INC PO BOX 2100 LOWELL MA 01853	210423	440	HIGH ST	Y	14,537						
	210326	89	AGAWAM ST	Y	4,075	18,612	6,141.96	4/13/14	$	-	
SISTERS OF CHARITY OF OTTOWA 559 FLETCHER ST LOWELL MA 01854	201024	267.1	Pawtucket St	N	3600						
	201030	267	Pawtucket St	Y	25,700	25,700	8,481.00	4/13/14	$	-	
							$ 1,985,327.52		**$**	**16,828.97**	

HOUSE DOCKET, NO. 1441 FILED ON: 1/15/2015

HOUSE . . . . . No. 2584

The Commonwealth of Massachusetts

PRESENTED BY:

Stephen Kulik

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

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

An Act relative to payments in lieu of taxation by organizations exempt from the property tax.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Stephen Kulik	*1st Franklin*
Denise Provost	*27th Middlesex*
Louis L. Kafka	*8th Norfolk*
James B. Eldridge	*Middlesex and Worcester*
Chris Walsh	*6th Middlesex*
James R. Miceli	*19th Middlesex*
Jason M. Lewis	*Fifth Middlesex*
RoseLee Vincent	*16th Suffolk*
Carolyn C. Dykema	*8th Middlesex*
Steven S. Howitt	*4th Bristol*
David M. Rogers	*24th Middlesex*

HOUSE DOCKET, NO. 1441 FILED ON: 1/15/2015

HOUSE . . . . . No. 2584

By Mr. Kulik of Worthington, a petition (accompanied by bill, House, No. 2584) of Stephen Kulik and others relative to payments in lieu of taxation by organizations exempt from the property tax. Revenue.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *2642* OF 2013-2014.]

The Commonwealth of Massachusetts

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

An Act relative to payments in lieu of taxation by organizations exempt from the property tax.

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

SECTION 1. Chapter 59 of the General Laws is hereby amended by adding after section 5M the following section:-

Section 5N. Notwithstanding the provisions of section 5 or any other general or special law to the contrary, in a city or town that votes to accept this section pursuant to section 4 of Chapter 4, an organization exempt from taxation under clause third shall make payments in lieu of taxation on all real and personal property owned by the organization in the city or town equal to 25 percent of the amount that would be paid if the property were not exempt from taxation.

Any city or town that accepts this section shall adopt an ordinance or bylaw to provide for agreements between the municipality and organizations that may provide for exemptions from payment, consideration of community benefits as payment and administration of payments.

SENATE DOCKET, NO. 268 FILED ON: 1/14/2015

SENATE . . . . . No. 1451

The Commonwealth of Massachusetts

PRESENTED BY:

William N. Brownsberger

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

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

An Act relative to payments in lieu of taxation of organizations exempt from the property tax.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
William N. Brownsberger	*Second Suffolk and Middlesex*
James B. Eldridge	*Middlesex and Worcester*
Chris Walsh	*6th Middlesex*
Jason M. Lewis	*Fifth Middlesex*

SENATE DOCKET, NO. 268 FILED ON: 1/14/2015

SENATE . . . . . No. 1451

By Mr. Brownsberger, a petition (accompanied by bill, Senate, No. 1451) of William N. Brownsberger, James B. Eldridge, Chris Walsh and Jason M. Lewis for legislation relative to payments in lieu of taxation of organizations exempt from the property tax. Revenue.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *1308* OF 2013-2014.]

The Commonwealth of Massachusetts

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

An Act relative to payments in lieu of taxation of organizations exempt from the property tax.

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

Chapter 59 of the General Laws is hereby amended by adding after section 5N the following section:-

Section 5O. Notwithstanding the provisions of section 5 or any other general or special law to the contrary, in a city or town that votes to accept this section pursuant to section 4 of Chapter 4, an organization exempt from taxation under clause third shall make payments in lieu of taxation on all real and personal property owned by the organization in the city or town equal to 25 percent of the amount that would be paid if the property were not exempt from taxation.

Any city or town that accepts this section shall adopt an ordinance or bylaw to provide for agreements between the municipality and organizations that may provide for exemptions from payment, consideration of community benefits as payment and administration of payments.

The City of Lowell • Department of Planning and Development
JFK Civic Center • 50 Arcand Drive • Lowell, MA 01852
P: 978.674-4252 • F: 978.970.4262
www.LowellMA.gov

Diane Nichols Tradd
Assistant City Manager/DPD Director

MEMORANDUM

TO: Kevin J. Murphy, City Manager

FROM: Diane N. Tradd, Assistant City Manager/DPD Director

SUBJECT: COUNCIL MOTION OF 4/12/16 BY COUNCILOR ROURKE - REQUEST CITY MANAGER PROVIDE AN INSPECTION OF THE LOWELL MEMORIAL AUDITORIUM PERTAINING TO UPKEEP OF THE BUILDING. ALSO INCLUDE GLOBAL CONTRACT/CONCESSIONS

In an effort to understand the deficiencies in the Lowell Memorial Auditorium (LMA), the City Manager requested that the Department of Planning and Development (DPD) update the existing Engineering Study and Design Services report completed by the Maguire Group in 2005 (attached). The study addressed maintenance/repair matters and provided a global assessment of facility needs in an effort to enhance the overall experience of attending an event at the LMA. The consulting team prioritized renovations at the time the document was completed and made repairs in accordance with the available funding. The report has served as the City's comprehensive facilities and systems blueprint for LMA renovations. Since 2009, a total of $5.2 million has been spent renovating the LMA. A majority of the repair funding has come from three Massachusetts Cultural Facilities grants.

On May 9, 2016, Todd Woekel, Construction Manager performed an inspection of the upkeep of the LMA. Up-to-date building certificate of inspections for fire alarm systems, portable fire extinguisher inspection, alcoholic beverage license, certificate of inspection, and sprinkler system inspection have been confirmed.

DPD has also completed an Inspection Report (May 2016) which includes a summary of all improvements made since 2009 and future renovations; a cost estimate has also been included. It is important to note that the Construction Manager has found the original estimates provided in the Engineering Study and Design Services report (2005) have proven to be considerably higher than the actual costs of the projects the City has completed to date.

DPD has implemented a process for construction management and also has written the scope and specifications for many of the projects that have been completed. DPD has made revisions, as necessary, to the recommendations from the Engineering Study and Design Services report (2005) based on finances and importance.

The attached Inspection Report (May 2016) compares deficiencies with those identified in the Engineering Study and Design Services report (2005). As you review the Inspection Report (May 2016), please refer to the corresponding page in the Engineering Study and Design Services report ((2005).

DPD will seek funding through the Massachusetts Cultural Facilities Grant Program in the future and improvements will be completed as funding allows. In addition, $250,000 was included in the FY17 Capital Plan for improvements to the restrooms.

DNT/ns
6/24/16
cc: Todd Woekel, Construction Manager
Enclosures: Inspection Report (May 2016) and Engineering Study and Design Services Report by Maguire Group, Inc. (2005)

Lowell Memorial Auditorium

Inspection Report

May 2016

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I. INTRODUCTION

Earlier this year the City Manager and City Council requested that the Department of Planning and Development review and update an existing capital improvement plan and survey report for the Lowell Memorial Auditorium. This document highlights a summary of improvements that have been made to the Auditorium from November 2005 to present. This document describes deficiencies identified in the Engineering Study and Design Services report which was completed in 2005. As you review this document, please refer to the corresponding page in the existing Engineering Study and Design Services report for further detail. Furthermore, this document highlights cost estimates for each of the recommendations offered herein.

II. ARCHITECTURAL

***Auditorium Seating*: Refer to pages 2 and 3 of the Engineering Study Report 2005**
The fixed seating is currently in the process of being reupholstered.
The existing removable seating has been replaced in its entirety.

***Stage and Stage house*: Refer to page 4 of the Engineering Study Report 2005**
The existing stage and stage house flooring was refinished in February 2016.

***Controls and Lighting Booths*: Refer to Page 4 of the Engineering Study Report 2005**
The lighting and ceilings within the Auditorium were replaced in 2010.

***Concourse-Stairways-Stairway Halls*: Refer to Page 5 of the Engineering Study Report 2005**

Concourse:
The existing VCT tile floor along the concourse on both the first and second floor is scheduled to be replaced in June 2016.

Stairways and Hallways:
The existing walls and ceilings are in need of repair from settlement cracks and prior roof leaks.

***Veterans Wing:* Refer to page 6 of the Engineering Study Report 2005**
There are needed repairs to the existing ceilings and walls from prior roof leaks and settlement of the building. The existing carpet is scheduled to be replaced in July 2016.

***Hall of Flags*: Refer to page 7 of the Engineering Study Report 2005**
The ceilings and walls were repaired in 2010.

***Box Office*: Refer to page 7 of the Engineering Study Report 2005**
The office is in need of painting and new carpeting.

***Back Stage*: Refer to page 7 of the Engineering Study Report 2005**
The loading dock doors have been reconditioned with new hardware. The City is currently reviewing plans to replace the entire loading dock door entrance.

***Back of House*: Refer to pages 7 and 8 of the Engineering Study Report 2005**
The back of house has been recently painted and is in good condition.

Basement/Public Restrooms/Administration Offices/ Roof: ***Refer to page 8 of the Engineering Study Report 2005***

Basement:
The basement has extensive water penetration and corrosion damage to the structural framing. The recommendation is to repair.

Public Restrooms: Restroom facilities are below occupancy calculations based on the current capacity in terms of the number of existing fixtures. The recommendation is to install additional handicap restrooms along the concourse on the first and second floors; reconfigure existing restrooms to increase the number of fixtures per restroom to meet occupancy guideline. $250,000 for these improvements has been included in the FY17 Capital Plan.

Administration Offices:
The carpeting is in need of replacement throughout all offices and hallways outside of the administration offices.

Roof: Refer to pages 8 and 9 of the Engineering Study Report 2005
The entire roof was replaced in 2010.

Exterior Doors and Hardware: Refer to page 9 of the Engineering Study Report 2005
All exterior doors were reconditioned and new hardware was installed in 2014.

Exterior Windows and Exterior Elevations*: *Refer to page 10 of the Engineering Study Report 2005

Exterior Windows: The existing windows above the upper drum of the auditorium are wood windows with single-pane glazing and are in need of substantial restoration or replacement. The recommendation is to replace with aluminum double glazed windows that replicate the existing wood windows. Other existing exterior windows are operable, therefore no work is required.

Exterior Elevations:
The exterior elevations are in need of repointing; cracks in several areas around the building are open to the weather. Differential settlement has continued around the terraces. The recommendation is to repoint the exterior elevations and replace all control joints. These joints are employed to reduce restraint by accommodating movement of the masonry walls, or movement of the structural elements adjacent to the walls. These joints typically should be replaced every ten years, or as necessary. Unfortunately, the facility has faced significant movement over the last 30 years causing these joints to fail. The proposed solution is to remove existing sealant joints and replace as specified.

Stage Lighting and Orchestra Level Seating: Refer to page 12 of the Engineering Study Report 2005

Stage Lighting:
The stage lighting is currently limited and additional lighting is recommended to increase illumination around the stage.

Orchestra Level Seating:
There are currently no recommendations suggested by DPD. See Maguire Report for solutions which would be extremely expensive and not warranted at this time.
Stage Lift and Seating/ Sightline Improvements/Balcony Seating Modifications/Expanded Bathrooms: Refer to page 13 of the Engineering Study Report 2005

Stage Lift:
The existing stage lift is in need of replacement. The stage lift has frequent mechanical problems caused by its age and extensive use.

Sightline Improvements:
There are currently no recommendations.

Balcony Seating Modifications:
There are currently no recommendations.

Expanded Restroom Facilities:
Restroom facilities are below occupancy calculations based on the current capacity in terms of the number of existing fixtures. The recommendation is to install additional handicap restrooms along the concourse on the first and second floors. Reconfigure existing restrooms to increase the number of fixtures per restroom to meet occupancy guidelines and restored/upgraded all fixtures.

III. STRUCTURAL

***Exterior Elevations Continuation and Renovation Options*: Refer to pages 19-23 of the Engineering Study Report 2005**

Exterior Masonry Cracking:
Cracking was observed in the exterior walls north of the main entrance. The recommendation is to repair and repoint all areas compromised.

Additional Masonry Cracking**:**
The recommendation is to repair and repoint all areas compromised.

Mortar Deterioration:
There are several areas around the exterior walls that the brick mortar has been compromised. The recommendation is to replace the deteriorated mortar joints.

Cornice Deterioration:
The exterior cornices and parapets caps are in need of repointing completely around the auditorium. Areas along the roof cornice are in need of replacement or repointing.

Masonry Staining:
Staining of the brick face along several areas on the exterior suggest water leakage. The recommendation is to repoint areas, clean and seal all compromised exterior brick walls.

Water Intrusion:
The entire roof has been replaced in 2010; the recommendation is to repair all ceilings and walls compromised from the former water intrusion.

Concrete Ramp Deterioration:
Located at the northwest side of the building. The structure is constructed with elevated reinforced concrete and transverse steel reinforcement. The underside of a section of the exterior and interior is badly deteriorated.

The underside of the concrete has spalled and has sustained extensive corrosion. The recommendation is to repair and reinforce the entire ramp. Remove the existing trap door located on sidewalk adjacent to ramp. Install structural steel below the ramp and waterproof the entire ramp vault.

Walking surfaces of terraces and ramps show extensive areas of broken concrete. Granite stairs are uneven and without caulking. The recommendation is to replace the caulking and reset the existing stair treads in new mortar beds.

IV. MECHANICAL

***Mechanical Summary*: Refer to pages 24-29 of the Engineering Study Report 2005**
The existing Cleaver Brook natural gas boilers were replaced in September 2015. The existing air-conditioning roof top units that air condition the main auditorium were replaced in June of 2010. The air-conditioning units that supply the executive offices, ticket offices and the hall of flags were installed in 1984 and are in need of replacement.

The recommendation is to add controls and valves to the boilers and roof top units to balance and satisfy the buildings' heating and cooling needs. Also, replacement of the existing heating and cooling units that supply the executive offices, hall of flags and ticket offices.

Concourse:
The City most recently changed the boilers that supply heat to the permitted of the auditorium, halls of flags, executive offices and ticket offices. The recommendation is to add automatic two-way valves at each radiator with mounted controlled thermostats.

Liberty Hall:
The cooling units were replaced in June of 2010. The heating is supplied by the new boilers that were installed in September 2015. The recommendation is to add controls, thermostats and valves to the boilers and roof top units to balance and satisfy the buildings' heating and cooling needs.

Veterans Hall:
The existing air-conditioning units were replaced in June 2010. The heating is supplied by the new boilers that were installed in September 2015. The recommendation is to add controls, thermostats and valves to the boilers and roof top units to balance and satisfy the space’s heating and cooling needs.

Veterans Wing:
The existing air-conditioning units were replaced in June 2010. The heating is supplied by the new boilers that were installed in September 2015. The recommendation is to add controls, thermostats and valves to the boilers and roof top units to balance and satisfy the space’s heating and cooling needs.

Hall of Flags:
The existing air-conditioning units are in need of replacement. The heating is supplied by the new boilers that were installed in September 2015. The recommendation is to add controls, thermostats and valves to the boilers and roof top units to balance and satisfy the space’s heating and cooling needs. Also, replace the air-conditioning units located in the basement that supplies the hall.

Box Office:
The existing air-conditioning units are in need of replacement. The heating is supplied by the new boilers that were installed in September 2015. The recommendation is to add controls, thermostats and valves to the boilers and roof top units to balance and satisfy the space's heating and cooling needs. Also, replace the air-conditioning units located in the basement that supplies the hall.

Terminal Heating Units:
The heating terminal units (cast iron radiators, fin radiation and convectors) that supply the perimeter of the auditorium, executive offices and the hall of flags are currently ineffective. The recommendation is to install two-way valves with thermostats at each unit.

Automatic Temperature Controls:
The recommendation is to install temperature controls throughout the facility tied into the computer that supplies the roof top units that supply the main auditorium.

Glycol Heating System:
There are currently no recommendations.

Potential Renovations and Repairs:
There are currently no recommendations.

V. PLUMBING/FIRE PROTECTION

Plumbing/Fire Summary: Refer to pages 30 - 33 of the Engineering Study Report 2005

Domestic Water:
There are currently no recommendations.

Sanitary Waste and Vent:
There are currently no recommendations.

Rain Water**:**
The entire roof was replaced in June 2010; drains were flashed to remove all leaks. There are currently no recommendations.

Natural Gas Meter:
Relocate the Gas Line Meter as necessary to alleviate the conflict with means of egress.

Plumbing Fixtures:
The recommendation is replace all plumbing fixtures with low-consumption models with sensor valves.

Sprinklers/Standpipe**:**
There are currently no recommendations.

VI. ELECTRICAL

***Electrical Summary*: Refer to pages 34 - 44 of the Engineering Study Report 2005**

Portable Power Cords:
Permanent raceways should be installed in place of portable cords sets. Raceway should be run through the basement and rise up at each needed location near the stage; with proper receptacles.

Portable Stage Equipment:
All portable equipment should be positioned to avoid obstructing egress path.

Boiler Room Panel Board:
The electrical panel has been replaced with new boilers. There currently are no further recommendations.

Main switch board clearance:
The existing electrical boxes should be removed and stored properly to maintain clearance.

Concession space convenience outlets:
The existing electrical and plumbing should be brought into compliance.

Concession space panel board:
The existing space panel boards are in need of replacement.

Lehigh dimming system:
Continued failures have increased with the existing dimmers, Total replacement of the complete system is recommended.
Interior exit signage has been replaced and updated.

Exterior exit discharge lighting:
The existing lighting was replaced with new lighting.

Exterior lantern lighting:
The existing lighting fixtures are in need of re-wiring.

Column lighting rooftop splice box:
The existing column lighting rooftop splice box was removed and disconnected.

Main Electrical Room Lighting:
The existing lighting is in need of replacement.

First Floor Concession Space Lighting:
The lighting has recently been changed. There are no further recommendations.

First Floor Concourse:
The existing lighting fixtures use incandescent lighting. The recommendation is to change those fixtures with LED fixtures.

First Floor Dress Circle lighting:
The existing lighting fixtures use incandescent lighting. The recommendation is to change those fixtures with LED fixtures.

Hall of Flags Flood Lighting:
The existing incandescent fixtures have been replaced with LED fixtures.

Second Floor Concession Space Lighting:
These fixtures were recently replaced with LED fixtures. There are no further recommendations.

Second floor concourse lighting:
The existing lighting fixtures use incandescent lighting. The recommendation is to change those fixtures with LED fixtures.

Portable Telephone Cable:
This cable is no longer in-service; the recommendation is to remove cables and repair walls where disturbed.

Sound system cabinets and wiring:
The sound system cabinets and wiring are currently in need of upgrading and must be brought into compliance with current state electrical codes.

Fire Alarm System:
The fire alarm system was completely upgraded in 2013.

VII. ADDITIONAL CAPITAL PROJECT UPGRADES

Concessions First and Second Floors:
The existing kitchen equipment is currently in need of upgrading; the recommendation is to remove and dispose of existing equipment and replace all equipment.

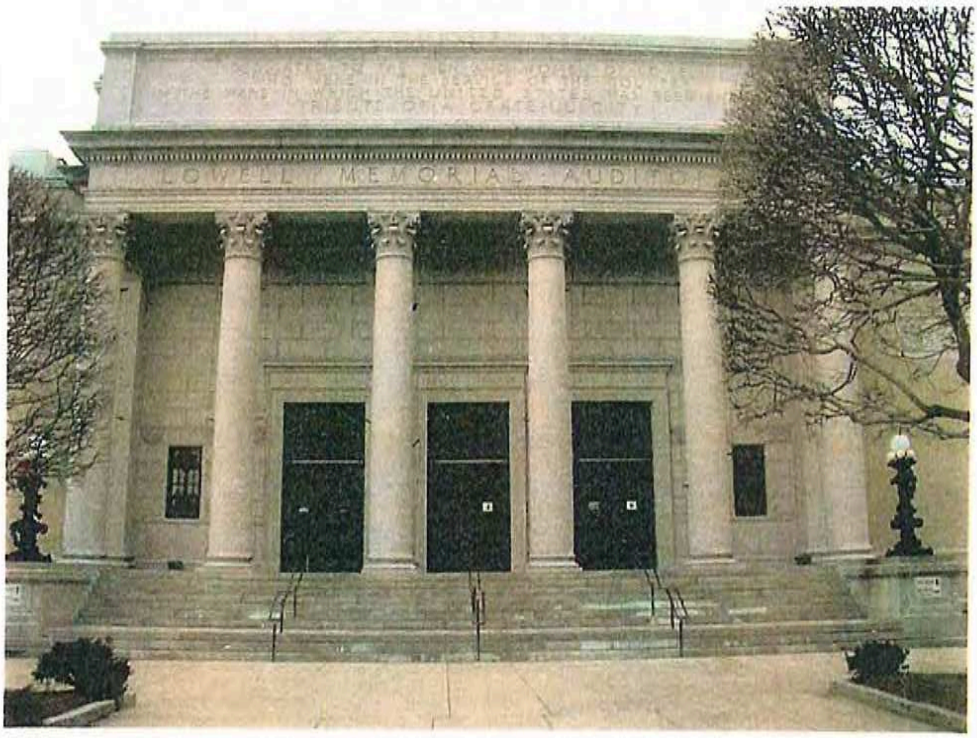
Fire Escape:
The existing fire escape is currently in need of extensive restoration. The recommendation is to engage a structural engineer to survey and develop a scope and specification to refurbish the fire escape in order to meet current safety standards and building codes.

VIII. COST ESTIMATES

Report Item	In-House Estimate	Status
II ARCHITECTURAL		
Auditorium Seating		
Fixed Seating		Completed
Reupholstering Fixed Seating		In-Progress
Stage and Stage House Refinished		Completed
Controls and Lighting Booths		Completed
Concourse - Stairways and Stairway Halls Repair and Painting	$ 35,000.00	
Reupholstering Fixed Seating		In-Progress
Veterans Wing Ceiling and Walls Repairs	25,000.00	
Hall of Flags Ceiling and Walls Repairs	20,000.00	
Box Office Painting and Carpeting	10,000.00	
Back Stage Loading Dock Door Replacement	60,000.00	
Back of House		Completed
Basement Structural Repairs/Basement Ceiling Replacement	200,000.00	
Public Restrooms	500,000.00	
Administration Offices Carpeting		In-Progress
Roof Replacement		Completed
Exterior Doors and Hardware		Completed
Exterior Elevations	550,000.00	
Stage Lighting	40,000.00	
Orchestra Level Seating		N/A
Stage Lift		
Sight Line Improvements		N/A
Balcony Seating Modifications		N/A
Exterior Windows	60,000.00	
III. STRUCTURAL		
Exterior Elevations		N/A
Exterior Masonry Cracking	325,000.00	
Mortar Deterioration	175,000.00	
Cornice Deterioration	285,000.00	
Masonry Staining	125,000.00	
Concrete Ramp Deterioration	155,000.00	
IV. MECHANICAL		
Concourse	7,500.00	
Liberty Hall	10,000.00	
Veterans Hall	7,500.00	
Veterans Wing	7,500.00	
Hall of Flags	25,000.00	
Box Office	15,000.00	
Terminal Heating Units	6,500.00	
Automatic Temperature Controls	35,000.00	
Glycol Heating System		N/A
V. PLUMBING/FIRE PROTECTION		
Domestic Water		N/A
Sanitary Waste and Vent		N/A
Rain Water		N/A
Natural Gas Meter	35,000.00	
Plumbing Fixtures	60,000.00	
Sprinklers/Standpipe		N/A

VI. ELECTRICAL		
Portable Power Cords	75,000.00	
Portable Stage Equipment		N/A
Boiler Room Panel Board		N/A
Main Switch Board Clearance	4,500.00	
Concession Space Panel Board/Outlets	10,000.00	
Lehigh Dimming System	100,000.00	
Exterior Exit Discharge Lighting		N/A
Exterior Lantern Lighting	8,000.00	
Column Lighting		N/A
Main Electrical Room Lighting	3,500.00	
Concession Space Lighting		N/A
First Floor Concourse Lighting	7,500.00	
First Floor Dressing	4,500.00	
Hall of Flags		N/A
Second Floor Concessions		N/A
Second Floor Concourse Lighting	7,500.00	
Portable Telephone Cable	2,000.00	
Sound System Cabinets and Wiring		N/A
Fire Alarm System		N/A
VII. ADDITIONAL CAPITAL PROJECT UPGRADES		
Concessions 1st and 2nd Floors	120,000.00	
Fire Escape	125,000.00	
Total	$3,241,500.00	

LOWELL MEMORIAL AUDITORIUM



Engineering Study and Design Services

Maguire Group Inc.
33 Commercial Street, Suite 1
Foxborough, MA 02035

In association with:

Wilson Butler Architects

Charles Cosler Theater Design, Inc.
Construction Cost Engineering of Boston
Rolf Jensen & Associates, Inc.

November 2005

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I INTRODUCTION

Earlier this year, a consultant team led by Maguire Group Inc. and supported by Wilson Butler Architects, among others, was selected by the Lowell Memorial Auditorium (LMA) to prepare an existing conditions survey and explore renovation options for this 3,000-seat multipurpose facility in downtown Lowell. Fieldwork for these purposes was principally conducted in June 2005 and the findings are assembled in this report.

These findings are presented here by technical discipline, i.e., architectural, mechanical, et cetera. This reflects the way the architectural and engineering professions are organized; no less importantly, it corresponds to the way in which public sector construction work within the Commonwealth of Massachusetts must be bid.

Much of the focus in this document is on deficiencies identified during the site visits – and often underscored by the LMA's staff which is all-too-familiar with conditions that inhibit or complicate the use and/or operation of the building. In fact, several of these items were highlighted in the Request for Proposals issued by the LMA late in 2004. Added to these, however, are several code compliance concerns that come to the fore simply as a consequence of undertaking a renovation program.

This study does not simply address matters of deferred maintenance and repair; the most provocative aspects – the "design services" alluded to in the project title – deal with another level of facility interventions. These topics, consolidated in the Architectural section of this report, are based on a more global assessment of facility needs, with the intention of making the LMA a much better equipped and more flexible performance venue.

Although it is very early in the process, we have attempted, with the assistance of Construction Cost Engineering of Boston and Charles Cosler Theater Design, Inc., to assign budgetary cost parameters to each of the recommendations offered herein. That information, tabulated in the Summary section of this report, represents the team's initial prioritization of the various recommendations and enables their associated costs to be easily aggregated with respect to that framework.

Nothing at this point is "chiseled in stone." This report only represents a point of departure. As a team, we are eager to further develop these recommendations in tandem with the LMA. Collectively, we should then be able to define a project that can move ahead toward implementation with the enthusiastic support of the LMA and the wholehearted full commitment of the City of Lowell.

II ARCHITECTURAL

Lowell Memorial Auditorium (LMA) was completed in 1922 according to designs by the Boston architectural firm of Blackall, Clapp & Whittemore. The firm was also responsible for other noteworthy buildings in the Northeast including the Colonial, Wilbur and Metropolitan (Wang) Theaters in Boston, the Palace Theater in Lawrence, as well as the 10-story Lowell Sun Building.

In 1983, renovations were designed by Perry Dean Stahl & Rogers to upgrade building mechanical systems, add exterior terraces and entries, and reconfigure some interior spaces. Since then no substantial renovations or repairs have been performed, aside from normal maintenance and painting.

Existing Conditions

During the course of two recent walk-through surveys of the building, observations were made of a number of areas requiring remedial or repair work. These are noted in detail below:

1. AUDITORIUM:

The auditorium is currently configured with a total of 2,862 seats on two levels. The lower level has 376 fixed seats on raked risers and 1,142 removable seats on either temporary risers or on a flat parterre circulation area around the rear of the hall. The balcony level holds 1,344 seats, all of them fixed.

The auditorium was seen both in the flat floor configuration and with the temporary seating and risers in place. Each temporary riser is approximately 4 inches high. The flat floor was in good repair but in need of refinishing. A discussion with the LMA's Technical Director regarding maintenance and installation issues associated with these temporary risers indicated that some other solution might be more desirable.

The large flat floor areas at the rear of the upper and at the lower level of this floor provide ample opportunity for locating ADA accessible seating positions. The carpeting at the rear of the auditorium appears to be in relatively good condition with few areas of visible wear.

A-1: Auditorium seat spacing.

Two access ramps at 1:12 slope were installed on either side of the auditorium floor during the 1983 renovation, with proper handrails but without the currently required handrail extensions. (See Code Compliance section.)

Potential Renovations and/or Repairs: Though in general, seating is in fair condition with normal wear, replacement of all fixed seating is recommended to bring it up to current standards of comfort and manufacture. In some cases, row widths should also be increased during reinstallation, though this would result in a small overall reduction in seating numbers. (Photo A-1.)

Because of the narrow row widths between seats in the lowered position and the next seatback (8" in some cases), it would be advisable to provide self-rising seats. This would afford far better emergency egress than at present, as none of the seats are currently self-rising.

Aisle lighting is improvised with Tivoli lights attached by plastic ties to seat stanchions. (Photo A-2.) Adequate illumination and proper aisle lighting could easily be integral with this new seating.

A-2: Improvised aisle lighting.

Installation of an articulating orchestra floor and seating system to permit efficient removal and replacement of seats and the ability to change the floor from a sloped/raked position to a flat level floor is also recommended subsequently in this report. A new larger orchestra pit lift is also suggested subsequently to facilitate the movement of chairs and seating storage at the basement level.

The wood flat floor area of the auditorium (which would not be affected by the installation of the new floor and lift systems) and the wood paneling of the stage front are both in need of minor repair and overall refinishing.

The auditorium ceiling shows at least three large areas of water-damaged plaster around the perimeter. (Photo A-3.) It should be refinished and repainted after the roof leaks have been repaired. The wall surfaces at both the lower level

A-3: Typical water-damaged plaster.

and in the balcony are in need of plaster repair and repainting, and metal acoustic grilles on the walls at the rear of the balcony need repainting.

2. STAGE AND STAGEHOUSE:

The wood flooring is in good condition with signs of normal wear. No fire curtain was observed. The upper stagehouse shows areas where insulation is unfaced and hanging from roof joist spaces. (Photo A-4.) Numerous areas of provisional repair and mitigation of roof/wall leaks were observed, with plastic sheeting used to divert water. (Photo A-5.) The catwalk is in good repair.

Potential Renovations and/or Repairs:
The wood floor should be refinished and a fire curtain provided. The insulation should be rehung where necessary and restrained by straps. After roof leak repairs have been performed, all plastic sheeting should be removed.

A-4: Hanging stagehouse insulation.

A-5: Plastic sheeting water diverter.

3. CONTROL AND LIGHTING BOOTHS:

Ceiling tiles are broken or missing, wall finishes are damaged, and the carpeting is torn. No glass or other safety features are in place between control booths and the house.

Potential Renovations and/or Repairs:
Clear glazing units should be installed and broken/missing ceiling tiles should be replaced. Wall surfaces should be patched and repainted as necessary. The carpeting should be replaced with VCT flooring.

A-6: Control booth conditions.

4. CONCOURSES:

On the first and second level concourses surrounding the auditorium, wall and ceiling surfaces and finishes need repair. Some wall and ceiling surfaces in coatrooms and concession areas showed signs of water damage. The floors of both concourses are finished in VCT that is cracked, mismatched in color and pattern, and showing gaping seams. (Photo A-7.) The flooring underlayment is uneven and bumpy. "Smoke-Eaters" installed long ago and since abandoned still hang from the ceilings overhead.

Potential Renovations and/or Repairs:
The VCT should be removed and the substrate smoothed and leveled with a suitable material prior to installation of new VCT or sheet membrane flooring. Wall and ceiling surfaces with occasional cracks, water-damaged plaster and gouges, spotty paint, and/or missing acoustical tiles should be refinished/repainted. Wood doors, as well as wood trim and paneling around windows, have held up well but should be refinished. "Smoke-Eaters" ought to be removed.

A-7: Mismatched VCT flooring.

5. STAIRWAYS AND STAIR HALLS:

Settlement cracks exist in wall surfaces and ceilings around the skylights. (Photo A-8.) Stair carpeting, replaced approximately six years ago, is in good condition.

Potential Renovations and/or Repairs:
Contingent upon a determination by the structural engineer of the likely cause of and possible remedies for this apparent settlement, all affected wall and ceiling finishes should be repaired and repainted.

A-8: Structural cracks in stair hall.

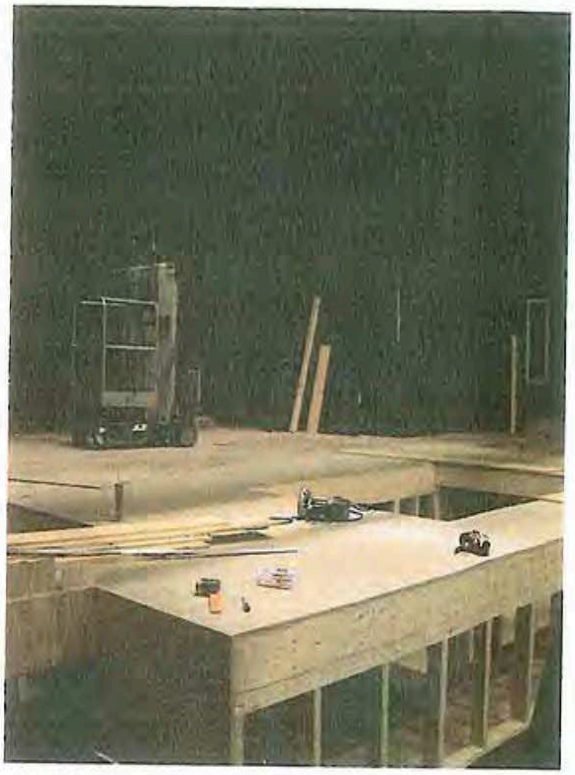
6. LIBERTY HALL (Merrimack Repertory Theatre):

The Merrimack Repertory Theatre (MTR) leases space from and is run as a separate entity apart from the LMA. However, because of this landlord/tenant relationship, it is our recommendation that any work proposed for the building be considered comprehensively. During a recent tour of the space it was noted that significant

renovations to the interior of Liberty Hall were being performed by in-house (MRT) staff that could have implications for the facility as a whole. (Photo A-9.)

Currently the MRT has 308 seats with the balcony seating accessible only by a set of stairs, rendering it non-compliant with respect to ADA. Access to the balcony requires use of the building's only passenger elevator through a shared upper lobby concourse. Restrooms used by MRT patrons at both levels are remote and those at the first level are only accessible through a shared corridor, which is also used during auditorium performances as a back-of-house (BOH) changing area.

The LMA has asked that this issue be addressed so that BOH use of this corridor will not be compromised. Acoustical separation between the MRT and the auditorium is reported to be less than ideal (mainly from the point of view of the MRT).



A-9: Merrimack Repertory Theater stage renovations.

Potential Renovations and/or Repairs: The ideal solution would be to provide separate circulation paths and restroom facilities for each venue. This would also involve the installation of a second skip-stop elevator to provide access to the MRT balcony level. Acoustical isolation measures should be explored to resolve problems of sound and/or vibration transfer between the two performance venues.

7. VETERANS WING (Second Level):

Some water damage to plaster was observed at the ceiling level and walls. Carpeting was replaced about six years ago, according to the LMA, and appears to be in reasonable condition. Replacement of carpet throughout this area is advisable.

Potential Renovations and/or Repairs: After the roof leaks have been resolved, wall/ceiling finishes should be repaired and painted.

8. VETERANS WING (First and Intermediate Levels):

The LMA has indicated that there are currently no particular needs in this area and no problems were observed. No work is required or recommended beyond normal maintenance.

9. HALL OF FLAGS:

Two water-damaged areas in the corners of the ceiling level were observed. (Photo A-10.) Carpet insets were replaced about six years ago, according to the LMA, and appear to be in good condition. The marble floor surface is in good condition.

A-10: Ceiling water damage in Hall of Flags.

Potential Renovations and/or Repairs:
Areas of damaged wall/ceiling finishes should be repaired and painted after these roof leaks have been resolved.

10. BOX OFFICE:

The LMA has indicated that there are currently no particular needs in this area and no problems were observed. No work is required or recommended beyond normal maintenance.

11. BACKSTAGE:

A portion of the first level concourse serves as a crossover corridor as well as a costume changing area. This corridor is also used for circulation from the MRT to restroom facilities (see Item 6 above) as well as to the building elevator. Furthermore this area doubles as the theater loading dock with direct access to the street. Loading dock doors have panic hardware as well as deadbolts (see Item 17 below). (Photo A-11.) Sleeves have been bored through the doorframe for the passage of cables.

A-11: Deadbolts on loading dock

Potential Renovations and/or Repairs:
Ideally, separate restroom facilities and circulation (including a new elevator) for the MRT ought to be provided (see Item 6 above). Also, a new enlarged loading dock with overhead door and marshalling areas should be developed. These are discussed subsequently under Renovation Option No. 8.

12. BACK-OF-HOUSE (Lower Level):
Back-of-house spaces at the lower level, extensively renovated in 1983, were generally found to be in good condition. Cast and private dressing rooms and restrooms were clean and in good repair, except for some minor scrapes and damage to wall finishes.

Potential Renovations and/or Repairs: Walls and ceilings, where damaged, should be repaired and repainted.

13. BASEMENT:

In general the basement was in good condition, with some exceptions. Areas of extensive water penetration and corrosion damage to the structural framing were observed in the vault under the sidewalk at the end of Brown Street. Debris and abandoned equipment have accumulated in a number of mechanical rooms. Storage spaces were overburdened. (A more extensive assessment of mechanical and electrical equipment appears subsequently in this report.)

Potential Renovations and/or Repairs: Refer to other sections.

14. PUBLIC RESTROOMS:

All restroom facilities, also part of the 1983 renovation, were observed to be in very good condition. The adequacy of these facilities with respect to ADA and Massachusetts Plumbing Code requirements is addressed in the subsequent Code Compliance section.

Potential Renovations and/or Repairs: Refer to other sections.

15. ADMINISTRATION OFFICES:

The LMA has indicated that there are currently no particular needs in this area and no problems were observed. No work is required or recommended beyond normal maintenance.

16. ROOF:

According to record drawings and information provided by the LMA, the current rubber membrane roof installed during the 1983 renovations was observed to be generally in fair-to-good condition. However, there are many wide areas in which there is little or no adhesion between the membrane and the substrate, especially the vertical surfaces at the back side of the parapets. (Photo A-12.) This has possibly contributed to the numerous

A-12: Roof membrane adhesion failure.

roof leaks that are evident on the finishes of the interior spaces. (Photo A-13.)

There also seem to be many areas around roof drains where leaks have occurred, judging from the corresponding interior water damage. Many patches and *ad hoc* repairs have been made with rubber membrane material as well as with epoxies and fiberglass systems applied directly to the rubber membrane roofing.

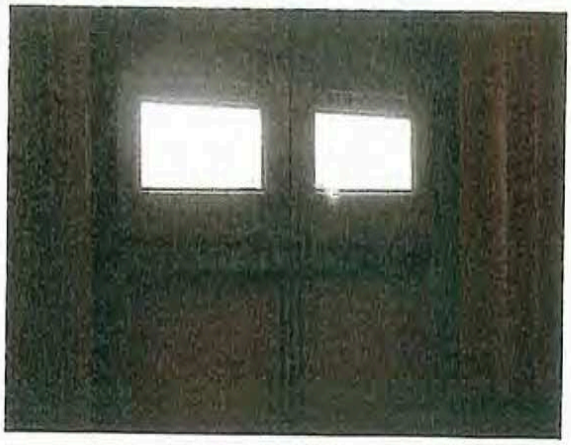
A-13: Poor roof membrane adhesion and ponding evidence.

Evidence of large areas of "ponding" was observed. Dunnage to support roof ducts installed in 1983 is possibly responsible for other instances of roof leakage. Ductwork along the concourse roof shows signs of extensive rust at the upper exterior surface and should be investigated for leaks to the interior. (See further discussion in the Mechanical section.)

Potential Renovations and/or Repairs: Given the anticipated lifespan of the roof, and the widely dispersed areas where leaks have occurred, installation of a new membrane roof is advisable. The non-adhered areas of roofing at the parapets should be stripped back and a suitable substrate repaired or installed. The integrity of all roof drain ring-seals should also be investigated and corrected where necessary. As a final measure a new fully-adhered membrane roof should be installed over the upgraded substrate of the entire roof surface.

17. EXTERIOR DOORS AND DOOR HARDWARE:

Numerous exterior egress doors were observed to be padlocked, deadbolted or secured with bars, although this is not the case during hours of assembly according to the LMA. (Photo A-14.) However, this situation is obviously in need of attention. Many exterior doors and doorframes show signs of corrosion, especially at the bottom of jambs. Panic hardware does not operate smoothly.



A-14: Barred egress.

Potential Renovations and/or Repairs: Exterior doors, panic hardware and closers should be replaced with new insulated galvanized metal doors and frames and appropriate panic hardware.

18. EXTERIOR WINDOWS:

New aluminum window sashes and frames were installed throughout the building during the 1983 renovations and appear to be in good repair. However, the LMA has indicated that exterior windows are not airtight. During cold weather, condensation forms on the frames and drafts are evident.

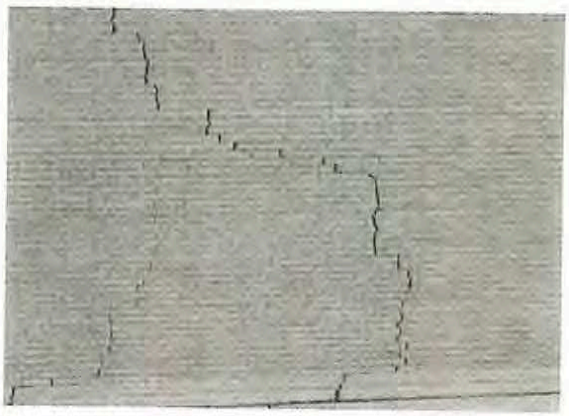
Wood frame windows around the upper drum of the auditorium (on either side of the HVAC return ducts) are original, circa 1922, with single-pane glazing and are in need of substantial repairs. Caulking is entirely missing in certain sections and others have rotted wood frames.

Potential Renovations and/or Repairs: Apparently, the aluminum frames installed in 1983 are not thermally-broken. Further investigation should be done to see if some improvement of the existing frames is possible or if it is necessary to replace them with a more suitable window system. Wood frames and sashes of the upper drum should be replaced with insulated glazing.

19. EXTERIOR ELEVATIONS:

Most areas of brick joint repair and repointing undertaken in 1983 have held up well, with a few exceptions. The principal area that has opened up again is on the west elevation closest to the Concord River. Cracks in this area are severe, widening as they proceed from bottom to top, and are in locations exactly identical to the 1983 repairs. They also align with cracks in the interior wall surfaces and suggest ongoing foundation shift and settlement.

Entirely new cracks have opened up in many areas of the brickwork of the terrace walls constructed in 1983, perhaps indicative of differential settlement in these new footings and foundations. (Photo A-15.) Efflorescence is evident in this new work as well.



A-15: Masonry "step" cracking.

Repairs made in 1983 to architectural precast concrete (APC) have held up moderately well, although they appear to be of poor quality and workmanship. Repair material clearly stands out from the original concrete and, in a few cases, is falling away.

New areas of concern involve a few pieces of cornices and parapet caps in danger of falling, although to the lower roof and not to pedestrian levels. However they should be addressed as soon as possible. Some joints between pieces of APC are missing mortar and in other cases have been sealed with elastomeric material that is falling out or failing.

A-16: Cornice repairs.

Walking surfaces of terraces and ramps show extensive areas of broken concrete. Granite stairs are uneven and without caulking in some areas (repairs are underway and a few treads are currently being reset in new mortar beds).

Exterior light fixtures on the terraces are not on electrical back-up for emergency egress.

Potential Renovations and/or Repairs: Contingent upon a further review by the structural engineer of the likely cause of and possible remedies for any settlement, areas in need of repointing and APC repair warrant attention, both short-term and long-term. Concrete walking surfaces at terraces and ramps should be rebuilt. Broken/missing light fixtures located along egress pathways should be tied into emergency power.

Renovation Options

Beyond the foregoing list of proposed remedial actions, there is a second set of recommended interventions to the LMA. Characterized as the "wish list," it includes a series of significant construction efforts aimed at making major improvements to the functional characteristics of the venue as performance space.

Some of these, such as the stagehouse modifications and the loading dock expansion, do not represent new ideas; the LMA has recognized – and coped with – the limitations these deficient facilities impose on operations, and thus on the LMA's position in the performance venue marketplace. This study provides a framework and some budgetary projections for moving toward further planning and, ultimately, implementation of at least some of these critical improvements:

1. STAGEHOUSE MODIFICATIONS:

The LMA has requested better accommodations for larger productions that might want to use the facility. Based on the current stagehouse configuration and its small gridiron, the LMA is unable to fly any large scenery at all. A box-truss now handles minimal scenery changes and stage lighting positions.

Potential Renovations and/or Repairs: A full expansion of the stagehouse was initially explored but ultimately rejected by the LMA because of the impact construction would have on the LMA's operations and performance schedule. The less intrusive option presented here would modify the stagehouse within its current volume and upgrade equipment to better accommodate the needs of most theatrical productions. This would include the removal of extraneous steel framing and hangers left over from earlier work, removal of the backstage catwalk, repositioning of sprinkler piping to allow for higher lifts, installation of a new and enlarged box-truss, and provision of a new gridiron with upgraded line-sets and power winches. (See Section A-A.)

A-17: View of the stage.

2. STAGE LIGHTING:

Current front-lighting positions are limited.

Potential Renovations and/or Repairs: Provide openings at four catwalk positions previously installed in the attic and install remotely operable spotlights and luminaries. (See Section A-A.)

A-18: Gridiron.

3. ORCHESTRA LEVEL SEATING:

The current system for providing raked seating at the flat floor area of the orchestra level is cumbersome, as well as time-consuming and difficult to install and break down between performances.

Potential Renovations and/or Repairs: A new articulated floor system could be installed capable of being raised and lowered, to eliminate the need for temporary riser platforms. This floor would be brought into position by pneumatically-operated piston lifts, but would require the construction of a structural slab (in the crawl space under the existing flat floor) to support equipment. A storage area for this rail-chair system could be created under the existing parterre. (See Section A-A.)

4. STAGE LIFT AND SEATING STORAGE:

The current stage lift is too small to work as an orchestra pit, which the LMA would like to have available for larger theatrical productions.

Potential Renovations and/or Repairs: The stage lift could be enlarged to conform to orchestra pit size, which the basement in this area could accommodate. The equipment room for this lift could be shared with the articulated floor system. (See Section A-A.)

5. SIGHTLINE IMPROVEMENTS:

Under-balcony seats have poor sightlines.

Potential Renovations and/or Repairs: Although the back parterre area has the worst seating in the house, losing seats is not considered feasible by the LMA. Consequently, an option to provide restrooms in their place was abandoned. As an alternative, the tiers of the under-balcony could be moved forward to improve sightlines for about 50 percent of these seats. A sound-check pit area could also be provided as part of this work. (See Section A-A.)

6. BALCONY SEATING MODIFICATIONS:

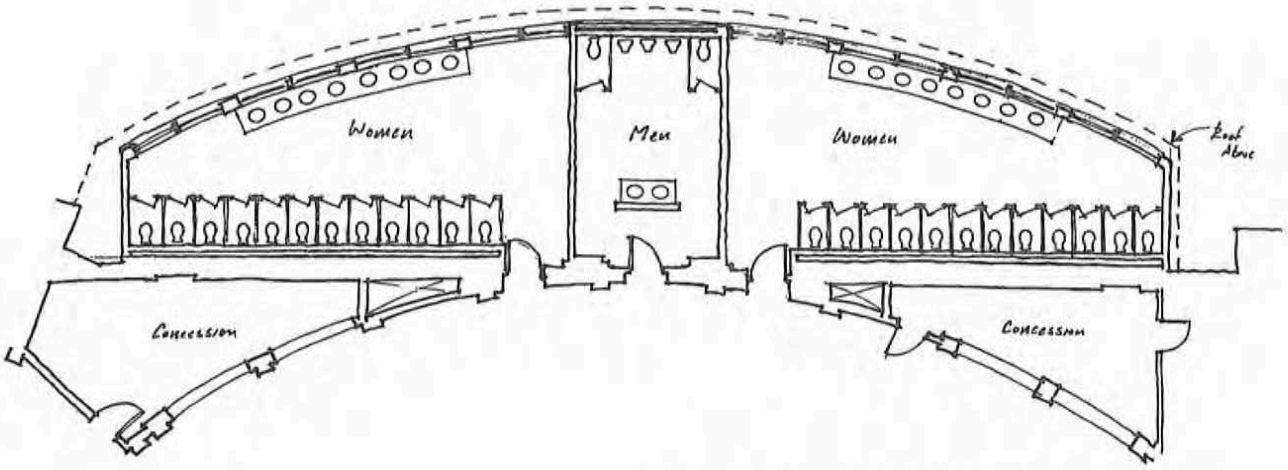
The balcony seats have inadequate legroom and poor sightlines.

Potential Renovations and/or Repairs: The number of tiers at the balcony could be decreased by one and the overall slope of the balcony slightly increased to improve both conditions. (See Section A-A.)

7. EXPANDED RESTROOM FACILITIES:

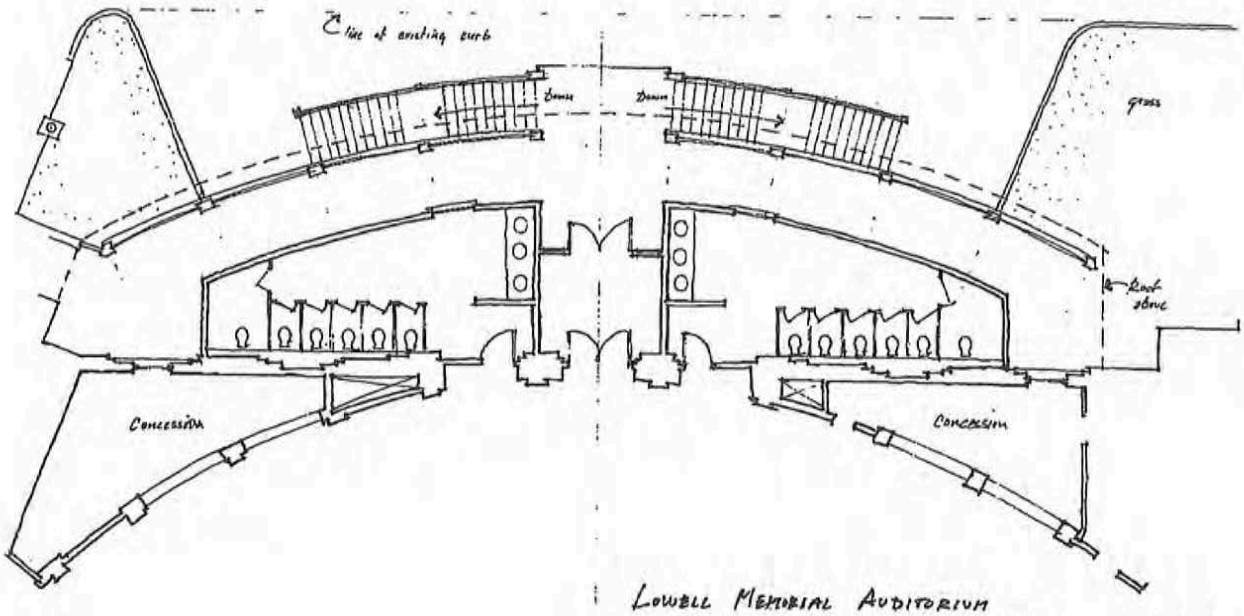
According to occupancy calculations based on the Massachusetts State Plumbing Code, the current restroom capacity in terms of fixtures is well below the number required for new or renovated theaters.

Potential Renovations and/or Repairs: Options were explored to insert expanded restroom facilities along the back parterre of the under-balcony area where the sight-lines are the most compromised. This resulted in an overall reduction of approximately 300 seats which was considered too great a seating loss by the LMA. (See Item 5 above.) An alternate solution now proposed would provide new restroom facilities on two levels to be constructed at both of the exterior terraces.



LOWELL MEMORIAL AUDITORIUM
Proposed Terrace Restrooms - 2nd Floor (Balcony)

October 20, 2005



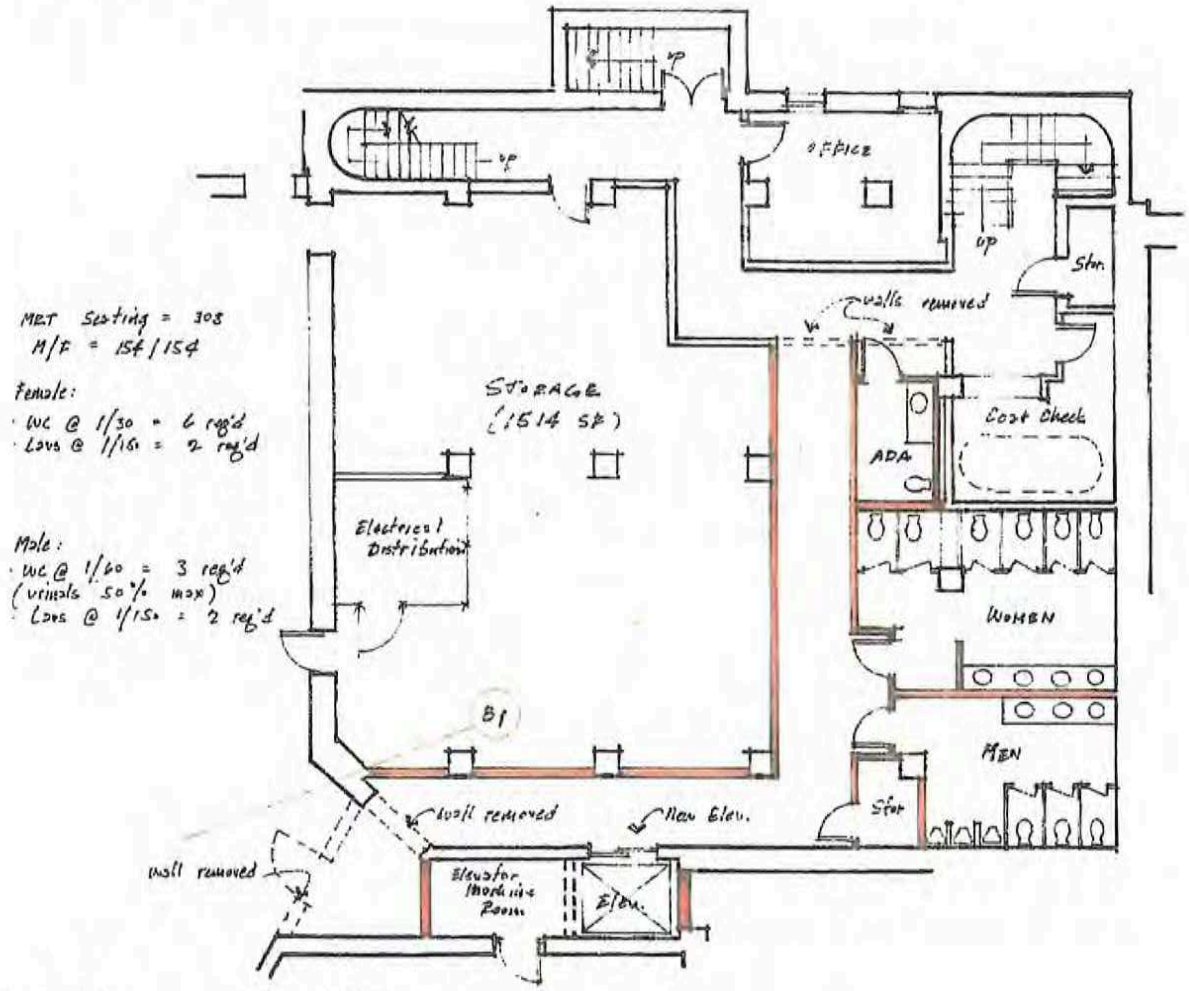
LOWELL MEMORIAL AUDITORIUM
Proposed Terrace Restrooms - 1st Floor (Orchestra)

October 20, 2005

8. MIXED VENUE CIRCULATION:

The current functional conflicts between the needs of the two venues are described in Item 6 of Existing Conditions. These conflicts extend to circulation problems within the LMA that compromise the use of what otherwise could be better utilized BOH space behind the main auditorium stage.

Potential Renovations and/or Repairs: Separate circulation systems (including a new elevator at the MRT) could be created for each venue. Restrooms dedicated to the MRT could be created in the basement of that venue. A new elevator would address accessibility issues in both venues and at the lower level. Circulation in this area could also be integrated with plans for new restroom facilities on the exterior terraces. (See Item 7 above.)

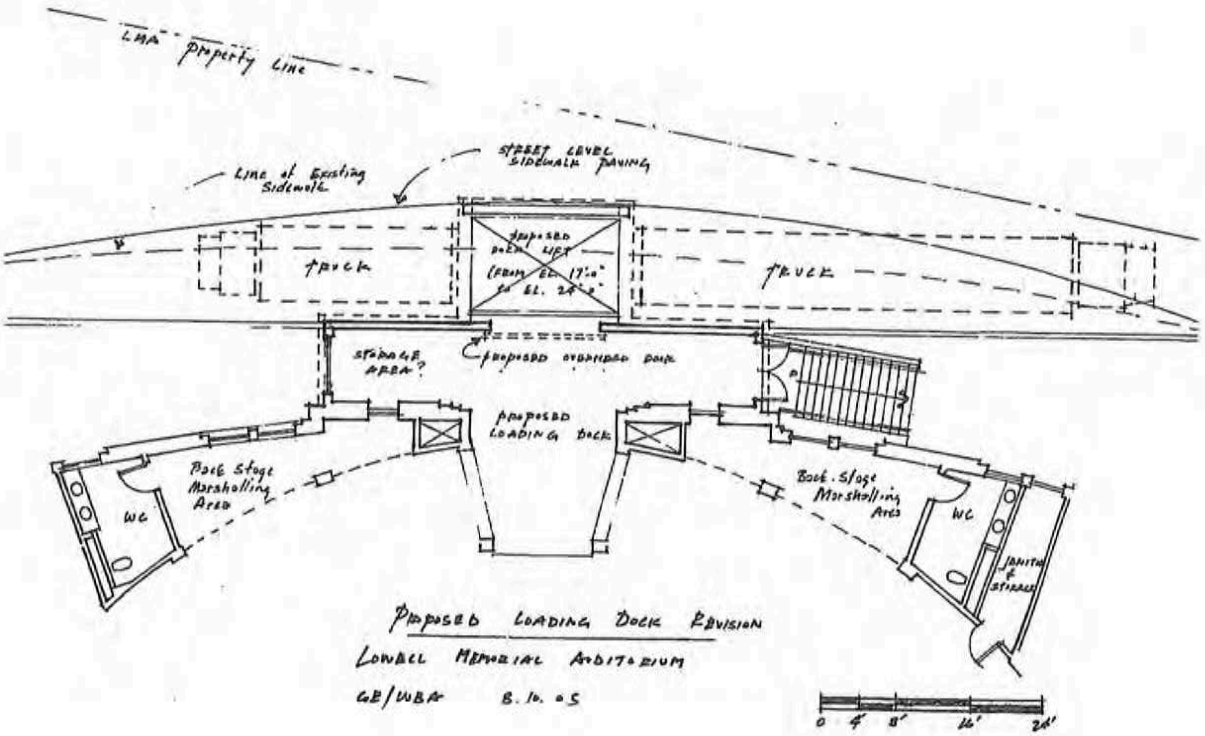


Partial Basement Plan at MRT

9. LOADING DOCK EXPANSION:

The loading dock provisions are inadequate for the needs of most shows. The LMA would also like to have a sheltered loading dock facility for operations during inclement weather.

Potential Renovations and/or Repairs: A new double-loaded scissor-lift loading dock could be added. A relatively small one-story addition at the rear of the LMA would also provide loading dock storage areas, as well as new marshalling areas for backstage costume changing.



III STRUCTURAL

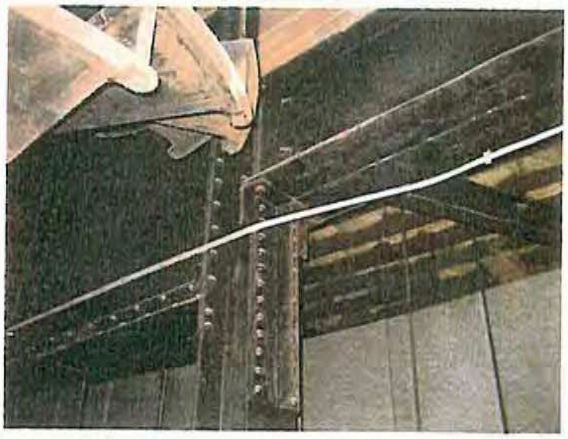
The Lowell Memorial Auditorium was constructed in the early 1920's with structural elements of steel, wood, masonry and concrete. Significant renovations were made around 1983 consisting of general improvements, primarily at the main and basement levels, including new exterior terraces, new framing for the first floor permanent seating, new floor framing, new stairs, a stage elevator and other modifications.

This description of the LMA's structural systems is based on field observations made in June 2005 and the available drawings. These drawings include the 1983 renovation plans produced by Perry Dean Stahl & Rogers and three "as-built" drawings of existing structural conditions in portions of the building. Boston Building Consultants produced these "as-built" drawings in 1985. No earlier drawings were found, although a set of drawings by Blackall, Clapp & Whittemore Architects, dated September 1919, was referenced in the Boston Building Consultants' drawings.

The main auditorium is framed with riveted steel construction. The main roof comprises deep steel trusses with vertical rod and steel angle cross-bracing supported by steel columns. (Photos S-1 and 2.) Trusses support the roof subframing, which consists of wood joists of dimensional lumber with wood plank decking. (Photo S-3.) Over the stage, two large parallel plate girders support the roof framing providing a column-free area. (Photo S-4.) The balcony is supported by steel framing and wood. In other portions of the building, the structure consists of steel and wood framing supported by steel columns and load-bearing masonry walls.

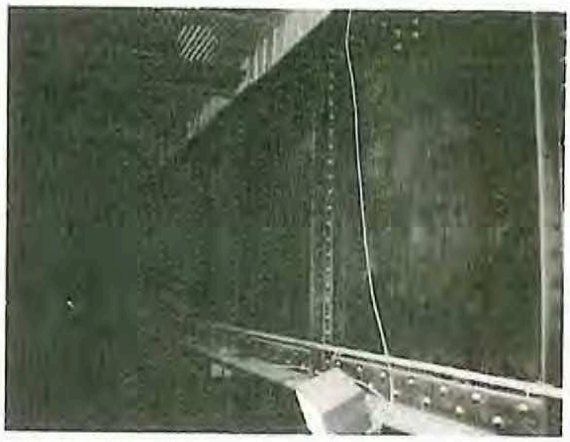
S-1: Roof trusses and vertical cross-bracing at main roof.

S-2: Wood joist framing at main roof.



S-3: Column supporting plate girder.

Exterior walls above grade are masonry, comprising brick at exterior faces and terracotta or concrete masonry at interior wythes. Foundations consist of concrete walls and piers. Although not visible, the existing drawings indicate that the building is founded on spread footings. The basement floor is concrete slab-on-grade in most locations, although in the area below the main floor concourse, it is dirt.



S-4: Plate girder over stage.

Code Compliance

Alterations to existing buildings are required to comply with the Massachusetts State Building Code, Chapter 34, 780 CMR. Section 3408.1 addresses structural concerns.

Any new building structural system must comply with the code requirements for new construction. However, individual components of an existing building system may be repaired or replaced without making that the entire system comply with the requirements for new construction, unless specifically indicated otherwise in the structural provisions contained within 780 CMR, Section 3408.0.

Structural requirements for this building are governed by Article 3408.5, which addresses alterations, repairs and changes of use. Since there is no change in use associated with the proposed renovations, the specific requirements that affect the structural design of the proposed renovations are as follows:

- Floor Loads: Article 3408.5.1 requires that the floor load capacity of the floors affected by the renovations be adequate to support the loads required by Chapter 16 for new construction.

- Wind Loads: Article 3408.5.3 requires that the wind load capacity of the structure as a whole be no less than that required by Section 1611, considering loads for Exposure A.

- Seismic Requirements: The degree of seismic compliance of an existing building depends on its Seismic Hazard Category. Article 3408.5.4.1 requires that the Seismic Hazard Category for existing buildings be determined from Table 3408.1 on the basis of any proposed change in use, change in occupancy, and renovation cost.

It is our working assumption that the renovations will not involve an increase in occupancy of 25%, nor a total occupancy increase of 100 or more. The renovation cost should be less than 50% of the assessed valuation of the building, if the valuation is realistic. Under these conditions, Seismic Hazard Category 1 applies. For this category, it is essential to insure that

the lateral load capacity of the building is not reduced by the renovation work, per Article 3408.3.5.

Existing Conditions

The building appears to be in generally good structural condition, to the extent its structural elements were accessible for observation. In many areas, the building's structure was not accessible. Observations and a discussion of areas of structural concern include:

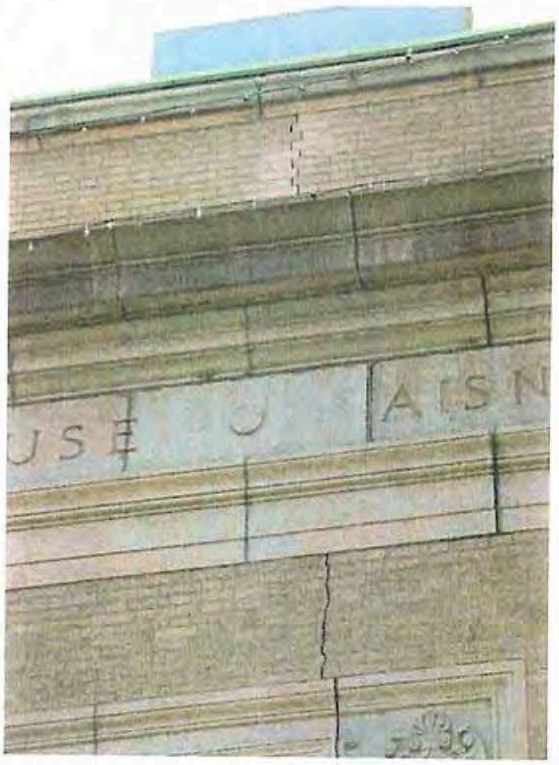
1. EXTERIOR MASONRY CRACKING:

   A large vertical crack was observed in the exterior wall to the north of the main entrance. (Photos S-5 and 6.) This crack extends almost the full height of the wall and appears to widen from bottom to top. Parallel cracking can be observed in the interior of the wall in the north stairwell. (Photo S-7.) The location and configuration of the crack suggest possible foundation settlement with rotation to the north toward the Concord River.

   This condition should be further investigated to determine the cause of the settlement and whether there is continuing movement. If found to be stable, the crack should be repaired to make it water-resistant. If continuing movement is discovered, means to stabilize this portion of the building should be implemented and then the crack repaired.

   Possible sources for the settlement could include movements of the nearby wall along the Concord River, settling or damage of the 96-inch diameter sewer pipe that is below and to the north of this wall's foundation,

S-5: Exterior masonry crack north of entry.



S-6: Close-up of the same vertical crack.

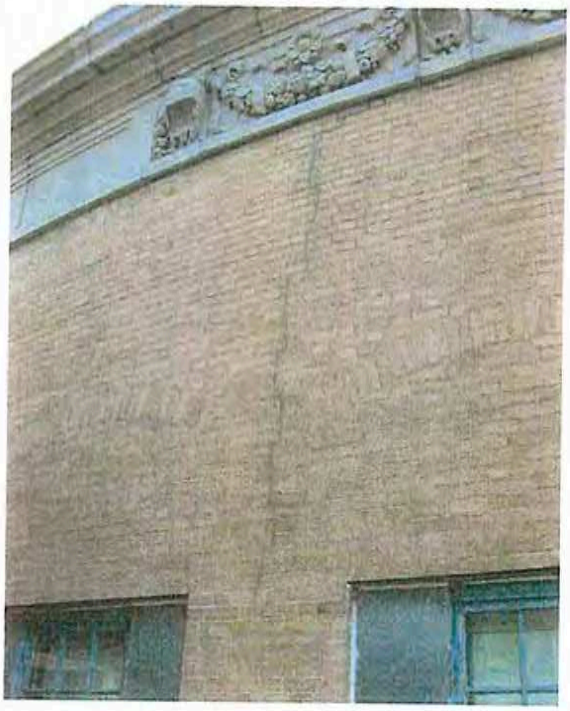
and settlement resulting from earthwork and new foundation construction during the 1983 renovation.

A number of large cracks in the exterior brick wythe were repaired previously; these repairs appear to be sound. (Photo S-8.)

<u>*Potential Renovations and/or Repairs:*</u>
To determine the most appropriate repair for this crack, further investigation is required to establish the underlying cause of the cracking. The first step in such an investigation would be detailed research into the history of the building, the adjacent seawall and the 96-inch diameter sewer line, in part through interviews with appropriate building and DPW personnel. Depending on the findings of this research, the investigation could proceed with explorations that might include test pits and soil borings to determine the condition of the footing and the supporting soil. These explorations may also include monitoring of the crack over several months to assess its stability.

The required repairs can encompass a range of different approaches, depending on the findings of the investigation. If local settlements of fill are found to be at fault, the solution may include grouting or underpinning under the exterior wall footing. If soil instability at a deeper level is discovered, the solution may involve installing micropiles or helical piles to support the wall footing at a depth where conditions are more stable.

S-7: Interior view of same vertical crack.



S-8: Successfully repaired masonry crack.

The total cost of investigation is estimated to be between $20,000 and $35,000. The initial phase, including research and interviews, is underway. It will establish a recommended scope for further studies. The extent and cost of subsequent site exploration and monitoring would be established based on the findings of this initial phase.

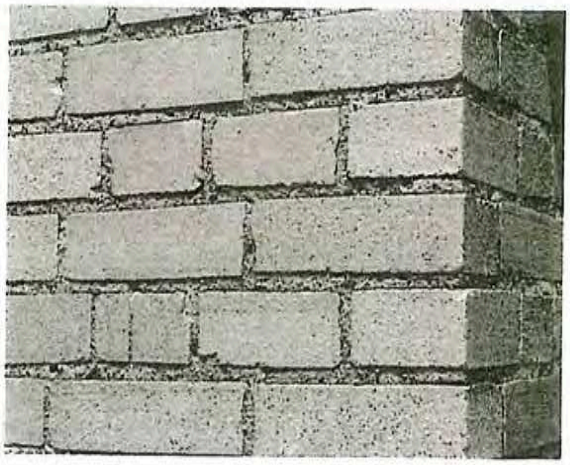
Repairs could range in cost from about $10,000 for sealing and repair of the crack and interior finishes to $100,000 for a solution requiring deep underpinning.

2. MORTAR DETERIORATION:

In some areas, the mortar joints in the exterior brick faces of the building are cracked and crumbling. These deteriorated mortar joints provide a path for water leakage into the building. (Photos S-9 and 10.)

Potential Renovations and/or Repairs:
Repoint all deteriorated mortar joints.

S-9: Cracking mortar joints in brick masonry.



S-10: Deteriorated mortar joints.

3. CORNICE DETERIORATION:

At the perimeter of the main roof, some of the masonry cornice sections are deteriorating and appear to be in danger of breaking and falling. This is a potentially serious hazard to pedestrians. (Photo S-11.)

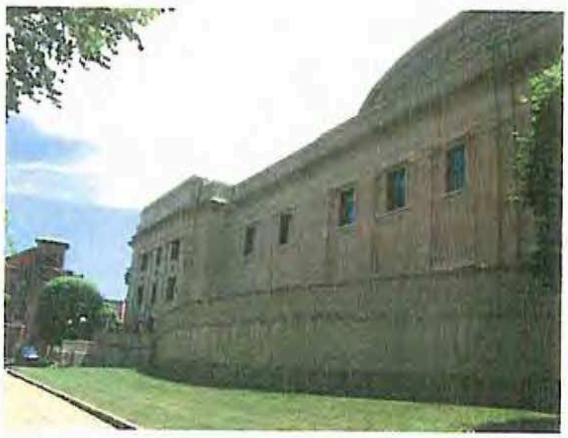
Potential Renovations and/or Repairs:
These fractured and spalled pieces should be removed and/or replaced immediately.

S-11: Deteriorated cornice at main roof.

4. MASONRY STAINING:

At the terrace on the north side of the building, staining of the exterior brick face suggests ongoing water leakage. Continued leakage will damage the wall, especially in cold weather when freeze-thaw cycles occur. (Photo S-12.)

Potential Renovations and/or Repairs:
Renovations and costs associated with this item are addressed in other sections of this report.



S-12: Stains in brick retaining wall from water leakage.

5. WATER INTRUSION:

Water leakage is evident in ceilings and walls in a number of locations throughout the building. On the interior, these are fundamentally architectural, rather than structural, in nature. (Photos S-13 and 14.) Over time, however, water penetration can damage structural elements, as well as finishes.

Potential Renovations and/or Repairs:
Renovations and costs associated with this item are addressed in other sections of this report.

Photo S-13: Water damage to ceiling.

Photo S-14: Water damage to interior wall and ceiling.

6. CONCRETE RAMP DETERIORATION:

At the northwest side of the building, the underside of a section of the exterior concrete ramp is badly deteriorated. This ramp is an elevated reinforced concrete slab constructed during the 1983 renovations that can be viewed from the adjacent mechanical room. The underside of the concrete has spalled, exposing much of the transverse steel reinforcement, which has corroded significantly. (Photos S-15 and 16.)

S-15: Underside of deteriorated concrete ramp slab.

Potential Renovations and/or Repairs: Removal and replacement of the elevated concrete ramp slab is likely to be required. Exposed structural steel members will need to be cleaned and painted.

Such deterioration of concrete over a relatively short period of time (about 20 years) is likely to be the result of chloride contamination of the concrete by de-icing salts. The concrete should be tested to determine the nature of the corrosion, and depending on the findings, the ramp slab should be either repaired or replaced.

S-16: Underside of deteriorated concrete ramp slab.

IV MECHANICAL

In 1984, the original building steam heating system was removed and replaced by a hydronic (forced hot water) heating system. Hot water is now generated by two Cleaver Brooks natural gas-fired boilers, each rated at 4,184 MBH input.

A reverse-return piping system circulates hot water through air handling unit AH-1, cabinet heaters, convectors, fin radiation and reused cast-iron radiators. Hot water is also circulated through a water-to-water heat exchanger to heat a 40% glycol solution. This second reverse-return piping system circulates the glycol solution through air conditioning units AC-1, 2, 3, 4, 6, 7 and 8.

Air conditioning units AC-5, 9, 10 and 11 do not have heating coils. The glycol system is not operational and those AC units fed by it cannot provide heat as originally intended. That heating is now being done completely by the indoor terminal heating units.

Air conditioning is provided by split systems, indoor packaged air-cooled units and one packaged rooftop air conditioning unit.

The automatic temperature control system is not functioning properly. In some areas, the air conditioning system must be operated to overcome the uncontrolled heat in spaces.

1. AUDITORIUM:

The auditorium is served by two 50-ton split air conditioning systems (AC-1 and AC-2), each with 380 MBH hydronic heating coils fed by the glycol circuit and 350 MBH hot gas reheat coils. The air handlers and compressor condensing units are located on the roof. The walk-thru sections of the rooftop supply air duct get wet during rainy weather, either from improper gasketing of the access doors or from corrosion of the ducts themselves. (Photo M-1.) The extensive supply air and return air ductwork is exposed on the roof and badly rusted in places.

M-1: Corroded rooftop ductwork.

It appears that AC-1 and AC-2 were intended to be controlled by resetting the discharge air temperatures based on the return air temperatures. The controls do not work properly and the discharge air temperatures have to be manually reset to try to satisfy the space's cooling needs.

When the auditorium is fully occupied on a hot day, the system cannot maintain proper space temperature. That suggests the units are somewhat undersized, though the exposed ductwork also contributes to this problem. In addition, the fresh air quantities being introduced by the units do not meet present code requirements and should be increased. AC-1 and AC-2 do not provide heat because the glycol heating circuit is inoperative.

The normal expected lifespan for direct expansion (DX) equipment, per ASHRAE guidelines, is 15 to 20 years. The units are more than 20 years old and cannot maintain space temperature even without increasing the fresh air quantity.

Potential Renovations and/or Repairs:

a. *Replace air conditioning units and air handlers AC-1 and AC-2 with new 70-ton units.*

b. *Replace the supply and return air ductwork exposed on the roof with new insulated ductwork.*

2. CONCOURSES:

The first and second level concourses surrounding the auditorium are heated by cast-iron steam radiators which were converted to hot water service in 1983. The units were not fitted with any local controls and were probably intended to use boiler water to provide heat at a temperature that would be reset based on the outdoor temperature. This control has not been effective and the spaces are frequently overheated or underheated.

Potential Renovations and/or Repairs: Provide automatic two-way control valves at each radiator, either within the recessed enclosure or in the supply pipe to the units. A number of the radiators in the same area could be controlled by one remote wall-mounted thermostat which would provide better space temperature control.

3. LIBERTY HALL:

Liberty Hall is served by a 25-ton rooftop split air conditioning system, AC-3, with a 190.4 MBH hydronic coil fed by the glycol circuit and a 250 MBH hot gas reheat coil. Temperature is maintained by resetting the discharge air temperature based on the return air temperature. The unit does not provide heat because the glycol heating circuit is inoperative. Portions of the supply and return ductwork exposed on the roof are rusted. This unit is more than 20 years old and should be replaced as it is at the end of its expected useful life span of 15 to 20 years.

Cast-iron radiators serving the surrounding perimeter space have no local controls and do not maintain constant space temperature, sometimes causing overheating that has to be overcome by operating the air conditioning system.

Potential Renovations and/or Repairs:

a. *Remove and replace air conditioning unit AC-3.*

b. *Remove and replace the existing supply and return air ductwork exposed on the roof with new ductwork.*

c. *Provide automatic two-way control valves at each radiator within the recessed enclosure or in the supply pipe to the units. A number of the radiators in the same area could be controlled by one remote wall-mounted thermostat to provide better space temperature control.*

4. VETERANS HALL (Second Level):

Veterans Hall is served by a 10-ton rooftop split air conditioning system, AC-4, with a 60 MBH hydronic coil fed by the glycol circuit. Temperature is maintained by resetting the discharge air temperature based on the return air temperature. The unit does not provide heat because the glycol heating circuit is inoperative. Portions of the supply air and return air ductwork, run exposed on the roof, are rusted. This 20-year-old unit is at the end of its expected lifespan and should be replaced.

The perimeter fin radiation serving the space has no local control and does not maintain constant space temperature, sometimes causing overheating that has to be overcome by operating the air conditioning system.

Potential Renovations and/or Repairs:

a. *Replace air conditioning unit AC-4.*

b. *Replace the supply and return air ductwork exposed on the roof with new ductwork.*

c. *Provide an automatic two-way control valve at the feed to the fin radiation within the cover or in the supply pipe to the radiation. The radiation would be controlled by a remote wall-mounted thermostat to provide better space temperature control.*

5. VETERANS WING (First and Intermediate Levels):

Function rooms on the first and intermediate levels of the Veterans Wing are served by a 10-ton packaged indoor air-cooled air conditioning unit, AC-6, located in the basement. The unit is provided with a 60 MBH hydronic heating coil fed by the glycol circuit. Temperature is maintained by resetting the discharge air temperature based on the return air temperature. The unit does not provide heat because the glycol heating circuit is

inoperative. This unit is more than 20 years old and should be replaced as it is at the end of its anticipated useful life.

The perimeter fin radiation serving the spaces has no local control and does not maintain constant space temperature, sometimes causing overheating that has to be overcome by operating the air conditioning system.

Potential Renovations and/or Repairs:

a. *Replace air conditioning unit AC-6.*

b. *Provide automatic two-way control valves for each level at the feed to the fin radiation, either within the cover or in the supply pipe to the radiation. The radiation at each level would be controlled by a remote wall-mounted thermostat to provide better space temperature control.*

6. HALL OF FLAGS:

The Hall of Flags is served by two 8-ton packaged indoor air-cooled air conditioning units, AC-7 and AC-8, located in the basement. Each unit is provided with a 100.1 MBH hydronic heating coil fed by the glycol circuit. Temperature is maintained by resetting the discharge air temperature based on the return air temperature. However, there are control problems with the units and they are not operating properly. The units do not provide heat because the glycol heating circuit is inoperative.

The normal expected useful life span for DX equipment per ASHRAE is 15 to 20 years. These units are more than 20 years old and should be replaced.

Cast-iron radiators serving the space have no local controls and do not maintain constant space temperature, sometimes causing overheating that has to be overcome by operating the air conditioning system.

Potential Renovations and/or Repairs:

a. *Remove and replace air conditioning units AC-7 and AC-8.*

b. *Provide automatic two-way control valves at each radiator within the recessed enclosure or in the supply pipe to the units. A number of the radiators in the same area could be controlled by one remote wall-mounted thermostat to provide better space temperature control.*

7. BOX OFFICE:

The box office is served by a cooling-only air conditioning unit, AC-9, located in the basement. Temperature is maintained by a remote wall-mounted thermostat located in the space. The terminal heating units serving the space are also controlled by a remote wall-mounted thermostat.

AC-9, however, does not function properly. Rather than spend money on repairs, the unit which is more than 20 years old, should be replaced as it is at the end of its expected service life.

Potential Renovations and/or Repairs: Replace air conditioning unit AC-9.

8. TERMINAL HEATING UNITS:

Many of the non-air conditioned areas are heated by terminal units (cast-iron radiators, fin radiation and convectors) with no local control. As is the case with the units serving the concourses, these units were probably intended to provide heat using boiler water which was to be reset based on the outdoor temperature. Again, this control has not been effective.

Potential Renovations and/or Repairs: The heating terminal units can be provided with automatic two-way control valves either at the units or in the piping serving the units to provide better space temperature control. The units could then be controlled by remote wall-mounted thermostats. Where a number of units serve the same space, a common remote wall-mounted thermostat could control all of them.

9. AUTOMATIC TEMPERATURE CONTROLS:

The pneumatic automatic temperature control system is obsolete, does not work properly and requires manual adjustment of discharge air set-points. The system should be replaced.

Potential Renovations and/or Repairs: Replace the pneumatic automatic temperature control system with a new Direct Digital Control (DDC) system for more reliable, accurate and cost-effective control of the air handling units, fans and circulating pumps.

10. GLYCOL HEATING SYSTEM:

The glycol heating system is not operational and has been in that state for a number of years.

Potential Renovations and/or Repairs: *System components, including circulators, the heat exchanger and controls should be replaced. The glycol solution pipe distribution system should be flushed clean.*

V PLUMBING/FIRE PROTECTION

1. DOMESTIC WATER

Domestic cold water is supplied from two metered city services interconnected within the building. One service is 4-inch, fed from an 8-inch city main on Brown Street. This 4-inch service piping runs exposed through the main electric switchgear room before entering the water meter at the mechanical room. The other service is 2-inch, fed from a 6-inch branch of a 24-inch city main on East Merrimack Street. (This service is currently shut off so that all water to the building is fed from the Brown Street service.) The incoming water pressure appears to be approximately 85 psi at the 4-inch service entrance in the boiler room. There are no backflow prevention devices on either water service.

Domestic hot water is provided by a gas-fired water heater and storage tank assembly in the boiler room with a thermostatic mixing valve for tempering the hot water supplied to all fixtures. The building domestic hot water is recirculated by an in-line circulator controlled by an aquastat to maintain an essentially constant temperature.

The domestic water piping appears to be copper (type unknown) with preformed insulation throughout. The fixture branches are fitted with ball valves for isolation so maintenance and repair work can be performed without a system-wide shutdown. In general, the domestic water system (piping and equipment) appears to be in good condition throughout; there are no apparent signs of pipe deterioration or leakage.

Potential Renovations and/or Repairs:

a. *Provide a reduced pressure backflow preventer on each water service entering the building, if required by the local water authority.*

b. *Relocate the 4-inch domestic water service piping away from the electric switchgear room.*

2. SANITARY WASTE AND VENT

Sanitary waste and vent piping appears to be cast-iron (stacks and mains), with Type DWV copper (small branches) throughout. Most of this was probably installed as part of the 1983 renovation. In general, the sanitary waste and vent piping system, where visible, appears to be in good condition throughout the building, and there are no apparent signs of pipe deterioration or leakage.

3. RAINWATER

The rainwater piping appears to be cast-iron (stacks and mains) throughout. Some piping was installed as part of the 1983 renovation, though portions of unknown age predate that, possibly from the original construction. The older piping appears to consist of some of the stacks and most of the underground piping.

Some roof leakage is evident in certain areas of the building. It is not known whether the cause is attributable to the drains/piping or failures of the roof membrane itself.

Though none of it is visible, the older sections of the rainwater piping system are in questionable condition throughout the building because of age, as a recent pipe failure would suggest. There are no apparent signs of pipe deterioration or leakage in the newer sections of the system.

Potential Renovations and/or Repairs: Determine the cause of leakage at all areas suspected of having roof leaks and replace all deteriorated piping. Replace/reflash existing drains and piping in the locations where pipe/drain leakage may be a problem.

4. NATURAL GAS

The natural gas service is fed from a branch off the 4-inch gas main on Brown Street with a meter and pressure regulator on the exterior building wall. The gas meter is a Roots Model 3M175 (3,000 cfh maximum). Natural gas is only used by the two heating boilers and the domestic water heater.

The natural gas piping is black steel with screwed joints and it appears to be in good condition. There are no apparent signs of pipe deterioration, but the gas meter may have to be relocated for code compliance reasons. This gas meter partially blocks the fire escape and restricts the egress width in that area.

Potential Renovations and/or Repairs: Relocate the existing gas meter as necessary to alleviate the conflict with the means of egress.

5. PLUMBING FIXTURES

Plumbing fixtures throughout the building are vitreous china with chrome-plated flush valves, faucets and trim. Most fixtures appear to be in good condition, but many may not meet the low-consumption requirements of the current plumbing code.

It is assumed that the existing quantity of plumbing fixtures was adequate for the building population at the time they were installed. However, based on the current Massachusetts State Plumbing Code, there are some deficiencies with respect to quantity. These come

into play only if renovations are undertaken; absent renovation, this is simply an existing non-conforming condition from a code standpoint – and perfectly legal as such.

The existing plumbing fixtures for use by the general public can serve the following numbers of people:

Basement Men's Room #001	- Serves 480 men (maximum)
First Floor Men's Room #121	- Serves 120
Second Floor Men's Room #215	- Serves 120
Total Men's Room Fixtures	- Serves 720 men (maximum)
Basement Women's Room #002	- Serves 330 women (maximum)
First Floor Women's Room #127	- Serves 120
Second Floor Women's Room #218	- Serves 120
Total Women's Room Fixtures	- Serves 570 women (maximum)

These totals represent less than half of the actual occupancy load. It should also be noted that the current Massachusetts State Plumbing Code requires that urinals make up not more than 50% of the fixtures provided. Some of the men's toilet rooms have more urinals than water closets, such as:

Basement Men's Room #001	- 4 toilets / 8 urinals
First Floor Men's Room #121	- 1 toilet / 3 urinals
Second Floor Men's Room #215	- 1 toilet / 3 urinals

Since urinals in excess of the 50% benchmark do not contribute to meeting the required number of fixtures for the building population, measures to increase the number of toilets may be advisable from an amenity, as well as a code compliance, standpoint. This point is also discussed in the Architectural section.

Potential Renovations and/or Repairs: Consider replacing all plumbing fixtures with low-consumption models, possibly with sensor valves.

6. SPRINKLER/STANDPIPE

The 8-inch fire protection water service is fed from Brown Street via a post-indicator valve and runs beneath the slab to the mechanical room where a 50-horsepower fire pump is located. The incoming water pressure appears to be approximately 90 psi at the fire pump inlet in the mechanical room. There is a three-way, wall-mounted, fire department pumper inlet connection at the exterior building wall on Brown Street, but no backflow prevention device on this water service.

Standpipe coverage appears to be complete (though this would ultimately need to be verified) utilizing 2½-inch and 1½-inch fire department hose valves located throughout the building. However, the pressure the standpipe system is capable of delivering under

full flow conditions is unknown. The building is only partially sprinklered, with no sprinklers in the public corridors/halls, the auditorium seating area, concealed spaces beneath the seating area, function room area, Liberty Hall, and the Hall of Flags. Some of the existing fire sprinkler inspector's test stations do not appear to be connected to a permanent drainage system, making testing difficult.

The visible fire suppression systems piping is Schedule 40 steel with screwed fittings/joints on pipes smaller than 2½-inch and Schedule 10 steel with mechanical fittings/joints on pipes 2½-inch and larger. The piping and components appear to be in good condition with no evidence of deterioration or leakage. Some hose valves in the basement appear to be old and possibly mounted at heights not in conformance with current codes and standards.

The Massachusetts State Building Code requires that assembly-type buildings of Use Group A-1, such as auditoria, be provided with complete automatic sprinkler system coverage. This requirement applies to existing buildings as well, if "substantial" renovations are undertaken.

Potential Renovations and/or Repairs:

a. *Provide a double-check valve assembly on the fire protection water service entering the building, if required by the local water authority.*

b. *Provide full sprinkler/standpipe coverage and modify the existing sprinkler/standpipe systems throughout the entire building in accordance with the Massachusetts State Building Code requirements, if "substantial" renovations are performed or if required by the Authority having jurisdiction.*

VI ELECTRICAL

The 1980's renovation entailed replacing the electric service with a new underground-fed padmounted transformer feeding a new 2,500 ampere, three-phase, 4-wire, 120/208 volt switchboard and a new 50 kW emergency generator with an output of 178 amps at 208 volts, three-phase. The interior lighting was totally replaced at that time, except for historically significant fixtures like chandeliers that were refurbished. The exterior lighting was replaced by new ornamental post-type lanterns with large-diameter opaque globes. All low voltage systems within the building were upgraded, including fire alarm, telephone, dimming and sound. The telephone and fire alarm underground utilities were also replaced as part of this renovation.

The electric service is adequate for the present based on historical peak demand and could accommodate minor load growth. However, the switchboard presently only has three spare circuit breakers rated at 70 amps each. Should any future loads exceed the spare circuit breaker capacity, an additional switchboard section or a standalone distribution panelboard will have to be installed.

The emergency generator capacity also appears to be adequate based on design loading. The emergency generator, oil tank, emergency switchboard section and feeders are in the mechanical room and main electric room, respectively. Although not required in this case by virtue of "grandfathering," the latest electrical codes call for all components of a new emergency system, including the generator and associated switchboard, to be in a separate two-hour rated space not occupied by other electrical or mechanical systems.

Notwithstanding the substantial renovations, components of various systems have reached the end of their useful service lives and should be replaced. Similarly, many components of systems which were state-of-the-art twenty years ago are now out-of-date and should be replaced with more efficient or advanced devices.

The following list summarizes items and deficiencies that warrant attention:

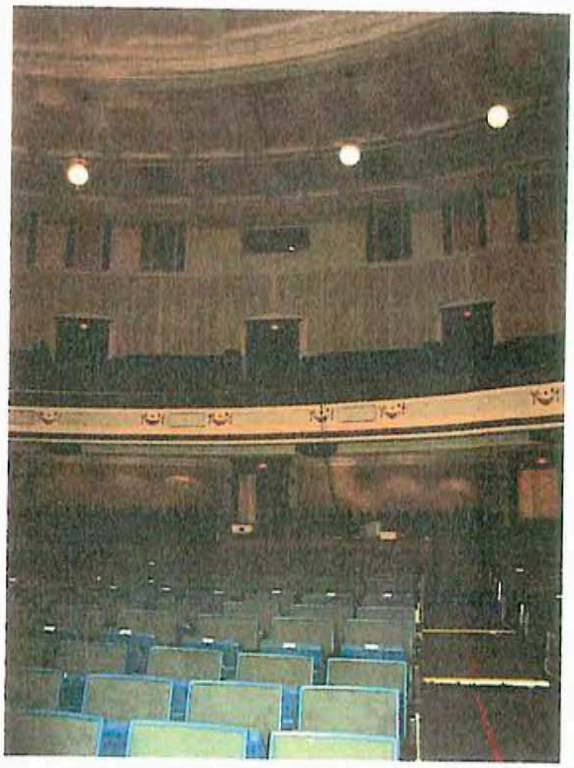
1. <u>PORTABLE POWER CORDS:</u>

   Portable cords are used for permanent power to equipment. (Photos E-1, E-2 and E-3.) The cords are exposed and, more importantly, subject to physical damage. For the latter reason, the National Electric Code (NEC) prohibits this practice.

E-1: Unsupported cable to balcony.

Potential Renovations and/or Repairs:

Permanent raceways should be installed in place of the present portable cord sets. If the cord sets originate at the control console in the rear seating area and end at the stage, the raceway could be run through the basement and rise up at the needed locations near the stage. Each end would have the proper receptacles.



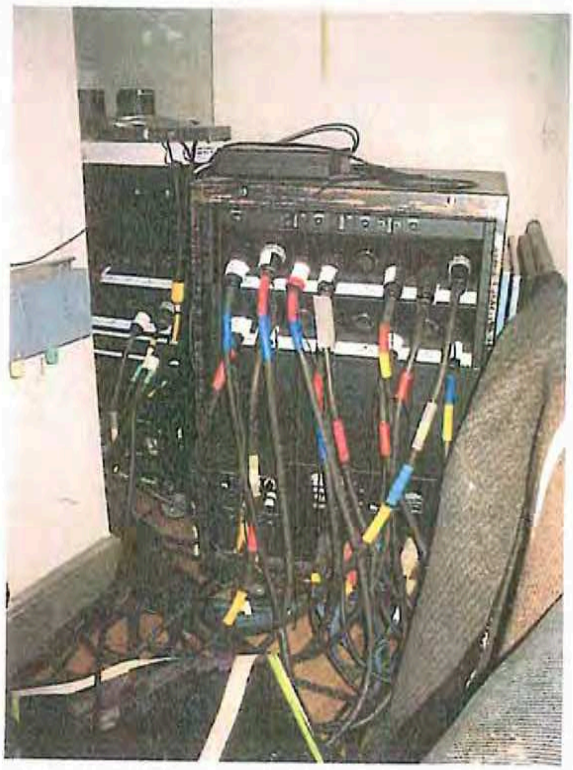
E-2: Unsupported cable to balcony.

E-3: Cable along stage molding.

2. PORTABLE STAGE EQUIPMENT POWER CABLES:

In accordance with the NEC, working clearance needs to be maintained around all electrical equipment that needs access. Cabling, even if it is temporary, needs to be protected and laid out to allow egress, in this case, through the railed area. (Photo E-4.)

Potential Renovations and/or Repairs:
Cabling should be supported overhead to allow egress. This might involve installation of a cable tray substantial enough to support the weight of the power cable anticipated. The tray should be high enough for a minimum of 6'-8" clearance above the finished floor. The portable equipment should also be positioned to avoid obstructing the egress path.

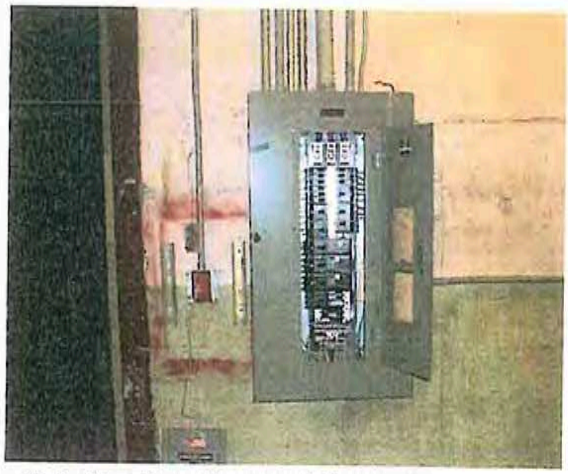


E-4: Portable stage equipment power cables.

3. BOILER ROOM PANELBOARD "BRP":

The box trim cover is missing so that live electrical bussing is exposed. (Photo E-5.)

Potential Renovations and/or Repairs:
Since the cover is leaning against the wall next to the panel, it simply needs to be reinstalled. Any open spaces on the trim should have inserts fitted.



E-5: Panelboard exposed live parts.

4. MAIN SWITCHBOARD CLEARANCE:

The area in front of the main switchboard is obstructed by temporary electrical boxes mounted to wooden studs. (Photo E-6.)

E-6: Switchboard working clearances.

Potential Renovations and/or Repairs:
The NEC requires a minimum working clearance in front of electrical panels. These electrical boxes should be removed and stored properly to maintain those minimum clearances.

5. CONCESSION SPACE CONVENIENCE OUTLETS:

There is a lack of permanent convenience outlets for all equipment, judging by the widespread use of portable power cord sets. (Photo E-7.)

E-7: Concession convenience outlets.

Potential Renovations and/or Repairs:
There are seven concession spaces. In each of the four original concession spaces, there are dedicated panelboards with spare circuit breakers. New branch circuits with double-duplex receptacles should be installed in each of these spaces. New dedicated panelboards from the main electrical switchboard should be installed in the other three concession spaces. Each space should have new branch circuits and outlets installed similar to the original concession spaces, plus an additional doubleduplex outlet as recommended above.

6. CONCESSION SPACE PANELBOARD CLEARANCE:

The dedicated electrical panelboard in each of the four original concession spaces has a refrigerated cooler in front of it. Per the NEC, a minimum three-foot clear working space must be maintained in front of the panel at all times. (Photo E-8.)

E-8: Concession panelboard clearance.

Potential Renovations and/or Repairs:
Relocate the coolers so the required clear space is unobstructed or relocate the panelboards. Each cooler relocation would require a new duplex receptacle and circuit. The panel relocation would involve reworking all circuits.

7. LEHIGH DIMMING SYSTEM:

This system (Serial No. 011685) comprises three cabinets filled with twenty-four 2.4 kW dimmers and twenty-two 6.0 kW dimmers. Since it was installed in 1985, replacement dimmer and parts availability is probably compromised. While there appear to be no problems with the reliability of these dimmers at this time once they start to fail, replacement is likely to become progressively more difficult (Photo E-9.)

E-9: Lehigh dimming system cabinets.

Potential Renovations and/or Repairs:
Failures can be resolved with existing spare dimmers initially. Eventually, spares will no longer be available, and then a system upgrade will be necessary. Depending on the number of dimmer failures, replacement of a dimmer section could forestall a total three-section replacement. Total replacement of the complete system may be necessary if many dimmers fail in a short period of time.

8. INTERIOR EXIT SIGNAGE UPGRADES:

The NEC dictates locations for illuminated exit signage. Many deficiencies with respect to those code provisions were noted.

Potential Renovations and/or Repairs: *Upgrade the illuminated exit signage as needed in accordance with the NEC.*

9. EXTERIOR EXIT DISCHARGE LIGHTING:

Existing exterior lighting fixtures illuminate the exit path of egress; however, none of the exterior lighting fixtures is connected to an emergency power source. In the event of a power failure, the exit discharge locations will not be illuminated.

Potential Renovations and/or Repairs: *Provide normally-off exterior compact fluorescent wall-mounted lighting fixtures to illuminate all eight exterior egress locations. These new fixtures must be connected to the emergency side of the emergency generator automatic transfer switch. The fixtures would be circuited to a dedicated normally-off emergency electric panelboard.*

10. EXTERIOR LANTERN GLOBE DETERIORATION:

Most translucent 16" diameter lantern globes have discolored and many have what appear to be burn holes at the bottom of the globe. Newer globes often have UV inhibiters to retard discoloration and increase useful life. (Photo E-10.)

Potential Renovations and/or Repairs:
All twenty polycarbonate globes should be replaced.

E-10: Exterior lantern globe deterioration.

11. DECORATIVE COLUMN LIGHTING ROOFTOP SPLICE BOX:

The wooden splice box on the roof is susceptible to weather and not code-compliant. It appears to be falling apart and there is no finish to preserve it. (Photo E-11.)

E-11: Lighting wooden splice box on roof.

Potential Renovations and/or Repairs: *After disconnecting all wiring, the wooden box should be removed and replaced with a new NEMA 3R enclosure. The wiring will then have to be reconnected.*

12. MAIN ELECTRIC ROOM LIGHTING:

The lighting fixtures in this area are rusted, falling apart and non-functional. (Photo E-12.)

Potential Renovations and/or Repairs:
The three fluorescent lighting fixtures should be replaced.

E-12: Basement fluorescent lighting.

13. FIRST FLOOR CONCESSION SPACE LIGHTING:

In the three newer concession areas, a total of nine recessed incandescent lighting fixtures and eight over-counter incandescent fixtures are inefficient and require frequent lamp replacement.

Potential Renovations and/or Repairs: *The incandescent fixtures should be replaced and supplemented by fifteen new compact fluorescent fixtures. The over-counter fixtures should also be replaced and supplemented by twelve new over-counter fixtures.*

14. FIRST FLOOR CONCOURSE LIGHTING:

Forty-four surface-mounted incandescent lighting fixtures, twenty-eight recessed incandescent wall washer lighting fixtures and eleven incandescent exit signs are inefficient and require frequent lamp replacement. (Photo E-13.)

Potential Renovations and/or Repairs:
The incandescent lighting fixtures should be replaced by new compact fluorescent fixtures. The exit lights should be replaced by new LED-type exit signs. Two benefits will follow. The first is energy savings from replacing 100-watt incandescent lamps with 32-watt triple-tube compact fluorescents. Second, the lamp life of 1,000 hours for incandescents increases to 12,000 hours for fluorescents.

The existing exit signs have two 20-watt incandescent lamps which have a rated life of 1,000 hours. The LED replacement exit sign load is two watts and the expected life is a minimum of five years.

Power company rebates for these energy-saving upgrades may be available to defray part of the cost.

E-13: Concourse incandescent lighting.

15. FIRST FLOOR DRESS CIRCLE LIGHTING

Thirty-eight recessed incandescent lighting fixtures, twenty-four recessed incandescent wall washer lighting fixtures and eight incandescent exit signs are inefficient and require frequent lamp replacement.

Potential Renovations and/or Repairs: The incandescent lighting fixtures should be replaced by new compact fluorescent fixtures. The exit lights should be replaced by new LED-type exit signs. Two benefits will follow as outlined in Item 14 above.

As in Item 14, the existing exit signs have two 20-watt incandescent lamps with a rated life of 1,000 hours versus the LED replacement exit signs at two watts with an expected life of five years. Power company rebates for these energy-saving upgrades may be available to defray part of the cost.

16. HALL OF FLAGS FLOODLIGHTING

The lighting fixtures to highlight the curved walls are recessed 150-watt PAR 38 incandescent lamps. These are inefficient, require frequent lamp replacement and are difficult to access because of the fixture mounting heights.

Potential Renovations and/or Repairs: Replace ten incandescent lighting fixtures with ten 50-watt metal halide HID fixtures. This will increase the lamp life from 1,000 hours

to 10,000 hours and decrease the wattage by a net of 90 watts per fixture. To minimize noise, the ballasts should be located remotely.

17. SECOND FLOOR CONCESSION SPACE LIGHTING:

The four concession areas have a total of ten recessed incandescent lighting fixtures and eight over-counter incandescent fixtures. These are inefficient and require frequent lamp replacement.

Potential Renovations and/or Repairs:
The incandescent fixtures should be replaced and supplemented by eighteen new compact fluorescent fixtures. The over-counter fixtures should also be replaced and supplemented by sixteen new over-counter fixtures.

18. SECOND FLOOR CONCOURSE LIGHTING

Thirty-eight surface-mounted incandescent lighting fixtures, eleven recessed incandescent wall washer fixtures and eleven incandescent exit signs are inefficient and require frequent lamp replacement.

Potential Renovations and/or Repairs: The incandescent lighting fixtures should be replaced by new compact fluorescent fixtures as described in Item 14 above.

19. PORTABLE TELEPHONE CABLE:

Portable telephone cable is taped to building walls, strung over doors and taped to display cabinetry. This violates the NEC and exposes the cable to physical damage. (Photos E-14 and E-15.)

Potential Renovations and/or Repairs:
A permanent raceway should be installed in place of the present portable cable. A new raceway could be run through the basement and rise up at a suitable location near the display cabinet. Each end would have the proper telephone receptacles.

E-14: Telephone cable taped at molding.

E-15: Telephone cable at display.

20. SOUND SYSTEM CABINETS AND WIRING

The bulk of the sound system equipment has been reduced considerably. (Photo E-16.)

Potential Renovations and/or Repairs:
The rack-mounted devices can be consolidated into fewer sections. Also the wiring can be consolidated and installed in a raceway. This would facilitate the repair and replacement of ceiling tiles. Lighting within the space should also be upgraded.

E-16: Sound system cabinet and wiring.

21. FIRE ALARM SYSTEM

The existing non-addressable fire alarm system was state-of-the-art twenty years ago. If a new system were installed, code requirements would be more stringent and include measures such as elevator-recall smoke detectors.

Potential Renovations and/or Repairs: The useful life of the original smoke detectors has been exceeded, and all should be replaced with current technology devices. New smoke detectors should be addressable even if the system is not converted because the addressable devices can be used with either a conventional system over the short-term or an addressable one at a later date.

The fire alarm control panel is also 20 years old. Replacement modules and associated devices for this system may already be hard to find. Ideally, the present conventional system would be replaced with a fully addressable system. In addition to replacing all smoke detectors with addressable units, all manual pull stations should be changed to an addressable type so that any smoke detector or pull station in alarm can be identified at the control panel.

VII CIVIL

The Lowell Memorial Auditorium site is approximately 2.3 acres in size and roughly triangular in shape. It is bounded southerly for approximately 466 feet by East Merrimac Street, easterly for 402 feet by Brown Street, and northwesterly for approximately 504 feet by the Concord River.

The site is covered predominately by the Auditorium itself on the eastern portion of the property and by a plaza/war memorial on the western portion. In general, the site conditions would be classified as fair-to-excellent, with the majority of the site in good condition.

A significant renovation of the Auditorium, as shown on plans prepared in 1983 by Perry Dean Stahl & Rogers, included improvements to large portions of the site including stairways, handicapped access and plazas at the building entrances and at the plaza/war memorial.

1. UTILITIES

The following discussion is based upon information contained in the 1983 plans for renovation of the Lowell Memorial Auditorium and upon field observations made during a site visit in June 2005. Utility companies have not been contacted to discuss available capacity within the vicinity of the Auditorium.

It appears as if all utilities required for the operation of the Auditorium are located immediately adjacent to the project site. These include gas, electric, sanitary sewer, water, telephone, and storm drainage. At least portions of the drainage and sanitary sewer systems appear to be combined, a practice no longer utilized for obvious environmental reasons.

A portion of an abandoned 12-inch sanitary sewer/drain line seems to still be located beneath the Auditorium. It is likely that this line is still used for discharge from the Auditorium, and that other sources of discharge west of the Auditorium were diverted at some point in the past. The sanitary sewer/drain line follows the centerline of the former extension of Stackpole Street, which was abandoned in 1919.

There is an irrigation system located in the area of the plaza/war memorial. It only covers the southern half of the plaza/war memorial, however.

Potential Renovations and/or Repairs:

a. *Given the aesthetic importance of the plaza/war memorial to the Auditorium, especially for eastbound pedestrians on East Merrimac Street, it would be advisable to complete the irrigation system.*

b. *A vault located at the easterly end of the property over a 96-inch sewer line is significantly higher than the surrounding sidewalk. Safety cones have been placed around this structure to divert pedestrians, as it constitutes a tripping hazard. Given the high visibility of this structure at the central entrance to the plaza/war memorial, either lowering the vault access hatches, which may not be feasible, or reconstructing sections of sidewalk to match the elevation of the access hatch would be advisable. This could be performed in conjunction with proposed improvements to the sidewalks discussed below. (Photo C-1.) Repairs to this walk were undertaken during the course of this study.*

C-1: Existing access hatch, higher than existing sidewalk.

2. LANDSCAPE/HARDSCAPE:

The Lowell Memorial Auditorium site is predominately covered by landscape and hardscape features. To the west is the plaza/war memorial, utilized as a small park, to the south is the main entrance, including a plaza of brick pavers, to the east is the service area for the building, and to the north is another plaza and a riverwalk. Most of these features are in good-to-excellent condition. Some small exceptions are discussed below:

Potential Renovations and/or Repairs:

a. *The sidewalk at the western end of the property is in fair condition. Because this is the primary entrance to the plaza/war memorial and therefore gives pedestrians their first impression of the site, this sidewalk should be replaced. A scoring pattern could be incorporated in this area which accentuates the unique geometry formed here by the intersection of East Merrimac Street and the Concord River.*

b. *The plaza to the south of the Auditorium along East Merrimac Street is generally in good condition, with minor signs of spalling and a very small spot which appears to be lower than the nearby area drain. As this plaza leads to the main entrance and ticketing booth for the facility, these minor repairs and grading adjustments are also recommended. (Photo C-2.)*

C-2: Small area of settlement at the easterly plaza.

c. *The handicapped access ramp to the south plaza seems to be structurally sound, though several areas show signs of spalling and evidence of past repairs. Given the location of this ramp at the main entrance to the building, it should be cleaned and repaired. (Photos C-3, 4 and 5.)*

C-3: Existing ramp to East Plaza, signs of spalling.

C-4: Existing ramp to East Plaza, signs of spalling.

C-5: Existing ramp to East Plaza, signs of spalling.

d. *There are two handrails located along the east side of the building at the stairwells leading down to the Auditorium basement. Both are loose and tilting. The northerly of these two handrails is in the vicinity of a metal staircase up to the main level of the Auditorium. Most of the exterior stairways along the easterly side of the building are in poor-to-fair condition, with signs of rusting. Replacement of the handrails should be a priority, but replacement of these exterior stairways should also be considered. (Photos C-6 and 7.)*

C-6: Loose hand rail, north of auditorium.

C-7: Loose handrail, north of Auditorium.

e. *One small section of sidewalk near the northeast corner of the Auditorium is higher than the surrounding ground surface and presents a tripping hazard. This walkway should be replaced. (Photo C-8.)*

C-8: Sidewalk, north of Auditorium, higher than adjacent ground surface.

f. Though the riverwalk is generally in good-to-excellent condition, some signs of deterioration are visible. The sidewalk at the base of the northwesterly steps to the Auditorium is spalling and should be replaced. A series of gutters, or scuppers, is used to drain the riverwalk. Stormwater is collected in these gutters and discharged through the wall into the Concord River. Some of these gutters have cracked and spalled, with some signs of repair also present. One section of rail along the wall is broken and the concrete wall shows isolated areas of spalling. The riverwalk is one of the most aesthetically pleasing areas of the site and offers attractive views of the auditorium and the river. Repairing these deficiencies, described above, would enhance this important part of the site. (Photos C-9 and 10.)

C-9: Riverwalk, spalled and damaged gutter.

C-10: Existing riverwalk, damaged rail.

g. Repairs of several granite steps to the Auditorium have been undertaken in the past and another round is currently in progress. These latest repairs are being performed by City employees. The effectiveness of waterproofing of the steps is questionable and portions of the steps have been subjected to movement, likely due to frost. None of the steps seem to present a tripping hazard at this time or is likely to fail. Given the age of the Auditorium, the movements do not appear excessive or beyond what would be anticipated. Therefore, repairs can proceed as currently planned, though proper use of sealants or other waterproofing agents should be incorporated into future repair efforts.

3. LOADING DOCK:

The loading dock probably represents the single biggest opportunity for potential improvement from a site perspective. The dock which was added in 1983 appears to be an adaptation of a pedestrian walkway along the east side of the building.

The property line along this side of the building is unusual. Along East Merrimac Street, the property line corresponds roughly to the back of the sidewalk, as is typical in urban

areas. Along Brown Street by the loading dock, the property line extends almost to the centerline of Brown Street. It then heads north, approximately along the centerline of Brown Street to the northeast corner of the intersection of Brown and Stackpole Streets, where almost the entire width of Brown Street is included within the property of the Auditorium.

This might give the Auditorium more rights to the use of Brown Street than might be initially assumed. In view of these facts, realignment of Brown Street may be possible by moving the westerly curb line to the east, away from the Auditorium. This could allow construction of dedicated loading docks that would not block Brown Street as at present. This alternative would result in a narrower traveled way along Brown Street, with a likely loss of some on-street parking, and possibly a one-way traffic pattern. The northerly terminus of Brown Street could be reserved for a small parking lot, approximately ten spaces, assuming a double-loaded layout.

This is an unusual situation and any proposed improvements should be discussed with the City of Lowell, particularly the Planning and Public Safety Departments, due to the major impact any changes, even if located entirely upon land owned by the Auditorium, could have upon traffic circulation in this area.

VIII CODE COMPLIANCE

Massachusetts State Building Code Requirements (780 CMR)

As this project is likely to involve modifications to an existing building, it falls under the jurisdiction of the Sixth Edition of the *Massachusetts State Building Code (780 CMR) Chapter 34, Repair, Alteration and Change of Use of Existing Buildings*. All renovations, repairs and additions to existing buildings which require a building permit should, at a minimum, comply with Chapter 34 of 780 CMR.

It should be noted that the anticipated effective date for the Seventh Edition of the *Massachusetts State Building Code (MSBC) to take effect* is approximately one year from the date of this report. While it is possible that the majority of 780 CMR Chapter 34 will remain unchanged, this analysis should be reviewed again if the permit filing for renovation work will occur after the effective date of the Seventh Edition. A six-month grace period will follow the effective date wherein either the Sixth or Seventh Edition may be used.

REQUIREMENTS FOR CONTINUATION OF THE SAME USE GROUP OR CHANGE IN HAZARD INDEX OF ONE OR LESS:

Alterations to existing buildings in this category are required to comply with the specific code requirements contained in 780 CMR Section 3404.0. Because there is no proposed change in use associated with the proposed renovations, this code section is therefore applicable.

Code § 1. New Building System:

> New building systems or portions thereof are required to comply with the code requirements for new construction to the fullest extent practical. However, individual components of an existing building system may be repaired or replaced without upgrading the entire system to the code requirements for new construction, unless otherwise indicated in the structural provisions contained within 780 CMR Section 3408.0 (780 CMR Section 3404.3).

Code § 2. Alterations or Repairs:

> Alterations or repairs to existing buildings which maintain or improve the performance of the building may be made with the same or like materials. The replacement of an entire building system (including egress, interior finish architectural details and other building elements) would be required to comply with the code requirements for new construction (780 CMR Section 3404.4).

Code § 3. Means of Egress:

All floors within altered buildings are required to have access to the minimum required number of means of egress (no fewer than two) that are acceptable to the building official (780 CMR Sections 3404.5, 3400.4 & Table 1010.2).

Each level of the main auditorium has at least four exits so that this requirement is met. Other rooms with an occupant load over 50, such as Liberty Hall and the Veterans Wing contain two exits and are in conformance with this requirement, with the following exceptions:

a. One of the two exits from the Veterans Wing is a fire escape. Per 780 CMR 1025.1.2, fire escapes are accepted as a component in the means of egress in existing buildings only if the following conditions are met. The fire escape should be designed to support a live load of 100 pounds per square foot and should be constructed of steel or other approved non-combustible materials.

   Per 780 CMR 1025.3.1, stairs should be at least 22 inches wide with risers not more than, and treads not less than, eight inches and landings at the foot of stairs not less than 40 inches wide by 36 inches long, located not more than eight inches below the door. Per 780 CMR 1025.3.2, doors and windows along the fire escape should be protected with ¾-hour opening protectives.

   From visual inspection only, the structural integrity of the fire escape could not be verified. The fire escape appeared to otherwise be in compliance except that the bottom of the stair is blocked by a gas meter which restricts the egress width down to 18 inches.

   Potential Renovations and/or Repairs: The structural integrity of the fire escape should be verified and the gas meter relocated to provide adequate egress width at the bottom of the fire escape. This condition is not grandfathered due to the specific code language cited above.

b. The public restrooms located in the basement are each accessed by a single stair. All floor areas are required to have access to a minimum of two exits.

   Potential Renovations and/or Repairs: A connection between the two stairs would have to be created to provide a second means of egress for each restroom, or some other compliance alternative will have to be sought to allow this existing condition to remain. This condition is not grandfathered due to the specific code language cited above.

Code § 3A. Minimum Exit Capacity:

All means of egress are required to provide the minimum capacity as determined by 780 CMR Section 1009.0 (780 CMR Section 3404.6). This section provides minimum width requirements based on the occupant load of the building. The building is currently provided with sufficient egress as tabulated below:

a. The first floor of the main auditorium reportedly has seating capacity for 1,518 occupants. The exits serving the first floor auditorium provide exit capacity as follows:

First Floor Location*	Exit Type	Inches per Occupant	Width (inches)*	Capacity
Main entrance (Hall of Flags)	Doors	0.2	204	1,020
North Terrace	Stair	0.3	60	200
North Terrace	Walkway	0.2	48	240
South Terrace	Walkway & ramp	0.2	96	480
TOTAL				**1,940**

*The most restrictive width along each path of egress, including the exit discharge, is indicated here.

Since the total capacity exceeds the number of seats, it is sufficient to accommodate patrons and employees (concessions, ushers, etc).

The width of the main auditorium stepped aisles was measured to be approximately 30 inches. At 0.3 inches per occupant, this equates to a capacity of 100 persons. None of the seating cachement areas (seats in adjacent sections using a common aisle) appears to exceed 100 seats.

Per 780 CMR 1012.6, the minimum clear row width should not be less than 12 inches (305 mm) measured as the clear horizontal distance from the back of the row ahead and the nearest projection of the row behind. Where chairs have automatic or self-rising seats, the measurement should be made with the seats in the raised position. Where any chair in the row does not have an automatic or self-rising seat, the measurement should be made with the seat in the down position.

Potential Renovations and/or Repairs: Some seat rows were measured as having a row width less than 12 inches with seats in the down position as described above. Where this occurs, springs should be added to the seats to make them self-rising.

b. The second floor (balcony) of the main auditorium reportedly has seating capacity for 1,344 occupants. Approximately one-half of the Liberty Hall occupants will also use these stairs, adding approximately 153 occupants (based

on total Liberty Hall seating capacity of 305 persons) for a total seating capacity of 1,497. The exits serving the second floor balcony auditorium provide exit capacity as follows:

Location	Exit Type (limiting capacity)	Inches per Occupant	Width (inches)	Capacity
Stair 1	Stair	0.3	108	360
Stair 2	Stair	0.3	108	360
Stair 3	Stair	0.3	144	480
Stair 4	Stair	0.3	144	480
TOTAL				**1,680**

This total exit capacity is also sufficient to accommodate patrons and employees (concessions, ushers, etc.) of the second floor as currently configured.

The width of the main auditorium stepped aisles was measured to be approximately 36 inches. At 0.3 inches per occupant, this equates to a capacity of 120 persons. The cachement areas of the seating using such aisles appear to be designed to the correct capacity, e.g., half of the seats in seating Section C plus half of the seats in seating Section D will use the aisle between Sections C and D. That total is 120 seats, exactly the capacity afforded by the aisle.

Other areas of the building, i.e., backstage, basement (except bathrooms), etc., are provided with multiple exits and are afforded with sufficient egress capacity, although additional exit signs are needed, as described below.

Code § 3B. Exit Signs and Emergency Means of Egress Lighting:

Exit signs and emergency means of egress lighting are required to be provided in accordance with the requirements for new construction contained within 780 CMR Sections 1023.0 and 1024.0 (780 CMR Section 3404.7 & 3404.8).

Section 1023.0 contains requirements for exit sign power sources, minimum letter size, stroke, contrast, color, etc. All exit signs and emergency egress lighting should be provided with an emergency power supply to assure continued illumination for not less than 1.5 hours in case of primary power loss (780 CMR Section 1023.4 & 1024.4).

a. The exit signage in the main auditorium, Liberty Hall, backstage and the basement was not in compliance with the above requirements. The basement egress is confusing and will likely need additional exit signs for clarification.

Potential Renovations and/or Repairs: Provide new, code-compliant exit signage in the main auditorium, Liberty Hall, backstage and the basement.

Provide additional exit signs in the basement wherever an occupant can go in two or more directions and the direction of the exit is not obvious.

b. Section 1024 requires that the minimum required illumination of aisles should be 0.2 footcandles (2 lux) in occupancies in Use Groups A and E for the exhibition of motion pictures or other projections by means of directed light. The lighting of exits, aisles and auditoriums should be controlled from a location that is not accessible by unauthorized persons.

The intensity of floor lighting in all other areas should not be less than one footcandle (11 lux) except as provided for in 780 CMR 1024.3. Such lighting should also be provided to illuminate the exit discharge.

Means of egress lighting also should be connected to an emergency electrical system that complies with 527 CMR 12.00, the Massachusetts Electrical Code, to assure continued illumination for a duration of not less than 1½ hours in case of emergency or primary power loss.

The lighting intensity and power supply could not be verified for means of egress lighting at the time of the survey. The exterior exit discharge illumination however, did not appear sufficient to comply with the above requirements.

Potential Renovations and/or Repairs: Verify that the intensity and power supply for existing means of egress lighting is in compliance with the above requirements. Provide exterior exit discharge illumination sufficient to comply with the intensity and power supply requirements above.

Code § 3B. Means of Egress Door Hardware:

Per MSBC Section 1017.4.1, all means of egress doors should be readily openable from the side from which egress is to be made. Per 1017.4.1.1, manually operated edge- or surface-mounted flush bolts and surface bolts are prohibited. Per Section 1017.4.2, all doors equipped with latching devices in Use Group A serving an occupant load greater than 100 should be equipped with approved panic hardware. Several doors were noted as having bar locks and/or flush bolts and did not have panic hardware.

Potential Renovations and/or Repairs: Modify the door and door hardware to be unlocked in the direction of egress and provide panic hardware.

Code § 4. Fire Protection Systems:

Fire protection systems must be provided in existing buildings (or portions thereof) which are substantially altered or renovated and/or in new additions to an existing building (MSBC Section 3404.12). A substantial renovation or alteration is defined

as work which is major in scope and expenditure when compared to the work and expenditure required for the installation of a fire protection system. The determination of whether a particular renovation is substantial is made by the building official (MSBC Section 3401.1).

a. The existing fire alarm system is an antiquated Simplex conventional zoned system that was installed with the last building renovation in 1983. The detection and occupant notification is insufficient and not in compliance with 780 CMR 917. There is no audible notification in the auditorium and there are no strobes anywhere in the building. The existing system does not have the capacity to accommodate a fire alarm system expansion. Routine maintenance and testing will become increasingly costly and burdensome. This 22-year-old system is obsolete and is not capable of meeting the current or future needs of the building.

   Potential Renovations and/or Repairs: It is our opinion that the fire alarm system has exceeded its useful life and will have to be replaced as part of the substantial renovations that are likely.

b. A partial automatic sprinkler system serves above and below the main auditorium stage only. The building is otherwise unsprinklered.

   Potential Renovations and/or Repairs: It is likely that the renovations will be considered substantial (as defined above) to warrant the retrofit of a full coverage automatic sprinkler system throughout the building.

c. Per MSBC Section 412.3.6, the proscenium opening of every legitimate stage shall be provided with a curtain of approved material designed and installed to intercept hot gases, flames and smoke. A fire curtain is currently not provided.

   Potential Renovations and/or Repairs: While this is not specifically required unless the stage is substantially renovated, this is a relatively easy item to retrofit and would significantly enhance the safety of the facility.

d. Per MSBC Section 412.3.8, emergency ventilation should be provided for stages larger than 1,000 square feet in floor area, or with a stage height greater than 50 feet. Such ventilation must comply with 780 CMR 412.3.8.1 or 412.3.8.2.

   Further, per MSBC Section 412.3.8.1, two or more vents constructed to open automatically by approved heat-activated devices and with and aggregate clear opening area of not less than 5% of the area of the stage should be located near the center and above the highest part of the stage area, except as otherwise provided for in 780 CMR 412.3.9. Supplemental means should be provided for manual operation of the ventilator. Curbs should be provided as required for skylights in 780 CMR 2608.2.

In addition, per MSBC Section 412.3.8.2, smoke control in accordance with 780 CMR 921.0 should be provided to maintain the smoke layer interface not less than six feet (1829 mm) above the highest level of the assembly seating or above the top of the proscenium opening where a proscenium wall is required by 780 CMR 412.3.5.

Potential Renovations and/or Repairs: *While* emergency *ventilation is not specifically required unless the stage is substantially renovated; the roof vent option of 412.3.8.1 is a relatively easy item to retrofit and would significantly enhance the safety of the facility.*

e. Per MSBC Section 906.2.1 and NFPA 13, concealed combustible spaces are required to be protected by an automatic sprinkler system. It is our understanding that an automatic sprinkler system is not being installed under the stage extension that is currently being built in Liberty Hall.

Potential Renovations and/or Repairs: *This space will need to be protected with sprinklers when the building is retrofitted with a full-coverage sprinkler system. It also appeared that access to an existing hose cabinet was impacted by the construction of the stage and should be relocated. The stage should be categorized as one of the types of stages defined in MSBC Section 412.2 and the MSBC reviewed to ensure that applicable requirements are being met.*

Code § 5. Height and Area:

The height and area requirements for new construction apply to an existing building when it is modified by an addition or a change in use (780 CMR 3404.9). It is our understanding that there is no addition or change in use planned so that the height and area requirements for new construction would not apply to this building renovation project. If an addition or change in use is planned, a height, area and construction-type analysis will need to be performed.

Code § 6. Open Stairways:

Open stairways are prohibited in existing buildings where work is to be undertaken. 780 CMR 3404.13 states that "there shall be no minimum fire-resistance rating required for an existing enclosure of a stairway". Partitions or other new construction added in order to fully and solidly enclose a stairway should provide a minimum fire resistance rating of one hour. All doors in the enclosure should be self-closing and tight-fitting with approved hardware.

The building exit stairs are open without shaft construction. Open exit stairs are not permissible in this building since they do not comply with any of the exceptions of MSBC 713.3.

Potential Renovations and/or Repairs: *One-hour fire separation assemblies and 60-minute rated self- or automatic closing fire doors will have to be added to fully enclose the exit stairs to comply with this section. Doors should be designed so as to not reduce the clear width of the exit below the minimum required egress width. The doors may be normally held open by the fire alarm system to close upon activation of an alarm. If the building permit is obtained under the Seventh Edition of MSBC, due to be effective next year, a water curtain or fire shutter may be allowed to protect the stair openings. Currently these are not recognized as complying solutions under the Sixth Edition.*

Massachusetts Architectural Access Board (521 CMR)

The Massachusetts Architectural Access Board (MAAB) requirements state in 3.3.1 that if the work being performed amounts to less than 30% of the full and fair cash value of the building and,

a. if the work costs less than $100,000, then only the work being performed is required to comply with 521 CMR, or

b. if the work costs $100,000 or more, then the work being performed is required to comply with 521 CMR. In addition, an accessible public entrance and an accessible toilet room, telephone, drinking fountain (if toilets, telephones and drinking fountains are provided) should also be provided in compliance with 521 CMR.

MAAB 3.3.1 also contains a list of types of alterations that are not subject to 521 CMR 3.3.1 and as such these costs need not be included in determining the percentage costs indicated above.

However, it is important to note that, per MAAB 3.3.2, if the work performed amounts to 30% or more of the full and fair cash value of the building, then the entire building (or space) is required to comply with 521 CMR, for which its exceptions a through d do not apply. MAAB 3.5 states that when the work performed on a building is divided into separate phases or projects or is under separate building permits, the total cost of such work in any 36 month period must be added together in applying 521 CMR 3.3, Existing Buildings.

MAAB deficiencies with respect to this 30% threshold identified during the survey are included in an appendix. These elements do not require upgrade unless the 30% threshold is exceeded as described above. If the 30% threshold is not exceeded, MAAB only requires basic accessibility measures for the work being performed plus one accessible public entrance, an accessible toilet room, an accessible telephone (where provided) and an accessible drinking fountain.

All of these requirements are currently met in the building except that the accessible drinking fountains did not comply with MAAB 36.3 requirements for spout location and operation. Compliance with the MAAB requirements, however, does not guarantee compliance with the ADA, as discussed below.

Potential Renovations and/or Repairs: Modify existing fountains to comply with MAAB 36.3.1 requirements, i.e., spout located at the front of the unit to direct the water flow in a trajectory that is parallel or nearly parallel to the front of the unit, and the spout should provide a flow of water at least four inches high to allow the insertion of a cup or glass under the flow of water or seek a variance from the Massachusetts Architectural Access Board.

Americans with Disabilities Act

The ADA is civil rights legislation enforceable through complaints filed with the Department of Justice or through lawsuits. For renovation work, the ADA requires that up to 20% of the renovation cost be earmarked for path-of-travel upgrades to the remodeled areas containing a primary function. The ADA also requires removal of architectural barriers when that is readily achievable. Compliance with the MAAB requirements does not obviate the owner from compliance with the ADA.

In expending 20 percent of the renovation cost for accessibility upgrades, the ADA lists the required order of priority as follows:

1. An accessible entrance.
2. An accessible route to the altered area.
3. At least one accessible restroom for each sex or a single unisex restroom.
4. Accessible telephones.
5. Accessible drinking fountains.
6. When possible, additional accessible elements.

Therefore, even if only 5% of the renovation cost is required to meet MAAB requirements, the ADA would require that an additional 15% of the renovation cost be appropriated for accessibility upgrades. The ADA and MAAB technical requirements are very similar. The MAAB deficiencies noted in the Appendix can therefore be used for planning purposes, but the corresponding ADA requirement for each item should be identified and reviewed.

Massachusetts State Plumbing Code - Fixture Requirements (248 CMR)

The minimum number of fixtures mandated by Section 2.10(19), Table 1, of the Massachusetts State Plumbing Code (248 CMR) is applicable to "plumbing system installation, alteration or extension projects." That minimum required number of fixtures is calculated as shown below.

The second floor (balcony) of the auditorium has seating capacity for 1,344 occupants, the first floor of the auditorium has seating capacity for 1,518 occupants, and Liberty Hall has seating capacity for 305 occupants, and these areas may be occupied simultaneously. The anticipated population for the general public is then 3,167. The minimum required numbers

of plumbing fixtures, based on Assembly use, with half male and half female occupants, are therefore as follows:

Fixture Type	Population	Fixtures/Occ	Required
Male Water Closets	1,583.5	60	27
Male Urinals	1,583.5	50% max.	
Male Lavatories	1,583.5	150	11
Female Water Closets	1,583.5	30	53
Female Lavatories	1,583.5	150	11
Drinking Fountains	1583.5	1 per floor	2
Other	1583.5	1 s.sink/floor	1

The actual fixture counts in the building are as follows:

Fixture Type	Basement	First Floor	Second Floor	Provided
Male Water Closets	4	1	1	6
Male Urinals	8	3	3	*6
Male Lavatories	5	2	2	11
Female Water Closets	11	4	4	**19
Female Lavatories	6	2	2	11
Drinking Fountains				1
Other				1

*Urinals may be substituted for up to 50% of the required male water closets. Eight male water closets should be added (total of 14) to allow all 14 urinals to be counted.

**An additional 34 female water closets are required to comply with the Plumbing Code requirements.

The above fixtures are required to serve the public (audience). The basement locker room restrooms can accommodate up to 120 male and 120 female performers (female water closets are the limiting factor). An additional separate designated set of restrooms is also required for the employees. One unisex handicapped toilet room (which may be counted only once toward the minimum fixture requirements) may serve this purpose without requiring a variance if the fixture number requirements are met for the number of employees (20 females per water closet is the limiting factor per Table 2.10).

Since it may not be feasible to add all of the fixtures that would be needed to comply with the Plumbing Code, a variance might be sought to allow the addition of whatever number of fixtures is deemed feasible.

IX SUMMARY

Planning and funding any construction project requires a reasonable evaluation of the costs likely to be incurred. At the preliminary stages, when nothing resembling design has been committed to paper, "getting a handle" on those costs is invariably a challenge. For that reason, having an independent estimator as an integral part of the team was considered essential from the outset.

Over the duration of the Study, team members have met, talked and corresponded with the estimator repeatedly in an effort to define the anticipated scope of work with sufficient precision to allow it to be priced. That process nonetheless relies in part on conjecture and speculation – leavened by years of experience – to make sure that cost items have not been ignored simply because they have not been depicted.

The following spreadsheet tabulates all of the estimated construction costs identified in the report. It represents the team's "best guess" regarding budgets that ought to be allocated at this stage for every work item proposed. In addition, it prioritizes those work items and costs so that the project can be staged, phased or scaled back to align with the resources available. In it, the most critical items are assigned Priority A.

There is nothing sacred in the priorities assigned; these can be realigned as needed to reflect changing priorities as the LMA perceives them. Deciding which work items are important and which are not will undoubtedly require some further thought and discussion over the months to come.

MAGUIRE GROUP

LOWELL MEMORIAL AUDITORIUM

REPORT ITEM	BUDGET COST			Line
Priority:	A	B	C	Total
A. ARCHITECTURAL	**1,845,000**	**201,000**	**175,000**	**2,221,000**
1 AUDITORIUM				
Fixed seating replacement, 2696 seats	1,145,000			
(or refurbish @ 50% cost of new)				
Enlarge forestage lighting aperatures (4 total)		60,000		
Ceiling repair (painting included in B9 below)			1,500	
2 STAGE AND STAGEHOUSE				
Stage floor refinishing		7,000		
Fire curtain	230,000			
Insulation rehanging		2,500		
Proscenium repair and refinishing		5,000		
3 CONTROL BOOTHS				
Miscellaneous upgrades (incl glazing and ceiling repairs)		8,000		
4 CONCOURSES				
Wall and ceiling finishes		34,500		
Replace VCT flooring (incl levelling substrate)	62,000			
Refinishing of wood doors and trim			83,000	
5 STAIRWAYS (painting included in B9 below)				
Wall and ceiling repairs/finishes		6,000		
6 LIBERTY HALL (Merrimack Repertory Theatre)				
Acoustical separation & mitigation		30,000		
7 VETERANS WING (Upper)				
Plaster repairs (painting included in B9 below)			5,000	
8 VETERANS WING (Lower)				
Carpet replacement for entire building (6750 SF = 750 SY)		25,000		
9 HALL OF FLAGS (carpet replacement in A8 above)				
Wall and ceiling repairs		1,000		
10 BOX OFFICE (carpet replacement in A8 above)		N/A		
11 BACKSTAGE				
Miscellaneous minor repairs			5,500	
12 BACK-OF-HOUSE				
Miscellaneous minor repairs			1,000	
13 BASEMENT		N/A		
14 PUBLIC RESTROOMS (painting included in B9 above)		N/A		
15 ADMIN OFFICES (carpet replacement in A8 above)		N/A		
16 ROOF				
Roof replacement	340,000			
17 EXTERIOR EGRESS DOORS				
Steel door and panic hardware replacement, 32 leaves total	48,000			
18 EXTERIOR WINDOWS				
Repalce all wooden sashes at auditorium drum	20,000			
Frame modifications			79,000	
19 EXTERIOR ELEVATIONS				
Masonry repairs		22,000		
Terrace repairs		Incl in Civil		

REPORT ITEM	BUDGET COST			Line
Priority:	A	B	C	Total
B. Renovation Options	**5,686,000**	**2,095,000**	**330,000**	**8,111,000**
1 STAGEHOUSE MODIFICATIONS	2,000,000			
2 ARCHITECTURAL LIGHTING			330,000	
3 ARTICULATED FLOOR (incl seating upgrade premium)	1,895,000			
4 ENLARGED STAGE LIFT		315,000		
5 TERRACE RESTROOMS	1,114,000			
6 BALCONY TIER MODIFICATIONS		1,100,000		
7 MIXED VENUE CIRCULATION (dedicated elevator)	200,000			
8 LOADING DOCK EXPANSION		300,000		
9 PAINTING (interior of entire building)		380,000		
10 STAIRWELL SEPARATION (cross-corridor doors; 8 leaves,				
including carpentry, painting, hardware, etc.)	43,000			
11 BASEMENT RESTROOM EGRESS CORRIDOR	124,000			
12 MRT RESTROOMS AT LOWER LEVEL	300,000			
13 ADA SIGNAGE (for entire building per Code)	10,000			
C. STRUCTURAL	**0**	**160,000**	**0**	**160,000**
1 MASONRY CRACKING		135,000		
2 MORTAR DETERIORATION		10,000		
3 CORNICE REPLACEMENT		Incl in A19		
4 MASONRY STAINING		Incl in A15		
5 WATER INTRUSION		Incl in A15		
6 SIDEWALK VAULT (N/E Corner, see G2 below)		15,000		
D. MECHANICAL	**611,000**	**267,500**	**0**	**878,500**
1 AUDITORIUM				
AC unit replacement	176,000			
Rooftop ductwork replacement	328,500			
2 CONCOURSES				
New control valves		14,000		
3 LIBERTY HALL				
AC unit replacement	42,500			
Rooftop ductwork replacement	14,000			
New control valves		3,000		
4 VETERANS HALL (Upper)				
AC unit replacement	24,000			
Rooftop ductwork replacement	5,500			
New control valves		2,500		
5 VETERANS HALL (Lower)				
AC unit replacement		14,500		
New control valves		2,500		
6 HALL OF FLAGS				
AC unit replacement		23,000		
New control valves		6,000		
7 BOX OFFICE				
AC unit replacement		2,500		
8 TERMINAL HEATING UNITS				
New control valves		24,500		
9 AUTOMATIC TEMPERATURE CONTROLS				
New DDC system		175,000		
10 GLYCOL HEATING SYSTEM				
Miscellaneous component replacement	20,500			

REPORT ITEM	BUDGET COST			Line
Priority:	A	B	C	Total
E. PLUMBING/FIRE PROTECTION	**1,309,000**	**15,000**	**90,000**	**1,414,000**
1 DOMESTIC WATER				
Backflow preventers		15,000		
4" pipe relocation	9,000			
2 SANITARY WASTE AND VENT		N/A		
3 RAINWATER				
Roof leakage repair	37,500			
4 NATURAL GAS				
Meter relocation	7,500			
5 PLUMBING FIXTURES				
Replace existing with low-consumption fixtures			90,000	
6 SPRINKLER/STANDPIPE				
Double-check valve	15,000			
Full sprinkler coverage	1,240,000			
F. ELECTRICAL	**263,700**	**238,600**	**57,100**	**559,400**
1 PORTABLE POWER CORDS	16,500			
2 PORTABLE STAGE EQUIPMENT CABLES	4,500			
3 BOILER ROOM PANELBOARD	500			
4 MAIN SWITCHBOARD CLEARANCE	3,000			
5 CONCESSION SPACE CONVENIENCE OUTLETS	44,500			
6 CONCESSION SPACE PANELBOARD CLEARANCE	13,500			
7 LEHIGH DIMMING SYSTEM		87,100		
8 INTERIOR EXIT SIGNAGE UPGRADES	15,000			
9 EXTERIOR EXIT DISCHARGE LIGHTING	14,000			
10 EXTERIOR LANTERN GLOBES			2,100	
11 DECORATIVE LIGHTING ROOFTOP SPLICE BOX	1,200			
12 MAIN ELECTRIC ROOM LIGHTING		1,000		
13 FIRST FLOOR CONCESSION SPACE LIGHTING		11,500		
14 FIRST FLOOR CONCOURSE LIGHTING		32,500		
15 FIRST FLOOR DRESS CIRCLE LIGHTING		27,000		
16 HALL OF FLAGS FLOOD LIGHTING		6,500		
17 SECOND FLOOR CONCESSION SPACE LIGHTING		24,000		
18 SECOND FLOOR CONCOURSE LIGHTING		23,000		
19 PORTABLE TELEPHONE CABLE		1,000		
20 SOUND SYSTEM CABINETS AND WIRING			5,000	
21 FIRE ALARM SYSTEM	151,000			
22 SECURITY SYSTEM		25,000		
23 LANDSCAPE AND BUILDING LIGHTING			50,000	
G. CIVIL/SITE	**25,000**	**55,000**	**33,000**	**113,000**
1 UTILITIES				
Irrigation system repairs			3,000	
Vault regrading		In progress		
2 LANDSCAPE/HARDSCAPE				
Western sidewalk reconstruction			15,000	
Plaza repairs			5,000	
Access ramp repairs		In progress		
Handrail repairs	25,000			
Northeast sidewalk replacement		5,000		
Riverwalk repairs		50,000		
Granite step repairs			10,000	
3 LOADING DOCK		Incl in B8		

REPORT ITEM	BUDGET COST			Line
Priority:	A	B	C	Total
WORK ITEM SUBTOTAL	9,739,700	3,032,100	685,100	13,456,900
PROFIT @ 10%	973,970	303,210	68,510	1,345,690
CONSTRUCTION CONTINGENCY @ 10%	973,970	303,210	68,510	1,345,690
ESTIMATED CONSTRUCTION COST SUBTOTAL	11,687,640	3,638,520	822,120	16,148,280
DESIGN CONTINGENCY @ 15% CONSTR COST	1,753,146	545,778	123,318	2,422,242
OWNER'S CONTINGENCY @ 10% CONSTR COST	1,168,764	363,852	82,212	1,614,828
SUBTOTAL	14,609,550	4,548,150	1,027,650	20,185,350
ESCALATION (2 YRS @ 5% PER YR)	1,497,479	466,185	105,334	2,068,998
BOND ISSUE @ 1%	146,096	45,482	10,277	201,854
PRIORITY CATEGORY TOTALS	16,253,124	5,059,817	1,143,261	22,456,202
GRAND TOTAL - CONSTRUCTION COST (All categories)				22,456,202

APPENDIX A

APPENDIX A – 30% COST THRESHOLD MAAB DEFICIENCIES

This project is not expected to exceed 30% of the building's fair market value. If it did, a more demanding series of Massachusetts accessibility requirements would be triggered.

The following issues and corresponding solutions are only relevant when total renovation cost exceeds 30% of the full and fair cash value of the building, or if these areas are specifically affected by the renovation work. As indicated previously, expenditures on these deficiencies may also be used to meet the ADA's 20% expenditure requirement in conjunction with the preceding ADA priority list, but the corresponding ADA requirement for each item should be identified and reviewed.

1. ENTRANCES:

   Per MAAB 25, all public entrances of the building should be accessible. Public entrances are any entrances that are not solely service entrances, loading entrances, or entrances restricted to employee use. The majority of building entrances provide accessibility to wheelchair users to some degree. A detailed review of door swings, clear floor space, landing dimensions/maneuverability, thresholds, opening force, door hardware, etc. would need to be conducted for every entrance door of the building to fully assess the level of accessibility currently afforded by these entrances.

   Potential Renovations and/or Repairs: Make all public entrances accessible or seek a variance from the Massachusetts Architectural Access Board.

2. STAGES:

   The stages in the auditorium and Liberty Hall, as well as backstage areas, are not provided with wheelchair access as required per MAAB 14.6.

   Potential Renovations and/or Repairs: Provide wheelchair access to these areas in each location for disabled performers via a ramp or wheelchair lift.

3. RESTROOMS:

   The public restrooms on the second floor are generally wheelchair accessible, and would meet the requirement for one set of accessible restrooms if the 30% cost threshold described above is not exceeded.

   If the 30% cost threshold described above is exceeded, all restrooms should comply with MAAB. Per MAAB 30.1, each public toilet room provided on a site or in a building should comply with 521 CMR. At least one water closet and one sink in each location

should be accessible to persons in wheelchairs. The installation of a unisex toilet room in lieu of fully accessible men's and women's rooms is permitted by 521 CMR. Where a unisex toilet room is provided, it should be located in the same area as other toilet rooms.

The basement public restrooms are accessed by stair only and are not wheelchair accessible. Accessible toilet stalls and lavatories are not provided in the basement public restrooms per MAAB 30.6.

Potential Renovations and/or Repairs: In addition to any additional accessible restrooms provided to meet the Plumbing Code fixture requirements, a unisex toilet room in lieu of fully accessible men's and women's room could be located near the stairs leading down to the basement public restrooms, or a variance should be sought with the Massachusetts Architectural Access Board.

4. LOCKER ROOMS:

Locker room showers do not comply with MAAB 31.7 since wheelchair clear floor space is not provided directly in front of the shower.

Potential Renovations and/or Repairs: Provide one accessible shower stall in each locker room for disabled performers, i.e., shower stall size and clear floor space should comply with Fig. 31a or b. The shower stall in Fig. 31a should be 36 inches by 36 inches with adjacent clear floor space 36 inches by 48 inches. The shower stall in Fig. 31b will fit into the 30 by 60 inch space required for a bathtub with adjacent clear floor space 36 inches by 60 inches. There should be no more than a ½ inch lip, beveled at a slope no steeper than one-in-two.

5. DRINKING FOUNTAINS:

Accessible drinking fountains did not comply with MAAB 36.3 requirements for spout location and operation.

Potential Renovations and/or Repairs: Modify existing fountains to comply with MAAB 36.3.1 requirements, i.e., spout located at the front of the unit to direct the water flow in a trajectory that is parallel or nearly parallel to the front of the unit, and the spout should provide a flow of water at least four inches high to allow the insertion of a cup or glass under the flow of water, or seek a variance from the Massachusetts Architectural Access Board.

6. ACCESSIBLE SEATING:

Wheelchair seating locations are required to be dispersed throughout all seating areas so as to provide a choice of admission prices and views comparable to those for the general public.

In places of assembly with fixed seating, the minimum number of accessible spaces should be computed in accordance with MAAB.

a. Liberty Hall seats between 301 and 500 and therefore requires six accessible seats, equitably dispersed throughout, including the balcony where no accessible seating us currently provided.

   Potential Renovations and/or Repairs: Accessible seating should be provided in the Liberty Hall balcony (this would include providing ramp or elevator access) or a variance should be sought from the Massachusetts Architectural Access Board.

b. The main auditorium seats over 500, requiring six accessible seats plus 1 for each total seating capacity increase of 100. MAAB therefore requires that 31 accessible seats equitably dispersed throughout (for 3,000 seats), including the balcony. The upper balcony is only wheelchair accessible in the back row of seating. It may be interpreted that front row accessible seats are required for an equitable distribution of seats.

   Potential Renovations and/or Repairs: Accessible seating should be provided in the balcony (this would include providing ramp or elevator access) or a variance should be sought with the Massachusetts Architectural Access Board.

c. An assistive listening system did not appear to be provided as required per MAAB 14.5.

   Potential Renovations and/or Repairs: Provide an assistive listening system for the hearing impaired in compliance with MAAB 14.5.

7. OFFICE TICKET COUNTERS AND CONCESSION STANDS:

Per MAAB 14.7, a portion of the counter or an auxiliary counter should be at least 36 inches in length. The counter should not exceed 36 inches in height above the finish floor. The existing box office and concession stands do not appear to meet these requirements.

Potential Renovations and/or Repairs: Provide complying box office and concession stand counters or seek a variance from the Massachusetts Architectural Access Board for providing equivalent facilitation.

8. ELEVATORS:

In all multi-story buildings and facilities each level, including mezzanines, should be served by a passenger elevator. The balcony of Liberty Hall and the basement public restrooms are not currently accessible by elevator.

Potential Renovations and/or Repairs: Provide elevator access to these areas or seek a variance with the Massachusetts Architectural Access Board for providing equivalent facilitation.

The elevator cab should be a minimum of 54 inches by 68 inches measured wall-to-wall and wall-to-door, or may be 60 inches by 60 inches wall-to-wall and wall-to-wall. The door can be located on any wall or walls.

Exception: In existing buildings, where existing shaft configuration prohibits strict compliance with 521 CMR 28.7, the maximum car size allowable for the existing shaft should be provided, but in no case should the inside car area be smaller than 48 inches by 48 inches, wall-to-wall and wall-to-door.

Potential Renovations and/or Repairs: The existing elevator has dimensions of 54 x 60 inches. Confirm whether a larger elevator cab could be provided in the existing elevator shaft. If so, provide larger elevator cab or seek a variance from the Massachusetts Architectural Access Board.

9. HANDRAILS:

None of the stair and ramp handrails in the building comply with all of the following handrail requirements and would therefore need to be modified or replaced to some extent:

a. Handrails should extend at least 12 inches beyond the top and bottom of the ramp and should be parallel with the floor or ground surface, except where the extension would cause a safety hazard.

b. The gripping surface should be continuous so that a hand can move from end to end without interruption by newel posts or other obstructions, and should be free of any sharp or abrasive elements.

c. The handgrip portion of the handrail should not be less than 1¼ inches nominal nor more than 1½ inches nominal in diameter.

d. The handgrip portion of the handrail should be round or oval in cross-section.

e. When a handrail is mounted adjacent to a wall, the clear space between the handrail and the wall should be 1½ inches.

f. Ends of handrails should be either rounded or returned smoothly to floor, wall, or post. Extensions on handrails which are not attached to walls should be returned smoothly to the floor or a post.

Detailed measurement and evaluation of each handrail in the building is beyond the scope of this analysis.

Potential Renovations and/or Repairs: Modify or replace handrails throughout the building or seek a variance from the Massachusetts Architectural Access Board.

10. RAMPS

None of the ramps in the building comply with all of the following ramp requirements:

a. Ramp landings did not have a landing length of minimum of 60 inches clear.

b. Ramps that change direction at landings, did not have a minimum 60 inches by 60 inches landing size.

c. Ramps and landings with drop-offs should have edge curbs, walls, railings, or projecting surfaces that prevent people from slipping off the ramp. Edge curbs should be a minimum of two inches high.

d. Circular ramps are not permitted, except with the approval of the Architectural Access Board.

Potential Renovations and/or Repairs: Modify or rebuild ramps throughout the building or seek a variance from the Massachusetts Architectural Access Board.

11. SIGNAGE:

Per MAAB 25.6 Any entrance/exit of a facility not accessible by persons in wheelchairs should have a sign clearly indicating the location of the accessible entrance/exit.

Per 521 CMR 41.2, signs that designate permanent rooms and spaces should be identified by the International Symbol of Accessibility and should comply with 521 CMR 41. This includes toilet room signs, room numbers, stair signs, building directories, menus, signs that provide direction to, or information about, functional spaces of the building and elements and spaces of accessible facilities.

Potential Renovations and/or Repairs: Provide compliant accessible signage for all of these elements and all other signs that are not temporary.

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Diane Nichols Tradd
Assistant City Manager/DPD Director

Kevin E. Coughlin
Deputy Director

MEMORANDUM

TO: Kevin J. Murphy, City Manager

FROM: Diane N. Tradd, Assistant City Manager/DPD Director

SUBJECT: COUNCIL MOTION OF JUNE 14, 2016 BY COUNCILOR LEAHY
REQUEST CITY MANAGER HAVE PROPER DEPARTMENT PROVIDE CITY COUNCIL WITH UPDATES REGARDING ROAD WORK ON NESMITH STREET BETWEEN ANDOVER AND EAST MERRIMACK STREETS

The proposed project is being funded and managed by MassDOT. The project includes widening Nesmith Street to four – 11' lanes from E. Merrimack to Andover Street. This project also will improve the traffic signals at five intersections along Route 38 (Stackpole, E. Merrimack, Andover, Boylston, and Phoenix Streets).

MassDOT has hired Bayside Engineering as the design consultant for this project. Preliminary plans have been drafted to ascertain the impacts of the project. These preliminary plans show that the widening can occur within the existing right-of-way (including sidewalks), and that only a small portion of one property will be affected at the west corner of Andover Street. We do not foresee any significant impacts to Kittredge Park or to private homes – other than possible utility relocations. The only trees being removed for the widening are those within the street right-of-way which are located between the sidewalk and the roadway.

The City Engineer, Transportation Engineer, and other City staff have been keeping in contact with MassDOT's project managers and engineers to make sure this project proceeds. We have also answered questions from State Representative David Nangle and several abutters.

MassDOT is planning on holding a public meeting during the week of July 25th during which time all members of the community, abutters, and elected officials can ask specific questions and voice their concerns about the project. Staff will make sure to notify the City Council the time, date, and place of this meeting once it is finalized.

DNT/ns
6/24/16
cc: Nicolas Bosonetto, Transportation Engineer
Lisa DeMeo, City Engineer

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Diane N. Tradd
Assistant City Manager/DPD Director

R. Eric Slagle
Director of Development Services

Shaun Shanahan
Building Commissioner

MEMORANDUM

TO: Kevin J. Murphy, City Manager
Diane Tradd, Assistant City Manager/DPD Director

FROM: R. Eric Slagle, Director of Development Services

SUBJECT: MOTION OF 4/5/16 BY COUNCILORS SAMARAS/LEARY
REQUEST CITY MANAGER PROVIDE A REPORT REGARDING THE ADVISABILITY/VIABILITY OF RESIDENTIAL HOUSING VERSUS HIGH-RISE COMMERCIAL DEVELOPMENT AT CONNECTOR PARK

This memorandum addresses the requests from Councilors Samaras and Leary regarding the advisability and/or viability of allowing residential housing as opposed to high-rise commercial development at Connector Park, on the 42 Wellman Street property. As required under the Zoning Ordinance for the special permit to allow residential use in the High-Rise Commercial District (HCD), the applicant in this case submitted a Fiscal Impact Analysis of the proposal, authored by John Connery (hereinafter "Connery"), which is attached hereto, along with additional comments Connery made in response to specific questions from staff. As analyzed in those documents, a commercial building of comparable size to the existing office towers in Connector Park would bring in over $150,000 less in revenue to the City than the proposed residential development. Even if one were to double the amount of school students in the analysis (adding an additional $32,000 to the City's cost), the residential development would bring in significantly more revenue to the City than a similarly sized commercial building. Simply put, even with the higher commercial tax rates, a high-end, market rate residential development is more of a revenue generating property than a proposed commercial building of the same size.

There have been questions as to the viability of a Cross Point-scale office building (350,000 sq. ft. tower) as opposed to the 100,000 sq. ft. tower used in the Fiscal Analysis by the applicant. While a hypothetical 350,000 sq. ft. office building would indeed bring in more revenue than the proposed residential development, there are several compelling reasons that such a development would not be viable on the 42 Wellman Street property.

One main issue is the cost of construction. Staff has analyzed commercial construction costs, and agrees with the figures provided by the applicant of approximately $250-300 per sq. ft. As such, the cost to construct a 350,000 sq. ft. building would be between $87 and $105 million.

Another of the significant issues is parking. Under the Zoning Ordinance, office space is required to provide one parking space per each 400 sq. ft. of area. Therefore, a 350,000 sq. ft. building would be required to provide 875 spaces. While both Cross Point and the existing Connector Park towers have sufficient surface parking to meet their demands, 42 Wellman has no such parking available. As such, a parking structure would be constructed to accommodate these spaces, at an approximate cost of $30,000-35,000 per space, for an additional cost of $26 to $30 million.

The applicant has provided data regarding the average construction cost per sq. ft. in the Lowell area, which we have added to the information our Economic Development team has collected, to come up with an average rate of $19-23 per sq. ft. Operating costs would be approximately $10 per sq. ft. annually. Tenant improvement costs would be a one-time cost of $30-40 per sq. ft., while transaction costs would be a one-time cost of $9-10 per sq. ft. Thus, over 5 years, the net revenue from a fully occupied building would be $0-5 per sq. ft, or $0-1.7 million per year. Even revenue of $1.7 million per year, as highly speculative as it is, would make the financing of $115 to 135 million in debt extraordinarily difficult, if not impossible.

One of the factors that makes commercial space difficult to build on spec, however, is the vacancy rates throughout the Eastern Massachusetts region. According to the information provided by Connery, the vacancy rates are currently around 15%, with another 10-15% of space being underutilized. This is consistent with the information compiled by DPD's Economic Development team, which indicates that approximately 13% of commercial space in the upper floors of Downtown is vacant. In that case, the net revenue of our speculated commercial building would be $1.45 million.

Additionally, as the Council is no doubt aware, there has been little high-rise commercial office space built on spec in the City for at least the last decade. There have been a few buildings built, even of the built-to-suit variety. Part of the reason for this is that since the recession, lenders are hesitant to finance speculative construction, especially in a market that is seen as having double-digit vacancy rates.

ES
Attachment
6/24/2016

Fiscal Impact Analysis
Multi-family Development
42 Wellman Street
Lowell, Massachusetts

June 18, 2016

1.0 Preface

Connector Park Equity Partners, LLC of Woburn Massachusetts is proposing to construct 240 market rate luxury apartments at 42 Wellman Street in Lowell Massachusetts (the Proposal). The proposed site is currently a parking lot.

The objectives of this report are to identify the key fiscal characteristics of the Proposal and estimate its long term fiscal profile. Accordingly, the report generates an estimated cost-to-revenue ratio at project stabilization and an estimate of the annual fiscal benefit expressed in current dollars. These findings are designed to provide the City of Lowell with an understanding of how the Proposal will relate to the local tax base over the long term.

The departmental costs used herein are intended to estimate the annual financial impact on affected municipal services. The cost estimates are not intended as budget recommendations for an individual department. This report recognizes that the application of current and future municipal revenues and levels of service is the purview of the local officials. Further, the specific values used to generate the various municipal cost estimates should be considered as the current average annual costs; meaning that the estimated fiscal profile and individual cost/ revenue or components may fluctuate annually depending on future local, regional, or national economic background conditions.

Projected public school student enrollments and associated marginal costs are a major component of any proposal residential development. This report generates an estimated education cost based on a projection of additional school age children using current data provided by the Lowell School Dept. and the current cost per pupil provided by the Massachusetts Department of Education. Similar to non-school cost estimates, education costs are not designed as budgetary or policy recommendations. Rather, the enrollment and cost projections should be considered as information to be used in conjunction with other school department studies, plans and policies designed to meet future educational objectives and needs. As part of the data assembly of this report we have provided the Lowell School Department with schedule and scale information of the proposal including the proposed unit mix.

The education cost estimates used in this report are intended to provide an estimate of the long-term cost per student. In the near term, school costs, approximately one to five years after project approval, are most likely to be lower. However, this report takes the position that the measurement of education costs, like the Proposal in general, should be estimated over the long term and allocates school costs to the present time frame on the basis of estimated annual cost per student at stabilization. Table 1, below, provides a summary review of the proposed unit mix.

Table 1. Residential Unit Mix

Residential Unit Mix	#/Units	Percent of Total (rounded)
Studio market rate	23	9.6%
1-bedroom market rate	130	54.2%
2-bedroom market rate	81	33.7%
3-bedroom market rate	6	2.5%
Total	**240**	**100%**

As shown in Table 1, the proposed unit mix is purposefully oriented towards non–family housing, given that 97.5% are studio, one, and two-bedroom designs. Further, approximately 64% of the total number of units are studio and one bedroom units which do not generate any measurable or sustainable level of school aged children. In general terms, only 87 of the proposed 240 units will generate some level of school aged children and associated cost.

2.0 Summary of Methodology

In considering the fiscal impacts of the Proposal, this report divides municipal service costs into two broad categories: general service costs (i.e. all non-education costs) and education costs. As noted in the report, the measurable general service costs will be generated from public safety-services (police and fire services). The departmental cost estimates discussed in this report were based on current fiscal year operating budgets and operational data provided by the Lowell Police and Fire Departments.

2.1 Education Costs

Consistent with any residential or mixed use development education costs represent the large majority of the total estimated service costs. While there is no large market rate rental development in Lowell directly comparable with the Proposal's rent and location characteristics, the estimated annual student generation rate has been derived by examining three monthly cost comparable multi-family developments in Lowell.

Education cost estimates are driven by an estimate of net additional school-aged children to be enrolled in the Lowell Public School System. The basic formula for determining the local education cost estimate is Spending per pupil as reported by the Massachusetts Department of Education minus state chapter 70 aid; a revenue source.

2.2 General Service Cost Estimates

For all other municipal service costs i.e. general service costs, the report employs the City's recently approved FY2016 operating budget and includes those service categories that will most likely exhibit a measurable additional cost due to the Proposal. In this case, the Police Department and Fire Department will be impacted. The report combines the individual estimated departmental costs to generate a total general service cost estimate.

It should be noted that there are municipal operational budget categories that are properly not included in general service costs for purposes of determining the fiscal impact, such as existing debt payments, municipal services paid by enterprise accounts for water and sewer services. Further, building department reviews and inspections which are paid for directly by fees charged to the developer are not included. In addition, Public Works' responsibilities such as road maintenance and plowing of existing public roadways abutting the Proposal area will not change as a result of the Proposal, so no marginal costs are included. In short, the measurable additional general service costs will be associated with police and fire service.

2.3 Revenue Projection

Service costs represent only one part of the fiscal equation. In order to appropriately estimate the annual fiscal impact of the Proposal, the estimated annual revenue stream (total tax revenues accruing to the Town) must also be determined. Based on a review of the City's assessor data

base this report has employed the stabilized income method. All values derived are expressed as current dollars.

2.4 Fiscal Profile

The report compares the estimated total municipal service costs (both general service costs and education costs) to estimated total annual revenue to arrive at an estimated annual cost-to-revenue ratio, or annual fiscal profile. The fiscal finding is also expressed in terms of current dollars gained or lost annually, commencing at project stabilization.

Since the objective of the report is to provide Lowell with an understanding of the long-term fiscal implications of the Proposal, the most important finding presented is the estimated cost-to-revenue ratio at stabilization, since this finding reflects the Proposal's long term fiscal profile. While the cost-to-revenue ratio will likely vary slightly from year to year due to background regional or national economic trends, the cost to revenue is the best measure of the long-term projected fiscal performance of the Proposal.

3.0 Summary of Findings

- The Proposal will have an estimated annual revenue stream of $719,000 and an estimated annual service cost of $124,00. Accordingly, it generates a strong positive long term annual cost-to-revenue ratio of approximately 0.17.

- In current dollar terms the Proposal will generate an annual fiscal benefit of $595,500, after all service costs are accounted.

- The Proposal's annual fiscal benefit is $173,000 higher than a hypothetical 100,000 square foot office building. See Table 9.

- One-time building permit fees are estimated to be approximately $500,000, payable at receipt of building permits.

- The estimated annual average number of school-aged children is estimated at not more than 10 students. The annual range of enrollment is likely to be 2 to 10 students per year. The full enrollment level is likely to be attained no earlier than the 2019/20 school year.

- The Proposal will create a fiscally positive live /work opportunity in the Lowell and support the overall economic viability of the immediate commercial surroundings.

4.0. General Service Costs

This report uses the Town's FY2016 operating budget to estimate annual departmental costs associated with the Proposal and information provided by the germane City Departments in August 2015.

Residential Service Costs – Police Department

Understanding the nature of calls for police services is the starting point of estimating annual police relate costs associated with the Proposal. It is important to note that the majority of calls for police service in the region are not usually directly related to residential land uses or linked to a residential address. Office, retail and industrial uses plus public facilities, institutional uses, schools, recreation uses, town wide traffic management, directed patrols and inter community co-operation also create significant public safety demands and calls for service. In 2015 the Lowell communications center received over 110,000 calls both business and police/emergency related. It is estimated that in 2015 Lowell police responded to over 40,000 police and emergency service calls from all sources. Based on our experience in the region, police service calls to residential addresses are, depending on the nature of the community, 20% to 50% of all service calls. Since in this instance we cannot discern the exact ratio we have employed the high end of the range (50%) to be conservative in City's favor i.e. 20,000 for analysis purposes.

The current police budget is approximately $27,123,000. As noted, if we assume 50% of all service calls are residentially generated then, applying the 50% ratio to the police budget generates a general residential service cost estimate of approximately $13,562,000. Based on our review Lowell has approximately 40,700 dwelling units. Accordingly, Lowell, generates an *average* police service cost of approximately $333 per unit. However, our experience has clearly shown that it is not reasonable to employ an average cost per residential call since the nature of said calls can vary widely on an annual basis, driving costs either higher or lower. Therefore, to recognize the unpredictable nature of residential police service calls, and to be conservative in City's favor this report adds 20% to the derived average service cost i.e. a revised average of $400.

To generate our cost estimate for the proposal we examined the number of police calls to the three most similar multi-family developments in Lowell in terms of development scale and rent level regardless if they were condo or rental properties. i.e. Boott Mills, Grandview Apartment Homes, and Loft 27. This approach generates a cost estimate based on actual police service calls at comparable developments.

Table 2 below illustrates police call data for the most recent year 2015. Note the call data included incidences when the police department was assisting the fire department i.e. odor of gas, lock outs, all medical, and fire alarm issues.

Table 2. Police Calls by Comparable Development-2015

Residential Community and Unit Count	Calls 2015	Number of Units	Calls per Unit (1)
Grandview Apartments	75	300	0.250
Boott Mills	120	462	0.260
Loft 27	344	445	0.773
Total	**539**	**1,207**	**0.446**

Source: Lowell Police Dept. March 2016

As noted above, for the 1,207 comparable units, there were 539 calls for police service or a call per dwelling unit rate of 0.446. Please note the large majority of service calls are not crime related and as stated include police assistance to fire service calls. Further, this report recognizes that police service calls to particular residential address varies in any given year.

Applying the rate of 0.446 to 240 proposed units generates an estimate of 107 calls per year. Please note, the Proposal has considerably smaller bedroom per unit ratio than does the three comparable developments given the proposed unit mix. Therefore, it is logical to assume a lower population per unit. While more population can factor into higher police service calls, no adjustment in the Proposal's favor was made.

Assigning the $400 average cost per call to 107 calls per year to generates an annual additional police cost of $42,800 ($43,000).

Residential Service Cost –Fire Department

In September of 2015 the Lowell Fire Department provided both fire service runs and emergency service runs for the three comparable developments noted above.

Consistent with regional norms, due to significant improvements in fire safety and building codes in recent decades, residential fires are not a major percentage of fire department service calls for any community. However, the cost associated with multi-family fires can vary widely and one major multi-family fire can create damage in the millions and generate large service

costs. Also, the majority of other "non-residential" fire service calls such as smoke scares, lock outs, fires in vehicles, false alarms, and car fires can be associated with multi-family development or residential development in general.

The report recognizes the fact that all fire service calls are not generated by residential land use, but our experience has indicated that it can be as much as 75% in more urban communities like Lowell. Accordingly, to be consistent with a conservative (high cost approach) this report will assign 75% fire service calls to residential uses. Therefore, this report assigns 75% of the current fire department budget to residential land uses i.e. 75% of $17,642,000 or $13,231,500

Given that there were approximately 16,000 fire service calls in Lowell in 2015 the average cost per call can be estimated at $827.

Similar to the police analysis Table 3 below employs fire service data for the three comparable developments employed by this report.

Table 3. Fire Service Calls Including EMS

Residential Community and Unit Count	Fire service Calls	EMS	Total Calls	Calls per unit
Grandview Apt. (300)	57	11	68	0.226
Boott Mills (462)	27	11	38	0.082
Loft 27 (445)	68	48	116	0.260
Total (1,207)	**137**	**70**	**222**	**0.184**

As indicated above, the comparable development analysis method generates a fire service call rate of 0.184 per unit.

Accordingly, applying said average rate of 0.184 per unit to 240 proposed units generates an estimate of 44 fire service calls (non-emergency service) per year for the Proposal. **At 44 additional annual calls to the site at an average of $827 per call, the estimated afire service cost would be $36,388.**

However, it is important to note that the above estimate does not take into account Fire Department Emergency Service (EMS) calls. Lowell contracts its ambulance service and this report does not have access to service costs per run. But it is important to note that the fire department also responds to EMS calls, but it does not provide the ambulance service.

Given data provided by the fire department (See Table 3), we can anticipate approximately 0.06 ambulance service calls per unit i.e. 70 calls divided by 1,207 units. Accordingly, we can anticipate an additional 15 ambulance service calls per year from the Proposal. Using the average service cost per call of $827, we estimate that the Proposal will generate an additional $12,405 for EMS related service costs.

According this report estimates that the 59 total fire service calls generated by the Proposal (44 for various fire services and 15 EMS) will generate an annual service cost of $48,793 ($49,000).

Please note that this report realizes that the City's EMS service contact is a cost borne by all residents and that increase residential development may increase future service contracts amounts. However, an additional 15 ambulance service calls per year even if doubled to be conservative, is unlikely to have a measurable impact future ambulance contract amounts.

Other General Service Costs

Water and sewer costs for the Proposal will be addressed via pay as you use fees established by the City of Lowell. Similarly, building department costs will be covered by the required permit fees. The additional population should not generate additional staffing requirements for general government services such as Town Clerk, Treasurer, and for services such as libraries or recreation. Further, budget items like current municipal debt are not applicable since they pre-date the Proposal. Accordingly, the municipal departments that will experience measurable additional costs are Police, Fire and Departments.

Table 4 below summarizes the total estimated annual general service costs (current dollars) associated with the Proposal.

Table 4. Total General Service Costs

Department	Annual Cost
Police	$43,000
Fire	$49,000
Total	**$91,000**

5.0 Education Costs

5.1 Student Projections

The student generation analysis is based on the school aged children (SAC) rates of the same three comparable developments used in the public safety analyses above. The comparable developments are similar in terms of location i.e. non-traditional neighborhood locations (see discussion of non-traditional location factors in this section) and unit mix i.e. primarily one and two bedroom units with less than 5% as three bedroom units. Therefore, the SAC rates are the aggregate rates for the two and three bedroom units.

It should be reiterated that only 87 of the proposed 240 or only 36% of the proposed units will generate school aged children. All school data herein has been provided by the Lowell School Department in March of 2016.

Table 5. SAC Rate for Two Bedroom Units in Comparable Development.

Residential Comparable	Total Units	Total 2 and 3 Bedroom units	Total Students (1)	SAC Ratio
Grandview Apts.	300	205	6	0.029
Boott Mills	462	195	13	0.066
Loft 27	445	170	7	0.041
Totals	**1,207**	**570**	**26**	**0.045**

As shown Table 5, regardless of perspective or analysis approach the number of school aged children generated by the three comparable developments is extremely low. Applying the 0.045 ratio of Table 5 to the 87 two and three bedroom units of the Proposal generates an estimate of four (4) students. Even applying the highest ratio of 0.066 (Boott Mills) generates an estimate of 6 students. Six (6) students per year represents the long term annual average, in any given year the number of students will likely fluctuate between 2 and 10 students per year.

Maintaining the conservative cost approach this report will use the high end of the likely operational range i.e. 10 students six students for cost estimating purposes.

The very low SAC ratios exhibited by the comparable developments and in turn the Proposal are due to two factors: one, the high percentage of studio and one bedroom units in the unit mix; in the case of the Proposal 64%. Two: the atypical or non-neighborhood location of the Proposal; given that said locations are clearly non-conducive to families with children.

Specifically, it has been our consistent experience that apartment locations that are operationally and visually integrated into commercial settings or are located above a commercial street level

uses have student generation rates per unit type considerably below residential locations that are more residentially oriented apartment locations. The emerging live /work or mixed use locations in the region all share this same student generation characteristic

Essentially a key factor in estimating the generation of school aged children for any multi-family development concerns the issue of traditional neighborhood location versus a non- neighborhood location. For example, if a site is perceived to be different from a "traditional" neighborhood in terms of scale, or if the site is a stand-alone location without easy pedestrian links to surrounding traditional neighborhoods, or if it lacks significant secure private play space, is visually or operationally part of a mixed use or commercial setting, or is clearly identified with highway or major roadway access, or is designed as residential over commercial use then the number of school aged children per unit type is likely to decline by at least 50% per unit type with the exceptions being low and very low income housing developments.

It is not necessary for a site to have all the characteristics noted below to be considered as non-neighborhood location, but most likely if two or three characteristics are clearly present; the regionally-consistent outcome is that student generation rates will be significantly lower than at sites that are more integrated into surrounding residential neighborhoods.

The following are a list of factors that identify non-neighborhood residential locations. The key characteristics include operational isolation from traditional residential areas; location over a commercial ground floor, visual and operational integration into commercial/industrial areas (mixed use); and primary access provided from nearby major highway or arterial. The italicized items are applicable to the Proposal.

- *Multi -family locations that are not physically or easily connected by pedestrian access to surrounding established residential neighborhoods; or are set off from traditional neighborhoods.*

- *Multi-family residences that provide minimal safe private recreation areas for children by design.*

- Multi-family residential development located above commercial uses.

- *Multi-family residences accessed primarily by elevators; usually buildings of 5 or more stories.*

- *Multi-family locations located in the midst of commercial strips, mixed use developments, commercial nodes centers or locations that are visually and operationally a part of abutting commercial / industrial areas.*

- *Multi-family developments that abut or are within close proximity to high intensity commercial developments, such as shopping or community commercial center.*

- *Multi-family developments located on local high traffic ways or where primary access is via a highway interchange or a major collector roadway.*

In this instance we find that the proposal clearly fits the description of a non-neighborhood location. However, to maintain our conservative approach we will employ the high end of the annual operational range (10 students) for cost estimating purposes.

5.2 Estimated Annual School Cost and Enrollment Patterns.

Based on information received from the Massachusetts Department of Education, Actual Net Spending per Student (ANSS) for Lowell FY 2016 is $12,045 with state Chapter 70 aid representing $8,857 per student. Deducting State aid (a revenue source) leaves a cost of $3,188 per student to be addressed by local revenue sources.

Employing the above noted annual local cost estimate of $3,188 per student and the estimate of ten (10) additional students to be enrolled generates school cost of $31,888 ($32,000). The relatively low total school cost reflects the low number of students projected and the high state aid received by Lowell i.e. $8,857 per pupil.

5.3 Additional Enrollment: Context and Distribution

The up to ten (10) projected new students, based on regional experience in with multifamily development, will likely be enrolled in various grades as follows: six (6) in grades K-6 and four (4) in grades 7-12.

6.0 Total Service Cost

Table 7 below summarizes the estimated total service cost associated with the Proposal

Table 7. Total Estimated Service Cost

Department	Estimated Cost
Police	$ 43,000
Fire	$ 49,000
Schools	$ 32,000
Total	**$124,000**

7.0 Revenue Projection

7.1 Estimated Revenue

For the purpose of generating an annual property tax revenue estimate this report employs the stabilized income method. Our review of various rental developments in the City were examined to generate the income metrics shown below. Said metric values were then applied to the rent values developed as a part of an internal market analysis.

The overall rent value is currently estimated at $2.20 per foot, with the smaller units having a higher rent value per square foot. The unit size shown is the average of per unit type. See below

Estimated Aggregate Rents

Internal market studies have indicated an aggregate per unit rent for the following unit types:

23 studios: @ $2.40/ sf; average size 614 sf. Avg. Rent - $1,474
130 one bedroom: @ $2.30/sf; average size 829 sf. Rent - $1,907
81 two bedroom: @ $220/sf: average size 1,150 sf. Rent- $2,530
6 three bedroom: @ $2.00/sf: average size 1,365 sf. Rent-$2,730

Income Method Metrics

- 5% vacancy deduction,
- 35% operation and maintenance deduction
- Cap rate of 8.25%

Using the income method approach, the residential component of the Proposal at stabilization is estimated to have assessed value of $45,200,000 (current dollars) or approximately $188,000 per unit.

Applying the current $15.16 residential tax rate to the estimated assessed value of $45,200,000 yields a property tax of $685,232 ($685,000). All values are current dollars.

Additionally, the Proposal will likely generate approximately 360 registered vehicles on site that will be subject to automobile excise taxes (1.5 per unit). The City's average excise tax per vehicle is approximately $90 per vehicle. Assuming 360 vehicles on site the Proposal will generate approximately $32,400 ($34,000) in annual excise tax revenue.

Adding excise tax to the estimated property taxes yields an annual revenue stream estimate of $719,000.

8.0 Fiscal Profile

Table8 provides a summary of the Proposal's long term fiscal profile.

Table 8. Summary of Fiscal Profile

Proposal	Annual Revenue	Annual Cost	Cost to Revenue Ratio	Annual Benefit (loss)
240 Residences	$ 719,000 (1)	$124,000 (2)	0.17	$595,000

(1) Annual revenue stream is comprised of property taxes and excise taxes.
(2) Police, fire and schools, total annual cost.

The report finds that the Proposal generates a very strong positive fiscal profile, essentially at stabilization approximately 83 cents of every revenue dollar will accrue to the City as an annual fiscal benefit.

The positive fiscal profile in this instance rents on three factors, the overwhelmingly non-family orientation of the unit mix; the non-neighborhood location factors that reduce student generation rates; and the fact that 73.5% of per pupil costs are paid by the Commonwealth via Chapter 70 aid.

9.0 One Time Fees

Based on the applicant's initial estimate of construction costs for both the residential and commercial components, and the current fee schedule, a total building permit fees and related construction fees are estimated at $500,000.

10.0 Comparison: Office Use and the Proposal.

To address the requirements of the Lowell Zoning Ordinance this analysis has selected an alternate non-residential development for the purposes of illustrating a fiscal comparison to the Proposed residential development.

To this end we have selected a hypothetical four story office building containing 100,000 square feet of first class office as the comparative example. This selection is consistent with the abutting land use i.e. existing stand alone office buildings i.e. the existing office building abutting the site and 59 Lowes Way. Said buildings are approximately the same size as the hypothetical office building.

Our review indicates that the composite assessed value per square foot of the two adjacent comparable buildings currently $117 per square foot including land value.

Our hypothetical 4 story building is similar except that to meet the City's parking requirements, the large majority of the parking for the hypothetical building will need to be below grade. The inclusion of below grade parking is difficult to assess in terms of value since we have no local comparables. Further while it increases total assessed value said value can vary from location to location. Accordingly, for the purposes of this estimate we have assumed that below-grade parking will add at least 10% to total assessed valuation. Further, since our hypothetical building would represent new construction we are increasing the assessed value of the by 20% over the current value of the abutting comparable office buildings.

Accordingly, to estimate the assessed value per square foot of the hypothetical office building we are increasing the current $117 value per square foot by 25% to $146 or to $150 for the purposes of this analysis. Therefore, a 100,000 square foot office building would have an assessed value of $15,000,000. Further at said assessed value the building would generate $468,300 in annual property taxes.

In terms of service cost we cannot estimate the exact nature of the tenants for the hypothetical building but based on our experience in the region we have found that office buildings have very low (fiscally beneficial) cost to revenue ratios between 0.10 and 0.20. For the purposes of this report we are assigning the lower end of the range to be cautious in the City's favor, i.e. 010.

Given an estimated 0.10 cost to revenue ratio the hypothetical office building will generate approximately $47,000 in annual service costs; primarily police, fire and ambulance services. Therefore, it will generate an annual fiscal benefit of $427,000 per year.

Table 9 below compare the fiscal profile of the hypothetical office building to the proposed the fiscal finding for the proposed residential development.

Table 9. Fiscal comparison 100,000 sf. Office Building and the Proposal

Points of Comparison	Office Building	Residential Proposal	Difference
Assessed Value	$15,000,000	$45,200,000	$30,200,000
Annual Revenue (1)	$468,300	$719,000 (1)	$250,700
Service Cost (2)	$47,000	$124,000	-$77,000
Annual Benefit	$421,300	$595,000	$173,700

(1) Includes excise taxes. Assumes a tax rate of $31.22 for offices and $15.16 for residential
(2) Assumes a 0.10 cost to revenue ratio for office building and 0.17 for the Proposal.

As shown above the Proposal generates an annual fiscal benefit higher than the office hypothetical scenario i.e. by $173,700 annually.

This outcome is due to the considerably higher assessed valuation and the low school costs associated with this type of residential development. Specifically, the two factors noted combine to easily offset the difference in tax rates, in this instance.

11.0 Comparison of Assessed Value and Annual Taxes-Existing and Proposed.

A review of the property card for 42 Wellman Street indicates a total assessed value of $1,210,300. Given the $31.22 commercial tax rate the current annual tax yield is estimated at $37,786.

Table 9 below compares current assessed value and annual revenues to the Proposal.

Table 9. Comparison: Exiting and Proposed Assessed Value and Tax Yield.

Comparison	Existing	Proposal	Change
Assessed Value	$1,210,300	$ 45,200,000	3,735 %
Annual Taxes	$ 37,786	$ 719,000	1,902%

As indicated by Table 10, the increase in assessed value is over 37 times higher and the increase in annual taxes is 19 times greater than current yields. The primary reason for the very large increase in assessed value and tax yield relates to the fact that site in now a parking lot not needed for on-going commercial uses.

11.0 Expenditures and Fiscal Impact

Community efforts to improve live / work opportunities such as offered by the Proposal have impacts beyond the fiscal profile of the Proposal. One important additional impact regards the amount of household expenditures for goods and services that can be generated and captured within the local market i.e. the level of new expenditures within the local market area (Lowell). The Proposal, in effect, is part a community economic development effort and its secondary fiscal impacts are addressed below.

Household spending is a key component of any economy, local or national. In many instances the discussion of households spending focuses on the percentage of disposable income available within the residential base of a community. While an important factor for economic activity, the introduction of new residential development provides an opportunity not only to capture additional disposable income but to increase other forms of expenditures within the community. For example, food purchases are not considered as disposable income but clearly a portion of any new households will purchase food from local convenience markets or supermarkets in Lowell. Likewise, gasoline purchases are not considered as a part disposable income but clearly a percentage of new households will purchase gasoline from existing Lowell gas stations. Accordingly, for the purposes of estimating the local economic benefit associated with the Proposal this report addresses the anticipated level of *local expenditures* derived from the Proposal including disposable income.

We estimate that the average income of the new households associated with the Proposal will be approximately $100,000 before taxes; after taxes each household has annual expenditures of approximately $72,000. Assuming an average of 32% of available income expended on rent leaves roughly $49,000 for all other expenditures.

Using the Bureau of Labor Statistics general expenditure categories (2015) our analysis excludes insurance (personal and automotive), healthcare, pension payments, savings, entertainment, and all types of contributions. It includes food at home and elsewhere, apparel and personal services, gasoline and motor oil, and miscellaneous expenditures.

Table 10 below illustrates our estimate of the amount and expenditures by category. The percentages of expenditure by category are an average of all household types. Expenditures by individual households varies greatly.

Table 10. Anticipated Expenditures

Category	Expenditure Rate (1)	Expenditure Available	Total Expenditure
Food including Restaurants	14%	$49,000	$6,860
Apparel and Personal Services	4%	$49,000	$1,960
Gasoline and Oil	4%	$49,000	$1,960
Misc. Retail Expenditures	6%	$49,000	$2,940
Totals	**28%**	**$49,000**	**$13,720**

(1) US Bureau of Labor Statistics 2015.

As shown above we estimate that on average 28% of the household expenditures are available to existing Lowell businesses. Assuming 240 households, Table 10 indicates that a total of $2,304,960 in annual expenditures (current dollars) is potentially available. However, not all expenditures will be made in Lowell; a characteristic common to all communities. It is our position that given the local commercial base and the time and cost involved in certain types purchases outside of Lowell at least 50% of expenditures noted in Table 10 will be made in Lowell.

Assuming a 50% market penetration rate, an initial expenditure of $6,430 per household per year (50% of $13,720) or an annual total expenditure of $1,543,200 can be anticipated. It is beyond the scope of this report to argue the merits of the scale of the retail multiplier effect. Suffice to say that a current literature search would reveal arguments ranging from 1.5 to 6. To be conservative, we have always used the estimate of 2.5 for our summary of economic impact.

Therefore, given $1,543,200 in expenditures and a 2.5 multiplier the Proposal will conservatively generate $3,858,000 of expenditures per year within Lowell, with a significant portion of the expenditures directed toward the immediate business center.

For our purposes, which is to consider fiscal impact, the additional expenditures will likely expand the assessed value of existing businesses. Therefore, the economic activity generated by the residential Proposal will augment the taxable value of the existing businesses in the immediate area resulting in a fiscal benefit for the entire community.

From: John Connery
Sent: Thursday, June 23, 2016 2:33 PM
To: Slagle, Eric
Subject: Responses to fiscal questions.

Eric please find responses regarding my fiscal report.

1. Why not estimate commercial expenditure patterns? In general terms, expenditures from commercial development as opposed to residential development is many many times less per 1000 sq. ft. Importantly, there is no known standard I could site that is a recognized and accepted source of data; as is the case from the U.S. dept. of labor for residential expenditure patterns. In addition, we have no idea as to the tenant mix or the proclivities of said labor pool may be to spend money in the area. What I can say by way of comparative analysis is that expenditures in the local market per 1000 sq. f.t (avg. unit size) area are many times less than for residential . Even in cases where the commercial is located in a downtown area close to services, expenditures are significantly lower than for residential. In this case, a vehicle oriented area, does not have that benefit.

2. Commercial Personal Property Taxes? Without a tenant mix I can-not determine what interior improvements or equipment would be subject to personal property taxes, given the broad high tech and mfg. exemptions. However, in my experience the personal property taxes can be zero or up to 3% **of** the annual property tax. In this case let's assume the high end or 3% value and apply it to the full tax yield of $468,300. We could then say that in optimum conditions the office bldg. would generate another $14,000 in revenue.

4. **Typo**. Table 10 is correct the annual fiscal benefit for office use is estimated at $421,300- the reference in above text to $427,000 is an error do not know the reason. Note if we add the $14,000 from item 2 above to estimated office fiscal benefit, we arrive at an adjusted fiscal benefit of $435,300 for office use as compared to $595,000 for residential proposal.

While I believe Mr. Hawkins addressed the question of economic viability and is a better position than I position to do so. I may add I have been involved in over 150 projects since the 2008 great recession and have not seen one single speculative office building being proposes anywhere in the region , stand alone or as part of a mixed use development. Built to suit offices, yes --but not on speculation. There is still to many vacant office locations in the region, not to mention underutilized space, and changes to support a speculative office market, except possible downtown Boston.

Hope this is of value.

The City of Lowell • Police Department
JFK Civic Center • 50 Arcand Drive • Lowell, MA 01852
P: 978.674.4500 • F: 978.970.0455
www.LowellPolice.com

William M. Taylor
Superintendent

Deborah Friedl
Deputy Superintendent

Jonathan C. Webb
Deputy Superintendent

To: Kevin Murphy
City Manager

From: William Taylor
Superintendent of Police

Date: June 23, 2016

Re: Council Request

Councilor Samaras – Request City Manager work with the Lowell Police Department Superintendent to remove vagrants sleeping in the South Common and any other playground in the city.

The South Common has been designated a Case of Place community policing project to address recent disorder issues. Officers are conducting patrols in the Common, and other city parks, to prevent or take enforcement action for incidents of public drinking, littering, trespassing, or other types of disorder. These patrols are taking place during all three shifts. Several arrests have been made on warrants, and field interviews have been conducted. Six arrests have been made at the South Common. The Police Department has been assisted by the Parks Department by posting signage indicating the hours of operation for various parks. The patrols of the South Common and other parks will be continued with the opening of pools and summer youth programs.

Office of the City Manager
City Hall ● 375 Merrimack Street ● Lowell, MA 01852
P: 978.674.4000 ● F: 978.970.4007
www.LowellMA.gov

Kevin J. Murphy
City Manager
Michael McGovern
Assistant City Manager

June 23, 2016

Mayor Edward J. Kennedy, Jr.
and
Members of the City Council

Dear Mayor Kenney and Members of the City Council:

Attached, please find information regarding the numerous summer programs offered not only by the City of Lowell Recreation Department, but various organizations as well. The communication provides details such as contact information, hours, and a brief summary of what is offered. Lowell Recreation programs include:

- Youth Adventure, which take place at Gage, Leblanc, Highland Parks, and the Reilly School;
- Tiny Tots is geared to children ages 3-4;
- Busy Bees;
- public pool swim times and swim lessons;
- the city little league baseball championship; and
- tennis, Tae Kwon Do, and hip hop dance lessons.

Additional programs are offered by organizations such as Mill City Grows, YWCA, UTEC, Tsongas Industrial History Center, Girl Scouts, Cambodian Mutual Assistance Association, the Boys and Girls Club, and the Lowell Housing Authority to name a few.

Also, there is a map that indicates areas of activity throughout the city. The information is posted on the web site. Please feel free to contact me if you have any questions regarding this or any other matter.

Sincerely,

Kevin J. Murphy
City Manager

Healthy Summer 2016

"In the Acre" Festival

Live art demonstrations, artistic spoken word and dance performances, public displays of art on the steps of the amphitheater, games, arts & crafts, & a variety of food from diverse local restaurants!

Saturday, June 11th
11:00am-4:00pm
North Common Amphitheater

A unique festival experience for visitors featuring a variety of different activities and interactive performances!

Please contact us for more information or if you have an idea for a performance
David Ouellette at
actionacre@gmail.com

LOWELL RECREATION DEPARTMENT

375 Merrimack St. Room 7 978-674-4175

Public Pool Swim Times

Sites Below open Open July 1

McPherson Pool--45 Richardson St.
Sunday - Saturday 12:00 - 6:00pm

South Common Pool--272 South St.
Sunday - Saturday 12:00 - 6:00pm

Rynne Beach--160 Pawtucket Blvd.
Sunday - Saturday 11:00 - 7:00pm

For FREE Swim Lesson Information and registration process, please visit our website.

Splash Pad times for the following locations:
May 27-June 30 12-4pm, Weekends & Holidays Only. July 1-Labor Day

12pm-6pm (except School Days)
Shedd Park--453 Rogers St.
O'Donnell Park-1170 Gorham St.
Mulligan Park--89 Plain St.

YOUTH ADVENTURE PROGRAMS

For children ages 5-11
PRE-REGISTRATION IS REQUIRED
Free breakfasts & lunches will be distributed to all participants. These programs will include activities & presentations by the Lowell Police Department, Lowell Fire Department, Department of Public Works, the Pollard Memorial Library, Master An's Tae Kwon Do, etc! These programs will run from 8:30am-2:30pm at the following locations: Gage Park, Wang School, Reilly School, and Daley School.
The Shedd Program will run from 8:30am-3:30pm.
All Youth Adventure sites will be Mon-Fri from July 11th-August 19th.

FREE TENNIS LESSONS

Free Tennis Lessons at Shedd Park!
PRE-REGISTRATION IS REQUIRED
Times for lessons to be determined
Skills testing at Shedd Park July 5th-7th
See our website for additional locations.

ARTS & CRAFTS

Traveling arts & crafts program at various locations throughout the city.

Visit our website for an updated schedule & times

TAE KWON DO - Schedule may change

Classes are 45 mins long at the following sites:
Shedd Park Thurs 10:45-11:30am

Reilly School Thurs 9:30-10:15am
Wang School Tues 10:45-11:30am
Daley School Fri 11:15am-12:00pm
Gage Park Tues 9:30-10:15am

Registration is done ON SITE the first day you attend the program.

TINY TOTS PROGRAM

For children ages 3-4

Mon-Fri from July 11th-August 19th at the Reilly School from 8:30am-2:30pm.
Program will consist of free breakfast and lunch, arts & crafts, games, singing and dancing, storytimes, etc!
PRE-REGISTRATION IS REQUIRED

For further information contact Peter or Kaitlyn at 978-674-4175. The above information is subject to change and is weather-dependent. Please check our website for registration, dates, procedures and changes at www.lowellma.gov.

BUSY BEES PROGRAMS

Run in conjunction with the Summer School.
Summer School Participants only.

Morey School Busy Bee
Mon-Fri from July 5th-August 19th
Summer School ONLY 8:15am-2:30pm
After August 5th 8:30am-2:30pm

Greenhalge School Busy Bee
Summer School ONLY 8:15am-2:30pm July 5- July 29
After July 29 8:30am-2:30pm at the Gage Park

Participants are dropped off for Greenhalge Summer School and bused to Gage after lunch. Pick up is done at the Gage Park. **NO RETURN BUSING TO GREENHALGE**

McAuliffe School Busy Bee
Summer School ONLY 8:45am-2:30pm
July 5 - July 29

Drop off at McAuliffe School and Pick up at Gage Park. After July 29, Drop off and pick up done at the Gage Park program from 8:30am-2:30pm.

SOUTH BAY EARLY CHILDHOOD

148 Warren St. 978-452-1736

Community playgroups for all children ages 18-36 months!

Group activities such as: music & dance, arts & crafts, story time, circle time, and snacks!

Groups are year-round during the following days & times:

Monday through Friday 9:00-11:30am

Tuesday 10:00am-12:30pm

Monday, Wednesday and Thursday 1:30-4:00pm

Friday 10am-12:30pm

For more information please call: Kelly Ash at 978-452-1736

BARRE BY RENEE

Ta-Dah Studio of Dance-- 1 Park Drive, Westford, MA 01886

Ta-Dah Studio of Dance-- 675 Great Road, Littleton, MA 01460

Barre classes are a beginner-friendly combination of ballet, yoga, and Pilates located at Ta-Dah Studio of Dance in Westford and Littleton, MA. The barre method has been proven to flatten abs, tone thighs, lift seats, and increase flexibility! **This class is for ages 18 and up only.**

Your first class is free and we provide many affordable options for classes including drop-in rates, class punch cards, and Groupons!

Contact barrebyrenee@gmail.com or visit www.facebook.com/barrebyrenee for more info.

GREATER LOWELL FAMILY YMCA

35 YMCA Dr. 978-454-7825

Summer Day Camps

Financial Aid and Vouchers accepted for both camps

Camp Massapoag (Dunstable) ages 5-15

Lowell Kid Club (@YMCA Lowell) ages 5-13

June 20-August 26 Monday - Friday

Camp Hours 7:00 a.m. - 6:00p.m.

Extended Care (7:00-9:00am) & (4:00-6:00pm)

Kids Club Fees:

$35 Registration Fee plus $170 per week

Camp Massapoag Fee

$145 per Year for Full Youth

$35 Camper Registration Fee

$180/week for Full Member

$220 One Week of Camp - Non Members

For further info on Camp Massapoag, contact Caitlin at 978-454-7825 x15

For further info on Kids Club, contact Lela at 978-454-7825 x13

CAMBODIAN MUTUAL ASSISTANCE ASSOCIATION

RISING STARS: Sports & Leadership Summer Program

July 5 - August 12 at the Bartlett Community Partnership School

Monday - Friday 10am-2pm For ages 7-14 $25 Registration fee

Includes: sports, hiking, canoeing, field trips, and leadership workshops! **Pre-registration is required.** *Register today with Sreypov Vary at 978-454-6200 x1011 or sreypov@cmaalowell.org*

COMMUNITY TEAMWORK INC.

School Age Programs 126 Phoenix Ave. 978-654-7112

Activities include: science explorations, arts and crafts, literacy activities, music, sports activities & more!

Weekly FREE activities: Tae Kwon Do, Swimming and Field Trips (on & off site).

Breakfast, Snack & Lunch are provided free (Ages 6-14). All meals and snacks provided are USDA approved.

Bailey School, 175 Campbell Dr.	7:00am-5:45pm
Murkland School, 350 Adams St.	7:00am-5:45pm
Pawtucketville Memorial, 425 W. Meadow Rd.	7:00am-5:45pm
McAuliffe School, 570 Beacon St.	7:00am-5:45pm
Lincoln School, 300 Chelmsford St.	7:00am-5:45pm
Rogers School, 43 Highland St.	7:00am-5:45pm
Greenhalge School, 149 Ennell St.	7:00am-5:45pm

For info please contact 978-654-7112 or email tmead@commteam.org

Youth Programs are Licensed by the Department of Early Education and Care.

GIRL SCOUTS OF EASTERN MASSACHUSETTS

Camp Runels Day Camp offers free daily transportation from the Morey School to camp and back all summer long! Experience Camp Runels' unique mix of art and adventure. Let your creative side shine through in the craft studio. Add even more fun to day camp with an overnight. Whether you're a first-timer or a veteran, you'll enjoy favorite activities like swimming, outdoor cooking, games and more. Make the shores of Little Island Pond your summer destination and see what's kept campers coming back for 85 years. Located in Pelham NH, Camp Runels Day Camp is right in your backyard! Extended day options available. Financial Aid available.

Camp Runels also offers a resident camp program for girls who are looking for a sleepaway camp experience! Give the pottery wheel a spin, develop photos in the darkroom, or paint the next great masterpiece. Travel New Hampshire by van, foot, canoe or kayak on our trip and travel programs. You might paddle into the sunset on Squam Lake, summit Mt. Chocorua or soar down a zip line in the White Mountains. Give resident camp a try with a half-week session. Financial Aid available.

For more information, or to register or attend an open house, contact us or call 617-350-8335 or visit the Camp page of www.gsema.org.

THE CAREER CENTER OF LOWELL
YOUNG ADULT CAREER CENTER

107 Merrimack Street 4th floor Lowell, MA 01852

Get Connected: Do something positive for your future!

The Young Adult Career Center provides the following services for youth ages 14-21:

www.cclowell.org

- One on One appointment with Young Adult Career Advisor
- Resource Room with computer access for job search
- Assistance in Career Exploration/Job Search
- Workshops
- Full Array of Services (eligibility may apply)

For further information, call: (978) 458-2503

MILL CITY GROWS - Mobile Market

Wednesdays 5/18-11/30 10am-1:30pm Lowell Community Health Center
Wednesdays 6/22-11/4 2:30-4pm D'Youville Life and Wellness Center
Wednesdays 6/22-11/4 5-6:30pm Mercier Community Center
Thursdays 6/22-11/4 10am-1pm Lowell General Hospital (Main Campus)
Thursdays 6/22-11/4 2-4pm Lowell General Hospital (Saints Campus)
Thursdays 6/22-11/4 5-6:30pm Riverplace Towers
Fridays 6/22-11/4 10-11:30am George W. Flanagan Village
Fridays 7/1-10/14 1-6pm CTI Lowell Farmer's Market
Every Sunday, Year-round 11am-3pm The Farm Market at Mill No. 5

Cash, Credit, Debit, SNAP, WIC Coupons, Senior Coupons, and **ApplePay** is accepted at all locations.

Also offering a **50% matching program** called **"Market Bucks"** on purchases of fruits and vegetables up to a limit of $20 per purchase to customers that are using SNAP, WIC coupons & Senior Coupons.

(Matching not yet available at the Lowell Farmers Market location)

2016 Gardener Training Program (GTP)

Building Better Soil & Saving Seed, 7/16 10am-12pm Mill No. 5
Summer Garden Bike Tour, 7/9 10am-12pm Tour will begin at MCG's North Common Community Garden, 413 Fletcher St.
Pollinator Plants & Beneficial Insects, 7/23 10am-12pm
Extending the Growing Season, 8/20 10am-12pm Mill No. 5
Preserving the Harvest, 9/10 10am-12pm Boys & Girls Club
Annual Harvest Festival, 9/17 12-4pm North Common, 413 Fletcher St.

For more information, please visit: www.millcitygrows.org
You can also follow on social media for updates/sales at: Facebook.com/MCGMobileMarket or twitter.com/MCG_MMKT

YWCA OF LOWELL

City Camp -- 978-454-5405 ext. 111

Acre Youth Center - 41 Rock St.

Monday - Friday July 11-August 19 9:00am-3:30pm
Girls & Boys Ages 7 to 13 $450 for Each 2 Week Session
July 11-22, July 25-August 5, and August 8-19
Summer camp daycare vouchers are also accepted.
Includes transportation; breakfast, lunch & snacks; cultural enrichment, field trips, arts & crafts, sports, games & more!
Free Lunch & snacks provided by the Merrimack Valley Food Bank

For more information contact: Camp Registrar at 978-454-5405X111

TSONGAS INDUSTRIAL HISTORY CENTER

Camps run Monday - Friday 8:30-3:00pm
1 staff per 8-10 children
Snacks and T shirts provided, children bring a bag lunch

The cost for the following 4 camps are: $175 each week, sibling discount $155. These include:

Boott Camp July 11-15, July 18-22
Ages 8-12

Wonders of Water Camp July 25-29
Ages 8-12

National Park Adventures July 11-15
Ages 10-14

Boott Camp: Discovery! August 1-5
Ages 10-14

The following camp costs $195 for the week, sibling discount $175:

Eco-Explorers July 25-29
Ages 10-14

This final camp is NEW to 2016 and costs $70 for one adult & one child per day. Each additional child $35 per day. **Centennial Family Camp!** July 5-9
To sign up, your "family" must consist of at least one child and one adult.

For more information contact:
978-970-5080 or visit www.uml.edu/tsongas

UTEC - 35 Warren St.

Workforce Programs- earn a daily stipend in Mattress Deconstruction, Furniture Design or Culinary Arts & GED program - enrolling

youth ages 16-24 with a demonstrated need.
To enroll, contact David Crump at (978) 856-3948.

SJA Summer Basketball League

Celebrating our 23rd season! **Father Maguire Park in Lowell (108 Mammoth Rd.)**

Boys & Girls Ages 7-17----$65.00 fee for the season. Also accepting Boys & Girls High School and Middle School Teams!
10 game summer season July/August Mon-Thurs 5:30-9:30pm

All levels welcome--equal playing time for All. Everyone who tries out makes the team. Uniform shirt provided, College scholarships awarded.
Board Certified Referees, On-Site Concession Stand. Ice Cream Social to close out the season.
Boys/Girls Levels (based on age on or before 8/31/16)

Junior A 7-9 year olds Junior B 10 and 11 year olds Intermediate 12, 13 & 14 year olds Senior 15, 16 & 17 year olds

(Levels may be modified based on player registration)

For further info and to register, please visit www.sjabasketball.org

LOWELL HOUSING AUTHORITY

PO Box 60 350 Moody St. 978-937-3500

Mercier Center, 21 Salem St.

July 11 - August 17 Monday-Thursday 10am-2pm

George Flanagan Center, 580 Chelmsford St.

July 11 - August 17 Monday-Thursday 10am-2pm

Free Lunch at both of these programs

For further information on either program, contact:

Michelle Dinan 978-364-5368

BOYS & GIRLS CLUB OF GREATER LOWELL

657 Middlesex St. 978-458-4526

Summer Programs & Activities for Ages 7 - 18. Activities include: breakfast, lunch, art, sports, computers, games, field trips, college prep, Summertime Storytime, science experiments, outdoor adventures, music and more!

Weekly themes include: Athletics/Sports Week, Movin & Groovin Week, Cultural Week, Crazy Outfit Week, Animal Week, Special Guest Week, Scavenger Hunt Week

July 5th-August 19th

Monday - Friday 9:00am - 5:00pm

Early Drop off 7:30am--Late Pick Up 6:00pm

Fee: $30/week per child

Early Drop-off: $25 per week

Late Pick-up: $25 per week

FREE Teen Nights: Tuesday, Wednesday, and Thursday 6-8pm

For ages 13-18

Teen Nights are free, but you must fill out an application to become a member

REGISTRATION IS NOW OPEN!

If you are interested in registering for any of these programs, sign up with our front desk coordinator. MANDATORY Summer Orientations are held every Wednesday at 6pm.

For more information you can call the Boys & Girls Club of Greater Lowell or visit www.lbgc.org

Kids in Disability Sports (K.I.D.S.)

Please visit: www.kidsinc.us

MIDDLESEX COMMUNITY COLLEGE

Out of School Youth Development Center

HiSET (formerly GED) Summer Session

For more info contact: Maria Cunha @ (978) 656-3104 or Analise Saab @ (978) 656-3294

BOYS' LACROSSE CLINICS

Visit: www.sportsmanager.us/Lowell-MA-LAX-BOYS.htm

POLLARD MEMORIAL LIBRARY

401 Merrimack St. 978-674-1529

SUMMER READING FUN!

SUMMER READING KICK OFF

Monday, June 20th 7:00pm

Science Tellers and Their Power and Energy Program!

For children in Kindergarten through Grade 5

Sign up required and begins June 6th

MOTHER GOOSE ON THE LOOSE!

Tuesdays from July 12th-August 2nd 10:30am

For ages 3 and younger, older siblings are welcome!

SUMMERTIME STORYTIME

Wednesdays from July 20th-August 10th 10:30am

For kids ages 4-7. Sign up required and begins June 20th

4TH OF JULY CELEBRATION

Wednesday, June 29th 10:30am

For children in Kindergarten and older

Sign up required and begins June 20th

CODING WITH MINECRAFT

Thursday, July 7th 1-3pm

For children ages 8-11 years old

Sign up required and begins June 20th

LEGO CLUB

Mondays from July 18th-August 8th 10:30am

Drop-in for children in Grades 1 and up

ON YOUR MARK, GET SET…GO!!

Tuesday, July 26th and Tuesday, August 2nd 2pm

For children in Grades 1-5

Sign up required and begins June 20th

SILLY OLYMPICS

Tuesday, August 9th 10:30am

For children in Kindergarten and older

Sign up required and begins June 20th

For further information or to sign up for programs, contact The Children's Department at (978)674-1529 or www.pollardml.org

Enjoy your visit to local and area museums! The Pollard Memorial Library provides free and discounted passes to area museums. The Museum pass use is limited to Pollard Memorial Library cardholders. Contact: (978) 674-4120

RecKids

Summer Camp for ages 6-11. Please visit: www.uml.edu/reckids

Lowell Girl's Softball

visit: www.lowellsoftball.org

Lowell Youth Soccer Association

LYSA @ (978) 399-8764

Summer Feeding Locations are a Free Service for People 18 Years and Under.

The USDA Summer Food Service Program Prohibits discrimination because of race, sex, color, national origin, age, or handicap.
Administered by the Massachusetts Department of Education.

LOWELL PUBLIC SCHOOLS

Summer Feeding Program

The following locations will be running from

July 11th-August 19th

Gage Park (McAuliffe School) **570 Beacon St.**

Breakfast: 8:30am-9am Lunch: 11:30-12pm

Highland Park (Daley School) **150 Fleming St.**

Breakfast: 8:30am-9am Lunch: 11:30am-12pm

Leblanc Park (Wang School) **365 W. Meadow Rd.**

Breakfast: 8:30am-9am Lunch: 11:30-12pm

Shedd Park **433 Rogers St.**

Breakfast 8:30-9am Lunch: 12-12:30pm

Reilly School **115 Douglas Rd.**

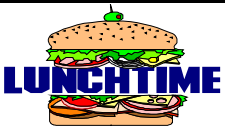
Breakfast 8:30-9am Lunch: 12-12:30pm

The following location will be running from June 27th-August 19th (No July 4th)

Girls Inc. **220 Worthen St.**

Lunch: 12:00-1:00pm

For More Information Please Contact: Food Service Department @ 978-674-2049



Merrimack Valley Food Bank-Summer Food Service-Vary based on dates, times & days.

These locations are being served July 5-August 19 on the listed days.		
McPherson Park- Monday - Friday	12:15-1:00	185 Hildreth St.
Olga Nieves Park- Monday - Thursday	11:15-12:00	123 Adams St.
Mulligan Park Splash Pad- Monday - Friday	1:30-1:00	1170 Gorham St.
These locations are being served July 5-August 12 on the listed days.		
Christ Jubilee Ministries- Monday - Friday	12:00-12:45	101 Smith St.
Caleb Group- Monday - Thursday	12:00-1:30	77 Chestnut St.
Caleb Group- Monday - Thursday	Snack 3:00-3:30	77 Chestnut St.
North Canal Summer Program- T/W/Th	Snack 9:15-9:45	517 Moody St.
North Canal Summer Program- T/W/Th	12:00-12:45	517 Moody St.
YWCA- Monday - Friday	12:00-1:00	41 Rock St.
YWCA- Monday - Friday	Snack 3:00-4:00	41 Rock St.
LCHC Teen Block- Monday - Thursday	12:00-1:00	161 Jackson St.
Lord Pool- Monday - Friday	12:15-1:00	North Common
These locations are being served July 11-August 17 on the listed days.		
LHA, Chelmsford St.- Monday - Thursday	12:00-12:45	580 Chelmsford St.
LHA, Mercier Ctr.- Monday - Thursday	11:45-12:30	21 Salem St.

HEALTHY SUMMER is a public-private PARTNERSHIP providing EDUCATIONAL PROGRAMS, HEALTHY MEALS & FUN ACTIVITIES each summer for LOWELL'S YOUTH !

GIRLS INCORPORATED

220 Worthen St. 978-458-6529

Summer Programs at Girls Inc. Ages 5-14

June 20th-August 26th Closed July 4th

Monday through Friday 8:30am-5:30pm

Extended Day 7:30 - 8:30am

Computers, Crafts, Drama, Science, Cooking, Gym Activities, Full Day Field Trips, & MORE!

Program payment can be made with a valid CHILD CARE VOUCHER, or by private pay through our flexible sliding scale system which is based on family size and income.

For further info, contact: 978-458-6529 or www.girlsinclowell.org

NATIONAL NIGHT OUT

Tuesday, August 2nd

A Free Fun Night to Celebrate Lowell Neighborhoods!

At the following locations:

Morey Elementary School 114 Pine St. 6-9:30pm

Come play games & see a family-friendly movie!

North Common Ampitheatre Fletcher St. 4-8pm

Dance Party & Games!

St. Louis School 77 Boisvert St. 6-9pm

A neighborhood festival & Games!

Visits from Police, Fire, Sheriff and EMS units at all sites!

Come for some family-friendly activities, refreshments, raffles, games, & information!

For more information contact Sharon Callery, LPD Community Services, (978) 674-1969 or scallery@lowellma.gov

WHISTLER HOUSE MUSEUM OF ART

243 Worthen St.

The Whistler House Museum of Art Youth Summer Art Program is open to children grades 5 to 8, ages 10 to 14 years. Each week-long session focuses on a different art form and combines exciting hands-on art creation with museum tours, art history discussions, and connects real works of art with the day's activity. Professional artists and educators will direct creative and age-appropriate activities using a variety of media

in the museum's historic house, Parker Gallery, and in the adjacent Whistler Park. Local visiting artists will come to speak about their works in the week's featured medium.

Week 1: July 11-15 - Drawing

Week 2: July 18-22 - Painting

Week 3: July 25-29 – Sculpture

Week 4: August 1-5 – Printmaking & Collage

The class fee for any of the sessions is $175 for one week per student. Students can participate in one, two, three, or all four weeks. The program fee includes all materials, as well as a painting smock. Healthy snacks and drinks will be provided each day. All instructors are CORI certified. Register by June 21, 2016 for a 10% discount. Scholarships are available to talented students in the community. Visit whistlerhouse.org for more information, or call 978-452-7641.

LOWELL PARKS & CONSERVATION TRUST

Programming throughout the summer!

Environmental education programs (in partnership with Mass Audobon's Drumlin Farm) offered through Lowell Public Schools (for Bartlett, McAuliffe, Shaughnessy, & Freshman Academy/Compass programs)

www.lowelllandtrust.org

See Calendar of Events, for more information call: (978) 934-0030

SOUTHEAST ASIAN WATER FESTIVAL

Saturday August 20th

Water Festival at 500 Pawtucket Blvd.

Come celebrate the 20 year milestone of Culture & Tradition!

For more info find our Facebook page at Lowell Southeast Asian Water Festival or visit our website at www.lowellwaterfestival.org

Also for more information contact: sayonsoeun@gmail.com, dphommasinh@yahoo.com, van.pech@gmail.com

LOWELL COMMUNITY HEALTH CENTER TEEN BLOCK

LCHC Teen BLOCK Youth Space at 161 Jackson Street 2nd floor

Main Number: 978-322-8949

All of LCHC Teen Block Programs are FREE and for ages 13-20

Snacks & Lunch provided by the Merrimack Valley Food Bank

***Summer drop-in time: Monday & Wednesday 9:30-2:00**

DANCE 4 PEACE (XXI)

Wednesday, August 10, 2016 at the Lowell Memorial Auditorium Showcasing talents and art by young people in the community.

Young people are given the opportunity to plan and design the

event based on a violence prevention theme.

Planning meetings are Mondays and Wednesdays from 3-5pm starting June 6

Be a part of the planning committee!

Contact Teen BLOCK at 978-322-8949

ADAM Dance Crew

The LCHC Teen BLOCK ADAM Dance Crew provides an opportunity for youth to express themselves through hip-hop and modern dance.

Dance Classes are Monday-Wednesday from 5-7pm

and Thursday from 4-6pm.

Contact Sokhoeun Tim at sokhoeunti@lchealth.org

978-322-8949

Lowell Pop Warner Football & Cheerleading

Football Players ages 7-14, Cheerleaders ages 7-15

Registration dates and times as follows:

Cawley Stadium 434 Douglas Road

June 16, 2016 6:30-8pm (Last Registration for Cheerleading)

July 28, 2016 5:30-8pm

For more info, please visit: www.Lowellpopwarner.com

FREE FUN FOR KIDS

Free snacks & drinks, art activities, and trolley rides!

Wednesday July 6, 2016 11:00am
Curious Creatures
Animal Show!

Thursday July 7, 2016 11:00am
Peter Panic
Juggling!

Wednesday July 13, 2016 11:00am
Vanessa Trien & The Jumping Monkeys
Music!

Thursday July 14, 2016 11:00am
Magic with George Saterial
Magic!

Wednesday July 20, 2016 11:00am
O'Shea-Chaplin Irish Dancers
Dancing!

Thursday July 21, 2016 11:00am
Dinoman!
Dinosaurs!

Wednesday August 3, 2016 11:00am
Wright Brothers Two
Humor!

Thursday August 4, 2016 11:00am
Aladdin
Play!

Wednesday August 10, 2016 11:00am
Ben Rudnick & Friends
Song!

Thursday August 11, 2016 11:00am
The Red Trouser Show
Amazing Acrobatics!

For more information, please visit
www.lowellsummermusic.org

LOWELL FOLK FESTIVAL

July 29th - 31st
The largest free folk festival in the nation!

Friday, July 29th 7:00-10:00pm
Saturday, July 30th 12:00-10:00pm
Sunday, July 31st 12:00-6:00pm

For more info, visit us at: www.lowellfolkfestival.org
or contact Lowell National Historical Park, 978-970-5200

4TH OF JULY FIREWORKS

FREE Event! July 4th at LeLacheur Park, Rain date July 5
Stadium opens at 7pm Fireworks begin at 9pm

LOWELL SUMMER MUSIC SERIES

Tickets available at website

Friday June 10, 2016
Patty Griffin

Saturday June 11, 2016
Guster

Friday June 17, 2016
Mary Chapin Carpenter

Saturday June 18, 2016
Peter Frampton

Thursday June 23, 2016
Indigo Girls

Thursday July 14, 2016
Los Lobos

Saturday July 16, 2016
Colin Hay from Men at Work

Friday July 22, 2016
Eric Burdon and The Animals/The Edgar Winter Group

Saturday July 23, 2016
Case/Lang/Veirs

Friday August 12, 2016
The Lone Bellow

Saturday August 13, 2016
Dr. Dog

Thursday September 1, 2016
"Weird Al" Yankovic

Saturday September 3, 2016
The B-52's

www.lowellsummermusic.org

W ENGLAND QUILT MUSEUM

18 Shattuck St. (978) 452-4207

Museum Hours: Tues-Sat 10am-4pm Sun- 12-4pm
Admission - $8.00 (Children 12 & under are Free with a paying adult). Museum Passes available at Library.
Butterfly Whirl: Contemporary Quilt Art May 4 - July 10

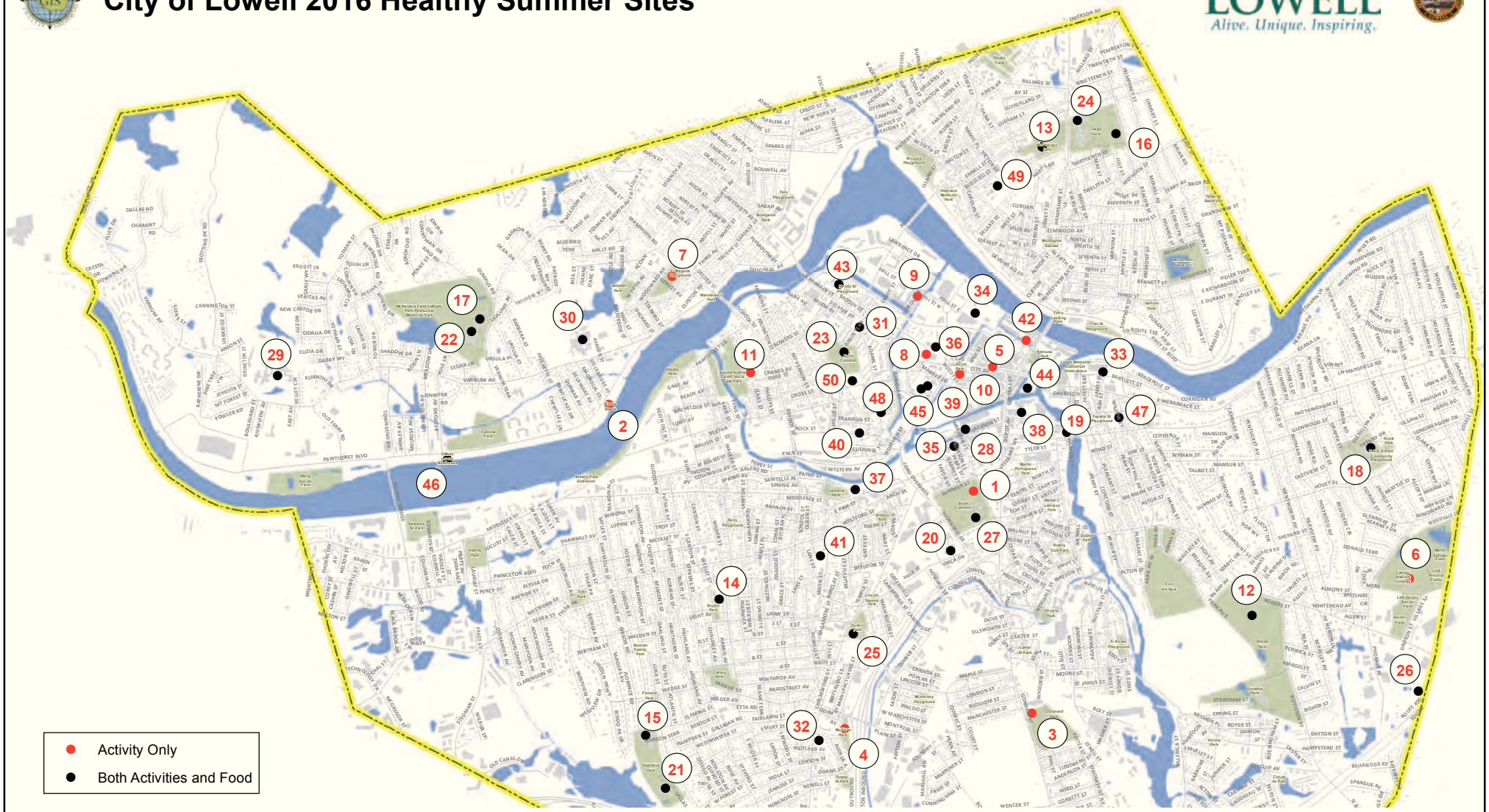
Confluence: Water's Beauty, Use & Misuse July 14 - Oct 16

For more information contact: (978) 452-4207 X 16
www.nequiltmuseum.org

Healthy Summer is a private-public partnership providing educational programs, healthy meals and fun activities each summer for Lowell's Youth. Healthy Summer began in 1996 as a joint project of the Hunger Homeless and Youth Commissions. Its primary focus is to provide fun activities and healthy meals to children throughout the summer.

City of Lowell 2016 Healthy Summer Sites

The City of LOWELL
Alive. Unique. Inspiring.



1- Lowell Recreation Dept - South Common Pool- 272 South St.- Activity Only

2- Lowell Recreation Dept - Rynne Beach- 160 Pawtucket Blvd.- Activity Only

3- Lowell Recreation Dept - O'Donnell Splash Pad- 1170 Gorham St.- Activity Only

4- Lowell Recreation Dept - Mulligan Splash Pad- 89 Plain St.- Activity Only

5- Career Center of Lowell- 107 Merrimack St.- Activity Only

6- Lowell Pop Warner Football and Cheerleading Registration - Cawley Stadium- 434 Douglas Rd.- Activity Only

7- SJA Basketball - Father Maguire Park- 108 Mammoth Rd.- Activity Only

8- Pollard Memorial Library- 401 Merrimack St.- Activity Only

9- Lowell Parks & Conservation Trust- 660 Suffolk St.- Activity Only

10- New England Quilt Museum- 18 Shattuck St.- Activity Only

11- Cambodian Mutual Assistance Association- 79 Wannalancit St.- Activity Only

12- Lowell Recreation Dept - Shedd Park program & Splash Pad- 453 Rogers St.- Both Activities and Food

13- Lowell Recreation Dept - McPherson Pool- 45 Richardson St.- Both Activities and Food

14- Lowell Recreation Dept - Morey School Busy Bee program & National Night Out- 130 Pine St.- Both Activities and Food

15- Lowell Recreation Dept - Daley School Youth Adventure- 150 Fleming St.- Both Activities and Food

16- Lowell Recreation Dept - Gage Park Youth Adventure- 440 Beacon St.- Both Activities and Food

17- Lowell Recreation Dept - Wang School Youth Adventure- 365 W Meadow Rd.- Both Activities and Food

18- Lowell Recreation Dept - Reilly School Youth Adventure & Tiny Tots- 115 Douglas Rd.- Both Activities and Food

19- South Bay Early Childhood- 148 Warren St.- Both Activities and Food

20- Greater Lowell Family YMCA- 35 YMCA Dr.- Both Activities and Food

21- Community Teamwork Inc. - Bailey School- 175 Campbell Dr.- Both Activities and Food

22- Community Teamwork Inc. - Pawtucket Memorial- 425 W Meadow Rd.- Both Activities and Food

23- Community Teamwork Inc. - Murkland School- 350 Adams St.- Both Activities and Food

24- Community Teamwork Inc. - McAuliffe School- 570 Beacon St.- Both Activities and Food

25- Community Teamwork Inc. - Lincoln School- 300 Chelmsford St.- Both Activities and Food

26- Community Teamwork Inc.- 126 Phoenix Ave.- Both Activities and Food

27- Community Teamwork Inc. - Rogers School- 43 Highland St.- Both Activities and Food

28- Lowell Community Health Center- Teen BLOCK & Mill City Grows Mobile Market- 161 Jackson St.- Both Activities and Food

29- Mill City Grows Mobile Market - D'Youville- 981 Varnum Ave.- Both Activities and Food

30- Mill City Grows Mobile Market - LGH- 295 Varnum Ave.- Both Activities and Food

31- Lowell Housing Authority & Mill City Grows Mobile Market- 21 Salem St.- Both Activities and Food

32- Lowell Housing Authority & Mill City Grows Mobile Market - George W. Flanagan Village- 580 Chelmsford St.- Both Activities and Food

33- Mill City Grows Mobile Market - LGH (Saints Campus)- 1 Hospital Dr.- Both Activities and Food

34- Mill City Grows Mobile Market - Riverplace Towers- 1 River Pl.- Both Activities and Food

35- Mill City Grows Mobile Market - Mill No. 5- 250 Jackson St.- Both Activities and Food

36- Mill City Grows Mobile Market - CTI Farmer's Market- 50 Arcand Dr.- Both Activities and Food

37- Boys and Girls Club- 657 Middlesex St.- Both Activities and Food

38- UTEC- 35 Warren St.- Both Activities and Food

39- Girls Inc.- 220 Worthen St.- Both Activities and Food

40- YWCA- 41 Rock St.- Both Activities and Food

41- Christ Jubilee Ministries- 101 Smith St.- Both Activities and Food

42- Tsongas Industrial History Center- 115 John St.- Activity Only

43- North Canal Summer Program- 517 Moody St.- Both Activities and Food

44- Middlesex Community College- 33 Kearney Sq.- Both Activities and Food

45- Whistler House Museum of Art- 243 Worthen St.- Both Activities and Food

46- Southeast Asian Water Festival- 500 Pawtucket Blvd.- Both Activities and Food

47- Caleb Group- 77 Chestnut St.- Both Activities and Food

48- Lowell Recreation Department - Olga Nieves Park- 123 Adams St.- Both Activities and Food

49- St. Louis School - National Night Out- 77 Boisvert St.- Both Activities and Food

50- North Common Pool and National Night Out at the North Common Amphitheatre- North Common - Fletcher St.- Both Activities and Food

* Barre By Renee- 1 Park Dr. Westford, MA- Activity Only

* Barre By Renee- 675 Great Rd. Littleton, MA- Activity Only

The City of Lowell • Dept. of Planning and Development • Division of Development Services
Lowell City Hall • 375 Merrimack Street • Lowell, MA 01852
P: 978.674.4144 • F: 978.446.7103
www.LowellMA.gov

Diane N. Tradd
Assistant City Manager/DPD Director

R. Eric Slagle
Director of Development Services

Shaun Shanahan
Building Commissioner

MEMORANDUM

TO: Kevin J. Murphy, City Manager
Diane N. Tradd, Assistant City Manager/DPD Director

FROM: R. Eric Slagle, Director of Development Services

SUBJECT: INFORMATIONAL – DEVELOPMENT SERVICES FINE REVENUE FOR FY16

During the FY17 Budget hearings, the City Council asked for information regarding the fine revenue brought in by Development Services during FY16. Below is that data through May 2016, broken down by fine type:

1. Health/Sanitary Fines - $9,851.97 (~$3,000 from tax liens)
2. Building Code Fines - $32,674.03 (~$10,000 from tax liens)
3. Unregistered Vehicle/Zoning Fines - $80,038.80 (~$70,000 from tax liens)
4. Vacant/Foreclosed Fines - $129,551.73 (~$11,000 from tax liens)

The first figure in the chart is the total amount of fine revenue brought in for that fine type. However, this year, the City of Lowell for the first time rolled a large number of outstanding Development Services liens onto the 3rd Quarter tax bills in April of 2016. City Assessor Sue LeMay was a great help in this effort. The second figure in the chart reflects the amount of fines brought in directly from the tax lien effort. Given the backlog of liens dating back to 2011 which were included in this effort, this amount is likely a one-time windfall for FY16. Going forward, we will be rolling the fines owed to lien, and from there onto the taxes as a yearly effort, and so will likely see a more steady stream of revenue yearly as a result.

ES
6/24/2016

The City of Lowell
Office of the City Clerk
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 431***

Meeting: **City of Lowell City Council**

Subject: **Communication - City Mgr. request Out of State Travel (1) LPD; (1) Library.**

Recommendation:

Background:

Attachments:

lpd/library

The City of Lowell • Police Department
JFK Civic Center • 50 Arcand Drive • Lowell, MA 01852
P: 978.674.4500 • F: 978.970.0455
www.LowellPolice.com

William M. Taylor
Superintendent

Deborah Friedl
Deputy Superintendent

Jonathan C. Webb
Deputy Superintendent

To: **Kevin Murphy**
City Manager

From: **William Taylor**
Superintendent of Police

Date: **June 15, 2016**

Re: **Out of State Travel**

Mr. Manager, please review the following travel request. I respectfully request your permission to send three members from the Lowell Police Department Family Services Unit, to the Accounting for Risk and Danger in your Multi-Agency Responses to Domestic Violence and Sexual Assault in San Diego, CA. This conference will set the stage for reexamination of the models and what people are doing in broadening the safety options for all battered victims. The funds for this travel will come from the Domestic Violence grant.

I have supplied a breakdown of costs below. Thank you for your time in this matter.

Purpose: Accounting for Risk and Danger in your Multi-Agency Responses to Domestic Violence and Sexual Assault
Registration Fee: $0 per person
Location: San Diego, CA
Dates of Travel: July 25, 2016 through July 29, 2016
Airfares: $800.00 per person/plus tax
Hotel: $160.00/per day/per person/plus tax
Car Rental/Transportation/Gas: will return with receipts
Per Diem: $50.00/per person/per day
Number of people: 3

The City of Lowell • Pollard Memorial Library
401 Merrimack St. • Lowell, MA 01852
P: 978.674.4120 • F: 978.970.4117
www.pollardml.org

Since 1844, Lowell's public library.

Victoria B. Woodley
Director

Board of Trustees
Kevin J. Murphy
City Manager
President Ex-Officio
Marianne Gries
Chair
Shannon Norton Calles
Alison Gervais
Ryan Gilday
Salmira Mitchell
Patricia Noreau
Nancy Pitkin

Date: June 14, 2016

To: K. Vigroux, Director Health and Human Services
Lowell City Council

From: V. Woodley, Director Library

Re: Out of State Travel

I would like to request permission, after the fact, to attend a workshop in Providence, Rhode Island on June 13, 2016. The workshop is being offered by NELA (New England Library Association) in collaboration with the ACLU and the Library Freedom Project. The workshop is called *Digital Privacy: A Practical Approach for You & Your Patrons.* One of the important issues in libraries today is how to safeguard our patrons' privacy when they use online resources and our internet connections. We also have to be aware of the personal information we keep in our patron records. This workshop sounds like it is not so much technical as practical and will give me ideas that I can implement at the Pollard Library.

The cost of the workshop is $60.00. I will be leaving from and returning to my own home which is closer to Rhode Island, than Lowell is. I expect to incur travel costs of approximately $80.00, round-trip.

This link, http://ams.nelib.org/event-2190751, will give you more information on the workshop. The American Library Association is very concerned with patron privacy issues, http://www.ala.org/advocacy/intfreedom/librarybill/interpretations/privacy and http://archive.ifla.org/IV/ifla67/papers/145-083e.pdf. I think this workshop will make me a better informed Library Director.

This letter unfortunately did not reach the City Council before I went to the Conference. I apologize, but there was a mix-up. I felt this conference was worth the time it took to drive down there. I gleaned a lot of information to help me write privacy policies and procedures for our library. They even demonstrated some free software that we can put on our patron access computers to make them more secure.

The City of Lowell
Law Department
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 437***

Meeting: **City of Lowell City Council**

Subject: **Vote-Auth Mgr Execute MOU (Local 1705A) 7/1/15-6/30/18**

Recommendation:

Background:

Attachments:

Comment

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

VOTE

Authorizing the City Council to Ratify and Approve the execution by the City Manager of the Memorandum of Understanding between the City of Lowell and Local 1705A, AFSCME Council 93 AFL-CIO covering the period July 1, 2015 through June 30, 2018.

In accordance with Massachusetts General Laws, Chapter 150E, Section 7(b), a Memorandum of Agreement between the City of Lowell and Local 1705A, AFSCME Council 93 AFL-CIO covering the period July 1, 2015 through June 30, 2018 has been reached by the City of Lowell, acting through its City Manager, as the collective bargaining representative, and AFSCME Local 1705A, which agreement covers the items negotiated over the past few months with UNION; and

That funds necessary to cover the cost of this agreement are requested herewith; and

It is necessary that the City Council approve the expenditure of the funds pursuant to the AFSCME Local 1705A Memorandum of Understanding; and

The City Manager requests and recommends approval of said Agreement, a copy of which is attached and marked "A".

BE IT VOTED BY THE CITY COUNCIL OF THE CITY OF LOWELL, as follows:

That the City Council of the City of Lowell hereby ratifies and approves the execution by the City Manager of the City of Lowell of the Memorandum of Understanding between the City of Lowell and AFSCME Local 1705A covering the period July 1, 2015 through June 30, 2018, the terms of which are outlined in the attached "Memorandum of Understanding", and further authorize the expenditure of funds for this Agreement.

MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF LOWELL AND
THE LOCAL 1705A

RE: COLLECTIVE BARGAINING AGREEMENT
FOR JULY 1, 2015 – JUNE 30, 2018

The City of Lowell ("the CITY") and the Local 1705A ("the UNION"), hereby agree to the following terms and conditions of this Memorandum of Understanding:

1. Salary:

There shall be a 0% increase in salary for all employees in the Union, for the fiscal year July 1, 2015 to June 30, 2016.

There shall be a 3% increase in salary for all employees in the Union, for the fiscal year July 1, 2016 to June 30, 2017.

There shall be a 3% increase in salary for all employees in the Union, for the fiscal year July 1, 2017 to June 30, 2018.

In the event that another bargaining unit receives a wage increase greater than the 0-3-3% for the years 2015-2018 or otherwise adds a monetary increase to their current departmental appropriation for fiscal year 2017, Local 1705A shall be allowed to reopen negotiations for the years 2015-2018. In no event shall any reopened negotiations result in an increase greater than the increase that caused negotiations to be reopened.

2. Article XXIV – Uniforms and Protective Clothing

Section 3

Add to end of Section: "Notwithstanding the requirements of the City's dress code, employees shall be permitted to wear school t-shirts on school pride day. This does not extend to other special dress days, i.e. "pajama day."

3. Article XXVII – Wages and Pay Classification

Section 7

Revise so reads as follows: "There shall be incentive to nurses to continue their education. City and Nurses agree that the Master Degree may be in any related subject, upon approval from Department Head. A change in status from a BSN to a MSN is not considered a promotion."

4. Article XXVIII – Job Posting

Revise so that notice of vacancy remains posted for seven (7) working days.

"A"

Add: A position shall not be considered "vacant" on the sole basis that the regular hours of work of the position and/or the work assignment have changed.

5. Article XXXII – Training

Add the following: "So long as school is closed for Election Day in November, the City shall hold one of the required mandatory training days on Election Day. To the extent possible, the City shall schedule annual CPR training for such time. "

Add: "Employees shall be permitted to use professional days for online home study, provided the employee has received prior approval from the Department Head."

6. Article XXXIII – Professional Stipends

Section 1

Add to: "The National Certification Stipend shall be provided to eligible employees with certification from any nationally recognized professional nursing association. Public health nurses shall be eligible for this one-time stipend."

7. Miscellaneous: Non-Binding Recommendation

The City Manager will recommend to Lowell Public School Board that children of Local 1705A members be exempt from Lowell Public Schools residency requirements such that the children of such employees and/or minors for which such employees are a legal guardian may attend Lowell Public Schools as students during such employment.

8. Contract Provisions

a. All provisions of this Memorandum of Understanding shall be incorporated into a complete Collective Bargaining Agreement for the period of July 1, 2015 to July 30, 2018, which shall contain all provisions of prior contracts and amendments thereto, except as such are changed by this Memorandum of Understanding.

b. Except as modified herein, all provisions of the Collective Bargaining Agreement integrated contract remain in full force and effect.

Witness our hands and seals this _____ day of _____, 2016.

Local 1705A

_____ _____

Kevin J. Murphy, City Manager

Approved as to Form

Christine P. O'Connor
City Solicitor

Bargaining Committee:

The City of Lowell
Law Department
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 438***

Meeting: **City of Lowell City Council**

Subject: **Vote-Authorize Manager Execute MOU (SEIU, Local 888) 7/1/15-6/30/18**

Recommendation:

Background:

Attachments:

Comment

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

VOTE

Authorizing the City Council to Ratify and Approve the execution by the City Manager of the Memorandum of Understanding between the City of Lowell and SEIU Local 888, Chapter 159 Water and Wastewater covering the period July 1, 2015 through June 30, 2018.

In accordance with Massachusetts General Laws, Chapter 150E, Section 7(b), a Memorandum of Understanding between the City of Lowell and SEIU Local 888, Chapter 159 Water and Wastewater covering the period July 1, 2015 through June 30, 2018 has been reached by the City of Lowell, acting through its City Manager, as the collective bargaining representative, and SEIU Local 888, Chapter 159 Water and Wastewater, which agreement covers the items negotiated over the past few months with UNION; and

That funds necessary to cover the cost of this agreement are requested herewith; and

It is necessary that the City Council approve the expenditure of the funds pursuant to the SEIU Local 888, Chapter 159 Water and Wastewater Memorandum of Understanding; and

The City Manager requests and recommends approval of said Agreement, a copy of which is attached and marked "A".

BE IT VOTED BY THE CITY COUNCIL OF THE CITY OF LOWELL, as follows:

That the City Council of the City of Lowell hereby ratifies and approves the execution by the City Manager of the City of Lowell of the Memorandum of Understanding between the City of Lowell and SEIU Local 888, Chapter 159 Water and Wastewater covering the period July 1, 2016 through June 30, 2018, the terms of which are outlined in the attached "Memorandum of Understanding", and further authorize the expenditure of funds for this Agreement.

V:collective/waterwastewaterseiuL.888

MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF LOWELL AND
SEIU, LOCAL 888

RE: COLLECTIVE BARGAINING AGREEMENT
FOR JULY 1, 2015 – JUNE 30, 2018

The City of Lowell ("the CITY") and the Service Employees International Union, Local 888 ("the UNION"), hereby agree to the following terms and conditions of this Memorandum of Understanding:

1. Salary:

a. There shall be a 0% increase in salary for all employees in the Union, for the fiscal year July 1, 2015 to June 30, 2016.

b. There shall be a 3% increase in salary for all employees in the Union, for the fiscal year July 1, 2016 to June 30, 2017.

c. There shall be a 3% increase in salary for all employees in the Union, for the fiscal year July 1, 2017 to June 30, 2018.

In the event that another bargaining unit receives a wage increase greater than the 0-3-3% for the years 2015-2018 or otherwise adds a wage-related increase that increases their current departmental appropriation for fiscal year 2017, SEIU shall be allowed to reopen negotiations for the years 2015-2018. In no event shall any reopened negotiations result in an increase greater than the increase that caused negotiations to be reopened.

2. Article I, Unit Definition

Section 2 - Change position titles as follows:

Wastewater Operations Superintendent to Wastewater Operations Manager
Wastewater Maintenance Superintendent to Wastewater Maintenance and Collections Manager
Wastewater Chief Engineer to Engineering Manager

3. Article XXIV, Wages and Pay Classification

Section 3 – ISO Designation
Revise second sentence so that it reads: "This "ISO, 14000" payment of $1,000 shall be added to the employees' base pay. For fiscal years 2017 and 2018, this $1,000 payment shall not be figured into the 3% increase in salary. After fiscal year 2018, it shall be part of the employees' base pay for all purposes."

4. **Article XXX, Miscellaneous**

Section 13 B(6) – Incentive Programs

Add: "Any required Hazwoper 8 hour certification shall be added to the list of allowable annual stipends, at the rate of $250."

5. **Contract Provisions**

a. All provisions of this Memorandum of Understanding shall be incorporated into a complete Collective Bargaining Agreement for the period of July 1, 2015 to July 30, 2018, which shall contain all provisions of prior contracts and amendments thereto, except as such are changed by this Memorandum of Understanding.

b. Except as modified herein, all provisions of the Collective Bargaining Agreement integrated contract remain in full force and effect.

Witness our hands and seals this _____ day of _____, 2016.

SEIU, Local 888

_____ 6-17-16

Kevin J. Murphy, City Manager

Approved as to Form:

Bargaining Committee:

_____ 6/17/16 AARON FOX

Christine P. O'Connor
City Solicitor

_____

The City of Lowell
Law Department
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 439***

Meeting: **City of Lowell City Council**

Subject: **Vote-Authorize Manager Execute MOU (MVEA Wastewater Unit IIP) 7/1/15-6/30/18**

Recommendation:

Background:

Attachments:

Comment

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

VOTE

Authorizing the City Council to Ratify and Approve the execution by the City Manager of the Memorandum of Understanding between the City of Lowell and the MVEA Wastewater Unit IIP covering the period of July 1, 2015 through June 30, 2018.

In accordance with Massachusetts General Laws, Chapter 150E, §7(b), the Memorandum of Understanding between the City of Lowell and the MVEA Wastewater Unit IIP, covering the period July 1, 2015 through June 30, 2018 has been executed by the City of Lowell, acting through its City Manager, as the collective bargaining representative, and the MVEA Wastewater Unit IIP, which Memorandum covers the items negotiated over the past few months with UNION; and

That funds necessary to cover the cost of this agreement are requested herewith; and

It is necessary that the City Council approve the expenditure of the funds pursuant to this Memorandum of Understanding to the MVEA Wastewater Unit IIP; and

The City Manager requests and recommends approval of the Agreement, a copy of which is attached and marked "A".

BE IT VOTED BY THE CITY COUNCIL OF THE CITY OF LOWELL, as follows:

That the City Council of the City of Lowell hereby ratifies and approves the execution by the City Manager of the City of Lowell of the Memorandum of Understanding between the City of Lowell and the MVEA Wastewater Unit IIP covering the period July 1, 2015 through June 30, 2018, and further authorize the expenditure of funds for this Agreement.

V:collectivebargain/mveaunitIIP

MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF LOWELL AND
MERRIMACK VALLEY EMPLOYEES ASSOCIATION
WASTEWATER UNIT IIP

RE: COLLECTIVE BARGAINING AGREEMENT
FOR JULY 1, 2015 – JUNE 30, 2018

The City of Lowell ("the CITY") and the Merrimack Valley Employees Association Wastewater Unit II Professionals ("the UNION"), hereby agree to the following terms and conditions of this Memorandum of Understanding:

1. Salary:

There shall be a 0% increase in salary for all employees in the Union, for the fiscal year July 1, 2015 to June 30, 2016.

There shall be a 3% increase in salary for all employees in the Union, for the fiscal year July 1, 2016 to June 30, 2017.

There shall be a 3% increase in salary for all employees in the Union, for the fiscal year July 1, 2017 to June 30, 2018.

In the event that another bargaining unit receives a wage increase greater than the 0-3-3% for the years 2015-2018 or otherwise adds a wage-related increase that increases their current departmental appropriation for fiscal year 2017, MVEA Wastewater Unit IIP shall be allowed to reopen negotiations for the years 2015-2018. In no event shall any reopened negotiations result in an increase greater than the increase that caused negotiations to be reopened.

2. Sick Leave Buy Back

Add sentence at end of Article XVII, Section 5 so benefit is paid out according to calendar, not fiscal, year:
"Sick leave buy back payment shall be made in January for the prior calendar year. No bargaining unit member will be negatively impacted by this change."

3. Article XXIX, Uniforms

Section 1: Add at end of paragraph: "The Employer will consult employees before purchasing uniforms, so that Employees may have input as to the style, material and other considerations."

Section 2: Increase boot allowance to $200.00 per year.

"A"

4. Article XXXI, Miscellaneous

Delete entire Section 10A and replace with the following:

Nothing in this agreement shall prevent the City from engaging persons outside of the bargaining unit to perform work which could have been performed by employees within the bargaining unit or otherwise from contracting out bargaining unit work so long as such engagement or contracting out does not result in the reduction of the bargaining unit.

5. Article XXV, Wages

Revise Section 2: Increase license incentive cap to $2,800. "Employees shall be eligible for license incentives up to $2,800, until the Department's license incentive budget is depleted."

The City and the Union agree to engage in talks relative to parity in salary for Engineers who work for the City. The discussions will begin in January of 2017.

6. Contract Provisions

a. All provisions of this Memorandum of Understanding shall be incorporated into a complete Collective Bargaining Agreement for the period of July 1, 2015 to July 30, 2018, which shall contain all provisions of prior contracts and amendments thereto, except as such are changed by this Memorandum of Understanding.

b. Except as modified herein, all provisions of the Collective Bargaining Agreement integrated contract remain in full force and effect.

Witness our hands and seals this _____ day of _____, 2016.

MVEA Unit IIP

_____ _____

Kevin J. Murphy, City Manager Keith Rudy, Representative

Approved as to Form: Bargaining Committee:

_____ _____

Christine P. O'Connor
City Solicitor

_____

The City of Lowell
Law Department
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 442***

Meeting: **City of Lowell City Council**

Subject: **Vote-Transfer $20,000 from Parking Dept to Disabilities Commission Revolving Fund**

Recommendation:

Background:

Attachments:

Comment

CITY OF LOWELL

COMMONWEALTH OF MASSACHUSETTS

VOTE

IN CITY COUNCIL:

ORDER,

To provide funding for Disability Commission FY'16.

ORDERED,

By the City Council of the City of Lowell, as follows:

That the amount of **Twenty Thousand and 00/100 ($20,000.00) Dollars** be transferred:

FROM: Parking Garage – HP Account # 44500010 530053 more fully described in Attachment A:

TO: Disability Revolving Fund Account # 1161000 497502 more fully described in Attachment A;

ORDER RECOMMENDED AND INTRODUCED BY:

Kevin J. Murphy, City Manager

v:transferII

Transfer Form - Attachment A

Department:	Parking			
TRANSFER TO:				
Account #			Description	Amount
Org.	Object	Project		
1161000	497502		Disability Revolving Fund	$ 20,000.00
			TOTAL	$ 20,000.00
TRANSFER FROM:				
Account #			Description	Amount
Org.	Object	Project		
44500010	530053		Parking Garage - HP	$ 20,000.00
			TOTAL	$ 20,000.00

Reason for Transfer:
Funding for Disability Commission - FY16

Department Head

Chief Financial Officer

6/21/16

Office of the City Manager
City Hall • 375 Merrimack Street • Lowell, MA 01852
P: 978.674.4000 • F: 978.970.4007
www.LowellMA.gov

Kevin J. Murphy
City Manager

June 11, 2016

Mayor Edward J. Kennedy
And
Members of the Lowell City Council

Dear Mayor Kennedy and Members of the Lowell City Council,

I am hereby requesting that the City Council vote to transfer funds from the Parking Enterprise Fund to the Disability Commission Revolving Fund. The total amount of the transfer is $20,000.

According to Chapter 266, Section 55 of the Code of Ordinances of the City of Lowell, a fine is assessed for anyone who illegally parks a vehicle in a handicapped parking zone or who parks a vehicle in such a manner as to obstruct any curb ramp designed for use by handicapped persons. The monies associated with these fines are deposited in the Parking Enterprise Fund throughout the course of the fiscal year. In Fiscal Year 2015, the City Council established a revolving fund for the disability commission, in accordance with the statutory requirements of Chapter 44, Section 53 E ½, for expenses to help the disabled. This fund has been used, to date, to fund an ADA study of City Hall, and handicapped-accessible playground equipment at Gage field, amongst other uses.

The revolving fund is limited to the receipt of funds from an appropriation transfer from the Parking Enterprise Fund's disability account and this vote represents the City's continued commitment to helping disabled residents of Lowell.

Sincerely,

Kevin J. Murphy
City Manager

CC: Conor Baldwin, Chief Financial Officer

The City of Lowell
Law Department
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 445***

Meeting: **City of Lowell City Council**

Subject: **Vote-Transfer $196,812.00 to balance Snow & Ice Accounts**

Recommendation:

Background:

Attachments:

Comment

CITY OF LOWELL

COMMONWEALTH OF MASSACHUSETTS

VOTE

IN CITY COUNCIL:

ORDER,

To transfer funds to balance Snow & Ice Accounts.

ORDERED,

By the City Council of the City of Lowell, as follows:

That the amount of **One Hundred Ninety Six Thousand Eight Hundred Twelve and 00/100 ($196,812.00) Dollars** be transferred:

FROM: Various Accounts more fully described in Attachment A:

TO: Various Accounts more fully described in Attachment A;

ORDER RECOMMENDED AND INTRODUCED BY:

Kevin J. Murphy, City Manager

V:transferII

Transfer Form - "Attachment A"

Department:	Finance			
TRANSFER TO:				
Account #			Description	Amount
Org.	Object	Project		
04008757	573400		Snow and Ice - Misc.	$ 119,404.00
04008766	542300		Snow and Ice - Salt	$ 77,408.00
			TOTAL	$ 196,812.00
TRANSFER FROM:				
Account #			Description	Amount
Org.	Object	Project		
04008753	529600		Snow & Ice Contractors	$ 130,155.00
04008551	513000		Snow & Ice Overtime	$ 19,937.00
04007951	511000		DPW - Lands & Bldg	$ 46,720.00
			TOTAL	$ 196,812.00

Reason for Transfer:
To balance Snow & Ice Accounts

Department Head

Chief Financial Officer

6/22/16

Office of the City Manager
City Hall • 375 Merrimack Street • Lowell, MA 01852
P: 978.674.4000 • F: 978.970.4007
www.LowellMA.gov

Conor M. Baldwin
Chief Financial Officer

MEMORANDUM

TO: Kevin J. Murphy, City Manager

FROM: Conor Baldwin, Chief Financial Officer

DATE: June 10, 2016

SUBJECT: Fiscal Year 2016 Year End Transfers

A number of financial matters need legislative action prior to the close of fiscal year 2016 on June 30. Many are routine in nature, but this memo provides a description of each. The amounts for the transfers are based on projections, but there may be a need at the next council meeting to further transfer in order to cover any aberrations.

Snow and Ice Deficit

It has not been since fiscal year 2012 that the city spent less than the annual budget for snow and ice. Now that all invoices related to snow removal have been paid, the total expenditure is approximately $1.4 million, slightly more than the $1.35 million included as part of the FY2016 budget. Had it not been for the final winter event in early April, the city may have ended the year under budget.

While cities and towns are allowed to raise snow and ice deficits on the next year's tax rate recapitulation sheet according to the rules of the Department of Revenue, the goal of the Administration was not to add any additional burden to the tax levy. A modest surplus in the Public Works Department will allow for the city to balance the snow and ice expenses from within the existing budget.

Debt Service

Earlier this fiscal year the city received competitive bids from bond underwriters for a $39,925,000 20-year State Qualified new money & refunding bond issue. Bond proceeds were used to refund a portion of the City's October 15, 2003 bonds, as well as permanently finance existing bond anticipation notes, pay for paving and bridge work, and meet various other capital needs such as vehicle and equipment purchases.

Because of the city's strong credit rating, Standard & Poor's Rating Services, a municipal bond credit rating agency, affirmed the City's 'AA-' underlying rating. The agency cited the City's very strong management with "strong" financial policies and practices, strong budgetary performance with balanced operating results in the general fund, very strong liquidity, providing very strong cash to cover debt service and expenditures, and strong institutional framework as positive credit factors.

Office of the City Manager
City Hall • 375 Merrimack Street • Lowell, MA 01852
P: 978.674.4000 • F: 978.970.4007
www.LowellMA.gov

Conor M. Baldwin
Chief Financial Officer

The financing costs associated with the refunding were not initially part of the debt service budget, but in order to take advantage of a low-interest market and leverage the city's strong credit; the refunding was included as part of the sale. The refinancing will generate total savings of $529,979 over the remaining life of the bonds.

Year End Payroll Adjustments

This transfer is to cover various projected salary and wage deficits. Every year, as turnover occurs in city departments, accounts in the salary and wage statutory category either accumulate a surplus or a deficit. Many other departments were able to fund them internally with their own flexibility. Most of the transfers are relatively small, but require Council approval because they are interdepartmental transfers. One of the more substantial transfers, in the Parks Department, came as the result of increased manpower dedicated to beautifying the downtown and neighborhood business districts this year.

Claims – Police/ Active

The city has seen an increase in the costs this year for worker's compensation costs and claims in the various categories for which we budget. The number of cases requiring surgery has risen dramatically and is the primary reason for the additional cost. In a typical year we average between four to five surgeries, however, this year there have been over twenty. Also, several employees required multiple surgeries.

These costs, too, are able to be absorbed within the current year's appropriations, but require Council approval to execute the transfers.

Office of the City Manager
City Hall • 375 Merrimack Street • Lowell, MA 01852
P: 978.674.4000 • F: 978.970.4007
www.LowellMA.gov

Kevin J. Murphy
City Manager

June 11, 2016

Mayor Edward J. Kennedy
And
Members of the Lowell City Council

Dear Mayor Kennedy and Members of the Lowell City Council,

I am hereby requesting that the City Council consider a number of votes to balance various accounts in deficit by utilizing other budgetary accounts with appropriations projected to close the year with a surplus, pursuant to Chapter 44 § 33B of the Massachusetts General Laws. Because some appropriations are interdepartmental, the Department of Revenue requires a vote of the City Council to be recorded.

A number of fiscal controls contemplated last year to deal with the historic snowfall have been implemented, permanently. Those measures—the advent of a "vacancy review committee" to determine the cost-benefit of each vacancy created through attrition, careful scrutiny of every requisition for purchases over $2,500, and the ongoing efforts of the LowellSTAT program—have resulted in considerable savings within the 2016 operating budget. It is with those savings that we are able to hold the line on taxes while continuing to provide quality municipal services.

Included in the FY2017 budget was a financing plan that continues an amortization schedule of $500,000 through FY2018, in accordance with the Chapter 10 § 58 of the Acts of 2015. This amount was chosen for its parity with the 2014 snow and ice deficit, as the total had previously been built into the tax levy. By utilizing surplus appropriations from within the FY2016 budget to eliminate the slight overage in the snow and ice budget, no additional burden will be placed on the taxpayers for costs associated with this past winter.

Finally, a transfer is proposed to supplement unanticipated debt service costs associated with a refunding opportunity which provided for long-term savings on the city's outstanding debt. Enclosed is a memo from the Chief Financial Officer, which further details and analyzes the year-end transfers.

Sincerely,

Kevin J. Murphy
City Manager

The City of Lowell
Law Department
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 447***

Meeting: **City of Lowell City Council**

Subject: **Vote-Transfer $140,365 to cover year end payroll deficits**

Recommendation:

Background:

Attachments:

Comment

CITY OF LOWELL

COMMONWEALTH OF MASSACHUSETTS

VOTE

IN CITY COUNCIL:

ORDER,

To cover year end payroll deficits utilizing year end surplus appropriations.

ORDERED,

By the City Council of the City of Lowell, as follows:

That the amount of **One Hundred Forty Thousand Three Hundred Sixty Five and 00/100 ($140,365.00) Dollars** be transferred:

FROM: Various Accounts more fully described in Attachment A:

TO: Various Accounts more fully described in Attachment A;

ORDER RECOMMENDED AND INTRODUCED BY:

Kevin J. Murphy, City Manager

v:transfer11

Transfer Form - "Attachment A"

Department:	Finance			
TRANSFER TO:				
Account #			Description	Amount
Org.	Object	Project		
01114151	511000		S&W - CC	$ 2,007.00
01214151	511000		S&W - Mayor	$ 95.00
01354151	511000		S&W - Auditor	$ 21,790.00
01384151	511000		S&W - Purchasing	$ 1,606.00
01414151	511000		S&W - Assessor	$ 3,283.00
01554151	511000		S&W - MIS	$ 2,871.00
02404151	511000		S&W - INSP	$ 65,745.00
05414151	511000		S&W - COA	$ 25,000.00
05434151	511000		S&W - Veterans	$ 1,038.00
06304151	511000		S&W - Recreation	$ 254.00
01244151	511000		S&W - COOL	$ 311.00
01514151	511000		S&W - Law	$ 16,365.00
			TOTAL	$ 140,365.00
TRANSFER FROM:				
Account #			Description	Amount
Org.	Object	Project		
01234151	511000		S&W Perm - MGR	$ 40,000.00
01454151	511000		S&W Perm - TREAS	$ 20,000.00
01824151	511000		S&W Perm - DPD	$ 37,000.00
01514151	511000		S&W Perm - Health	$ 43,365.00
			TOTAL	$ 140,365.00

Reason for Transfer:

To cover year end payroll deficits utilizing year end surplus appropriations

Department Head

Chief Financial Officer

6/22/16

Office of the City Manager
City Hall • 375 Merrimack Street • Lowell, MA 01852
P: 978.674.4000 • F: 978.970.4007
www.LowellMA.gov

Conor M. Baldwin
Chief Financial Officer

MEMORANDUM

TO: Kevin J. Murphy, City Manager

FROM: Conor Baldwin, Chief Financial Officer

DATE: June 10, 2016

SUBJECT: Fiscal Year 2016 Year End Transfers

A number of financial matters need legislative action prior to the close of fiscal year 2016 on June 30. Many are routine in nature, but this memo provides a description of each. The amounts for the transfers are based on projections, but there may be a need at the next council meeting to further transfer in order to cover any aberrations.

Snow and Ice Deficit

It has not been since fiscal year 2012 that the city spent less than the annual budget for snow and ice. Now that all invoices related to snow removal have been paid, the total expenditure is approximately $1.4 million, slightly more than the $1.35 million included as part of the FY2016 budget. Had it not been for the final winter event in early April, the city may have ended the year under budget.

While cities and towns are allowed to raise snow and ice deficits on the next year's tax rate recapitulation sheet according to the rules of the Department of Revenue, the goal of the Administration was not to add any additional burden to the tax levy. A modest surplus in the Public Works Department will allow for the city to balance the snow and ice expenses from within the existing budget.

Debt Service

Earlier this fiscal year the city received competitive bids from bond underwriters for a $39,925,000 20-year State Qualified new money & refunding bond issue. Bond proceeds were used to refund a portion of the City's October 15, 2003 bonds, as well as permanently finance existing bond anticipation notes, pay for paving and bridge work, and meet various other capital needs such as vehicle and equipment purchases.

Because of the city's strong credit rating, Standard & Poor's Rating Services, a municipal bond credit rating agency, affirmed the City's 'AA-' underlying rating. The agency cited the City's very strong management with "strong" financial policies and practices, strong budgetary performance with balanced operating results in the general fund, very strong liquidity, providing very strong cash to cover debt service and expenditures, and strong institutional framework as positive credit factors.

Office of the City Manager
City Hall • 375 Merrimack Street • Lowell, MA 01852
P: 978.674.4000 • F: 978.970.4007
www.LowellMA.gov

Conor M. Baldwin
Chief Financial Officer

The financing costs associated with the refunding were not initially part of the debt service budget, but in order to take advantage of a low-interest market and leverage the city's strong credit; the refunding was included as part of the sale. The refinancing will generate total savings of $529,979 over the remaining life of the bonds.

Year End Payroll Adjustments

This transfer is to cover various projected salary and wage deficits. Every year, as turnover occurs in city departments, accounts in the salary and wage statutory category either accumulate a surplus or a deficit. Many other departments were able to fund them internally with their own flexibility. Most of the transfers are relatively small, but require Council approval because they are interdepartmental transfers. One of the more substantial transfers, in the Parks Department, came as the result of increased manpower dedicated to beautifying the downtown and neighborhood business districts this year.

Claims – Police/ Active

The city has seen an increase in the costs this year for worker's compensation costs and claims in the various categories for which we budget. The number of cases requiring surgery has risen dramatically and is the primary reason for the additional cost. In a typical year we average between four to five surgeries, however, this year there have been over twenty. Also, several employees required multiple surgeries.

These costs, too, are able to be absorbed within the current year's appropriations, but require Council approval to execute the transfers.

Office of the City Manager
City Hall • 375 Merrimack Street • Lowell, MA 01852
P: 978.674.4000 • F: 978.970.4007
www.LowellMA.gov

Kevin J. Murphy
City Manager

June 11, 2016

Mayor Edward J. Kennedy
And
Members of the Lowell City Council

Dear Mayor Kennedy and Members of the Lowell City Council,

I am hereby requesting that the City Council consider a number of votes to balance various accounts in deficit by utilizing other budgetary accounts with appropriations projected to close the year with a surplus, pursuant to Chapter 44 § 33B of the Massachusetts General Laws. Because some appropriations are interdepartmental, the Department of Revenue requires a vote of the City Council to be recorded.

A number of fiscal controls contemplated last year to deal with the historic snowfall have been implemented, permanently. Those measures—the advent of a "vacancy review committee" to determine the cost-benefit of each vacancy created through attrition, careful scrutiny of every requisition for purchases over $2,500, and the ongoing efforts of the LowellSTAT program—have resulted in considerable savings within the 2016 operating budget. It is with those savings that we are able to hold the line on taxes while continuing to provide quality municipal services.

Included in the FY2017 budget was a financing plan that continues an amortization schedule of $500,000 through FY2018, in accordance with the Chapter 10 § 58 of the Acts of 2015. This amount was chosen for its parity with the 2014 snow and ice deficit, as the total had previously been built into the tax levy. By utilizing surplus appropriations from within the FY2016 budget to eliminate the slight overage in the snow and ice budget, no additional burden will be placed on the taxpayers for costs associated with this past winter.

Finally, a transfer is proposed to supplement unanticipated debt service costs associated with a refunding opportunity which provided for long-term savings on the city's outstanding debt. Enclosed is a memo from the Chief Financial Officer, which further details and analyzes the year-end transfers.

Sincerely,

Kevin J. Murphy
City Manager

The City of Lowell
Law Department
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 448***

Meeting: **City of Lowell City Council**

Subject: **Vote-Transfer $890,400 to cover additional debt service associated with refunding**

Recommendation:

Background:

Attachments:

Comment

CITY OF LOWELL

COMMONWEALTH OF MASSACHUSETTS

VOTE

IN CITY COUNCIL:

ORDER,

To cover additional debt service associated with refunding in the Finance Dept.

ORDERED,

By the City Council of the City of Lowell, as follows:

That the amount of **Eight Hundred Ninety Thousand Four Hundred and 00/100 ($890,400.00) Dollars** be transferred:

FROM: Various Accounts more fully described in Attachment A:

TO: Various Accounts more fully described in Attachment A;

ORDER RECOMMENDED AND INTRODUCED BY:

Kevin J. Murphy, City Manager

v:transferII

Transfer Form - "Attachment A"

Department:	Finance			
TRANSFER TO:				
Account #			Description	Amount
Org.	Object	Project		
07109795	597000		LT Interest	$ 30,000.00
07109795	597200		ST Interest	$ 10,400.00
07109795	597300		Principal	$ 850,000.00
			TOTAL	$ 890,400.00
TRANSFER FROM:				
Account #			Description	Amount
Org.	Object	Project		
09149713	563600		Health Insurance	$ 296,854.00
09109716	521800		PERAC assessment	$ 143,546.00
05434157	573100		Veterans Benefits	$ 350,000.00
09139710	517201		Unemployment	$ 100,000.00
			TOTAL	$ 890,400.00

Reason for Transfer:

To cover additional debt service associated with refunding

Department Head

Chief Financial Officer

6/22/16

Office of the City Manager
City Hall • 375 Merrimack Street • Lowell, MA 01852
P: 978.674.4000 • F: 978.970.4007
www.LowellMA.gov

Conor M. Baldwin
Chief Financial Officer

MEMORANDUM

TO: Kevin J. Murphy, City Manager

FROM: Conor Baldwin, Chief Financial Officer

DATE: June 10, 2016

SUBJECT: Fiscal Year 2016 Year End Transfers

A number of financial matters need legislative action prior to the close of fiscal year 2016 on June 30. Many are routine in nature, but this memo provides a description of each. The amounts for the transfers are based on projections, but there may be a need at the next council meeting to further transfer in order to cover any aberrations.

Snow and Ice Deficit

It has not been since fiscal year 2012 that the city spent less than the annual budget for snow and ice. Now that all invoices related to snow removal have been paid, the total expenditure is approximately $1.4 million, slightly more than the $1.35 million included as part of the FY2016 budget. Had it not been for the final winter event in early April, the city may have ended the year under budget.

While cities and towns are allowed to raise snow and ice deficits on the next year's tax rate recapitulation sheet according to the rules of the Department of Revenue, the goal of the Administration was not to add any additional burden to the tax levy. A modest surplus in the Public Works Department will allow for the city to balance the snow and ice expenses from within the existing budget.

Debt Service

Earlier this fiscal year the city received competitive bids from bond underwriters for a $39,925,000 20-year State Qualified new money & refunding bond issue. Bond proceeds were used to refund a portion of the City's October 15, 2003 bonds, as well as permanently finance existing bond anticipation notes, pay for paving and bridge work, and meet various other capital needs such as vehicle and equipment purchases.

Because of the city's strong credit rating, Standard & Poor's Rating Services, a municipal bond credit rating agency, affirmed the City's 'AA-' underlying rating. The agency cited the City's very strong management with "strong" financial policies and practices, strong budgetary performance with balanced operating results in the general fund, very strong liquidity, providing very strong cash to cover debt service and expenditures, and strong institutional framework as positive credit factors.

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Conor M. Baldwin
Chief Financial Officer

The financing costs associated with the refunding were not initially part of the debt service budget, but in order to take advantage of a low-interest market and leverage the city's strong credit; the refunding was included as part of the sale. The refinancing will generate total savings of $529,979 over the remaining life of the bonds.

Year End Payroll Adjustments

This transfer is to cover various projected salary and wage deficits. Every year, as turnover occurs in city departments, accounts in the salary and wage statutory category either accumulate a surplus or a deficit. Many other departments were able to fund them internally with their own flexibility. Most of the transfers are relatively small, but require Council approval because they are interdepartmental transfers. One of the more substantial transfers, in the Parks Department, came as the result of increased manpower dedicated to beautifying the downtown and neighborhood business districts this year.

Claims – Police/ Active

The city has seen an increase in the costs this year for worker's compensation costs and claims in the various categories for which we budget. The number of cases requiring surgery has risen dramatically and is the primary reason for the additional cost. In a typical year we average between four to five surgeries, however, this year there have been over twenty. Also, several employees required multiple surgeries.

These costs, too, are able to be absorbed within the current year's appropriations, but require Council approval to execute the transfers.

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Kevin J. Murphy
City Manager

June 11, 2016

Mayor Edward J. Kennedy
And
Members of the Lowell City Council

Dear Mayor Kennedy and Members of the Lowell City Council,

I am hereby requesting that the City Council consider a number of votes to balance various accounts in deficit by utilizing other budgetary accounts with appropriations projected to close the year with a surplus, pursuant to Chapter 44 § 33B of the Massachusetts General Laws. Because some appropriations are interdepartmental, the Department of Revenue requires a vote of the City Council to be recorded.

A number of fiscal controls contemplated last year to deal with the historic snowfall have been implemented, permanently. Those measures—the advent of a "vacancy review committee" to determine the cost-benefit of each vacancy created through attrition, careful scrutiny of every requisition for purchases over $2,500, and the ongoing efforts of the LowellSTAT program—have resulted in considerable savings within the 2016 operating budget. It is with those savings that we are able to hold the line on taxes while continuing to provide quality municipal services.

Included in the FY2017 budget was a financing plan that continues an amortization schedule of $500,000 through FY2018, in accordance with the Chapter 10 § 58 of the Acts of 2015. This amount was chosen for its parity with the 2014 snow and ice deficit, as the total had previously been built into the tax levy. By utilizing surplus appropriations from within the FY2016 budget to eliminate the slight overage in the snow and ice budget, no additional burden will be placed on the taxpayers for costs associated with this past winter.

Finally, a transfer is proposed to supplement unanticipated debt service costs associated with a refunding opportunity which provided for long-term savings on the city's outstanding debt. Enclosed is a memo from the Chief Financial Officer, which further details and analyzes the year-end transfers.

Sincerely,

Kevin J. Murphy
City Manager

The City of Lowell
Law Department
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 449***

Meeting: **City of Lowell City Council**

Subject: **Vote-Transfer $71,065.49 to provide funding for debt service cost associated with refunding etc. (sewer)**

Recommendation:

Background:

Attachments:

Comment

CITY OF LOWELL

COMMONWEALTH OF MASSACHUSETTS

VOTE

IN CITY COUNCIL:

ORDER,

To provide funding for debt service cost associated with refunding, etc.

ORDERED,

By the City Council of the City of Lowell, as follows:

That the amount of **Seventy One Thousand Sixty Five and 49/100 ($71,065.49) Dollars** be transferred:

FROM: Various Accounts more fully described in Attachment A:

TO: LT Debt – Interest Account # 61000095 597002 more fully described in Attachment A;

ORDER RECOMMENDED AND INTRODUCED BY:

Kevin J. Murphy, City Manager

v:transferII

Attachment A

Transfer Form

Department:	Sewer			
TRANSFER TO:				
Account #			Description	Amount
Org.	Object	Project		
60000095	597002		LT Debt - Interest	$ 71,065.49
			TOTAL	$ 71,065.49
TRANSFER FROM:				
Account #			Description	Amount
Org.	Object	Project		
60004594	597502		LT Debt - Principal	$ 10,685.97
60000065	530000		Professional Services	$ 60,379.52
			TOTAL	$ 71,065.49

Reason for Transfer:
To provide funding for debt service cost associated with refunding, etc.

Department Head

Chief Financial Officer

6/22/16

Office of the City Manager
City Hall • 375 Merrimack Street • Lowell, MA 01852
P: 978.674.4000 • F: 978.970.4007
www.LowellMA.gov

Conor M. Baldwin
Chief Financial Officer

MEMORANDUM

TO: Kevin J. Murphy, City Manager

FROM: Conor Baldwin, Chief Financial Officer

DATE: June 10, 2016

SUBJECT: Fiscal Year 2016 Year End Transfers

A number of financial matters need legislative action prior to the close of fiscal year 2016 on June 30. Many are routine in nature, but this memo provides a description of each. The amounts for the transfers are based on projections, but there may be a need at the next council meeting to further transfer in order to cover any aberrations.

Snow and Ice Deficit

It has not been since fiscal year 2012 that the city spent less than the annual budget for snow and ice. Now that all invoices related to snow removal have been paid, the total expenditure is approximately $1.4 million, slightly more than the $1.35 million included as part of the FY2016 budget. Had it not been for the final winter event in early April, the city may have ended the year under budget.

While cities and towns are allowed to raise snow and ice deficits on the next year's tax rate recapitulation sheet according to the rules of the Department of Revenue, the goal of the Administration was not to add any additional burden to the tax levy. A modest surplus in the Public Works Department will allow for the city to balance the snow and ice expenses from within the existing budget.

Debt Service

Earlier this fiscal year the city received competitive bids from bond underwriters for a $39,925,000 20-year State Qualified new money & refunding bond issue. Bond proceeds were used to refund a portion of the City's October 15, 2003 bonds, as well as permanently finance existing bond anticipation notes, pay for paving and bridge work, and meet various other capital needs such as vehicle and equipment purchases.

Because of the city's strong credit rating, Standard & Poor's Rating Services, a municipal bond credit rating agency, affirmed the City's 'AA-' underlying rating. The agency cited the City's very strong management with "strong" financial policies and practices, strong budgetary performance with balanced operating results in the general fund, very strong liquidity, providing very strong cash to cover debt service and expenditures, and strong institutional framework as positive credit factors.

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Conor M. Baldwin
Chief Financial Officer

The financing costs associated with the refunding were not initially part of the debt service budget, but in order to take advantage of a low-interest market and leverage the city's strong credit; the refunding was included as part of the sale. The refinancing will generate total savings of $529,979 over the remaining life of the bonds.

Year End Payroll Adjustments

This transfer is to cover various projected salary and wage deficits. Every year, as turnover occurs in city departments, accounts in the salary and wage statutory category either accumulate a surplus or a deficit. Many other departments were able to fund them internally with their own flexibility. Most of the transfers are relatively small, but require Council approval because they are interdepartmental transfers. One of the more substantial transfers, in the Parks Department, came as the result of increased manpower dedicated to beautifying the downtown and neighborhood business districts this year.

Claims – Police/ Active

The city has seen an increase in the costs this year for worker's compensation costs and claims in the various categories for which we budget. The number of cases requiring surgery has risen dramatically and is the primary reason for the additional cost. In a typical year we average between four to five surgeries, however, this year there have been over twenty. Also, several employees required multiple surgeries.

These costs, too, are able to be absorbed within the current year's appropriations, but require Council approval to execute the transfers.

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Kevin J. Murphy
City Manager

June 11, 2016

Mayor Edward J. Kennedy
And
Members of the Lowell City Council

Dear Mayor Kennedy and Members of the Lowell City Council,

I am hereby requesting that the City Council consider a number of votes to balance various accounts in deficit by utilizing other budgetary accounts with appropriations projected to close the year with a surplus, pursuant to Chapter 44 § 33B of the Massachusetts General Laws. Because some appropriations are interdepartmental, the Department of Revenue requires a vote of the City Council to be recorded.

A number of fiscal controls contemplated last year to deal with the historic snowfall have been implemented, permanently. Those measures—the advent of a "vacancy review committee" to determine the cost-benefit of each vacancy created through attrition, careful scrutiny of every requisition for purchases over $2,500, and the ongoing efforts of the LowellSTAT program—have resulted in considerable savings within the 2016 operating budget. It is with those savings that we are able to hold the line on taxes while continuing to provide quality municipal services.

Included in the FY2017 budget was a financing plan that continues an amortization schedule of $500,000 through FY2018, in accordance with the Chapter 10 § 58 of the Acts of 2015. This amount was chosen for its parity with the 2014 snow and ice deficit, as the total had previously been built into the tax levy. By utilizing surplus appropriations from within the FY2016 budget to eliminate the slight overage in the snow and ice budget, no additional burden will be placed on the taxpayers for costs associated with this past winter.

Finally, a transfer is proposed to supplement unanticipated debt service costs associated with a refunding opportunity which provided for long-term savings on the city's outstanding debt. Enclosed is a memo from the Chief Financial Officer, which further details and analyzes the year-end transfers.

Sincerely,

Kevin J. Murphy
City Manager

The City of Lowell
Law Department
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 450***

Meeting: **City of Lowell City Council**

Subject: **Vote-Transfer $86,979.46 to provide funding for debt service cost associated with refunding etc. (water)**

Recommendation:

Background:

Attachments:

Comment

CITY OF LOWELL

COMMONWEALTH OF MASSACHUSETTS

VOTE

IN CITY COUNCIL:

ORDER,

To provide funding for debt service costs associated with refunding, etc. (Water).

ORDERED,

By the City Council of the City of Lowell, as follows:

That the amount of **Eight Six Thousand Nine Hundred Seventy Nine and 46/100 ($86,979.46) Dollars** be transferred:

FROM: Various Accounts more fully described in Attachment A:

TO: Account # 61000095 597002 LT Debt Interest more fully described in Attachment A;

ORDER RECOMMENDED AND INTRODUCED BY:

Kevin J. Murphy, City Manager

v:transferll

"Attachment A"

Transfer Form

Department:	Water			
TRANSFER TO:				
Account #			Description	Amount
Org.	Object	Project		
61000095	597002		LT Debt - Interest	$ 86,979.46
			TOTAL	$ 86,979.46
TRANSFER FROM:				
Account #			Description	Amount
Org.	Object	Project		
61000095	597301		LT Debt - Principal	$ 12,491.87
61000075	543700		Public Works Supplies	$ 12,938.26
61000075	542501		Gas & Motor Oil	$ 15,143.30
61000065	520509		Repair & Maint - Other	$ 11,138.28
61000075	542500		Automotive Supplies	$ 7,683.29
61000075	570501		Conferences	$ 6,882.00
61000065	522700		Special Detail	$ 10,000.00
61000060	520100		Energy	$ 4,136.56
61000080	589230		SCADA	$ 3,269.47
61000080	584601		Building Improvements	$ 3,000.00
61000065	530000		Professional Services	$ 296.43
			TOTAL	$ 86,979.46

Reason for Transfer:
To provide funding for debt service cost associated with refunding, etc.

Department Head

Chief Financial Officer

6/22/16

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City Hall • 375 Merrimack Street • Lowell, MA 01852
P: 978.674.4000 • F: 978.970.4007
www.LowellMA.gov

Conor M. Baldwin
Chief Financial Officer

MEMORANDUM

TO: Kevin J. Murphy, City Manager

FROM: Conor Baldwin, Chief Financial Officer

DATE: June 10, 2016

SUBJECT: Fiscal Year 2016 Year End Transfers

A number of financial matters need legislative action prior to the close of fiscal year 2016 on June 30. Many are routine in nature, but this memo provides a description of each. The amounts for the transfers are based on projections, but there may be a need at the next council meeting to further transfer in order to cover any aberrations.

Snow and Ice Deficit

It has not been since fiscal year 2012 that the city spent less than the annual budget for snow and ice. Now that all invoices related to snow removal have been paid, the total expenditure is approximately $1.4 million, slightly more than the $1.35 million included as part of the FY2016 budget. Had it not been for the final winter event in early April, the city may have ended the year under budget.

While cities and towns are allowed to raise snow and ice deficits on the next year's tax rate recapitulation sheet according to the rules of the Department of Revenue, the goal of the Administration was not to add any additional burden to the tax levy. A modest surplus in the Public Works Department will allow for the city to balance the snow and ice expenses from within the existing budget.

Debt Service

Earlier this fiscal year the city received competitive bids from bond underwriters for a $39,925,000 20-year State Qualified new money & refunding bond issue. Bond proceeds were used to refund a portion of the City's October 15, 2003 bonds, as well as permanently finance existing bond anticipation notes, pay for paving and bridge work, and meet various other capital needs such as vehicle and equipment purchases.

Because of the city's strong credit rating, Standard & Poor's Rating Services, a municipal bond credit rating agency, affirmed the City's 'AA-' underlying rating. The agency cited the City's very strong management with "strong" financial policies and practices, strong budgetary performance with balanced operating results in the general fund, very strong liquidity, providing very strong cash to cover debt service and expenditures, and strong institutional framework as positive credit factors.

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Conor M. Baldwin
Chief Financial Officer

The financing costs associated with the refunding were not initially part of the debt service budget, but in order to take advantage of a low-interest market and leverage the city's strong credit; the refunding was included as part of the sale. The refinancing will generate total savings of $529,979 over the remaining life of the bonds.

Year End Payroll Adjustments

This transfer is to cover various projected salary and wage deficits. Every year, as turnover occurs in city departments, accounts in the salary and wage statutory category either accumulate a surplus or a deficit. Many other departments were able to fund them internally with their own flexibility. Most of the transfers are relatively small, but require Council approval because they are interdepartmental transfers. One of the more substantial transfers, in the Parks Department, came as the result of increased manpower dedicated to beautifying the downtown and neighborhood business districts this year.

Claims – Police/ Active

The city has seen an increase in the costs this year for worker's compensation costs and claims in the various categories for which we budget. The number of cases requiring surgery has risen dramatically and is the primary reason for the additional cost. In a typical year we average between four to five surgeries, however, this year there have been over twenty. Also, several employees required multiple surgeries.

These costs, too, are able to be absorbed within the current year's appropriations, but require Council approval to execute the transfers.

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Kevin J. Murphy
City Manager

June 11, 2016

Mayor Edward J. Kennedy
And
Members of the Lowell City Council

Dear Mayor Kennedy and Members of the Lowell City Council,

I am hereby requesting that the City Council consider a number of votes to balance various accounts in deficit by utilizing other budgetary accounts with appropriations projected to close the year with a surplus, pursuant to Chapter 44 § 33B of the Massachusetts General Laws. Because some appropriations are interdepartmental, the Department of Revenue requires a vote of the City Council to be recorded.

A number of fiscal controls contemplated last year to deal with the historic snowfall have been implemented, permanently. Those measures—the advent of a "vacancy review committee" to determine the cost-benefit of each vacancy created through attrition, careful scrutiny of every requisition for purchases over $2,500, and the ongoing efforts of the LowellSTAT program—have resulted in considerable savings within the 2016 operating budget. It is with those savings that we are able to hold the line on taxes while continuing to provide quality municipal services.

Included in the FY2017 budget was a financing plan that continues an amortization schedule of $500,000 through FY2018, in accordance with the Chapter 10 § 58 of the Acts of 2015. This amount was chosen for its parity with the 2014 snow and ice deficit, as the total had previously been built into the tax levy. By utilizing surplus appropriations from within the FY2016 budget to eliminate the slight overage in the snow and ice budget, no additional burden will be placed on the taxpayers for costs associated with this past winter.

Finally, a transfer is proposed to supplement unanticipated debt service costs associated with a refunding opportunity which provided for long-term savings on the city's outstanding debt. Enclosed is a memo from the Chief Financial Officer, which further details and analyzes the year-end transfers.

Sincerely,

Kevin J. Murphy
City Manager

CITY OF LOWELL

COMMONWEALTH OF MASSACHUSETTS

VOTE

IN CITY COUNCIL:

ORDER,

To cover atypical increase in surgery costs this year.

ORDERED,

By the City Council of the City of Lowell, as follows:

That the amount of **Two Hundred Thousand and 00/100 ($200,000.00) Dollars** be transferred:

FROM: Various Accounts more fully described in Attachment A:

TO: Claims – Police/Fire Account # 01514857 573001 more fully described in Attachment A;

ORDER RECOMMENDED AND INTRODUCED BY:

Kevin J. Murphy, City Manager

v:transferII

Transfer Form - "Attachment A"

Department:	Finance			
TRANSFER TO:				
Account #			Description	Amount
Org.	Object	Project		
01514857	573001		Claims - Police/Fire	$ 200,000.00
			TOTAL	$ 200,000.00
TRANSFER FROM:				
Account #			Description	Amount
Org.	Object	Project		
01514163	576001		Court Judgements	$ 16,896.00
09149713	563600		Health Inusrance	$ 183,104.00
			TOTAL	$ 200,000.00

Reason for Transfer:

To cover atypical increase in surgery costs this year.

Department Head

Chief Financial Officer

6/22/16

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Conor M. Baldwin
Chief Financial Officer

MEMORANDUM

TO: Kevin J. Murphy, City Manager

FROM: Conor Baldwin, Chief Financial Officer

DATE: June 10, 2016

SUBJECT: Fiscal Year 2016 Year End Transfers

A number of financial matters need legislative action prior to the close of fiscal year 2016 on June 30. Many are routine in nature, but this memo provides a description of each. The amounts for the transfers are based on projections, but there may be a need at the next council meeting to further transfer in order to cover any aberrations.

Snow and Ice Deficit

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Conor M. Baldwin
Chief Financial Officer

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Claims – Police/ Active

The city has seen an increase in the costs this year for worker's compensation costs and claims in the various categories for which we budget. The number of cases requiring surgery has risen dramatically and is the primary reason for the additional cost. In a typical year we average between four to five surgeries, however, this year there have been over twenty. Also, several employees required multiple surgeries.

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Kevin J. Murphy
City Manager

June 11, 2016

Mayor Edward J. Kennedy
And
Members of the Lowell City Council

Dear Mayor Kennedy and Members of the Lowell City Council,

I am hereby requesting that the City Council consider a number of votes to balance various accounts in deficit by utilizing other budgetary accounts with appropriations projected to close the year with a surplus, pursuant to Chapter 44 § 33B of the Massachusetts General Laws. Because some appropriations are interdepartmental, the Department of Revenue requires a vote of the City Council to be recorded.

A number of fiscal controls contemplated last year to deal with the historic snowfall have been implemented, permanently. Those measures—the advent of a "vacancy review committee" to determine the cost-benefit of each vacancy created through attrition, careful scrutiny of every requisition for purchases over $2,500, and the ongoing efforts of the LowellSTAT program—have resulted in considerable savings within the 2016 operating budget. It is with those savings that we are able to hold the line on taxes while continuing to provide quality municipal services.

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Finally, a transfer is proposed to supplement unanticipated debt service costs associated with a refunding opportunity which provided for long-term savings on the city's outstanding debt. Enclosed is a memo from the Chief Financial Officer, which further details and analyzes the year-end transfers.

Sincerely,

Kevin J. Murphy
City Manager

The City of Lowell
Law Department
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 452***

Meeting: **City of Lowell City Council**

Subject: **Vote-Auth Continuation of FY'17 Revolving Funds (7)**

Recommendation:

Background:

Attachments:

Comment

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

VOTE

Authorizing the continuation during Fiscal Year 2017 of the seven (7) revolving funds listed below in this vote.

By City Council vote, on the dates shown below, revolving funds were established pursuant to Mass GL Chapter 44, Section 53E ½ as follows:

DEPARTMENT	NAME & PURPOSE OF REVOLVING FUND.	DATE OF COUNCIL VOTE ESTABLISHING REVOLVING FUND	MAX AMOUNTS
Dept of Public Works	Demo of Aband. Bldgs, etc.	August 22, 1992	$120,000.00 max. expenditure
Police Dept.	Traffic Enforcement	October 26, 1993	Fund receipts Not to Exceed 50% of MV fines
Dept. of Public Works	Landfill	September 27, 1994	$15,000 max. expenditure
Police Dept.	Positive Ticketing	June 9, 2009	$25,000.00
Dept. Planning & Dev.	Property Maintenance	June 24, 2008	$500,000.00
City Auditor	Vacant &Foreclosing Property	November 4, 2008	$50,000.00
City Treasurer	Parking Enterprise Fund-Disability Account	January 7, 2014	$100,000.00

As provided in said law, each year since the creation of said revolving funds, and prior to the commencement of each fiscal year, the City Council has voted to continue said revolving funds for the ensuing fiscal year; and

It is desirable to continue said revolving funds during fiscal year 2017; and

The City Manager has recommended the continuation of said revolving funds for fiscal year 2017.

NOW, THEREFORE, IT IS VOTED:

That the City Council of the City of Lowell, in accordance with the provisions of Massachusetts General Laws Chapter 44, section 53E ½, as amended, hereby authorizes the continuation during fiscal year 2017 of the following listed revolving funds for the receipt and expenditures of funds for the purposes set forth in the original City Council votes, as amended which established said revolving funds:

DEPARTMENT	NAME & PURPOSE OF REVOLVING FUND	DATE OF COUNCIL VOTE ESTABLISHING REVOLVING FUND	MAX AMOUNTS
Dept of Public Works	Demo of Aband. Bldgs, etc.	August 22, 1992	$120,000.00 max expenditure
Police Dept.	Traffic Enforcement	October 26, 1993	Fund receipts Not to Exceed 50% of MV fines
Dept. of Public Works	Landfill	September 27, 1994	$15,000 max. expenditure
Police Dept.	Positive Ticketing	June 9, 2009	$25,000.00
Dept. Planning & Dev.	Property Maintenance	June 24, 2008	$500,000.00
City Auditor	Vacant &Foreclosing Property	November 4, 2008	$50,000.00
City Treasurer	Parking Enterprise Fund-Disability Account	January 7, 2014	$100,000.00

BE IT FURTHER VOTED:

That the amounts shown above for each revolving fund are authorized for Fiscal Year 2017.

V:revolvingfund

Office of the City Manager
City Hall • 375 Merrimack Street • Lowell, MA 01852
P: 978.674.4000 • F: 978.970.4007
www.LowellMA.gov

Kevin J. Murphy
City Manager

June 10, 2016

Mayor Edward J. Kennedy
And
Members of the Lowell City Council

Dear Mayor Kennedy and Members of the Lowell City Council,

I am hereby requesting that the City Council vote to reauthorize a number of revolving funds, pursuant to Chapter 44, Section 53E ½ of the Massachusetts General Funds for fiscal year 2017.

According to the statute, revolving funds established under the provisions of MGL c. 44 § 53E ½ shall be authorized annually prior to each respective fiscal year. The list of funds is included with the language of the vote and specified (1) the programs and purposes for which the revolving fund may be expended; (2) the departmental receipts which shall be credited to the revolving fund; (3) the department or officer authorized to expend from such fund; and (4) a limit on the total amount which may be expended from such fund in the ensuing fiscal year.

Sincerely,

Kevin J. Murphy
City Manager

The City of Lowell
Law Department
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 454***

Meeting: **City of Lowell City Council**

Subject: **Order-Abandon Parcel A (driveway to Prince Co.), portion of Prince Ave, and portion of Carter St**

Recommendation:

Background:

Attachments:

Comment

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

ORDER

To Vacate, Discontinue and Abandon Certain Public Interests, Rights and Easements in Parcel "A" (driveway to Prince Company), Parcel "B" a portion of Prince Avenue and Parcel "C" a portion of Carter Street in the City of Lowell.

The City of Lowell desires to vacate and abandon Parcel "A" (driveway to Prince Company). The City also desires to vacate, discontinue and abandon Parcel "B" a portion of Prince Avenue and Parcel "C" a portion of Carter Street, more fully hereinafter described; and

There is no further municipal need for said Parcel "A" (driveway to Prince Company), Parcel "B" a portion of Prince Avenue and Parcel "C" a portion of Carter Street and;

The City of Lowell desires and finds common convenience and necessity to vacate and discontinue and abandon any and all public interests, rights and easements in Parcel "A" (driveway to Prince Company), Parcel "B" a portion of Prince Avenue and Parcel "C" a portion of Carter Street, hereinafter described on Attachment "A", annexed hereto made a part hereof; and

The City is abandoning its public interest in Parcel "A" (driveway to Prince Company). Further, upon abandonment of Parcel "B" a portion of Prince Avenue and Parcel "C" a portion of Carter Street, title shall be free of said public easements.

BE IT ORDERED, ADJUDGED AND DECREED by the City Council of the City of Lowell as follows:

That common convenience and necessity require that the City of Lowell vacate, discontinue and abandon any and all public interests, rights and easements, if any, in Parcel "A" (driveway to Prince Company), Parcel "B" a portion of Prince Avenue and Parcel "C" a portion of Carter Street, hereinafter described on Attachment "A", annexed hereto and made a part hereof, and shown on the plan hereinafter referred to as Attachment "C", annexed hereto and made a part hereof and the same is hereby discontinued as a public street or way or public right of way, or as otherwise public property in the City of Lowell.

Also as a further condition and part of this Order, that upon the abandonment and discontinuance herein, that the City of Lowell and its designated utility company shall have the right of easement to maintain, repair, change or re-route all sewer lines, drains, water, electrical, telephone, cable and gas lines at or under said abandoned areas, and that such work be performed under the supervision of the Department of Public Works, Engineering, Lowell Regional Water Utility and Lowell Regional Wastewater Utility.

Also, a further condition and part of this Order is that, upon the abandonment and discontinuance set forth above, the remaining owners (if any) of underlying interests to the mid-line of said abandoned area may henceforth be subject to assessment by the City of Lowell Board of Assessors with respect to such interests. The abutting owners as shown on the certified Abutters List hereinafter described on Attachment "B", annexed hereto made a part hereof; and

Also as a further condition and part of this Order, said Order shall be recorded forthwith by and at the expense of the Petitioner at the Middlesex North District Registry of Deeds.

"Prince Driveway"
Parcel A
Lowell, MA

A certain parcel of land located in the Commonwealth of Massachusetts, County of Middlesex, City of Lowell, situated on the northerly sideline of Moore Street and the southerly sideline of Carter Street, and is shown as Parcel A on Plan of Land in Lowell, MA, dated January 22, 2016, last revised June 21, 2016, more particularly bounded and described as follows:

Beginning at a point on the southerly sideline of Carter Street, said point being the most northerly corner of the parcel; thence running

N 85°12'50" E	98.24' to a point of non-tangency; thence turning and running
EASTERLY	3.99' by a curve to the right having a radius of 42.35' to a point of non-tangency, said last two courses being by the southerly sideline of Carter Street; thence turning and running
SOUTHWESTERLY	30.56' by a curve to the left having a radius of 20.79' to a point of tangency; thence running
S 11°00'44" W	67.80' to a point of curvature; thence running
SOUTHERLY	136.96' by a curve to the right having a radius of 826.00' to a point of tangency; thence running
S 20°30'44" W	211.29' to a point of curvature; thence running
SOUTHERLY	27.98' by a curve to the left having a radius of 20.00' to a point of non-tangency; thence turning and running
N 71°14'23" W	86.30' by the northerly sideline of Moore Street to a point of non-tangency; thence turning and running
NORTHEASTERLY	27.51' by a curve to the left having a radius of 25.00' to a point of tangency; thence running
N 20°30'44" E	211.35' to a point of curvature; thence running
NORTHERLY	127.67' by a curve to the left having a radius of 770.00' to a point of tangency; thence running
N 11°00'44" E	43.06' to a point of curvature; thence running
NORTHWESTERLY	34.56' by a curve to the left having a radius of 18.79' to the POINT OF BEGINNING.

Containing 25,029 square feet, more or less.

"A"

"Prince Avenue"
Parcel B
Lowell, MA

A certain parcel of land located in the Commonwealth of Massachusetts, County of Middlesex, City of Lowell, situated on the easterly sideline of Prince Avenue and is shown as Parcel B on Plan of Land in Lowell, MA, dated January 22, 2016, last revised June 21, 2016, more particularly bounded and described as follows:

Beginning at a point on the northerly sideline of Prince Avenue, said point being the most southerly corner of the parcel; thence running

N 63°56'39" W	31.27' by the northerly sideline of Prince Avenue to a point; thence turning and running
N 13°31'20" E	48.00' to a point of non-tangency; thence turning and running
SOUTHERLY	64.07' by a curve to the right having a radius of 89.64' to the POINT OF BEGINNING.

Containing 971 square feet, more or less.

"Carter Street"
Parcel C
Lowell, MA

A certain parcel of land located in the Commonwealth of Massachusetts, County of Middlesex, City of Lowell, situated on the southerly sideline of Carter Street, and is shown as Parcel C on Plan of Land in Lowell, MA, dated January 22, 2016, last revised June 21, 2016, more particularly bounded and described as follows:

Beginning at a point on the southerly sideline Carter Street, said point being the most westerly corner of the parcel, thence running

N 04°47'10" W	35.00' to a point; thence turning and running
N 85°12'50" E	94.35' to a point of curvature; thence running
EASTERLY	110.27' by a curve to the right having a radius of 135.00' to a point of non-tangency; thence turning and running
S 13°31'20" W	48.00' to a point; thence turning and running
N 63°56'39" W	9.59' to a point; thence turning and running
N 55°53'36" W	62.14' to a point of curvature; thence running
WESTERLY	25.00' by a curve to the left having a radius of 42.35' to a point of non-tangency; thence turning and running
S 85°12'50" W	98.24' to the POINT OF BEGINNING.

Containing 7,791 square feet more or less.

Office of the Board of Assessors
City Hall • 375 Merrimack Street • Lowell, MA 01852
P: 978.674.1102 • F: 978.970.4205
www.LowellMA.gov

Susan A. LeMay, M.A.A.
Chief Assessor
Joel H. Cohen, M.A.A.
Assessor
Karen A. Golden, M.A.A.
Assessor

June 20, 2016

City Clerk
375 Merrimack St
Lowell, MA 01852

Dear Mr. Geary:

This is to attest that the individuals described on the attached listing are the certified list of parties in interest in Lowell, MA of the premises located at Prince Avenue Driveway Abandonment, Lowell, MA.

Very truly yours,

Susan A. LeMay, M.A.A.
Chief Assessor
Board of Assessors

Abutters List – City Clerk
Attachment(s) – 1 pages
cc: Assessor File

SAL/kr

11B'1

RE: 25 CARTER AVE

CITY OF LOWELL
TAX POSSESSIONS
375 MERRIMACK ST
LOWELL, MA 01852
ACCOUNT NUMBER: 200102
BOOK & PAGE NUMBER: 1004/431

RE: 35 CARTER ST

CITYWIDE PROPERTIES LLC
11 ALFRED DR
DRACUT, MA 01826
ACCOUNT NUMBER: F01550
BOOK & PAGE NUMBER: 26414/185

RE: 26 MOORE ST

LIM CHHENG LY
26 MOORE ST
LOWELL, MA 01852
ACCOUNT NUMBER: M01210
BOOK & PAGE NUMBER: 25838/152

RE: 36 MOORE ST

CITY OF LOWELL
PUBLIC WORKS
375 MERRIMACK ST
LOWELL, MA 01852
ACCOUNT NUMBER: 201516
BOOK & PAGE NUMBER: 2294/ 77

RE: 3 PRINCE AVE

NGUYEN DO MYLE
DO DUY
3 PRINCE AVE
LOWELL, MA 01852
ACCOUNT NUMBER: N03910
BOOK & PAGE NUMBER: 21710/144

RE: 21 PRINCE AVE

SILVESTRI DAVID
17 LAWN AVE
LOWELL, MA 01852
ACCOUNT NUMBER: S08280
BOOK & PAGE NUMBER: 28938/155

RE: 39 PRINCE AVE

MEAS EM
TUN ROEUNG
16 PRINCE AVE 1ST FLR
LOWELL, MA 01852
ACCOUNT NUMBER: S07010
BOOK & PAGE NUMBER: 17965/ 19

RE: 27 CARTER AVE

CITY OF LOWELL
375 MERRIMACK ST
LOWELL, MA 01852
ACCOUNT NUMBER: 201514
BOOK & PAGE NUMBER: 2313/194

RE: 43 CARTER ST

CITY OF LOWELL
PUBLIC WORKS
375 MERRIMACK ST
LOWELL, MA 01852
ACCOUNT NUMBER: 201513
BOOK & PAGE NUMBER: 2313/194

RE: 32 MOORE ST

CITY OF LOWELL
PUBLIC WORKS
375 MERRIMACK ST
LOWELL, MA 01852
ACCOUNT NUMBER: 201515
BOOK & PAGE NUMBER: 2291/679

RE: 2 PRINCE AVE

MARKLEY GROUP LLC
ONE SUMMER ST
BOSTON, MA 02110
ACCOUNT NUMBER: P90290
BOOK & PAGE NUMBER: 29147/49

RE: 9 PRINCE AVE

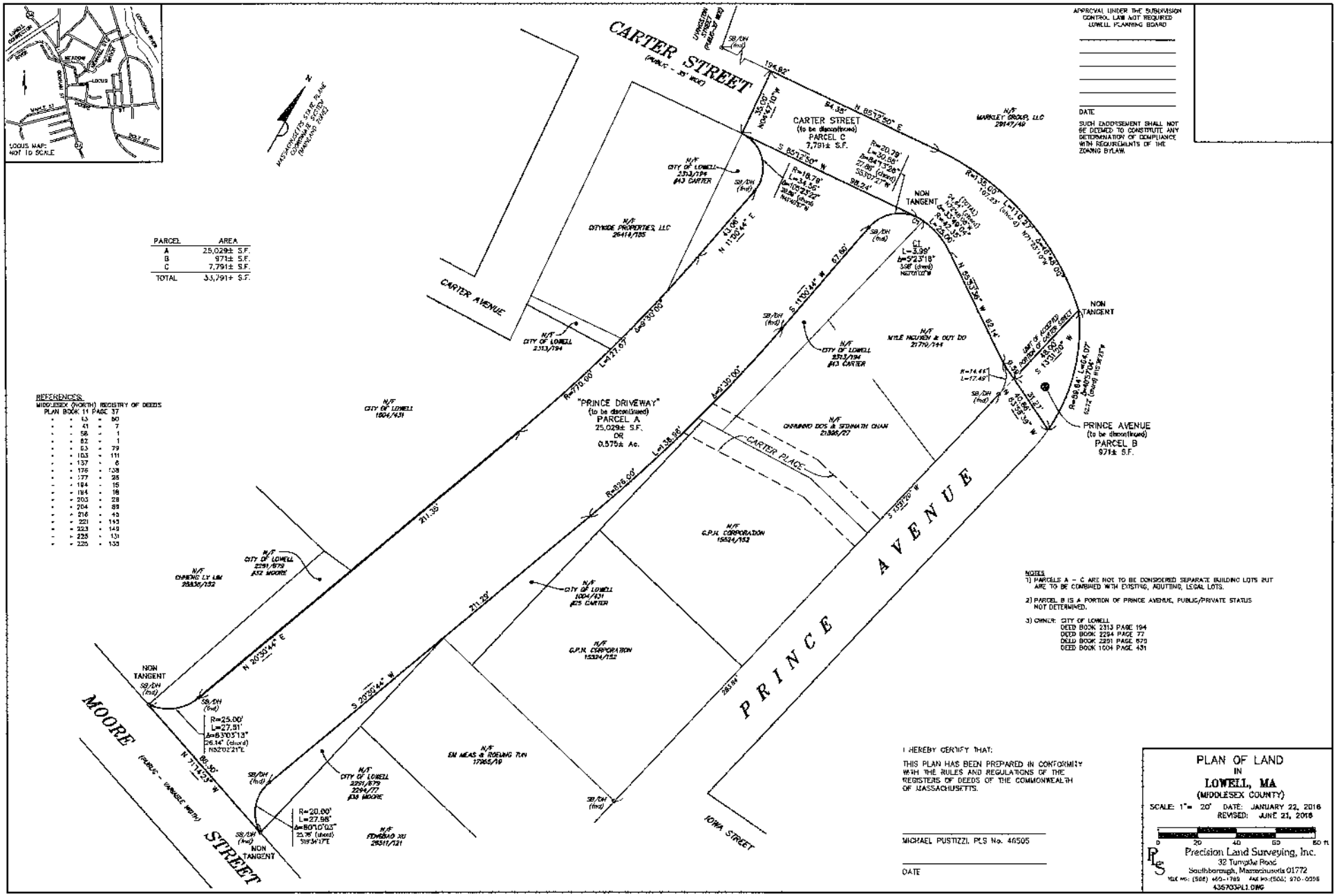
DOS CHUM O
CHAN SITHNATH
9 PRINCE AVE
LOWELL, MA 01852
ACCOUNT NUMBER: K09055
BOOK & PAGE NUMBER: 21896/27

RE: 29 PRINCE AVE

SILVESTRI DAVID
17 LAWN AVE
LOWELL, MA 01852
ACCOUNT NUMBER: S08290
BOOK & PAGE NUMBER: 28938/155

RE: 47 PRINCE AVE

XU FENGBAO
92 PUTNAM ST
BOSTON, MA 02125
ACCOUNT NUMBER: S00805
BOOK & PAGE NUMBER: 28511/121



PARCEL	AREA
A	25,029± S.F.
B	971± S.F.
C	7,791± S.F.
TOTAL	33,791± S.F.

REFERENCES:
MIDDLESEX (NORTH) REGISTRY OF DEEDS
PLAN BOOK 11 PAGE 37

-	43	-	50
-	41	-	7
-	58	-	1
-	62	-	1
-	63	-	79
-	103	-	111
-	137	-	6
-	176	-	138
-	177	-	25
-	194	-	16
-	203	-	28
-	204	-	89
-	216	-	43
-	221	-	143
-	223	-	149
-	225	-	131
-	225	-	133

APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED
LOWELL PLANNING BOARD

DATE

SUCH ENDORSEMENT SHALL NOT BE DEEMED TO CONSTITUTE ANY DETERMINATION OF COMPLIANCE WITH REQUIREMENTS OF THE ZONING BYLAW.

NOTES

1) PARCELS A – C ARE NOT TO BE CONSIDERED SEPARATE BUILDING LOTS BUT ARE TO BE COMBINED WITH EXISTING, ABUTTING, LEGAL LOTS.

2) PARCEL B IS A PORTION OF PRINCE AVENUE, PUBLIC/PRIVATE STATUS NOT DETERMINED.

3) OWNER: CITY OF LOWELL
DEED BOOK 2313 PAGE 194
DEED BOOK 2294 PAGE 79
DEED BOOK 2291 PAGE 879
DEED BOOK 1004 PAGE 431

I HEREBY CERTIFY THAT:

THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

MICHAEL PUSTIZZI, PLS No. 46505

DATE

PLAN OF LAND
IN
LOWELL, MA
(MIDDLESEX COUNTY)

SCALE: 1"= 20' DATE: JANUARY 22, 2016
REVISED: JUNE 21, 2016

0 20 40 60 80 ft

Precision Land Surveying, Inc.
32 Turnpike Road
Southborough, Massachusetts 01772
Tel: (508) 460-1789 Fax No.:(508) 970-0056

435703PL1.DWG

City of Lowell - Law Department

375 Merrimack Street, 3rd Floor • Lowell MA 01852-5909
Tel: 978.674.4050 • Fax: 978.453.1510 • www.lowellma.gov

Christine P. O'Connor
City Solicitor

Kenneth J. Rossetti
1st Assistant City Solicitor

Rachel M. Brown
C. Michael Carlson
Hannah Pappenheim
Elliott J. Veloso
James F. Wellock
Assistant City Solicitors

June 24, 2016

City Manager Kevin J. Murphy
Mayor Edward J. Kennedy, Jr.
Members of the City Council

RE: Order to Abandon Parcel "A" (driveway to Prince Company), Parcel "B" a portion of Prince Avenue and Parcel "C" a portion of Carter Street

Dear Mr. Manager, Mayor Kennedy and Members of the City Council:

Enclosed is an Order for Abandonment of Parcel "A" (driveway to Prince Company), Parcel "B" a portion of Prince Avenue and Parcel "C" a portion of Carter Street. There is no further municipal need for said Parcel "A" (driveway to Prince Company), Parcel "B" a portion of Prince Avenue and Parcel "C" a portion of Carter Street to be used as streets.

The Order of Abandonment must follow the hearing process outlined below:

Procedure for Street Construction or Vacation, under Code of Ordinances of City of Lowell, Article III §243-13, §243-14 and §243-15:

1. Proposed Order of Abandonment is submitted to City Council;

2. Refer Order to a Council Committee or as a Committee of the Whole;

3. City Council sitting as a Committee of the Whole shall hold a public hearing and give notice at least seven (7) days in advance thereof by:

   (a) posting
   (b) service by constable on the abutters

4. Committee hearing shall:

   (a) hear parties
   (b) view (if requested)
   (c) report to full Council

5. Report of the Council and the Order issued by the Council shall contain:

   (a) recommendation to abandon, or not
   (b) finding of common convenience and necessity
   (c) report boundaries

6. Order then remains in City Clerk's office for seven (7) days before Council votes thereon; and

7. After seven (7) days Council to hear parties in interest and to vote on the Order of Abandonment.

Very truly yours,

Christine P. O'Connor
City Solicitor

CPO:order:abandonportioncarter

Encls.

cc: L. DeMeo – City Engineer
S. Lemay-Assessor
George Eliades, Esq.
Richard Novack, Esq.

The City of Lowell
Law Department
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 441***

Meeting: **City of Lowell City Council**

Subject: **Ordinance-Create Cultural Affairs and Special Events Program Assistant and Establish Salary in City Manager's Office**

Recommendation:

Background:

Attachments:

Comment

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

ORDINANCE

An Ordinance creating one (1) new full time position of Cultural Affairs and Special Events Program Assistant and establishing the salary therefor in the Office of the City Manager.

The City Council, by virtue of the Massachusetts General Laws, Chapter 43, Section 105, has the authority to create and/or delete positions.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOWELL, as follows:

The Code of Ordinances City of Lowell, Massachusetts, hereinafter called the "Code" adopted by the City Council on December 23, 2008, as amended, is hereby further amended as follows:

1. The following position and salary is created in the Office of the City Manager:

One (1) full time Cultural Affairs and Special Events Program Assistant
Ordinance Position DH 08 (35 hours hrs/wk)

2. All provisions of the Code of the City of Lowell, as amended, which are not inconsistent with this Ordinance shall continue in effect, but all provisions of said Code inconsistent herewith are repealed.

3. This Ordinance shall take effect upon its passage in accordance with the provisions of Chapter 43 and 40A of the General Laws of the Commonwealth of Massachusetts.

APPROVED AS TO FORM:

Christine P. O'Connor
City Solicitor

Ordin/personnel/officeof citymgr/culturalaffairs

EFF. DATE	GROUP/BU	GRADE/ RANK	DESCRIPTION	PAY BASIS	FREQUENCY	CALC	PERIODS	HRS/ DAY	HRS/ PERIOD	DAYS/ PERIOD	HRS/ YEAR	DAYS/ YEAR	USE PCT
07/01/2014	1100 ORDINANCE	DH07	DEPT HEAD/ORDNC	W WEEKLY	W WEEKLY	21	52.0000	7.00	35.00	5.00	1820.00	260.00	N

Change was made by 2.5000%
No Dollar amount used.

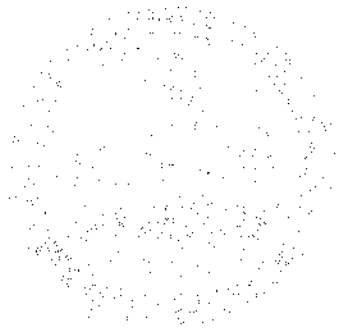
STEP/LEVEL	PERCENT	HOURLY RATE	DAILY RATE	PERIOD SALARY	ANNUAL SALARY
00	0.0000	.5920	4.1440	20.72	1,077.44
01	0.0000	23.5800	165.0600	825.30	42,915.60
02	0.0000	24.2126	169.4880	847.44	44,066.88
03	0.0000	24.8617	174.0320	870.16	45,248.32
04	0.0000	25.5294	178.7060	893.53	46,463.56
05	0.0000	26.2151	183.5060	917.53	47,711.56
06	0.0000	26.9197	188.4380	942.19	48,993.88
07	0.0000	27.6437	193.5060	967.53	50,311.56

EFF. DATE	GROUP/BU	GRADE/ RANK	DESCRIPTION	PAY BASIS	FREQUENCY	CALC	PERIODS	HRS/ DAY	HRS/ PERIOD	DAYS/ PERIOD	HRS/ YEAR	DAYS/ YEAR	USE PCT
07/01/2014	1100 ORDINANCE	DH08	DEPT HEAD/ORDNC	W WEEKLY	W WEEKLY	21	52.0000	7.00	35.00	5.00	1820.00	260.00	N

Change was made by 2.5000%
No Dollar amount used.

STEP/LEVEL	PERCENT	HOURLY RATE	DAILY RATE	PERIOD SALARY	ANNUAL SALARY
00	0.0000	.5920	4.1440	20.72	1,077.44
01	0.0000	21.1180	147.8260	739.13	38,434.76
02	0.0000	21.6823	151.7760	758.88	39,461.76
03	0.0000	22.2617	155.8320	779.16	40,516.32
04	0.0000	22.8580	160.0060	800.03	41,601.56
05	0.0000	23.4706	164.2940	821.47	42,716.44
06	0.0000	24.0994	168.6960	843.48	43,860.96
07	0.0000	24.7457	173.2200	866.10	45,037.20

** END OF REPORT - Generated by Mary Callery **



Revised

City of Lowell
Job Description
Office of the City Manager

Job Title: Cultural Affairs and Special Events Program Assistant
Department: City Manager's
Reports to: Director of Cultural Affairs
Salary:

Availability: 35 hrs/week + some evenings & weekends

ESSENTIAL DUTIES AND RESPONSIBILITIES include the following, other duties may be assigned:

The Program Assistant is an experienced office manager. Working closely with Cultural Affairs Director and the Special Events Coordinator, the Program Assistant provides organizational support to the City's speical events and supports the Director in the creative arts marketing program for the City.

- Maintain event websites in collaboration with Event Coordinator and event partners.
- Maintain effective communications with the director and partners.
- Manage volunteer coordination for all City events and maintain an active database of volunteers.
- Supervise interns and plan their duties accordingly.
- Work with Director on grant writing, including filing interim and final reports.
- Attend event planning meetings when required.
- Staff information table at special events and farmer's markets.
- Support Special Events Coordinator in planning and execution of City and City supported special events.

Marketing/Communications:

- City Calendar: gather event information, upload to website, manage passwords and lock-outs for partners, and use social media to promote key events.
- Manage all marketing for City events including ad buys in partnership with the Convention and Visitor's Bureau.
- Manage Cultural District Twitter and Facebook accounts, as well as other social media, working with interns to guarantee regular postings on both sites. Set annual goals for increasing followers, "Likes," retweets and engagement.
- Produce reports on social media engagement.
- Maintain and update Media Contact list.
- With Director, compose all event press releases and send to Media Contacts and City staff (when appropriate).
- Assist Special Events Coordinator in development of signage for all special events.
- Act as liaison to the public answering questions on special events. Lowell events, and City permitting.

Administration:

- Process all billing for the department as well as for the Lowell Cultural Council. Interact with vendors to assure timely payment.

- In partnership with Director, monitor and produce reports on expenditures from marketing account, assuring that financial obligations are satisfied within the correct fiscal year.
- Open all purchase orders for department and keep Director informed of closed PO's and marketing account balance.
- Database Management: maintain and further develop the department's database with interns.
- Support Special Events Coordinator in the processing of Special Event Permits.

Office Management:

- Oversee office duties including documentation, filing, contracts, phone/e-mail/mail/in-person inquiries, scheduling meetings, and maintaining office equipment and supplies
- Invoices and Checks Management: file office and event invoices via internal MIS System; copy and mail out checks

Lowell Cultural Council (LCC) Grants Administration:

- Inform the community and previous applicants of the annual grant application deadline and information on the grant cycle.
- Manage all LCC account funds in partnership with City of Lowell Auditor and CFO.
- Maintain communication with LCC throughout the grant cycle.
- Process all LCC reimbursement paperwork and ensure grantees receive their allotted funds.
- Maintain membership lists, mailing lists, and artists' databases.
- Provide resumes and recommendations for membership to City Manager and COOL Executive Director and work with City Clerk to guarantee updated records.
- Assist with the annual Grant Recipient Reception honoring grantees, making sure appropriate City officials are invited.
- May included meeting attendance outside of regular work hours.
- Other duties as assigned by the executive director.

SUPERVISORY RESPONSIBILITES: interns

QUALIFICATIONS:

- Excellent computer skills, especially use of MS Outlook and MS Office Suite.
- Excellent organizational skills, including maintenance of an accessible filing system and databases, advance planning for supplies, and project-specific needs.
- Excellent written and oral communication skills.
- Excellent social media skills including experience with Twitter, Facebook, Pinterest, and Snapchat.
- Ability to multi-task and function independently to ensure all schedules/deadlines are met.
- Interest in non-profit management, arts, and the community preferred.
- Availability to work on weekends and weekday evenings during cultural events.
- Good humor, strong interpersonal skills, and willingness to work both independently and with a team in a fast-paced environment.

EDUCATION and/or EXPERIENCE:

Bachelor's degree or 3-5 years' experience in a similar position required.

LANGUAGE SKILLS
Ability to read and interpret documents, instructions, and procedure manuals. Ability to write routine reports and correspondence.

REASONING ABILITY
Ability to solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists. Ability to interpret a variety of instruction s furnished in written, oral, diagram or schedule form.

PHYSICAL DEMANDS
The physical demands described here are representative of those that must be met by an employee to successfully perform the essential function of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to stand; walk; sit; use hand to finger; handle or feel; and talk or hear. The employee is frequently required to reach with hands and arms. The employee must occasionally lift and/or move up to 25 pounds.

WORK ENVIRONMENT
The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is occasionally exposed to risk of electrical shock (electrical outlets). The noise level in the environment is usually moderate except during special events.

The City of Lowell is a smoke and drug free employer and requires a physical with drug screen and CORI, post offer.

Qualified/Interested Individuals send resume and cover letter to the Human Relations Office, Rm. 19- City Hall, Lowell, MA 01852.

Office of the City Manager
City Hall • 375 Merrimack Street • Lowell, MA 01852
P: 978.674.4000 • F: 978.970.4007
www.LowellMA.gov

Kevin J. Murphy
City Manager

June 22, 2016

Mayor Edward J. Kennedy
And
Members of the Lowell City Council

Dear Mayor Kennedy and Members of the Lowell City Council,

The attached ordinance creates a new position in the Manager's Office under Cultural Affairs and Special Events (CASE). This codifies the changes adopted as part of the FY17 Budget in which CASE separates from COOL and the staff of the office are all funded and employed by the City.

The new position is that of Program Assistant. This full time position replaces two part-time positions previously funded by COOL. As stated in the FY17 Budget, these changes were cost-neutral due to the reduction in COOL funding from the City. The Program Assistant is accounted for in the FY17 budget and will be tasked with providing organizational support for the City's special events and assisting the Cultural Affairs Director in the creative arts marketing program for the City. As stated in the FY17 Budget, these changes were cost-neutral due to the reduction in COOL funding from the City.

Sincerely,

Kevin J. Murphy
City Manager

The City of Lowell
Law Department
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 453***

Meeting: **City of Lowell City Council**

Subject: **Resolution-Opposing removing Charter School Caps**

Recommendation:

Background:

Attachments:

Comment

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

RESOLUTION

To oppose any lift to the cap on charter schools in the Commonwealth of Massachusetts.

Commonwealth charter schools educate different students with disabilities than districts schools, with at least 85% of charter school SWD receiving services through full inclusion, as against 65% of district school SWD in full inclusion; and

Commonwealth charter schools educate fewer English Language Learners than district schools, with the increases of such students in charter schools eclipsed by the increases statewide in district schools; and

Commonwealth charter schools' "lack of comparability between charter schools and sending districts presents significant barriers to any attempt to determine whether the higher Massachusetts Comprehensive Assessment System performance at certain charter schools is attributable to demographic differences or whether innovative practices have produced positive outcomes," per Massachusetts Auditor Bump's findings of December of 2014; and

Commonwealth charter schools have serious enrollment problems, with significant losses both by number and percentage of students from initial enrollment through the final academic year of the school; and

Commonwealth charter schools fail to fill empty seats from waitlist, despite the requirement of the Act Relative to the Achievement Gap of 2010; and

The Department of Elementary and Secondary Education's waitlist information "is not accurate," per Massachusetts Auditor Bump's findings; and

The Department of Elementary and Secondary Education has failed to require or to disseminate adequate documentation of innovative programs, best practices, and models within Commonwealth charter schools for replication in public schools, per Massachusetts Auditor Bump's findings; and

City of Lowell - Law Department

375 Merrimack Street, 3rd Floor • Lowell MA 01852-5909
Tel: 978.674.4050 • Fax: 978.453.1510 • www.lowellma.gov

Christine P. O'Connor
City Solicitor

Kenneth J. Rossetti
1st Assistant City Solicitor

Rachel M. Brown
C. Michael Carlson
Hannah Pappenheim
Elliott J. Veloso
James F. Wellock
Assistant City Solicitors

June 23, 2016

City Manager Kevin J. Murphy
Mayor Edward J. Kennedy, Jr.
Members of the City Council

Re: **Req. City Council adopt a resolution opposing removing Charter School caps similar to resolution recently adopted by the Lowell School Committee.**

Dear Mr. Manager, Mayor Kennedy and Members of the City Council:

Attached is a resolution opposing removing Charter School caps for Council review. The resolution is similar to the resolution recently adopted by the Lowell School Committee.

Very truly yours,

Christine P. O'Connor
City Solicitor

Resolution2016

The City of Lowell
Office of the City Clerk
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 427***

Meeting: **City of Lowell City Council**

Subject: **Communication - City Mgr. request approval for Constable Bond for Ronald E. Bertheim.**

Recommendation:

Background:

Attachments:

bertheim bond

Office of the City Manager
City Hall • 375 Merrimack Street • Lowell, MA 01852
P: 978.674.1003 • F: 978.970.4007
www.LowellMA.gov

Kevin J. Murphy
City Manager

June 13, 2016

Mr. Michael Geary
City Clerk
375 Merrimack Street
Lowell, MA 01852

Dear Mr. Geary:

Please find the attached application for Constableship for the current term beginning on January 7, 2014 and terminating January 2, 2017 in the City of Lowell, with my signature, as submitted to me by:

Ronald E. Bertheim **16 Lenox Ave, Methuen, MA 01844**

Thank you for your attention in this matter. Please do not hesitate to contact me if you have any questions or concerns.

Kevin J. Murphy
City Manager

Cons. Letters.doc

RECEIVED
CITY CLERK'S OFFICE
CITY OF LOWELL
2016 JUN 16 AM 10 31

2014 – 2017

Jan. 7, 2014 – Jan. 2, 2017

CONSTABLE APPLICATION

CITY OF LOWELL, MASSACHUSETTS

To the City Manager of the City of Lowell: **Date:** May 6, 2016

APPLICATION FOR APPOINTMENT

NAME	RESIDENTIAL ADDRESS
Ronald E. Bertheim	16 Lenox Ave
	Methuen, MA 01844

Social Security No: —

Date of Birth: 11-13-1945

E-mail Address: RONBERTHEIM@GMAIL.COM

Tel Nos: (w) 978-807-4944/978-685-0093

(h) 978-687-3628

(c) 978-807-4944

Applicant Signature: _____

FOR OFFICE USE ONLY

Application Fee Paid: _____ Cori Check: _____

Date Bond Requested: _____ Date Bond Submitted: _____

Date Submitted To Clerk: _____ Date Submitted To CC: _____

CONSTABLE BOND

Bond No.: S-841902

KNOW ALL MEN BY THESE PRESENTS, That we,

Ronald Bertheim

of 16 Lenox Avenue Methuen MA 01844

as Principal and

NGM Insurance Company

of 4601 Touchton Rd East Ste 3400 Jacksonville, FL 32245-6000,

as Surety are held bound unto the

City of Lowell

in the full and just sum of

Five Thousand and 00/100 Dollars ($5,000.00)

to the payment of which sum well and truly to be made we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Whereas, the above bounded Principal has been appointed as Constable for City of Lowell.

NOW, THEREFORE, if the said Principal shall faithfully perform all duties of his said office in the service of all Civil Processes which may be committed to him during the term of which he has been Elected or Appointed, then this obligation shall be null and void; otherwise to remain in full force and effect.

This bond shall be effective on 5/10/2016 and expire on 5/10/2017.

SIGNED, sealed and dated May 9, 2016.

Approved As To Form:

Christine P. O'Connor
Christine P. O'Connor
City Solicitor

Ronald Bertheim
Principal

By: Ronald Bertheim

NGM Insurance Company
Surety

BY: Michael Pangione Attorney-in-Fact

NGM INSURANCE COMPANY
A member of The Main Street America Group

POWER OF ATTORNEY

S-841902

KNOW ALL MEN BY THESE PRESENTS: That NGM Insurance Company, a Florida corporation having its principal office in the City of Jacksonville, State of Florida, pursuant to Article IV, Section 2 of the By-Laws of said Company, to wit:

"SECTION 2. The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them."

does hereby make, constitute and appoint Michael Pangione its true and lawful Attorney-in-fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed bond number S-841902 dated May 10, 2016 , on behalf of **** Ronald Bertheim **** in favor of City of Lowell for Five Thousand and 00/100 Dollars ($ 5,000.00) and to bind NGM Insurance Company thereby as fully and to the same extent as if such instrument was signed by the duly authorized officers of NGM Insurance Company; this act of said Attorney is hereby ratified and confirmed.

This power of attorney is signed and sealed by facsimile under and by the authority of the following resolution adopted by the Directors of NGM Insurance Company at a meeting duly called and held on the 2nd day of December 1977.

Voted: That the signature of any officer authorized by the By-Laws and the company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance or other written obligation in the nature thereof; such signature and seal, when so used being hereby adopted by the company as the original signature of such officer and the original seal of the company, to be valid and binding upon the company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, NGM Insurance Company has caused these presents to be signed by its Vice President, General Counsel and Secretary and its corporate seal to be hereto affixed this 11th day of January, 2016.

NGM INSURANCE COMPANY By:

NGM INSURANCE COMPANY FOUNDED 1923 FLORIDA

Bruce R. Fox
Vice President, General Counsel and Secretary

State of Florida,
County of Duval

On this 11th day of January, 2016 before the subscriber a Notary Public of State of Florida in and for the County of Duval duly commissioned and qualified, came Bruce R. Fox of NGM Insurance Company, to me personally known to be the officer described herein, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me fully sworn, deposed and said that he is an officer of said Company, aforesaid: that the seal affixed to the preceding instrument is the corporate seal of said Company, and the said corporate seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Company; that Article IV, Section 2 of the By-Laws of said Company is now in force.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal at Jacksonville, Florida this 11th day of January, 2016.

Tasha Ann Philpot
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF915117
Expires 10/3/2019

I, Nancy Giordano-Ramos, Vice President of NGM Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said Company which is still in force and effect. IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company at Jacksonville, Florida this 9th day of May , 2016 .

NGM INSURANCE COMPANY FOUNDED 1923 FLORIDA

WARNING: Any unauthorized reproduction or alteration of this document is prohibited.

TO CONFIRM VALIDITY of the attached bond please call **1-603-358-1343**.

TO SUBMIT A CLAIM: Send all correspondence to 55 West Street, Keene, NH 03431 Attn: Bond Claim Dept. or call our Bond Claim Dept. at 1-603-358-1229.

Harvey, Kleger & Thomas

184 Pleasant Valley Street, Suite 2-104 • Methuen, MA 01844
978.686.9800 • Fax 978.686.1919 • www.hktlaw.net

Linda A. Harvey, *atty.*
Kimberly A. Midolo, *paralegal*

Joan Stoller Kleger, *atty.* *
Robert R. Thomas, *atty.* *

April 29, 2016

City of Lowell

To Whom it May Concern:

I have known Ronald Bertheim for over 20 years. I have known him to be professional and have had only good experiences with him.

If require any further information please do not hesitate to contact me

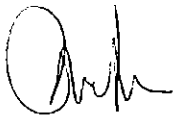
Sincerely,

Linda A. Harvey

Cocoran Circle.
Methuen, Mass.

To Whom It May Concern: City of Lowell

I, Marie Azzi, have known Ronald Bertheim for many years. He is a great friend. When it comes to his job, Ronald ensures the task at hand is completed respectfully and efficiently. Ronald is an honest and dependable individual.



Marie Azzi
978-697-1782
680 Jackson Street
Methuen, MA 01844

To whom it may Concern
City of Lowell.

Ronald Bertheim & I have been friends for over 6 years. He is a genuine, honest & trustworthy individual.

Natalie Saad
86 Rolling Ridge Ln.
Methuen MA 01844
978. 697. 9374

To Whom It May Concern: City of Lowell

I have known and worked with Ronald Bertheim for 4 years. Ronald Bertheim demonstrates consistent professionalism of all duties required of a constable. He is a knowledgeable, dependable, and sincere individual.

Carla Khoder

Carla Khoder
319 Merrimack Street, Suite 1
Methuen, MA 01844
(978) 697-1725

May 5, 2016

Jane A. Tremblay
51 Lippold Street
Methuen, MA 01844
(978) 682-7423

TO: City of Lowell

FROM: Jane A. Tremblay

RE: Ronald Bertheim, 16 Lenox Avenue, Methuen, MA 01844

To Whom It May Concern:

I have known Ronald E. Bertheim of Methuen, MA for approximately 20 years. He has been a friend of mine and he has also worked as a constable and courier for us during this time.

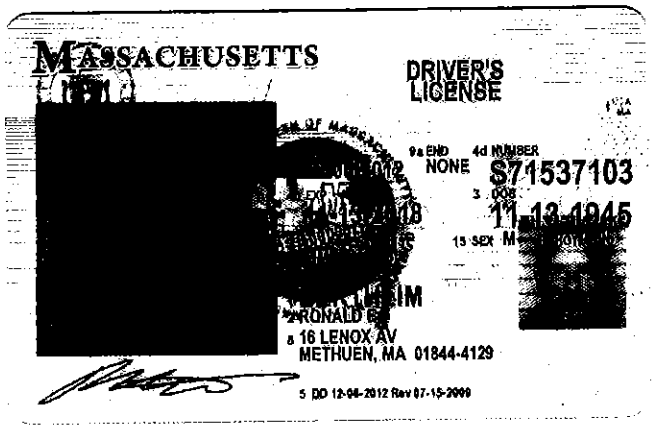
He is professional and hard working. Ronald is very knowledgeable in his duties as a constable and courier. We always refer Ronald to other offices because of his work ethic and professionalism.

Please do not hesitate to contact me with any questions.

Very truly yours,

Jane A. Tremblay
Legal Assistant

JAT
Enclosures


MASSACHUSETTS
DRIVER'S LICENSE
9a END NONE
4d NUMBER S71537103
3 DOB 11-13-1945
15 SEX M
RONALD E
8 16 LENOX AV
METHUEN, MA 01844-4129
5 DD 12-06-2012 Rev 07-15-2009

The City of Lowell
Office of the City Clerk
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 428***

Meeting: **City of Lowell City Council**

Subject: **(1) Neighborhoods SC June 27, 2016;**
(2) Personnel SC June 28, 2016.

Recommendation:

Background:

Attachments:

The City of Lowell
Office of the City Clerk
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 340***

Meeting: **City of Lowell City Council**

Subject: **Wire Insp. - National Grid/Verizon NE - Req. permission to relocate JO pole 34' north of current location and to install SO pole on east side of Lawrence Street.**

Recommendation:

Background:

Attachments:

lawrence st

Office of the City Engineer
City Hall • 375 Merrimack Street • Lowell, MA 01852
P: 978.674.4070 • F: 978.970.3332
www.LowellMA.gov

Lisa E. DeMeo, P.E.
City Engineer

Review of Utility Company Request for New Conduit/Pole Location

Applicant Information

Utility Gas (Electric) Telephone

(circle one) Other

Reason Locate poles, wires, and fixtures, including necessary sustaining and protection fixtures along and across the public way.

Project Address

687 Lawrence St

552 Lawrence St

Date Submitted 4/29/16

Review done by Joseph Assenza

Sidewalk Material Concrete Asphalt Other

Note: material to be replaced in kind (Concrete in full panels)

Sidewalk Vaults present	Y	(unk)	N
Work on Street under a Paving Moratorium	Y	(N)	
Is this location within the Flood Plain?	Y	(N)	
Are ADA requirements being met?	(Y)		N

Comments

SIDEWALKS MUST MEET CITY & ADA STANDARDS WHEN COMPLETED.
CITY PAVING LAWRENCE STREET THIS SUMMER (2016). NG WORK MUST BE SCHEDULED/COMPLETED PRIOR TO PAVING.

Outcome of Review

Approved	Approved With Comments	Denied
	X	

Lisa E. DeMeo, P.E. City Engineer — Lisa E. DeMeo, P.E.

nationalgrid

March 10, 2016

City Clerk
City of Lowell Massachusetts

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID and VERIZON, covering joint NATIONAL GRID-VERIZON pole location(s) and SO Pole

If you have any questions regarding this permit please contact:

Anne Murray 508-935-1812
Please notify National Grid's Maureen Miloro of the hearing date / time 978 725 1418

If this petition meets with your approval, please return an executed copy to each of the above named Companies.

National Grid Contact: Maureen Miloro, 1101 Turnpike Street; North Andover, MA 01845

Very truly yours,

Jay Dwyer
Supervisor, Distribution Design

Enclosures

Questions contact Anne H Murray 508-935-1812

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To the City Council
Of Lowell Massachusetts

NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Lawrence St-National Grid to relocate JO pole 34 10' north of current location on west side of Lawrence St near 687 Lawrence St. To install also an SO pole on east side of Lawrence St near 552 Lawrence St.
Location approximately as shown on plan attached

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Lawrence St-Lowell Massachusetts

20761164 April 13, 2016

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

NATIONAL GRID
BY _____
Engineering Department

VERIZON NEW ENGLAND, INC.
BY _____
Manager / Right of Way

City

Questions contact – Anne H Murray 508-935-1812

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the City Council of Lowell Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:
that NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 10th day of March 2016

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

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked –Lawrence St- Lowell Massachusetts.
20761184 Dated March 10, 2016. Filed with this order
There may be attached to said poles by NATIONAL GRID and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Lawrence St-National Grid to relocate JO pole 34 10' north of current location on west side of Lawrence St near 687 Lawrence St. To install also an SO pole on east side of Lawrence St near 552 Lawrence St.

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the
Of the City/Town of ,Massachusetts held on the day of 20 .

City/Town Clerk.
Massachusetts 20 .

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
City/Town Clerk

I hereby certify that on 20 , at o'clock, M
At a public hearing was held on the petition of
NATIONAL GRID and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....
.....
.....
.....
Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the of the City of Massachusetts, on the day of 20 and recorded with the records of location orders of the said City, Book , and Page . This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

City/Town Clerk

Telephone

Questions contact – Anne H Murray 508-935-1812

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the City Council of Lowell Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:
that NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 10th day of March 2016

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

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked –Lawrence St- Lowell Massachusetts.
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There may be attached to said poles by NATIONAL GRID and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

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Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the
Of the City/Town of ,Massachusetts held on the day of 20 .

City/Town Clerk.
Massachusetts 20 .

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
City/Town Clerk

I hereby certify that on 20 , at o'clock, M
At a public hearing was held on the petition of
NATIONAL GRID and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....
.....
.....
.....
Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the of the City of Massachusetts, on the day of 20 and recorded with the records of location orders of the said City, Book , and Page . This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

City/Town Clerk

Ekotr

Questions contact – Anne H Murray 508-935-1812

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the City Council of Lowell Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:
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Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked –Lawrence St- Lowell Massachusetts.
20761184 Dated March 10, 2016. Filed with this order
There may be attached to said poles by NATIONAL GRID and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

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Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

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Of the City/Town of ,Massachusetts held on the day of 20 .

City/Town Clerk.

Massachusetts 20 .

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Book Page

Attest:
City/Town Clerk

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At a public hearing was held on the petition of
NATIONAL GRID and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....
.....
.....
.....
Board or Council of Town or City, Massachusetts

CERTIFICATE

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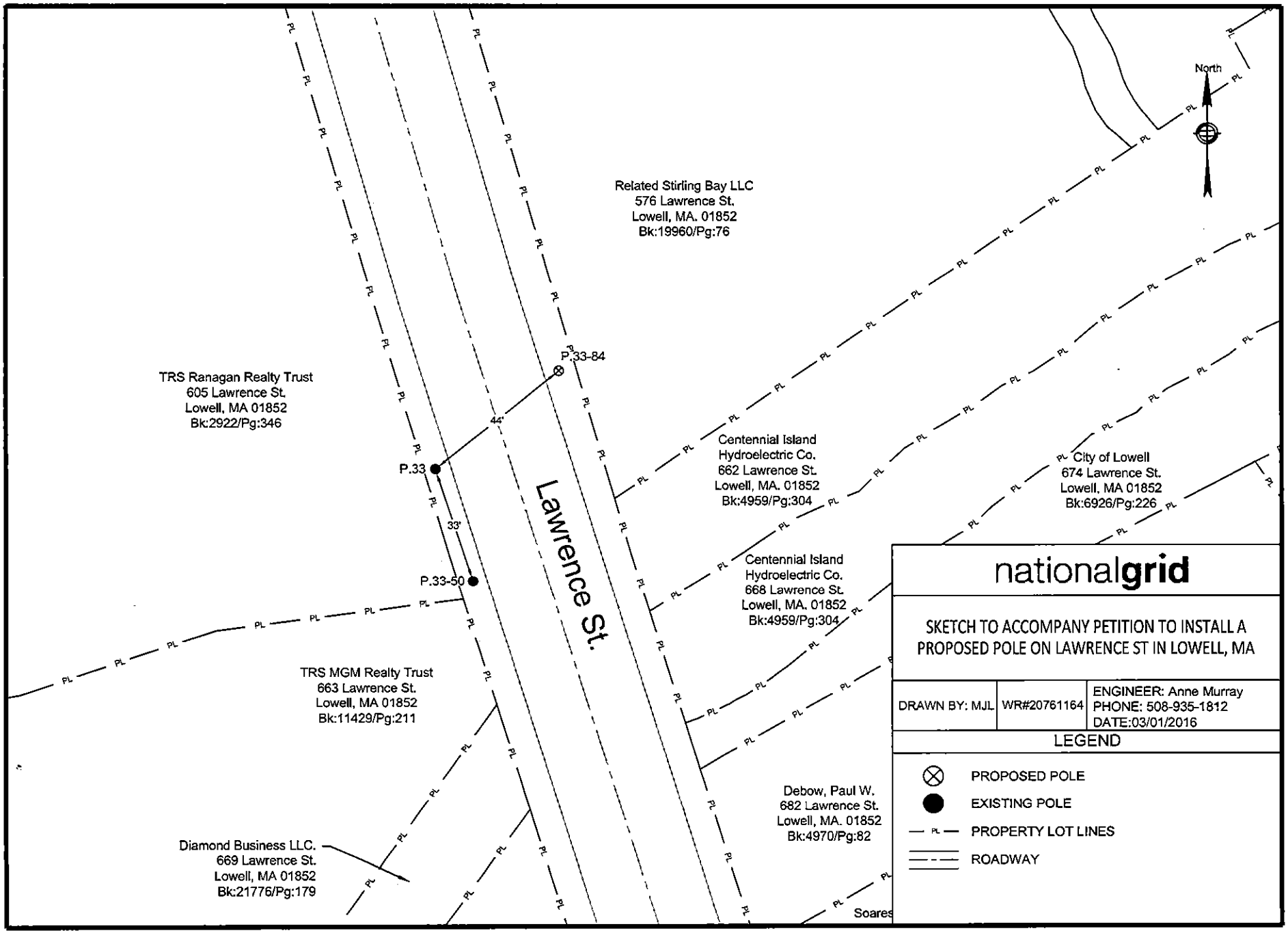
Attest:

City/Town Clerk


North
Related Stirling Bay LLC
576 Lawrence St.
Lowell, MA. 01852
Bk:19960/Pg:76
P.33-84
TRS Ranagan Realty Trust
605 Lawrence St.
Lowell, MA 01852
Bk:2922/Pg:346
44'
P.33
33'
P.33-50
Lawrence St.
Centennial Island
Hydroelectric Co.
662 Lawrence St.
Lowell, MA. 01852
Bk:4959/Pg:304
City of Lowell
674 Lawrence St.
Lowell, MA 01852
Bk:6926/Pg:226
Centennial Island
Hydroelectric Co.
668 Lawrence St.
Lowell, MA. 01852
Bk:4959/Pg:304
TRS MGM Realty Trust
663 Lawrence St.
Lowell, MA 01852
Bk:11429/Pg:211
Debow, Paul W.
682 Lawrence St.
Lowell, MA. 01852
Bk:4970/Pg:82
Diamond Business LLC.
669 Lawrence St.
Lowell, MA 01852
Bk:21776/Pg:179
Soares
nationalgrid
SKETCH TO ACCOMPANY PETITION TO INSTALL A PROPOSED POLE ON LAWRENCE ST IN LOWELL, MA
DRAWN BY: MJL
WR#20761164
ENGINEER: Anne Murray
PHONE: 508-935-1812
DATE:03/01/2016
LEGEND
PROPOSED POLE
EXISTING POLE
PROPERTY LOT LINES
ROADWAY

Notice of Excavation

nationalgrid

To: Lowell
City/Town

Eric Gitschier (water)
Lisa DeMeo (sewer)
Department

Eric Gitschier (water)-978-970-4242
Lisa DeMeo (sewer)-978-970-3331
Telephone Number

Eric Gitschier (water)-978-970-4235
Lisa DeMeo (sewer)-978-970-3332
Fax Number

N/A
email

Date Submitted: 3/4/2016

Date Pre-marked: 2/4/2016

Date Designed: 3/4/2016

National Grid WR #: 20761164

Dig Safe #:

Excavation for facility: ☒ 3 Existing Pole ☑ 1 New Pole ☑ Anchor(s) ☑ Ground Rod(s) ☑ UG Conduit / Cable

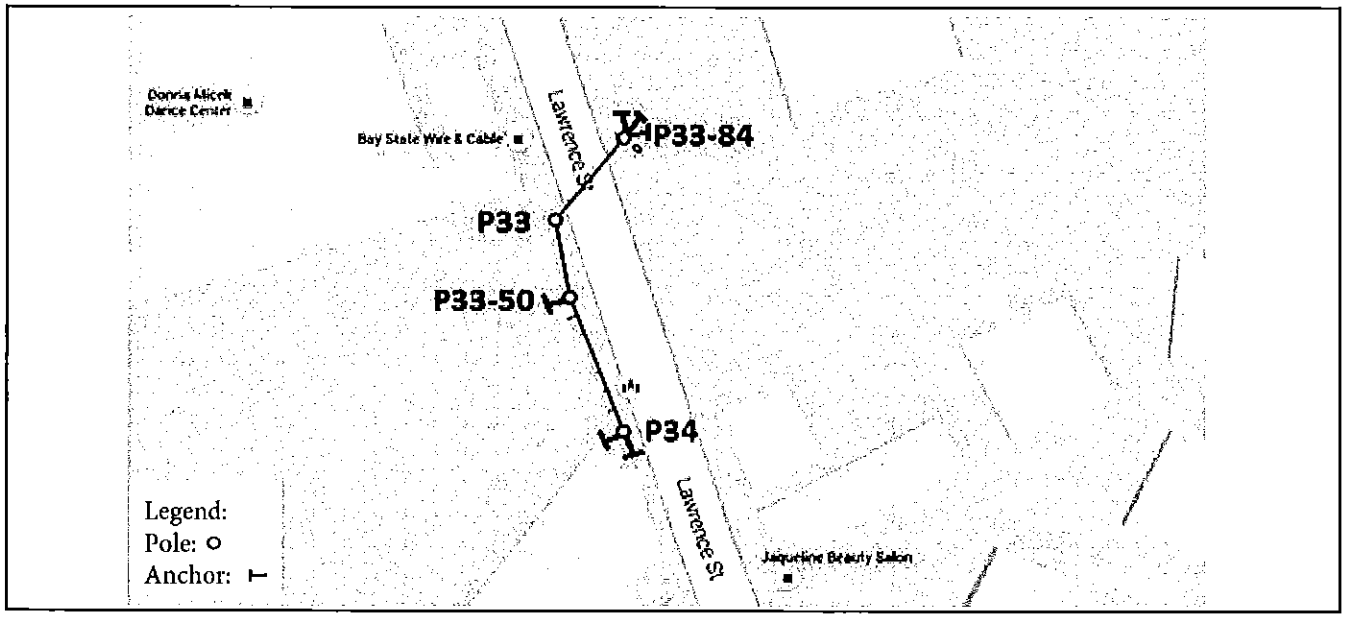
Scope of National Grid Work:
Pole 33: Replace Pole
Pole 33-84: Install New Pole and 3 anchors: 10' lead north, back of sidewalk for northeast and east anchors
Pole 33-50: Replace Pole and relocate 5' east (towards road)
Pole 34: Replace Pole and Relocated 10' north, install conduit, install ground rod

Address of Excavation: 576 Lawrence St

Cross Streets or closest Intersection: Watson St and Andrews St

Method of Pre-mark: Painted

SKETCH:



Maximum buffer distance from the center line of the road to dig location: Side of Road

Engineer Comments:

For questions or concerns with pre-marks or underground facilities in the vicinity of the proposed excavation please contact:

The City of Lowell
Office of the City Clerk
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 341***

Meeting: **City of Lowell City Council**

Subject: **Wire Insp. - National Grid/Verizon NE - Request permission to install (1) JO pole on Industrial Avenue.**

Recommendation:

Background:

Attachments:

industrial ave

Office of the City Engineer
City Hall • 375 Merrimack Street • Lowell, MA 01852
P: 978.674.4070 • F: 978.970.3332
www.LowellMA.gov

Lisa E. DeMeo, P.E.
City Engineer

Review of Utility Company Request for New Conduit/Pole Location

Applicant Information

Utility: Gas (Electric) Telephone

(circle one) Other

Reason: Install new pole on Industrial Ave East

Project Address: Industrial Ave East at Swan Street.

Date Submitted: 5/9/2016

Review done by: Joseph Assenza

Sidewalk Material **Note: material to be replaced in kind (Concrete in full panels)**	Concrete	Asphalt	Other
Sidewalk Vaults present		Y	(N)
Work on Street under a Paving Moratorium		(Y)	N
Is this location within the Flood Plain?		Y	(N)
Are ADA requirements being met?		(Y)	N

Comments

City Sewer and National Grid Gas line located in sidewalk.
SIDEWALKS MUST MEET CITY & ADA STANDARDS WHEN COMPLETE

Outcome of Review

Approved	Approved With Comments	Denied
	X	

Lisa E. DeMeo, P.E. City Engineer — Lisa E. DeMeo, P.E.

nationalgrid

April 29, 2016

City of Lowell

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID and VERIZON, covering joint NATIONAL GRID-VERIZON pole location(s)

If you have any questions regarding this permit please contact:
Arthur Avakian 781-423-3073

Please notify National Grid's Fortune Champlin of the hearing date / time

National Grid Contact: Maureen Miloro, 1101 Turnpike Street; North Andover, MA 01845

If this petition meets with your approval, please return an executed copy to each of the above named Companies.

National Grid Contact: Maureen Miloro, 1101 Turnpike Street; North Andover, MA 01845

Very truly yours,

Jay Dwyer

Jay Dwyer
Supervisor, Distribution Design

Enclosures

Questions contact Johnny Duong- 978-725-1418

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To City Council
Of Lowell Massachusetts

NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Industrial Ave-To install (1) JO pole on Industrial Ave. The location begins at a point approximately 25 feet north of the centerline of the intersection of Swan St and continuing approximately 280 feet in an east direction.
Location approximately as shown on plan attached

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Industrial Ave-Lowell Massachusetts

13967377-2 September 26, 2013

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

NATIONAL GRID
BY _____
Engineering Department

VERIZON NEW ENGLAND, INC.
BY _____
Manager / ~~Right of Way~~

Town

Questions contact – Johnny Duong- 978-725-1418

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the City Council of Lowell Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:
that NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 26th day of September 2013.

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

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Industrial Ave-Lowell Massachusetts.
13967377-2 Dated April 29, 2016. Filed with this order
There may be attached to said poles by NATIONAL GRID and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Industrial Ave-To install (1) JO pole on Industrial Ave. The location begins at a point approximately 25 feet north of the centerline of the intersection of Swan St and continuing approximately 280 feet in an east direction.

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the
of the City/Town of , Massachusetts held on the day of 20 .

City/Town Clerk.

Massachusetts 20 .

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
City/Town Clerk

I hereby certify that on 20 , at o'clock, M
at a public hearing was held on the petition of
NATIONAL GRID and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....
.....
.....
.....
Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the of the City of Massachusetts, on the day of 20 , and recorded with the records of location orders of the said City, Book , Page . This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Electric

Questions contact – Johnny Duong- 978-725-1418

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the City Council of Lowell Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:
that NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 26th day of September 2013.

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

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Industrial Ave-Lowell Massachusetts.
13967377-2 Dated April 29, 2016. Filed with this order
There may be attached to said poles by NATIONAL GRID and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Industrial Ave-To install (1) JO pole on Industrial Ave. The location begins at a point approximately 25 feet north of the centerline of the intersection of Swan St and continuing approximately 280 feet in an east direction.

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

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of the City/Town of , Massachusetts held on the day of 20 .

City/Town Clerk.
Massachusetts 20 .

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
City/Town Clerk

I hereby certify that on 20 , at o'clock, M
at a public hearing was held on the petition of
NATIONAL GRID and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....
.....
.....
.....
Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the of the City of Massachusetts, on the day of 20 , and recorded with the records of location orders of the said City, Book , Page . This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Verizon

Questions contact – Johnny Duong- 978-725-1418

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the City Council of Lowell Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:
that NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 26th day of September 2013.

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

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Industrial Ave-Lowell Massachusetts.
13967377-2 Dated April 29, 2016. Filed with this order
There may be attached to said poles by NATIONAL GRID and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Industrial Ave-To install (1) JO pole on Industrial Ave. The location begins at a point approximately 25 feet north of the centerline of the intersection of Swan St and continuing approximately 280 feet in an east direction.

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

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of the City/Town of , Massachusetts held on the day of 20 .

City/Town Clerk.
Massachusetts 20 .

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
City/Town Clerk

I hereby certify that on 20 , at o'clock, M at a public hearing was held on the petition of NATIONAL GRID and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....
.....
.....
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Board or Council of Town or City, Massachusetts

CERTIFICATE

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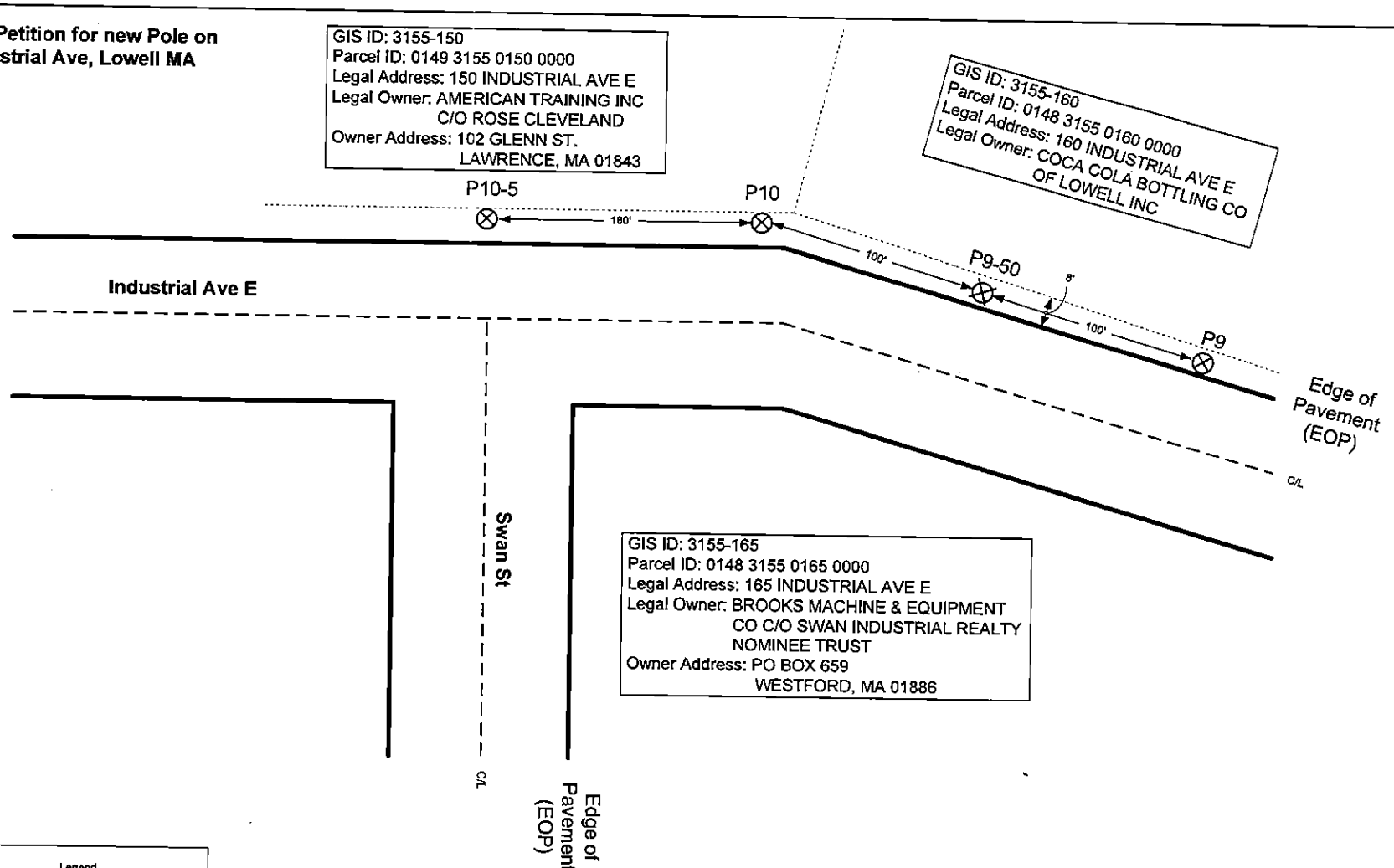
Town Petition for new Pole on Industrial Ave, Lowell MA

GIS ID: 3155-150
Parcel ID: 0149 3155 0150 0000
Legal Address: 150 INDUSTRIAL AVE E
Legal Owner: AMERICAN TRAINING INC
C/O ROSE CLEVELAND
Owner Address: 102 GLENN ST.
LAWRENCE, MA 01843

GIS ID: 3155-160
Parcel ID: 0148 3155 0160 0000
Legal Address: 160 INDUSTRIAL AVE E
Legal Owner: COCA COLA BOTTLING CO OF LOWELL INC



GIS ID: 3155-165
Parcel ID: 0148 3155 0165 0000
Legal Address: 165 INDUSTRIAL AVE E
Legal Owner: BROOKS MACHINE & EQUIPMENT CO C/O SWAN INDUSTRIAL REALTY NOMINEE TRUST
Owner Address: PO BOX 659
WESTFORD, MA 01886

Legend	
⊗	Install New Joint Owned Pole
⊗	Existing Joint Pole

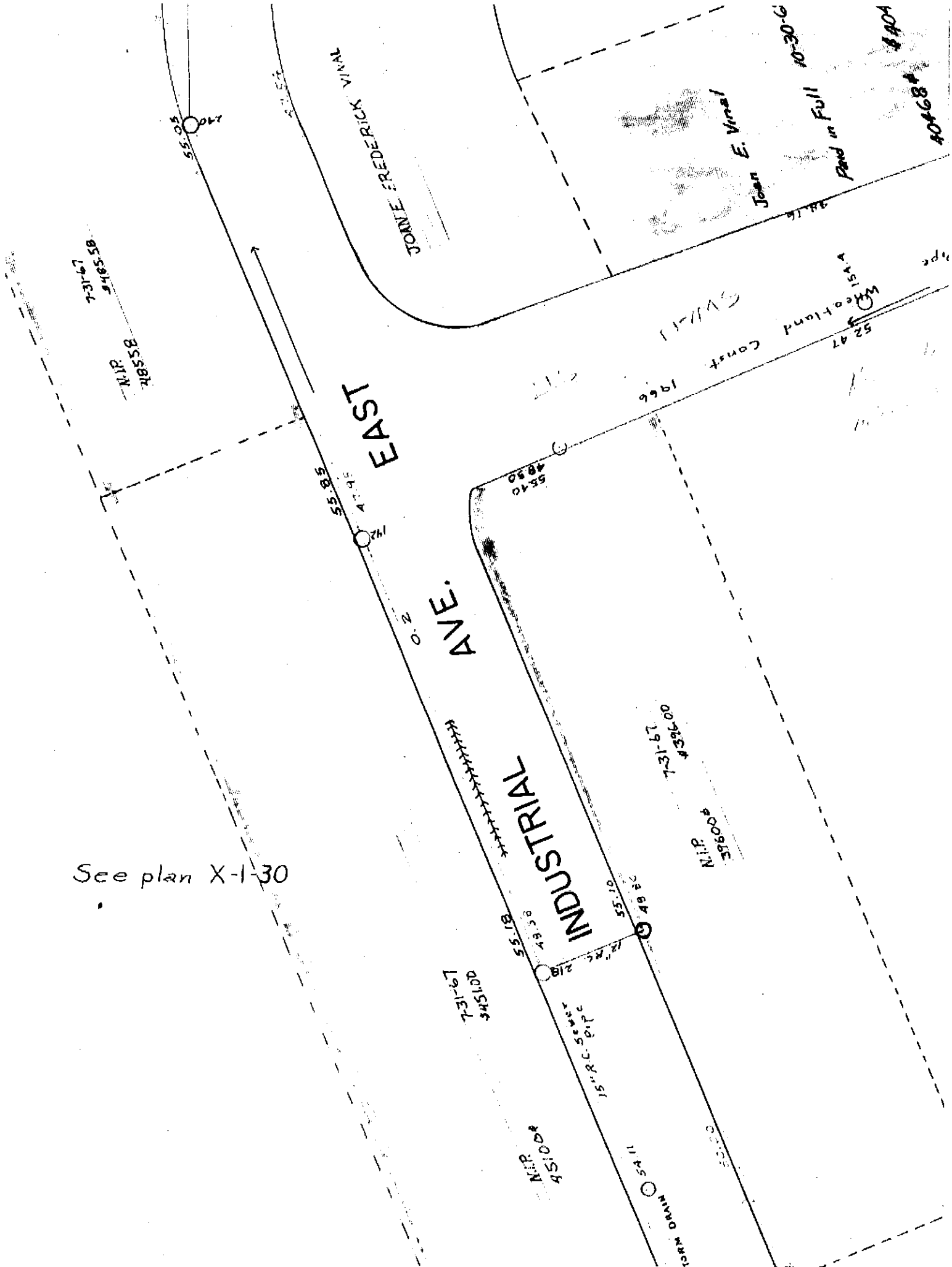
Designer: Johnny Duong
ControlPoint Technologies, Inc.
300 Ledgewood Place Suite 100
Rockland, MA 02370
781-261-9666 x. 33

ControlPoint TECHNOLOGIES

Plan to accompany petition to install (1) joint owned wood pole on Industrial Ave. East, Lowell, MA

N. T. S.	Drawn By JD	Approved By JD	DATE 04/24/13

N.GRID
N.GRID



See plan X-1-30

The City of Lowell
Office of the City Clerk
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 342***

Meeting: **City of Lowell City Council**

Subject: **Wire Insp. - National Grid - Request permission to install approximately 125' of 2"-4" conduit encased in concrete on Lawrence Street.**

Recommendation:

Background:

Attachments:

conduit lawrence st

Office of the City Engineer
City Hall • 375 Merrimack Street • Lowell, MA 01852
P: 978.674.4070 • F: 978.970.3332
www.LowellMA.gov

Lisa E. DeMeo, P.E.
City Engineer

Review of Utility Company Request for New Conduit/Pole Location

Applicant Information

Utility Gas (Electric) Telephone

(circle one) Other

Reason Construct a line of underground electric conduits, including necessary sustaining and protection fixtures under and across the public way.

Project Address

687 Lawrence St

Date Submitted 4/29/16

Review done by Joseph Assenza

Sidewalk Material Concrete Asphalt Other

Note: material to be replaced in kind (Concrete in full panels)

Sidewalk Vaults present	Y	(unk)	N
Work on Street under a Paving Moratorium	Y	(N)	
Is this location within the Flood Plain?	Y	(N)	
Are ADA requirements being met?	(Y)		N

Comments

SIDEWALKS MUST MEET CITY + ADA STANDARDS WHEN COMPLETE.
CITY PAVING LAWRENCE STREET THIS SUMMER (2016). NO WORK MUST BE SCHEDULED/COMPLETED PRIOR TO PAVING.

Outcome of Review

Approved	Approved With Comments	Denied
	X	

Lisa E. DeMeo, P.E. City Engineer — Lisa E. DeMeo, P.E.

Underground
+
Jd, + SO

nationalgrid

March 10, 2016
City of Lowell
City Clerk

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID covering the installation of underground facilities.

If you have any questions regarding this permit please contact:
Anne Murray 508-935-1812
If this petition meets with your approval, please return an executed copy to:

National Grid Contact: Maureen Miloro; 1101 Turnpike Street; North Andover, MA 01845 978-725-1418

Very truly yours,

Tony Lasa

Anthony Lasa
Supervisor, Distribution Design

Enclosures

RECEIVED
CITY CLERK'S OFFICE
CITY HALL, LOWELL, MA
2016 APR 20 A 11:11

Questions contact – Anne H Murray 508-935-1812

Petition of the NATIONAL GRID
Of NORTH ANDOVER, MASSACHUSETTS
For Electric conduit Location:

To the City Council of Lowell Massachusetts

Respectfully represents the NATIONAL GRID of North Andover, Massachusetts, that it desires to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways hereinafter named.

Wherefore it prays that after due notice and hearing as provided by law, it be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked – Lawrence St Lowell Massachusetts

The following are the streets and highways referred to:

20761164 Lawrence St-National grid to install approximately 125' of 2-5" conduit encased in concrete

Location approximately as shown on plan attached

NATIONAL GRID
BY _____
Engineering Department

Dated: March 10, 2016

City

ORDERED:

Notice having been given and public hearing held, as provided by law, that the NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 10th day of March 2016.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked –Lawrence St -Lowell Massachusetts

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

20761164 Lawrence St-National grid to install approximately 125' of 2-5" conduit encased in concrete

I hereby certify that the foregoing order was adopted at a meeting of the .....
.....
....., held on the ..... day of ....., 20 .....

....., ..., 20 .....

Received and entered in the records of location orders of the City/Town of
Book ..... Page .....

Attest:
.....

..... hereby certify that on .....20....., at ..... o'clock, ...M at ....., a public hearing was held on the petition of NATIONAL GRID for permission to construct the underground electric conduits described in the order herewith recorded, and that I mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to construct the underground electric conduits under said order. And that thereupon said order was duly adopted.

.....

.....

.....

Elec/k.2

ORDERED:

Notice having been given and public hearing held, as provided by law, that the NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 10th day of March 2016.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked –Lawrence St -Lowell Massachusetts

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

20761164 Lawrence St-National grid to install approximately 125' of 2-5" conduit encased in concrete

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....., held on the ..... day of ....., 20 .....

....., ..., 20 .....

Received and entered in the records of location orders of the City/Town of
Book ..... Page .....

Attest:
.....

..... hereby certify that on .....20....., at ..... o'clock, ...M at ....., a public hearing was held on the petition of NATIONAL GRID for permission to construct the underground electric conduits described in the order herewith recorded, and that I mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to construct the underground electric conduits under said order. And that thereupon said order was duly adopted.

.....

.....

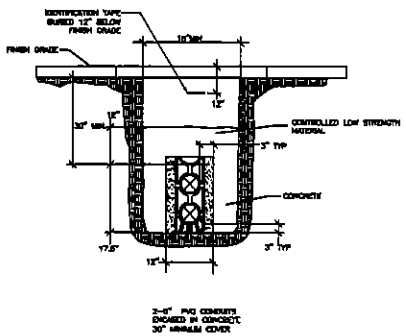
.....

GENERAL NOTES:

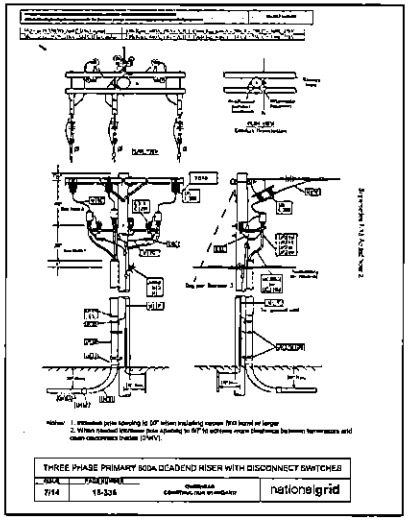
1. IF THE FINISHED SURFACE OF EXISTING ROAD IS ASPHALT. IT MUST BE SAW CUT AT LEAST 1' BACK ON BOTH SIDES OF THE TRENCH. THE CONCRETE OR GRANITE BLOCK SUB-PAVEMENT MUST BE REMOVED 1' BACK ON BOTH SIDES OF THE TRENCH. PLACE A NEW 8" MINIMUM CONCRETE SLAB, WHICH WILL BRIDGE THE TRENCH AREA, PROVIDING A SOLID BASE FOR THE FINISHED SURFACE.
2. CITY OF LOWELL AND ENGINEERING AND WATER DEPARTMENT, TO BE NOTIFIED BEFORE EXCAVATION IS STARTED.
3. CARE SHOULD BE TAKEN WHEN EXCAVATING, TO AVOID DAMAGE TO EXISTING FACILITIES. LOCATIONS SHOWN ARE APPROXIMATE AND OTHER FACILITIES MAY EXIST.
4. FIELD CREWS TO CHECK AND REPORT ALL NEW SPANS AND AND TO SHOW LOCATIONS OF THE PULL BOXES BY GIVING DISTANCES FROM CENTERLINE TO TWO ESTABLISHED POINTS.
5. ALL WORK TO BE DONE IN ACCORDANCE N.M.P.C GENERAL SPECIFICATIONS FOR INSTALLATION OF UNDERGROUND FACILITIES.

LEGEND

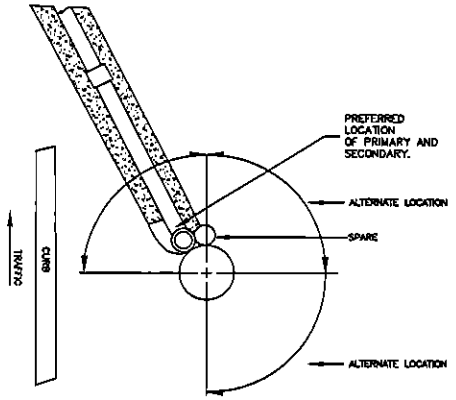
- INTERMEDIATE SPACER
- BASE SPACER
- DUCT



1 DUCTBANK SECTION A-A
SCALE: N/A



2 TYPICAL RISER DETAIL POLES 34 & 2
SCALE: N/A (SECTION 18)



3 CONDUIT TERMINATION AT POLES 34 & 2
SCALE: N/A

REV	DATE	CHK'D	APP'D	REVISION DESCRIPTION

DESIGNED AHM
DRAWN RJEAUL
APPROVED SAS

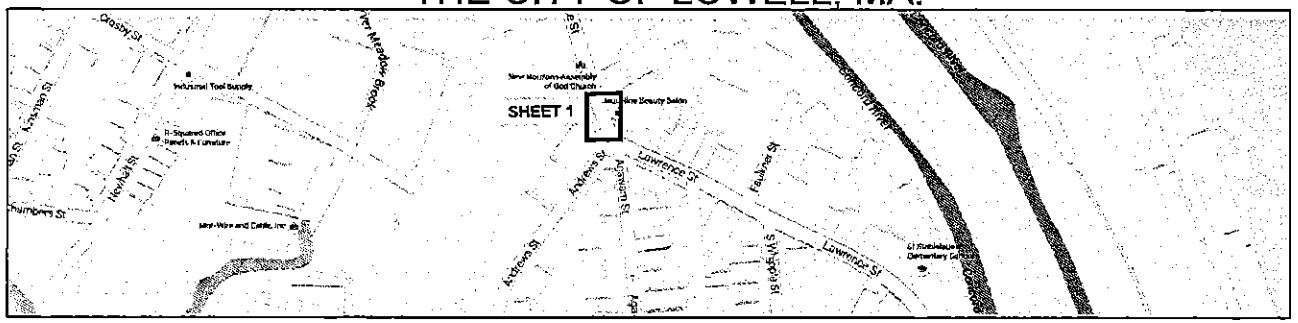
ISSUED FOR REVIEW AND COMMENT NOT CONSTRUCTION DOCUMENT

leidos Engineering
nationalgrid

Prince Ave 3L1 Conductor
LOWELL, MA
PLAN AND PROFILE
WR#20761184

DATE: 03/10/2016
SHEET: 2 OF 2
PAPER SIZE: ARCH D - 24 x 36
DRAWING NUMBER:

PROPOSED INSTALLATION OF UNDERGROUND EQUIPMENT ON LAWRENCE ST IN THE CITY OF LOWELL, MA.



KEY PLAN

LEGEND

- UNDERGROUND DRAIN LINE
- UNDERGROUND SEWER LINE
- UNDERGROUND ELECTRIC LINE
- UNDERGROUND TELEPHONE LINE
- UNDERGROUND CABLE TV LINE
- UNDERGROUND GAS LINE
- UNDERGROUND WATER LINE
- PROPERTY LINE
- EDGE OF PAVEMENT
- GRANITE CURB
- FENCE
- PROPOSED CONDUIT
- EXISTING CONDUIT
- PROPOSED RISER POLE
- ROAD SURFACE
- 30 INCH COVER

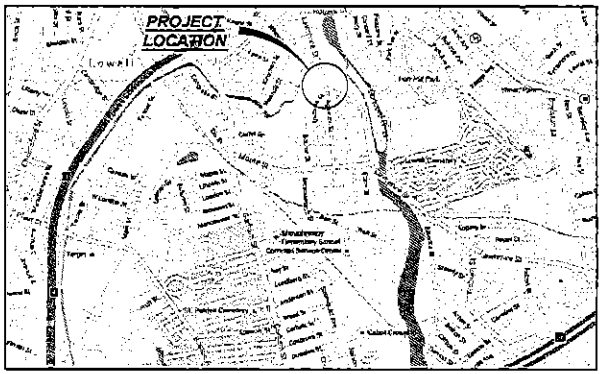
- SQUARE CATCH BASIN
- WATER SHUT OFF
- WATER VALVE
- HYDRANT
- CABLE BOX
- CABLE HAND HOLE
- TELEPHONE MANHOLE
- TELEPHONE PEDESTAL
- GAS SHUT OFF
- GAS VALVE
- LIGHT POLE
- ELECTRIC MANHOLE
- ELECTRIC HAND HOLE
- ELECTRIC SWITCH GEAR
- DRAINAGE MANHOLE
- SEWER MANHOLE
- TELEPHONE PEDESTAL

NOTES

1. THE PURPOSE OF THIS PLAN IS TO DEPICT THE EXISTING CONDITIONS OF THE SURVEYED ROADS FOR DESIGN PURPOSES OF UNDERGROUND ELECTRIC LINES REFURBISHMENT OR REPLACEMENT.
2. THE PLAN IS A RESULT OF A FIELD SURVEY MADE ON THE GROUND IN JANUARY 2016 USING CONVENTIONAL METHODS.
3. SURVEY CONTROL INFORMATION:
   CONTROLLED BY TRIMBLE R+10 GPS RECEIVER RTK CORRECTIONS VIA KEYNET VRS
   HORIZONTAL DATUM: NAD83 (2011)
   VERTICAL DATUM: NAVD88
   HORIZONTAL PROJECTION: MASS STATE PLANE
   UNITS: US SURVEY FEET
4. UTILITIES SHOWN ARE BASED ON AVAILABLE PLANS, OBSERVED PHYSICAL FEATURES AND SUBSURFACE DELINEATION PERFORMED BY OTHERS.
5. BOUNDARY AND RIGHT OF WAY INFORMATION SHOWN ARE BASED ON PHYSICAL EVIDENCE AND RECORD PLANS.

PLAN REFERENCES

1. SUBDIVISION PLAN OF LAND, 645 LAWRENCE STREET, LOWELL, MA, SCALE: 1"=40' DATED JULY 3 2015, REVISED JULY 7, 2015. PREPARED BY BEDFORD ENGINEERING & SURVEY, RECORDED M.C.R.D. BOOK 324 PAGE 36.
2. MASTER SITE PLAN, DIAMOND LLC, RED MILL CONDOMINIUM, LOWELL, MA, PREPARED FOR DAVID & JANET FRAWLEY, PREPARED BY H+STAR ENGINEERING, INC., DATE 19 NOV, 2007, SCALE: 1"=30', RECORDED M.C.R.D. BOOK 329 PAGE 158.
3. ACTIVITY & USE LIMITATION PLAN OF LAND IN LOWELL, MA. PREPARED FOR THE FRAWLEY REALTY TRUST, PREPARED BY WINMAN & SINGMAN ASSOCIATES, INC., DATE JANUARY 11, 2008, SCALE: 1"=40', RECORDED M.C.R.D. BOOK 351 PAGE 137.
4. PLAN OF LAND IN LOWELL, MA, PREPARED BY DANIEL F. PERKINS & ASSOC. INC., DATE FEB. 11, 1985, SCALE: 1"=20', RECORDED M.C.R.D. BOOK 130 PAGE 115.
5. PLAN AND PROFILE OF LAWRENCE STREET, LOWELL, MASS., DATE JANUARY 1917, SCALE: 1"=40', PREPARED BY LOWELL ENGINEERING DEPT. U-16-16.
6. LAWRENCE STREET LAYOUT PLAN PROVIDED BY LOWELL ENGINEERING DEPT, DEPICTING THE 1910 & 1912 ALTERATIONS.
7. AMENDING STREET LAYOUT PLAN PROVIDED BY LOWELL ENGINEERING DEPT, DEPICTING THE 1918 ALTERATION.



PROJECT LOCATION MAP

ABBREVIATIONS

ABAN	ABANDONED	NAD	NORTH AMERICAN DATUM
BC	BITUMINOUS CURB	NAVD	NORTH AMERICAN VERTICAL DATUM
BK	BOOK	NF	NOW OR FORMERLY
BIT	BITIMINUOUS	PHP	PLASTIC - HIGH PRESSURE
CB	CATCH BASIN	PID	PARCEL IDENTIFICATION NUMBER
CBDH	CONCRETE BOUND ESCUTCHEON PIN IN LEAD PLUG	PVC	POLYVINYLCHLORIDE
CBEP	CONCRETE BOUND ESCUTCHEON WITH PIN	PVI	POINT OF VERTICAL INTERSECTION
CI	CAST IRON	RCP	REINFORCED CONCRETE PIPE
CLDI	CEMENT LINED DUCTILE IRON	RD	ROAD
DIST	DISTRIBUTION	ROW	RIGHT-OF-WAY
DMH	DRAINAGE MANHOLE	SAN	SANITARY
EMH	ELECTRIC MANHOLE	SDDDH	STONE BOUND DRILL HOLE
FT	FEET	SDDEP	STONE BOUND W/ ESCUTCHEON PIN
GG	GAS GATE VAVLE	SC	SLOPE CURB
GPS	GLOBAL POSITIONING SYSTEM	SGC	SLOPE GRANITE CURB
INV	INVERT	SHLO	STATE HIGHWAY LAYOUT
IP	IRON PIPE	SMH	SANITARY MANHOLE
LC	LAND COURT	ST	STREET
LCC	LAND COURT CASE	STA	STATION
LLC	LIMITED LIABILITY CORPORATION	TCG	TOP CURB GRANITE
LN	LANE	TSCG	TOP SLOPE CURB GRANITE
MH	MANHOLE	UP	UTILITY POLE
MIN	MINIMUM	WG	WATER GATE VALVE

INDEX OF DRAWINGS

0 TITLE SHEET
1 PLAN AND PROFILE SHEET
2 DETAIL SHEET

REV	DATE	CHK'D	APP'D	REVISION DESCRIPTION

DESIGNED: AHM
DRAWN: FJE/MJL
APPROVED: SAS

ISSUED FOR REVIEW AND COMMENT NOT CONSTRUCTION DOCUMENT

leidos Engineering

nationalgrid

Prince Ave 3L1 Conductor
LOWELL, MA

PLAN AND PROFILE

WR#20761184

DATE: 03/10/2016
SHEET: 0 OF 2
PAPER SIZE: ARCH D - 24 x 36
DRAWING NUMBER:

The City of Lowell
Office of the City Clerk
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 426***

Meeting: **City of Lowell City Council**

Subject: **Claim - (1) property.**

Recommendation:

Background:
Joseph Sullivan – Lowell, Ma. (property)

Attachments:

The City of Lowell
Office of the City Clerk
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 432***

Meeting: **City of Lowell City Council**

Subject: **Misc. - Network Building + Consulting (representing Eco-Site) request permission to lease portion of City property near Methuen Street for telecommunications facility.**

Recommendation:

Background:

Attachments:

tele tower

June 21, 2016

Mr. Michael Geary
City Clerk
City of Lowell
375 Merrimack Street
Lowell, MA 01852

Via E-Mail: mgeary@lowellma.gov

RECEIVED
CITY CLERK'S OFFICE
2016 JUN 22 AM 9 24

RE: Leasing a portion of city property near Methuen Street for a telecommunications facility.

Dear Clerk Geary,

We represent Eco-Site who is interested in locating a telecommunications cell tower in the City of Lowell near Methuen Street. Eco-Site is proposing this location on behalf of their tenant T-Mobile to improve coverage in this area. As you recall we approached the city council at their May 10th council meeting with a proposal to build a facility at Gage Park and were subsequently turned down by the council due to concerns over space limitations at the park.

Our RF Engineers have completed some additional research for coverage in this area and have determined three other possible city owned locations that may work for our client's needs. We have listed below the three options in order of preference that we would like the council to consider for a long term lease with Eco-Site:

Option 1 - Place a small tower near the Christian Hill water tank. We understand that the city was previously approached about installing antennas on the tank and would not allow it. Due to the site elevation at this location, the tower would only have to be appx 40' to 50' in height and could be constructed in a location that would not interfere with operations of the water tank.

Option 2 - Install a tower approximately 100' in height on city property near the Christian Hill Reservoir. We have reached out to Ralph Snow of Public Works Department and they have indicated that either of the proposed installations on water department property would be acceptable.

Option 3 - Use a portion of the rooftop of the Middle School at Gage Park to install antennas and equipment. The installation would require space on the roof to install up to 12 antennas and appx 10' by 20' of space for equipment which could alternatively be placed either inside or outside of the building at a currently unused location.

Eco-Site, the tower company that will own the tower, is offering at their sole cost and expense, to pay for any and all applications, permits, and fees associated with the engineering, zoning, permitting and construction for this site. They will also be responsible for their own utility usage and the preparation thereof, as is mandated by the utility company and acceptable to the city. Eco-Site is a leading independent tower owner and developer, please feel free to go to their corporate website, http://www.eco-site.com , to review other company information.

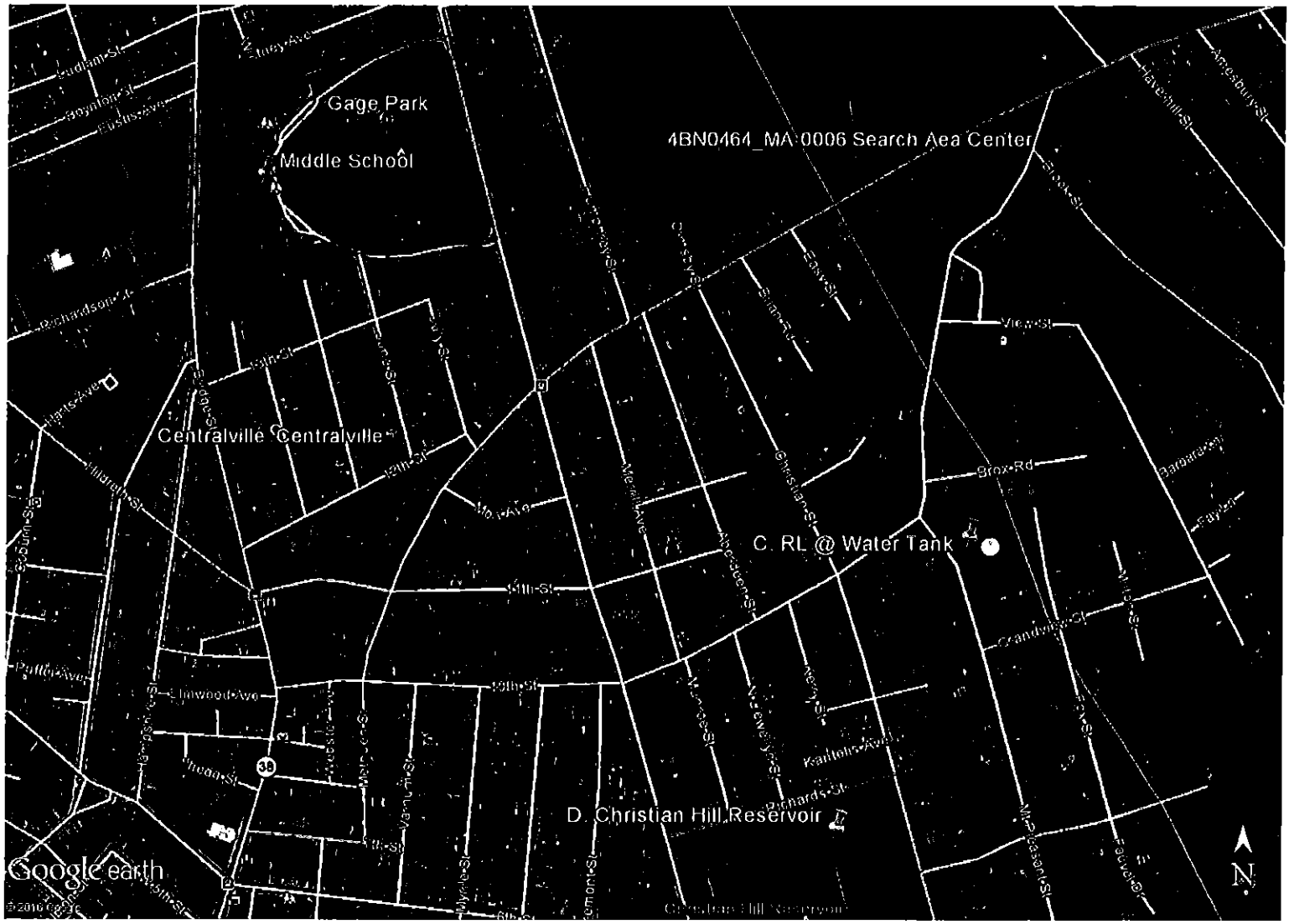
For your review, I have attached a Google Earth photo showing the three proposed locations for the site. I would be happy to answer any questions that you or members of the council may have concerning this proposal. Please feel free to contact me @ 607-287-8729, or ahinkley@nbcllc.com.

Sincerely,

Allen Hinkley
Site Acquisition Specialist

NETWORK BUILDING + CONSULTING
PO Box 265| Roxbury, NY | 12474
Ph: 607-287-8729 | networkbuilding.com | ahinkley@nbcllc.com

Proposed Eco-Site Locations



The City of Lowell
Office of the City Clerk
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 436***

Meeting: **City of Lowell City Council**

Subject: **Misc. - Markley Group (Atty. George Eliades) request permission to vacate, discontinue and abandon driveway to Prince Co., a portion of Carter Street and a portion of Prince Avenue.**

Recommendation:

Background:

Attachments:

markley

CITY OF LOWELL

PETITION

TO THE
CITY COUNCIL

Markley Group
(atty George Eliades)
Req petition to Vacate,
Discontinue and abandon
Driveway to Prince Co, a
portion of Carter Street and
a portion of Prince Avenue

n City Council

June 28, 2016

Read and

George C. Eliades, Jr.
Attorney at Law
133 Market Street
Lowell, Massachusetts 01852

Tel: (978) 453-1999
Fax: (978) 458-8034
e-mail: lawoffice@Eliades.com

June 22, 2016

2016 JUN 22 PM 4 06
CITY CLERK'S OFFICE
LOWELL

HAND DELIVERED
Michael Q. Geary, City Clerk
City of Lowell
375 Merrimack Street
Lowell, MA 01852

RE: Petition to Vacate, Discontinue and Abandon Driveway to Prince Co, a portion of Carter Street and a portion of Prince Avenue

Dear Attorney Geary:

I am local counsel for the Markley Group sole respondent to the City's Request for Proposals for the Sale of Surplus Property 16-70. It is my understanding that the process necessary to undertake and complete this transaction includes that the City Council vote to Vacate, Discontinue and Abandon Driveway to Prince Co, a portion of Carter Street and a portion of Prince Avenue.

In order to assist in completing that process as required may this correspondence serve as the Markley's Group's Petition that the City Council vote to Vacate, Discontinue and Abandon Driveway to Prince Co, a portion of Carter Street and a portion of Prince Avenue as shown on the Plan transmitted herewith.

I am including as well the following additional materials deemed necessary to complete the process:

1. Certified copy of the abutter's list with fourteen (14) abutters.
2. A copy of the proposed Plan showing the area to be abandoned.
3. The legal metes and bounds description of the area to be abandoned.

Should the City Council set the matter for hearing, as and when instructed by Mr. Geary I will prepare and mail notices of the City Council hearing date to all abutters on the list. That date will be determined at the City Council meeting on June 28 should the Council vote to send the matter out for a hearing, hopefully for July 12, 2016. As and when instructed by Mr. Geary I

will provide the City Clerk the "Certificates of Mailing" postmarked by the post office as proof

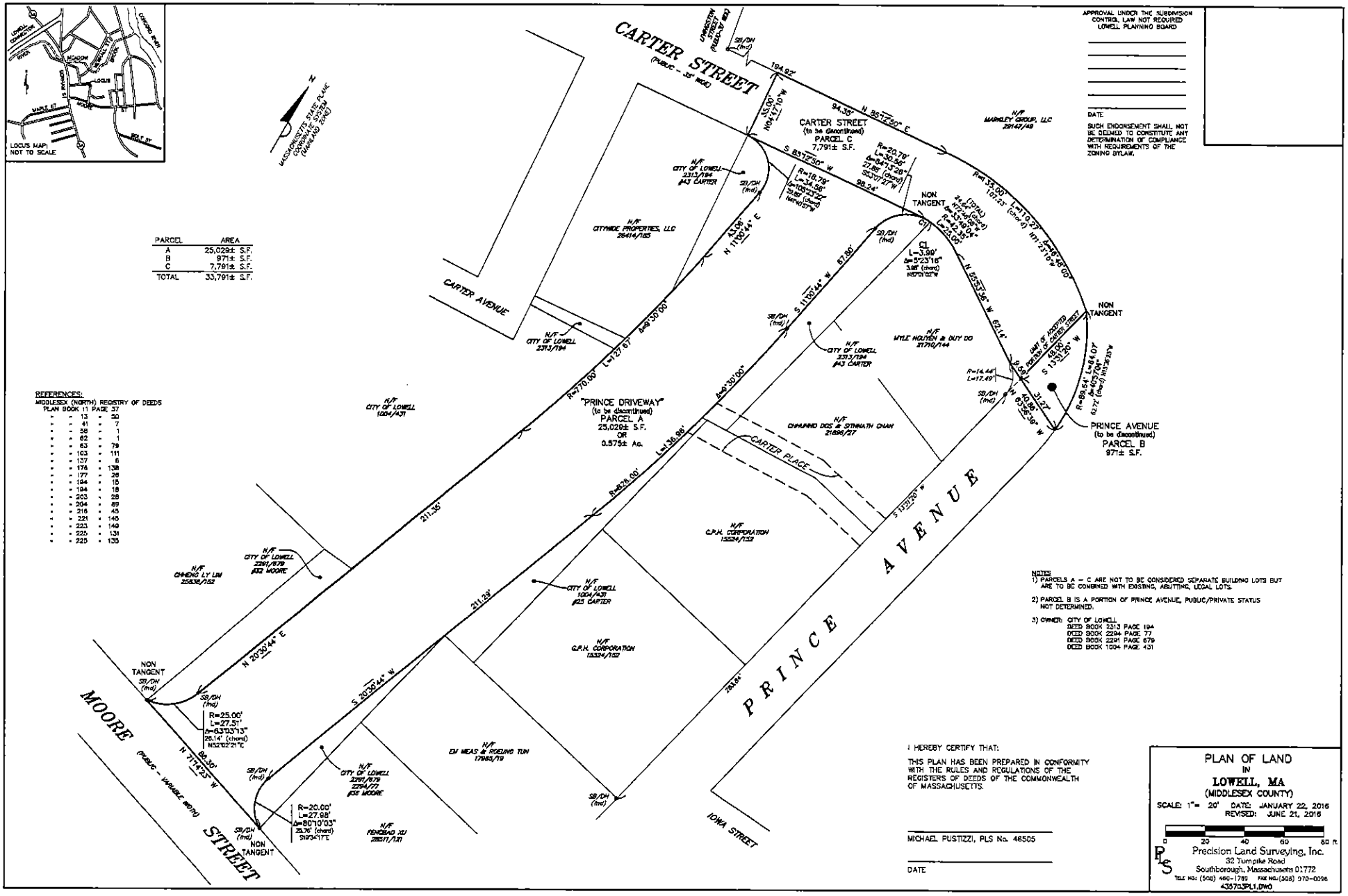
of mailing.

Thank you in advance for your anticipated cooperation.

Very truly yours,

George C. Eliades, Jr.

GCEJR/moc
Enclosures (3)
cc: Christine P. O'Connor, City Solicitor



PARCEL	AREA
A	25,029± S.F.
B	971± S.F.
C	7,791± S.F.
TOTAL	33,791± S.F.

REFERENCES:
MIDDLESEX (NORTH) REGISTRY OF DEEDS
PLAN BOOK 11 PAGE 37

"	" 13	"	50
"	" 41	"	7
"	" 58	"	1
"	" 62	"	1
"	" 63	"	79
"	" 103	"	111
"	" 137	"	6
"	" 176	"	138
"	" 177	"	26
"	" 194	"	15
"	" 194	"	18
"	" 203	"	28
"	" 204	"	89
"	" 216	"	45
"	" 221	"	145
"	" 223	"	149
"	" 225	"	131
"	" 225	"	135

APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED
LOWELL PLANNING BOARD

DATE

SUCH ENDORSEMENT SHALL NOT BE DEEMED TO CONSTITUTE ANY DETERMINATION OF COMPLIANCE WITH REQUIREMENTS OF THE ZONING BYLAW.

NOTES:
1) PARCELS A – C ARE NOT TO BE CONSIDERED SEPARATE BUILDING LOTS BUT ARE TO BE COMBINED WITH EXISTING, ABUTTING, LEGAL LOTS.
2) PARCEL B IS A PORTION OF PRINCE AVENUE, PUBLIC/PRIVATE STATUS NOT DETERMINED.
3) OWNER: CITY OF LOWELL
DEED BOOK 2313 PAGE 194
DEED BOOK 2294 PAGE 77
DEED BOOK 2291 PAGE 679
DEED BOOK 1004 PAGE 431

I HEREBY CERTIFY THAT:

THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

MICHAEL PUSTIZZI, PLS No. 46505

DATE

PLAN OF LAND
IN
LOWELL, MA
(MIDDLESEX COUNTY)

SCALE: 1"= 20' DATE: JANUARY 22, 2016
REVISED: JUNE 21, 2016

0 20 40 60 80 ft.

Precision Land Surveying, Inc.
32 Turnpike Road
Southborough, Massachusetts 01772
TELE NO.: (508) 460-1789 FAX NO.: (508) 970-0096

43570JPL1.DWG

"Prince Driveway"
Parcel A
Lowell, MA

A certain parcel of land located in the Commonwealth of Massachusetts, County of Middlesex, City of Lowell, situated on the northerly sideline of Moore Street and the southerly sideline of Carter Street, and is shown as Parcel A on Plan of Land in Lowell, MA, dated January 22, 2016, last revised June 21, 2016, more particularly bounded and described as follows:

Beginning at a point on the southerly sideline of Carter Street, said point being the most northerly corner of the parcel; thence running

N 85°12'50" E	98.24' to a point of non-tangency; thence turning and running
EASTERLY	3.99' by a curve to the right having a radius of 42.35' to a point of non-tangency, said last two courses being by the southerly sideline of Carter Street; thence turning and running
SOUTHWESTERLY	30.56' by a curve to the left having a radius of 20.79' to a point of tangency; thence running
S 11°00'44" W	67.80' to a point of curvature; thence running
SOUTHERLY	136.96' by a curve to the right having a radius of 826.00' to a point of tangency; thence running
S 20°30'44" W	211.29' to a point of curvature; thence running
SOUTHERLY	27.98' by a curve to the left having a radius of 20.00' to a point of non-tangency; thence turning and running
N 71°14'23" W	86.30' by the northerly sideline of Moore Street to a point of non-tangency; thence turning and running
NORTHEASTERLY	27.51' by a curve to the left having a radius of 25.00' to a point of tangency; thence running
N 20°30'44" E	211.35' to a point of curvature; thence running
NORTHERLY	127.67' by a curve to the left having a radius of 770.00' to a point of tangency; thence running
N 11°00'44" E	43.06' to a point of curvature; thence running
NORTHWESTERLY	34.56' by a curve to the left having a radius of 18.79' to the POINT OF BEGINNING.

Containing 25,029 square feet or 0.575 acres, more or less.

"Prince Avenue"
Parcel B
Lowell, MA

A certain parcel of land located in the Commonwealth of Massachusetts, County of Middlesex, City of Lowell, situated on the easterly sideline of Prince Avenue and is shown as Parcel B on Plan of Land in Lowell, MA, dated January 22, 2016, last revised June 21, 2016, more particularly bounded and described as follows:

Beginning at a point on the northerly sideline of Prince Avenue, said point being the most southerly corner of the parcel; thence running

N 63°56'39" W	31.27' by the northerly sideline of Prince Avenue to a point; thence turning and running
N 13°31'20" E	48.00' to a point of non-tangency; thence turning and running
SOUTHERLY	64.07' by a curve to the right having a radius of 89.64' to the POINT OF BEGINNING.

Containing 971 square feet or 0.022 acres, more or less.

"Carter Street"
Parcel C
Lowell, MA

A certain parcel of land located in the Commonwealth of Massachusetts, County of Middlesex, City of Lowell, situated on the southerly sideline of Carter Street, and is shown as Parcel C on Plan of Land in Lowell, MA, dated January 22, 2016, last revised June 21, 2016, more particularly bounded and described as follows:

Beginning at a point on the southerly sideline Carter Street, said point being the most westerly corner of the parcel, thence running

N 04°47'10" W	35.00' to a point; thence turning and running
N 85°12'50" E	94.35' to a point of curvature; thence running
EASTERLY	110.27' by a curve to the right having a radius of 135.00' to a point of non-tangency; thence turning and running
S 13°31'20" W	48.00' to a point; thence turning and running
N 63°56'39" W	9.59' to a point; thence turning and running
N 55°53'36" W	62.14' to a point of curvature; thence running
WESTERLY	25.00' by a curve to the left having a radius of 42.35' to a point of non-tangency; thence turning and running
S 85°12'50" W	98.24' to the POINT OF BEGINNING.

Containing 7,791 square feet more or less.

The City of Lowell
Office of the City Clerk
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 423***

Meeting: **City of Lowell City Council**

Subject: **C. Leahy - Req. City Mgr. have Opiate Task Force convene to discuss Lowell General Hospital $100,000 grant as voted by Council on June 14, 2016.**

Recommendation:

Background:

Attachments:

The City of Lowell
Office of the City Clerk
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 424***

Meeting: **City of Lowell City Council**

Subject: **C. Leary - Req. City Mgr. report on the status of the upkeep of the grounds for "John Sheehy Memorial Park", Pawtucket Street.**

Recommendation:

Background:

Attachments:

The City of Lowell
Office of the City Clerk
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 425***

Meeting: **City of Lowell City Council**

Subject: **C. Leary - Req. City Mgr. report on the status for the "dirt parking lot" on Pawtucket Street adjacent to UML– South Campus, report to include recommendations to pave and/or improve the current status of the lot.**

Recommendation:

Background:

Attachments:

The City of Lowell
Office of the City Clerk
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 433***

Meeting: **City of Lowell City Council**

Subject: **C. Mercier - Req. City Mgr. invite new owner of the Spinners, Dave Heller, to a City Council meeting for introduction to Council and viewers and to address them as well.**

Recommendation:

Background:

Attachments:

The City of Lowell
Office of the City Clerk
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 434***

Meeting: **City of Lowell City Council**

Subject: **C. Mercier - Req. City Mgr. instruct Superintendent Taylor (LPD) have officers patrol any vehicles with loud or objectionable noise emitting from exhaust systems.**

Recommendation:

Background:

Attachments:

The City of Lowell
Office of the City Clerk
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 435***

Meeting: **City of Lowell City Council**

Subject: **C. Samaras - Req. City Mgr. provide update regarding status of the Hamilton Canal District parking garage.**

Recommendation:

Background:

Attachments:

The City of Lowell
Office of the City Clerk
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 443***

Meeting: **City of Lowell City Council**

Subject: **C. Belanger - Req. City Mgr. have proper department clean all gateways entering the City in preparation for the Lowell Folk Festival.**

Recommendation:

Background:

Attachments:

The City of Lowell
Office of the City Clerk
375 Merrimack Street • Lowell, MA 01852
www.LowellMA.gov

Agenda Item: ***2016 / 444***

Meeting: **City of Lowell City Council**

Subject: **C. Belanger - Req. City Mgr. update Council regarding the progress on the Smith Baker Center rehabilitation plan.**

Recommendation:

Background:

Attachments: