

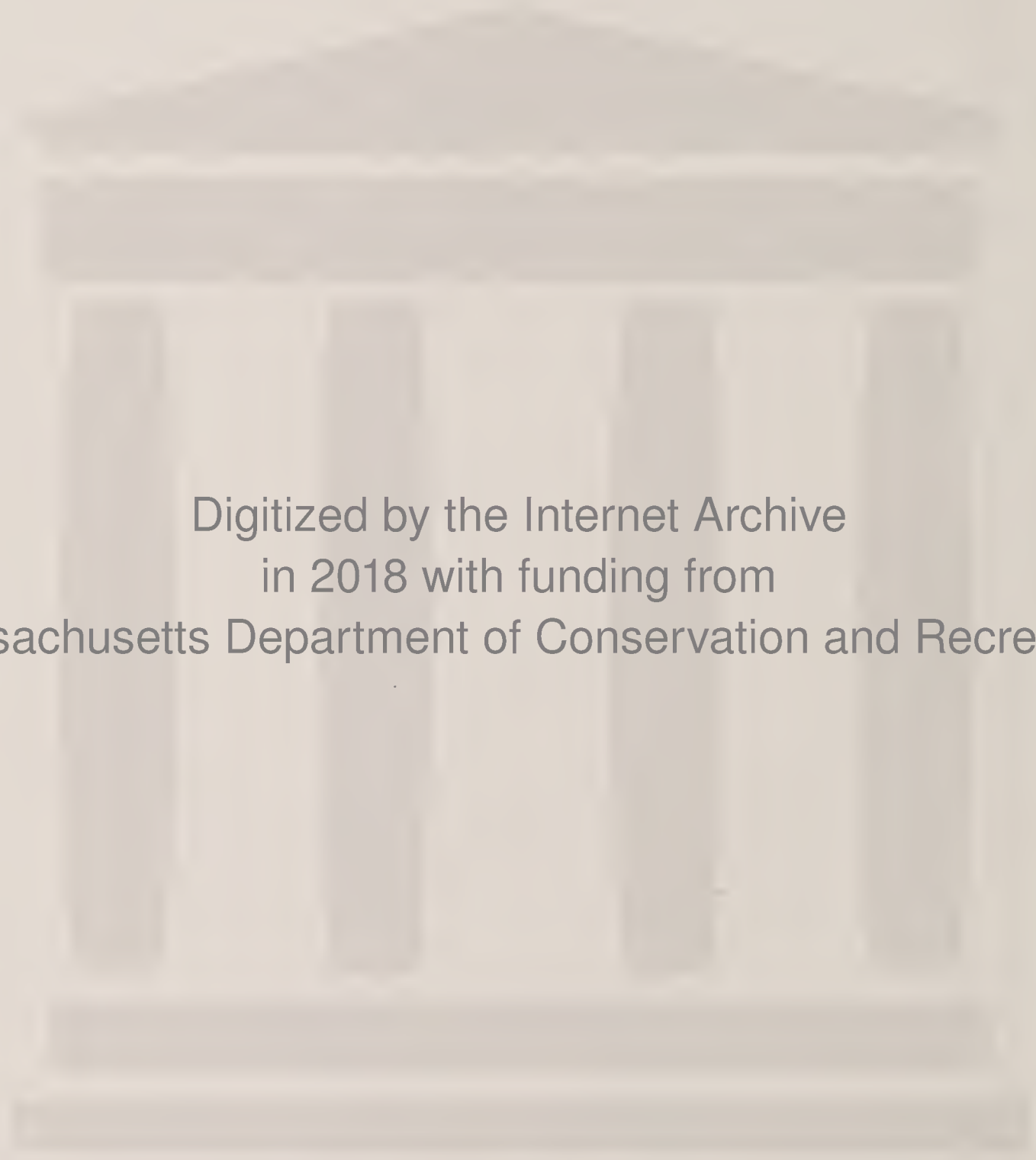


RECORDS

VOL. 47

METROPOLITAN
DISTRICT
COMMISSION

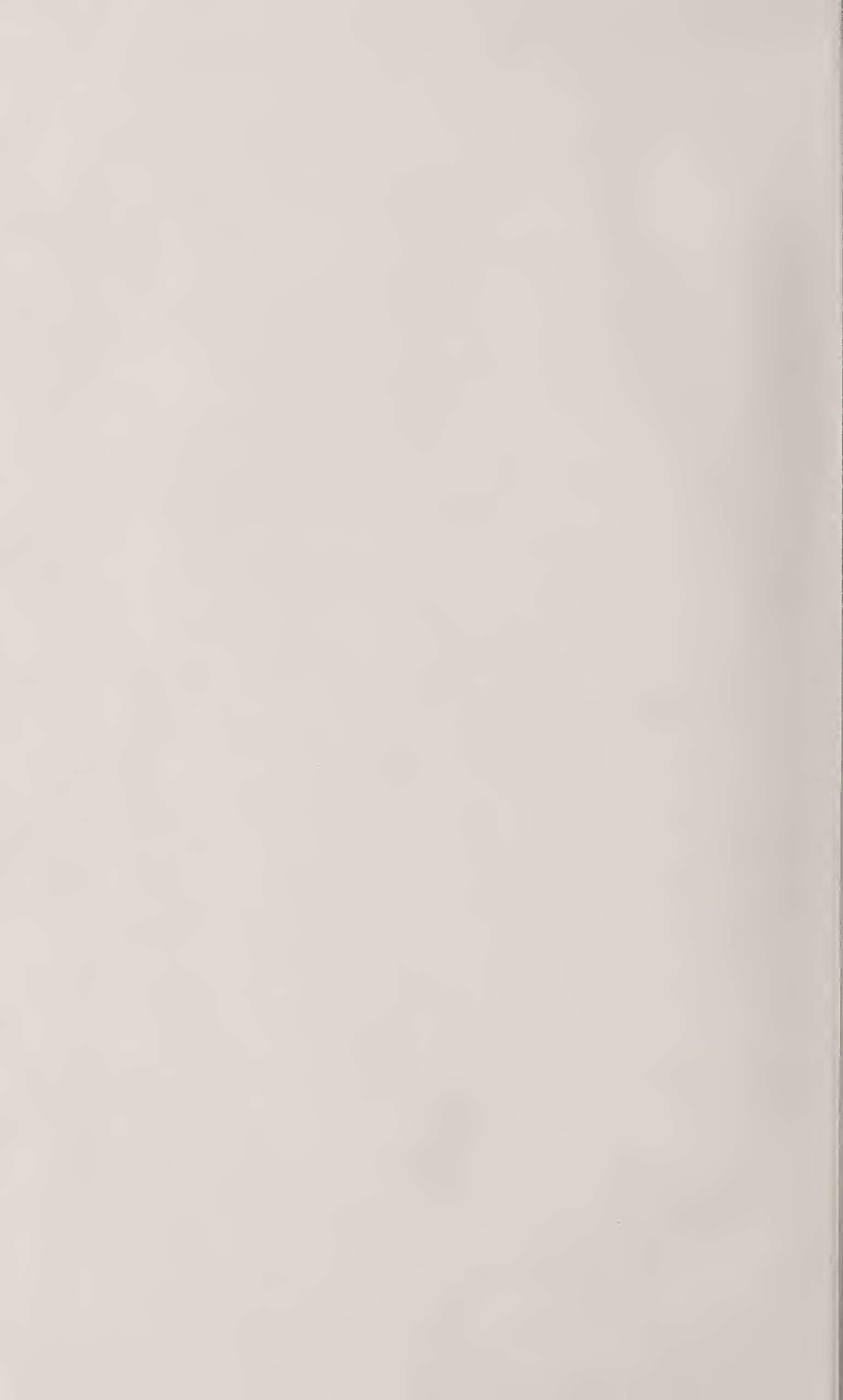
JUNE 9, 1983
TO
SEPT. 20, 1984



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3237th
June 9, 1983

Record of the Three Thousand Two Hundred and Thirty-Seventh (3237th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, June 9, 1983, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The records of the preceding meeting were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

- 1 Contract-Agreement, dated June 9, 1983, with Century Service Company, for Pest Control Services at Various Locations throughout the Metropolitan Parks District.
- 2 Contract No. P82-1130-C1A, dated June 9, 1983, with Bartlett Consolidated, Inc. and Bartlett International, Inc. (Joint Venture), for Replacement and Upgrading Guard Rail and Fences at Various Locations in the Metropolitan Parks System.
- 3 Second Amendment, dated June 9, 1983, to Contract-Agreement, dated March 4, 1982, with O'Brien & Gere Engineers, Inc., for Rehabilitation of Digesters at the Deer Island Sewage Treatment Plant, which revises the Scope of Services to eliminate monthly inspections and to include digester start-up assistance, review of requests for construction modifications, training sessions for digester system operation, preparation of a digester system operation and maintenance manual, and preparation of record drawings, at a cost of \$58,241.00, making the total contract amount \$317,986.00, and extends the Time for Performance to conclude two months after termination of the construction contract.
- 4 Contract No. P83-1245-M1A, dated June 9, 1983, with Farina Corp., for Servicing of Heating, Ventilating, and Air Conditioning (H.V.A.C.) at Franklin Park Zoo, including Tropical Forest Pavilion in Dorchester and Stone Memorial Zoo, Stoneham (FY 84).
- 5 Third Amendment, dated June 9, 1983, to Contract-Agreement, dated June 4, 1981, With O'Brien & Gere Engineers, Inc., for Evaluation of the Existing Physical Conditions and Need for Improvements to the 48-Inch Steel Water Main from Third Street, Medford, to Park Street, Chelsea, which increases the Scope of Work to include design of rehabilitation measures to Section 57, preparation of bid documents, and services during construction, and extends the Time for Performance by five months from date of authorization for Part III and two additional months after completion of the construction contract for Part IV.
- 6 Following a lengthy discussion concerning funding for Contract No. P82-1153-M1A, with Allied Weatherproofing Co., Inc., for Repairs to Swimming Pools and Service Buildings Within the Metropolitan Parks System, the Commission V O T E D: to amend its vote of June 2, 1983, (Volume 46, Page 283, Item 4), by striking out the figure "\$620,371.00," in the 4th line and inserting in place thereof the words and figures "\$437,460.00, which includes the Base Bid of \$418,410.00 plus Alternate 1, in the amount of \$19,050.00," so that the vote will read as follows:
 "The Commission V O T E D: to accept the lowest bid, that of Allied Weatherproofing Co., Inc., of \$437,460.00, which includes the Base Bid of \$418,410.00 plus Alternate No. 1, in the amount of \$19,050.00, on condition that the Massachusetts Department of Labor and Industries finds in favor of awarding the contract to Allied Weatherproofing Co., Inc."
 The Secretary then submitted for signature Contract No. P82-1153-M1A, dated June 9, 1983, with Allied Weatherproofing Co., Inc., which was signed by the Commissioner and four Associate Commissioners.
- 7 Report of Mr. O'Malley, June 9, requesting that the Commission rescind its vote of May 12, 1983, setting aside an additional sum of \$500.00 for the control of termites, should the need arise, in connection with the award of a contract to General Environmental Services for Pest Control Services at Franklin Park Zoo, Dorchester, and Walter D. Stone Memorial Zoo, Stoneham.
 The Commission V O T E D: to rescind its vote of May 12, 1983, (Volume 46, Page 273, Item 4), as requested by Mr. O'Malley in his report of June 9, 1983.
 The Commission further V O T E D: to set aside in another account the amount of \$500.00 for the control of termites should the need arise.
 The Secretary then submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:
 Contract-Agreement, dated June 9, 1983, with General Environmental Services, for Pest Control Services at Franklin Park Zoo, Dorchester, and Stone Memorial Zoo, Stoneham, for Fiscal Year 1984.
- 8 The Secretary submitted for signature Contract No. P82-1162-M1A, with Coviello Electric General Contracting Co., Inc., for Electrical Maintenance Work at Sports Facilities and Recreational Areas of the Metropolitan Parks System.
 The Commission V O T E D: Held over awaiting finding from Massachusetts Labor and Industries.



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(con.-)

Report of Mr. McCann, June 3, submitting Project Management Reports for the Water and Sewerage Divisions for the month ending May 31, 1983.
The Commission V O T E D: Held over.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 2 Report of Mr. McCarran, April 19, submitting quarterly update for the Parks Division's Fiscal Year 1983 and Fiscal Year 1984 Program.
The Commission V O T E D: Held over.
- 3 Report of Mr. McCarran, May 24, recommending approval of Extra Work Order No. 1, in the amount of \$339.00, for applying pressure test at the existing bed and piping at the Revere Rink, on Contract No. P81-0929-C1A, with Major Construction Management Corp., for Replacement of Refrigeration Systems at Revere, Medford, and Somerville Ice Skating Rinks.
The Commission V O T E D: Held over until the meeting scheduled to be held on Thursday, June 23, 1983.
- 4 Report of Mr. McCarran, May 24, recommending approval of Extra Work Order No. 2, in the amount of \$1,767.00, for replacement of 10 feet of header pipe and return loop at the Somerville Rink, on Contract No. P81-0929-C1A, with Major Construction Management Corp., for Replacement of Refrigeration Systems at Revere, Medford, and Somerville Ice Skating Rinks.
The Commission V O T E D: Held over until the meeting scheduled to be held on Thursday, June 23, 1983.
- 5 Report of Mr. McCarran, May 26, recommending approval of Alteration No. 1, at no additional cost to the Commission, for a gravity type retaining wall at the Revere Rink to supercede that shown on the contract drawings, on Contract No. P81-0929-C1A, with Major Construction Management Corp., for Replacement of Refrigeration Systems at Revere, Medford, and Somerville Ice Skating Rinks.
The Commission V O T E D: Held over until the meeting scheduled to be held on Thursday, June 23, 1983.
- 6 Report of Mr. McCarran, May 26, recommending approval of an extension of time from October 28, 1982 to June 10, 1983, on Contract No. P81-0975-C1A, with Inner Space Services, Inc., for Cleaning and Lining the Georges Island Water Main Extended from Hull, Massachusetts, to Georges Island, Boston Harbor.
The Commission V O T E D: Held over.
- 7 Report of Mr. McCarran, June 1, submitting Work Schedule Form, Project Summary Form, and Project Justification, for Repair to City of Lynn 36-Inch Drain Pipe that is broken and causing a section of the Lynnway to collapse, Project No. P83-1253-C1A, estimated cost - \$100,000.00, Account No. 2490-0009.
The Commission V O T E D: Approved.
- 8 Report of Mr. O'Malley, June 2, relative to Windsurfing/Boardsailing at MDC Parks Locations.
The Commission V O T E D: Held over.
- 9 Report of Mr. O'Malley, June 3, relative to an Update on the Memorandum of Understanding, between the MDC and Peddock's Island Trust, Inc., concerning the Development, Use, and Management of Peddock's Island in Boston Harbor, Massachusetts.
The Commission V O T E D: Held over.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 10 Report of Ms. Haggerty, May 25, requesting approval of an extension of time from June 17, 1983 to November 17, 1983, on Contract-Agreement No. S82-1011-S1A, with Camp, Dresser & McKee, Inc., for Facilities Planning Study of Charlestown, Massachusetts, Wastewater Pump Station, due to the following reasons:
 1. DWPC review and subsequent finalization of the Facilities Plan.
 2. Borings taken at the site of a proposed new Charlestown Pumping Station reveal extremely poor soil conditions and would suggest an entirely different design concept from that previously considered.
 3. Inspection of the sewer under the Mystic River could only be done during dry weather, at low tide, and during low flow periods.
The Commission V O T E D: to approve an extension of time from June 17, 1983 to November 17, 1983, as requested by Ms. Haggerty in her report of May 25, 1983, on condition that no further request will be made for additional compensation.
- 11 Report of Ms. Haggerty, May 27, requesting approval of Extra Work Order No. 3, in



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the amount of \$895.91, for emergency repairs to reset the rake guide and return Unit #1 back into service, on Contract No. S81-0819-C1A, with P. R. Johnson, Inc., for Installation of Heavy Duty Bar Screen Units and Appurtenances at Nut Island Sewage Treatment Plant, Quincy, Massachusetts.
The Commission V O T E D: to approve Extra Work Order No. 3, in the amount of \$895.91.

- 1 Report of Ms. Haggerty, May 27, submitting Work Schedule Form and Project Justification for Engine Maintenance Program at Nut Island Sewage Treatment Plant, Project No. S83-1105-M1A, estimated cost - \$80,000.00, Account No. 2430-9001.
The Commission V O T E D: Approved.
- 2 Report of Ms. Haggerty, May 24, submitting Revised Work Schedule Form for Repair of Belle Isle Siphon, Contract No. S83-1025-D1A, changing the design cost estimate from \$40,000.00 to \$49,990.00, and revising the timing to prepare the design contract.
The Commission V O T E D: Approved.
- 3 Report of Ms. Haggerty, June 1, submitting Work Schedule Form and Project Justification for Pavement Repair, Squantum Pumping Station, Project No. S83-1102, estimated cost - \$2,900.00, Account No. 2430-9001.
The Commission V O T E D: Approved.
- 4 Report of Mr. Baratta, May 31, requesting that the Commission ratify and approve the action of Commissioner Geary in undertaking Emergency Contracts for Repairs due to Coupling Failure at Deer Island Sewage Treatment Plant, Boston, Massachusetts, with Boston Shipyard Corporation, Jet-Line Services, Inc., P. R. Johnson, Inc., and General Electric Company, estimated cost - \$1,500,000.00, as outlined by Commissioner Geary in his letter to the Executive Office for Administration and Finance, dated May 9, 1983.
The Commission V O T E D: Ratified and approved.
- 5 Report of Mr. Baratta, June 2, requesting that \$1,000.00 of Amendment No. 1 money, for the lowering of the sewer due to the headhouse connector, be transferred to the original Contract-Agreement No. S80-0938-D1A, with Weston & Sampson Engineers, Inc., to be used to revise the easement drawings.
The Commission V O T E D: Approved as requested by Mr. Baratta in his report of June 2, 1983.

Action was taken upon the following matter relating to the Metropolitan Water Supply System:

- 6 Report of Mr. Martorana, June 2, recommending that the Commission authorize Metcalf & Eddy, Inc., Consultant under Contract-Agreement No. W80-0798-S1A, for Sudbury Reservoir Pilot Plant Studies, to utilize "Additional Services," Items 6G.3 through 6G.5, for data analysis and report on Winter pilot plant operation, at a cost not to exceed \$33,164.00.
The Commission V O T E D: Approved as recommended by Mr. Martorana in his report of June 2, 1983.

Action was taken upon the following Various Matters:

- 7 Report of Mr. Moulaison, May 24, requesting that the maximum obligation, for Fiscal Year 1983, for payment for medical, surgical, and hospital expenses for Police Officers injured in the line of duty, be increased from \$80,000.00 to \$105,000.00.
The Commission V O T E D: Held over.
- 8 Letters of the Massachusetts Department of Public Works, April 11 and May 11, relative to Agreement granting permission to the Department of Public Works to use a parcel of MDC land adjacent to the Charles River Dam facilities, for a period of three years beginning on June 1, 1983, and terminating on May 31, 1986, for parking purposes in connection with Vanpooling under the Governor's Energy Program.
The Commission V O T E D: Held over.

The following matter was placed on the agenda for the information of the Commission:

- 9 The following schedules were approved for payment by the Commissioner during the period from May 30, 1983 to June 6, 1983:

Invoices	\$ 619,523.62
Reservation of Funds	\$ 1,391,279.64
Advices of Change	\$ 300,850.00



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Weekly Payroll	\$ 812,243.62
Industrial Accident Report	\$ 58,552.54
Medical Payments	\$ 1,637.51
Request for Advances	\$ 770,000.00.

ADJOURNED at 3:30 P.M., to meet on Thursday, June 16, 1983, at 10:00 A.M.

William F. Cusack
S e c r e t a r y .

3238th
June 16, 1983

Record of the Three Thousand Two Hundred and Thirty-Eighth (3238th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, June 16, 1983, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Fontanez, Jones, and Scandrett.

The records of the preceding meeting were read and approved.

- 1 At this point, Associate Commissioners Fontanez, Jones, and Scandrett commended Mr. Noel D. Baratta, Director of the Sewerage Division, and Ms. Jean M. Haggerty, Director of Project Planning & Management, for their recent informative briefing on the MDC Sewerage System and the Combined Sewer Overflows.
- 2 The Secretary submitted for signature Contract No. P82-1162-M1A, with Coviello Electric General Contracting Co., Inc., for Electrical Maintenance Work at Sports Facilities and Recreational Areas of the Metropolitan Parks System.
The Commission V O T E D: Held over; John W. Wright, General Counsel, to prepare and send a letter to the Department of Labor and Industries expressing:
 - (a) The Commission's concern with the delay in receiving a written opinion on Contract No. P82-1162-M1A which is causing problems in properly maintaining MDC Sports Facilities and Recreational Areas.
 - (b) The Commission's concern relative to the delay in receiving a formal opinion on the results of the hearing on the appeal of a filed subcontractor on the "Plumbing" section of Contract No. P82-1153-M1A - Repairs to Swimming Pools and Service Buildings Within the Metropolitan Parks System.
- 3 At this point, Associate Commissioners Fontanez, Jones, and Scandrett made note of last week's presentation concerning the Southwest Corridor and expressed their concern with unresolved questions concerning the MDC's possible future role in the project.
- 4 Report of Mr. McCann, June 3, submitting Project Management Reports for the Water and Sewerage Divisions for the month ending May 31, 1983.
Mr. McCann reported that there are 53 ongoing projects in the Water Division's Fiscal Years 1983-1984 Work Schedule and that 2 of these projects have deviated from the approved Work Schedule. He then reviewed the Exception Reports and went over the reasons for the delays and the proposed corrective action on the following projects:
 - W80-0871-X1A - Exploratory Excavation for Replacement of Certain Water Mains in Arlington, Boston, Brookline, Cambridge, Medford, and Somerville.
 - W83-1023 - Cleaning of the Rutland-Holden Sewer.
 The Commission V O T E D: to accept the Project Management Reports for the Water Division for the month ending May 31, 1983.
Mr. McCann then addressed the Sewerage Division's Project Management Reports and stated that there are 46 ongoing projects in that Division's Fiscal Year 1983-1984 Work Schedule with 3 of these projects deviating from the approved Work Schedule. He then reviewed the Exception Reports and went over the reasons for the delays and the proposed corrective action on the following projects:
 - S83-1025-D1A - Repair of Belle Isle Siphon.
 - S83-1022-D1A - Design of Fox Point CSO Facility.
 - S80-0852-C1A - Shaft Overflow Containment Structures, Deer Island.
 The Commission V O T E D: to accept the Project Management Reports for the Sewerage Division for the month ending May 31, 1983.

Action was taken upon the following matters relating to the Metropolitan Parks System:
 - 5 Report of Mr. McCarran, April 19, submitting quarterly update for the Parks Division's Fiscal Year 1983 and Fiscal Year 1984 Program.
Mr. Joseph Capone, Director of Project Planning & Management, reviewed the following projects which are part of the Parks Division's Fiscal Year 1983 and Fiscal

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Year 1984 Program:

Program 2 - Coastal Beach and Shore Management

P77-0470-D1A - Belle Isle Marsh Reservation, Phase II.

P80-0793-D1A - Maritime Work, South Boston

P81-0975-C1A - Repair Water Service Line, Georges Island.

Program 3 - River Basins & Streams

P78-0667-D1A - Amelia Earhart Dam - Repairs & Renovations.

The Commission V O T E D: to approve Project No. P77-0470-D1A, Belle Isle Marsh Reservation, Phase II, with modifications to the work, which will be presented to the Commission in the 1984-1985 yearly program.

The Commission further V O T E D: to approve Project No. P80-0793-D1A, Maritime Work, South Boston, with modifications to the work, which will be presented to the Commission in the 1984-1985 yearly program.

The Commission further V O T E D: to delete Project No. P81-0975-C1A, Repair Water Service Line, Georges Island, from the agenda; the project schedule status will remain the same as of April 1, 1983.

The Commission further V O T E D: to approve Project P78-0667-D1A, Amelia Earhart Dam - Repairs & Renovations, with modifications to the work, which will be presented to the Commission in the 1984-1985 yearly program.

1 Report of Mr. McCarran, May 26, recommending approval of an extension of time from October 28, 1982 to June 10, 1983, on Contract No. P81-0975-C1A, with Inner Space Services, Inc., for Cleaning and Lining the Georges Island Water Main Extended from Hull, Massachusetts, to Georges Island, Boston Harbor.
 The Commission V O T E D: Delete from the agenda.

2 Report of Mr. O'Malley, June 2, relative to Windsurfing/Boardsailing at MDC Parks Locations.
 The Commission V O T E D: Held over.

3 Report of Mr. O'Malley, June 3, relative to an Update on the Memorandum of Understanding, between the MDC and Peddock's Island Trust, Inc., concerning the Development, Use, and Management of Peddock's Island in Boston Harbor, Massachusetts. At this point, Mr. John Bok, President - Board of Trustees, Peddock's Island Trust, Inc., appeared before the Commission and introduced Officers and Staff of the Trust and also representatives of various groups involved in the program. He then brought the Commission up to date on the activities and improvements which have taken place on the Island since the Memorandum of Understanding was signed on June 3, 1982.
 Mr. Richard Charlton, Superintendent of Schools - Town of Hull, spoke of the value of an educational program conducted by the Trust which involves students of Hull High School. He offered his endorsement of the program and stated that he would like to see the program expanded to encompass more school systems in the area.
 Mr. James Henkle, of the Governor's Office for Educational Affairs, expressed his endorsement of Peddock's Island Trust, Inc. and, in particular, the educational program provided for the students of Hull High School.
 Mr. Michael Westgate, Executive Director of Peddock's Island Trust, Inc., spoke of the cooperation the Trust has received from the MDC, businesses, non-profit organizations, schools, and the general public. He reviewed the matter of finances and a long-range plan for the Island. Mr. Westgate went on to say that the Quincy CETA Program will be providing personnel and funds to undertake improvements on the Island this year.
 The members of the Commission commended the Staff of Peddock's Island Trust, Inc. for their efforts and accomplishments over the past year.
 The Commission V O T E D: Placed on file.

4 Report of Mr. McCarran, June 10, on bids for Servicing and Maintaining Traffic Signal and Traffic Signal Control Systems on Parkways and Roadways of the MDC, Contract No. P82-1157-M1A.
 The Commission V O T E D: Held over.

5 Report of Mr. McCarran, June 8, on bids for Washing Tile Walls of Storrow, Berkeley, and Longfellow Tunnels, Boston - Cambridge, Contract No. P82-1166-M1A.
 The Commission V O T E D: to accept the lowest bid, that of M. M. W. Associates, of \$8,170.00.

6 Report of Mr. McCarran, June 9, on bids for Maintenance of Street Lighting Systems on Parkways and Roadways of the MDC, Contract No. P82-1159-M1A.
 The Commission V O T E D: Held over awaiting results of a hearing before the Department of Labor and Industries.

7 Report of Mr. McCarran, June 6, recommending the following on Contract No. P81-0965-C1A (E81-15PE), with Bonacorso Construction Corp., for Bridge Repairs, William Reid Overpass and Conrail Bridge, Memorial Drive, Cambridge, Massachusetts:



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- (a) That the work be accepted as completed as of May 1, 1983.
- (b) That Estimate No. 9 (Final), in the amount of \$49,571.70, be approved for payment.
- (c) That reserve, in the amount of \$26,579.79, be approved for payment on July 4, 1983.

The Commission V O T E D: that the work of Bonacorso Construction Corporation, contractor under Contract No. P81-0965-C1A (E81-15PE), for Bridge Repairs, William Reid Overpass and Conrail Bridge, Memorial Drive, Cambridge, Massachusetts, be and hereby is accepted as completed as of May 1, 1983.

The Commission further V O T E D: to approve Estimate No. 9 (Final), in the amount of \$49,571.70, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$26,579.79, for payment on July 4, 1983.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 1 Report of Mr. Baratta, May 26, recommending the following on Contract-Agreement No. S78-0652, with O'Brien & Gere Engineers, Inc., for Facilities Planning for the Inner Harbor Combined Sewer Overflow:

- (a) That the work be accepted as completed as of December 17, 1982.
- (b) That Invoice No. 37 (Final), in the amount of \$4,448.75, be approved for payment.

The Commission V O T E D: that the work of O'Brien & Gere Engineers, Inc., Consultant under Contract-Agreement No. S78-0652, for Facilities Planning for the Inner Harbor Combined Sewer Overflow, be and hereby is accepted as completed as of December 17, 1982.

The Commission further V O T E D: to approve Invoice No. 37 (Final), in the amount of \$4,448.75, for payment.

- 2 Report of Ms. Haggerty, June 10, submitting Revised Work Schedule Form for Project No. S79-0655 - Framingham Extension Relief Sewer Project.
The Commission V O T E D: Approved.

- 3 Report of Ms. Haggerty, June 8, requesting approval of an extension of time from May 31, 1983 to July 1, 1983, on Contract-Agreement No. S81-0201-S1A, with SEA Consultants, Inc., for Facilities Planning - Reading Pumping Station, to allow time for printing and binding the final report.
The Commission V O T E D: to approve an extension of time from May 31, 1983 to July 1, 1983, as requested by Ms. Haggerty in her report of June 8, 1983, on condition that no further request will be made for additional compensation.

Action was taken upon the following matter relating to the Metropolitan Water Supply System:

- 4 Report of Mr. Gillis, June 2, recommending the following on Emergency Contract, with P. Gioioso & Sons, Inc., for Repair of Break in 48-Inch Water Main, Webster Avenue, Somerville, Massachusetts:

- (a) That the work be accepted as completed as of March 25, 1983.
- (b) That Estimate No. 1 (Final), in the amount of \$22,418.26, be approved for payment.
- (c) That reserve, in the amount of \$1,179.91, be approved for payment.

The Commission V O T E D: that the work of P. Gioioso & Sons, Inc., contractor under Emergency Contract for Repair of Break in 48-Inch Water Main, Webster Avenue, Somerville, Massachusetts, be and hereby is accepted as completed as of March 25, 1983.

The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of \$22,418.26, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$1,179.91, for payment.

Action was taken upon the following Various Matters:

- 5 Report of Mr. Moulaison, May 24, requesting that the maximum obligation, for Fiscal Year 1983, for payment for medical, surgical, and hospital expenses for Police Officers injured in the line of duty, be increased from \$80,000.00 to \$105,000.00.

The Commission V O T E D: Approved as requested by Mr. Moulaison in his report of May 24, 1983.

- 6 Letters of the Massachusetts Department of Public Works, April 11 and May 11, relative to Agreement granting permission to the Department of Public Works to use a parcel of MDC land adjacent to the Charles River Dam facilities, for a period of three years beginning on June 1, 1983, and terminating on May 31, 1986, for

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parking purposes in connection with Vanpooling under the Governor's Energy Program.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Agreement, dated June 16, 1983, with the Massachusetts Department of Public Works, which was signed by the Commissioner and three Associate Commissioners.

- 1 Letter of Charles River Watershed Association, May 10, relative to a long-term (99-year) lease of the MDC Building situated at 2391 Commonwealth Avenue in the Auburndale Section of the City of Newton, Massachusetts; also report of Mr. McCarran, June 14.

At this point, Ms. Rita Barron, Executive Director, and Mr. Lawrence Allen, Vice-President, of the Charles River Watershed Association, were introduced to the Commission.

Ms. Barron gave a brief history of the work performed by the Association in improving and protecting the Charles River and its Watershed. She then presented photographs of the interior and exterior of the building at 2391 Commonwealth Avenue which the Association presently occupies under Permit from the Commission. Ms. Barron stated at the present time the Association occupies one-half of the structure while the other half is used as a Field Office for MDC Engineers, which she feels is under-utilized. Ms. Barron explained that the existing exhibit space in the Association's section of the building is severely limited, and also that meeting space is virtually non-existent. She went on to say that the Association has had two surveys performed recently to ascertain what the cost would be to renovate the structure and that both estimates were approximately \$50,000.00. Ms. Barron stated that the Association is prepared to launch a fund drive to raise the money and has every confidence that the drive will be successful. She explained that these funds cannot be committed for a short-term lease and, therefore, the Association is looking for a long-term lease, preferably 99 years. Associate Commissioner Scandrett stated that he felt the goals and purposes of the Charles River Watershed Association are comparable with those of the MDC, but that he had reservations in granting a 99-year lease because the goals of the Association could change over the years. He went on to say that if the Commission approves a lease of the structure to the Charles River Watershed Association, any changes in the By-Laws of the Association should be subject to Commission approval.

Associate Commissioner Jones stated that he had reservations in granting even a 20 to 25 year lease.

Commissioner Geary spoke of his favorable impressions of the Charles River Watershed Association since he has been Commissioner. He stated that he would like the time period of the lease negotiable; that 99 years was too long. He went on to say that he would consider negotiating a shorter term lease but that, in any event, the architectural character of the building must be preserved.

Following a lengthy discussion, the Commission V O T E D: Taken under advisement for further discussions between the MDC and the Charles River Watershed Association.

The following matter was placed on the agenda for the information of the Commission:

- 2 The following schedules were approved for payment by the Commissioner during the period from June 6, 1983 to June 13, 1983:

Invoices	\$ 1,531,001.64
Reservation of Funds	\$ 247,462.79
Advices of Change	\$ 469,512.02
Weekly Payroll	\$ 911,844.41
Medical Payments	\$ 12,399.98
Request for Advances	\$ 175,000.00.

ADJOURNED at 3:15 P.M., to meet on Thursday, June 23, 1983, at 10:00 A.M.

William F. Chisholm
S e c r e t a r y .

3239th
June 23, 1983

Record of the Three Thousand Two Hundred and Thirty-Ninth (3239th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, June 23, 1983, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The records of the preceding meeting were read and approved.

- 3 The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

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Contract No. P82-1162-M1A, dated June 23, 1983, with Coviello Electric General Contracting Co., Inc., for Electrical Maintenance Work at Sports Facilities and Recreational Areas of the Metropolitan Parks System.

The Commission then directed John W. Wright, MDC General Counsel, to prepare and send a letter to Peter Waltonen, Esq., Sr. Counsel, Massachusetts Labor and Industries, stating that the urgency in maintaining Metropolitan Parks Summer Facilities required the Commission to act upon Mr. Waltonen's decisions, which were verbally given to the MDC General Counsel's Office on June 3, 1983, for sub-bidder Davis Plumbing, Inc. on Contract No. P82-1153-M1A - Repairs to Swimming Pools and Service Buildings Within the Metropolitan Parks System, and on June 22, 1983, for Coviello Electric Company on Contract No. P82-1162-M1A - Electrical Maintenance Work at Sports Facilities and Recreational Areas of the Metropolitan Parks System, and request Mr. Waltonen's decisions, in writing, to make this Commission's files complete.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

- 1 Contract No. P82-1160-M1A, dated June 23, 1983, with Demco Sign Co., Inc., for Servicing Truck Warning Sign Signal Systems on Parkways and Roadways of the Metropolitan District Commission.
- 2 First Amendment, dated June 23, 1983, to Contract-Agreement, dated March 19, 1982, with Whitman & Howard, Inc., for Design of 4,500 Linear Feet of Pipeline, Hyde Park Avenue, Hyde Park, Massachusetts, which transfers funds, in the amount of \$23,596.43, from "Additional Services" to the "Basic Services" portion of the contract and extends the Time for Performance to July 23, 1983.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 3 Report of Mr. McCarran, June 10, on bids for Servicing and Maintaining Traffic Signal and Traffic Signal Control Systems on Parkways and Roadways of the MDC, Contract No. P82-1157-M1A.
The Commission V O T E D: Held over.
- 4 Report of Mr. McCarran, June 9, on bids for Maintenance of Street Lighting Systems on Parkways and Roadways of the MDC, Contract No. P82-1159-M1A.
The Commission V O T E D: to accept the lowest bid, that of Penachio Bros. Elec. Corp., of \$395,427.55.
- 5 Report of Mr. McCarran, May 24, recommending approval of Extra Work Order No. 1, in the amount of \$339.00, for applying pressure test at the existing bed and piping at the Revere Rink, on Contract No. P81-0929-C1A, with Major Construction Management Corp., for Replacement of Refrigeration Systems at Revere, Medford, and Somerville Ice Skating Rinks.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$339.00.
- 6 Report of Mr. McCarran, May 24, recommending approval of Extra Work Order No. 2, in the amount of \$1,767.00, for replacement of 10 feet of header pipe and return loop at the Somerville Rink, on Contract No. P81-0929-C1A, with Major Construction Management Corp., for Replacement of Refrigeration Systems at Revere, Medford, and Somerville Ice Skating Rinks.
The Commission V O T E D: to approve Extra Work Order No. 2, in the amount of \$1,767.00.
- 7 Report of Mr. McCarran, May 26, recommending approval of Alteration No. 1, at no additional cost to the Commission, for a gravity type retaining wall at the Revere Rink to supercede that shown on the contract drawings, on Contract No. P81-0929-C1A, with Major Construction Management Corp., for Replacement of Refrigeration Systems at Revere, Medford, and Somerville Ice Skating Rinks.
The Commission V O T E D: to approve Alteration No. 1, at no additional cost to the Commission.
- 8 Report of Mr. McCarran, June 7, recommending approval of Extra Work Order No. 3, in the amount of \$3,923.00, for installation of a floor drain and gasoline trap at the Revere Rink, on Contract No. P81-0929-C1A, with Major Construction Management Corp., for Replacement of Refrigeration Systems at Revere, Medford, and Somerville Ice Skating Rinks.
The Commission V O T E D: to approve Extra Work Order No. 3, in the amount of \$3,923.00.
- 9 Report of Mr. McCarran, June 7, recommending approval of Extra Work Order No. 4, in the amount of \$57,088.12, for electrical work at the Revere and Medford Rinks, on Contract No. P81-0929-C1A, with Major Construction Management Corp., for Re-

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placement of Refrigeration Systems at Revere, Medford, and Somerville Ice Skating Rinks; also letter of Major Construction Management Corp., June 16, agreeing to a revised combined electrical price of \$56,088.12.

The Commission reviewed the breakdown of costs involved in the Extra Work Order. Associate Commissioner Jones stated that it was his feeling that if the Parks Division had an adequate level of staffing of Engineers, this Extra Work Order might have been avoided.

The Commission V O T E D: to approve Extra Work Order No. 4, in the amount of \$56,088.12.

1 Report of Mr. McCarran, June 8, recommending approval of Extra Work Order No. 5, in the amount of \$834.00, for splitting the chiller unit and reassembling it in the machine room at the Somerville Rink, on Contract No. P81-0929-C1A, with Major Construction Management Corp., for Replacement of Refrigeration Systems at Revere, Medford, and Somerville Ice Skating Rinks.
The Commission V O T E D: to approve Extra Work Order No. 5, in the amount of \$834.00.

2 Report of Mr. McCarran, June 16, recommending approval of an extension of time from June 11, 1983 to September 30, 1983, on Contract No. P81-0929-C1A, with Major Construction Management Corp., for Replacement of Refrigeration Systems at Revere, Medford, and Somerville Ice Skating Rinks for the completion of the installation of a drain line and gas trap at the Revere Rink and the installation of new electrical service at the Revere and Medford Rinks.
Mr. McCarran stated that Major Construction Management Corp. has previously been granted an extension of time until November 1, 1983, for the equipment start-up phase only. He explained that an extension of time is now being requested for the completion of the installation of all work relative to the three refrigeration systems. He went on to say that ice cannot be made earlier due to warm weather and possible damage to the ice-making equipment.
The Commission asked if this delay would have an adverse effect on the rink openings.
Mr. McCarran responded that, in his opinion, the three rinks would open on time if no unexpected problems arise.
The Commission V O T E D: to approve an extension of time from June 11, 1983 to September 30, 1983, as recommended by Mr. McCarran in his report of June 16, 1983, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3 Report of Mr. McCarran, June 23, recommending that the Commissioner be authorized to apply to the Federal Energy Regulatory Commission for Preliminary Permits for the Proposed Development of the Cochrane Dam Hydropower Project and the Proposed Development of the Cordingly Dam Hydropower Project.
The Commission V O T E D: to approve the applications; Commissioner William J. Geary authorized to sign said applications for, and on behalf of, the Commission.

4 Report of Mr. O'Malley, June 2, relative to Windsurfing/Boardsailing at MDC Parks Locations.
The Commission V O T E D: Held over for additional review.
Commissioner Geary directed that Captain Richard Feeney, of the Marine Division, appear at the meeting of the Commission scheduled for Thursday, June 30, 1983, to present his recommendation concerning the request of Europa Windsurfing.

5 Report of Mr. O'Malley, June 15, on bids for the Collection of Waste and Rubbish from Dumpsters Within the Metropolitan Parks District for Fiscal Year 1984.
Commissioner Geary stated that Mr. Wallace Magnell, Superintendent of the Mystic District, had registered complaints concerning the work performance of Charles Lee Disposal, Inc. during the past year.
The Commission then considered the possibility of not awarding any contract to Charles Lee Disposal, Inc. for Fiscal Year 1984.
Mrs. Marion Minichiello, of the Parks Division, stated that if the Commission did not award the contract to Charles Lee Disposal, Inc., all of the contracts would have to be readvertised. She went on to say that readvertising would result in the Commission being without rubbish pickups for several weeks. Mrs. Minichiello recommended that Charles Lee Disposal, Inc. be awarded the contract and be notified of the Commission's displeasure with last year's work performance; and also if there is any breach of its contract this year, the Commission will terminate the contract with Charles Lee Disposal, Inc., for Fiscal Year 1984, immediately.
The Commission V O T E D: to award contracts for the Collection of Waste and Rubbish from Dumpsters Within the Metropolitan Parks District for Fiscal Year 1984, as follows:

- Charles Lee Disposal, Inc. - Community Boathouse, North End Rink, Franklin Park Zoo, Neponset District, MDC Stables - Milton, Ponkapoag Golf Course, Martin Golf Course, Bajko Rink.

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M. J. Connolly & Sons, Inc. - Camp Nihan, Wellington Police Station, Breakheart Reservation, Stoneham Yard, Hormel Stadium, Nahant Yard, Stoneham Zoo, Amelia Earhart Dam, Revere Yard, MDC Stables - Stoneham.

SCA Disposal Services of New England, Inc. - Lower Basin - Maintenance Yard, Tenean Beach, Wollaston Sub-Station, Castle Island - Sailing Program, Nantasket, Nahant Yard, Revere (1 50-Yard Box).

The Commission further V O T E D: that Mr. George R. O'Malley, Director of Reservations & Recreation, notify Charles Lee Disposal, Inc. of the Commission's displeasure with its work performance during Fiscal Year 1983, and that if there is any breach of its contract this year, the Commission will terminate the contract, with Charles Lee Disposal, Inc., for Fiscal Year 1984, immediately.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

Contract-Agreement, dated June 23, 1983, with Charles Lee Disposal, Inc.

Contract-Agreement, dated June 23, 1983, with M. J. Connolly & Sons, Inc.

The Secretary submitted for signature the following paper which was signed by the Commissioner and two Associate Commissioners:

Contract-Agreement, dated June 23, 1983, with SCA Disposal Services of New England, Inc.

- 1 Report of Mr. McCarran, June 16, on bids for Servicing of Heating, Ventilating, and Air Conditioning (HVAC) at New Charles River Dam, Charlestown, Massachusetts, Fiscal Year 1984, Contract No. P83-1240-M1A.

Mr. McCarran stated that he was recommending that the contract be awarded to the lowest bidder, P. H. Mechanical Corp.

The Commission questioned the disparity in the Engineer's Estimate of \$50,000.00 and the bid of P. H. Mechanical Corp. of \$17,850.00 for the work.

Mr. McCarran responded that it was very difficult for the Engineer to estimate the cost due to the fact that this was the first time that this contract was put out to bid. He went to say that next year he will be able to come before the Commission with an estimate based on this year's experience.

The Commission V O T E D: to accept the lowest bid, that of P. H. Mechanical Corp., of \$17,850.00.

- 2 Letter of Revere/Saugus Riding Academy, Inc., May 26, requesting permission to continue to operate Horse-Drawn Tours at Revere Beach for the 1983 Summer Season; also reports of Captain Carli, June 20, and Mr. O'Malley, June 23.

At this point, Mr. Wallace Ward, of the Revere/Saugus Riding Academy, Inc., appeared before the Commission and outlined his proposed operation of the Horse-Drawn Tours.

Following a brief discussion, Commissioner Geary recommended that a fee of \$10.00 be charged for the permit.

The Commission V O T E D: Approved; Revere/Saugus Riding Academy, Inc. to pay a \$10.00 fee; and Secretary Chisholm to prepare the permit.

- 3 At this point, Mr. Francis H. McCarran, Jr., Director of Parks, appeared before the Commission and provided a brief history of the MDC's involvement in the Chelsea Naval Hospital Park Project. He then introduced Mr. Johannes Wagner of Storch Associates, the MDC's Consultant on the project. Mr. McCarran explained that Mr. Wagner would present a slide show which would provide helpful information to the Commission in their consideration of overruns, extra work orders, and an extension of time on Contract No. P79-0721-C2A, with D. Cicconi, Inc., for Site Improvements, Construction of Recreational Facilities at Chelsea Naval Hospital Park, which are on the agenda of this meeting.

Mr. Wagner proceeded to give the slide presentation which illustrated the changes which had taken place between the original design and the commencement of work by the MDC's contractor. He described the unanticipated changes to the planned grading and drainage patterns in the adjacent areas, which are under development by the City of Chelsea and its developer. Mr. Wagner stated that he felt that these changes have been responsible for additional work in correcting surface and sub-surface drainage problems by the MDC's contractor. Mr. Wagner went on to say that additional site work, including grading and landscaping, has been caused by the dumping of spoil and other material on MDC property. He then displayed slides of the site, both during design and construction phases, to illustrate the on-site dumping which was done by parties unknown. Mr. Wagner stated that the on-site dumping seems to have occurred between the time of original design and the arrival of the MDC's contractor on site. Mr. Wagner also displayed slides showing the difference in the grades of roadway utilities and other items installed by the City of Chelsea; and also the required designer grades which were furnished to the City of Chelsea's Consultant by Storch Associates.

Following a lengthy discussion, Commissioner Geary stated that he would meet with Officials of the City of Chelsea and its contractors to ascertain if there is any liability on the part of the City of Chelsea's contractors for not following the grades furnished by Storch Associates; the dumping which took place at the site; and the preparation of a Management Agreement. Commissioner Geary will confer

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with Messrs. McCann, Wright, McCarran, and Secretary Chisholm concerning the preparation of a letter to the City of Chelsea.

- 1 Report of Mr. McCarran, June 7, requesting approval of overruns, totaling \$5,400.00, on Contract No. P79-0721-C2A, with D. Cicconi, Inc., for Site Improvements, Construction of Recretational Facilities at Chelsea Naval Hospital Park, as follows:
 - Item No. 17 - "Structures Adjusted" - \$2,900.00
 - Item No. 19 - "Hydrant Adjusted" - \$2,500.00.
 The Commission V O T E D: to approve overruns on Item No. 17 - "Structures Adjusted" and Item No. 19 - "Hydrant Adjusted," at a total additional cost of \$5,400.00, as requested by Mr. McCarran in his report of June 7, 1983.

- 2 Report of Mr. McCarran, May 24, requesting approval of overruns, totaling \$1,200.00, on Contract No. P79-0721-C2A, with D. Cicconi, Inc., for Site Improvements, Construction of Recreational Facilities at Chelsea Naval Hospital Park, as follows:
 - Item No. 21 - "Catch Basin" - \$1,000.00
 - Item No. 23 - "Catch Basin Frame and Grade #12" - \$ 200.00.
 The Commission V O T E D: to approve overruns on Item No. 21 - "Catch Basin" and Item No. 23 - "Catch Basin Frame and Grade #12," at a total additional cost of \$1,200.00, as requested by Mr. McCarran in his report of Mary 24, 1983.

- 3 Report of Mr. McCarran, May 31, requesting approval of overruns, totaling \$1,700.00, on Contract No. P79-0721-C2A, with D. Cicconi, Inc., for Site Improvements, Construction of Recreational Facilities at Chelsea Naval Hospital Park, as follows:
 - Item No. 22 - "Manhole" - \$1,500.00
 - Item No. 24 - "Manhole Frame and Cover #4" - \$ 200.00.
 The Commission V O T E D: to approve overruns on Item No. 22 - "Manhole" and Item No. 24 - "Manhole Frame and Cover #4," at a total additional cost of \$1,700.00, as requested by Mr. McCarran in his report of May 31, 1983.

- 4 Report of Mr. McCarran, May 23, requesting approval of overrun, in the amount of \$17,374.22, on Item No. 75 - "Seeding Regular Mix," under Contract No. P79-0721-C2A, with D. Cicconi, Inc., for Site Improvements, Construction of Recreational Facilities at Chelsea Naval Hospital Park.

The Commission V O T E D: to approve overrun on Item No. 75 - "Seeding Regular Mix," at an additional cost of \$17,374.22, as requested by Mr. McCarran in his report of May 23, 1983.

- 5 Report of Mr. McCarran, May 31, recommending approval of Extra Work Order No. 2, in the amount of \$1,582.00, for rebuilding a brick masonry pier at the Broadway Street entrance to the project, on Contract No. P79-0721-C2A, with D. Cicconi, Inc., for Site Improvements, Construction of Recreational Facilities at Chelsea Naval Hospital Park.

The Commission V O T E D: to approve Extra Work Order No. 2, in the amount of \$1,582.00.

- 6 Report of Mr. McCarran, June 8, recommending approval of Extra Work Order No. 3, in the amount of \$2,500.00, for remodeling existing manholes and adjusting existing hydrants, on Contract No. P79-0721-C2A, with D. Cicconi, Inc., for Site Improvements, Construction of Recreational Facilities at Chelsea Naval Hospital Park.

The Commission V O T E D: to approve Extra Work Order No. 3, in the amount of \$2,500.00.

- 7 Report of Mr. McCarran, June 6, recommending apprcval of an extension of time from June 20, 1983 to December 30, 1983, on Contract No. P79-0721-C2A, with D. Cicconi, Inc., for Site Improvements, Construction of Recreational Facilities at Chelsea Naval Hospital Park, due to delays caused by weather.

Following a brief discussion, the Commission V O T E D: to approve an extension of time from June 20, 1983 to October 30, 1983, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation; Commissioner Geary to meet with the contractor concerning progress of work at Chelsea Naval Hospital Park.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 8 Report of Mr. Wright, June 15, submitting for approval and signature Contract-Agreement, with Fay, Spofford & Thorndike, Inc., for Engineering Services for Repairs to the Inlet and Outlet Headhouses of the Belle Isle Siphon; Total Com-

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pensation - \$49,990.00
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract-Agreement, dated June 23, 1983, with Fay, Spofford & Thorndike, Inc., which was signed by the Commissioner and three Associate Commissioners.

- 1 Report of Mr. Wright, June 21, submitting for approval and signature Contract-Agreement, with SEA Consultants, Inc., for Design and Construction Services - Reading Pumping Station and Interceptor Sewers; Total Compensation - \$461,681.00. The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract-Agreement, dated June 23, 1983, with SEA Consultants, Inc., which was signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following matter relating to the Metropolitan Water Supply System:

- 2 Report of Mr. Martorana, June 25, recommending approval of an extension of time from December 31, 1982 to September 1, 1983, on Contract No. W80-0706-C1A, with A. Bonfatti & Co., for Brattle Court Pumping Station Modifications in Arlington, Massachusetts, due to the following reasons:
 - 1. No payments can be made to the contractor without an extension of time approved by the Commission.
 - 2. The purchase of new recorders by MDC (delivery in 4 to 6 weeks). This will enable the Water Division to operate the Pumping Station automatically as it was designed for.

The Commission V O T E D: Held over.

The following matter was placed on the agenda for the information of the Commission:

- 3 The following schedules were approved for payment by the Commissioner during the period from June 13, 1983 to June 20, 1983:

Invoices	\$ 1,236,320.91
Reservation of Funds	\$ 944,901.38
Advices of Change	\$ 410,843.65
Weekly Payroll	\$ 960,647.85
Industrial Accident Report	\$ 16,979.81

ADJOURNED at 3:35 P.M., to meet on Thursday, June 30, 1983, at 10:00 A.M.

William F. Cusick
S e c r e t a r y.

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Record of the Three Thousand Two Hundred and Fortieth (3240th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, June 30, 1983, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones and Scandrett.

The records of the preceding meeting were read and approved.

- 4 The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:
Contract No. W82-1014-C1A, dated June 30, 1983, with Rocha Pole Line Construction, Inc., for Replacement of Telephone Cable and the Construction of a Telephone Line, Quabbin Reservoir Reservation, in the Towns of Ware and Belchertown, Massachusetts.
- 5 Contract No. P82-1159-M1A, dated June 30, 1983, with Penachio Bros. Electrical Corp., for Maintenance of Street Lighting Systems on Parkways and Roadways of the Metropolitan District Commission.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 6 Report of Mr. McCarran, June 10, on bids for Servicing and Maintaining Traffic Signal and Traffic Signal Control Systems on Parkways and Roadways of the MDC, Contract No. P82-1157-M1A.
The Commission V O T E D: Held over.

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Report of Mr. O'Malley, June 30, relative to Windsurfing/Boardsailing at MDC Parks Locations.

Mr. O'Malley, Director of Reservations and Recreation, reported on existing Commission policy concerning Windsurfing/Boardsailing at MDC facilities. He stated that last year, the Commission voted to permit the activity, on a trial basis, at Malibu Beach (oceanside), Daly Boat Ramp, Charles River (between Watertown Bridge and North Beacon Street), Nahant Beach (oceanside) and the Magazine Beach Landing Area, Charles River (between Eliot Circle and Boston University Bridge).

At this point, the Commission raised many questions and expressed its concern regarding public health, water safety, liability, and financial aspects of Windsurfing/Boardsailing activities at MDC locations.

Captain Richard Feeney of the Marine Division addressed the Commission and stated that if the Commission continues to permit the activity at the existing locations and expand into other areas, he would recommend that the following safeguards be established:

- 1. Buoyancy Compensators be worn by all participants.
- 2. Special areas be designated for the activity, at least 500 yards away from swimming areas.
- 3. Any areas so designated for the activity be posted.

Commissioner Geary noted that the Charles River Basin is presently below "C" Class water and at certain times could prove to be a health hazard to persons in the water.

Following a lengthy discussion, the Commission V O T E D: to Rescind its vote of June 24, 1982, (Volume 46, Page 110, Item 4), permitting Windsurfing/Boardsailing on the Charles River, Malibu Beach and Nahant Beach.

The Commission further V O T E D: to Deny the request of Europa Windsurfing to expand the number of MDC areas where Windsurfing/Boardsailing may be taught.

Mr. O'Malley was directed to form a Committee to study the feasibility of permitting Windsurfing/Boardsailing at Commission locations in the future.

2 Report of Mr. McCarran, June 21, on bids for Repairing or Replacing Bituminous and Cement Concrete Sidewalks in Various Areas of the Metropolitan District, Contract No. P83-1228-C1A.

Mr. McCarran reviewed the work to be performed under the terms of the Contract. Commissioner Geary directed that in all future contracts involving more than one specific work site, that the Commission be provided with a listing of all areas to be included in the project.

The Commission V O T E D: to accept the lowest bid, that of William P. Capone Corporation, in the amount of \$625,580.00.

3 Report of Mr. McCarran, June 21, recommending the following on Contract-Agreement No. P80-0833, with Dooling & Siegel Architects, for Rehabilitation of the Existing Clarence W. Dealtry Memorial Pool, Watertown, Massachusetts:

- (a) An extension of time from September 30, 1982 to June 30, 1983, for completion of the Design Phase.
- (b) Release of retainage, in the amount of \$5,846.72.

The Commission V O T E D: to approve an extension of time from September 30, 1982 to June 30, 1983, for completion of the Design Phase, as recommended by Mr. McCarran in his report of June 21, 1983, on condition that no further request will be made for additional compensation.

The Commission further V O T E D: to approve release of retainage, in the amount of \$5,846.72, for payment.

4 Report of Mr. McCarran, June 23, requesting that the Commission ratify and approve the action of Commissioner Geary in undertaking an Emergency Contract for Repairs to MDC Bridge C-1-21, Alewife Brook Parkway, Cambridge, Massachusetts, with Bonacorso Construction Corp., as outlined by Commissioner Geary in his letter to the Executive Office for Administration and Finance, dated June 10, 1983, and authorize the payment of \$19,600.00 Lump Sum to Bonacorso Construction Corp., for this Emergency Contract.

Mr. McCarran reported on the condition of the bridge and stated that the structure is being inspected on a weekly basis for any further signs of deterioration. He then explained the Parks Division's ongoing monitoring and inspection program which is carried out at all Commission bridges.

Mr. McCarran then spoke of the difficulty in enforcing weight restrictions which have been posted at some Commission bridges.

Associate Commissioner Scandrett asked Mr. McCarran to provide the Commission with his recommendation on what action is necessary to better enforce the posted weight restrictions.

Commissioner Geary spoke of the recent bridge collapse in Connecticut and then directed Mr. McCarran to write the National Transportation and Safety Board and also the State of Connecticut requesting a copy of their final report concerning the cause of the collapse. He stated that this information might prove helpful to

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the Commission in evaluating the condition of all MDC Bridges.
 The Commission V O T E D: Ratified and approved.

- 1 Report of Mr. McCarran, June 23, recommending approval of an extension of time from June 30, 1983 to July 31, 1983, on Contract No. P82-1126-M1A, with Metropolitan Signal Corp. and New England Traffic Signals, Inc. (Joint Venture), for Servicing Traffic Signal and Traffic Signal Control Systems on Parkways and Roadways of the MDC, in order to allow time to execute the new maintenance contract (P82-1157-M1A) and to insure that there is no disruption in the servicing of the MDC Traffic Signals and Control Systems.
 The Commission V O T E D: to approve an extension of time from June 30, 1983 to July 31, 1983, as recommended by Mr. McCarran in his report of June 23, 1983, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
- 2 Letter of The Metropolitan Boston Zoos, June 27, requesting approval of the following expenditures from the "Stone Zoo Improvement Fund:"
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| 1. Renovation of the Sea Lion Exhibit | - \$30,000.00 |
| 2. Replacement of Wood Poles in Bongo Yard | - \$ 6,700.00 |
| 3. Reverberation Reduction Treatment with Acoustical Panels in Primate House | - \$ 5,190.00 |
- The Commission V O T E D: Approved.
- 3 Report of Concession Selection Committee, June 29, on proposals for Mobile Concession at Revere Beach Location #4.
 The Commission V O T E D: to award the Mobile Concession at Revere Beach Location #4 to Hugh J. Kelly d/b/a Kelly Ventures Corporation for the 1983 Summer Season, from July 1, 1983 to September 15, 1983, at a fee of \$2,275.00 plus 12.25% of gross over \$18,571.00, as recommended by the Concession Selection Committee in its report of June 29, 1983.
- 4 Report of Concession Selection Committee, June 29, advising that Artin Kouyoumdjian, who was awarded the Concession at the Nantasket Beach Pavilion, Hull, by vote of the Commission of May 26, 1983, on condition 'that Mr. Kouyoumdjian pay the entire 1982 Permit fee of \$3,405.16, which is in arrears, prior to opening the Concession stand for the 1983 Summer Season,' has not remitted the \$3,405.16, and submitting its recommendation on proposals for said concession.
 The Commission V O T E D: to rescind its vote of May 26, 1983, (Volume 46, Page 280, Item 4, continued on Page 281), awarding the Concession at Nantasket Beach Pavilion to Artin Kouyoumdjian.
 The Commission further V O T E D: to refer the matter of collecting the 1982 Permit fee of \$3,405.16, which is in arrears, from Artin Kouyoumdjian, to the Attorney General.
 The Commission further V O T E D: to award the Concession at the Nantasket Beach Pavilion to Michael D. O'Neill d/b/a Delano Enterprises, Inc. for the 1983 Summer Season, from July 1, 1983 to September 15, 1983, at a fee of \$3,500.00 plus 6% of gross over \$25,000.00 after sales tax, plus \$65.00 per month for utilities, as recommended by the Concession Selection Committee in its report of June 29, 1983.
- 5 At this point, the Commission commended George R. O'Malley, Director of Reservations and Recreation, Francis H. McCarran, Director of Parks, Douglas K. Kinan, Director of Personnel, and James T. Cody, Equal Opportunity Administrator and staff for their outstanding work in preparing and opening the Commission's Recreational Facilities for the 1983 Summer Season.
- Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:
- 6 Report of Ms. Haggerty, June 23, submitting Revised Work Schedule Form and Project Justification for Project No. S82-1006 - Slade Siphon at Mill Creek, estimated cost-\$586,000.00, Account No. 2439-7274.
 The Commission V O T E D: Approved.
- 7 Report of Ms. Haggerty, June 27, submitting for approval and signature Contract-Agreement, with Anderson-Nichols & Co., for Design Services for the Framingham Extension Relief Sewer, Contract is on a cost-plus-fixed fee basis with a not-to-exceed amount of \$842,840.70, including a fixed fee of \$71,698.88.
 The Commission V O T E D: Approved.
 The Secretary then submitted for signature Contract-Agreement, dated June 30, 1983, with Anderson-Nichols & Co., which was signed by the Commissioner and four Associate Commissioners.

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Action was taken upon the following matter relating to the Metropolitan Water Supply System:

- 1 Report of Mr. Martorana, June 25, recommending approval of an extension of time from December 31, 1982 to September 1, 1983, on Contract No. W80-0706-C1A, with A. Bonfatti & Co., for Brattle Court Pumping Station Modifications in Arlington, Massachusetts, due to the following reasons:
 - 1. No payments can be made to the contractor without an extension of time approved by the Commission.
 - 2. The purchase of new recorders by MDC (delivery in 4 to 6 weeks).
This will enable the Water Division to operate the Pumping Station automatically as it was designed for.

The Commission reviewed the project and expressed their concern relative to both the Consultant's and Contractor's performance on the project.
The Commission V O T E D: to approve an extension of time from December 31, 1982 to September 1, 1983, as recommended by Mr. Martorana in his report of June 25, 1983, with the understanding that no further payments will be processed until such time as Commissioner Geary reviews both the Consultant's and Contractor's performance with Mr. Brutsch, to be effective, however, only upon receipt of the written consent of the bonding company and on condition that no further request will be made for additional compensation.

- 2 Report of Mr. Brutsch, June 23, requesting approval of an extension of time from June 30, 1983 to August 1, 1983, on Contract-Agreement, with Nancy Ann Rine, for Consultant Services in connection with the Management and Administration of Water Conservation Projects, due to delays in initiating the contract.
The Commission V O T E D: to approve an extension of time from June 30, 1983 to August 1, 1983, as recommended by Mr. Brutsch in his report of June 23, on condition that no further request will be made for additional compensation.

- 3 Report of Mr. Brutsch, June 23, requesting approval of an extension of time from June 30, 1983 to October 30, 1983, on Contract-Agreement, with Mary Ann Fronk, for Consultant Services in connection with the Management and Administration of Water Conservation Projects, due to delays in initiating the contract.
The Commission V O T E D: to approve an extension of time from June 30, 1983 to October 30, 1983, as requested by Mr. Brutsch in his report of June 23, 1983, on condition that no further request will be made for additional compensation.

- 4 Report of Mr. Brutsch, June 24, requesting approval to use "Additional Services," in the amount of \$4,028.00, under Contract-Agreement No. W80-0907-S2A, with New England Research, Inc., for Water Quality Monitoring Services, in order to continue monitoring certain parameters at Quabbin and Wachusett Reservoirs through November, 1983.
Mr. Brutsch outlined the Additional Services to be performed under the Agreement and stated that he was recommending that the Commission approve the request.
The Commission V O T E D: Approved as requested by Mr. Brutsch in his report of June 24, 1983.

- 5 Report of Mr. Brutsch, June 24, recommending approval of Amendment to Contract-Agreement No. W80-0763-D2A & D3A, with Linenthal, Eisenberg, Anderson, Inc., for Engineering Services for the Design and Related Construction Services for Improvements to Approximately 22,500 Linear Feet of the Northern High Service Water Distribution System from Lincoln Avenue at the Saugus River, Lynn, to Eastern Avenue, Lynn, which changes the Scope of Services to accommodate the construction of 22,500 linear feet of 48, 36 & 24-inch pipe in Lynn and increases the total project cost, in the amount of \$154,500.00, from \$218,900.00 to \$373,400.00; the time for furnishing the construction services shall be coterminous with Construction Contracts Nos. W80-0763-C2A & C3A.
The Commission V O T E D: Approved as recommended by Mr. Brutsch in his report of June 24, 1983.

- 6 Report of Mr. Brutsch, June 20, requesting approval of the following on Contract-Agreement No. W82-1017, with Elinor Johnson, for In-service Workshops to Promote Use of "Water Wizards" Curriculum for Third and Fourth Grade Pupils Within MDC Area:
 - (a) That the work be accepted as completed.
 - (b) That Invoice No. 2 (Final), in the amount of \$400.00, be approved for payment under Account No. 2420-0200.

Associate Commissioner Jones requested that in any future undertakings of this type at least one teacher's training workshop be held at a school in the inner-city.
The Commission V O T E D: that the work of Elinor Johnson, Consultant under Contract-Agreement W82-1017, for In-Service Workshops to Promote Use of "Water Wizards" Curriculum for Third and Fourth Grade Pupils Within MDC Area, be and hereby is accepted as completed.
The Commission further V O T E D: to approve Invoice No. 2 (Final), in the amount

of \$400.00, for payment under Account No. 2420-0200.

Report of Mr. Brutsch, June 22, recommending approval of the following Extra Work Claims on Contract No. W81-1003-C1A, with Richardson Electrical Co., Inc., for Electrical Repairs to Belmont Pumping Station, Belmont, Massachusetts:

- (a) Extra Work Claim No. 1, in the amount of \$573.29, for furnishing and installing 6 "trego" lugs for MDC supplied transformers.
- (b) Extra Work Claim No. 2, in the amount of \$1,340.41, for work requested by MDC to hook up electrically the cone valves and temperature switch circuits not shown nor indicated on approved shop drawing and/or specifications.

(Total of Extra Work Claims Nos. 1 & 2 - \$1,913.70).

The Commission V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work, and approve Extra Work Claim No. 1, in the amount of \$573.29, and Extra Work Claim No. 2, in the amount of \$1,340.41.

2 Report of Mr. Faucher, June 23, on proposals for the purchase of fourteen lots of standing timber located on the Quabbin Reservoir, Ware River, and Wachusett Reservoir Watersheds.

The Commission V O T E D: to accept the only qualified bid received, that of E. F. Wilder, of \$1,925.00, to purchase approximately 56,380 board feet of sawlogs on Lot No. 37A - Ware River Watersheds.

The Commission further V O T E D: to accept the highest qualified bid, that of Straw Hollow Kennels and Farm, of \$2,265.00, to purchase approximately 150 cords of firewood on Lot No. 40 - Wachusett Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Worcester County Tractor Sales, of \$1,288.00, to purchase approximately 80 cords of firewood on Lot No. 41 - Wachusett Reservoir Watershed.

The Commission further V O T E D: to accept the only qualified bid received, that of Frank M. Taylor, of \$612.26, to purchase approximately 117 cords of firewood on Lot No. 100 - Ware River Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of William Stelmokas, of \$1,550.00, to purchase approximately 41,000 board feet of sawlogs on Lot No. 101 - Ware River Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of E. A. Davis Lumber, Inc., of \$825.30, to purchase approximately 44,000 board feet of sawlogs on Lot No. 102 - Ware River Watershed.

The Commission further V O T E D: to accept the second highest qualified bid, that of Daniel H. Helle, of \$248.22, to purchase approximately 3,955 board feet of sawlogs and 61 cords of firewood on Lot No. 103 - Ware River Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of E. A. Davis Lumber, Inc., of \$1,216.37, to purchase approximately 68,275 board feet of sawlogs on Lot No. 104 - Ware River Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Hutchinson & Son, of \$3,725.00, to purchase approximately 19,000 board feet of sawlogs and 307 cords of firewood on Lot No. 400 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the second highest qualified bid, that of Chester Lemon, of \$1,875.00, to purchase approximately 125 cords of firewood on Lot No. 401 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the second highest qualified bid, that of King Logging, of \$3,550.00, to purchase approximately 73,150 board feet of sawlogs on Lot No. 402 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Letourneau & Methe Land Clearing & Tree Expert Co. Inc., of \$4,625.00, to purchase approximately 266,000 board feet of sawlogs or 3,700 tons of whole tree wood on Lot No. 403 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Conkey Logging & Lumber, of \$527.00, to purchase approximately 10,400 board feet of sawlogs and 10 cords of firewood on Lot No. 404 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Ronald J. Chaisson, of \$200.00, to purchase approximately 66,000 board feet of sawlogs on Lot No. 405 - Quabbin Reservoir Watershed.

3 Report of Mr. Brutsch, June 20, requesting approval of an extension of time from June 30, 1983 to September 30, 1983, on Contract-Agreement No. W82-1018-S1A, with Robert Finnegan Associates, for Market Survey for a Public Information Campaign to Promote Water Conservation, due to delays in initiating the contract.

The Commission V O T E D: to approve an extension of time from June 30, 1983 to September 30, 1983, as requested by Mr. Brutsch in his report of June 20, 1983, on condition that no further request will be made for additional compensation.

4 Report of Mr. Brutsch, June 20, requesting approval of an extension of time from June 30, 1983 to December 31, 1983, on Contract-Agreement No. W82-1021-S1A, with The Pitometer Associates, Inc., to Provide Leak Detection Training for Municipal Employees, due to delays in initiating the contract.

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The Commission V O T E D: to approve an extension of time from June 30, 1983 to December 31, 1983, as requested by Mr. Brutsch in his report of June 20, 1983, on condition that no further request will be made for additional compensation.

1 Resolved: That the Metropolitan District Commission, assembled in its Meeting held on June 30, 1983, does hereby express its deep and sincere appreciation to Salvatore Alfonso for his 30 years of faithful, productive, and uninterrupted service in the MDC Central Service Maintenance Department, and for the example he has set as a conscientious and dedicated public servant; that the Commissioner and Associate Commissioners, constituting said Metropolitan District Commission, do hereby extend to him their cordial best wishes that the years of his retirement may be many, and that they may be fruitful in the happiness and contentment he so richly deserves; that this Resolution be spread upon the records of this Meeting; and that the Secretary prepare and forward a suitably inscribed copy thereof to Mr. Alfonso.

The following matter was placed on the agenda for the information of the Commission:

- 2 The following schedules were approved for payment by the Commissioner during the period from June 20, 1983 to June 27, 1983:

Invoices	\$618,330.89
Reservation of Funds	\$910,597.38
Advices of Change	\$117,889.44
Weekly Payroll	\$924,932.22
Medical Payments	5,380.25

ADJOURNED at 1:42 P. M., to meet on Thursday, July 7, 1983, at 10:00 A.M.

William F. Cushman
S e c r e t a r y.

241st
, 1983

Record of the Three Thousand Two Hundred Forty-First (3241st) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, July 7, 1983, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Jones, and Scandrett.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

- 3 Contract No. P83-1240-M1A, dated July 7, 1983, with P. H. Mechanical Corp., for Servicing of Heating, Ventilating and Air Conditioning (HVAC) at New Charles River Dam, Charlestown (FY 84).
- 4 Contract No. P83-1241-M1A, dated July 7, 1983, with Metropolitan Signal Corp., for Upgrading and Rehabilitation of Casting Structures, Mystic District.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 5 Report of Mr. McCarran, June 10, on bids for Servicing and Maintaining Traffic Signal and Traffic Signal Control Systems on Parkways and Roadways of the MDC, Contract No. P82-1157-M1A.
The Commission V O T E D: Held over.
- 6 Report of Mr. McCarran, June 27, recommending approval of an extension of time from June 30, 1983 to July 31, 1983, on Contract No. P79-0608-C1A, with Bonacorso Construction Corp., for Rehabilitation of Highland Avenue Bridge, Somerville, Mass., due to inclement weather and Boston and Maine Railroad track repair crews working under the bridge.
The Commission V O T E D: to approve an extension of time from June 30, 1983 to July 31, 1983, as recommended by Mr. McCarran in his report of June 27, 1983, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
- 7 Report of Mr. McCarran, June 30, recommending approval of an extension of time from July 3, 1983 to September 1, 1983 for all work with the exception of tree planting which is to be completed by October 15, 1983, on Contract No. P79-0695-C2A, with G. E. Carroll Construction Co., Inc., for Tenean Beach Park Development, due to inclement weather.

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The Commission V O T E D: to approve an extension of time from July 3, 1983 to September 1, 1983 for all work with the exception of tree planting which is to be completed by October 15, 1983, as recommended by Mr. McCarran in his report of June 30, 1983, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

- 1 Report of Mr. McCarran, June 30, recommending approval of overrun, in the amount of \$2,400.00, on Item No. 23c - "New Granite Steps," under Contract No. P79-0695-C2A, with G. E. Carroll Construction Co., for Tenean Beach Park Development. Associate Commissioner Jones questioned the inconsistency in the reports from the Parks Division and John Wacker Associates concerning the availability of the granite steps which were stored at the site. Mr. McCarran was asked to provide the Commission with further information concerning the granite steps at next week's meeting.

The Commission V O T E D: Approved as recommended by Mr. McCarran in his report of June 30, 1983.

- 2 Report of Ms. O'Brien, July 1, recommending the Commission approve in concept the plans of the City of Revere for tree planting along Ocean Avenue in the vicinity of the MDC Bathhouse.

The Commission V O T E D: to approve in concept the plans of the City of Revere with final plans, tree species and locations subject to the approval of the Parks Division.

- 3 At this point, the members of the Commission commended the efforts of George R. O'Malley, Director of Reservations and Recreation and his staff for their exceptional efforts in cleaning litter from the area of the Hatch Shell following the July 4th concert. Commissioner Geary stated that he had received numerous compliments concerning the expedient manner in which this major cleanup was performed. He also made note of the efforts of the Metropolitan Police and the Division of Central Services in providing support services during the cleanup operation.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 4 Report of Ms. Haggerty, June 30, requesting approval of an extension of time from June 26, 1983 to July 25, 1983, on Contract-Agreement No. S82-1087, with SEA Consultants, Inc., for Septage Management Study due to a delay in final printing and microfilming.

The Commission V O T E D: to approve an extension of time from June 26, 1983 to July 25, 1983, as recommended by Ms. Haggerty in her report of June 30, 1983, on condition that no further request will be made for additional compensation.

- 5 Report of Ms. Haggerty, July 1, requesting approval of an extension of time from January 31, 1983 to January 31, 1984, on Contract-Agreement No. S78-0657-S1D, with Metcalf & Eddy, Inc., for Surveys and Studies to Comply with EPA Regulations for Preparation of Application for modification of the NPDES Requirements for Secondary Treatment, in order to have the Consultant available to assist the Commission in responding to the EPA's Secondary Waiver decision.

Mr. Baratta, Director of Sewerage Division, stated that the EPA announced recently a preliminary negative decision on the Commission's request for a waiver from Secondary Treatment.

He then explained that he was recommending an extension of time on Metcalf & Eddy's Contract-Agreement so that the EPA's tentative decision can be reviewed. After the review has been completed, he stated, Metcalf & Eddy, Inc., will advise the Commission on the validity of the analysis which led to the EPA's tentative negative decision on the application.

Following a lengthy discussion the Commission V O T E D: to approve an extension of time from January 31, 1983 to January 31, 1984, as recommended by Ms. Haggerty in her report of July 1, 1983, on condition that no further request will be made for additional compensation.

- 6 Report of Mr. Baratta, July 1, requesting approval of an extension of time from June 30, 1983 to January 7, 1984, on Contract No. S81-0938-D1C, with Weston & Sampson Engineers Inc., for Design of the Millbrook Valley Relief Sewer, in order to allow adequate time for further negotiations and easement appraisals.

The Commission V O T E D: to approve an extension of time from June 30, 1983 to January 7, 1984, as recommended by Mr. Baratta in his report of July 1, 1983, on condition that no further request will be made for additional compensation.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

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1 Report of Mr. Martorana, June 30, recommending approval of assignment of existing Contract No. W79-0749-X3A - Support of Water Supply Citizens' Advisory Committee to Advise MDC on Long Range Water Supply Study, from Lower Pioneer Valley Regional Planning Commission to Pioneer Valley Planning Commission.
The Commission V O T E D: Approved.

2 Report of Mr. Brutsch, June 29, submitting for approval and signature Cooperative Agreement, with the United States Department of Interior, Geological Survey, to apply a \$3,000.00 increase in funds for needed station maintenance to assist in carrying out a cooperative investigation of water resources.
The Commission V O T E D: Approved and signed by the Commissioner and three Associate Commissioners.

3 Report of Mr. Brutsch, July 6, on bids for Rutland-Holden Relief Trunk Sewer, Contract No. W80-0723-C1A.
Associate Commissioner Jones spoke of EEO/AA Compliance and stated that the Commission should make every effort to encourage its contractors to retain minority and female workers for longer and more consistent periods of time. By so doing, he stated, it offers the workers an opportunity to fulfill their requirements to become qualified union members.
Associate Commissioner Jones then asked that the Water Division note in their files the fact that Joseph A. Polito and Sons Co., Inc., had asked to withdraw its bid due to an alleged clerical error which resulted in their low bid. He asked that all overruns and extra work orders on the project be carefully scrutinized before submitting them for Commission approval.
The Commission V O T E D: to accept the lowest qualified bid, that of Joseph A. Polito & Sons Co., Inc., in the amount of \$3,195,386.45

The following matter was placed on the agenda for the information of the Commission:

4 The following schedules were approved for payment by the Commissioner during the period from June 27, 1983 to July 4, 1983:

Invoices	\$2,713,423.11
Reservation of Funds	\$ 2,265.68
Advices of Change	\$ 6,105.00
Weekly Payroll	\$1,028,655.13
Industrial Accident Report	\$ 42,529.32

ADJOURNED at 12:30 P. M. to meet on Thursday, July 14, 1983, at 10:00 A. M.

William F. Quisholm
S e c r e t a r y.

4nd
1983

Record of the Three Thousand Two Hundred Forty Second (3242nd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, July 14, 1983 at 10:00 A. M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones and Scandrett.

The records of the meeting held on June 30, 1983 were read and approved.

The Secretary submitted for signature the following papers which was signed by the Commissioner and three Associate Commissioners:

- 5 Contract No. P83-1228-C1A, dated July 14, 1983, with William P. Capone Corporation, for Repairing or Replacing Bituminous and Cement Concrete Sidewalks in Various Areas of the Metropolitan District.
- 6 Second Amendment, dated July 14, 1983, to Contract-Agreement, dated March 22, 1979, with Whitman & Howard, Inc., for Engineering Services for Improvements and Rehabilitation Work In and Around Stony Brook Reservation, which increases the Total Upset Limit from \$292,958.00 to \$311,780.00, for a total additional cost of \$18,822.00, and transfers monies within the "Additional Services" portion of the Contract.

Action was taken upon the following matters relating to the Metropolitan Parks System:

7 Report of Mr. McCarran, June 10, on bids for Servicing and Maintaining Traffic Signal and Traffic Signal Control Systems on Parkways and Roadways of the MDC, Contract No. P82-1157-M1A.
The Commission V O T E D: to accept the only bid received, that of New England Traffic Signals, Inc. & Metropolitan Signal Co. (Joint Venture), of \$621,890.00 subject to Governor Dukakis signing the Fiscal Year 1984 Budget and authorization given to the Commission to expend funds for this project.

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July 14, 1983
(on.-)

1 Report of Mr. McCarran, July 5, recommending approval of an extension of time from June 18, 1983 to August 18, 1983, on Contract No. P80-0793-C1A, with J. M. Cashman, Inc., for Maritime Work, Pemberton Pier, Hull, Massachusetts, due to difficulty in driving piles because of soil conditions and weather conditions in early spring. The Commission V O T E D: to approve an extension of time from June 18, 1983 to August 18, 1983, as recommended by Mr. McCarran in his report of July 5, 1983, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2 Report of Mr. McCarran, July 7, recommending approval of an extension of time from July 15, 1983 to September 2, 1983, on Contract No. P82-1106-C2A, with D. P. Donnelly Electrical Construction Inc., for Reconstruction of Traffic Signal System, Gallivan Boulevard and Hallet Street, Dorchester, Mass., due to recent construction of a sewer line at this location by the Boston Water and Sewer Commission. The Commission V O T E D: to approve an extension of time from July 15, 1983 to September 2, 1983, as recommended by Mr. McCarran in his report of July 7, 1983, to be effective, however, only upon receipt of the written consent of the bonding company and on condition that no further request will be made for additional compensation.

3 Report of Mr. McCarran, July 5, recommending approval of an extension of time from October 28, 1982 to June 19, 1983, on Contract No. P81-0975-C1A, with Inner Space Services, for Cleaning and Lining the Georges Island Water Main Extended from Hull, Massachusetts. The Commission V O T E D: Held over.

4 Report of Mr. McCarran, June 30, recommending the following on Contract No. P82-1181-C1A, with Landscaping by Schumacher, Inc., for Furnishing and Planting Trees, Boston, Cambridge, Canton, Hull, Lynn, Malden, Medford, Milton, Quincy, Somerville, Stoneham, Watertown and Winchester:

- (a) That the work be accepted as completed as of May 15, 1983.
- (b) That Estimate No. 1 (Final), in the amount of \$115,815.45 be approved for payment.
- (c) That reserve, in the amount of \$6,095.55, be approved for payment on July 19, 1983.

The Commission V O T E D: that the work of Landscaping by Schumacher, Inc., contractor under Contract No. P82-1181-C1A, for Furnishing and Planting Trees, Boston, Cambridge, Canton, Hull, Lynn, Malden, Medford, Milton, Quincy, Somerville, Stoneham, Watertown, and Winchester, be and hereby is accepted as completed as of May 15, 1983.

The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of \$115,815.45, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$6,095.55, for payment on July 19, 1983.

5 Report of Mr. O'Malley, July 13, relative to Windsurfing/Boardsailing at MDC Parks Locations.

Mr. Skip Whyte of Can Am Sailcraft of Cambridge was introduced and spoke of the popularity of Windsurfing/Boardsailing in the area. He stated that those involved should work in a cooperative effort in resolving any existing problems and offered to serve on any committee involving Windsurfing/Boardsailing.

Associate Commissioner Scandrett and Mr. George R. O'Malley, Director of Reservations and Recreation, then reported on the findings of the in-house Committee which was established to study the feasibility of permitting Windsurfing/Boardsailing at specific Commission locations. They then reviewed the public health, enforcement, water safety, liability and financial issues of permitting the activity at specific locations. Captain Richard J. Feeney of the Metropolitan Police Marine Division and Mr. Alfred F. Ferullo, Director of Environmental Quality explained the possible health hazards if the Commission were to permit the activity in the Charles River Basin.

Ms. Dorothy Volpe-O'Malley, Director of Community Affairs, spoke on the possibility of requesting proposals to let out appropriate ocean beach areas to certified schools on a concession basis. She noted that she had just received information from out of state on how concessions might be handled. Once the information has been reviewed by the Windsurfing/Boardsailing Committee a recommendation will be made to the Commission.

The Commission then reviewed the report of the Committee which recommended the following locations as suitable sites for the sport:

- 1) Upper Mystic Lake - Mr. O'Malley stated that this area is marked off and there is a police boat assigned.
- 2) Blessing of the Bay - Mr. O'Malley explained that there is no swimming at this area and a safety launch is available.
- 3) Pleasure Bay Sailing Program - This program would be sponsored by and

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under MDC control with two sailboards available at this time. Mr. O'Malley then explained that this program would not interfere with swimmers and that a safety launch is available. He also stated that the Commission has been offered an additional ten (10) sailboards by BIC Products for use in this program.

Associate Commissioner Scandrett asked that before the offer is accepted all aspects of the offer should be reviewed by the Commission.

Following a lengthy discussion, the Commission V O T E D: Approved as recommended on a trial basis with the provision that all Windsurfers/Boardsailers wear Buoyancy Compensators.

Captain Feeney was directed to notify all boat houses concerning the ban on Wind-Surfing/Boardsailing on the Charles River and the Committee was directed to closely monitor the activity and continue its investigation of Windsurfing/Boardsailing at other Commission locations.

Action was taken upon the following matter relating to the Metropolitan Water Quality and Sewerage System:

- 1 Report of Ms. Haggerty, July 7, requesting approval of Extra Work Order No. 2, in the amount of \$8,832.00 for modifications to a concrete wall which calls for additional form-work along the periphery of each digester, on Contract No. S82-1003-C1B, with Peabody N. E., Inc., for Rehabilitation of Digesters, Deer Island Sewage Treatment Plant.
The Commission V O T E D: to approve Extra Work Order No. 2, in the amount of \$8,832.00.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 2 Report of Mr. Martorana, July 7, recommending approval of an extension of time from July 15, 1983 to September 1, 1983, on Contract-Agreement No. W80-0798-S1A, with Metcalf & Eddy, Inc., for Pilot Plant Studies, Sudbury Reservoir Treatment Plant, to allow time for a more lengthy in-house review of the Study, particularly since the two alternative treatment processes have almost equal life cycle costs.
The Commission V O T E D: to approve an extension of time from July 15, 1983 to September 1, 1983, as recommended by Mr. Martorana in his report of July 7, 1983, on condition that no further request for additional compensation will be made.
- 3 Report of Mr. Falvey, July 7, submitting for approval and signature Amendment to Interagency Agreement, between the Metropolitan District Commission and the Registry of Motor Vehicles, relative to lease of approximately 16,296 additional square feet of MDC Water Division land at the corner of Maple Street (Route 85) and Mill Street, Marlborough, under the same terms and conditions of the existing Agreement.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment to Interagency Agreement, between the Metropolitan District Commission and the Registry of Motor Vehicles, which was signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following Various Matter:

- 4 Report of Ms. O'Malley, July 8, relative to Proposed Permit Parking Program on Memorial Drive between Ash Street and Mount Auburn Street, Cambridge, Massachusetts.
At this point, Senator George Bachrach was introduced to the Commission. He expressed his support for permit parking limited to Cambridge residents on the east side of Memorial Drive Extension between Ash Street and Mount Auburn Street as a means of alleviating serious residential parking problems in this residential area. Mr. Joseph O'Brien, representing State Representative Charles Flaherty and City Councillor Francis Duehay also voiced their support for residential permit parking at this location.
Mr. George Teso, Traffic Director for the City of Cambridge, appeared before the Commission and spoke of the City's mandate under the Clean Air Act, to institute a residential parking program in the community. He then gave assurance that there would be no further request for additional resident parking on any other segments of MDC roadways in Cambridge.
Mr. Teso stated that the area involved is about 300 feet long and accommodates eight automobiles. He explained that the parking spaces are now primarily utilized by out of state motorists and commuters.
On questioning by Commissioner Geary, Mr. Teso stated that metered parking spaces are available nearby for commuters and others seeking parking in the area. Commissioner Geary then spoke of the Metropolitan District Commission's mission and stated that the Commission should be considerate of each communities' needs and each request should be evaluated on an individual basis.
Following a lengthy discussion, the Commission V O T E D: to approve Permit Parking on the left side of Memorial Drive Extension, between Ash Street and Mount



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July 14, 1983
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Auburn Street subject to the following conditions:

- 1) The permit is for a one-year period from date of Commission approval.
- 2) The City of Cambridge shall petition each year for a renewal of the permit.
- 3) The Commission shall not waive jurisdiction of any of its applicable Rules and Regulations.
- 4) Appropriate Signs shall be provided, installed and maintained by the City of Cambridge.

The following matter was placed on the agenda for the information of the Commission:

- 1 The following schedules were approved for payment by the Commissioner during the period from July 4, 1983 to July 11, 1983:

Invoices	\$605,520.87
Reservation of Funds	\$496,734.79
Advices of Change	\$ 1,400.00
Weekly Payroll	\$894,239.24

ADJOURNED at 1:15 P. M., to meet on Thursday, July 21, 1983, at 11:00 A. M.

William F. Quisholm
S e c r e t a r y.

3:13rd
July 21, 1983

Record of the Three Thousand Two Hundred Forty Third (3243rd) Meeting of the Metropolitan District Commission duly called and held at the Office of the Superintendent of the Quabbin Section, Administration Building, Belchertown, Massachusetts, on Thursday, July 21, 1983, at 11:00 A. M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones and Scandrett.

The records of the meeting held on July 7, 1983 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

- 2 Contract No. W80-0723-C1A, dated July 21, 1983, with Joseph A. Polito & Sons Co., Inc., for Rutland-Holden Relief Trunk Sewer.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 3 Report of Mr. McCarran, July 5, recommending approval of an extension of time from October 28, 1982 to June 19, 1983, on Contract No. P81-0975-C1A, with Inner Space Services, for Cleaning and Lining the Georges Island Water Main Extended from Hull, Massachusetts.

The Commission V O T E D: Delete from Agenda.

- 4 Report of Mr. McCarran, July 19, on bids for Repair to the City of Lynn 36" V.C. Drain Pipe.

The Commission V O T E D: to accept the only bid received, that of Metropolitan Signal Corp., of \$103,930.00.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 5 Report of Mr. Martorana, undated, recommending the following on Contract No. W82-1015-C1A, with F & D Truck Co., Inc., for Demolition and Removal of Sudbury Office Building and Garage, Hollis Street, Framingham, Massachusetts:

(a) That the work be accepted as completed as of June 4, 1983.

(b) That Estimate No. 1 (Final), in the amount of \$8,455.00 be approved for payment.

(c) That reserve, in the amount of \$455.00, be approved for payment.

The Commission V O T E D: that the work of F & D Truck Co., Inc., contractor under Contract No. W82-1015-C1A, for Demolition and Removal of Sudbury Office Building and Garage, Hollis Street, Framingham, Massachusetts, be and hereby is accepted as completed as of June 4, 1983.

The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of \$8,455.00, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$455.00, for payment.

- 6 Report of Mr. Martorana, July 13, recommending approval of an extension of time from July 25, 1983 to August 25, 1983, on Contract-Agreement with Heath Consultants, Inc., for Water Leakage Survey, Contract No. W81-0962-S1A, due to inclement



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weather and difficulty in training MDC personnel due to heavy workloads.
The Commission V O T E D: to approve an extension of time from July 25, 1983 to August 25, 1983, as recommended by Mr. Martorana in his report of July 13, 1983, on condition that no further request will be made for additional compensation.

1 Report of Mr. Martorana, July 15, recommending approval of Final Report on Contract-Agreement No. W80-0835-S1A, with Camp, Dresser & McKee, Inc., for Preliminary Engineering Study for Water Distribution System Improvements to Northern High Service.
The Commission V O T E D: Approved.

2 Report of Mr. Martorana, July 19, requesting that the Commission amend the vote of April 14, 1983, relative to an extension of time on Contract-Agreement, with Whitman and Howard, Inc., for Design of 4,500 Linear Feet of Pipeline, Hyde Park Avenue, Hyde Park, Massachusetts, to reflect that the extension of time is approved from May 9, 1983 to October 1, 1983, instead of from May 9, 1983 to July 23, 1983.
The Commission V O T E D: to amend the vote of April 14, 1983, (Volume 46, Page 260, Item 3), by striking out the date "July 23, 1983" in the 2nd and 8th lines, and inserting in place thereof the date "October 1, 1983," so that the records will read as follows:

"Report of Mr. Martorana, April 7, recommending approval of an extension of time from May 9, 1983 to October 1, 1983, on Contract-Agreement, with Whitman and Howard, Inc., for Design of 4,500 Linear Feet of Pipeline, Hyde Park Avenue, Hyde Park, Massachusetts, due to problems in taking easements through a private way; also recommending approval of transfer of funds, in the amount of \$23,596.43, from "Additional Services" to the "Basic Services" portion of the contract.

The Commission V O T E D: to approve an extension of time from May 9, 1983 to October 1, 1983, and to approve the transfer of funds, in the amount of \$23,596.43, from "Additional Services" to the "Basic Services" portion of the contract, as recommended by Mr. Martorana in his report of April 7, 1983, on condition that there will be no additional increase to the Upset Limit of \$93,034.70 or any other additional costs to the Commission."

3 Presentation - Ms. Patricia B. Corcoran - Objectives and Progress on the Long-Range Water Supply Study and Environmental Impact Report - 2020.
Ms. Patricia B. Corcoran, Chief Planner for the Water Division, reviewed the tasks included in the Long-Range Water Supply Study and Environmental Impact Report - 2020. She explained that the Study will establish the water needs of the Metropolitan District Commission for the next 40 years. The Study, she noted, will also assess the engineering, environmental, financial, and other merits of nine alternative water supply sources. Ms. Corcoran went on to say that the Study will enable the Commission to select a long-range water conservation program and, if necessary, additional new sources of supply for the future.
Ms. Corcoran then outlined the nine alternatives presently under consideration. Following a lengthy question and answer period, in which representatives of various citizen groups participated, the Commission V O T E D: Placed on file.

The following matter was placed on the agenda for the information of the Commission:

4 The following schedules were approved for payment by the Commissioner during the period from July 11, 1983 to July 18, 1983:

Invoices	\$ 1,574,591.34
Reservation of Funds	\$15,580,750.41
Advices of Change	\$ 518,116.50
Weekly Payroll	\$ 3,468,596.32
Industrial Accident Report	\$ 14,000.34.

ADJOURNED at 1:00 P.M., to meet on Thursday, July 28, 1983, at 10:30 A.M.

William F. Cusabola
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Record of the Three Thousand Two Hundred Forty-Fourth (3244th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, July 28, 1983 at 10:30 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones and Scandrett.

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The records of the meeting held on July 14, 1983 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

- 1 Contract No. P83-1253-M1A, dated July 28, 1983, with Metropolitan Signal Corp., for Repair to City of Lynn 36" V.C. Drain Pipe, Lynn, Massachusetts.
- 2 Third Amendment, dated July 28, 1983, to Contract-Agreement, dated April 12, 1979, with Linenthal, Eisenberg, Anderson, Inc., for Engineering Services for the Design and Related Construction Services for Improvements to Approximately 22,500 Linear Feet of the Northern High Service Water Distribution System from Lincoln Avenue at the Saugus River, Lynn, to Eastern Avenue, Lynn, which changes the Scope of Services to accommodate the construction of 22,500 Linear Feet of 48, 36, and 24-inch Pipe in Lynn and increases the total project cost, in the amount of \$154,500.00, from \$218,900.00 to \$373,400.00; the time for furnishing the construction services shall be coterminous with Construction Contracts Nos. W80-0763-C2A & C3A.
- 3 At this point, Associate Commissioner Fontanez expressed her appreciation to Ms. Dotty Volpe-O'Malley, Director of Community Affairs, and Captain Anthony LoConte, of the Charles River Lower Basin District, for their assistance and support which aided in the success of the Puerto Rican Festival that was held at Clemente Park in Boston on July 25, 1983.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 4 Report of Mr. McCarran, July 12, submitting Work Schedule Form, Project Summary Form, and Project Justification for Relocation of Hot Water Heater from the Zamboni Room to the Boiler Room and Removal and Installation of Sheet Metal Heating Duct Section in Zamboni Room, at the LoConte Rink, Medford, Massachusetts, Project No. P83-1267 - estimated cost - \$3,900.00, Account No. 2440-0010-12.
Mr. McCarran explained that this work was requested by the City of Medford, Fire Prevention Bureau, to correct a possible safety hazard at the LoConte Skating Rink. After discussing the problem at length, Mr. McCarran was directed to investigate the possibility of similar problems at all other MDC Rinks and report back to the Commission with his findings.
The Commission V O T E D: Approved.
- 5 Report of Mr. O'Malley, July 12, on request of the Summer Festival Committee for permission to hold the "1983 Summerfest" at the MDC Esplanade and Charlesbank Park on August 14, 1983; also reports of Captain LoConte, July 14, and Deputy Superintendent Barner, July 15, 1983.
The Commission V O T E D: to grant permission to the Summer Festival Committee to hold the "1983 Summerfest" at the MDC Esplanade and Charlesbank Park on Sunday, August 14, 1983, subject to terms and conditions to be worked out by Mr. O'Malley and Superintendent Keough.
- 6 Report of Mr. McCarran, July 14, recommending the following on Contract No. P82-1005-M1A, with W. A. Kraft Corp., for Annual Preventative Maintenance and Repair Contract for Prime Power Generators, Various Locations within the Metropolitan District Commission.
 - (a) That the work be accepted as completed as of June 30, 1983.
 - (b) That Estimate No. 3 (Final), in the amount of \$17,014.50 be approved for payment.
 - (c) That reserve, in the amount of \$2,376.50 be approved for payment on September 3, 1983.
 Following a lengthy discussion concerning EEO Performance Ratings given to the Contractor by the Resident Engineer and the EEO/AA Compliance Officer, the Commission V O T E D: Held over.
The Commission then directed Secretary Chisholm to schedule a briefing with appropriate Staff for Thursday, August 4, 1983 at 9:00 A.M., concerning EEO Performance Ratings as given by Resident Engineers and the EEO/AA Compliance Officer.
- 7 Report of Mr. McCarran, July 15, recommending approval of Extra Work Order No. 6, in the amount of \$1,118.00, for elevation of the existing cooling tower supports at the Revere Ice Skating Rink, on Contract No. P81-0929-C1A, with Major Construction Management Corp., for Replacement of Refrigeration Systems at Revere, Medford and Somerville Rinks.
The Commission V O T E D: to approve Extra Work Order No. 6, in the amount of \$1,118.00.
- 8 Report of Mr. O'Malley, July 25, on request of Bay State Games, Governor's Committee on Physical Fitness and Sports, to close portions of Memorial Drive and Day Boulevard on August 13, 1983, between the hours of 7:00 A.M. to 3:00 P.M. for the pur-

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pose of conducting the "Sportsfest 1983 Bicycle Race"; also reports of Captain LoConte, July 14; Captain Seghezzi, July 14; and Deputy Superintendent Barner, July 19, 1983.

Associate Commissioner Scandrett was excused from participating and voting on this matter due to the fact that he had previously served for 7 years on the Board of Directors of the Bay State Games.

A lengthy discussion followed concerning the effect this type of activity has not only on MDC funds, but also on personnel and property.

Associate Commissioner Jones asked that in the future this type of activity be referred to a Commission Task Force for their recommendations prior to being placed on the Commission's agenda.

The Commission V O T E D: Approved; the Reservations and Recreation Section of the Parks Division and the Police Division to prepare the permit.

- 1 Report of Mr. McCarran, July 21, on bids for Lighting Modernization, Memorial Drive, Cambridge, Massachusetts, Contract No. P77-0404-C1A. Mr. McCarran reviewed the project with the Commission. He explained that representatives of the City of Cambridge appeared before the Commission on February 25, 1982, in support of the use of simulated "1907" type light standards for the upcoming lighting project for Memorial Drive. At that time, Mr. McCarran further explained, Mr. David Vickery, Assistant City Manager of Cambridge, stated that \$53,000.00 had been pledged towards any increased cost between the so-called "Jamaicaway" fixture and the "1907" simulated fixture. Mr. McCarran went on to say that the difference in today's cost for the "1907" fixture is \$210.00 per fixture, and with 271 fixtures involved, the increase amounts to \$56,910.00. He stated that he had been in communication with the City of Cambridge and had advised Ms. Kathy Spiegelman, Assistant City Manager, of the increased cost for the "1907" fixture. The Commission then discussed the increase in the Engineer's estimated cost of \$650,000.00 and the low bid of \$875,250.00. Mr. McCarran explained that the original estimate was made in 1980 and had not been updated to reflect present day costs. The Commission V O T E D: to accept the lowest bid, that of D. Cicconi, Inc., of \$875,250.00.

- 2 Report of Mr. McCarran, July 20, recommending approval of overrun on Item No. 117-P5, "Breakaway Post Assembly - Steel," in the amount of \$441.00, on Contract No. P78-0679-C1A, with Mario Susi & Son, Inc., for Reconstruction and Rehabilitation of the Fenway. The Commission V O T E D: to approve overrun on Item No. 117-P5, in the amount of \$441.00.

- 3 Report of Mr. McCarran, July 14, recommending approval of overruns, totaling \$73,710.00, on Contract No. P78-0638-C1A, Upgrading and Repairing McCarthy Overpass and Squires Bridge, Msgr. McGrath Highway, Somerville, Massachusetts, with Bonacorso Construction Corp., as follows:

Item No. 1 - "Unclassified Excavation"	- \$ 900.00
Item No. 5 - "Bituminous Concrete Excavation"	- \$14,000.00
Item No. 8 - "Cement Concrete Sidewalk Repairs"	- \$10,700.00
Item No. 27 - "Bituminous Concrete"	- \$33,600.00
Item No. 33 - "Curbing, Removed and Reset"	- \$ 5,260.00
Item No. 42 - "Special Lighting Unit - Flashing Arrow"	- \$ 4,500.00
Item No. 51 - "Catch Basins & Manholes, Adjusted to Grade"	- \$ 4,000.00
Item No. 53 - "Utility Boxes, Adjusted to Grade"	- \$ 750.00

The Commission V O T E D: Approved as recommended by Mr. McCarran in his report of July 14, 1983.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 4 Report of Ms. Haggerty, July 11, requesting approval of Extra Work Order No. 21, in the amount of \$70,000.00, for repairs to motor, reinstallation of the unit and fine tuning and testing of the equipment, on Contract No. S80-0605, with Engineering Construction, Inc., for Installation of 2000 HP Electric Motor at Deer Island Sewage Treatment Plant. Mr. Baratta explained that the Notice of Intent was forwarded to the Comptroller's Office on December 9, 1982, but due to an inadvertence it was not stamped "Received" until January 5, 1983. He went on to say that payment can not be made until a new Notice of Intent is filed and the Commission votes approval of the Extra Work Order once again.



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(This Extra Work Order was previously approved by the Commission at the meeting held on December 2, 1982).
The Commission V O T E D: to approve Extra Work Order No. 21, in the amount of \$70,000.00.

1 Report of Mr. Baratta, July 13, requesting authorization to renew contract negotiations for the acceptance of septage from non-member communities.
The Commission V O T E D: to approve the preparation of specific agreements at the rate of \$3.94 per capita for non-sewered population (non-member communities), in accordance with Massachusetts General Laws, Chapter 59, Section 20A, beginning with Fiscal Year 1984.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

2 Report of Mr. Martorana, undated, recommending the following on Contract No. W81-1003-C1A, with Richardson Electric Co., Inc., for Electrical Repairs to Belmont Pumping Station, Belmont, Massachusetts as follows:
(a) That the work be accepted as completed as of May 25, 1983.
(b) That Estimate No. 3 (Final), in the amount of \$50,629.01, be approved for payment.
(c) That reserve, in the amount of \$2,664.69, be approved for payment 65 days after acceptance of the work by the Commission.

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The Commission V O T E D: that the work of Richardson Electric Co., Inc., contractor under Contract No. W81-1003-C1A, for Electrical Repairs to Belmont Pumping Station, Belmont, Massachusetts, be and hereby is accepted as completed as of May 25, 1983.
The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of \$50,629.01, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of \$2,664.69 for payment, 65 days after acceptance of the work by the Commission.

3 Report of Mr. Martorana, July 20, submitting for approval Grant-Agreement, between the Metropolitan District Commission and the Massachusetts Historic Commission, for "Metropolitan Water Works Preservation Survey", Contract No. W83-1027, and requesting authorization of Commissioner William J. Geary as sole signator.
The Commission V O T E D: Approved.
The Commission further V O T E D: to authorize William J. Geary, Commissioner, as sole signator.

4 Report of Mr. Martorana, July 22, requesting authorization for the firm of Media Matrix, Inc., to produce an additional 20,000 restaurant table top tents at an estimated additional cost of \$1,000.00, to be funded under Account No. 2420-0200-13, for Promotional Materials on Water Conservation for the Fiscal 1983 Public Information Project.
The Commission V O T E D: Approved as requested by Mr. Martorana in his report of July 22, 1983.

5 At this point, the Commission expressed its appreciation to Mr. William A. Brutsch, Director of the Water Division, and MDC Staff, for their outstanding efforts in making the Commission visit to Quabbin Reservoir on July 21, 1983, a very enjoyable and educational experience.

6 Associate Commissioner Scandrett asked that, in light of recent statements by certain individuals, the following Policy Statement be included in the minutes of this meeting:
It is, and always has been, the policy of the Commission to comply with all provisions of the Commonwealth's Open Meeting Laws, Chapter 372 of the Acts of 1978, as amended.
It also is, and always has been, the policy of the Commission to accept requests by groups and individuals to be placed on the Commission's agenda, and specifically to aid all such applicants in following proper procedures in order to be placed on the agenda.
To the best of our knowledge, no individual or group has ever been denied the right to attend a Commission meeting nor has any individual or group ever been denied the privilege of being placed on the agenda.
This statement was unanimously endorsed by the Commission.

Action was taken upon the following Various Matters:

7 Report of Ms. O'Malley, July 13, on request of Rabbi Rachmiel Liberman, Director of Congregation Lubavitch, to erect the original directional sign in place of the existing generic sign on West Roxbury Parkway at Intervale Road.
Rabbi Rachmiel Liberman, Director of Congregation Lubavitch, was introduced to the Commission.

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Rabbi Liberman enumerated on his request and spoke of the confusion caused to those people from outside the area who have to visit his Synagogue. He also spoke of traffic and safety problems caused by the lack of adequate signing. Following a lengthy discussion, the Commission directed the Community Affairs Office and the Parks Director to further investigate the request and present their recommendations to the Commission.
The Commission V O T E D: Held over.

1 Letter of Milton Cablesystems, July 26, requesting an adjustment of permit fees for system construction over MDC property; also report of Ms. O'Malley, July 12, and letters of the Town of Milton, Board of Selectmen, July 25, and Friends of the Blue Hills, July 28.

Commissioner Geary explained that Milton Cablesystems had originally requested a waiver of the permit fee for system installation over MDC property. He stated that following a series of meetings with MDC Staff, Milton Cablesystems agreed to submit a proposal in which they would provide certain services and equipment to the MDC in lieu of a permit fee.

At this point, Mr. Anthony F. Peduto, General Manager of Milton Cablesystems, appeared before the Commission and outlined his company's proposal, which includes the following free services and equipment to the MDC in lieu of a permit fee:

1. A closed-circuit security monitoring service for the Chickatawbut Hill Parking Area with a direct hook-up to the MDC Blue Hills Police Station.
2. Free service to Trailside Museum, the three buildings at Chickatawbut Educational Center, a building at Houghton's Pond, and the MDC Blue Hills Police Station. All three locations will be connected with the Institutional Networks.
3. Milton Cablesystems will also provide the aforementioned facilities with a link to the Milton Residential Network.

Following a lengthy discussion, the proposal was referred to a Special Committee consisting of Ms. O'Malley and Messrs. McCarran, Wright, and Powers, for further negotiations with Milton Cablesystems. The Committee was directed to report back to the Commission with its recommendation at the Commission meeting scheduled for Thursday, August 11, 1983.

The following matter was placed on the agenda for the information of the Commission:

2 The following schedules were approved for payment by the Commissioner during the period from July 18, 1983 to July 25, 1983:

Invoices	\$ 704,191.74
Reservations of Funds	\$ 789.00
Advices of Changes	\$ 1,913.70
Weekly Payroll	\$1,180,975.31
Industrial Accident Report	\$ 13,238.31
Request for Advances	\$4,611,000.00

ADJOURNED at 4:00 P.M., to meet on Thursday, August 4, 1983 at 10:00 A.M.

William F. Crisholm
S e c r e t a r y.

324th
August 4, 1983

Record of the Three Thousand Two Hundred and Forty-Fifth (3245th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, August 4, 1983, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The records of the meeting held on July 21, 1983 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

3 Contract No. P77-0404-C1A, dated August 4, 1983, with D. Cicconi, Inc., for Lighting Modernization, Memorial Drive, Cambridge, Massachusetts.

4 Ms. Leslie Robinson of the Water Division, introduced representatives of Media Matrix, Inc., who then presented a twenty-minute film entitled - "Water - Not Enough to Waste." The film depicted the MDC water supply deficit and the role of demand management in addressing the water supply problem.

Ms. Robinson then distributed, for Commission review, the recently completed "Water Watchers" a seventh and eighth grade curriculum guide, which was developed by the Educational Development Center.

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Action was taken upon the following matters relating to the Metropolitan Parks System:

- 1 Report of Mr. McCarran, July 14, recommending the following on Contract No. P82-1005-M1A, with W. A. Kraft Corp., for annual Preventative Maintenance and Repair Contract for Prime Power Generators, Various Locations Within the Metropolitan District Commission:
 - (a) That the work be accepted as completed as of June 30, 1983.
 - (b) That Estimate No. 3 (Final), in the amount of \$17,014.50, be approved for payment.
 - (c) That Reserve, in the amount of \$2,376.50, be approved for payment on September 3, 1983.

Associate Commissioner Fontanez and Jones expressed their continued concern and uneasiness with regards to the existing system of rating a contractors EEO Performance.

Following a brief discussion the Commission V O T E D: that the work of W. A. Kraft Corp., contractor under Contract No. P82-1005-M1A, for Annual Preventative Maintenance and Repair Contract for Prime Power Generators, Various Locations Within the Metropolitan District Commission, be and hereby is accepted as completed as of June 30, 1983.

The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of \$17,014.50, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$2,376.50, for payment on September 3, 1983.

- 2 Report of Mr. McCarran, July 13, recommending the following on Contract No. P78-0668-C2A, with J. M. Cashman, Inc., for Rehabilitation of Bajko Skating Rink and Service Building, Stony Brook Reservation, Boston, Massachusetts:
 - (a) That the work be accepted as substantially completed as of June 7, 1983, with the exception of Item No. 7B - "Metal Roofing and Siding" and Item No. 15A - "Plumbing."
 - (b) That Estimate No. 10 (Substantially Completed), in the amount of \$32,203.57, be approved for payment.
 - (c) That reserve, in the amount of \$49,009.55, be approved for payment on August 12, 1983.

The Commission V O T E D: that the work of J. M. Cashman, Inc., contractor under Contract No. P78-0668-C2A, for Rehabilitation of Bajko Skating Rink and Service Building, Stony Brook Reservation, Boston, Massachusetts, be and hereby is accepted as substantially completed as of June 7, 1983, with the exception of Item No. 7B - "Metal Roofing and Siding" and Item No. 15A - "Plumbing."

The Commission further V O T E D: to approve Estimate No. 10 (Substantially Completed), in the amount of \$32,203.57, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$49,009.55, for payment on August 12, 1983.

- 3 Report of Mr. McCarran, July 29, submitting Work Schedule Form, Project Summary Form, and Project Justification, for Fishing Pier Rehabilitation, Castle Island, Project No. P84-1271-C1A, estimated cost - \$30,000.00, Account No. 2440-8794.
The Commission V O T E D: Approved.

- 4 Report of Mr. McCarran, July 29, on bids for Repairs to South Side of Huntington Avenue Overpass, Jamaicaaway, Boston, Massachusetts, Contract No. P80-0826-C1A.
The Commission discussed the poor Performance Rating given to Northeastern Construction Co., Inc., by the Massachusetts Department of Public Works on a recently completed project.
Following a lengthy discussion, the Commission V O T E D: Held over pending further review and recommendation concerning award of the contract to Northeastern Construction Co., Inc., by Mr. McCann and Mr. Wright.

- 5 Report of Mr. McCarran, July 27, on request of Mr. William K. Nuttle, of Parsons Laboratory - Massachusetts Institute of Technology, for permission to study the Belle Isle Marsh Reservation in a highly technical way.
Mr. William K. Nuttle of Parsons Laboratory - Massachusetts Institute of Technology, addressed the Commission and explained the work to be performed under the study. Upon questioning by Commissioner Geary, Mr. Nuttle stated that the 1½ to 2 year project will be funded through a grant from the National Science Foundation. Mr. Nuttle further stated that the research project would not interfere with an upcoming construction project to be carried out at Belle Isle.
Following a lengthy discussion, the Commission V O T E D: Approved under the following terms and conditions:
 1. It will be the responsibility of Parsons Laboratory - Massachusetts Institute of Technology, to obtain a permit for the work from the Boston Conservation Commission. A copy of the permit to be forwarded to Francis H. McCarran, Director of the Parks Division.

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2. The project must be reviewed with Friends of Belle Isle Marsh prior to commencement.
3. Parsons Laboratory - Massachusetts Institute of Technology, will coordinate the project with Mr. James Falck, Landscape Architect for the Metropolitan District Commission.
4. Parsons Laboratory - Massachusetts Institute of Technology will provide Mr. McCarran with copies of all interim and final reports concerning the project.
5. The approval is granted with the understanding that Parsons Laboratory - Massachusetts Institute of Technology, will hold the Commonwealth of Massachusetts, the Metropolitan District Commission and its agents and servants harmless and indemnified against all claims and demands for damages to persons or property arising out of the exercise of this permit.

Associate Commissioner Jones wished to be recorded as present but not voting on this matter.

- 1 Report of Mr. O'Malley, August 1, recommending refund of \$100.00 to Mr. Sidney Augenstern on his Senior Citizen Season Ticket for MDC Golf Courses due to the fact that Mr. Augenstern is incapable of utilizing the golf courses due to his health.
 The Commission V O T E D: Approved.
- 2 Report of Mr. O'Malley, August 2, recommending the Commission rescind its vote of May 5, 1983 awarding Contract for Pest Control Services for MDC Parks and Recreation Areas for the Fiscal Year 1984 to Century Service Co., for the sum of \$2,600.00 and award the Contract to the second lowest bidder, Astor Exterminating Company for the sum of \$2,660.00; also report of Mr. Wright, August 2, 1983.
 Messrs. James Cody and Julian Turner were directed to investigate the allegation of Century Service Company that the advertisement calling for the services as needed misrepresented the true needs of the Commission and is contrary to the Commission's history of Pest Control Services. The findings of the investigation to be reported back to the Commission.
 The Commission V O T E D: to rescind its vote of May 5, 1983 (Volume 46, Page 269, Item No. 4), on this matter.
 The Commission further V O T E D: to award the Contract for Pest Control Services for MDC Parks and Recreation Areas for the Fiscal Year 1984 to the second lowest bidder, Astor Exterminating Company, for the sum of \$2,660.00.
- Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:
- 3 Report of Ms. Haggerty, July 22, on bids for Power Master Boiler Repairs at Columbus Park Headworks, South Boston, Massachusetts, Contract No. S83-1104-C1A.
 The Commission V O T E D: to accept the lowest bid, that of Kendall Boiler & Tank Company, Inc., of \$3,982.00.
- 4 Report of Ms. Haggerty, July 29, on sub-bids for Item No. 42 - "Heating and Ventilating Installation," under Contract No. S81-0951-C2A - General Construction and Equipment Installation for Composting Demonstration Facilities, Deer Island Sewage Treatment Plant, and submitting letter of Leonard Engineering Corp., June 20, requesting approval of withdrawal of its sub-bid of \$5,883.00, because of omissions in calculations; also letter of Havens and Emerson, Inc., July 21, 1983.
 The Commission V O T E D: to allow Leonard Engineering Corp., to withdraw their filed sub-bid without prejudice, and to approve return of their bid deposit, in accordance with Chapter 149, Section 44B, General Laws.
- 5 Report of Ms. Haggerty, July 28, on bids for General Construction and Equipment Installation for Composting Demonstration Facilities, Deer Island Sewage Treatment Plant, Contract No. S81-0951-C2A.
 The Commission V O T E D: to accept the lowest bid, that of W. T. Rich Co., Inc., of \$1,579,783.00, plus \$19,097.00, which is the difference between Leonard Engineering's sub-bid of \$5,883.00 and Arco's sub-bid of \$24,980.00, for a total revised bid price of \$1,598,880.00.
- 6 Report of Ms. Haggerty, July 25, on bids for Alternate Power Source, Nut Island Sewage Treatment Plant, Quincy, Massachusetts, Contract No. S80-0854-C1A.
 The Commission discussed the wide variance in the MDC Engineer's estimate of \$600,000.00 and the low bid of The Chappy Corporation of \$259,000.00.
 Mr. Baratta was directed to provide the Commission with additional information concerning the wide variance in the MDC Engineer's estimate and the low bid of The Chappy Corporation.
 The Commission V O T E D: Held over.
- 7 Report of Ms. Haggerty, July 14, recommending the following on Contract No. S80-0830-C1A (S79-26), with American Druggist's Insurance Company, for Replacement of New Boilers, Nut Island Sewage Treatment Plant, Quincy, Massachusetts:



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- (a) That the work be accepted as completed as of April 29, 1983.
 (b) That Estimate No. 4 (Final), in the amount of \$10,917.40, be approved for payment.
 (c) That retainage, in the amount of \$9,380.00, be approved for payment.

The Commission questioned why the American Druggists' Insurance Company was responsible for performing work under the contract. Mr. Baratta stated that the original contractor had defaulted and therefore the completion of the work was the responsibility of the insurance company. Mr. Baratta was then directed to provide the Commission with a summary of the contract from start to finish. The Commission V O T E D: that the work of American Druggists' Insurance Company, contractor under Contract No. S80-0830-C1A (S79-26), for Replacement of New Boilers, Nut Island Sewage Treatment Plant, Quincy, Massachusetts, be and hereby is accepted as completed as of April 29, 1983.

The Commission further V O T E D: to approve Estimate No. 4 (Final), in the amount of \$10,917.40, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$9,380.00 for payment.

- 1 Report of Mr. Baratta, July 29, requesting approval of a five-month extension of time from July 31, 1983 to December 31, 1983, on Contract-Agreement No. S80-0811, with C. E. Maguire, Inc., for the Relief, Rehabilitation, or Reconstruction of the Braintree-Weymouth Interceptor and Pumping Station, in order to enable C. E. Maguire Inc., sufficient time to resolve outstanding issues necessary to finalize the Draft Facilities Plan.

Mr. Baratta explained that the extension of time was requested due to a delay at the Department of Environmental Quality Engineering in completing the regulatory review.

The Commission V O T E D: to approve a five-month extension of time from July 31, 1983 to December 31, 1983, as recommended by Mr. Baratta in his report of July 29, 1983, on condition that no further request will be made for additional compensation.

- 2 Report of Mr. Baratta, July 29, requesting approval of a six-month extension of time from April 30, 1983 to October 31, 1983, on Contract-Agreement No. S81-0893, with SEA Consultants, Inc., for Facilities Planning for the Wellesley Extension Relief Sewer, in order to enable SEA Consultants, Inc., sufficient time to resolve outstanding issues necessary to finalize the Draft Facilities Plan.

Mr. Baratta explained that the extension of time was requested due to a delay at the Department of Environmental Quality Engineering in completing the regulatory review.

The Commission V O T E D: to approve a six-month extension of time from April 30, 1983 to October 31, 1983, as recommended by Mr. Baratta in his report of July 29, 1983, on condition that no further request will be made for additional compensation.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 3 Report of Mr. Martorana, July 25, on bid for Cleaning a Section of the Rutland-Holden Sewer in Rutland and Holden, Massachusetts, Contract No. W83-1023-C1A. The Commission V O T E D: to accept the lowest qualified bid, that of Cabot Construction Co., Inc., of \$2,737.50.

- 4 Report of Mr. Martorana, July 28, recommending approval of an extension of time from January 13, 1983 to August 31, 1983, on Contract-Agreement No. W81-1010, with Allis-Chalmers Corporation, for Cosgrove Intake Power Plant Efficiency Analysis, to cover the period of technical discussions.

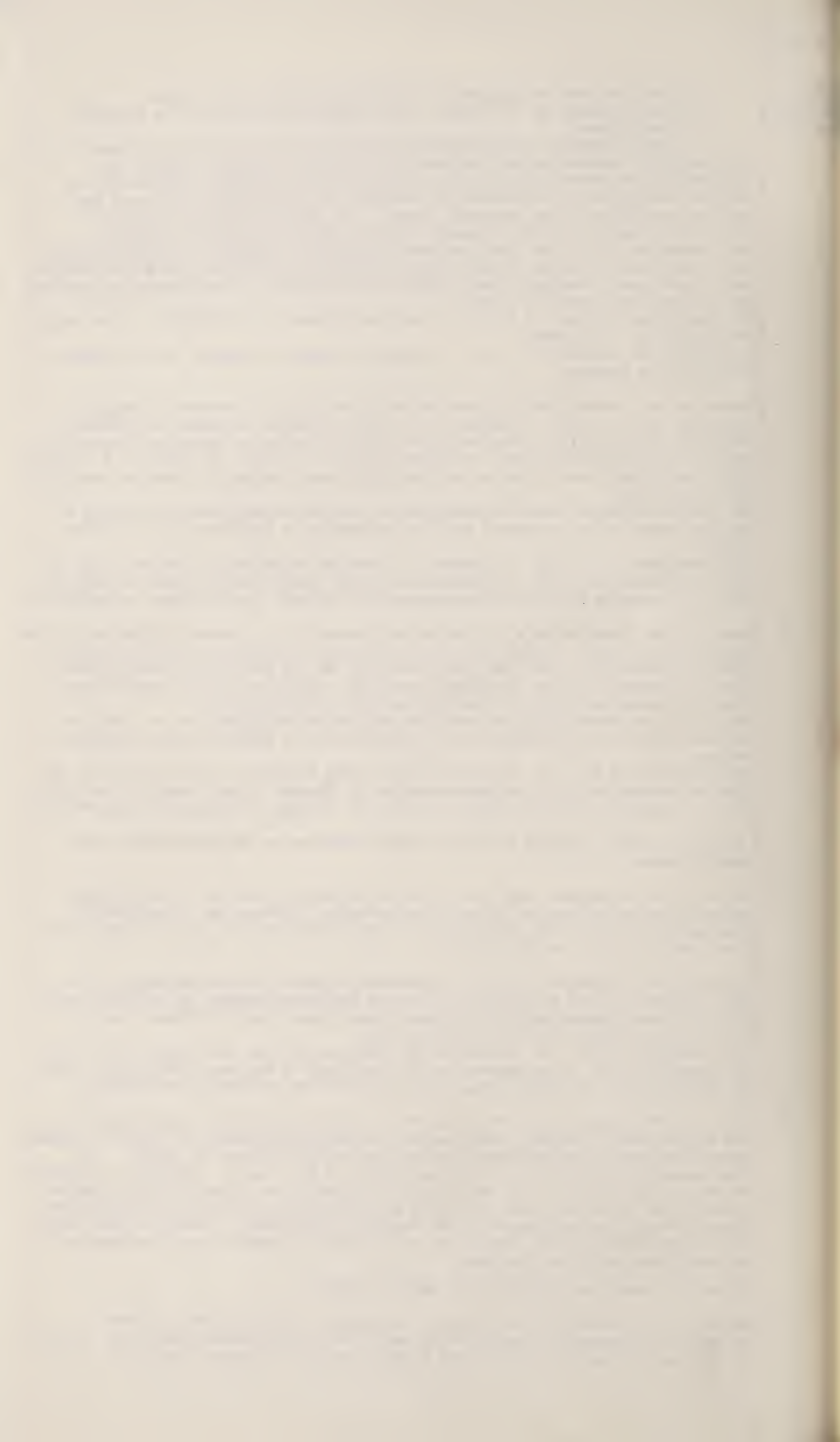
The Commission V O T E D: to approve an extension of time from January 13, 1983, to August 31, 1983, as recommended by Mr. Martorana in his report of July 28, 1983, on condition that no further request will be made for additional compensation.

- 5 Report of Mr. Faucher, July 29, relative to rental of Commission-Owned House at 506 Wilson Street, Clinton, Massachusetts, formerly occupied by Mr. Louis P. Novack, General Foreman of the Wachusett Section, who retired on June 30, 1983.

The Commission V O T E D: to grant permission to Mr. Frank J. Gambuccini, Carpenter in the Wachusett Section, to rent the house at 506 Wilson Street, Clinton, Massachusetts, at the monthly rate of \$90.50 as established by the Office of Administration & Finance, as recommended by Mr. Faucher in his report of July 29, 1983, with the understanding that Mr. Gambuccini will vacate the premises upon termination of his employment with the Commission.

Action was taken upon the following Various Matters:

- 6 Report of Ms. Volpe-O'Malley, July 13, on request of Rabbi Rachmiel Liberman, Director of Congregation Lubavitch, to erect the original directional sign in place of the existing generic sign on West Roxbury Parkway at Intervale Road.



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August 4, 1983
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Ms. Gail Tuzzolo of the Community Affairs Office appeared before the Commission and stated that in her opinion, the request of Rabbi Liberman should be honored. She stated that the lack of a specific identification sign causes confusion and also creates a safety problem in the area.

Following a lengthy discussion, the Commission V O T E D: to approve the request of Rabbi Liberman to return the original specific sign to the site where it was previously installed and subsequently removed. This permission is for a one-year period while the Commission re-evaluates its policy concerning the erection of signs on MDC property.

Report of Mr. Wright, August 2, submitting for approval and signature Contract-Agreement, No. P82-1176-M1A, with Dr. John C. Swallow, for Horticultural Consultant Services; Total Compensation not to exceed \$10,000.00.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Contract-Agreement, dated August 4, 1983, with Dr. John C. Swallow, which was signed by the Commissioner and four Associate Commissioners.

The following matter was placed on the agenda for the information of the Commission:

1 The following schedules were approved for payment by the Commissioner during the period from July 25, 1983 to August 1, 1983:

Invoices	\$1,100,914.89
Reservation of Funds	\$ 10,000.00
Advice of Change	\$ 30,000.00
Weekly Payroll	\$1,424,023.64
Industrial Accident Report	\$ 14,845.09
Request of Advance	\$ 4,000.00

ADJOURNED at 1:00 P.M. to meet on Thursday, August 11, 1983 at 10:00 A. M.

William F. Chisholm
S e c r e t a r y.

324th
August 11, 1983

Record of the Three Thousand Two Hundred Forty-Sixth (3246th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, August 11, 1983, at 10:00 A. M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones and Scandrett.

The records of the meeting held on July 28, 1983 were read and approved.

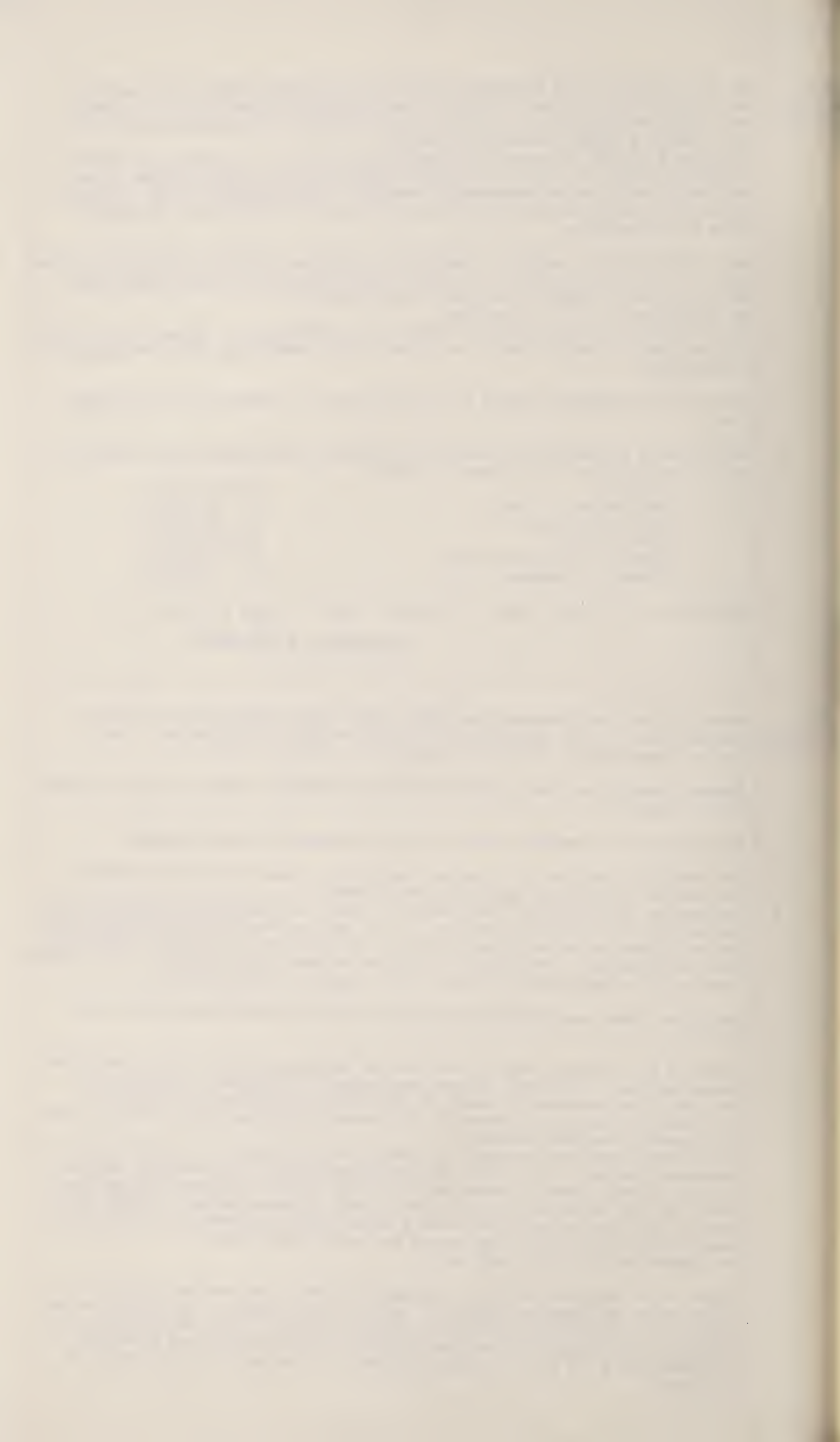
The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

2 Contract No. P82-1157-M1A, dated August 11, 1983, with Metropolitan Signal Corp., and New England Traffic Signals, Inc., Joint Venture, for Servicing Traffic Signal Control Systems on Parkways and Roadways of the Metropolitan District Commission. Contract-Agreement, dated August 10, 1983, with Astor Pest Control for Pest Control Services at Various Locations within the Metropolitan Parks District.

Action was taken upon the following matters relating to the Metropolitan Parks System:

3 Report of Mr. McCarran, July 29, on bids for Repairs to South Side of Huntington Avenue Overpass, Jamaicaaway, Boston, Massachusetts, Contract No. P80-0826-C1A. The Commission discussed at length the poor work performance rating given to Northeastern Construction Company by the Massachusetts Department of Public Works on a recently completed contract. Commissioner Geary spoke of what is expected of any contractor when involved in Commission contracts. He stated that the Commission will not overlook poor performance ratings given to contractors either by the MDC or other State Agencies. Messrs. Wright and McCann were directed to meet and recommend what action can be taken in this case and also formulate a policy which the Commission can utilize when similar type problems come before the Board in the future. The Commission V O T E D: Held over.

4 Report of Mr. McCarran, July 29, recommending approval of overrun on Item No. 2 - "Catch Basins and Manholes Rebuilt to Grade," in the amount of \$4,200.00, on Contract No. P83-1238-C1A, with Addonizio Construction Co., Inc., for Upgrading and Rehabilitation of Casting Structures, Charles District, Boston and Cambridge. The Commission V O T E D: to approve overrun, on Item No. 2, in the amount of \$4,200.00.



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Report of Mr. McCarran, August 4, submitting Work Schedule Form, Project Summary Form and Project Justification, for Caulking/Sealing and Associated Work, at MDC Headquarters Building, Boston, Massachusetts, Project No. P84-1274, estimated cost \$5,600.00, Account No. 2410-8811.
The Commission V O T E D: Approved.

- 2 Report of Mr. McCarran, August 4, submitting for approval and signature Proposed Traffic Control Agreement between the Massachusetts Department of Public Works and the Metropolitan District Commission, Federal Aid Project No. M-000S (11), for Reconstruction of the Existing Traffic Signal System at the Intersection of Lynn Fells Parkway and Main Street in Saugus, which upon completion will be turned over to the MDC for maintenance and control.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Agreement, dated August 11, 1983, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matter relating to the Metropolitan Water Quality and Sewerage System:

- 3 Report of Ms. Haggerty, July 25, on bids for Alternate Power Source, Nut Island Sewage Treatment Plant, Quincy, Massachusetts, Contract No. S80-0854-C1A.
The Commission V O T E D: Held over.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 4 Report of Mr. Martorana, August 1, requesting approval of an extension of time from March 27, 1983 to June 10, 1983, on Contract No. W81-1004-C1A, with Bowser & Copponi, Inc., for Furnishing and Installing Metal Work at Various MDC Water Division Facilities in Southboro, Weston, and Newton, Massachusetts, to cover the time it will take to correct some work previously installed in the project.
The Commission V O T E D: to approve an extension of time from March 27, 1983 to June 10, 1983, as recommended by Mr. Martorana in his report of August 1, 1983, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

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- 5 Report of Mr. Martorana, August 2, recommending acceptance of Part A, Final Preliminary Design and Report, on Contract No. W81-1009, Fay Spofford & Thorndike, Inc., for Wachusett Dam Hydropower Modernization.
The Commission V O T E D: Approved

- 6 Report of Mr. Martorana, August 3, submitting for approval and execution Contract-Agreement No. W80-0884-D1A, between the Massachusetts Department of Public Works and the Metropolitan District Commission, relative to Apportionment of Work, Expense, Ownership, and Future Maintenance, in connection with Water Distribution System Improvements in the Town of Stoneham, Massachusetts.
The Commission V O T E D: to approve the Contract-Agreement.
The Secretary then submitted for signature Contract-Agreement No. W80-0884-D1A, dated June 29, 1983, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following Various Matters:

- 7 Letters of Milton Cablesystems, July 26, and August 9, requesting an adjustment of permit fees for system construction over MDC property; also report of Ms. Volpe-O'Malley, July 12, and letters of the Town of Milton, Board of Selectmen, July 25, Friends of the Blue Hills, July 28 and the Special In-House Committee, August 10. Mr. Powers, Supervisor of Permits appeared before the Commission and stated that the Special Committee which was established following the July 28, 1983 Commission meeting had investigated the request of Milton Cablesystems and was recommending that the Commission deny the request to adjust permit fees for construction over MDC property in the Blue Hills Reservation.
He stated that by approving this request, the Commission would be receiving similar petitions from other cable and utility companies for similar treatment.
He then recommended that the Commission reaffirm its fee schedule which calls for a permit fee of \$2.50 per foot for overhead lines and \$1.50 per foot for underground installation.
Mr. Powers explained that the request of Milton Cablesystems was for the installation of 10,377 feet of line for a total fee of \$25,942.50. Because of the sizeable fee, Mr. Powers recommended that the payment be spread over a period of not to exceed five years.
Following a lengthy discussion, the Commission V O T E D: to deny the request of Milton Cablesystems Corporation to adjust the permit fee in return for equipment and services to be provided to the Commission in lieu of a portion of the permit fee.

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The Commission further V O T E D: to reaffirm the existing permit fee schedule of \$2.50 per foot for overhead lines and \$1.50 per foot for underground installation.

The Commission further V O T E D: to allow Milton Cablesystems to pay its fee over a period not to exceed five years. The first payment to be made prior to the issuance of a permit.

The Commission directed Mr. Powers to prepare the permit.

1 Report of Deputy Superintendent Amsler, August 3, on recommendation of Superintendent Keough and Sargeant Hayes to reduce the posted speed limit along the Mystic Valley Parkway between Winthrop Street and Auburn Street to 30 miles per hour; also report of Mr. Kirwin, June 21.
The Commission V O T E D: to reduce the speed limit from 40 miles per hour to 30 miles per hour along the Mystic Valley Parkway between Winthrop Street and Auburn Street, and that signs to this effect be posted forthwith.

2 Report of Mr. O'Malley, August 8, on recommendation of the Special Task Force, to issue a permit to the Massachusetts Board Sailing Coalition, for Boardsailing at Various Locations subject to certain terms and conditions.
Mr. O'Malley reviewed the recommendations of the Special Task Force which was established to look into the existing policy with regards to Boarsailing on Commission-controlled bodies of water.

The Commission then reviewed the recommendations at length. Commissioner Geary spoke of the possible problems which might be encountered with Boardsailing on the Charles River Basin. He stated that if the Commission were to approve the sport at this location, those individuals utilizing the river should be made aware that the water has a rating of Class "C".

The Commission, following a lengthy discussion V O T E D: to approve the use of Boardsails at the following locations:

- 1. Nahant Boat Launch/Lynn Harborside
- 2. Revere Beach/Point of Pines
- 3. Upper Mystic Lake
- 4. Mystic River/Blessing of the Bay
- 5. Malibu Beach/Oceanside
- 6. Winthrop Beach/North end
- 7. Wollaston Beach/North end
- 8. Stodders Neck
- 9. Charles River/Woerd Avenue Boat Launch
- 10. Charles River/Duck Feeding Area

The Commission further V O T E D: to approve the use of Boardsails for special events on the Charles River Basin by qualified "Elite Class Sailors" on a case by case basis subject to the following:

- 1. The Reservations and Recreation Section of the Parks Division will be responsible for issuance of the permits.
- 2. Any unusual request for permits must be referred to the Commission for action.
- 3. The Reservations and Recreation Section of the Parks Division will be responsible for notifying all groups requesting permits for Boardsailing in the Charles River Basin that the water has a rating of Class "C."

3 Report of Mr. Falvey, August 5, recommending approval of a \$12,000.00 relocation payment to Mr. Edward J. Sciaba, Trustee of P & E Realty Trust in connection with the taking of a parcel of land for the Tenean Beach Redevelopment Project.
The Commission V O T E D: to approve a \$12,000.00 relocation payment to Mr. Edward J. Sciaba, Trustee of P & E Realty Trust; said payment to be funded from the Metropolitan Parks Land Trust Fund.

4 Report of Ms. Volpe O'Malley, August 10, recommending Commission approve in concept the request of Brighter Day for a Lease/Permit to Conduct a Sailing Program at Old Harbor in South Boston.
Following a brief discussion in which the Commission expressed its support for this type of program, the Commission V O T E D: to approve the request in concept.
The Commission then directed Ms. Gail Tuzzolo, of the Community Affairs Office to organize a Task Force to work out the details of the permit.

5 Report of Mr. Wright, August 10, recommending approval of a \$3,500.00 increase for Legal Services for representation of the MDC in connection with William Henderson vs. Terrence Geoghegan vs. Civil Service Commission.
Mr. Wright explained the reason for the request for additional funds. He stated that the action has now been removed to the Appeals Court thereby requiring additional funds to complete the litigation.
Mr. Wright continued by stating that Article III of the contract provides that: "The Commission shall compensate the Attorney for services rendered hereunder at the rate of \$35.00 per hour, which shall include his services and overhead. Expenses such as court fees, transcripts, xeroxing and printing, etc. shall be reimbursed at cost. In no event shall the total amount to be paid under this contract exceed

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that amount shown and approved on the "Authorization of Services: Form AF-4." Therefore, preparation of an amendment to the contract is not required; however, the Financial Division is directed to prepare an amended "Authorization of Services" Form AF-4 increasing the maximum obligation by \$3,500.00 to a total of \$8,500.00.

Following a brief discussion, the Commission V O T E D: Approved.

The following matter was placed on the agenda for the information of the Commission:

1 The following schedules were approved for payment by the Commissioner during the period from August 1, 1983 to August 8, 1983:

Invoices	\$ 793,866.03
Reservations of Funds	\$1,435,578.75
Advices of Changes	\$ 1,834.18
Weekly Payroll	\$1,274,753.07

ADJOURNED at 12:45 P.M. to meet on Thursday, August 18, 1983 at 10:00 A.M.

William F. O'Connell
S e c r e t a r y.



327th
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Record of the Three Thousand Two Hundred and Forty-Seventh (3247th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, August 18, 1983, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The records of the meeting held on August 4, 1983, were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

- 1 Contract No. S83-1104-C1A, dated August 18, 1983, with Kendall Boiler & Tank Co., Inc., for Powermaster Boiler Repairs at Columbus Park Headworks, South Boston, Massachusetts.

Action was taken upon the following matters relating to the Metropolitan Parks System:

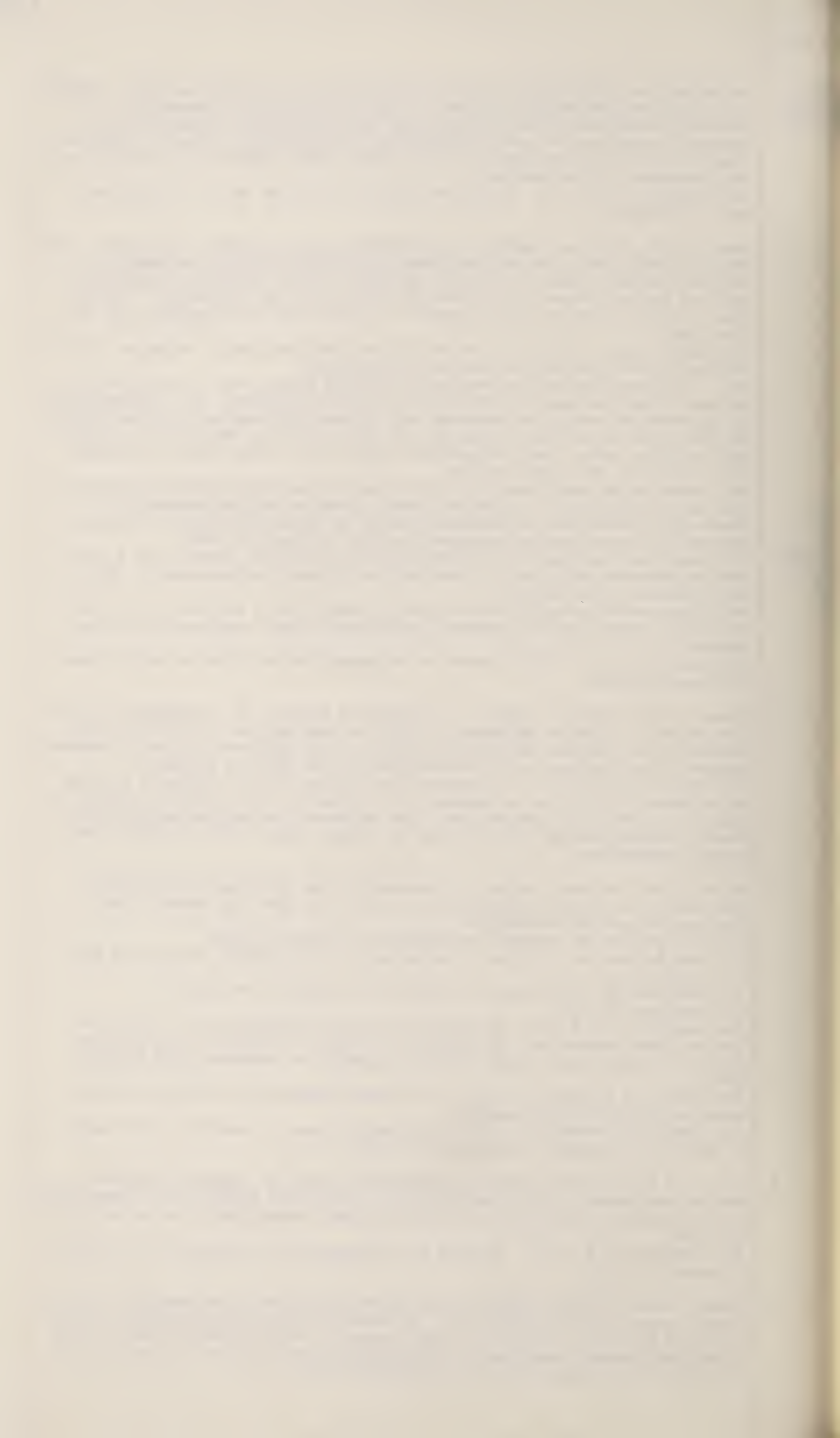
- 2 Report of Mr. McCarran, July 29, on bids for Repairs to South Side of Huntington Avenue Overpass, Jamaicaaway, Boston, Massachusetts, Contract No. P80-0826-C1A; also report of Mr. Wright, August 16.
The Commission V O T E D: Held over.
- 3 Report of Mr. McCarran, August 10, on bids for Annual Preventative Maintenance and Repair Contract for Prime Power Generators and Emergency Generators at Various Locations Within the Metropolitan District Commission, Contract No. P82-1164-M1A. The Commission reviewed the recommendation and also Mr. Turner's memo concerning the EEO/AA performance of W. A. Kraft Corp.
In response to questioning by the Commission, Mr. Turner stated that he had spoken with the contractor and is confident that W. A. Kraft Corp. will adhere to all EEO/AA requirements as set forth in the contract.
The Commission then directed Mr. Turner to submit a report on this contract relative to EEO/AA and Procurement of Certified MBE/WBE for material and equipment; said report to be submitted to the Commission no later than September 29, 1983.
The Commission V O T E D: to accept the lowest bid, that of W. A. Kraft Corp., of \$46,350.00.
- 4 Report of Mr. McCarran, August 10, on bids for Heating System Replacement, Connell Pool, Weymouth, Massachusetts, Contract No. P82-1186-C1A.
The Commission V O T E D: to accept the lowest bid, that of Fraser Engineering Co., Inc., of \$36,877.00.
- 5 Report of Mr. McCarran, August 9, on bids for Roof Replacement, Stoneham Pool, Stoneham, Massachusetts, Contract No. P82-1187-C1A.
Associate Commissioner Fontanez questioned the wide variance in the MDC Engineers' estimated cost of the project and the actual low bid of Allied Weatherproofing Co., Inc.
Mr. Dennis Kane, Project Engineer, explained that due to the urgency in repairing the roof at the Stoneham Pool, he did not have the necessary time to complete an in-depth investigation of its condition and, therefore, was not able to provide a more realistic cost estimate for the work. Mr. Kane said the Parks Division has received written approval from the Department of Capital Planning for the MDC to undertake the project.
The Commission V O T E D: to accept the lowest bid, that of Allied Weatherproofing Co., Inc., of \$19,700.00.
- 6 Report of Mr. McCarran, August 9, recommending approval of an extension of time from August 27, 1983 to November 19, 1983, on Contract No. P81-0973-C1A, with J. Biotti & Sons, for Beaver Brook Culvert Improvements, Waltham, Massachusetts, due to the following reasons:
 1. The record rainfall in the Spring of 1983 that prevented the Contractor from working in a timely and efficient manner.
 2. The additional work that is required by the City of Cambridge, Water Department, on its 30-inch and 36-inch water mains that was not addressed at the time the plans and specifications were prepared because neither the MDC nor the MDC Design Consultant were aware of any problems with shutting down these water mains.
 The Commission V O T E D: to approve an extension of time from August 27, 1983 to November 19, 1983, as recommended by Mr. McCarran in his report of August 9, 1983, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
- 7 Report of Mr. McCarran, August 8, recommending approval of overrun on Item No. 35 - "48" Precast Manhole Barrels and Cones," at an additional cost of \$1,950.00,

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on Contract No. P82-1011-C1A, with P. Caliacco Corp., for Spot Pond Brook - Winter to Clifton and Dartmouth St. Culvert in the City of Malden, Massachusetts. Associate Commissioner Anderson noted that this overrun will actually save the Commission money and will aid in expediting the project due to the fact that the contractor will be using precast concrete bases rather than the more costly cast-in-place bases for the manholes.
The Commission V O T E D: to approve overrun on Item No. 35, at an additional cost of \$1,950.00.

- 1 Report of Mr. McCarran, August 10, recommending that the Contract-Agreement, with Metcalf & Eddy, Inc., for the Town Brook Flood Control Project, be amended to include additional tasks, at a total additional cost of \$139,341.93, and extend the Time for Performance to complete all design work from September 1, 1983 to June 30, 1984; duration time to complete all work shall be coterminous with construction.
Mr. Joseph Capone, Director of Project Planning and Management, presented a brief outline of work performed to date by the Consultant.
Mr. J. Vittands, Senior Vice-President of Metcalf & Eddy, Inc., was introduced and he reviewed the need for amending the Contract-Agreement. Mr. Vittands briefly described the work to be performed and discussed the complexity of the project. He stated that in addition to the MDC, the City of Quincy, Massachusetts Department of Public Works, Town of Braintree, MBTA, and U.S. Army Corps of Engineers are involved in the overall project.
Mr. Capone stated that there is an urgent need to amend the Contract-Agreement so that the construction of the Burgin Parkway Extension can get underway. Mr. Capone also stated that an extension of time for the Design Phase is necessary because the present Contract-Agreement expires on August 31, 1983.
The Commission expressed its uneasiness with the fact that there is not a formal written Agreement with the U.S. Army Corps of Engineers with regards to their participation in the project.
Mr. Capone was directed to contact the U.S. Army Corps of Engineers in an effort to obtain a formal written Agreement pertaining to their participation in the project.
The Commission V O T E D: Approved as recommended by Mr. McCarran in his report of August 10, 1983.
- 2 Report of Mr. McCarran, August 11, recommending approval of an extension of time from August 12, 1983 to September 15, 1983, on Contract No. P83-1227-C1A, with Community Tree Service, for Dead Tree Removal Along MDC Parkways, due to inclement weather in May and June, and to allow time to plant grass in September.
The Commission V O T E D: to approve an extension of time from August 12, 1983 to September 15, 1983, as recommended by Mr. McCarran in his report of August 11, 1983, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
- 3 Report of Mr. McCarran, August 11, recommending the following on Contract No. P82-1188-C1A, with Rock Construction Co., Inc., for Dead Tree Removal Along Parkways, Blue Hills Reservation:
(a) That the work be accepted as completed as of July 23, 1983.
(b) That Estimate No. 2 (Final), in the amount of \$16,166.39, be approved for payment.
(c) That reserve, in the amount of \$947.96, be approved for payment on September 26, 1983.
The Commission V O T E D: that the work of Rock Construction Co., Inc., contractor under Contract No. P82-1188-C1A, for Dead Tree Removal Along Parkways, Blue Hills Reservation, be and hereby is accepted as completed as of July 23, 1983.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of \$16,166.39, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of \$947.96, for payment on September 26, 1983.
- 4 Report of Mr. McCarran, August 10, recommending that the Commission approve Dooling and Siegel's use of George Horowitz, Structural Engineer, for consultation on the Reconstruction of Dealtry Pool, Watertown, Massachusetts, in the amount of \$120.00.
The Commission V O T E D: Approved as recommended by Mr. McCarran in his report of August 10, 1983.
- 5 Report of Mr. McCarran, August 15, recommending approval of an Amendment to Contract-Agreement, with Wright-Pierce, for Restoration and Rehabilitation of Dilbooy Field and Foss Park in Somerville, Massachusetts, which transfers funds from the direct and indirect labor costs of subcontractor John G. Crowe Associates, Inc. to direct and indirect labor costs of Wright-Pierce.

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The Commission V O T E D: Approved as recommended by Mr. McCarran in his report of August 15, 1983.

- 1 Report of Mr. McCarran, August 11, submitting Work Schedule Form, Project Summary Form, and Project Justification, for Operation and Maintenance of Sound and Lighting Systems at Hatch Memorial Shell, Back Bay, Boston, Massachusetts, Project No. P83-1254, estimated cost - \$15,000.00, Account No. 2440-0010-12.
 The Commission V O T E D: Approved.

- 2 Report of Mr. McCarran, August 4, submitting Work Schedule Form, Project Summary Form, and Project Justification, for Tree Planting - Parkways (Fall 1983), Project No. P84-1275, estimated cost - \$100,000.00, Account No. 2490-0009.
 The Commission V O T E D: Approved.

- 3 Report of Mr. Wright, August 12, submitting for approval and signature Contract-Agreement, with American Engineering & Testing, Inc., for Supplementing and Reinforcing Commission's Testing and Inspection Facilities in Conjunction With Its Construction Projects for Inspection, Sampling, and Testing of Portland Cement Concrete, Bituminous Concrete, Soils, Paint, Etc.; total contract cost not to exceed \$30,000.00.
 A discussion ensued concerning the process used in selecting Consultants for various MDC Projects.
 Commissioner Geary noted that a Special Committee has been formed and is presently reviewing the Consultant Selection process.
 The Commission directed that, in the future, Consultants are to be notified that they are being "recommended to the Commission for approval" rather than "selected by the Consultant Selection Committee."
 Associate Commissioner Fontanez questioned why the Consultant Contract did not have a section pertaining to EEO/AA.
 Mr. James F. McCann, Contract Administrator, was directed to provide information to the Commission concerning EEO/AA requirements on Consultant Contracts for the meeting of the Commission scheduled to be held on Thursday, September 8, 1983.
 The Commission V O T E D: Approved.
 The Secretary then submitted for signature Contract-Agreement, dated August 18, 1983, with American Engineering & Testing, Inc., which was signed by the Commissioner and three Associate Commissioners.

- 4 Report of Mr. McCarran, August 11, relative to acquisition of the "Island Auto Used Car" property in Lynn, Massachusetts.
 The Commission V O T E D: to authorize Jeremiah A. Falvey, Jr., Director of the Right-of-Way Section, to contact the owner of "Island Auto Used Car" for the purpose of negotiating the acquisition of the property.

- 5 Report of Mr. O'Malley, August 12, on request of the Watertown Chamber of Commerce to close off Charles River Road from Watertown Square to the intersection with Beechwood Avenue, on Sunday, September 11, 1983, from 8:00 A.M. to 5:00 P.M. (Rain Date - Sunday, September 25, 1983), for the purpose of holding a Street and River Festival to celebrate the downtown development of Watertown Square; also report of Lieutenant Mannion, July 29.
 The Commission V O T E D: Approved; George R. O'Malley, Director of Reservations & Recreation, to prepare the permit.

- 6 Report of Mrs. Volpe-O'Malley, August 12, on request of Washington Hill Community Association for permission to use a portion of Stony Brook Reservation near Enneking Parkway in Roslindale as a play area for the Washington Hill Headstart Program, and to fence off said area.
 After reviewing the request, the Commission V O T E D: Approved as recommended by Mrs. Volpe-O'Malley in her report of August 12, 1983, subject to the review by Associate Commissioner Anderson of a sketch to be provided by Washington Hill Community Association which outlines the area to be used, size of fence, and location of fence in relation to the school, and subject to the following terms and conditions:
 1. That the Metropolitan District Commission can revoke the permit at any time.
 2. That the physical appearance of the lot will not be changed in any way and that no equipment will be placed in the area.
 3. That the Washington Hill Headstart Program will assume all costs associated with erecting the fence and that the fence must meet the approval and specifications of MDC Parks Division (must be a snow fence).
 4. That the land must be open to the general public; no exclusive use will be allowed.
 5. This permission is granted with the understanding that Washington Hill Community Association shall hold the Commonwealth of Massachusetts, the Metropolitan District Commission, and its agents and servants, harmless and indemnified against any and all claims for damages to persons or property arising out of the exercise of this permit.

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Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 1 Report of Ms. Haggerty, July 25, on bids for Alternate Power Source, Nut Island Sewage Treatment Plant, Quincy, Massachusetts, Contract No. S80-0854-C1A. The Commission V O T E D: to accept the lowest bid, that of The Chappy Corp., of \$259,000.00.
- 2 Report of Ms. Haggerty, August 12, submitting recommendation of Havens & Emerson, Inc./Parsons, Brinckerhoff, Quade & Douglas, Inc., Consultants under Contract-Agreement for the Deer Island Facilities Plan, that the Boring Program Subcontract be awarded to Warren George, Inc., in the amount of \$116,500.00. The Commission V O T E D: Approved as recommended by Ms. Haggerty in her report of August 12, 1983.
- 3 Report of Ms. Haggerty, August 8, recommending approval of an extension of time from June 23, 1983 to October 1, 1983, on Contract No. S83-1095-C1A, with Harding & Smith, Inc., for Repair of Pump No. 1, Braintree-Weymouth Pumping Station, Quincy, Massachusetts, due to the following reason:
When the pump was taken apart by the contractor it was found that a new shaft and bearings were required. The MDC will supply and install the additional parts. This work by MDC personnel should be complete by September 1, 1983. The Commission V O T E D: to approve an extension of time from June 23, 1983 to October 1, 1983, as recommended by Ms. Haggerty in her report of August 8, 1983, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
- 4 Report of Mr. Baratta, August 15, requesting approval of an Amendment to Contract-Agreement, with Weston & Sampson Engineers, Inc., for Design of the Millbrook Valley Relief Sewer, which revises the Scope of Services to provide for redesigning the interceptor sewer as required by the MBTA, at an additional cost of \$42,811.00, and amends the Time for Performance by inserting the following:
"5. Redesign
90% Plans and Specifications August 15, 1983.
Final Plans and Specifications 15 days following State, MBTA, and MDC review."
Also report of Mr. Wright, August 16.
The Commission V O T E D: Approved as requested by Baratta in his report of August 15, 1983.
The Secretary then submitted for signature Third Amendment, dated August 18, 1983, to Contract-Agreement, dated October 22, 1981, with Weston & Sampson Engineers, Inc., which was signed by the Commissioner and four Associate Commissioners.
- 5 Report of Ms. Haggerty, August 16, submitting Work Schedule Form and Project Exception Report for Immediate Upgrading of Nut Island Wastewater Treatment Plant, Project No. S80-0656-D1A; also requesting that the Commission approve and execute an Amendment to Contract-Agreement, with Metcalf & Eddy, Inc., for Design of Certain Projects Related to the Immediate Upgrading Program at the Nut Island Wastewater Treatment Plant, which provides for additional design projects, special studies, and field investigations related to the immediate upgrading program; the increase in Compensation is \$274,084.22 including a Fixed Fee of \$27,532.72, resulting in a new contract total not to exceed \$1,192,970.50; also report of Mr. Wright, August 16.
The Commission V O T E D: to approve Work Schedule Form for Project No. S80-0656-D1A.
The Commission further V O T E D: to approve an Amendment to Contract-Agreement, with Metcalf & Eddy, Inc., as requested by Ms. Haggerty in her report of August 16, 1983.
The Secretary then submitted for signature First Amendment, dated August 18, 1983, to Contract-Agreement, dated January 13, 1983, with Metcalf & Eddy, Inc., which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 6 Report of Mr. Faucher, August 12, on proposals for the purchase of thirteen lots of standing timber located on the Quabbin Reservoir, Ware River, and Wachusett Reservoir Watersheds, and advising that no proposals were received for Lots Nos. 44, 106, 354A, and 396A, and that after the opening of bids, the Quabbin Section received additional proposals for Lots Nos. 42, 43, 105, 107, 406, 407, 408, and 409. Mr. Faucher further advises that it was subsequently determined that an incorrect zip code had been placed on the bid envelopes prepared by MDC Quabbin Administration personnel with a resulting delay of the bids in reaching Belcher-town. Mr. Faucher further advises that the only bids submitted on time were for

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Lot No. 410.
The Commission V O T E D: to reject all bids received for Lots Nos. 42, 43, 105, 107, 406, 407, 408, and 409, due to the zip code error.
The Commission further V O T E D: to accept the highest qualified bid, that of Crowley Logging & Landclearing, of \$336.45, to purchase approximately 9,274 tons of whole tree wood on Lot No. 410 - Quabbin Reservoir Watershed.

1 Report of Mr. Brutsch, August 11, relative to Fiscal 1983 Water Conservation Program.
The Commission V O T E D: Held over.

2 Report of Mr. Martorana, August 11, recommending approval of the following sub-contractors on Contract No. W80-0723-C1A, with Joseph A. Polito & Sons Co., Inc., for Rutland-Holden Relief Trunk Sewer:

<u>Subcontractor</u>	<u>Type of Work</u>	<u>Estimated Amount</u>
R. H. White Construction Co.	Meter Vaults	\$84,000.00
Henley-Lundgren Co.	Pavement Restoration	\$47,000.00
Explosives Engineer	Drilling and Blasting	\$40,000.00
Caron, Inc.	Tunneling	\$45,000.00
Caprera Construction Co., Inc.	Seeding & Mulching	\$40,000.00.

The Commission V O T E D: Approved as recommended by Mr. Martorana in his report of August 11, 1983.

The following matter was placed on the agenda for the information of the Commission:

3 The following schedules were approved for payment by the Commissioner during the period from August 8, 1983 to August 15, 1983:

Invoices	\$ 587,990.16
Reservation of Funds	\$ 10,373,403.52
Weekly Payroll	\$ 1,131,844.14
Industrial Accident Report	\$ 28,837.62
Request for Advances	\$ 6,387.59.

ADJOURNED at 3:10 P.M., to meet on Thursday, September 8, 1983, at 10:00 A.M.

William F. Cusack
S e c r e t a r y .

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Record of the Three Thousand Two Hundred and Forty-Eighth (3248th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, September 8, 1983, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The records of the meetings held on August 11, 1983, and August 18, 1983, were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

- 4 Contract No. W83-1023-C1A, dated September 8, 1983, with Cabot Construction Co., Inc., for Cleaning a Section of the Rutland-Holden Sewer in Rutland and Holden, Massachusetts.
- 5 Contract No. P82-1164-M1A, dated September 8, 1983, with W. A. Kraft Corp., for Annual Preventative Maintenance and Repair for Prime Power Generators and Emergency Generators at Various Locations Within the Metropolitan District Commission.
- 6 Contract No. P82-1166-M1A, dated September 8, 1983, with M.M.W. Associates, Inc., for Washing Tile Walls of Storrow, Berkeley, and Longfellow Tunnels, Boston-Cambridge.
- 7 Contract No. S81-0951-C2A, dated September 8, 1983, with W. T. Rich Co., Inc., for General Construction and Equipment Installation for Composting Demonstration Facilities, Deer Island Sewage Treatment Plant, Boston, Massachusetts.
- 8 Contract No. P82-1187-C1A, dated September 8, 1983, with Allied Weatherproofing Co., Inc., for Roof Replacement, Stoneham Pool, Stoneham, Massachusetts.
- 9 Contract No. P82-1186-C1A, dated September 8, 1983, with Fraser Engineering Company, Inc., for Heating System Replacement, Connell Pool, Weymouth, Massachusetts.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

- 10 Contract No. S80-0854-C1A, dated September 8, 1983, with The Chappy Corp., for Alternate Power Supply, Nut Island Sewage Treatment Plant, Quincy, Massachusetts.

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TRANSFER OF CARE AND CONTROL

Transfer of Care and Control, dated September 8, 1983, from the Inhabitants of the Town of Winchester to the Metropolitan District Commission, of certain portions of Hillcrest Parkway and Reservoir Street in the Town of Winchester.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 2 Report of Mr. Brutsch, August 11, relative to Fiscal 1983 Water Conservation Program.
 Ms. Leslie Robinson, of the Water Division, reported on the activities and material developed for the Fiscal 1983 Water Conservation Program. Ms. Robinson stated that the activities undertaken and the materials developed for the project were organized into an education program, a public awareness program, and a municipal program. She then went into detail on each of the programs and spoke of their success. Ms. Robinson also spoke of various programs being formulated for the Fall Water Conservation Program.
 The Commission V O T E D: Placed on file.

- 3 Report of Mr. Brutsch, August 31, submitting for approval for planning purposes, assuming satisfactory funding and staffing can be obtained, the following Demand Management Plan as the first alternative selected as part of the Long-Range Water Supply Study and EIR-2020:
 - Leak detection and repair for user community distribution systems.
 - High level of effort domestic device retrofit.
 - Moderate level of effort pricing program.
 - Moderate level of effort non-domestic conservation.
 - Low level of effort non-emergency education.
 Mrs. Patricia Corcoran, of the Water Division, reviewed a brief history of the Long-Range Water Supply Study and EIR-2020, and stated that if the Demand Management Plan is approved by the Commission, some funding will be requested in the Fiscal Year 1985 Budget. She went on to say that individual program design will take 2-4 years before implementation can occur.
 At this point, Ms. Helen Linsky, of Wallace, Floyd Associates, described the Demand Management Program and its highlights, which included the following:
 - A leak detection and repair program in which the Commission would provide funds to its user communities to conduct complete leak detection and repair programs throughout the planning period.
 - A domestic device retrofit program in which the Commission would assist member communities in installing water saving devices in homes.
 - A restructuring of pricing to encourage water conservation.
 - A non-domestic conservation program aimed at large users.
 - A low level of effort non-emergency education program utilizing advertising techniques to instruct consumers on water saving habits.
 Ms. Linsky stated that estimated savings, should this program be put into effect, would be approximately 30 million gallons of water per day.
 Mr. Thomas Sisson, Co-Chairperson of the Sudbury Citizens Advisory Committee, expressed support for the program, but suggested that more attention be given to the pricing aspect.
 Ms. Ann Gannett, Ms. Eileen Simonson, and Mr. Robie Hubley, of the Water Supply Citizens Advisory Committee, spoke and recommended the following:
 1. Adopt and implement the Demand Management Plan now.
 2. Formulate a drought management plan which is triggered earlier and is more user-active than the present drought plan
 3. Resolve the incomplete aspects of the Water Supply EIR.
 - A. 52 mgd Other Unaccounted for Water.
 - B. Estimate of Recoverable Leakage.
 - C. 50 mgd Legal Obligations.
 - D. 21 mgd MDC System Use.
 4. Make a commitment to an active system management program which utilizes the data base from the Water Supply EIR and responds to continued monitoring of real changes, such as: rainfall, population, per capita use, industrial use, etc.
 5. Wait until these demand questions have been resolved to decide on a final needs estimate or on major, expensive, augmentation alternatives.
 Ms. Simonson discussed demand projections and said that they are too high.
 Mr. Hubley discussed safe yield analysis and said that the estimate was too low.
 Ms. Gannett explained the work of the Water Supply Citizens Advisory Committee.
 In response to comments, Mr. David Hellstrom, of Arthur D. Little, Inc., explained certain aspects of his safe yield work.
 Commissioner Geary stated that the presentation by Staff, Consultants, and Members of the Water Supply Citizens Advisory Committee was outstanding and that the comments of said Committee would be seriously considered.
 The Commission V O T E D: Taken under advisement.

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- 1 Report of Mr. Gillis, August 23, on request of the City of Medford for a metered water supply connection on Corporation Way, Medford, Massachusetts. The Commission V O T E D: Approved as recommended by Mr. Gillis in his report of August 23, 1983, subject to the following conditions:
 - 1. The City of Medford shall bear all costs associated with the meter installation.
 - 2. All materials and methods of construction shall conform to MDC Water Division standards.
 - 3. At the conclusion of successful acceptance test, the ownership of the meter shall be turned over to the Metropolitan District Commission for operation and maintenance.

- 2 Report of Mr. Martorana, August 15, recommending approval of Extra Work Claim No. 10, in the amount of \$2,611.20, for temporary heating of Brattle Court Pumping Station for an extended period of time beyond the original completion date of January 3, 1982, on Contract No. W80-0706-C1A, with A. Bonfatti & Co., Inc., for Pumping Replacement and Station Modifications at Brattle Court Pumping Station, Arlington, Massachusetts.
The Commission V O T E D: Held over.

- 3 Report of Mr. Martorana, August 16, recommending approval of Extra Work Claim No. 11, in the amount of \$3,435.86, for wage increases the contractor had to pay because the project was not completed by the original completion date of January 3, 1982, on Contract No. W80-0706-C1A, with A. Bonfatti & Co., Inc., for Pumping Replacement and Station Modifications at Brattle Court Pumping Station, Arlington, Massachusetts.
The Commission V O T E D: Held over.

- 4 Report of Mr. Martorana, August 22, recommending approval of an extension of time from August 29, 1983 to October 28, 1983, on Contract-Agreement No. W80-0956-S1A, with Haley & Aldrich, Inc., for Seismic Studies, Selected MDC Dams, to allow time for MDC internal review of each draft report.
The Commission V O T E D: to approve an extension of time from August 29, 1983 to October 28, 1983, as recommended by Mr. Martorana in his report of August 22, 1983, on condition that no further request will be made for additional compensation.

- 5 Report of Mr. Brutsch, August 26, relative to consumption of water by the Cities and Towns in the Metropolitan Water District during the year 1982.
The Commission V O T E D: to accept the report of Mr. Brutsch and that the same be certified to the Treasurer and Receiver-General.

- 6 Report of Mr. Martorana, August 31, recommending approval of an extension of time to February 1, 1984, on Contract-Agreement No. W79-0806-D1A, with Fay, Spofford & Thorndike, Inc., for the New Chlorination Facility at Norumbega Reservoir, due to extra requirements that the Massachusetts Department of Environmental Quality Engineering said were necessary before they would give approval to proceed with the project.
The Commission V O T E D: to approve an extension of time to February 1, 1984, as recommended by Mr. Martorana in his report of August 31, 1983, on condition that no further request will be made for additional compensation.

- 7 Report of Mr. Martorana, September 2, on request of Environmental Research & Technology, Inc. for a 106-day extension of time to November 28, 1983, on Contract No. W79-0970-C1A, for Water Monitoring Process Controller and Appurtenances, Boston and Medford, Massachusetts, due to the following reason:
The contract is dependent on completion of work on Contract No. W79-0790-C2A, with P. Gioioso & Sons, Inc. for Water Meter Modernization, Greater Boston Metropolitan Area, Massachusetts, which is delayed by slow telephone service connection.
The Commission V O T E D: to approve an extension of time from August 14, 1983 to November 28, 1983, as outlined by Mr. Martorana in his report of September 2, 1983, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

- 8 Report of Mr. Martorana, September 2, on request of P. Gioioso & Sons, Inc. for a three-month extension of time to November 28, 1983, on Contract No. W79-0970-C2A, for Water Meter Modernization, Greater Boston Metropolitan Area, Massachusetts, due to the telephone company being unreasonably slow in making the necessary service connections to the telemetry system.
The Commission V O T E D: Held over.

- 9 Report of Mr. Martorana, August 29, recommending approval of Final Invoice and release of retainage, in the amount of \$1,739.99, for payment to Allis-Chalmers

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Corporation, Hydro-Turbine Division, on Contract No. W81-1010, for Cosgrove Intake Hydroelectric Efficiency Analysis.

The Commission V O T E D: to approve the Final Invoice and release of retainage, in the amount of \$1,739.99.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 1 Report of Mr. McCarran, July 29, on bids for Repairs to South Side of Huntington Avenue Overpass, Jamaica Way, Boston, Massachusetts, Contract No. P80-0826-C1A; also report of Mr. Wright, August 16.
The Commission V O T E D: Held over.
- 2 Report of Mr. McCarran, August 22, recommending approval of release of the remaining retainage, in the amount of \$616.51, held during the Design Phase of Contract-Agreement No. CS80-7PE (P80-0833-D1A), with Dooling & Siegal, Architects, for Rehabilitation of Dealtry Pool, Watertown, Massachusetts.
The Commission V O T E D: to approve release of the remaining retainage, in the amount of \$616.51.
- 3 Report of Mr. McCarran, August 19, submitting Work Schedule Form, Project Summary Form, and Project Justification, for Professional Services in connection with Bridges, Overpasses, Underpasses, Parkways, and Other Facilities, Project No. P84-1276, estimated cost - \$35,000.00, Accounts Nos. 2440-0009 and 2440-8791. Associate Commissioner Jones expressed his concern that this project was advertised in the Central Register prior to Commission approval.
Following a brief discussion, the Commission V O T E D: Approved.
- 4 Report of Mr. McCarran, August 19, recommending approval of overrun on Item No. 6 - "Materials, Components and Parts," in the amount of \$4,442.37, on Contract No. P82-1148-M1A, with Metropolitan Signal Corp., for Maintenance of Electrical Equipment at Sports Facilities and Recreational Areas of the MDC.
The Commission V O T E D: to approve overrun on Item No. 6 - "Materials, Components and Parts," in the amount of \$4,442.37.
- 5 Report of Mr. McCarran, August 24, recommending the following on Contract No. P82-1145-M1A, with Penachio Bros. Electrical Corp., for Maintenance of Street Lighting Systems on Parkways and Roadways of the Metropolitan District Commission:
 (a) That the work be accepted as completed as of June 30, 1983.
 (b) That Estimate No. 12 (Final), in the amount of \$15,170.69, be approved for payment.
 (c) That reserve, in the amount of \$14,996.75, be approved for payment.
 The Commission V O T E D: that the work of Penachio Bros. Electrical Corp., contractor under Contract No. P82-1145-M1A, for Maintenance of Street Lighting Systems on Parkways and Roadways of the Metropolitan District Commission, be and hereby is accepted as completed as of June 30, 1983.
 The Commission further V O T E D: to approve Estimate No. 12 (Final), in the amount of \$15,170.69, for payment.
 The Commission further V O T E D: to approve release of reserve, in the amount of \$14,996.75, for payment.
- 6 Report of Mr. McCarran, August 23, recommending approval of overrun on Item No. 5 - "Topsoil Excavated & Stockpiled," in the amount of \$5,300.00, on Contract No. P79-0770-C1A, with T & T Construction, for Restoration & Rehabilitation of Foss Park, Somerville, Massachusetts.
The Commission V O T E D: Held over.
- 7 Report of Mr. McCarran, August 29, recommending approval of overruns, totaling \$2,230.00, on Contract No. P83-1241-C1A, with Metropolitan Signal Corp., for Upgrading and Rehabilitation of Casting Structures, Mystic District, as follows:
 Item No. 1 - "Catch Basins and Manholes Adjusted to Grade - \$ 630.00.
 Item No. 2 - "Catch Basins and Manholes Rebuilt to Grade - \$ 1,600.00.
 Associate Commissioner Jones asked why Parks Division personnel do not perform this work.
 Mr. McCarran responded that the Parks Division has only three Masons to perform all masonry work for the Division.
 The Commission V O T E D: Approved as recommended by Mr. McCarran in his report of August 29, 1983.
- 8 Report of Mr. McCarran, September 1, recommending approval of an extension of time, for planting only, on Contract No. P79-0721-C2A, with D. Cicconi, Inc., for Site Improvements, Construction of Recreational Facilities at Chelsea Naval Hospital Park, as follows:

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Fall Planting - From October 30, 1983 to December 15, 1983.
Spring Planting - From March 22, 1984 to May 15, 1984.
The Commission V O T E D: Held over pending site visit by Commissioner Geary.

1 Report of Mr. McCarran, September 2, recommending approval of overrun on Item No. 11 - "Crushed Stone," in the amount of \$600.00, on Contract No. P79-0770-C1A, with T & T Construction, for Restoration & Rehabilitation of Foss Park, Somerville, Massachusetts.
The Commission V O T E D: Held over.

2 Report of Mr. McCarran, September 1, recommending approval of an extension of time from August 18, 1983 to September 30, 1983, on Contract No. P80-0793-C1A, with J. M. Cashman, Inc., for Maritime Work, Pemberton Pier, Hull, Massachusetts, due to the following reasons:
1. Factory back-orders have delayed the delivery of the manufactured floats and gangways.
2. The rainy spring weather, which delayed concrete deck placement, also delayed the hand-rail manufacturer from taking the required field measurements needed to fabricate the hand-rail.
The Commission V O T E D: Held over for further information.

3 Report of Mr. McCarran, August 31, recommending approval of Extra Work Order No. 8, in the amount of \$999.00, for relocating and reconnecting an existing gas line which is obstructing passage into the Zamboni Room at the Revere Rink, on Contract No. P81-0929-C1A, with Major Construction Management Corp., for Replacement of Refrigeration Systems at the Revere, Medford, and Somerville Ice Skating Rinks.
The Commission V O T E D: to approve Extra Work Order No. 8, in the amount of \$999.00.

4 Report of Mrs. Volpe-O'Malley, September 2, on request of the People for Riverbend Park to extend the Sunday Closings of Memorial Drive from Western Avenue to Eliot Circle, from September 11, 1983 to October 9, 1983, for the purpose of Riverbend Park.
Mrs. Volpe-O'Malley stated that she felt that the Sunday Closings of Memorial Drive had been a success. She explained that the Sunday Closings had been monitored by various MDC Employees during the summer and that pedestrian counts taken indicated that an average of 3000-4000 had utilized the Park each Sunday during the period starting on May 29, 1983.
Commissioner Geary said that he had visited Riverbend Park several times during the summer and felt that the extension of the Sunday Closings was warranted. Mr. Fred Ewen, of The Grower's Market, expressed his displeasure and stated that he was upset that the Commission had made up its mind before he was offered an opportunity to state his feelings with regards to the Sunday Closings. Commissioner Geary responded that he was speaking for himself and not for the entire Commission.
Associate Commissioner Jones stated that he was still open-minded on the request. Commissioner Geary noted that one of the prime missions of the Commission is to provide recreational activities for the residents of the Parks District. He then reviewed the MDC Parks Assessments levied on the City of Cambridge for the past several years and stated that when Officials of the City of Cambridge voice strong support for Riverbend Park, the Commission has an obligation to listen. Mrs. Volpe-O'Malley explained that Officials of the City of Cambridge had asked that the closing of Memorial Drive to traffic be limited to the hours of 1:00 P.M. to 7:00 P.M. on Sunday, October 2, 1983, due to a road race in the area. In addition, she stated, the Officials requested that Memorial Drive be kept open to traffic on Sunday, October 9, 1983, because most City of Cambridge Streets in the area will be closed to traffic on that date in conjunction with the Annual Cambridge Octoberfest.
Following a lengthy discussion, the Commission V O T E D: to extend the closing of Memorial Drive from Western Avenue to the Eliot Bridge Interchange (weather permitting), for the purpose of Riverbend Park, on Sundays from September 11, 1983 to October 2, 1983, from 11:00 A.M. to 7:00 P.M., except that on Sunday, October 2, 1983, Memorial Drive will be closed from 1:00 P.M. to 7:00 P.M.; the details of the extended Sunday Closings to be coordinated by Mrs. Dotty Volpe-O'Malley, Director of Community Affairs, and Captain LoConte.
Associate Commissioner Jones desired to be recorded as being opposed to this action of the Commission.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

5 Report of Mr. Baratta, August 3, on request of the Town of Arlington, Public Works Department, for permission to make a 6-inch diameter connection on the

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northerly side of the Metropolitan Sewer in Hobbs Court at Station 2+60, Section 80, in order to service a new automobile showroom and offices.
The Commission V O T E D: Approved as recommended by Mr. Baratta in his report of August 3, 1983.

- 1 Report of Ms. Haggerty, August 17, recommending that the Commission approve the taking of a temporary easement in a parcel of land supposed to be owned by James A. and Lillian R. Mullaney, in connection with the reconstruction of the Kilby Street Culvert, Quincy, Massachusetts, Contract No. S82-1004.
The Commission V O T E D: Approved as recommended by Ms. Haggerty in her report of August 17, 1983.
- 2 Report of Mr. Baratta, September 2, on bids for Hingham Force Main, Weymouth, Massachusetts, Contract No. S77-0484-C1A.
The Commission V O T E D: to accept the lowest bid, that of Methuen Construction Co., Inc., of \$839,847.00.
- 3 Report of Ms. Haggerty, August 31, on bids for Cleaning of Aeration Channel No. 1, Deer Island Sewage Treatment Plant, Boston, Massachusetts, Contract No. S83-1031-C1A.
The Commission V O T E D: to accept the lowest bid, that of R. Zoppo Co., Inc., of \$26,000.00.
- 4 Report of Mr. Baratta, September 2, requesting that the Commission ratify and approve the action of Commissioner Geary in rejecting all sub-bids for Item 2A - "Architectural Masonry," on Contract No. S80-0656-C2A - Nut Island Immediate Upgrading.
The Commission V O T E D: Ratified and approved.

Action was taken upon the following Various Matters:

- 5 Report of Mr. Wright, August 22, submitting for approval and signature Agreement, with the Town of Weston, for Joint Police Protection of Certain Areas Within the Town of Weston, for a period of one year.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Agreement, dated September 8, 1983, with the Town of Weston, which was signed by the Commissioner and three Associate Commissioners.
- 6 Report of Mr. Wright, August 29, submitting for approval and signature Contract-Agreement, with Dr. Guy O. Seymour, Ph.D, to Perform Psychological Evaluation of Police Recruits for MDC Police; total amount of compensation to be paid under this contract shall not exceed \$30,000.00
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract-Agreement, dated September 8, 1983, with Dr. Guy O. Seymour, Ph.D, which was signed by the Commissioner and three Associate Commissioners.
- 7 Report of Mr. Falvey, September 2, recommending that the Commission amend the vote of May 20, 1982, relative to the acquisition of a parcel of surplus railroad property, owned by the Penn Central Corp., and located in Newton, for the sum of \$47,250.00, to reflect that the area is 5.1647 acres instead of 6.3 acres; also recommending that the Commission vote to use \$47,250.00 from the Metropolitan Parks Trust Fund Account No. 2448-0005 for the purchase of this property.
The Commission V O T E D: to amend the vote of the Commission of May 20, 1982, (Volume 46, Page 94, Item 6), by striking out the words and figures "approximately 6.3 acres, more or less, as shown on Railroad Valuation Map 500-0010-C-1-1" in the 5th and 6th lines and inserting in place thereof the figure and word "5.1647 acres," so that the vote will read as follows:
"The Commission V O T E D: to purchase a parcel of land, owned by the Penn Central Corporation, containing 5.1647 acres located in the City of Newton; the MDC to pay Penn Central Corporation the sum of \$47,250.00 for the purchase of this land.
The Commission further V O T E D: to use \$47,250.00 from the Metropolitan Parks Trust Fund, Account No. 2448-0005, to purchase this land.
- 8 Report of the Land Board, September 2, recommending that the Commission, in accordance with Chapter 631 of the Acts of 1975, lease to My Bread Baking Company land at the corner of Tenean and Conley Streets in the Dorchester (Neponset) Section of Boston, for the sum of \$525.00 per month for a 5-year period with a renewal of 5 years at an agreed to compensation.
Mr. Jeremiah A. Falvey, Jr., Director of the Right-of-Way Section, explained that the rental fee will be deposited in the Metropolitan Parks Trust Fund.
The Commission V O T E D: Approved as recommended by the Land Board in its report of September 2, 1983.

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The following matters were placed on the agenda for the information of the Commission:

1 The following schedules were approved for payment by the Commissioner during the period from August 15, 1983 to August 22, 1983:

Invoices	\$ 728,216.32
Reservation of Funds	\$ 2,071,802.86
Advices of Change	\$ 181,220.76
Weekly Payroll	\$ 1,112,289.46
Request for Advances	\$ 3,947,200.00.

2 The following schedules were approved for payment by the Commissioner during the period from August 22, 1983 to August 29, 1983:

Invoices	\$ 799,014.27
Reservation of Funds	\$ 3,936,157.57
Advices of Change	\$ 30,200.00
Weekly Payroll	\$ 1,125,509.88
Industrial Accident Report	\$ 21,145.80.

3 The following schedules were approved for payment by the Commissioner during the period from August 29, 1983 to September 5, 1983:

Invoices	\$ 1,452,757.51
Reservation of Funds	\$ 3,294,538.51
Advices of Change	\$ 47,500.00
Weekly Payroll	\$ 1,234,263.85
Request for Advances	\$ 600,000.00.

ADJOURNED at 5:00 P.M., to meet on Thursday, September 15, 1983, at 10:00 A.M.

William F. Crush
S e c r e t a r y .

349th
at 15, 1983

Record of the Three Thousand Two Hundred and Forty-Ninth (3249th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, September 15, 1983, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The records of the preceding meeting were read and approved.

4 The Secretary submitted for signature Fifth Amendment to Contract-Agreement, dated October 31, 1980, with Wright-Pierce, Architects and Engineers, for Restoration and Rehabilitation of Dilboy Field and Foss Park, in Somerville, Massachusetts, which transfers funds from the direct and indirect labor costs of subcontractor John G. Crowe Associates, Inc. to direct and indirect labor costs of Wright-Pierce.
The Commission V O T E D: Held over for further review.

5 The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:
Contract No. S77-0484-C1A, dated September 15, 1983, with Methuen Construction Co., Inc., for the Construction of the Hingham Force Main.

6 Presentation - Mr. Joel Bargmann, of Bargmann, Hendrie & Ruocco, Architects - Program and Study for a New Bathhouse, Including Demolition, Nantasket Beach, Hull, Massachusetts.
Mr. McCarran explained that the project was being supervised by the Division of Capital Planning and Operations.
Mr. Joel Bargmann was introduced and he proceeded to outline the advantages and disadvantages of the three alternative designs considered for the Nantasket Beach Bathhouse. He explained that Alternative #1 was being recommended to the Commission because it comes closest to satisfying the outlined criteria. Mr. Bargmann stated that the next step was to make a public presentation in Hull for citizen input.
Mr. McCarran stated that once this process has been completed, the next step would be to go to the Legislature for funding for the project.
The Commission V O T E D: Placed on file.

Action was taken upon the following matters relating to the Metropolitan Parks System:

7 Report of Mr. McCarran, July 29, on bids for Repairs to South Side of Huntington Avenue Overpass, Jamaicaaway, Boston, Massachusetts, Contract No. P80-0826-C1A;

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also report of Mr. Wright, August 16.
The Commission V O T E D: Held over for further review of work to be performed on the contract.

1 Report of Mr. McCarran, September 1, recommending approval of an extension of time, for planting only, on Contract No. P79-0721-C2A, with D. Cicconi, Inc., for Site Improvements, Construction of Recreational Facilities at Chelsea Naval Hospital Park, as follows:

- Fall Planting - From October 30, 1983 to December 15, 1983.
- Spring Planting - From March 22, 1984 to May 15, 1984.

Mr. McCarran noted that certain trees included in the contract should be planted during the right seasonal planting dates for better survival.

Following a lengthy discussion, the Commission V O T E D: to approve an extension of time, for planting only, from October 30, 1983 to December 15, 1983, for Fall Planting, and from March 22, 1984 to May 15, 1984, for Spring Planting, as recommended by Mr. McCarran in his report of September 1, 1983, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation, and with the understanding that all other work associated with the contract must be completed no later than October 30, 1983.

2 Report of Mr. McCarran, September 1, recommending approval of an extension of time from August 18, 1983 to September 30, 1983, on Contract No. P80-0793-C1A, with J. M. Cashman, Inc., for Maritime Work, Pemberton Pier, Hull, Massachusetts, due to the following reasons:

- 1. Factory back-orders have delayed the delivery of the manufactured floats and gangways.
- 2. The rainy spring weather, which delayed concrete deck placement, also delayed the hand-rail manufacturer from taking the required field measurements needed to fabricate the hand-rail.

The Commission V O T E D: Held over.

3 Report of Mr. McCarran, August 23, recommending approval of overrun on Item No. 5 - "Topsoil Excavated & Stockpiled," in the amount of \$5,300.00, on Contract No. P79-0770-C1A, with T & T Construction, for Restoration & Rehabilitation of Foss Park, Somerville, Massachusetts.

The Commission V O T E D: Held over.

4 Report of Mr. McCarran, September 2, recommending approval of overrun on Item No. 11 - "Crushed Stone," in the amount of \$600.00, on Contract No. P79-0770-C1A, with T & T Construction, for Restoration & Rehabilitation of Foss Park, Somerville, Massachusetts.

The Commission V O T E D: Held over.

5 Report of Mr. McCarran, September 2, recommending approval of overrun on Item No. 33 - "2" Galvanized Steel Conduit," in the amount of \$1,004.50, on Contract No. P79-0770-C1A, with T & T Construction, for Restoration & Rehabilitation of Foss Park, Somerville, Massachusetts.

The Commission V O T E D: Held over.

6 Report of Mr. McCarran, September 9, on bids for Relocation of Hot Water Heater at LoConte Rink, Medford, Massachusetts, Contract No. P83-1267-C2A.

The Commission V O T E D: to accept the lowest bid, that of Banks Plumbing & Heating, of \$4,500.00.

7 Report of Mr. McCarran, September 9, recommending approval of overrun on Item No. 37 - "Reinforcing Steel," in the amount of \$1,312.00, on Contract No. P79-0695-C2A, with George E. Carroll Construction Co., Inc., for Tenean Beach Park Development.

The Commission V O T E D: Held over.

8 Report of Mr. McCarran, August 31, recommending approval of Extra Work Order No. 7, in the amount of \$3,500.00, for relocating and connecting the gas line supply with meter to the Service Building at the Revere Ice Skating Rink, on Contract No. P81-0929-C1A, with Major Construction Management Corp., for Replacement of Refrigeration Systems at Revere, Medford, and Somerville Ice Skating Rinks.

The Commission V O T E D: Held over.

9 Report of Mr. McCarran, September 9, recommending approval of overrun on Item No. 18 - "E.S.V.C. or A.B.S. Pipe," in the amount of \$680.00, on Contract No. P81-0973-C1A, with J. Biotti & Sons, for Beaver Brook Culvert Improvements, Waltham, Massachusetts.

The Commission V O T E D: Held over.

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- Report of Mr. McCarran, September 8, recommending the following on Contract No. P82-1146-M1A, with Arthur J. Skinner, Jr., d/b/a Malden Electric Company, for Servicing Truck Warning Sign Signal Systems on Parkways and Roadways of the Metropolitan District Commission:
- (a) That the work be accepted as completed as of June 30, 1983.
 - (b) That Estimate No. 2 (Final), in the amount of \$11,983.04, be approved for payment.
 - (c) That reserve, in the amount of \$967.93, be approved for payment.
- Associate Commissioner Jones noted that Malden Electric Company had not complied with all aspects of EEO/AA and questioned why the Company was given a Compliance Rating of 3. He then noted that in a memorandum, dated September 23, 1982, Mr. Jay Turner, EEO/AA Compliance Officer, stated that a meeting had been held with Mr. Skinner of Malden Electric Company, and that Mr. Skinner was informed of MDC Compliance Procedures to be employed on this contract, and that Mr. Skinner had agreed to comply.
- Associate Commissioner Fontanez then asked Mr. Turner to supply the Commission with a list of the suppliers used and supplies purchased by the Malden Electric Company from SOMBA's Certified Minority-Owned Business Enterprises and Women-Owned Business Enterprises during this contract.
- The Commission V O T E D: Held over.
- 2 Report of Mr. McCarran, August 29, recommending approval of overrun on Item No. 45 - "Preformed Joint Filler," in the amount of \$1,000.00, on Contract No. P83-1011-C1A, with P. Caliacco Corp., for Spot Pond Brook - Winter to Clifton and Dartmouth St. Culvert in the City of Malden, Massachusetts.
- The Commission V O T E D: Held over.
- 3 Report of Mr. McCarran, August 11, submitting Final Report, as prepared by Franklin Pierce Law Center, Energy Law Institute, on Hydroelectric Development Management Study for the Massachusetts Metropolitan District Commission.
- Mr. McCarran provided a brief history of MDC involvement in the Hydroelectric Program and the steps leading up to the Hydropower Development Management Study. At this point, Mr. Alfred Ferullo, of the Environmental Quality Office, discussed the recommendations of the Consultants on Management of Hydroelectric Development by the MDC and stated that he was recommending that the Commission accept and concur on the findings of the report and pursue the preferred option for hydropower development, i.e. development by a third party; prepare legislation for the necessary authority for the Parks Division; and utilize the Management Study as a guide in implementing Commission policy. Mr. Ferullo then introduced Mr. Robert Olson and Mr. William H. Wilson, of Franklin Pierce Law Center, who were involved in preparation of the report.
- Mr. Olson summarized the report and described the reasons for selecting the option for development by a third-part lessee. He then explained the process and need for protection of MDC Dams from development by private entrepreneurs. Mr. Olson stated that by the MDC obtaining a preliminary permit, it would have maximum control over the environmental impacts resulting from hydropower development and be in a better position to negotiate a satisfactory contract with private developers. He went on to say that the public review process would ensure protection of the public's interest.
- The Commission discussed the necessary legislation authorizing the Parks Division to lease Parks property, and whether it should be filed as emergency legislation inasmuch as the MDC has only 18 months to lease the property and perform feasibility studies on two dams for which it has permits.
- At the conclusion of the discussion, Mr. Wright was directed to review the report and submit his comments on the Consultant's recommendations to the Commission.
- The Commission V O T E D: to accept and concur on the findings of the Final Report, dated May 3, 1983, and pursue the preferred option for hydropower development, i.e. development by a third party; prepare legislation for the necessary authority for the Parks Division; and utilize the Management Study as a guide in implementing Commission policy.
- 4 Report of Mr. McCarran, September 9, recommending the following on Contract-Agreement No. P80-0873-D1A (CS80-6PE), with Schoenfeld Associates, Inc., for Professional Services and Advice Re: Emergency Repairs to Bridges, Overpasses, Underpasses, and Highways under MDC Jurisdiction:
- (a) That the work be accepted as completed as of March 9, 1983.
 - (b) That retainage, in the amount of \$712.68, be approved for payment.
- The Commission V O T E D: Held over.
- 5 Report of Mr. McCarran, September 12, requesting authority to proceed with a proposed Amendment to Contract-Agreement No. P77-0632, with Weidlinger Associates, for the Franklin Park Zoo Development, which will provide for the preparation of construction documents for a modified construction contract for the installation of utilities that will provide protection to the Pavilion which is presently

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being undermined due to lack of drainage facilities; also submitting Revised Work Schedule Form.

The Commission V O T E D: Authority given to proceed with a proposed Amendment to Contract-Agreement No. P77-0632, with Weidlinger Associates, as requested by Mr. McCarran in his report of September 12, 1983.

The Commission further V O T E D: to approve the Revised Work Schedule Form.

- 1 Report of Mr. O'Malley, September 9, on request of Bostonfest Committee to close portions of certain MDC Roadways in the City of Boston on Sunday, October 30, 1983, between 12:00 Noon and 5:00 P.M., for the purpose of conducting the "Bostonfest Marathon."

The Commission V O T E D: Approved as outlined by Mr. O'Malley in his report of September 9, 1983; Mr. O'Malley and Captain LoConte to coordinate the event and prepare the permit."

- 2 Letter of The Metropolitan Boston Zoos, September 9, requesting approval to spend \$10,000.00 of the "Stone Zoo Improvement Fund" for removal of panels, cosmetic improvement, and repairs on the Lion and Tiger Exhibit at the Stone Zoo.

The Commission V O T E D: Held over.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 3 Report of Mr. Martorana, August 15, recommending approval of Extra Work Claim No. 10, in the amount of \$2,611.20, for temporary heating of Brattle Court Pumping Station for an extended period of time beyond the original completion date of January 3, 1982, on Contract No. W80-0706-C1A, with A. Bonfatti & Co., Inc., for Pumping Replacement and Station Modifications at Brattle Court Pumping Station, Arlington, Massachusetts.

The Commission V O T E D: Delete from the agenda.

- 4 Report of Mr. Martorana, August 16, recommending approval of Extra Work Claim No. 11, in the amount of \$3,435.86, for wage increases the contractor had to pay because the project was not completed by the original completion date of January 3, 1982, on Contract No. W80-0706-C1A, with A. Bonfatti & Co., Inc., for Pumping Replacement and Station Modifications at Brattle Court Pumping Station, Arlington, Massachusetts.

The Commission V O T E D: Delete from the agenda.

- 5 Report of Mr. Martorana, August 29, recommending approval of an extension of time from September 1, 1983 to January 1, 1984, on Contract No. W80-0706-C1A, with A. Bonfatti & Co., Inc., for Pumping Replacement and Station Modifications at Brattle Court Pumping Station, Arlington, Massachusetts, due to the following reasons:

1. No payments can be made to the contractor without an extension of time approved by the Commission.
2. Purchase and delivery of the new recorders has been delayed due to vacations at the plant where they were being assembled.

The Commission V O T E D: Held over.

- 6 Report of Mr. Martorana, September 2, on request of P. Gioioso & Sons, Inc. for a three-month extension of time to November 28, 1983, on Contract No. W79-0970-C2A, for Water Meter Modernization, Greater Boston Metropolitan Area, Massachusetts, due to the telephone company being unreasonably slow in making the necessary service connections for the telemetry system.

The Commission V O T E D: Held over.

- 7 Report of Mr. Martorana, September 13, submitting the Water Division's Fiscal Years 1984-1985 Program.

The Commission V O T E D: Held over.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 8 Report of Ms. Haggerty, September 6, recommending the following on Contract-Agreement No. S80-0830-D1A, with Samuel Ussia & Associates, Inc., for Design of Replacement of Two Boilers, Nut Island Sewage Treatment Plant, Quincy, Massachusetts:

(a) That the work be accepted as completed as of May 17, 1983.

(b) That Estimate No. 3 (Final), in the amount of \$2,925.00, be approved for payment.

(c) That retainage, in the amount of \$2,025.00, be approved for payment.

The Commission V O T E D: Held over.

- 9 Report of Ms. Haggerty, September 6, requesting a three-month extension of time from September 6, 1983 to December 6, 1983, on Contract-Agreement No. S82-1004-

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D1A, with PRC Harris, a Division of PRC Engineering, Inc., for Design of the Repair and Reconstruction of the Kilby Street Culvert, Quincy, Massachusetts, to keep PRC Harris available to modify the contract documents during the period of time that a temporary construction easement is being negotiated by the MDC's Right-of-Way Section.
 The Commission V O T E D: Held over.

Action was taken upon the following Various Matter:

- 1 Report of Mr. McCarran, September 8, submitting for approval and signature Agreement, between the Metropolitan District Commission and the Town of Wellesley, Natural Resources Commission, relative to construction, operation, and maintenance of the Finlay Dam Fishway.
 The Commission V O T E D: Held over.

The following matter was placed on the agenda for the information of the Commission:

- 2 The following schedules were approved for payment by the Commissioner during the period from September 5, 1983 to September 12, 1983:

Invoices	\$ 1,254,736.54
Reservation of Funds	\$ 924.58
Weekly Payroll	\$ 1,191,922.09
Industrial Accident Report	\$ 20,789.69
Request for Advances	\$ 250.00.

ADJOURNED at 3:15 P.M., to meet on Thursday, September 22, 1983, at 10:00 A.M.

William F. Cusubola
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Record of the Three Thousand Two Hundred and Fiftieth (3250th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, September 22, 1983, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, and Scandrett.

The records of the preceding meeting were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

- 3 Fifth Amendment, dated September 22, 1983, to Contract-Agreement, dated October 31, 1980, with Wright-Pierce, Architects and Engineers, for Restoration and Rehabilitation of Dilboy Field and Foss Park, in Somerville, Massachusetts, which transfers funds from the direct and indirect labor costs of subcontractor John G. Crowe Associates, Inc. to direct and indirect labor costs of Wright-Pierce.
- 4 Contract No. P83-1267-C2A, with Bernard Banks, d/b/a Banks Plumbing & Heating, for Relocation of Hot Water Heater at LoConte Rink, Medford, Massachusetts.
- 5 Contract No. S83-1031-C1A, with R. Zoppo Co., Inc., for Cleaning of Aeration Channel No. 1, Deer Island Sewage Treatment Plant, Boston, Massachusetts.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 6 Report of Mr. McCarran, September 1, recommending approval of an extension of time from August 18, 1983 to September 30, 1983, on Contract No. P80-0793-C1A, with J. M. Cashman, Inc., for Maritime Work, Pemberton Pier, Hull, Massachusetts, due to the following reasons:
 1. Factory back-orders have delayed the delivery of the manufactured floats and gangways.
 2. The rainy spring weather, which delayed concrete deck placement, also delayed the hand-rail manufacturer from taking the required field measurements needed to fabricate the hand-rail.

The Commission V O T E D: to approve an extension of time from August 18, 1983 to September 30, 1983, as recommended by Mr. McCarran in his report of September 1, 1983, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

- 7 Report of Mr. McCarran, August 23, recommending approval of overrun on Item No. 5 - "Topsoil Excavated & Stockpiled," in the amount of \$5,300.00, on Contract

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No. P79-0770-C1A, with T & T Construction, for Restoration and Rehabilitation of Foss Park, Somerville, Massachusetts.
The Commission V O T E D: Delete from the agenda pending the Commissioner meeting with the Consultant, appropriate MDC Staff, and the Contractor on site concerning progress of the project; the Commissioner to report the results of the meeting to the Commission in one month's time.

1 Report of Mr. McCarran, September 2, recommending approval of overrun on Item No. 11 - "Crushed Stone," in the amount of \$600.00, on Contract No. P79-0770-C1A, with T & T Construction, for Restoration and Rehabilitation of Foss Park, Somerville, Massachusetts.
The Commission V O T E D: Delete from the agenda.

2 Report of Mr. McCarran, September 2, recommending approval of overrun on Item No. 33 - "2" Galvanized Steel Conduit," in the amount of \$1,004.50, on Contract No. P79-0770-C1A, with T & T Construction, for Restoration and Rehabilitation of Foss Park, Somerville, Massachusetts.
The Commission V O T E D: Delete from the agenda.

3 Report of Mr. McCarran, August 31, recommending approval of Extra Work Order No. 7, in the amount of \$3,500.00, for relocating and connecting the gas line supply with meter to the Service Building at the Revere Ice Skating Rink, on Contract No. P81-0929-C1A, with Major Construction Management Corp., for Replacement of Refrigeration Systems at Revere, Medford, and Somerville Ice Skating Rinks.
The Commission V O T E D: to approve Extra Work Order No. 7, in the amount of \$3,500.00.

4 Report of Mr. McCarran, September 9, recommending approval of overrun on Item No. 18 - "E.S.V.C. or A.B.S. Pipe," in the amount of \$680.00, on Contract No. P81-0973-C1A, with J. Biotti & Sons, for Beaver Brook Culvert Improvements, Waltham, Massachusetts.
The Commission V O T E D: to approve overrun on Item No. 18 - "E.S.V.C. or A.B.S. Pipe," in the amount of \$680.00.

5 Report of Mr. McCarran, August 29, recommending approval of overrun on Item No. 45 - "Preformed Joint Filler," in the amount of \$1,000.00, on Contract No. P83-1011-C1A, with P. Caliacco Corp., for Spot Pond Brook - Winter to Clifton and Dartmouth St. Culvert in the City of Malden, Massachusetts.
The Commission V O T E D: to approve overrun on Item No. 45 - "Preformed Joint Filler," in the amount of \$1,000.00.

6 Report of Mr. McCarran, September 9, recommending the following on Contract-Agreement No. P80-0873-D1A (CS80-6PE), with Schoenfeld Associates, Inc., for Professional Services and Advice Re: Emergency Repairs to Bridges, Overpasses, Underpasses, and Highways under MDC Jurisdiction:
(a) That the work be accepted as completed as of March 9, 1983.
(b) That retainage, in the amount of \$712.68, be approved for payment.
The Commission V O T E D: that the work of Schoenfeld Associates, Inc., Consultant under Contract-Agreement No. P80-0873-D1A (CS80-6PE), for Professional Services and Advice Re: Emergency Repairs to Bridges, Overpasses, Underpasses, and Highways under MDC Jurisdiction, be and hereby is accepted as completed as of March 9, 1983.
The Commission further V O T E D: to approve release of retainage, in the amount of \$712.68, for payment.

7 Report of Mr. McCarran, September 8, recommending approval of Extra Work Order No. 1, in the amount of \$2,252.97, for installation of new duct insulation and waterproof coatings on fresh air and return duct system located on the roof of the Aviary Building at Stone Memorial Zoo, on Contract No. P83-1245-M1A, with Farina Corporation, for Servicing of Heating, Ventilating, and Air Conditioning (H.V.A.C.) at Franklin Park Zoo, including Tropical Forest Pavilion in Dorchester, and also at Stone Memorial Zoo, Stoneham (FY84).
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$2,252.97.

8 Report of Mr. McCarran, September 13, recommending the following on Contract No. P83-1238-C1A, with Addonizio Construction Co., Inc., for Upgrading and Rehabilitation of Casting Structures, Charles District, Boston-Cambridge, Massachusetts:
(a) That the work be accepted as completed as of July 30, 1983.
(b) That Estimate No. 3 (Final), in the amount of \$776.63, be approved for payment.
(c) That reserve, in the amount of \$880.91, be approved for payment on October 3, 1983.
The Commission V O T E D: that the work of Addonizio Construction Co., Inc.,

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contractor under Contract No. P83-1238-C1A, for Upgrading and Rehabilitation of Casting Structures, Charles District, Boston-Cambridge, Massachusetts, be and hereby is accepted as completed as of July 30, 1983.

The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of \$776.63, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$880.91, for payment on October 3, 1983.

1 Report of Mr. O'Malley, September 12, on request of Greater Boston Track Club, Inc. for permission to hold the "7th Annual Freedom Trail Road Race" on MDC Roadways in Cambridge and Boston on Sunday, October 2, 1983.

Associate Commissioner Scandrett expressed his concern with sponsors organizing & publicizing road races prior to obtaining Commission approval for the event.

Mr. O'Malley was directed to notify, in writing, all groups who utilize MDC roadways for this type of event to meet with appropriate MDC Parks personnel, for planning purposes, at least three months prior to an event or, in any case, when plans for the event are being formulated, and further that organizers and sponsors be informed that Commission approval is required prior to announcing such events. In the case of Road Races, "announcing" an event includes the printing and distribution of Entry Forms.

The Commission V O T E D: Approved as recommended by Mr. O'Malley in his report of September 12, 1983; Mr. O'Malley and Captain LoConte to coordinate the event and prepare the permit.

2 Report of Mr. O'Malley, September 15, on request of Conventures, Inc. for permission to hold the "Molson Golden Corporate Cup Road Race" on MDC Roadways in Boston on Sunday, September 25, 1983.

The Commission V O T E D: Approved as recommended by Mr. O'Malley in his report of September 15, 1983; Mr. O'Malley and Captain LoConte to coordinate the event and prepare the permit.

3 Report of Mr. O'Malley, September 20, on request of US Trust/Charlesbank for permission to hold a Road Race along Memorial Drive, from Wadsworth Street to Hawthorne Street on Sunday, September 25, 1983.

The Commission V O T E D: Approved as recommended by Mr. O'Malley in his report of September 20, 1983; Mr. O'Malley and Captain LoConte to coordinate the event and prepare the permit.

4 Report of Mr. McCarran, July 29, on bids for Repairs to South Side of Huntington Avenue Overpass, Jamaicaaway, Boston, Massachusetts, Contract No. P80-0826-C1A; also report of Mr. Wright, August 16.

It was noted that it would not be feasible to do this type of work during the Winter months and that a delay in performing the work until the Spring would not adversely affect public safety.

The Commission V O T E D: to reject all bids.

5 Report of Mr. McCarran, September 9, recommending approval of overrun on Item No. 37 - "Reinforcing Steel," in the amount of \$1,312.00, on Contract No. P79-0695-C2A, with George E. Carroll Construction Co., Inc., for Tenean Beach Park Development.

The Commission V O T E D: Held over.

6 Report of Mr. McCarran, September 8, recommending the following on Contract No. P82-1146-M1A, with Arthur J. Skinner, Jr., d/b/a Malden Electric Company, for Servicing Truck Warning Sign Signal Systems on Parkways and Roadways of the Metropolitan District Commission:

- (a) That the work be accepted as completed as of June 30, 1983.
- (b) That Estimate No. 2 (Final), in the amount of \$11,983.04, be approved for payment.
- (c) That reserve, in the amount of \$967.93, be approved for payment.

Also report of Mr. Turner, September 21.

The Commission once again reviewed the EEO/AA Compliance record of Malden Electric Company.

Associate Commissioner Fontanez expressed her displeasure with the EEO/AA Compliance of Malden Electric Company.

Secretary Chisholm was directed to prepare and send a letter to Malden Electric Company expressing the Commission's displeasure with Malden Electric's EEO/AA performance on this contract.

The Commission V O T E D: that the work of Arthur J. Skinner, Jr., d/b/a Malden Electric Company, contractor under Contract No. P82-1146-M1A, for Servicing Truck Warning Sign Signal Systems on Parkways and Roadways of the Metropolitan District Commission, be and hereby is accepted as completed as of June 30, 1983.

The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of \$11,983.04, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$967.93, for payment.

Associate Commissioner Fontanez desired to be recorded as being opposed to this action of the Commission.

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Letter of The Metropolitan Boston Zoos, September 9, requesting approval to spend \$10,000.00 of the "Stone Zoo Improvement Fund" for removal of panels, cosmetic improvement, and repairs on the Lion and Tiger Exhibit at the Stone Zoo. Commissioner Geary stated that the work will be financed with funds from the "Stone Zoo Improvement Fund" and will not involve MDC funding. He went on to say that the funds to be used are raised through Voluntary Contributions to the Stone Zoo. Commissioner Geary also stated that bids will be solicited by the Metropolitan Boston Zoos for the work and that award of the contract must be approved by the MDC.
The Commission V O T E D: Approved.

2 Report of Mr. McCarran, September 20, on bids for Bridge Approach Reconstruction, John J. Beades Bridge, Morrissey Boulevard, over Dorchester Bay, Boston, Massachusetts, Contract No. P83-1204-C1A.
Mr. McCarran explained that the revised estimate by the Consultant is approximately \$1.5 million and reflects the changes since the original estimate of \$800,000.00 was made in August 1982. He stated that the increase is primarily due to the fact that the contractor will have to work 24 hours per day and 7 days a week to complete the work by December 31, 1983. Mr. McCarran went on to say that the reduction in time from the original estimate of 8 months to 3 months was necessitated because of the planned reconstruction of the Southeast Expressway by the Massachusetts Department of Public Works starting in March of 1984. Commissioner Geary noted that Morrissey Boulevard will be one of the main routes in and out of Boston during the reconstruction of the Southeast Expressway. The Commission directed Mr. McCarran to forward a copy of the Consultant's estimate with an explanation of the increased cost of the project, from the original estimate of \$800,000.00 to the new estimate of \$1.5 million, to Secretary Chisholm.

The Commission V O T E D: to accept the lowest bid, that of Bonacorso Construction Corp., Greater Boston Construction Co., Inc., and F. A. Construction Co., Inc. (Joint Venture), of \$1,220,680.00.

The Secretary then submitted for signature Contract No. P83-1204-C1A, dated September 22, 1983, with Bonacorso Construction Corp., Greater Boston Construction Co., Inc., and F. A. Construction Co., Inc. (Joint Venture), which was signed by the Commissioner and two Associate Commissioners. Associate Commissioner Fontanez did not sign the contract due to the fact that the EEO section of the contract was not signed by the contractor.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

3 Report of Mr. Martorana, August 29, recommending approval of an extension of time from September 1, 1983 to January 1, 1984, on Contract No. W80-0706-C1A, with A. Bonfatti & Co., Inc., for Pumping Replacement and Station Modifications at Brattle Court Pumping Station, Arlington, Massachusetts, due to the following reasons:

- 1. No payments can be made to the contractor without an extension of time approved by the Commission.
- 2. Purchase and delivery of the new recorders has been delayed due to vacations at the plant where they were being assembled.

The Commission V O T E D: to approve an extension of time from September 1, 1983 to January 1, 1984, as recommended by Mr. Martorana in his report of August 29, 1983, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

4 Report of Mr. Martorana, September 2, on request of P. Gioioso & Sons, Inc. for a three-month extension of time to November 28, 1983, on Contract No. W79-0970-C2A, for Water Meter Modernization, Greater Boston Metropolitan Area, Massachusetts, due to the telephone company being unreasonably slow in making the necessary service connections for the telemetry system.
The Commission V O T E D: Held over.

5 Report of Mr. Martorana, September 13, submitting the Water Division's Fiscal Years 1984-1985 Program.
The Commission V O T E D: Held over.

6 Report of Mr. Brutsch, September 15, requesting approval of an extension of time from October 30, 1983 to April 30, 1984, on Contract-Agreement, with Mary Ann Fronk, for Consultant Services in connection with the Management and Administration of Water Conservation Projects, at an additional cost of \$13,368.00, to be funded out of Account No. 2420-0220.
The Commission V O T E D: to approve an extension of time from October 30, 1983 to April 30, 1984, at an additional cost of \$13,368.00, as requested by Mr. Brutsch in his report of September 15, 1983.

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Report of Mr. Martorana, September 14, recommending the following on Contract No. E76-7W (Ref. E-463), with P. J. Spillane Co., Inc., for Rehabilitation of Spot Pond Pumping Station, Phase 1, Stoneham, Massachusetts:

- (a) That the work be accepted as completed as of May 1, 1977.
- (b) That Estimate No. 9 (Final), in the amount of \$4,120.00, be approved for payment.

The Commission V O T E D: that the work of P. J. Spillane Co., Inc., contractor under Contract No. E76-7W (Ref. E-463), for Rehabilitation of Spot Pond Pumping Station, Phase 1, Stoneham, Massachusetts, be and hereby is accepted as completed as of May 1, 1977.

The Commission further V O T E D: to approve Estimate No. 9 (Final), in the amount of \$4,120.00, for payment.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

2 Report of Ms. Haggerty, September 6, recommending the following on Contract-Agreement No. S80-0830-D1A, with Samuel Ussia & Associates, Inc., for Design of Replacement of Two Boilers, Nut Island Sewage Treatment Plant, Quincy, Massachusetts:

- (a) That the work be accepted as completed as of May 17, 1983.
- (b) That Estimate No. 3 (Final), in the amount of \$2,925.00, be approved for payment.
- (c) That retainage, in the amount of \$2,025.00, be approved for payment.

The Commission V O T E D: that the work of Samuel Ussia & Associates, Inc., Consultant under Contract-Agreement No. S80-0830-D1A, for Design of Replacement of Two Boilers, Nut Island Sewage Treatment Plant, Quincy, Massachusetts, be and hereby is accepted as completed as of May 17, 1983.

The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of \$2,925.00, for payment.

The Commission further V O T E D: to approve release of retainage, in the amount of \$2,025.00, for payment.

3 Report of Ms. Haggerty, September 6, requesting a three-month extension of time from September 6, 1983 to December 6, 1983, on Contract-Agreement No. S82-1004-D1A, with PRC Harris, a Division of PRC Engineering, Inc., for Design of the Repair and Reconstruction of the Kilby Street Culvert, Quincy, Massachusetts, to keep PRC Harris available to modify the contract documents during the period of time that a temporary construction easement is being negotiated by the MDC's Right-of-Way Section.

The Commission V O T E D: to approve an extension of time from September 6, 1983 to December 6, 1983, as requested by Ms. Haggerty in her report of September 6, 1983, on condition that no further request will be made for additional compensation.

4 Report of Ms. Haggerty, September 13, submitting Updated Project Justification and Work Schedule Form for Fox Point and Commercial Point CSO Facilities, Project No. S83-1022-D1A, estimated cost - \$7,900,000.00 (Consultant - \$400,000.00; Construction - \$7,500,000.00); Account No. 2439-7274.

Associate Commissioner Scandrett noted that this project is necessary in order to control pollution from the City of Boston's (Boston Water and Sewer Commission) Combined Sewer Overflow which discharges into Boston Harbor.

The Commission V O T E D: Approved.

5 Report of Mr. Wright, September 16, submitting for approval and signature Contract-Agreement, with Gannett Fleming Corddry and Carpenter, Inc., for Study and Design - (1) Repair or Replace Slade Siphon Inlet and Outlet Chambers; (2) Upgrade Slade Siphons; and (3) Construction New Access Roads for Servicing the Slade Structures at Mill Creek, in Revere and Chelsea, Massachusetts; Total Upset Limit - \$84,465.00.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Contract-Agreement, dated September 22, 1983, with Gannett Fleming Corddry and Carpenter, Inc., which was signed by the Commissioner and two Associate Commissioners.

Action was taken upon the following Various Matters:

6 Report of Mr. McCarran, September 8, submitting for approval and signature Agreement, between the Metropolitan District Commission and the Town of Wellesley, Natural Resources Commission, relative to construction, operation, and maintenance of the Finlay Dam Fishway.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Agreement, dated September 22, 1983, between the Metropolitan District Commission and the Town of Wellesley - Natural

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Resources Commission, which was signed by the Commissioner and three Associate Commissioners.

1 Report of Mr. Quinn, September 14, requesting blanket authorization (AF-4) to retain experts, appraisers, and cost estimators, as selected by the Office of the Attorney General, to make appraisals or estimates and other related tasks in connection with pending and future land damage court cases, estimated cost - \$10,000.00.
The Commission V O T E D: Approved.

The following matter was placed on the agenda for the information of the Commission:

2 The following schedules were approved for payment by the Commissioner during the period from September 12, 1983 to September 19, 1983:

Invoices	\$ 1,007,111.76
Reservation of Funds	\$ 67,743.22
Advices of Change	\$ 41,820.00
Weekly Payroll	\$ 1,053,855.15
Request for Advances	\$ 129,016.00.

ADJOURNED at 1:15 P.M., to meet on Thursday, September 29, 1983, at 10:00 A.M.

William F. Brutsch
Secretary.

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Record of the Three Thousand Two Hundred and Fifty-First (3251st) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, September 29, 1983, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Jones, and Scandrett.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

3 Report of Mr. Martorana, September 13, submitting the Water Division's Fiscal Years 1984-1985 Program.
Mr. Brutsch stated that there are a total of 54 projects in the Water Division's Program and that 29 of the projects have revisions, and also that 6 new programs have been added since the last Fiscal Year. He then reported on the following projects:

SUPPLY

- W79-0749-X3A - MDC Long-Range Water Supply (WSCAC).
- W79-0749-S2A - MDC Long-Range Water Supply.
- W80-0798-S1A - Sudbury Reservoir Treatment Plant - Pilot Plant Studies.
- W80-0800-S1A - Sudbury Reservoir Treatment Plant - EIR.

New Projects

- W80-0907-S3A - Water Quality Studies.
- W84-1030-S1A - Acid Rain Study at Quabbin Reservoir Watersheds.

The Commission V O T E D: to approve Projects W79-0749-X3A, W79-0749-S2A, and W80-0907-S3A.

The Commission further V O T E D: to approve Projects W80-0798-S1A, W80-0800-S1A, and W84-1030-S1A, on condition that there will be no additional cost to the Commission.

STORAGE AND TRANSMISSION

- W79-0806-D1B - New Chlorination Facility, Norumbega Reservoir.
- W79-0806-X1A - New Chlorination Facility, Norumbega Reservoir.
- W81-1008-D1A - Aqueduct Transfer Hydropower, Hultman-Weston.
- W81-1009-D1A - Wachusett Dam Hydropower Modernization.
- W81-1010-S1A - Cosgrove Intake Efficiency Analysis.

The Commission V O T E D: to approve Projects W79-0806-D1B, W79-0806-X1A, W81-1008-D1A, and W81-1010-S1A.

The Commission further V O T E D: to approve Project W81-1009-D1A, with the understanding that Mr. Salvatore A. Martorana, Director of Project Planning and Management, will rewrite the project description to include all work to be performed on the project.

At this point, Mr. Brutsch requested approval to change the title "Conservation" in the Water Division's Program to "Demand Management," and also to change the Program Manager from Mr. Marcis Kempe to Mrs. Patricia Corcoran.
The Commission V O T E D: Approved as requested by Mr. Brutsch.

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DEMAND MANAGEMENT

- W82-1018-S1A - Market Survey.
- W82-1020-S1A - Science Museum Exhibit.
- W82-1022-S1A - Parks Division Water Audit.

New Projects

- W84-1032 - Public Information.
- W84-1033 - Professional Services.
- W84-1034 - Curriculum Implementation.

Commissioner Geary asked that he be given a copy of the work qualifications of Finnegan Associates, the Consultant on Project W82-1018-S1A. He also asked that the hiring of "03" positions on Project W84-1033 be coordinated with the Personnel and Affirmative Action Offices.

The Commission V O T E D: to approve Project W82-1018-S1A, on condition that there will be no additional cost to the Commission.

The Commission further V O T E D: to approve Projects W82-1020-S1A, W82-1022-S1A, W84-1032, W84-1033, and W84-1034.

PUMPING

W80-0706-C1A - Brattle Court Pumping Station, Arlington - Modification and New Pumping Station.
(This project was approved at the meeting of the Commission held on September 22, 1983).

W78-0739-D1A - Spot Pond Pumping Station Renovation and Improvements.

W80-0862-S1A - Commonwealth Avenue Pumping Station, Preliminary Design Pumping Station Upgrading.

W81-1001-C1A - Oil Separator/Drainage, Spot Pond Pumping Station.

The Commission V O T E D: to approve Projects W78-0739-D1A, W80-0862-S1A, and W81-1001-C1A.

DISTRIBUTION

W79-0728-S1A - Quincy Blue Hills Reservoir Study to Eliminate Water Quality Problems.

W80-0763-D3A - Furnishing and Laying Water Pipes in Lynn.

W80-0869-D1A - Study to Update Southern Extra Extension Feasibility Study.

W80-0871-S1A - Corrosion Study of Steel Pipelines, MDC Sections 12, 15, 16, and 52.

W80-0871-X1A - Exploratory Excavation for Replacement of Certain Water Mains in Arlington, Boston, Brookline, Cambridge, Medford, and Somerville, Massachusetts.

W80-0884-D1A - Distribution System Improvements, Stoneham.

W79-0970-C1A - Water Meter System Modernization.

(This project was approved at the meeting of the Commission held on September 22, 1983).

W79-0970-C2A - Water Meter System Modernization.

W83-1024-S1A - Pipeline Replacement in Boston Low Service.

New Project

W84-1031-C1A - Removal of Abandoned 36-Inch Pipeline Crossing Chelsea River, Boston.

The Commission V O T E D: to approve Projects W79-0728-S1A, W80-0763-D3A, W80-0871-S1A, W80-0871-X1A, W80-0884-D1A, W83-1024-S1A, and W84-1031-C1A.

The Commission further V O T E D: to approve Project W80-0869-D1A; Mr. Brutsch to change the title of this project to reflect the work to be performed.

The Commission further V O T E D: to hold over Project W79-0970-C2A.

WASTEWATER

W79-0715-D1A - Clinton Wastewater Treatment Plant Upgrading.

W83-1023-C1A - Cleaning of the Rutland-Holden Sewer.

The Commission V O T E D: to hold over Project W79-0715-D1A.

The Commission further V O T E D: to approve Project W83-1023-C1A.

BUILDINGS AND GROUNDS

W80-0956-S1A - Seismic Stability Studies - MDC Water Division Dams.
(This project was approved at the meeting of the Commission held on September 8, 1983).

W81-1004-C1A - Furnishing and Installing Metal Work to Various MDC Water Division Facilities in Southborough, Weston, Newton.

W82-1016-C1A - Demolition and Removal of Warren Street Pumping Station, Brookline.

W83-1026-C1A - Electrical Repairs to Generator, Winsor Dam Power Plant in Quabbin Reservoir.

The Commission V O T E D: to approve Projects W81-1004-C1A, W82-1016-C1A, and W83-1026-C1A.

1 Report of Mr. Martorana, September 16, recommending approval of overruns, totaling \$2,011.40, on Contract No. W82-1014-C1A, with Rocha Pole Line Construction, Inc., for Replacement of Telephone Cable and the Construction of a Telephone Line, Quabbin Reservoir Reservation, in the Towns of Ware and Belchertown, Mass-



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achusetts, as follows:

- Item No. 2 - "Installation of Direct Burial Cable in Buried PVC Conduit" - \$135.00.
- Item No. 5 - "Excavation of Rock, Boulders, and Masonry" - \$1,235.00.
- Item No. 6 - "PVC Pipe Installation" - \$281.40.
- Item No. 9 - "Reenterable Cable Splices" - \$360.00.

The Commission V O T E D: Held over for further review of EEO/AA Compliance; Mr. Jay Turner, Contract Compliance Officer, to report to the Commission at the meeting scheduled for Thursday, October 6, 1983.

- 1 Report of Mr. Martorana, September 2, on request of P. Gioioso & Sons, Inc. for a three-month extension of time to November 28, 1983, on Contract No. W79-0970-C2A, for Water Meter Modernization, Greater Boston Metropolitan Area, Massachusetts, due to the telephone company being unreasonably slow in making the necessary service connections for the telemetry system.
The Commission V O T E D: Held over.
- 2 Report of Mr. Martorana, September 19, submitting for approval and signature Cooperative Agreement, with the United States Department of Interior, Geological Survey, for an investigation of the effects of acid rain on two watersheds of the Quabbin Reservoir System, covering the period October 1, 1983 to September 30, 1984; the amount of money to be contributed by the MDC to be \$37,200.00.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Cooperative Agreement, dated October 1, 1983, with the United States Department of Interior, Geological Survey, which was signed by the Commissioner and two Associate Commissioners.
- 3 Report of Mr. Martorana, September 20, recommending approval of "Phase 5 Submittal - Clinton Wastewater Treatment Plant Improvements," dated July 29, 1983, as prepared by Camp Dresser & McKee, Inc.
The Commission V O T E D: Held over.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 4 Report of Mr. McCarran, September 9, recommending approval of overrun on Item No. 37 - "Reinforcing Steel," in the amount of \$1,312.00, on Contract No. P79-0695-C2A, with George E. Carroll Construction Co., Inc., for Tenean Beach Park Development.
Mr. McCarran stated that George E. Carroll Construction Co., Inc. has been notified that Liquidated Damages are being assessed on the project as of September 1, 1983, because of the delay in completing the project.
The Commission V O T E D: to approve overrun on Item No. 37 - "Reinforcing Steel," in the amount of \$1,312.00.
- 5 Report of Mr. McCarran, September 21, on bids for Installation of Pavement Markings on MDC Parkways and Boulevards, Contract No. P82-1165-M2A.
In response to questioning by Commissioner Geary, Mr. Leo Lydon, of the Parks Division, stated that all MDC Parks Division Roadways are included in this contract.
The Commission V O T E D: to accept the lowest bid, that of Traffic Markings, Inc., of \$69,569.28.
- 6 Report of Mr. McCarran, September 21, on bids for Rehabilitation of Fishing Pier, Castle Island, South Boston, Massachusetts, Contract No. P84-1271-C1A.
The Commission V O T E D: to accept the lowest bid, that of Coast Construction Corporation, of \$24,794.50.
The Secretary then submitted for signature Contract No. P84-1271-C1A, dated September 29, 1983, with Coast Construction Corporation, which was signed by the Commissioner and two Associate Commissioners.
- 7 Report of Mr. McCarran, September 23, requesting approval of Alteration #1, in the amount of \$8,451.30 (\$3.94 per square foot) credit to the Commission, for substituting gunite instead of high strength epoxy mortar as specified in Item No. 25 - "Concrete Patching," on Contract No. P78-0638-C1A, with Bonacorso Construction Corp., for Bridge Repairs, Monsignor McGrath Highway, McCarthy Overpass, and Squire's Bridge, Somerville, Massachusetts.
The Commission V O T E D: to approve Alteration #1, in the amount of a \$8,451.30 (\$3.94 per square foot) credit to the Commission.
- 8 Report of Mr. McCarran, September 16, recommending approval of an extension of time from September 30, 1983 to December 15, 1983, for transplanting of trees and general clean-up, on Contract No. P79-0770-C1A, with T & T Construction, for Restoration and Rehabilitation of Foss Park, Somerville, Massachusetts.
The Commission V O T E D: Held over.

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Report of Mr. McCarran, September 19, relative to Emergency Repairs to MDC Bridge No. 53, Harvard Bridge (Massachusetts Avenue), Boston-Cambridge, and requesting that the Commission ratify the following actions taken by Commissioner Geary:

1. Hiring Bonacorso Construction Corp. to make necessary emergency repairs to MDC Bridge No. 53, Harvard Bridge (Massachusetts Avenue).
2. Closing down of the two outside lanes to all traffic and prohibiting all buses and trucks from using the Bridge.
3. Posting a Police Detail 24 hours a day.
4. Placing the Bridge under Parkway Rules.

Also recommending the following on Emergency Contract, with Bonacorso Construction Corp., for Repairs to MDC Bridge No. 53, Harvard Bridge (Massachusetts Avenue), Boston-Cambridge.

- (a) That the work be accepted as completed as of July 22, 1983.
- (b) That payment of \$140,066.40 to Bonacorso Construction Corp. for this emergency work be approved.

Mr. McCarran explained that the difference in the bid and the actual cost of the project was caused by the need for repairs to additional floor beams, additional Police Details, and Professional Services required for the emergency repairs. The Commission V O T E D: to ratify and approve the actions taken by Commissioner Geary, as requested by Mr. McCarran in his report of September 19, 1983. The Commission V O T E D: that the work of Bonacorso Construction Corp., contractor under Emergency Contract, for Repairs to MDC Bridge No. 53, Harvard Bridge (Massachusetts Avenue), Boston-Cambridge, be and hereby is accepted as completed as of July 22, 1983.

The Commission further V O T E D: to approve payment of \$140,066.40 to Bonacorso Construction Corp.

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2 Report of Mr. O'Malley, September 23, submitting proposed 1983-1984 Ice Rink Schedule, Fees, Rental Charges, and Regulations. The Commission V O T E D: to adopt the following Ice Rink Schedule, Fees, Rental Charges, and Regulations:

1. OPENING AND CLOSING DATES

All Rinks:

Monday, November 14, 1983, through the close of the business day on Saturday, March 17, 1984.
(Opened for a total of 18 weeks).

2. ADMISSION AND RENTAL FEES

A. Public Sessions:

- \$.50 - Under 18 years of age at all sessions.
- \$.50 - Senior Citizens (65 years of age and over) at all sessions.
- \$1.00 - 18 years of age and over at all sessions.

B. Ice Rental:

\$65.00 per fifty (50) minute period (\$1.30 per minute).

3. SPECIAL PRIVILEGES

A. Public, private, and parochial schools in the Metropolitan Parks District shall be permitted to use the rinks free of charge from 9:00 A.M. to 12:00 Noon on school days for recreational skating.

B. Adults accompanying children under 10 years of age are to be permitted to use the rinks free of charge on weekday morning and afternoon sessions.

4. HOLIDAY SCHEDULE

A. Rinks will be closed on the following holidays:

- Thanksgiving - All Day
- Christmas Eve - 4:00 P.M.
- Christmas Day - All Day
- New Year's Eve - 4:00 P.M.
- New Year's Day - Reopen at 2:00 P.M.

B. Schedules at all rinks will not be changed during holiday vacation times.

5. ICE RENTAL CANCELLATION NOTICE

The renter shall be charged for all ice time contracted or scheduled. No cancellations will be accepted. In the event that the same time period is not utilized two consecutive times, that time period may be rented to another group. However, the rental fee will not be charged if the time period is cancelled due to the fault of the MDC or if weather conditions are such that both the Rink Manager and Team agree that hazardous conditions exist.

6. PAYMENTS

All rental charges for ice time must be paid for in advance at the District Office. The only exception will be municipally funded organizations.

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7. ICE RENTAL PRIORITIES

- A. City and Town Recreation Departments who are members of the Metropolitan Parks District and are conducting and paying for programs for children 15 years of age and under.
- B. Youth Hockey Programs.
- C. High School Team Practice (All Grades) after December 1, 1983.
- D. Individual Teams, Industrial Leagues, Etc.

1 Report of Mr. McCarran, September 26, on bids for Servicing Refrigeration Systems at Ice Skating Rinks (FY84), Contract No. P83-1163-M1A.
The Commission V O T E D: to accept the lowest bid, that of Aarco, Inc., of \$317,875.00.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

2 Report of Mr. Baratta, September 23, on bids for Replacement of Chlorine Piping & Diffusers at Deer Island Sewage Treatment Plant, Boston, Massachusetts, Contract No. S82-1015-C1A.
The Commission V O T E D: to accept the lowest bid, that of Harding & Smith, Inc., of \$211,739.00.

3 Report of Mr. Baratta, September 23, on bids for Pavement Repairs at Squantum Pumping Station, Newland Street, Quincy, Massachusetts, Contract No. S83-1102-C1A.
The Commission V O T E D: to accept the lowest bid, that of South Shore Paving Company, of \$2,790.00.

4 Report of Ms. Haggerty, September 22, submitting Work Schedule Form and Project Justification for Replacement of Sodium Hypochlorite Lines, Cottage Farm Storm-water Detention and Chlorination Station, 660 Memorial Drive, Cambridge, Massachusetts, Project No. S83-1109-C1A, estimated cost \$12,000.00 Account No. 2439-7274.
The Commission V O T E D: Approved.

5 Report of Mr. Baratta, September 23, submitting Revised Work Schedule Form and Project Justification for Electrical Equipment Upgrade, Deer Island Sewage Treatment Plant, Project S82-1016, estimated cost - \$3,035,000.00 (Consultant - \$135,000.00; Construction - \$2,900,000.00), Account No. 2439-7274.
In approving the revised project scope that updates the projected design costs from \$40,000.00 to \$135,000.00, the Commission noted that the preliminary report of the Deer Island Facilities Plan lists the added scope items as "survival" items that must be addressed without delay.
Commissioner Geary pointed out that these additional scope items are so crucial to the continued operation of the Plant that they should be taken out of the Deer Island Facilities Plan and added to the Electrical Design Contract which is now in progress.
The Commission V O T E D: Approved.

6 Report of Mr. Baratta, September 28, on request of Montvale Realty Trust, through its Consulting Engineers - Eugene T. Sullivan, Inc., for permission to erect a light weight aluminum enclosure around its property located at 58-64 Montvale Avenue, Stoneham, Massachusetts, over a Metropolitan District Commission easement.
The Commission V O T E D: Held over pending further information concerning insurance coverage by the applicant for any possible damage to a Commission sewer pipe.

The following matter was placed on the agenda for the information of the Commission:

7 The following schedules were approved for payment by the Commissioner during the period from September 19, 1983 to September 26, 1983:

Invoices	\$ 1,541,284.84
Reservation of Funds	\$ 3,381,832.50
Weekly Payroll	\$ 965,929.02
Industrial Accidents	\$ 20,600.34
Request for Advances	\$ 4,903,500.00.

ADJOURNED at 3:45 P.M., to meet on Thursday, October 6, 1983, at 10:00 A.M.

William F. Crush
Secretary.

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Record of the Three Thousand Two Hundred and Fifty-Second (3252nd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, October 6, 1983, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The records of the meeting held on September 22, 1983, were read and approved. Associate Commissioner Jones desired to be recorded as being present but not voting.

The records of the meeting held on September 29, 1983, were read and approved. Associate Commissioner Fontanez desired to be recorded as being present but not voting.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

- 1 Second Amendment, dated October 6, 1983, to Contract-Agreement, dated December 30, 1982, with Mary Ann Fronk, for Consultant Services in connection with the Management and Administration of Water Conservation Projects, which increases the Compensation from \$18,400.00 to \$31,768.00, and extends the Time for Performance from October 30, 1983 to April 30, 1984.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

- 2 Contract No. P83-1163-M1A, dated October 6, 1983, with Aarco, Inc., for Servicing Refrigeration Systems at Ice Skating Rinks (FY84).
- 3 Contract No. P82-1165-M2A, dated October 6, 1983, with Traffic Markings, Inc., for Installation of Pavement Markings on MDC Parkways and Boulevards.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 4 Report of Mr. McCarran, September 16, recommending approval of an extension of time from September 30, 1983 to December 15, 1983, for transplanting of trees and general clean-up on Contract No. P79-0770-C1A, with T & T Construction, for Restoration and Rehabilitation of Foss Park, Somerville, Massachusetts. Commissioner Geary spoke of a meeting with Officers of T & T Construction at Foss Park at which time he expressed the Commission's displeasure with T & T Construction's work on the contract.
The Commission V O T E D: to approve an extension of time from September 30, 1983 to November 15, 1983 only, with the understanding that the seeding of the Park must be completed prior to November 15, 1983; the extension of time to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
- 5 Report of Mr. McCarran, September 27, on bids for Furnishing and Planting Trees Along and Adjacent to Various Parkways, Boulevards, and Other Roads of the Metropolitan Parks System, Fall 1983, Medford, Malden, Melrose, Winchester, Everett, Revere, Cambridge, Somerville, Arlington, Watertown, Boston, South Boston, Brookline, Milton, Quincy, Contract No. P84-1275-C1A.
The Commission V O T E D: to accept the lowest bid, that of A. J. Tomasi Nurseries, Inc., of \$97,779.00.
The Secretary then submitted for signature Contract No. P84-1275-C1A, dated October 6, 1983, with A. J. Tomasi Nurseries, Inc., which was signed by the Commissioner and four Associate Commissioners.
- 6 Report of Mr. McCarran, September 27, recommending the following on Contract-Agreement No. P77-0481-D1A (CS-77-8PE), with Andrew Christo Engineers, for Engineering Services for Strengthening Structural Improvements and Repairs to William Reid Overpass and Conrail Bridge, Memorial Drive, Cambridge, Massachusetts:
(a) That the work be accepted as completed as of July 30, 1983.
(b) That retainage, in the amount of \$1,610.88, be approved for payment.
The Commission directed that Mr. McCarran report on the ownership of the Conrail Bridge at the meeting of the Commission scheduled for Thursday, October 13, 1983.
The Commission V O T E D: that the work of Andrew Christo Engineers, Consultant under Contract-Agreement No. P77-0481-D1A (CS-77-8PE), for Engineering Services for Strengthening Structural Improvements and Repairs to William Reid Overpass and Conrail Bridge, Memorial Drive, Cambridge, Massachusetts, be and hereby is accepted as completed as of July 30, 1983.
The Commission further V O T E D: to approve release of retainage, in the amount of \$1,610.88, for payment.

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Report of Mr. McCarran, September 30, on bids for Electronic and Sound System Maintenance and Repair Work at Various Sports Facilities and Recreational Areas of the Metropolitan Parks System, Contract No. P83-1206-M1A. Commissioner Geary expressed his concern that only one contractor submitted a bid on this contract and that the bid was \$43,600.00 over the MDC Engineer's estimate for the work.

Mr. McCarran stated that over the past several years the Parks Division has had a problem obtaining bids for this work due to its specialized nature, and also because the contract calls for the contractor to be on call 24 hours a day, 7 days a week. Mr. McCarran further stated this his Staff had made many calls to electrical contractors. He went to say that the majority of those contacted said they were not interested or were not prequalified to do the work. The Commission then directed Mr. McCarran to provide Secretary Chisholm with a report outlining the steps which were taken and a list of those companies that were contacted to bid on the project.

Mr. James F. McCann, Contract Administrator, was directed to contact firms capable of performing this type of work and attempt to get them to prequalify for future contracts.

The Commission V O T E D: to accept the only bid received, that of Emerson Electrical Cont. Co., Inc., of \$143,600.00.

2

Report of Mr. McCarran, September 29, on request of Modern Continental Construction Co., Inc. for an extension of time from September 23, 1983 to May 30, 1984, on Contract No. P79-0546-C1A (E81-22PE), for Reconstructing Columbia Road and Mount Vernon Street Bridges, Boston, Massachusetts.

The Commission V O T E D: to approve an extension of time from September 23, 1983 to December 15, 1983 only, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation; Mr. McCarran to report back to the Commission in two weeks on how much work will remain on the contract after December 15, 1983.

3

Report of Mr. McCarran, September 27, recommending approval of overruns, totaling \$4,220.00, on Contract No. P81-0973-C1A, with J. Biotti and Sons, for Beaver Brook Culvert Improvements, Waltham, Massachusetts, as follows:

- Item No. 17A - "12-Inch and 15-Inch R.C. Pipe (Class III)" - \$2,720.00.
- Item No. 19 - "Precast Concrete and Brick Masonry Manholes" - \$1,500.00.

The Commission V O T E D: to approve overruns, totaling \$4,220.00, as recommended by Mr. McCarran in his report of September 27, 1983.

4

Report of Mr. McCarran, September 26, recommending approval of an extension of time from September 2, 1983 to September 23, 1983, on Contract No. P82-1106-C2A, with D. P. Donnelly Electrical Construction, Inc., for Reconstruction of Traffic Signal System, Gallivan Boulevard and Hallet Street, Dorchester, Massachusetts, to allow time to install equipment which was delayed in shipment from the supplier.

The Commission V O T E D: to approve an extension of time from September 2, 1983 to September 23, 1983, as recommended by Mr. McCarran in his report of September 26, 1983, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

5

Report of Mr. McCarran, September 27, recommending approval of overruns, totaling \$18,696.06, on Contract No. P82-1126-M1A, with Metropolitan Signal Corp./New England Traffic Signals, Inc. (Joint Venture), for Servicing Traffic Signal and Control Systems on Parkways and Roadways of the Metropolitan District Commission, as follows:

- Item No. 12 - "Labor Rate for Licensed Serviceman for Misc. Repairs" - \$3,876.40.
- Item No. 13 - "Hourly Labor Rate for Serviceman for Misc. Repairs" - \$2,321.00.
- Item No. 14 - "Hourly Labor Rate for Helper for Misc. Repairs" - \$2,250.00.
- Item No. 15 - "Hourly Rate for Vehicle for Misc. Repairs" - \$1,975.50.
- Item No. 27 - "Traffic Signal Metal Base-Octagonal" - \$ 500.00.
- Item No. 30 - "Cement Concrete Foundation-Octagonal Base" - \$ 300.00.
- Item No. 38 - "General Purpose Wire (XH.H.W. #14)" - \$ 77.55.
- Item No. 39 - "Detector Lead-In Cable" - \$ 356.25.
- Item No. 40 - "Traffic Signal Loop Detector" - \$4,543.00.
- Item No. 41 - "Communication System and Clerical Work" - \$ 825.00.
- Item No. 42 - "Storage Room and Engineer's Office" - \$ 825.00.
- Item No. 44 - "Traffic Control Services" - \$ 846.36.

Mr. McCarran stated that the overruns were the result of extending the contract for one month in order to continue servicing the traffic signal systems until the

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State Budget was passed by the Legislature and a new maintenance contract could be funded. Mr. McCarran noted that even with these overruns, the final estimate will be less than the total bid for the work.
The Commission V O T E D: to approve overruns, totaling \$18,696.06, as recommended by Mr. McCarran in his report of September 27, 1983.

1 Letter of Conventures, Inc., September 19, requesting cooperation of the MDC in producing the "7th Annual Bonne Bell - Chevrolet 10K Road Race" on Monday, October 10, 1983; also report of Mr. O'Malley, October 5.

Associate Commissioner Scandrett once again expressed his displeasure with the late arrival of requests for approval of road races on MDC property. He then asked that the following directive be included in the records of the Commission and be again forwarded to the Parks Division - Reservations & Recreation:

"Mr. O'Malley was directed to notify, in writing, all groups who utilize MDC roadways for this type of event to meet with appropriate MDC Parks personnel, for planning purposes, at least three months prior to an event or, in any case, when plans for the event are being formulated, and further that organizers and sponsors be informed that Commission approval is required prior to announcing such events. In the case of Road Races, "announcing" an event includes the printing and distribution of Entry Forms."

The Commission V O T E D: to cooperate in the holding of the Road Race by allowing Memorial Drive to be closed for the duration of the event on Monday, October 10, 1983, from the William J. Reid Overpass to the Longfellow Bridge in the City of Cambridge, as well as the Harvard Bridge for its entire length; the MDC to provide both police and parks maintenance personnel to assist, with the specific understanding that the sponsoring organization shall pay for the entire cost of providing this assistance.

2 As requested by the Commission at its meeting of September 29, 1983, Mr. McCarran submitted the following memorandum from Mr. Patrick J. Keogh, Resident Engineer, concerning the "Installation of Double Rail Handrail, Pemberton Pier, Contract No. P80-0793-C1A:

"The double rail handrail on the above-named project, was installed as per specifications. A 2½" DIAx4" pipe sleeve was set in the cast in place curbing. Double rail posts were set in the sleeves and caulked with lead wool as per typical Handrail Detail Drawing #4.

(signed) Patrick J. Keogh
Resident Engineer "

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

3 Report of Mr. Baratta, September 28, on request of Montvale Realty Trust, through its Consulting Engineers - Eugene T. Sullivan, Inc., for permission to erect a light weight aluminum enclosure around its property located at 58-64 Montvale Avenue, Stoneham, Massachusetts, over a Metropolitan District Commission easement.

The Commission V O T E D: Approved as recommended by Mr. Baratta in his report of September 28, 1983, subject to the following conditions:

1. That the MDC's sewer shall be flagged along the course of the proposed construction of the 5" concrete slab and light weight aluminum enclosure foundation for identification and protection purposes.
2. That any damages to the MDC's sewer resulting from the construction of the 5" concrete slab and light weight aluminum enclosure foundation shall be repaired at the Permittee's expense.
3. That the Permittees, its successors and assigns, shall indemnify and save harmless the Commonwealth of Massachusetts, the Metropolitan District Commission, and its agents and servants, from any and all claims and demands for damages to persons or property arising out of the exercise of this permit.
4. All work is to be performed to the satisfaction of the Director of the MDC's Sewerage Division.
5. The Permittees, its successors and assigns, shall indemnify and save harmless the Commonwealth of Massachusetts, the Metropolitan District Commission, and its agents and servants, from any damage or additional cost which the granting of this permission may entail in the event that repairs of the portion of the sewer under the proposed construction becomes necessary, and upon further condition that the MDC, and its agents and servants, may enter upon the location at any time in order to carry on the maintenance and repair of the MDC sewer.
6. That the granting of this permission shall in no way interfere with the rights of the MDC to exercise its said rights under its easement as provided in the taking.

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- 7. That the Permittees, its successors and assigns, agree, upon demand, to remove that portion of the 5" concrete slab and light weight aluminum enclosure foundation necessary to install a new relief sewer in the existing easement at its own expense, if required in the future.
- 8. That the Permittees agree that ample notice will be given to the MDC's Sewerage Division in order that an inspector may be on the premises during the proposed construction.
- 9. Any other condition that the Right-of-Way deems necessary for the protection of the MDC and its employees.

1 Report of Ms. Haggerty, September 28, on bids for Chlorination Facilities Upgrading, Nut Island Sewage Treatment Plant, Quincy, Massachusetts, Contract No. W81-0947-C2A.

The Commission V O T E D: to reject all bids due to an unreasonable period of time between the bid opening and award, as recommended by Ms. Haggerty in her report of September 28, 1983.

2 Report of Mr. Baratta, September 30, on bids for Improvements to Diesel Engines and Engine Support Equipment, Nut Island Wastewater Treatment Plant, Contract No. S80-0656-C1A.

The Commission V O T E D: to disallow the request of Hart Engineering Company for a rejection of all bids received on Contract No. S80-0656-C1A.

The Commission further V O T E D: to allow Gaffney Plumbing & Heating Corp. to withdraw its bid without prejudice, and to approve release of its bid bond without penalty.

The Commission further V O T E D: to accept the lowest responsible bid, that of Harding & Smith, Inc., of \$1,160,870.00.

3 Report of Mr. Baratta, October 4, submitting revised schedule of Ratios of Contribution for Apportionment of Debt Service and Maintenance Costs for the Cities and Towns in the Metropolitan Sewerage District, in accordance with the provisions of Chapter 92, General Laws, as amended by Chapter 814, Acts of 1975.

The Commission V O T E D: to establish the revised schedule of Ratios of Contribution for Apportionment of Debt Service and Maintenance Costs for the Cities and Towns in the Metropolitan Sewerage District, as required by Chapter 92, General Laws, as amended by Chapter 814, Acts of 1975, and to certify same to the Treasurer and Receiver-General.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

4 Report of Mr. Martorana, September 2, on request of P. Gioioso & Sons, Inc. for a three-month extension of time to November 28, 1983, on Contract No. W79-0970-C2A, for Water Meter Modernization, Greater Boston Metropolitan Area, Massachusetts, due to the telephone company being unreasonably slow in making the necessary service connections for the telemetry system.

The Commission V O T E D: Held over.

5 Report of Mr. Martorana, September 16, recommending approval of overruns, totaling \$2,011.40, on Contract No. W82-1014-C1A, with Rocha Pole Line Construction, Inc., for Replacement of Telephone Cable and the Construction of a Telephone Line, Quabbin Reservoir Reservation, in the Towns of Ware and Belchertown, Massachusetts, as follows:

Item No. 2	-	"Installation of Direct Burial Cable in Buried PVC Conduit"	- \$ 135.00.
Item No. 5	-	"Excavation of Rock, Boulders, and Masonry"	- \$1,235.00.
Item No. 6	-	"PVC Pipe Installation"	- \$ 281.40.
Item No. 9	-	"Reenterable Cable Splices"	- \$ 360.00.

The Commission V O T E D: Held over.

6 Report of Mr. Martorana, September 20, recommending approval of "Phase 5 Submittal - Clinton Wastewater Treatment Plant Improvements," dated July 29, 1983, as prepared by Camp Dresser & McKee, Inc.

The Commission V O T E D: Held over.

7 Report of Mr. Faucher, September 30, on proposals for the purchase of standing timber located on the Quabbin Reservoir Watershed, Ware River Watershed, and Wachusett Reservoir Watershed.

The Commission V O T E D: Held over.

8 Report of Mr. Martorana, September 27, recommending approval of release of \$100,000.00 of the retainage on Contract No. W79-0970-C2A, with P. Gioioso & Sons, Inc., for Water Meter Modernization, Greater Boston Metropolitan Area, Massachusetts.

The Commission V O T E D: Held over.

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Report of Mr. Martorana, September 23, recommending the following on Contract No. W81-1004-C1A, with Bowser & Copponi, Inc., for Furnishing and Installing Metal Work at Various MDC Water Division Facilities in Southborough, Weston, and Newton, Massachusetts:

- (a) That the work be accepted as completed as of June 8, 1983.
 - (b) That Estimate No. 5 (Final), in the amount of \$1,493.30, be approved for payment.
 - (c) That retainage, in the amount of \$2,583.60, be approved for payment.
- The Commission V O T E D: Held over.

2 Report of Mr. Wright, September 30, submitting for approval and signature Amendment to Contract-Agreement, with Wallace, Floyd, Associates, Inc. for Long-Range Water Supply Study and Environmental Impact Report, which provides for the substitution of a new sub-consultant to provide archaeological and historical services in the preparation of the environmental impact report.
The Commission V O T E D: Held over.

3 Report of Mr. Martorana, September 15, recommending approval of the Final Report entitled "Water Leakage Survey, October 1982 through June 1983," as prepared and completed on August 19, 1983, by Heath Consultants, Inc.; also submitting the following for approval:
(a) Final Payment (Invoice #9), in the amount of \$707.78.
(b) Release of Retainage (Invoice #10), in the amount of \$6,091.03.
The Commission V O T E D: Held over.

Action was taken upon the following Various Matters:

4 Report of Mr. Wright, September 30, submitting for approval and signature Agreement, with the Town of Needham, for Joint Police Protection of Certain Areas Within the Town of Needham, for a period of one year.
The Commission V O T E D: Held over.

5 Report of Mr. McCarran, September 1, on request of Northeastern University for permission to add to the existing Riverside Boathouse or to construct a facility near the Cottage Farm Bridge Pumping Station.
Mr. McCarran spoke of the problem that Northeastern University is having in complying with government regulations concerning equal opportunity for both male and female students due to a lack of adequate space for changing rooms at the Riverside Boathouse.
Mr. John Martin, Vice-President of Northeastern University, spoke of the success of the Crew Program at the University. He stated that the Riverside Boat Club has asked Northeastern University to relinquish its space at the boathouse by the end of the year, which will leave Northeastern without quarters for its Crew Program.
At this point, Mr. Buzz Congren, Crew Director at Northeastern University, conducted a slide presentation and pointed out the cramped conditions at the Riverside Boathouse.
Attorney Joseph S. Moran, representing Northeastern University, presented an artist's rendering of the proposed boathouse to be located in an area near the Cottage Farm Storm Detention and Chlorination Station. He stated that he has met with various groups, including the Cambridge and Massachusetts Historical Commissions and the Charles River Watershed Association, concerning the new boathouse, and that they have been supportive of Northeastern's request.
Associate Commissioner Jones questioned why the petitioner was meeting with those groups rather than the MDC taking the initiative.
Mr. McCarran stated that the Cambridge Conservation Commission will hold a meeting on the request of Northeastern. He went on to say that following that meeting, Northeastern's request will again come before the Commission and, at that time, all interested parties will be notified so that they will be afforded the opportunity to have input concerning the request.
At this point, Associate Commissioner Jones stated that he wanted the following conditions met prior to a Commission vote on the matter:
1. That the MDC will hold a public hearing for all interested parties.
2. A further elaboration on a Community Outreach Program to be sponsored by Northeastern University involving water-related activities for the youth of the area.
3. That Associate Commissioner Fontanez meet with Representative Sandra Graham for her input concerning the feelings of the community relative to a new boathouse in the area of the Cottage Farm Storm Detention Station.
The Commission V O T E D: Placed on file.

6 Report of Mr. Wright, October 3, submitting for approval Permit, to Bayside Boating & Sailing, Inc., to use that portion of land along the waterfront in Dorchester Bay adjacent to Mothers' Rest, so-called, in Old Harbor South Boston, to con-

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duct and maintain a seamanship and sailing program offering instruction in sailing and basic water crafts to the youth in the community, free-of-charge or at a nominal fee, utilizing the existing rip-rap, pier, and pilings, with the right to install and maintain security fencing, floats, ramps, and walkways, as shown on plans marked "Number 10339, Charles W. Baldwin, Reg. Land Surveyor."

At this point, Mr. Chris Moore, of Bayside Boating & Sailing, Inc., appeared before the Commission and stated that due to the need for fund-raising, he was seeking a 3-year permit with an option to renew for additional 3 three years rather than a 2-year permit as recommended by the Commission's Task Force.

Associate Commissioner Scandrett questioned the reason for Bayside Boating & Sailing, Inc. separating from Brighter Day.

Mr. Moore responded that although he will still be involved with Brighter Day, he will be overseeing Bayside Boating & Sailing, Inc. full-time and, therefore, he felt that a change in name was appropriate.

The Commission then asked for the names of the Officers and Directors of Bayside Boating & Sailing, Inc.

Mr. Moore responded that the Officers and Board of Directors have not been appointed yet.

The Commission directed that the matter be referred to the Sailing Program Task Force which is to meet with Mr. Moore to work at the remaining details before approval of the permit; Mr. Moore to provide the Task Force with the following information:

1. Evidence of application for Tax Exempt Status (Form 501-C3).
2. Listing of Officers and Directors of Bayside Boating & Sailing, Inc.
3. Listing of available equipment to be turned over to Bayside Boating & Sailing, Inc. by Brighter Day and the location where stored.
4. An outline of planned program.
5. A copy of the Articles of Incorporation.

The Commission V O T E D: Placed on file.

The following matter was placed on the agenda for the information of the Commission:

1 The following schedules were approved for payment by the Commissioner during the period from September 26, 1983 to October 3, 1983:

Invoices	\$ 1,299,368.37
Reservation of Funds	\$ 47,442.06
Advices of Change	\$ 268,817.25
Weekly Payroll	\$ 929,008.16
Request for Advances	\$ 6,000.00.

ADJOURNED at 3:15 P.M., to meet on Thursday, October 13, 1983, at 10:00 A.M.

William F. Crisoborn
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Record of the Three Thousand Two Hundred and Fifty-Third (3253rd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, October 13, 1983, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

2 Contract No. S83-1102-C1A, dated October 13, 1983, with South Shore Paving Co., for Pavement Repair at Squantum Pumping Station, Newland Street, Quincy, Massachusetts.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

3 Report of Mr. Martorana, September 2, on request of P. Gioioso & Sons, Inc. for a three-month extension of time to November 28, 1983, on Contract No. W79-0970-C2A, for Water Meter Modernization, Greater Boston Metropolitan Area, Massachusetts, due to the telephone company being unreasonably slow in making the necessary service connections for the telemetry system.

Associate Commissioner Scandrett pointed out that there may be a request for additional compensation as a result of a delay caused by the telephone company in making necessary service connections for the telemetry system.

The Commission V O T E D: Delete from the agenda.

4 Report of Mr. Martorana, September 16, recommending approval of overruns, totaling \$2,011.40, on Contract No. W82-1014-C1A, with Rocha Pole Line Construction,

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Inc., for Replacement of Telephone Cable and the Construction of a Telephone Line, Quabbin Reservoir Reservation, in the Towns of Ware and Belchertown, Massachusetts, as follows:

Item No. 2 - "Installation of Direct Burial Cable in Buried PVC Conduit" - \$ 135.00

Item No. 5 - "Excavation of Rock, Boulders, and Masonry" - \$1,235.00

Item No. 6 - "PVC Pipe Installation" - \$ 281.40

Item No. 9 - "Reenterable Cable Splices" - \$ 360.00.

Mr. James Cody, of the Affirmative Action Office, spoke of a recent meeting with Mr. Rocha of Rocha Pole Line Construction, Inc. Mr. Cody reported that at the meeting with Mr. Rocha the matter of EEO/AA was discussed, and that Mr. Rocha said that he would make every attempt to hire a minority to do splicing on the remaining work, and if unable to do so, he would outline the steps he had taken to hire a minority. Mr. Cody went on to say that if Rocha Pole Line Construction, Inc. does not comply with what Mr. Rocha said at the meeting, a recommendation will be made by the Affirmative Action Office to hold up the payment of retainage on Contract No. W82-1014-C1A.

The Commission V O T E D: to approve overruns, totaling \$2,011.40, as recommended by Mr. Martorana in his report of September 16, 1983.

- 1 Report of Mr. Martorana, September 20, recommending approval of "Phase 5 Submittal - Clinton Wastewater Treatment Plant Improvements," dated July 29, 1983, as prepared by Camp Dresser & McKee, Inc.

The Commission V O T E D: Approved as recommended by Mr. Martorana in his report of September 20, 1983.

- 2 Report of Mr. Faucher, September 30, on proposals for the purchase of standing timber located on the Quabbin Reservoir Watershed, Ware River Watershed, and Wachusett Reservoir Watershed.

The Commission V O T E D: to accept the highest qualified bid, that of Straw Hollow Kennels & Farm, of \$1,124.00, to purchase approximately 102 cords of firewood on Lot No. 45 - Wachusett Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Burleigh Stanton, of \$241.00, to purchase approximately 26 cords of firewood on Lot No. 46 - Wachusett Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Letourneau & Methe Land Clearing & Tree Expert Co., Inc., of \$708.00, to purchase approximately 472 tons of whole tree wood on Lot No. 47 - Wachusett Reservoir Watershed.

The Commission further V O T E D: to accept the only qualified bid received, that of Varnots' Firewood, of \$710.00, to purchase approximately 10,000 board feet of sawlogs and 26 cords of firewood on Lot No. 106A - Ware River Watershed.

The Commission further V O T E D: to accept the only qualified bid received, that of Ronald W. Rich & Sons Wood, of \$300.00, to purchase approximately 2,705 board feet of sawlogs and 102 cords of firewood on Lot No. 108 - Ware River Watershed.

The Commission further V O T E D: to accept the only qualified bid received, that of King Logging, of \$500.00, to purchase approximately 72,785 board feet of sawlogs on Lot No. 109 - Ware River Watershed.

The Commission further V O T E D: to accept the only qualified bid received, that of Varnots' Firewood, of \$950.00, to purchase approximately 5,400 board feet of sawlogs and 128 cords of firewood, including tops, on Lot No. 111 - Ware River Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Stanley Juda, of \$1,150.00, to purchase approximately 4,900 board feet of sawlogs and 138 cords of firewood on Lot No. 370A - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Ronald W. Rich & Sons Wood, of \$2,680.00, to purchase approximately 28,000 board feet of sawlogs, 270 cords of firewood, and 20 cords of tops, on Lot No. 393A - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of King Logging, of \$2,400.00, to purchase approximately 15,400 board feet of sawlogs and 35 cords of firewood, including tops, on Lot No. 411 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of King Logging, of \$2,400.00, to purchase approximately 15,400 board feet of sawlogs and 63 cords of firewood, including tops, on Lot No. 412 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only qualified bid received, that of Donalel Venne, of \$425.00, to purchase approximately 18,500 board feet of sawlogs and 100 cords of firewood, including tops, on Lot No. 413 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Conkey Logging & Lumber, of \$911.00, to purchase approximately 5,680 board feet

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of sawlogs and 60 cords of firewood, including tops, on Lot No. 414 - Quabbin Reservoir Watershed.

- 1 Report of Mr. Martorana, September 27, recommending approval of release of \$100,000.00 of the retainage on Contract No. W79-0970-C2A, with P. Gioioso & Sons, Inc., for Water Meter Modernization, Greater Boston Metropolitan Area, Massachusetts.
In response to questioning by the Commission, Mr. Marcis Kempe, of the Water Division, stated that the project is substantially completed with the remaining work being held up awaiting final telephone company connections.
The Commission V O T E D: to approve release of retainage, in the amount of \$100,000.00, as recommended by Mr. Martorana in his report of September 27, 1983.
- 2 Report of Mr. Martorana, September 23, recommending the following on Contract No. W81-1004-C1A, with Bowser & Copponi, Inc., for Furnishing and Installing Metal Work at Various MDC Water Division Facilities in Southborough, Weston, and Newton, Massachusetts:
(a) That the work be accepted as completed as of June 8, 1983.
(b) That Estimate No. 5 (Final), in the amount of \$1,493.30, be approved for payment.
(c) That retainage, in the amount of \$2,583.60, be approved for payment.
Commissioner Geary spoke of the poor performance of Bowser & Copponi, Inc. on this project and stated that this contractor will be highly scrutinized before being allowed to bid on another MDC contract.
In response to questioning by the Commission, Mr. James F. McCann, Contract Administrator, stated that all contractors' Work Performance and EEO/AA Compliance Reports are on file in the Prequalification Office and are reviewed when a contractor reapplies for prequalification on a yearly basis. He further stated that the Prequalification Officer can deny plans and specifications to a contractor because of poor performance on prior work.
Commissioner Geary noted that plans and specifications can be denied a contractor prior to prequalification expiration.
Mr. McCann stated that the Prequalification Officer can deny proposals to bid on contracts under \$50,000.00, which may not require prequalification.
The Commission V O T E D: that the work of Bowser & Copponi, Inc., contractor under Contract No. W81-1004-C1A, for Furnishing and Installing Metal Work at Various MDC Water Division Facilities in Southborough, Weston, and Newton, be and hereby is accepted as completed as of June 8, 1983.
The Commission further V O T E D: to approve Estimate No. 5 (Final), in the amount of \$1,493.30, for payment.
The Commission further V O T E D: to approve release of retainage, in the amount of \$2,583.60, for payment.
- 3 Report of Mr. Wright, September 30, submitting for approval and signature Amendment to Contract-Agreement, with Wallace, Floyd, Associates, Inc., for Long-Range Water Supply Study and Environmental Impact Report, which provides for the substitution of a new sub-consultant to provide archaeological and historical services in the preparation of the environmental impact report.
The Commission V O T E D: Approved.
The Secretary then submitted for signature First Amendment, dated October 13, 1983, to Contract-Agreement, dated February 11, 1982, with Wallace, Floyd, Associates, Inc., which was signed by the Commissioner and four Associate Commissioners.
- 4 Report of Mr. Martorana, September 15, recommending approval of the Final Report entitled "Water Leakage Survey, October 1982 through June 1983," as prepared and completed on August 19, 1983, by Heath Consultants, Inc.; also submitting the following for approval:
(a) Final Payment (Invoice #9), in the amount of \$707.78.
(b) Release of Retainage (Invoice #10), in the amount of \$6,091.03.
Mr. Brutsch reviewed the work performed under the "Water Leakage Survey" and noted that the results of the survey showed that there is only a 1% to 2% leakage loss in the MDC's Water Distribution System.
The Commission V O T E D: to approve the Final Report entitled "Water Leakage Survey, October 1982 through June 1983," as recommended by Mr. Martorana in his report of September 15, 1983.
The Commission further V O T E D: to approve Final Payment (Invoice #9), in the amount of \$707.78.
The Commission further V O T E D: to approve Release of Retainage (Invoice #10), in the amount of \$6,091.03.
- 5 Report of Mr. Brutsch, October 6, recommending approval, for planning purposes, of Demand Management Plan, Long-Range Water Supply Study, and EIR, W79-0749-S2A. Mr. Brutsch briefly outlined the Demand Management Plan, Long-Range Water Supply

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Study, and EIR, which was presented, in detail, to the Commission at the meeting of September 8, 1983. He stated that the Study has been reviewed and approved by the State Water Resources Commission.

Commissioner Geary expressed his appreciation to the Water Supply Citizens Advisory Committee for its support of the Demand Management Program.

The Commission V O T E D: Approved as recommended by Mr. Brutsch in his report of October 6, 1983, subject to obtaining satisfactory funding and staffing.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 1 Report of Mr. McCarran, August 23, recommending approval of overrun on Item No. 5 - "Topsoil Excavated & Stockpiled," in the amount of \$5,300.00, on Contract No. P79-0770-C1A, with T & T Construction, for Restoration and Rehabilitation of Foss Park, Somerville, Massachusetts.
Mr. McCarran introduced Mr. Charles Wierconski, Vice-President of Wright-Pierce, Consultant for the Design Contracts for the Restoration and Rehabilitation of Foss Park and Dilboy Field, Somerville.
Both Mr. McCarran and Mr. Wierconski spoke of the problems associated with the "Topsoil Excavated & Stockpiled" item involving the project at Foss Park. Following a discussion concerning the possibility of a recurrence of the type of problem at Dilboy Field, Commissioner Geary requested that a complete review of the plans and specifications be undertaken prior to the award of the Dilboy Field Contract so that a similar problem will not be experienced on this contract. Mr. McCarran was directed to resubmit his report of August 23, 1983, so that Item #1 is amplified to show what effect the extra four inches of loam has on the overall cost of the project.
The Commission V O T E D: Approved as recommended by Mr. McCarran in his report of August 23, 1983; Mr. McCarran to resubmit his report of August 23, 1983, so that Item #1 is amplified to show what effect the extra four inches of loam has on the overall cost of the project.
- 2 Report of Mr. McCarran, September 2, recommending approval of overrun on Item No. 11 - "Crushed Stone," in the amount of \$600.00, on Contract No. P79-0770-C1A, with T & T Construction, for Restoration and Rehabilitation of Foss Park, Somerville, Massachusetts.
The Commission V O T E D: Approved as recommended by Mr. McCarran in his report of September 2, 1983.
- 3 Report of Mr. McCarran, September 2, recommending approval of overrun on Item No. 33 - "2" Galvanized Steel Conduit," in the amount of \$1,004.50, on Contract No. P79-0770-C1A, with T & T Construction, for Restoration and Rehabilitation of Foss Park, Somerville, Massachusetts.
The Commission V O T E D: Approved as recommended by Mr. McCarran in his report of September 2, 1983.
- 4 Report of Mr. McCarran, September 20, submitting Revised Work Schedule Form and Exception Report for Re-Roofing Connell Pool/Rink, Weymouth, Massachusetts, Project P83-1251, estimated cost - \$96,000.00, Account No. 2440-8804.
The Commission V O T E D: Approved.
- 5 Report of Mr. McCarran, October 5, recommending approval of Extra Work Order No. 4, in the amount of \$21,573.00, for removal and disposal of contaminated soil, on Contract No. P79-0721-C2A, with D. Cicconi, Inc., for Site Improvements, Construction of Recreational Facilities at Chelsea Naval Hospital Park, Chelsea, Massachusetts; also recommending approval of Pollution Control Unlimited as Sub-contractor for the performance of said extra work.
Associate Commissioner Jones noted that the soil to be removed was contaminated by fuel oil storage tanks which were formerly located at the site.
The Commission V O T E D: to approve Extra Work Order No. 4, in the amount of \$21,573.00.
The Commission further V O T E D: to approve Pollution Control Unlimited as Sub-contractor for the performance of said extra work.
- 6 Report of Mr. McCarran, September 28, recommending approval of overruns, totaling \$13,532.60, on Contract No. P79-0721-C2A, with D. Cicconi, Inc., for Site Improvements, Construction of Recreational Facilities at Chelsea Naval Hospital Park, Chelsea, Massachusetts, as follows:

Item No. 25 - "12" Reinforced Concrete Pipe"	-	\$3,030.00
Item No. 51 - "Rehabilitate Granite Block Walls"	-	\$2,193.60
Item No. 52 - "Granite Masonry Walls (Curved)"	-	\$8,309.00.

 Commissioner Geary spoke of the Commission's dissatisfaction with the performance of Storch Associates on this project.
Mr. McCarran was directed to have the Project Engineer and Resident Engineer pre-

pare an an evaluation on Storch Associates' performance at the close of the contract and to submit the evaluation to the Commission for its information.
The Commission V O T E D: Approved as recommended by Mr. McCarran in his report of September 28, 1983.

- 1 Report of Mr. McCarran, October 6, recommending approval of overrun on Item No. 58 - "4' Chain Link Fence," in the amount of \$12,350.00, on Contract No. P79-0770-C1A, with T & T Construction, for Restoration and Rehabilitation of Foss Park, Somerville, Massachusetts.
The Commission V O T E D: Approved as recommended by Mr. McCarran in his report of October 6, 1983.
- 2 Report of Mr. McCarran, October 5, requesting approval of proposed Amendment to Contract-Agreement No. P83-1192-S1A, with Franklin Pierce Law Center - Energy Law Institute, for Hydropower Development Management Study, which would provide for additional services, extend the Time for Performance no more than 25 months, and increase the cost no more than \$6,000.00; also submitting Revised Work Schedule and Project Management Exception Report.
The Commission V O T E D: Approved as requested by Mr. McCarran in his report of October 5, 1983.
The Commission further V O T E D: to approve the Revised Work Schedule for Project No. P83-1192-S1A.

- 3 Report of Secretary Chisholm, October 7, relative to Awards of 1983-1984 Skating Rink Concessions.
The Commission V O T E D: to award the following Skating Rink Concessions for the 1983-1984 Season:

<u>LOCATION</u>	<u>CONCESSIONAIRE</u>	<u>FEE</u>
William T. Shea Rink, Quincy	Marie Lumaghini	\$1,000.00 plus \$65.00 per month for utilities.
Max Ulin Rink, Milton	Daniel F. Sullivan	\$ 648.00 plus \$65.00 per month for utilities.
William J. Daly Rink, Newton	Arthur T. Kelley Steven L. Rubin	\$1,500.00 plus \$65.00 per month for utilities.
Veterans' Memorial Rink, Somerville	Peter Piro	\$ 972.00 plus \$65.00 per month for utilities.
James F. Reilly Rink, Brighton	Arthur T. Kelley Steven L. Rubin	\$2,000.00 plus \$65.00 per month for utilities.
John W. Flynn Rink, Medford	William Asaro d/b/a Asaro & Sons	\$ 800.00 for the Season.
Robert M. Devine Rink, Dorchester	Neponset Youth Hockey Boosters Club, Inc.	10% of gross sales in excess of \$5,000.00 with a minimum payment of \$500.00 plus \$65.00 per month for utilities.
Francis L. Murphy Rink, South Boston	South Boston Youth Hockey League	\$1,134.00 or 10% of gross receipts, whichever is greater, plus \$65.00 per month for utilities.
Paul W. Cronin Arena, Revere	Arthur T. Kelley Steven L. Rubin	\$ 810.00 plus \$65.00 per month for utilities.
Allied War Veterans' Memorial Recreational Center, Everett	Everett Youth Hockey, Inc.	\$ 648.00 plus \$65.00 per month for utilities.
Anthony A. LoConte Rink, Medford	William Asaro d/b/a Asaro & Sons	\$ 972.00 plus \$65.00 per month for utilities.
Alexander J. Bajko Rink, Hyde Park	Allen Koplow	\$1,400.00 plus \$65.00 per month for utilities.
William P. Connery Rink Lynn	Harold Foote	\$ 100.00 per month plus \$ 30.00 per month for Vending Machines.

The Commission further V O T E D: to reduce the fee for the 1982-1983 Season for Allen Koplow at the Alexander J. Bajko Rink, Hyde Park, from \$1,400.00 plus \$65.00 per month for utilities to a total fee of \$303.00, due to a construction project at the rink which caused a late opening.

The Commission further V O T E D: to reduce the fee for the 1982-1983 Season for Harold Foote at the William P. Connery Rink, Lynn, from \$100.00 per month plus \$30.00 per month for Vending Machines, or a total fee of \$650.00, to a total fee

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of \$567.35, due to a cracked wall in the boiler room and bad ice conditions at the rink which caused a late opening.

- 1 Report of Mr. McCarran, October 7, requesting approval to delay the start of Contract No. P77-0404-C1A, with D. Cicconi, Inc., for Lighting Modernization, Memorial Drive, Cambridge, Massachusetts, for approximately 60 days, to allow time to obtain and record the required Order of Conditions.
(The starting time was September 19, 1983, with a completion date of March 19, 1985).
The Commission V O T E D: Approved as requested by Mr. McCarran in his report of October 7, 1983, to be effective, however, only upon receipt of the written consent of the bonding company.

Action was taken upon the following matter relating to the Metropolitan Water Quality and Sewerage System:

- 2 Report of Mr. Baratta, October 6, recommending approval of Synnott Enterprises as Painting Subcontractor on Contract No. S82-1003-C1C, with Peabody N.E., Inc., for Rehabilitation of Digesters, Deer Island Sewage Treatment Plant.
The Commission V O T E D: Approved as recommended by Mr. Baratta in his report of October 6, 1983.

Action was taken upon the following Various Matters:

- 3 Report of Mr. Wright, September 30, submitting for approval and signature Agreement, with the Town of Needham, for Joint Police Protection of Certain Areas Within the Town of Needham, for a period of one year.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Agreement, dated October 13, 1983, with the Town of Needham, which was signed by the Commissioner and four Associate Commissioners.

- 4 Report of Mr. Falvey, October 11, recommending that the Commission amend its vote of June 2, 1983, relative to Award of Damages in connection with Taking - Rutland/ Holden Relief Trunk Sewer, to reflect the correct names of Owners of certain parcels.

The Commission V O T E D: to amend its vote of June 2, 1983, (Volume 46, Page 288, Item 1, continued on Pages 289 through 328), by striking out the name "Conrad N. and Edna M. Tilander" in the 27th line on Page 300, in the 14th line on Page 302, and in the 42nd, 43rd, and 46th lines on Page 323, and inserting in place thereof the name "Edna Tilander"; by striking out the name "B. A. Sundin & Sons, Inc." in the 7th line on Page 306 and in the 8th line on Page 324, and inserting in place thereof the name "William L. Perkins"; by striking out the name "Estate of Mabel J. Trulson" in the 12th and 15th lines on Page 320, and inserting in place thereof the name "Village Green of Holden, Inc."; by striking out the name "Estate of Mabel J. Trulson" in the 10th and 13th lines on Page 320 and in the 4th, 5th, and 6th lines on Page 325, and inserting in place thereof the name "Trulson Corp."; by striking out the name "Linda S. and Elsie L. Maki" in the 15th line on Page 325, and inserting in place thereof the name "Linda S. and David Maki"; by striking out the name "Josephine Martha Zottoli" in the 41st line on Page 322 and in the 17th line on Page 325, and inserting in place thereof the name "Joseph F. Zottoli"; and by striking out the name "Shebro Building & Modernizing Co." in the 42nd line on Page 289, and inserting in place thereof the name "Edward N. Chase"; so that the vote will indicate Edna Tilander as being the Owner of Parcels 30, 34, TE-29, TE-30 & TE-33, William L. Perkins as being the Owner of Parcels 45 & TE-44, Village Green of Holden, Inc. as being the Owner of Parcels 108 & 111, Trulson Corp. as being the Owner of Parcels 106, 109, TE-100, TE-101 & TE-102, Linda S. and David Maki as being the Owner of Parcel TE-112, Joseph F. Zottoli as being the Owner of Parcels 123 & TE-114, and Edward N. Chase as being the Owner of Parcel II.

The Commission further V O T E D: to amend its vote of June 2, 1983, (Volume 46, Page 288, Item 1, continued on Pages 289 through 328), by striking out the name "Conrad N. & Edna M. Tilander" in the 4th line on Page 327, and inserting in place thereof the name "Edna Tilander"; by striking out the name "B. A. Sundin & Sons, Inc." in the 11th line on Page 327, and inserting in place thereof the name "William L. Perkins"; by striking out the following: "Estate of Mabel J. Trulson" "106, 108, 109, 111, TE-100, TE-101 & TE-102" "\$11,985.00" in the 4th, 5th, and 6th lines on Page 328, and inserting in place thereof the following: "VillageGreen of Holden, Inc." "108 & 111" "\$3,385.00," and "Trulson Corp." "106, 109, TE-100, TE-101 & TE-102" "\$8,600.00"; by striking out the name "Linda S. and Elsie M. Maki" in the 14th line on Page 328, and inserting in place thereof the name "Linda S. and David Maki"; by striking out the name "Josephine Martha Zottoli" in the 15th line on Page 328, and inserting in place thereof the name

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"Joseph F. Zottoli"; and by striking out the name "Shebro Building & Modernizing Co." in the 16th line on Page 328, and inserting in place thereof the name "Edward N. Chase," so that the vote will indicate an Award of Damages as follows:

OWNER	PARCEL	AWARD
Edna Tilander	30, 34, TE-29, TE-30 & TE-33	\$ 900.00
William L. Perkins	45 & TE-44	\$3,763.00
Village Green of Holden, Inc.	108 & 111	\$3,385.00
Trulson Corp.	106, 109, TE-100, TE-101 & TE-102	\$8,600.00
Linda S. and David Maki	TE-112	\$ 70.00
Joseph F. Zottoli	123 & TE-114	\$2,387.00
Edward N. Chase	II	\$1,567.00.

1 At this point, Associate Commissioner Jones requested that, prior to the close of each Commission meeting, Commissioner Geary ask those members of the public, who may be in attendance, if they have any questions concerning matters which were brought before the Commission or any questions, in general, concerning the Metropolitan District Commission.

The following matter was placed on the agenda for the information of the Commission:

- 2 The following schedules were approved for payment by the Commissioner during the period from October 3, 1983 to October 10, 1983:
- | | |
|----------------------------|-----------------|
| Invoices | \$ 1,688,511.89 |
| Reservation of Funds | \$ 3,274,179.52 |
| Advices of Change | \$ 417,018.88 |
| Weekly Payroll | \$ 935,367.84 |
| Industrial Accident Report | \$ 28,047.22. |

ADJOURNED at 2:00 P.M., to meet on Thursday, October 20, 1983, at 10:00 A.M.

William F. Chesbrough
Secretary

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Record of the Three Thousand Two Hundred and Fifty-Fourth (3254th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, October 20, 1983, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The records of the meetings held on October 6, 1983, and October 13, 1983, were read and approved.

3 The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

Contract No. S82-1015-C1A, dated October 20, 1983, with Harding & Smith, Inc., for Replacement of Chlorine Piping & Diffusers at Deer Island Sewage Treatment Plant, Boston, Massachusetts.

Action was taken upon the following matters relating to the Metropolitan Parks System:

4 Report of Mr. McCarran, October 14, on request of T & T Construction, Contractor under Contract No. P79-0770-C1A, for Restoration and Rehabilitation of Foss Park, Somerville, Massachusetts, for approval of the following subcontractors:

1. Trimount Bituminous Products
 - Item 36 - "Bituminous Concrete Binder Course"
 - Item 37 - "Bituminous Concrete Top Course"
 - Item 38 - "Bituminous Concrete Surface Treatment Course"
 - Item 39 - "Bituminous Tack Coat"
 - (Total cost of above work - \$20,520.00).
2. J. Farmer & Co., Inc.
 - Item 43 - "Seeding"
 - Item 44 - "Sodding"
 - Item 45 - "Skinned Infield Surface"
 - Item 46 - "Sugar Maple 2"-2½"
 - Item 47 - "Sugar Maple 2½"-3"
 - Item 48 - "Seedless Green Ash 2"-2½"
 - Item 49 - "Seedless Green Ash 2½"-3"
 - Item 50 - "Transplanting Trees"
 - (Total cost of above work - \$73,172.50).
3. New England Seal Coat Co., Inc.
 - Item 61 - "Resurface Tennis & Basketball Courts"
 - (Total cost of above work - \$5,491.50).

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The Commission V O T E D: Approved as recommended by Mr. McCarran in his report of October 14, 1983.

1 Report of Mr. McCarran, October 7, recommending the following on Contract No. P82-1148-M1A, with Metropolitan Signal Corp., for Electrical Maintenance Work at Sports Facilities and Recreational Areas of the Metropolitan Parks System:

(a) That the work be accepted as completed as of June 30, 1983.
(b) That Estimate No. 12 (Final), in the amount of \$36,533.76, be approved for payment.

(c) That reserve, in the amount of \$8,634.39, be approved for payment.

The Commission V O T E D: that the work of Metropolitan Signal Corp., contractor under Contract No. P82-1148-M1A, for Electrical Maintenance Work at Sports Facilities and Recreational Areas of the Metropolitan Parks System, be and hereby is accepted as completed as of June 30, 1983.

The Commission further V O T E D: to approve Estimate No. 12 (Final), in the amount of \$36,533.76, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$8,634.39, for payment.

2 Report of Mr. Wright, October 14, submitting for approval and signature Contract-Agreement, with Vanasse/Hangen Engineering, Inc., for the Rehabilitation/Reconstruction of Hillcrest Parkway, Winchester, Massachusetts; Total Compensation not to exceed \$78,869.20.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Contract-Agreement, dated October 20, 1983, with Vanasse/Hangen Engineering, Inc., which was signed by the Commissioner and four Associate Commissioners.

3 Report of Mr. McCarran, October 14, recommending the following on Agreement, dated May 7, 1981, with Consolidated Rail Corporation, relative to Improvements and Repairs to William Reid Overpass and Conrail Bridge, Memorial Drive, Cambridge, Massachusetts:

(a) That the work be accepted as completed as of October 1, 1983.
(b) That Estimate No. 5 (Final), in the amount of \$2,164.59, be approved for payment.

The Commission V O T E D: that the work of Consolidated Rail Corporation under Agreement, dated May 7, 1981, relative to Improvements and Repairs to William Reid Overpass and Conrail Bridge, Memorial Drive, Cambridge, Massachusetts, be and hereby is accepted as completed as of October 1, 1983.

The Commission further V O T E D: to approve Estimate No. 5 (Final), in the amount of \$2,164.59, for payment.

4 Report of Mr. McCarran, August 3, recommending the following on Contract No. P82-1147-M1A, with Inner Space Services, Inc., for Maintenance and Repair of Locks, Draws, and Other Underwater Structures in the Metropolitan Parks System:

(a) That the work be accepted as completed as of June 30, 1983.
(b) That Estimate No. 3 (Final), in the amount of \$27,386.90, be approved for payment.

(c) That reserve, in the amount of \$2,235.21, be approved for payment.

Commissioner Geary noted that he had met with representatives of the Inspector General's and Attorney General's Offices concerning this contract and they found no reason to withhold final payment.

The Commission V O T E D: that the work of Inner Space Services, Inc., contractor under Contract No. P82-1147-M1A, for Maintenance and Repair of Locks, Draws, and Other Underwater Structures in the Metropolitan Parks System, be and hereby is accepted as completed as of June 30, 1983.

The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of \$27,386.90, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$2,235.21, for payment.

5 Presentation - Selected Alternative Plans for an Addition and Renovation of Existing Interior Space at Community Boating, Inc.
Mr. McCarran reviewed the project and explained that due to the nature of the work to be performed, the project is being managed by the Division of Capital Planning and Operations. He then introduced Mr. Vincent Solomita, of the Division of Capital Planning and Operations, and Mr. William Jukas, of Bergmeyer Associates - Consultants for the project.

Mr. Solomita explained that the initial plan, which was approved by the MDC on January 21, 1982, called for an 1850 square foot expansion on the ground level of the boathouse. He stated that during the preliminary phase, Bergmeyer Associates had engineering evaluations made on the piles that support the existing structure, and it was found that the piles would support a second floor (Scheme 9), and also that there would not be a need to fill in the corner of the building,



thereby preserving valuable Park land. He continued by saying that the programs of Community Boating, Inc. would be more easily managed. Mr. Solomita pointed out that environmental damage to the area of the boathouse would be mitigated by not driving piles to support a one-story addition. He went on say that the Department of Capital Planning and Operations was supportive of Scheme 9 and that certain restrictions would be evaluated and resolved during the Design and Development Stage. Mr. Solomita than stated that \$475,000.00 will be required for the overall project, and that, at the present time, there is only \$415,000.00 available for Design Fee, Contingency Fee, Resident Engineer's Salary, Construction Cost, and Miscellaneous Work. He also stated that the Department of Capital Planning and Operations is investigating alternatives in the budget for the project in order to offer more construction money for the addition and renovation to the building by reducing other costs within the project limits.

In response to questioning by the Commission, Mr. McCarran reported that the construction cost for Scheme 9 will be approximately \$350,000.00, and that \$325,000.00 is presently available for the project.

The Commission V O T E D: to rescind the vote of the Commission of January 21, 1982, (Volume 46, Page 18, Item 2, continued on Page 19), on this matter.

The Commission further V O T E D: to authorize the Division of Capital Planning and Operations to instruct Bergmeyer Associates to proceed into Design Development on Scheme 9 with coordination between Community Boating, Inc. and MDC Staff.

Action was taken upon the following matter relating to the Metropolitan Water Quality and Sewerage System:

- 1 Report of Mr. Baratta, October 14, on request of the Town of Dedham for permission to make a 6-inch connection on the west side of the Metropolitan Sewer, Section 26, at Station 8+54.47; said connection from property in Boston, 1675 Veterans of Foreign Wars Parkway, through Dedham to the MDC interceptor is necessary to service a one-story retail tire sales and installation building with a limited flow of 1000 gallons per day; also supplemental report of Mr. Baratta, October 19.

The Commission V O T E D: Approved as recommended by Mr. Baratta in his report of October 14, 1983.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 2 Report of Mr. Faucher, October 12, on proposals for the purchase of standing timber on the Quabbin Reservoir Watershed, Ware River Watershed, and Wachusett Reservoir Watershed.

The Commission V O T E D: to accept the highest qualified bid, that of LeTourneau & Methe Clearing & Tree Expert Co., Inc., of \$4,335.00, to purchase approximately 4,335 tons of whole tree wood on Lot No. 42A - Wachusett Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of R. J. Cobb Landclearing, Inc., of \$3,500.00, to purchase approximately 2,424 tons of whole tree wood on Lot No. 43A - Wachusett Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Village Power Equipment, Inc., of \$1,408.25, to purchase approximately 93 cords of firewood on Lot No. 44A - Wachusett Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of E. A. Davis Lumber, Inc., of \$1,522.00, to purchase approximately 52,000 board feet of sawlogs on Lot No. 105A - Ware River Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of E. A. Davis Lumber, Inc., of \$3,634.00, to purchase approximately 93,875 board feet of sawlogs on Lot No. 107A - Ware River Watershed.

The Commission further V O T E D: to accept the second highest qualified bid, that of Curtis Lumber Co., of \$952.40, to purchase approximately 8,000 board feet of sawlogs and 68 cords of firewood on Lot No. 354AA - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Emile Euvrand, of \$1,610.00, to purchase approximately 197 cords of firewood on Lot No. 396AA - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Curtis Lumber Co., of \$3,540.55, to purchase approximately 27,000 board feet of sawlogs and 272 cords of firewood on Lot No. 406A - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only qualified bid received, that of Curtis Lumber Co., of \$10,657.55, to purchase approximately 92,500 board feet of sawlogs and 595 cords of firewood on Lot No. 407A - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only qualified bid received, that of R. A. Muzzy, of \$2,550.00, to purchase approximately 50,000 board feet of sawlogs and 1.4 cords of firewood on Lot No. 408A - Quabbin Reservoir Watershed.

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The Commission further V O T E D: to accept the highest qualified bid, that of John St. George, of \$2,413.00, to purchase approximately 4,200 board feet of saw-logs and 190 cords of firewood on Lot No. 409A - Quabbin Reservoir Watershed.

- 1 Report of Mr. Wright, October 17, submitting for approval and signature Amendment to Contract-Agreement, dated August 28, 1980, with Fay, Spofford & Thorndike, Inc., for the Design and Construction of a New Chlorination Facility at Norumbega Reservoir (W79-0806-D1A), which increases the Scope of Work, Manpower, and Compensation, and extends the Time for Performance, due to extra work required by the Massachusetts Department of Environmental Quality Engineering; Upset Limit of Amendment - \$33,634.00.

The Commission V O T E D: Approved.
 The Secretary then submitted for signature First Amendment, dated October 20, 1983, to Contract-Agreement, dated August 28, 1980, with Fay, Spofford & Thorndike, Inc., which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following Various Matter:

- 2 Report of Mr. Wright, October 17, submitting for approval and signature Agreement, between the Metropolitan District Commission and the City of Boston, acting by and through its Parks and Recreation Department, relative to payment to the City of Boston for maintenance and operation of the James Michael Curley Recreation Center, also known as the "L" Street Bathhouse, which is located on William J. Day Boulevard, South Boston, Massachusetts, in compliance with Chapter 289, of the Acts of 1983.

The Commission V O T E D: Approved.
 The Secretary then submitted for signature Agreement, dated October 20, 1983, between the Metropolitan District Commission and the City of Boston, which was signed by the Commissioner and four Associate Commissioners.

The following matter was placed on the agenda for the information of the Commission:

- 3 The following schedules were approved for payment by the Commissioner during the period from October 10, 1983 to October 17, 1983:

Invoices	\$ 624,123.60
Reservation of Funds	\$ 1,916,213.70
Advices of Change	\$ 16,010.40
Weekly Payroll	\$ 954,237.31
Medical	\$ 8,574.95.

ADJOURNED at 11:55 A.M., to meet on Thursday, October 27, 1983, at 10:00 A.M.

William F. Chisholm
 Secretary.

25th
27,1983

Record of the Three Thousand Two Hundred and Fifty-Fifth (3255th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, October 27, 1983, at 10:00 A.M.

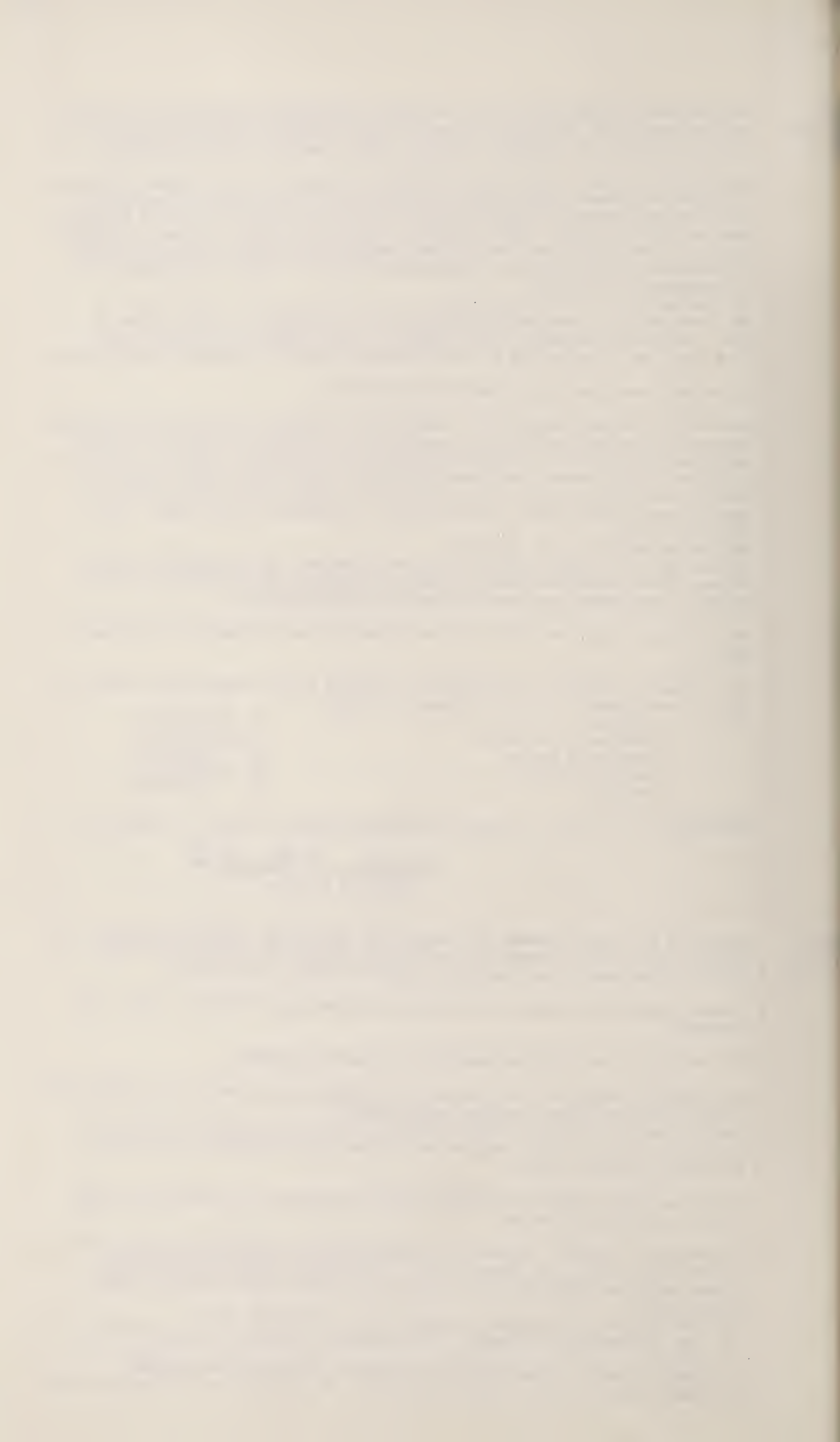
Present, Commissioner Geary and Associate Commissioners Anderson, Jones, and Scandrett.

The records of the preceding meeting were read and approved.

- 4 The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:
 Contract No. S80-0656-C1A, dated October 27, 1983, with Harding & Smith, Inc., for Improvements to Diesel Engines and Engine Support Equipment, Nut Island Wastewater Treatment Plant.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 5 Report of Ms. Haggerty, October 19, recommending the following on Contract No. S81-0819-C1A, with P. R. Johnson, Inc., for Installation of Heavy Duty Bar Screen Units and Appurtenances at Nut Island Sewage Treatment Plant, Quincy, Massachusetts:
 - (a) That the work be accepted as completed as of April 5, 1983.
 - (b) That Estimate No. 5 (Final), in the amount of \$1,801.11, be approved for payment.
 - (c) That retainage, in the amount of \$2,006.87, be approved for payment.
 The Commission V O T E D: that the work of P. R. Johnson, Inc., contractor under

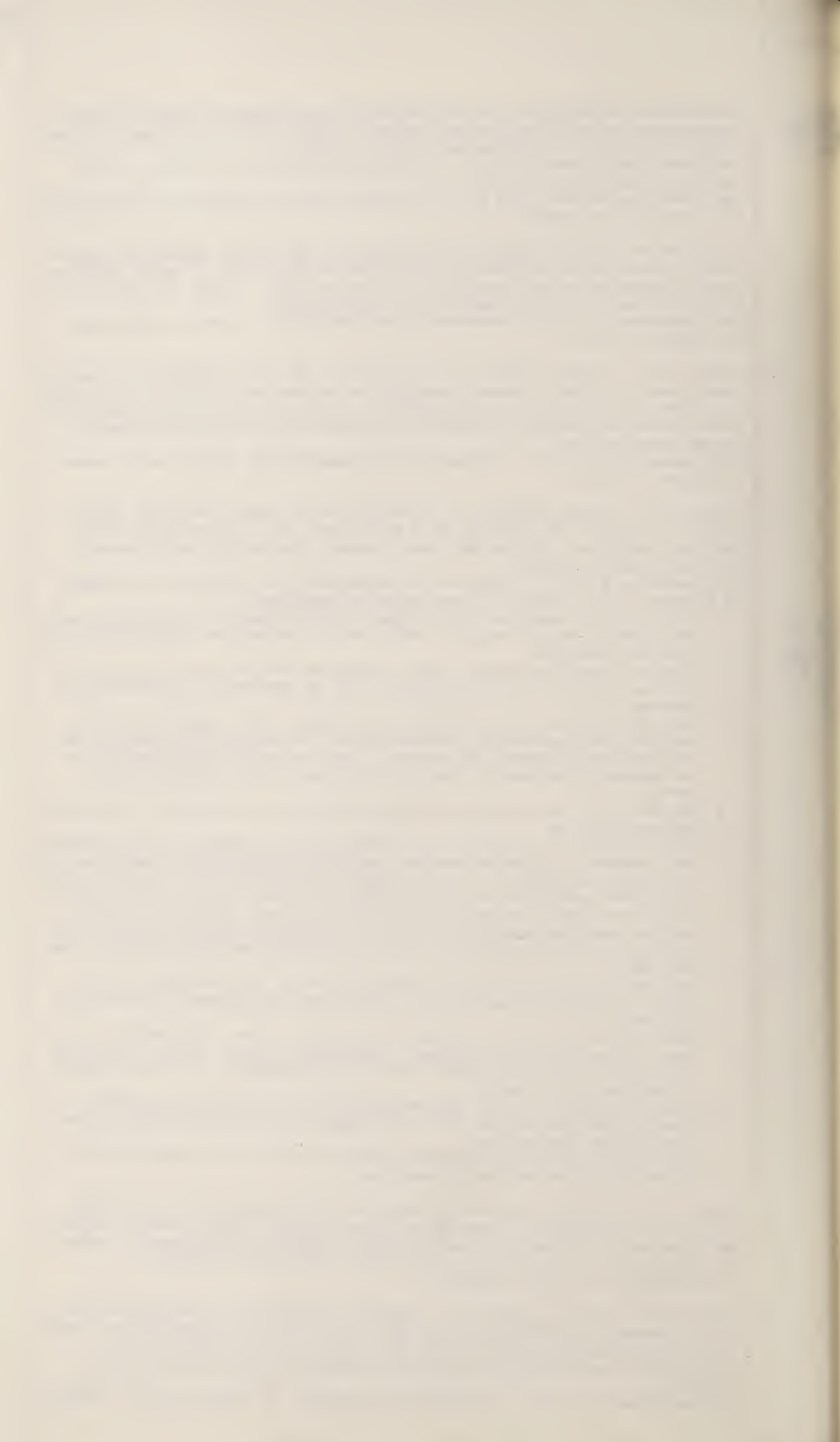


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Contract No. S81-0819-C1A, for Installation of Heavy Duty Bar Screen Units and Appurtenances at Nut Island Sewage Treatment Plant, Quincy, Massachusetts, be and hereby is accepted as completed as of April 5, 1983.
The Commission further V O T E D: to approve Estimate No. 5 (Final), in the amount of \$1,801.11, for payment.
The Commission further V O T E D: to approve release of retainage, in the amount of \$2,006.87, for payment.

- 1 Report of Mr. Baratta, October 14, on request of the City of Medford for permission to make a 12-inch diameter connection on the south side of the Metropolitan Sewer in Corporation Way, Section 20, at Station 5+72±, in order for the City of Medford to make sewer improvements on Corporation Way.
The Commission V O T E D: Approved as recommended by Mr. Baratta in his report of October 14, 1983.
- 2 Report of Mr. Baratta, October 14, on request of the Town of Weymouth for permission to make a 12-inch diameter connection on the northwest side of the Metropolitan Sewer, Section 126, at Station 47+36/71, in order to deliver the Town's High Level Sewer into the MDC Interceptor to eliminate the overflow of raw sewage during stormy periods.
The Commission V O T E D: Approved as recommended by Mr. Baratta in his report of October 14, 1983.
- 3 Report of Mr. Baratta, October 21, on request of the Town of Arlington for permission to renovate the building at 22 Mill Street into a professional office building, which has a 15-foot MDC Sewer Easement, Section 29, and is between Stations 17+90± and 22+20±.
The Commission V O T E D: Approved as recommended by Mr. Baratta in his report of October 21, 1983, subject to the following conditions:
 - 1. That the MDC's sewer shall be flagged along the course of the proposed construction of the stairway, the ramp, and the landing, for identification and protection purposes.
 - 2. That any damage to the MDC's sewer, resulting from the construction of the stairway, the ramp, and the landing, shall be repaired at the Permittee's expense.
 - 3. That the Permittee, its successors and assigns, shall indemnify and save harmless the Commonwealth of Massachusetts, the Metropolitan District Commission, and its agents and servants, from any and all claims and demands for damages to persons or property arising out of the exercise of this permit.
 - 4. All work is to be performed to the satisfaction of the Director of the MDC's Sewerage Division.
 - 5. The Permittee, its successors and assigns, shall indemnify and save harmless the Commonwealth of Massachusetts, the Metropolitan District Commission, and its agents and servants, from any damage or additional cost which the granting of this permission may entail in the event that repairs of the portion of the sewer under the proposed construction becomes necessary, and upon further condition that the MDC, and its agents and servants, may enter the location at any time in order to carry on the maintenance and repair of the MDC sewer.
 - 6. That the granting of this permission shall in no way interfere with the rights of the MDC to exercise its rights under the easement as provided in the taking.
 - 7. That the Permittee, its successors and assigns, agree, upon demand, to remove that portion of the stairway, handicapped ramp, or landing, necessary to install a new relief sewer in the existing easement, at its own expense, if required in the future.
 - 8. That the Permittee agrees that ample notice will be given to the MDC's Sewerage Division in order that an inspector may be on the premises during the proposed construction.
 - 9. Any other condition that the Right-of-Way Section deems necessary for the protection of the MDC and its employees.
- 4 Report of Ms. Haggerty, October 20, submitting Work Schedule Form and Project Justification for Repairs to the 45 mgd Pump at Cottage Farm Stormwater Detention and Chlorination Station, 660 Memorial Drive, Cambridge, Massachusetts, Project No. S83-1112-C1A, estimated cost - \$20,000.00, Account No. 2439-7274.
The Commission V O T E D: Approved.
- 5 Report of Ms. Haggerty, October 21, requesting approval of an amendment to Contract-Agreement, with Metcalf & Eddy, Inc., for Secondary Treatment Waiver Application, which would provide for additional work, at an estimated cost of \$430,000.00; also submitting Revised Work Schedule Form and Project Exception Report.
The Commission V O T E D: to approve the amendment, as requested by Ms. Haggerty

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in her report of October 21, 1983.

The Commission further V O T E D: to approve Revised Work Schedule Form.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 1 Report of Mr. Martorana, October 12, recommending approval of a 220-day extension of time to February 17, 1984, for submission of the Draft EIR, and to July 27, 1984, for submission of the Final EIR, on Contract-Agreement No. W80-0800-S1B, with Parsons, Brinckerhoff, Quade & Douglas, Inc., for Environmental Impact Report for the Sudbury Reservoir Water Treatment Plant, due to the following reasons:

1. Delays experienced during MDC review of critical draft submissions and the continued lack of an approved MDC water conservation plan for consideration as an alternative.
2. The public review process has also been expanded to allow for the considerable public interest in this project.

The Commission V O T E D: Approved as recommended by Mr. Martorana in his report of October 12, 1983, on condition that no further request will be made for additional compensation.

- 2 Report of Mr. Martorana, October 11, recommending approval of partial release of retainage, in the amount of \$4,878.27, on Contract-Agreement No. W80-0907-S2A, with New England Research, Inc., for Water Quality Monitoring Program at Quabbin Reservoir, Wachusett Reservoir, Northfield Reservoir, and Connecticut River. The Commission V O T E D: to approve the release of partial retainage, in the amount of \$4,878.27, for payment.

- 3 Report of Mr. Falvey, October 25, relative to transfer of property located in the Towns of Holden and West Boylston from the Massachusetts Department of Public Works to the Metropolitan District Commission. The Commission V O T E D: to accept the transfer of ownership of Parcels 2-3-UR-2 (14.97 acres), 2-22-UR-2 (38.15 acres), 2-24-UR (5.14 acres), 2-22-UR-1 (11.85 acres) located in Holden, Massachusetts, and Parcel 3-16-UR (3.83 acres) located in West Boylston, Massachusetts, from the Massachusetts Department of Public Works, for no monetary consideration.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 4 Report of Mr. McCarran, October 18, recommending release of retainage on Contract-Agreement, with Moriece and Gary, Inc., for Belle Isle Marsh - Phase II, as follows:

Phase II Construction Documents - \$1,350.00.

The Commission V O T E D: to approve release of retainage, in the amount of \$1,350.00, for payment.

- 5 Report of Mr. McCarran, October 12, recommending approval of an extension of time from September 10, 1983 to September 16, 1983, on Contract No. P83-1253-C1A, with Metropolitan Signal Corp., for Repair to City of Lynn 36" V.C. Drain Pipe, Lynn, Massachusetts, at no additional cost to the Commission; also recommending that the written consent of the bonding company not be required.

The Commission V O T E D: to approve an extension of time from September 10, 1983 to September 16, 1983, as recommended by Mr. McCarran in his report of October 12, 1983, on condition that no further request will be made for additional compensation.

- 6 Report of Mr. McCarran, October 20, requesting permission to proceed with contract negotiations, with the University of Massachusetts, for Study of Free-Living *Pilayella Littoralis* (Algae) in Nahant Bay, total cost of the project is estimated to be \$205,823.00; University of Massachusetts contributing in-kind services for approximately \$48,000.00; MDC share is estimated to be \$157,740.00, Account No. 2440-9797; also submitting Work Schedule Form and Project Summary Form.

Mr. Alfred Ferullo, of the Parks Division, reported on the algae problem at Nahant Bay Beaches and explained the work which has been performed to find a solution to the problem. He provided infra-red aerial photographs which showed the algae problem in the Lynn Beach Area.

At this point, Professor Robert T. Wilce, of the University of Massachusetts, and Principal Investigator for the proposed Study, was introduced.

Professor Wilce explained that Nahant Bay is the only area in the world where this specific form of algae lives and grows. He stated that the problem was reported as far back as 1903. In response to questioning by the Commission, Professor Wilce stated that he could not guarantee that the Study would solve the problem, but that he felt valuable information could be provided to the Commis-



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The following matter was placed on the agenda for the information of the Commission:

- 1 The following schedules were approved for payment by the Commissioner during the period from October 17, 1983 to October 24, 1983:
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|----------------------------|---------------|
| Invoices | \$ 696,629.03 |
| Reservation of Funds | \$ 14,821.02 |
| Advices of Change | \$ 101,150.00 |
| Weekly Payroll | \$ 926,773.17 |
| Industrial Accident Report | \$ 36,571.69. |

ADJOURNED at 1:50 P.M., to meet on Thursday, November 3, 1983, at 6:30 P.M.

William F. Chisholm
Secretary.

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Record of the Three Thousand Two Hundred and Fifty-Sixth (3256th) Meeting of the Metropolitan District Commission duly called and held at Hull Town Hall, 253 Atlantic Avenue, Hull, Massachusetts, on Thursday, November 3, 1983, at 6:30 P.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The records of the preceding meeting were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

- 2 Contract No. P83-1205-M1A, dated November 3, 1983, with Emerson Electrical Contracting Co., Inc., for Electronic and Sound System Maintenance and Repair Work at Various Sports Facilities and Recreational Areas of the Metropolitan Parks System.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 3 Report of Mr. McCarran, October 21, recommending approval of Extra Work Claim No. 2, in the amount of \$1,745.00, for furnishing and installing hardware required for structural and safety reasons and also contains a credit for installing dead locks in lieu of the specified lock sets, on Contract No. P78-0668-C2A, with J. M. Cashman, Inc., for Rehabilitation of Bajko Skating Rink and Service Building, Stony Brook Reservation, Boston, Massachusetts.
The Commission V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 2, in the amount of \$1,745.00.
- 4 Report of Mr. McCarran, October 27, on bids for Community Boating Facilities, New Dock Construction, Contract No. P82-1021-C1A.
The Commission V O T E D: to accept the lowest bid, that of Goudreau Corporation, of \$123,612.00.
- 5 Report of Mr. McCarran, October 25, on bids for Maintenance and Repair of Locks, Draws, and Other Underwater Structures in the Metropolitan Parks System (FY84), Contract No. P82-1161-M1A.
Commissioner Geary stated that he had conferred with Captain Richard Feeney, of the Marine Division, and Mr. Edward Anders, Manager of Locks and Drawbridges, concerning this project. He went on to say that Captain Feeney and Mr. Anders felt that a major portion of the work was within the capability of the Police SCUBA Unit.
The Commission V O T E D: to reject all bids received on Contract No. P82-1161-M1A, in accordance with Part 13 of the contract documents, and return the bid securities to all bidders, as recommended by Mr. McCarran in his report of October 25, 1983.
- 6 Report of Mr. McCarran, October 21, recommending approval of overruns, totaling \$926.00, on Contract No. P83-1227-C1A, with Community Tree Service, for Dead Tree Removal, MDC Parkways:
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| Item No. 1 - "Roadside Tree Removal (Under 24")" | - \$648.00 |
| Item No. 2 - "Roadside Tree Removal (Over 24")" | - \$278.00. |
- Commissioner Geary noted that even with the added cost for the removal of an additional 5 trees, the total cost of the project will be less than the original bid of Community Tree Service. He also noted that in comparing the bids of the 2nd and 3rd bidders, even with the additional work, Community Tree Service still remains the low bidder for the project.
The Commission V O T E D: to approve overruns, totaling \$926.00, as recommended



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sion as a result of the Study.

Commissioner Geary spoke of the possibility of having the project assigned directly to the University of Massachusetts by the Legislature.

The Commission V O T E D: Held over; Commissioner Geary to confer with members of the Lynn Legislative Delegation concerning the possibility of having the management of the project turned over to the University of Massachusetts.

- 1 Report of Mr. McCarran, October 14, recommending the following on Contract No. P82-1126-M1A, with Metropolitan Signal Corp. and New England Traffic Signal, Inc. (Joint Venture), for Servicing Traffic Signal and Control Systems on Parkways and Roadways of the Metropolitan District Commission:
 - (a) That the work be accepted as completed as of July 31, 1983.
 - (b) That Estimate No. 10 (Final), in the amount of \$35,008.23, be approved for payment.
 - (c) That reserve, in the amount of \$28,452.61, be approved for payment.

The Commission V O T E D: that the work of Metropolitan Signal Corp. and New England Traffic Signal, Inc. (Joint Venture), contractor under Contract No. P82-1126-M1A, for Servicing Traffic Signal and Control Systems on Parkways and Roadways of the Metropolitan District Commission, be and hereby is accepted as completed as of July 31, 1983.

The Commission further V O T E D: to approve Estimate No. 10 (Final), in the amount of \$35,008.23, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$28,452.61, for payment.

- 2 Report of Mr. O'Malley, October 17, relative to status of the "Arthur Fiedler Memorial," which is to be located at the Hatch Memorial Shell, pursuant to Chapter 567, Acts of 1980; also recommending that the Commission amend the vote of the Commission of October 17, 1980, relative to the site of said Memorial. Mr. Andrew C. Hyde, President - Trustees of the Arthur Fiedler Memorial, Inc., was introduced to the Commission. Mr. Hyde reviewed the process which was used that eventually led to the selection of Ralph Helmich to prepare the Memorial. Mr. Helmich stated that his proposal calls for placing a bust of Mr. Fiedler in the Island adjacent to the Hatch Shell. He explained that the bust will be 8 feet tall and will rest on a 2½-foot base facing the northeast and parallel to the concert lagoon. Mr. Helmich then presented a model of the bust and stated that the setting and the size of the Memorial will make it visible from the Hatch Shell, the Charles River, and the Longfellow Bridge, thereby not disrupting the Esplanade because of its size. At this point, Mrs. Rita Barron, of the Charles River Watershed Association, spoke and questioned whether the proposed site was a proper location for the Memorial due to its size. The Commission V O T E D: Held over pending Mr. O'Malley and the MDC Landscape Staff meeting with Mrs. Barron and Mr. Helmich concerning proposed site selection.

- 3 Report of Mr. O'Malley, October 24, submitting proposed Renewal Agreement, with Lincoln Guide Service, Inc., to conduct a Program of Instruction, Equipment Rental, and Trail Maintenance Services for Cross-Country Skiing at the Leo J. Martin Golf Course in Weston, Massachusetts, for the 1983-1984, 1984-1985, 1985-1986, and 1986-1987 Seasons, with an option to renew for one year, without further option, to March 19, 1988, at an annual fee of \$1,500.00, plus 8% of all gross revenues in excess of \$85,000.00; also relative to use of the Pump House Building for storage purposes, and an increase in the rates. Mr. O'Malley capsulized the proposed Renewal Agreement with Lincoln Guide Service, Inc. and addressed, briefly, the capital investment to be made by Lincoln Guide Service for new equipment at Weston Ski Track. Associate Commissioner Scandrett spoke of the proposed increase in the fee structure and suggested that further study be made of the fees to be charged. The Commission V O T E D: Approved in concept; Mr. O'Malley to further review the request for the price increases and submit his recommendation to the Commission.

Action was taken upon the following Various Matter:

- 4 Report of Mr. Wright, October 26, submitting Agreement, with the Town of Brookline, for Joint Police Protection of Certain Areas Within the Town of Brookline; the Agreement to be effective from year to year from October 25, 1983, except that the same may be terminated at the will of either party upon 10 days written notice to the other. The Commission V O T E D: Approved. The Secretary then submitted for signature Agreement, dated October 25, 1983, with the Town of Brookline, which was signed by the Commissioner and three Associate Commissioners.



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co.-) 1 by Mr. McCarran in his report of October 21, 1983.

1 Report of Mr. McCarran, October 28, on bids for Caulking/Sealing and Associated Work, Metropolitan District Commission Building, Boston, Massachusetts, Contract No. P84-1274-C1A.

The Commission V O T E D: to accept the only bid received, that of Allied Weatherproofing, of \$8,700.00.

2 Report of Mr. McCarran, October 21, recommending that the Commission amend its records of September 29, 1983, relative to Emergency Repairs to MDC Bridge No. 53, Harvard Bridge (Massachusetts Avenue), Boston-Cambridge, to reflect that the approved payment to Bonacorso Construction Corp. for this emergency work is \$143,482.65 instead of \$140,066.40.

The Commission V O T E D: to amend its records of September 29, 1983, (Volume 47, Page 57, Item 1), by striking out the figure "\$140,066.40" in the 14th and 25th lines and inserting in place thereof the figure "\$143,482.65" so that the records will read as follows:

"Report of Mr. McCarran, September 19, relative to Emergency Repairs to MDC Bridge No. 53, Harvard Bridge (Massachusetts Avenue), Boston-Cambridge, and requesting that the Commission ratify the following actions taken by Commissioner Geary:

1. Hiring Bonacorso Construction Corp. to make emergency repairs to MDC Bridge No. 53, Harvard Bridge (Massachusetts Avenue).
2. Closing down of the two outside lanes to all traffic and prohibiting all buses and trucks from using the Bridge.
3. Posting a Police Detail 24 hours a day.
4. Placing the Bridge under Parkway Rules.

Also recommending the following on Emergency Contract, with Bonacorso Construction Corp., for Repairs to MDC Bridge No. 53, Harvard Bridge (Massachusetts Avenue), Boston-Cambridge:

- (a) That the work be accepted as completed as of July 22, 1983.
- (b) That payment of \$143,482.65 to Bonacorso Construction Corp. for this emergency work be approved.

Mr. McCarran explained that the difference in the bid and the actual cost of the project was caused by the need for repairs to additional floor beams, additional Police Details, and Professional Services required for the emergency repairs.

The Commission V O T E D: to ratify and approve the actions taken by Commissioner Geary, as requested by Mr. McCarran in his report of September 19, 1983.

The Commission further V O T E D: that the work of Bonacorso Construction Corp., contractor under Emergency Contract, for Repairs to MDC Bridge No. 53, Harvard Bridge (Massachusetts Avenue), Boston-Cambridge, be and hereby is accepted as completed as of July 22, 1983.

The Commission further V O T E D: to approve payment of \$143,482.65 to Bonacorso Construction Corp."

3 Report of Mr. McCarran, October 27, submitting Work Schedule Form, Project Summary Form, and Project Justification, for Emergency Heating System Installation at Maintenance Facility, Nantasket, Project No. P84-1281-R1A, estimated cost - \$6,050.00, Account No. 2440-0101-12.

The Commission V O T E D: Approved.

4 Letter of Metropolitan Boston Zoos, October 28, submitting request for approval of the following expenditures from the "Stone Zoo Improvement Fund":

Cleaning Polar Bear Moat	-	\$ 1,600.00
Removal and Replacement of Wooden Barrier at Bongo Exhibit	-	\$12,000.00.

The Commission V O T E D: Approved.

The following matter was placed on the agenda for the information of the Commission:

5 The following schedules were approved for payment by the Commissioner during the period from October 24, 1983 to October 31, 1983:

Invoices	\$ 933,734.01
Reservation of Funds	\$ 157,998.72
Advices of Change	\$ 124,588.50
Weekly Payroll	\$ 934,707.68
Request for Advances	\$ 3,345,000.00.

ADJOURNED at 8:00 P.M., to meet on Thursday, November 10, 1983, at 10:00 A.M.

William F. Clisbhorn
S e c r e t a r y .

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Record of the Three Thousand Two Hundred and Fifty-Seventh (3257th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, November 10, 1983, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Jones, and Scandrett.

The records of the preceding meeting were read and approved.

- 1 The Commission made note of the Public Hearing, which was held on November 3, 1983, at the Hull Town Hall, concerning proposed renovations to be performed at the Nantasket Beach Bathhouse. They also noted that at the Public Hearing, Mr. Mr. Joel Bargman, Consultant for the Project, pointed out that due to a change in lifestyle, the need for a large changing area no longer exists and, therefore, the recommendation was to utilize Alternate #1 because it came closest to satisfying the outlined criteria. In response to questioning by the Commission, those residents of Hull, who were in attendance at the Public Hearing, were in full accord that Alternate #1 was their choice.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

- 2 Sixth Amendment, dated November 10, 1983, to Contract-Agreement, dated May 17, 1978, with Metcalf & Eddy, Inc., for Secondary Treatment Waiver Application, which provides for additional work, at an estimated cost of \$430,000.00.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 3 Report of Mr. McCann, November 4, submitting Project Management Reports for the Water Division for the month ending October 31, 1983.
 Mr. Jack Elwood, Project Engineer, reported that there are 55 ongoing projects in the Water Division's Fiscal Years 1984-1985 Work Schedule and that 2 of these projects have deviated from the approved Work Schedule. He then reviewed the Exception Reports and went over the reasons for the delays and the proposed corrective action on the following projects:
 W81-1009-D1A - Wachusett Dam Hydropower Modernization.
 W83-1027-S1A - Metropolitan Water Works Preservation Study.
 The Commission V O T E D: to accept the Project Management Reports for the Water Division for the month ending October 31, 1983.
- 4 Report of Mr. Martorana, October 26, requesting approval of Amendment to Contract-Agreement No. W79-0715-D1A, with Camp, Dresser & McKee, Inc., for Design of Improvements to the Clinton Wastewater Treatment Plant, which provides for additional engineering services for (1) Water main extensions to two sites and a leachate (sewer) force main for the sludge landfill site, and (2) Development of an industrial wastewater pretreatment program, at a total additional cost of \$113,955.00, and extends the Time for Performance from 24 months to approximately 30 months or until September 30, 1984; the total amount of the contract will be increased from \$1,539,653.00 to \$1,653,608.00; also submitting Revised Work Schedule Form.
 The Commission V O T E D: Approved as requested by Mr. Martorana in his report of October 26, 1983.
 The Commission further V O T E D: to approve the Revised Work Schedule Form.
- 5 Report of Mr. Martorana, October 15, recommending approval of Final Payment, in the amount of \$3,080.37, plus Release of Retainage, in the amount of \$4,089.06 (total Final Invoice - \$7,169.43), on Contract-Agreement No. W80-0835-S1A, with Camp, Dresser & McKee, Inc., for Preliminary Engineering Study for Improvements to MDC Northern High Service in Revere, Winthrop, and East Boston.
 The Commission V O T E D: to approve Final Payment, in the amount of \$3,080.37, plus Release of Retainage, in the amount of \$4,089.06, (Total Final Invoice - \$7,169.43), as recommended by Mr. Martorana in his report of October 15, 1983.
- 6 Report of Mr. Martorana, October 25, requesting that the Commission rescind its vote of August 11, 1983, approving an extension of time from March 27, 1983 to June 10, 1983, on Contract No. W81-1004-C1A, with Bowser & Copponi, Inc., for Furnishing and Installing Metal Work at Various MDC Water Division Facilities in Southboro, Weston, and Newton, Massachusetts, and vote to approve an extension of time from February 28, 1983 to June 10, 1983, on said contract.
 The Commission V O T E D: to rescind its vote of August 11, 1983, Volume 47, Page 32, Item 4, on this matter.
 The Commission further V O T E D: to approve an extension of time from February 28, 1983 to June 10, 1983, as requested by Mr. Martorana in his report of October 25, 1983, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.



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Report of Mr. Brutsch, October 24, requesting approval of the following on Contract-Agreement No. W82-1029-X1A, with Nancy Ann Rine, for Consultant Services in connection with the Management and Administration of Water Conservation Projects:

(a) That the work be accepted as completed as of August 1, 1983.

(b) That Invoice No. 5 (Final), in the amount of \$577.50, be approved for payment under Account No. 2420-0200.

The Commission V O T E D: that the work of Nancy Ann Rine, under Contract Agreement No. W82-1029-X1A, for Consultant Services in connection with the Management and Administration of Water Conservation Projects, be and hereby is accepted as completed as of August 1, 1983.

The Commission further V O T E D: to approve Invoice No. 5 (Final), in the amount of \$577.50, for payment under Account No. 2420-0200.

2 Report of Mr. Martorana, October 28, recommending approval of an extension of time from August 28, 1983 to January 31, 1984, on Contract No. W79-0970-C2A, with P. Gioioso & Sons, Inc., for Water Meter Modernization, Greater Boston Metropolitan Area, Massachusetts, due to the Telephone Company being unreasonably slow in making the necessary service connections for the telemetry system.

The Commission V O T E D: to approve an extension of time from August 28, 1983 to January 31, 1984, as recommended by Mr. Martorana in his report of October 28, 1983, to be effective, however, only upon receipt of the written consent of the bonding company, and subject to the condition that the additional time made necessary by Telephone Company delays shall be at no additional expense to the Commission.

3 Report of Mr. Martorana, October 17, recommending the following on Contract-Agreement No. W80-0723-D1C, with Cullinan Engineering Co., Inc., for Design of Rutland-Holden Relief Trunk Sewer:

(a) That retainage, in the amount of \$7,463.81, be approved for payment.

(b) That the final plans and specifications be approved.

(c) That an Amendment to the Contract-Agreement for additional services, at a cost of \$27,863.00, be approved.

The Commission V O T E D: to approve release of retainage, in the amount of \$7,463.81, for payment.

The Commission further V O T E D: to approve the final plans and specifications.

The Commission further V O T E D: to approve an Amendment for additional services, at a cost of \$27,863.00.

4 Report of Mr. Martorana, October 27, recommending the following on Contract No. W83-1023-C1A, with Cabot Construction Co., Inc., for Cleaning a Section of the Rutland-Holden Sewer in Rutland and Holden, Massachusetts:

(a) That the work be accepted as completed as of October 19, 1983.

(b) That Estimate No. 1 (Final), in the amount of \$2,600.62, be approved for payment.

(c) That retainage, in the amount of \$136.88, be approved for payment.

The Commission V O T E D: that the work of Cabot Construction Co., Inc., contractor under Contract No. W83-1023-C1A, for Cleaning a Section of the Rutland-Holden Sewer in Rutland and Holden, Massachusetts, be and hereby is accepted as completed as of October 19, 1983.

The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of \$2,600.62, for payment.

The Commission further V O T E D: to approve release of retainage, in the amount of \$136.88, for payment

5 Report of Mr. Wright, November 4, submitting for approval and signature Contract-Agreement No. W79-0806-X1A, with Tighe & Bond/SCI Consulting Engineers, for Disinfection Study at the Norumbega Reservoir and Weston Reservoir; Total Compensation not to exceed \$66,329.00.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Contract-Agreement No. W79-0806-X1A, dated November 10, 1983, with Tighe & Bond/SCI Consulting Engineers, which was signed by the Commissioner and three Associate Commissioners.

6 Report of Mr. Martorana, November 2, requesting approval of the Scope of Services, Method of Compensation, and Time for Performance for Contract for Professional Services for the Management and Administration of Water Conservation Projects; Compensation is at the rate of \$8.00 per hour, which rate includes direct labor cost, indirect cost, fee and expenses; Total Compensation not to exceed \$12,000.00; also requesting approval of the selection of Malaina L. Bowker to perform these services.

The Commission V O T E D: to approve the Scope of Services, Method of Compensation, and Time for Performance.

The Commission further V O T E D: to approve the selection of Malaina L. Bowker to perform these Professional Services.



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Report of Mr. Faucher, November 4, on proposals for the purchase of seven lots of standing timber located on the Quabbin Reservoir Watershed and Ware River Watershed.

The Commission V O T E D: to accept the only qualified bid received, that of Curtis Lumber Co., of \$1,295.65, to purchase approximately 35,000 board feet of sawlogs and 164 cords of firewood on Lot No. 110A - Ware River Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Sleepy Hollow Firewood Co., of \$1,354.20, to purchase approximately 11,335 board feet of sawlogs and 100 cords of firewood, including tops, on Lot No. 379A - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only qualified bid received, that of Weeks Logging, of \$1,449.00, to purchase approximately 19,000 board feet of sawlogs and 307 cords of firewood on Lot No. 400A - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Ronald J. Chiasson, of \$1,075.00, to purchase approximately 15,500 board feet of sawlogs and 55 cords of firewood, including tops, on Lot No. 415 - Quabbin Reservoir Watershed.

The Commission further V O T E D: not to accept the highest bid, that of Weeks Logging, of \$1,611.00, to purchase approximately 20,000 board feet of sawlogs and 125 cords of firewood on Lot No. 416 - Quabbin Reservoir Watershed, inasmuch as the bid price is not fair market value for this lot.

The Commission further V O T E D: to accept the highest qualified bid, that of Allard Bros., of \$4,850.00, to purchase approximately 31,000 board feet of sawlogs, 55 cords of firewood, and 20 cords tops of whole tree wood on Lot No. 417 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only qualified bid received, that of Arthur Cornwell, of \$865.00, to purchase approximately 110 cords of firewood on Lot No. 418 - Quabbin Reservoir Watershed.

- 2 Report of Mr. Martorana, October 24, submitting for approval Amendment to Contract-Agreement No. W79-0749-S2A, with Wallace, Floyd, Associates, Inc., for Long-Range Water Supply Study and EIR-2020, which changes the wording of "Task 14 DEIR ADDITIONAL SERVICES" to provide the Director of the Water Division with the flexibility to authorize additional effort, and also increases the Upset Limit of said Task by an additional \$150,000.00 to allow for such unpredictable expenses; the total amount of the contract will be increased from \$3,962,538.00 to \$4,112,538.00; also submitting Revised Work Schedule Form.

Associate Commissioner Jones questioned the increase in the original cost estimate for the project, as outlined in the Work Schedule Form.

Mrs. Patricia Corcoran, Project Engineer, stated that the original cost estimate was a preliminary estimate for funding purposes only and was made prior to detailed scoping discussions with the Consultant, the MEPA Unit, and various citizens groups.

The Commission directed that the Work Schedule Form be upgraded by dropping the original estimate from the form and replacing it with the actual negotiated cost of the project.

The Commission further directed the Project Management Task Force to meet and review and upgrade the Work Schedule Form so that it will more accurately outline time schedules and costs of various projects in the future.

The Commission V O T E D: Approved as outlined by Mr. Martorana in his report of October 24, 1983.

The Commission further V O T E D: to approve the Revised Work Schedule Form.

- 3 Report of Mr. Wright, November 9, submitting for approval and signature Contract-Agreement, with Louis Berger & Associates, Inc., for Inventory and National Register Evaluation of Historic Properties of MDC Water Division; Total Compensation - \$20,000.00.

The Commission V O T E D: Approved; Commissioner Geary to confer with the Massachusetts Historical Commission concerning the resolution of any problems which may exist relative to the time frame of the project.

The Secretary then submitted for signature Contract-Agreement, dated November 10, 1983, with Louis Berger & Associates, Inc., which was signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 4 Report of Mr. McCarran, October 20, requesting permission to proceed with contract negotiations, with the University of Massachusetts, for Study of Free-Living *Pilayella Littoralis* (Algae) in Nahant Bay; total cost of the project is estimated to be \$205,823.00; University of Massachusetts contributing in-kind services for approximately \$48,000.00; MDC share is estimated to be \$157,740.00, Account No. 2440-9797; also submitted Work Schedule Form and Project Summary Form. The Commission once again reviewed the problem of algae in Nahant Bay.

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Following a discussion, the Commission directed Mr. Alfred Ferullo, Director of Environmental Quality, to prepare, with the assistance of Messrs. McCarran, Quinn, and Wright, a Memo of Understanding between the MDC and the University of Massachusetts transferring approximately \$160,000.00 from an existing MDC Account to the University of Massachusetts so that the latter may manage a proposed Study on the Nahant Bay algae problem.

- 1 Report of Mr. O'Malley, October 17, relative to status of the "Arthur Fiedler Memorial," which is to be located at the Hatch Memorial Shell, pursuant to Chapter 567, Acts of 1980; also recommending that the Commission amend the vote of the Commission of October 17, 1980, relative to the site of said Memorial. Mr. O'Malley described the location which was the choice of both Mr. Ralph Helmick, Sculptor of the Fiedler Memorial, and MDC Staff. Following a discussion, the Commission V O T E D: to approve the recommendation of the "Trustees of the Arthur Fiedler Memorial Committee" to place the "Arthur Fiedler Memorial" on the island adjacent to the Hatch Shell; the approximate site will be adjacent to the footpath in the vicinity of Boat Landing #1. The Commission further V O T E D: to rescind the vote of the Commission of October 17, 1980, Volume 45, Page 37, Item 3, on this matter.
- 2 Report of Mr. McCarran, October 31, on bids for Construction of Fish Passage Facilities at Finlay Dam on the Charles River, Wellesley, Massachusetts, Contract No. P82-1184-C1A. The Commission expressed concern that only one bid was received on this project. Mr. McCarran reported that 7 contractors had taken out plans and specifications for the work, but only one contractor had submitted a bid. The Commission V O T E D: Held over for further review.
- 3 Report of Mr. Wright, October 28, submitting for approval and signature Contract-Agreement, with William Wainwright, for Furnishing and Installing Artwork at Chelsea Naval Hospital Park, Chelsea, Massachusetts, under the "1.5% For Art" Program; Total Compensation - \$10,829.70. Mr. McCarran was directed to have Ms. Deborah Black, of The Artists Foundation, Inc., appear before the Commission for a presentation on the overall "1% For Art" program. The Commission V O T E D: Approved. The Secretary then submitted for signature Contract-Agreement, dated November 10, 1983, with William Wainwright, which was signed by the Commissioner and three Associate Commissioners.
- 4 Report of Mr. McCarran, November 3, recommending approval of Alteration #2, at an increase of \$30,471.64 to Item #61 - "Vault and Roadway Electrical Work," on Contract No. P78-0638-C1A, with Bonacorso Construction Corp., for Bridge Repairs, Monsignor McGrath Highway, McCarthy Overpass, and Squire's Bridge, Somerville, Massachusetts. The Commission V O T E D: to approve Alteration #2, at an increase of \$30,471.64 to Item #61 - "Vault and Roadway Electrical Work."
- 5 Report of Mr. McCarran, November 3, recommending approval of overrun, at an additional cost of \$2,700.00, on Item No. 27 - "Granite Block Curbing," on Contract No. P79-0695-C2A, with George E. Carroll Construction Co., Inc., for Tenean Beach Park Development. The Commission V O T E D: to approve overrun, at an additional cost of \$2,700.00 on Item No. 27 - "Granite Block Curbing."
- 6 Report of Mr. McCarran, November 3, recommending approval of an extension of time from October 26, 1983 to December 30, 1983, on Contract No. P79-0721-C3A, with D. Cicconi, Inc., for Architectural Construction of Recreational Facilities at Chelsea Naval Hospital Park in the City of Chelsea, Massachusetts. The Commission V O T E D: Held over.
- 7 Report of Mr. McCarran, October 31, recommending the following on Contract No. P82-1106-C2A, with D. P. Donnelly Electrical Construction, Inc., for Reconstruction of Traffic Signal System, Gallivan Boulevard and Hallet Street, Dorchester, Massachusetts:
 - (a) That the work be accepted as completed as of September 23, 1983.
 - (b) That Estimate No. 2 (Final), in the amount of \$25,577.33, be approved for payment.
 - (c) That reserve, in the amount of \$1,600.92, be approved for payment on November 28, 1983.
 The Commission noted that D. P. Donnelly Electrical Construction's EEO Compliance Evaluation was rated 20% in a 30% area and that this rating was below acceptable standards. The Commission V O T E D: that the work of D. P. Donnelly Electrical Construc-

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tion, Inc., contractor under Contract No. P82-1106-C2A, for Reconstruction of Traffic Signal System, Gallivan Boulevard and Hallet Street, Dorchester, Massachusetts, be and hereby is accepted as completed as of September 23, 1983. The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of \$25,577.33, for payment. The Commission further V O T E D: to approve release of reserve, in the amount of \$1,600.92, for payment on November 28, 1983.

- 1 Report of Mr. McCarran, November 2, recommending the following on Contract No. P83-1241-C1A, with Metropolitan Signal Corp., for Upgrading and Rehabilitation of Casting Structures, Mystic District:
- (a) That the work be accepted as completed as of September 23, 1983.
 - (b) That Estimate No. 2 (Final), in the amount of \$2,228.70, be approved for payment.
 - (c) That reserve, in the amount of \$575.21, be approved for payment on November 27, 1983.

The Commission V O T E D: that the work of Metropolitan Signal Corp., contractor under Contract No. P83-1241-C1A, for Upgrading and Rehabilitation of Casting Structures, Mystic District, be and hereby is accepted as completed as of September 23, 1983.

The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of \$2,228.70, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$575.21, for payment on November 27, 1983.

- 2 Report of Mr. McCarran, November 3, recommending approval of an extension of time from October 30, 1983 to November 30, 1983, on Contract No. P79-0721-C2A, with D. Cicconi, Inc., for Site Improvements, Construction of Recreational Facilities at Chelsea Naval Hospital Park, Chelsea, Massachusetts, due to delays in obtaining materials.
- The Commission V O T E D: to approve an extension of time from October 30, 1983 to November 30, 1983, as recommended by Mr. McCarran in his report of November 3, 1983, with the provision that all work between Station 10+00 and Station 20+00 will be substantially completed by November 15, 1983; the extension of time to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 3 Report of Ms. Haggerty, October 12, recommending the following on Contract No. S83-1093-C1A, with Enterprise Equipment Co., Inc., for Replacement of Eight Engine Silencers, Deer Island Sewage Treatment Plant, Boston, Massachusetts:
- (a) That the work be accepted as completed as of September 16, 1983.
 - (b) That Estimate No. 1 (Final), in the amount of \$113,900.44, be approved for payment.
 - (c) That retainage, in the amount of \$5,994.76, be approved for payment.
- The Commission made note of the contractor's below acceptable EEO Compliance standards on this contract.
- The Commission V O T E D: that the work of Enterprise Equipment Co., Inc., contractor under Contract No. S83-1093-C1A, for Replacement of Eight Engine Silencers, Deer Island Sewage Treatment Plant, Boston, Massachusetts, be and hereby is accepted as completed as of September 16, 1983.
- The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of \$113,900.44, for payment.
- The Commission further V O T E D: to approve release of retainage, in the amount of \$5,994.76, for payment.
- 4 Report of Ms. Haggerty, October 26, requesting approval of partial release of retainage, in the amount of \$6,000.00, on Contract No. S80-0605-C1A, with Engineering Construction, Inc., for Installation of a 2000 H.P. Electric Motor for Sewage Pump Drive, Deer Island Sewage Treatment Plant.
- The Commission V O T E D: to approve partial release of retainage, in the amount of \$6,000.00, for payment.
- 5 Report of Ms. Haggerty, November 1, requesting authority, in accordance with Contract-Agreement No. S79-0655-D1A, with Anderson-Nichols & Co., for Design Services for the Framingham Extension Relief Sewer, to incur a major expense, not to exceed \$20,000.00, to obtain approvals from Conrail to locate the proposed pipeline on railroad property; the costs incurred to be billed against monies targeted for the "Archaeological-Historical Survey" currently carried within the Contract-Agreement. The Commission V O T E D: Approved as requested by Ms. Haggerty in her report of November 1, 1983.

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Report of Ms. Haggerty, October 26, requesting approval of Amendment to Contract-Agreement, with Wright-Pierce, Architects/Engineers, to Design an Alternate Source of Power for Nut Island Sewage Treatment Plant, Quincy, Massachusetts, which amends the Scope of Services by including Engineering Construction Services for the Construction Phase of the contract which is coterminous with the construction contractor's contract, and increases the expense portion of the contract from an Upset Limit of \$375.00 to an Upset Limit of \$1,100.00 and the Design Services fee from an Upset Limit of \$43,230.00 to an Upset Limit of \$55,843.00; Total Upset Limit of the contract increased from \$43,605.00 to \$56,943.00; also submitting Revised Work Schedule Form.
The Commission V O T E D: Approved as requested by Ms. Haggerty in her report of October 26, 1983.
The Commission further V O T E D: to approve the Revised Work Schedule Form.

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Report of Mr. Baratta, November 4, on bids for Immediate Upgrading of Nut Island Sewage Treatment Plant, Contract No. S80-0656-C2A.
The Commission V O T E D: to reject the bid of Delfour, Inc. on the basis that it is non-responsive.
The Commission further V O T E D: to accept the lowest bid, that of Cabot Construction Co., Inc., of \$731,000.00, subject to receipt of the approval to award contract required from the Massachusetts Division of Water Pollution Control (MDWPC) and effective on the date MDWPC approval is granted.
The Commission further V O T E D: to select as the filed subcontractors the following:

<u>Name of Subcontractor</u>	<u>Subtrade</u>
Millis Plumbing	Plumbing
Millis Plumbing	HVAC
The Chappy Corp.	Electrical
Cabot Construction	Masonry.

3 Report of Mr. Baratta, November 4, on bids for Immediate Upgrading of Nut Island Sewage Treatment Plant, Contract No. S80-0656-C3A.
The Commission V O T E D: to reject the protest of Electric Power Testing Services, Inc. on Item 2A - "Electrical Inspection, Cleaning and Testing."
The Commission further V O T E D: to accept the lowest bid, that of The Chappy Corporation, of \$184,700.00, subject to receipt of the approval to award contract required from the Massachusetts Division of Water Pollution Control (MDWPC) and effective on the date MDWPC approval is granted.
The Commission further V O T E D: to select Richardson Electric Co. as the filed subcontractor on the basis of its lowest responsible sub-bid.

Action was taken upon the following Various Matter:

4 Report of Mr. Wright, November 4, submitting for approval and signature Contract-Agreement, with Brian F. Gilligan, Esq., to Provide Legal Services on Labor Relations and Civil Service Matters; Compensation is at the rate of \$50.00 per hour, which rate includes all compensation for overhead and expenses.
(Mr. Quinn has advised that Mr. Gilligan's services will be charged to Account No. 2440-0015 and that he will allot initially \$5,000.00 for the time period from effective date of issue to June 30, 1984).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract-Agreement, dated November 10, 1983, with Brian F. Gilligan, Esq., which was signed by the Commissioner and three Associate Commissioners.

The following matter was placed on the agenda for the information of the Commission:

5 The following schedules were approved for payment by the Commissioner during the period from October 31, 1983 to November 7, 1983:

Invoices	\$ 1,664,376.74
Reservation of Funds	\$ 1,492,350.41
Advices of Change	\$ 63,467.00
Weekly Payroll	\$ 886,019.69
Industrial Accident Report	\$ 16,446.32.

ADJOURNED at 3:00 P.M., to meet on Thursday, November 17, 1983, at 10:00 A.M.

William F. Cushman
Secretary.

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Record of the Three Thousand Two Hundred and Fifty-Eighth (3258th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, November 17, 1983, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

- 1 Contract No. P82-1021-C1A, dated November 17, 1983, with Goudreau Corporation, for Community Sailing Facilities, New Dock Construction, Boston, Massachusetts.
- 2 Contract No. P84-1274-C1A, dated November 17, 1983, with Allied Weatherproofing Co., Inc., for Caulking/Sealing and Associated Work, Metropolitan District Commission Building, Boston, Massachusetts.

- 3 Presentation - Massachusetts Electric Municipal Consumer Group.
Mr. Edward Donnelly, Municipal Management Officer - Executive Office of Communities and Development, spoke of the benefits which the Commission could accrue by joining the Massachusetts Electric Municipal Consumer Group. He stated that if the Commission voted to join the Group, a small assessment will be levied on the MDC to engage experts in the field of electric utility rates and public utility laws. He went on to say that these experts will intervene on behalf of all members of the Massachusetts Electric Municipal Group before the Massachusetts Department of Public Utilities in an upcoming Massachusetts Electric Rate Setting Case. Mr. Donnelly also stated that if the Massachusetts Electric Municipal Consumer Group is successful in the Rate Setting Case, it could result in reduced electric rates charged to members of the Group.

The Commission V O T E D: to join the Massachusetts Electric Municipal Consumer Group; Mrs. Volpe-O'Malley to work out the details.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 4 Report of Ms. Haggerty, November 9, requesting approval of Extra Work Order No. 3, in the amount of \$19,114.56, for increasing the size of the 48 pilasters in Digesters Nos. 3 and 4, on Contract No. S82-1003-C1C, with Peabody N.E., Inc., for Rehabilitation of Digesters, Deer Island Sewage Treatment Plant.
The Commission V O T E D: to approve Extra Work Order No. 3, in the amount of \$19,114.56.

- 5 Report of Mr. Baratta, November 7, requesting that the Commission amend its records of October 27, 1983, approving a request of the Town of Arlington for permission to renovate the building at 22 Mill Street into a professional office building, which has a 15-foot MDC Sewer Easement, Section 29, and is between Stations 17+90± and 22+20±, to reflect that the request is from Juniper Arlington Incorporated instead of the Town of Arlington, and also that the section of MDC Sewer Easement is Section 79 instead of Section 29.

The Commission V O T E D: to amend its records of October 27, 1983, Volume 47, Page 74, Item 3, by striking out the name "the Town of Arlington" in the 1st line and inserting in place thereof the name "Juniper Arlington Incorporated," and by striking out the number "29" in the 3rd line and inserting in place thereof the number "79" so that the records will read as follows:

"Report of Mr. Baratta, October 21, on request of Juniper Arlington Incorporated for permission to renovate the building at 22 Mill Street into a professional office building, which has a 15-foot MDC Sewer Easement, Section 79, and is between Stations 17+90± and 22+20±.

The Commission V O T E D: Approved as recommended by Mr. Baratta in his report of October 21, 1983, subject to the following conditions:

- 1. That the MDC's sewer shall be flagged along the course of the proposed construction of the stairway, the ramp, and the landing, for identification and protection purposes.
- 2. That any damage to the MDC's sewer, resulting from the construction of the stairway, the ramp, and the landing, shall be repaired at the Permittee's expense.
- 3. That the Permittee, its successors and assigns, shall indemnify and save harmless the Commonwealth of Massachusetts, the Metropolitan District Commission, and its agents and servants, from any and all claims and demands for damages to persons or property arising out of the exercise of this permit.
- 4. All work is to be performed to the satisfaction of the Director of the MDC's Sewerage Division.
- 5. The Permittee, its successors and assigns, shall indemnify and save harmless the Commonwealth of Massachusetts, the Metropolitan District Commission, and its agents and servants, from any damage or additional cost which the grant-

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ing of this permission may entail in the event that repairs of the portion of the sewer under the proposed construction becomes necessary, and upon further condition that the MDC, and its agents and servants, may enter the location at any time in order to carry on the maintenance and repair of the MDC sewer.

6. That the granting of this permission shall in no way interfere with the rights of the MDC to exercise its rights under the easement as provided in the taking.
7. That the Permittee, its successors and assigns, agree, upon demand, to remove that portion of the stairway, handicapped ramp, or landing, necessary to install a new relief sewer in the existing easement, at its own expense, if required in the future.
8. That the Permittee agrees that ample notice will be given to the MDC's Sewerage Division in order that an inspector may be on the premises during the proposed construction.
9. Any other condition that the Right-of-Way Section deems necessary for the protection of the MDC and its employees."

Action was taken upon the following matter relating to the Metropolitan Water Supply System:

- 1 Report of Mr. Martorana, November 1, recommending that the Commission amend its records of July 28, 1983, relative to release of reserve on Contract No. W81-1003-C1A, with Richardson Electric Co., Inc., for Electrical Repairs to Belmont Pumping Station, Belmont, Massachusetts, to reflect that the release of reserve is approved for payment in the amount of \$3,289.69 instead of \$2,664.69.

The Commission V O T E D: to amend its records of July 28, 1983, Volume 47, Page 26, Item 2, by striking out the amount "\$2,664.69" in the 7th and 16th lines and inserting in place thereof the amount "\$3,289.69" so that the records will read as follows:

"Report of Mr. Martorana, undated, recommending the following on Contract No. W81-1003-C1A, with Richardson Electric Co., Inc., for Electrical Repairs to Belmont Pumping Station, Belmont, Massachusetts, as follows:

- (a) That the work be accepted as completed as of May 25, 1983.
- (b) That Estimate No. 3 (Final), in the amount of \$50,629.01, be approved for payment.
- (c) That reserve, in the amount of \$3,289.69, be approved for payment 65 days after acceptance of the work by the Commission.

The Commission V O T E D: that the work of Richardson Electric Co., Inc., contractor under Contract No. W81-1003-C1A, for Electrical Repairs to Belmont Pumping Station, Belmont, Massachusetts, be and hereby is accepted as completed as of May 25, 1983.

The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of \$50,629.01, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$3,289.69, for payment 65 days after acceptance of the work by the Commission."

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 2 Report of Mr. McCarran, October 31, on bids for Construction of Fish Passage Facilities at Finlay Dam on the Charles River, Wellesley, Massachusetts, Contract No. P82-1184-C1A.

Mr. McCarran presented a tabulation of construction contracts performed for the MDC by Coast Construction Corporation, and stated that he was satisfied with said contractor's past performance. Mr. McCarran then explained that Mr. Foley, President of Coast Construction Corporation, in a letter, dated October 24, 1983, agreed to delay the start of the project until the Spring of 1984 and to hold to the bid of \$110,100.00. Mr. McCarran expressed his feeling that if we were to readvertise the project, it would come in at a higher price.

The Commission V O T E D: to accept the only bid received, that of Coast Construction Corporation, of \$110,100.00.

- 3 Report of Mr. McCarran, November 3, recommending approval of an extension of time from October 26, 1983 to December 30, 1983, on Contract No. P79-0721-C3A, with D. Cicconi, Inc., for Architectural Construction of Recreational Facilities at Chelsea Naval Hospital Park in the City of Chelsea, Massachusetts.

The Commission V O T E D: Held over pending site visit by Commissioner Geary.

- 4 Report of Mr. McCarran, November 10, on bids for Clean-Up Work at Spot Pond and Town Line Brook, Malden and Revere, Contract No. P82-1140-C2A.

Mr. McCarran reviewed, in detail, the work to be performed under terms of this contract and stated that, in addition to a general clean-up of the area, the

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project also calls for the removal of brush and trees which are interfering with flood control.

The Commission expressed concern that only one bid was received on this project. Mr. McCarran stated that 8 contractors were contacted by the Parks Division, but they did not show interest in bidding on this type of work. He also stated that the Engineer's estimated cost of the project was based on last year's bid for the work.

The Commission V O T E D: to accept the only bid received, that of J. M. Cashman, of \$94,770.00.

1 Report of Mr. McCarran, November 4, recommending the following on Contract No. P82-1011-C1A, with P. Caliacco Corp., for Spot Pond Brook, Winter to Clifton and Dartmouth Streets Culvert, in the City of Malden, Massachusetts:

- (a) That the work be accepted as completed as of October 31, 1983.
- (b) That Estimate No. 7 (Final), in the amount of \$14,859.57, be approved for payment.
- (c) That reserve, in the amount of \$22,336.32, be approved for payment on January 4, 1984.

The Commission noted that the Final Cost of this contract will be \$66,492.89 below the Basis of Award.

The Commission V O T E D: that the work of P. Caliacco Corp., contractor under Contract No. P82-1011-C1A, for Spot Pond Brook, Winter to Clifton and Dartmouth Streets Culvert, in the City of Malden, Massachusetts, be and hereby is accepted as completed as of October 31, 1983.

The Commission further V O T E D: to approve Estimate No. 7 (Final), in the amount of \$14,859.57, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$22,336.32, for payment on January 4, 1984.

2 Report of Mr. McCarran, October 28, recommending the following on Contract No. P83-1253-C1A, with Metropolitan Signal Corp., for Repair to City of Lynn 36" V.C. Drain Pipe, Lynn, Massachusetts:

- (a) That the work be accepted as completed as of September 16, 1983.
- (b) That Estimate No. 2 (Final), in the amount of \$35,222.25, be approved for payment.
- (c) That reserve, in the amount of \$3,384.09, be approved for payment on November 20, 1983.

The Commission V O T E D: that the work of Metropolitan Signal Corp., contractor under Contract No. P83-1253-C1A, for Repair to City of Lynn 36" V.C. Drain Pipe, Lynn, Massachusetts, be and hereby is accepted as completed as of September 16, 1983.

The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of \$35,222.25, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$3,384.09, for payment on November 20, 1983.

3 Report of Mr. McCarran, November 9, recommending approval of an extension of time from September 30, 1983 to November 25, 1983, on Contract No. P80-0793-C1A, with J. M. Cashman, Inc., for Maritime Work, Pemberton Pier, Hull, Massachusetts, due to damages sustained by the gangways in transit.

The Commission V O T E D: to approve an extension of time from September 30, 1983 to November 25, 1983, as recommended by Mr. McCarran in his report of November 9, 1983, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

4 Report of Mrs. Volpe-O'Malley, November 10, relative to Special Permits for Trucks for Morrissey Boulevard during Southeast Expressway Reconstruction.

The Commission V O T E D: Delete from the agenda.

5 Report of Mr. O'Malley, November 14, submitting for approval and signature Permit to Charles River Watershed Association, Inc. to use and occupy the MDC Building situated at 2391 Commonwealth Avenue in the Auburndale Section of the City of Newton, Massachusetts, for the period November 15, 1983 to December 31, 1984; Charles River Watershed Association, Inc. to pay \$600.00 prior to January 1, 1984. Mr. O'Malley updated the Commission on the status of a long-term lease for the Charles River Watershed Association, Inc.

Mrs. Rita Barron, Executive Director of the Charles River Water Association, distributed copies of pending legislation which authorizes and directs the Metropolitan District Commission to lease for a term of 25 years the MDC Building situated at 2391 Commonwealth Avenue in the Auburndale Section of the City of Newton.

Following a lengthy discussion, the Commission V O T E D: to approve the Permit for the period November 15, 1983 to December 31, 1984; the Charles River Watershed Association, Inc. to pay the sum of \$600.00 prior to January 1, 1984.

The Secretary then submitted for signature Permit, dated November 17, 1983, to the

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Charles River Watershed Association, Inc., which was signed by the Commissioner and four Associate Commissioners.

- 1 Report of Mr. McCarran, November 8, recommending approval of Alteration #1, at an additional cost of \$3,224.00, on Item No. 31 - "Building Pipe and Water Supply," on Contract No. P79-0770-C1A, with T & T Construction, for Restoration and Rehabilitation of Foss Park, Somerville, Massachusetts.
The Commission expressed its uneasiness with the Consultant's work to date on this project.
Following a lengthy discussion, Mr. McCarran was directed to have the plans and specifications for the "Rehabilitation of Dilboy Field" segment of this Consultant Contract carefully reviewed with MDC Staff and Wright-Pierce prior to advertising for bids for the project.
The Commission V O T E D: to approve Alteration #1, at an additional cost of \$3,224.00.

Action was taken upon the following Various Matter:

- 2 Report of the Land Board, November 14, recommending that the Commission, in compliance with the provisions of Chapter 579 of the Acts of 1980, notify the Deputy Commissioner of Capital Planning and Operations that the MDC recognizes that the parcel of land, consisting of 1,744 square feet, located at Embankment Road and Beaver Place, Boston, Massachusetts, be declared surplus.
Mr. Falvey stated that the Land Board further recommended that one of the conditions of the sale be the incorporation of a 10-foot green buffer area around the perimeter of the parcel by the purchaser.
The Commission V O T E D: to notify the Deputy Commissioner of Capital Planning and Operations that the MDC recognizes that the parcel of land, consisting of 1,744 square feet, located at Embankment Road and Beaver Place, Boston, Massachusetts, be declared surplus, with the understanding that one of the conditions of the sale be the incorporation of a 10-foot green buffer area around the perimeter of the parcel by the purchaser.

The following matter was placed on the agenda for the information of the Commission:

- 3 The following schedules were approved for payment by the Commissioner during the period from November 7, 1983 to November 14, 1983:

Invoices	\$ 791,408.39
Reservation of Funds	\$ 160,893.03
Advices of Change	\$ 67,100.00
Weekly Payroll	\$ 887,089.16.

ADJOURNED at 1:45 P.M., to meet on Thursday, December 1, 1983, at 10:00 A.M.

William F. Cusack
S e c r e t a r y .

3259th
Dec. 1, 1983

Record of the Three Thousand Two Hundred and Fifty-Ninth (3259th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, December 1, 1983, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The records of the meetings held on November 10, 1983, and November 17, 1983, were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

- 4 Contract-Agreement, dated December 1, 1983, with Malaina L. Bowker, for Professional Services for the Management and Administration of Water Conservation Projects.
- 5 Second Amendment, dated December 1, 1983, to Contract-Agreement, dated May 27, 1982, with Wright-Pierce, Architects/Engineers, to Design an Alternate Source of Power for Nut Island Sewage Treatment Plant, Quincy, Massachusetts, which amends the Scope of Services by including Engineering Construction Services for the Construction Phase of the contract which is coterminous with the construction contractor's contract, and increases the Expense portion of the contract from an Upset Limit of \$375.00 to an Upset Limit of \$1,100.00 and the Design Services fee from an Upset Limit of \$43,230.00 to an Upset Limit of \$55,843.00; Total Upset Limit of the contract increased from \$43,605.00 to \$56,943.00.
- 6 Amendment, dated December 1, 1983, to Contract-Agreement, dated May 12, 1983,

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with Cullinan Engineering Co., Inc., for Design of Rutland-Holden Relief Trunk Sewer, which provides for additional services, at a cost of \$27,863.00.

PERMIT

V O T E D: to grant permission to Montvale Realty Trust to erect a lightweight aluminum enclosure around its property, together with appurtenant footings and foundations over a Commission sewer and easement known as Section 115A of the North Metropolitan Relief Sewer, as shown on a plan entitled "The Commonwealth of Massachusetts, Metropolitan District Commission, Sewerage Division, Plan of Land in Winchester, Woburn & Stoneham * * * July 2, 1936, Joseph P. Dever, Chief Engineer of Sewerage Division," a copy of which is on file in the office of the Sewerage Division, and to execute a permit accordingly.

2 Contract No. P82-1140-C2A, dated December 1, 1983, with J. M. Cashman, Inc., for Miscellaneous Clean-Up Work at Spot Pond Brook and Town Line Brook, in the Cities of Malden, Melrose, and Revere, Massachusetts.

3 First Amendment, dated December 1, 1983, to Contract-Agreement, dated March 11, 1982, with Camp, Dresser & McKee, Inc., for Design of Improvements to the Clinton Wastewater Treatment Plant, which provides for additional engineering services for (1) Water main extensions to two sites and a leachate (sewer) force main for the sludge landfill site, and (2) Development of an industrial wastewater pre-treatment program, at a total additional cost of \$113,955.00, and extends the Time for Performance from 24 to approximately 30 months or until September 30, 1984; the total amount of the contract will be increased from \$1,539,653.00 to \$1,653,608.00.

4 Second Amendment, dated December 1, 1983, to Contract-Agreement, dated February 11, 1982, with Wallace, Floyd, Associates, Inc., for Long-Range Water Supply Study and EIR-2020, which changes the wording of "Task 14 DEIR ADDITIONAL SERVICES" to provide the Director of the Water Division with the flexibility to authorize additional effort, and also increases the Upset Limit of said Task by an additional \$150,000.00 to allow for such unpredictable expenses; the total amount of the contract will be increased from \$3,962,538.00 to \$4,112,538.00.

5 Contract No. P82-1184-C1A, dated December 1, 1983, with Coast Construction Corporation, for Fish Passage Facilities at Finlay Dam on the Charles River, Wellesley, Massachusetts.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

6 Report of Mr. Wright, November 23, submitting for approval and signature Sixth Amendment to Contract-Agreement, dated August 3, 1978, with Black & Veatch, for Consultant Services in connection with Municipal/Industrial Permits and Industrial Waste Pretreatment Programs and User Charge/Industrial Cost Recovery Study, which provides for technical assistance in meeting the objectives of the pretreatment and cost assessment programs, and extends the Time for Performance for 12 months from the date of receipt of the Notice to Proceed issued under this Amendment; Total Compensation to be paid under this Amendment shall not exceed \$238,525.00; also report of Mr. Baratta, November 23, requesting approval of Revised Work Schedule and transfer of funds, in the amount of \$238,525.00, from Account No. 2439-7270 to Account No. 2439-7298.

Mr. Baratta reviewed the prior five amendments to this Contract-Agreement with the Commission.

The Commission V O T E D: to approve the Sixth Amendment as submitted by Mr. Wright.

The Secretary then submitted for signature Sixth Amendment, dated December 1, 1983, to Contract-Agreement, dated August 3, 1978, with Black & Veatch, which was signed by the Commissioner and four Associate Commissioners.

The Commission further V O T E D: to approve the Revised Work Schedule.

The Commission further V O T E D: to reduce Account No. 2439-7270 by \$238,525.00, and to increase Account No. 2439-7298 by \$238,525.00.

7 Report of Ms. Haggerty, November 3, recommending the following on Contract-Agreement No. S82-0930-T1B, with GCA Corporation, for Analytical and Support Service Requirements for the MDC Sewerage Division's Industrial Waste Monitoring Program - Phase II:

(a) That the work be accepted as completed as of June 30, 1982.

(b) That Request No. 6, in the amount of \$11,902.32, be approved for payment.

(c) That retainage, in the amount of \$9,810.16, be approved for payment.

The Commission V O T E D: that the work of GCA Corporation, Consultant under Contract-Agreement No. S82-0930-T1B, for Analytical and Support Service Requirements for the MDC Sewerage Division's Industrial Waste Monitoring Program - Phase II, be and hereby is accepted as completed as of June 30, 1982.

The Commission further V O T E D: to approve Request No. 6, in the amount of \$11,902.32, for payment.

The Commission further V O T E D: to approve release of retainage, in the amount of \$9,810.16, for payment.

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Report of Mr. Baratta, November 10, on request of the City of Everett for permission to make an 8-inch diameter connection on the top centerline from the south side of the Metropolitan Sewer in the Conrail Right-of-Way, 240 feet northerly of Second Street at Station 6+75_±, Section 16, for a new office and warehouse located off Second Street.

The Commission V O T E D: Approved as recommended by Mr. Baratta in his report of November 10, 1983.

2 Report of Ms. Haggerty, November 23, on bids for Engine Maintenance Program at Nut Island Sewage Treatment Plant, Quincy, Massachusetts, Contract No. S83-1105-M1A.

The Commission V O T E D: to accept the lowest bid, that of Creole Production Services, Inc., of \$79,690.00.

3 Report of Mr. Baratta, November 17, requesting approval of an extension of time from November 17, 1983 to February 17, 1984, on Contract-Agreement No. S82-1011-S1A, with Camp, Dresser & McKee, Inc., for Facilities Planning Study of Charlestown, Massachusetts, Wastewater Pumping Station, to allow time for Division of Water Pollution Control review and corrections and final printing of the Facilities Plan.

The Commission V O T E D: to approve an extension of time from November 17, 1983 to February 17, 1984, as requested by Mr. Baratta in his report of November 17, 1983, on condition that no further request will be made for additional compensation.

4 Report of Mr. Baratta, November 22, recommending the following on Contract-Agreement No. S82-1087-S1A, with SEA Consultants, Inc., for Septage Disposal Management Plan:

(a) That the work be accepted as completed as of July 26, 1983.

(b) That Request No. 7 (Final), in the amount of \$1,857.71, be approved for payment.

(c) That retainage, in the amount of \$3,512.20, be approved for payment.

The Commission V O T E D: that the work of SEA Consultants, Inc., Consultant under Contract-Agreement No. S82-1087-S1A, for Septage Disposal Management Plan, be and hereby is accepted as completed as of July 26, 1983.

The Commission further V O T E D: to approve Request No. 7 (Final), in the amount of \$1,857.71, for payment.

The Commission further V O T E D: to approve release of retainage, in the amount of \$3,512.20, for payment.

5 Report of Messrs. Baratta and Quinn, November 22, requesting approval of transfer of \$400,000.00 from Account No. 2439-7270 to Account No. 2439-7286 to fund Contract No. S79-0655-D1A - Design of the Framingham Relief Sewer.

The Commission V O T E D: to reduce Account No. 2439-7270 by \$400,000.00, and to increase Account No. 2439-7286 by \$400,000.00.

Action was taken upon the following matters relating to the Metropolitan Parks System:

6 Report of Mr. McCarran, November 3, recommending approval of an extension of time from October 26, 1983 to December 30, 1983, on Contract No. P79-0721-C3A, with D. Cicconi, Inc., for Architectural Construction of Recreational Facilities at Chelsea Naval Hospital Park in the City of Chelsea, Massachusetts.

The Associate Commissioners expressed their support on whatever action Commissioner Geary feels is necessary on this matter.

The Commission V O T E D: Held over pending review by Commissioner Geary.

7 Report of Mr. McCarran, November 21, recommending the following on Contract No. P82-1130-C1A, with Bartlett Consolidated, Inc., Bartlett International, Inc. (Joint Venture), for Replacement and Upgrading Guard Rail and Fences in Various Locations in the Metropolitan District:

(a) That the work be accepted as completed as of October 24, 1983.

(b) That Estimate No. 2 (Final), in the amount of \$27,126.35, be approved for payment.

(c) That reserve, in the amount of \$13,271.19, be approved for payment.

The Commission noted that the final cost of this contract is \$62,696.10 less than the original bid of the contractor.

The Commission V O T E D: that the work of Bartlett Consolidated, Inc., Bartlett International, Inc. (Joint Venture), contractor under Contract No. P82-1130-C1A, for Replacement and Upgrading Guard Rail and Fences in Various Locations in the Metropolitan District, be and hereby is accepted as completed as of October 24, 1983.

The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of \$27,126.35, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$13,271.19, for payment on December 28, 1983.

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Letter of Community Boating, Inc., November 15, requesting approval of proposed increases in membership fees; also report of Mr. Rodrigues, November 21.
 The Commission V O T E D: to approve increases in membership fees as follows:

	<u>1983</u>	<u>1984</u>
Full Season	\$100.00	\$120.00
Husband & Wife	\$160.00	\$180.00
Youth	\$ 50.00	\$ 60.00
Senior Citizen	\$ 20.00	\$ 20.00
30-Day	\$ 35.00	\$ 40.00
60-Day	\$ 65.00	Eliminated
90-Day	-	\$ 90.00 (Added)
Spring	\$ 60.00	Eliminated
Summer	\$ 80.00	Eliminated
Fall	\$ 50.00	Eliminated
Summer Youth	\$ 30.00	\$ 35.00
Junior	\$ 1.00	\$ 1.00
High School		
Spring	\$ 20.00	\$ 20.00
Fall	\$ 10.00	\$ 10.00
College		
Spring	\$ 20.00	\$ 20.00
Fall	\$ 20.00	\$ 20.00
Life	\$750.00	\$900.00.

2 Report of Mr. O'Malley, November 28, submitting for approval and signature Agreement, with Community Boating, Inc., for Operation of a Public Sailing and Boating Program in the Charles River Basin, for a period of five years, commencing January 1, 1984, and terminating December 31, 1989.
 The Commission V O T E D: Approved.
 The Secretary then submitted for signature Agreement, dated December 1, 1983, with Community Boating, Inc., which was signed by the Commissioner and four Associate Commissioners.

3 Report of Mr. McCarran, November 23, on bids for Re-Roofing Connell Pool/Rink, Weymouth, Massachusetts, Contract No. P83-1251-C1A.
 The Commission directed Mr. McCarran to provide Secretary Chisholm with a memo outlining past work performance of the low bidder.
 The Commission V O T E D: to accept the lowest bid, that of Bay State Contracting Co., Inc., of \$88,825.00.

4 Report of Mr. McCarran, November 7, recommending approval of partial release of retainage, in the amount of \$3,042.55, on Contract-Agreement No. P78-0564-D1C, with Environmental Design & Planning, Inc., for Lower Mystic Lake Salt Water Removal and Restoration.
 Mr. Alfred Ferullo, Director of Environmental Quality, reported on the project and stated that although the treatment facility has been virtually completed since 1982, the facility did not become operational until August 1983 because of a delay in the Legislature approving funds for purchase of required chemicals. He explained that the delay resulted in deterioration of some of the facility's equipment. Mr. Ferullo stated that inasmuch as the Consultant has completed several tasks during the design phase, he was recommending that the Commission approve the release of retainage for the tasks performed to date. Mr. Ferullo explained that an amendment to the existing Contract-Agreement with Environmental Design & Planning, Inc. for assisting in placing the facility into operation and assisting during its operation will be requested in the near future.
 The Commission V O T E D: to approve partial release of retainage, in the amount of \$3,042.55, for payment.

5 Report of Mr. McCarran, November 17, on request of Bonacorso Construction Corp., contractor under Contract No. P83-1204-C1A, for Bridge Approach Reconstruction, John J. Beades Bridge, Dorchester Bay, Morrissey Boulevard, Boston, Massachusetts, for approval to subcontract to Trimount Bituminous Products the following work:

Item No. 13 - "Bituminous Tack Coat"	- \$ 800.00
Item No. 16 - "Bituminous Concrete Top Course"	- \$14,000.00
Item No. 17 - "Dense Protective Course for Bridge"	- \$15,000.00.

The Commission V O T E D: Approved as requested by Mr. McCarran in his report of November 17, 1983.

6 Report of Secretary Chisholm, November 29, relative to award of the Skating Rink Concession at the Porrazzo Rink, East Boston, Massachusetts, for the 1983-1984 Skating Season.
 The Commission V O T E D: Held over for one week.



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Report of Mr. McCarran, November 25, requesting approval of the following under Maintenance Agreement, dated September 9, 1982, with Owens-Corning Fiberglass Corp. (Tensile Roof Subcontractor), for Inspection and Maintenance of the Fabric Roofing at Tropical Forest Pavilion, Franklin Park Zoo, Boston, Massachusetts:

- | | |
|-------------------------------------|-------------------------|
| 1. Fabric Roof Repair Work | - \$2,853.93 |
| 2. Instructional Training - 4 Hours | - \$ 160.00 |
| | <u>Total</u> \$3,013.93 |

Also report of Mr. McCann, November 30.

The Commission V O T E D: Approved as requested by Mr. McCarran in his report of November 25, 1983.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 2 Report of Mr. Faucher, November 15, submitting for approval and signature Quabbin Park Cemetery Deed No. Q-1644 conveying the southwesterly 1/4 of Lot No. 1366 to Harrison L. Thresher and Theodore A. Thresher.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1644, dated December 1, 1983, which was signed by the Commissioner and two Associate Commissioners.
- 3 Report of Mr. Faucher, November 15, submitting for approval and signature Quabbin Park Cemetery Deed No. Q-1645 conveying the northeasterly 1/2 of Lot No. 946 to Wayne E. and Shirley G. Avery.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1645, dated December 1, 1983, which was signed by the Commissioner and two Associate Commissioners.
- 4 Report of Mr. Faucher, November 18, submitting for approval and signature Quabbin Park Cemetery Deed No. Q-1646 conveying Lot No. 1118 to William Ferez and Robert A. and Noreen C. Ferez.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1646, dated December 1, 1983, which was signed by the Commissioner and two Associate Commissioners.
- 5 Report of Mr. Martorana, November 23, recommending partial release of retainage, in the amount of \$21,220.05, on Contract-Agreement No. W79-0749-S1A, with Wallace, Floyd, Associates, Inc., for Long-Range Water Supply Study and EIR-2020.
The Commission V O T E D: to approve partial release of retainage, in the amount of \$21,220.05, for payment.
- 6 Report of Mr. Martorana, November 9, recommending approval of combining the Upset Limits of Article II B.8b - Construction Services - \$83,500.00, Article II B.8c - Operational Training - \$17,000.00, and Article II B.8d - Operation and Maintenance Manuals - \$30,100.00, to become a Total Upset Limit of \$130,600.00 for Article II B.8b through Article II B.8d of Contract-Agreement No. W79-0970-D1A, with Bethel, Duncan & Associates, Inc., for Engineering Services for Water Meter System Modernization and Rehabilitation.
The Commission V O T E D: Approved as recommended by Mr. Martorana in his report of November 9, 1983, on condition that there is no change in the services to be provided and no additional expense to the Commission.
- 7 Report of Mr. Martorana, November 17, requesting approval of an Amendment to Contract-Agreement No. W80-0871-S1A, with John J. Pepper Corporation, for Corrosion Evaluation Survey over Four Sections of Pipe in Arlington, Brookline, Cambridge, Medford, and Somerville, Massachusetts, which changes the Scope of Services to permit the services of an ultra-sonic testing Consultant, increases the Upset Limit on the basic contract to \$434.91 to account for increased expenses on the remaining work to be undertaken and \$2,000.00 for ultra-sonic testing services, and extends the Time for Performance from November 10, 1981 to August 31, 1984; Total Upset Limit of Contract increased from \$23,435.97 to \$25,870.88; also submitting Revised Work Schedule Form.
Mr. Martorana was directed to re-write his report of November 17, 1983, so as to more accurately describe the reason for the delay in amending the contract. He was further directed to updated the Project Work Schedule Form to comply with the amendment.
The Commission V O T E D: Approved as requested by Mr. Martorana in his report of November 17, 1983.
The Commission further V O T E D: to approve the Revised Work Schedule Form.
- 8 Report of Mr. Brutsch, November 25, submitting for approval and signature Cooperative Agreement, with the United States Department of Interior, Geological Survey,



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to provide funds and personnel to assist in carrying out a cooperative investigation of water resources, covering the period October 1, 1983 to September 30, 1984; the amount of money to be contributed by the MDC to be \$22,180.00 and an equivalent of \$12,700.00 in services to be rendered by Water Division personnel, making a total MDC contribution of \$34,880.00; also recommending that the payment be divided between the Water and Parks Divisions.

The Commission V O T E D: Approved and signed by the Commissioner and two Associate Commissioners.

The Commission further V O T E D: to divide the payment between the Water and Parks Divisions as follows:

\$ 7,930.00 in Cash and \$12,700.00 in Services, for a Total of \$20,630.00 from the Water Division (for one-half support of 11 gages).

\$14,250.00 in Cash from the Parks Division (for one-half support of 5 gages and full support of Charles River Dam gages).

1 Joint report of Messrs. Quinn and Brutsch, November 28, relative to proposed water rate increase from the current \$240.00 per million gallons.

The Commission V O T E D: to authorize the Commissioner to notify Designated Officials of each Member City and Town of a proposed water rate increase from the current \$240.00 per million gallons.

The Commission further V O T E D: to hold a public hearing to discuss the proposed rate increase on Thursday, January 5, 1984.

Action was taken upon the following Various Matters:

2 Report of the Land Board, November 22, on request of William J. Kerivan to establish a boat marina on the Charles River directly opposite the Museum of Science. Mr. Kerivan appeared before the Commission and reviewed his proposal.

Commissioner Geary spoke of the Commission's desire to acquire additional land along the banks of the Charles River for additional green space. He stated that he did not feel that this type of activity would fit into the Commission's plans at this time.

The Commission V O T E D: to deny the request of William J. Kerivan as recommended by the Land Board in its report of November 22, 1983.

3 Report of Superintendent Keough, November 30, requesting approval of the services of Richard D. Lennon to Provide Swimming Instructions for new MDC Police Recruits; the rate of compensation will be \$10.00 per hour, with the total maximum obligation not to exceed \$2,000.00.

The Commission V O T E D: Approved as requested by Superintendent Keough in his report of November 30, 1983.

Associate Commissioner Scandrett desired to be recorded as being present but not voting.

The following matters were placed on the agenda for the information of the Commission:

4 The following schedules were approved for payment by the Commissioner during the period from November 14, 1983 to November 21, 1983:

Invoices	\$ 1,591,075.83
Reservation of Funds	\$ 257,651.78
Advices of Change	\$ 109,457.86
Weekly Payroll	\$ 866,242.16
Request for Advances	\$ 2,000.00
Industrial Accident Report	\$ 16,553.68.

5 The following schedules were approved for payment by the Commissioner during the period from November 21, 1983 to November 28, 1983:

Invoices	\$ 905,773.66
Reservation of Funds	\$ 11,037.94
Advices of Change	\$ 271,876.39
Weekly Payroll	\$ 966,773.25.

ADJOURNED at 2:00 P.M., to meet on Thursday, December 8, 1983, at 10:00 A.M.

William F. Cusobolm
Secretary.

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Record of the Three Thousand Two Hundred and Sixtieth (3260th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, December 8, 1983, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Fontanez, Jones, and Scandrett.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

- 1 First Amendment, dated December 8, 1983, to Contract-Agreement No. P83-1192-S1A, dated December 2, 1982, with Franklin Pierce Law Center - Energy Law Institute, for Hydropower Development Management Study, which provides for additional services, extends the Time for Performance, and increases the cost no more than \$6,000.00.

PERMIT

- 2 V O T E D: to grant permission to Lafayette Park Associates to perform certain works over Section 45 between Stations 8+60± and 28+50± of the North Metropolitan Sewer, and Section 114 between Stations 25+15± and 49+50± of the North Metropolitan Relief Sewer, and to adjust the grades of the Commission's sewer manholes on its property located off Swanton Street in the Town of Winchester and Commonwealth of Massachusetts as shown on plans on file in the office of the Sewerage Division, and to execute a Permit accordingly.

PERMIT

- 3 V O T E D: to grant permission to Juniper Arlington Incorporated to renovate the building at 22 Mill Street in Arlington into a professional office building located over Section 79 of the Mill Brook Valley Relief Sewer between Station 17+90± and Station 22+20± as shown on a copy of a portion of plan attached hereto and made a part hereof entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Sewerage Division, Plan of Land in Arlington, * * * December 3, 1925, Frederick D. Smith, Chief Engineer of Sewerage Division," and to execute a Permit accordingly.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 4 Report of Mr. McCarran, November 3, recommending approval of an extension of time from October 26, 1983 to December 30, 1983, on Contract No. P79-0721-C3A, with D. Cicconi, Inc., for Architectural Construction of Recreational Facilities at Chelsea Naval Hospital Park in the City of Chelsea, Massachusetts.
The Commission V O T E D: Held over pending receipt of additional information.

- 5 Report of Secretary Chisholm, November 29, relative to award of the Skating Rink Concession at the Porrazzo Rink, East Boston, Massachusetts, for the 1983-1984 Skating Season.
Commissioner Geary directed that when concessions become available in the future, the Directors of Community Affairs and Parks Divisions be notified so that they can contact local community groups to determine if they would be interested in submitting proposals.
The Commission V O T E D: to award the Skating Rink Concession at the Porrazzo Rink, East Boston, Massachusetts, to Salvatore Bellitti, for the 1983-1984 Skating Season; Mr. Bellitti to pay a fee of 10% of gross, with a minimum fee of \$810.00, plus \$65.00 per month for utilities.

- 6 Report of Mr. McCarran, November 16, recommending the following on Contract No. P79-0608-C1A, with Bonacorso Construction Corp., for Rehabilitation of Highland Avenue Bridge, McGrath Highway, Somerville, Massachusetts:
 - (a) That the work be accepted as completed as of July 31, 1983.
 - (b) That Estimate No. 6 (Final), in the amount of \$64,988.40, be approved for payment.
 - (c) That reserve, in the amount of \$33,536.90, be approved for payment.
 The Commission V O T E D: that the work of Bonacorso Construction Corp., contractor under Contract No. P79-0608-C1A, for Rehabilitation of Highland Avenue Bridge, McGrath Highway, Somerville, Massachusetts, be and hereby is accepted as completed as of July 31, 1983.
The Commission further V O T E D: to approve Estimate No. 6 (Final), in the amount of \$64,988.40, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of \$33,536.90, for payment.

- 7 Report of Mr. McCarran, November 30, recommending approval of an extension of time from November 24, 1983 to December 16, 1983, on Contract No. P82-1186-C1A, with Fraser Engineering Company, Inc., for Heating System Replacement, Connell Pool, Weymouth, Massachusetts, due to delays and difficulties in the shipping of the new heating units by the manufacturer.

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The Commission V O T E D: to approve an extension of time from November 24, 1983 to December 16, 1983, as recommended by Mr. McCarran in his report of November 30, 1983, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

- 1 Report of Mr. McCarran, November 30, requesting approval of Amendment to Contract-Agreement No. P78-0564-D1C, dated November 9, 1978, with Environmental Design and Planning, Inc., for Lower Mystic Lake Salt Water Removal and Restoration, which provides for additional services, at an estimated cost of \$35,000.00, and a time extension of approximately 20 months; also submitting Revised Work Schedule Form. The Commission V O T E D: Approved as requested by Mr. McCarran in his report of November 30, 1983.

The Commission further V O T E D: to approve the Revised Work Schedule Form.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 2 Report of Mr. Baratta, December 1, on proposals for Annual Maintenance Agreement - Office Machines.
 The Commission V O T E D: to accept the lowest proposal, that of National Typewriter Maintenance Company, of \$48.00 per typewriter and \$38.00 per calculator; Total Upset Limit of the Maintenance Agreement to be \$2,122.00, for the period February 7, 1984 to February 7, 1985.

- 3 Report of Ms. Haggerty, December 2, on bids for Reconstruction of the Kilby Street Culvert, Quincy, Massachusetts, Contract No. S82-1004-C1A.
 The Commission reviewed the references provided by J. Biotti & Sons and directed that the MDC Project Engineer be apprised of the contractor's 100-day extension of time on a 300-day contract for the City of Worcester, Public Works Department. The Commission V O T E D: to accept the lowest bid, that of J. Biotti & Sons, of \$152,915.00.

- 4 Report of Ms. Haggerty, December 1, recommending that the Commission terminate Contract No. S83-1031-C1A, with R. Zoppo Co., Inc., for Cleaning of Aeration Channel No. 1, Deer Island Sewage Treatment Plant, Boston, Massachusetts, due to the amount of extra work required, and that authority be given to readvertise. Associate Commissioner Jones questioned the difference between the 135% excess of grit estimated by the contractor and the 150% of grit estimated by the Commission's Engineer.
 Ms. Haggerty explained that the 135% estimated by the contractor was an early estimate. She went on to say that upon measurement by the MDC Resident Engineer, the actual figure was 150%.
 The Commission V O T E D: to terminate Contract No. S83-1031-C1A, with R. Zoppo Co., Inc., with the stipulation that the contractor be paid for the work performed.
 The Commission further V O T E D: Authority given to readvertise.

- 5 Report of Mr. Wright, December 5, submitting for approval and signature Second Amendment to Contract-Agreement, dated June 24, 1982, with Anderson-Nichols & Co., Inc., for Preparation of a Facilities Plan for the Commission's Hingham Force Main and Pumping Station, which provides for additional services for construction administration of the Hingham Force Main, with additional compensation in the amount of \$43,729.72, and an extension of time to June 30, 1984.
 The Commission V O T E D: Approved.
 The Secretary then submitted for signature Second Amendment, dated December 8, 1983, which was signed by the Commissioner and two Associate Commissioners.

- 6 Report of Ms. Haggerty, November 21, recommending approval of the following on Emergency Contract No. S83-1107-R1A, with E. H. Hinds, Inc., for Overhaul of Enterprise Engines, Deer Island Sewage Treatment Plant:
 (a) That the work be accepted as completed as of August 31, 1983.
 (b) That Estimate No. 1 (Final), in the amount of \$45,026.23, be approved for payment.
 The Commission V O T E D: that the work of E. H. Hinds, Inc., contractor under Emergency Contract No. S83-1107-R1A, for Overhaul of Enterprise Engines, Deer Island Sewage Treatment Plant, be and hereby is accepted as completed as of August 31, 1983.
 The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of \$45,026.23, for payment.

- 7 Report of Ms. Haggerty, December 2, recommending approval of the following on Emergency Contract No. S84-1113-R1A, with Kendall Boiler & Tank Co., Inc., for Boiler Repairs at Ward Street Headworks, Roxbury, Massachusetts:
 (a) That the work be accepted as completed as of November 2, 1983.



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(b) That Estimate No. 1 (Final), in the amount of \$8,600.00, be approved for payment.

The Commission V O T E D: that the work of Kendall Boiler & Tank Co., Inc., contractor under Emergency Contract No. S84-1113-R1A, for Boiler Repairs at Ward Street Headworks, Roxbury, Massachusetts, be and hereby is accepted as completed as of November 2, 1983.

The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of \$8,600.00, for payment.

- 1 Report of Ms. Haggerty, December 2, submitting the Sewerage Division's Fiscal Years 1984-1985 Program.
 The Commission V O T E D: to approve Project S84-1113-S1A - Study of Moon Island/Calf Pasture Facilities.
 The Commission further V O T E D: to hold over the remainder of the Fiscal Years 1984-1985 Program.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 2 Report of Mr. McCann, December 2, submitting Project Management Reports for the Water Division for the month ending November 30, 1983.
 Mr. McCann reported that there are 51 ongoing projects in the Water Division's Fiscal Year 1984-85 Work Schedule and that 9 of these projects have deviated from the approved Work Schedule. He then reviewed the Exception Reports and went over the reasons for the delays and the proposed corrective action on the following projects:
- W80-0956 - Seismic Studies, MDC Dams.
 - W81-1008 - Aqueduct Transfer Hydropower.
 - W81-1009-D1A - Wachusett Dam Hydropower Modernization.
 - W83-1027-S1A - Metropolitan Water Works Preservation Study.
 - W81-1007-C2A - Weston Aqueduct Lining.
 - W82-1022-S1A - Parks Division Water Audit.
 - W81-1001-C1A - Oil Separator/Drainage - Spot Pond Pumping Station.
 - W80-0835-S1A - Preliminary Engineering Study for Improvements to MDC Northern High Service in Revere, Winthrop, East Boston.
 - W80-0860-S1A - Feasibility Study - Unmanned Pumping Stations (Hyde Park, Newton St., Reservoir Rd.).

The Commission V O T E D: to accept the Project Management Reports for the Water Division for the month ending November 30, 1983.

- 3 Report of Mr. Martorana, November 9, recommending approval of transfer of \$32,716.00 from Expense allocation to the Labor allocation on Contract-Agreement No. W80-0798-S1A, with Metcalf & Eddy, Inc., for Sudbury Reservoir Pilot Plant Project.
 The Commission V O T E D: Approved as recommended by Mr. Martorana in his report of November 9, 1983, on condition that there will be no change in the existing Upset Limit.
- 4 Report of Mr. Martorana, November 29, recommending approval of an adjustment on Item No. 21 - "Miscellaneous Rip Rap," resulting in an overall contract cost decrease of \$1,800.00, on Contract No. W80-0723-C1A, with Joseph A. Polito & Sons, Inc., for the Rutland-Holden Relief Sewer.
 The Commission noted that this adjustment will result in a decrease of \$1,800.00 on this contract.
 The Commission V O T E D: Approved as recommended by Mr. Martorana in his report of November 29, 1983.
- 5 Report of Mr. Martorana, November 23, recommending the following on Contract No. W82-1014-C1A, with Rocha Pole Line Construction Co., Inc., for Replacement of Telephone Cable and the Construction of a Telephone Line, Quabbin Reservoir Reservation, in the Towns of Ware and Belchertown, Massachusetts:
- (a) That the work be accepted as completed as of October 20, 1983.
 - (b) That Estimate No. 2 (Final), in the amount of \$4,216.21, be approved for payment.
 - (c) That retainage, in the amount of \$1,488.76, be approved for payment.
- The Commission V O T E D: that the work of Rocha Pole Line Construction Co., Inc., contractor under Contract No. W82-1014-C1A, for Replacement of Telephone Cable and the Construction of a Telephone Line, Quabbin Reservoir Reservation, in the Towns of Ware and Belchertown, Massachusetts, be and hereby is accepted as completed as of October 20, 1983.
 The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of \$4,216.21, for payment.
 The Commission further V O T E D: to approve release of retainage, in the amount of \$1,488.76, for payment.

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At this point, Mrs. Patricia Corcoran, of the Water Division, distributed a corrected copy of the Work Schedule Form on Project W84-1034-C1A - Curriculum Implementation. She explained that when this project was submitted in the Fiscal Years 1984-1985 Program, a typographical error was made which resulted in the project showing the wrong fiscal year.
The Commission V O T E D: to approve Project W84-1034-S1A, as corrected, for placement in the Water Division's Fiscal Years 1984-1985 Program.

Action was taken upon the following Various Matter:

- 2 Matter of approval and execution of Contract-Agreement, with IUE Supported Work Program, for Office Support Assistance, for the period August 29, 1983 to December 30, 1983; Total Cost of Contract - \$3,000.00.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract-Agreement, dated August 29, 1983, with IUE Supported Work Program, which was signed by the Commissioner and two Associate Commissioners.

The following matter was placed on the agenda for the information of the Commission:

- 3 The following schedules were approved for payment by the Commissioner during the period from November 28, 1983 to December 6, 1983:

Invoices	\$ 527,070.07
Reservation of Funds	\$ 27,845.96
Advices of Change	\$ 393,941.02
Weekly Payroll	\$ 865,191.80
Industrial Accident Report	\$ 17,923.07.

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The Commission V O T E D: to adopt the following Order of Taking:

ORDER OF TAKING
 COMMONWEALTH OF MASSACHUSETTS
 METROPOLITAN DISTRICT COMMISSION

Boston, December 8, 1983.

ORDERED: That the Metropolitan District Commission, by virtue of the authority conferred upon it by Chapter ninety-two of the General Laws and Chapter 803 of the Acts of 1972, and acts in amendment thereof or in addition thereto, for the purposes of constructing a main sewer or sewers, with sewer connections and other works in the City of Quincy, does hereby order the taking of and does hereby take, under the provisions of Chapter 79 of the General Laws, in the name and for the benefit of the Commonwealth of Massachusetts, the right and easement to occupy and use for the passage of men and vehicles, the transportation of machinery and materials and for depositing machinery, tools, dirt and other materials thereon, together with the right to remove said machinery, tools, dirt and other materials so deposited thereon, but in no event later than APRIL 15, 1985, in the following described parcel of land situated in Quincy in the County of Norfolk and Commonwealth of Massachusetts shown on a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Sewerage Division, Reconstruction of the Kilby Street Culvert, Survey Control Plan," dated 9-7-83, being Drawing No. 2 of 4 prepared by PRC Harris, Division of PRC Engineering, Boston, Massachusetts, a copy of which is on file in the Office of the Sewerage Division of the Metropolitan District Commission, said parcel being bounded and described as follows:

Beginning at a point at the intersection of the boundary lines between land now or formerly of Margaret M. Conaghan, land now or formerly of James A. Mullaney and Lillian R. Mullaney, and land of the Commonwealth of Massachusetts (M.D.C.) as shown on the aforesaid plan;

Thence the line runs north $38^{\circ} 44' 27''$ west, by said land of Conaghan, one hundred seven and $63/100$ (107.63) feet to a point at other land now or formerly of James A. Mullaney and Lillian R. Mullaney;

Thence turning and running north $51^{\circ} 15' 33''$ east, by said land of Mullaney, ninety and $66/100$ (90.66) feet to a point in the southerly side line of Hibbard Street;

Thence turning and running south $48^{\circ} 58' 54''$ east, by said side line of Hibbard Street and crossing an unnamed brook, ninety-seven and $84/100$ (97.84) feet to a point at land of the Common-

RECORDS OF THE
COMMISSION ON THE STATUS OF WOMEN
IN THE UNITED STATES

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The Commission on the Status of Women was organized in 1945 to study and report on the status of women in the United States. It was the first such commission in the history of the United States. The Commission was composed of representatives from various fields of endeavor, including education, labor, industry, and government. Its primary task was to identify the problems facing women and to propose effective solutions. The Commission's work was carried out through a series of public hearings, studies, and reports. Its findings and recommendations were presented to the President and Congress. The Commission's work was a landmark in the history of women's rights in the United States. It paved the way for the passage of the Equal Rights Amendment and the Equal Pay Act. It also led to the creation of the Department of Labor's Bureau of Labor Statistics and the Department of Health, Education and Welfare's Office of Research and Statistics. The Commission's work was a testament to the power of organized women and the importance of their voices in the public sphere.

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wealth of Massachusetts (M.D.C.);

Thence turning and running south 45° 15' 50" west, by said land of the Commonwealth, one hundred eight and 65/100 (108.65) feet to the point of beginning; comprising ten thousand one hundred seventy-nine and 43/100 (10,179.43) square feet of land supposed to be owned by the following owners:

Parcel	Owner	Area In Sq.Ft. In Which Easement Is Taken
A	James A. Mullaney and Lillian R. Mullaney	10,179.43

Trees and structures on said land are not included in this taking.

The Commission further V O T E D: to approve Award of Damages to James A. Mullaney and Lillian R. Mullaney in the sum of \$400.00.

ADJOURNED at 3:05 P.M., to meet on Thursday, December 15, 1983, at 10:00 A.M.

William F. Cusack
Secretary.

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY
57 SOUTH EAST ASIAN AVENUE
CHICAGO, ILLINOIS 60607
TEL. (312) 937-3222

TO: _____
FROM: _____
DATE: _____

RE: _____
SUBJECT: _____

[Handwritten Signature]

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Record of the Three Thousand Two Hundred and Sixty-First (3261st) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, December 15, 1983, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Jones, and Scandrett.

The records of the meeting held on December 1, 1983, were read and approved.

The records of the meeting held on December 8, 1983, were read and approved. Associate Commissioner Anderson desired to be recorded as being present but not voting.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

- 1 Contract-Agreement, dated December 15, 1983, between the Town of Sharon and the Metropolitan District Commission, relative to septage disposal for the period July 1, 1983 to June 30, 1984.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 2 Report of Ms. Haggerty, December 2, submitting the Sewerage Division's Fiscal Years 1984-1985 Program.

Ms. Haggerty reported on the Fiscal Years 1984-1985 Work Program and explained that the following 10 projects have revisions:

DEER ISLAND PROGRAM

- S81-0951 - Sludge Management Project.
- S82-1020 - Upgrade Deer Island - Phase I (Long-Range and Improvement Effectiveness) and Phase II (Reliability-Fast Track).
- S83-1096 - Application for Ocean Disposal of Sludge.

NUT ISLAND PROGRAM

- S83-0656 - Immediate Upgrading - Nut Island - Phase I (Reliability) and Phase II (Increase Effectiveness).

INTERCEPTOR PROGRAM

- S77-0484 - Relieve Hingham Force Main and Pumping Station.
- S81-0934 - Clean and Inspect Interceptors, North System.

PUMPING STATIONS PROGRAM

- S80-0851 - Screening Handling System.
- S82-1011 - Charlestown Pumping Station.

COMBINED SEWER OVERFLOW PROGRAM

- S80-0874 - Southwest Corridor Projects.
- S84-1113 - Moon Island/Calf Pasture Facilities.

The Commission V O T E D: to accept the Sewerage Division's Fiscal Years 1984-1985 Program.

Associate Commissioner Anderson was not present when the Commission voted on Project S77-0484 - Relieve Hingham Force Main and Pumping Station, and Project S81-0934 - Clean and Inspect Interceptors, North System.

The Commission further V O T E D: to delete Project S83-1096 - Application for Ocean Disposal of Sludge, and Project S80-0851 - Screening Handling System.

- 3 Report of Mr. Baratta, November 29, recommending approval of partial release of retainage, in the amount of \$3,949.77, on Contract-Agreement No. S82-1003-D1C, with O'Brien & Gere, Engineers, Inc., for Rehabilitation of Digesters, Deer Island Sewage Treatment Plant.

The Commission V O T E D: to approve partial release of retainage, in the amount of \$3,949.77, for payment.

- 4 Report of Ms. Haggerty, December 6, requesting approval of Extra Work Order No. 1, in the amount of \$250.00, for cutting out the bonded portion of the valve, blanking off the safety valve, and replacing said valve, on Contract No. S83-1104-C1A, with Kendall Boiler & Tank Co., Inc., for Power Master Boiler Repairs at Columbus Park Headworks, South Boston, Massachusetts.

The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$250.00.

- 5 Report of Ms. Haggerty, December 9, requesting the following on Project No. S80-0656-C2A, for Immediate Upgrading of Nut Island Sewage Treatment Plant, which was awarded to Cabot Construction Co., Inc., at its low bid price of \$731,000.00, by vote of the Commission of November 10, 1983:

(a) That the Commission direct the forfeiture of the bid bonds of Millis Plumbing Co. on sub-bids tendered for Item 2B - "Plumbing" and Item 2C - "Heating and Ventilating.

(b) That the Commission amend its vote of November 10, 1983, by increasing the award price to \$788,320.00 and selecting the new lowest sub-bidders acceptable

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to the General Contractor, as follows:

<u>Name of Subcontractor</u>	<u>Subtrade</u>	<u>Bid Price</u>
Worcester Air Conditioning Co.	HVAC	\$166,000.00
Norfolk Mechanical Contractors, Inc.	Plumbing	\$ 29,700.00.

The Commission V O T E D: to direct the forfeiture of the bid bonds of Millis Plumbing Co. on sub-bids tendered for Item 2B - "Plumbing" and Item 2C - "Heating and Ventilating."

The Commission V O T E D: to amend the records of November 10, 1983, (Volume 47, Page 84, Item 2), by striking out the figure "\$731,000.00" in the 6th line and inserting in place thereof the figure "\$788,320.00"; by striking out the name "Millis Plumbing" in the 12th line and inserting in place thereof the name "Norfolk Mechanical Contractors Inc." and by striking out the name "Millis Plumbing" in the 13th line and inserting in place thereof the name "Worcester Air Conditioning Co.," so that the records will read as follows:

"Report of Mr. Baratta, November 4, on bids for Immediate Upgrading of Nut Island Sewage Treatment Plant, Contract No. S80-0656-C2A.

The Commission V O T E D: to reject the bid of Delfour, Inc. on the basis that it is non-responsive.

The Commission further V O T E D: to accept the lowest bid, that of Cabot Construction Co., Inc., of \$788,320.00, subject to receipt of the approval to award contract required from the Massachusetts Division of Water Pollution Control (MDWPC) and effective on the date MDWPC approval is granted.

The Commission further V O T E D: to select as the filed subcontractors the following:

<u>Name of Subcontractor</u>	<u>Subtrade</u>
Norfolk Mechanical Contractors, Inc.	Plumbing
Worcester Air Conditioning Co.	HVAC
The Chappy Corp.	Electrical
Cabot Construction	Masonry.

- 1 Report of Consultant Selection Committee, December 9, recommending that the firm of Hayden/Wegman, Inc. be selected as Consultant for Project No. S83-1022 - CSO Facilities, Fox Point and Commercial Point.
 Mr. McCann stated that Hayden/Wegman, Inc. has worked for the Commission in the past and the Commission was pleased with prior performance.
 The Commission V O T E D: to select Hayden/Wegman, Inc. as Consultant for this project.
 The Commission further V O T E D: to authorize Mr. James F. McCann, Contract Administrator, to commence contract negotiations with Hayden/Wegman, Inc. to develop a Scope of Services, Method of Compensation, and Time for Performance, to be approved by the Commission before the Contract-Agreement is prepared for execution.
- 2 Report of Consultant Selection Committee, December 9, recommending that the firm of Camp Dresser & McKee be selected as Consultant for Project No. S84-1112-S1A - Evaluation of Various Projects and how they Impact the Operation of Moon Island. Associate Commissioner Scandrett noted that this project is required as a result of Judge Garrity's Procedural Order - Boston Harbor Cleanup Activities.
 The Commission V O T E D: to select Camp Dresser & McKee for this project.
 The Commission further V O T E D: to authorize James F. McCann, Contract Administrator, to commence contract negotiations with Camp Dresser & McKee to develop a Scope of Services, Method of Compensation, and Time for Performance, to be approved by the Commission before the Contract-Agreement is prepared for execution.
- 3 Report of Ms. Haggerty, December 13, requesting that the Commission reject all filed sub-bids for Item 2A - "Architectural Masonry" on Project No. S80-0656-C4A, for Immediate Upgrading - Nut Island, and authorize a rebidding of this Item, inasmuch as all of the sub-bids were restricted to a single general contractor.
 The Commission V O T E D: to reject all filed sub-bids for Item 2A - "Architectural Masonry."
 The Commission further V O T E D: Authority given for a rebidding of Item 2A - "Architectural Masonry."

Action was taken upon the following matter relating to the Metropolitan Water Supply System:

- 4 Report of Mr. Faucher, December 7, on proposals to tap Sugar Maple trees on the Quabbin Reservoir Watershed.
 The Commission V O T E D: to accept the only qualified bid received, that of Shattuck's Sugar House, of \$130.00, to tap 220 Sugar Maple trees (total of 500 taps) on Lot No. 2 - Quabbin Reservoir Watershed.
 The Commission further V O T E D: to accept the only qualified bid received, that of Donald Ruetlinger, of \$317.00, to tap 450 Sugar Maple trees (total of 876 taps) on Lot No. 5 - Quabbin Reservoir Watershed.



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Action was taken upon the following matters relating to the Metropolitan Parks System:

- 1 Report of Mr. McCarran, November 3, recommending approval of an extension of time from October 26, 1983 to December 30, 1983, on Contract No. P79-0721-C3A, with D. Cicconi, Inc., for Architectural Construction of Recreational Facilities at Chelsea Naval Hospital Park in the City of Chelsea, Massachusetts.
 The Commission V O T E D: Held over.
- 2 Report of Mr. McCarran, December 1, recommending approval of Extra Work Claim No. 1, in the amount of \$1,529.00, for relocating a 3-inch electrical trough and conduit line at the Flynn Rink, Medford, on Contract No. P81-0929-C1A, with Major Construction Management Corporation, for Replacement of Refrigeration Systems at the Revere, Medford, and Somerville Ice Skating Rinks.
 The Commission V O T E D: Held over.
- 3 Report of Mr. McCarran, November 25, recommending approval of increasing the estimated quantity for Item 40 - "Structural Steel," at a total additional cost of \$93,375.00, on Contract No. P83-1204-C1A, with Bonacorso Construction Corp., for Bridge Approach Reconstruction, John J. Beades Bridge, Dorchester Bay, Morrissey Boulevard, Boston, Massachusetts.
 The Commission V O T E D: Held over.
- 4 Report of Mr. McCarran, November 8, submitting Final Report, dated July 1982, on Ecodynamic Analysis of Algal Blooms Fouling Nahant Bay Beaches, as prepared by Massachusetts Institute of Technology, and recommending the following:
 - (a) That the Final Report be accepted.
 - (b) That Invoice, in the amount of \$60,113.76, which represents the final payment for the 1st and 2nd year's work, be approved for payment.
 - (c) That Invoice, in the amount of \$1,861.84, which is the final invoice for the 3rd year's services, be approved for payment.
 The Commission V O T E D: Held over.
- 5 Report of Mr. McCarran, December 8, recommending approval of Amendment to Contract-Agreement No. P80-0793-D1A, with Fay, Spofford and Thorndike, Inc., for Engineering and Design Services for Maritime Work, South Boston and Hull, which provides for additional services, increases the Upset Limit from \$185,791.00 to \$407,904.00, adjusts the Schedule of Rates, and extends the Time for Performance; also submitting Revised Work Schedule Form.
 The Commission V O T E D: Held over.
- 6 Report of Mr. McCarran, December 6, recommending approval of increasing estimated quantities, at a total additional cost of \$19,500.00, on Contract No. P82-1157-M1A, with Metropolitan Signal Corp./ New England Traffic Signals, Inc. (Joint Venture), for Servicing Traffic Signal and Control Systems on Parkways and Roadways of the Metropolitan District Commission, as follows:

Item 33 - "Multiconductor Traffic Signal Cable 15 Conductor"	- \$ 6,000.00
Item 34 - "Multiconductor Traffic Signal Cable 21 Conductor"	- \$ 3,000.00
Item 38 - "Traffic Signal Loop Detector"	- \$10,500.00.

 The Commission V O T E D: Held over.
- 7 Report of Mr. McCarran, December 1, recommending the following on Contract No. P83-1267-C2A, with Bernard Banks d/b/a Banks Plumbing & Heating, for Relocation of Hot Water Heater at LoConte Rink, Medford, Massachusetts:
 - (a) That the work be accepted as completed as of October 14, 1983.
 - (b) That Estimate No. 1 (Final), in the amount of \$4,275.00, be approved for payment.
 - (c) That reserve, in the amount of \$225.00, be approved for payment on December 19, 1983.
 The Commission V O T E D: Held over.
- 8 Report of Mr. McCarran, December 9, recommending approval to delay the start of Contract No. P77-0404-C1A, with D. Cicconi, Inc., for Lighting Modernization, Memorial Drive, Cambridge, Massachusetts, for an additional 60 days.
 The Commission V O T E D: Approved as recommended by Mr. McCarran in his report of December 9, 1983, to be effective, however, only upon receipt of the written consent of the bonding company.
- 9 Report of Mr. McCarran, December 9, recommending the following on Contract No. P80-0793-C1A, with J. M. Cashman, Inc., for Maritime Work, Hull, Pemberton Pier:
 - (a) That the work be accepted as substantially completed as of November 25, 1983, with the exception of the gangways to the piers.
 - (b) That Estimate No. 11 (Semi-Final), in the amount of \$55,196.78, be approved for payment.



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(c) That reserve, in the amount of \$30,215.07, be approved for payment.
The Commission V O T E D: Held over.

1 Letter of Metropolitan Boston Zoos, December 7, submitting request for approval of the following expenditure from the "Stone Zoo Improvement Fund":
Mammal House Gorilla Proofing - \$2,000.00.

Also requesting that they not be required to solicit bids on this particular job, but rather be allowed to use Stoneham Welding Service on a time and material basis not to exceed the budget of \$2,000.00.
The Commission V O T E D: Held over.

2 Letter of Volunteers and Friends of the Boston Harbor Islands, December 5, relative to the 1983 Volunteer Program Evaluation.
Ms. Suzanne Gall and Mr. George Marsh, representing the Volunteers and Friends of the Boston Harbor Islands, reviewed the 1983 Volunteer Program Evaluation.
The Commission V O T E D: Placed on file.

3 Report of Mr. Rodrigues, December 12, recommending approval of Agreement, with Lincoln Guide Service, Inc., to Conduct a Program of Instruction, Equipment Rental, and Trail Maintenance Services for Cross-Country Skiing at the Leo J. Martin Golf Course in Weston, Massachusetts, for the 1983-1984, 1984-1985, 1985-1986, and 1986-1987 Seasons, with an option to renew for one year, without further option, to March 19, 1988; also submitting letter of Lincoln Guide Service, November 2, relative to the proposed increase in fees.
The Commission V O T E D: Approved as recommended by Mr. Rodrigues in his report of December 12, 1983.

4 Report of Mr. McCarran, December 6, recommending that the Commission amend its vote of August 18, 1983, relative to an Amendment to Contract-Agreement, with Metcalf & Eddy, Inc., for the Town Brook Flood Control Project, in order to re-define as a separate item those costs associated with the "Time Impact of Project Delays."
The Commission V O T E D: Held over.

Action was taken upon the following Various Matters:

5 Report of Mr. Falvey, December 8, submitting Certificate of Judgment No. 120063 to Robert MacFarland, in the amount of \$26,500.00 for damages, \$13,888.92 for interest, and \$30.50 for costs, for a grand total of \$40,419.42, in connection with eminent domain taking of property owned by Mr. MacFarland on Quincy Shore Drive, Quincy, Massachusetts, for park and reservation purposes, and requesting that the Commission appropriate funds from the Metropolitan Parks Land Trust Fund (Account NO. 2448-0005) to cover this judgment.
Commissioner Geary noted that he is acquainted with Mr. MacFarland and had discussed the eminent domain taking with him in 1977. He stated that he would prefer not voting on this matter, but under provisions of Section 3 of Chapter 28, Massachusetts General Laws, the concurrence of the Commissioner and of not less than two Associate Commissioners is required on all matters to be approved by the Commission.
The Commission V O T E D: Held over.

6 Matter of Contract-Agreement, with Medical Care Affiliates, P.C., for Physical Examination of Police Recruits.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract-Agreement, dated December 15, 1983, with Medical Care Affiliates, P.C. which was signed by the Commissioner and three Associate Commissioners.

7 Report of Mr. Falvey, December 12, submitting for approval and signature Permit to the City of Boston, Public Works Department, to deposit snow and ice removed from the highways of the adjacent streets in the City of Boston upon MDC land situated off American Legion Highway, Mattapan.
The Commission V O T E D: Held over.

The following matter was placed on the agenda for the information of the Commission:

8 The following schedules were approved for payment by the Commissioner during the period from December 5, 1983 to December 12, 1983:

Invoices	\$ 1,200,377.91
Reservation of Funds	\$ 20,289.34
Advices of Change	\$ 44,580.57
Weekly Payroll	\$ 1,023,077.63
Medical Payments	\$ 13,368.90.

ADJOURNED at 3:10 P.M., to meet on Thursday, December 22, 1983, at 10:00 A.M.

S e c r e t a r y
William F. Chesbrough

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Record of the Three Thousand Two Hundred and Sixty-Second (3262nd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, December 22, 1983, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Fontanez, Jones, Scandrett, and Anderson.

The Secretary submitted for signature the following paper which was signed by the Commissioner and two Associate Commissioners:

- 1 Agreement, dated December 22, 1983, with Lincoln Guide Service, Inc., for the Operation of a Cross-Country Ski Center at the Leo J. Martin Memorial Golf Course in Weston, Massachusetts, for the 1983-1984, 1984-1985, 1985-1986, and 1986-1987 Seasons, with an option to renew for one year, without further option, to March 19, 1988.

At this point, Associate Commissioner Jones asked Secretary Chisholm to meet with various Division Directors to discuss the possibility of establishing a more time efficient schedule for the agenda on Commission meeting days.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 2 Report of Mr. McCarran, November 3, recommending approval of an extension of time from October 26, 1983 to December 30, 1983, on Contract No. P79-0721-C3A, with D. Cicconi, Inc., for Architectural Construction of Recreational Facilities at Chelsea Naval Hospital Park in the City of Chelsea, Massachusetts.
 Mr. McCarran noted that liquidated damages, in the amount of \$200.00 for each calendar day of delay beyond October 26, 1983, are being assessed against the contractor, and will be assessed until such time as all items of the contract are completed or accepted.
 Based on this information, the Commission V O T E D: Delete from the agenda.

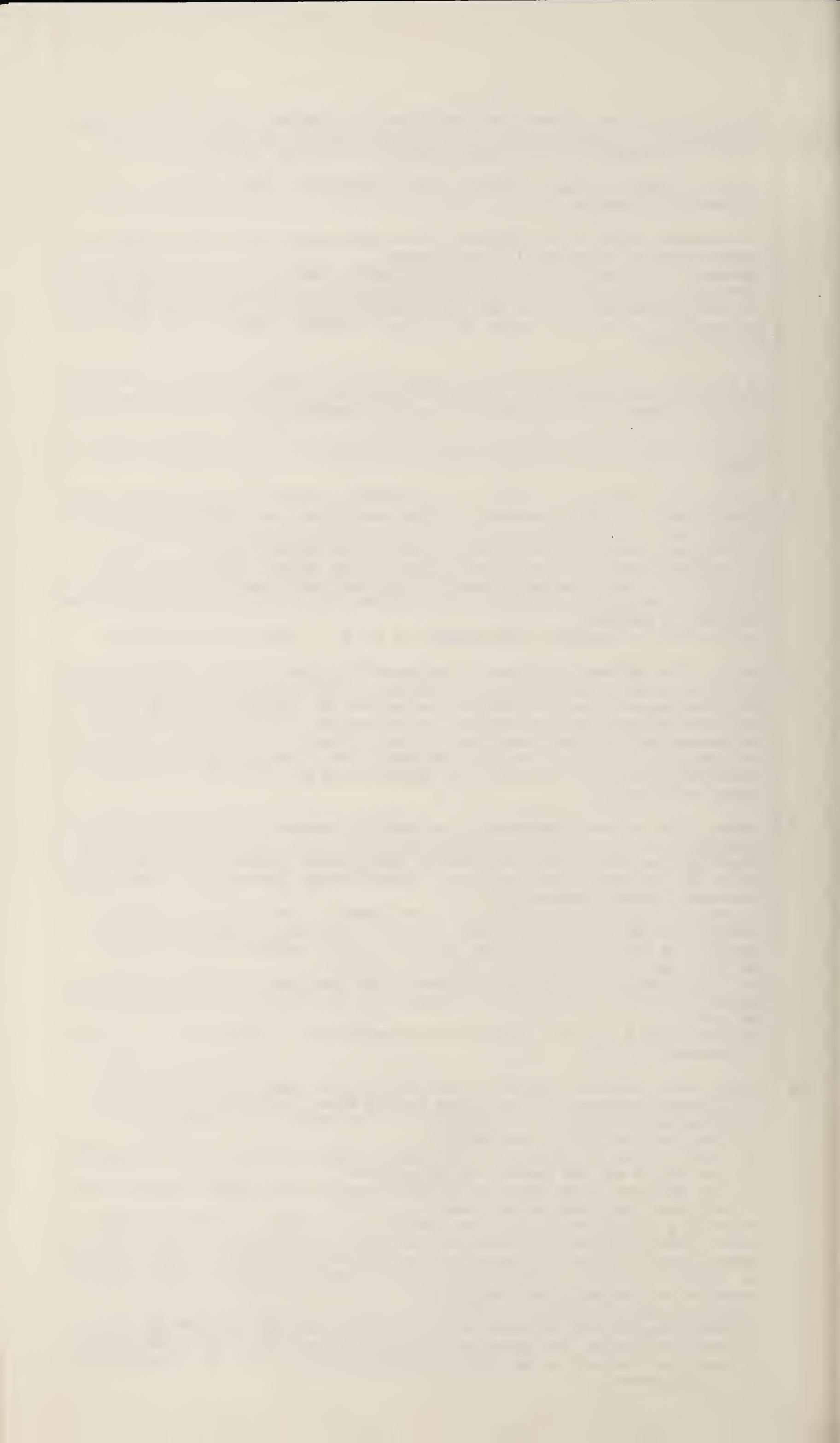
- 3 Report of Mr. McCarran, December 1, recommending approval of Extra Work Claim No. 1, in the amount of \$1,529.00, for relocating a 3-inch electrical trough and conduit line at the Flynn Rink, Medford, on Contract No. P81-0929-C1A, with Major Construction Management Corporation, for Replacement of Refrigeration Systems at the Revere, Medford, and Somerville Ice Skating Rinks.
 The Commission V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 1, in the amount of \$1,529.00.

- 4 Report of Mr. McCarran, November 25, recommending approval of increasing the estimated quantity for Item 40 - "Structural Steel," at a total additional cost of \$93,375.00, on Contract No. P83-1204-C1A, with Bonacorso Construction Corp., for Bridge Approach Reconstruction, John J. Beades Bridge, Dorchester Bay, Morrissey Boulevard, Boston, Massachusetts.
 Mr. McCarran reviewed the project with the Commission and stated that through an oversight by the Project Consultant, Item 40 - "Structural Steel" was underestimated. He went on to state that as a result of a compressed time schedule, the error was not discovered by Commission Engineers.
 Mr. David Lenhardt, MDC Project Engineer, noted that even with this increase in estimated quantities, the project remains below the Engineer's cost estimate for the work.
 The Commission V O T E D: Approved as recommended by Mr. McCarran in his report of November 25, 1983.

- 5 Report of Mr. McCarran, November 8, submitting Final Report, dated July 1982, of Ecodynamic Analysis of Algal Blooms Fouling Nahant Bay Beaches, as prepared by Massachusetts Institute of Technology, and recommending the following:
 - (a) That the Final Report be accepted.
 - (b) That Invoice, in the amount of \$60,113.76, which represents the final payment for the 1st and 2nd year's work, be approved.
 - (c) That Invoice, in the amount of \$1,861.84, which is the final invoice for the 3rd year's services, be approved.

Following a lengthy discussion, the Commission V O T E D: to accept the Final Report, dated July 1982, but expressed its concern that several of the significant comments and criticisms of the current and proposed odor control operations are not substantiated by scientific evidence, and that the result has been unnecessary confusion for the public who looked to this Study for a clarification of the issues and guidance for future operations.

The Commission further directed that in any future contracts between the MDC and academic institutions for research, consideration should be given to the inclusion of provisions for peer review and institutional sign-off prior to the submission of a final report.



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The Commission further V O T E D: to approve Invoice, in the amount of \$60,113.76, for payment.

The Commission further V O T E D: to approve Invoice, in the amount of \$1,861.84, for payment.

Associate Commissioner Jones did not participate in the discussion on this item and desired to be recorded as being present but not voting.

- 1 Report of Mr. McCarran, December 8, recommending approval of Amendment to Contract-Agreement No. P80-0793-D1A, with Fay, Spofford and Thorndike, Inc., for Engineering and Design Services for Maritime Work, South Boston and Hull, which provides for additional services, increases the Upset Limit from \$185,791.00 to \$407,904.00, adjusts the Schedule of Rates, and extends the Time for Performance; also submitting Revised Work Schedule Form.
 Mr. McCarran reviewed the work to be included in the Amendment and stated that during the survey, there was greater deterioration than anticipated in the sea wall. He explained that an additional 900 feet of sea wall will be inspected and contracts prepared for restoration. Mr. McCarran noted that additional work has been requested by various regulatory agencies, including soil testing for environmental purposes. He stated that the Massachusetts Historical Commission has requested that an Archaeologist be hired at MDC expense, and that the Archaeologist be present during all test pit excavation and soil boring.
 Following a lengthy discussion, the Commission V O T E D: to approve the Amendment, as recommended by Mr. McCarran in his report of December 8, 1983.
 The Commission further V O T E D: to approve the Revised Work Schedule Form.

- 2 Report of Mr. McCarran, December 6, recommending approval of increasing estimated quantities, at a total additional cost of \$19,500.00, on Contract No. P82-1157-M1A, with Metropolitan Signal Corp./New England Traffic Signals, Inc. (Joint Venture), for Servicing Traffic Signal and Control Systems on Parkways and Roadways of the Metropolitan District Commission, as follows:

Item 33 - "Multiconductor Traffic Signal Cable 15 Conductor"	- \$ 6,000.00
Item 34 - "Multiconductor Traffic Signal Cable 21 Conductor"	- \$ 3,000.00
Item 38 - "Traffic Signal Loop Detector"	- \$10,500.00.

 The Commission V O T E D: Approved as recommended by Mr. McCarran in his report of December 6, 1983.

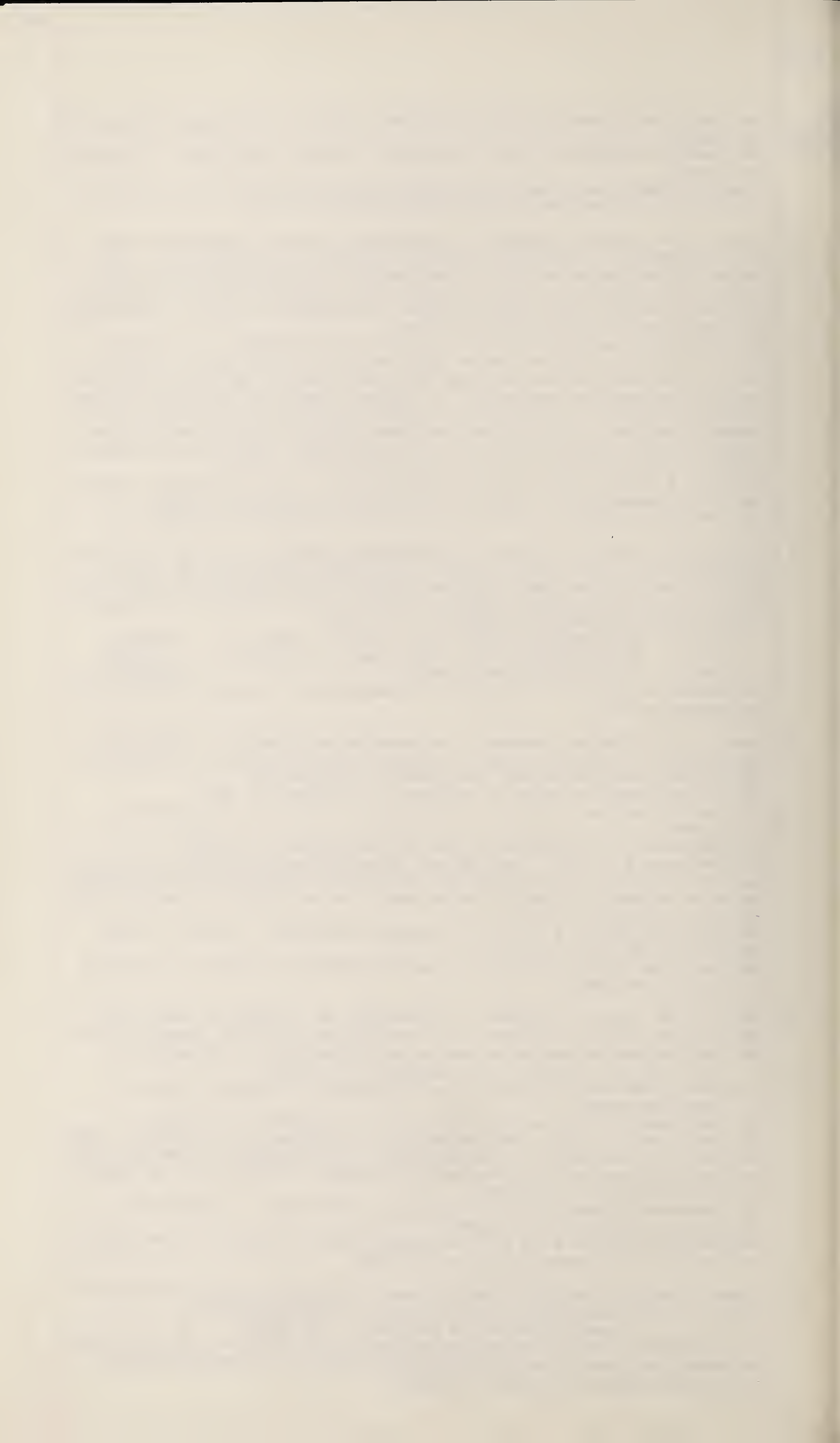
- 3 Report of Mr. McCarran, December 1, recommending the following on Contract No. P83-1267-C2A, with Bernard Banks d/b/a Banks Plumbing & Heating, for Relocation of Hot Water Heater at LoConte Rink, Medford, Massachusetts:
 - (a) That the work be accepted as completed as of October 14, 1983.
 - (b) That Estimate No. 1 (Final), in the amount of \$4,275.00, be approved for payment.
 - (c) That reserve, in the amount of \$225.00, be approved for payment.
 The Commission V O T E D: that the work of Bernard Banks d/b/a Banks Plumbing & Heating, contractor under Contract No. P83-1267-C2A, for Relocation of Hot Water Heater at LoConte Rink, Medford, Massachusetts, be and hereby is accepted as completed as of October 14, 1983.
 The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of \$4,275.00, for payment.
 The Commission further V O T E D: to approve release of reserve, in the amount of \$225.00, for payment.

- 4 Report of Mr. McCarran, December 9, recommending the following on Contract No. P80-0793-C1A, with J. M. Cashman, Inc., for Maritime Work, Hull, Pemberton Pier:
 - (a) That the work be accepted as substantially completed as of November 25, 1983, with the exception of the gangways to the piers.
 - (b) That Estimate No. 11 (Semi-Final), in the amount of \$55,196.78, be approved for payment.
 - (c) That reserve, in the amount of \$30,215.07, be approved for payment.
 The Commission V O T E D: that the work of J. M. Cashman, Inc., contractor under Contract No. P80-0793-C1A, for Maritime Work, Hull, Pemberton Pier, be and hereby is accepted as substantially completed as of November 25, 1983, with the exception of the gangways to the piers.
 The Commission further V O T E D: to approve Estimate No. 11 (Semi-Final), in the amount of \$55,196.78, for payment.
 The Commission further V O T E D: to approve release of reserve, in the amount of \$30,215.07, for payment.on January 29, 1984.

- 5 Letter of Metropolitan Boston Zoos, December 7, submitting request for approval of the following expenditure from the "Stone Zoo Improvement Fund":

Mammal House Gorilla Proofing	- \$2,000.00.
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 Also requesting that they not be required to solicit bids on this particular job, but rather be allowed to use Stoneham Welding Service on a time and material basis not to exceed the budget of \$2,000.00.



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On questioning by the Commission, Mr. McCann stated that if this was MDC money, the Commission would have to post the project and take bids. However, he explained, since this is not MDC money and we are asked to approve a \$2,000.00 expenditure subject to conditions equating "sole sourcing," he recommended that the Commission deny the request.

The Commission V O T E D: to deny the request of the Metropolitan Boston Zoos.

- 1 Report of Mr. McCarran, December 6, recommending that the Commission amend its vote of August 18, 1983, relative to an Amendment to Contract-Agreement, with Metcalf & Eddy, Inc., for the Town Brook Flood Control Project, in order to re-define as a separate item those costs associated with the "Time Impact of Project Delays."

The Commission V O T E D: to amend its vote of August 18, 1983, Volume 47, Page 36, Item 1, by striking out the words "Approved as recommended by Mr. McCarran in his report of August 10, 1983" and inserting in place thereof the following vote:

"The Commission V O T E D: to approve an Amendment to Contract-Agreement, with Metcalf & Eddy, Inc. as follows:

A. Additional Tasks:

- (1) Scope of Services for additional design work to safeguard the School Street Bridge.
- (2) Additional subsurface investigations.
- (3) Assistance to the MDC for compliance with the Secretary of Environmental Affairs request for an Environmental Impact Report (EIR).

B. Adjustments to Salaries:

In the Fourth Amendment of the original agreement, under Section X, Design Phase, increase the lump sum fee of \$1,436,000.00 by an additional \$86,239.13 to a new total of \$1,522,239.13.

C. Time for Performance:

An extension of time to complete all design work, from September 1, 1983 to June 30, 1984.

Duration time to complete all work shall be coterminous with construction.

D. Compensation for Additional Tasks:

- | | | |
|--|---|--------------------|
| (1) Estimated fee School Street Bridge. | - | \$25,855.00 |
| (2) Estimated fee for additional subsurface exploration. | - | \$19,741.37 |
| (3) Estimated fee for assistance in preparation of EIR. | - | <u>\$ 7,506.43</u> |

Total for Additional Tasks \$53,102.80

Total Lump Sum figure for Items B & D - \$1,575,341.93."

The Secretary then submitted for signature Fifth Amendment, dated December 22, 1983, to Contract-Agreement, dated March 13, 1974, with Metcalf & Eddy, Inc., which was signed by the Commissioner and four Associate Commissioners.

- 2 Report of Mr. McCarran, December 14, requesting approval of increasing estimated quantities, at a total additional cost of \$47,600.00, on Contract No. P79-0546-C1A, with Modern Continental Construction Co., Inc., for Reconstruction of Columbia Road and Mount Vernon Street Bridges, as follows:

Item 3 - "Mason Excavation"	-	\$ 4,000.00
Item 4 - "Ordinary Borrow"	-	\$21,000.00
Item 19 - "Bituminous Concrete Binder Course"	-	\$ 8,750.00
Item 40 - "Steel Bridge Railing Removed and Stacked"	-	\$ 1,250.00
Item 44 - "Cement Concrete Walk at Driveways"	-	\$ 2,400.00
Item 55 - "Steel Sheeting"	-	\$10,000.00
Item 82 - "Six-Inch Thermoplastic Pavement Markings"	-	\$ 200.00.

The Commission V O T E D: Approved as recommended by Mr. McCarran in his report of December 14, 1983.

- 3 Report of Mr. McCarran, November 9, recommending approval of increasing estimated quantity on Item 12 - "Gravel Borrow," at an additional cost of \$12,005.60, on Contract No. P79-0770-C1A, with T & T Construction, for Restoration and Rehabilitation, Foss Park, Somerville, Massachusetts.

The Commission V O T E D: Approved as recommended by Mr. McCarran in his report of November 9, 1983.

- 4 Report of Mr. McCarran, November 9, recommending approval of increasing estimated quantity on Item 38 - "Bituminous Concrete Surface Treatment Course," at an additional cost of \$1,013.76, on Contract No. P79-0770-C1A, with T & T Construction, for Restoration and Rehabilitation, Foss Park, Somerville, Massachusetts.

The Commission V O T E D: Delete from agenda.

- 5 Report of Mr. McCarran, November 16, recommending approval of increasing estimated

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy verification of the data.

In the second section, the author outlines the various methods used to collect and analyze the data. This includes both primary and secondary sources, as well as the specific techniques employed for data processing and statistical analysis.

The third part of the report details the findings of the study. It presents a comprehensive overview of the results, highlighting the key trends and patterns observed. The data indicates a significant increase in certain areas, while others remain relatively stable.

Finally, the document concludes with a series of recommendations based on the findings. These suggestions are designed to address the identified issues and improve the overall performance of the system. The author believes that implementing these measures will lead to more efficient operations and better outcomes.

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quantity on Item 15 - "Catch Basins and Manholes Rebuilt," at an additional cost of \$1,500.00, on Contract No. P79-0770-C1A, with T & T Construction, for Restoration and Rehabilitation, Foss Park, Somerville, Massachusetts.
The Commission V O T E D: Approved as recommended by Mr. McCarran in his report of November 16, 1983.

1 Report of Mr. McCarran, November 23, relative to approval of the following sub-contractor on Contract No. P79-0770-C1A, with T & T Construction, for Restoration and Rehabilitation, Foss Park, Somerville, Massachusetts:
Residential Fence - Items Nos. 55, 56, 57, 58, 59, 60.
The Commission V O T E D: Approved as recommended by Mr. McCarran in his report of November 23, 1983.

2 Report of Mr. McCarran, December 20, recommending approval of Extra Work Order No. 1, in the amount of \$13,600.00, for loading and trucking surplus topsoil from Foss Park to Franklin Park Zoo, on Contract No. P79-0770-C1A, with T & T Construction, for Restoration and Rehabilitation, Foss Park, Somerville, Massachusetts.
The Commission V O T E D: Delete from agenda.

3 Report of Mr. McCarran, December 15, requesting approval of increasing estimated quantities, at a total additional cost of \$89,757.00, on Contract No. P78-0638-C1A, with Bonacorso Construction Corp., for Bridge Repairs, Monsignor McGrath Highway, McCarthy Overpass, and Squire's Bridge, Somerville, Massachusetts, as follows:

Item 1 - "Unclassified Excavation"	- \$ 2,100.00
Item 18 - "Steel Reinforcement for Structures"	- \$21,897.00
Item 21 - "Neoprene Expansion Joint (2)"	- \$20,000.00
Item 34 - "Steel Beam Highway Guard, Removed and Stacked"	- \$ 660.00
Item 35 - "Steel Beam Highway Guard, Type SS Singled-Faced"	- \$ 8,600.00
Item 42 - "Special Lighting Unit (Flashing Arrow)"	- \$ 4,500.00
Item 47 - "Temporary Precast Concrete Barrier"	- \$31,500.00
Item 55 - "Fittings for Water Pipes"	- \$ 500.00.

On questioning by the Commission, Mr. McCarran explained that the initial estimate did not take into consideration the need for "Temporary Precast Concrete Barriers" (Item 47) which would be required during Phase II of construction for traffic control.

Mr. David Lenhardt, MDC Project Engineer, then reviewed the revised estimated quantities.
The Commission V O T E D: Approved as requested by Mr. McCarran in his report of December 15, 1983.

4 Report of Mr. McCarran, December 15, recommending approval of an extension of time from June 15, 1983 to September 29, 1983, on Contract No. P78-0616-C1A, with Eastern Seaboard Engineering Corp., for Repairs and Rehabilitation of River Street, Western Avenue, and Larz Anderson Bridges, in order to process the final estimate; also recommending that the written consent of the bonding company not be required.
The Commission V O T E D: to approve an extension of time from June 15, 1983 to September 29, 1983, without the written consent of the bonding company, as recommended by Mr. McCarran in his report of December 15, 1983, on condition that no further request will be made for additional compensation.

5 Report of Mr. McCarran, November 18, recommending the following on Contract No. P82-1077-M1A, with Allied Weatherproofing Co., Inc., for Repairs to Swimming Pools and Service Buildings Within the Metropolitan Parks System:
(a) That the work be accepted as completed as of June 17, 1983.
(b) That Estimate No. 7 (Final), in the amount of \$7,976.70, be approved for payment.
(c) That reserve, in the amount of \$30,566.78, be approved for payment.
The Commission V O T E D: that the work of Allied Weatherproofing Co., Inc., contractor under Contract No. P82-1077-M1A, for Repairs to Swimming Pools and Service Buildings Within the Metropolitan Parks System, be and hereby is accepted as completed as of June 17, 1983.
The Commission further V O T E D: to approve Estimate No. 7 (Final), in the amount of \$7,976.70, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of \$30,566.78, for payment.

6 Report of Mr. Rodrigues, December 19, recommending approval of Contract-Agreement for Golf Professional Services at MDC Golf Courses, as follows:
1. Contract-Agreement, with John F. Neville, Jr., for Golf Professional Services at Ponkapoag Golf Course, Blue Hills Reservation, Canton, Massachusetts, and to operate a golf shop at the same location, for the 1983 and 1984 golf seasons; Mr. Neville to pay an annual payment of \$1,000.00 plus 10% of gross



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receipts in excess of \$90,000.00 for the 1983 Season and \$100,000.00 for the 1984 Season derived from equipment and cart rentals and from the operation of the driving range.

- 2. Contract-Agreement, with Michael F. Wortis, for Golf Professional Services at Leo J. Martin Memorial Golf Course, Charles River Reservation, Weston, Massachusetts, and to operate a golf shop and refreshment concession at the same location, for the 1982, 1983, and 1984 golf seasons; Mr. Wortis to pay an annual payment of \$600.00 plus 10% of the gross receipts in excess of \$60,000.00 of the gross receipts derived from the pro shop, food concession, and equipment rentals.

Mr. Rodrigues asked that this item be held over because one of the Golf Professionals was unable to be present at this Commission meeting. Mr. Rodrigues further stated that a certified audit will be presented to the Commission by both Golf Professionals for the 1983 Season no later than February 15, 1984. The Commission V O T E D: Held over.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 1 Report of Mr. Baratta, December 9, requesting approval of the following on Contract-Agreement, with SEA Consultants, Inc., for Professional Services in connection with the Reading Pumping Station - Facilities Planning:

(a) That Final Invoice No. 19, in the amount of \$4,109.04, be approved for payment.

(b) That retainage, in the amount of \$7,096.57, be approved for payment.

The Commission V O T E D: that Final Invoice No. 19, in the amount of \$4,109.04, be approved for payment.

The Commission further V O T E D: that retainage, in the amount of \$7,096.57, be approved for payment.

- 2 Report of Ms. Haggerty, December 21, requesting approval of an extension of time from August 31, 1983 to June 30, 1984, on Contract-Agreement, with Anderson-Nichols & Co., Inc., for Preparation of a Facilities Plan for the Commission's Hingham Force Main Pumping Station.

The Commission V O T E D: to approve an extension of time from August 31, 1983 to June 30, 1984, as requested by Ms. Haggerty in her report of December 21, 1983, on condition that no further request will be made for additional compensation.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 3 Report of Mr. Faucher, December 13, on proposals for the purchase of standing timber located on the Quabbin Reservoir and Wachusett Reservoir Watersheds.

The Commission V O T E D: to accept the highest qualified bid, that of William Crowley Logging & Land Clearing, of \$3,221.00, to purchase approximately 1,827 tons of whole tree wood on Lot No. 48 - Wachusett Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Everett J. LaBree, of \$5,000.00, to purchase approximately 328 cords of firewood on Lot No. 49 - Wachusett Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Houghton's Logging, of \$2,896.50, to purchase approximately 73,000 board feet of sawlogs and 28 cords of firewood on Lot No. 50 - Wachusett Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Letourneau & Methe Land Clearing & Tree Expert Co., Inc., of \$8,640.00, to purchase approximately 329,000 board feet of sawlogs or 5,320 tons of whole tree wood on Lot No. 394A - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of R. A. Muzzy, of \$5,874.00, to purchase approximately 118,000 board feet of sawlogs on Lot No. 398A - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of King Logging, of \$4,800.00, to purchase approximately 37,200 board feet of sawlogs and 151 cords of firewood, including tops, on Lot No. 419 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Woodstock Associates, Inc., of \$6,015.00, to purchase approximately 41,000 board feet of sawlogs and 500 cords of firewood on Lot No. 420 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Heyes Forest Products, of \$13,423.65, to purchase approximately 77,600 board feet of sawlogs and 53 cords of firewood, plus 51 cords of tops, on Lot No. 421 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Allard Bros., of \$32,950.00, to purchase approximately 236,000 board feet of sawlogs and 208 cords of firewood, plus 155 cords of tops, on Lot No. 422 - Quabbin Reservoir Watershed.



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The Commission further V O T E D: to reject the bid of Heyes Forest Products, of \$1,820,65, to purchase approximately 60,000 board feet of sawlogs, 133 cords of firewood, and 40 cords of tops on Lot No. 423 - Quabbin Reservoir Watershed, inasmuch as the bid price is not considered fair market value for this lot.
The Commission further V O T E D: to accept the only qualified bid received, that of Letourneau & Methe Land Clearing & Tree Expert Co., Inc., of \$17,900.00, to purchase approximately 13,500 tons of whole tree wood and 16,000 board feet of white pine on Lot No. 424 - Quabbin Reservoir Watershed.

Report of Mr. Faucher, December 16, submitting for approval and signature Quabbin Park Cemetery Deed No. Q-1647 conveying the southwesterly one-half of Lot No. 1390 to Donald A. and Rachel F. Lussier.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1647, dated December 22, 1983, which was signed by the Commissioner and two Associate Commissioners.

2 Report of Mr. Martorana, October 26, requesting approval of release of retainage, in the amount of \$79,453.62, on Contract-Agreement No. W79-0715-D1A, with Camp, Dresser & McKee, Inc., for Design of Improvements to the Clinton Wastewater Treatment Plant.
The Commission V O T E D: to approve release of retainage, in the amount of \$79,453.62, for payment.

3 Report of Mr. Martorana, December 6, recommending approval of an adjustment on Item 3C - "72-Inch Diameter Manholes (0-8 ft.)," resulting in an overall contract cost decrease of \$2,000.00, on Contract No. W80-0723-C1A, with Joseph A. Polito & Sons, Inc., for the Rutland-Holden Relief Trunk Sewer.
Associate Commissioner Scandrett questioned whether adjustments on Items 3C, 3G, 11A, 15A, 15B, 15C, 17, 35, 36, and 45 had any relation to the fact that Joseph A. Polito & Sons, Inc. attempted to withdraw its bid prior to award because it had made a miscalculation when preparing the bid for this project.
Mr. William A. Brutsch, Director of Water Division, and Mr. Jack Elwood, Project Engineer, affirmed that there was no relation between the contract price adjustments and the contractor's attempt to withdraw its bid for the Rutland-Holden Relief Trunk Sewer Project.
Mr. Brutsch noted that there has been a net decrease of \$500.00 in the total of change orders that have been processed to date on the project.
The Commission V O T E D: Approved as recommended by Mr. Martorana in his report of December 6, 1983.

4 Report of Mr. Martorana, December 6, recommending approval of an adjustment on Item 3G - "72-Inch Manholes - 8 Feet Deep," resulting in an overall contract cost decrease of \$625.00, on Contract No. W80-0723-C1A, with Joseph A. Polito & Sons, Inc., for the Rutland-Holden Relief Trunk Sewer.
The Commission V O T E D: Approved as recommended by Mr. Martorana in his report of December 6, 1983.

5 Report of Mr. Martorana, December 6, recommending approval of an adjustment on Item 11A - "10" Pipe Culverts," at an additional cost of \$850.00, on Contract No. W80-0723-C1A, with Joseph A. Polito & Sons, Inc., for the Rutland-Holden Relief Trunk Sewer.
The Commission V O T E D: Approved as recommended by Mr. Martorana in his report of December 6, 1983.

6 Report of Mr. Martorana, December 6, recommending approval of an adjustment on Item 15A - "Reconnection to Existing Sewer or Service," at an additional cost of \$1,000.00, on Contract No. W80-0723-C1A, with Joseph A. Polito & Sons, Inc., for the Rutland-Holden Relief Trunk Sewer.
The Commission V O T E D: Approved as recommended by Mr. Martorana in his report of December 6, 1983.

7 Report of Mr. Martorana, December 6, recommending approval of an adjustment on Item 15B - "Reconnection of Sewers and Services to New Sewers," at an additional cost of \$3,000.00, on Contract No. W80-0723-C1A, with Joseph A. Polito & Sons, Inc., for the Rutland-Holden Relief Trunk Sewer.
The Commission V O T E D: Approved as recommended by Mr. Martorana in his report of December 6, 1983.

8 Report of Mr. Martorana, December 6, recommending approval of an adjustment on Item 15C - "Ductile Iron Sewer or Service," at an additional cost of \$4,000.00, on Contract No. W80-0723-C1A, with Joseph A. Polito & Sons, Inc., for the Rutland-Holden Relief Trunk Sewer.
The Commission V O T E D: Approved as recommended by Mr. Martorana in his report of December 6, 1983.



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Report of Mr. Martorana, December 6, recommending approval of an adjustment on Item 17 - "Relocate Water Lines," at an additional cost of \$3,000.00, on Contract No. W80-0723-C1A, with Joseph A. Polito & Sons, Inc., for the Rutland-Holden Relief Trunk Sewer.
The Commission V O T E D: Approved as recommended by Mr. Martorana in his report of December 6, 1983.

2 Report of Mr. Martorana, December 6, recommending approval of an adjustment on Item 35 - "Reset Granite Curb," at an additional cost of \$1,000.00, on Contract No. W80-0723-C1A, with Joseph A. Polito & Sons, Inc., for the Rutland-Holden Relief Trunk Sewer.
The Commission V O T E D: Approved as recommended by Mr. Martorana in his report of December 6, 1983.

3 Report of Mr. Martorana, December 6, recommending approval of an adjustment on Item 36 - "Sedimentation Control Fence," at an additional cost of \$3,125.00, on Contract No. W80-0723-C1A, with Joseph A. Polito & Sons, Inc., for the Rutland-Holden Relief Trunk Sewer.
The Commission V O T E D: Approved as recommended by Mr. Martorana in his report of December 6, 1983.

4 Report of Mr. Martorana, December 6, recommending approval of an adjustment on Item 45 - "Permanent Gates," at an additional cost of \$2,000.00, on Contract No. W80-0723-C1A, with Joseph A. Polito & Sons, Inc., for the Rutland-Holden Relief Trunk Sewer.
The Commission V O T E D: Approved as recommended by Mr. Martorana in his report of December 6, 1983.

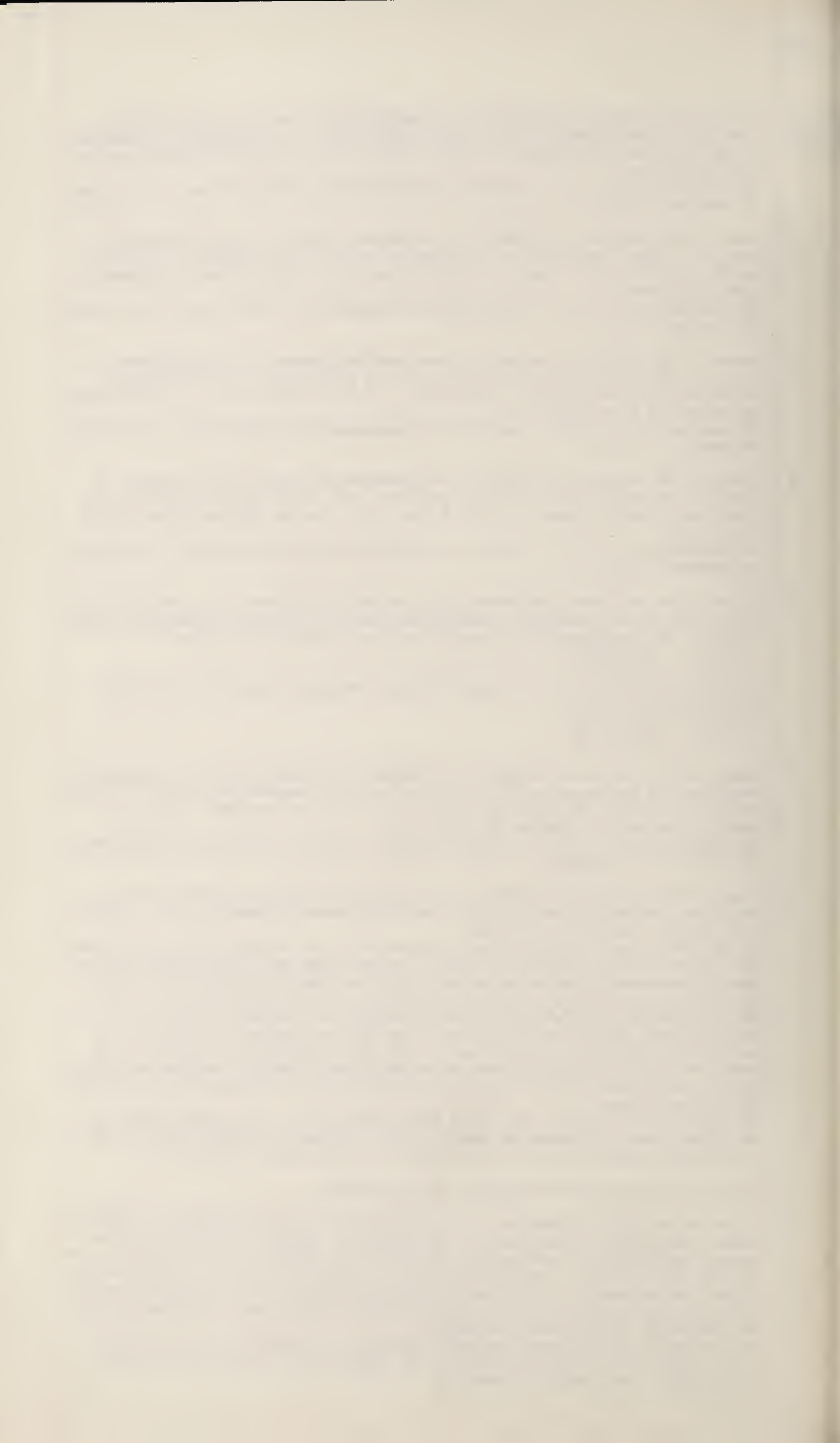
5 Report of Mr. Martorana, December 13, on request of Wallace, Floyd, Associates for partial release of retainage, totaling \$62,038.19, on Contract-Agreement No. W79-0749-S2A, for Long-Range Water Supply Study and EIR-2020, as follows:
Task 3 - \$50,165.40
Task 4 - \$11,872.79.
The Commission V O T E D: to approve partial release of retainage, totaling \$62,038.19, as follows:
Task 3 - \$50,165.40
Task 4 - \$11,872.79.

6 Report of Mr. Martorana, December 8, recommending approval of partial release of retainage, in the amount of \$4,142.94, for services rendered under Part II of Contract-Agreement No. W80-0915-S1B, with O'Brien and Gere Engineers, Inc., for Northern Low Service, Section 57 Study.
The Commission V O T E D: to approve partial release of retainage, in the amount of \$4,142.94, for payment.

7 Report of Mr. Martorana, December 16, on bids for Providing Informational and Promotional Materials for the Fiscal Year 1984 Demand Management Public Information Project, Project No. W84-1032.
Ms. Mary Ann Fronk, Public Information Specialist for the Water Division's Demand Management Program, reviewed the work to be performed under this project and introduced representatives of Media Matrix, Inc. who were in attendance.
Mr. Brutsch spoke of the exceptional performance by Media Matrix, Inc. in preparing a similar 1983 Public Information Project for the Water Division.
At this point, Commissioner Geary noted that he was acquainted with one of the principals of Markanian and Kellogg, a firm which submitted a proposal for the work. He stated that he had been contacted by that principal and that he informed the individual that his firm would be accorded every consideration just like the other three bidders.
The Commission V O T E D: to select Media Matrix, Inc., the lowest bidder, for the Fiscal Year 1984 Demand Management Public Information Project; the project to be funded under Account No. 2420-0100-13, in the amount of \$43,022.00.

Action was taken upon the following Various Matters:

8 Report of Mr. Falvey, December 8, submitting Certificate of Judgment No. 120063 to Robert MacFarland, in the amount of \$26,500.00 for damages, \$13,888.92 for interest, and \$30.50 for costs, for a grand total of \$40,419.42, in connection with eminent domain taking of property owned by Mr. MacFarland on Quincy Shore Drive, Quincy, Massachusetts, for park and reservation purposes, and requesting that the Commission appropriate funds from the Metropolitan Parks Land Trust Fund (Account No. 2448-0005) to cover this judgment.
At this point, Commissioner Geary distributed the following letter to the Associate Commissioners and the Secretary. He asked that it be incorporated into the minutes of the Commission meeting:



352nd
Dec 22, 1983
(on.-)

"December 21, 1983

Robert Greco
Executive Director
State Ethics Commission
1 Ashburton Place - Rm. 1413
Boston, MA. 02108

Dear Mr. Greco:

I would like to bring the following matter to your attention although it is unclear if further action is warranted.

At the December 15, 1983 meeting of the Metropolitan District Commission, the four associate commissioners and I were asked to vote to authorize payment of a court judgment entered against the agency in an eminent domain action. The beneficiary of this award is Mr. Robert MacFarland of Quincy.

I raise this issue because sometime between 1977 and 1979, I had occasion to meet Mr. MacFarland at the hardware store which he operated in Quincy. During one conversation, Mr. MacFarland mentioned that he was involved with an MDC-taking and that he believed the agency was short-changing him. I suggested that he retain an attorney. Since that conversation in the 1970's, I have not discussed the taking with Mr. MacFarland. Indeed, I have neither seen nor spoken with Mr. MacFarland since my appointment as Commissioner ten months ago.

In view of those facts, I had the Commission withhold action until after I had a chance to make the declaration. Unfortunately, since, by law, my concurrence is required to approve payment and I do not wish to deny Mr. MacFarland his court-mandated award, I cannot abstain on this matter. Accordingly, the Commission will vote on the award at its' first meeting in January. Please let me know if you foresee any problems with my participating in the vote.

Sincerely,
(signed) William J. Geary
Commissioner

cc: Attorney General Bellotti
Inspector General Barresi
Secretary James Hoyte
Steve Rosenfeld, Gov.'s Legal Counsel"

The Commission V O T E D: Held over pending reply to the aforementioned letter.

1 Report of Mr. Falvey, December 12, submitting for approval and signature Permit to the City of Boston, Public Works Department, to deposit snow and ice removed from the highways of the adjacent streets in the City of Boston upon MDC land situated off American Legion Highway, Mattapan.
The Commission V O T E D: Held over.

2 Report of Deputy Superintendent Amsler, December 15, advising that Peter F. Poor Ambulance Service, Inc., who had a contract with the MDC to provide Ambulance Service in areas under MDC Jurisdiction in Revere and Saugus, for a period of three years from January 1, 1983, went out of business on September 26, 1983, and that since that date Caggiano Ambulance Service, Inc. has been providing the Ambulance Service in Revere; also submitting Contract-Agreement, with Caggiano Ambulance Service, Inc., to Provide Ambulance Service in areas under MDC Jurisdiction in Revere, for the period September 26, 1983 to December 31, 1985.
The Commission V O T E D: Approved under the same terms and conditions as prior contract with Peter F. Poor Ambulance Service, Inc.
The Secretary then submitted for signature Contract-Agreement, dated December 22, 1983, with Caggiano Ambulance Service, Inc., which was signed by the Commissioner and four Associate Commissioners.

3 Matter of Yacht and Boat Club Permits.
The Commission V O T E D: Held over.

The following matter was placed on the agenda for the information of the Commission:

4 The following schedules were approved for payment by the Commissioner during the period from December 12, 1983 to December 19, 1983:

Invoices	\$ 1,240,151.60
Reservation of Funds	\$ 27,562.87
Advices of Change	\$ 61,854.54



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(on.-)

Weekly Payroll	\$ 935,204.54
Industrial Accident Report	\$ 15,800.69
Request for Advances	\$ 4,876,500.00.

ADJOURNED at 3:20 P.M., to meet on Thursday, January 5, 1984, at 10:00 A.M.

William F. Cusick
S e c r e t a r y .

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n 5, 1984

Record of the Three Thousand Two Hundred and Sixty-Third (3263rd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, January 5, 1984, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The records of the meeting held on December 15, 1983, were read and approved. Associate Commissioner Fontanez desired to be recorded as being present but not voting.

The records of the meeting held on December 22, 1983, were read and approved.

- 1 The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

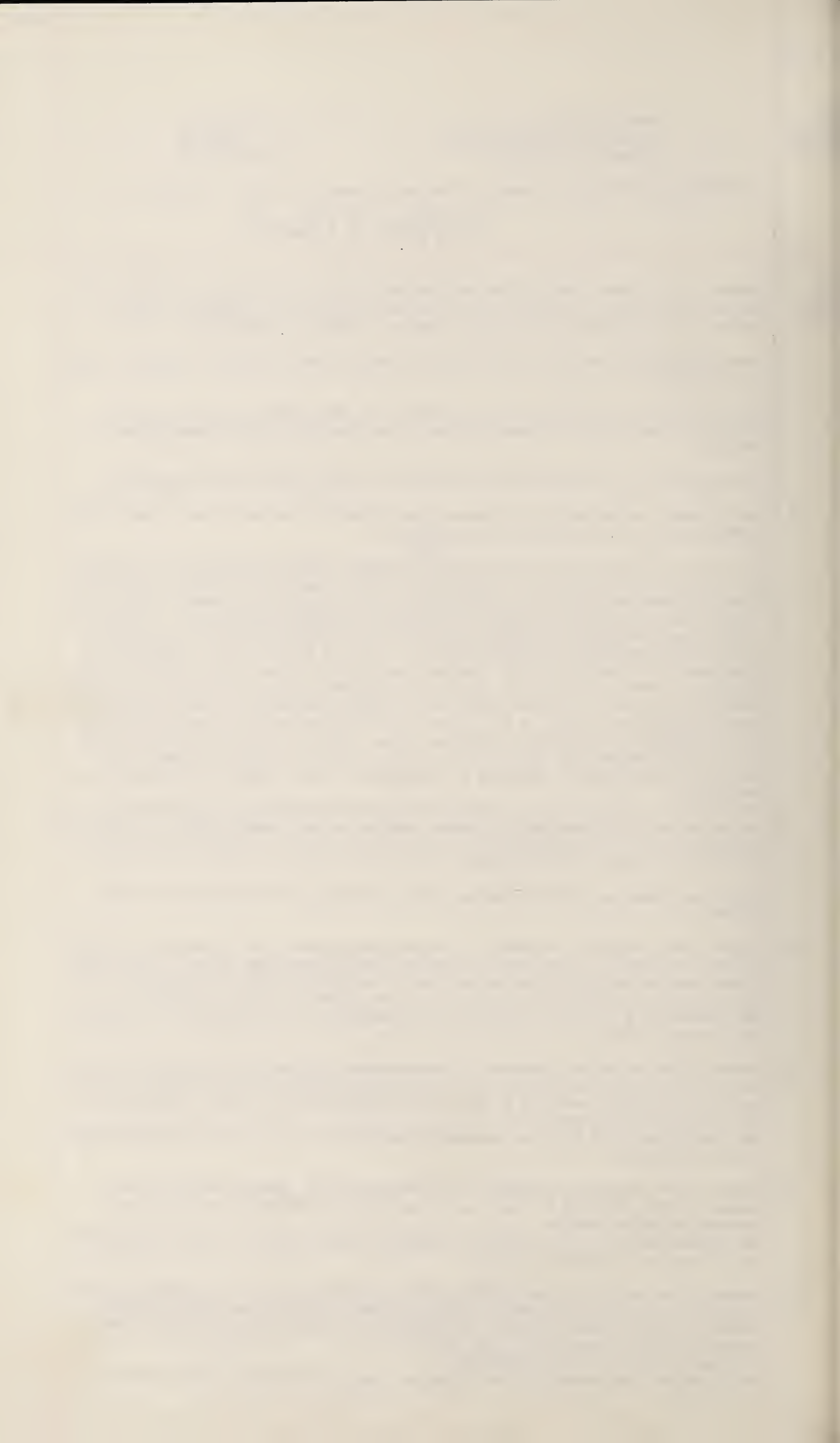
LEASE

V O T E D: to lease to My Bread Baking Company, under the provisions of Chapter 631 of the Acts of 1975, for a period of five (5) years, at an annual rate of Six Thousand Three Hundred Dollars (\$6,300.00), with an option to renew for an additional five (5) years at a rate to be negotiated between the parties, a parcel of land situated in the Dorchester District of the City of Boston in the County of Suffolk and Commonwealth of Massachusetts, shown as Parcel 2 on a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Parks Division, William T. Morrissey Boulevard, Boston (Dorchester District), Plan of Land to be Taken from the City of Boston Board of Park Commissioners under the provisions of Chapter 509, Acts of 1949, * * * January 17, 1962, Benjamin W. Fink, Director of Park Engineering," being plan accession number 40251-V.T. recorded with an Order of Taking on February 9, 1962, in Book 7624, Page 579, a copy of a portion of which is attached hereto and made a part hereof, and to execute an Indenture accordingly.

Mr. Jeremiah A. Falvey, Jr., Director of Right-of-Way Section, was directed to correspond with My Bread Baking Company and inform said Company that all landscape and paving plans for the parking lot must be approved by the MDC Parks Division prior to the start of construction.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 2 Report of Mr. McCarran, November 9, recommending approval of increasing estimated quantity on Item 38 - "Bituminous Concrete Surface Treatment Course," at an additional cost of \$1,013.76, on Contract No. P79-0770-C1A, with T & T Construction, for Restoration and Rehabilitation, Foss Park, Somerville, Massachusetts. The Commission V O T E D: Approved as recommended by Mr. McCarran in his report of November 9, 1983.
- 3 Report of Mr. McCarran, December 20, recommending approval of Alteration No. 1, for substitution of material, at a credit to the Commission of \$13,738.15, on Contract No. P82-1150, with T.S.M. Inc., for Installation of Pavement Markings on MDC Parkways and Boulevards. The Commission V O T E D: to approve Alteration No. 1, at a credit of \$13,738.15 to the Commission.
- 4 Report of Mr. McCarran, December 21, on request of St. Brendan Rectory for increased street lighting in the area of the church at 598 Gallivan Boulevard, Dorchester, Massachusetts. The Commission V O T E D: Held over pending a report from Ms. Dotty Volpe-O'Malley, Director of Community Affairs.
- 5 Report of Mr. Wright, December 28, submitting for approval and signature Contract-Agreement, with Seelye Stevenson Value and Knecht, for Review of Basic Design Report and Final Bridge Designs for the General Lawrence Bridge, Medford, Massachusetts; Total Compensation - \$32,800.00. The Commission V O T E D: Approved. The Secretary then submitted for signature Contract-Agreement, dated January 5,



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(on.-)

1984, with Seelye Stevenson Value and Knecht, which was signed by the Commissioner and four Associate Commissioners.

- 1 Report of Mr. McCarran, December 29, on bids for Replacement of Roof, Administration and Hospital Building, Franklin Park Zoo, Contract No. P83-1248-C1A. The Commission V O T E D: to accept the lowest bid, that of Bell's Roofing Co., Inc., of \$26,431.00.
- 2 Letter of Massachusetts Eye and Ear Infirmary, December 21, requesting approval, under terms of lease of land at Charles Street Circle, for an increase in the rates for parking, effective January 1, 1984. The Commission V O T E D: to approve an increase in the rates for parking, effective January 1, 1984, as follows:

<u>OLD RATES</u>	<u>NEW RATES</u>
\$ 20.00 - Charles Street Lot	\$ 45.00 Monthly
\$ 20.00 - Cloverleaf Lot	\$ 45.00 Monthly

EMPLOYEE DAILY LIST (part-time)

\$ 1.25 per Day	\$ 3.00 per Day
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PUBLIC RATES

\$ 1.00	1st 1/2 Hour	\$ 2.00
	1/2 - 1 Hour	\$ 3.00
	1 - 2 Hours	\$ 4.00
to	2 - 3 Hours	\$ 6.00
	3 - 5 Hours	\$ 8.00
	5 - 7 Hours	\$ 10.00
\$ 4.00 MAX.	7 - 24 Hours	\$ 12.00

Patients and visitors validated

PHYSICIAN RATE

\$ 65.00 Quarterly	\$140.00.
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- 3 Report of Mr. McCarran, December 29, recommending the following on Contract No. P79-0616-C1A, with Eastern Seaboard Engineering Corp., for Repair and Rehabilitation of River Street Bridge, Western Avenue Bridge, and Anderson Bridge:
 - (a) That the work be accepted as completed as of September 29, 1983.
 - (b) That Estimate No. 12 (Final), in the amount of \$10,429.48, be approved for payment.
 - (c) That reserve, in the amount of \$23,478.91, be approved for payment.
 Associate Commissioner Jones noted his displeasure with the EEO Compliance of the contractor on this project.
 The Commission V O T E D: that the work of Eastern Seaboard Engineering Corp., contractor under Contract No. P79-0616-C1A, for Repair and Rehabilitation of River Street Bridge, Western Avenue Bridge, and Anderson Bridge, be and hereby is accepted as completed as of September 29, 1983.
 The Commission further V O T E D: to approve Estimate No. 12 (Final), in the amount of \$10,429.48, for payment.
 The Commission further V O T E D: to approve release of reserve, in the amount of \$23,478.91, for payment.
- 4 Report of Ms. Volpe-O'Malley, January 5, on request of Massachusetts General Hospital for permission to erect directional signs on Storrow Drive approaching Government Center.
 The Commission V O T E D: Held over pending further information from Ms. Volpe-O'Malley.
- 5 Letter of Metropolitan Boston Zoos, December 20, recommending purchasing uniforms for employees at Stone Zoo from the "Stone Zoo Improvement Fund," with a budget of \$5,000.00 for Fiscal Year 1983-1984.
 Following a lengthy discussion, the Commission V O T E D: Held over pending review of Agreement with Metropolitan Boston Zoos by Commissioner Geary to ascertain whether or not funds from the "Stone Zoo Improvement Fund" can also be used to purchase uniforms for employees at Franklin Park Zoo.
- 6 Report of Mr. Rodrigues, December 19, recommending approval of Contract-Agreements for Golf Professional Services at MDC Golf Courses, as follows:
 - 1. Contract-Agreement, with J. F. Neville, Jr., for Golf Professional Services at Ponkapoag Golf Course, Blue Hills Reservation, Canton, Massachusetts, and to operate a golf shop at the same location, for the 1983 and 1984 golf



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seasons; Mr. Neville to pay an annual payment of \$1,000.00 plus 10% of gross receipts in excess of \$90,000.00 for the 1983 Season and \$100,000.00 for the 1984 Season derived from equipment and cart rentals and from the operation of the driving range.

- 2. Contract-Agreement, with Michael F. Wortis, for Golf Professional Services at Leo J. Martin Memorial Golf Course, Charles River Reservation, Weston, Massachusetts, and to operate a golf shop and refreshment concession at the same location, for the 1982, 1983, and 1984 golf seasons; Mr. Wortis to pay an annual payment of \$600.00 plus 10% of the gross receipts in excess of \$60,000.00 of the gross receipts derived from the pro shop, food concession, and equipment rentals.

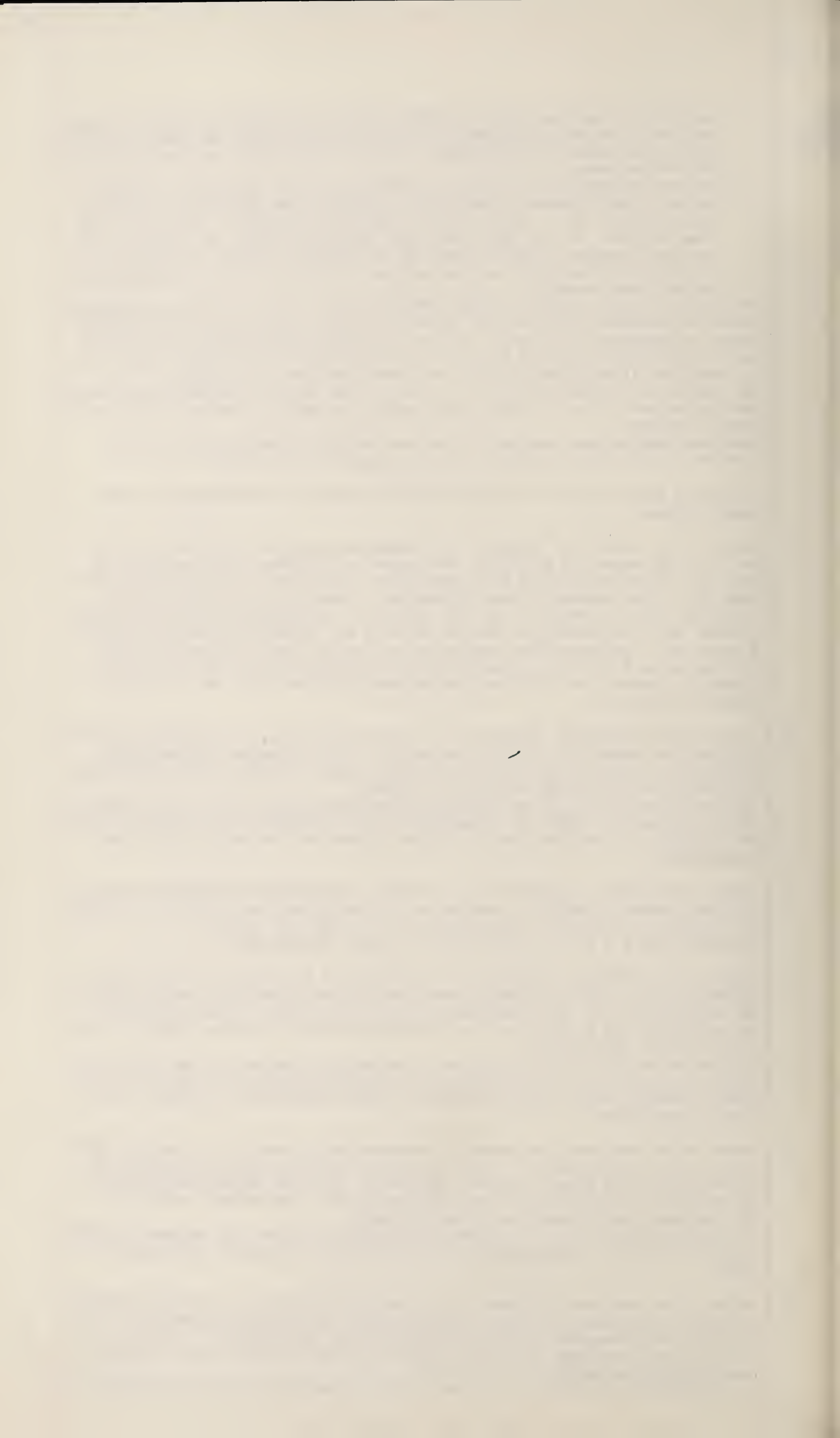
Following a lengthy discussion, the Commission V O T E D: to confirm and approve the verbal Agreements for the 1983 Season for John F. Neville, Jr., Golf Professional at Ponkapoag Golf Course, and for the 1982 and 1983 Seasons for Michael F. Wortis, Golf Professional at Leo J. Martin Memorial Golf Course; both individuals to submit certified financial audits no later than February 15, 1984.

The Commission further V O T E D: to hold over the Contract-Agreements with Messrs. Neville and Wortis for the 1984 Season pending review by a Committee to be chaired by Mr. Rodrigues.

Associate Commissioner Fontanez did not participate in the discussion on this item and desired to be recorded as being present but not voting.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 1 Report of Mr. Martorana, December 13, recommending approval of Extra Work Claim No. 5, in the amount of \$1,631.79, for removal of old meter frame and cover at Meter No. 10 due to Building Department order, modification of pressure piping at Meter No. 172 at request of Town of Wakefield, repairs to electrical conduit caused by others at Meter No. 44, and relocation of telephone terminal equipment at Meter No. 73 at request of MDC, on Contract No. W79-0970-C2A, with P. Gioioso & Sons, Inc., for Water Meter Modernization, Greater Boston Metropolitan Area. The Commission V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 5, in the amount of \$1,631.79.
- 2 Report of Mr. Martorana, December 21, recommending approval of a 120-day extension of time from October 28, 1983 to February 29, 1984, on Contract-Agreement No. W80-0956-S1A, with Haley & Aldrich, Inc., for Seismic Studies, Selected MDC Dams, to allow time for the submission of all reports. The Commission V O T E D: to approve a 120-day extension of time from October 28, 1983 to February 29, 1984, as recommended by Mr. Martorana in his report of December 21, 1983, on condition that no further request will be made for additional compensation.
- 3 Report of Mr. Gillis, December 22, on request of Cogeneration Management Company, Inc. for renewal of permit to operate an Air Quality Monitoring Station at Fisher Hill Reservoir, Brookline, Massachusetts, for a five-year period. The Commission V O T E D: Held over for further information.
- 4 Report of Mr. Martorana, December 29, on request of Environmental Research and Technology, Inc. for a four-month extension of time to March 28, 1984, on Contract No. W79-0970-C1A, for Water Monitoring Process Controller, Boston and Medford, Massachusetts, due to the fact that the acceptance test has been delayed to allow final software modifications. The Commission V O T E D: to approve a four-month extension of time to March 28, 1984, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
- 5 Report of Mr. Martorana, December 29, recommending approval of a six-month extension of time from December 11, 1983 to June 11, 1984, on Contract-Agreement No. W79-0970-D1A, with Bethel, Duncan & Associates, for Water Meter Modernization, in order for the Consultant to complete construction supervision, training of MDC personnel, and preparation of the O&M Manual. The Commission V O T E D: to approve an extension of time from December 11, 1983 to June 11, 1984, as recommended by Mr. Martorana in his report of December 29, 1983.
- 6 Report of Mr. Martorana, December 21, recommending approval of a 75-day extension of time from December 31, 1983 to March 15, 1984, on Contract-Agreement No. W82-1021-S1A, with Pitometer Associates, for Municipal Leak Detection Training, in order for the Consultant to complete field training in two MDC towns that have been difficult to schedule. The Commission V O T E D: to approve a 75-day extension of time from December 31,



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1983 to March 15, 1984, as recommended by Mr. Martorana in his report of December 21, 1983, on condition that no further request will be made for additional compensation.

1 Report of Mr. Wright, January 3, submitting for approval and execution Contract-Agreement, with Abt Associates, Inc., to Design and Execute a Program to Implement the Water Conservation Curriculum in Public Schools Served by the Metropolitan District Commission; Total Upset Limit - \$34,997.94.
 Miss Mary Ann Fronk, Consultant in connection with the Management and Administration of MDC Water Conservation Projects, explained work to be performed under terms of the Contract-Agreement.
 At this point, Dr. Linda Fosburg, of Abt Associates, Inc., was introduced and she responded to various questions posed by the Commission.
 Mr. James McCann, Contract Administrator, was directed to have Legal Counsel approve the posting of a bond, as requested by Abt Associates, in lieu of the standard Insurance Article XV, which is incorporated into each MDC contract.
 The Commission V O T E D: Approved.
 Associate Commissioner Scandrett did not participate in the discussion on this item and desired to be recorded as being present but not voting.
 The Secretary then submitted for signature Contract-Agreement, dated January 5, 1984, with Abt Associates, Inc., which was signed by the Commissioner and three Associate Commissioners.

2 Report of Mr. Faucher, December 29, relative to proposed changes to the existing "Rules and Regulations for the Government and Use of Reservoirs, Roadways, Driveways, Bridges, Dams, and Land Within Watershed Reservations under Care and Control of the Metropolitan District Commission," and requesting permission to advertise and hold a public hearing, as required by statute, on the proposed changes.
 Mr. Faucher reviewed the proposed changes which include increasing the maximum allowable horsepower limitation on outboard motors at Quabbin Reservoir from 10 to 20 horsepower. He stated that a sampling of those fishermen who utilize Quabbin Reservoir showed support for the increase. Mr. Faucher explained that the existing Rules and Regulations should be amended to include the use of canoes and jon-boats on the Pottapaug Pond area of Quabbin Reservoir. He noted that both canoes and jon-boats are presently allowed on Pottapaug Pond, but are banned from the main Reservoir for public safety reasons.
 Following a brief discussion, the Commission V O T E D: to approve the request to advertise the proposed changes and hold a Public Hearing on Thursday, February 2, 1984, at 7:00 P.M., at Pathfinder Regional Vocational-Technical High School, Palmer, Massachusetts. Mr. Faucher was directed to notify interested parties and work with the Public Information Office in publicizing the hearing.

Action was taken upon the following Various Matters:

3 Report of Mr. Falvey, December 8, submitting Certificate of Judgment No. 120063 to Robert MacFarland, in the amount of \$26,500.00 for damages, \$13,888.92 for interest, and \$30.50 for costs, for a grand total of \$40,419.42, in connection with eminent domain taking of property owned by Mr. MacFarland on Quincy Shore Drive, Quincy, Massachusetts, for park and reservation purposes, and requesting that the Commission appropriate funds from the Metropolitan Parks Land Trust Fund (Account No. 2448-0005) to cover this judgment.
 Commissioner Geary asked that the following letter be incorporated into the minutes of this meeting:

"December 28, 1983

William J. Geary
 Commissioner
 Metropolitan District Commission
 20 Somerset Street
 Boston, Mass. 02108

Re: December 21, 1983 Letter Concerning
 MacFarland Payment

Dear Mr. Geary:

The Legal Division of the State Ethics Commission has reviewed your recent inquiry and has concluded that no formal advisory opinion is necessary. The mere fact that you had a conversation at one time with Mr. MacFarland regarding hiring an attorney to contest the MDC land-taking would not disqualify you from approving a payment to him pursuant to a court-ordered award. Although G.L. c. 268A, § 6 does require public officials to refrain from participating when certain matters affecting the financial interest of their business partners or employees come before them, the facts which you have outlined do not fall within the prohibition of § 6.

Very truly yours,
 (signed) Stuart A. Kaufman
 Chief, Legal Division"

SAK/sb

The Commission V O T E D: Held over.



353rd 1 Report of Mr. Falvey, December 12, submitting for approval and signature Permit
n5,1984 to the City of Boston, Public Works Department, to deposit snow and ice removed
(on.-) from the highways of the adjacent streets in the City of Boston upon MDC land
situated off American Legion Highway, Mattapan.
The Commission V O T E D: Held over.

2 Matter of Yacht and Boat Club Permits.
The Commission V O T E D: Held over.

3 Matter of approval and execution of Contract-Agreement, with Life-Line Ambulance
Service, Inc., to Provide Ambulance Service for Emergencies which take place
within the confines of the Town of Saugus.
The Commission V O T E D: Held over.

The following matters were placed on the agenda for the information of the Commis-
sion:

4 The following schedules were approved for payment by the Commissioner during the
period from December 19, 1983 to December 26, 1983:

Invoices	\$ 1,270,720.80
Reservation of Funds	\$ 272,696.72
Advices of Change	\$ 66,676.00
Weekly Payroll	\$ 910,838.15.

5 The following schedules were approved for payment by the Commissioner during the
period from December 26, 1983 to January 2, 1984:

Invoices	\$ 609,795.74
Reservation of Funds	\$ 255,037.05
Advices of Change	\$ 401,195.64
Weekly Payroll	\$ 888,222.33
Medical Payments	\$ 23,348.11
Industrial Accident Report	\$ 34,619.10
Request for Advances	\$ 4,000.00.

ADJOURNED at 12:50 P.M., to meet on Thursday, January 12, 1984, at 10:00 A.M.

William F. Cusack
S e c r e t a r y .

364th Record of the Three Thousand Two Hundred and Sixty-Fourth (3264th) Meeting of the
n12,1984 Metropolitan District Commission duly called and held at 20 Somerset Street,
Boston, Massachusetts, on Thursday, January 12, 1984, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones,
and Scandrett.

The records of the meeting held on January 5, 1984, were read and approved.

The Secretary submitted for signature the following papers which were signed by
the Commissioner and four Associate Commissioners:

6 Contract No. P83-1251-C1A, dated January 12, 1984, with Bay State Contracting Co.,
Inc., for Re-Roofing Connell Pool/Rink, Weymouth, Massachusetts.

7 Contract No. S82-1004-C1A, dated January 12, 1984, with J. Biotti & Sons, for
Reconstruction of the Kilby Street Culvert, Quincy, Massachusetts.

Action was taken upon the following matters relating to the Metropolitan Water
Quality and Sewerage System:

8 Report of Ms. Haggerty, January 5, recommending the following on Contract No.
S83-1104-C1A, with Kendall Boiler & Tank Co., Inc., for Powermaster Boiler Repairs
at Columbus Park Headworks, South Boston, Massachusetts:

- (a) That the work be accepted as completed as of November 22, 1983.
 - (b) That Estimate No. 1 (Final), in the amount of \$4,020.40, be approved for
payment.
 - (c) That retainage, in the amount of \$211.60, be approved for payment immediately.
- The Commission V O T E D: that the work of Kendall Boiler & Tank Co., Inc., con-
tractor under Contract No. S83-1104-C1A, for Powermaster Boiler Repairs at Colum-
bus Park Headworks, South Boston, Massachusetts, be and hereby is accepted as com-
pleted as of November 22, 1983.
The Commission further V O T E D: to approve Estimate No. 1 (Final), in the
amount of \$4,020.40, for payment.
The Commission further V O T E D: to approve release of retainage, in the amount
of \$211.60, for payment.



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n12,1984
(on.-)

Report of Mr. Baratta, January 5, on request of the Town of Winchester for permission to make a 6-inch diameter connection on the east side of the Metropolitan Sewer, Section 114, Station 54+60±, in Cross Street, Winchester, Massachusetts, in order to service a new Office/Garage located at 151 Cross Street.
The Commission V O T E D: Approved as recommended by Mr. Baratta in his report of January 5, 1984.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 2 Report of Mr. Gillis, December 22, on request of Cogeneration Management Company, Inc. for renewal of permit to operate an Air Quality Monitoring Station at Fisher Hill Reservoir, Brookline, Massachusetts, for a five-year period.
The Commission V O T E D: to renew the permit to Cogeneration Management Company, Inc., to operate an Air Quality Monitoring Station at Fisher Hill Reservoir, Brookline, Massachusetts, for a five-year period, beginning January 1, 1984, and ending December 31, 1988, for a fee of \$420.00 per year, payable monthly at a rate of \$35.00 on the first of each and every month, all as recommended by Mr. Gillis in his report of December 22, 1983.
- 3 Report of Mr. Martorana, January 7, recommending approval of Extra Work Claim No. 10, in the amount of \$2,611.20, for temporary heating of the Brattle Court Pumping Station (during the winter of 1982) beyond the original completion date of January 3, 1982, on Contract No. W80-0706-C1A, with A. Bonfatti & Co., Inc., for Pumping Equipment Replacement and Station Modifications at Brattle Court Pumping Station, Arlington, Massachusetts.
The Commission V O T E D: Held over.
- 4 Report of Mr. Martorana, January 7, recommending approval of Extra Work Claim No. 11, in the amount of \$3,435.86, for wage increases the contractor had to pay because the project was not completed by the original completion date of January 3, 1982, on Contract No. W80-0706-C1A, with A. Bonfatti & Co., Inc., for Pumping Equipment Replacement and Station Modifications at Brattle Court Pumping Station, Arlington, Massachusetts.
The Commission V O T E D: Held over.
- 5 Report of Mr. Martorana, December 29, recommending approval of Revised Work Schedule for Project No. W83-1025-S1A - Central Monitoring System Expansion, which increases the estimated cost from \$150,000.00 to \$189,601.00, Account No. 2420-8811.
The Commission V O T E D: Approved.
- 6 Report of Mr. Martorana, January 5, requesting that the Commission authorize Parsons, Brinckerhoff, Quade and Douglas, Inc., Consultant under Contract-Agreement No. W80-0800-S1A, for Environmental Impact Report for the Sudbury Reservoir Water Treatment Plant, to make revisions, as necessary, to the Draft Environmental Impact Report as a result of the Sudbury Citizen's Advisory Committee's review, at a total cost not to exceed \$1,483.90, under Task VII - Additional Services - Item C - of the Contract-Agreement.
The Commission V O T E D: Approved as requested by Mr. Martorana in his report of January 5, 1984.

Action was taken upon the following matters relating to the Metropolitan Parks System:

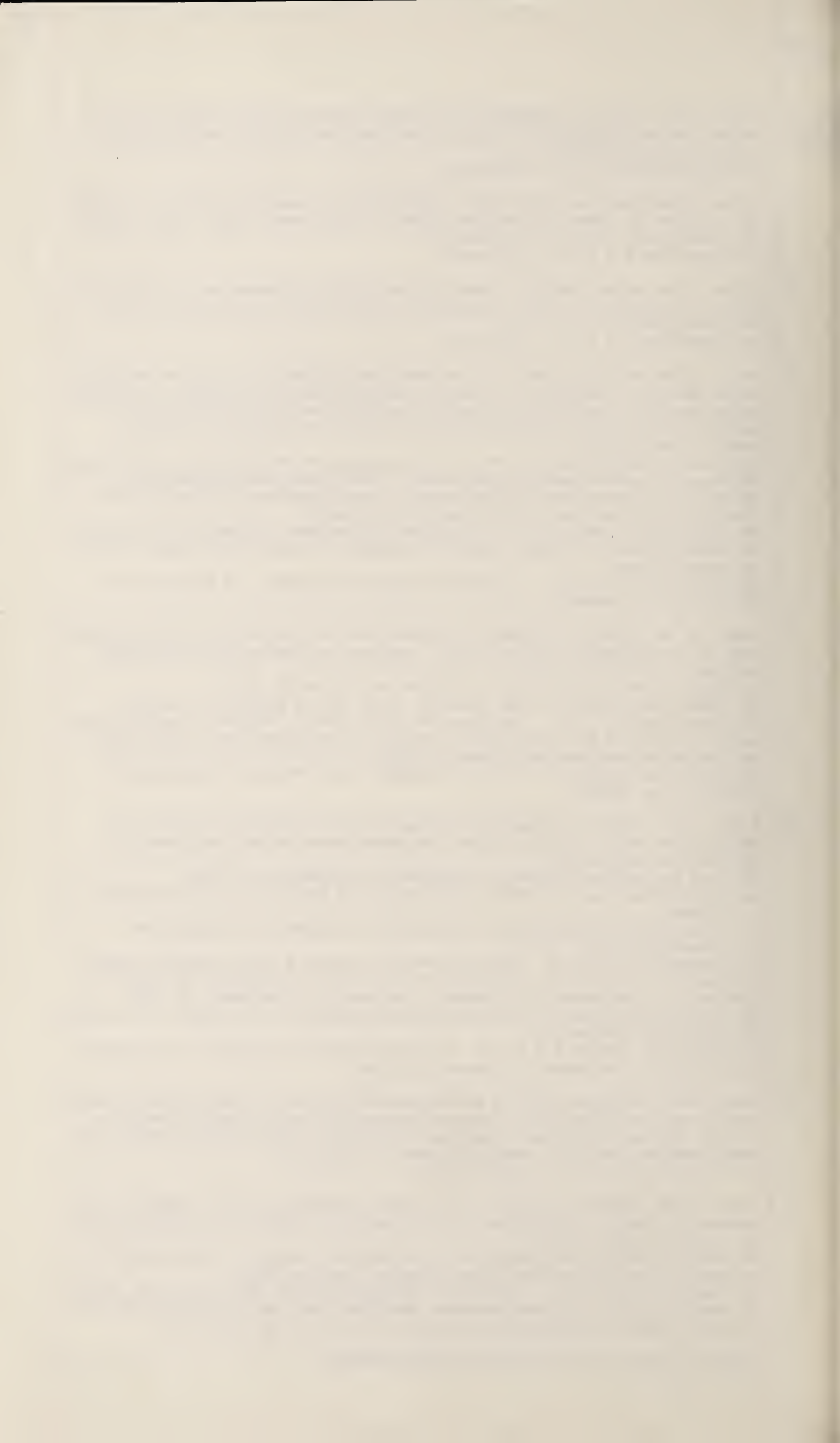
- 7 Report of Mr. Rodrigues, December 19, recommending approval of Contract-Agreements for Golf Professional Services at MDC Golf Courses, as follows:
 - 1. Contract-Agreement, with John F. Neville, Jr., for Golf Professional Services at Ponkapoag Golf Course, Blue Hills Reservation, Canton, Massachusetts, and to operate a golf shop at the same location, for the 1983 and 1984 golf seasons; Mr. Neville to pay an annual payment of \$1,000.00 plus 10% of gross receipts in excess of \$90,000.00 for the 1983 Season and \$100,000.00 for the 1984 Season derived from equipment and cart rentals and from the operation of the driving range.
 - 2. Contract-Agreement, with Michael F. Wortis, for Golf Professional Services at Leo J. Martin Memorial Golf Course, Charles River Reservation, Weston, Massachusetts, and to operate a golf shop and refreshment concession at the same location, for the 1982, 1983, and 1984 golf seasons; Mr. Wortis to pay an annual payment of \$600.00 plus 10% of the gross receipts in excess of \$60,000.00 of the gross receipts derived from the pro shop, food concession and equipment rentals.

The Commission V O T E D: to hold over the Contract-Agreements with Messrs. Neville and Wortis for the 1984 Season pending review by a Committee to be chaired by Mr. Rodrigues.



- 354th 1 Report of Mr. McCarran, December 21, on request of St. Brendan Rectory for in-
 an 12, 1984 creased street lighting in the area of the Church at 598 Gallivan Boulevard,
 (on.-) Dorchester, Massachusetts.
 The Commission V O T E D: Held over.
- 2 Letter of Metropolitan Boston Zoos, December 20, recommending purchasing uniforms
 for employees at Stone Zoo from the "Stone Zoo Improvement Fund," with a budget
 of \$5,000.00 for Fiscal Year 1983-1984.
 The Commission V O T E D: Held over.
- 3 Report of Ms. Volpe-O'Malley, January 5, on request of Massachusetts General Hos-
 pital for permission to erect directional signs on Storrow Drive approaching
 Government Center.
 The Commission V O T E D: Held over.
- 4 Report of Mr. McCarran, January 6, recommending approval of release of retainage,
 in the amount of \$26,365.87, on Contract-Agreement No. P79-0596-D1A, with Vollmer
 Associates, Inc., for Survey and Design Needed Improvements and Preparation of
 Contract Plans and Specifications for the Veterans of Foreign Wars Parkway,
 Boston, Massachusetts.
 Commissioner Geary noted that due to the impending reconstruction of the Southeast
 Expressway, the Massachusetts Department of Public Works has designated the
 Veterans for Foreign Wars Parkway as one of the four primary alternate routes
 from the South Shore during the reconstruction period.
 Mr. Edmund Lydon, Associate Civil Engineer, stated that the Parks Division will
 recommend, in the near future, that the Veterans of Foreign Wars Parkway Project
 be placed on hold.
 The Commission V O T E D: to approve release of retainage, in the amount of
 \$26,365.87, for payment.
- 5 Report of Mr. McCarran, December 29, recommending the following on Contract-Agree-
 ment No. P82-1172-M1A, with Dr. John C. Swallow, for Horticultural Consultant
 Services:
 (a) That the work be accepted as completed as of June 30, 1983.
 (b) That Final Invoice, in the amount of \$1,150.05, be approved for payment.
 The Commission V O T E D: that the work of Dr. John C. Swallow, Consultant under
 Contract-Agreement No. P82-1172-M1A, for Horticultural Services, be and hereby
 is accepted as completed as of June 30, 1983.
 The Commission further V O T E D: to approve Final Invoice, in the amount of
 \$1,150.05, for payment.
- 6 Report of Mr. McCarran, January 5, recommending the following on Contract No.
 P81-0973-C1A, with J. Biotti & Sons, for Beaver Brook Culvert Improvements,
 Waltham, Massachusetts:
 (a) That the work be accepted as completed as of November 19, 1983.
 (b) That Estimate No. 8 (Final), in the amount of \$38,226.10, be approved for
 payment.
 (c) That reserve, in the amount of \$21,202.36, be approved for payment on
 January 23, 1984.
 The Commission V O T E D: that the work of J. Biotti & Sons, contractor under
 Contract No. P81-0973-C1A, for Beaver Brook Culvert Improvements, Waltham, Mass-
 achusetts, be and hereby is accepted as completed as of November 19, 1983.
 The Commission further V O T E D: to approve Estimate No. 8 (Final), in the amount
 of \$38,226.10, for payment.
 The Commission further V O T E D: to approve release of reserve, in the amount
 of \$21,202.36, for payment on January 23, 1984.
- 7 Report of Mr. McCarran, January 5, recommending approval of Revised Work Schedule
 for Project No. P82-1024-S1A - Revere Flood Control Pumping Station, which in-
 creases the fee for the Consultant from \$90,000.00 to \$90,230.00 and extends the
 study duration from 8 to 9 months, Account No. 2410-8801.
 The Commission V O T E D: Approved.
- 8 Report of Mr. McCarran, January 6, on request of WGBH Educational Foundation for
 approval to install a 100-kilowatt diesel generator within the Transmitter Build-
 ing on top of Great Blue Hill.
 Mr. Robert Powers, Permit Supervisor, reviewed the request and stated that the
 proposal has the endorsement of the Friends of the Blue Hills.
 The Commission V O T E D: Approved as recommended by Mr. McCarran in his report
 of January 6, 1984, with the agreement that WGBH Educational Foundation will fur-
 nish and install the MDC emergency power at no cost to the Commission.

Action was taken upon the following Various Matters:



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Report of Mr. Falvey, December 8, submitting Certificate of Judgment No. 120063 to Robert MacFarland, in the amount of \$26,500.00 for damages, \$13,888.92 for interest, and \$30.50 for costs, for a grand total of \$40,419.42, in connection with eminent domain taking of property owned by Mr. MacFarland on Quincy Shore Drive, Quincy, Massachusetts, for park and reservation purposes, and requesting that the Commission appropriate funds from the Metropolitan Parks Land Trust Fund (Account No. 2448-0005) to cover this judgment.

It was noted that the four Associate Commissioners received a copy of a letter from the State Ethics Commission, which was incorporated into the minutes of the Commission meeting held on January 5, 1984.

The Commission V O T E D: to appropriate funds from the Metropolitan Parks Land Trust Fund (Account No. 2448-0005) to cover Certificate of Judgment No. 120063 to Robert MacFarland, in the amount of \$26,500.00 for damages, \$13,888.92 for interest, and \$30.50 for costs, for a grand total of \$40,419.42.

2 Report of Mr. Falvey, December 12, submitting for approval and signature Permit to the City of Boston, Public Works Department, to deposit snow and ice removed from the highways of the adjacent streets in the City of Boston upon MDC land situated off American Legion Highway, Mattapan.

In response to questioning by the Commission, Mr. Owen McGarrahan, of the Right-of-Way Section, explained that the City of Boston has, in the past, lived up to all of the terms and conditions of the permit and, in particular, cleaned up the dumping area at the close of the winter season.

The Commission V O T E D: Approved.

The Secretary then submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

PERMIT

V O T E D: to grant permission to the City of Boston to use a certain portion of land situated off American Legion Highway in said City of Boston, County of Suffolk, and Commonwealth of Massachusetts, and marked "PROPOSED SNOW DEPOSIT AREA" on a plan entitled "Commonwealth of Massachusetts, Metr. Distr. Commission, - Engineering Division, Plan Showing Land of the Dept. of Mental Health and of the Youth Services Board to be Transferred to the Metr. Distr. Comm., * * * May 8, 1975, Francis T. Bergin, Chief Construction Engineer," being plan accession number 62657, for the purpose of depositing snow and ice removed from the highways of the adjacent streets, and to execute a Permit accordingly.

3 Matter of Yacht and Boat Club Permits.

Following a lengthy discussion, the Commission directed that copies of Ms. Mayoue's report of December 20, 1983, along with the proposed permit form, be forwarded to the Charles River Watershed Association, Mystic River Watershed Association, Neponset Conservation Association, Ms. Dotty Volpe-O'Malley, Ms. Julia O'Brien, and Mr. Lou Rodrigues, for their input prior to acting on the matter. The Commission also asked Ms. Mayoue to ascertain whether these facilities were being improperly taxed by communities, and also to investigate what method is being used by various clubs in disposing of their sewage.

The Commission V O T E D: Held over.

4 Matter of approval and execution of Contract-Agreement, with Life-Line Ambulance Service, Inc., to Provide Ambulance Service for Emergencies which take place within the confines of the Town of Saugus, for the period from September 26, 1983 to December 31, 1985.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Contract-Agreement, dated January 12, 1984, with Life-Line Ambulance Service, Inc., which was signed by the Commissioner and four Associate Commissioners.

5 Presentation - Sudbury Reservoir Environmental Impact Report, Project No. W80-0800-S1B.

Mr. Marcis Kempe, Project Manager, provided background information on the project, including Historical Commission use of the Sudbury River, the need for the project, and related studies.

Mr. Allan Hodges, Project Manager for Parsons, Brinckerhoff, Quade and Douglas, Inc., described the EIR, including the innovative project approach of working from the environmental needs to establish the water supply plan.

Mr. Mike Beck, of IEP, Inc., explained the ecological studies and the resulting downstream strategy.

Mr. George Olinger, Water Resources Director for Parsons, Brinckerhoff, Quade and Douglas, Inc., explained the water supply operation strategy.

Mr. Hodges concluded with a description of the public participation program and project status.

Ms. Barbara Mudd and Ms. Sally Newbury, of the Sudbury Citizen's Advisory Committee, explained the Committee's role in the EIR and noted areas of concern.

The Commission, following a question and answer period, noted its agreement with



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the project approach and advised that public participation should continue to be as open and extensive as possible.
The Commission V O T E D: Placed on file.

The following matter was placed on the agenda for the information of the Commission:

- 1 The following schedules were approved for payment by the Commissioner during the period from January 2, 1984 to January 9, 1984:

Invoices	\$ 1,138,268.49
Reservation of Funds	\$ 63,802.53
Advices of Change	\$ 92,654.00
Weekly Payroll	\$ 938,154.62.

ADJOURNED at 3:00 P.M., to meet on Thursday, January 19, 1984, at 10:00 A.M.

William F. Quish
Secretary.

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Record of the Three Thousand Two Hundred and Sixty-Fifth (3265th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, January 19, 1984, at 10:00 A.M.

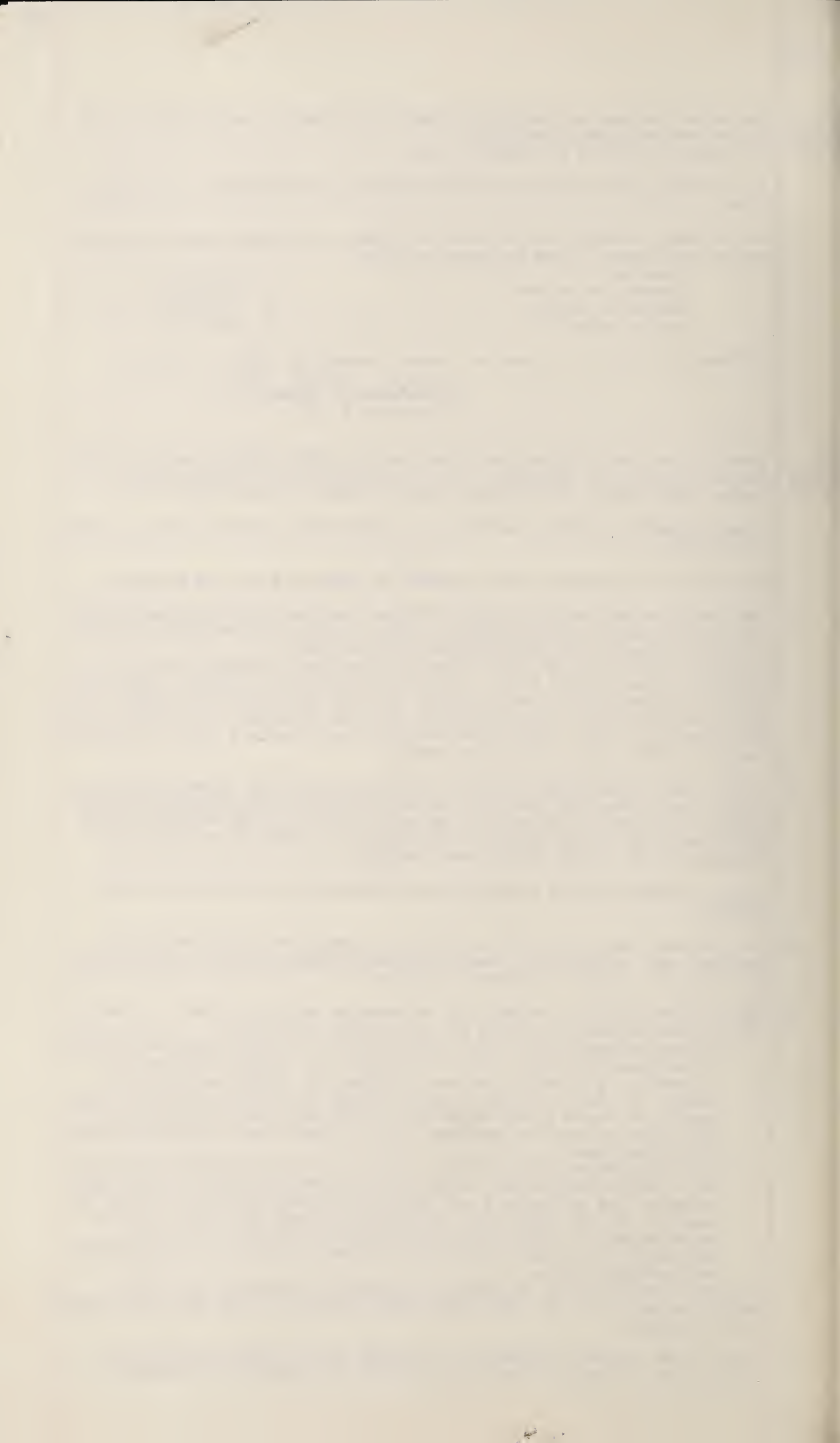
Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The records of the meeting held on January 12, 1984, were read and approved.

- 2 The Commission made note of a letter from Dover Residents for re-Alignment of New Sewer (D.R.A.I.N.S.), dated January 12, 1984, in which a recommendation is made to realign Segment IV of the Framingham Extension Sewer. The Commission directed Mr. Noel D. Baratta, Director of Sewerage Division, to prepare a letter to D.R.A.I.N.S., for Commissioner Geary's signature, explaining that the recommendation is being studied, and once the study is completed, D.R.A.I.N.S. will be notified; copies of the letter to be sent to the individuals who signed D.R.A.I.N.S. letter, the individuals who received a copy of D.R.A.I.N.S. letter, and Officials of the Town of Natick.
- 3 At this point, Associate Commissioner Jones made note of the impending retirement of Mr. Joseph Capone and asked that Secretary Chisholm prepare a Resolution commending Mr. Capone for his years of dedication not only to the Metropolitan District Commission, but to the public in general; the Commission to present the Resolution to Mr. Capone at next week's meeting.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 4 The Commission made note of the excellent snow removal work performed by MDC personnel and, in particular, snow plow operators during the past two snowstorms; Mr. McCarran to notify the personnel involved.
- 5 Report of Mr. Rodrigues, December 19, recommending approval of Contract-Agreements for Golf Professional Services at MDC Golf Courses, as follows:
 - 1. Contract-Agreement, with John F. Neville, Jr., for Golf Professional Services at Ponkapoag Golf Course, Blue Hills Reservation, Canton, Massachusetts, and to operate a golf shop at the same location, for the 1983 and 1984 golf seasons; Mr. Neville to pay an annual payment of \$1,000.00 plus 10% of gross receipts in excess of \$90,000.00 for the 1983 Season and \$100,000.00 for the 1984 Season derived from equipment and cart rentals and from the operation of the driving range.
 - 2. Contract-Agreement, with Michael F. Wortis, for Golf Professional Services at Leo J. Martin Memorial Golf Course, Charles River Reservation, Weston, Massachusetts, and to operate a golf shop and refreshment concession at the same location, for the 1982, 1983, and 1984 golf seasons; Mr. Wortis to pay an annual payment of \$600.00 plus 10% of the gross receipts in excess of \$60,000.00 of the gross receipts derived from the pro shop, food concession and equipment rentals.
 The Commission V O T E D: to hold over the Contract-Agreements with Messrs. Neville and Wortis for the 1984 Season pending review by a Committee to be chaired by Mr. Rodrigues.
- 6 Report of Mr. McCarran, December 21, on request of St. Brendan Rectory for increased street lighting in the area of the Church at 598 Gallivan Boulevard,



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Dorchester, Massachusetts.
 The Commission V O T E D: Held over.

- 1 Letter of Metropolitan Boston Zoos, December 20, recommending purchasing uniforms for employees at Stone Zoo from the "Stone Zoo Improvement Fund," with a budget of \$5,000.00 for Fiscal Year 1983-1984.
 The Commission V O T E D: Delete from the agenda.
- 2 Report of Ms. Volpe-O'Malley, January 5, on request of Massachusetts General Hospital for permission to erect directional signs on Storrow Drive approaching Government Center.
 The Commission V O T E D: Held over.
- 3 Report of Mr. McCarran, January 5, recommending the following on Contract-Agreement No. P82-0A03-S1A, with Camp Dresser & McKee, Inc./Resource Analysis, for Hydrology Study of the Mystic River Basin:
 (a) That the work be accepted as completed as of April 25, 1981.
 (b) That Final Invoice, in the amount of \$10,101.55, be approved for payment.
 The Commission V O T E D: that the work of Camp Dresser & McKee, Inc./Resource Analysis, Consultant under Contract-Agreement No. P82-0A03-S1A, for Hydrology Study of the Mystic River Basin, be and hereby is accepted as completed as of April 25, 1981.
 The Commission further V O T E D: to approve Final Invoice, in the amount of \$10,101.55, for payment.
- 4 Report of Mr. McCarran, January 10, on request of Richard E. Rafferty, Assistant Attorney General, that the Commission fund a Consultant Contract, with Barnes and Jarnis, Inc., to be an Independent Expert Consultant, Geotechnical Engineer to Evaluate and be Prepared to Testify in Legal Court Case - Sutton Corp. vs. Vibraflotation Foundation and Commonwealth of Massachusetts (MDC), Middlesex Superior Court No. 82-1930; also submitting Work Schedule Form, Project Summary Form, and Project Justification; estimated cost - \$40,000.00, Account No. 2490-0009.
 The Commission V O T E D: to fund a Consultant Contract, with Barnes and Jarnis, Inc., as requested by Assistant Attorney General Rafferty.
 The Commission further V O T E D: to approve Work Schedule Form for Project No. P84-1288.
- 5 Report of Mr. McCarran, January 16, recommending approval of Extra Work Order No. 1, in the amount of \$5,875.21, for replacing 1/2" plate wire glass at roof skylights, preparing and caulking of concrete coping stone joints, and furnishing and installing two new roof drains and piping, on Contract No. P82-1187-C1A, with Allied Weatherproofing Co., Inc., for Roof Replacement, Stoneham Pool, Stoneham; also recommending approval of a 20-day extension of time, from Notice to Proceed date, to complete the extra work.
 The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$5,875.21.
 The Commission further V O T E D: to approve a 20-day extension of time, from Notice to Proceed date, to complete the extra work, as recommended by Mr. McCarran in his report of January 16, 1984, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 6 Report of Ms. Haggerty, January 13, requesting approval of an extension of time from January 19, 1984 to May 15, 1984, on Contract No. S83-1102-C1A, with South Shore Paving Corp., for Pavement Repair at Squantum Pumping Station, Newland Street, Quincy, Massachusetts, to allow the contractor time to repair the overlay when warm weather returns and the batch plants reopen.
 The Commission V O T E D: to approve an extension of time from January 19, 1984 to May 15, 1984, as requested by Ms. Haggerty in her report of January 13, 1984, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
- 7 Report of Mr. McCann, January 18, advising the Commission of an impasse, by mutual agreement, in contract negotiations with Stone & Webster Engineering Corp., to provide Design Services for Servicing Main Alternators, Switchgear, and Regulators, Deer Island Sewage Treatment Plant, Contract No. S82-1016-D1A, and recommending that the second ranked firm, Alonzo B. Reed, Inc., be selected as Consultant for Project No. S82-1016-D1A.
 Mr. McCann stated that after negotiating with Stone & Webster Engineering Corp.,



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the original choice of the Consultant Selection Committee, it was found that Stone & Webster Engineering Corp. would not agree to conform with the insurance liability section of the contract (Article XV - Liability). Mr. McCann went on to say that the firm of Alonzo B. Reed, Inc., the second ranked firm by the Consultant Selection Committee, was being recommended to undertake this project. The Commission questioned the qualifications of Alonzo B. Reed, Inc.

Mr. David Weetman, of the Sewerage Division, responded that Alonzo B. Reed, Inc. was given a good recommendation by the State Division of Capital Planning and Operations.

Following a lengthy discussion, the Commission V O T E D: to select Alonzo B. Reed, Inc. as Consultant for Project No. S82-1016-D1A, with the stipulation that the Sewerage Division checks additional references provided by Alonzo B. Reed, Inc. and report back to the Commission with the findings for the meeting of the Commission scheduled for Thursday, January 26, 1984.

The Commission further V O T E D: to authorize James F. McCann, Contract Administrator, to commence contract negotiations with Alonzo B. Reed, Inc. and develop a Scope of Services, Method of Compensation, and Time for Performance.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 1 Report of Mr. Martorana, January 7, recommending approval of Extra Work Claim No. 10, in the amount of \$2,611.20, for temporary heating of the Brattle Court Pumping Station (during the winter of 1982) beyond the original completion date of January 3, 1982, on Contract No. W80-0706-C1A, with A. Bonfatti & Co., Inc., for Pumping Equipment Replacement and Station Modifications at Brattle Court Pumping Station, Arlington, Massachusetts.
The Commission V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 10, in the amount of \$2,611.20.
- 2 Report of Mr. Martorana, January 7, recommending approval of Extra Work Claim No. 11, in the amount of \$3,435.86, for wage increases the contractor had to pay because the project was not completed by the original completion date of January 3, 1982, on Contract No. W80-0706-C1A, with A. Bonfatti & Co., Inc., for Pumping Equipment Replacement and Station Modifications at Brattle Court Pumping Station, Arlington, Massachusetts.
The Commission V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 11, in the amount of \$3,435.86.
- 3 Report of Mr. Martorana, January 10, submitting "Preliminary Design Report - Aqueduct Transfer Hydropower Project," as prepared by International Engineering Company, Inc., and recommending acceptance of the report which completes Phase A of the contract and release of Phase A retainage.
The Commission V O T E D: to accept the report entitled "Aqueduct Transfer Hydropower Project - W-81-1008 - Preliminary Design Report," dated December 1983, and approve release of Phase A retainage for payment, all as recommended by Mr. Martorana in his report of January 10, 1984.
- 4 Report of Mr. Martorana, December 18, recommending the following on Contract-Agreement No. W80-0800-S1A, with Parsons, Brinckerhoff, Quade & Douglas, Inc., for Environmental Impact Report for the Sudbury Reservoir Water Treatment Plant:
 1. Approval to use Task VII, Additional Work, in the following amounts:
 - (a) Task VII A - Hydrogeologic Study - Sudbury Reservoir Area - \$2,832.21.
 - (b) Task VII B - Hydrogeologic Study - Downstream Area - \$24,615.45.
 2. Authorization to prepare a contract amendment, in the amount of \$47,807.79, for the balance of the out of scope work.

Mr. Marcis Kempe, of the Water Division, explained the need for and purpose of the out of scope work. The Commission expressed a general agreement that the out of scope work was beneficial to the study, however, the Commission should have been approached earlier in the process. General concern was expressed over the retro-active payment for services.

Mr. Kempe explained that the Hydrogeologic work could have been funded through the existing contract, but that the Consultant had mistakenly proceeded on the work without his knowledge and without Commission approval.

Mr. James F. McCann, Contract Administrator, briefed the Commission on the procedure for payment of work done out of scope.

The Commission V O T E D: Approved as recommended by Mr. Martorana in his report of December 18, 1983.

The Commission further V O T E D: to authorize the preparation of a contract amendment, in the amount of \$47,807.79, for the balance of the out of scope work.
- 5 Report of Consultant Selection Committee, January 17, recommending that the firm



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of Tighe & Bond/SCI be selected as Consultant for Project No. W80-0907-S3A - MDC Water Quality Studies Project, Quabbin, Wachusetts, and Northfield Reservoirs. Mr. McCann read the minutes of the Consultant Selection Committee's meeting of January 17, 1984, when Tighe & Bond/SCI was chosen to be recommended to undertake this project.

The Commission V O T E D: to select Tighe & Bond/SCI as Consultant for Project No. W80-0907-S3A, with the understanding that, in the future, Mr. McCann is to provide the members of the Commission with a copy of the Consultant Selection Committee's minutes when a Consultant is being recommended to the Commission for selection.

The Commission further V O T E D: to authorize James F. McCann, Contract Administrator, to commence contract negotiations with Tighe & Bond/SCI and develop a Scope of Services, Method of Compensation, and Time for Performance.

Action was taken upon the following Various Matter:

- 1 Matter of Yacht and Boat Club Permits.
The Commission V O T E D: Held over.

ADJOURNED at 1:00 p.m., to meet on Thursday, January 26, 1984, at 10:00 A.M.

William F. Cusick
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Record of the Three Thousand Two Hundred and Sixty-Sixth (3266th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, January 26, 1984, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The records of the meeting held on January 19, 1984, were read and approved.

- 2 The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:
Third Amendment, dated January 26, 1984, to Contract-Agreement No. P78-0564-D1C, dated November 9, 1978, with Environmental Design and Planning, Inc., for Lower Mystic Lake Salt Water Removal and Restoration, which provides for additional services, at a cost not to exceed \$34,772.07, and extends the Time for Performance to July 31, 1985, for Phase II.
- 3 At this point, Mr. Salvatore Martorana, Director of Project Planning and Management - Water Division, discussed the problems he has encountered with some Consultants who have been presenting incomplete or unacceptable plans and specifications for his approval. He then presented, for the Commission's information, a set of plans and specifications which he received recently from a Consultant. He pointed out numerous inaccuracies or incomplete details which were discovered upon his review of the documents.
Following a lengthy discussion, the Commission expressed its extreme displeasure with Consultants who do not live up to the terms and conditions of their Contract-Agreements. The Commission then directed Mr. Martorana to prepare a letter, for Commissioner Geary's signature, to those Consultants who are presenting incomplete and unacceptable work, stating that the Commission will not tolerate poor workmanship and demanding submission of complete and accurate plans and specifications in the future. Mr. Martorana was directed to notify the Consultant Selection Committee of this action.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 4 Report of Mr. Martorana, January 13, submitting Second Quarterly Update of the Water Division's Fiscal Year 1984 Program.
Mr. Martorana stated that there are a total of 52 projects in the Water Division's Program and that 25 of the projects have revisions, 2 new projects have been added, and 2 projects have been deleted from the Program. He then reported on the following projects:
W80-0834-D1A - Replacement of 4500' of Corroded Cast Iron Pipeline (Section 40).
W80-0706-C1A - Brattle Court Pumping Station (Arlington).
W83-1027-S1A - Metropolitan Water Works Preservation Survey.
W83-1026-C1A - Electric Repairs to Generator, Winsor Dam Power Plant.
W81-1007-C2A - Weston Aqueduct Lining.
W81-1006-C1A - Furnish and Lay Water Pipe in Medford, Massachusetts.
W81-1001-C1A - Oil Separator/Drainage, Spot Pond Pumping Station.

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- W80-0884-D1A - Improvement of Distribution System, Stoneham, Wakefield, Woburn.
- W80-0907-S3A - Water Quality Studies.
- W79-0728-S1A - Study to Eliminate Water Quality Problems, Quincy, Blue Hills Reservoirs.
- W83-1024-S1A - Replacement of Pipeline in Boston Low Service.
- W80-0800-S1B - Sudbury Reservoir Treatment Plant EIR.
- W82-1021-S1A - Municipal Leak Detection Training.
- W83-1025-S1A - Expansion of Central Monitoring System.
- W79-0970-C1A - Modernization of Water Meter System.
- W82-1022-S1A - Parks Division Water Audit.
- W81-1009-D1A - Modernization of Wachusett Dam Hydropower.
- W82-1013 - Supplemental Pressure Aqueduct.
- W80-0871-S1A - Corrosion Study of Steel Pipe Lines, MDC Sections 12, 15, 16 & 52.
- W81-1008-D1A - Aqueduct Transfer Hydropower, Hultman.
- W79-0970-D1A - Water Meter System Modernization.
- W80-0915-D1A - Section 57, Northern Low Service
- W80-0835-S1A - Improvements to MDC Northern High Service in Revere, Winthrop, and East Boston.
- W79-0806-X1A - New Chlorination Facility, Norumbega Reservoir.
- W80-0860-D1A - Unmanned Pumping Stations (Hyde Park, Newton Street, Reservoir Road).

New Projects

- W84-1036-S1A - Restoration of Chimney at Chestnut Hill High Service Building.
- W84-1035-S1A - Nashua River Watershed Association (NRWA) Stillwater River Project.

Deleted Projects

- W81-0962-S1A - Water Leakage Survey
- W81-1010-D1A - Cosgrove Intake Efficiency Analysis.

The Commission V O T E D: to approve the Quarterly Update of the Water Division's Fiscal Year 1984 Program.

- 1 Matter of proposed water rate increase from the current \$240.00 per million gallons to \$245.00 per million gallons.
 Commissioner Geary recognized several Town Officials who were in attendance at the meeting. He then introduced Mr. Robert J. Quinn, of the Financial Division, who spoke on the \$5.00 rate increase.
 Following a discussion and question and answer period, the Commission V O T E D: to establish a water rate for Water District Members of \$245.00 per million gallons, to be assessed in November 1984 to apply to the anticipated revenues and expenses of the Commission for the Fiscal Year 1984-1985.
 - 2 Report of Mr. Martorana, January 23, requesting that the Commission ratify and approve the action of Commissioner Geary in undertaking an Emergency Contract for Reinforcing the Exterior of Brick Masonry Chimney at the Chestnut Hill Pumping Station, 2436 Beacon Street, Brighton, Massachusetts, as outlined by Commissioner Geary in his letter to the Executive Office for Administration and Finance, dated January 9, 1984, and vote to award the Emergency Contract to Boston Chimney & Tower Co., Inc., for the sum of \$4,840.00.
 Mr. Brutsch presented photographs which showed a large vertical crack at the top of the chimney. He stated that it is essential that the crack be sealed and the chimney reinforced as soon as possible to prevent further damage.
 The Commission V O T E D: Ratified and approved.
 The Commission further V O T E D: to award the Emergency Contract to Boston Chimney & Tower Co., Inc., for the sum of \$4,840.00.
- Action was taken upon the following matters relating to the Metropolitan Parks System:
- 3 RESOLVED: That the Metropolitan District Commission assembled in its Meeting held on January 26, 1984, does hereby express its deep and sincere appreciation to Joseph Capone, Jr., Director of Program Planning and Management - Parks Division, for his 38 years of faithful and productive service to the Metropolitan District Commission, and for the example he has set as a conscientious and dedicated public servant; that the Commissioner and Associate Commissioners, constituting said Metropolitan District Commission, do hereby extend to him their cordial best wishes that the years of his retirement may be many and that they may be fruitful in the happiness and contentment he so richly deserves; that this Resolution be spread upon the records of this Meeting; and that the Secretary prepare and forward a suitably inscribed copy thereof to Mr. Capone.
 - 4 Report of Mr. Rodrigues, December 19, recommending approval of Contract-Agreements for Golf Professional Services at MDC Golf Courses, as follows:
 1. Contract-Agreement, with John F. Neville, Jr., for Golf Professional Services at Ponkapoag Golf Course, Blue Hills Reservation, Canton, Massachusetts, and

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to operate a golf shop at the same location, for the 1983 and 1984 golf seasons; Mr. Neville to pay an annual payment of \$1,000.00 plus 10% of gross receipts in excess of \$90,000.00 for the 1983 Season and \$100,000.00 for the 1984 Season derived from equipment and cart rentals and from the operation of the driving range.

2. Contract-Agreement, with Michael F. Wortis, for Golf Professional Services at Leo J. Martin Memorial Golf Course, Charles River Reservation, Weston, Massachusetts, and to operate a golf shop and refreshment concession at the same location, for the 1982, 1983, and 1984 golf seasons; Mr. Wortis to pay an annual payment of \$600.00 plus 10% of the gross receipts in excess of \$60,000.00 of the gross receipts derived from the pro shop, food concession and equipment rentals.

The Commission V O T E D: to hold over the Contract-Agreements with Messts. Neville and Wortis for the 1984 Season pending review by a Committee to be chaired by Mr. Rodrigues.

- 1 Report of Mr. McCarran, December 21, on request of St. Brendan Rectory for increased street lighting in the area of the Church at 598 Gallivan Boulevard, Dorchester, Massachusetts.
 The Commission V O T E D: Held over.
- 2 Report of Ms. Volpe-O'Malley, January 5, on request of Massachusetts General Hospital for permission to erect directional signs on Storrow Drive approaching Government Center.
 The Commission V O T E D: Held over.
- 3 Report of Mr. McCarran, January 18, on sub-bids for Rehabilitation of Kasabuski Brothers Skating Rink, Saugus, Massachusetts, Contract No. P82-1037-C1A.
 The Commission discussed possible means of reducing the cost and/or increasing funding for the project.
 The Commission V O T E D: to reject all sub-bids without prejudice.
 The Commission further V O T E D: to cancel receipt of General Bids.
 The Commission further V O T E D: to authorize redesign of the project in an effort to reduce costs.
- 4 At this point, Associate Commissioner Jones asked that a Standard Clause be included in future leases for operation of MDC Rinks by Member Communities which calls for the facility to be available to Residents of the entire Metropolitan Parks District on a fair and equitable basis.
- 5 Report of Mr. McCarran, January 10, recommending the following on Contract No. P82-1151-M1A, with Clean-Way Mobile Wash, Inc., for Washing Tile Walls, Storrow, Berkeley, and Longfellow Tunnels:
 - (a) That the work be accepted as completed as of June 30, 1983.
 - (b) That Estimate No. 3 (Final), in the amount of \$770.45, be approved for payment.
 - (c) That reserve, in the amount of \$246.20, be approved for payment.
 The Commission V O T E D: that the work of Clean-Way Mobile Wash, Inc., contractor under Contract No. P82-1151-M1A, for Washing Tile Walls, Storrow, Berkeley, and Longfellow Tunnels, be and hereby is accepted as completed as of June 30, 1983.
 The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of \$770.45, for payment.
 The Commission further V O T E D: to approve release of reserve, in the amount of \$246.20, for payment.
- 6 Report of Mr. Rodrigues, January 20, requesting authorization to sign a Standard Contract, with the City of Boston - School Department, for rental of MDC Skating Rinks for practice hockey and MDC fields for football, from August 31, 1983 to March 17, 1984; the City of Boston to pay \$19,765.00; also requesting authorization to sign all Standard Contracts with the City of Boston.
 The Commission V O T E D: that Louis Rodrigues, the Director of Recreational Facilities and Programs, is hereby authorized and empowered to make, enter into, sign, seal and deliver, in behalf of the Metropolitan District Commission, a contract for rental of ice time for hockey and use of fields for football, with the City of Boston, and a performance bond in connection with said contract, for the period August 31, 1983 to March 17, 1984.
 The Commission further V O T E D: that Louis Rodrigues, the Director of Recreational Facilities and Programs, is hereby authorized and empowered to make, enter into, sign, seal and deliver, in behalf of the Metropolitan District Commission, all Standard Contracts with the City of Boston.
 Associate Commissioner Scandrett asked if the fees charged by the MDC are fair and equitable and requested an accounting of numbers of paid admissions at school sponsored events. Mr. Rodrigues stated that he would attempt to obtain this information from the City of Boston - School Department.
- 7 Report of Mr. McCarran, January 4, recommending the following on Contract No. P78-0668-C1A, with J. M. Cashman, Inc., for Rehabilitation of Bajko Skating Rink and Service Building, Stony Brook Reservation, Boston, Massachusetts:

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- (a) That the work be accepted as completed as of June 8, 1983.
(b) That Estimate No. 11 (Final), in the amount of \$3,557.75, be approved for payment.

(c) That reserve, in the amount of \$12,439.63, be approved for payment.

The Commission V O T E D: that the work of J. M. Cashman, Inc., contractor under Contract No. P78-0668-C1A, for Rehabilitation of Bajko Skating Rink and Service Building, Stony Brook Reservation, Boston, Massachusetts, be and hereby is accepted as completed as of June 8, 1983.

The Commission further V O T E D: to approve Estimate No. 11 (Final), in the amount of \$3,557.75, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$12,439.63, for payment.

- 1 Report of Mr. McCarran, January 20, on request of the Town of Arlington, Park and Recreation Commission, for approval to replace one set of doors at the Skating Rink.

The Commission V O T E D: Approved with the following stipulations:

1. That the door and its glass meet all State Safety Codes.
2. That the new door be paid for by the Town of Arlington.
3. That final plans and specifications for the door be approved by the MDC Parks Division.

- 2 Report of Mr. Rodrigues, January 23, recommending approval of a Contract-Agreement, with the Friends of the Boston Harbor Islands, in the amount of \$3,500.00, for 1984 Program Services, as follows:

1. Volunteers will provide educational and management services on the MDC Islands during weekends from May 1, 1984 to October 1, 1984. There would be two experienced volunteers per island during the off-season months and a minimum of one per island in July and August.
2. A Program Director will be hired to administer the Volunteer Program. Responsibilities include:
 - (a) Recruiting, screening, and interviewing prospective volunteers.
 - (b) Orientation design and implementation.
 - (c) Scheduling and on-site supervision.

Ms. Suzanne Gall, President, and Mr. George Marsh, Vice-President, of Friends of the Boston Harbor Islands, reviewed the 1984 proposal.

Commissioner Geary spoke of the Commission's goals for the Islands and stated that the Recreation and Programs Interpretive Services Section, under Mr. Mark Primack, will work closely with the Friends during the 1984 Season.

The Commission V O T E D: Approved as recommended by Mr. Rodrigues in his report of January 23, 1984.

- 3 Report of Mr. McCarran, January 18, advising that no services were provided and, therefore, no funds were expended on Contract No. P82-1174-M1A, with Briggs Engineering and Testing Co., Inc., for Testing Bituminous Concrete, Asphaltic Material, and Other Miscellaneous Materials; also recommending that said contract be accepted as completed as of June 30, 1983.

The Commission V O T E D: that Contract No. P82-1174-M1A, with Briggs Engineering and Testing Co., Inc., for Testing Bituminous Concrete, Asphaltic Material, and Other Miscellaneous Materials, be and hereby is accepted as completed as of June 30, 1983.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 4 Report of Mr. Baratta, January 20, submitting for approval and signature Agreement, between the Metropolitan District Commission and the Boston and Maine Corporation, relative to removal of some of the Lexington Branch Railroad tracks, ties, and other railroad structures, in connection with the construction of the Millbrook Valley Relief Sewer.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Agreement, dated January 26, 1984, between the Metropolitan District Commission and the Boston and Maine Corporation, which was signed by the Commissioner and four Associate Commissioners.

- 5 Report of Mr. Baratta, January 23, submitting for approval and signature Agreement, between the Metropolitan District Commission and the Massachusetts Bay Transportation Authority, relative to easements along the Lexington Branch Railroad Right-of-Way, in connection with construction of the Millbrook Valley Relief Sewer.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Agreement, dated January 26, 1984, between the Metropolitan District Commission and the Massachusetts Bay Transportation Authority, which was signed by the Commissioner and four Associate Commissioners.

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Report of Mr. Wright, January 25, submitting for approval and signature Contract-Agreement, with Metcalf & Eddy, Inc., for East Boston Facilities Upgrading; the contract to be on a cost-plus-fixed fee basis and the total compensation not to exceed \$1,773,830.00, including a fixed fee of \$199,226.00.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Contract-Agreement, dated January 26, 1984, with Metcalf & Eddy, Inc., which was signed by the Commissioner and four Associate Commissioners.

2 Report of Mr. Wright, January 25, submitting for approval and signature Contract-Agreement, with Camp Dresser & McKee, Inc., for Moon Island Phase I Study; contract to be on a cost-plus-fixed fee basis and the total compensation not to exceed \$39,932.00, including a fixed fee of \$4,430.00.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Contract-Agreement, dated January 26, 1984, with Camp Dresser & McKee, Inc., which was signed by the Commissioner and four Associate Commissioners.

3 Report of Mr. O'Brien, January 25, relative to Contract No. S80-0656-C2A, Immediate Upgrading of Nut Island Sewage Treatment Plant.

The Commission V O T E D: to direct the forfeiture of the bid security of Cabot Construction Co., Inc. on bid tendered for Contract No. S80-0656-C2A.

The Commission further V O T E D: to rescind its votes of November 10, 1983, (Volume 47, Page 84, Item 2), as amended by vote of December 15, 1983, (Volume 47, Page 100, Item 5, continued on Page 101), awarding Contract No. S80-0656-C2A to Cabot Construction Co., Inc. and selecting filed subcontractors for Masonry, Plumbing, HVAC, and Electrical Work.

The Commission further V O T E D: to award Contract No. S80-0656-C2A to Joseph P. McCabe, Inc. at the price of \$843,793.00 as adjusted to reflect the filed sub-bidders, on condition that and effective upon receipt of Massachusetts Division of Water Pollution Control (MDWPC) approval to award same.

The Commission further V O T E D: to select as the filed subcontractors the following:

<u>Name of Subcontractor</u>	<u>Subtrade</u>
Empire Masonry Corp.	Masonry
Norfolk Mechanical Contractors, Inc.	Plumbing
Worcester Air Conditioning Co.	HVAC
The Chappy Corporation	Electrical Work.

(A change order will be required to allow for the cost of bonds for the substituted filed subcontractors and the increase in cost of the bonds of the general contractor due to the increased costs of subcontractor substitution).

Action was taken upon the following Various Matters:

4 Matter of Yacht and Boat Club Permits.
The Commission V O T E D: Held over.

5 Report of Mr. Falvey, January 20, requesting approval of payment, in the amount of \$864.98, from the Metropolitan Parks Land Trust Fund (2448-0005) to cover additional interest to January 31, 1984, to Robert MacFarland, in connection with court judgment relative to eminent domain taking on Quincy Shore Drive, Quincy, Massachusetts.

The Commission V O T E D: to appropriate funds from the Metropolitan Parks Land Trust Fund (Account No. 2448-0005) to cover additional interest to January 31, 1984, in the amount of \$864.98, as requested by Mr. Falvey in his report of January 20, 1984.

6 Report of Mr. Quinn, January 20, requesting approval of payment, in the amount of \$214,341.87, from the Metropolitan Parks Land Trust Fund (2448-0005) to cover additional interest to January 31, 1984, in connection with court judgment relative to eminent domain taking of Peddocks Island.

Mr. Quinn stated that the Commission is obligated to pay the interest and will continue to pay compounded interest until such time as it has been paid off. He went on to say that the original pro-tanto payment was paid from the Metropolitan Parks Land Trust Fund.

Mrs. Julia O'Brien expressed her uneasiness with using Metropolitan Parks Land Trust Funds for this purpose, but, in this instance, concurred with the request in order to minimize the impact of accruing interest.

The Commission V O T E D: to appropriate funds from the Metropolitan Parks Land Trust Fund (Account No. 2448-0005) to cover additional interest to January 31, 1984, as requested by Mr. Quinn in his report of January 20, 1984, in the amount of \$214,341.87.

The following matters were placed on the agenda for the information of the Commission:

326th 1 The following schedules were approved for payment by the Commissioner during the
 1.6,1984 period from January 9, 1984 to January 16, 1984:
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Invoices	\$ 1,082,506.87
Reservation of Funds	\$ 96,982.98
Advices of Change	\$ 746,780.65
Weekly Payroll	\$ 989,748.59
Industrial Accident Report	\$ 46,837.11
Request for Advances	\$ 500.00.

2 The following schedules were approved for payment by the Commissioner during the
 period from January 16, 1984 to January 23, 1984:

Invoices	\$ 342,609.42
Reservation of Funds	\$ 60,671.21
Advices of Change	\$ 184,634.80
Weekly Payroll	\$ 978,900.71.

ADJOURNED at 3:15 P.M., to meet on Thursday, February 2, 1984, at 10:00 A.M.

William F. Cushle
 S e c r e t a r y .

326th 1 Record of the Three Thousand Two Hundred and Sixty-Seventh (3267th) Meeting of the
 2 1984 Metropolitan District Commission duly called and held at 20 Somerset Street,
 Boston, Massachusetts, on Thursday, February 2, 1984, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Jones and Scandrett.

The Secretary submitted for signature the following papers which were signed by
 the Commissioner and two Associate Commissioners:

- 3 First Amendment, dated February 2, 1984, to Contract-Agreement, dated October 17,
 1980, with Fay, Spofford & Thorndike, Inc., for Engineering and Design Services
 for Maritime Work, South Boston and Hull, which provides for additional services,
 increases the Upset Limit from \$185,791.00 to \$407,904.00, adjusts the Schedule
 of Rates, and extends the Time for Performance.
- 4 Contract No. S83-1105-M1A, dated February 2, 1984, with Creole Production Services,
 Inc., for Engine Maintenance Program at Nut Island Sewage Treatment Plant.
- 5 Contract No. P83-1248-C1A, dated February 2, 1984, with Bell's Roofing Co., Inc.,
 for Replacement of Roof, Administration and Hospital Building, Franklin Park Zoo.
- 6 Contract-Agreement No. P84-1288-X1A, dated February 2, 1984, with Barnes and
 Jarnis, Inc., for Engineering Services for Legal Court Case - Sutton Corporation
 vs. Vibroflotation and Commonwealth of Massachusetts (MDC), Middlesex Superior
 Court No. 82-1930; MDC Project No. E80-15PE.

Action was taken upon the following matters relating to the Metropolitan Water
 Quality and Sewerage System:

- 7 Report of Mr. O'Brien, January 24, relative to Contract No. S80-0655-C4A - Im-
 mediate Upgrading of Nut Island Sewage Treatment Plant.
 The Commission V O T E D: Held over.
- 8 Report of Mr. O'Brien, January 30, requesting approval of an extension of time
 to July 1, 1984, on Contract No. S77-0484-C1A, with Methuen Construction Co.,
 Inc., for the Construction of the Hingham Force Main, to allow sufficient time to
 complete the final paving requirement of the contract.
 Mr. O'Brien explained that the contract had a completion date of January 1984,
 but that the contract documents failed to take into consideration that paving
 could not be undertaken during winter months.
 The Commission V O T E D: to approve an extension of time to July 1, 1984, as
 requested by Mr. O'Brien in his report of January 30, 1984, to be effective, how-
 ever, only upon receipt of the written consent of the bonding company, and on
 condition that no further request will be made for additional compensation.
- 9 Report of Mr. O'Brien, January 26, requesting authorization to enter into contract
 negotiations with Robert H. Griffin for 03 Consultant Engineering Services to Ad-
 minister and Manage the Various Projects Under the Jurisdiction of the Program
 Management Office of the Sewerage Division, many of which are part of the Superior
 Court Order No. 138477 issued against the MDC; funds to be provided by Massachu-
 setts Department of Environmental Quality Engineering to the MDC in accordance
 with Joint Agreement, dated November 25, 1983; Maximum obligation of the contract
 not to exceed \$31,000.00 for a one-year term (Hourly Rate of \$15.00) plus Travel/
 Meal Expense allowance of \$500.00.
 Mr. O'Brien explained that under terms of the Memo of Understanding with the Mass-
 achusetts Division of Environmental Quality Engineering, funds have been provided
 for the management of 16 priority projects. He noted that most of these projects

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have been mandated under Superior Court Order.

The Commission then reviewed Mr. Griffin's resume and qualifications, which they found impressive.

Associate Commissioner Scandrett noted that the Memo of Understanding was dated November 25, 1983, and inquired as to when the twelve-month period actually will begin.

Mr. O'Brien stated that he will attempt to have the Consultant Contract begin on the first day of Mr. Griffin's employment.

The Commission V O T E D: Authority given to commence contract negotiations with Robert H. Griffin, as requested by Mr. O'Brien in his report of January 26, 1984.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 1 Report of Mr. Rodrigues, December 19, recommending approval of Contract-Agreements for Golf Professional Services at MDC Golf Courses, as follows:
 1. Contract-Agreement, with John F. Neville, Jr., for Golf Professional Services at Ponkapoag Golf Course, Blue Hills Reservation, Canton, Massachusetts, and to operate a golf shop at the same location, for the 1983 and 1984 golf seasons; Mr. Neville to pay an annual payment of \$1,000.00 plus 10% of gross receipts in excess of \$90,000.00 for the 1983 Season and \$100,000.00 for the 1984 Season derived from equipment and cart rentals and from the operation of the driving range.
 2. Contract-Agreement, with Michael F. Wortis, for Golf Professional Services at Leo J. Martin Memorial Golf Course, Charles River Reservation, Weston, Massachusetts, and to operate a golf shop and refreshment concession at the same location, for the 1982, 1983, and 1984 golf seasons; Mr. Wortis to pay an annual payment of \$600.00 plus 10% of the gross receipts in excess of \$60,000.00 of the gross receipts derived from the pro shop, food concession and equipment rentals.

The Commission V O T E D: to hold over the Contract-Agreements with Messrs. Neville and Wortis for the 1984 Season pending review by a Committee to be chaired by Mr. Rodrigues.
- 2 Report of Mr. McCarran, December 21, on request of St. Brendan Rectory for increased street lighting in the area of the Church at 598 Gallivan Boulevard, Dorchester, Massachusetts; also supplemental report of Mr. McCarran, January 31, relative to increased street lighting illumination on Gallivan Boulevard, Dorchester, Massachusetts, from Morton Street to Neponset Circle.
 Commissioner Geary stated that the Community Affairs Office had conducted a survey of Residents of the area and that there was overwhelming support for the project. He noted that the improved lighting is needed for pedestrian safety and also spoke of heavy vehicular traffic using Gallivan Boulevard.
 The Commission V O T E D: to approve the concept of the lighting modernization and authorized Boston Edison Company to proceed with the work; Boston Edison Company to assume all new construction and material, along with the labor and transportation costs associated with this conversion; MDC to assume the estimated \$3,000.00 increase in the annual energy costs, all as recommended by Mr. McCarran in his report of January 31, 1984.
- 3 Report of Ms. Volpe-O'Malley, January 5, on request of Massachusetts General Hospital for permission to erect directional signs on Storrow Drive approaching Government Center.
 The Commission V O T E D: Held over.
- 4 Report of Mr. McCarran, January 27, requesting approval of an extension of time from December 15, 1983 to May 31, 1984, on Contract No. P79-0546-C1A, with Modern Continental Construction Co., Inc., for Reconstructing Columbia Road and Mount Vernon Street Bridges, to allow for completion of the planting items.
 The Commission V O T E D: to approve an extension of time from December 15, 1983 to May 31, 1984, as requested by Mr. McCarran in his report of January 27, 1984, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
- 5 Report of Mr. McCarran, January 26, submitting Work Schedule Form, Project Summary Form and Project Justification for Project No. P84-1272 - Benjamin Mills Park, Charles River Reservation; estimated cost - \$100,000.00; Account No. 2449-7350.
 The Commission V O T E D: Approved.
- 6 Report of Mr. McCarran, January 20, recommending the following on Contract No. P84-1275-C1A, with A. J. Tomasi Nurseries, Inc., for Furnishing and Planting Trees in Various Locations in MDC Districts:
 - (a) That the work be accepted as completed as of December 1, 1983.

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(b) That Estimate No. 2 (Final), in the amount of \$30,542.50, be approved for payment.

(c) That reserve, in the amount of \$4,878.60, be approved for payment on February 4, 1984.

The Commission V O T E D: that the work of A. J. Tomasi Nurseries, Inc., contractor under Contract No. P84-1275-C1A, for Furnishing and Planting Trees in Various Locations in MDC Districts, be and hereby is accepted as completed as of December 1, 1983.

The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of \$30,542.50, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$4,878.60, for payment on February 4, 1984.

1 Report of Mr. Rodrigues, February 1, recommending that February 8, 1984, be dedicated as "Metro Olympic Day" in honor of the Winter Olympic Games, and requesting that the fees for public skating be suspended on February 8, 1984.

The Commission V O T E D: to designate February 8, 1984, as "Metro Olympic Day."

The Commission further V O T E D: to suspend the fees for public skating on February 8, 1984.

2 The Commission discussed plans for the Charles River Basin Extension.

Associate Commissioner Scandrett requested that the minutes of the meeting reflect the Commission's desire to proceed as expeditiously as possible in the development of a comprehensive Master Plan and implementation strategy for the development of the Charles River Basin Extension; all interested parties to be so informed.

3 Report of Mr. McCarran, January 24, requesting approval of Revised Work Schedule for Project No. P82-1139-S1A - Rating Capacity of Designated Bridges Under the Control of the MDC; the revised scope of services and the addition of six bridge structures have increased the estimated contract cost from \$125,000.00 to \$285,000.00; Account No. 2490-0009.

Mr. McCarran explained that the increase of \$160,000.00 in the estimated cost is a result of the Inspector General's suggestion that the Commission provide itself with a method of accurately estimating the cost of construction projects prior to a request for funding. Mr. McCarran noted that six additional bridges have been added to the original list due to recent field inspections.

Commissioner Geary stated that the Inspector General has requested that, in the future, study be separated from design and the increase in the scope of services and funding will provide for the separation.

The Commission V O T E D: Approved.

4 Matter of approval and execution of Contract-Agreement, with William A. Stokinger, to Provide Architectural, Archeological, and Interpretive Services in connection with Phase II of the Renovation Project for Fort Independence and the Adjacent Seawall; total compensation not to exceed \$10,000.00, \$11.25 per hour, which rate shall include direct labor and overhead; all work to be completed on or before June 30, 1984.

Commissioner Geary spoke of the requirements of the Massachusetts Historical Association for improvements to historical sites and stated that the Association had recommended Mr. Stokinger to provide the services. He went on to say that Mr. Stokinger had been Project Archeologist for a similar project at Fort McHenry in Baltimore, Maryland. Commissioner Geary also noted that the Castle Island Association is involved in the restoration project.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Contract-Agreement, dated February 2, 1984, with William A. Stokinger, which was signed by the Commissioner and two Associate Commissioners.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

5 Report of Mr. Brutsch, January 27, relative to water rates for Non-Member Communities and Water Users.

The Commission V O T E D: to approve the following water rates for Non-Member Communities and Water Users as follows, effective January 1, 1984, as recommended by Mr. Brutsch in his report of January 27, 1984.

Framingham	-	\$200.00
Leominster	-	\$100.00
Marlborough	-	\$200.00
Southborough	-	\$200.00
Northborough	-	\$245.00
Worcester	-	\$245.00
Other Users in Met. Area	-	\$245.00
Clinton	-	\$245.00
Westborough State Hospital	-	\$245.00.



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Report of Mr. Martorana, January 26, on request of Camp Dresser & McKee, Inc., Consultants for Design of Improvements to the Clinton Wastewater Treatment Plant, for approval to engage the services of Mr. Tamotsu Yamamoto as subconsultant to produce an architectural rendering of the proposed plant, at a cost not to exceed \$2,000.00.

The Commission V O T E D: Approved as recommended by Mr. Martorana in his report of January 26, 1984.

Action was taken upon the following Various Matter:

2 Matter of Yacht and Boat Club Permits.

In response to questions posed by the Commission at its meeting of January 12, 1984, Mr. Owen McGarrahan, of the Right-of-Way Section, stated that all Clubs are in compliance with the Massachusetts Clean Waters Act as far as sewage disposal is concerned.

Ms. Ellen M. Mayoue, Assistant General Counsel, stated that the proposed permit was reviewed by both MDC Staff and various citizen groups for input. Ms. Mayoue went on to explain that under Massachusetts General Laws, Chapter 59, Section 2B, municipalities may tax a lessee situated on public property as if the lessee was the owner, however, no tax liens can be placed on public property.

The Commission V O T E D: to approve the recommendations, as outlined by Ms. Mayoue in her report of December 20, 1983, as follows:

1. That permits continue to be issued on an annual basis with some language changes as noted below.
2. That the fees remain at the 1982-1983 schedule with an increase of \$300.00 for the Cambridge Boat Club.
3. That no permit be issued for 1984 until accounts for prior seasons are satisfied and, in the case of one club, a membership complaint is resolved.
4. That the termination period be extended from 30 to 60 days (Paragraph 4).
5. That the Clubs also file the following information with the Commission (Paragraph 7):
 - (1) Schedule of initiation fees, annual dues, and yearly fees.
 - (2) Number of boats, lengths, and length limits of vessels.
 - (3) Number of moorings.
 - (4) Number of dues paying members.
 - (5) Number of vessels stored in the winter.
6. That Paragraph 17 be rewritten to read:
"That the location of slips, floats and guest moorings shall be subject to Commission approval and shall be limited to () floats () slips and guest () moorings."
7. That Paragraph 18 be rewritten to read:
"That no alcoholic beverages, as defined in the Statutes of the Commonwealth, be sold, exposed or offered for sale on said premises during stated term or any extension thereof without the express written permission of the Commission. Requests for permission for the service of liquor at functions to be held on the premises shall be directed to the Captain of the Marine Division, Metropolitan Police."
8. Addition of Statement of State Tax Compliance, as required by Section 36 of Chapter 233 of the Acts of 1983, relating to the enforcement of tax assessments.
9. That Winter Hill Yacht Club and Riverside Yacht Club be allowed to clean up, landscape, and maintain the adjacent parcel and be permitted to use a portion of same for vessel storage.

The Commission further V O T E D: to renew Permits for Yacht and Boat Clubs and for Educational and Non-Profit Institutions for an additional one-year period as follows:

<u>LARGE CLUBS</u>	<u>RATE</u>
Boston Harbor Yacht Club, Inc.	\$1,800.00
Cambridge Boat Club, Inc.	\$1,800.00
Charlesgate Yacht Club, Inc.	\$1,800.00
Charles River Yacht Club	\$1,800.00
Columbia Yacht Club	\$1,800.00
East Boston Yacht Club	\$1,800.00
Mystic Wellington Yacht Club	\$1,800.00
Newton Yacht Club, Inc.	\$1,800.00
Riverside Yacht Club	\$1,800.00
South Boston Yacht Club, Inc.	\$1,800.00
Watertown Yacht Club	\$1,800.00
Winter Hill Yacht Club	\$1,800.00



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<u>MEDIUM CLUBS</u>	<u>RATE</u>
Dorchester Yacht Club	\$1,200.00
Medford Boat Club	\$1,200.00
Squantum Yacht Club	\$1,200.00
Wollaston Yacht Club	\$1,200.00
<u>SMALL CLUBS</u>	
Neponset Valley Yacht Club	\$ 600.00
Puritan Canoe Club, Inc.	\$ 600.00
Riverside Boat Club of Cambridge, Inc.	\$ 600.00
<u>EDUCATIONAL AND NON-PROFIT INSTITUTIONS</u>	
Belmont Hill School	\$ 600.00
Boston University (Boathouse in Boston)	\$ 600.00
Boston University (Boathouse in Cambridge)	\$ 600.00
Buckingham, Browne & Nichols School	\$ 600.00
Tufts University	\$ 600.00.

The following matter was placed on the agenda for the information of the Commission:

- 1 The following schedules were approved for payment by the Commissioner during the period from January 23, 1984 to January 26, 1984:

Invoices	\$ 1,266,525.53
Reservation of Funds	\$ 6,243,630.00
Advices of Change	\$ 8,000.00
Weekly Payroll	\$ 1,214,090.09
Industrial Accident Report	\$ 37,948.97
Request for Advances	\$ 250,000.00.

ADJOURNED at 12:30 P.M., to meet on Thursday, February 9, 1984, at 10:00 A.M.

William F. Cusick
S e c r e t a r y .

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Record of the Three Thousand Two Hundred and Sixty-Eighth (3268th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, February 9, 1984, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Jones and Scandrett.

The records of the meetings held on January 26, 1984, and February 2, 1984, were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and two Associate Commissioners:

- 2 Contract No. S80-0656-C3A (EPA Project No. C250-670-02), dated February 9, 1984, with The Chappy Corporation, for Improvements to Grit Room and Incinerator, Tower Electrical Systems, Nut Island Wastewater Treatment Plant.
- 3 Contract-Agreement, dated February 9, 1984, with Robert H. Griffin, for Services as an Environmental Staff Engineer to Assist in Management and Implementation of Capital Improvement Projects.
- 4 Contract No. S80-0656-C2A (EPA Project No. C250-670-02), dated February 9, 1984, with Joseph P. McCabe, Inc., for Ventilation and Odor Control for Main Building, Nut Island Wastewater Treatment Plant.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 5 Report of Mr. Gillis, February 3, on request of the Town of Needham to change the rates charged for water supplied to consumers.
The Commission V O T E D: to approve minimum rate of \$.72 per 100 cubic feet insofar as the Commission is authorized to do so under Section 27 of Chapter 92 of the General Laws, effective July 1, 1982, provided that the Commission reserves the right to withdraw approval if policy is changed or legislation enacted which modifies current practices.

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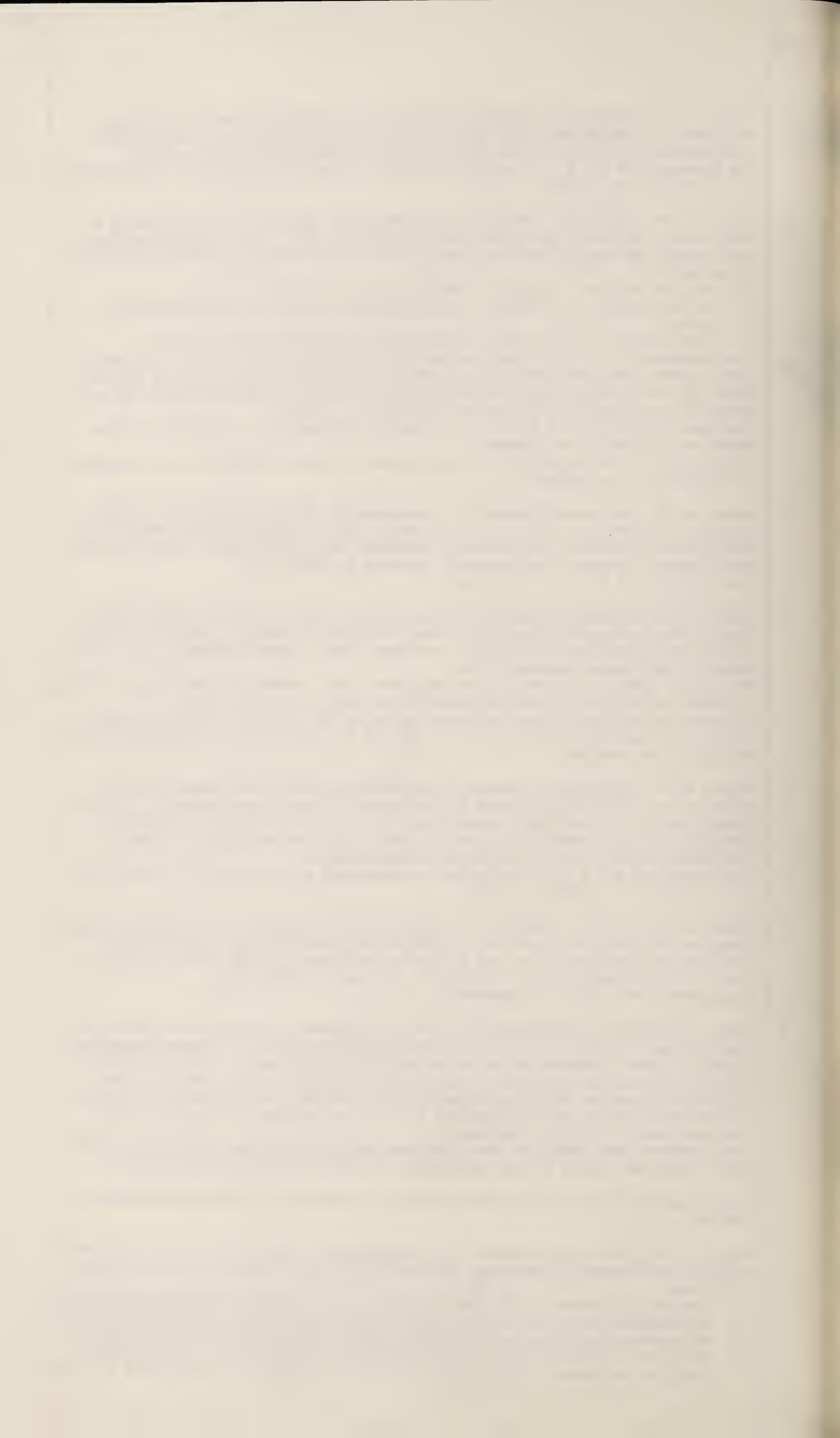
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- 26th 1 Report of Mr. Martorana, January 20, requesting approval of partial release of
 1984 retainage, in the amount of \$7,742.12, on Contract-Agreement No. W79-0749-S2A,
 co.-) with Wallace Floyd Associates, for Long-Range Water Supply Study and EIR.
 The Commission V O T E D: to approve partial release of retainage, in the amount
 of \$7,742.12, for payment.
- 2 Report of Mr. Martorana, January 30, recommending approval of the following on
 Contract No. W80-0706-C1A, with A. Bonfatti & Co., Inc., for Pumping Equipment
 Replacement and Station Modifications, Brattle Court Pumping Station, Arlington,
 Massachusetts:
 (a) That the work be accepted as completed as of October 17, 1983.
 (b) That Estimate No. 14 (Final), in the amount of \$5,744.71, be approved for
 payment.
 (c) That reserve, in the amount of \$20,622.66, be approved for payment.
 The Commission V O T E D: that the work of A. Bonfatti & Co., Inc., contractor
 under Contract No. W80-0706-C1A, for Pumping Equipment Replacement and Station
 Modifications, Brattle Court Pumping Station, Arlington, Massachusetts, be and
 hereby is accepted as completed as of October 17, 1983.
 The Commission further V O T E D: to approve Estimate No. 14 (Final), in the
 amount of \$5,744.71, for payment.
 The Commission further V O T E D: to approve release of reserve, in the amount
 of \$20,622.66, for payment.
- 3 Report of Mr. Martorana, February 3, recommending approval of Project No. W84-
 1037-M1A - Overhaul of Engine #47, estimated cost - \$90,000.00, and Project No.
 W84-1038-M1A - Overhaul of Pump #29, estimated cost - \$20,000.00, Spot Pond Pump-
 ing Station, Stoneham, Massachusetts, Account No. 2429-7141.
 The Commission V O T E D: Approved.
- 4 Report of Mr. Martorana, February 2, submitting "Final Technical Report, Water
 Quality Monitoring of Connecticut River, Northfield Reservoir, Quabbin Reservoir
 and Wachusett Reservoir, June 1982 - November 1983," dated December 1983, as pre-
 pared by New England Research, Inc.
 Mr. George Camougis, of New England Research, Inc., summarized the report findings
 of water quality testing for the period June 1982 to November 1983.
 Following a lengthy discussion concerning the effect of acid rain on the water
 supply, the Commission V O T E D: to approve Mr. Martorana's recommendation that
 the report be accepted.
- 5 Report of Mr. Martorana, December 6, requesting permission to amend Contract-
 Agreement No. W78-0739-D1A, with Tighe & Bond/SCI Consulting Engineers, for the
 Rehabilitation of Spot Pond Pumping Station, in order to revise the Scope of
 Services and Milestones I, II, and III; there shall be no change in time for
 completion of the contract, which is March 13, 1984.
 The Commission V O T E D: to approve an Amendment as outlined by Mr. Martorana
 in his report of December 6, 1983.
- 6 Report of Mr. Brutsch, February 2, submitting Work Schedule Form, Project Summary
 Form, and Project Justification for Project No. W84-1041-X1A - Professional
 Services for Instrumentation and Telemetry throughout the MDC Water Division's
 Facilities, estimated cost - \$25,000.00, Account No. 2429-7140.
 The Commission V O T E D: Approved.
- 7 Matter of approval and execution of Contract-Agreement, with Barbara Lahage, for
 Professional Services for the Management and Administration of Demand Management
 Projects; Total Compensation not to exceed \$10,600.00, Rate - \$16.00 Per Hour,
 which rate shall include direct labor cost, and indirect cost, not to exceed
 \$10,400.00; Expenses including mileage, tolls, parking, conference fees, and ma-
 terials shall not exceed \$200.00; all work to be completed on June 30, 1984.
 The Commission V O T E D: Approved.
 The Secretary then submitted for signature Contract-Agreement, dated February 9,
 1984, which was signed by the Commissioner and two Associate Commissioners.
- Action was taken upon the following matters relating to the Metropolitan Parks
 System:
- 8 Report of Mr. Rodrigues, December 19, recommending approval of Contract-Agreements
 for Golf Professional Services at Metropolitan District Commission Golf Courses,
 as follows:
1. Contract-Agreement, with John F. Neville, Jr., for Golf Professional Services
 at Ponkapoag Golf Course, Blue Hills Reservation, Canton, Massachusetts, and
 to operate a golf shop at the same location, for the 1983 and 1984 golf sea-
 sons; Mr. Neville to pay an annual payment of \$1,000.00 plus 10% of gross
 receipts in excess of \$90,000.00 for the 1983 Season and \$100,000.00 for the



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1984 Season derived from equipment and cart rentals and from the operation of the driving range.

- 2. Contract-Agreement, with Michael F. Wortis, for Golf Professional Services at Leo J. Martin Memorial Golf Course, Charles River Reservation, Weston, Massachusetts, and to operate a golf shop and refreshment concession at the same location, for the 1982, 1983, and 1984 golf seasons; Mr. Wortis to pay an annual payment of \$600.00 plus 10% of the gross receipts in excess of \$60,000.00 of the gross receipts derived from the pro shop, food concession and equipment rentals.

The Commission V O T E D: to hold over the Contract-Agreements with Messrs. Neville and Wortis for the 1984 Season pending review by a Committee to be chaired by Mr. Rodrigues.

- 1 Report of Ms. Volpe-O'Malley, January 5, on request of Massachusetts General Hospital for permission to erect directional signs on Storrow Drive approaching Government Center.

The Commission V O T E D: Held over.

- 2 Report of Mr. McCarran, February 1, requesting approval of an extension of time to July 31, 1985, on Contract No. P78-0564-C1A, with The Normac Company, Inc., for Lower Mystic Lake Restoration Project, due to the delay in receiving funding for the chemicals.

Mr. McCarran explained that The Normac Company had completed as much work as possible on the project and could not complete the work until funds to purchase chemicals was obtained through the Legislature. He noted that funding has now been obtained and arrangements have been made for the purchase of the chemicals. Mr. McCarran stated that salt water can now be pumped from the bottom of the lake, treated to remove hydrogen sulfide with the chemicals, and discharged into a nearby Commission sewer.

The Commission V O T E D: to approve an extension of time from July 30, 1982 to July 31, 1985, as requested by Mr. McCarran in his report of February 1, 1984, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

- 3 Report of Mr. McCarran, February 1, recommending approval of release of retainage, in the amount of \$4,000.00, on Contract-Agreement No. P83-1192-S1A, with Franklin Pierce Law Center - Energy Law Institute, for Hydropower Management Study.

The Commission V O T E D: to approve release of retainage, in the amount of \$4,000.00, for payment.

- 4 Report of Mr. McCarran, February 3, recommending approval of an extension of time from December 31, 1983 to May 31, 1984, on Contract No. P83-1204-C1A, with Bonacorso Construction Corp., for Bridge Approach Reconstruction, John J. Beades Bridge, Dorchester Bay, Morrissey Boulevard, Boston, Massachusetts, due to various weather and field conditions.

The Commission V O T E D: to approve an extension of time from December 31, 1983 to May 31, 1984, as recommended by Mr. McCarran in his report of February 3, 1984, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

- 5 Report of Mr. McCarran, February 3, recommending approval of an extension of time from December 16, 1983 to May 31, 1984, on Contract No. P79-0770-C1A, for Rehabilitation of Foss Park, Somerville, Massachusetts, due to the following reasons:

- 1. A wet Spring - 1983 causing delay in starting.
- 2. Changes of grades in vicinity of Ballfield No. 2.
- 3. Additional chain link fence was requested to make a standard "Little League" enclosed ballfield - Ballfield No. 2.
- 4. Additional conduit requested by Boston Edison Co.
- 5. A determination of what to do with excess loam.

The Commission V O T E D: to approve an extension of time from December 16, 1983 to May 31, 1984, as recommended by Mr. McCarran in his report of February 3, 1984, to be effective, however, only upon receipt of the written consent of the bonding company.

- 6 Report of Mr. McCarran, February 7, submitting Work Schedule Form and Project Summary Form for Project No. P82-1036-X1A - Restoration of Fort Independence - Phase II, estimated cost - \$10,000.00, Account No. 2440-8776.

The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

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Report of Mr. O'Brien, January 24, relative to Contract No. S80-0655-C4A - Immediate Upgrading of Nut Island Treatment Plant.

Mr. Jack Hamm, of the Program Management Office, explained that the Massachusetts Department of Labor & Industries has ruled that P. R. Johnson's protest, that it should be awarded the contract because the two low bidders failed to identify a Woman Business Enterprise at the time of the bid opening, was rejected. He noted that a formal written opinion is expected from the Massachusetts Department of Labor & Industries within a week.

The Commission V O T E D: to adopt the ruling of the Massachusetts Department of Labor & Industries.

The Commission further V O T E D: to disallow the protest of P. R. Johnson, Inc. on the basis that it is invalid.

The Commission further V O T E D: to award Contract No. S80-0656-C4A to Gaffney Plumbing & Heating Corp. d/b/a Gaffney Corporation Contractors, at a low responsible bid price of \$897,485.00, on condition and effective upon receipt of Massachusetts Division of Water Pollution Control (MDWPC) approval to award same.

The Commission further V O T E D: to select as the filed subcontractors the following:

<u>Name of Subcontractor</u>	<u>Subtrade</u>
Lisa M. Bradstreet	Architectural Masonry
Gaffney Plumbing & Heating	Plumbing
The Chappy Corporation	Electrical.

- 2 Report of Mr. Baratta, January 30, on request of Ronald and Nora Ordway for permission to build a house on a parcel of land owned by them located at 32 Oakland Street, Natick, Massachusetts, which has a 20-foot wide MDC Sewer Easement.

The Commission V O T E D: Approved as recommended by Mr. Baratta in his report of January 30, 1984, subject to the following conditions:

1. That there will be no drilling or blasting.
2. Any other protective conditions that the Right-of-Way Section deems necessary.

- 3 Report of Mr. Baratta, February 2, on request of First Columbia Management Company, through its Consultant - The Architects Collaborative, Inc., for permission to landscape in the MDC Sewer Easement, North Charles Relief Sewer, between Stations 31+90± and 33+70±, which runs through its property at 808 Memorial Drive, Cambridge, Massachusetts.

The Commission V O T E D: Approved as recommended by Mr. Baratta in his report of February 2, 1984, subject to the following conditions:

1. That the tree pits are constructed with a 6-inch concrete base and a ¼ inch sheet steel wall to deflect the roots from encroaching the sewer line.
2. Any other protective conditions that the Right-of-Way Section deems necessary.

- 4 Report of Mr. Baratta, February 3, advising that the design of the proposed new pumping station in Wakefield is 60% complete and that the design phase of the proposed new pumping station in East Boston will begin in approximately one month, and requesting that the facilities be named as follows:

1. The new pumping station in Wakefield to replace the Reading Pumping Station be named the "Allison C. Hayes Pumping Station."
2. The new pumping station in East Boston to replace the existing East Boston Steam and Electric Pumping Station be named the "Ignatius N. Caruso Pumping Station."

The Commission V O T E D: to designate the new Pumping Station in Wakefield as the "Allison C. Hayes Pumping Station."

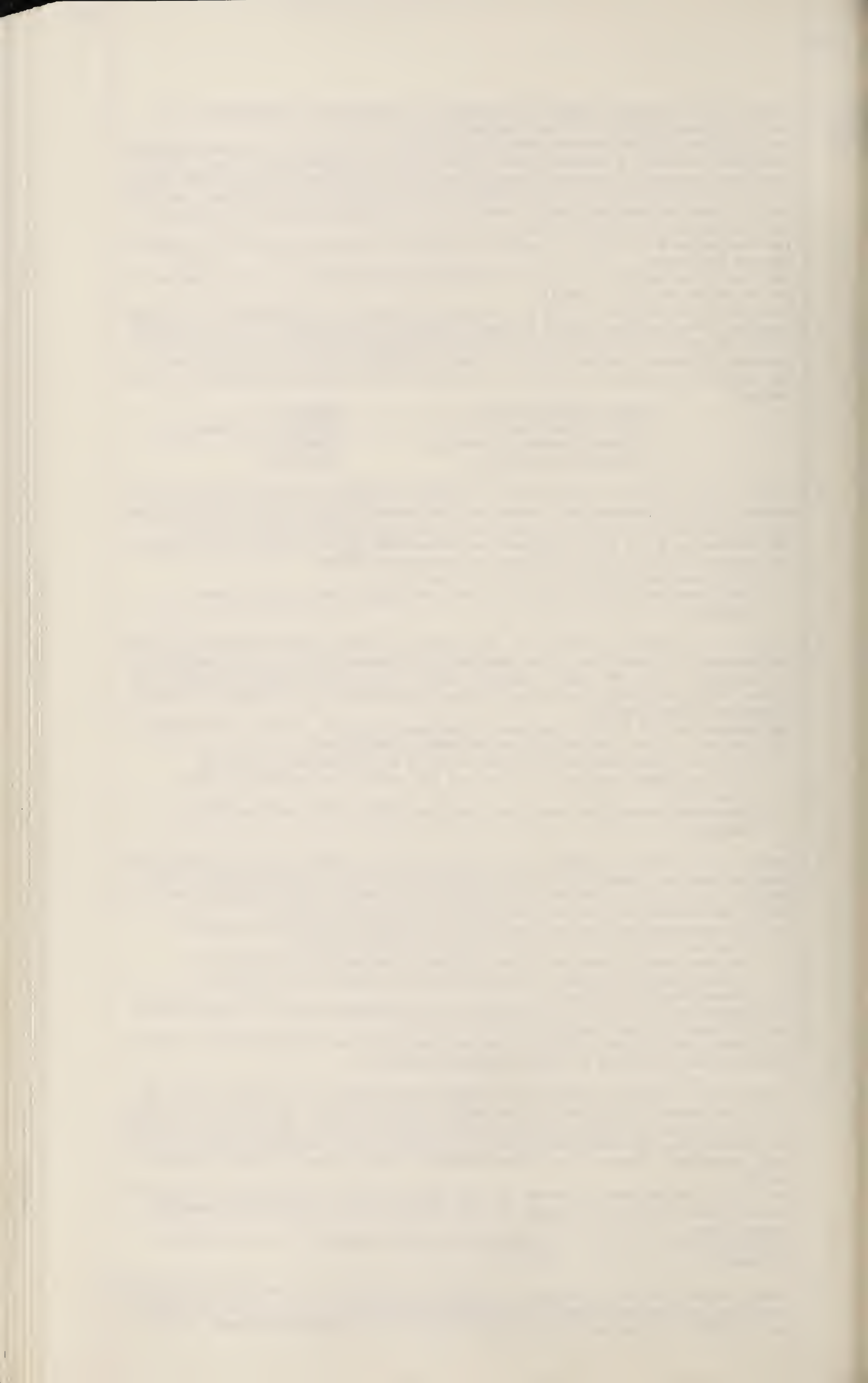
The Commission further V O T E D: to designate the new Pumping Station in East Boston as the "Ignatius N. Caruso Pumping Station."

- 5 Report of Ms. Haggerty, February 3, requesting approval of Extra Work Order No. 1, in the amount of \$32,666.23, for substituting stainless steel for concrete in the influent and effluent channels, extra electrical work, and adding two valves, on Contract No. S81-0947-C1A, with P. R. Johnson, Inc., for Chlorination Facilities Upgrading - Phase A, Nut Island Sewage Treatment Plant, Quincy, Massachusetts.

Mr. Baratta noted that a savings of four days of plant shut-down was realized by substituting the stainless steel for the concrete due to the lack of need for curing time.

The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$32,666.23.

- 6 Report of Mr. O'Brien, February 6, requesting approval of a transfer of \$260,000.00 from Construction to Design for Construction Administration Services on Project No. S81-0938 - Millbrook Valley Relief Sewer; also requesting approval of an



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Amendment to Contract-Agreement, with Weston & Sampson Engineers, Inc., for Design of the Millbrook Valley Relief Sewer, which reflects an increase in the Scope of Services to include Construction Administration Services, before, during, and after construction, and extends the Time for Performance to three months after completion of construction.

The Commission V O T E D: to approve a transfer of \$260,000.00 from Construction to Design for Construction Administration Services on Project No. S81-0938. The Commission further V O T E D: to approve an Amendment to Contract-Agreement, with Weston & Sampson Engineers, Inc., as requested by Mr. O'Brien in his report of February 6, 1984.

1 Joint report of Messrs. Baratta and Quinn, February 2, requesting reallocation of funds.

The Commission V O T E D: to reduce the following accounts by a total amount of \$2,958,835.00:

Account No.	
2439-7270	- \$ 369,834.00
2439-7271	- \$ 142,341.00
2439-7280	- \$ 944,058.00
2439-7281	- \$ 1,258,004.00
2439-7297	- \$ 109,346.00
2439-7289	- \$ 31,837.00
2439-7290	- \$ 43,379.00
2439-7293	- \$ 60,036.00.

The Commission further V O T E D: to increase the following accounts by a total amount of \$2,958,835.00:

Account No.	
2439-7272	- \$ 992,511.00
2439-7276	- \$ 429,999.00
2439-7287	- \$ 899,948.00
2439-7294	- \$ 407,659.00
2439-7298	- \$ 228,718.00.

2 Report of Ms. Haggerty, January 30, requesting approval of the following on Contract No. S83-1095-C1A, with Harding & Smith, Inc., for Repair to No. 1 Pump at the Braintree-Weymouth Pumping Station, Quincy, Massachusetts:

- (a) That the work be accepted as substantially completed as of September 21, 1983.
- (b) That Estimate No. 1 (Substantially Complete), in the amount of \$4,591.00, be approved for payment.

The Commission V O T E D: that the work of Harding & Smith, Inc., contractor under Contract No. S83-1095-C1A, for Repair of No. 1 Pump at the Braintree-Weymouth Pumping Station, Quincy, Massachusetts, be and hereby is accepted as substantially completed as of September 21, 1983.

The Commission further V O T E D: to approve Estimate No. 1 (Substantially Complete), in the amount of \$4,591.00, for payment.

3 At this point, the Commission V O T E D: to commend the following employees of the Sewerage Division:

- Maintenance Crew: Michael Welsh
Frank Sears
Donald Wallace
John McDonough
- Operational Force: Thomas Rosado
Oscar Phillips
Joseph McIntyre
Walter Connors
- Outside Maintenance
Crew: Robert Flattery
David Codair
Robert Skobeliff

Peter DeLaurie, Director of Collection Systems

John Vetere, Assistant Director of Collection Systems

for their outstanding performance of duty on the Weekend of February 3, 1984 through February 5, 1984, which resulted in keeping the Braintree-Weymouth Pumping Station on line, averting a serious environmental and financial loss to the Commonwealth.

The following matter was placed on the agenda for the information of the Commission:

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The following schedules were approved for payment by the Commissioner during the period from January 30, 1984 to February 6, 1984:

Invoices	\$ 1,418,175.25
Reservation of Funds	\$ 1,177,069.24
Advices of Change	\$ 470,303.38
Weekly Payroll	\$ 1,041,587.66
Request for Advances	\$ 4,253,120.00.

ADJOURNED at 1:40 P.M., to meet on Thursday, February 16, 1984, at 10:00 A.M.

William F. Cusubano
S e c r e t a r y .

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Record of the Three Thousand Two Hundred and Sixty-Ninth (3269th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, February 16, 1984, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Jones and Scandrett.

The records of the meeting held on February 9, 1984, were read and approved.

2 The Secretary submitted for signature Contract-Agreement, with Richard D. Lennon, to Provide Swimming Instructions for new MDC Police Recruits.
The Commission V O T E D: Held over.

3 The Secretary submitted for signature the following paper which was signed by the Commissioner and two Associate Commissioners:
Contract-Agreement, dated February 9, 1984, with The Friends of Boston Harbor Islands, Inc., for Volunteer Services for the Boston Harbor Islands.

Action was taken upon the following matters relating to the Metropolitan Parks System:

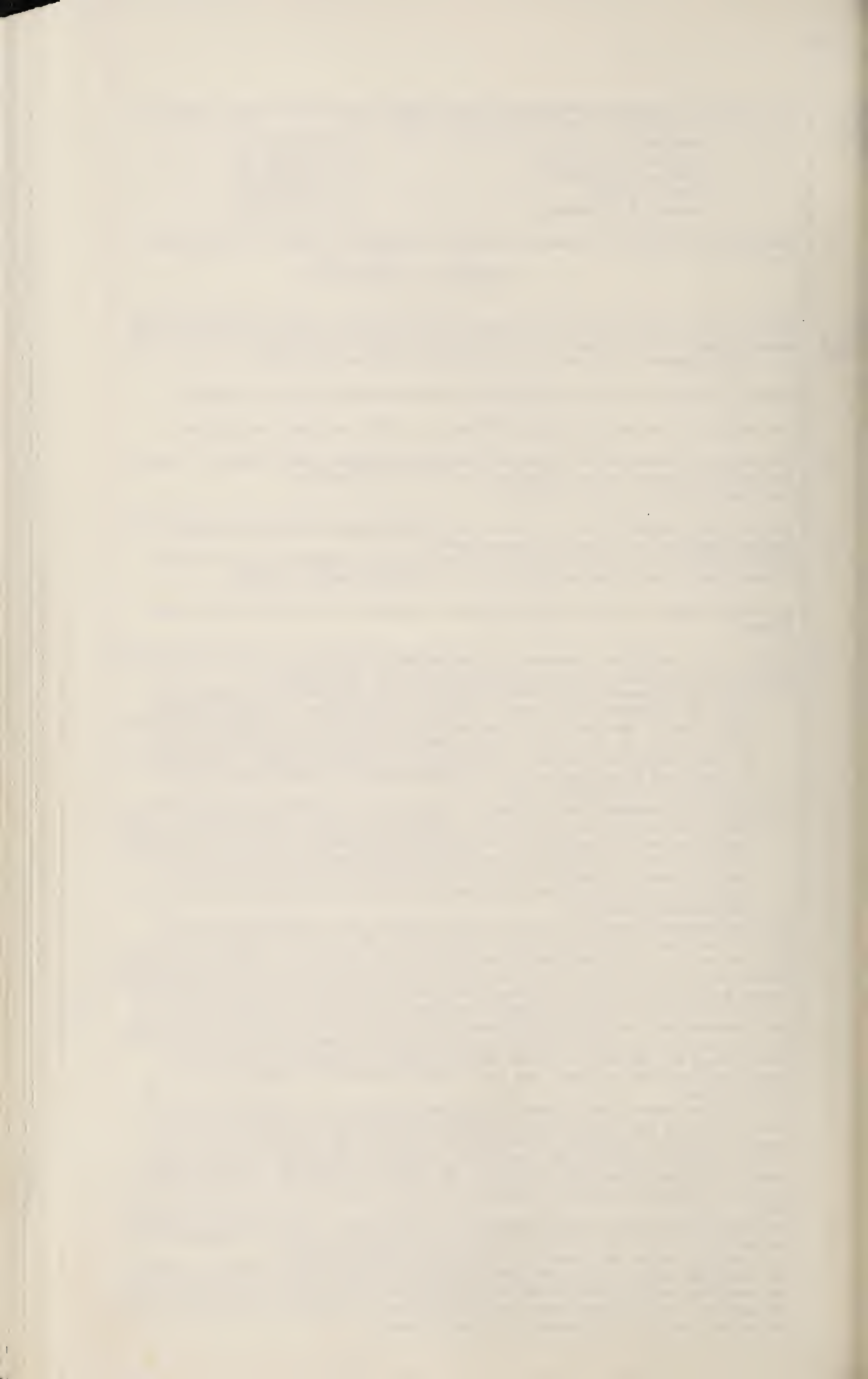
- 4 Report of Mr. Rodrigues, December 19, recommending approval of Contract-Agreements for Golf Professional Services at MDC Golf Courses, as follows:
 - 1. Contract-Agreement, with John F. Neville, Jr., for Golf Professional Services at Ponkapoag Golf Course, Blue Hills Reservation, Canton, Massachusetts, and to operate a golf shop at the same location for the 1983 and 1984 golf seasons; Mr. Neville to pay an annual payment of \$1,000.00 plus 10% of gross receipts in excess of \$90,000.00 for the 1983 Season and \$100,000.00 for the 1984 Season derived from equipment and cart rentals and from the operation of the driving range.
 - 2. Contract-Agreement, with Michael F. Wortis, for Golf Professional Services at Leo J. Martin Memorial Golf Course, Charles River Reservation, Weston, Massachusetts, and to operate a golf shop and refreshment concession at the same location, for the 1982, 1983, and 1984 golf seasons; Mr. Wortis to pay an annual payment of \$600.00 plus 10% of the gross receipts in excess of \$60,000.00 of the gross receipts derived from the pro shop, food concession and equipment rentals.

Also supplemental report of Mr. Rodrigues, February 10, recommending that the Golf Professional Services Contract, with John F. Neville, Jr., should be for a flat fee and not a fee based on percentage of gross, and also, because of the expensiveness of a full audit by a Certified Public Accountant, the Commission should accept a Certified Review of finances for the lease and concession arrangements; also submitting for approval Contract-Agreement, with John F. Neville, Jr., for Golf Professional Services at Ponkapoag Golf Course, Blue Hills Reservation, Canton, Massachusetts, and to operate a golf shop at the same location for the 1984 golf season; Mr. Neville to pay an annual payment of \$4,000.00 for the 1984 Season derived from equipment and cart rentals and from the operation of the driving range.

Mr. Rodrigues stated that it was the recommendation of the Committee, which was formed to study the fee structure for Golf Professionals at MDC Golf Courses, that a flat fee of \$4,000.00 be paid by Mr. Neville for the 1984 Season. He noted that after reviewing Mr. Neville's Financial Statements for the past five years, it appeared that the fee paid by Mr. Neville to the MDC averaged approximately \$3,700.00 a year and, therefore, he felt that a \$4,000.00 fee was equitable.

Associate Commissioner Jones asked that, in the future, signed Committee Reports be submitted to the Commission outlining the reasons for certain recommendations, and that the report be signed by each of the Committee Members.

Mr. Rodrigues noted that a CPA audit would be too costly and, therefore, he was recommending that a Certified Review be submitted by Mr. Neville at the close of the season. He also noted that the MDC's Manager at Ponkapoag Golf Course would review Mr. Neville's statements on a monthly basis.



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The Commission V O T E D: to approve the Contract-Agreement, with John F. Neville, Jr., for Golf Professional Services at Ponkapoag Golf Course, Blue Hills Reservation, Canton, Massachusetts, and to operate a golf shop at the same location, for the 1984 Season; Mr. Neville to pay a flat fee of \$4,000.00.

Mr. Rodrigues noted that Mr. Wortis is out of the country and asked that his Contract-Agreement, for the 1984 Season, be deleted from the agenda until such time as he is able to meet with Mr. Wortis.

The Commission V O T E D: to delete the Contract-Agreement, with Michael F. Wortis, for Golf Professional Services at Leo J. Martin Memorial Golf Course, from the agenda.

- 1 Report of Ms. Volpe-O'Malley, January 5, on request of Massachusetts General Hospital for permission to erect directional signs on Storrow Drive approaching Government Center.

The Commission V O T E D: Delete from the agenda until Mrs. Volpe-O'Malley submits further information following a meeting between the Community Affairs Office, MDC Police, and Massachusetts General Hospital Officials.

- 2 Report of Mr. McCarran, January 25, submitting Work Schedule Form, Project Summary Form, and Project Justification for Project No. P84-1295 - Tree Planting - Parkways (Spring 1984), estimated cost - \$150,000.00, Account No. 2490-0009.

The Commission V O T E D: Approved.

- 3 Report of Mr. McCarran, February 7, recommending approval of revising estimated quantities on Contract No. P79-0546-C1A, with Modern Continental Construction Co., Inc., for Reconstructing Columbia Road and Mount Vernon Street Bridges, as follows:

Item No. 2 - "Masonry Excavation" -\$ 2,000.00 Increase

Item No. 40 - "Steel Bridge Railing, Removed & Stacked" -\$ 125.00 Increase

Item No. 44 - "Cement Concrete Walk at Driveways" -\$ 500.00 Increase

Item No. 90 - "Galvanized Steel Conduit, Three-Inch Diameter" -\$16,500.00 Increase

Item No. 92 - "Electric Handhole 24"x24" -\$ 5,600.00. Increase.

In response to questioning by the Commission, Mr. Lenhardt stated that even with the cost of revised estimates of quantities on this contract, Modern Continental Construction Co., Inc. still remains the low bidder for the project.

Commissioner Geary stated that he was planning to meet with MDC Engineers and Officials of Modern Continental Construction Co. to ensure that necessary work is completed prior to the start of reconstruction of the Southeast Expressway.

The Commission V O T E D: Approved as recommended by Mr. McCarran in his report of February 7, 1984.

- 4 Report of Mr. McCarran, February 9, recommending approval of Alteration No. 1, at an additional cost of \$1,955.00 to the Commission, for performing additional work under Item No. 29 - "Footbridge Superstructure," on Contract No. P82-1183-C1A, with Engineering Construction, Inc., for Mary Hunnewell Fyffe Footbridge.

The Commission V O T E D: to approve Alteration No. 1, at an additional cost of \$1,955.00 to the Commission.

- 5 Report of Mr. McCarran, February 8, recommending the following on Contract No. P83-1227-C1A, with Community Tree Service, for Dead Tree Removal, MDC Parkways:

(a) That the work be accepted as completed as of September 8, 1983.

(b) That Estimate No. 1 (Final), in the amount of \$28,517.46, be approved for payment.

(c) That reserve, in the amount of \$1,500.91, be approved for payment.

The Commission V O T E D: that the work of Community Tree Service, contractor under Contract No. P83-1227-C1A, for Dead Tree Removal, MDC Parkways, be and hereby is accepted as completed as of September 8, 1983.

The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of \$28,517.46, for payment.

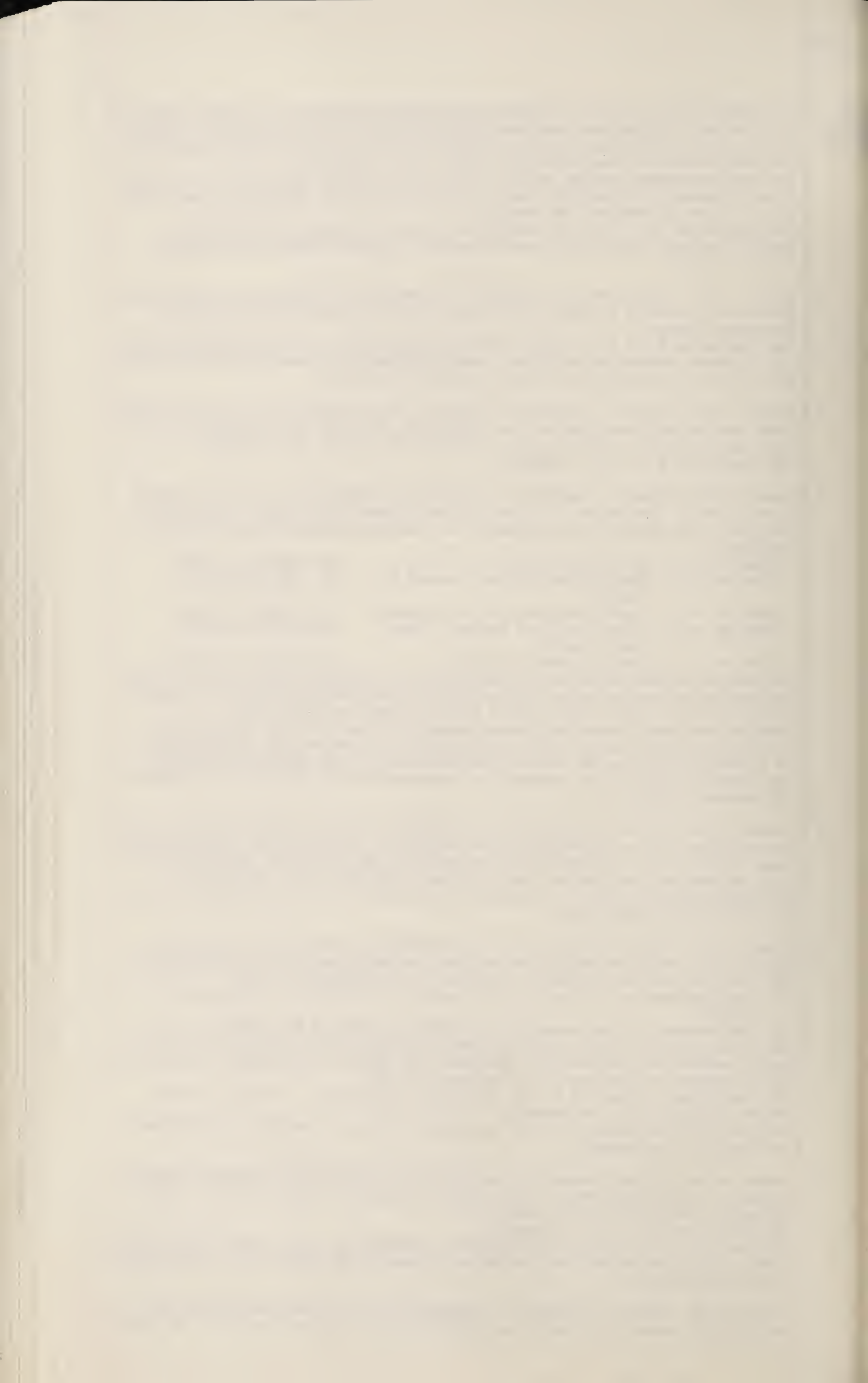
The Commission further V O T E D: to approve release of reserve, in the amount of \$1,500.91, for payment.

- 6 Report of Mr. Wright, February 9, submitting for approval and signature Contract-Agreement, with Hayden-Wegman, Inc., for Flood Control Pumping Station, Revere (Study); Total Upset Limit - \$90,230.00.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Contract-Agreement, dated February 16, 1984, with Hayden-Wegman, Inc., which was signed by the Commissioner and two Associate Commissioners.

- 7 Report of Mr. McCarran, February 9, recommending the following on Contract No. P82-1150-M1A, with T.S.M. Inc., for Installation of Pavement Markings - MDC Park-



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ways and Boulevards:

- (a) That the work be accepted as completed as of June 30, 1983.
 (b) That Estimate No. 3 (Final), in the amount of \$67,542.49, be approved for payment.
 (c) That reserve, in the amount of \$7,225.43, be approved for payment.

Also recommending that the Commission amend the vote of the Commission of October 7, 1982, accepting the lowest bid, that of T.S.M. Inc, of \$173,644.00, to reflect that the correct amount of the bid was \$173,844.00.

The Commission V O T E D: to amend the vote of the Commission of October 7, 1982, Volume 46, Page 168, Item 1, by striking out the amount "\$173,644.00" and inserting in place thereof the figure "\$173,844.00" so that the records will read as follows:

"Report of Mr. McCarran, September 28, on bids for Installation of Pavement Markings on MDC Parkways and Boulevards, Metropolitan Parks System, Contract No. P82-1150-M1A.

The Commission V O T E D: to accept the lowest bid, that of T.S.M. Inc., of \$173,844.00."

The Commission further V O T E D: that the work of T.S.M. Inc., contractor under Contract No. P82-1150-M1A, for Installation of Pavement Markings - MDC Parkways and Boulevards, be and hereby is accepted as completed as of June 30, 1983.

The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of \$67,542.49, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$7,225.43, for payment.

- 1 Report of Mr. McCarran, February 7, recommending approval of Extra Work Claim No. 1, in the amount of \$6,014.50, for emergency repairs to mechanical equipment at the Stone Memorial Zoo, on Contract No. P83-1245-M1A, with Farina Corporation, for Servicing of Heating, Ventilating, and Air Conditioning at Franklin Park Zoo, including Tropical Forest Pavilion, Dorchester, and Stone Memorial Zoo, Stoneham, FY84.

The Commission V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 1, in the amount of \$6,014.50.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 2 Report of Mr. McCann, February 14, submitting Project Management Reports for the Sewerage Division for the month ending January 31, 1984.
 The Commission V O T E D: to accept the Project Management Reports for the Sewerage Division for the month ending January 31, 1984.

- 3 Report of Ms. Haggerty, February 8, on bids for Updating Instrumentation at Alewife Brook Pumping Station, Somerville, Massachusetts, Contract No. S81-0948-C1A.
 The Commission V O T E D: Held over.

Mr. Julian Turner, EEO Compliance Officer, was directed to contact the City of Waltham - Department of Public Works, Massachusetts Commission Against Discrimination, and the Division of Capital Planning and Operations, and attempt to obtain written reports on Ryan Electric Company's performance on past contracts.

- 4 Report of Ms. Haggerty, January 30, requesting approval of an extension of time from January 8, 1984 to March 1, 1985, on Contract-Agreement No. S81-0951-S1D, with Havens & Emerson, Inc., for Sludge Management Update Study.
 The Commission V O T E D: to approve an extension of time from January 8, 1984 to March 1, 1985, as requested by Ms. Haggerty in her report of January 30, 1984.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

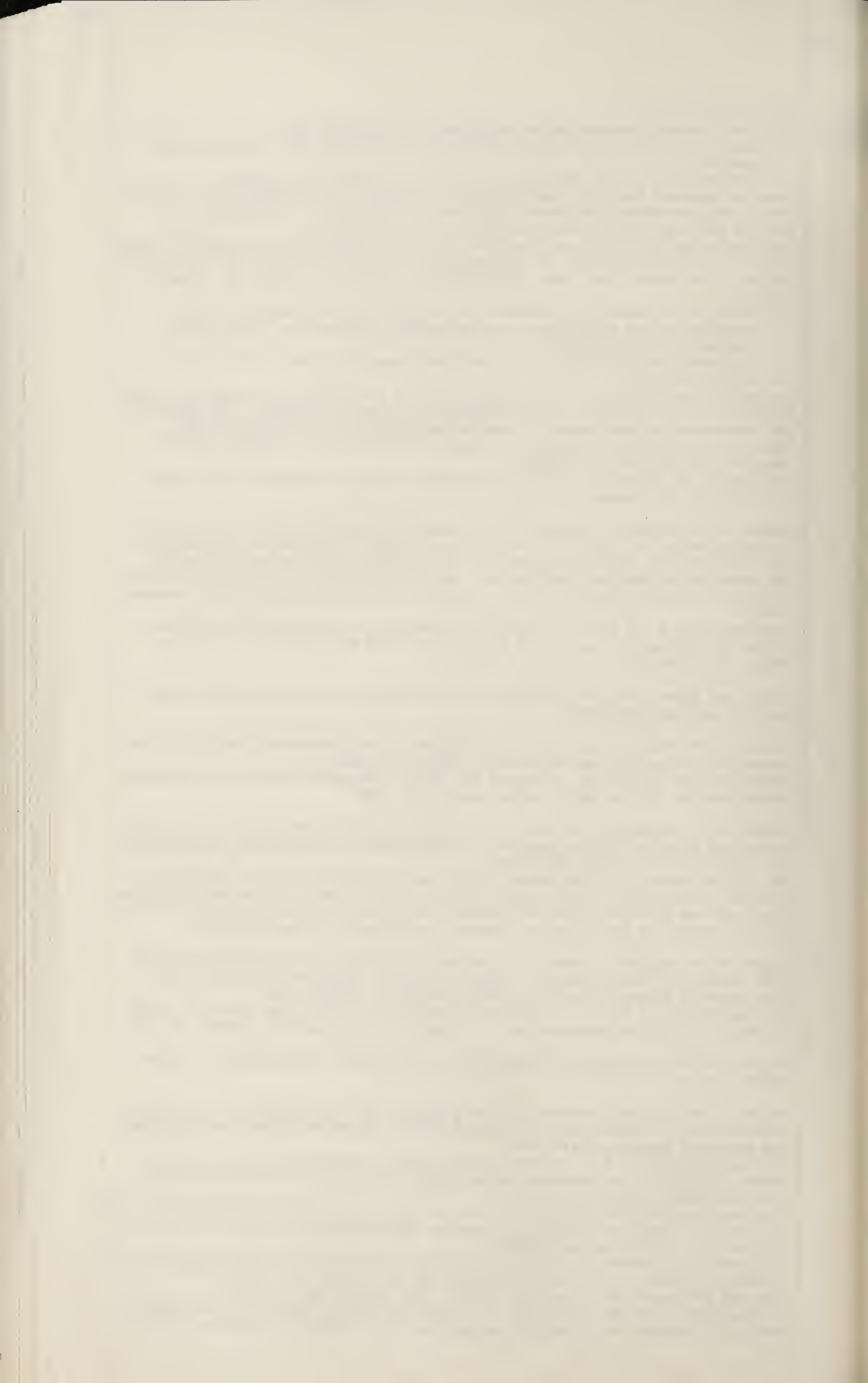
- 5 Report of Mr. Faucher, February 10, on proposals for the purchase of ten lots of standing timber located on the Quabbin Reservoir Watershed, Ware River Watershed, and Wachusett Reservoir Watershed.

The Commission V O T E D: to accept the highest qualified bid, that of Charles Crouse, of \$532.00, to purchase approximately 204 cords of firewood on Lot No. 32A - Wachusett Reservoir Watershed.

The Commission further V O T E D: to accept the only qualified bid received, that of Russell's Ranch, of \$469.00, to purchase approximately 67 cords of firewood on Lot No. 95A - Ware River Watershed.

The Commission further V O T E D: to accept the only qualified bid received, that of Walter Crouse, of \$375.00, to purchase approximately 13,325 board feet of sawlogs and 160 cords of firewood on Lot No. 112 - Ware River Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Ronald J. Chiasson, of \$3,460.00, to purchase approximately 20,000 board feet of



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sawlogs and 125 cords of firewood on Lot No. 416A - Quabbin Reservoir Watershed. The Commission further V O T E D: to accept the highest qualified bid, that of Nelson Courchesne, of \$1,651.00, to purchase approximately 127 cords of firewood on Lot No. 425 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Robert Cole, of \$1,980.00, to purchase approximately 220 cords of firewood on Lot No. 426 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the second highest qualified bid, that of Frederick J. Guzik, Jr., of \$859.56, to purchase approximately 78 cords of firewood on Lot No. 427 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Lashway Lumber, of \$21,000.00, to purchase approximately 182,000 board feet of sawlogs, 226 cords of firewood, and 120 cords of firewood tops, on Lot No. 428 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Conkey Logging & Lumber, of \$7,830.00, to purchase approximately 74,000 board feet of sawlogs, 170 cords of firewood, and 50 cords of tops, on Lot No. 429 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Heyes Forest Products, of \$3,421.55, to purchase approximately 33,400 board feet of sawlogs, 5 cords of firewood, and 12 cords of tops, on Lot No. 430 - Quabbin Reservoir Watershed.

- 1 Report of Mr. Martorana, February 7, recommending approval to change the indirect cost ratio in the Subconsultant Contract between J. Walter Brain, Landscape Architect, and Camp Dresser & McKee, Inc., MDC Consultant for Design of Improvements to the Clinton Wastewater Treatment Plant, from 0.30 to 1.10.
 The Commission V O T E D: Approved as recommended by Mr. Martorana in his report of February 7, 1984.

- 2 Report of the Land Board, February 6, relative to Chapter 551, Acts of 1983 - "An Act Authorizing the Division of Capital Planning and Operations to Sell and Convey a Certain Parcel of Land in the City of Boston Under the Care and Control of the Metropolitan District Commission." The land is located on St. Thomas More Drive and is under the jurisdiction of the Water Division.
 Mr. Stephen Burgay, Executive Assistant to the Commissioner, reviewed the provisions of Chapter 551, Acts of 1983, with the Commission. He noted that the legislation, as originally filed, called for the sale and conveyance of 4 acres of land, but following a series of meetings, the acreage was dropped to 4/10 of an acre. Mr. Burgay went on to say that even when the land is declared surplus, several steps still remain to be complied with, including approval by the Secretary of Environmental Affairs, and after public hearings, the Department of Capital Planning and Operations shall be responsible to ensure that all provisions of Chapter 579, of the Acts of 1980, are complied with.
 Following a lengthy discussion, the Commission V O T E D: that the land referred to in Chapter 551, Acts of 1983, be declared surplus to the MDC's needs, in accordance with the provisions of Chapter 579, Acts of 1980, as recommended by the Land Board in its report of February 6, 1984, subject to the following conditions:
 1. That the conveyance include a provision "that no building, structure, or part thereof shall be erected, placed or maintained in or upon said land, until the Director of the Water Division, his successor or assigns, approves all plans prior to construction."
 2. That all surface easements in the property be retained by the MDC.

Action was taken upon the following Various Matter:

- 3 Report of Captain Carli, February 7, requesting that a legal speed limit of 20 Miles Per Hour be established for the new 1/2 mile road known as "Commandant's Way" in Chelsea that borders the new park at the site of Chelsea Naval Hospital. The Commission V O T E D: that a speed limit of 20 Miles Per Hour be established for the new 1/2 mile road known as "Commandant's Way" in Chelsea, as requested by Captain Carli in his report of February 7, 1984.

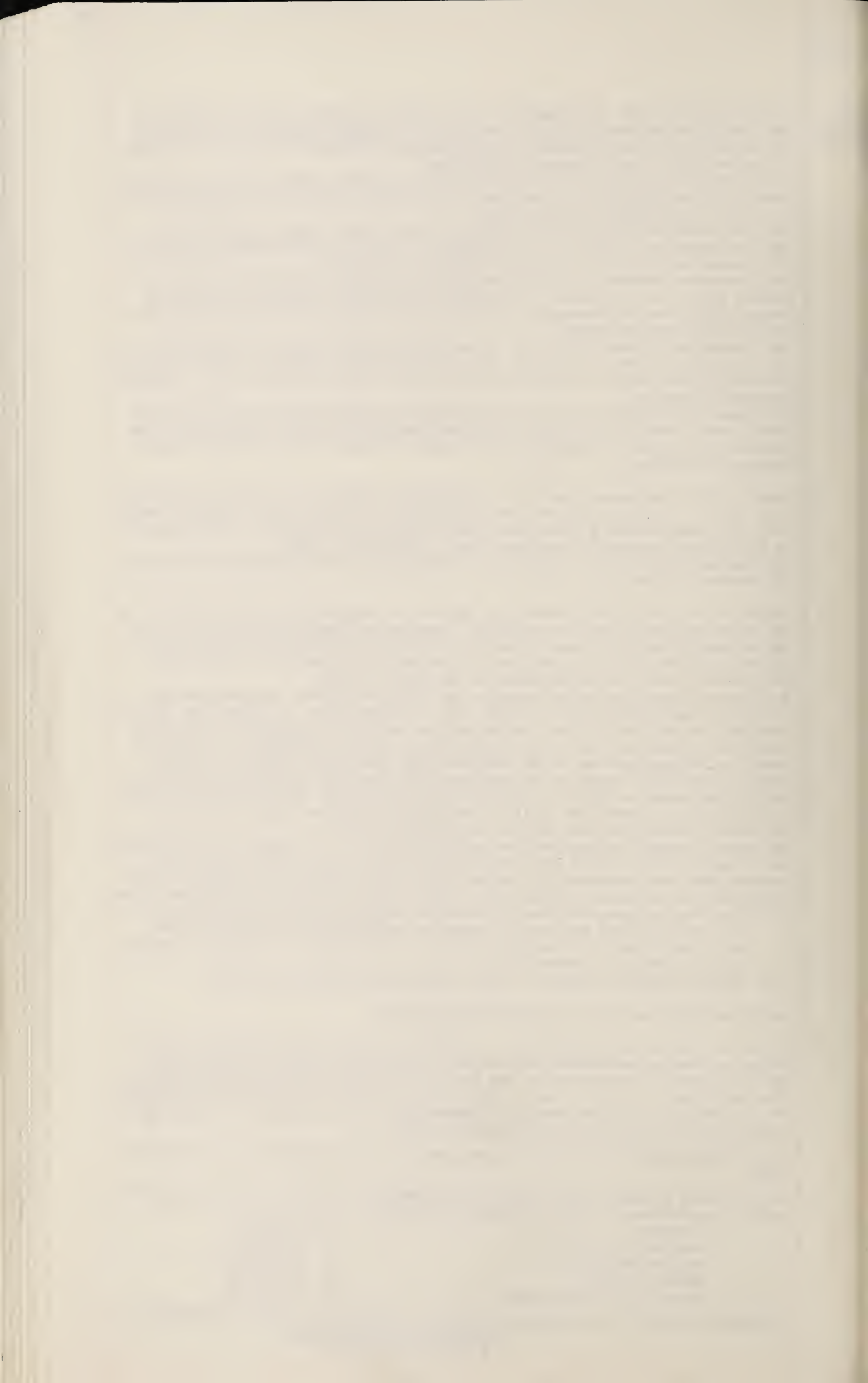
The following matter was placed on the agenda for the information of the Commission:

- 4 The following schedules were approved for payment by the Commissioner during the period from February 6, 1984 to February 13, 1984:

Invoices	\$ 5,763,251.31
Reservation of Funds	\$ 28,584.09
Advices of Change	\$ 142,500.00
Weekly Payroll	\$ 951,533.39
Industrial Accident Report	\$ 22,962.57.

ADJOURNED at 12:45 P.M., to meet on Thursday, February 23, 1984, at 10:00 A.M.

William F. Chubb
 Secretary



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Record of the Three Thousand Two Hundred and Seventieth (3270th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, February 23, 1984, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Fontanez, Jones, and Scandrett.

The records of the meeting held on February 16, 1984, were read and approved. Associate Commissioner Fontanez desired to be recorded as being present but not voting.

The Secretary submitted for signature the following paper which was signed by the Commissioner and two Associate Commissioners:

- 1 Contract-Agreement, dated February 23, 1984, with Richard D. Lennon, to Provide Swimming Instructions for new MDC Police Recruits.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

- 2 Contract-Agreement, dated February 23, 1984, between the Town of Abington and the Metropolitan District Commission, relative to septage disposal for the period July 1, 1983 to June 30, 1984.
- 3 First Amendment, dated February 23, 1984, to Contract-Agreement, dated October 2, 1980, with John J. Pepper Corporation, for Corrosion Evaluation Survey over Four Sections of Pipe in Arlington, Brookline, Cambridge, Medford, and Somerville, Massachusetts, which changes the Scope of Services to permit the services of an ultra-sonic testing Consultant, increases the Upset Limit on the basis contract to \$434.91 to account for increased expenses on the remaining work to be undertaken and \$2,000.00 for ultra-sonic testing services, and extends the Time for Performance from November 10, 1981 to August 31, 1984; Total Upset Limit of Contract increased from \$23,435.97 to \$25,870.88.

- 4 Presentation - Boston Harbor Islands.

Albert Swanson, MDC Historian, presented a brief history of the Boston Harbor Islands.

Mark Primack, of the Recreation and Programs Interpretive Services Section, reviewed the MDC's and the Department of Environmental Management's role in the Harbor Islands and explained the usage of the various Islands. Mr. Primack noted that the Islands are part of the Boston Harbor State Park, which was created under Chapter 742 of the Acts of 1970. He went on to say that through this legislation, the Department of Environmental Management was made Overseer of the Harbor Park with responsibility for Master Planning.

Following a question and answer period concerning the Islands, the Commission V O T E D: Placed on file.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 5 Report of Ms. Haggerty, February 8, on bids for Updating Instrumentation at Alewife Brook Pumping Station, Somerville, Massachusetts, Contract No. S81-0948-C1A. The Commission V O T E D: Held over; Messrs. Wright and McCann were directed to confer with the Attorney General's Office regarding the award of this contract and report their findings to the Commission.
- 6 Report of Ms. Haggerty, February 15, submitting Work Schedule Form and Project Justification for Project No. S84-1114-D1A - Somerville Marginal CSO Facility Rehabilitation Project, estimated cost - \$320,000.00. The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 7 Report of Mr. McCarran, February 22, recommending approval of increasing the estimated quantity for Item No. 6 - "Materials, Components, and Parts," at a total additional cost of \$33,000.00, on Contract No. P82-1162-M1A, with Coviello Electric and General Contracting Co., Inc., for Electrical Maintenance Work at Sports Facilities and Recreational Areas of the Metropolitan Parks System. The Commission V O T E D: Approved as recommended by Mr. McCarran in his report of February 22, 1984.
- 8 Report of Mr. Lydon, February 17, recommending approval of an extension of time from January 4, 1984 to April 30, 1984, on Contract No. P84-1274-C1A, with Allied Weatherproofing Company, Inc., for Caulking/Sealing and Associated Work, Metropolitan District Commission Building, Boston, Massachusetts, due to low temperatures and inclement weather.



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The Commission V O T E D: to approve an extension of time from January 4, 1984 to April 30, 1984, as recommended by Mr. Lydon in his report of February 17, 1984, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

- 1 Report of Mr. McCarran, February 14, advising that his recommendation for an extension of time from December 16, 1983 to May 31, 1984, on Contract No. P79-0770-C1A, with T & T Construction, for Rehabilitation of Foss Park, Somerville, Massachusetts, was in error, and that the vote of the Commission of February 9, 1984, should be corrected to reflect that the extension of time is from November 16, 1983 to May 31, 1984, instead of from December 16, 1983 to May 31, 1984. The Commission V O T E D: to amend its records of February 9, 1984, Volume 47, Page 134, Item 5, by striking out the date "December 16, 1983" in the 2nd and 10th lines and inserting in place thereof the date "November 16, 1983" so that the records will read as follows:

"Report of Mr. McCarran, February 3, recommending approval of an extension of time from November 16, 1983 to May 31, 1984, on Contract No. P83-1192-C1A, with T & T Construction, for Rehabilitation of Foss Park, Somerville, Massachusetts, due to the following reasons:

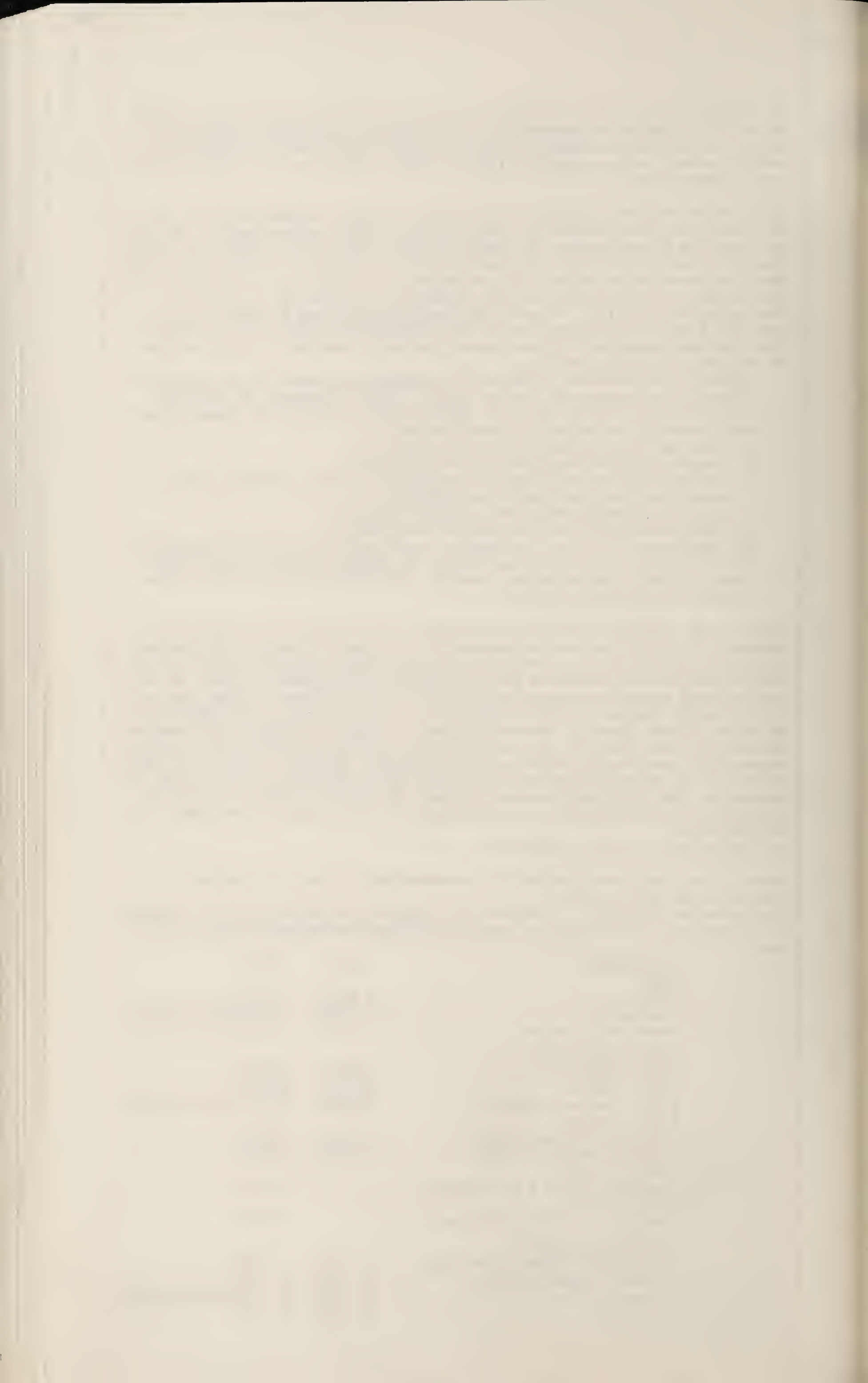
- 1. A wet Spring - 1983 causing delay in starting.
- 2. Changes of grades in vicinity of Ballfield No. 2.
- 3. Additional chain link fence was requested to make a standard "Little League" enclosed ballfield - Ballfield No. 2.
- 4. Additional conduit requested by Boston Edison Co.
- 5. A determination of what to do with excess loam.

The Commission V O T E D: to approve an extension of time from November 16, 1983 to May 31, 1984, as recommended by Mr. McCarran in his report of February 3, 1984, to be effective, however, only upon receipt of the written consent of the bonding company."

- 2 Report of Mr. McCarran, February 15, relative to the action of the Commission of November 10, 1983, directing the preparation of a Memo of Understanding between the MDC and the University of Massachusetts transferring approximately \$160,000.00 from an existing MDC Account to the University of Massachusetts so that the University could manage a proposed Study of the Nahant Bay Algae problem, and advising that under Chapter 75 - 1962 Autonomy Bill, the University of Massachusetts maintains its own financial records so that a transfer of funds by the State Budget Bureau is not feasible; also submitting Revised Work Schedule Form, Project Summary Form, and Project Justification for Project P84-1299 - Population Studies of Free-Living *Pilayella Littoralis* in Nahant Bay, estimated cost - \$160,000.00, Account No. 2440-8795, and recommending that the Commission enter into an "03" contract with the University of Massachusetts for the Study, with an Upset Limit of \$160,000.00.
The Commission V O T E D: Held over.

- 3 Report of Mr. Rodrigues, February 15, recommending approval of proposed fee increases at MDC Golf Courses.
The Commission V O T E D: to approve fee increases at MDC Golf Courses, subject to the approval of the Executive Office for Administration and Finance, as follows:

<u>GOLF COURSES</u>	<u>1983</u>	<u>1984</u>
<u>Fees</u>		
Locker	\$ 25.00	\$ 35.00
Tournaments	\$ 25.00	\$ 25.00 (No Increase)
League Registration	\$ 25.00	\$ 25.00 (No Increase)
<u>Annual Memberships</u>		
7 Day - Adult	\$225.00	\$300.00
5 Day - Adult	\$175.00	\$225.00
5 Day - Senior Citizen	\$100.00	\$100.00 (No Increase)
5 Day - Junior		
16 Years Old and Under	\$ 75.00	\$ 85.00
Summer (Monday-Friday)	\$ 50.00	\$ 60.00
Family (7 Day)		
Husband & Wife & 2 Children	-	\$525.00
Family (5 Day)		
Husband & Wife & 2 Children	-	\$375.00
<u>Daily Greens Fees</u>		
Saturdays, Sundays & Holidays	\$ 7.00	\$ 9.00
Monday through Friday	\$ 6.00	\$ 8.00
Senior Citizen	\$ 3.00	\$ 3.00 (No Increase)
Twilight	\$ 3.00	\$ 4.00.



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Letter of Massachusetts Eye and Ear Infirmary, February 10, relative to relieving the pressure on the leased parking lots on Charles Street by using buses to shuttle from remote lots to the Infirmary.

The Commission V O T E D: Approved in principle; final details of the Permit to be worked out by John W. Wright, Esq., General Counsel, Julia B. O'Brien, Director of Planning, and Edmund Lydon, Acting Director of Parks Engineering.

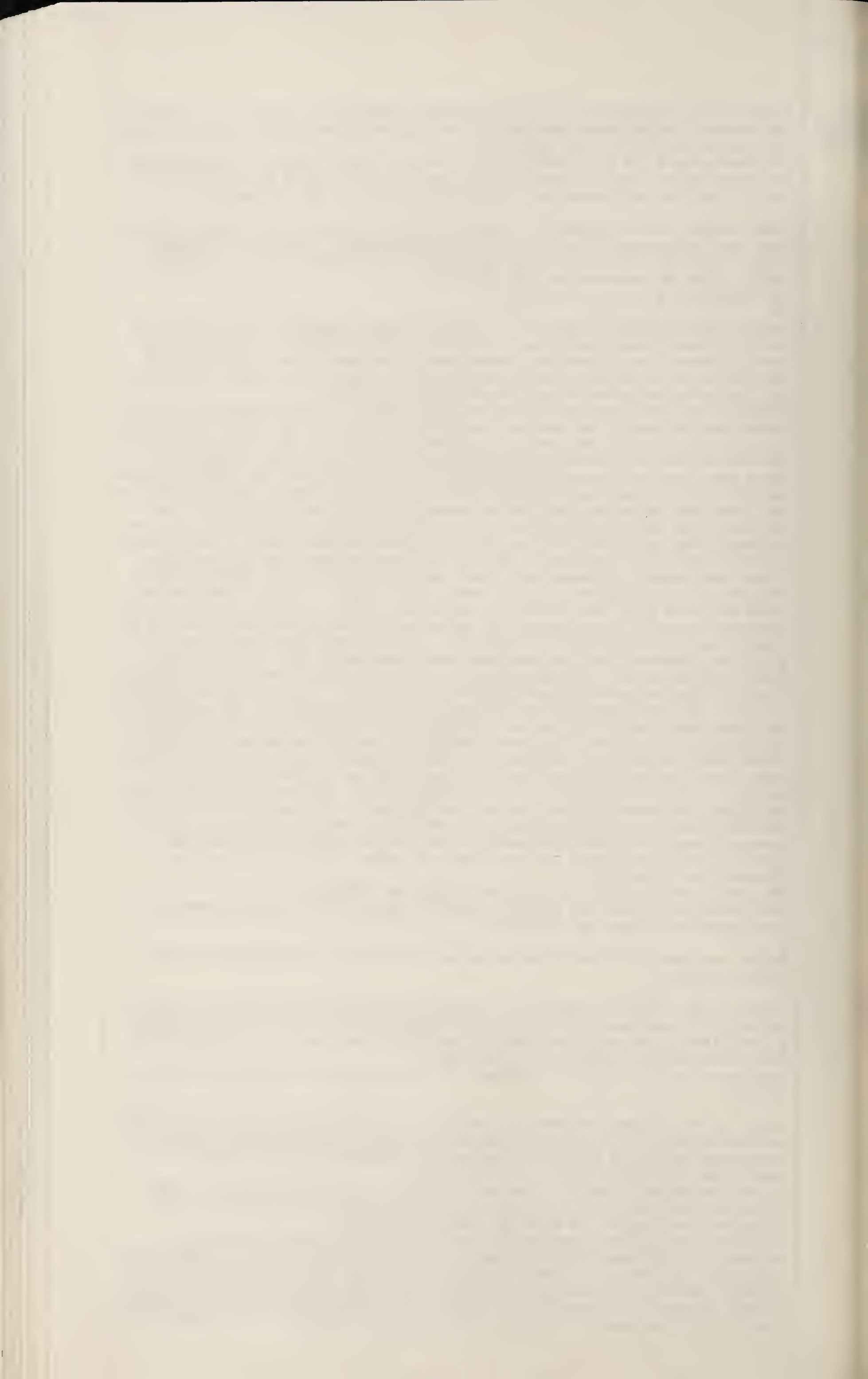
2 Report of Mr. Lydon, February 22, submitting Work Schedule Form, Project Summary Form, and Project Justification, for Project P84-1300 - Spraying of Sycamore Trees - Memorial Drive, Cambridge, and Soldiers Field Road, Boston, estimated cost - \$7,000.00, Account No. 2440-0010-12.
The Commission V O T E D: Approved.

3 Report of Mr. McCarran, February 14, submitting Work Schedule Form, Project Summary Form, and Project Justification for Project No. P82-1026 - Development of John F. Kennedy Park, Cambridge, Massachusetts, estimated cost - \$2,300,000.00 (Design and Construction); also recommendation of Commissioner Geary relative to the Consultant Selection process involving this project.
Commissioner Geary presented background on the John F. Kennedy Memorial Park and stated that originally the area was considered for the site of the Kennedy Library. He explained that the area was rejected as a site for the Library because of the lack of parking and expected traffic congestion in the area. Commissioner Geary went on to say that at a later time it was decided that this location would be ideal for the Commonwealth's Memorial to the late President. He then spoke of the Consultant Selection Committee as presently set up, which consists of two Engineers from the Water Division, two Engineers from the Sewerage Division, two Engineers from the Parks Division, and the Project Engineer, who all have a vote in the selection of Consultants; and the Chairman, who does not vote but negotiates the contract. Commissioner Geary noted that four of the members are not from the Division involved and will never work or deal with any of the problems which may arise after the Consultant starts the project. He also noted that this arrangement results in extra work for those involved from other Divisions and detracts from their regular divisional work. Commissioner Geary then stated that a Citizens Advisory Committee has been established which will involve the Cambridge City Government, Community groups, an abutting Developer, Harvard University, and the family and friends of the late President, in planning and designing the Park. He explained that the Citizens Advisory Committee will be involved in each important step of the new Park and noted that the Committee has appointed a Sub-Committee of five who will work closely with the MDC on the project. Commissioner Geary spoke of his commitment for more Community involvement in MDC Projects and stated that this is the first opportunity he and this Commission have had to put the commitment to work in a major project. He then stated that there are thirty respondents to the "Request for Proposals" for Kennedy Park, and that the Consultant Selection Committee has narrowed its choice to five to be interviewed. Commissioner Geary stated that the Citizens Advisory Committee has requested that an additional two Consultants be added to the list to receive "Request for Proposals."
The Commission V O T E D: to approve Project No. P82-1026.
The Commission further V O T E D: to approve the Citizens Advisory Committee's involvement in Project No. P82-1026.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

4 Report of Mr. Brutsch, February 10, submitting tables of water revenue received by the cities and towns in the Metropolitan Water District for the year 1982 and a comparison of the net water debts of the cities and towns of the Metropolitan Water District for the years 1981 and 1982.
The Commission V O T E D: to transmit the tables to the Treasurer and Receiver-General.

5 Report of Mr. Faucher, February 16, relative to establishing fishing season dates and fee schedule and amending current boating regulations to increase maximum horsepower limit from 10 to 20 horsepower and incorporate use of canoes and jon-boats into the existing Rules and Regulations.
At this point, Mr. Francis D. Faucher, Director - Reservoir Operations, Water Division, appeared before the Commission and reviewed the 1984 fishing season dates and fee schedule and also the proposed amendment.
Associate Commissioners Jones and Scandrett spoke of the Public Hearing they attended at Pathfinder Regional Vocational Technical High School in Palmer, Massachusetts, on February 2, 1984, concerning the change in the MDC Rules and Regulations. Associate Commissioner Scandrett noted that there was no objection recorded, by those in attendance, in regard to increasing the allowable horsepower from 10 to 20 horsepower in certain areas of Quabbin subject to restrictions, and



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for the usage of jon-boats and canoes on Pottapaug Pond, Associate Commissioner Scandrett also noted that it will still be necessary to have a fishing license in order to launch a boat into Quabbin Reservoir. Associate Commissioner Jones stated that he did not feel that there was enough scientific evidence available to determine if raising the allowable limits from 10 to 20 horsepower would have an adverse effect on the water quality.

Mr. Alfred Ferullo, Director of Environmental Quality, stated that testing during the last three years, while 20 horsepower boats were allowed on Quabbin Reservoir, did not reveal any adverse effect on the Reservoir's water quality. He went on to say that a review of studies on the effect of outboard motors on water quality revealed no significant adverse effects.

Mr. Anthony Breggente, Co-Chairman of the Quabbin Advisory Board, stated that during the 3-year test period, not one instance of excessive noise or speed was registered at Quabbin.

Associate Commissioner Scandrett noted that both the Quabbin Advisory Board and MDC Staff recommend the increase from 10 to 20 horsepower.

Commissioner Geary stated that he was in favor of increasing the allowable horsepower from 10 to 20 horsepower, however, he noted that the water supply will be continually monitored and tested and if any problems arise which could be caused by increased horsepower, he will recommend that the Commission take appropriate action.

The Commission V O T E D: to establish the 1984 fishing season at Quabbin Reservoir from Saturday, April 21, 1984 through Sunday, October 21, 1984, weather and ice permitting, and that opening time be set at 5:00 A.M. from April 21, 1984 through April 28, 1984, and from 6:00 A.M. from April 29, 1984 through October 21, 1984.

The Commission further V O T E D: to lower the age limit for reduced fees for shore fishing and private boat launching from Age 70 to Age 65 and establish the remainder of the 1983 fee schedule for the 1984 season.

The Commission further V O T E D: to approve, in principle, the proposed Amendment to the MDC Watershed Rules relative to usage of jon-boats and canoes on Pottapaug Pond and increasing the maximum allowable horsepower from 10 to 20 horsepower; Mr. Wright to review the MDC Watershed Rules and resubmit same to the Commission for final approval.

Associate Commissioner Jones desired to be recorded as being opposed to increasing the maximum allowable horsepower from 10 to 20 horsepower.

The following matter was placed on the agenda for the information of the Commission:

- 1 The following schedules were approved for payment by the Commissioner during the period from February 13, 1984 to February 20, 1984:

Invoices	\$ 773,574.29
Reservation of Funds	\$ 94,565.46
Advices of Change	\$ 308,712.92
Weekly Payroll	\$ 964,722.57
Request for Advances	\$ 4,000.00.

ADJOURNED at 2:15 P.M., to meet on Thursday, March 8, 1984, at 10:00 A.M.

William F. Cush
Secretary.

321st
March 8, 1984

Record of the Three Thousand Two Hundred and Seventy-First (3271st) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, March 8, 1984, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The records of the meeting held on February 23, 1984, were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and two Associate Commissioners:

- 2 Contract No. S80-0656-C4A (EPA Project No. C250-670-02), dated March 8, 1984, with Gaffny Plumbing & Heating Corp. d/b/a Gaffny Corporation Contractors, for Improvements to Treatment Process Equipment, Nut Island Wastewater Treatment Plant.
- 3 Fourth Amendment, dated March 8, 1984, to Contract-Agreement, dated October 22, 1981, with Weston & Sampson Engineers, Inc., for Design of the Millbrook Valley Relief Sewer, which reflects an increase in the Scope of Services to include Construction Administration Services, before, during, and after construction, increases the Upset Limit to \$571,245.43, and extends the Time for Performance to three months after completion of construction.



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Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 1 Report of Mr. Wright, February 24, submitting for approval and signature Contract-Agreement, with O'Brien & Gere Engineers, Inc., for Central Monitoring System Expansion - Water Division; Total Compensation not to exceed \$189,601.00.
 The Commission V O T E D: Approved.
 The Secretary then submitted for signature Contract-Agreement, dated March 8, 1984, with O'Brien & Gere Engineers, Inc., which was signed by the Commissioner and four Associate Commissioners.

- 2 Report of Mr. Wright, February 24, submitting for approval and signature Contract-Agreement, with Mary Ann Fronk, to Provide Management and Administration of Demand Management/Water Conservation Public Information Projects; Total Compensation not to exceed \$5,600.00.
 The Commission V O T E D: Approved.
 The Secretary then submitted for signature Contract-Agreement, dated March 8, 1984, with Mary Ann Fronk, which was signed by the Commissioner and four Associate Commissioners.

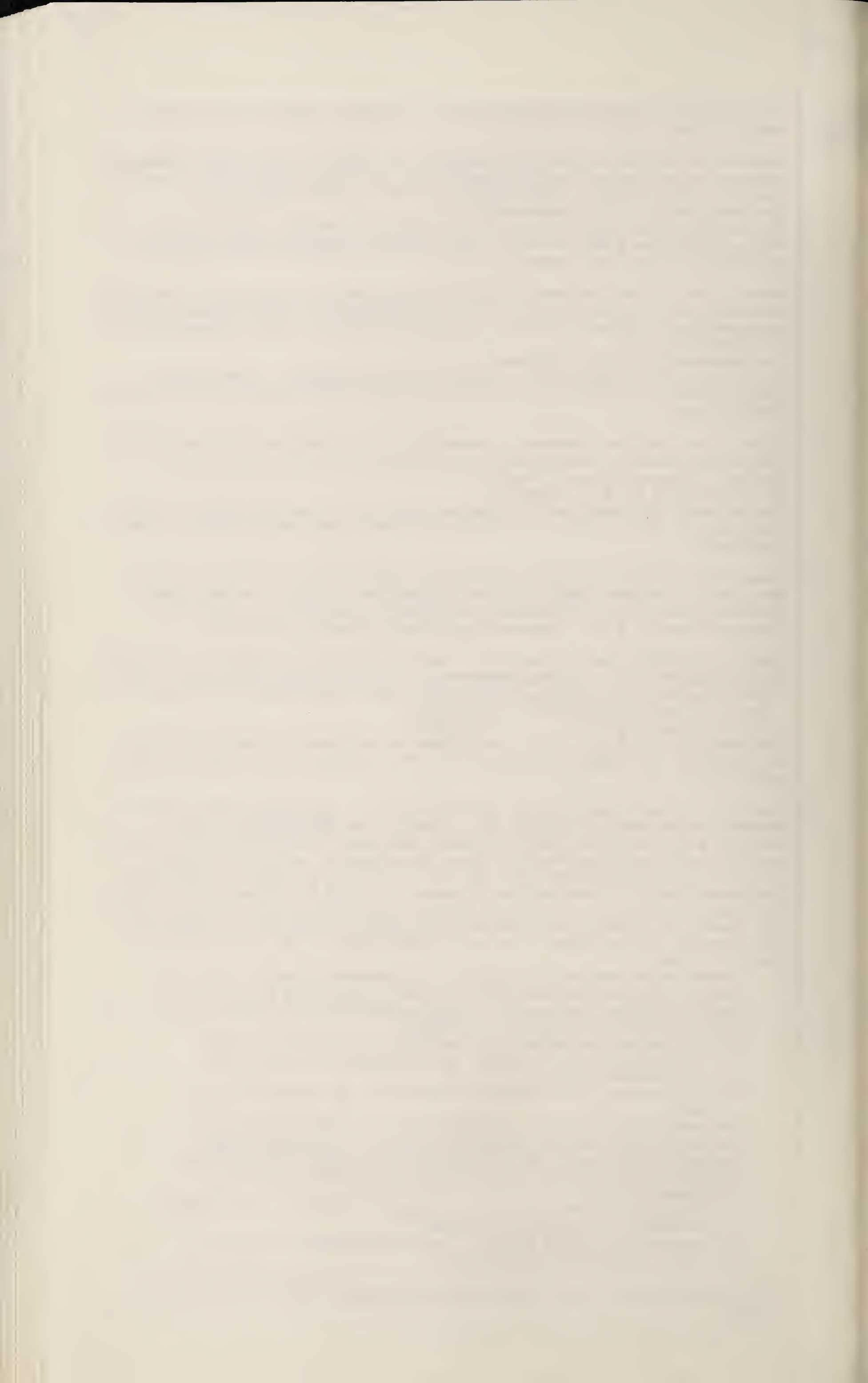
- 3 Report of Mr. Faucher, February 23, submitting for approval and signature Quabbin Park Cemetery Deed No. Q-1648 conveying the easterly 1/2 of Lot No. 1261 to Charles E. Ayers and Susan J. Martin.
 The Commission V O T E D: Approved.
 The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1648, dated March 8, 1984, which was signed by the Commissioner and two Associate Commissioners.

- 4 Report of Mr. Martorana, March 2, submitting specifications for Repair of Motor from the Brattle Court Pumping Station, Contract No. W84-1039, estimated cost - \$4,000.00, Account No. 2420-0100-12, and requesting permission to invite bids.
 The Commission V O T E D: Approved and authority given to invite bids.

- 5 Report of Mr. Martorana, February 21, requesting approval of release of retainage, totaling \$29,002.19, on Contract-Agreement No. W79-0749-S2B, with Wallace, Floyd Associates, Inc., for Long-Range Water Supply Study and EIR-2020, as follows:
 Task 17 - Public Participation - \$26,992.83
 Task 18 - Legal Services - \$ 2,009.36.
 The Commission V O T E D: to approve release of retainage, in the total amount of \$29,002.19, for payment, as requested by Mr. Martorana in his report of February 21, 1984.

- 6 Report of Mr. Martorana, March 6, advising that his recommendation for release of reserve, in the amount of \$20,622.66, on Contract No. W80-0706-C1A, with A. Bonfatti & Co., Inc., for Pumping Equipment Replacement and Station Modifications, Brattle Court Pumping Station, Arlington, Massachusetts, was in error, and requesting that the Commission amend its vote of February 9, 1984, to reflect that the correct amount of reserve to be released is \$20,622.63 instead of \$20,622.66.
 The Commission V O T E D: to amend its vote of February 9, 1984, Volume 47, Page 133, Item 2, by striking out the amount "\$20,622.66" in the 8th and 16th lines and inserting in place thereof the amount "\$20,622.63" so that the records will read as follows:
 "Report of Mr. Martorana, January 30, recommending approval of the following on Contract No. W80-0706-C1A, with A. Bonfatti & Co., Inc., for Pumping Equipment Replacement and Station Modifications, Brattle Court Pumping Station, Arlington, Massachusetts:
 (a) That the work be accepted as completed as of October 17, 1983.
 (b) That Estimate No. 14 (Final), in the amount of \$5,744.71, be approved for payment.
 (c) That reserve, in the amount of \$20,622.63, be approved for payment.
 The Commission V O T E D: that the work of A. Bonfatti & Co., Inc., contractor under Contract No. W80-0706-C1A, for Pumping Equipment Replacement and Station Modifications, Brattle Court Pumping Station, Arlington, Massachusetts, be and hereby is accepted as completed as of October 17, 1983.
 The Commission further V O T E D: to approve Estimate No. 14 (Final), in the amount of \$5,744.71, for payment.
 The Commission further V O T E D: to approve release of reserve, in the amount of \$20,622.63, for payment.

Action was taken upon the following matters relating to the Metropolitan Parks System:



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Report of Mr. McCarran, February 15, relative to the action of the Commission of November 10, 1983, directing the preparation of a Memo of Understanding between the MDC and the University of Massachusetts transferring approximately \$160,000.00 from an existing MDC Account to the University of Massachusetts so that the University could manage a proposed Study of the Nahant Bay Algae problem, and advising that under Chapter 75 - 1962 Autonomy Bill, the University of Massachusetts maintains its own financial records so that a transfer of funds by the State Budget Bureau is not feasible; also submitting Revised Work Schedule Form, Project Summary Form, and Project Justification, for Project P84-1299 - Population Studies of Free-Living *Pilayella Littoralis* in Nahant Bay, estimated cost - \$160,000.00, Account No. 2440-8795, and recommending that the Commission enter into an "03" contract with the University of Massachusetts for the Study, with an Upset Limit of \$160,000.00.

The Commission V O T E D: to rescind its vote of November 10, 1983, Volume 47, Page 81, Item 4, continued on Page 82, on this matter.

The Commission further V O T E D: to approved Revised Work Schedule Form for Project No. P84-1299.

The Commission further V O T E D: to enter into an "03" contract with the University of Massachusetts for Population Studies of Free-Living *Pilayella Littoralis* in Nahant Bay, with an Upset Limit of \$160,000.00, as recommended by Mr. McCarran in his report of February 15, 1984.

2 Report of Mr. Lydon, February 29, recommending the following on Contract No. P84-1271-C1A, with Coast Construction Corp., for Rehabilitation of Fishing Pier, Castle Island, South Boston, Massachusetts:

(a) That the work be accepted as completed as of January 2, 1984.

(b) That Estimate No. 3 (Final), in the amount of \$725.80, be approved for payment.

(c) That reserve, in the amount of \$1,113.11, be approved for payment.

The Commission V O T E D: that the work of Coast Construction Corp., contractor under Contract No. P84-1271-C1A, for Rehabilitation of Fishing Pier, Castle Island, South Boston, Massachusetts, be and hereby is accepted as completed as of January 2, 1984.

The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of \$725.80, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$1,113.11, for payment.

3 Report of Mr. Lydon, February 22, recommending approval of release of retainage, in the amount of \$8,000.00, on Contract-Agreement No. P79-0546-D1C, with Andrew Christo Engineers, for Engineering Services for Upgrading and Reconstruction of Columbia Road Bridge and Mt. Vernon Street Bridge.

The Commission V O T E D: to approve release of retainage, in the amount of \$8,000.00, for payment.

4 Report of Mr. Lydon, March 1, recommending approval of increasing the estimated quantities, at a total additional cost of \$11,200.00, on Contract No. P82-1157-M1A, with Metropolitan Signal Corp./New England Traffic Signals, Inc. (Joint Venture), for Servicing Traffic Signal and Control Systems on Parkways and Roadways of the Metropolitan District Commission, as follows:

Item No. 14 - "Hourly Labor Rate for Helper for Misc. Repairs" - \$7,200.00

Item No. 28 - "Cement Concrete Foundation - Octagonal Base" - \$1,000.00

Item No. 40 - "Traffic Control Services" - \$3,000.00.

Commissioner Geary explained that the increase in estimated quantities is a result of the installation of additional traffic signals and related work along roadways which will be utilized as alternate routes by the Massachusetts Department of Public Works during the reconstruction of the Southeast Expressway.

The Commission V O T E D: Approved as recommended by Mr. Lydon in his report of March 1, 1984.

5 Report of Mr. Wright, February 29, submitting for approval and signature Contract-Agreement No. P84-1276-X1A, with Seelye Stevenson Value & Knecht, for Professional Services and Advice Regarding Repairs to Bridges, Overpasses, Underpasses, Parkways, and Other Facilities Under MDC Jurisdiction; Total Contract Cost not to exceed \$35,000.00.

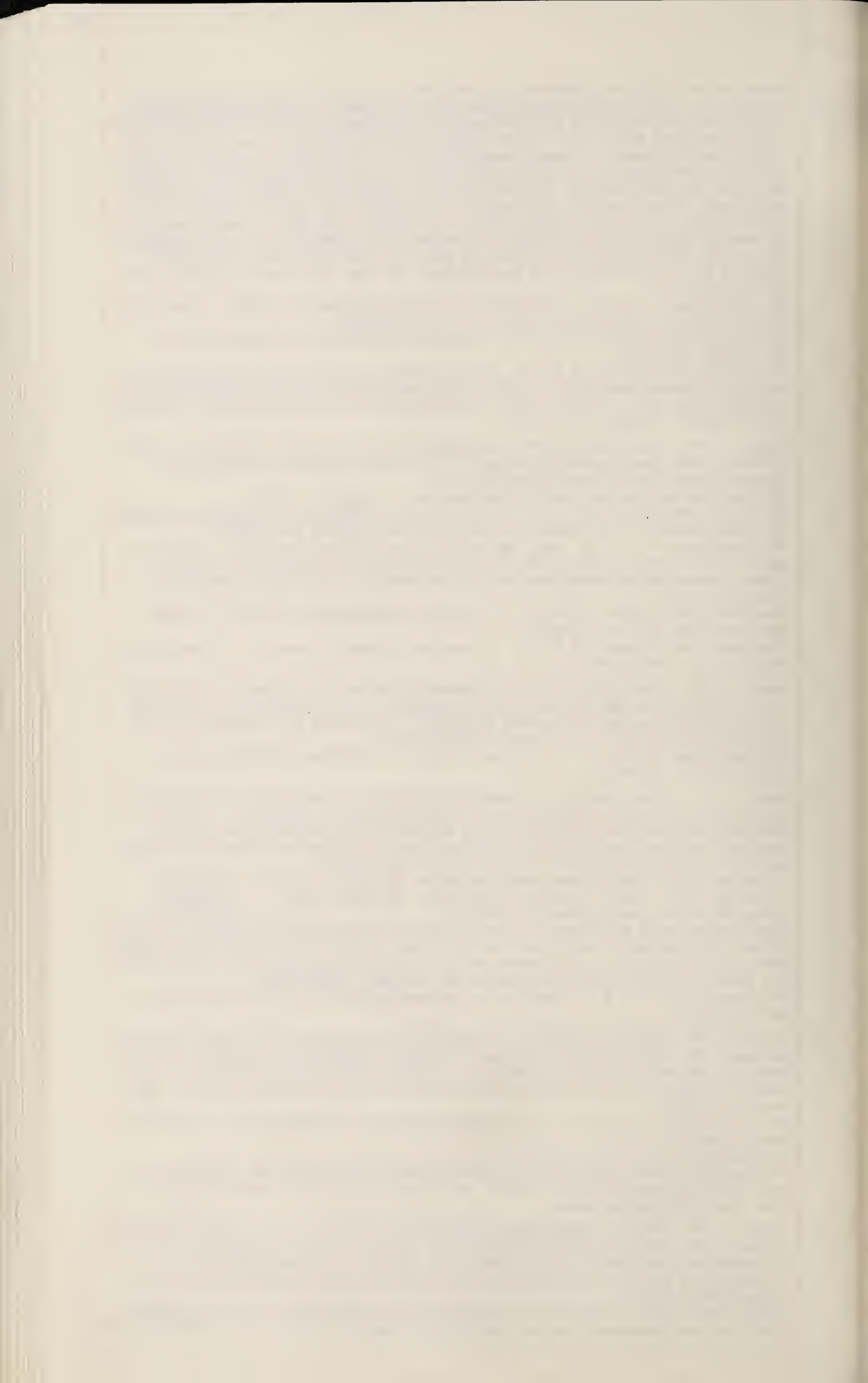
Mr. Lydon noted that this is a Professional Services Contract and is awarded on a yearly basis.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Contract-Agreement No. P84-1276-X1A, with Seelye Stevenson Value & Knecht, which was signed by the Commissioner and four Associate Commissioners.

6 Report of Mr. Wright, February 28, submitting for approval and signature Contract-Agreement No. P82-1139-S1A, with Barnes and Jarnis, Inc., for Engineering Services to Determine Live Load Carrying Capacity or Rating and Recommendations for Improvements of Bridges Under Commission Jurisdiction; Total Contract Cost not to exceed \$285,000.00.

Commissioner Geary noted that in compliance with the Inspector General's suggestion that the Commission provide itself with a method of accurately estimating the



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cost of construction and to separate Study and Design Contracts, this contract will provide the Study and Cost Estimate of Construction. He went on to say that the design for the necessary repairs for rehabilitation will be performed by others.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Contract-Agreement No. P82-1139-S1A, with Barnes and Jarnis, Inc., which was signed by the Commissioner and four Associate Commissioners.

- 1 Report of Mr. Lydon, February 27, recommending approval of the \$3,956.00 assessment of the Massachusetts Electric Municipal Group in order that they might proceed with the preparations necessary for upcoming Rate Case Hearings.
The Commission V O T E D: to approve payment of the \$3,956.00 assessment, as recommended by Mr. Lydon in his report of February 27, 1984.
- 2 Report of Mr. Lydon, February 21, submitting revised request for increased Street Lighting Illumination on Gallivan Boulevard, Dorchester, Massachusetts.
The Commission V O T E D: to rescind its vote of February 2, 1984, Volume 47, Page 129, Item 2, on this matter.
The Commission further V O T E D: to approve the concept of this lighting modernization and authorized Boston Edison Company to proceed with the work; Boston Edison Company to assume all new construction and material, along with labor and transportation costs associated with this conversion; MDC to assume the estimated \$2,100.00 increase in the annual energy costs, all as recommended by Mr. Lydon in his report of February 21, 1984.
- 3 Letter of Metropolitan Boston Zoos, February 24, submitting request for approval of the following expenditure from the "Stone Zoo Improvement Fund":
Adjustments to Gorilla Exhibit - \$2,607.50.
Ms. Heckel, Executive Director - Metropolitan Boston Zoos, appeared before the Commission and explained the need for the work.
The Commission V O T E D: Approved.
- 4 Report of Mrs. Volpe-O'Malley, February 29, submitting for approval and signature Agreement, between the MDC and the Massachusetts Department of Public Works, relative to the use of MDC Parking Lots at Houghton's Pond and Route 138, for parking purposes, in connection with the Park and Ride Program, for a period of one year.
The Commission V O T E D: Held over.
- 5 Report of Mrs. Volpe-O'Malley, January 5, on request of Massachusetts General Hospital for permission to erect directional signs on Storrow Drive approaching Government Center; also report of Sergeant Hayes, February 28.
Dr. John Burke, Chief of the Trauma Center, and Mr. Martin Bender, Public Relations Officer, representing Massachusetts General Hospital, were introduced to the Commission.
Mrs. Volpe-O'Malley, Director of Community Affairs, explained the need for the signs and stated that both the Community Affairs Office and the Police Division were in favor of the request.
The Commission reviewed the request and expressed the feeling that the new signs should also include in the legend "Massachusetts Eye and Ear Infirmary and Massachusetts General Hospital."
The Commission V O T E D: Approved in principle, with final details to be worked out by the Community Affairs Office.
- 6 Report of Mr. Lydon, February 28, requesting approval of new projects for the Parks Division 1984-1985 Program.
The Commission V O T E D: to approve the following new projects for the Parks Division's 1984-1985 Program:
 - Program 3 - River Basin & Streams
 - P83-1255 - Servicing of HVAC at New Charles River Dam, Charlestown (FY85).
 - P83-1257 - Servicing of HVAC at New Charles River Dam, Charlestown (FY86).
 - Program 4 - Reservations
 - P84-1302 - Study of Equipment, Labor, & Cost Requirements for the Metropolitan Parks District.
 - Program 5 - Specialized Facilities
 - P83-1259 - Services for Pest Control at Franklin Park Zoo, Dorchester, and Stone Memorial Zoo, Stoneham (FY85).
 - P83-1260 - Servicing of HVAC at Franklin Park Zoo, including Tropical Forest Pavilion, and Stone Memorial Zoo (FY85).
 - P83-1261 - Services for Pest Control at Franklin Park Zoo, Dorchester, and Stone Memorial Zoo, Stoneham (FY86).
 - P83-1262 - Servicing of HVAC at Franklin Park Zoo, including Tropical Forest Pavilion, and Stone Memorial Zoo (FY86).
 - P83-1269 - Reconstruction of Center Stage Speaker Elevator at Hatch Memorial Shell, Back Bay, Boston.
 - Program 7 - Buildings & Grounds
 - P83-1263 - Collection of Waste and Rubbish from Dumpsters at Certain Locations Within the MDC Parks District (FY85).



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- P83-1264 - Services for Pest Control at Various Locations Throughout the Metropolitan Parks District and Water Division (FY85).
- P83-1265 - Collection of Waste and Rubbish from Dumpsters at Certain Locations Within the MDC Parks District (FY86).
- P83-1266 - Services for Pest Control at Various Locations Throughout the Metropolitan Parks District and Water Division (FY86).
- P84-1296 - Roof Repair, Testing Laboratory, Waltham.
- P84-1303 - Evaluation of Buildings & Facilities Throughout the Metropolitan Parks District.

Program 8 - Parkways

- P84-1290 - Sidewalk Repairs - Various Areas, MDC.
- P84-1301 - Soil Aeration & Fertilization of Sycamore Trees, Memorial Drive, Cambridge.

Program 9 - Bridges

- P84-1288 - Consultant Services for Legal Case - Sutton Corp. vs. Vibroflotation & Commonwealth of Massachusetts (MDC Project No. E80-15PE - Middlesex Superior Court No. 82-1930).

- 1 Letter of Peddocks Island Trust, March 2, relative to Senate No. 725 - "An Act Authorizing the Metropolitan District Commission to Lease to Peddocks Island Trust, Inc., the Land with the Buildings thereon, known as Peddocks Island in Boston Harbor, for the purpose of Revitalizing and Managing said Island as an Educational and Recreational Resource for the Use and Benefit of the General Public.
The Commission V O T E D: Held over.

- 2 Report of Mr. Lydon, March 5, recommending approval of an extension of time from December 16, 1983 to March 9, 1984, on Contract No. P82-1186-C1A, with Fraser Engineering Company, Inc., for Heating System Replacement, Connell Pool, Weymouth, Massachusetts, due to delays caused by weather conditions which hindered the application of exterior duct insulation.
The Commission V O T E D: to approve an extension of time from December 16, 1983 to March 9, 1984, as recommended by Mr. Lydon in his report of March 5, 1984, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

- 3 Report of Mr. Rodrigues, March 5, recommending that the "Approved" Seasonal Closing Date of March 17, 1984, for all MDC Rinks, be extended to April 14, 1984, for the following Rinks, to accommodate the requests for ice time:
LoConte Rink, Medford (North Region).
Devine Rink, Boston (Dorchester District) (South Region).
The Commission V O T E D: Held over.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 4 Report of Ms. Haggerty, February 8, on bids for Updating Instrumentation at Alewife Brook Pumping Station, Somerville, Massachusetts, Contract No. S81-0948-C1A; also report of Mr. Wright, February 28.
John W. Wright, Esq., MDC General Counsel, stated that the Massachusetts Public bid statutes provide for the award to the lowest, responsible, and eligible bidder on the basis of competitive bids, publicly opened and read by the Awarding Authority. He went on to say that, after a review of the record and consultation with the Attorney General's Office, it was his opinion that the Commission does not have before it a record that would substantiate a finding on its part that the bidder is not the lowest, responsible, and eligible bidder under public bidding statutes. He concluded that in his opinion, based upon the record, the award should be made to Ryan Electric Co.
Mr. Noel D. Baratta, Director of Sewerage Division, stated that, based upon the report presented by Mr. Wright, he would recommend that Ryan Electric Co. be awarded the contract.
Associate Commissioner Scandrett asked that Mr. Baratta notify Ryan Electric Co., in writing, that its performance will be closely monitored during the term of the contract.
The Commission V O T E D: to accept the lowest bid, that of Ryan Electric Co., of \$37,500.00.
Associate Commissioner Fontanez desired to be recorded as being opposed to this action of the Commission.

- 5 Report of Mr. Baratta, February 23, on request of the Town of Norwood for permission to make an 8-inch connection on the west side of the Metropolitan Sewer off University Avenue, in the Westwood Interceptor, Section 136, Station 12+52±, to service a new office and warehouse.



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The Commission V O T E D: Held over for further clarification from the Department of Environmental Quality Engineering regarding DEQE requirements.

1 Report of Ms. Haggerty, February 17, recommending the following on Contract No. S83-1031-C1A, with R. Zoppo Co., Inc., for Cleaning of Aeration Channel No. 1, Deer Island Sewage Treatment Plant:

- (a) That the work be accepted as completed as of November 1, 1983.
- (b) That Estimate No. 1 (Final), in the amount of \$8,141.70, be approved for payment.
- (c) That retainage, in the amount of \$428.51, be approved for payment.

The Commission V O T E D: that the work of R. Zoppo Co., Inc., contractor under Contract No. S83-1031-C1A, for Cleaning of Aeration Channel No. 1, Deer Island Sewage Treatment Plant, be and hereby is accepted as completed as of November 1, 1983.

The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of \$8,141.70, for payment.

The Commission further V O T E D: to approve release of retainage, in the amount of \$428.51, for payment.

2 Report of Mr. O'Brien, February 10, requesting the following on Contract-Agreement, with Metcalf & Eddy, Inc., for East Boston Pumping Stations Facilities Plan:

- (a) That the work be accepted as completed as of April 30, 1983.
- (b) That Invoice No. 17 (Final), in the amount of \$1,401.13, be approved for payment.
- (c) That retainage, in the amount of \$42,257.00, be approved for payment.

The Commission V O T E D: that the work of Metcalf & Eddy, Inc., Consultant under Contract-Agreement, for East Boston Pumping Stations Facilities Plan, be and hereby is accepted as completed as of April 30, 1983.

The Commission further V O T E D: to approve Invoice No. 17 (Final), in the amount of \$1,401.13, for payment.

The Commission further V O T E D: to approve release of retainage, in the amount of \$42,257.00, for payment.

3 Report of Mr. McCann, March 1, stating that the Consultant Selection Committee recommends that the firm of Weston & Sampson be selected for Project No. S81-0934-D1A - Identify Location and Source of Infiltration/Inflow in Interceptor System. Mr. McCann explained that the Consultant Selection Committee, at its meeting of February 21, 1984, voted to recommend the firm of Gannett Fleming Cordry and Carpenter for Commission approval on this project. However, he noted, the following day a member of the Consultant Selection Committee, who was absent when the vote was taken, voiced his displeasure with the choice to the Contract Administrator. It was stated that Gannett Fleming Cordry and Carpenter's performance was unsatisfactory to the Sewerage Division on a contract presently in force. Mr. McCann went on to say that the Consultant Selection Committee met on February 23, 1984, and he informed the members of the objection to the choice of Gannett Fleming Cordry and Carpenter. He also stated that the Consultant Selection Committee was informed by one of the members that the No. 2 ranked firm was not acceptable because of past design experience. Mr. McCann then stated that as a result of the uneasiness of some members of the Committee with the award of the Consultant Contract to either of the first two choices, it was decided to submit the original ranked order to the Commission with a recommendation that the 3rd ranking firm, Weston & Sampson, be selected for the design services.

The Commission discussed, at length, its uneasiness with the existing Consultant Selection process whereby the Contract Administrator submits a ranked order of firms and makes a recommendation to select a firm that did not rank in 1st place. Associate Commissioner Scandrett suggested that the Consultant Selection Committee re-rank the firms with consideration given to the reasons for the stated recommendations.

The Commission V O T E D: to select Weston & Sampson as Consultant for Project No. S81-0934-D1A.

The Commission further V O T E D: to authorize James F. McCann, Contract Administrator, to commence contract negotiations with Weston & Sampson and develop a Scope of Services, Method of Compensation, and Time for Performance.

4 Report of Mr. Wright, February 28, submitting for approval and signature Contract-Agreement, with Camp, Dresser & McKee, Inc., for Design and Construction of the Charlestown Wastewater Pump Station; Total Compensation not to exceed \$855,558.58 and the Fixed Fee shall not exceed \$90,630.00.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Contract-Agreement, dated March 8, 1984, with Camp Dresser & McKee, Inc., which was signed by the Commissioner and four Associate Commissioners.



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1 Report of Ms. Haggerty, March 2, submitting Updated Work Schedule Form and Project Management Exception Report for Contract No. S83-1027-D1A - for Study and Design to Rebuild Thickener Turntable Assemblies at Deer Island Sewage Treatment Plant, and proposing an Amendment to said Contract-Agreement, with Tighe & Bond/SCI Consulting Engineers, in order to take advantage of federal funding for this project that the Division of Water Pollution Control has advised is now available as part of the Deer Island Fast Track Program; Revised Upset Limit - Not To Exceed \$70,438.00; the Time for Performance is extended due to the EPA regulation that requires the Design Consultant to remain on contract for one year after construction is complete for project performance services.

In response to a question posed by the Commission, Mr. Noel D. Baratta, Director of Sewerage Division, stated that the primary reason for the amendment is to take advantage of federal funding which the Division of Water Pollution Control has advised us is available. He went on to say that the plans and specifications will have to be updated to include EPA and Division of Water Pollution Control requirements. Mr. Baratta also stated that the construction period will have to be revised to include one year project performance services as required by the EPA, resulting in an increase of \$33,033.00, which brings the contract cost to \$70,438.00. He explained that this amendment will enable the Sewerage Division to secure 90% reimbursable funding on an estimated construction cost of \$1,500,000.00.

The Commission V O T E D: to approve Updated Work Schedule Form for Contract No. S83-1027-D1A.

The Commission further V O T E D: to approve the proposed Amendment to Contract No. S83-1027-D1A, with Tighe & Bond/SCI Consulting Engineers.

2 Report of Mr. Baratta, February 27, on request of Davidson Management Co., Owners of the property located at 60 Lowell Street, Arlington, for permission to construct an addition to the building in the area over two MDC Sewer Easements, Section 82, between Stations 15+77+ and 16+57+, and Section 93, between Stations 29+30+ and 20+10+.

The Commission V O T E D: Approved as recommended by Mr. Baratta in his report of February 27, 1984, subject to the following conditions:

1. That the proposed addition to the building be no closer than five (5) feet from the edge of the rim of the manhole at Station 16+15.99 of Section 82 for proper access.
2. That the MDC sewer easements shall be flagged along the course of the proposed construction of the addition to the building for identification and protection purposes.
3. That any damage to the MDC's sewer, resulting from the construction of the addition to the building, shall be repaired at the Permittee's expense.
4. That all work be performed to the satisfaction of the Director of the MDC's Sewerage Division.
5. That Davidson Management Co. shall hold the Commonwealth of Massachusetts, said MDC, and its agents and servants, harmless and indemnified against any and all claims and demands for damages to persons or property arising out of the exercise of this permit.
6. Any other protective condition that the Right-of-Way Section deems necessary.

3 Report of Mr. O'Brien, March 2, requesting approval of Extra Work Order No. 1, in the amount of \$2,300.00, for replacing pavement markings on Route 3A (Bridge Street) in Weymouth, on Contract No. S77-0484-C1A, with Methuen Construction Co., Inc., for the Construction of the Hingham Force Main.

The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$2,300.00.

Action was taken upon the following Various Matters:

4 Report of Mr. Wright, February 24, relative to settlement of lawsuit - James Kucharzyk vs. John F. Gennelly, et al, Civil Action File No. 74-4400G, and recommending that the settlement of this case by the Attorney General's Office, in the amount of \$8,500.00, be approved and payment made to satisfy the Release, and that Officer John T. Foley be indemnified for legal services rendered by Edward J. Leach, Esq., and payment, in the amount of \$990.00, be authorized. The Commission V O T E D: Approved as recommended by Mr. Wright in his report of February 24, 1984.

5 Report of Mr. Wright, February 29, submitting for approval and signature Contract-Agreement, with Alfred C. Holland, to Provide Services as a Qualified Administrator to Review, Update, and Improve the Purchasing Practices of the Commission; Compensation shall be at the rate of \$11.25 per hour, to include direct labor cost and overhead, with the total compensation not to exceed \$10,000.00; Time period of the contract will be from the date of Notice to Proceed to June 30, 1984. The Commission V O T E D: Approved.



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The Secretary then submitted for signature Contract-Agreement, dated March 8, 1984, with Alfred C. Holland, which was signed by the Commissioner and four Associate Commissioners.

1 Report of Mr. Wright, March 2, submitting for review and approval Special Provisions for Participation by Minority/Women Contractors for incorporation as additional provisions and conditions of MDC Construction Contracts.
The Commission V O T E D: Held over.

2 Report of Mr. Falvey, March 5, requesting that additional funds, in the amount of \$33,791.87, be appropriated from Account No. 2448-0005, to cover payment, which includes interest to March 31, 1984, to Charles J. DiGiovanni, et al, in connection with court judgment relative to eminent domain taking of land in Cambridge for park and reservation purposes.
The Commission V O T E D: to appropriate funds, in the amount of \$33,791.87, from the Metropolitan Parks Land Trust Fund (Account No. 2448-0005), to cover payment, which includes interest to March 31, 1984, to Charles J. DiGiovanni, et al, as requested by Mr. Falvey in his report of March 5, 1984.

The following matters were placed on the agenda for the information of the Commission:

3 The following schedules were approved for payment by the Commissioner during the period from February 20, 1984 to February 27, 1984.

Invoices	\$1,006,892.13
Reservation of Funds	\$ 7,092.28
Advices of Change	\$ 44,300.00
Weekly Payroll	\$ 905,596.82
Industrial Accident Report	\$ 34,751.83
Medical Payments	\$ 5,328.74.

4 The following schedules were approved for payment by the Commissioner during the period from February 27, 1984 to March 5, 1984:

Invoices	\$1,440,422.65
Reservation of Funds	\$ 74,318.06
Advices of Change	\$ 357,412.75
Weekly Payroll	\$ 933,553.65
Request for Advances	\$ 76,000.00

ADJOURNED at 2:30 P.M., to meet on Thursday, March 15, 1984, at 10:00 A.M.

William F. Cusack
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Record of the Three Thousand Two Hundred and Seventy-Second (3272nd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, March 15, 1984, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The records of the meeting held on March 8, 1984, were held over.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 1 Report of Mr. McCann, March 8, submitting Project Management Reports for the Water Division for the month ending February 29, 1984:
Mr. James F. McCann, Contract Administrator, reported that there are 53 ongoing projects in the Water Division's Fiscal Years 1984-1985 Work Schedule and that 3 of these projects have deviated from the approved Work Schedule. He then reviewed the Exception Reports and went over the reasons for the delays and proposed corrective action on the following projects:
W80-0763-C2A - Furnishing and Laying Water Pipe in Lynn.
W80-0915-D1A - Section 57 - Northern Low Service.
W80-0706-C1A - Brattle Court Pumping Station.
The Commission V O T E D: to accept the Project Management Reports for the Water Division for the month ending February 29, 1984.
- 2 Report of Mr. Martorana, March 5, recommending the following on Emergency Contract No. 129-I, with Boston Chimney & Tower Co., Inc., for Reinforcing the Brick Chimney at MDC High Service Pumping Station, 2436 Beacon Street, Brighton, Massachusetts:
(a) That the work be accepted as completed as of February 22, 1984.
(b) That Estimate No. 1 (Final), in the amount of \$4,840.00, be approved for payment.
The Commission V O T E D: that the work of Boston Chimney & Tower Co., Inc., contractor under Emergency Contract No. 129-I, for Reinforcing the Brick Chimney at MDC High Service Pumping Station, 2436 Beacon Street, Brighton, Massachusetts, be and hereby is accepted as completed as of February 22, 1984.
The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of \$4,840.00, for payment.
- 3 Report of Mr. Martorana, March 7, submitting Updated Work Schedule Form for Project No. W79-0739-D1A, with Tighe & Bond/SCI Consulting Engineers, for Spot Pond Pumping Station, Building Renovations and Improvements, which reflects the current schedule in the amended contract.
The Commission V O T E D: Approved on condition that no further request will be made for additional compensation.
- 4 Report of Mr. Faucher, March 8, recommending that the Fishing Season at West Washacum and Middle Washacum (The Quag) Ponds be extended from October 31 to November 30 on a permanent basis.
Mr. Faucher explained that the Fishing Season at West Washacum and Middle Washacum (The Quag) Ponds has been extended from October 31 to November 30 since 1982. He went on to say that the extension was granted with a commitment from the Massachusetts Division of Fisheries and Wildlife and the Eight Point Sportsmen's Club, Inc. that they would perform periodic clean-ups of the area. Mr. Faucher stated that the clean-ups have been performed and are very beneficial since the Commission does not have sufficient personnel to perform this work. He explained that the Massachusetts Division of Fisheries and Wildlife and the Eight Point Sportsmen's Club, Inc. have once again asked that the Fishing Season be extended and both have offered to continue the clean-ups. Mr. Faucher then recommended that the extension from October 31 to November 30 be made permanent.
The Commission V O T E D: Approved as recommended by Mr. Faucher in his report of March 8, 1984, subject to continued clean-ups of the shores of the Washacum Ponds by both the Massachusetts Division of Fisheries and Wildlife and the Eight Point Sportsmen's Club, Inc.
- 5 Report of Mr. Wright, March 12, relative to "Rules and Regulations for the Government and Use of Reservoirs, Roadways, Driveways, Bridges, Dams, and Land Within Watershed Reservations Under the Care and Control of the Metropolitan District Commission.
Mr. Brutsch stated that the increased horsepower has been in effect at Quabbin Reservoir, on a trial basis, for the past three years. He explained that this amendment is not an increase in recreational activities at Quabbin, but rather an increase from 10 horsepower to 20 horsepower for safety purposes.
Commissioner Geary spoke of the Commission Meeting of February 23, 1984, when the



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amendment in the Watershed Rules, which increased the maximum horsepower limit from 10 to 20 horsepower and incorporated the use of canoes and jon-boats, was approved in principle and referred to Mr. Wright for review; to be resubmitted to the Commission for final approval.

At this point, Mr. Faucher noted that prior to advertising, the General Counsel's Office had reviewed the "Notice of Public Hearing." He went on to say that a representative of the Water Division then contacted the Secretary's Office relative to proper publication of said "Notice of Public Hearing" in newspapers. Mr. Faucher stated that the "Notice of Public Hearing" was published in the Boston Globe, Worcester Telegram & Gazette, and Springfield Union, and also in the Central Register. He went on to say that a press release was sent to the news media.

Mr. Wright stated that although the Water Division had satisfied the legal requirements of the relevant statutes, he felt that because of the possible pollution of the water supply, the intent of the Legislature for "Public Notice" was not satisfied. He noted that if a hearing had been held within the Water District, the public might have objected to the increase in recreational use. Mr. Wright also stated the Commission should be careful of possible pollution which might necessitate the use of chemicals to counteract it in the water supply. Commissioner Geary stated that the Water Division employees will continue to monitor the Quabbin Reservoir for any adverse impact.

Associate Commissioner Scandrett stated that in the last three years 20 horsepower motors have been allowed at Quabbin Reservoir on an experimental basis and the total boat usage at the Reservoir has shown a marked decrease.

At this point, Commissioner Geary asked Mr. Wright to look into the various ways of satisfying the spirit of the statute and make recommendations including:

1. Whether the Commission can investigate and experiment with expanded use of the reservoir under the present regulation.
2. Will an invitation to the public within the Metropolitan Water District to attend a hearing at a regularly scheduled Commission meeting satisfy the intent of Chapter 30A of the Massachusetts General Laws.

The Commission V O T E D: Held over; Mr. Wright to report back to the Commission at its meeting scheduled for Thursday, March 22, 1984.

Action was taken upon the following matter relating to the Metropolitan Water Quality and Sewerage System:

- 1 Report of Mr. Baratta, February 23, on request of the Town of Norwood for permission to make an 8-inch diameter connection on the west side of the Metropolitan Sewer off University Avenue, in the Westwood Interceptor, Section 136, Station 12+52±, to service a new office and warehouse.
The Commission V O T E D: Delete from the agenda.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 2 Report of Mrs. Volpe-O'Malley, February 29, submitting for approval and signature Agreement, between the MDC and the Massachusetts Department of Public Works, relative to the use of MDC Parking Lots at Houghton's Pond and Route 138, for parking purposes, in connection with the Park and Ride Program, for a period of one year.
The Commission V O T E D: Held over.
- 3 Letter of Peddocks Island Trust, March 2, relative to Senate No. 725 - "An Act Authorizing the Metropolitan District Commission to Lease to Peddocks Island Trust, Inc., the Land with the Buildings thereon, known as Peddocks Island in Boston Harbor, for the purpose of Revitalizing and Managing said Island as an Educational and Recreational Resource for the Use and Benefit of the General Public."

Mr. John Bok, President of Peddocks Island Trust, Inc., PITI, stated that PITI, through Senator Joseph F. Timilty, has filed legislation which authorizes the MDC to enter into a 65-year lease with an option for four 5-year extensions. He went on to say that without a long-term lease, it would be impossible to raise the capital improvement funds needed to develop the deteriorated buildings at Fort Andrews. Mr. Bok then distributed an Auditor's Report on PITI's finances, and noted that PITI has raised far more money than required in the Memo of Understanding.

Mr. Stanley N. Gershoff, Dean of Tufts School of Nutrition, spoke in favor of giving PITI a long-term lease and noted that this type lease is essential for fundraising activities which will eventually lead to the raising of \$2,000,000.00 to rehabilitate the warehouse building on the Island for a Marine Sciences Center. Mr. Bok presented letters of intent from the New England Aquarium and Tufts University School of Nutrition, expressing the need for a 65-year lease before they could contemplate developing Fort Andrews' buildings for non-profit use.

At this point, Associate Commissioner Scandrett spoke of the MDC's long-range



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commitment and asked what the commitment of the five non-profit members of PITI is.

Mr. Bok responded that the five institutions could not make a financial commitment until such time as the long-term lease is approved.

Brother Blue (Hugh M. Hill) addressed the Commission and offered his support for the long-term lease.

Mr. Bok stated that PITI needs the complete support of the Commission for the passage of the legislation. He then spoke of the need for repairs on the water line, pier, and sewerage system.

Mr. Mark Primack, Harbor Islands Coordinator, stated that he has asked Commission Engineers to investigate the condition of the piers. He also stated that the repair work is not funded and is beyond the capability of MDC maintenance people. Mr. Primack went on to say that the hydrant should be installed as soon as the heavy equipment is moved to the Island and sewer repairs are scheduled, which will be done as soon as funds become available.

Mr. Roy Tate, of Mass. Lobstermen's Association, stated that he has been involved with PITI since its inception and that the Mass. Lobstermen's Association hopes to establish a series of exhibits on the life of the lobster and the history of lobstering in Boston Harbor.

Mr. Joseph Duggan, of the State Manpower Development Office, described the successful CETA Building Rehabilitation Program carried out with PITI last summer. He stated that his office hopes to return the CETA Program to the Island this summer.

Mr. James Ames, Chairman of the Board - PITI, spoke of the difficulties in raising capital funds without a long-term lease and urged Commission support of Senate Bill 725.

Commissioner Geary spoke of the rights of the residents of the Island.

Mr. Robert Enos, a summer resident of Peddocks Island and President of Peddocks Island Association, spoke of the historic nature of the cottages and asked that provisions be made in the legislation to ensure the rights of the cottage owners. Commissioner Geary noted that even if the legislation is approved, the lease would be subject to the provisions of Chapter 579 of 1980.

Mrs. Julia O'Brien, Director of Planning - MDC, gave a brief history of the "Request for Proposals" and the "Memo of Understanding" for Peddocks Island.

Mr. Primack expressed MDC Staff concerns relative to the legislation and lease. The Commission directed that the language of the legislation be worked out to the mutual agreement of PITI, MDC, and Cottage Owners, and returned to the Commission prior to the Legislature's deadline.

The Commission V O T E D: Placed on file.

- 1 Report of Mr. Rodrigues, March 5, recommending that the "Approved" Seasonal Closing Date of March 17, 1984, for all MDC Rinks, be extended to April 14, 1984, for the following Rinks, to accommodate the requests for ice time:

LoConte Rink, Medford (North Region)

Devine Rink, Boston (Dorchester District) (South Region).

The Commission V O T E D: Delete from the agenda.

- 2 Report of Mr. Rodrigues, March 6, recommending approval to rent the Shea Rink, Quincy, to G. C. Martin, for a Street Hockey League, from April 1, 1984 to June 30, 1984, for 38 hours per week; Rate - \$18.00 Per Hour; Total Payment - \$8,892.00.

Mr. Rodrigues addressed the Commission and spoke of the MDC's mandate to utilize its facilities to the fullest extent. Noting that the Rink lies idle for several off-season months, Mr. Rodrigues stated that he felt that Street Hockey at the Shea Rink during April, May, and June, is an ideal usage of the facility. Associate Commissioner Scandrett asked that the Recreational Facilities and Programs Division monitor the Rink closely for any damage to the Rink's surface from hockey sticks.

The Commission V O T E D: Approved as recommended by Mr. Rodrigues in his report of March 6, 1984.

- 3 Report of Mr. Lydon, March 8, submitting for approval and signature Agreement, between the Massachusetts Department of Public Works and the Metropolitan District Commission, relative to Apportionment of Work, Expense, Ownership, and Future Maintenance, in connection with work to be done on Burgin Parkway, Quincy, Massachusetts.

Mr. Lydon explained that sufficient funds are available for the MDC's portion of this project which will be carried out by the Massachusetts Department of Public Works.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Agreement, dated March 15, 1984, which was signed by the Commissioner and four Associate Commissioners.

- 4 Report of Mr. Lydon, March 6, recommending that Consultant Contract-Agreement No. P79-0616-D1A, with Somerville Engineering, Inc., for Rehabilitation of River



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Street, Western Avenue, and Anderson Bridges, Boston and Cambridge, Massachusetts, be accepted as completed as of September 29, 1983.

Mr. Lydon explained that under this Contract-Agreement non-structural rehabilitation work was performed on all three bridges. He stated that during the course of work on the Western Avenue Bridge, a structural defect was discovered, and because of the nature of this contract, repairs could not be undertaken. Mr. Lydon noted that the Bridge Inspection Team is continually monitoring this bridge for any additional deterioration.

The Commission V O T E D: that the work of Somerville Engineering, Inc., Consultant under Contract-Agreement No. P79-0616-D1A, for Rehabilitation of River Street, Western Avenue, and Anderson Bridges, be and hereby is accepted as completed as of September 29, 1983.

- 1 Report of Mr. McCann, March 7, stating that the Consultant Selection Committee recommends that the firm of Touche Ross & Co. be selected for Project No. P84-1302 - Study of Equipment, Labor, and Cost Requirements for Metropolitan Parks District.

Commissioner Geary explained that in the Inspector General's Report on the Metropolitan District Commission, it was recommended that the MDC have a study conducted to evaluate Parks Maintenance, including personnel and equipment needed to maintain Parks facilities. He noted that this study will fulfill the needs of the Commission in this regard.

The Commission V O T E D: to select Touche Ross & Co. as Consultant for Project P84-1302.

The Commission further V O T E D: to authorize James F. McCann, Contract Administrator, to commence contract negotiations with Touche Ross & Co. and develop a Scope of Services, Method of Compensation, and Time for Performance.

- 2 Report of Mr. McCann, March 7, stating that the Consultant Selection Committee recommends that the firm of WCH Industries, Inc. be selected for Project P84-1303 - Evaluation of Buildings and Facilities Throughout the Metropolitan Parks District.

Commissioner Geary noted that this Consultant Contract is also being undertaken in conjunction with the Inspector General's Report on the Metropolitan District Commission. He spoke of the MDC's past experience with ASI Energy Systems Division regarding lengthy contract negotiations.

At this point, Mr. McCann stated that when negotiations on the prior contract were nearly complete, the Treasurer of ASI Energy Systems Division was discharged and a new Project Engineer had to be selected by the firm, which lead to renewed negotiations.

Associate Commissioner Scandrett once again repeated his concern regarding the choice of a firm that was ranked (2) by the Consultant Selection Committee.

Associate Commissioner Jones asked if the Contract Administrator maintained minutes of the Consultant Selection Committee's meetings in his files.

Mr. McCann responded "yes."

The Commission V O T E D: to select WCH Industries, Inc. as Consultant for Project P84-1303.

The Commission further V O T E D: to authorize James F. McCann, Contract Administrator, to commence contract negotiations with WCH Industries, Inc. and develop a Scope of Services, Method of Compensation, and Time for Performance.

Associate Commissioner Scandrett desired to be recorded as not voting.

Action was taken upon the following Various Matters:

- 3 Report of Mr. Wright, March 2, submitting for review and approval Special Provisions for Participation by Minority/Women Contractors for incorporation as additional provisions and conditions of MDC Construction Contracts.

Associate Commissioner Fontanez asked that this item be held over for review by the Massachusetts Commission Against Discrimination.

In response to questioning by Associate Commissioner Fontanez, Mr. Wright stated that he had met with Mr. James Cody, of the Affirmative Action Office, concerning the Special Provisions.

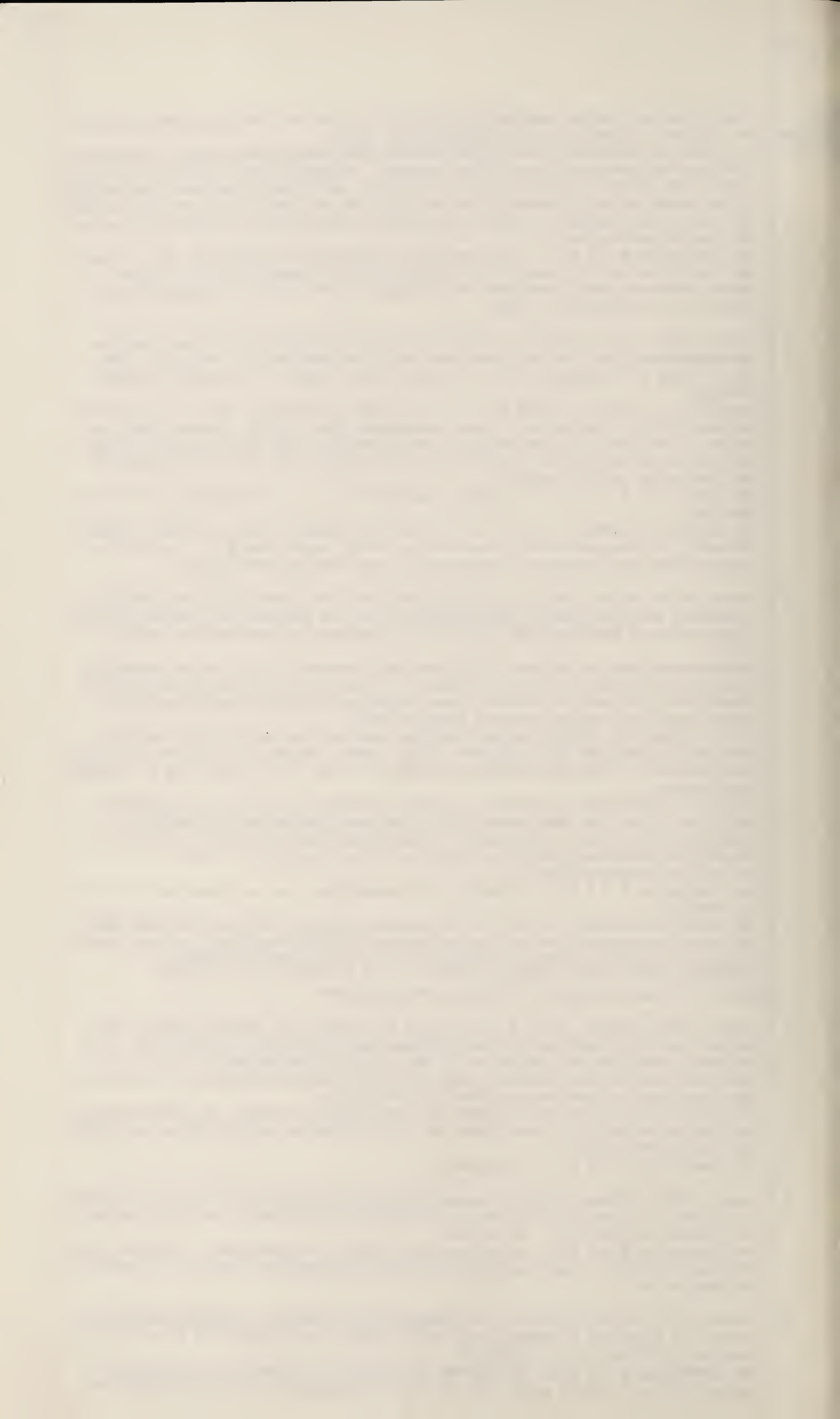
The Commission V O T E D: Held over.

- 4 Report of Mr. Falvey, March 5, recommending that Bradfield J. Collins be retained to prepare an Appraisal of property of Trepasso Realty Trust, which is located on the Lynnway in Lynn; Fee - \$1,500.00.

The Commission V O T E D: to approve the proposal of Bradfield J. Collins; Commissioner William J. Geary authorized to sign said proposal for, and on behalf of, the Commission.

- 5 Report of Mr. Falvey, March 5, recommending that Elouise A. Troup be retained to prepare an Appraisal of property of Cecil S. Rose, which abuts the Blue Hills Reservation in Milton; Fee - \$1,200.00.

The Commission V O T E D: to approve the proposal of Elouise A. Troup; Commissioner William J. Geary authorized to sign said proposal for, and on behalf of,



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the Commission.

The following matter was placed on the agenda for the information of the Commission:

- 1 The following schedules were approved for payment by the Commissioner during the period from March 5, 1984 to March 12, 1984:

Invoices	\$ 1,671,886.95
Reservation of Funds	\$ 403,347.08
Advices of Change	\$ 229,841.76
Weekly Payroll	\$ 975,584.31
Industrial Accident Report	\$ 18,671.01
Request for Advances	\$ 4,183,175.00.

ADJOURNED at 3:15 P.M., to meet on Thursday, March 22, 1984, at 10:00 A.M.

William F. Cusack
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Record of the Three Thousand Two Hundred and Seventy-Third (3273rd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, March 22, 1984, at 10:00 A. M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones and Scandrett.

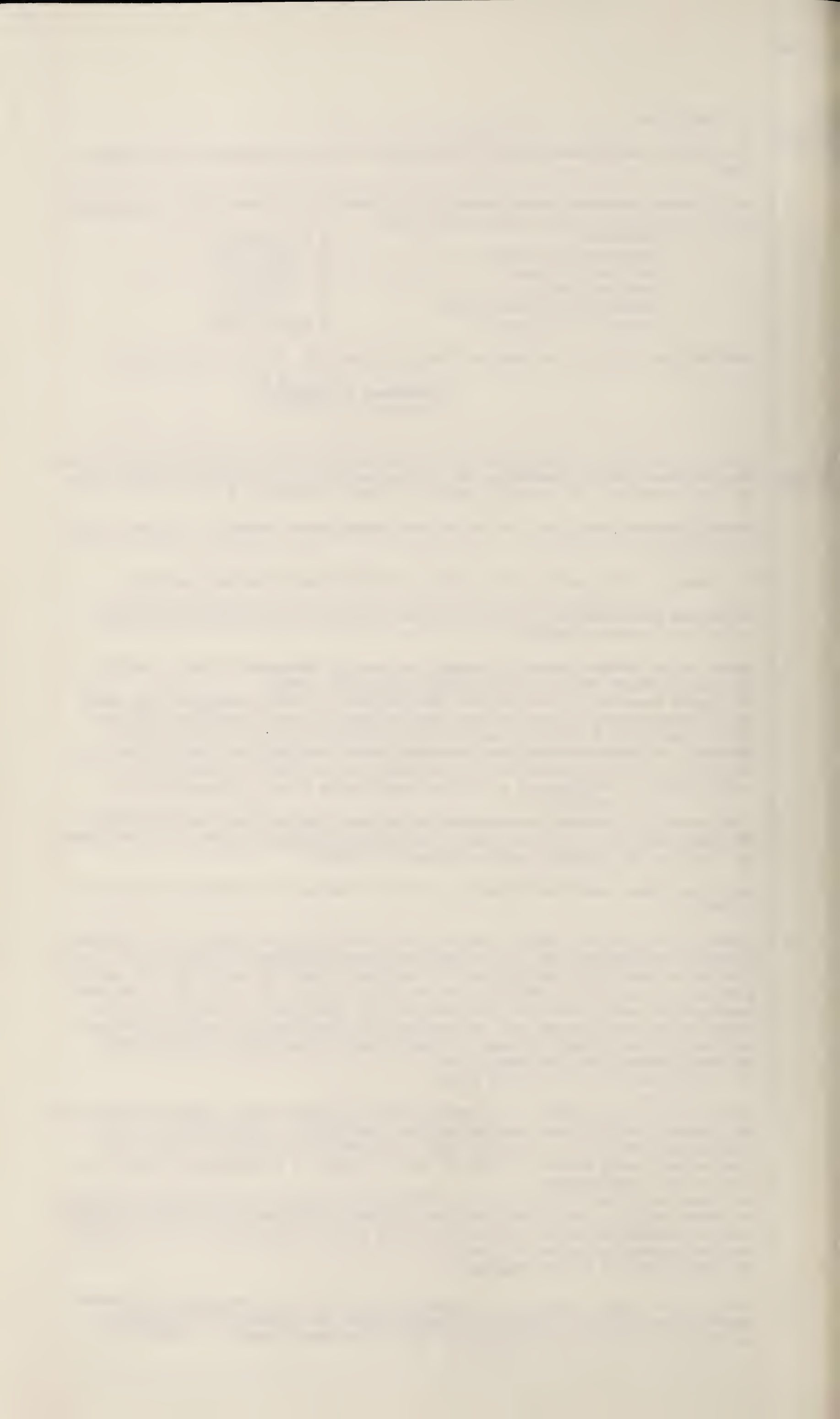
The records of the meeting held on March 15, 1984, were read and approved.

Action was taken upon the following matter relating to the Metropolitan Water Quality and Sewerage System:

- 2 Report of Mr. McCann, March 16, submitting Project Management Reports for the Sewerage Division for the month ending February 29, 1984.
Mr. Eugene Leonard, of the Contract Administrator's Office, reported that there are 28 ongoing projects in the Sewerage Division's Fiscal Years 1984-1985 Work Schedule and that 2 of these projects have deviated from the approved Work Schedule. He then reviewed the Exception Reports and went over the reasons for the delays and the proposed corrective action on the following projects:
 - S83-1109-C1A - Replacement of Sodium Hypochlorite Lines, Cottage Farm CSO Facility.
 - S81-0948-C1A - Upgrade Instrumentation System, Alewife Brook Pumping Station.
 The Commission V O T E D: to accept the Project Management Reports for the Sewerage Division for the month ending February 29, 1984.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 3 Report of Mrs. Volpe-O'Malley, February 29, submitting for approval and signature Agreement, between the MDC and the Massachusetts Department of Public Works, relative to the use of MDC Parking Lots at Houghton's Pond and Route 138, for parking purposes, in connection with the Park and Ride Program, for a period of one year. Commissioner Geary noted that the Massachusetts Department of Public Works has agreed to provide lighting for the Parking Lots, and also that negotiations are continuing in an attempt to have the Massachusetts Department of Public Works provide shrubbery for the Parking Lots.
The Commission V O T E D: Held over.
- 4 Report of Mr. Lydon, March 14, submitting Work Schedule Form, Project Summary Form, and Project Justification, for Project No. P84-1305-C1A - Restoration of Fort Independence, Phase III, estimated cost - \$25,000.00, Account No. 2440-8776. Commissioner Geary stated that this is the 3rd phase of a project for the restoration of Fort Independence.
Mr. Lydon explained that the work on this phase consists of installing railings on Parade Walls II and III and Stairway III for safety purposes, and the reinstallation of bluestone, which is presently being stored at the Fort, to its original location around Parade Walls I and V.
The Commission V O T E D: Approved.
- 5 Report of Mr. Lydon, March 14, recommending approval of increasing the estimated quantity from 250 cubic yards to 583 cubic yards for Item No. 9 - "Excavation and Refill," at \$5.00 per cubic yard, for an additional cost of \$1,665.00, on



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Contract No. P79-0695-C2A, with G. E. Carroll and G. E. Carroll Construction Co., Inc., for Tenean Beach Park Development.

Commissioner Geary noted that G. E. Carroll and G. E. Carroll Construction Co., Inc., has been assessed liquidated damages on this project due to its failure to complete the contract on time.

Commissioner Geary noted his many visits to the area while the contract was in force and spoke of his dissatisfaction with the contractor's performance.

On questioning by Commissioner Geary, Mr. Lydon stated that the final estimate for the project does not include any payment for seeding or tree planting.

Commissioner Geary noted that this will be the third summer that this area has not had any grass and then directed that a contract be put out this Spring to sod the area. Mr. Lydon then stated that under the yearly tree contract, provisions will be made for some tree planting at the park.

Associate Commissioner Scandrett expressed his displeasure that this is the third project within the past several months that a consultant had made a miscalculation on quantities of soil to be removed on a contract.

Commissioner Geary then noted that the contractor, as a result of his performance on this contract, will not be eligible to bid on any future MDC work until such time as this matter is resolved to the satisfaction of the Commission.

Associate Commissioner Jones asked Mr. Lydon to prepare a memo on this matter for his file.

The Commission V O T E D: approved as recommended by Mr. Lydon in his report of March 14, 1984.

- 1 Report of Mr. Lydon, March 19, recommending approval of a credit of \$532.00 on Item No. 3 - "Electrical Work," on Contract No. P79-0695-C2A, with G. E. Carroll and G. E. Carroll Construction Co., Inc., for Park Development and Miscellaneous Work at Tenean Beach in Dorchester Shores Reservation, Boston, Massachusetts. Mr. Lydon explained that the credit is a result of the contractor utilizing seven handholes which were purchased by the previous contractor. The Commission V O T E D: approved as recommended by Mr. Lydon in his report of March 19, 1984.
- 2 Report of Mr. Lydon, March 21, on sub-bids for Section 4A - "Unit Masonry and Masonry Restoration," on Contract No. P82-1036-C1A - Restoration of Fort Independence, Phase II, South Boston, Massachusetts. Inasmuch as Mr. Lydon advised that only two bids were received for Section 4A - "Unit Masonry and Masonry Restoration" and are restricted to themselves, which would limit the bidding to only those two bidders as General Contractors, the Commission V O T E D: to reject all bids received for Section 4A - "Unit Masonry and Masonry Restoration" in order to promote further competition as provided for in Massachusetts General Laws, Chapter 149, Section 44E (1); and that all General Bidders be notified to carry an allowance, in the amount of \$40,000.00, for Section 4A, in accordance with Massachusetts General Laws, Chapter 149, Section 44F (4)."
- 3 Report of Mr. Lydon, March 14, recommending the following on Contract No. P79-0695-C2A, with G. E. Carroll and G. E. Carroll Construction Co., Inc., for Park Development and Miscellaneous Work at Tenean Beach in Dorchester Shores Reservation, Boston, Massachusetts:
 - (a) That the work be accepted as completed as of November 10, 1983.
 - (b) That liquidated damages at the rate of \$200.00/day, from September 1, 1983 to November 10, 1983, be assessed.
 - (c) That Estimate No. 5 (Final), in the amount of \$94,737.57, be approved for payment.
 - (d) That reserve, in the amount of \$17,431.78, be approved for payment.

The Commission V O T E D: that the work of G. E. Carroll and G. E. Carroll Construction Co., Inc., contractor under Contract No. P79-0695-C2A, for Park Development and Miscellaneous Work at Tenean Beach in Dorchester Shores Reservation, Boston, Massachusetts, be and hereby is accepted as completed as of November 10, 1983. The Commission further V O T E D: that liquidated damages at the rate of \$200.00/day, from September 1, 1983 to November 10, 1983, be assessed. The Commission further V O T E D: to approve Estimate No. 5 (Final), in the amount of \$94,737.57, for payment. The Commission further V O T E D: to approve release of reserve, in the amount of \$17,431.78, for payment.
- 4 Report of Mr. Lydon, March 22, on sub-bids for Section 16A - "Electrical," on Contract No. P82-1168-M1A - Repairs to Swimming Pools and Service Buildings Within the Metropolitan Parks System. Inasmuch as Mr. Lydon advised that only one bid was received for Section 16A - "Electrical" and was restricted to Allied Weatherproofing Co., which would limit the bidding to only one General Contractor, the Commission V O T E D: to reject the bid received for Section 16A - "Electrical" in order to promote further compe-

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tion as provided for in Massachusetts General Laws, Chapter 149, Section 44E (1); and that all General Bidders be notified to carry an allowance, in the amount of \$15,000.00, for Section 16A, in accordance with Massachusetts General Laws, Chapter 149, Section 44F (4).

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 1 Report of Mr. Wright, March 12, relative to "Rules and Regulations for the Government and Use of Reservoirs, Roadways, Driveways, Bridges, Dams, and Land Within Watershed Reservations Under the Care and Control of the Metropolitan District Commission"; also supplemental report of Mr. Wright, March 21. Commissioner Geary spoke of the concerns of Mr. John Wright, MDC General Counsel, relative to the public perception of the adequacy of having only one hearing concerning the increase in outboard motor horsepower and that the hearing was held outside of the Water District. At this point, Mr. Francis Faucher, Director of Reservoir Operations, presented a press release which was sent to 72 newspapers, radio and television stations throughout the state concerning the Public Hearing which was held in Palmer, Massachusetts, on February 2, 1984. Commissioner Geary stated that he agreed with Mr. Wright's concerns regarding the adequacy of having only one hearing. Commissioner Geary then asked Mr. Wright if we could satisfy his concerns by taking up the increase in horsepower at a regularly scheduled Commission meeting in Boston, following a 21-day notice. Mr. Wright said that this would be satisfactory but he still questioned whether water quality data for Quabbin Reservoir was sufficient to be able to predict that the increase in horsepower would not result in harmful pollutants contaminating our drinking water. Commissioner Geary stated that the Commission had heard testimony from staff at prior Commission meetings indicating that Quabbin Reservoir water would not be degraded significantly by the increase. At this point, Mr. Alfred Ferullo, Director of Environmental Quality, stated that Commission staff as well as our consultant have been monitoring water quality at Quabbin Reservoir regularly over the past three years while the trial period was in effect and have found that the drinking water standards have not been violated. He stated that Quabbin Reservoir is so large that it would take a considerable quantity of any substance to result in concentrations that would be harmful. He went on to state that twice as much lead reaches the reservoir directly from rain than is discharged from motor boats during a fishing season. He indicated that a review of studies by the Environmental Protection Agency and the University of Massachusetts regarding pollution from outboard motors in other waters indicate that this would not be a problem in Quabbin Reservoir. Mr. Ferullo then stated that no water quality data that he has seen would support turning down the request to increase horsepower from 10 to 20. Commissioner Geary stated that he felt that Mr. Wright's suggestion of hiring an outside consultant to do an environmental study of the effects of such activities would not be necessary since considerable information has been presented to the Commission by staff and a consultant concerning this matter. The Commission then V O T E D: to hold another hearing concerning the change in rules and regulations prior to a regularly scheduled Commission meeting as expeditiously as possible. The Water Division was directed to notify all user communities and interested citizens and organizations of the hearing as soon as possible. In addition to a legal notice, the Water Division was directed to have a news release issued to the media concerning the Public Hearing.
- 2 Report of Mr. Faucher, March 22, requesting approval of final payment, in the amount of \$3,750.00, on Contract-Agreement No. W82-1018, with Robert Finnegan Associates, for Market Survey for a Public Information Campaign to Promote Water Conservation; also submitting Final Report entitled "Recommendations on Methods of Handling Water Conservation Education Programs." Mr. Robert Finnegan, President of Robert Finnegan Associates, reviewed the Final Report. He spoke of various marketing recommendations for the Domestic Device Retrofit Program, which is part of the Commission's Demand Management Plan. Mr. Finnegan then reported on case histories of various ways to organize the installation of the water-saving devices and made recommendations on promotional appeals. He stated that it should be stressed that the Retrofit Program would not only conserve water but would also conserve energy. Mr. Finnegan continued by recommending that little money be spent on paid television advertising. He went on to say that the most effective method of achieving cooperation would be through personalized direct mail contact with the Water Users. Mr. Finnegan noted that there are approximately 500,000 homes within the Metropolitan Water District and that the MDC would be well advised to hire an outside qualified contractor to



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install the devices, which, he estimated, would cost approximately \$25,000,000.00. Ms. Mary Ann Fronk, Consultant for Demand Management/Water Conservation Public Information Projects, stated that for the marketing strategy to be successful, it should be of a positive nature and should not rely on scare tactics to encourage participation.

Ms. Marcia MacClary, of Media Matrix, commented that the Survey Report, of Robert Finnegan Associates, was very useful in Media Matrix's preparation of this year's Public Information Campaign for the Commission.

The Commission V O T E D: to approve final payment, in the amount of \$3,750.00.

The Commission further V O T E D: to place on file the Final Report entitled "Recommendations on Methods of Handling Water Conservation Education Programs," dated February 1984, as prepared by Robert Finnegan Associates.

- 1 Report of Mr. Martorana, March 20, on bids for Repair of Motor from Brattle Court Pumping Station, Contract No. W84-1039.
The Commission V O T E D: to accept the only bid received, that of General Electric Company, of \$2,987.00.

Action was taken upon the following Various Matters:

- 2 Report of Mr. Wright, March 2, submitting for review and approval Special Provisions for Participation by Minority/Women Contractors for incorporation as additional provisions and conditions of MDC Construction Contracts.

Mr. Wright was directed to review the Governor's Executive Order #237 (Minority Business Development), which was recently issued, to determine if its provisions are consistent with the "Special Provisions for Participation by Minority/Women Contractors," as prepared by Mr. Wright.

The Commission V O T E D: Delete from the agenda; to be resubmitted in three weeks.

- 3 Report of Mr. Wright, March 16, submitting for approval and signature Agreement, with the Museum of Science, for the Design and Construction of an Exhibit on Water at the Museum; Total Compensation not to exceed \$16,000.00.

Ms. Mary Ann Fronk, Consultant for Demand Management/Water Conservation Public Information Projects, explained that the exhibit will be constructed by the Museum of Science and should be completed by January 1985.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Agreement, dated March 22, 1984, with the Museum of Science, which was signed by the Commissioner and four Associate Commissioners.

- 4 Report of Mr. Byrne, March 20, relative to the Boston Harbor Clean-Up. Commissioner Geary stated that as part of the ongoing Boston Harbor Clean-Up, which is being conducted under Court Order, Special Master Charles Haar was authorized to hire expert technical assistance regarding the clean-up.

The Commission V O T E D: Approved; John W. Wright, Esq., General Counsel, to prepare a Contract-Agreement for Commission execution.

- 5 Report of Ms. Hill, Project Coordinator, submitting Draft Interagency Agreement, between the Massachusetts Bay Transportation Authority and the Metropolitan District Commission, relative to the Southwest Corridor.

Ms. Sylvia Hill, Project Coordinator for the Southwest Corridor was introduced and stated that the Massachusetts Bay Transportation Authority Board of Directors at its meeting of February 15, 1984, authorized their General Manager to execute the Interagency Agreement between the Metropolitan District Commission and Massachusetts Bay Transportation Authority in preparation for the Ownership, Care and Control of the Southwest Corridor Parkland. She noted that the Agreement has been reviewed by the legal department of both agencies as to form.

Mr. Daniel Ocasio, MBTA Senior Project Manager for the Southwest Corridor Project, for Design and Construction Coordination, was introduced and stated that upon completion, the Park will be turned over to the Commission contingent upon the MDC receiving necessary funds.

Mr. Ocasio then stated that the MBTA has hired the firm of Childs, Bertman, Tseckares, & Casendino, Inc., to assist the MDC at no cost to the Commission. This Consultant was hired through the MBTA's Consultant Selection Process to review the Parkland Design and prepare a budget package to include cost for maintenance and programming.

Mr. Ocasio then spoke of the Community meetings which have been held since 1979 in which the residents have been offered a chance to provide input for the project.

At this point, Commissioner Geary asked if the Commission still has an opportunity to influence the design of the Corridor. Mr. Ocasio stated that some of the landscape contracts have already been awarded, but the MBTA will try to accommodate any minor Commission concerns as the project proceeds. He stated it is now too late for any major changes.

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Commissioner Geary stated that concern was expressed by Community groups at a meeting held in December 1983, whether MDC Police could adequately take care of the Southwest Corridor Parkland. At that time, Commissioner Geary stated that the MDC Police force was recently expanded and this would allow for necessary policing.

Associate Commissioner Fontanez expressed concern about the location of the Commission Maintenance Facility. Mr. Ocasio stated that it would be located at the Jackson Square MBTA Station which is located about the center of the Corridor. She also expressed concern that the location for the MDC Police Station has not yet been chosen. Commissioner Geary stated that our Police Division has looked at various locations, but the suggested locations do not have adequate space. Associate Commissioner Jones asked if the MDC was involved in the choice of the consultant. Mr. Ocasio spoke of the consultant process and stated that the MDC was not involved. It was then pointed out that the chosen firm has been short-listed for the MDC's Kennedy Park in Cambridge, Massachusetts.

Associate Commissioner Scandrett then stated that he is in favor of the acquisition and believes it is a great challenge for the MDC to acquire an urban park of this magnitude, but he stated that he was nervous about the fact that the design was handled by the MBTA with little or no input by the MDC. He agreed with Commissioner Geary's statement that the MDC's present role is as an "invited guest" rather than as a participant or partner.

Associate Commissioner Scandrett then questioned whether the MBTA may have made commitments which the MDC will be responsible to honor.

Mr. Ocasio mentioned that in 1977, the MBTA hired consultants for the project and at that time met with representatives of the MDC, Department of Environmental Management and City of Boston, in an attempt to have one of them take on the responsibility for managing the Park. It met with no success he noted. He then stated that small parcels of land not directly tied into the Southwest Corridor will be offered to abutters so that the Commission will not have the responsibility of maintaining the land.

Commissioner Geary then stated that it was important that this agreement be approved to avoid any delay and the language of the Agreement can be perfected and adjusted if necessary.

At this point, the Commission V O T E D: to approve the Interagency Agreement with the Massachusetts Bay Transportation Authority in connection with the Southwest Corridor Parkland for the Ownership, Care and Control of the Southwest Corridor Parkland.

Associate Commissioners Jones and Scandrett desired to be recorded as being opposed to this action of the Commission.

Associate Commissioners Jones and Scandrett submitted a statement which they asked to be inserted in the minutes of the meeting.

The statement is as follows:

"Our reluctance to accept the Interagency Agreement as submitted to the Commission on this date is due to our inability to accept language and some of the details contained therein. We both enthusiastically support the plan which calls for the MDC to own, manage, maintain and police the Parkland in the Southwest Corridor Project.

What we are unable to sign, is an Agreement which states that the MDC has had, or will have, any significant participation in the planning design and/or construction of this park.

The planning, design and construction phases are substantially complete, and have been entirely an MBTA operation.

The sections of this Agreement outlining community liaisons are incomplete in that "hundreds of meetings have already been held with community groups" by the MBTA, and we are told that "Promises, Accomodations and Commitments" have been made.

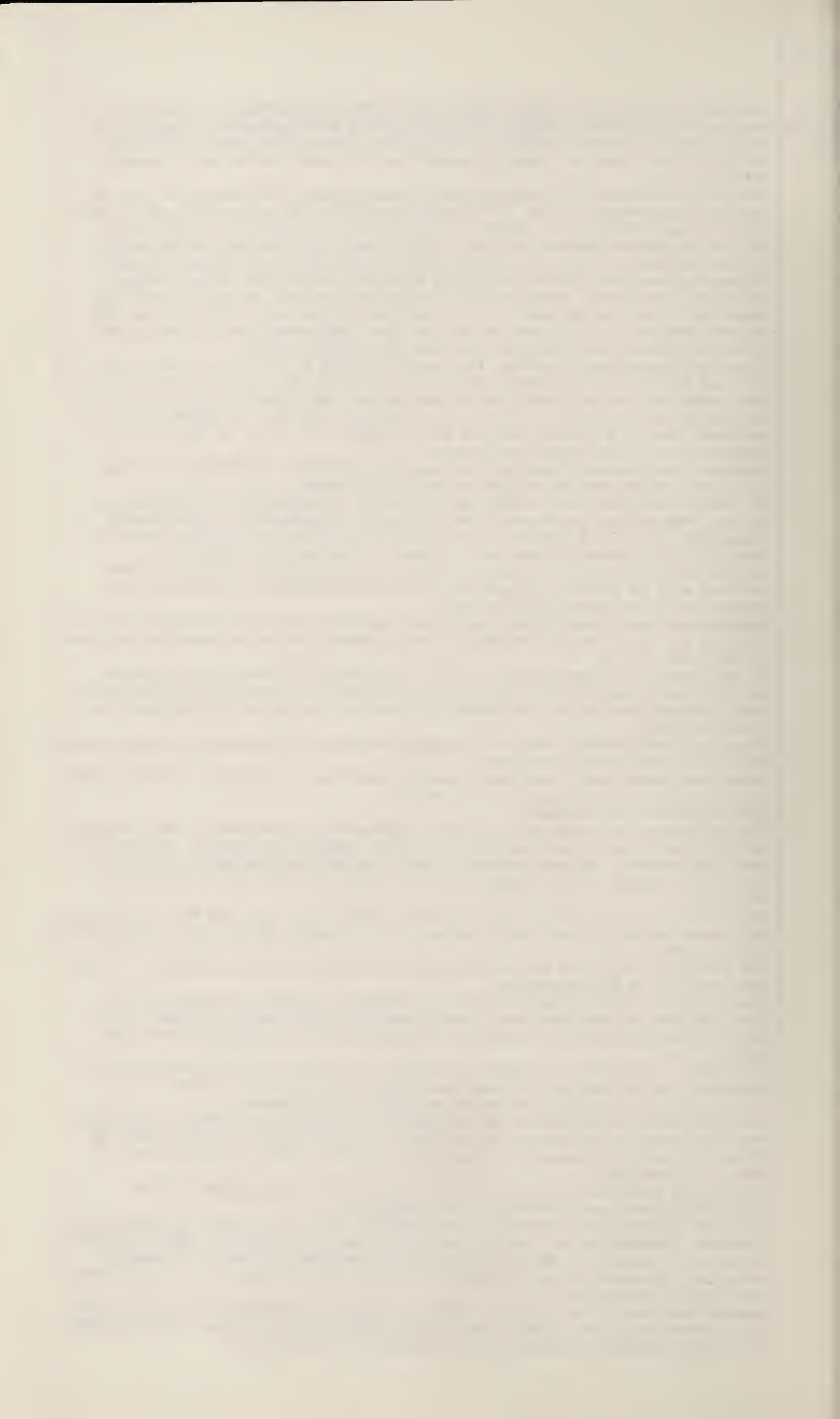
We request, if the MDC is expected to keep any of these promises, make any of the accomodations, or meet any of these commitments - that we be notified of them specifically and in detail before we can accept this Agreement.

This preliminary Agreement may be too specific in detailing the MBTA's unilateral right to convey or not convey any parkland to the MDC and to determine what the MDC will or will not manage. It may not be specific enough in defining what is and is not parkland.

Finally, we would prefer a more detailed description of the budget for the \$200,000.00 already allocated for this transition.

Associate Commissioner Scandrett stated that he felt that planning as stated in the Agreement inferred design planning and the MDC was not involved in design planning. Actually, he noted, the MDC will be performing management planning. Therefore, he stated, whenever the word "planning" is used in the Agreement, the word "management" should precede it."

Commissioner Geary then asked Mr. Ocasio to return to the MBTA and have the Agreement amended so as each time "planning and construction" is stated in the document, the words "management planning and construction" be substituted.



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Mr. Ocasio said he felt this was a minor change and could be accomplished within a week.

The Commission then V O T E D: to approve the change in wording whereby every time "planning and construction" is used in the Agreement, the words "management planning and construction" are substituted.

Associate Commissioner Jones desired to be recorded as being opposed to this action of the Commission and stated that he was hesitant to bote on a document that originated in another agency and would be modified by that agency subsequent to a Commission vote.

Associate Commissioner Scandrett agreed with Associate Commissioner Jones but because he voted as being opposed on the original vote, he chose to be recorded as present but not voting.

The following matter was placed on the agenda for the information of the Commission:

1 The following schedules were approved for payment by the Commissioner during the period from March 12, 1984 to March 19, 1984:

Invoices	\$1,382,783.97
Reservation of Funds	\$ 671,364.28
Advices of Change	\$ 163,009.69
Weekly Payroll	\$ 917,846.68
Request for Advances	\$ 950.00

ADJOURNED at 1:55 P.M., to meet on Thursday, April 5, 1984, at 10:00 A.M.

William F. Oush
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Record of the Three Thousand Two Hundred and Seventy-Fourth (3274th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, April 5, 1984, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The records of the meetings held on March 8, 1984, and March 22, 1984, were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

- 2 First Amendment, dated April 5, 1984, to Contract-Agreement No. W78-0739-D1A, dated November 4, 1982, with Tighe & Bond/SCI Consulting Engineers, for the Rehabilitation of Spot Pond Pumping Station, which revises the Scope of Services and Milestones I, II, and III.
- 3 First Amendment, dated April 5, 1984, to Contract-Agreement No. S83-1027-D1A, for Study and Design to Rebuilt the Thickener Turntable Assemblies at Deer Island Sewage Treatment Plant, which revises the Scope of Services in order to take advantage of federal funding which the Division of Water Pollution Control has advised is now available, extends the Time for Performance due to the EPA regulation that requires the Design Consultant to remain on contract for one year after construction is complete for project performance services, and increases the Total Contract Cost from \$37,405.00 to \$70,438.00.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 4 Report of Mrs. Volpe-O'Malley, February 29, submitting for approval and signature Agreement, between the MDC and the Massachusetts Department of Public Works, relative to the use of MDC Parking Lots at Houghton's Pond and Route 138, for parking purposes, in connection with the Park and Ride Program, for a period of one year.
The Commission V O T E D: Delete from the agenda.
- 5 Report of Mr. Lydon, February 28, requesting approval of release of \$132,000.00 of the retainage being held on Contract No. P78-0638-C1A, with Bonacorso Construction Corp., for Bridge Repairs, Monsignor McGrath Highway, McCarthy Overpass, and Squire's Bridge, Somerville, Massachusetts.
Mr. Lydon noted that this project is running several months ahead of the scheduled completion date.
The Commission V O T E D: to approve release of retainage, in the amount of \$132,000.00, for payment.
- 6 Report of Mr. Lydon, March 22, recommending approval of increasing the estimated



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quantity on Item No. 44 - "Sodding," at an additional cost of \$2,325.00, on Contract No. P79-0770-C1A, with T & T Construction, for Restoration and Rehabilitation of Foss Park, Somerville, Massachusetts.

The members of the Commission again spoke of their uneasiness with the performance of Wright-Pierce, the Commission's Consultant on this project.

Mr. Lydon reviewed the increase and stated that the drawings, as prepared by Wright-Pierce, indicated that the sod would be placed approximately 10 feet around the perimeter of the Soccer Field, but that this additional quantity was not reflected in the Consultant's estimated quantity for the item.

The Commission then expressed concern that we might experience the same type of problems at the Dilboy Field Project, which is also being designed by Wright-Pierce.

Mr. Lydon stated that the Parks Division's Engineers are reviewing and checking all the quantities for the Dilboy Field Project. He went on to say that the Commissioner and appropriate MDC Staff will meet with representatives of Wright-Pierce in the near future and they will be informed what is expected of Wright-Pierce by the Commission.

The Commission V O T E D: Approved as recommended by Mr. Lydon in his report of March 22, 1984.

- 1 Report of Mr. Lydon, March 27, recommending approval of an extension of time from November 25, 1983 to June 30, 1984, on Contract No. P80-0793-C1A, with J. M. Cashman, Inc., for Maritime Work, Hull, Pemberton Pier, to allow time for two Extra Work Orders to be processed from plan preparation, requesting and reviewing proposals, obtaining Commission approval, and through completion of construction. The Commission V O T E D: to approve an extension of time from November 25, 1983 to June 30, 1984, as recommended by Mr. Lydon in his report of March 27, 1984, to be effective, however, only upon receipt of the written consent of the bonding company.
- 2 Report of Mr. Lydon, March 30, on bids for Restoration of Fort Independence, Phase II, South Boston, Massachusetts, Contract No. P82-1036-C1A. Mr. Lydon noted that Thunder Construction, Inc. has not worked for the Commission in the past, but its references reveal that the Company has done first-rate work in both the public and private sector. Mr. Jay Turner, Contract Compliance Officer, reviewed the EEO performance and recommended that Thunder Construction, Inc. be awarded the contract subject to an EEO Meeting prior to the start of work on the contract. Mr. Lydon stated that when the pre-construction meeting is held, the appropriate Engineers from the Parks Division, plus Mr. Turner, will be on hand to inform representatives of Thunder Construction, Inc. what is expected of the Company under terms of the contract. The Commission V O T E D: to accept the lowest bid, that of Thunder Construction, Inc., of \$412,687.00.
- 3 Report of Mr. Lydon, March 28, on sub-bids for Section 4A - "Masonry," Section 9A - "Sandblasting and Painting," and Section 15A - "Plumbing," on Contract No. P82-1168-M1A - Repairs to Swimming Pools and Service Buildings Within the Metropolitan Parks System. The Commission V O T E D: to reject all bids for Section 4A - "Masonry" in order to promote further competition as provided for in Massachusetts General Laws, Chapter 149, Section 44E (1), and that all General Bidders be notified to carry an allowance, in the amount of \$20,000.00, for said Section, in accordance with Massachusetts General Laws, Chapter 149, Section 44F (4). The Commission further V O T E D: to reject the low bidder, E. L. Mills Co., Inc., whose bid price was \$23,687.00, for Section 9A - "Sandblasting and Painting," due to the fact that said Company did not sign the bid proposal. The Commission further V O T E D: to reject all bids for Section 15A - "Plumbing," in accordance with Massachusetts General Laws, Chapter 149, Section 44E (1), and that all General Bidders be notified to carry an allowance, in the amount of \$75,000.00, for said Section, in accordance with Massachusetts General Laws, Chapter 149, Section 44F (4).
- 4 Report of Mr. Wright, March 29, submitting for approval and signature Traffic Control Agreement, between the Massachusetts Department of Public Works and the Metropolitan District Commission, in connection with the East Cambridge Roadway Improvement Project (Federal Aid Project No. HES-000S (107)). The Commission V O T E D: Approved. The Secretary then submitted for signature Traffic Control Agreement, dated April 5, 1984, between the Massachusetts Department of Public Works and the Metropolitan District Commission, which was signed by the Commissioner and four Associate Commissioners.
- 5 Report of Mr. Lydon, April 4, on bids for Furnishing and Planting Trees in Boston,



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Watertown, Cambridge, Melrose, Winchester, Medford, Everett, Revere, East Boston, South Boston, Quincy, Hull, Wakefield, Canton, and Somerville, Contract No. P84-1295-C1A

Mr. Jay Turner, Contract Compliance Officer, reviewed the past EEO performance of Landscaping by Schumacher, Inc. and stated that it was good with an overall minority participation of 32% in a 5-30% area.

Mr. Lydon stated that he recommends approval of the second low bidder, Landscaping by Schumacher, Inc., for the Spring Tree Planting Contract. He explained that he is making this recommendation of the second low bidder and not the low bidder, T & M Landscape Nurseries, Inc., because the specifications call for a proposal guarantee of \$7,500.00. He went on to say that T & M Landscape Nurseries, Inc. indicated that they are bonded for 5% of their bid, which is \$113,437.50, which would be a bond of \$5,671.87. Mr. Lydon stated that under the Commonwealth's Law governing the Commission's bidding for horizontal construction, it is interpreted to mean that the bond be 5% of the estimated construction cost, which in this case the amount would be \$7,500.00. He noted that this guide is outlined in Chapter 30, Section 39M.

The Commission V O T E D: to accept the second lowest bid, that of Landscaping by Schumacher, Inc., of \$121,650.00.

- 1 Report of Mr. Van Wart, March 29, submitting for approval and signature Agreement, between the Metropolitan District Commission and the Massachusetts Audubon Society, for Operation of Blue Hills Interpretive Centers (Trailside Museum and Chickatawbut Hill).

Mr. Van Wart reviewed the new Agreement and noted that very few changes have been made from the prior Agreement. He stated that the changes which have been made will help improve areas where definition of responsibility between the MDC and the Massachusetts Audubon Society needed further clarification. Mr. Van Wart then distributed copies of a Statement of Revenues and Expenditures for Trailside Museum and Chickatawbut Hill for the year ending June 30, 1983.

Commissioner Geary remarked on the outstanding relationship between the MDC and the Massachusetts Audubon Society over the years. He stated that he is in support of an increase in the Management Fee for the maintenance and use of both the Trailside Museum and the Chickatawbut Hill Center which is currently pending before the Legislature.

Mr. Ralph Lutts, of Trailside Museum, spoke of his plans for an Interpretive Program at various locations to broaden the interpretation of cultural and natural features within the Blue Hills Reservation.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Agreement, dated April 5, 1984, between the Metropolitan District Commission and the Massachusetts Audubon Society, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 2 Report of Mr. Baratta, March 21, on request of Mitchell B. Corbett, Attorney for and on behalf of Chester G. Lindstrom and Herbert B. Lindstrom, for permission for James J. McCabe, Jr. and Pearl A. McCabe, Owners of Property at 152 Tremont Street, Melrose, Massachusetts, to have a two-story concrete block maintenance building, found to be located over the Metropolitan Sewer Easement of Section 51, between Stations 0+30± and 0+95±, remain in place as built.

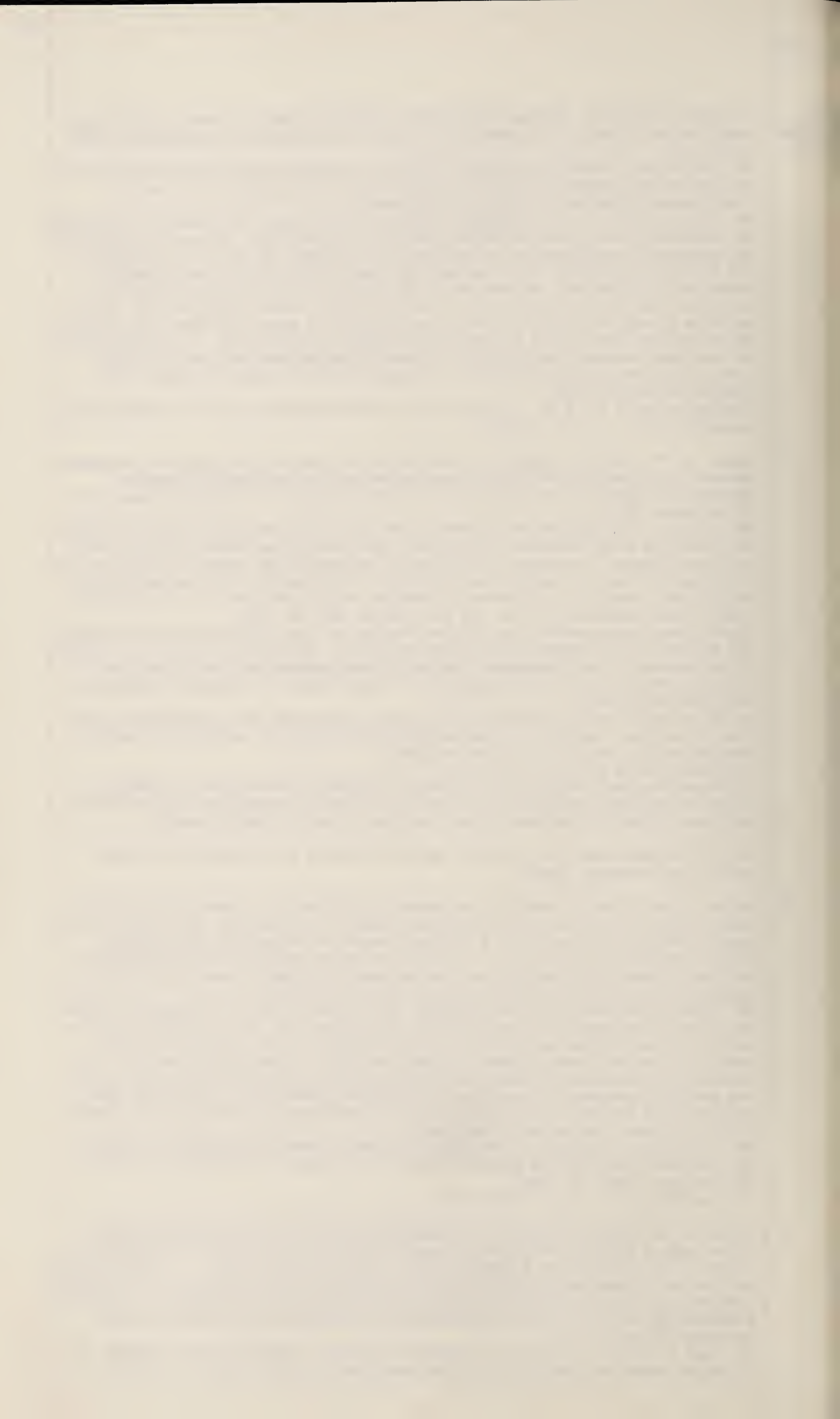
Mr. Baratta explained that this property was recently sold by the Owners and that the sale is now subject to cancellation. He stated that, as a result of a title search, it was discovered that one of the buildings on the premises was built over a 15-foot MDC Sewer Easement without receiving a permit from the MDC. In response to questioning whether the Commission had a Permit procedure for building over MDC Easements 23 years ago, Mr. Baratta noted that it could have been possible that the MDC did not have a formal Permit procedure and that the Owners might have been given a verbal approval.

Mr. Baratta was directed to investigate the MDC's Permit procedure of 23 years ago and report back to the Commission with his findings at the meeting scheduled for Thursday, April 12, 1984.

The Commission V O T E D: Held over.

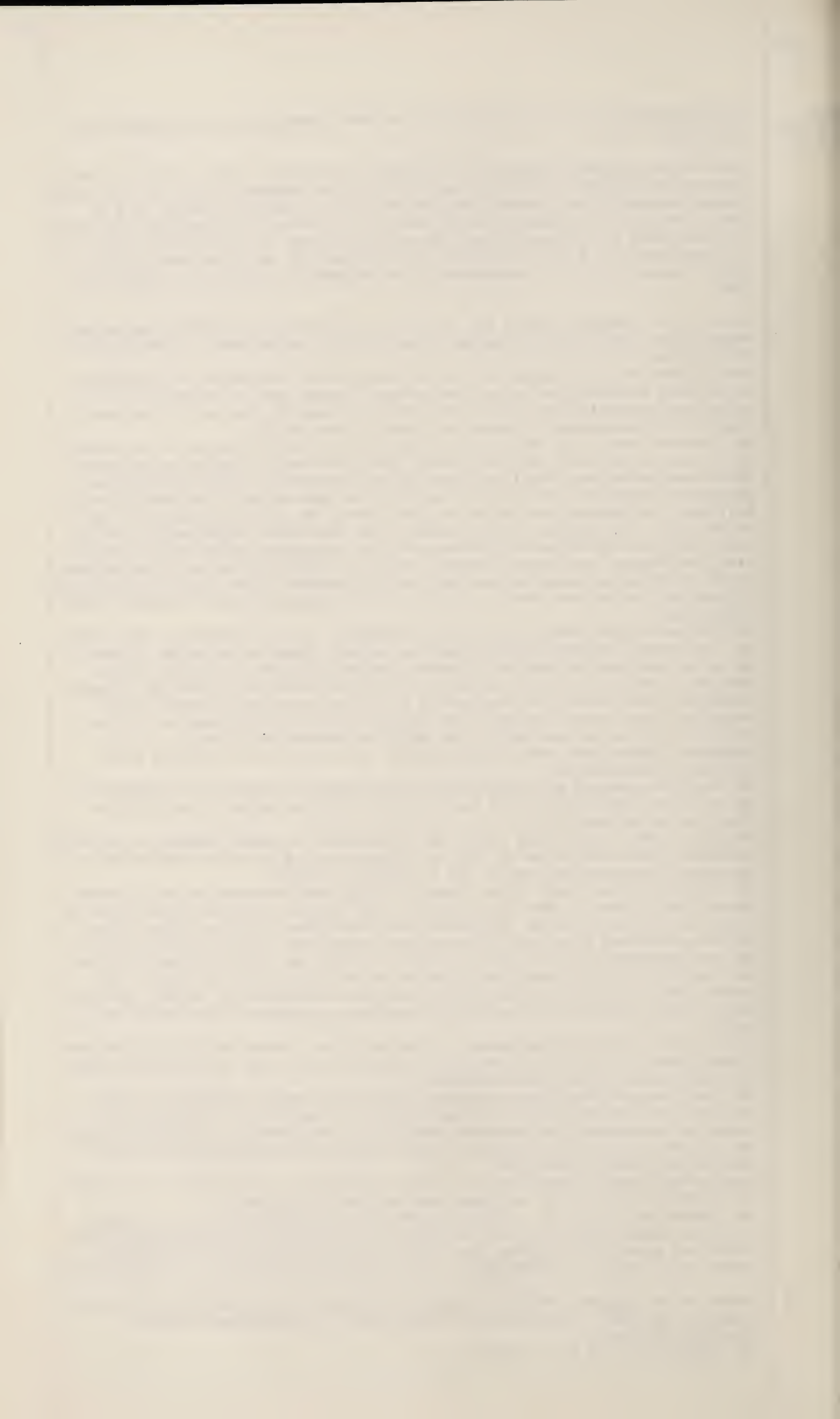
- 3 Report of Ms. Haggerty, March 13, requesting approval of Extra Work Order No. 4, in the amount of \$8,332.75, for increased costs associated with : 1) Modifications to the windbreak on Digesters 3 and 4 (\$5,993.36); 2) Repair of the Digester wall at each temperature probe location (\$1,000.21); and 3) The use of fiber reinforcement in the 3-inch insulating concrete (\$1,339.18), on Contract No. S82-1003, with Peabody N.E., Inc., for Rehabilitation of Digesters, Deer Island Sewage Treatment Plant.

Mr. Noel D. Baratta, Director of Sewerage Division, stated that this project is 12 months ahead of schedule and may be completed 18 months ahead of schedule.

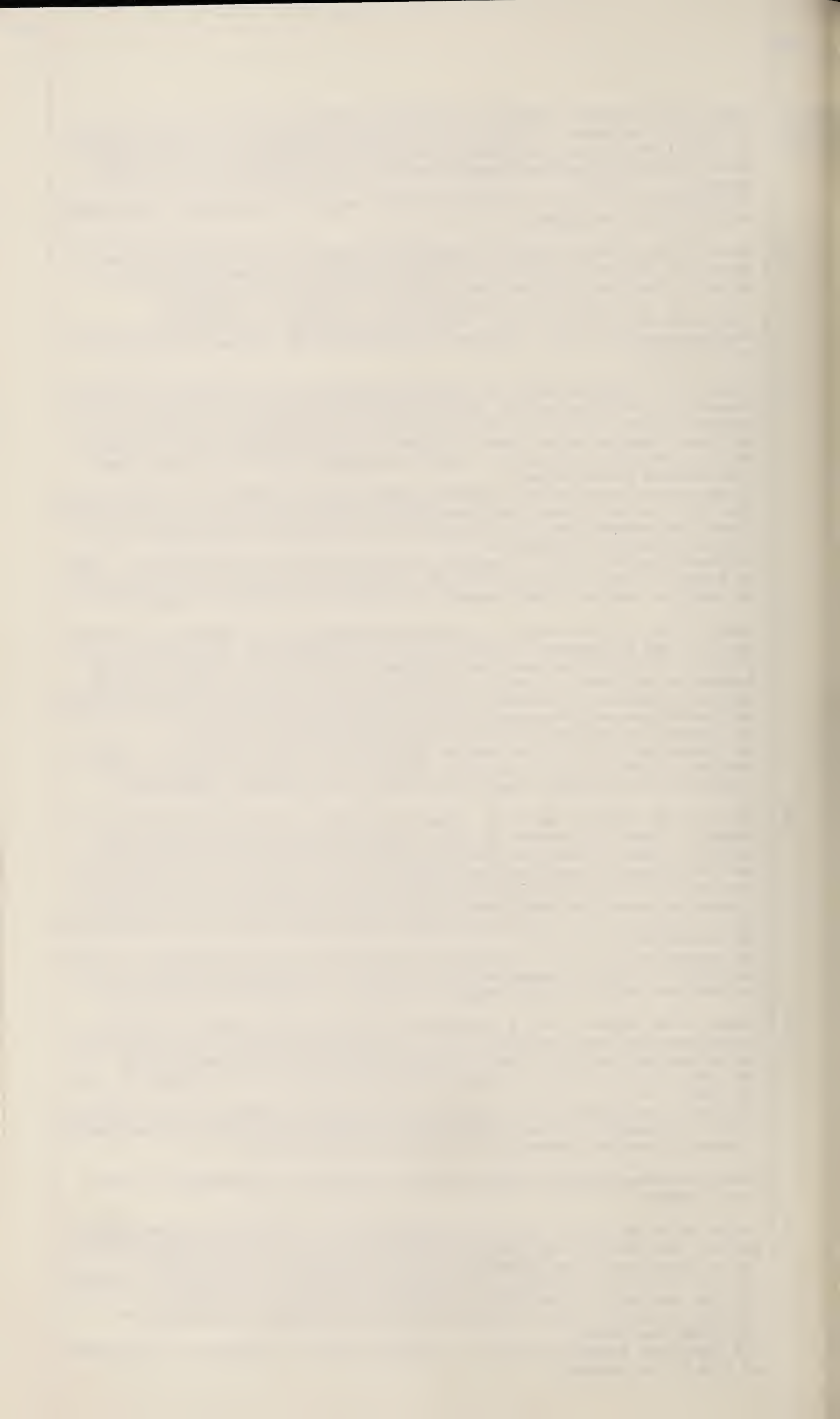


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- The Commission V O T E D: to approve Extra Work Order No. 4, in the amount of \$8,332.75.
- 1 Report of Ms. Haggerty, March 29, on sub-bids for Item No. 15-B - "Plumbing" on Contract No. S81-0947-C2A - Chlorination Facilities Upgrading, Phase B, Nut Island Sewage Treatment Plant, Quincy, Massachusetts; also submitting letter of N. B. Kenney Company, Inc., March 6, withdrawing its bid because the Massachusetts Code will not allow said Company to use the material stated in the specifications. The Commission V O T E D: to accept the withdrawal of the filed sub-bid of N. B. Kenney Company, Inc., as recommended by Ms. Haggerty in her report of March 29, 1984.
- 2 Report of Ms. Haggerty, March 29, on bids for Chlorination Facilities Upgrading, Phase B, Nut Island Sewage Treatment Plant, Quincy, Massachusetts, Contract No. S81-0947-C2A.
Commissioner Geary discussed the project and spoke of the desire of legislators in the area to cancel the project and proceed instead with a renovation of the existing chlorination facilities. He then questioned Mr. Baratta on the advantages and disadvantages of renovation versus a new facility.
Mr. Baratta stated that the existing chlorination storage location is within the Administration Building and that, in the past, chlorine accidents have occurred which have caused near fatal accidents to plant personnel. He also noted that many minor accidents have occurred requiring the evacuation of the Administration Building. Mr. Baratta went on to say that during the planning process for the chlorination improvements, Perkins-Jordan, the Consultant, recommended a new facility since the existing facilities could not be upgraded to be in conformance with the Chlorine Institute Standards. He also stated that the decision was made during planning to proceed with a new facility because it was the only option that allowed for the maximum level of safety for plant personnel and the Hough's Neck Neighborhood.
The discussion then moved to the area of transport of the chlorine to the facility. Mr. Baratta explained that under the current situation, chlorine is transported to the plant in one-ton cylinders, twelve cylinders in a truck, on the average of two to three times a week. He also explained that under the proposed situation, chlorine will be transported in 16-ton double-hulled trucks on the average of once every four days. Mr. Baratta noted that the reduction in the quantity of chlorine required is the result of improved efficiency.
Associate Commissioner Jones inquired as to the possibility of barging as the method of transportation.
Mr. Baratta responded that barging was investigated and found to be impractical at this time; the reasons being that no pier facilities exist at the site for this type of delivery.
Associate Commissioner Jones noted that in addition a greater quantity of chlorine would have to be maintained on site for those occasions when the barge would be prevented from making deliveries due to inclement weather.
The discussion then moved to the issue of safety when transporting the chlorine through the streets of the City of Quincy. Mr. Baratta said that, based upon information from the Chlorine Institute, tank trucks have a proven safety record and are considered safer than other modes of transport. He also stated that the MDC has expressed its willingness to negotiate with the City of Quincy relative to providing a Police Escort for chlorine trucks within the city limits. Mr. Baratta went on to say that the MDC has held training exercises for MDC Staff and Quincy Safety Officials for training in emergency procedures for chlorine accidents.
At this point, Mr. Waldo Holcombe, a private citizen, expressed his position that although this is a difficult community relations matter, the final decision must be made from the safety considerations.
The final area of discussion concerned hypochlorite versus chlorine as a disinfectant. Mr. Baratta noted the disadvantages of hypochlorite, including cost, excessive large quantities required, electricity requirements to generate on site, vehicle trips required to transport, weak strength of disinfectant, and loss of disinfectant strength with time.
Commissioner Geary stated that the primary obligation in this matter is to ensure the safety of both the MDC employees and Residents of the area.
The Commission V O T E D: to award Contract No. S81-0947-C2A to P. R. Johnson, Inc., the lowest bidder, for its bid price of \$1,157,647.00 plus \$10,615.00 (the difference between N. B. Kenney Co., Inc. sub bid of \$17,209.00 and Harding & Smith, Inc. sub-bid of \$27,824.00), for a total revised bid price of \$1,168,264.00.
- 3 Report of Ms. Haggerty, March 20, submitting Revised Work Schedule Form for Contract No. S83-1006 - Slade Siphon at Mill Creek, at an additional cost of \$3,600.00 for testing.
The Commission V O T E D: Approved.



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- 1 Report of Mr. Baratta, March 22, recommending approval of partial release of retainage, in the amount of \$10,711.15, on Contract-Agreement, with Black & Veatch, for Consultant Services in connection with Municipal/Industrial Permits and Industrial Waste Pretreatment Programs and User Charge/Industrial Cost Recovery Study.
The Commission V O T E D: to approve partial release of retainage, in the amount of \$10,711.15, for payment.
- 2 Report of Mr. O'Brien, March 28, requesting approval of the following subcontractors under Contract-Agreement, with Metcalf & Eddy, Inc., for Design and Construction Administration Services for East Boston Pumping Facilities:
Carr-Dee Test Boring and Construction Corp. - Borings - \$14,300.00.
Soils Testing Services, Inc. - Testing on the Borings - \$ 7,500.00.
The Commission V O T E D: Approved as requested by Mr. O'Brien in his report of March 28, 1984.
- 3 Report of Mr. O'Brien, March 30, requesting approval of an extension of time from November 1, 1983 to August 31, 1984, on Contract-Agreement No. S81-0893-S1A, with SEA Consultants, Inc., for Facilities Planning for the Wellesley Extension and Wellesley Extension Relief Sewer, in order to allow additional time for Federal and State Regulatory Agencies to review and comment upon the Draft Facilities Plan prepared on the project.
In response to questioning by Associate Commissioner Scandrett, Mr. O'Brien stated that the principal Federal and State Regulatory Agencies involved are the United States Environmental Protection Agency and the Massachusetts Department of Environmental Quality Engineering.
The Commission V O T E D: to approve an extension of time from November 1, 1983 to August 31, 1984, as requested by Mr. O'Brien in his report of March 30, 1984, on condition that no further request will be made for additional compensation.
- 4 Report of Mr. O'Brien, March 30, requesting approval of an extension of time from March 1, 1984 to October 31, 1984, on Contract-Agreement No. S81-0922-S1A, with Linenthal Eisenberg Anderson, Inc., Engineers, for Facilities Planning for New Neponset Valley Sewer, in order to allow additional time for Federal and State Regulatory Agencies, principally the United States Environmental Protection Agency and the Massachusetts Department of Environmental Quality Engineering, to review and comment upon the Draft Facilities Plan prepared on the project.
The Commission V O T E D: to approve an extension of time from March 1, 1984 to October 31, 1984, as requested by Mr. O'Brien in his report of March 30, 1984, on condition that no further request will be made for additional compensation.
- 5 Report of Mr. O'Brien, March 30, requesting approval of an extension of time from January 1, 1984 to September 30, 1984, on Contract-Agreement No. S80-0811-S1A, with C. E. Maguire, Inc., for Relief, Rehabilitation, or Reconstruction of the Braintree-Weymouth Interceptor and Pumping Station, in order to allow additional time for Federal and State Regulatory Agencies, principally the United States Environmental Protection Agency and the Massachusetts Department of Environmental Quality Engineering, to review and comment upon the Draft Facilities Plan prepared on the project.
The Commission V O T E D: to approve an extension of time from January 1, 1984 to September 30, 1984, as requested by Mr. O'Brien in his report of March 30, 1984, on condition that no further request will be made for additional compensation.
- 6 Report of Mr. McCann, April 5, stating that the Consultant Selection Committee recommends that Mistry Associates, Inc. be selected for Project No. S82-1017-D1A - Design Services for the St. Mary's Street Combined Storm Overflow Facility.
the Commission V O T E D: to select Mistry Associates, Inc. for Project No. S82-1017-D1A.
The Commission further V O T E D: to authorize James F. McCann, Contract Administrator, to commence contract negotiations with Mistry Associates, Inc. and develop a Scope of Services, Compensation, and Time for Performance.
- Action was taken upon the following matters relating to the Metropolitan Water Supply System:
- 7 Report of Mr. Martorana, March 15, recommending the following on Contract-Agreement No. W80-0907-S2A, with New England Research, Inc., for Water Quality Monitoring of Connecticut River, Northfield, Quabbin, and Wachusett Reservoirs:
(a) That Invoice #19 (Final), in the amount of \$1,147.14, be approved for payment.
(b) That retainage, in the amount of \$524.97, be approved for payment.
The Commission V O T E D: to approve Invoice #19 (Final), in the amount of \$1,147.14, for payment.
The Commission further V O T E D: to approve release of retainage, in the amount of \$524.97, for payment.



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Report of Mr. Martorana, March 22, recommending approval of Extra Work Claim No. 6, in the amount of \$6,470.93, for changes required by New England Telephone to add an additional electrical conduit at certain field sites and work required by local Wiring Inspectors in Quincy and Stoneham, on Contract No. W79-0970-C2A, with P. Gioioso & Sons, Inc., for Water Meter Modernization, Greater Boston Metropolitan Area.
The Commission V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 6, in the amount of \$6,470.93.

2 Report of Mr. Brutsch, March 22, on request of J. Biotti & Sons, Inc. for an extension of time of 516 calendar days, from January 31, 1984 to June 30, 1984, on Contract No. W80-0763-C2A, for Furnishing and Laying Water Pipe in Lynn.
Commissioner Geary spoke of his meeting with Joseph Biotti, President of J. Biotti & Sons, Inc., concerning good faith negotiations, the extension of time, and the completion of the project.
The Commission V O T E D: to approve an extension of time from January 31, 1984 to June 30, 1985, to be effective, however, only upon receipt of the written consent of the bonding company, and with the understanding that the Commission in approving the extension of time does not acknowledge responsibility for the delay claims, and that the contractor will proceed as expeditiously as possible to complete the contract in the best interest of the Metropolitan District Commission.

3 Report of Mr. Martorana, March 21, requesting approval of an extension of time from March 31, 1984 to June 30, 1984, on Contract-Agreement No. W80-0884-D1A, with Keyes Associates, for Distribution System Improvements, Stoneham, Woburn, and Wakefield, due to difficulties and delays encountered in dealing with the Department of Public Works regarding conceptual approval of the proposed pipe bridge crossing of Route 128 in Woburn.
The Commission V O T E D: to approve an extension of time from March 31, 1984 to June 30, 1984, as requested by Mr. Martorana in his report of March 21, 1984, on condition that no further request will be made for additional compensation.

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Report of Mr. Brutsch, March 28, on bids for Oil Separator/Drainage System, Spot Pond Pumping Station, Stoneham, Massachusetts, Contract No. W81-1001-C1A.
The Commission V O T E D: to accept the lowest qualified bid, that of C. J. Mabardy, Inc., of \$60,690.00.

5 Report of Mr. Wright, March 21, submitting for approval and signature Contract-Agreement, with Aerospace Systems, Inc. (ASI), for Parks Division Water Use and Conservation Audit Study; Total Contract Cost not to exceed - \$14,993.00; (Project No. W82-1022-S1A).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract-Agreement, dated April 5, 1984, with Aerospace Systems, Inc., which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following Various Matters:

6 Report of Mr. McCann, April 2, stating that the Consultant Selection Committee recommends that Russell H. Babcock be selected for Project W81-1041 - Professional Services for Instrumentation and Telemetry; also stating that the Consultant Selection Committee recommends that Goldberg Zoino & Associates be selected for Project P82-1243-M1A - Provide Geotechnical Engineering Advice on Design and Construction of Foundations on Specific Highway, Bridge, Water Supply, Sewerage, and Other Projects.
The Commission V O T E D: to select Russell H. Babcock for Project W81-1041.
The Commission further V O T E D: to authorize James F. McCann, Contract Administrator, to commence contract negotiations with Russell H. Babcock and develop a Scope of Services, Method of Compensation, and Time for Performance.
The Commission further V O T E D: to select Goldberg Zoino & Associates for Project P82-1243-M1A.
The Commission further V O T E D: to authorize James F. McCann, Contract Administrator, to commence contract negotiations with Goldberg Zoino & Associates and develop a Scope of Services, Method of Compensation, and Time for Performance.

7 Letter of New England Museum of Sports, April 3, submitting License Agreement, dated March 24, 1984, between Sports Museum, Inc. and Los Angeles Olympic Organizing Committee, to use the entire first floor of the building, known as the New England Museum of Sports Building (formerly the Christian A. Herter Center Building), located at Christian A. Herter Park, 1175 Soldiers Field Road, Boston, Massachusetts (exclusive of the enclosed office adjacent to the bathroom facilities), for the term commencing on March 24, 1984, and expiring on August 31, 1984.



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Commissioner Geary explained that the Los Angeles Olympic Organizing Committee has requested the use of the premises for office purposes in conjunction with Olympic Soccer Competition to be held at Harvard Stadium. He stated that in return for the use of the space, the Committee has agreed to make several thousand dollars worth of repairs and improvements to the facility, which the Commission would not be able to undertake at this time because of lack of funds.

Mr. Salvatore Martorana, of the Water Division, questioned whether any heavy equipment would be used by the Committee at the facility which could cause structural problems.

Mr. Martorana was instructed to meet with Mr. Michael Byrne, Executive Assistant to the Commissioner, to determine if the structure can handle any additional structural loading.

The Commission V O T E D: Approved subject to a finding by Mr. Byrne that this activity will not adversely affect the structure.

The following matters were placed on the agenda for the information of the Commission:

- 1 The following schedules were approved for payment by the Commissioner during the period from March 19, 1984 to March 26, 1984:

Invoices	\$ 867,181.27
Reservation of Funds	\$ 201,992.57
Advices of Change	\$ 345,793.00
Weekly Payroll	\$ 921,962.76
Industrial Accident Report	\$ 26,360.65
Request for Advances	\$ 4,887,000.00.

- 2 The following schedules were approved for payment by the Commissioner during the period from March 26, 1984 to April 2, 1984:

Invoices	\$ 1,058,359.90
Reservation of Funds	\$ 1,343,636.80
Advices of Change	\$ 317,240.79
Weekly Payroll	\$ 957,984.94
Medical Report	\$ 13,406.62.

ADJOURNED at 2:15 P.M., to meet on Thursday, April 12, 1984, at 10:00 A.M.

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Record of the Three Thousand Two Hundred and Seventy-Fifth (3275th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, April 12, 1984, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

- 3 Contract-Agreement, dated April 12, 1984, with Professor Charles Haar of Harvard Law School, for Consultant Services as Special Master in connection with the Boston Harbor Clean-Up; Total Compensation not to exceed \$20,000.00.
- 4 Contract No. P84-1295-C1A, dated April 12, 1984, with Landscaping by Schumacher, Inc., for Furnishing and Planting Trees, Boston, Watertown, Cambridge, Melrose, Winchester, Medford, Everett, Revere, East Boston, South Boston, Quincy, Hull, Wakefield, Canton, and Somerville.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 5 Report of Mr. Faucher, April 2, on proposals for the purchase of 11 lots of standing timber located on the Ware River Watershed, Quabbin Reservoir Watershed, and Wachusett Reservoir Watershed.
The Commission V O T E D: to accept the highest qualified bid, that of Dan Reed Logging, of \$3,525.00, to purchase approximately 73,000 board feet of sawlogs and 28 cords of firewood on Lot No. 50A - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Letourneau & Methe Land Clearing & Tree Expert Co., Inc., of \$7,005.00, to purchase approximately 4,678 tons of whole tree wood on Lot No. 51 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the only qualified bid received, that of Letourneau Methe Land Clearing & Tree Expert Co., Inc., of \$447.00, to purchase approximately 447 tons of whole tree wood on Lot No. 52 - Wachusett Reservoir Watershed.



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The Commission further V O T E D: to accept the second highest qualified bid, that of David R. Fraser, of \$341.00, to purchase approximately 31 cords of firewood on Lot No. 53 - Wachusett Reservoir Watershed.

The Commission further V O T E D: to accept the only qualified bid received, that of Hakala Logging, of \$1,121.07, to purchase approximately 5,600 board feet of sawlogs and 112 cords of firewood on Lot No. 92A - Ware River Watershed.

The Commission further V O T E D: to accept the only qualified bid received, that of Hakala Logging, of \$410.90, to purchase approximately 2,700 board feet of sawlogs and 76 cords of firewood on Lot No. 94A - Ware River Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Ronald A. Tetreault, of \$2,760.00, to purchase approximately 205 cords of firewood on Lot No. 328AA - Quabbin Reservoir Watershed.

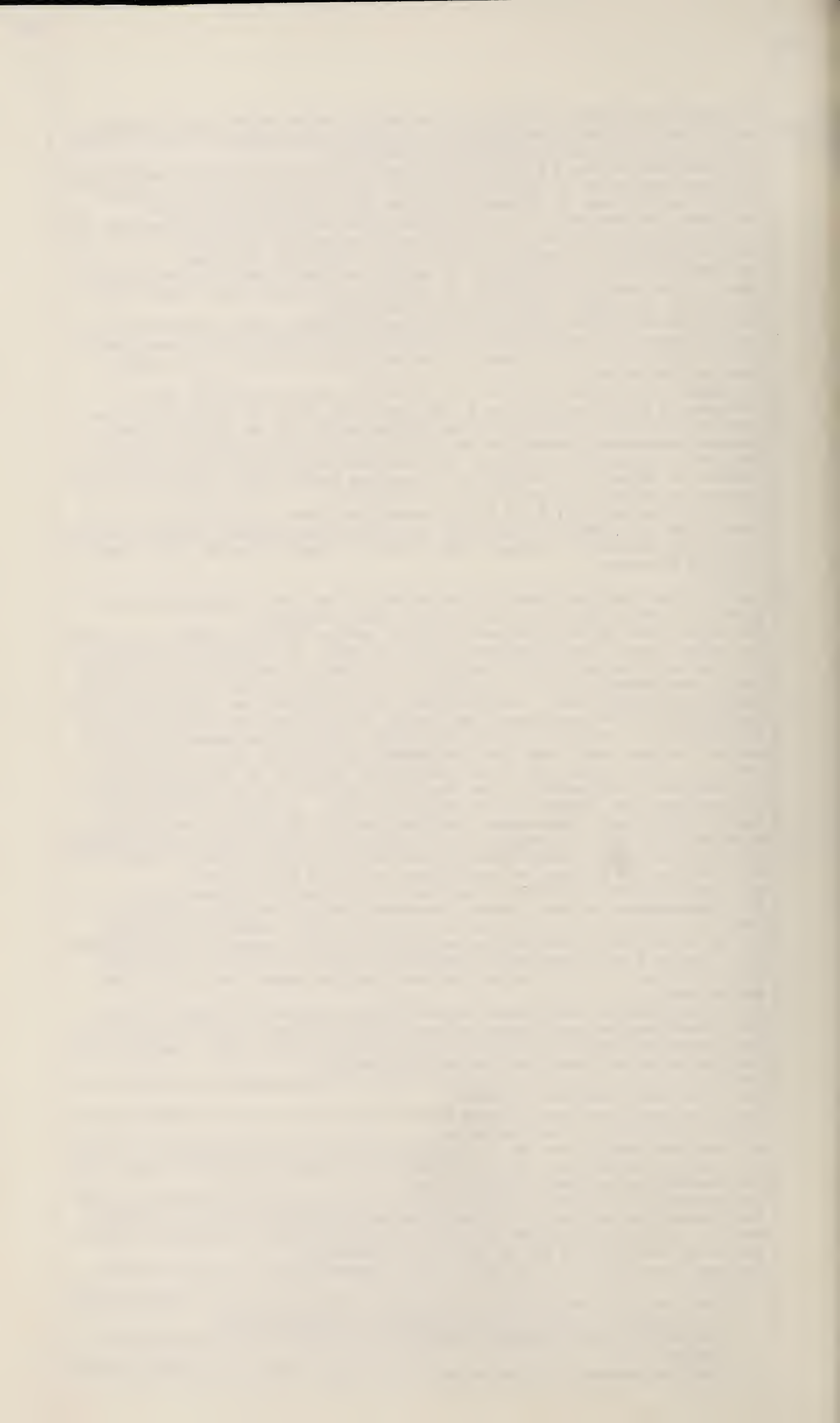
The Commission further V O T E D: to accept the second highest qualified bid, that of Dean Malin, of \$2,286.00, to purchase approximately 14,000 board feet of sawlogs and 164 cords of firewood, including tops, on Lot No. 377A - Quabbin Reservoir Watershed.

The Commission further V O T E D: to reject the only bid received, that of Letourneau & Methe Land Clearing & Tree Expert Co., Inc., of \$1,500.00, to purchase approximately 11,948 tons of whole tree wood on Lot No. 410A - Quabbin Reservoir Watershed, inasmuch as the bid is not fair market value for this lot.

The Commission further V O T E D: to accept the highest qualified bid, that of Theodore A. Gagnon, Jr., of \$512.50, to purchase approximately 100 cords of firewood on Lot No. 431 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Conkey Logging & Lumber, of \$3,195.00, to purchase approximately 47,000 board feet of sawlogs, 74 cords of firewood, and 30 cords of tops, on Lot No. 432 - Quabbin Reservoir Watershed.

- 1 Report of the Land Board, April 9, on request of the Town of Hubbardston to acquire 4.0 acres of Water Division Land for Elderly Housing.
- Mr. Falvey spoke of the Land Board's meeting held on March 28, 1984, at which time the request of the Town of Hubbardston was reviewed. He reported that the Water Division had no objection to divesting this 4 acres of land, which is to be used for the development of a low to moderate income housing project for the elderly and/or handicapped people. He stated that the 4 acres will be taken from a large parcel and a buffer zone between the housing and watershed area will be kept by the Commission. He went on to say that before making its recommendation on this matter, the Land Board asked that the property successfully pass a percolation test. Mr. Falvey added that if the land passed the test, he had the sanction of the Land Board to recommend to the Commission that the land be declared surplus, in accordance with Chapter 579, of the Acts of 1980. He noted that the Rural Housing Improvement of Winchendon, the Developers of the project, had a retainer on a parcel of land in Hubbardston, but this parcel failed to pass the percolation test. Mr. Falvey also noted that the Department of Capital Planning & Operations will appraise the property and negotiate a fair price for the land.
- Mr. Roger Lonergan, of the MDC, supported the Land Board's recommendation.
- Mr. Joseph Marsan, of Rural Housing Improvement Project Developers, stated that they are co-sponsoring this project with Greater Boston Community Development, but the project will ultimately be owned by a non-profit organization set up under U. S. Housing & Urban Development Regulations and will be known as Hubbardston Elderly Housing, Inc. Mr. Marsan then described the numbers and sizes of the housing units.
- Ms. Barbara Hubbard, Selectwomen, stated that two abutters are against the proposed development because they do not want elderly housing in their neighborhood, but that the majority of the Residents are in favor of this site. She noted that there are no other elderly housing units in the Town.
- Commissioner Geary stated that 30 other sites were investigated as potential sites but did not meet necessary standards.
- Associate Commissioner Jones stated that if land is not used for intended purpose, it must revert back to the Commission.
- Mr. Peter Munckenback, who was in attendance, asked that the Commission be consistent with the provisions of Chapter 579 so that it cannot be said at a later time that the MDC did not comply with this law.
- Commissioner Geary stated that Senator Robert D. Wetmore and Representative Mary Jane McKenna have written to the Commission expressing their support for this petition and have co-sponsored the Bill in the Legislature to effectuate the conveyance of land from the MDC to the Town of Hubbardston.
- The Commission V O T E D: to approve the recommendations of the Land Board as follows:
1. That the 4.0 acres of land, in accordance with the provisions of Chapter 579 of the Acts of 1980, be declared surplus to the MDC's needs.
 2. That legislation be proposed identifying the exact 4.0 acres by metes and bounds.
 3. That the proposed legislation shall also include "land to be used exclusively



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for the development of a housing project for the elderly and/or handicapped people, consistent with the requirements of Section 202 of the Housing Acts of 1959, as amended."

4. That the proposed legislation shall include "said conveyance to be under such terms and conditions and for such consideration as mutually agreed upon."
5. That the proposed legislation shall include "if the land not used exclusively for cited purpose, land shall revert back to the Commonwealth."

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 1 Report of Mr. Baratta, March 21, on request of Mitchell B. Corbett, Attorney for and on behalf of Chester G. Lindstrom and Herbert B. Lindstrom, for permission for James J. McCabe, Jr. and Pearl A. McCabe, Owners of Property at 152 Tremont Street, Melrose, Massachusetts, to have a two-story concrete block maintenance building, found to be located over the Metropolitan Sewer Easement of Section 51, between Stations 0+30± and 0+95±, remain in place as built.
 Mr. Baratta stated that he had looked into the Sewerage Division's Permit procedure of 23 years ago and found that there was no formal Permit procedure at that time. He went on to say that it was Legal Counsel's opinion that no penalty should be assessed against the Owner of the property at this time due to the aforementioned. Mr. Baratta also noted that the new Owners will be notified of the MDC's present Permit procedure, which calls for Commission approval before any work can take place on this structure in the future.
 The Commission V O T E D: Approved as recommended by Mr. Baratta in his report of March 21, 1984, subject to the following conditions:
 1. That the Permittees, James J. McCabe, Jr. and Pearl A. McCabe, their successors and assigns shall indemnify and save harmless the Commonwealth of Massachusetts and its Metropolitan District Commission, their successors and assigns, from any damage or additional cost which the granting of this permission may entail in the event that repairs to that portion of the sewer under the subject Maintenance Building at 152 Tremont Street, Melrose, Massachusetts, over Section 51, between Stations 0+30± and 0+95± may become necessary, and upon the further condition that the Metropolitan District Commission, its agents and employees, may enter upon the sewer location at any time in order to carry on the maintenance and repair of its sewer.
 2. That the Permittees, James J. McCabe, Jr. and Pearl A. McCabe, their successors and assigns, shall indemnify and save harmless the Commonwealth of Massachusetts and its Metropolitan District Commission, their successors and assigns, from any and all claims for damages to persons or property, for whatsoever cause, arising out of the exercise of this Permit, and will reimburse the said Commonwealth of Massachusetts and said Metropolitan District Commission for any damages to said sewer and appurtenances of said Commonwealth caused by the exercise of this Permit.
 3. That the granting of this permission shall in no way interfere with the rights of the Commission to exercise its said rights under its easement as provided in the taking.
 4. Any other conditions deemed necessary by the Right-of-Way Section.
- 2 Report of Ms. Haggerty, April 6, submitting Revised Work Schedule Form for Contract No. S82-1003-D1C - Rehabilitation of Digesters, Deer Island Sewage Treatment Plant; also relative to Amendment to Contract No. S82-1003-D1C, with O'Brien & Gere Engineers, Inc., which revises the Scope of Services to include additional inspection and design work on piping and compressors, at an additional cost of \$239,115.00, making the total Contract Cost - \$377,101.00.
 The Commission V O T E D: to approve Revised Work Schedule Form for Contract No. S82-1003-D1C.
 The Commission further V O T E D: to approve an Amendment to Contract No. S82-1003-D1C, with O'Brien & Gere Engineers, Inc., as outlined by Ms. Haggerty in her reports of December 2, 1983, and April 6, 1984.
- 3 Report of Ms. Haggerty, April 6, submitting Revised Work Schedule Form for Contract No. S78-0657 - Secondary Waiver Application; also requesting approval of an Amendment to Contract No. S78-0657, with Metcalf & Eddy, Inc., which revises the Scope of Services to include work recommended by various technical review groups, including the U. S. Environmental Protection Agency, at an additional cost of \$445,342.00.
 The Commission V O T E D: to approve Revised Work Schedule Form for Contract No. S78-0657.
 The Commission further V O T E D: to approve an Amendment to Contract No. S78-0657, with Metcalf & Eddy, Inc., as requested by Ms. Haggerty in her report of April 6, 1984.
 The Secretary then submitted for signature Seventh Amendment, dated April 12, 1984, to Contract-Agreement, dated May 17, 1978, with Metcalf & Eddy, Inc., which was signed by the Commissioner and four Associate Commissioners.



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Report of Mr. O'Brien, April 4, requesting approval of Extra Work Orders on Contract No. S77-0484-C1A, with Methuen Construction Co., Inc., for Construction of the Hingham Force Main, as follows:

Extra Work Order No. 2, in the amount of \$3,848.24, for extension of 20" ductile iron pipe off roadway.

Extra Work Order No. 3, in the amount of \$667.10, for exploratory excavations (3 test pits) for existing 12" force main.

Extra Work Order No. 4, in the amount of \$2,867.18, for installation of 20" ductile iron pipe.

Extra Work Order No. 5, in the amount of \$698.51, for cutting pavement, excavating and backfilling trench for telephone cable relocation.

Extra Work Order No. 6, in the amount of \$1,558.46, for cutting pavement, excavating and backfilling trench for gas service relocation.

Extra Work Order No. 7, in the amount of \$9,592.06, for additional costs to relocate cross connection.

Extra Work Order No. 8, in the amount of \$1,074.40, for lost time and repairs to unmarked water service.

Mr. Jack Hamm, of the Program Management Office, updated the Commission on the overall project.

The Commission V O T E D: to approve the following Extra Work Orders:

Extra Work Order No. 2, in the amount of \$3,848.24.

Extra Work Order No. 3, in the amount of \$ 667.10.

Extra Work Order No. 4, in the amount of \$2,867.18.

Extra Work Order No. 5, in the amount of \$ 698.51.

Extra Work Order No. 6, in the amount of \$1,558.46.

Extra Work Order No. 7, in the amount of \$9,592.06.

Extra Work Order No. 8, in the amount of \$1,074.40.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 2 Report of Mr. Lydon, March 26, recommending the following on Contract No. P78-0679-C1A, with Mario Susi & Sons, Inc., for Reconstruction and Rehabilitation of the Fenway Area Parkway Systems:

(a) That the work be accepted as completed as of October 25, 1983.

(b) That Estimate No. 14 (Final), in the amount of \$3,370.66, be approved for payment.

(c) That reserve, in the amount of \$70,542.58, be approved for payment.

Mr. Lydon spoke of the problems encountered by the contractor in getting grass to grow in certain areas due to the heavy volume of pedestrian traffic. He noted that the contractor had reseeded certain sections three times with no success. Commissioner Geary and Associate Commissioner Jones suggested that the placement of sod on these areas rather than continuing to seed the areas should be looked into.

Mr. Lydon estimated that the cost of placing sod and stone dust walkways, along with planting materials, would cost approximately an additional \$50,000.00.

The Commission V O T E D: to approve the changing of the Final Estimate to a Semi-Final Estimate, and directed Mr. Lydon to prepare paper work and return to Commission for approval of the additional funds.

The Commission V O T E D: that the work of Mario Susi & Sons, Inc., contractor under Contract No. P78-0679-C1A, for Reconstruction and Rehabilitation of the Fenway Area Parkway Systems, be and hereby is accepted as substantially completed as of October 25, 1983.

The Commission further V O T E D: to approve Estimate No. 14 (Semi-Final), in the amount of \$3,370.66, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$70,542.58, for payment.

- 3 Report of Mr. Lydon, March 27, recommending approval of Extra Work Order No. 1, in the amount of \$3,488.00, for modifying the hangers which secure the three gangways to the pier, on Contract No. P80-0793-C1A, with J. M. Cashman, Inc., for Maritime Work, Hull, Pemberton Pier.

The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$3,488.00.

- 4 Report of Mr. Lydon, March 16, requesting approval to revise Item No. 42 - "Engineer's Temporary Field Office," at an additional cost of \$4,000.00, on Contract No. P82-1204-C1A, with Bonacorso Construction Corp., for Bridge Approach Reconstruction, John J. Beades Bridge, Dorchester Bay, Morrissey Boulevard, Boston, Massachusetts.

The Commission V O T E D: Approved as requested by Mr. Lydon in his report of March 16, 1984.

- 5 Report of Mr. Lydon, April 5, submitting Work Schedule Form, Project Summary Form,



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and Project Justification for Project No. P84-1311-C1A - Sodding, Shrub and Tree Planting at Tenean Beach, Dorchester, estimated cost - \$38,000.00, Account No. 2440-8794.

Mr. Lydon noted that there would be no tree planting in this project.
The Commission V O T E D: Approved.

- 1 Report of Mr. Primack, April 9, submitting the Castle Island Association's Tour Schedule for 1984.

Mr. Primack presented the 1984 Tour Schedule of the Castle Island Association for Fort Independence. He noted that the Castle Island Association, which has been conducting tours at the Fort for the past three years, will be giving three times as many tours this coming season as in any of the past seasons.

Commissioner Geary spoke of the outstanding work performed at Fort Independence by the Castle Island Association and stated that the Fort would probably not be open to visitors at this point if it were not for this group's work. He stated that he wants an MDC presence at Castle Island and Fort Independence this coming season.

Mr. Primack stated that the Reservations/Programs will be presenting a plan for the staffing of Fort Independence within the next few weeks. He further stated that the plan will be modest and will complement the work of the Castle Island Association, and also that this new program will be aimed at planning MDC programs for the public for this coming Fall.

Commissioner Geary asked that the Tour Schedule be publicized by the MDC Public Information Office, including the News Media not only in South Boston, but also in the remainder of the Metropolitan Area. He then spoke of his recent visits to the Island and noted that visitors from all over Massachusetts were utilizing the facility. Commissioner Geary went on to say that the MDC has spent a large amount of tax dollars for restoration and safety improvements and, therefore, the Fort should now be open to all Residents of Massachusetts.

The Commission V O T E D: Approved.

- 2 Report of Mr. Rodrigues, April 9, submitting the 1984 Spring, Summer, and Fall Schedules and Fees for Seasonal Recreational Facilities and Services in the Metropolitan Parks System.

The Commission V O T E D: to adopt the following 1984 Spring, Summer, and Fall Schedules for Seasonal Recreational Facilities in the Metropolitan Parks System:

GOLF COURSES

April 15, 1984 - December 1, 1984

BALLFIELDS

April 15, 1984 - October 27, 1984

Hours

Lighted Fields - 8:00 A.M. - 11:00 P.M.
Non-Lighted Fields - 8:00 A.M. - 8:00 P.M.

BEACHES

June 24, 1984 - September 3, 1984

POOLS

June 24, 1984 - September 3, 1984

Swim Instruction (11:00 A.M. - 12:00 Noon - Weekdays)

Public Swimming Hours will be Monday-Friday 12:00 Noon - 5:00 P.M. For All Ages
Monday-Friday 5:00 P.M. - 7:00 P.M. Adult & Special Programs

Saturday&Sunday 10:00 A.M. - 6:00 P.M.

HATCH SHELL

May 5, 1984 - September 22, 1984

SAILING

Mystic River, Somerville
Pleasure Bay, South Boston

May 27, 1984 - June 23, 1984

5 Days,(Wednesday,Thursday,Friday,Saturday,and Sunday), 10:00 A.M. - 6:00 P.M.

June 24, 1984 - September 3, 1984

7 Days a Week, 10:00 A.M. - Sunset

September 4, 1984 - October 6, 1984

5 Days,(Wednesday,Thursday,Friday,Saturday,and Sunday), 10:00 A.M. - 6:00 P.M.

The Commission further V O T E D: to hold over all Fee Schedules and referred the matter to John W. Wright, Esq., General Counsel, for a report concerning what effect Chapter 714, of the Acts of 1983, has on the establishment of fees by the Metropolitan District Commission.



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The Commission further V O T E D: to authorize Mr. Rodrigues to maintain the 1983 Fee Schedules until a determination has been received from Mr. Wright.

- 1 Report of Mr. Lydon, April 11, on bids for Spraying Sycamore Trees on Memorial Drive, Cambridge, and Soldiers Field Road, Boston, Massachusetts, Contract No. P84-1300-M1A.
 Commissioner Geary questioned the reason that only two bids were received on this contract.
 Mr. Lydon responded that up until a few days before bids were to be opened, no proposals were received and, at that time, the MDC Landscape Section made numerous calls to firms involved in this type of work in an attempt to get them to bid on the project. He noted that the possible reason could have been that the type of firms that would do this work were very busy due to the extensive damage to trees caused by the recent storm. Mr. Lydon went on to say that The F. A. Bartlett Tree Expert Co. is well respected in the field.
 The Commission V O T E D: to accept the lowest bid, that of The F. A. Bartlett Tree Expert Co., of \$5,880.00.

- 2 Report of Mr. Lydon, April 11, on bids for Soil Aeration and Fertilization of Sycamore Trees, Memorial Drive, Cambridge, Massachusetts, Contract No. P84-1301-M1A.
 The Commission V O T E D: to accept the lowest bid, that of The F. A. Bartlett Tree Expert Co., of \$14,220.00.

Action was taken upon the following Various Matters:

- 3 Report of Mr. Wright, April 6, relative to an action which was started in Suffolk Superior Court in August of 1979 arising out of an automobile accident involving MDC Cruiser 509, operated by Officer Richard A. Donovan while in the performance of his duties (Ligia Pineyaro et al vs. Richard Donovan et al), and recommending that the Commission authorize settlement, in the amount of \$2,000.00 for personal injuries and \$500.00 for property damage, under the provisions of Chapter 92, Section 63B, in accordance with the recommendation of the Department of the Attorney General.
 The Commission V O T E D: to authorize settlement, in the amount of \$2,000.00 for personal injuries and \$500.00 for property damage, under the provisions of Chapter 92, Section 63B, in accordance with the recommendation of the Department of the Attorney General.
- 4 Report of Mr. Wright, April 9, submitting for approval and signature First Amendment to Contract-Agreement, dated May 26, 1983, with Gregory Fossella Associates, Inc., for Graphic Design of MDC Logo System, which extends the Scope of Services, increases the Compensation by \$22,072.00, and extends the Time for Performance by six weeks; Total Compensation on this Contract will be \$61,772.00.
 Commissioner Geary stated that this amendment will provide a continuation of the MDC's efforts to improve logos and graphics for the Police and Parks Divisions, and Central Services. He stated that he felt that Gregory Fossella Associates, Inc. has done an excellent job to date. Commissioner Geary went on to say that the logo will be used on new Police Cruisers rather than spending time and money on repainting old vehicles.
 The Commission V O T E D: Approved.
 The Secretary then submitted for signature First Amendment, dated April 12, 1984, to Contract-Agreement, dated May 26, 1983, with Gregory Fossella Associates, Inc., which was signed by the Commissioner and four Associate Commissioners.
- 5 Report of Mr. Wright, April 10, submitting for approval and signature Amendment to Agreement between the Metropolitan District Commission, the Boston Five Cents Savings Bank, Alba Corp., and the City of Revere, which amends the Agreement, dated December 7, 1982, relative to exchange of lands in the Revere Beach Section of the City of Revere; also submitting for signature Notice of Extension which extends the term of said Agreement for a period of 8 calendar months from March 31, 1984 to November 30, 1984.
 Commissioner Geary stated that this project goes back to the 1970's and is an effort by State Government to assist the City of Revere in revitalizing the Beach area. He then spoke of the Revere Beach Advisory Committee which was organized to work with the City and noted that Mrs. Julia O'Brien is the MDC's designee. Commissioner Geary stated that the City has put out a development package for the land and has had responses from a large number of developers, and they have selected a consortium of two developers who came forth with, in the City's view, the best option. He went on to say that the proposal was reviewed by appropriate agencies and members of the Revere Beach Advisory Committee and that they have agreed with the proposed development. He also related that the development will take place on a lot which is presently utilized by the MDC for parking. He noted that this lot is called the "South Lot."



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John W. Wright, Esq., MDC General Counsel, stated that the MDC originally entered into an Agreement for exchange of land with Alba Corp.; that the MDC exchanged the "South Lot" for all of Alba's parcels and then developed a park from these parcels. He also stated that Alba Corp. was to develop its property within a specific time frame, but missed the deadline. He went on to say that the MDC had an option to re-purchase the property for a certain sum of money, but rather than re-purchase the property, the MDC entered into a new Agreement whereby it was agreed to let the City of Revere seek developers of the parcel. Mr. Wright said that the document at hand amends the Agreement and provides for a two-stage review instead of a single-stage review and also provides for an additional period of time. He noted that the first stage will encompass all of the major aspects of the project, and that the second phase will be limited to colors, windows, exterior finish, and landscaping, for the project.

Mrs. Julia O'Brien, MDC Director of Planning, stated that she had reviewed the Amendment with Mr. Wright and that she is in accord with approval of the Amendment. The Commission V O T E D: Approved.

The Secretary then submitted for signature First Amendment, dated April 12, 1984, and Notice of Extension, dated April 12, 1984, which were signed by the Commissioner and four Associate Commissioners.

- 1 Associate Commissioner Anderson requested that Associate Commissioners wishing to speak at meetings first obtain recognition from the Chair. She felt that this procedure would make meetings more orderly and make it possible for all members to speak without fear of interruption. Associate Commissioner Scandrett felt that this procedure was already being followed. Associate Commissioner Anderson requested that this procedure be followed by all members. Associate Commissioner Fontanez agreed that this process would minimize confusion and interruptions.

The following matter was placed on the agenda for the information of the Commission:

- 2 The following schedules were approved for payment by the Commissioner during the period from April 2, 1984 to April 9, 1984:

Invoices	\$ 794,508.38
Reservation of Funds	\$ 54,673.82
Advices of Change	\$ 98,250.00
Weekly Payroll	\$ 958,005.67
Industrial Accident Report	\$ 15,409.96
Request for Advances	\$ 3,285,000.00.

ADJOURNED at 1:30 P.M., to meet on Thursday, April 19, 1984, at 10:00 A.M.

William F. Quisholm
S e c r e t a r y .

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Record of the Three Thousand Two Hundred and Seventy-Sixth (3276th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, April 19, 1984, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

- 3 Contract No. W84-1039, dated April 19, 1984, with General Electric Company, for repairs to motor from Brattle Court Pumping Station.
- 4 RESOLVED: That the Metropolitan District Commission assembled in its Meeting held on April 19, 1984, does hereby express its deep and sincere appreciation to Francis H. McCarran, Jr., Director of the Parks Division, for his 34 years of faithful and productive service to the Metropolitan District Commission, and for the example he has set as a conscientious and dedicated public servant; that the Commissioner and Associate Commissioners, constituting said Metropolitan District Commission, do hereby extend to him their cordial best wishes that the years of his retirement may be many and that they may be fruitful in the happiness and contentment he so richly deserves; that this Resolution be spread upon the records of this Meeting; and that the Secretary prepare and forward a suitably inscribed copy thereof to Mr. McCarran.
- 5 RESOLVED: That the Metropolitan District Commission assembled in its Meeting held on April 19, 1984, does hereby express its deep and sincere appreciation to



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Joseph F. Cavazzoni, Assistant Chief Construction Engineer, Parks Division, for his 44 years of faithful and productive service to the Metropolitan District Commission, and for the example he has set as a conscientious and dedicated public servant; that the Commissioner and Associate Commissioners, constituting said Metropolitan District Commission, do hereby extend to him their cordial best wishes that the years of his retirement may be many and that they may be fruitful in the happiness and contentment he so richly deserves; that this Resolution be spread upon the records of this Meeting; and that the Secretary prepare and forward a suitably inscribed copy thereof to Mr. Cavazzoni.

- 1 RESOLVED: That the Metropolitan District Commission assembled in its Meeting held on April 19, 1984, does hereby express its deep and sincere appreciation to Fred Tyburski, General Construction Inspector, Parks Division, for his 12 years of faithful and productive service to the Metropolitan District Commission, and for the example he has set as a conscientious and dedicated public servant; that the Commissioner and Associate Commissioners, constituting said Metropolitan District Commission, do hereby extend to him their cordial best wishes that the years of his retirement may be many and that they may be fruitful in the happiness and contentment he so richly deserves; that this Resolution be spread upon the records of this Meeting; and that the Secretary prepare and forward a suitably inscribed copy thereof to Mr. Tyburski.

Action was taken upon the following matter relating to the Metropolitan Water Supply System:

- 2 Matter of Amendment to "Rules and Regulations for the Government and Use of Reservoirs, Roadways, Driveways, Bridges, Dams, and Land Within Watershed Reservations Under the Care and Control of the Metropolitan District Commission," which will increase the maximum allowable horsepower limitation from 10 horsepower to 20 horsepower, subject to certain restrictions, on the Quabbin Reservoir; and will regulate the size and carrying capacity of canoes and jon boats and restrict their usage to the Pottapaug Pond of Quabbin Reservoir.

Commissioner Geary made note of the Public Hearing which was held earlier in the day at which time the Public was offered an opportunity to express their feelings concerning the increase in horsepower at Quabbin Reservoir. He stated that the Commission heard testimony from various people in which they expressed concern not so much about the water quality, but about the expanded recreational use of the Reservoir. Commissioner Geary stated that the present Commission was not involved with the original decision to permit motor boats on Quabbin Reservoir or the decision to approve the existing three-year experimental period. He went on to say that the Commission had discussed the issue of increased horsepower thoroughly at five prior meetings, including a Public Hearing in Palmer, Massachusetts, on February 2, 1984, and had heard enough testimony to permit them to vote on the issue.

Associate Commissioner Anderson noted that the MDC has a great resource at Quabbin, not only in a clean water supply, but also in its unique wilderness, which should both be protected. She stated that she would not have voted for the increased horsepower experiment if she had been a member of the Commission when it was approved by a prior Commission three years ago.

Associate Commissioner Scandrett stated that during the Public Hearing held this morning, 5 to 7 people who testified did not express concern about the impact on the water quality, but spoke of various aspects of recreation, including possible noise pollution, which might affect nesting birds.

Associate Commissioner Jones stated that he did not feel there was sufficient data, at this time, to show what the long-range impact of 20 horsepower engines would have on the water supply. He also stated that analysis of hydrocarbons do not differentiate between the harmless and the harmful compounds. He noted that increasing the maximum size of the horsepower would not result in any additional fish being caught and, therefore, he did not feel it was necessary to increase the allowable horsepower. He went on to say that the cost for an adequate study to evaluate impact of noise on wildlife would require over a million dollars.

The Commission V O T E D: to amend the existing "Rules and Regulations for the Government and Use of Reservoirs, Roadways, Driveways, Bridges, Dams, and Land Within Watershed Reservations Under the Care and Control of the Metropolitan District Commission" by striking out Rule 10 (350 CMR 8.01 (2) (c)) in its entirety and inserting in place thereof the following:

"Only boats of a minimum length of twelve feet, and of a type considered safe by the Commission representative in charge, shall be used. No inboard motor boats, collapsible boats, or other similar craft will be permitted in the water, and no boats will be permitted in the water except in areas designated for boating by the Commission. Outboard motors shall have a rating of not more than one half the BIA or OBC rated horsepower for the boat and shall not exceed twenty (20) horsepower, except that outboard motors for Commission boats less than 14 feet 6 inches in length shall not



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exceed ten (10) horsepower. Boats less than 14 feet 6 inches in length will be limited to three occupants, and boats of that length and in excess thereof may be licensed to carry four occupants. No boats shall carry more than four occupants. Canoes and jon boats of a minimum length of twelve feet, and of a type considered safe by the Commission representative in charge, shall be used. Canoes and jon boats will be permitted in the water only in the area designated for boating by the Commission on Pottapaug Pond above the regulating dam. Canoes less than 16 feet and jon boats less than 14 feet 6 inches in length will be limited to two occupants, and canoes and jon boats in excess thereof may be licensed to carry three occupants. No canoe or jon boat shall carry more than three occupants. All boats must carry a Coast Guard approved life preserver for each occupant and all occupants of canoes must wear an approved life preserver. All boats using outboard motors must be equipped with a fire extinguisher listed by an accredited national laboratory and a set of oars and oar locks or paddles in satisfactory condition. All boats must be in compliance with current State Boating Laws. All boats must be clean and contain no refuse of any kind."

(The above Amendment to take effect upon publication in the Massachusetts Register by the Secretary of State on April 26, 1984).

Associate Commissioners Anderson and Jones desired to be recorded as being opposed to the Amendment.

Associate Commissioner Fontanez, referring to the testimony at the Public Hearing where concern was expressed relative to expanding recreation use at Quabbin Reservoir, asked that the Water Division provide data to the Commission on a Master Plan for future recreation at Quabbin Reservoir.

Associate Commissioner Anderson asked that there be adequate citizen participation in any development of such a plan.

Associate Commissioner Jones requested that the Water Division field personnel have input in developing such a plan. He also requested that existing data be compiled and presented to the Commission within three months with a recommended course of action to be pursued by the Commission for a Master Plan.

ADJOURNED at 3:15 P.M., to meet on Thursday, April 26, 1984, at 10:00 A.M.

William F. Ceschke
S e c r e t a r y .

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Record of the Three Thousand Two Hundred and Seventy-Seventh (3277th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, April 26, 1984, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontonez, Jones, and Scandrett.

The records of the meetings held on April 5, 1984, and April 12, 1984, were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

- 1 Third Amendment, dated April 26, 1984, to Contract-Agreement, with O'Brien & Gere Engineers, Inc., for Rehabilitation of Digesters, Deer Island Sewage Treatment Plant, which revises the Scope of Services to include additional inspection and design work on piping and compressors, at an additional cost of \$239,115.00, making the total Contract Cost - \$377,101.00.
- 2 Contract No. S81-0947-C2A, dated April 26, 1984, with P. R. Johnson, Inc., for Chlorine Facilities Upgrading - Phase B - Nut Island Sewage Treatment Plant, Quincy, Massachusetts.
- 3 Matter of ratifying action of the Commissioner and two Associate Commissioners in executing Contract No. P84-1300-M1A, dated April 24, 1984, with The F. A. Bartlett Tree Expert Co., for Spraying Sycamore Trees on Memorial Drive, Cambridge, and Soldiers Field Road, Boston, Massachusetts.
The Commission V O T E D: Ratified and approved.
- 4 Matter of ratifying action of the Commissioner and two Associate Commissioners in executing Contract No. P84-1301-M1A, dated April 24, 1984, with The F. A. Bartlett Tree Expert Co., for Soil Aeration and Fertilization of Sycamore Trees, Memorial Drive, Cambridge, Massachusetts.
The Commission V O T E D: Ratified and approved.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

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327th 1 Report of Ms. Haggerty, April 20, submitting Updated Work Schedule Form and Project
 or.6,1984 Management Exception Report for Contract No. S81-0947 - Chlorination System Modi-
 (cn.-) fications - Nut Island Sewage Treatment Plant; also relative to an Amendment to
 and by Contract-Agreement, with Perkins Jordan, Inc., for increased level of effort due
 ce f to increased design tasks and an increased public participation level due to the
 r 3,1984 - unexpected controversial nature of the project; total contract cost increased from
 e V1.47, \$182,870.00 to \$206,980.00.

The Commission V O T E D: to approve the Updated Work Schedule Form.
 The Commission further V O T E D: to approve an Amendment, as outlined by Ms.
 Haggerty in her report of April 20, 1984.

2 Report of Mr. Baratta, March 5, recommending approval of release of 75% of the
 retainage, in the amount of \$6,649.00, on Contract-Agreement No. S82-1008-D1A,
 with Tighe & Bond - Consulting Engineers, for Study and Design to Secure or Re-
 place Floating Covers on Digesters 3 and 4 at Nut Island Sewage Treatment Plant.
 Mr. Baratta stated that design for the project is 100% complete with only minor
 services remaining to be done.

The Commission V O T E D: to approve release of 75% of the retainage, in the
 amount of \$6,649.00.

3 Report of Ms. Haggerty, April 12, submitting Updated Work Schedule Form and Project
 Management Exception Report for Contract No. S82-1016-D1A - Electrical Equipment
 Upgrade - Deer Island Sewage Treatment Plant; Revised estimated cost -\$184,000.00.
 It was noted that when negotiations with the original first choice Consultant,
 Stone and Webster, broke down because they would not sign the Standard Consultant
 Contract Liability Clause, Alonzo B. Reed, Inc., the second rated Consultant, was
 chosen.

The Commission V O T E D: to approve the Updated Work Schedule Form.

4 Report of Mr. Baratta, April 19, submitting Revised Work Schedule Form and Project
 Management Exception Report for Contract No. S83-0930-S1A - Analytical Testing for
 Industrial Waste Program, estimated cost - \$40,000.00.

The Commission V O T E D: Approved.

5 Report of Mr. O'Brien, March 28, requesting approval of partial release of retain-
 age, in the amount of \$8,082.00, on Contract-Agreement No. S81-0893-S1A, with
 SEA Consultants, Inc., for Wellesley Extension Sewer Facilities Planning.

The Commission V O T E D: to approve partial release of retainage, in the amount
 of \$8,082.00, for payment.

6 Report of Mr. O'Brien, April 19, submitting Updated Work Schedule Form for Project
 S81-0938 - Millbrook Valley Relief Sewer, which reflects a \$24,641.00 transfer
 from Construction to Design.

The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Metropolitan Water
 Supply System:

7 Report of Mr. Martorana, March 13, submitting 8 Technical Reports, as prepared by
 Haley & Aldrich, Inc., Consultant under Contract-Agreement No. W80-0956-S1A -
 Investigation of Selected MDC Water Division Dams.

- Wachusett Dam & Spillway, Clinton, Massachusetts.
- Wachusett North & South Dikes, Clinton, Massachusetts.
- Sudbury Dam, Southborough, Massachusetts.
- Weston Dam, Weston, Massachusetts.
- Norumbega Reservoir, Weston, Massachusetts.
- Schenks Pond Dam, Weston, Massachusetts.
- Chestnut Hill Reservoir Dam, Boston, Massachusetts.
- Waban Hill Reservoir Dam, Boston, Massachusetts.

Mr. Thomas Baron, of the Water Division, reviewed the project and stated that all
 8 sites exhibit an acceptable margin of safety within the context of the National
 Dam Inspection Program. He also stated that there are aspects for improvements
 originally suggested by the Corps of Engineers and confirmed by these new studies,
 which will require certain remedial work. He went on to say that none of the im-
 provements are of an immediate or critical nature. Mr. Baron then presented a
 brief synopsis of the findings for each of the 8 Technical Reports and stated
 that an estimated cost for the work is in the range of \$2.0 to \$3.0 million.

The Commission V O T E D: to accept the 8 Technical Reports, as prepared by
 Haley & Aldrich, Inc.

8 Report of Mr. Brutsch, April 12, requesting approval of an extension of time from
 September 30, 1983 to February 28, 1984, on Contract-Agreement No. W82-1018-S1A,
 with Finnegan Associates, for Market Survey and Analysis for Water Conservation
 Public Information Program.



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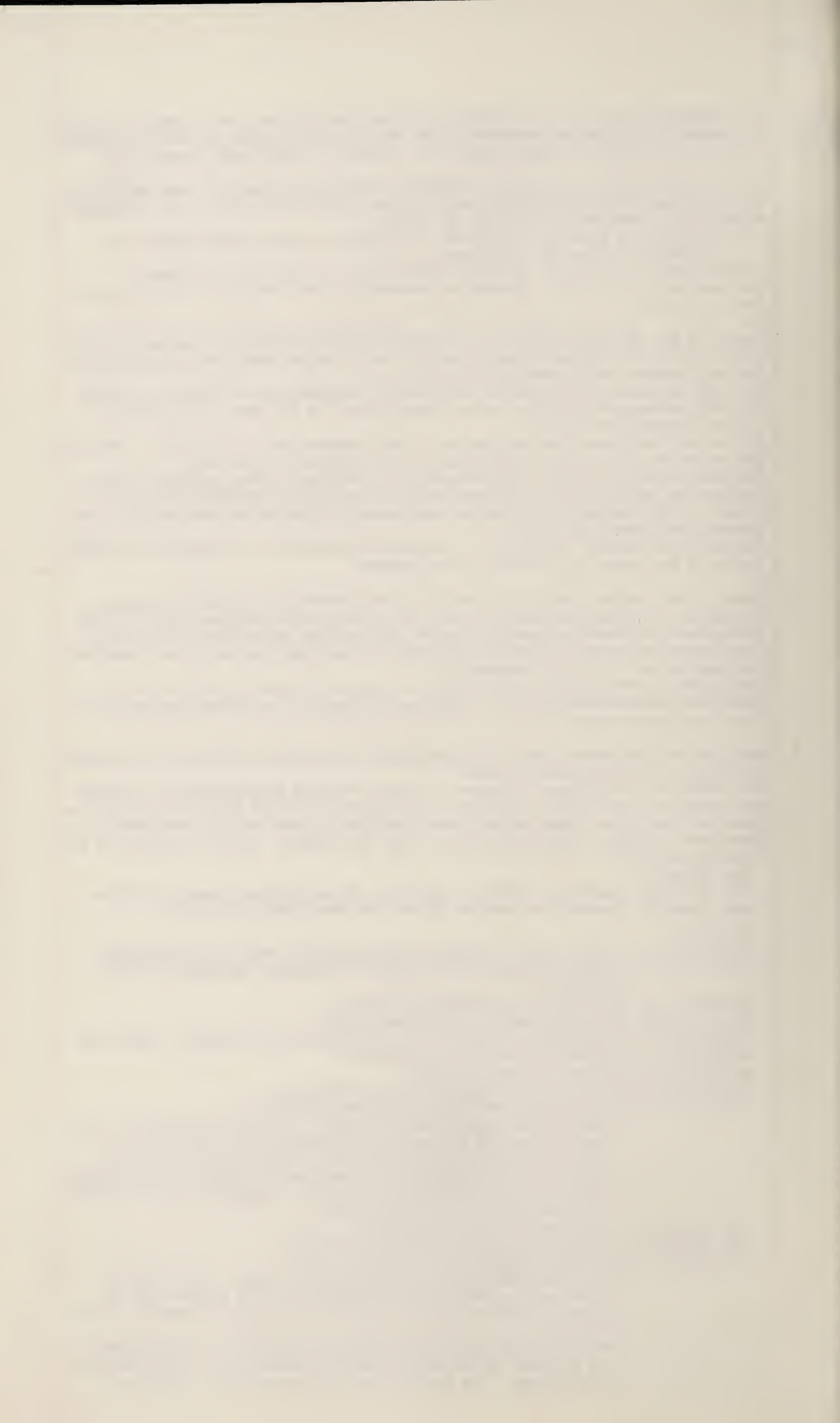
The Commission V O T E D: to approve an extension of time from September 30, 1983 to February 28, 1984, as requested by Mr. Brutsch in his report of April 12, 1984, on condition that no further request will be made for additional compensation.

- 1 Report of Mr. Brutsch, April 12, requesting approval to transfer funds within Contract-Agreement No. W79-0749-S2B, with Wallace, Floyd, Associates, for Long-Range Water Supply Study and EIR - 2020, as follows:
 From Task 2 - a total of \$15,669.86 - \$5,000.00 to Task 17, WFA labor, and \$10,669.86 to Task 19, WFA labor.
 From Tasks 1, 3, 12, 16 - a total of \$1,717.79 - to Task 17, WFA labor.
 The Commission V O T E D: Approved as requested by Mr. Brutsch in his report of April 12, 1984.

- 2 Report of Mr. Martorana, April 11, recommending the following on Contract No. W79-0970-C2A, with P. Gioioso & Sons, Inc., for Water Meter Modernization and Rehabilitation, Greater Boston Metropolitan Area:
 (a) That the work be accepted as substantially completed as of January 31, 1984.
 (b) That Estimate No. 17 (Substantial Completion), in the amount of \$43,198.47, be approved for payment.
 Mr. Brutsch explained that the project is 99% complete with a few minor corrections and incomplete items to be done before final acceptance of the work.
 The Commission V O T E D: that the work of P. Gioioso & Sons, contractor under Contract No. W79-0970-C2A, for Water Meter Modernization and Rehabilitation, Greater Boston Metropolitan Area, be and hereby is accepted as substantially completed as of January 31, 1984.
 The Commission further V O T E D: to approve Estimate No. 17 (Substantial Completion), in the amount of \$43,198.47, for payment.

- 3 Report of Mr. Wright, April 23, submitting for approval and signature Contract-Agreement, with Anderson-Nichols & Co., for a Facilities Planning Study relative to Supplemental Pressure Aqueduct for the Metropolitan Water District Eastward from the Outlet Works of Wachusett Reservoir to the Distribution System Interface.
 The Commission V O T E D: Approved.
 The Secretary then submitted for signature Contract-Agreement, dated April 26, 1984, with Anderson-Nichols & Co., which was signed by the Commissioner and four Associate Commissioners.

- 4 Report of Mr. Martorana, April 12, submitting Third Quarterly Update for the Water Division's Fiscal Year 1984 Program.
 Mr. Salvatore A. Martorana, Director - Project Planning and Management, reported that there is a total of 51 projects in the Water Division's Fiscal Year 1984 Program, and that 13 of these projects have revisions, 2 new projects have been added, and 4 projects have been deleted from the Program. He then reported on the following projects:
New Projects
 W84-1037-M1A - Overhaul of Diesel Engine No. 47 at Spot Pond Pumping Station.
 W84-1038-M1A - Overhaul of Pump No. 29 at Spot Pond Pumping Station.
Revisions
 W84-1036-C1A - Restoration of Chimney at Chestnut Hill High Service Building.
 W79-0728-S1A - Study to Eliminate Water Quality Problems, Quincy/Blue Hills Reservoir.
 W79-0970-C2A - Water Meter System Modernization.
 W80-0763-D3A - Furnishing and Laying Pipes in Lynn.
 W80-0834-D1A - Replacement of 4500' of Corroded Cast Iron Pipeline - Hyde Park.
 W80-0915-D1A - Section 57 - Northern Low Service.
 W83-1024-S1A - Boston Low Service Study.
 W80-0706-C1A - Brattle Court Pumping Station (Arlington).
 W79-0806-D1B - New Chlorination Facility Norumbega Reservoir.
 (Commissioner Geary noted the delay in receiving approval of the project from the Massachusetts Department of Environmental Quality Engineering. He asked that a letter be sent to the Director of the Massachusetts Department of Environmental Quality Engineering expressing the Commission's concerns with the delay if MDC does not get approval soon).
 W82-1013-S1A - Supplemental Pressure Aqueduct.
 W83-1025-S1A - Expansion of Central Monitoring System.
 W79-0749-S2B - Long-Range Water Supply Study and EIR.
 (Associate Commissioner Scandrett, once again, questioned the difference in the original estimate for this project and the actual contracted cost, as well as the proposed increase in the contract.
 Mrs. Patricia Corcoran, of the Water Division, explained that the original \$2 million estimate was made prior to MEPA scoping of the study. She went on to say that once the scoping was



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was added to the study, the contract was increased to \$4.0 million. She continued that the proposed amendment is for \$1.2 million, which will result in a total cost of \$5.2 million. Associate Commissioner Jones asked that the Water Division prepare an Executive Summary of the project explaining the increased cost over the period of the study and detailing the reasons for the increases).

W80-0907-S3A - Water Quality Studies.

Deleted Projects

W80-0907-S3A - Water Quality Studies.

W82-1018-S1A - Market Survey.

W82-1016-C1A - Demolition and Removal of Warren Street Pumping Station, Belcher-town, Massachusetts.

W80-0956-S1A - Seismic Stability Studies, MDC Water Division Dams.

The Commission V O T E D: to approve the Quarterly Update for the Water Division's Fiscal Year 1984 Program.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 1 Report of Mr. Lydon, April 19, on bids for Repairs to Swimming Pools and Service Buildings Within the Metropolitan Parks System, Contract No. P82-1168-M1A. The Commission V O T E D: to accept the lowest bid, that of Solimando Construction Co., Inc., of \$364,876.00; the price to be adjusted per sub-bid opening on April 24, 1984, for rejected Sections 4A - Masonry," 15A - "Plumbing," and 16A - "Electrical."
- 2 Report of Mr. Lydon, April 5, recommending the following on Contract No. P82-1183-C1A, with Engineering Construction, Inc., for Footbridge Replacement, Mary Hunnewell Fyffe Footbridge over Cordingly Dam, Newton-Wellesley, Massachusetts:
 - (a) That the work be accepted as completed as of February 20, 1984.
 - (b) That Estimate No. 8 (Final), in the amount of \$20,626.86, be approved for payment.
 - (c) That reserve, in the amount of \$9,023.16, be approved for payment.
 The Commission V O T E D: that the work of Engineering Construction, Inc., contractor under Contract No. P82-1183-C1A, for Footbridge Replacement, Mary Hunnewell Fyffe Footbridge over Cordingly Dam, Newton-Wellesley, Massachusetts, be and hereby is accepted as completed as of February 20, 1984. The Commission further V O T E D: to approve Estimate No. 8 (Final), in the amount of \$20,626.86, for payment. The Commission further V O T E D: to approve release of reserve, in the amount of \$9,023.16, for payment.
- 3 Report of Mr. Lydon, April 13, recommending approval to exceed the estimated quantity on Item No. 41 - "Topsoil, Rehandled & Spread," at an additional cost of \$13,340.00, on Contract No. P79-0770-C1A, with T & T Construction, for Rehabilitation of Foss Park, Somerville, Massachusetts. Commissioner Geary noted that the excess top soil stockpiled at Foss Park will be put to good use during the summer by the Green Team for various beautification projects. Mr. Lydon stated that he has a request from Mr. Naegli, of Franklin Park Zoo, to utilize approximately 2000 yards of the surplus loam if it becomes available. In response to questioning by Associate Commissioner Jones, Mr. Lydon stated that the 2nd low bidder would not have been low and the overruns would have remained constant for all bidders on the project. Associate Commissioner Scandrett asked if the Consultant's estimates for the Dilboy Field Project are being checked on. Mr. Lydon responded in the affirmative. Associate Commissioner Scandrett asked if all of the overruns on the project are based on miscalculations by the Consultant. Mr. Lydon responded in the affirmative. The Commission V O T E D: Approved as recommended by Mr. Lydon in his report of April 13, 1984.
- 4 Report of Mr. Lydon, April 23, recommending approval of Extra Work Order No. 2, in the amount of \$42,500.00, for Rosa Rugosa plantings at Boylston Street and Park Drive, including 4" of pine bark mulch and 100,000 square feet of sodding, on Contract No. P78-0679-C1A, with Mario Susi & Son, Inc., for Reconstruction and Rehabilitation of the Fenway Area Parkway System. Mr. Lydon spoke of last week's meeting at which time Commissioner Geary asked that he investigate the possibility of placing sod, stone dust paths, and plantings in the areas of heavy volume of pedestrian traffic. He stated that he visited the area with Mr. Falck, of the MDC Landscape Section, and chose areas for stone dust



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walkways and areas for placement of sod and Rosa Rugosa. Mr. Lydon explained that the work had to be broken up into two parts; (1) Sodding and Plantings because there is no item in the contract and this must be treated as an Extra Work Order, and (2) Stone dust, Granite and Gravel can be treated as exceeding the estimated quantities because there is an item in the contract which covers these materials. Mr. Lydon noted that this contract was scheduled for completion on October 25, 1983, but due to the problems with getting grass to grow and the additional work with sod, stone dust paths, and plantings, an extension of time to May 31, 1984, is needed.

The Commission V O T E D: to approve Extra Work Order No. 2, in the amount of \$42,500.00.

- 1 Report of Mr. Lydon, April 23, recommending approval of an extension of time from October 25, 1983 to May 31, 1984, on Contract No. P78-0679-C1A, with Mario Susi & Son, Inc., for Reconstruction and Rehabilitation of the Fenway Area Parkway System, to allow time for the sodding of areas that are subject to above average foot traffic and the Rosa Rugosa plantings and mulching at Boylston Street and Park Drive.
 The Commission V O T E D: to approve an extension of time from October 25, 1983 to May 31, 1984, as recommended by Mr. Lydon in his report of April 23, 1984, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
- 2 Report of Mr. Lydon, April 23, recommending approval to exceed the estimated quantities, at a total additional cost of \$5,974.00, on the following items under Contract No. P78-0679-C1A, with Mario Susi & Son, Inc., for Reconstruction and Rehabilitation of the Fenway Area Parkway System:

Item No. 47 - "Stone Dust"	- \$ 500.00
Item No. 48 - "Granite Block Edging for Stone Dust Walks"	- \$5,474.00.

 The Commission V O T E D: Approved as recommended by Mr. Lydon in his report of April 23, 1984.
- 3 Report of Mr. Lydon, March 14, recommending approval of Extra Work Claim No. 1, in the amount of \$1,877.63, for furnishing and installing watergate box risers, on Contract No. P79-0721-C2A, with D. Cicconi, Inc., for Site Improvements, Construction of Recreational Facilities at Chelsea Naval Hospital Park in the City of Chelsea.
 The Commission V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 1, in the amount of \$1,877.63.
- 4 Report of Mr. Lydon, April 20, recommending approval of Extra Work Order No. 1, in the amount of \$3,125.00, for installing a concrete pad to support a hoisting device, on Contract No. P82-1021-C1A, with Goudreau Corporation, for Community Boating Facilities, New Dock Construction.
 The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$3,125.00.
- 5 Matter of Sunday Closings of Memorial Drive for Riverbend Park for the 1984 Season. Secretary Chisholm stated that the Community Affairs Office asked that this item be held over per the request of the Cambridge City Council, through the City Clerk's Office. In addition, the Harvard Square Businessmen's Association and Mr. Fred Ewen, of The Grower's Market, asked that this item be held over until next week's meeting.
 The Commission V O T E D: Held over.
- 6 Report of Mr. McCann, April 25, stating that the Consultant Selection Committee recommends the following:
 - (a) That American Engineering & Testing, Inc. be selected for Project P82-1235-M1A - Supplementing Commission's Testing, Inspection, and Inspection Facilities in Conjunction with Its Construction Projects for Inspection, Sampling, and Testing of Portland Cement Concrete, Bituminous Concrete, Soils, Paint, Etc.
 - (b) That Dr. John C. Swallow be selected for Project P82-1233-M1A - Horticultural Consultant Services.
 - (c) That Teledyne Engineering be selected for Project P82-1230-M1A - Testing and Inspection Services for Steel Inspection, Welding Inspection, and Metallurgy, Etc.
 The Commission V O T E D: to select American Engineering & Testing, Inc. for Project P82-1235-M1A; James F. McCann, Contract Administrator, to commence contract negotiations with the selected Consultant and develop a Scope of Services, Method of Compensation, and Time for Performance.
 The Commission further V O T E D: to select Dr. John C. Swallow for Project P82-



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1233-M1A; James F. McCann, Contract Administrator, to commence contract negotiations with the selected Consultant and develop a Scope of Services, Method of Compensation, and Time for Performance.

The Commission further V O T E D: to select Teledyne Engineering for Project P82-1230-M1A, James F. McCann, Contract Administrator, to commence contract negotiations with the selected Consultant and develop a Scope of Services, Method of Compensation, and Time for Performance.

The following matters were placed on the agenda for the information of the Commission:

- 1 The following schedules were approved for payment by the Commissioner during the period from April 9, 1984 to April 16, 1984:

Invoices	\$ 1,430,542.90
Reservation of Funds	\$ 92,971.29
Advices of Change	\$ 152,896.25
Weekly Payroll	\$ 949,263.28
Request for Advances	\$ 4,000.00.

- 2 The following schedules were approved for payment by the Commissioner during the period from April 16, 1984 to April 23, 1984:

Invoices	\$ 506,699.77
Reservation of Funds	\$ 324,593.66
Advices of Change	\$ 358,785.18
Weekly Payroll	\$ 1,124,343.96
Industrial Accident Report	\$ 19,281.25
Request for Advances	\$ 191,370.00.

ADJOURNED at 1:40 P.M., to meet on Thursday, May 3, 1984, at 10:30 A.M.

William F. Cusack
S e c r e t a r y .

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Record of the Three Thousand Two Hundred and Seventy-Eighth (3278th) Meeting of the Metropolitan District Commission duly called and held at the Community Resource Center, Franklin Park Zoo, Dorchester, Massachusetts, on Thursday, May 3, 1984, at 10:30 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The records of the meetings held on April 19, 1984, and April 26, 1984, were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

- 3 Contract No. P82-1036-C1A, dated May 3, 1984, with Thunder, Inc., for Restoration of Fort Independence, Phase II, South Boston, Massachusetts.
- 4 Contract No. P82-1168-M1A, dated May 3, 1984, with Solimando Construction, Inc., for Repairs to Swimming Pools and Service Buildings Within the Metropolitan Parks System.
- 5 Contract No. S81-0948-C1A, dated May 3, 1984, with Ryan Electric Company, for Upgrade Instrumentation, Alewife Brook Pump Station, Somerville, Massachusetts.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 6 Report of Ms. Haggerty, April 26, on request of Gaffny Plumbing and Heating Corporation, contractor under Contract No. S82-1008-C1A, for Improvements to Digesters Nos. 3 and 4, Nut Island Sewage Treatment Plant, Quincy, Massachusetts, for approval of the following subcontractors:

- Townsend Welding Co., Inc. - Welding on Steel Roofs - Estimated Cost \$40,000.00.
- E. L. Mills, Inc. - Sandblasting and Painting of Steel Roofs - \$140,000.00.
- Alpha Steel Erectors - Construction of Steel Roofs - Estimated Cost - \$25,000.00.

The Commission V O T E D: Held over.

- 7 Report of Mr. Baratta, April 24, relative to Permit, dated October 17, 1980, to Assunta T. Risio and Beverly A. Mignosa, to erect a fence over portions of Sections 49 and 50 of the MDC's Quincy High Level Sewer, voted by the Commission on August 14, 1980, and advising that the Permittees sold the property without having recorded the Permit, which the Sewerage Division has been advised is destroyed,



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and recommending that the Commission vote to rescind its vote of August 14, 1980, and vote to grant a Permit to Ralph and Josephine Gervino, the present owners. The Commission V O T E D: to rescind the votes of the Commission of August 14, 1980, (Volume 44, Page 294, Item 2, continued on Page 295), and October 17, 1980, (Volume 45, Page 35, Item 6), on this matter.

The Commission further V O T E D: to grant permission to Ralph and Josephine Gervino, 261 Sea Street, Quincy, Massachusetts, to construct a concrete wall over Section 50 between Stations 0+20 and 0+55 which runs along Sea Street, and a chain link fence between Station 0+20 of Section 50 to Station 34+84 of Section 49 which will border their property at a right angle from the proposed concrete wall, all as recommended by Mr. Baratta in his report of April 24, 1984, and subject to such terms and conditions as the Right-of-Way Section deems advisable to protect the interests of the Commission and its sewers.

- 1 Report of Mr. O'Brien, April 26, submitting for approval and signature Contract-Agreement, with Hayden-Wegman, Inc., for Design and Construction Administration Services for Fox Point and Commercial Point CSO Facilities; the contract is on a cost-plus-fixed fee basis with a not-to-exceed amount of \$295,819.86, which includes a fixed fee of \$30,995.46; also submitting Revised Work Schedule Form for Contract No. S83-1022-D1A; also report of Mr. Wright, April 27.

Commissioner Geary noted that this is one of the projects which the MDC has been ordered to undertake by the U. S. Environmental Protection Agency.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Contract-Agreement, dated May 3, 1984, with Hayden-Wegman, Inc., which was signed by the Commissioner and four Associate Commissioners.

- 2 Report of Mr. McCann, April 27, submitting for approval and signature Contract-Agreement, with Perkins Jordan, Inc., for Laboratory Analysis, Industrial Waste Monitoring Program; total contract cost not to exceed \$40,000.00.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Contract-Agreement, dated May 3, 1984, with Perkins Jordan, Inc., which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 3 At this point, Commissioner Geary commended Mr. Edmund L. Lydon for his outstanding performance during the period of time he has been Acting Director of Parks Engineering and Construction. He further expressed the Commission's appreciation to the Parks Engineering and Construction Staff for their efforts in expediting a large number of projects under difficult circumstances; citing the retirements of Messrs. Francis H. McCarran, Jr. and Joseph Capone.
- 4 Commissioner Geary spoke of the past, present, and future of the Franklin Park Zoo. At this point, Mr. Richard Heath, Director of the Franklin Park Coalition, stated that he had heard that construction at the Franklin Park Zoo has been delayed and asked when the Tropical Forest work will get underway. Commissioner Geary responded that it is the Commission's goal to start work this construction season, and that it is his understanding that it is also the Division of Capital Planning & Operations' goal to commence work this construction season. The Commissioner went on to say that following a scheduled meeting with the Division of Capital Planning & Operations he will report back to the Coalition and other interested parties on the the construction schedule. Associate Commissioner Jones spoke of the easy accessibility of Franklin Park Zoo for the Residents of the Metropolitan Area and said that he is looking forward to the return of many of the Zoo's animals which are now housed at Stone Zoo. Ms. Marjorie Philbert, a Resident of the area, spoke of her past visits to the Park and said that she hoped that once the Zoo is completed, it will not be considered an ethnic park, but a Zoo for all Residents of the Commonwealth. Ms. Inge Heckel, Executive Director of the Metropolitan Boston Zoos, stated that Franklin Park Zoo is not advertised as an ethnic zoo and noted that people are now returning to Franklin Park Zoo. Mr. Matthew Goode, President of the Franklin Park Zoo Coalition, stated that the impact of the Zoo on the Community will be tremendous once the construction project has been completed and hoped that the Residents of the area will not be pushed out by an increase in property values. Mr. Goode then asked what the minority hiring % is for the construction work at the Zoo. Commissioner Geary responded that he did not have the figures readily available but would find out and supply the information to Mr. Goode. Associate Commissioner Jones noted that no contract would be approved by the Commission unless EEO provisions are complied with by the contractor.



- 323th 1 Report of Mr. Lydon, April 25, recommending approval of an extension of time from
 /, 1984 May 21, 1984 to September 28, 1984, on Contract No. P83-1228-C1A, with William P.
 (cn.-) Capone Corporation, for Repairs to Sidewalks in Various Areas of the Metropolitan
 District, due to winter weather conditions.
 The Commission V O T E D: to approve an extension of time from May 21, 1984 to
 September 28, 1984, as recommended by Mr. Lydon in his report of April 25, 1984,
 to be effective, however, only upon receipt of the written consent of the bonding
 company, and on condition that no further request will be made for additional com-
 pensation.
- 2 Report of Mr. Lydon, April 24, requesting approval of exceeding the estimated
 quantity on Item No. 3 - "Replacement of Skylight Domes," at an additional cost
 of \$1,360.00, on Contract No. P83-1248-C1A, with Bell's Roofing Co., Inc., for
 Replacement of Roof, Administration and Hospital Building, Franklin Park Zoo.
 The Commission V O T E D: Approved as requested by Mr. Lydon in his report of
 April 24, 1984.
- 3 Report of Mr. Lydon, April 24, on bids for Pest Control Services at Franklin Park
 Zoo, Dorchester, and Walter D. Stone Memorial Zoo, Stoneham, for the Fiscal Year
 1985.
 The Commission V O T E D: to award the contract for Pest Control Services at both
 Zoos to General Environmental Services, Inc., the lowest bidder, for a total com-
 bined figure of \$10,400.00.
- 4 Letter of Metropolitan Boston Zoos, April 16, requesting approval of an expendi-
 ture of \$60,325.00 from the "Stone Zoo Improvement Fund" for the Development of
 a Master Plan for Stone Zoo.
 The Commission V O T E D: Held over.
- 5 Letter of Metropolitan Boston Zoos, April 19, requesting approval of an expendi-
 ture of \$8,034.00 plus 5% Contingent, Total - \$8,436.00, from the "Stone Zoo Im-
 provement Fund," as follows:
1. Fabrication and Installation of New Exit Gate - \$2,275.00 (Low Bid - J. M.
 Construction).
 2. Installation of a New Floor in the Polar Bear Den - \$495.00 (Low Bid -
 Marnick Construction).
 3. Clean by Vacuuming and Pressure Washing Lion and Tiger Moats - \$1,000.00
 (Low Bid - J. F. Walton & Co).
 4. Installation of Five Glass Panels in the Public Viewing Area of the Sea
 Lion Exhibit - \$3,000.00.
 5. Trees for Bongo Exhibit, Mouflon, and Veldt, including Structures to Protect
 the Trees from the Animals - \$1,104.00.
 6. Miscellaneous Expenses Associated with the New Exit Gate for Signs Supplied
 by Stoneham Sign Co. - \$160.00.
- Associate Commissioner Fontanez stated that if expenditures from the "Stone Zoo
 Improvement Fund" were to be used solely for the Stone Zoo to the exclusion of
 the Franklin Park Zoo, she would have problems with voting in the affirmative.
 Commissioner Geary stated that he and Ms. Heckel met with John W. Wright, MDC
 General Counsel, concerning the expenditure of monies from the Fund and that Mr.
 Wright informed them that these Voluntary Contributions could only be used at the
 Stone Zoo.
 Associate Commissioner Fontanez asked that a written legal opinion be obtained
 from Mr. Wright concerning expenditure of funds from the "Stone Zoo Improvement
 Fund," i.e. can these funds also be used for Franklin Park Zoo.
 In response to questioning by Associate Commissioner Scandrett, Mr. Naegeli stated
 that some of the work is required to be completed in 60 days as a result of a
 warning from the U. S. Department of Agriculture.
 The Commission V O T E D: Approved.
- 6 Report of Mr. Lydon, April 25, on sub-bids for Section 4A - "Unit Masonry and
 Masonry Restoration" on Contract No. P82-1036-C1A - Restoration of Fort Inde-
 pendence, Phase II, South Boston, Massachusetts; also supplemental report of Mr.
 Lydon, May 2.
 Mr. Lydon explained that the sub-bids were rejected because only two bids were re-
 ceived and both were restricted. He noted that when Section 4A was rebid, Thunder
 Construction, Inc. came in low bidder at \$87,740.00 and MDC Staff felt that be-
 cause of the large increase over the original sub-bid, an explanation was due from
 the contractor.
 Commissioner Geary noted that an Inhouse discussion was held and it was felt that
 the only result of not accepting this sub-bid would be lost time and added cost
 which would result in rebidding the entire project.
 The Commission V O T E D: to accept the lowest sub-bid, that of Thunder Construc-
 tion, Inc., of \$87,740.00.
 The Commission further V O T E D: to approve Alteration No. 1, in the amount of

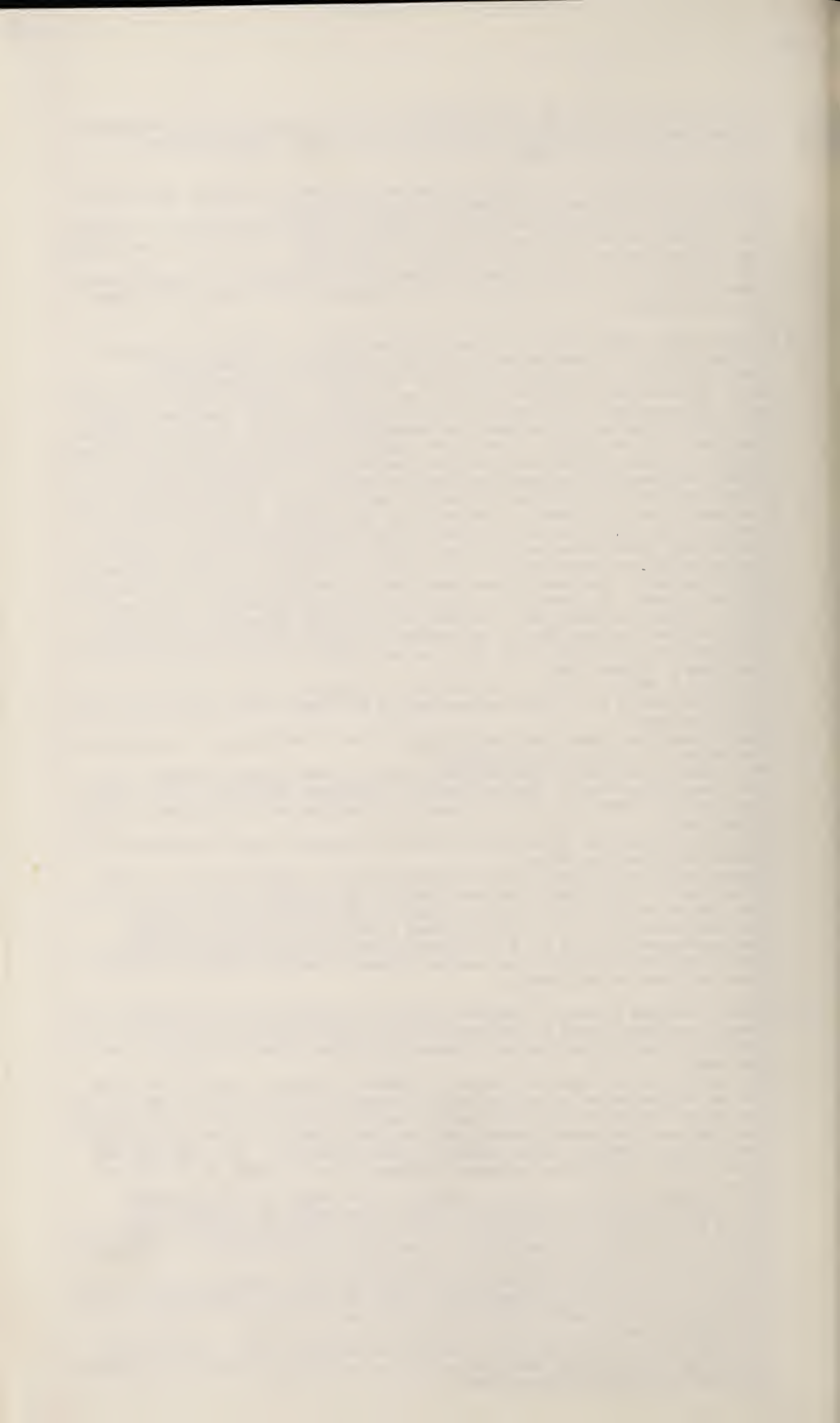


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\$48,315.00, on Contract No. P82-1036-C1A, which price represents the difference between the total allowance of \$40,000.00 and the total filed sub-bid of \$87,740.00 plus cost of bonds.

- 1 Report of Mr. Wright, May 1, relative to Fee Schedules for Seasonal Recreational Facilities and Services in the Metropolitan Parks System.
Mr. Rodrigues was directed to forward to Administration and Finance the requested fee increases noting that the increases, if approved by Administration and Finance and the Legislature, will not be effective until 1985.
The Commission V O T E D: to maintain the 1983 Fee Schedules for Seasonal Recreational Facilities in the Metropolitan Parks System for the 1984 Spring, Summer, and Fall Seasons.

- 2 Report of Mr. McCann, May 2, recommending that Carol R. Johnson be selected for Project P82-1026 - Landscape Architectural Services John F. Kennedy Park.
Commissioner Geary spoke of the formation of a Citizens Advisory Committee to work with the Consultant Selection Committee on the John F. Kennedy Memorial Park Project. He noted that a Sub-Committee of the Citizens Advisory Committee included Ms. Kathy Speigelman of the Cambridge Development Office, Mr. Ed Martin representing Senator Edward Kennedy's Office, Ms. Caroline Kennedy representing the Kennedy Family, Mr. Dick Fryeberger representing the Harvard Planning Office, and Ms. Mary Kennedy representing the Cambridge Planting Committee. The Commissioner went on to say that this Sub-Committee worked with the Consultant Selection Committee and reviewed letters of interest, Standard Forms 254 and 255, and participated in discussion which led to the choice of which firms should receive RFP's. He also stated that these members were present at all interviews and reviewed proposals, and following the interviews they participated in the final discussion before the choice was made. The Commissioner noted that following the process, the Sub-Committee applauded the Commission's Consultant Selection Committee for the method by which it chose the Consultant. He went on to say that the members of the Consultant Selection Committee, who were skeptical about working with the Citizens' Sub-Committee, found that their input was very helpful in the Consultant Selection Committee's deliberations.
Mr. James F. McCann, Contract Administrator, stated that Carol R. Johnson Associates has worked for the MDC in the past and the Commission has been very pleased with their work.
Commissioner Geary noted that the Citizens Advisory Committee was in agreement with the choice of Carol Johnson Associates.
Mr. McCann stated that if the Commission selects Carol Johnson Associates, the next step will be for Mr. Charles Shurcliff, Landscape Architect, and Mr. Edmund Lydon, Acting Director of Parks Engineering & Construction, to negotiate a Scope of Services.
Associate Commissioner Anderson asked that the Citizens Advisory Committee be involved in the scoping process.
Commissioner Geary stated that the Commission will be looking for four or five alternates for the project. He asked that Mr. Lydon prepare guidelines, in writing, for the project and have them reviewed by Mr. Wright for his comments.
The Commission V O T E D: to select Carol R. Johnson for Project P82-1026.
The Commission further V O T E D: Authority given to commence contract negotiations with Carol R. Johnson and develop a Scope of Services, Method of Compensation, and Time for Performance.

- 3 Matter of Sunday Closings of Memorial Drive for Riverbend Park for the 1984 Season.
Commissioner Geary spoke of the request of The People for Riverbend Park for an extension of time for the Closings of Memorial Drive and also reviewed last year's Closings.
Mrs. Dorothy Volpe-O'Malley, Director of Community Affairs, reported that there are not firm dates yet on various activities which will take place during the summer season that might affect the Sunday Closings of Memorial Drive. She explained that there will be several Sundays that the Commission will not be able to permit the Closings of Memorial Drive because of these activities. Mrs. O'Malley then noted that she had received numerous telephone calls in support of the request.
The following individuals spoke in support of the request for the extension:
Ms. Isabella Halstead, Executive Secretary of The People for Riverbend Park, stated that because of the popularity of the Park, her organization is now requesting an extension of the Closings. She stated that an average of 4,500 people used the Park each Sunday that it was closed last year.
Major Brooks, President of Cambridgeport Riverside Area Community Corporation, stated that the Closings are beneficial to all age groups. In addition, he stated that Representative Sandra Graham asked that she be recorded as in support of the Park in principal.
Ms. Janet Burns, of the Cambridge Conservation Commission, read a letter that stated that the Cambridge Conservation Commission strongly supports the requested extension of time for Riverbend Park.



Commissioner Geary noted the following individuals had expressed their support for the extension of time for the Closings of Memorial Drive:

Representative Peter A. Vellucci
Representative Charles F. Flaherty, Jr.
Representative Sandra Graham

Mr. Moscow, representing the Mid-Cambridge Community, presented a petition with over 100 signatures in support of the proposed extension of time for Riverbend Park.

The following individuals spoke in opposition to the request for the extension: Mr. Sheldon Cohen, President of Harvard Square Businessmen's Association, said that he had supported Riverbend Park in the past, but now because of the change in the "Blue Laws" and increased traffic in the area, the Association is against the extension.

Mr. David Hughes, Executive Vice-President of Cambridge Chamber of Commerce, stated that he has polled members of the Chamber of Commerce and a majority oppose the extension. He also stated that the extension affects small businesses in a negative manner, and that many of the people, who would be shopping in Harvard Square, will go to other areas.

Mr. Fred Ewen, of The Grower's Market, registered his objection to the extension of the Closings of Memorial Drive and talked about the negative impact any additional extension of time will have on his business.

Associate Commissioner Scandrett stated that what the Commission votes on this year should not be readjusted at a later time as it was last year.

Mr. Ewen asked if the Commission would approve the Closings for a period of two or three years so that he may be granted permission from Harvard University, owner of the property, to alter his business during the time the Drive is closed.

Commissioner Geary spoke of the Commission's responsibilities to the citizens it serves and stated that one of the prime duties of the MDC is to provide recreational opportunities for the Residents of the District. He talked about the fact that the entire Legislative Delegation of the City of Cambridge has indicated support for the extension of the Closings of Memorial Drive. He also spoke of the Park's Assessment of \$2,000,000.00 per year on the City of Cambridge and stated that the Commission should be responsive to requests of Area Legislators as they are truly representative of the people.

Commissioner Geary then proposed the following schedule for the Closings of Memorial Drive from Western Avenue to the Eliot Bridge Interchange for the purpose of Riverbend Park:

From 11:00 A.M. to 7:00 P.M. on each Sunday starting on May 20, 1984, and running through October 28, 1984.

That next year (1985) and thereafter, the period for Riverbend Park be from the first Sunday in May through the last Sunday in October, with the exception of "Mother's Day."

That there will be dates, by mutual agreement between the City of Cambridge and the MDC, that may be deleted.

That this schedule shall be in existence as long as the present Board of Commissioners have tenure.

Associate Commissioner Jones requested that steps be taken to notify appropriate communities and news media of the Closings of Memorial Drive and any other Closings which have an affect on pedestrians or traffic.

The Commission V O T E D: to close Memorial Drive from Western Avenue to the Eliot Bridge Interchange (weather permitting), for the purpose of Riverbend Park, from 11:00 A.M. to 7:00 P.M., on each Sunday starting on May 20, 1984, and running through October 28, 1984; that next year (1985) and thereafter, the period for Riverbend Park be from the first Sunday in May through the last Sunday in October, with the exception of "Mother's Day;" that there will be dates, by mutual agreement between the City of Cambridge and the MDC, that may be deleted; and that this schedule shall be in existence as long as the present Board of Commissioners have tenure, subject to the following conditions:

1. The weather determination to be made by the Officer-in-Charge of the Charles River Lower Basin Police District.
2. The MDC shall provide barriers at Western Avenue and Memorial Drive in such a manner as to permit access to and egress from The Grower's Market. All other inbound traffic shall be diverted at Western Avenue.
3. The MDC shall also provide barriers at Memorial Drive and Eliot Bridge Interchange and at other roads leading onto Memorial Drive. In addition, the MDC shall place appropriate signing at Eliot Bridge Interchange and Western Avenue diverting traffic from Riverbend Park.
4. The People for Riverbend Park shall pay for two MDC Police Officers to assist the public; one at the intersection of Memorial Drive and Western Avenue and one at Memorial Drive and Hingham Street; and shall also pay for any additional police support necessitated by special events.
5. The People for Riverbend Park shall provide a portable toilet to be located near Anderson Bridge.
6. The People for Riverbend Park shall schedule some special events along the

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Drive on Sundays when Memorial Drive is closed.
7. Mrs. Dorothy Volpe-O'Malley, Director of Community Affairs, shall coordinate the activity for the MDC.
Associate Commissioner Scandrett desired to be recorded as being opposed to this action of the Commission.

Action was taken upon the following matter relating to the Metropolitan Water Supply System:

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Report of Mr. Martorana, April 23, on bids for Electrical Repairs to Generator at Winsor Dam, Quabbin Reservoir, Contract No. W83-1026-C1A.
The Commission V O T E D: to accept the only bid received, that of General Electric Co., of \$47,484.00.

The following matter was placed on the agenda for the information of the Commission:

2 The following schedules were approved for payment by the Commissioner during the period from April 23, 1984 to April 30, 1984:

Invoices	\$ 719,970.86
Reservation of Funds	\$ 169,323.29
Advices of Change	\$ 349,100.00
Weekly Payroll	\$ 952,501.99
Request for Advances	\$ 1,543.50.

ADJOURNED at 2:46 P.M., to meet on Thursday, May 10, 1984, at 10:00 A.M.

William F. O'Connell
S e c r e t a r y .

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Record of the Three Thousand Two Hundred and Seventy-Ninth (3279th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, May 10, 1984.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

3 The Commission took note of this month's Neponset Conservation Association's Newsletter and commented on the clear, concise, and informative writing of Mr. Waldo Holcombe in his explanation of the MDC's Wastewater Management System.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

4 At this point, the Commission discussed the possibility of the MDC Water Division providing a State Christmas Tree to be located in front of the State House during the Christmas Season. It was noted that in prior years the Christmas Tree has come from out-of-state.

The Commission V O T E D: to authorize Commissioner Geary to confer with the Superintendent of State Buildings concerning this matter and report back to the Commission.

5 Report of Mr. Faucher, May 2, on proposals for the purchase of ten lots of standing timber located on the Ware River Watershed, Quabbin Reservoir Watershed, and Wachusett Reservoir Watershed.

The Commission V O T E D: to accept the only qualified bid received, that of R. J. Cobb Landclearing, of \$500.00 to purchase approximately 1,148 tons of whole tree wood on Lot No. 54 - Wachusett Reservoir Watershed.

The Commission further V O T E D: to accept the only qualified bid received, that of Raymond R. Allen, of \$1,783.06, to purchase approximately 122 cords of firewood on Lot No. 55 - Wachusett Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of William J. Stelmokas, of \$4,149.00, to purchase approximately 73,265 board feet of sawlogs on Lot No. 114 - Ware River Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of T. J. Doane, of \$2,130.00, to purchase approximately 11,885 board feet of sawlogs on Lot No. 115 - Ware River Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of R. W. Rich & Sons, of \$4,025.00, to purchase approximately 91,610 board feet of white pine sawlogs on Lot No. 116 - Ware River Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Dayle McLean, of \$4,508.00, to purchase approximately 41,000 board feet of sawlogs and 500 cords of firewood on Lot No. 420A - Quabbin Reservoir Watershed.



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The Commission further V O T E D: to accept the highest qualified bid, that of Heyes Forest Products, of \$47,540.70, to purchase approximately 236,000 board feet of sawlogs and 208 cords of firewood, plus 155 cords of tops, on Lot No. 422A - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Frederick J. Guzik, Jr., of \$991.65, to purchase approximately 55 cords of firewood on Lot No. 433 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of M & M Firewood & Logging, of \$1,004.57, to purchase approximately 65 cords of firewood on Lot No. 434 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Emile Euvrand, of \$1,710.00, to purchase approximately 142 cords of firewood on Lot No. 436 - Quabbin Reservoir Watershed.

- 1 Report of Mr. Faucher, May 1, advising that Mr. Guy Foss, Principal Sanitary Engineer in the Water Division, has been awarded the "Operator's Meritorious Service Award" by the New England Chapter of the American Water Works Association, and recommending that Mr. Foss be recognized and commended by the Commission for his outstanding work.

The Commission made note of the award and directed Mr. Brutsch and Secretary Chisholm to prepare an appropriate citation for presentation to Mr. Foss. Mr. Brutsch was asked to have Mr. Foss appear before the Commission for the presentation of the citation.

- 2 Report of Mr. Faucher, May 5, on request of Telephone Pioneers of America, of the William J. Denver Chapter #20, that the MDC accept a donation, consisting of fruit trees, valued at \$800.00, to restore the Orchard inside Gate #27 of the Quabbin Reservation, and that their organizational name be placed on a sign at the tree planting site.

The Commission V O T E D: to accept the donation of fruit trees, valued at \$800.00, from the Telephone Pioneers of America of the William J. Denver Chapter #20, and to approve the installation of a sign bearing the name of the donor, all as recommended by Mr. Faucher in his report of May 5, 1984.

- 3 Report of Mr. Brutsch, April 30, recommending approval of release of retainage, in the amount of \$2,780.22, for the Motor Control Center supplied by the Gem Peerless Co. for use at the Brattle Court Pumping Station, in connection with Contract No. W80-0706-C1A.

The Commission V O T E D: to approve release of retainage, in the amount of \$2,780.22, for payment.

- 4 Report of Mr. Martorana, April 13, recommending approval of Final Report entitled "Leak Detection Training for Municipal Employees," as prepared by Pitometer Associates; also recommending approval of the following on the Consultant Contract:
(a) That Final Invoice, in the amount of \$1,032.31, be approved for payment.
(b) That release of retainage, in the amount of \$7,496.34, be approved for payment.

The Commission V O T E D: to approve the Final Report entitled "Leak Detection Training for Municipal Employees," as prepared by Pitometer Associates.

The Commission further V O T E D: to approve Final Invoice, in the amount of \$1,032.31, for payment.

The Commission further V O T E D: to approve release of retainage, in the amount of \$7,496.34, for payment.

- 5 Report of Mr. Gillis, May 2, on request of the City of Somerville for approval to change the rates charged for water supplied to consumers, effective July 1, 1982. Mr. Brutsch stated that in addition to the rate increase sought by the City of Somerville, the City is also requesting the elimination of its declining rate. He then noted that the Water Division had not received the request from the City of Somerville to increase the water rates, which became effective for Fiscal Year 1983. Mr. Brutsch also stated that under terms of Section 27, Chapter 92, Massachusetts General Laws, before any community in the Water District can increase its water rate, approval must be received from the Commission. He went on to say that the City of Somerville is now requesting approval of the rate, which has been in effect since July of 1982, without Commission approval, and is also requesting that the approval be retroactive.

In response to questioning by Commissioner Geary, Mr. Joseph Favaloro, Water Superintendent of the City of Somerville, stated that he does not foresee a rate increase for the next fiscal year.

Commissioner Geary then asked why this request did not come before the Commission for approval before the effective date of the rate increase.

Mr. Favaloro responded that the Board of Aldermen gave the power to the Mayor to set the water rate on January 27, 1983, and that a public hearing was held by the City of Somerville, Public Works Commission, concerning the rate increase at that time. He went on to say that the Commissioner of Public Works did not realize



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that he had to have MDC approval prior to the increase, and that when the error was discovered, MDC approval was requested in May of 1983.

Associate Commissioner Scandrett spoke of the MDC rate increase of 2% this year and noted that this was the first increase in the MDC's water rate in 9 years. He stated that at the time of Somerville's rate increase, the MDC Water Assessment had not been increased in 8 years. He went on to say that it is important to note Somerville's increase in rates was not a result of a raise in assessment for MDC water.

Mr. Favaloro spoke of the work the City is undertaking to improve its distribution system and stated that the City is establishing an "Enterprise Fund" so that money will be available for future improvements to the system. He noted that he and two other City Water Department employees had attended the MDC's sponsored program on leak detection. Mr. Favaloro also stated that the City is planning to spend \$200,000.00 per year on improvements to the water system through the "Enterprise Fund."

Commissioner Geary asked Secretary Chisholm to notify appropriate City of Somerville Officials of their obligation to comply with Section 27, Chapter 92, of the Massachusetts General Laws.

The Commission V O T E D: to approve minimum rate of \$.88 per 100 cubic feet insofar as the Commission is authorized to do so under Section 27 of Chapter 92 of the General Laws, effective July 1, 1982, provided that the Commission reserves the right to withdraw approval if policy is changed or legislation enacted which modifies current practices.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 1 Report of Ms. Haggerty, April 26, on request of Gaffny Plumbing and Heating Corporation, contractor under Contract No. S82-1008-C1A, for Improvements to Digesters Nos. 3 and 4, Nut Island Sewage Treatment Plant, Quincy, Massachusetts, for approval of the following subcontractors:
 - Townsend Welding Co., Inc. - Welding on Steel Roofs - Estimated Cost - \$40,000.00.
 - E. L. Mills, Inc. - Sandblasting and Painting of Steel Roofs - Estimated Cost - \$140,000.00.
 - Alpha Steel Erectors - Construction of Steel Roofs - Estimated Cost - \$25,000.00.

Associate Commissioner Fontanez asked if the new EEO provisions in the contract had been met by the General Contractor.
Ms. Haggerty responded that verbal confirmation has been received.
Associate Commissioner Fontanez asked that this item be deleted from the agenda until such time as written confirmation has been received.
The Commission V O T E D: Delete from the agenda.
- 2 Report of Ms. Haggerty, April 26, requesting approval of Extra Work Order No. 1, in the amount of \$1,800.00, to allow the contractor to purchase 190½ pints of (Fibercast) Weldfast CL-200 Adhesive, on Contract No. S82-1015-C1A, with Harding & Smith, Inc., for Replacement of Chlorine Piping and Diffusers, Deer Island Sewage Treatment Plant.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$1,800.00.
- 3 Report of Ms. Haggerty, May 2, submitting Updated Work Schedule Form for Contract No. S80-0854-D1A, with Wright-Pierce, Architects/Engineers, for design of Alternate Source of Power, Nut Island Sewage Treatment Plant; also relative to an Amendment to said Contract No. S80-0854-D1A, which changes the Scope of Services necessitated by additional Engineering Services in the redesign and preparation of revisions to the plans and specifications caused by the changed conditions at the project site, and increases the Total Upset Limit of the Contract from \$56,943.00 to \$66,547.00; the Time for Performance to be coterminous with the construction contractor's contract - completion date June 22, 1984, plus 30 days.
The Commission V O T E D: to approve the Updated Work Schedule Form for Contract No. S80-0854-D1A.
The Commission further V O T E D: to approve an Amendment to Contract No. S80-0854-D1A, with Wright-Pierce, Architects/Engineers, as requested by Ms. Haggerty in her report of May 2, 1984.
- 4 Report of Mr. O'Brien, May 2, stating that in the past, EPA Grants have been awarded at 75% of the eligible project costs, and that the Commission previously has authorized the Commissioner to apply for and accept such grants, and advising that after October 1, 1984, most EPA Construction Grants and all EPA Marine CSO Grants will be at 55% of the eligible project costs; also submitting Resolution authorizing the Commissioner to apply for and accept these reduced grants as well. WHEREAS, the Metropolitan District Commission (the "Applicant"), after thorough



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consideration of the nature of its water pollution problem, hereby determines that the construction of certain works required for Wastewater Management projects, including Infiltration/Inflow, User Charge/Industrial Cost Recovery, Pretreatment and Combined Sewer Overflow studies, (the "Project") is desirable and in the public interest, and to that end it is necessary to apply for Federal assistance; WHEREAS, pursuant to 33 U.S.C. 1281 (g) (1), the Administrator of the United States Environmental Protection Agency (the "EPA") is authorized to make grants to any State, municipality, or inter-municipal or interstate agency for the construction of publicly-owned treatment works as is necessary to prevent the discharge of untreated or inadequately treated sewage or other wastes into any waters of the United States; and

WHEREAS, the Applicant has examined and duly considered the provisions of Title II of the Act, 33 U.S.C. 1281 thru 1292, which relate to grants for construction of treatment works and deems it to be in the public interest to file a grant application under 33 U.S.C. 1281 (g) (1) and to authorize other actions in connection therewith.

NOW, THEREFORE, BE IT RESOLVED BY the Metropolitan District Commission, the governing body of said Applicant, as follows:

1. That the Commissioner of the Metropolitan District Commission is hereby authorized, on behalf of the Applicant, to file an application in the form prescribed by the Administrator and in conformity with 33 U.S.C. 1281-1282 and EPA's Grant Regulations (40 CFR) for a grant to be made by the Administrator of EPA for 55 percentum of the eligible cost of construction of the publicly-owned treatment works;
2. That if such grant be made, the Applicant agrees to pay, pursuant to 33 U.S.C. 1284 (a) (4), the non-Federal costs of such works;
3. That the said Commissioner is hereby authorized to furnish such information and to take such other action as may be necessary to enable the Applicant to qualify for the grant;
4. That the said Commissioner is hereby designated as the authorized representative of the Applicant for the purpose of furnishing to the Administrator such information, data, and documents pertaining to the application for a grant as may be required; and otherwise to act as the authorized representative for the Applicant in connection with this application;
5. That certified copies of this resolution be included as part of the application to be submitted to the Administrator for grant;
6. That if such grant be made, the Applicant agrees to make provision satisfactory to the Water Resources Commission, Division of Water Pollution Control, for assuring proper and efficient operation and maintenance of the treatment works after completion of the construction thereof.

BE IT FURTHER RESOLVED THAT, the Commissioner of the Metropolitan District Commission is hereby authorized to act on behalf of the Metropolitan District Commission (hereafter referred to as the "Applicant"), as its agent, in filing applications for, executing agreements regarding, and performing any and all other actions necessary, for the design and construction of sewage treatment facilities as may be made available to the Applicant pursuant to the provisions of the Massachusetts Clean Waters Act (M.G.L.c.21, sections 26-53, inclusive, as amended), or other Special Act of the General Court for the construction of the same facilities, works and studies outlined above and in the same manner.

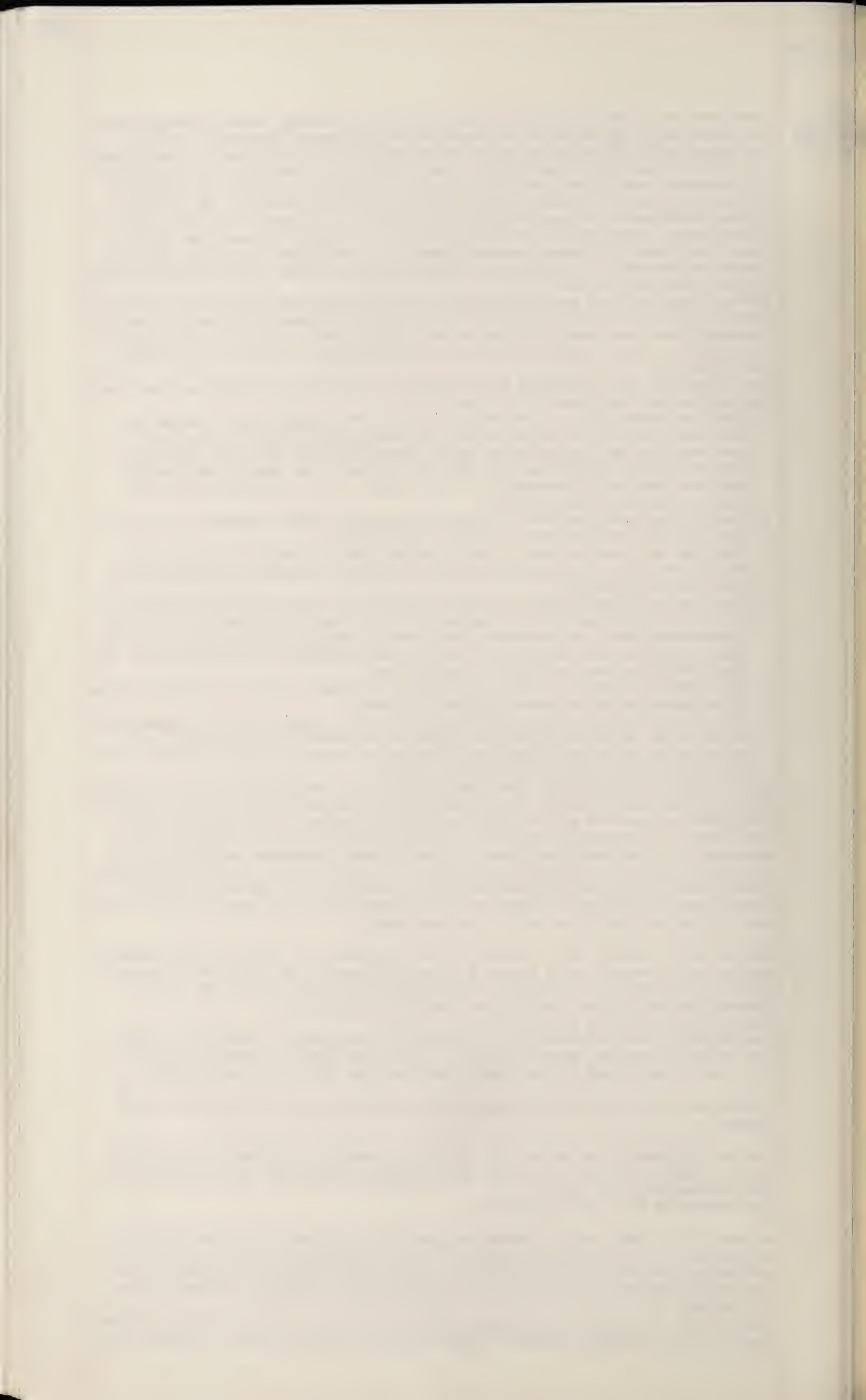
- 1 Report of Mr. Wright, May 4, submitting for approval and signature Fifth Amendment to Contract-Agreement, with Weston & Sampson Engineers, Inc., for the Millbrook Valley Sewer Project in Lexington, which amends the Scope of Services and increases the Total Upset Limit of the Contract to \$595,886.43.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Fifth Amendment, dated May 10, 1984, to Contract-Agreement, dated October 22, 1981, with Weston & Sampson Engineers, Inc., which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 2 Letter of Metropolitan Boston Zoos, April 16, requesting approval of an expenditure of \$60,325.00 from the "Stone Zoo Improvement Fund" for the Development of a Master Plan for Stone Zoo.
The Commission V O T E D: Held over.
- 3 Report of Mr. Lydon, May 1, requesting approval to revise the estimated quantity of Item No. 9 - "Excavation and Backfill," at an additional cost of \$13,070.96, on Contract No. P79-0721-C2A, with D. Cicconi, Inc., for Site Improvements, Construction of Recreational Facilities at Chelsea Naval Hospital Park in the City of Chelsea.
Commissioner Geary spoke of his many visits to the site. He stated that the contractor is in the final stages of completing the project and that it appears work



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will be completed by June 30, 1984. Commissioner Geary also stated that liquidated damages have been imposed on the contractor because of delays. He went on to say that the damages are on two contracts with the MDC for a total of \$400.00 per day, and that the contractor has asked that the Commission forego the imposition of damages. He explained that he has informed the contractor that the Commission will consider the request when it has evidence that the contractor has discharged its responsibility no later than the end of June. Commissioner Geary related that the Park should be ready for dedication the first week in July. The Commission V O T E D: Approved as recommended by Mr. Lydon in his report of May 1, 1984.

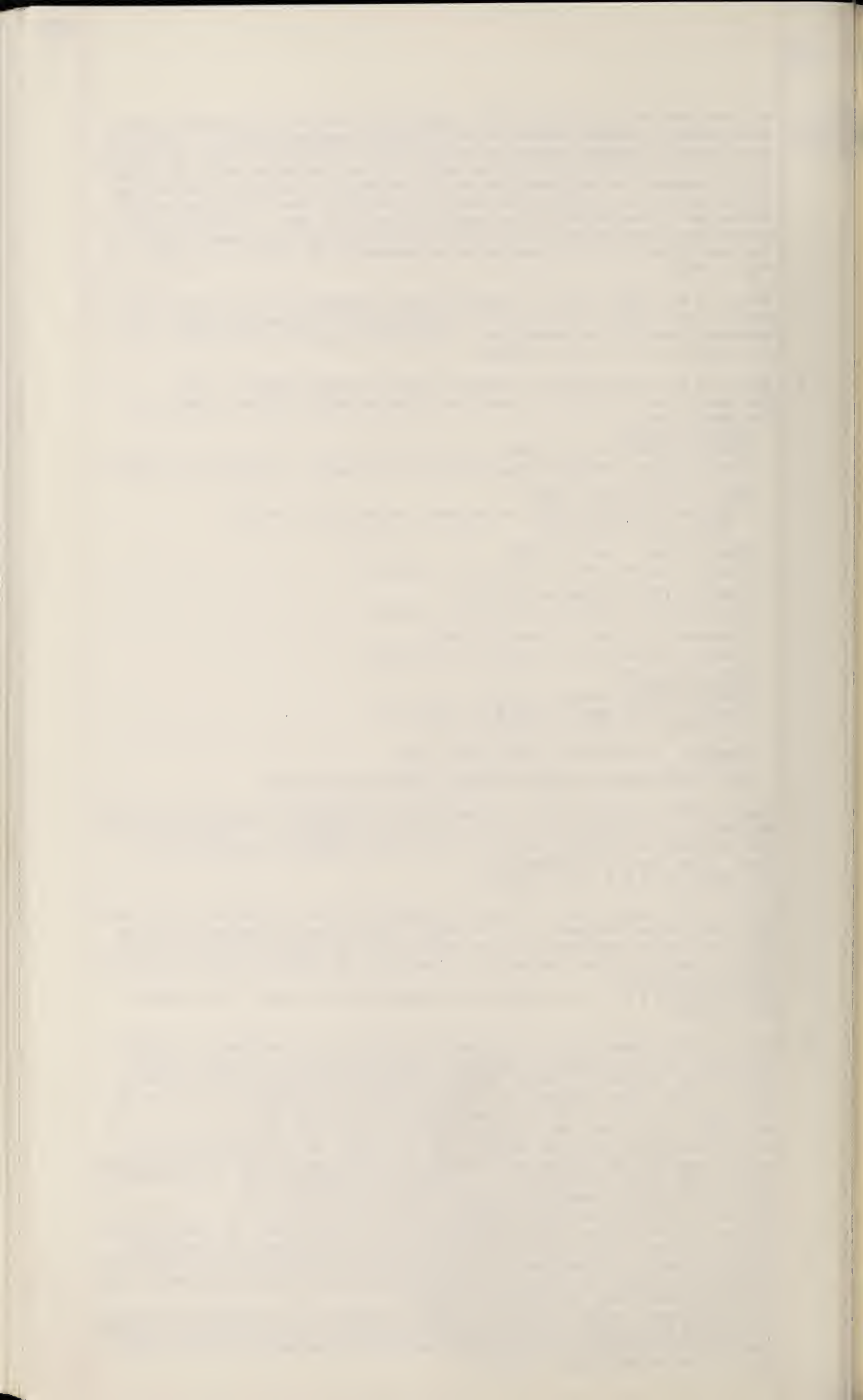
- 1 Report of Mr. Lydon, April 17, submitting Work Schedule Form and Project Management Exception Report for Project No. P84-1305-C2A - Restoration of Fort Independence, Phase III, estimated cost - \$25,000.00, Account No. 2440-8776. The Commission V O T E D: Approved.

- 2 Report of Mr. Primack, May 4, submitting Harbor Islands Schedule - 1984. The Commission V O T E D: to adopt the following Harbor Islands Schedule for the 1984 Season:
 - GEORGE'S ISLAND
 - April 15, 1984 - May 30, 1984
 School groups and other organized groups with permit - 10:00 A.M. to 5:00 P.M.
 - May 1, 1984 - May 26, 1984
 Open to ferry-borne public on weekends, except May 19 and 20 - 10:00 A.M. to 5:00 P.M.
 - May 26, 1984 - June 23, 1984
 Open 7 days per week - 10:00 A.M. - 6:00 P.M.
 - June 24, 1984 - September 10, 1984
 Open 7 days per week - 9:00 A.M. - 8:00 P.M.
 - September 11, 1984 - October 30, 1984
 Open 7 days per week - 10:00 A.M. - 6:00 P.M.
 - LOVELL'S ISLAND
 - June 16, 1984 - October 1, 1984
 Open 7 days per week - 9:00 A.M. - 8:00 P.M.
 (Swimming - 10:30 A.M. - 5:00 P.M.)
 - Camping: By Permit Only - \$5.00 per night
 - All Permits must be received 10 days prior to date of use.

- 3 Report of Mr. Rodrigues, May 1, recommending that approval be granted to continue the services of the Boston Zoological Society for Management of the Franklin Park Zoo and Walter D. Stone Zoo for Fiscal Year 1985, subject to appropriation of funds in the amount of \$300,000.00. The Commission V O T E D: Held over.

- 4 Report of Mr. Kenney, May 1, requesting approval to rent the necessary catch basin and sewer rodding equipment, for the Annual Spring Clean-Up Program, from Lloyd Truax of Foxboro, Massachusetts; the rental price for equipment will be \$35.00 per hour, which includes the vehicles, operators, and fuel; the total cost not to exceed \$40,000.00. The Commission V O T E D: Approved as requested by Mr. Kenney in his report of May 1, 1984.

- 5 Report of Mr. VanWart, May 7, recommending approval of an Amendment to Contract-Agreement, with Environmental Internship Program/Northeast, to Provide the Services of Six Interns for the MDC Harbor Islands, for the period July 1, 1983 to June 30, 1984, which provides for additional Rangers/Interpreters, and increases the contract cost by \$4,975.60, from \$20,634.00 to \$25,609.60. Mr. VanWart stated that the Contract-Agreement expands the number of interns and starts the program two weeks earlier than last year. He also stated that the salary rates for the Interns are increased to bring them in line with the rate of pay of other seasonal employees. Mr. VanWart then introduced Ms. Virginia Wells, Director of the Environmental Internship Program/Northeast (EIP). Ms. Wells explained past work performed by EIP. She noted that EIP recruits the Interns and refers them to the Commission for final selection. Ms. Wells stated that the Interns are enrolled, for the most part, in environmental programs at various colleges. She went on to say that she had a difficult time in enrolling minority candidates for the program and noted that she had contacted several area colleges in an attempt to enroll minorities. Mr. Mark Primack, Harbor Islands Coordinator, stated that in addition to the environmental background of the Interns, they are also strong in history. He noted that the MDC recruited 12 of the Interns and the EIP has worked with the Commission to hire an additional 7 Interns.



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In response to questioning by Associate Commissioner Fontanez, Mr. Primack stated that 50% of the Interns are women and that neither the Commission nor EIP found any suitable minorities who were interested in the Internship Program. He also stated that he had spoken with the MDC Affirmative Action Office and they were unable to come up with any candidates.

Associate Commissioner Fontanez stated that the Commission has to find new ways to recruit Interns for the program and that the Commission should not wait until the last minute to begin the search for candidates.

Commissioner Geary stated that the Commission will continue to seek minorities and asked Associate Commissioner Fontanez to assist in the recruiting process for minorities.

The Commission V O T E D: Approved.

The Secretary then submitted for signature the First Amendment, dated May 10, 1984, with Environmental Internship Program/Northeast, which was signed by the Commissioner and four Associate Commissioners.

- 1 Report of Mr. Rodrigues, May 3, relative to continuing the services of Dr. Alan Bachrach, Dr. Patricia Hess, Dr. Morton Wolf, Dr. Mark Goldstein, and Dr. Margaret Petrak as Veterinarians for Fiscal Year 1985; estimated cost - \$6,000.00, at the Franklin Park Zoo and Stone Zoo.

The Commission V O T E D: Approved as recommended by Mr. Rodrigues in his report of May 3, 1984.

- 2 Report of Mr. Rodrigues, May 7, recommending approval of Contract-Agreement, with Michael F. Wortis, for Golf Professional Services at Leo J. Martin Memorial Golf Course, Charles River Reservation, Weston, Massachusetts, and to operate a golf shop and refreshment concession at the same location, for the 1984 Season, Mr. Wortis to pay a flat fee of \$4,000.00.

The Commission V O T E D: Approved as recommended by Mr. Rodrigues in his report of May 7, 1984.

- 3 Report of Mr. Lydon, April 17, submitting the Parks Engineering and Construction Program for 1984-1985.

The Commission V O T E D: Held over.

Action was taken upon the following Various Matters:

- 4 Report of Mr. Quinn, April 30, requesting blanket authorization to hire Court Reporters and Public Stenographers, as required by the Commission, on a Consultant basis; Maximum obligation not to exceed \$1,500.00 for the 1985 Fiscal Year.

The Commission V O T E D: Approved as requested by Mr. Quinn in his report of April 30, 1984.

- 5 Report of Mr. Riordan, May 4, requesting blanket authorization to cover Veterinary Services for horses stabled in the Blue Hills and Stoneham and also dogs which are kenneled in Stoneham, for the 1985 Fiscal Year; estimated cost - \$10,000.00.

The Commission V O T E D: Held over for further information from Mr. Riordan regarding the estimated cost.

- 6 Report of Mr. Riordan, May 4, requesting blanket authorization to cover medical, surgical, and hospital expenses of Police Officers injured in the Line of Duty, as authorized under Section 63A, Chapter 92, General Laws, and for medical and psychological expenses for the screening of applicants for Police Service, for the 1985 Fiscal Year; estimated cost - \$110,000.00.

The Commission V O T E D: Approved as requested by Mr. Riordan in his report of May 4, 1984.

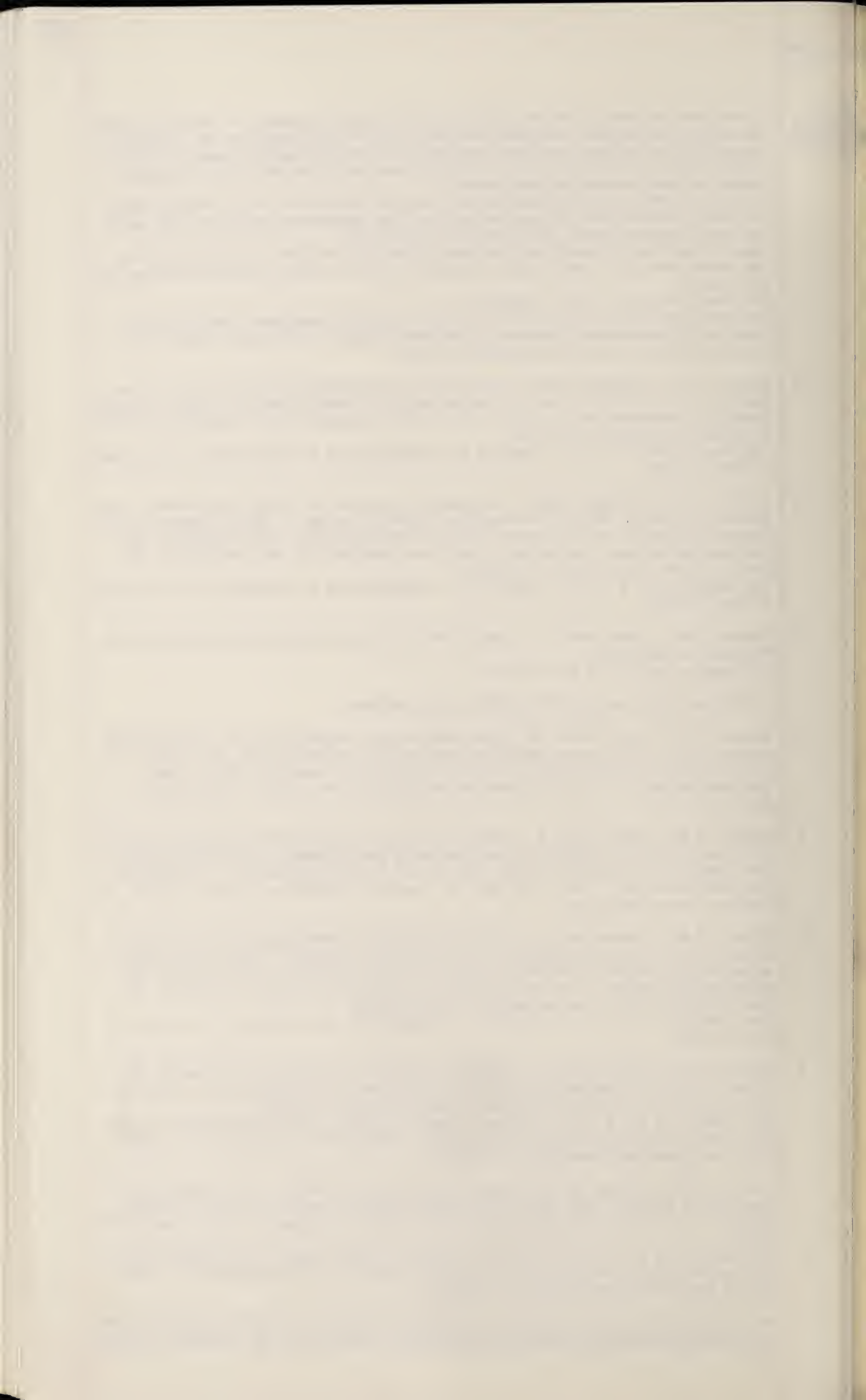
- 7 Report of Mr. Riordan, May 4, requesting a Waiver for Richard D. Lennon to continue to Provide Swimming Instructions for MDC Police beyond June 30, 1984, the date specified in Contract-Agreement, dated February 23, 1984.

The Commission V O T E D: Held over; Messrs. Wright, Quinn, and Riordan, to appear before the Commission at its meeting scheduled for Thursday, May 17, 1984, for an explanation concerning the Waiver.

- 8 Report of Mr. Riordan, May 4, requesting a Waiver for Brian F. Gilligan, Esq., to continue to Provide Legal Services on Labor Relations and Civil Service Matters beyond June 30, 1984, the date specified in Contract-Agreement, dated November 10, 1983.

The Commission V O T E D: Held over; Messrs. Wright, Quinn, and Riordan, to appear before the Commission at its meeting scheduled for Thursday, May 17, 1984, for an explanation concerning the Waiver.

- 9 Matter of Interagency Agreement, between the Metropolitan District Commission and the Massachusetts Bay Transportation Authority, relative to the Southwest Corridor.



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The Secretary submitted for signature the Interagency Agreement, dated May 10, 1984, between the Metropolitan District Commission and the Massachusetts Bay Transportation Authority, which was signed by the Commissioner and two Associate Commissioners.

Associate Commissioner Jones and Scandrett asked that their statement, which was included in the minutes of the meeting of the Commission held on March 22, 1984, be inserted in the minutes of this meeting to indicate their reason for not signing the Interagency Agreement.

The statement is as follows:

"Our reluctance to accept the Interagency Agreement, as submitted to the Commission on this date, is due to our inability to accept language and some of the details contained therein. We both enthusiastically support the plan which calls for the MDC to own, manage, maintain, and police the Parkland in the Southwest Corridor Project.

What we are unable to sign is an agreement which states that the MDC has had, or will have, any significant participation in the planning, design and/or construction of this park.

The planning, design and construction phases are substantially complete and have been entirely an MBTA operation.

The sections of this Agreement outlining community liaisons are incomplete in that "hundreds of meetings have already been held with community groups by MBTA," and we are told that "Promises, Accommodations and Commitments" have been made.

We request, if the MDC is expected to keep any of these promises, make any of the accommodations, or meet any of these commitments, that we be notified of them specifically and in detail before we can accept this agreement.

This preliminary agreement may be too specific in detailing the MBTA's unilateral right to convey or not convey any parkland to the MDC and to determine what the MDC will or will not manage. It may not be specific enough in defining what is and is not parkland.

Finally, we would prefer a more detailed description of the budget for the \$200,000.00 already allocated for this transition."

The following matter was placed on the agenda for the information of the Commission:

- 1 The following schedules were approved for payment by the Commissioner during the period from April 30, 1984 to May 7, 1984:

Invoices	\$ 1,872,238.63
Reservation of Funds	\$ 46,123.34
Advices of Change	\$ 31,300.00
Weekly Payroll	\$ 922,632.14
Industrial Accident Report	\$ 43,095.12
Request for Advances	\$ 355,500.00.

ADJOURNED at 2:15 P.M., to meet on Thursday, May 17, 1984, at 10:00 A.M.

William F. Crusholm
Secretary.

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Record of the Three Thousand Two Hundred and Eightieth (3280th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, May 17, 1984, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The records of the meetings held on May 3, 1984, and May 10, 1984, were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

- 2 Contract-Agreement, dated May 17, 1984, with the University of Massachusetts, for Population Studies of Free-Living *Pilayella Littoralis* in Nahant Bay.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 3 Report of Mr. Lydon, April 17, submitting the Parks Engineering and Construction Program for 1984-1985.

Mr. Robert Valinote, Supervising Civil Engineer, reported on the following programs:

Land Acquisition
(No Revisions).

Faint, illegible text, possibly bleed-through from the reverse side of the page. The text is arranged in several paragraphs and appears to be a formal document or report.

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Coastal Beach and Shore Management

- P77-0470 - Belle Isle Marsh Reservation - Phase II.
- P79-0721 - Chelsea Naval Hospital Site Development.
- P79-0785 - Lynn/Nahant Shore Protection.
- P80-0793 - Maritime Work, Hull, Pemberton Pier.
- P81-0975 - Repair Water Service - Georges Island.
- P81-1013 - Nantasket Beach Bathhouse.
- P82-1015 - Boathouse, Pleasure Bay.
- P82-1079 - Revere Beach Improvements.
- P83-1197 - Beach Sanding - Short Beach, Winthrop.

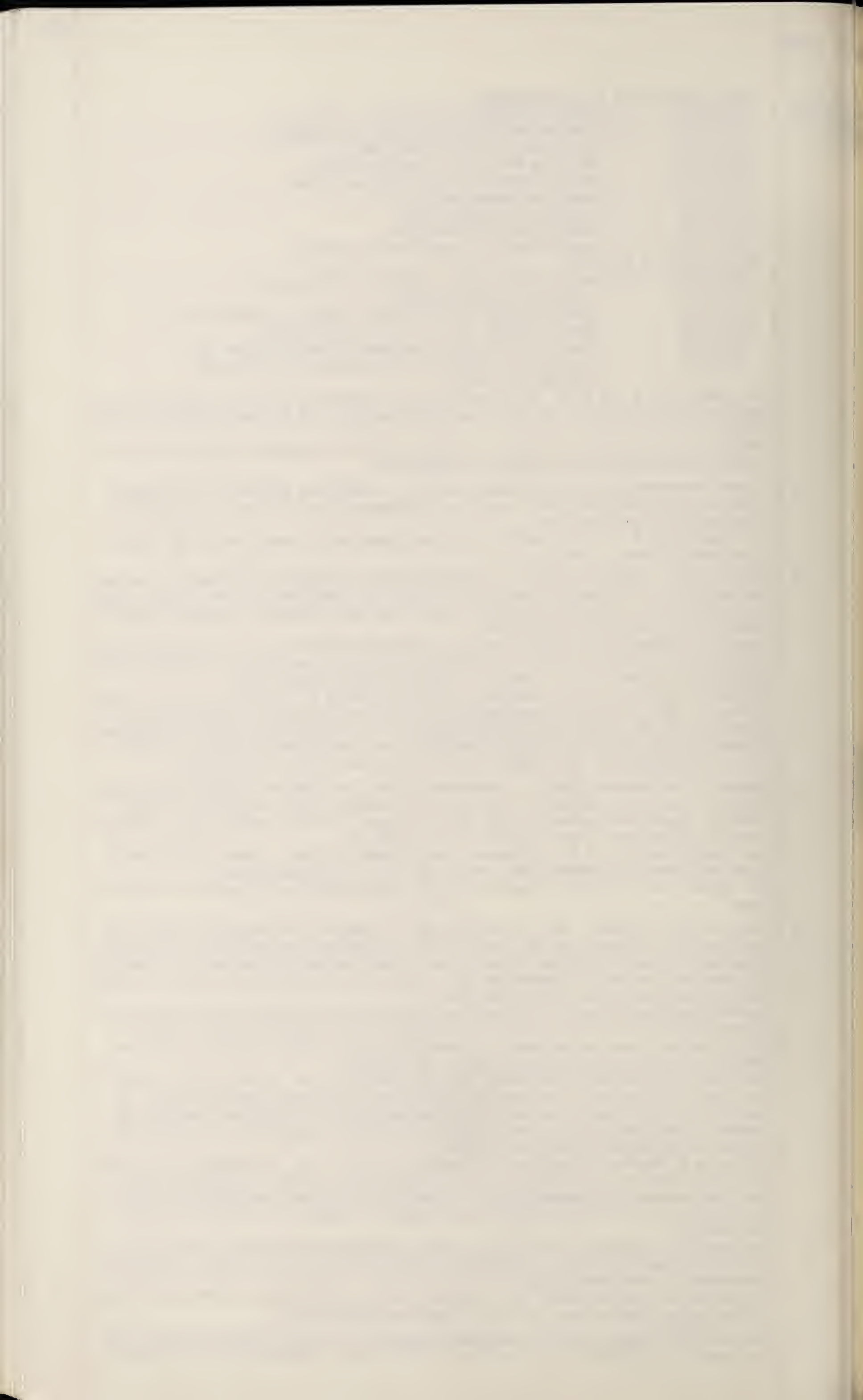
River Basins & Streams

- P78-0667 - Amelia Earhart Dam - Repairs & Renovations.
- P82-0A02 - Town Brook Flood Control.
- P82-1021 - Community Boating Facilities - New Dock Construction.
- P82-1023 - Repair Seawall at G.S.A. Land, Cambridge.
- P83-1193 - Feasibility Study, Hydropower at Walter Baker Dam.
- P83-1247 - Servicing of Hydraulics at New Charles River Dam, Charlestown (FY84).

The Commission V O T E D: to accept the Land Acquisition Program, the Coastal Beach & Shore Management Program, and the River Basins & Streams Program for 1984-1985.

The Commission further V O T E D: to hold over the remainder of the Parks Engineering and Construction Program for 1984-1985.

- 1 Letter of Metropolitan Boston Zoos, April 16, requesting approval of an expenditure of \$60,325.00 from the "Stone Zoo Improvement Fund" for the Development of a Master Plan for Stone Zoo.
The Commission V O T E D: Delete from the agenda until such time as the Commission makes a tour of the Zoo.
- 2 Report of Mr. Rodrigues, May 1, recommending that approval be granted to continue the services of the Boston Zoological Society for Management of the Franklin Park Zoo and Walter D. Stone Zoo for the Fiscal Year 1985, subject to appropriation of funds in the amount of \$300,000.00.
Associate Commissioner Jones asked that he be provided with a copy of the authorizations which permit the Boston Zoological Society to institute a Voluntary Contributions Program at the Stone Zoo (Stone Zoo Improvement Fund).
The Commission V O T E D: Approved as recommended by Mr. Rodrigues in his report of May 1, 1984, with the understanding that the authorization for Voluntary Contributions to the "Stone Zoo Improvement Fund" be incorporated into the Agreement, between the Metropolitan District Commission and the Boston Zoological Society, for the Management of the Franklin Park Zoo and the Walter D. Stone Zoo.
- 3 Report of Mr. VanWart, May 10, recommending that the Commission approve Contract-Agreement, with Environmental Internship Program/Northeast, to Provide the Services of Seven Interns for the MDC Harbor Islands, for the period July 1, 1984 to June 30, 1985; Total Cost of Contract - \$33,045.60.
The Commission V O T E D: Approved; Commissioner William J. Geary authorized to sign the Contract-Agreement for, and on behalf of, the Commission.
Mr. VanWart was directed to confer with Mr. Quinn relative to funding of the program.
- 4 Report of Mr. O'Connor, May 11, submitting for approval and signature Permit, to the Blue Hills Observatory Weather Club, to use and occupy the Blue Hills Weather Observatory, for the purpose of operating a small museum and weather instrument station, for the period commencing May 1, 1984, and terminating on April 30, 1985; the Weather Club to pay \$50.00 per year.
Commissioner Geary spoke of the service which will be provided by the Blue Hills Observatory Weather Club and questioned whether the Commission should levy a \$50.00 fee on the organization. He noted that this is the type of activity the Commission should be encouraging at MDC Facilities.
Associate Commissioner Jones asked that the Commission be provided with a copy of the Club's By-Laws and also that the Commission be provided with any future changes in the By-Laws. He then asked whether the Club's programs could be expanded so that local high schools could be offered an opportunity to become involved in the Weather Education Program.
Following a lengthy discussion, the Commission V O T E D: to approve the Permit; Blue Hills Weather Observatory to pay \$1.00 per year; with the stipulation that the Club provide the Commission with a copy of its By-Laws, and that MDC Staff be encouraged to work with the Club in an attempt to expand its activities at the Observatory.
The Commission further V O T E D: to enter into discussions with the Blue Hills Observatory Weather Club to establish responsibility for various repairs and improvements to the Observatory.
The Secretary then submitted for signature Permit, dated May 17, 1984, which was signed by the Commissioner and four Associate Commissioners.
- 5 Report of Mr. Lydon, May 10, recommending approval of Extra Work Order No. 2, in the amount of \$3,220.00, for repairing 3 floats and 1 gangway that were damaged



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during the storm of December 28, 1983, on Contract No. P80-0793-C1A, with J. M. Cashman, Inc., for Maritime Work, Hull, Pemberton Pier; also supplemental report of Mr. Lydon, May 11.
 The Commission V O T E D: to approve Extra Work Order No. 2, in the amount of \$3,220.00.

1 Report of Mr. Lydon, May 10, recommending approval of Extra Work Order No. 3, in the amount of \$2,950.00, for transporting 3 floats and 3 gangways from their present location near the Nantasket Maintenance Facility to Pemberton Pier, placing the floats in the water, securing them to the piling, and installing the gangways, on Contract No. P80-0793-C1A, with J. M. Cashman, Inc., for Maritime Work, Hull, Pemberton Pier; also supplemental report of Mr. Lydon, May 11.
 The Commission V O T E D: to approve Extra Work Order No. 3, in the amount of \$2,950.00.

2 Report of Mr. Lydon, April 27, recommending the following on Contract No. P82-1186-C1A, with Fraser Engineering Co., Inc., for Heating System Replacement, Connell Pool, Weymouth, Massachusetts:
 (a) That the work be accepted as completed as of March 8, 1984.
 (b) That Estimate No. 2 (Final), in the amount of \$8,550.00, be approved for payment.
 (c) That reserve, in the amount of \$1,843.85, be approved for payment.
 The Commission V O T E D: that the work of Fraser Engineering Co., Inc., contractor under Contract No. P82-1186-C1A, for Heating System Replacement, Connell Pool, Weymouth, Massachusetts, be and hereby is accepted as completed as of March 8, 1984.
 The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of \$8,550.00, for payment.
 The Commission further V O T E D: to approve release of reserve, in the amount of \$1,843.85, for payment.

3 Report of Mr. Lydon, May 9, submitting Work Schedule Form, Project Summary Form, and Project Justification, for Project No. P84-1134-C1A - Dedham Parkway Reconstruction, Harding Terrace - Birch Street, Dedham, Massachusetts, estimated cost - \$36,000.00, Account No. 2490-0007.
 The Commission V O T E D: Approved.

4 Report of Mr. Lydon, May 9, submitting Work Schedule Form, Project Summary Form, and Project Justification, for Project No. P84-1316-C1A - New Gasoline Tank Installation, Franklin Park Zoo, Boston, Massachusetts, estimated cost - \$4,000.00; Account No. 2444-9001-12.
 The Commission V O T E D: Approved.

5 Report of Mr. Lydon, May 8, requesting that the Commission rescind its vote of December 22, 1983, approving Invoice, in the amount of \$60,113.16, for payment on Contract-Agreement, with Massachusetts Institute of Technology, for Ecodynamic Analysis of Algal Blooms Fouling Nahant Bay Beaches, and vote to approve a corrected Invoice, in the amount of \$55,048.36, for payment.
 Mr. Lydon explained that Massachusetts Institute of Technology and Northeastern University were responsible for turning over certain equipment to the MDC upon the completion of the project. He stated that some of the equipment could not be found and, therefore, a corrected invoice had to be submitted deducting the cost of the missing equipment.
 The Commission V O T E D: to rescind its vote of December 22, 1983, (Volume 47, Page 104, Item 5, continued on Page 105), approving Invoice, in the amount of \$60,113.16, for payment.
 The Commission further V O T E D: to approve a corrected Invoice, in the amount of \$55,048.36, for payment.
 Associate Commissioner Jones did not participate in the discussion on this item and desired to be recorded as being present but not voting.

6 Report of Mr. Lydon, May 9, recommending that the Commission approve and execute an Agreement, between Consolidated Rail Corporation (Conrail) and the Metropolitan District Commission, relative to Apportionment of Work and Expense in connection with the Rehabilitation of the Philip Briggs Bowker Interchange.
 The Commission V O T E D: Approved.
 The Secretary then submitted for signature the Agreement, dated May 17, 1984, which was signed by the Commissioner and four Associate Commissioners.

7 Report of Mr. Lydon, May 15, on request of the Los Angeles Olympic Organizing Committee for permission to temporarily install a Banner and Flags at the New England Museum of Sports located in Christian Herter Park at 1175 Soldiers Field Road, Boston (Brighton District).
 The Commission V O T E D: Approved.

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Report of Mr. Lydon, May 16, on bids for Sodding and Shrubs, Tenean Beach, Dorchester, Massachusetts, Contract No. P84-1311-C1A.

Commissioner Geary explained that this project has been underway for the past four years, and that the most recent contractor has been dismissed and liquidated damages have been assessed on the project due to the contractor's failure to complete the contract on time. He then stated that he was directing Secretary Chisholm, Mr. Lydon, and Mr. McCann, to withhold the processing of any retainage for the design of the Park. He went on to say that Mr. Wright will be directed to confer with Secretary Chisholm, Mr. Lydon, and Mr. McCann, to pursue any avenues the Commission may have for initiating a law suit against the designer of the Park. He concluded by saying that he expects that the area will be dedicated in late June or early July.

The Commission V O T E D: to accept the lowest bid, that of Labadini Tree & Landscape Co., Inc., of \$51,268.00.

1 Report of Secretary Chisholm, May 9, recommending awards on Concessions for the 1984 Summer Season.

Associate Commissioner Scandrett asked that the Concession Selection Committee investigate the possibility of initiating a flat fee for Concessions rather than a mix of percentages.

The Commission discussed the possibility of "Store 24" operating the Concession at the Hatch Shell with the profit going to the "Hatch Shell Improvement Fund."

The Commission V O T E D: to award the following Concessions for the 1984 Summer Season:

- Ponkapoag Golf Course - Russell S. Finbow - \$5,500.00 for Season
- Artesani Tot Lot, Brighton - Arthur Mendelson - \$ 150.00 for Season
- Lee Memorial Pool, Boston - Joseph Ferullo - \$ 300.00 for Season
- Dilboyl Field, Somerville - Rose DeMartino - \$ 100.00 for Season
d/b/a Joey Dee
Ice Cream
- Sandy Beach, Winchester - John Reinold - \$1,200.00 for Season
- Carson Beach, South Boston - Paul Bartel - 10% of gross sales for
Season, with a maximum
of \$1,500.00.
- Constitution Beach, East Boston - John Mangini & - \$1,200.00 for Season
Guy Umana
- Georges Island - George Coulter - \$2,000.00 plus 10% of
d/b/a Captain gross in excess of
George's, Inc. \$25,000.00.
- Lynn Fishing Pier - Rocco Annese - 25% of gross receipts
- Kelly's Landing, South Boston - Bay View Conces- - \$9,000.00 for Season
sions, Inc. d/b/a
"The Landing"
- Charles River Basin Waterbus - Skyline Cruises, - \$.15 per passenger over
Inc. the age of 12
- Nantasket Beach Pavilion, Hull - Delano Enter- - \$3,500.00 plus 6% of gross
prises, Inc. over \$25,000.00 after
sales tax, plus \$65.00 per
month for utilities

The Commission further V O T E D: to hold over the Hatch Memorial Shell Concession.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

2 Report of Ms. Haggerty, May 4, submitting Quarterly Update for the Sewerage Division's 1984-1985 Program.

Ms. Haggerty reported that there are 36 projects in the Sewerage Division's 1984-1985 Program. She stated that 24 projects are on schedule and within budget, that 10 projects have deviated, and that 2 projects require preliminary approval. Ms. Haggerty then proceeded to review the Exception Reports on the following projects:

- S80-0605 - Install 2,000 HP Motor, Deer Island.
- S81-0951 - Sludge Management, Deer Island.
- S81-0951 - Sludge Management - Composting Plant, Deer Island
- S83-1031 - Clean Aeration Channels, Deer Island.
- S80-0656 - Immediate Upgrade - Treatment Process Equipment, Nut Island.



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- S81-0947 - Chlorination System Modifications - Phase II, Nut Island.
- S82-1004 - Kilby St. Culvert Repair, Quincy.
 (Ms. Haggerty noted that this project is one month ahead of schedule).
- S83-1025 - Repair Belle Isle Siphon.
 (Ms. Haggerty was requested to provide the following information, in writing, to Secretary Chisholm for the record).
 \$710,300.00 was the Engineer's estimate without contingencies. The addition of 10% contingencies would make a total of \$780,000.00, which may increase to the \$900,000.00 figure if full length Insituform liners are used instead of partial liners.
 The increase from \$500,000.00 to the present estimate is based on the addition of:
 1. Extensive internal pressure grouting.
 2. The pipe liners.
 3. The overflow chamber closure wall.
 4. Access site conditions.
- S83-1102 - Pavement Repair, Squantum Pumping Station.
- S80-0874 - Southwest Corridor Projects CSO.
- S83-1109-C1A - Replacement of Sodium Hypochlorite Lines at Cottage Farm Storm-water Detention and Chlorination Station.
- S83-1101 - Safety Study, Sewerage Division Facilities.

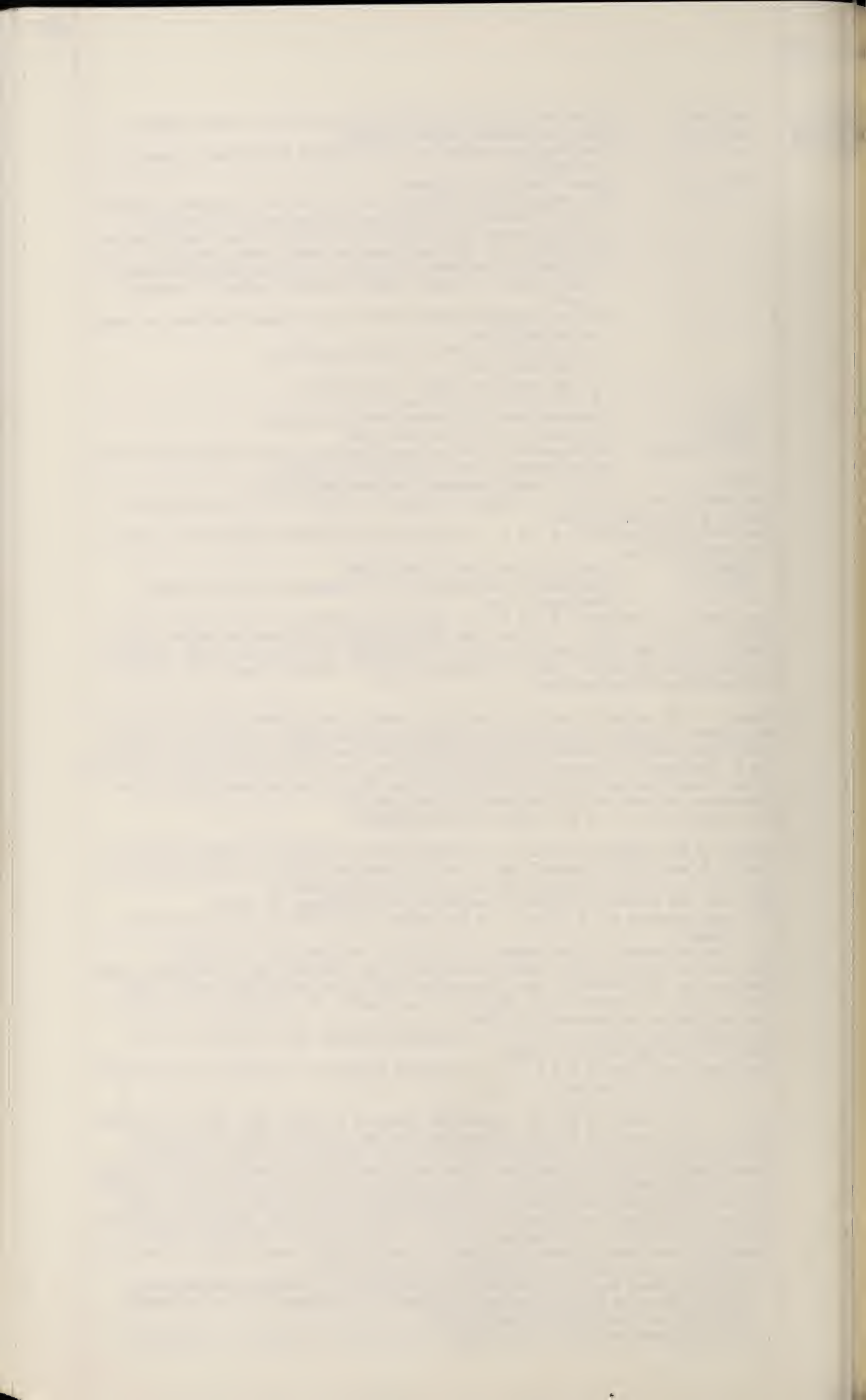
The Commission V O T E D: to accept the Quarterly Update for the Sewerage Division's 1984-1985 Program.

The Commission further V O T E D: to approve the following projects for scheduling and budgeting:

- S84-1116 - Surveying Services - Deer Island.
- S84-1115 - Services for Implementation of Sewerage Division Program Management Plan.

The Commission further V O T E D: to approve an extension of time from June 30, 1984 to July 31, 1985, on Contract No. S81-0947-D1A, with Perkins Jordan, Inc., for Chlorination System Modifications - Nut Island, as requested by Ms. Haggerty in her report of May 4, 1984, on condition that no further request will be made for additional compensation.

- 1 Report of Ms. Haggerty, May 14, submitting Updated Work Schedule Form and Project Management Exception Report for Contract No. S80-0874-D1A, with Metcalf & Eddy, Inc., for Southwest Corridor Combined Sewer Overflow (CSO) Project; also relative to an Amendment to Contract No. S80-0874-D1A in order to provide adequate funds for final inspection and testing services for the MDC: Estimated completion of construction and testing is scheduled for December 1984.
 The Commission V O T E D: Delete from the agenda.
- 2 Report of Ms. Haggerty, March 6, recommending the following on Contract No. S81-0947-C1A, with P. R. Johnson, Inc., for Chlorination Facilities Upgrading, Phase A, Nut Island Sewage Treatment Plant, Quincy, Massachusetts:
 - (a) That the work be accepted as completed as of February 10, 1984.
 - (b) That Estimate No. 4 (Final), in the amount of \$42,907.92, be approved for payment.
 - (c) That retainage, in the amount of \$24,733.31, be approved for payment.
 The Commission V O T E D: that the work of P. R. Johnson, Inc., contractor under Contract No. S81-0947-C1A, for Chlorination Facilities Upgrading, Phase A, Nut Island Sewage Treatment Plant, Quincy, Massachusetts, be and hereby is accepted as completed as of February 10, 1984.
 The Commission further V O T E D: to approve Estimate No. 4 (Final), in the amount of \$42,907.92, for payment.
 The Commission further V O T E D: to approve release of retainage, in the amount of \$24,733.31, for payment.
- 3 Report of Mr. Baratta, May 11, requesting approval of Extra Work Orders 9 through 12, at a total cost of \$24,273.50, on Contract No. S77-0484-C1A, with Methuen Construction Co., Inc., for Construction of the Hingham Force Main, Weymouth, Massachusetts; also advising that Extra Work Order No. 9 is necessitated to allow for the replacement of temporary paving with permanent pavement at the connection of the old and new force mains in the southbound lanes of Route 3A and to reestablish the curbing and sidewalk at Station 0+00 on Route 3A, and that Extra Work Orders 10 through 12 are necessary due to a restricted work day within Route 3A imposed by the Massachusetts Department of Public Works because Route 3A serves as an alternate route during the Expressway reconstruction.
 Extra Work Order No. 9, in the amount of \$5,502.50, to replace the temporary patch on Route 3A with a permanent pavement in accordance with Massachusetts Department of Public Works requirement.
 Extra Work Order No. 10, in the amount of \$11,596.00, to cover an adjustment



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in costs due the contractor for installing permanent trench pavement.
 Extra Work Order No. 11, in the amount of \$3,000.00, to cover an adjustment
 in costs due the contractor for installing a permanent pavement overlay.
 Extra Work Order No. 12, in the amount of \$4,175.00, to cover an adjustment
 in costs due the contractor for installing permanent pavement at Neck Street,
 Sea Street, and Rosalind Road, at their intersection with Route 3A.
 The Commission V O T E D: to approve Extra Work Order No. 9, in the amount of
 \$5,502.50.
 The Commission further V O T E D: to approve Extra Work Order No. 10, in the
 amount of \$11,596.00.
 The Commission further V O T E D: to approve Extra Work Order No. 11, in the
 amount of \$3,000.00.
 The Commission further V O T E D: to approve Extra Work Order No. 12, in the
 amount of \$4,175.00.

- 1 Report of Mr. Baratta, May 4, submitting Revised Work Schedule Form for Project
 No. S83-1101 - Safety Study, Sewerage Division Facilities, estimated cost -
 \$39,839.20, Account No. 2439-7274.
 The Commission V O T E D: Delete from the agenda.

Action was taken upon the following matters relating to the Metropolitan Water
 Supply System:

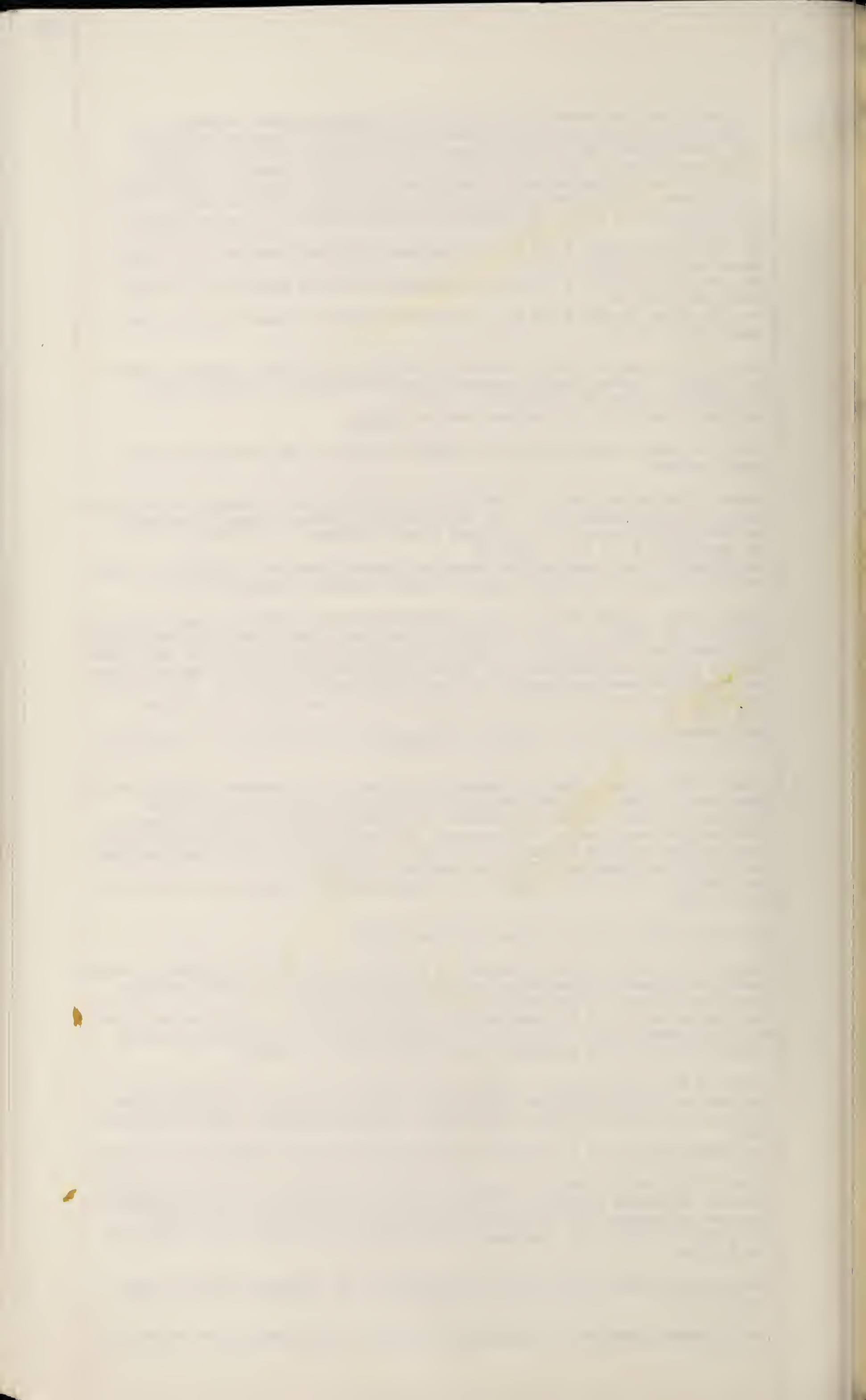
- 2 Report of Mr. Wright, May 16, submitting for approval and signature Contract-Agree-
 ment, with Tighe & Bond, Inc., for Water Quality Studies at Quabbin, Wachusett,
 and Northfield Reservoirs; Total Upset Limit of Contract - \$57,729.00.
 The Commission V O T E D: Approved.
 The Secretary then submitted for signature Contract-Agreement, dated May 17, 1984,
 which was signed by the Commissioner and three Associate Commissioners.
- 3 Report of Mr. Brutsch, May 16, requesting approval of a 6-months extension of time
 from June 30, 1984, at a rate of \$8.00 per hour and expenses not to exceed \$300.00,
 at a total cost of \$7,800.00, on Contract-Agreement, dated December 1, 1983, with
 Malaina Bowker, for Management and Administrative Assistance to the Demand Manage-
 ment Public Information Program; the time extension and increase in cost will be
 contingent upon the availability of funds in Fiscal Year 1985 in Account No.
 2420-0200.
 The Commission V O T E D: Approved as requested by Mr. Brutsch in his report of
 May 16, 1984.
- 4 Report of Mr. Brutsch, May 16, requesting approval of an 8-months extension of time
 from June 30, 1984, at a rate of \$16.00 per hour and expenses not to exceed
 \$450.00, at a total cost of \$22,050.00, on Contract-Agreement, dated February 9,
 1984, with Barbara Lahage, for Management and Administration of the Demand Manage-
 ment Program; the time extension and increase in cost will be contingent upon the
 availability of funds in FY 85 in Account No. 2420-0200.
 The Commission V O T E D: Approved as requested by Mr. Brutsch in his report of
 May 16, 1984.

Action was taken upon the following Various Matters:

- 5 Report of Mr. Riordan, May 4, requesting a Waiver for Richard D. Lennon to continue
 to Provide Swimming Instructions for MDC Police beyond June 30, 1984, the date
 specified in Contract-Agreement, dated February 23, 1984.
 The Commission V O T E D: Approved in accordance with MDC Contractual Procedures.
 Associate Commissioner Scandrett did not participate in the discussion on this
 item and desired to be recorded as being present but not voting.
- 6 Report of Mr. Riordan, May 4, requesting a Waiver for Brian F. Gilligan, Esq., to
 continue to Provide Legal Services on Labor Relations and Civil Service Matters
 beyond June 30, 1984, the date specified in Contract-Agreement, dated November 10,
 1983.
 The Commission V O T E D: Approved in accordance with MDC Contractual Procedures.
- 7 Report of Mr. Riordan, May 4, requesting blanket authorization to cover Veterinary
 Services for horses stabled in the Blue Hills and Stoneham and also dogs which are
 kenneled in Stoneham, for the 1985 Fiscal Year; estimated cost - \$10,000.00.
 The Commission V O T E D: Approved as requested by Mr. Riordan in his report of
 May 4, 1984.

The following matter was placed on the agenda for the information of the Commis-
 sion:

- 8 The following schedules were approved for payment by the Commissioner during the



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period from May 7, 1984 to May 11, 1984:

Invoices	\$	394, 627.07
Reservation of Funds	\$	3,323,748.38
Advices of Change	\$	882,939.01
Weekly Payroll	\$	905,748.05
Request for Advances	\$	121,323.00

ADJOURNED at 2:30 P.M., to meet on Thursday, May 31, 1984, at 10:30 A.M.

William F. Chisholm
S e c r e t a r y

Prior to calling the Commission meeting, of May 31, 1984, to order, Commissioner Geary conducted a briefing in open session and with members of the public in attendance, concerning the status of the Prowse Farm property.

The briefing was followed by a full discussion of the matter with all members of the Commission participating.

381st
May 31, 1984

Record of the Three Thousand Two Hundred and Eighty-First (3281st) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, May 31, 1984, at 10:30 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The records of the meeting held on May 17, 1984, were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

- 1 Contract-Agreement, dated May 31, 1984, with John F. Neville, Jr., for Golf Professional Services at Ponkapoag Golf Course, Blue Hills Reservation, Canton, Massachusetts, and to operate a golf shop at the same location, for the 1984 Season.
- 2 Contract-Agreement, dated May 31, 1984, with Michael F. Wortis, for Golf Professional Services at Leo J. Martin Memorial Golf Course, Charles River Reservation, Weston, Massachusetts, and to operate a golf shop and refreshment concession at the same location, for the 1984 Season.
- 3 Contract-Agreement, dated May 31, 1984, with General Environmental Services, Inc., for Pest Control Services at Franklin Park Zoo, Dorchester, and Walter D. Stone Memorial Zoo, Stoneham, for the period July 1, 1984 through June 30, 1985.
- 4 Matter of ratifying and approving action of the Commissioner and two Associate Commissioners in executing Contract No. P84-1311-C1A, dated May 24, 1984, with Labadini Tree & Landscape Co., Inc., for Sodding and Shrubs, Tenean Beach, Dorchester, Massachusetts.

The Commission V O T E D: Ratified and approved.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

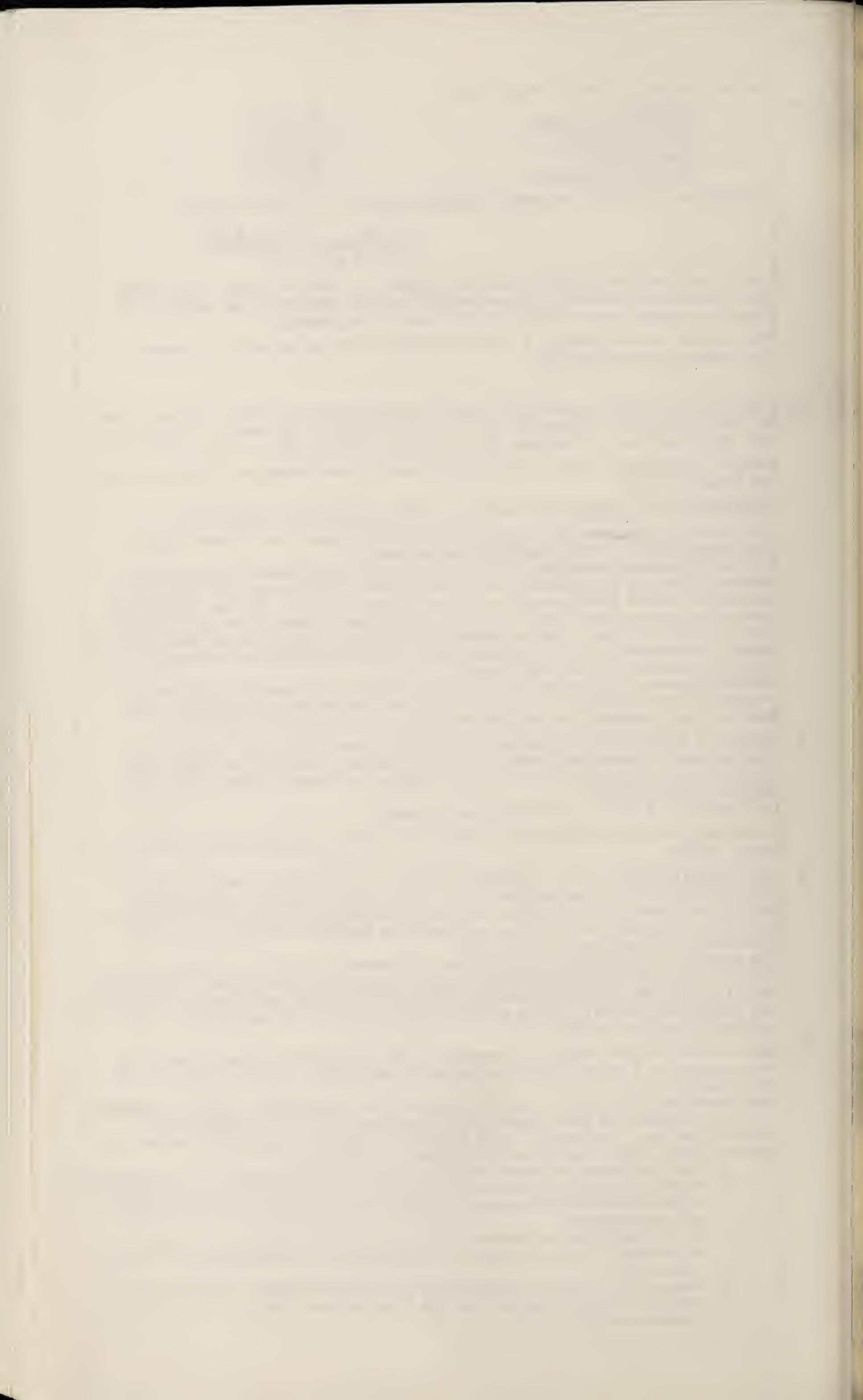
- 5 The Commission V O T E D: to commend Mr. Guy Foss, Principal Sanitary Engineer-MDC Water Division, in recognition of his receiving the Operator's Meritorious Service Award from the New England Chapter of the American Water Works Association and for his fine work in directing and operating the Water Treatment Facilities of the Metropolitan District Commission.

The members of the Commission noted that this Award is not only a tribute to Mr. Foss, but also reflects most favorably upon the Metropolitan District Commission. At this point, Mr. Foss expressed his appreciation for the assistance of his staff and stated that he felt that he would not have received the Award without their cooperation and assistance.

- 6 Report of Mr. Gillis, May 17, on request of the Lynn Water and Sewer Commission for approval of a third metered connection to be located on Western Avenue, Lynn Massachusetts.

The Commission V O T E D: to approve the proposed metered water supply connection to the Lynn Water and Sewer Commission system from Section 27, Northern High Service Pipe Line, 16-inch C.I. main Metropolitan Water System, to be located on Western Avenue, Lynn, subject to the following conditions:

1. The Lynn Water and Sewer Commission shall bear all costs for this connection,
2. Metered connection, including pipe, valves, meter, chambers, instrumentation, and other appurtenances, shall conform to Water Division standards and requirements.
3. At the completion of construction and successful testing, the ownership of the meter connection shall be turned over to the Metropolitan District Commission.
4. Terms of the Agreement between the Lynn Water and Sewer Commission and the MDC shall remain in effect and the third metered connection will not alter consumption limitation.



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Report of Mr. Gillis, May 17, on request of the Town of Saugus for approval of a metered connection at the intersection of Lincoln Avenue and Chestnut Street, Saugus, Massachusetts.

The Commission V O T E D: to approve the proposed metered water supply connection to the Town of Saugus system from Section 90, Northern High Service Pipe Line, 48-inch D.I.P. Metropolitan Water System, to be located at the intersection of Lincoln Avenue and Chestnut Street, Saugus, subject to the following conditions:

1. The Town of Saugus shall bear all costs for this connection.
2. Metered connection, including pipe, valves, meter, chambers, and instrumentation, shall conform to Water Division standards and requirements.
3. At the completion of construction and successful testing, the ownership of the metered connection shall be turned over to the Metropolitan District Commission.

- 2 Report of Mr. Martorana, May 23, recommending that the Commission rescind its vote of April 5, 1984, awarding Contract No. W81-1001-C1A - Oil Separator/Drainage System, Spot Pond Pumping Station, Stoneham, Massachusetts, to C. J. Marbady, Inc., due to the failure of said Company to comply with the Special Provisions for Participation by Minority/Women Contractors; also recommending that all bids be rejected and the project re-advertised.

The Commission V O T E D: to rescind its vote of April 5, 1984, Volume 47, Page 166, Item 4, on this matter.

The Commission further V O T E D: to reject all bids and authority given to re-advertise.

- 3 Report of Mr. Martorana, May 11, recommending approval of partial release of retainage, in the amount of \$23,440.94, leaving \$5,860.24 (2%) in reserve, on Contract-Agreement No. W80-0800-S1A, with Parsons, Brinckerhoff, Quade & Douglas, Inc., for Sudbury Reservoir Treatment Plant EIR.

The Commission V O T E D: to approve partial release of retainage, in the amount of \$23,440.94.

- 4 Report of Mr. Martorana, May 24, submitting Revised Work Schedule Form and Project Management Exception Report for Contract No. W80-0884-D1A, with Keyes Associates, for Distribution System Improvements, Stoneham, Woburn, and Wakefield; also relative to an Amendment to Contract No. W80-0884-D1A to allow for additional work outside the Scope of Services to provide a connection to Winchester and extend the Time for Performance to April 30, 1985.

The Commission reviewed the Revised Work Schedule Form and Project Management Exception Report for the project.

Associate Commissioner Jones questioned the difference between the requested target revision and the present target figure and noted that they did not reflect the cost of the amendment.

Mr. Brutsch explained that the present target figure, which is listed on the Work Schedule Form, was an interim approval for the amendment based upon an initial estimate. He also stated that the requested target revision included the actual cost for the amendment for work which was expanded from the original estimate.

The Commission V O T E D: to approve the Revised Work Schedule.

The Commission further V O T E D: to approve an Amendment to Contract No. W80-0884-D1A, as outlined by Mr. Martorana in his report of May 24, 1984.

- 5 Report of Mr. Martorana, May 30, recommending approval of Extra Work Order No. 1, with an upset limit of \$18,000.00, for additional borings and analysis, on Contract No. W80-0763-C2A, with J. Biotti & Sons, for Furnishing and Laying Water Pipes in Lynn, Massachusetts.

Mr. Brutsch explained that the Extra Work Order was necessary so that the contaminated soil, which was discovered while excavating, could be analyzed. He noted that under the Extra Work Order, the money indicated for borings does not include the cost of insertion of the PVC lines for water samples. Mr. Brutsch went on to say that a \$5,000.00 contingency is included in the estimate for any additional work which the Department of Environmental Quality Engineering may require.

The Commission V O T E D: to approve Extra Work Order No. 1, with an upset limit of \$18,000.00, subject to submittal of adequate documentation by the contractor to support actual costs incurred for the testing.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

Report of Mr. Wright, May 17, submitting for approval and signature Contract-Agreement No. S82-1016-D1A, with Alonzo B. Reed, Inc., for Electrical Equipment Upgrade, Deer Island Sewage Treatment Plant; Total Contract Upset Limit - \$184,484.00.

The Commission V O T E D: Approved.

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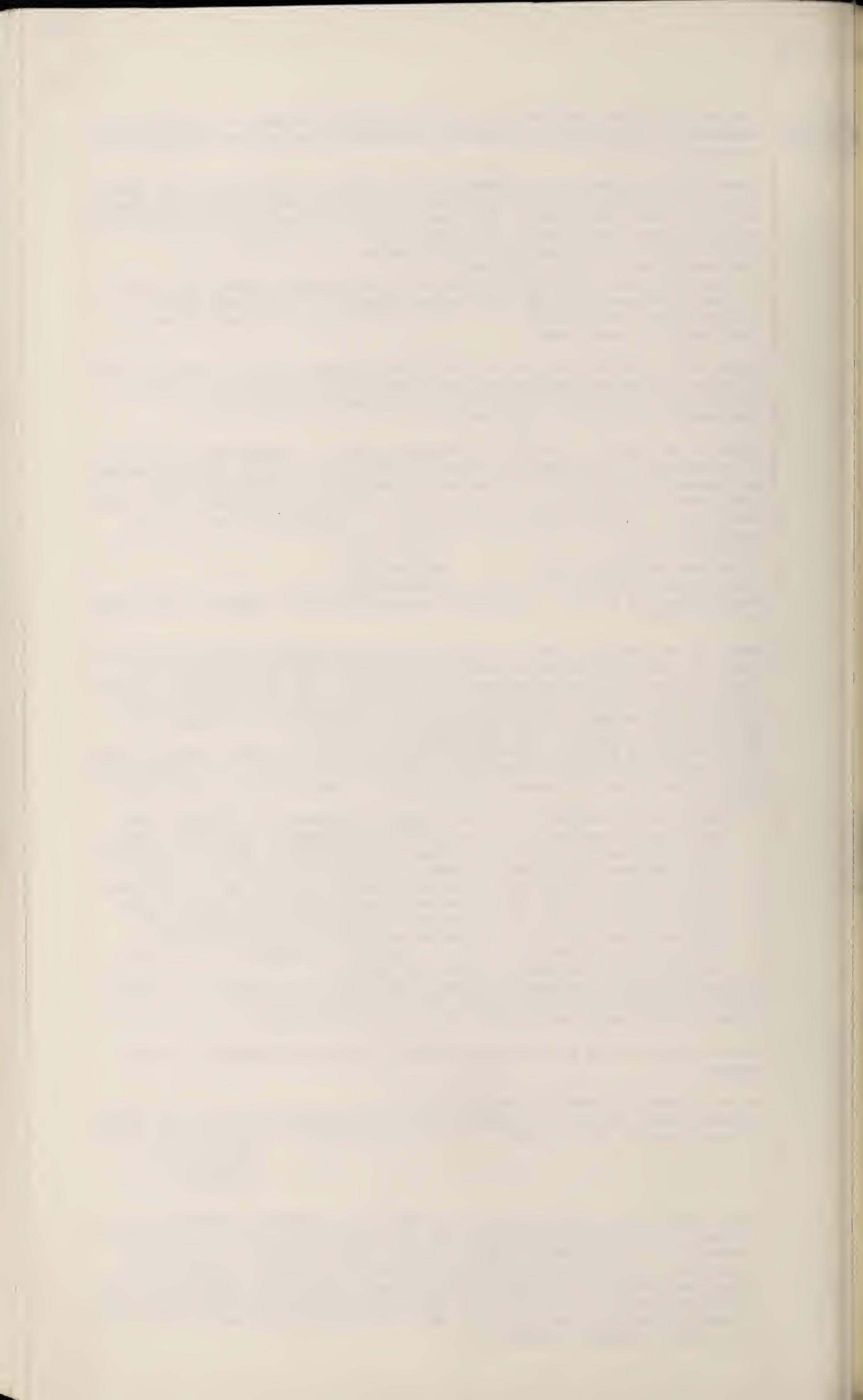
The Secretary then submitted for signature Contract-Agreement No. S82-1016-D1A, dated May 31, 1984, which was signed by the Commissioner and four Associate Commissioners.

- 1 Report of Mr. Wright, May 17, submitting for approval and signature First Amendment to Contract-Agreement No. S83-1006, with Gannett Fleming Corddry and Carpenter, Inc., for Slade Siphon at Mill Creek, Revere and Chelsea, which provides for additional testing of pipes at the Slade Siphon, at an additional cost of \$3,600.00, and revised the Time for Performance.
 The Commission V O T E D: Approved.
 The Secretary then submitted for signature First Amendment, dated May 31, 1984, to Contract-Agreement No. W83-1006, dated September 22, 1983, with Gannett Fleming Corddry and Carpenter, Inc., which was signed by the Commissioner and four Associate Commissioners.
 - 2 Report of Mr. Baratta, May 16, submitting Work Schedule Form for Project No. S84-0930-T3A - Analytical Requirements for the MDC Sewerage Division's Industrial Waste Program, estimated cost - \$50,000.00, Account No. 2431-1011-03.
 The Commission V O T E D: Approved.
 - 3 Report of Ms. Haggerty, May 25, recommending that S & S Contractors be approved as subcontractor for concrete, painting, sandblasting, welding, and erection work on Contract No. S82-1008-C1A, with Gaffny Plumbing and Heating Corporation, for Improvements to Digesters Nos. 3 and 4, Nut Island Sewage Treatment Plant, Quincy, and that the following companies be approved as subcontractors to S & S Contractors:

Synnot Painting	-	Painting Work
Townsend Welding Co., Inc.	-	Welding Work
Alpha Steel Erectors	-	Erection Work.

 The Commission V O T E D: Approved as recommended by Ms. Haggerty in her report of May 25, 1984.
 - 4 Report of Ms. Haggerty, May 19, requesting that the Commission amend its vote of April 26, 1984, relative to an Amendment to Contract-Agreement, with Perkins Jordan, Inc., for Chlorination System Modifications, Nut Island Sewage Treatment Plant, to reflect that the total contract cost increased from "\$182,870.00 to \$206,890.00," instead of from "\$182,870.00 to \$206,980.00," also report of Mr. Wright, May 29, submitting the Amendment for execution.
 The Commission V O T E D: to amend its records of April 26, 1984, Volume 47, Page 176, Item 1, by striking out the amount "\$206,980.00" in the 7th line and inserting in place thereof the amount "\$206,890.00," so that the records will read as follows:
 "Report of Ms. Haggerty, April 20, submitting Updated Work Schedule Form and Project Management Exception Report for Contract No. S81-0947 - Chlorination System Modifications - Nut Island Sewage Treatment Plant; also relative to an Amendment to Contract-Agreement, with Perkins Jordan, Inc., for increased level of effort due to increased design tasks and an increased public participation level due to the unexpected controversial nature of the project; total contract cost increased from \$182,870.00 to \$206,890.00.
 The Commission V O T E D: to approve the Updated Work Schedule Form.
 The Commission further V O T E D: to approve an Amendment, as outlined by Ms. Haggerty in her report of April 20, 1984."
 The Secretary then submitted for signature Amendment No. 2, dated May 31, 1984, to Contract-Agreement, dated June 10, 1982, with Perkins Jordan, Inc., which was signed by the Commissioner and four Associate Commissioners.
- Action was taken upon the following matters relating to the Metropolitan Parks System:
- 5 Matter of the Hatch Memorial Shell Concession.
 The Commission V O T E D: to award the following Concession for the 1984 Season:

Hatch Memorial Shell, Boston	-	Gerald Aiello	-	\$3,000.00 for Season
				or 10% of gross
				receipts, whichever
				is greater.
 - 6 Report of Mr. Lydon, May 24, on bids for Servicing of Heating, Ventilating, and Air Conditioning (HVAC) at Franklin Park Zoo including Tropical Forest Pavilion, Dorchester, and Stone Memorial Zoo, Stoneham (FY85), Contract No. P83-1260-M1A. The Commission reviewed the references provided by Aarco, Inc. and Mr. Lydon stated that Aarco has done work for the Commission in the past. Mr. Lydon noted that Aarco presently has an MDC contract for Servicing of Refrigeration Systems at Skating Rinks. He went on to say that the MDC Project Engineer on these contracts had no problems with Aarco.



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The Commission then reviewed the Contractor's Past Performance in relation to EEO Compliance.

Associate Commissioner Jones asked that Mr. Julian Turner, EEO Compliance Officer, notify Aarco of the MDC's EEO/AA requirements.

Associate Commissioner Scandrett asked if the contract has a mechanism by which it can be determined what work minorities perform.

Mr. Lydon stated that in the Weekly Report submitted to the MDC, the contractor must list every trade category he has working and what percentage of hours are worked by minorities.

The Commission V O T E D: to accept the lowest bid, that of Aarco, Inc., of \$42,240.00.

- 1 Report of Mr. Lydon, May 22, requesting approval of increasing the estimated quantity on Item No. 65 - "Granite Block Bench (Curved)," at an additional cost of \$4,000.00, on Contract No. P79-0721-C2A, with D. Cicconi, Inc., for Site Improvements, Construction of Recreational Facilities at Chelsea Naval Hospital Park in the City of Chelsea, Massachusetts.
 Commissioner Geary and Mr. Lydon spoke of a recent visit to the site at which time it was decided that additional bench would be the best way of preventing automobile access onto the pier. Commissioner Geary stated that this bench would prevent stolen automobiles from being driven off the pier.
 The Commission V O T E D: Approved as requested by Mr. Lydon in his report of May 22, 1984.

- 2 Report of Mr. Lydon, May 21, recommending approval of Extra Work Order No. 1, in the amount of \$11,000.00, for installing a new 8-inch sewer line, on Contract No. P79-0546-C1A, with Modern Continental Construction Co., Inc., for Reconstructing the Columbia Road and Mt. Vernon Street Bridges, South Boston, Massachusetts.
 Commissioner Geary stated that the Commission asked the contractor to replace the ruptured sewer line which services the Central Services Office.
 Mr. Lydon noted that a prior quote for the project was \$40,000.00 and that this Extra Work Order will cost \$11,000.00 to do the same work.
 The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$11,000.00.

- 3 Report of Mr. Lydon, May 18, recommending approval of Extra Work Order No. 4, in the amount of \$2,550.00, for adding extensions to four ladders which presently extend from the top of the pier to below mean low water, on Contract No. P80-0793-C1A, with J. M. Cashman, Inc., for Maritime Work, Hull, Pemberton Pier.
 The Commission V O T E D: to approve Extra Work Order No. 4, in the amount of \$2,550.00.

- 4 Report of Mr. Lydon, May 10, recommending approval of Alteration No. 1, in the amount of \$8,749.56 to be credited to the MDC, on Contract No. P81-0929-C1A, with Major Construction Management Corp., for Replacement of Refrigeration Systems at Medford, Revere, and Somerville Rinks.
 The Commission V O T E D: to approve Alteration No. 1, in the amount of \$8,749.56 to be credited to the MDC.

- 5 Report of Mr. Lydon, May 16, recommending approval of increasing the estimated quantity on Item No. 1 - "Unclassified Excavation," at an additional cost of \$6,000.00, on Contract No. P83-1228-C1A, with William P. Capone Corporation, for Sidewalk Repairs - Various Locations Within the MDC Area.
 Mr. Lydon explained that the increase in the estimated quantity was caused primarily by additional settlement and cracking from the time the work was estimated until work was begun, requests for additional work, and winter damage.
 The Commission V O T E D: Approved as recommended by Mr. Lydon in his report of May 16, 1984.

- 6 Report of Mr. Rodrigues, May 23, submitting Boardsailing Sites and Regulations for the 1984 Season.
 Associate Commissioner Scandrett asked if there will be any agreements for conducting sailboard concessions or businesses on MDC property during 1984.
 Mr. Rodrigues responded in the negative. Mr. Rodrigues then stated that the MDC will operate under the same sailboarding rules which are used throughout the country.
 The Commission V O T E D: to approve the following Boardsailing Sites and Regulations for the 1984 Season:
1984 BOARDSAILING SITES
 City Point Beach
 Constitution Beach
 Charles River
 Lynn Beach
 Nantasket Beach, Surf Area
 Hingham, Stodders Neck

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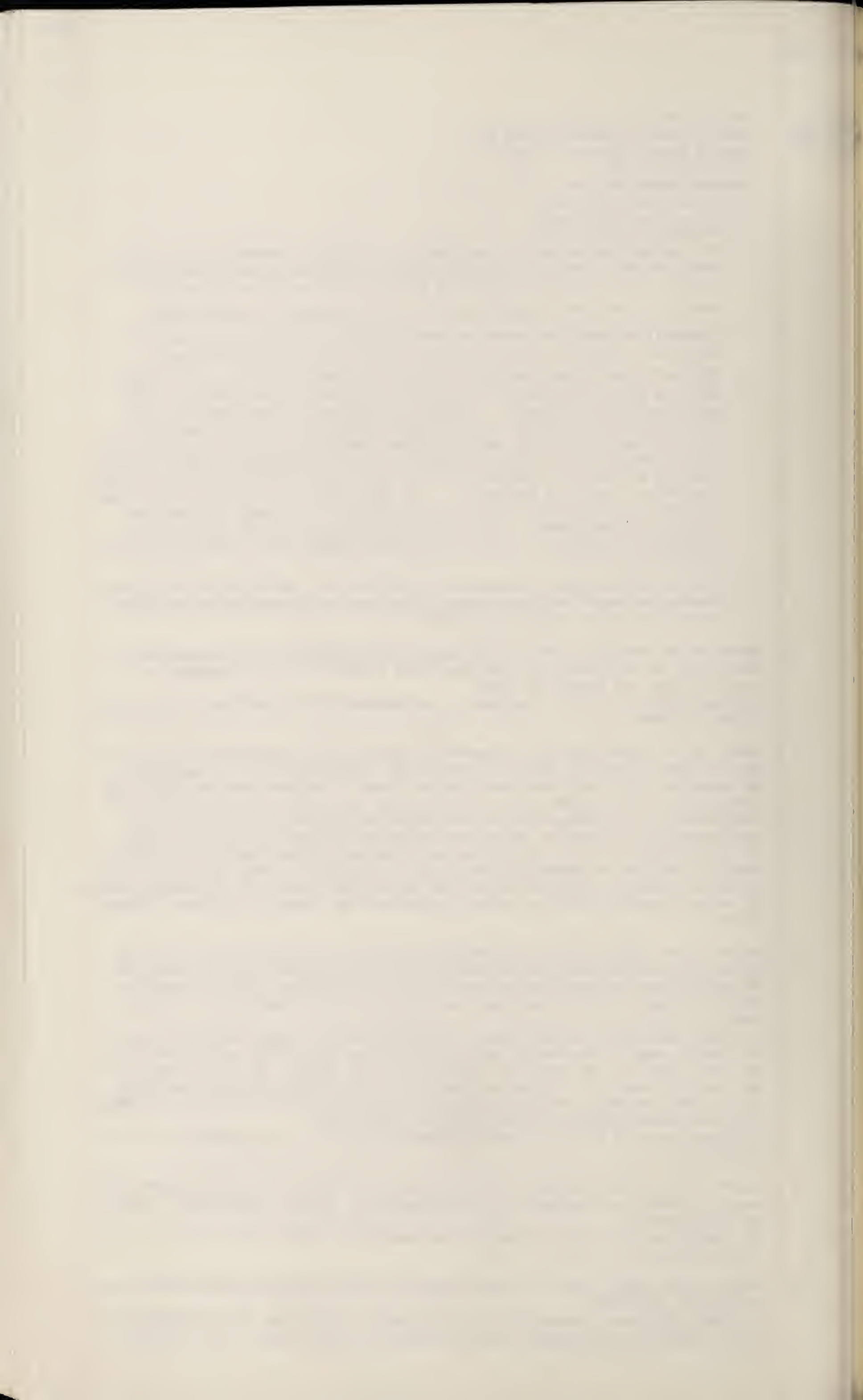
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- Malibu Beach, So. End
- Mystic River, Blessing of the Bay
- Revere Beach, Point of Pines
- Upper Mystic Lake
- Winthrop Beach, No. End
- Wollaston Beach, No. End.

LAUNCHING SITE MANAGEMENT

1. The cardinal principal for management of sailboard launching sites on MDC areas is that boardsailors assume their own risk in launching and sailing their craft as does any other boat and crew that sails on open waters.
2. Wearing of personal flotation devices to be optional for boardsailors.
3. Boardsailors should maintain at least 25 yards distance from swimmers in the water; Swimming takes precedence at all times over boardsailors.
4. MDC shall place signs designating each sailboard launching area to assure adequate separation from and observance by swimmers, particularly on its more heavily used beaches. A 50-yard launching corridor whould be sufficient during peak beach usage periods. However, more space would be desirable where practical during off-peak periods or at any launching site that is never heavily used by swimmers. In the designated launching areas, swimmers are to be instructed to stay clear of any sailboards that are being launched or landed on the beach. This instruction is to place on the signs designating the launching corridors to reduce or eliminate the need for lifeguard surveillance. This precaution does not lift the boardsailors' obligation to maintain a safe distance from swimmers who venture into the launching corridor.
5. Both the Massachusetts Boardsailing Coalition and the Metropolitan District Commission should publicize these guidelines in the New England Sailboard Journal and other educational media.

- 1 Report of Mr. Rodrigues, May 15, on request of Dave McGillivray, Race Director, for permission to conduct the 1984 Bay State Triathlons on MDC Roadways on June 24, 1984, and August 12, 1984.
The Commission V O T E D: Approved as recommended by Mr. Rodrigues in his report of May 15, 1984.
- 2 Report of Mr. Lydon, May 18, recommending approval of an extension of time from May 21, 1984 to June 15, 1984, on Contract No. P84-1295-C1A, with Landscaping by Schumacher, for Furnishing and Planting Trees in Various Locations Within the Metropolitan Parks System, due to the fact that the contract was not awarded in time because of a problem with the low bidder who had to be rejected and the awarding of the contract to the second low bidder, Landscaping by Schumacher.
The Commission V O T E D: to approve an extension of time from May 21, 1984 to June 15, 1984, as recommended by Mr. Lydon in his report of May 18, 1984, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
- 3 Report of Mr. Lydon, May 23, recommending approval of Alteration No. 3 to Item No. 63 - "Final Clean Up," at an additional cost of \$28,667.02, on Contract No. P78-0638-C1A, with Bonacorso Construction Corp., for Bridge Repairs, Monsignor McGrath Highway, McCarthy Overpass, and Squire's Bridge, Somerville, Massachusetts.
Mr. Lydon explained that the cement caps, which usually cover "Jersey Barriers," will not be used in the median strip in this area. He stated that in place of the caps, loam will be used with plantings of Rosa Ragosa. Mr. Lydon went on to say that this work will be part of the MDC's beautification program now taking place on MDC property. He also stated that the Commission will save approximately \$4,000.00 on the contract by not using the cement caps.
The Commission V O T E D: to approve Alteration No. 3, at an additional cost of \$28,667.02.
- 4 Report of Mr. Lydon, May 29, on bids for Servicing Truck Warning Sign Signal Systems on Parkways and Roadways of the Metropolitan District Commission, Contract No. P83-1214-M1A.
The Commission V O T E D: to accept the lowest bid, that of Demco Sign Co., Inc., of \$25,130.00.
- 5 Report of Mr. Lydon, April 17, submitting the Parks Engineering and Construction Program for 1984-1985.
Mr. Robert Valinote, Supervising Civil Engineer, reported on the following programs, including new projects, and explained the reasons that certain projects



deviated from the approved Work Schedule.

Reservations

- P81-0935-D1A - Repairs & Improvements to Clubhouse, Ponkapoag Golf Course, Canton. (Unfunded).
- P82-1032-D1A - Septic Systems Improvements - MDC Reservations. (Unfunded).
- P82-1061-C1A - Foster Court Landscaping. (Unfunded).
- P82-1114-D1A - Mystic Lake Reservation Rehabilitation. (Behind Schedule).
- P82-1115-D1A - Trail Restoration - Reservations. (Unfunded).
- P82-1117-D1A - Middlesex Fells Reservation Restoration. (Behind Schedule).

Specialized Facilities

- P77-0632-D1C - Franklin Park Zoo Development - Phase II. (Transfer to DCPO).
- P82-1070-S1A - Hatch Shell Improvement. (Behind Schedule).
- P83-1254-M1A - Operation and Maintenance of Sound Lighting Systems at E. A. Hatch Memorial Shell, Back Bay, Boston. (Behind Schedule).
- P83-1269-C1A - Reconstruction of Center Stage Speaker Elevator - Hatch Shell. (Behind Schedule).
- P84-1305-C2A - Restoration of Fort Independence - Phase II. (Scope of Work increased).

New Project

- P84-1297-C1A - Upgrading Electrical Distribution System - Stone Zoo.

Sports Facilities

- P78-0668-C1A - Rehabilitation of Connell Field, Stony Brook Reservation. (Behind Schedule).
- P80-0833-D1B - Reconstruction of Clarence W. Dealtry Memorial Pool, Pleasant Street, Watertown. (Behind Schedule).
- P82-1037-C2A - Rehabilitation of Kasabuski Brothers Ice Skating Rink, Saugus. (Behind Schedule).
- P82-1038-D1A - Team Rooms - Cronin Rink, Revere. (Transfer to DCPO).
- P82-1141-M1A - Electronic & Sound System Maintenance & Repair Work at Various Sports Facilities & Recreational Areas, Metropolitan Parks System (FY 83/84). (Behind Schedule - Litigation).
- P82-1163-M1A - Servicing Refrigeration Systems, Ice Skating Rinks (FY 84). (Behind Schedule).
- P82-1167-M1A - Repairs to Skating Rinks & Service Buildings Within the Metropolitan Parks System (FY84). (Behind Schedule).
- P82-1168-M1A - Repairs to Swimming Pools & Service Buildings Within the Metropolitan Parks System (FY 84). (Behind Schedule).
- P82-1171-C1A - Installation of Two New Filtration Systems at Dilboy and Waltham Pools. (Unfunded).
- P83-1210-M1A - Electronic & Sound System Maintenance & Repair Work at Various Facilities & Recreational Areas of Metropolitan Parks System (FY 85). (Behind Schedule - Change Order for Scope of Work).
- P83-1212-M1A - Maintenance of Electrical Equipment at Sports Facilities & Recreational Areas of the MDC (GY 85). (Behind Schedule - Change Order for additional funding).
- P83-1251 - Re-Roofing Connell Pool & Rink, Weymouth. (Behind Schedule).

New Project

- P84-1280-M1A - Servicing Refrigeration Systems at MDC Ice Skating Rinks (FY 86).

Buildings and Grounds

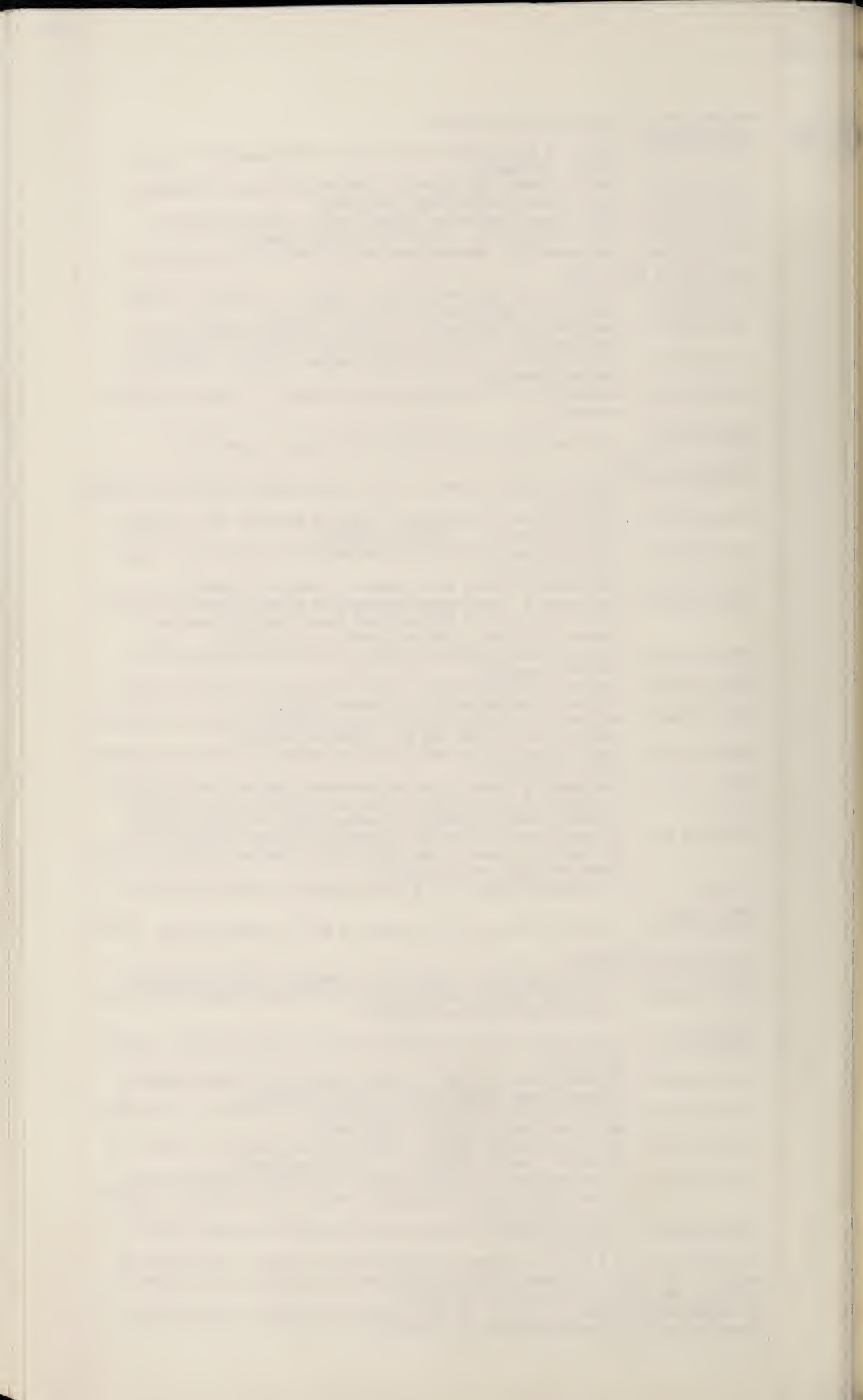
- P79-0707-C1A - Salt Storage Sheds, Cambridge & Stoneham. (Behind Schedule).
- P83-1248-M1A - Roof Replacement - Administration and Hospital Building - Franklin Park Zoo. (Behind Schedule).

Parkways

- P82-1047-C1A - Reconstruct & Upgrade Lynnway & General Edwards Bridge. (Behind Schedule).
- P83-1223-C1A - Reconstruction of Traffic Signal System, Old Colony Avenue & Columbia Road, South Boston. (Behind Schedule).
- P83-1224-C1A - Reconstruction of Traffic Signal System, Morton St. and Harvard Ave., Roslindale. (Lack of personnel).
- P83-1225-C1A - Reconstruction of Traffic Signal System, Pond St. at Stone Zoo, Stoneham. (Behind Schedule - Lack of personnel).
- P83-1226-C1A - Reconstruction of Traffic Signal System, Revere Beach Parkway at No. Shore Rd., and Winthrop Avenue, Revere. (Behind Schedule - Lack of personnel).
- P84-1290-C1A - Sidewalk Repairs - Various Locations Within the MDC (FY 85). (Unfunded).

The Commission V O T E D: to accept the Reservations Program, the Specialized Facilities Program, the Sports Facilities Program, the Buildings and Grounds Program, and the Parkways Program for 1984-1985.

The Commission further V O T E D: to hold over the remainder of the Parks Engineering and Construction Program for 1984-1985.



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Action was taken upon the following Various Matters:

Report of Superintendent Keough, May 24, submitting Work Schedule Form and Project Summary Form for Project No. L84-1001 - MDC Advanced Telecommunications System; estimated cost - Design-\$230,000.00, Construction-\$2,270,000.00.

Commissioner Geary spoke of the existing outmoded telecommunications system which was installed in the early 1950's, and stated that because of its age it offers substantial risk to our officers and citizens who rely on it as a lifeline during emergencies. Commissioner Geary noted that during the past several years, all major cities in the area have replaced their similar systems. He stated that money was appropriated several years ago for a new system, but it was never expended and the money reverted to the General Fund. He explained that money was appropriated in the last Capital Outlay Budget for designing and installing a new telecommunications system. He went on to say that the Federal Communications Commission has honored a Commission request for 20 channel networks under a new 800 megacycle system.

Deputy Superintendent John Picardi presented the Commission with an outline of what is being sought by the Police Division under the Advanced Technology Systems Project.

Associate Commissioner Jones asked if a Training and Maintenance Program for MDC Police will be included in the contract for the new system.

Sergeant James Powers responded that the Training and Maintenance Program will be included.

Associate Commissioner Jones then spoke of the special needs of the Police Division when the Commission takes over the Southwest Corridor.

The Commission V O T E D: Approved.

- 2 Letter of Town of Hull, Board of Selectmen, May 23, requesting a Waiver from the MDC Rules regarding the height of projections over sidewalks in connection with the Dream Machine Corporation's Building at Nantasket Beach.

Commissioner Geary explained that the Town of Hull is endeavoring to bring about a Victorian-era resort theme through restoration and improvement of building fronts throughout the beach area, which would be a major step in the Revitalization Program. He stated that the Town of Hull is seeking a Waiver of the Commission's Rules and Regulations Relating to Projections which calls for a 10-foot clearance. He went on to say that the Waiver would permit the clearance above the sidewalk to be reduced to 8 feet 6 inches at nine supports along the canopy of the Dream Machine Corporation's Building and the canopy would remain in compliance with the height restrictions. Commissioner Geary noted that the 10-foot clearance regulation was adopted when the Commission plowed the sidewalk at this location.

The Commission V O T E D: to waive the 10-foot clearance regulation in the Commission's "Rules and Regulations Relating to Projections In, On or Over Land or Waters Owned or Controlled by the Metropolitan District Commission" and permit the clearance above the sidewalk to be reduced to 8 feet 6 inches at nine supports along the canopy of the Dream Machine Corporation's Building.

- 3 Matter of approving and executing Agreement, between the Massachusetts Department of Public Works, the Metropolitan District Commission, and the Executive Office of Administration and Finance, which will allow the Massachusetts Department of Public Works to award the Burgin Parkway Contract with an immediate allotment of \$3,294,000.00 from Account No. 2449-7395 and prospective allotment of \$1,165,000.00 from new Capital Outlay Account.

The Commission V O T E D: Approved.

The Secretary then submitted the Agreement, dated May 31, 1984, which was signed by the Commissioner and four Associate Commissioners.

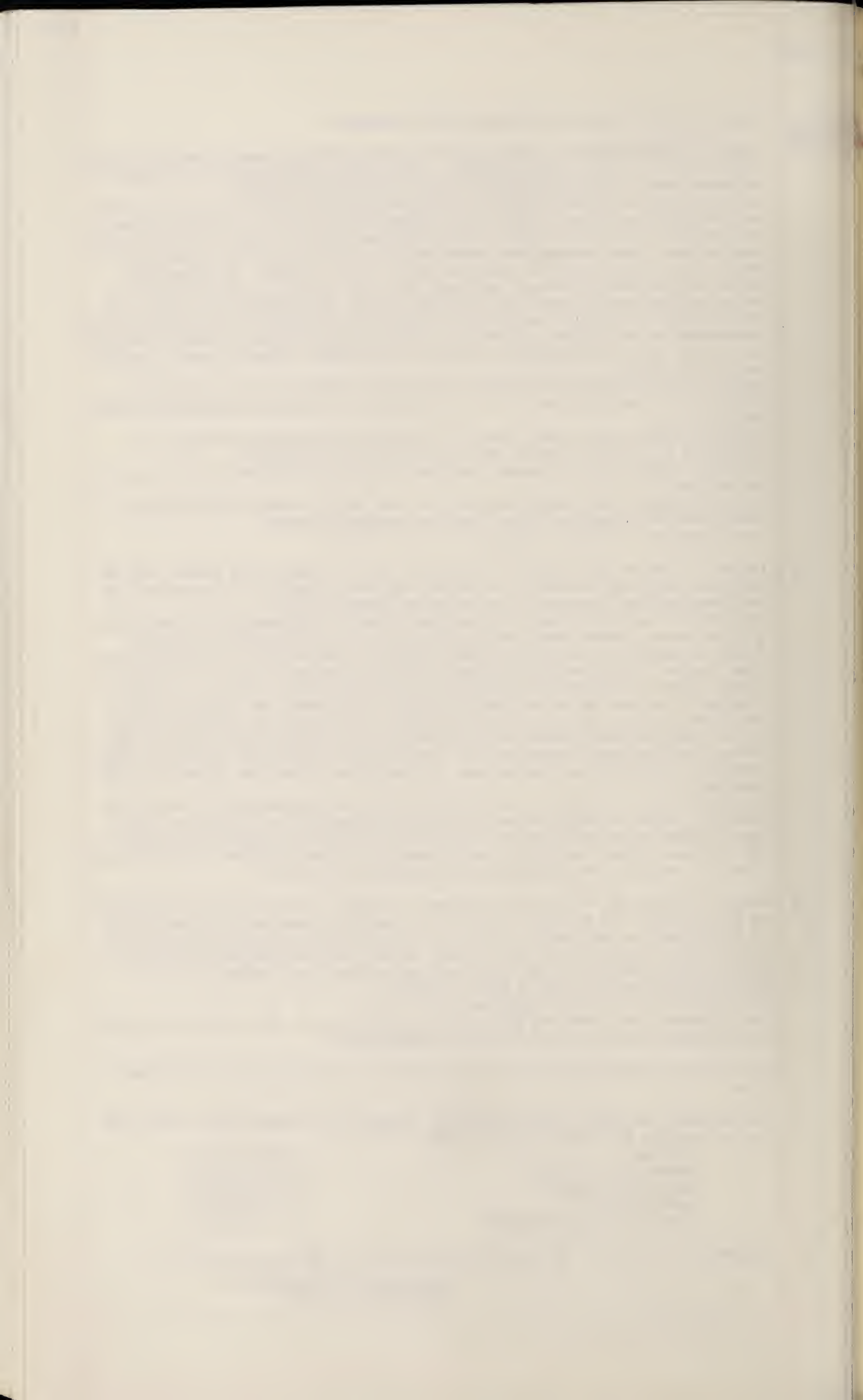
The following matter was placed on the agenda for the information of the Commission:

- 4 The following schedules were approved for payment by the Commissioner during the period from May 14, 1984 to May 21, 1984:

Invoices	\$1,011,791.20
Reservation of Funds	\$ 101,880.29
Advices of Change	\$ 160,255.00
Weekly Payroll	\$ 964,088.35
Industrial Accident Report	\$ 19,272.72.

ADJOURNED at 3:00 P.M., to meet on Thursday, June 7, 1984, at 10:00 A.M.

William F. Cusack
S e c r e t a r y .



322nd
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Record of the Three Thousand Two Hundred and Eighty-Second (3282nd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, June 7, 1984, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Fontanez, Jones, and Scandrett.

Commissioner Geary called the meeting to order at 10:00 A.M. He explained that due to space limitations in Room 206 of the Metropolitan District Commission Headquarters Building, 20 Somerset Street, Boston, Massachusetts, the meeting was being relocated to Room 416 of the John W. McCormack Building, One Ashburton Place, Boston, Massachusetts.

The Secretary was directed to place a notice at the entrance to the Hearing Room noting the aforementioned change of location and stating that the meeting will reconvene at 10:30 A.M.

The Commission then V O T E D: to approve the change of location of the Commission Meeting to Room 416 of the John W. McCormack Building, One Ashburton Place, Boston, Massachusetts.

The records of the meeting held on May 31, 1984 were held over.

The Secretary submitted for signature the following papers:

- 1 First Amendment to Contract-Agreement, dated February 9, 1984 with Barbara Lahage, for Management and Administration of the Demand Management Program, which increases the Compensation and extends the Time for Performance.
The Commission V O T E D: Held over.
- 2 First Amendment to Contract-Agreement, dated December 1, 1983, with Malaina Bowker, for Management and Administrative Assistance to the Demand Management Public Information Program, which increases the Compensation and extends the Time for Performance.
The Commission V O T E D: Held over.

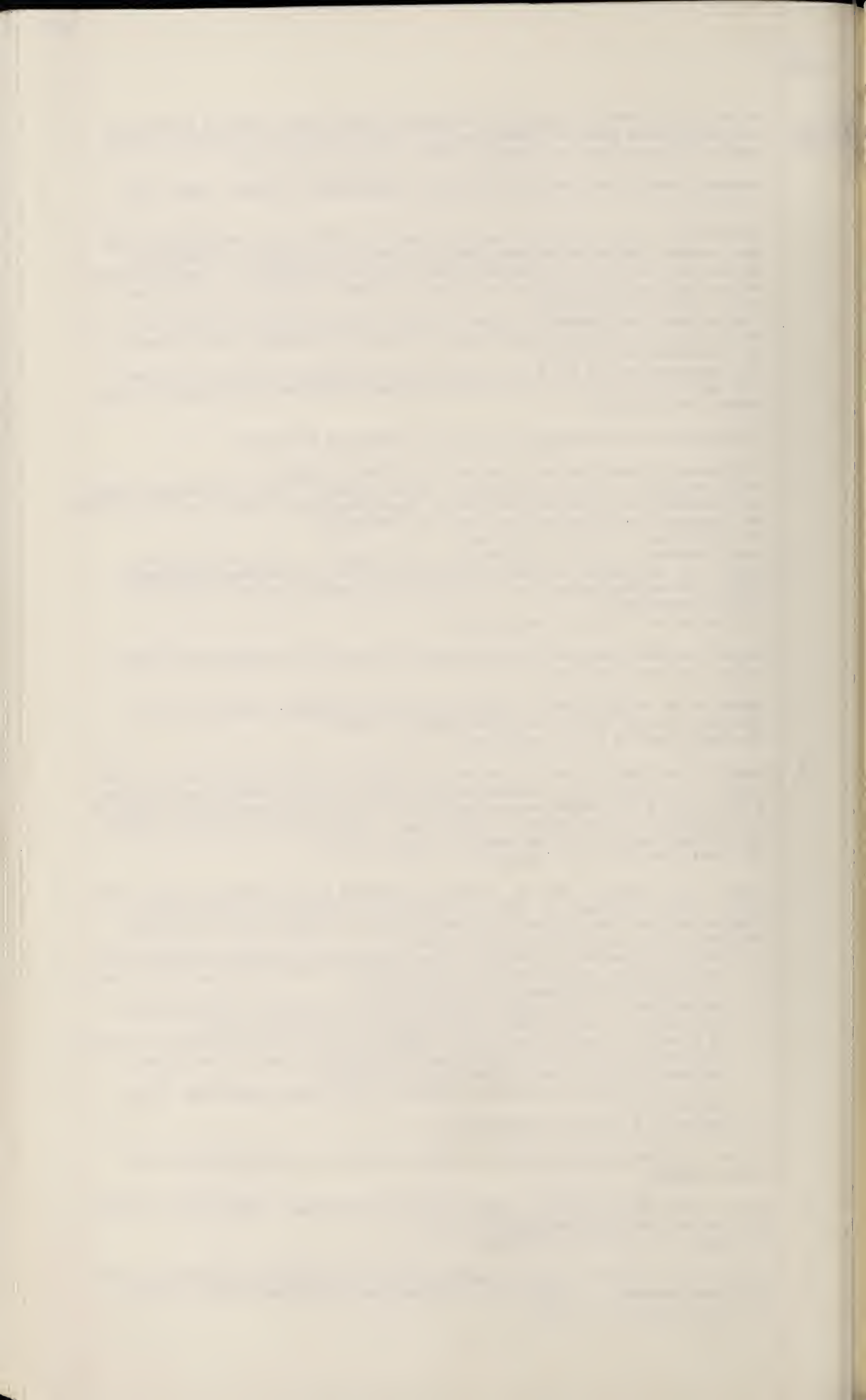
Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 3 Report of Mr. McCann, June 1, submitting Project Management Reports for the Sewerage Division for the month ending May 31, 1984.
The Commission V O T E D: Held over.
- 4 Report of Mr. Baratta, May 29, requesting approval of Change Order No. 1, in the amount of \$3,584.00, for increased bonding costs which were made necessary when 3 out of the 4 sub-bidders were rejected and substitutions were made, on Contract No. S80-0656-C2A, with Joseph P. McCabe, Inc., for Ventilation and Odor Control for Main Building, Nut Island Sewage Treatment Plant.
The Commission V O T E D: Held over.
- 5 Report of Ms. Haggerty, May 30, requesting approval of an extension of time from June 1, 1984 to February 4, 1985, on Contract No. S80-0854-C1A, with Chappy Corporation, for Construction of Alternate Source of Power, Nut Island Sewage Treatment Plant due to the following reasons:
 1. Delays in approval by the MDC of shop drawings and equipment submittals for the Contractor occurred when the responsibility of said approval was included in the Contract-Agreement with Wright Pierce.
 2. Addendum No. 2 also engages Wright-Pierce as the technical representative for the MDC in negotiations with Massachusetts Electric Company.
As a result of these negotiations, additional high voltage protective devices, required by the utility, has changed the delivery dates, as the design and manufacture of the equipment must be revised.
 3. Additional delays have occurred because of the changed conditions at the project site.

The Commission V O T E D: Held over.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 6 Report of Mr. McCann, June 1, submitting Project Management Reports for the Water Division for the month ending May 31, 1984.
The Commission V O T E D: Held over.
- 7 Report of Mr. Faucher, June 1, requesting approval to engage the services of nine Rain Gage Observers, at \$150.00 per Observer, for Fiscal Year 1985 at a total cost of \$1,350.00 as follows:



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Quabbin
 Arthur Coolidge
 Doris Cornwall
 Glenn Dickson
 Rita Oliver
 Helen Stone

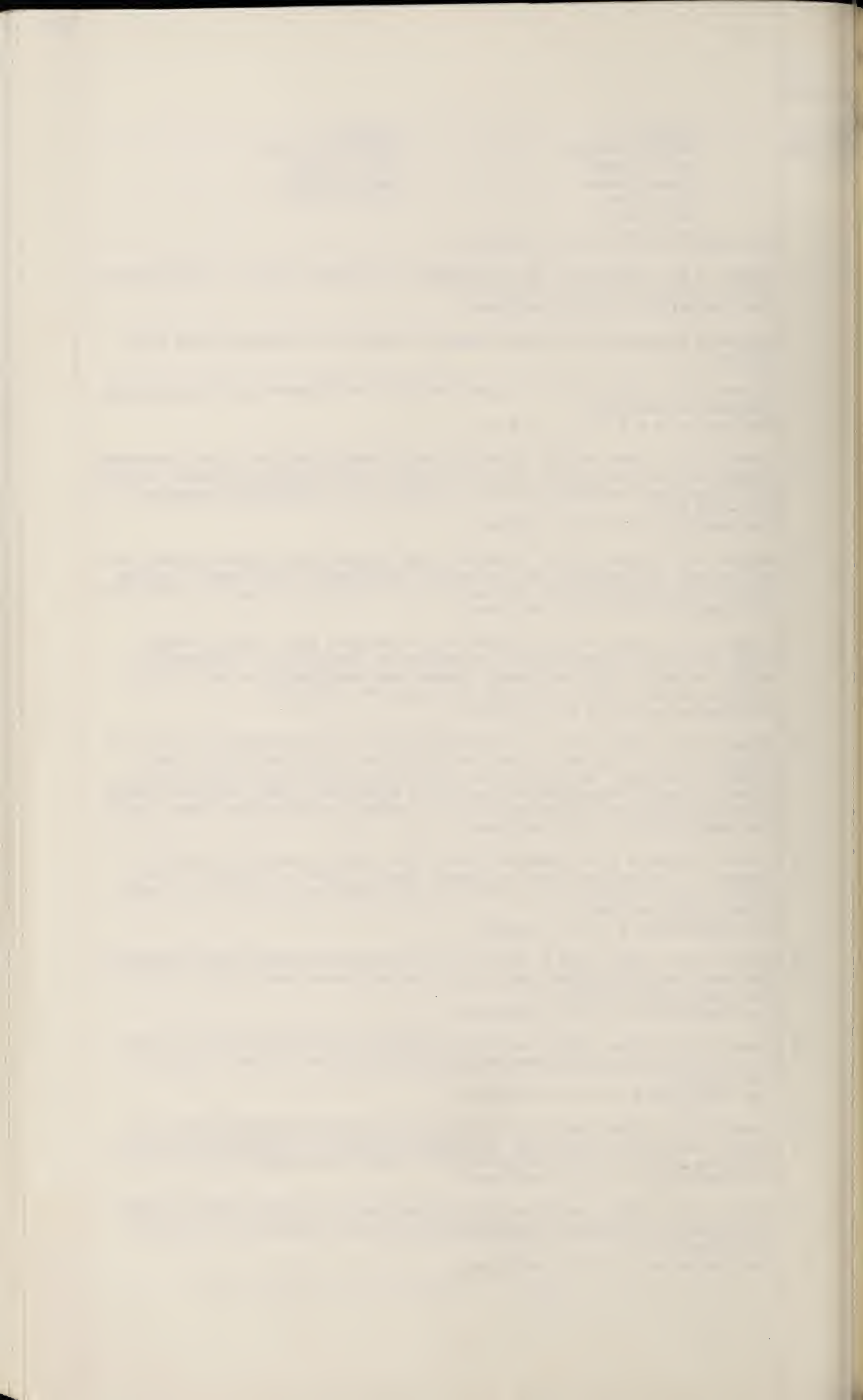
Wachusett
 Lucy R. Chiarelli
 George Dresser
 Dennis S. Moore
 Ronald Gifford

The Commission V O T E D: Held over.

- 1 Report of Mr. Faucher, May 30, on proposals for leasing 1 parcel of Agricultural Land on Wachusett Reservoir Watershed.
 The Commission V O T E D: Held over.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 2 Report of Mr. Lydon, April 17, submitting the Parks Engineering and Construction Program for 1984-1985.
 The Commission V O T E D: Held over.
- 3 Report of Mr. Lydon, May 31, submitting Work Schedule Form and Project Management Exception Report for Project No. P83-1218-M2A - Installation of Pavement Markings-MDC Parkways and Boulevards (FY85), estimated cost - \$180,000.00, Account No. 2444-9001-12.
 The Commission V O T E D: Approved.
- 4 Report of Mr. Lydon, May 25, submitting Work Schedule Form, Project Summary Form, and Project Justification, for Project No. P84-1289-C1A - Roof Repair, LoConte Rink, Medford, Massachusetts, estimated cost - \$57,500.00, Account No. 2440-8812.
 The Commission V O T E D: Held over.
- 5 Report of Mr. Lydon, May 31, submitting Work Schedule Form, Project Summary Form, and Project Justification, for Project No. P84-1315-C1A - Resurfacing of MDC Parkways - Winthrop Parkway, Revere, and Revere Beach Parkway, Medford, Everett, estimated cost - \$200,000.00, Account No. 2490-0009.
 The Commission V O T E D: Held over.
- 6 Report of Mr. Lydon, May 31, recommending approval of an extension of time from August 9, 1984 to October 9, 1984, on Contract No. P82-1184-C1A, with Coast Construction Corp., for Fish Passage Facilities at Finlay Dam, on the Charles River, Wellesley, Massachusetts, due to the higher than normal seasonal rainfall which has prevented the Charles River from receding to anticipated lower levels.
 The Commission V O T E D: Held over.
- 7 Letter of Charles River Watershed Association, June 1, requesting permission to conduct a "Charles River Swim" on Sunday, June 24, 1984, at 11:00A.M. in the Charles River adjacent to its office, in Auburndale, Massachusetts; also report of Mr. Rodrigues, June 6.
 The Commission V O T E D: Approved.
- 8 Report of Mr. Lydon, June 6, on bids for Electronic and Sound System Maintenance and Repair Work at Various Sports Facilities and Recreational Areas of the MDC, Contract No. P83-1210-M1A.
 The Commission V O T E D: Held over.
- 9 Report of Mr. Lydon, June 5, on bids for Electrical Maintenance Work at Sports Facilities and Recreation Areas of the Metropolitan Parks System, Contract No. P83-1212-M1A.
 The Commission V O T E D: Held over.
- 10 Report of Mr. Lydon, June 5, on bids for Annual Preventative Maintenance and Repair Contract for Prime Power Generators and Emergency Generators at Various Locations within the Metropolitan District Commission, Contract No. P83-1219-M1A
 The Commission V O T E D: Held over.
- 11 Report of Mr. Lydon, June 5, on bids for Maintenance of Street Lighting Systems on Parkways and Roadways of the Metropolitan District Commission, Contract No. P83-1220-M1A.
 The Commission V O T E D: Held over.



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 June 7, 1984
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Report of Mr. Powers, June 4, on petition of the New England Telephone Company for a Grant of Location for approximately 760 linear feet of conduits, wires, and cables in Alewife Brook Parkway, Rindge Avenue, and Rindge Avenue Extension in the City of Cambridge.

The Commission O R D E R E D that, on petition of New England Telephone and Telegraph Company dated May 2, 1984, for location shown on plan #83-166 of New England Telephone and Telegraph Company, dated November 5, 1983, for underground conduits with the necessary wires, cables, and related apparatus therein, in Alewife Brook Parkway, Rindge Avenue and Rindge Avenue Extension in Cambridge, Massachusetts, a distance of approximately 760 lineal feet, to be used for the transmission of intelligence by electricity, said location being under the care and control of this Commission, and found by order of the Department of Public Utilities to be required by public convenience and necessity, said plan and petition being on file in the office of this Commission, a public hearing on said petition having been given by this Commission on Wednesday, May 23, 1984, at 11:00 A.M., in room 206 of the Commission in Boston, of which hearing due notice was given to all persons interested of the time and place by publishing a copy of said petition and the order of notice issued thereon by this Commission in newspapers published in the City of Cambridge, being the city in which the location petitioned for would lie, the first publication having been made at least fourteen days prior to the date of said hearing, and it appearing, in the opinion of this Commission, that public convenience and necessity so require, said New England Telephone and Telegraph Company is hereby granted a location for said underground conduits, wire cables, and related apparatus therein, in said Alewife Brook Parkway, Rindge Avenue and Rindge Avenue Extension in Cambridge, Massachusetts, to the extent and upon the terms, conditions, and obligations hereinafter specified, the same being such as the public necessity and a due regard for the right of the Commonwealth require, namely:-

1. The New England Telephone and Telegraph Company shall conform to all provisions of law applicable to the exercise of the rights and performance of the work under this grant and to the rules and regulations of the Metropolitan District Commission.

2. The New England Telephone and Telegraph Company shall do the work of installing said underground conduits, wires, cables, and related apparatus therein, in the location hereby granted subject to the approval of the Director of Permits for the Commission, as to time, manner, and location, and in all respects.

3. The New England Telephone and Telegraph Company shall indemnify and save harmless the Commonwealth of Massachusetts and the Metropolitan District Commission from any damage it or they may sustain or be required to pay arising out of the exercise by said Company or any of its employees in connection with the work done hereunder.

4. The New England Telephone and Telegraph Company shall protect and maintain all trees, drainage, or water pipes, and all appurtenances or structures either above or below the surface of the ground over which this location lies, during and upon completion of the work shall restore the surface of the ground to a condition satisfactory to said Director of Permits, for the Commission.

5. The New England Telephone and Telegraph Company shall take all possible measures during construction to reduce the impact on the area.

6. The New England Telephone and Telegraph Company shall co-ordinate all construction with the MBTA project.

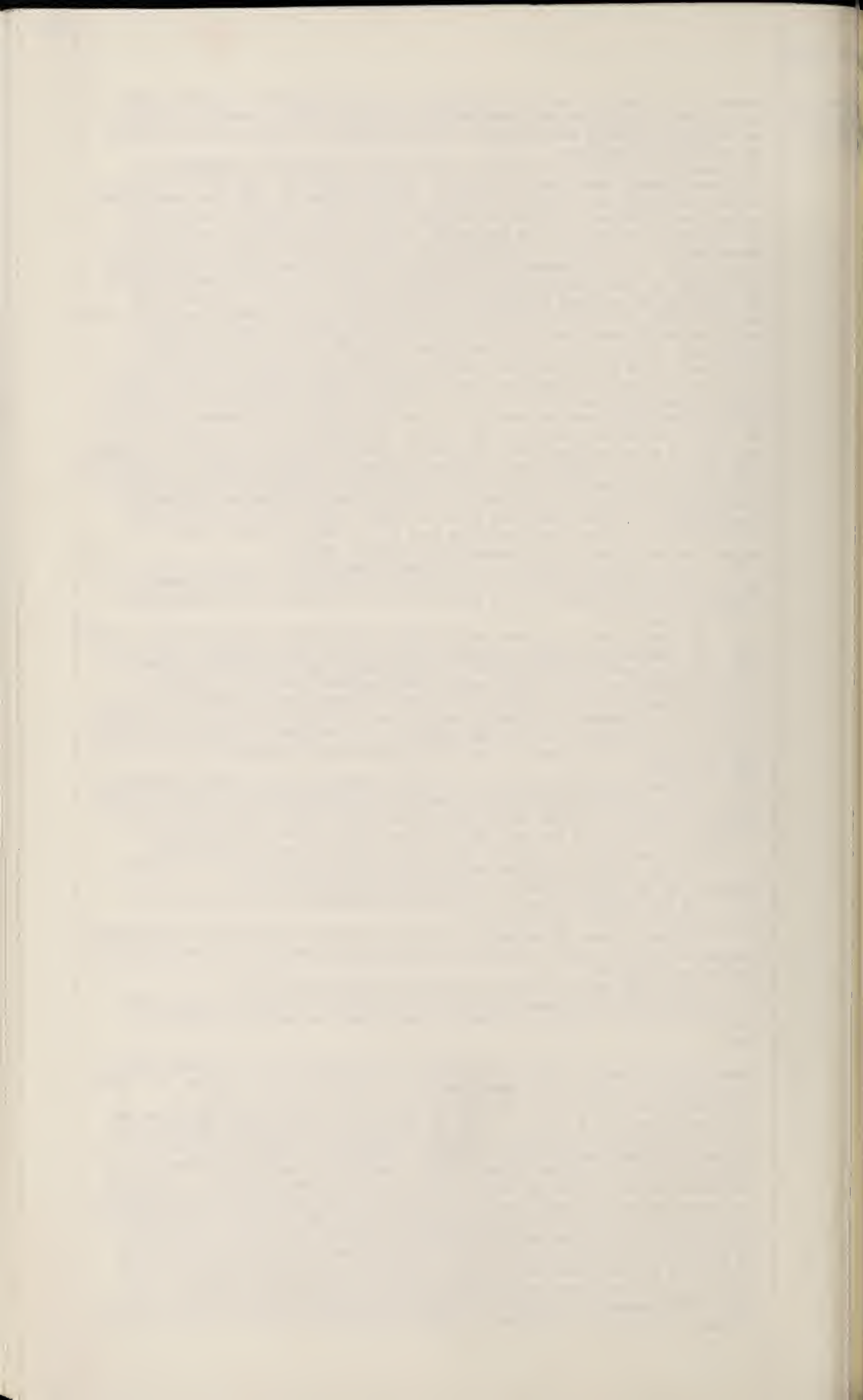
7. The New England Telephone and Telegraph Company shall provide and maintain adequate signing, proper barricades, warning devices and Metro Police protection during construction.

8. A one time fee of \$1140 be charged for this installation.

9. No work shall be done under this grant without first obtaining a permit therefor from said Director of Permits and subject to conditions imposed by him.

2 Report of Mr. Powers, June 4, on petition of the New England Telephone Company for a Grant of Location for approximately 30 feet of conduits, wires, and cables in Beaver Brook Reservation on Trapelo Road in the City of Waltham.

The Commission O R D E R E D that, on petition of New England Telephone and Telegraph Company dated May 2, 1984, for location shown on plan #83-91 of New England Telephone and Telegraph Company, dated May 26, 1983, for underground conduits with the necessary wires, cables, and related apparatus therein, in Beaver Brook Reservation on Trapelo Road in Waltham, Massachusetts, a distance of approximately 30 lineal feet, to be used for the transmission of intelligence by electricity, said location being under the care and control of this Commission, and found by order of the Department of Public Utilities to be required by public convenience and necessity, said plan and petition being on file in the office of this Commission, a public hearing on said petition having been given by this Commission on Wednesday, May 23, 1984, at 11:10 A.M., in room 206 of the Commission in Boston, of which hearing due notice was given to all persons interested of the time and place by publishing a copy of said petition



and the order of notice issued thereon by this Commission in newspapers published in the City of Waltham, being the city in which the location petitioned for would lie, the first publication having been made at least fourteen days prior to the date of said hearing, and it appearing, in the opinion of this Commission, that public convenience and necessity so require, said New England Telephone and Telegraph Company is hereby granted a location for said underground conduits, wire cables, and related apparatus therein, in said Beaver Brook Reservation on Trapelo Road in Waltham, Massachusetts, to the extent and upon the terms, conditions, and obligations hereinafter specified, the same being such as the public necessity and a due regard for the rights of the Commonwealth require, namely:-

1. The New England Telephone and Telegraph Company shall conform to all provisions of law applicable to the exercise of the rights and performance of the work under this grant and to the rules and regulations of the Metropolitan District Commission.

2. The New England Telephone and Telegraph Company shall do the work of installing said underground conduits, wires, cables, and related apparatus therein, in the location hereby granted subject to the approval of the Director of Permits for the Commission, as to time, manner, and location, and in all other respects.

3. The New England Telephone and Telegraph Company shall indemnify and save harmless the Commonwealth of Massachusetts and the Metropolitan District Commission from any damage it or they may sustain or be required to pay arising out of the exercise by said Company or any of its employees in connection with the work done hereunder.

4. The New England Telephone and Telegraph Company shall protect and maintain all trees, drainage, or water pipes, and all appurtenances or structures either above or below the surface of the ground over which this location lies, during and upon completion of the work shall restore the surface of the ground to a condition satisfactory to said Director of Permits, for the Commission.

5. The New England Telephone and Telegraph Company shall take all possible measures during construction to reduce the impact on the area.

6. The New England Telephone and Telegraph Company shall provide landscaping, around the terminal to the satisfaction of said Director of Permits for the Commission.

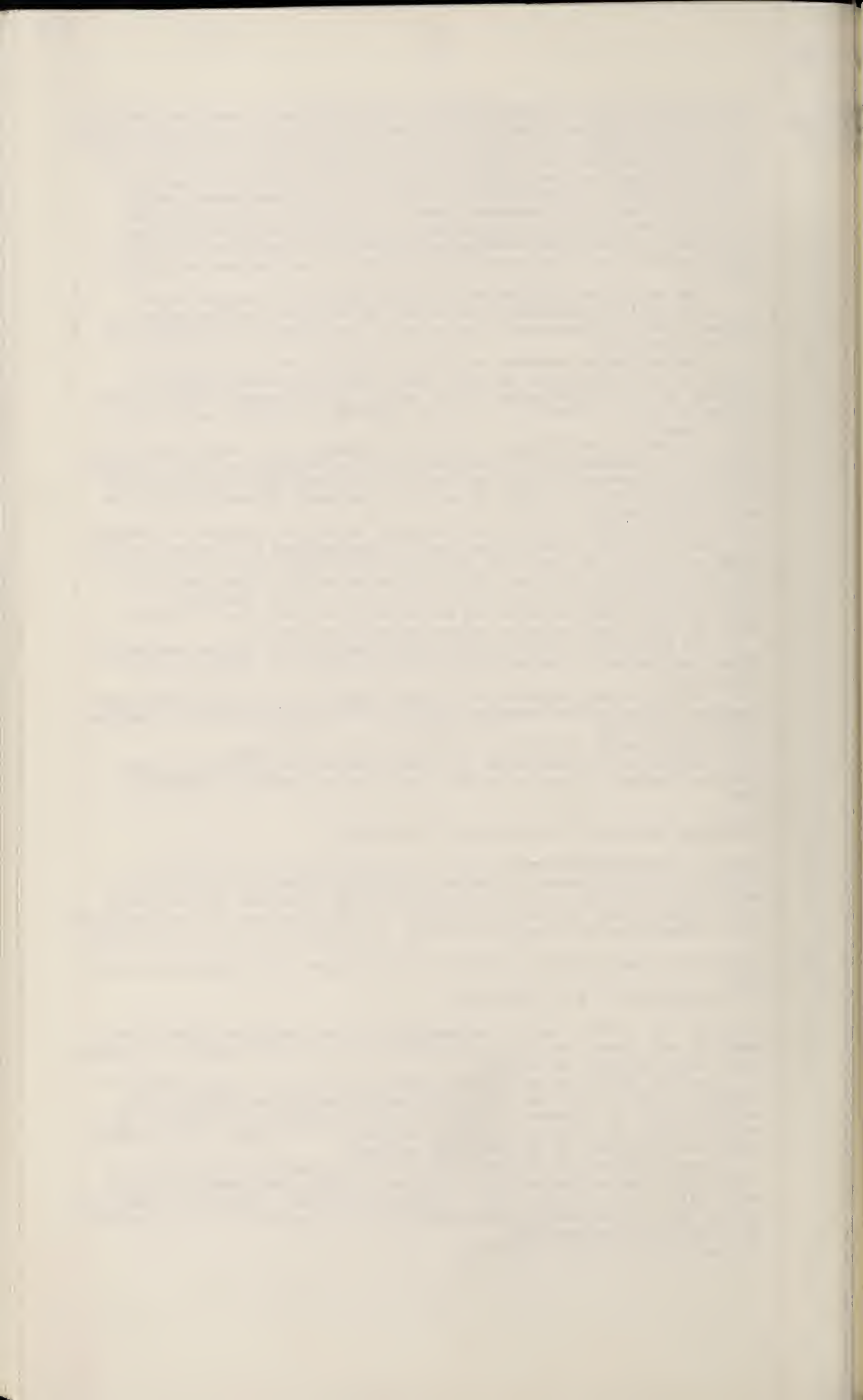
7. The New England Telephone and Telegraph Company shall provide and maintain adequate signing, proper barricades, warning devices and Metro Police protection during construction.

8. A one time fee of \$45.00 be charged for this installation.

9. No work shall be done under this grant without first obtaining a permit therefor from said Director of Permits and subject to conditions imposed by him.

Action was taken upon the following Various Matters:

- 1 Report of Superintendent Keough, May 31, requesting approval to engage the services of Richard Lennon, a Swimming Instructor, and four Aides, to instruct Non-Swimming Candidates for the Metropolitan Police Department, for the period July 1, 1984 to June 30, 1985; the services are \$10.00 per hour for each Instructor; total compensation not to exceed \$2,000.00. The Commission V O T E D: Held over.
- 2 Report of Ms. Keogh, May 29, on bids for Window Washing - MDC Headquarters Building.
The Commission V O T E D: Held over.
- 3 Report of Mrs. O'Brien, June 4, recommending that the Commission authorize the Cambridge Arts Council to locate and install art works on MDC property at Lechmere Canal, East Cambridge, as follows:
 1. A work by David Judelson has been selected for the wall of the pedestrian underpass. The work will be done in tile and will depict the landing of the British Soldiers of Lechmere in pursuit of Paul Revere which took place in this immediate area. No tiles will appear on the face of the bridge. The work should give life and interest to the pedestrian underpass.
 2. A work by James Tyler has been selected for the park and will be placed on a paved area leading from the park to the more intensive development of the Unihab site. It is a bronze pillar incorporating the many faces of East Cambridge. Several faces are those of current residents while the work as a whole emphasizes the diversity of the community.
The Commission V O T E D: Held over.



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Report of Mr. Burgay, June 6, relative to Order of Taking, Prowse Farm, Canton, Massachusetts; and subsequent report of Mr. Falvey June 7, concerning:

1. Acceptance of a grant of rights from Codex Corporation to the Commonwealth of Massachusetts acting through its Metropolitan District Commission affecting the Codex property located in the Town of Canton, Massachusetts.

Mr. Falvey explained that these rights affect parking; future height of the building, landscaping, public access for the purpose of observing agricultural and horticultural activities; and visitations by 3000 school children per year. These rights are granted for no monetary consideration, he noted.

2. Adoption of an Order of Taking of conservation restrictions and easements in perpetuity from the Codex Corporation on property located in the Town of Canton, Massachusetts, with an award in the amount of \$1.00.

Mr. Falvey explained that this Order of Taking is an extension of a conservation easement and declaration of restrictive covenants from the Codex Corporation to the Town of Canton in 1980. He stated that he was recommending the Commission award the sum of \$1.00 to the Codex Corporation by reason of this Taking.

3. Adoption of an Order of Taking of conservation restrictions and easements in perpetuity from the Codex Corporation on property located in the Town of Canton, with an award in the amount of \$1.00.

Mr. Falvey explained that this Order of Taking is in essence the conservation easement and declaration of restrictive covenants granted from the Codex Corporation to the Town of Canton, Massachusetts, in 1980. He stated that he was recommending the Commission award the sum of \$1.00 to the Codex Corporation by reason of this Taking.

At this point, Commissioner Geary reviewed the chronology of events leading to the present status of the Codex (Prowse Farm) property. He then offered those in attendance an opportunity to address the Commission concerning the proposed action.

Attorney Lisle Baker, Special Counsel for the Friends of the Blue Hills presented the Commission with a memo entitled "Proposal Restriction to be acquired from the Codex Corporation: The Need for Improvements to Protect the Environment and Public Interest." He then read the memo and stated that the interested groups did not have sufficient time to review the proposed orders. He then stated that preliminary analysis by his group showed flaws and asked that the Commission postpone any action until the interested groups can have input into the restrictions.

Mr. Allen Knowles of the Canton Conservation Commission, speaking as an individual, stated his opposition to any compromise. However, on the specifics of the restrictions as proposed, he stated that he felt the public access provision was too limited and should be expanded; he felt the proposed landscaping would eventually block the view of Big Blue Hill; he felt the description of the legal metes and bounds for the farm and campus need further clarification and further restrictions should be built into the rights limiting any increased parking and limiting the height of the building if it ever had to be re-built because of a casualty loss. At this point, Attorney Daniel A. Taylor of the Law Firm of Hill and Barlow who assisted in working out the Agreement and Compromise, in addition to the draft document, was introduced.

Mr. Taylor then addressed the points made by Messrs. Baker and Knowles. He noted that the additional five restrictions are above and beyond the present conservation easement that Codex Corporation granted to the Town of Canton in 1980. He then reviewed the additional five restrictions including:

1. Development of the farm area with agricultural activities providing for visits by 3000 school children each year.

2. Requiring that the headquarters building and garage be screened from view of passing vehicles on Route 128 and Route 138 and their ramps.

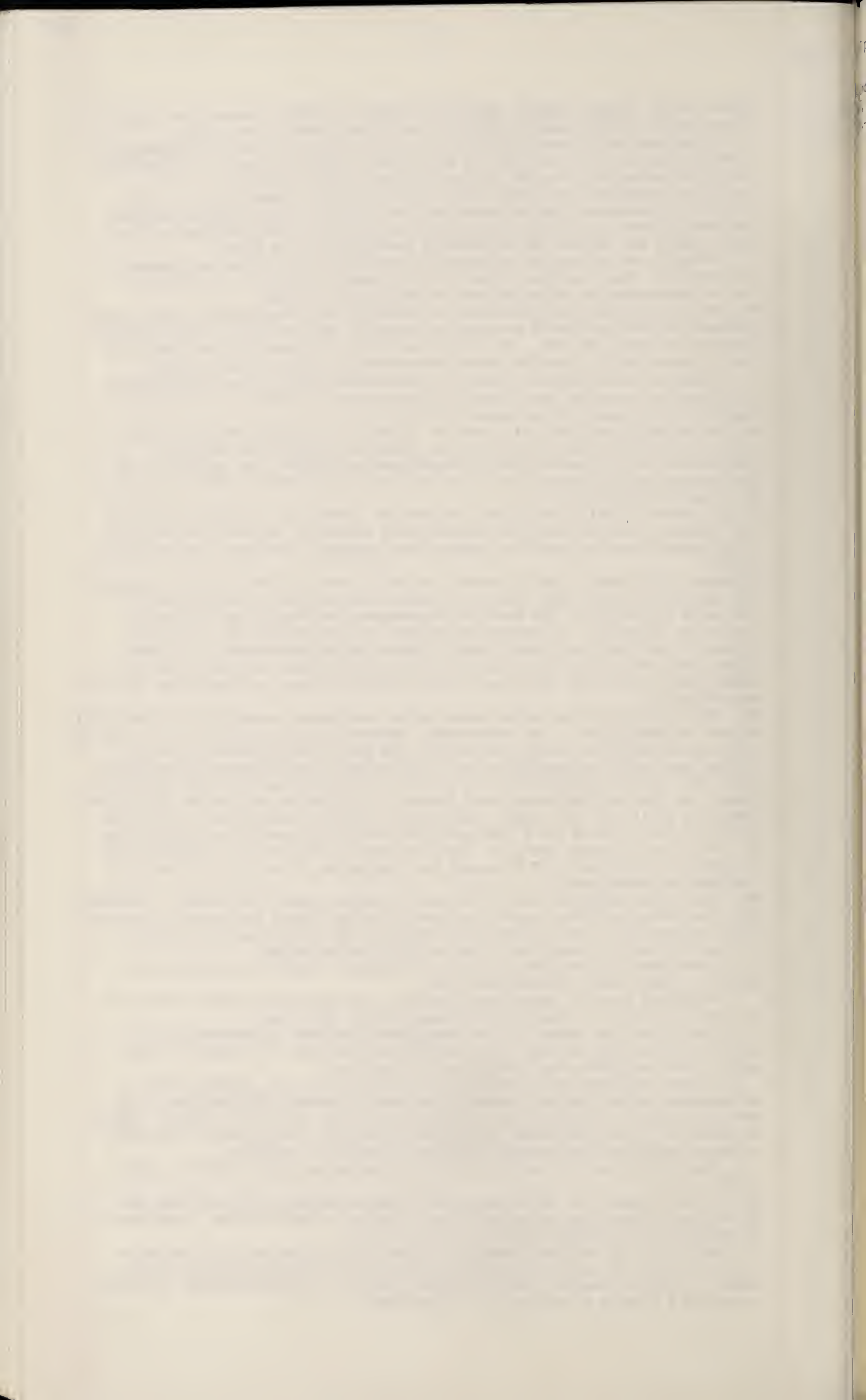
3. Restricting the height of the headquarters building in perpetuity so if there is a casualty loss and a new building constructed, its height will not exceed five feet above the existing roof ridge line.

4. A site plan approved by the Town of Canton which locks present parking arrangements unless parking becomes inadequate to support 1000 employees. If parking spaces for 1000 employees results in overflow conditions, Codex, subject to approval of the Commission, and in compliance with all pertinent laws, may increase parking by the minimum necessary to abate the condition.

5. The grant gives the Commission sole and exclusive right to enforce these rights.

Ms. Arlene O'Donnell of the Massachusetts Audubon Society spoke and asked the Commission to defer any action until such time as various citizens groups have an opportunity to further review the restrictions.

Dr. Ralph Lutts of the Massachusetts Audubon Society addressed the Commission and asked that the decision regarding the details of the restrictions be postponed in order to provide time for further review. He then presented the Commission with a listing of recommended restrictions.



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On the request of the Commission, Ms. Rowena Conklin, representing the Codex Corporation, stated she would look into a possible drainage problem on the property.

Mr. Harvey Robbins of the Friends of Prowse Farm summarized the achievements of his group since 1977 and expressed his disappointment in the compromise.

Mr. David Hodgdon, President of the Friends of the Blue Hills spoke of his twenty years of volunteer works in the reservation and then asked that action on the matter at hand be postponed for further review.

At this point, Attorney Baker questioned how the Commission would consider the points raised by the Friends of Prowse Farm relative to the restrictions.

Commissioner Geary indicated that through subsequent action the Commission could consider other actions to modify the easements if it appears appropriate.

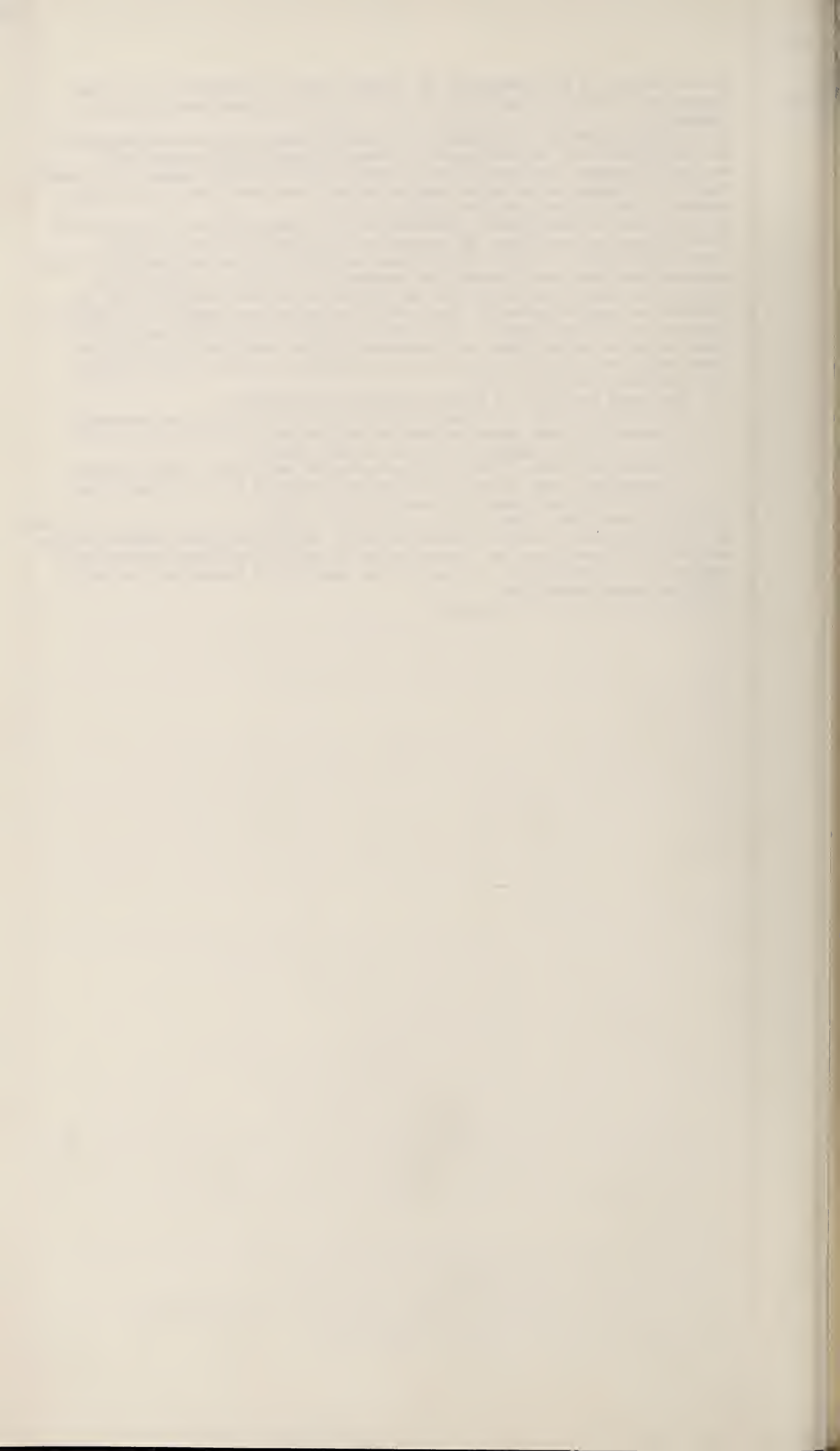
Commissioner Geary then noted that the Commission now has a mandate from the Governor to acquire properties that should be part of our reservations before they are lost to development. He stated that staff is presently working on these potential acquisitions and concerned citizens groups will be asked for their input on what properties should be considered as part of this program.

The Commission then V O T E D:

1. To accept the Grant of Rights from Codex Corporation.
2. To adopt the Order of Taking of conservation restrictions and easements in perpetuity from Codex Corporation and further V O T E D to award the sum of \$1.00 for damages by reason of this Taking.
3. To adopt the Order of Taking of conservation restrictions and easements in perpetuity from Codex Corporation and further V O T E D to award the sum of \$1.00 for damages by reason of this Taking.

Associate Commissioner Jones made a motion that staff initiate contact with Friends of the Prowse Farm, Friends of the Blue Hills, the Massachusetts Audubon Society and other interested parties concerning the possibility of incorporating their appropriate recommendations into any future updating of Commission agreements with the Codex Corporation.

The Commission V O T E D: Approved.



22nd 1 The Commission VOTE D: to accept the following grant of easement:
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GRANT OF RIGHTS

Codex Corporation, a Delaware corporation, having a principal place of business at 20 Cabot Boulevard, Mansfield, Mass. 02048 (together with its successors and assigns being called the "Owners"), grants, without covenants, to the Commonwealth of Massachusetts, acting by and through the Metropolitan District Commission (the "Commission"), the following rights affecting a parcel of land located in Canton, Mass., shown on a plan entitled "Land in Canton, Mass. Prepared for Codex Corporation" by Gordon E. Ainsworth, dated February 11, 1980 and recorded with the Norfolk Registry of Deeds as Plan No. 281-1980 (the "Property"). The Property is comprised of two parcels, a "Farm" parcel of land containing 41.1945 acres and a "Campus" parcel of land containing 13.795 acres. The Zoning Board of Appeals of the Town of Canton approved a site plan with respect to the Property on August 3, 1983 (the "Site Plan") which consists of the Plans identified on the attached Exhibit A.

The rights granted are as follows:

1. Except as hereafter provided, the parking areas (whether in structure or on grade) on the Campus shall not exceed the parking areas shown on a Site Plan approved by the Canton Zoning Board of Appeals, nor shall parking of cars intrude upon any public ways, aisles, access drives, or in any access space required for public safety vehicles. If such employee parking areas become inadequate to serve 1,000 employees employed on the Campus due to overflow parking conditions, then following a demonstration of such conditions to

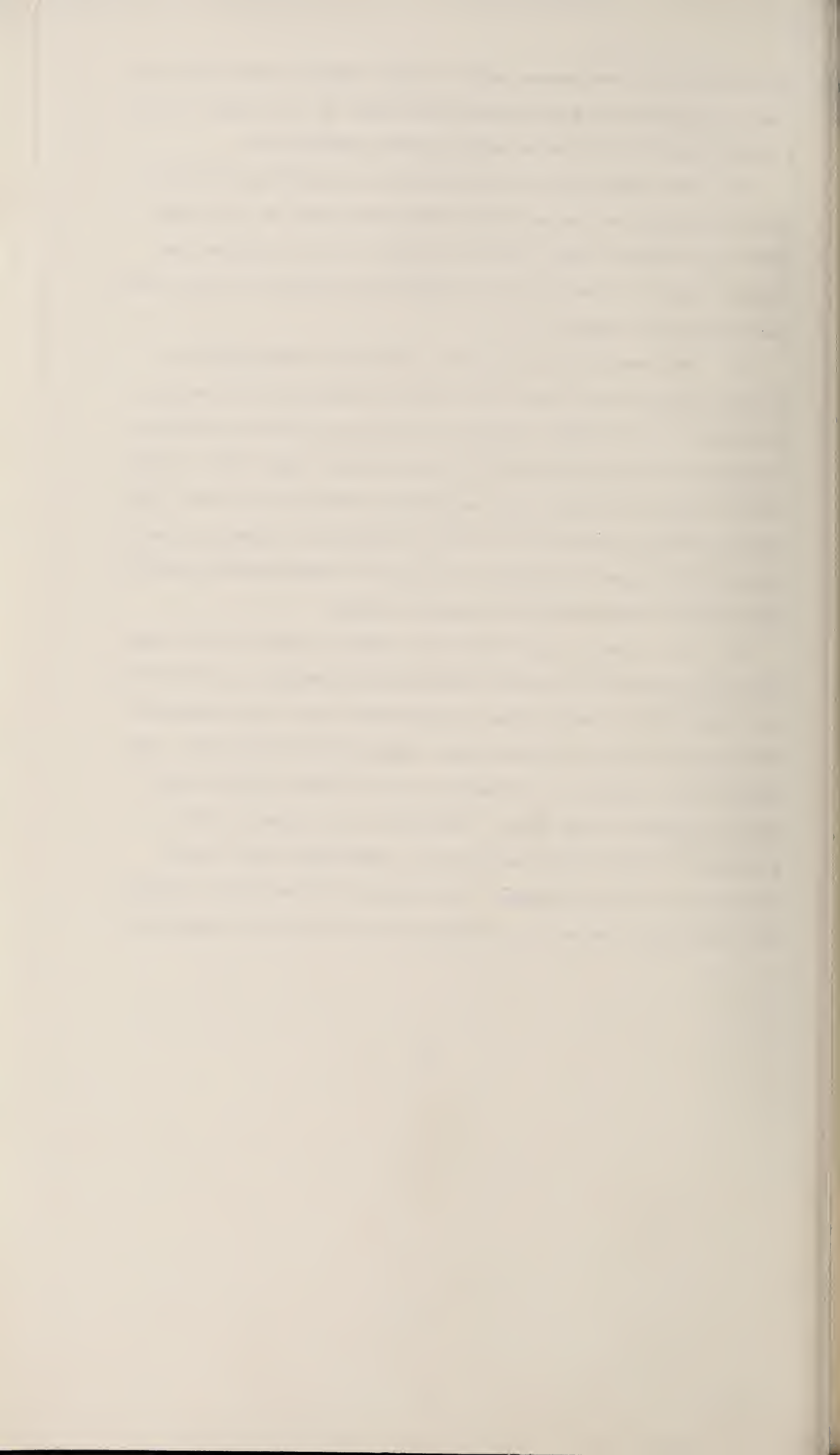


the Commission, the Owners may, if such complies with all other laws, increase such employee parking areas on the Campus by the minimum necessary to abate such overflow conditions.

2. The ridge line of any roof of any building or parking structure shall not exceed that elevation which is five feet above the highest ridge line of any roof of the building now being constructed pursuant to a Site Plan approved by the Canton Zoning Board of Appeals.

3. The Owners shall provide reasonable landscaping to screen substantially the view of the building and the parking structure on the Campus during full foliage from an automobile travelling on those portions of the existing Route 128 (including the existing access ramp connecting Route 128 to Route 138) and the existing Route 138, which are along the common property line of the property of the Owners and the Department of Public Works of the Commonwealth of Massachusetts.

4. The Owners shall afford the public access to the Farm for the purposes of visiting and observing ongoing agricultural and horticultural activities in accordance with the following: after construction of appropriate contemplated facilities, the Owners will conduct at its expense agricultural and horticultural programs on the Farm. The Owners will provide for a minimum of 3,000 visits per year by elementary school aged children for these purposes. The Owners will maintain records for reasonable review by or annual reporting to the Commission.



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This grant does not create any private rights to enforce these rights, and the Commission shall have the sole and exclusive right to enforce these rights.

No documentary stamps are needed for this instrument.

Executed under seal this 6th day of June, 1984.

Codex Corporation

By James W. Storey
James W. Storey
President

Commonwealth of Massachusetts

County of Norfolk, ss

June 6, 1984

Then personally appeared the above-named James W. Storey, President, and acknowledged the foregoing to be the free act and deed of Codex Corporation, before me.

P. R. Ruzo

My commission expires 10/16/86



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SCHEDULE OF DRAWINGS CONSTITUTING
THE SITE PLAN FOR CODEX CORPORATION
HEADQUARTERS BUILDING IN
CANTON, MASSACHUSETTS ("SITE PLAN")
AS PREPARED BY
FRED KOETTER AND ASSOCIATES
344 BOYLSTON STREET
BOSTON, MASSACHUSETTS

<u>DRAWING TITLE</u>	<u>DATE</u>	<u>NO.</u>
Farm and Campus: Site Drainage and Grading Plan	5/16/83	SP-1
Farm and Campus: Site Utilities and Location Plan	5/16/83	SP-2
Site Survey of Existing Conditions	5/16/83	SP-3
Campus: Utilities and Materials	5/16/83	SP-4
Campus: Concealed Parking Plan	5/16/83	SP-5
Campus: Grading Plan	5/16/83	SP-6
Campus: Planting Plan	5/16/83	SP-7
Addenda to Site Plan Approval Package	7/11/83	AD-1
First Floor Plan	5/16/83	A-1
Second Floor Plan	5/16/83	A-2
Third Floor Plan	5/16/83	A-3
Elevations	5/16/83	A-4



322nd _____ 1 The Commission V O T E D: to adopt the following order of Taking:

June 7, 1984
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ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 7, 1984

ORDERED, that the Metropolitan District Commission (the "Commission") by virtue of the authority conferred upon it by Section 31 through 33 of Chapter 184 of the General Laws and every other power and authority hereto enabling, for the purpose of said Chapter 184 and Sections 33 and 79 of Chapter 92 of the General Laws, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, conservation restrictions and easements in perpetuity and as hereafter described on and with respect to the land and buildings of Codex Corporation in Canton, Massachusetts, located and shown as a "Farm" parcel of land containing 41.1945 acres and a "Campus" parcel of land containing 13.795 acres (collectively the "Property"), all as appearing on a plan entitled "Land in Canton, Mass. Prepared for Codex Corporation" by Gordon E. Ainsworth & Associates, Inc. dated Feb. 11, 1980, and recorded with the Norfolk Registry of Deeds as Plan No. 281-1980. The Zoning Board of Appeals of the Town of Canton approved a Site Plan with respect to the Property on August 3, 1983 (the "Site Plan") which consists of the Plans identified on the attached Exhibit A.

1.0 The Owners shall afford the public access to the Farm for the purposes of visiting and observing ongoing agricultural and horticultural activities in accordance with the following: after construction of appropriate contemplated facilities, the Owners will conduct at its expense agricultural and horticultural



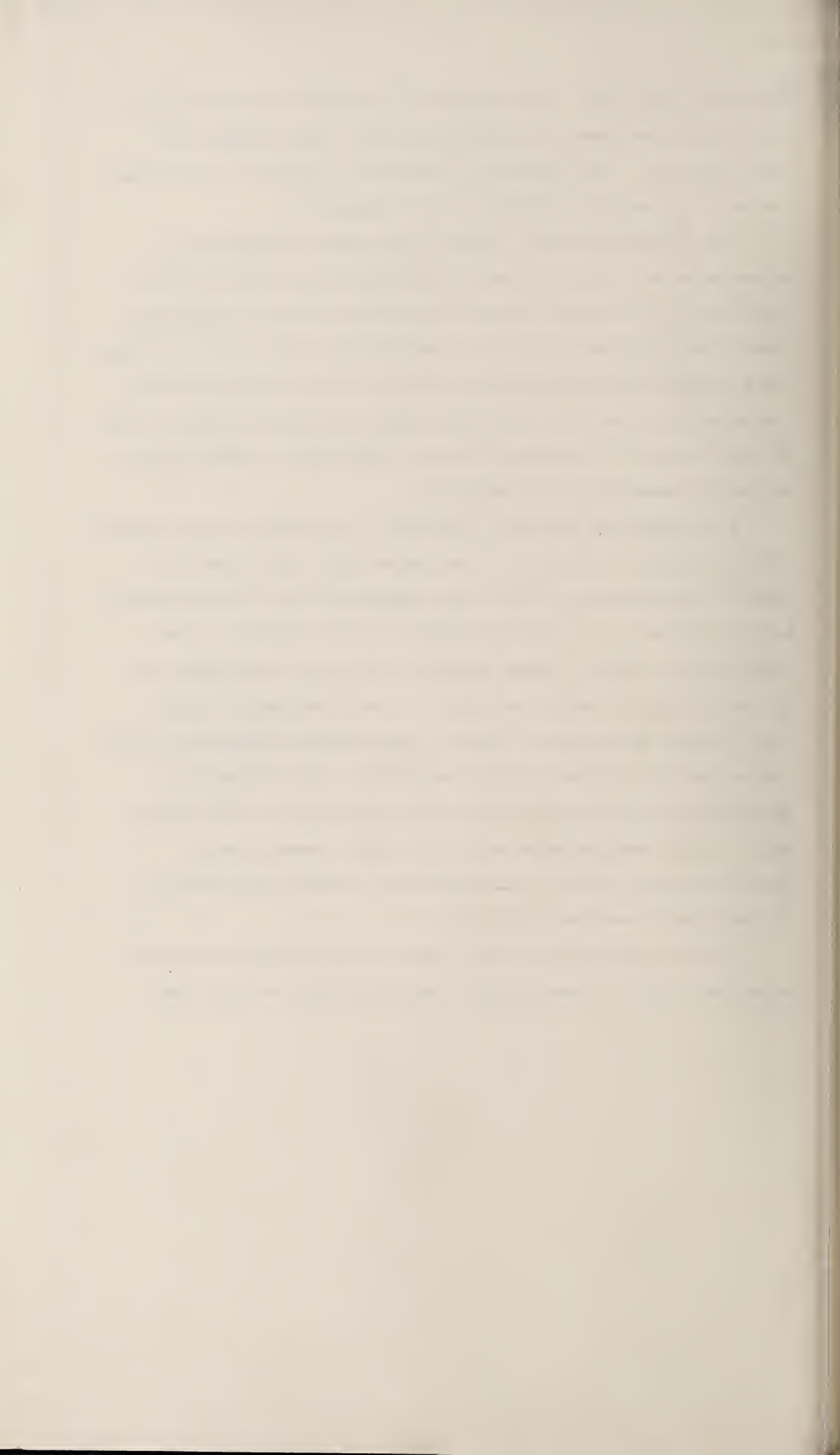
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programs on the Farm. The Owners will provide for a minimum of 3,000 visits per year by elementary school aged children for these purposes. The Owners will maintain records for reasonable review by or annual reporting to the Commission.

2.0 The Owners shall provide reasonable landscaping to screen substantially the view of the building and the parking structure on the Campus during full foliage from an automobile travelling on those portions of the existing Route 128 (including the existing access ramp connecting Route 128 to Route 138) and the existing Route 138, which are along the common property line of the Property of the Owners and the Department of Public Works of the Commonwealth of Massachusetts.

3.0 Except as hereafter provided, the parking areas (whether in structure or on grade) on the Campus shall not exceed the parking areas shown on a Site Plan approved by the Canton Zoning Board of Appeals, nor shall parking of cars intrude upon any public ways, aisles, access drives, or in any access space required for public safety vehicles. If such employee parking areas become inadequate to serve 1,000 employees employed on the Campus due to overflow parking conditions, then following a demonstration of such conditions to the Commission, the Owners may, if such complies with all other laws, increase such employee parking areas on the Campus by the minimum necessary to abate such overflow conditions.

4.0 The ridge line of any roof of any building or parking structure shall not exceed that elevation which is five feet



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above the highest ridge line of any roof of the building now being constructed pursuant to a Site Plan approved by the Canton Zoning Board of Appeals.

5.0 The Commission shall have a permanent easement of access to enter the Property for the purpose of inspecting the premises and enforcing the foregoing restrictions and remedying any violation thereof. The right hereby granted shall be in addition to any other remedies available to the Commission for the enforcement of the foregoing restrictions.

5.1 The Owners shall submit plans or other adequate descriptions of all new buildings, driveways, paths, roadways, and parking areas to the Commission at least sixty (60) days prior to the commencement of construction so that the Commission can review same for compliance with the terms of this Taking, and if necessary, to avail themselves of all rights and remedies for its enforcement in a timely manner.

6.0 Any additions or deletions, releases or other changes to the rights or restrictions imposed by this Taking shall not take effect or be binding unless approved by the Owners and the Commission (and such other state authorities as Massachusetts law shall from time to time require), and, in the case of any changes in the uses permitted hereunder or any release of this Taking, the affirmative vote of two-thirds of each branch of the General Court shall be required. There is reserved to the Owners, for themselves and their successors and assigns, all rights in and to the Property except those expressly taken hereby.



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7.0 The foregoing Taking is intended to preserve the Property in its agricultural, farming or forest use in order to protect the natural resources of the Town of Canton. The Commission shall have the sole and exclusive right to enforce the rights of the Commission under this Taking and there shall be no private rights of action to enforce the provisions hereof.

8.0 It is the intention of the Commission that this Taking be in perpetuity and be deemed a conservation restriction taken pursuant to Chapter 184, Section 31 of the Massachusetts General Laws.

9.0 Nothing herein shall impair or affect any rights granted by Codex Corporation to the Town of Canton by a certain Grant of Conservation Easement and Declaration of Restrictive Covenants dated March 31, 1978 and recorded April 15, 1980 with the Norfolk Registry of Deeds at Book 5725, Page 382; nor shall such rights granted to the Town of Canton impair or affect the conservation restrictions and easements hereby taken.

A True Copy Attest:

William J. Crisholm
Secretary, Metropolitan District
Commission

Approved pursuant to
G.L. c. 184, §32:

Secretary, Executive Office of
Environmental Affairs

Division of Capital Planning and
Operations

Approved in accordance
with the provisions of
Chapter 579, Acts of 1980

By: Deputy Commissioner



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322nd
June 7, 1984
(In.-)

COMMONWEALTH OF MASSACHUSETTS

Suffolk,SS:

June 14, 1984

Then personally appeared the above-named WILLIAM F. CHISHOLM
Secretary, Metropolitan District Commission and acknowledged
the foregoing to be his free act and deed, before me.

John W. Wright
Notary Public
My Commission Expires: 6/11/87



322nd
June 7, 1984
(En.-)

SCHEDULE OF DRAWINGS CONSTITUTING
THE SITE PLAN FOR CODEX CORPORATION
HEADQUARTERS BUILDING IN
CANTON, MASSACHUSETTS ("SITE PLAN")
AS PREPARED BY
FRED KOETTER AND ASSOCIATES
344 BOYLSTON STREET
BOSTON, MASSACHUSETTS

<u>DRAWING TITLE</u>	<u>DATE</u>	<u>NO.</u>
Farm and Campus: Site Drainage and Grading Plan	5/16/83	SP-1
Farm and Campus: Site Utilities and Location Plan	5/16/83	SP-2
Site Survey of Existing Conditions	5/16/83	SP-3
Campus: Utilities and Materials	5/16/83	SP-4
Campus: Concealed Parking Plan	5/16/83	SP-5
Campus: Grading Plan	5/16/83	SP-6
Campus: Planting Plan	5/16/83	SP-7
Addenda to Site Plan Approval Package	7/11/83	AD-1
First Floor Plan	5/16/83	A-1
Second Floor Plan	5/16/83	A-2
Third Floor Plan	5/16/83	A-3
Elevations	5/16/83	A-4



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1 The Commission V O T E D: to adopt the following Order of Taking:
ORDER OF TAKING

COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 7, 1984

ORDERED, that the Metropolitan District Commission (the "Commission") by virtue of the authority conferred upon it by Section 31 through 33 of Chapter 184 of the General Laws and every other power and authority hereto enabling, for the purpose of said Chapter 184 and Sections 33 and 79 of Chapter 92 of the General Laws, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, conservation restrictions and easements in perpetuity and as hereafter described on and with respect to the land and buildings of Codex Corporation in Canton, Massachusetts, located and shown as a "Farm" parcel of land containing 41.1945 acres and a "Campus" parcel of land containing 13.795 acres (collectively the "Property"), all as appearing on a plan entitled "Land in Canton, Mass. Prepared for Codex Corporation" by Gordon E. Ainsworth & Associates, Inc. dated Feb. 11, 1980, and recorded with the Norfolk Registry of Deeds as Plan No. 281-1980.

1.0 To assure the retention of the Property in agricultural, farming or forest use and to protect the natural resources of the Town of Canton, that portion of the Property described as the Farm shall retain its present character and use subject only to the limited development rights hereinafter permitted.



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1.1 The Farm shall only be used for the raising, boarding and training of livestock, the cultivation of forage, nursery, flower and food crops, related activities required to support such agricultural use, and non-profit agricultural fairs, exhibitions, and educational visitations consistent with the foregoing uses.

1.2 No buildings will be constructed, placed or permitted to remain on the Farm except dwellings for caretakers, watchmen and farm employees and stables, barns, pens, greenhouses, sheds and garages accessory to such agricultural, farming or forest use.

1.3 The Prowse residence may be restored for use as offices for farm management and administrative purposes and a visitors' reception area provided that the exterior appearance of the structure retains its residential character and its structure is not expanded.

1.4 The gross floor area of all buildings on the Farm shall not exceed 75,000 square feet. Prior to the construction of any additional floor area in excess of 75,000 square feet, the specific written determination of the Commission that such additional floor area is consistent with Section 1.0 hereof shall be required.

1.5 One paved roadway for pedestrian and vehicular access to and egress from the Campus of minimum width and length, consistent with accepted engineering practice for the anticipated traffic volume and fire and public safety requirements, may be



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71984 constructed through the Farm from Blue Hill River Road near the
n-) northeast corner of the Property.

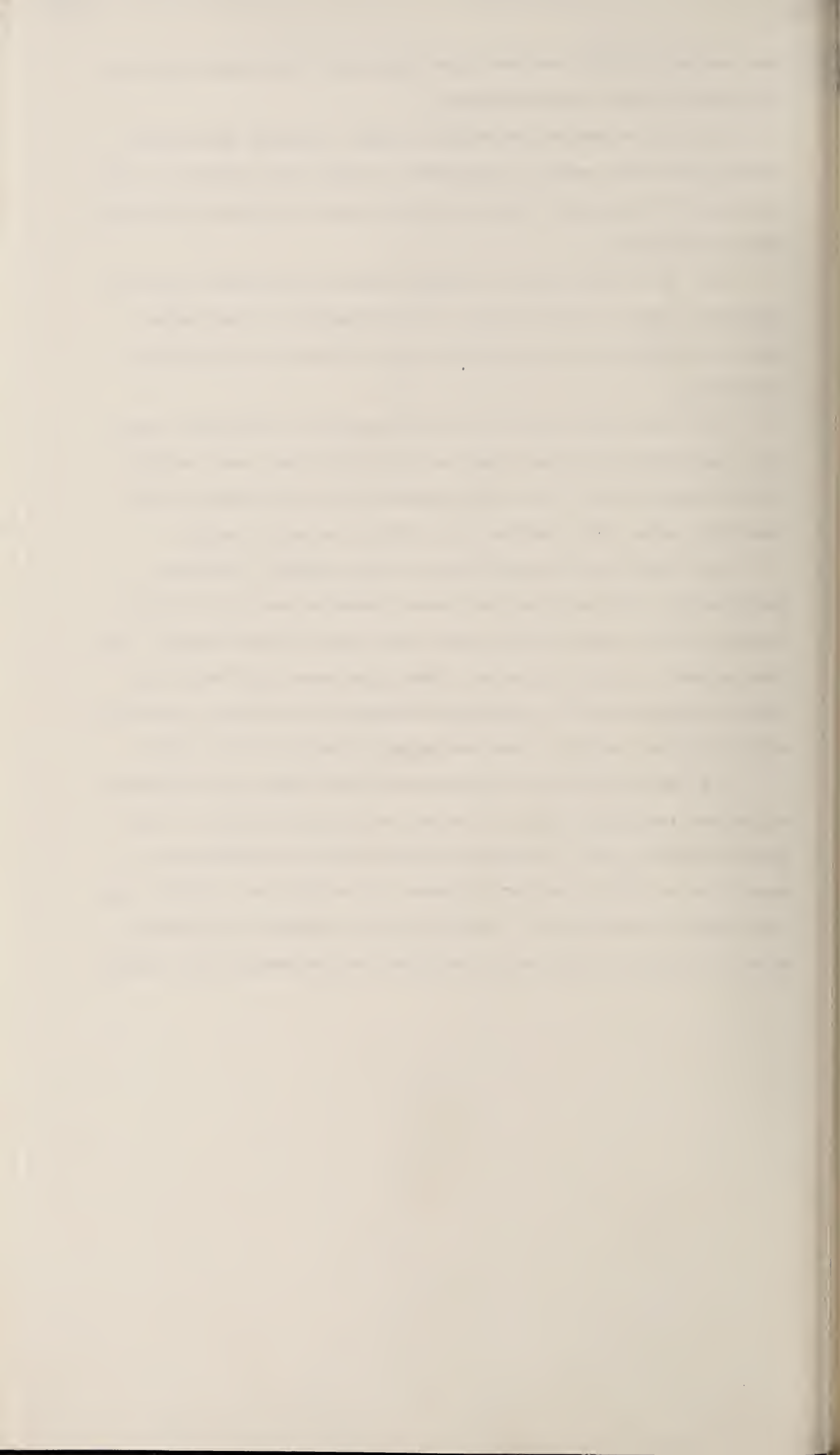
1.6 All other new driveways, paths, roadways and parking areas on the Farm must be incidental to the uses permitted under Section 1.1 hereof and shall be constructed of pervious materials wherever possible.

2.0 To assure that the Campus does not interfere with the character and use of the Farm, any development of the Campus shall be limited as to character, size and use as hereinafter provided.

2.1 The floor area of all building(s) on the Campus shall not exceed 250,000 square feet nor shall the roof area exceed 125,000 square feet. For the purpose of this limitation, roof and floor area shall include the width of exterior walls.

2.2 The total developed area of the Campus, including building(s), parking areas and paved roadways shall not exceed twenty percent (20%) of the total land area of the Property. For the purpose of this limitation, developed area shall mean the area included within a continuous boundary line drawn to encircle all buildings, parking areas and paved roadways on the Campus.

2.3 Notwithstanding the fact that the Campus is located in a Limited Industrial District under the zoning By-Laws of the Town of Canton, the only permitted uses shall be offices for executive or administrative purposes, scientific or research and development laboratories, communications, parking and garaging when incidental to the permitted uses, and accessory uses includ-



18, 1984 ing dining and recreational facilities and the sale of items for
the personal convenience of employees.

3.0 The following restrictions shall apply to both the Campus and Farm sections of the Property:

3.1 No loam, peat, gravel, sand, rock, or other mineral resource or natural deposit shall be removed from the Property in such a manner as to adversely affect the land's overall future agricultural potential except as may be incidental to the construction of building foundations or to the operation of the Farm according to good management practice.

3.2 All conduit, cabling, piping or other construction of gas, sewer, water, fire alarm, electric and telephone services hereafter installed on the Property shall be concealed underground whenever permitted by the particular utility company and applicable state, local or federal law.

3.3 The Owners shall not effect any subdivision of the ownership of the Property or any portion thereof. This prohibition shall not prevent land exchange or boundary agreements with owners of contiguous land provided the total land area of the Property is not diminished thereby.

3.4 No outdoor advertising display, mobile home, refuse, trash, abandoned vehicle bodies or parts, rubbish, debris, junk or other unsightly or offensive material shall be placed, stored or dumped on the Property.

4.0 The Commission shall have a permanent easement of access to enter the Property for the purpose of inspecting the



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in.) premises and enforcing the foregoing restrictions and remedying any violation thereof. The right hereby granted shall be in addition to any other remedies available to the Commission for the enforcement of the foregoing restrictions.

4.1 The Owners shall submit plans or other adequate descriptions of all new buildings, driveways, paths, roadways, and parking areas to the Commission at least sixty (60) days prior to the commencement of construction so that the Commission can review same for compliance with the terms of this Taking, and if necessary, to avail themselves of all rights and remedies for its enforcement in a timely manner.

5.0 Any additions or deletions, releases or other changes to the rights or restrictions imposed by this Taking shall not take effect or be binding unless approved by the Owners and the Commission (and such other state authorities as Massachusetts law shall from time to time require) and, in the case of any changes in the uses permitted hereunder or any release of this Taking, the affirmative vote of two-thirds of each branch of the General Court shall be required. There is reserved to the Owners, for themselves and their successors and assigns, all rights in and to the Property except those expressly taken hereby.

6.0 The foregoing Taking is intended to preserve the Property in its agricultural, farming or forest use in order to protect the natural resources of the Town of Canton. The Commission shall have the sole and exclusive right to enforce the rights of the Commission under this Taking and there shall be no private rights of action to enforce the provisions hereof.



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7.0 It is the intention of the Commission that this Taking be in perpetuity and be deemed a conservation restriction taken pursuant to Chapter 184, Section 31 of the Massachusetts General Laws.

8.0 Nothing herein shall impair or affect any rights granted by Codex Corporation to the Town of Canton by a certain Grant of Conservation Easement and Declaration of Restrictive Covenants dated March 31, 1978 and recorded April 15, 1980 with the Norfolk Registry of Deeds at Book 5725, Page 382; nor shall such rights granted to the Town of Canton impair or affect the conservation restrictions and easements hereby taken.

A True Copy Attest:

William J. Cusick
Secretary, Metropolitan District
Commission

Approved pursuant to
G.L. c. 184, §32:

Secretary, Executive Office of
Environmental Affairs

Division of Capital Planning
and Operations

Approved in accordance
with the provisions of
Chapter 579, Acts of 1980

By: Deputy Commissioner



22nd
e 7, 1984
Co.-) Suffolk, SS:

COMMONWEALTH OF MASSACHUSETTS

June 14, 1984

Then personally appeared the above-named *WILLIAM F. CHISHOLM* Secretary, Metropolitan District Commission and acknowledged the foregoing to be his free act and deed, before me.

John W. Wright
Notary Public
My Commission Expires: *6/11/87*

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ADJOURNED at 1:35 P.M., to meet on Thursday, June 14, 1984 at 10:00 A.M.

William F. Cusick
Secretary



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in 14,1984

Record of the Three Thousand Two Hundred and Eighty-Third (3283rd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, June 14, 1984, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The records of the meeting held on May 31, 1984, were read and approved.

- 1 At this point, several members of the "Friends of Prowse Farm" requested permission to address the Commission in open meeting concerning what they felt was a violation of restrictions placed on a certain section of the "Prowse Farm" property by Codex Corporation.
- Commissioner Geary stated that it is normal procedure to allow citizens to have appropriate matters placed on the Commission's agenda, however the request should have been made in a timely manner. He stated that because of the importance of the Prowse Farm/Codex matter, the Commission would allow the matter to be discussed at today's meeting.
- Mr. Allen Knowles, of the Canton Conservation Commission, speaking as an individual, stated that the Codex Corporation had bulldozed approximately 25 trees and also vegetation around the west side of the trails on land set aside for conservation purposes. In addition, he stated, fill was being dumped and berms were being constructed in the same area. He then stated that the Commission should make a determination to see if this activity is consistent with the restrictions which were set forth at the Commission meeting of last week. Mr. Knowles spoke of a lawsuit filed by certain individuals against the Canton Conservation Commission and the Town of Canton for alleged violation of restrictions.
- Associate Commissioner Jones asked that copies of the legal briefs be forwarded to Mr. Stephen Burgay, of the MDC, for his review.
- Commissioner Geary thanked the representatives of the "Friends of Prowse Farm" for bringing this matter to the attention of the Commission. He stated that as a result of their appearance before the Commission, he would designate Messrs. Burgay and VanWart to initiate a monitoring system to ensure that all restrictions on the property are complied with once the legal instruments had been recorded. He then noted that the Commission action taken last week does not become effective until filed with the Registry of Deeds and this will take between 21 and 30 days. Therefore, he explained, the MDC cannot enforce the restrictions at this time.
- Mr. Harvey Robbins, of the "Friends of Prowse Farm," stated that he felt that the Town of Canton was not enforcing its restrictions on Codex and, therefore, within the next three weeks Codex could develop additional land that was to be preserved. At this point, Associate Commissioner Jones reiterated his motion of last week, which was approved by the Commission, directing that appropriate Staff initiate contact with the various interest groups concerning the possibility of incorporating their appropriate recommendations into any future updating of Commission Agreements with the Codex Corporation.
- Associate Commissioner Anderson asked if the "Friends of Prowse Farm" have any plans to work with Codex Corporation in an attempt to establish a Master Plan for the property, including programs and tree replacement.
- Mr. Robbins stated that he did not see any value in working with the Codex Corporation at this time.
- In closing, Commissioner Geary thanked the members of the "Friends of Prowse Farm" for appearing before the Commission and bringing the matter to its attention.
- The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:
- 2 First Amendment, dated June 14, 1984, to Contract-Agreement, dated February 9, 1984, with Barbara Lahage, for Management and Administration of the Demand Management Program, which increases the Compensation and extends the Time for Performance.
 - 3 First Amendment, dated June 14, 1984, to Contract-Agreement, dated December 1, 1983, with Malaina Bowker, for Management and Administrative Assistance to the Demand Management Public Information Program, which increases the Compensation and extends the Time for Performance.
 - 4 Contract No. P83-1260-M1A, dated June 14, 1984, with Aarco, Inc., for Servicing of Heating, Ventilating and Air Conditioning (HVAC) at Franklin Park Zoo, including Tropical Forest Pavilion, Dorchester, and Stone Memorial Zoo, Stoneham (FY85).
 - 5 Contract-Agreement, dated June 14, 1984, with Brian F. Gilligan, Esq., to Continue to Provide Legal Services on Labor Relations and Civil Service Matters.
 - 6 Third Amendment, dated June 14, 1984, to Contract-Agreement, dated May 27, 1982, with Wright-Pierce, Architects/Engineers, for Design of Alternate Source of Power, Nut Island Sewage Treatment Plant, which changes the Scope of Services necessitated by additional Engineering Services in the redesign and preparation of revisions to the plans and specifications caused by the changed conditions at the project site, and increases the Total Upset Limit of the Contract from \$56,943.00 to \$66,547.00;



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the Time for Performance to be coterminous with the construction contractor's contract - completion dated - June 22, 1984, plus 30 days.

PERMIT

- 1 V O T E D: to grant to James J. McCabe, Jr. and Pearl A. McCabe, their successors and assigns, permission to have a building remain over the Metropolitan Sewer Easement of Section 51, between Stations 0+30+ and 0+95+, located on the property at 152 Tremont Street, Melrose, Massachusetts, as shown on plan on file in the office of the Sewerage Division, and to execute an instrument accordingly.

The Secretary submitted for signature the following paper which was signed by the Commissioner and two Associate Commissioners:

PERMIT

- 2 V O T E D: to grant to Ralph Gervino and Josephine Gervino permission to erect a fence over a Commission sewer and easement between Station 34+80 of Section 49 and Station 0+20 of Section 50 and a concrete wall between Station 0+20 and 0+55 of Section 50 of the Quincy High Level Sewer, as shown on plan on file in the office of the Sewerage Division, and to execute an instrument accordingly.

- 3 Report of Mr. Lydon, April 17, submitting the Parks Engineering and Construction Program for 1984-1985.

The Commission V O T E D: Held over.

- 4 Report of Mr. McCann, June 1, submitting Project Management Reports for the Water and Sewerage Divisions for the month ending May 31, 1984.

Mr. McCann reported that there are 50 ongoing projects in the Water Division's Fiscal Year 1984-1985 Work Schedule and that 4 of these projects have deviated from the approved Work Schedule. He then reviewed the Exception Reports and went over the reasons for the delays and the corrective action on the following projects:

W80-0871-X1A - Exploratory Excavation for Water Mains.

W81-1005-C1A - Furnishing and Laying Water Pipes, Heath Hill Road and Route 9, Brookline, Massachusetts.

Mr. Martorana explained that this project has been delayed because the Town of Brookline has not yet approved a modified traffic pattern which was sent to the Town 6 months ago for review and approval.

W83-1026-C1A - Electrical Repairs to Generator, Winsor Dam.

W79-0970-C1A - Water Monitoring Process Controller.

The Commission V O T E D: to accept the Project Management Reports for the Water Division for the month ending May 31, 1984.

Mr. McCann then reported that there are 32 ongoing projects in the Sewerage Division's Fiscal Year 1984-1985 Work Schedule and that 1 project has deviated from the approved Work Schedule. He then reviewed Project No. S82-1003-C2 - Digester System Rehabilitation and Improvements, Deer Island Sewage Treatment Plant, and explained the reason for the delay and the corrective action taken.

The Commission V O T E D: to accept the Project Management Reports for the Sewerage Division for the month ending May 31, 1984.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 5 Report of Mr. Baratta, May 29, requesting approval of Change Order No. 1, in the amount of \$3,584.00, for increased bonding costs which were made necessary when 3 out of the 4 sub-bidders were rejected and substitutions were made, on Contract No. S80-0656-C2A, with Joseph P. McCabe, Inc., for Ventilation and Odor Control for Main Building, Nut Island Sewage Treatment Plant.

The Commission V O T E D: Delete from the agenda.

- 6 Report of Ms. Haggerty, May 30, requesting approval of an extension of time from June 1, 1984 to February 4, 1985, on Contract No. S80-0854-C1A, with Chappy Corporation, for Construction of Alternate Source of Power, Nut Island Sewage Treatment Plant, due to the following reasons:

1. Delays in approval by the MDC of shop drawings and equipment submittals for the Contractor occurred when the responsibility of said approval was included in the Contract-Agreement with Wright-Pierce.

2. Addendum #2 also engages Wright-Pierce as the technical representative for the MDC in negotiations with Massachusetts Electric Company. As a result of these negotiations, additional high voltage protective devices, required by the utility, has changed the delivery dates, as the design and manufacture of the equipment must be revised.

3. Additional delays have occurred because of the changed conditions at the project site.

The Commission V O T E D: to approve an extension of time from June 1, 1984 to February 4, 1985, as requested by Ms. Haggerty in her report of May 30, 1984, to be effective, however, only upon receipt of the written consent of the bonding



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company, and on condition that no further request will be made for additional compensation.

- 1 Report of Mr. Baratta, undated, on request of Salvatore DeTeso, Owner of Lot #42 Roland Street, Medford, Massachusetts, through his Consultant, Jerry Wolfson Associates, for permission to install a sewer line and a water line and also extend Roland Street and grade the area for grass seed over the easement of Section 108, between Stations 16+55± and 17+82±, and Section 21, between Stations 64+82± and 65+52±.

The Commission V O T E D: Approved as recommended by Mr. Baratta in his report, subject to the following conditions:

1. That the MDC's sewer easements shall be flagged along the course of the proposed construction for identification and protection purposes.
2. That any damage to the MDC's sewer, resulting from the construction, shall be repaired at the Permittee's expense.
3. That all work shall be performed to the satisfaction of the Director of the MDC's Sewerage Division.
4. Any other condition deemed necessary by the Right-of-Way Section for the protection of the MDC's sewer lines and employees.

- 2 Report of Mr. Wright, June 11, submitting for approval and signature Second Amendment to Contract-Agreement, dated July 2, 1980, with Metcalf & Eddy, Inc., for the Design of and Related Construction Services for (1) The Stony Brook Conduit connection to the Boston Main Drainage Relief Sewer and (2) The Goldsmith Brook Conduit Relocation from McBride Street to Green Street; Also included the assistance to the Massachusetts Bay Transportation Authority (MBTA) for the design of the force main crossing of the Southwest Corridor at Gordon Street, which revises the Scope of Services, increase the Compensation, and extends the Time for Performance.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Second Amendment, dated June 14, 1984, to Contract-Agreement, dated July 2, 1980, with Metcalf & Eddy, Inc., which was signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 3 Report of Mr. Faucher, June 1, requesting approval to engage the services of nine Rain Gage Observers, at \$150.00 per Observer, for Fiscal Year 1985, at a total cost of \$1,350.00, as follows:

<u>Quabbin</u>	<u>Wachusett</u>
Arthur Coolidge	Lucy R. Chiarelli
Doris Cornwall	George Dresser
Glen Dickson	Dennis S. Moore
Rita Oliver	Ronald Gifford
Helen Stone	

The Commission V O T E D: Approved.

- 4 Report of Mr. Faucher, May 30, on proposals for leasing 1 parcel of Agricultural Land on Wachusett Reservoir Watershed. Associate Commissioner Jones asked that proper provisions be incorporated into the lease so that no pesticides, herbicides, lime, fertilizers, or other additives can be used without the prior approval of the Water Division. Mr. Neal Lespasio, of the Water Division, stated that the lease will contain these restrictions, as well as other provisions, to protect the Wachusett Reservoir and its Watershed.

The Commission V O T E D: to accept the highest qualified bid, that of Bigelow Nurseries, Inc., of \$15,000.00, to lease 36 acres of Agricultural/Nursery land in Area No. 1 on Wachusett Reservoir Watershed.

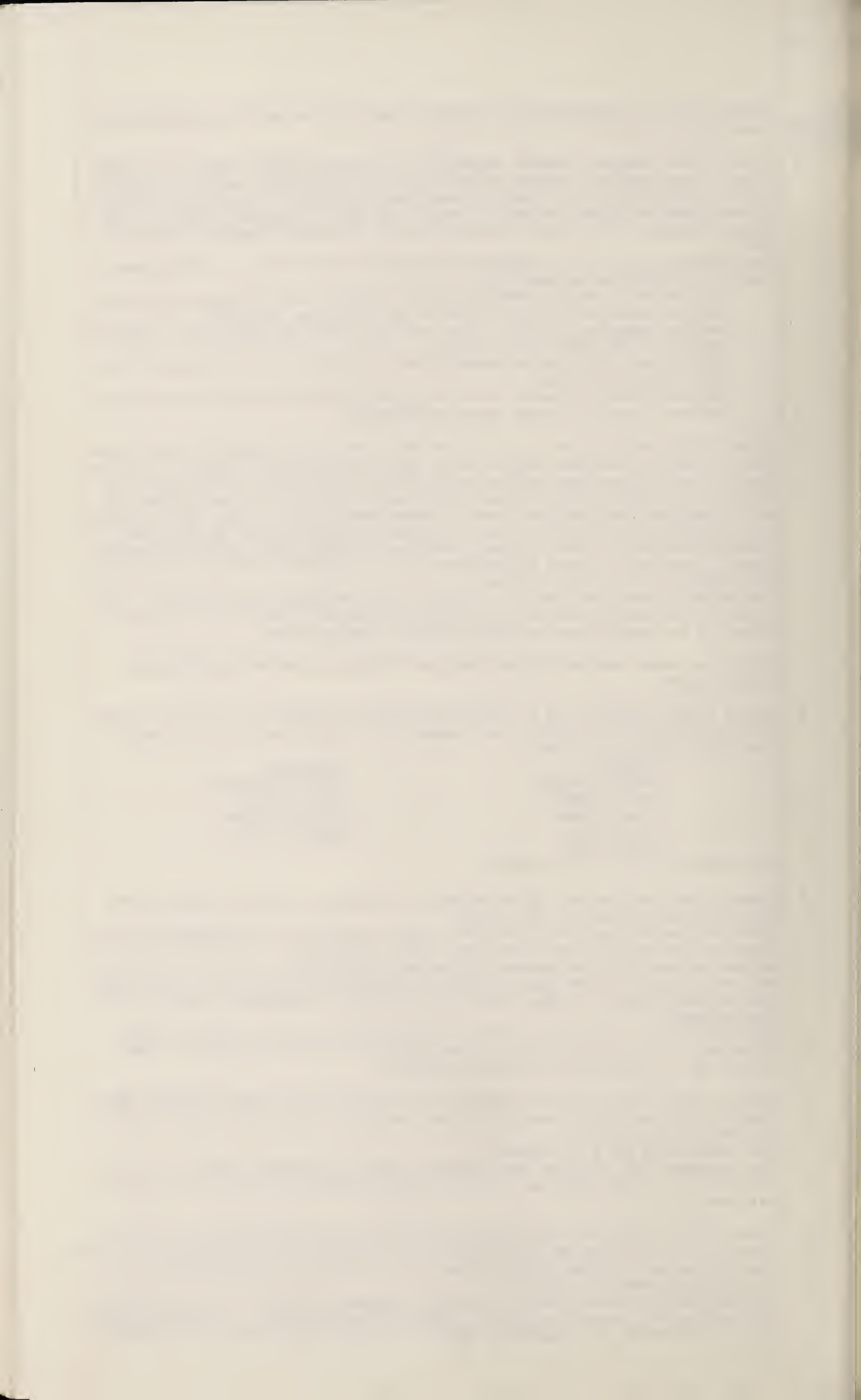
- 5 Report of Mr. Faucher, June 7, submitting for approval and signature Quabbin Park Cemetery Deed No. Q-1649 conveying the northeasterly 1/8 of Lot No. 1529 to John A. and Marie Anita Fielding.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1649, dated June 14, 1984, which was signed by the Commissioner and two Associate Commissioners.

- 6 Report of Mr. Martorana, June 8, submitting Revised Work Schedule Form and Exception Report for Project No. W81-1001-C1A - Oil Separator/Drainage System, Spot Pond Pumping Station, Stoneham, which increases the estimated cost from \$60,000.00 to \$73,000.00, Account No. 2429-7140.

Mr. Martorana explained that the Engineer's estimate for this project was made in 1981 and was not updated to reflect current construction costs. He went on to say that he, therefore, was requesting approval to update the original cost estimate



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to reflect current construction costs.

The Commission V O T E D: Approved.

- 1 Report of Mr. Martorana, June 11, requesting that the Commission rescind its vote of May 31, 1984, approving Extra Work Order No. 1, with an upset limit of \$18,000.00, for additional borings and analysis, on Contract No. W80-0763-C2A, with J. Biotti & Sons, for Furnishing and Laying Water Pipes in Lynn, due to the fact that the Notice of Intent to Act Upon Extra Work Order No. 1 was inadvertently omitted from being delivered to the Comptroller's Office 7 days prior to the action of the Commission.
 The Commission V O T E D: to rescind its vote of May 31, 1984, Volume 47, Page 198, Item 5, on this matter.
 The Commission further V O T E D: to approve Extra Work Order No. 1, with an upset limit of \$18,000.00, subject to submittal of adequate documentation by the contractor to support actual costs incurred for the testing.

- 2 Report of Mr. Wright, June 11, submitting for approval and signature Contract-Agreement, with Russell H. Babcock Consulting Engineer, Inc., to Provide Professional Services for Instrumentation and Telemetry Throughout the MDC Water Division's Facilities; Compensation to be on a cost plus fixed fee basis with a Total Upset Limit of \$25,000.00.
 The Commission V O T E D: Approved.
 The Secretary then submitted for signature Contract-Agreement, dated June 14, 1984, with Russell H. Babcock Consulting Engineer, Inc., which was signed by the Commissioner and two Associate Commissioners.

 Action was taken upon the following matters relating to the Metropolitan Parks System:

- 3 Report of Mr. Lydon, May 25, submitting Work Schedule Form, Project Summary Form, and Project Justification, for Project No. P84-1289-C1A - Roof Repair, LoConte Rink, Medford, Massachusetts, estimated cost - \$57,000.00, Account No. 2440-8812.
 The Commission V O T E D: Approved.

- 4 Report of Mr. Lydon, May 31, submitting Work Schedule Form, Project Summary Form, and Project Justification, for Project No. P84-1315-C1A - Resurfacing of MDC Parkways - Winthrop Parkway, Revere, and Revere Beach Parkway, Medford/Everett, estimated cost - \$200,000.00, Account No. 2490-0009.
 The Commission V O T E D: Approved.

- 5 Report of Mr. Lydon, May 31, recommending approval of an extension of time from August 9, 1984 to October 9, 1984, on Contract No. P82-1184-C1A, with Coast Construction Corp., for Fish Passage Facilities at Finlay Dam, on the Charles River, Wellesley, Massachusetts, due to the higher than normal seasonal rainfall which has prevented the Charles River from receding to anticipated lower levels.
 The Commission V O T E D: to approve an extension of time from August 9, 1984 to October 9, 1984, as recommended by Mr. Lydon in his report of May 31, 1984, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

- 6 Report of Mr. Lydon, June 5, on bids for Electronic & Sound System Maintenance and Repair Work at Various Sports Facilities & Recreational Areas of the MDC, Contract No. P83-1210-M1A.
 The Commission V O T E D: to accept the only bid received, that of Coviello Electric Co. & General Contracting Co., Inc., of \$165,425.00.

- 7 Report of Mr. Lydon, June 5, on bids for Electrical Maintenance Work at Sports Facilities and Recreation Areas of the Metropolitan Parks System, Contract No. P83-1212-M1A.
 The Commission V O T E D: to accept the lowest bid, that of Metropolitan Signal Corp., of \$179,580.00.

- 8 Report of Mr. Lydon, June 5, on bids for Annual Preventative Maintenance and Repair Contract for Prime Power Generators and Emergency Generators at Various Locations Within the Metropolitan District Commission, Contract No. P83-1219-M1A.
 The Commission V O T E D: to accept the lowest bid, that of Welders Supply of Worcester, Inc., of \$40,980.00.

- 9 Report of Mr. Lydon, June 5, on bids for Maintenance of Street Lighting Systems on Parkways and Roadways of the Metropolitan District Commission, Contract No. P83-1220-M1A.
 The Commission V O T E D: to accept the only bid received, that of Penachio Bros. Electrical Corp., of \$454,308.90



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Report of Mr. Lydon, June 1, submitting Work Schedule Form, Project Summary Form, and Project Justification, for Project No. P84-1318-C1A - Roof Replacement, Garage, Storage, Preparation and Carpenter Shop Building, Franklin Park Zoo, estimated cost - \$55,000.00, Account No. 2440-8812.
 The Commission V O T E D: Approved.

2 Report of Secretary Chisholm, June 5, on request of Mr. Allen Koplow, Concessionaire at the Olsen Pool, Hyde Park, for renewal of his Concession Permit for the 1984 Summer Season, and for a reduction on the Concession Permit Fee for the 1982 Summer Season.

Secretary Chisholm explained that the Olsen Pool was scheduled to be open for 82 days during the 1982 Summer Season, but that it was only open for 46 days due to various mechanical problems. He noted that Mr. Koplow's fee for 1982 was \$375.00, which averaged out at \$4.57 per day for the 82 days. Secretary Chisholm recommended that Mr. Koplow be charged \$4.57 per day for the 46 days the Pool was open for swimming, making a total fee of \$210.22. He went on to say that Mr. Koplow paid \$100.00 upon receipt of the permit, which leaves a balance of \$110.22 to be paid to the Commission prior to the opening of the Pool for the 1984 Summer Season.

The Commission V O T E D: to approve a reduction of the Permit Fee for the 1982 Summer Season from \$375.00 to \$210.22, with the understanding that the balance of \$110.22 be paid prior to the opening of the Pool for the 1984 Summer Season. The Commission further V O T E D: to award the Concession at the Olsen Pool to Allen Koplow for the 1984 Summer Season for a fee of \$375.00.

3 Report of Mr. Lydon, June 6, on bids for Servicing and Maintaining Traffic Signal and Traffic Signal Control Systems on Roadways and Parkways of the Metropolitan District Commission, Contract No. P83-1215-M1A.

Associate Commissioner Anderson made note of the low EEO performance of 4% in an area of 5% to 30% on a Commission contract which is presently in force.

Mr. Lydon stated that the contractor will be told at the upcoming pre-construction conference what is expected of him when the new contract is in force.

The Commission V O T E D: to accept the only bid received, that of Metropolitan Signal's, Inc. and New England Traffic Signals, Inc., Joint Venture, of \$669,200.00.

4 Report of Mr. Lydon, June 6, submitting Work Schedule Form, Project Summary Form, and Project Justification, for Project No. P84-1317-C1A - Upgrading and Rehabilitation of Casting Structures, Charles, Harbor, and Mystic Districts, estimated cost - \$100,000.00, Account No. 2490-0009.

The Commission V O T E D: Approved.

5 Report of Mr. Lydon, June 7, on bids for Reconstruction of Traffic Signal System, Old Colony Avenue and Columbia Road, South Boston, Massachusetts, Contract No. P83-1223-C1A.

The Commission V O T E D: to accept the lowest bid, that of Vigil Electric Co., Inc., of \$22,540.00.

6 Report of Mr. Lydon, June 7, on bids for Servicing of Heating, Ventilating, and Air Conditioning (HVAC) at New Charles River Dam, Charlestown, Massachusetts, Contract No. P83-1255-M1A.

Mr. Lydon stated that he was recommending the second low bidder because the low bidder, P. H. Mechanical Corp., has shown very little cooperation with the Parks Engineering and Construction Division on a similar contract, which is now being completed at the New Charles River Dam.

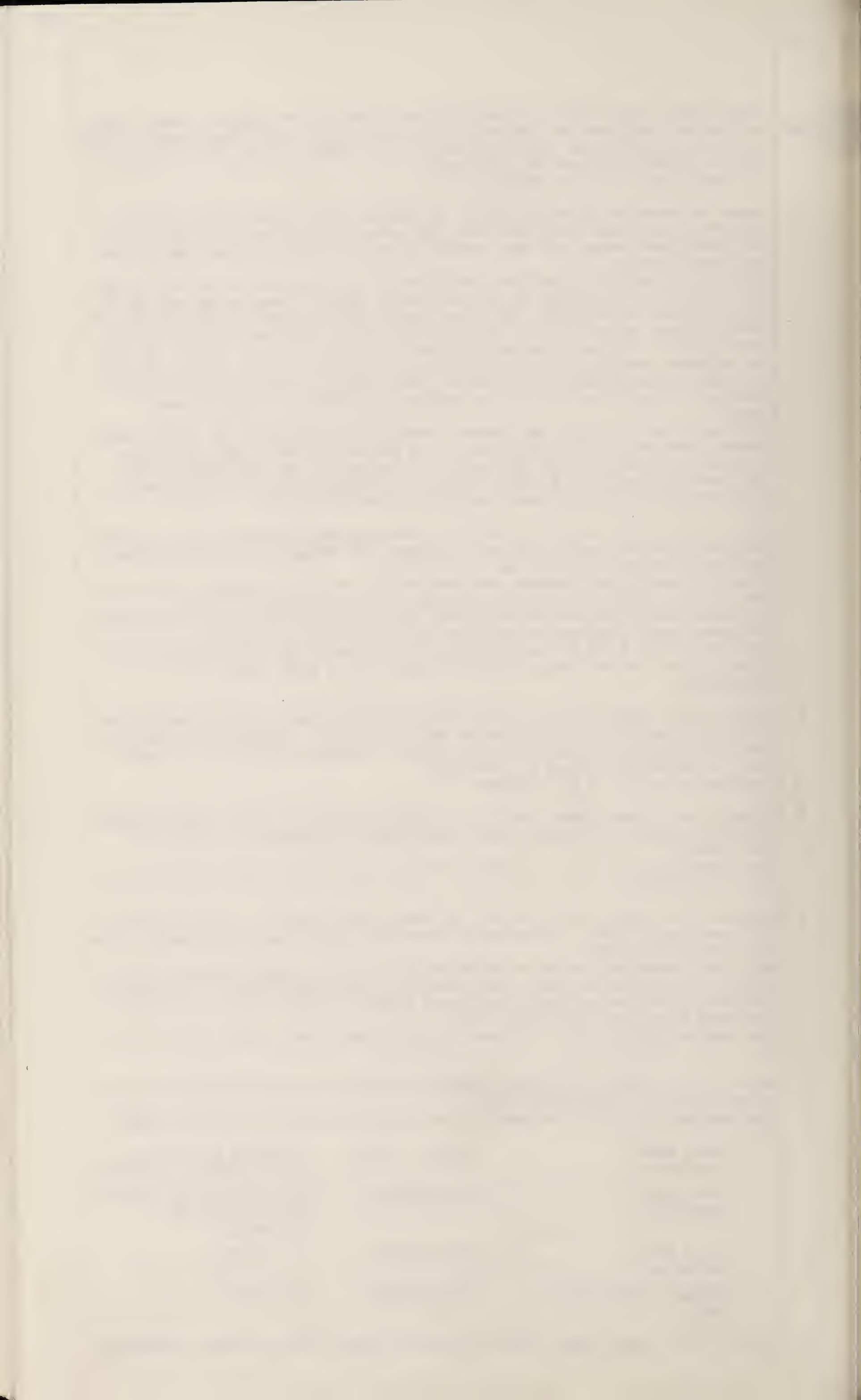
The Commission V O T E D: to accept the second lowest bid, that of Boston Service Co., Inc., of \$20,274.00.

7 Report of the Concession Selection Committee, June 12, recommending award on Concessions for the 1984 Summer Season.

The Commission V O T E D: to award the following Concessions for the 1984 Summer Season:

Revere Beach Location No. 3	James F. Covino	\$1,200.00 flat fee in 3 equal payments of \$400.00
Revere Beach Location No. 4	Joseph Morello	\$1,800.00 and an additional 10% of gross over \$18,000.00
Tenean Beach Dorchester	Philip Messer	\$ 355.00
Breakheart Reservation Saugus	Joyce Rothman	\$ 750.00.

8 Report of Mr. Lydon, June 8, submitting Work Schedule Form and Project Management



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Exception Report Form for Project No. P82-1036-X1B - Restoration of Fort Independence, Phase II, estimated cost - \$17,000.00, Account No. 2449-7374-00; also report of Mr. Wright, June 12, submitting Contract-Agreement, with William A. Stokinger, for Architectural, Archeological and Interpretive Services for the Restoration of Fort Independence.

The Commission V O T E D: to approve the Work Schedule Form for Project No. P82-1036-X1B.

The Commission further V O T E D: to approve the Contract-Agreement with William A. Stokinger.

The Secretary then submitted for signature Contract-Agreement, dated June 14, 1984, with William A. Stokinger, which was signed by the Commissioner and two Associate Commissioners.

- 1 Report of Mr. Lydon, June 12, on bids for Pest Control Services at Various Parks Facilities for the period July 1, 1984 to June 30, 1985.
The Commission V O T E D: to accept the lowest complete bid, that of Five Clancy Brothers Pest Control, of \$1,760.00.

Action was taken upon the following Various Matters:

- 2 Report of Superintendent Keough, May 31, requesting approval to engage the services of Richard Lennon, a Swimming Instructor, and four Aides, to instruct Non-Swimming Candidates for the Metropolitan Police Department, for the period July 1, 1984 to June 30, 1985; the services are \$10.00 per hour for each Instructor; total compensation not to exceed \$2,000.00.
The Commission V O T E D: Approved as requested by Superintendent Keough in his report of May 31, 1984.

- 3 Report of Ms. Keogh, May 29, on bids for Window Washing - MDC Headquarters Building.
The Commission V O T E D: to accept the lowest bid, that of National Window Cleaning Service, of \$2,208.00, representing 6 cleanings at \$368.00 each.

- 4 Report of Mrs. O'Brien, June 4, recommending that the Commission authorize the Cambridge Arts Council to locate and install art works on MDC property at Lechmere Canal, East Cambridge, as follows:

- 1. A work by David Judelson has been selected for the wall of the pedestrian underpass. The work will be done in tile and will depict the landing of the British Soldiers of Lechmere in pursuit of Paul Revere which took place in this immediate area. No tiles will appear on the face of the bridge. The work should give life and interest to the pedestrian underpass.
- 2. A work by James Tyler has been selected for the park and will be placed on a paved area leading from the park to the more intensive development of the Unihab site. It is a bronze pillar incorporating the many faces of East Cambridge. Several faces are those of current residents while the work as a whole emphasizes the diversity of the community.

Mrs. O'Brien explained that the Cambridge Arts Council will be responsible for the upkeep of the art work which will remain under the Council's ownership. She also stated that the Cambridge Arts Council will be responsible for repairing any vandalism which may occur to either piece of art work.

The Commission V O T E D: Approved as recommended by Mrs. O'Brien in her report of June 4, 1984.

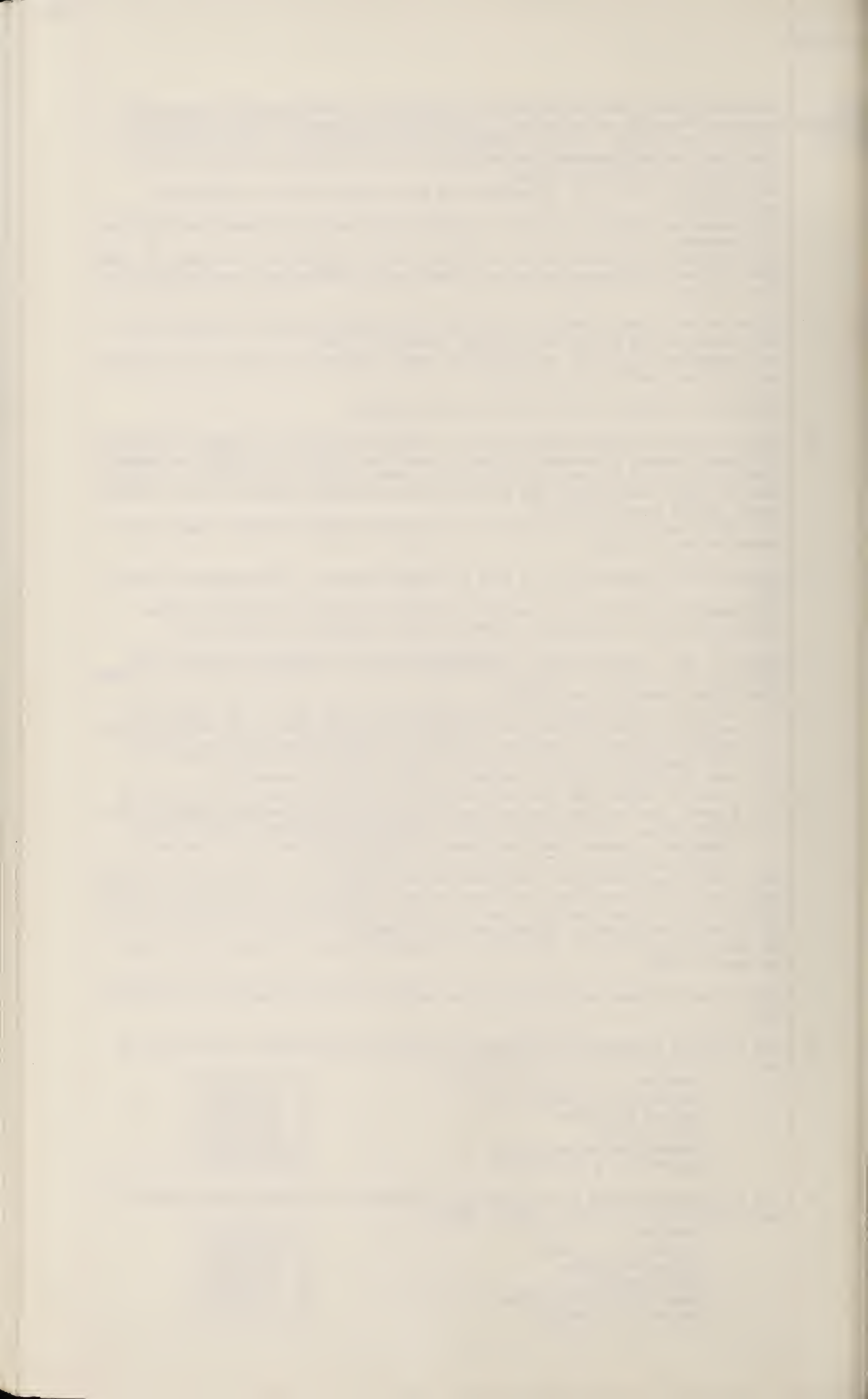
The following matters were placed on the agenda for the information of the Commission:

- 5 The following schedules were approved for payment by the Commissioner during the period from May 21, 1984 to May 28, 1984:

Invoices	\$ 1,221,993.70
Reservation of Funds	\$ 692,880.57
Advices of Change	\$ 842,088.17
Weekly Payroll	\$ 966,774.06
Request for Advances-1984	\$ 1,641,000.00
Request for Advances-1985	\$ 4,641,500.00.

- 6 The following schedules were approved for payment by the Commissioner during the period from May 28, 1984 to June 4, 1984:

Invoices	\$ 166,819.64
Reservation of Funds	\$ 1,009,700.67
Advices of Change	\$ 106,344.11
Weekly Payroll	\$ 964,094.01
Industrial Accident Report	\$ 25,562.26
Request for Advances	\$ 1,843,000.00.



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The following schedules were approved for payment by the Commissioner during the period from June 4, 1984 to June 11, 1984:

Invoices	\$ 1,593,202.99
Reservation of Funds	\$ 80,237.92
Advices of Change	\$ 782,687.17
Weekly Payroll	\$ 981,515.48
Request for Advances	\$ 105,000.00.

ADJOURNED at 1:00 P.M., to meet on Thursday, June 21, 1984, at 10:00 A.M.

William F. Cusick
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Record of the Three Thousand Two Hundred and Eighty-Fourth (3284th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, June 21, 1984, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Jones, and Scandrett.

The records of the meetings held on June 7, 1984, and June 14, 1984, were read and approved.

2 Report of Mr. Lydon, April 17, submitting the Parks Engineering and Construction Program for 1984-1985.

Mr. Lydon, Acting Director - Parks Engineering and Construction Division, reported on the Bridge Program, including new projects, and explained the reasons that the following projects deviated from the Approved Work Schedule:

P75-0838-D1E - Replacement of General Lawrence Bridge.

Mr. Lydon was asked to provide the Commission and Mr. Wright a written update of this project. (Somerville Engineering).

P75-0838-D2A - Replacement of General Lawrence Bridge.
 (Andrew Christo Engineers).

P77-0000 - Bridge Design - Alewife Brook Parkway.

P78-0639 - Upgrading and Repairing Longfellow Bridge.

P80-0826 - Repairs to Huntington Ave. Overpass - South Side Jamaicaway.

P82-1049 - Repairs to Eliot Bridge, Soldiers Field Road.

P82-1052 - Rehabilitation and Reconstruction, Bowker Interchange.

P84-1276 - Provide Professional Services Re: Bridges, Overpasses, Underpasses, Parkways, and Other Facilities.

New Projects

P82-1050 - Storrow Drive Tunnel Repairs.

P82-1051 - Craigie Bridge Study.

P82-1054 - Repairs to Charles St. Bridges 57A & 57B.

P84-1281 - Rehabilitation of Woods Memorial Bridge and B&M Bridge #23, Medford.

The Commission V O T E D: to accept the Bridge Program for 1984-1985.

The Commission further V O T E D: to hold over the remainder of the Parks Engineering and Construction Program for 1984-1985.

Action was taken upon the following matters relating to the Metropolitan Parks System:

3 Report of Mr. Lydon, June 11, relative to amending vote of the Commission of May 17, 1984, approving Project No. P84-1316-C1A - New Gasoline Tank Installation, Franklin Park Zoo, Boston, Massachusetts, to reflect that the project will be funded from Account No. 2440-0010-12 instead of Account No. 2440-9001-12.

The Commission V O T E D: to amend its vote of May 17, 1984, Volume 47, Page 193, Item 4, by striking out the Account No. "2440-9001-12" in the 4th line and inserting in place thereof the Account No. "2440-0010-12" so that the records will read as follows:

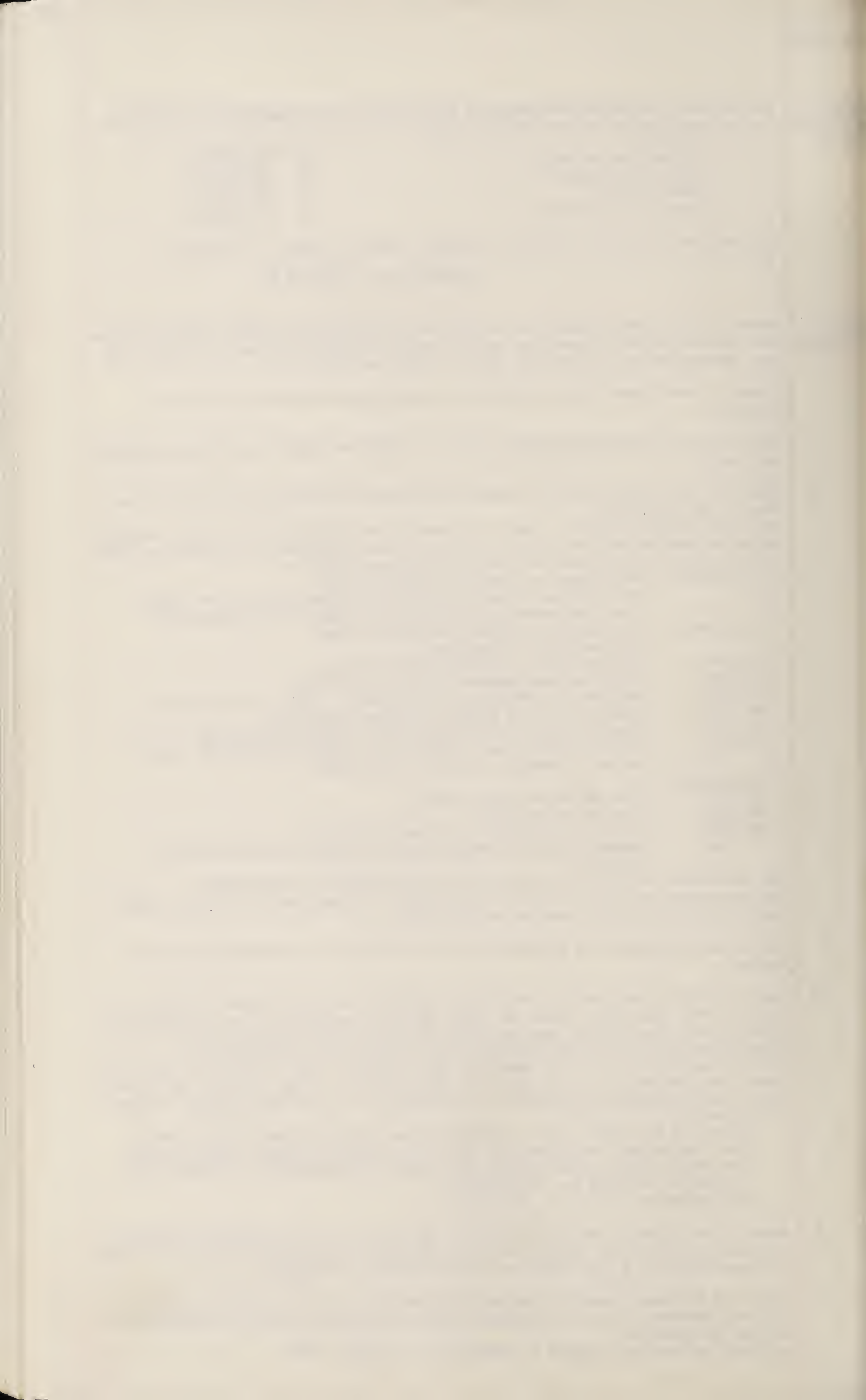
"Report of Mr. Lydon, May 9, submitting Work Schedule Form, Project Summary Form, and Project Justification, for Project No. P84-1316-C1A - New Gasoline Tank Installation, Franklin Park Zoo, Boston, Massachusetts, estimated cost - \$4,000.00, Account No. 2440-0010-12.

The Commission V O T E D: Approved."

4 Report of Mr. Lydon, June 12, on bids for Washing Tile Walls of Storrow, Berkeley and Longfellow Tunnels, Boston-Cambridge, Massachusetts, Contract No. P83-1217-M1A. The Commission V O T E D: Held over for additional information.

5 Report of Mr. Lydon, June 12, recommending the following on Contract No. P82-1021-C1A, with Goudreau Corp., for Community Boating Facilities, New Dock Construction, Boston, Massachusetts:

(a) That the work be accepted as completed as of May 3, 1984.



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(b) That Estimate No. 2 (Final), in the amount of \$54,331.92, be approved for payment.

(c) That reserve, in the amount of \$6,269.13, be approved for payment on July 7, 1984.

The Commission V O T E D: that the work of Goudreau Corp., contractor under Contract No. P82-1021-C1A, for Community Boating Facilities, New Dock Construction, Boston, Massachusetts, be and hereby is accepted as completed as of May 3, 1984.

The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of \$54,331.92, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$6,269.13, for payment on July 7, 1984.

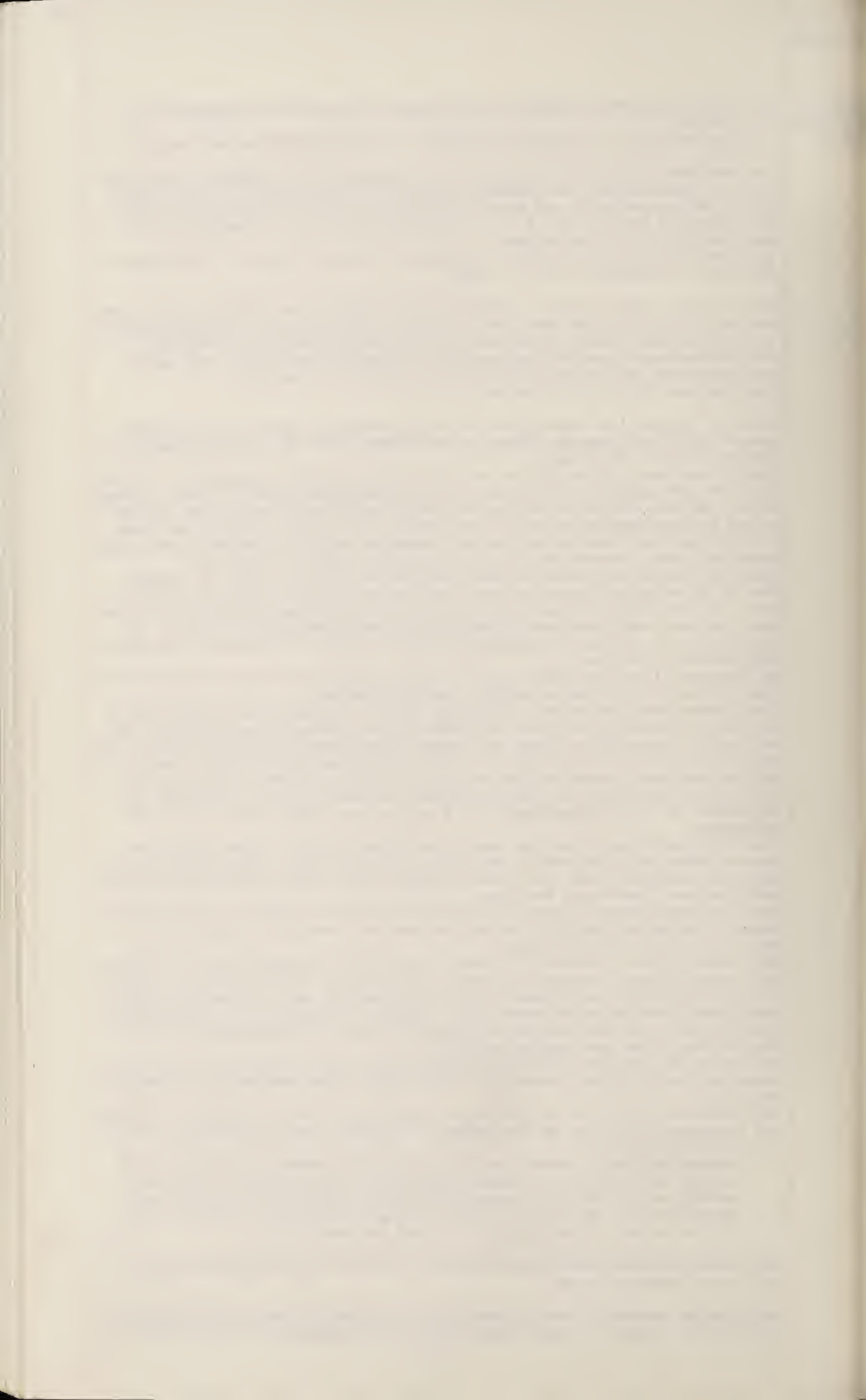
1 Report of Mr. Lydon, June 15, submitting Work Schedule Form, Project Summary Form, and Project Justification Form, for Project No. P84-1320-C1A - Temporary Repairs to Pier, Peddocks Island, estimated cost - \$50,000.00, Account No. 2440-8787. Commissioner Geary spoke of the Commission's commitment and stated that public safety dictates that we make these temporary repairs to the pier. The Commission V O T E D: Approved.

2 Letter of Metropolitan Boston Zoos, April 16, requesting approval of an expenditure of \$60,325.00 from the "Stone Zoo Improvement Fund" for the Development of a Master Plan for Stone Zoo. Commissioner Geary stated that he felt badly that Associate Commissioners Fontanez and Jones were unable to be present for the presentation because of their interest in this matter. He then noted that Associate Commissioner Fontanez was not convinced that the Commission should move forward with a Master Plan for the Stone Zoo until work at Franklin Park Zoo was completed, and that Associate Commissioner Jones felt that a program should provide an overall plan for both zoos. Associate Commissioner Scandrett noted that one of the major goals of a Master Plan is to reduce and control expenditures for energy at the Stone Zoo in the future. He also noted that one of the major goals of the Master Plan will be to reduce the day-to-day operational expenditures through increased efficiency. He stated that one of Associate Commissioner Jones' concerns was massive operational expenditures at the zoo. Mr. Larry Wickline stated that one of the major goals of the Master Plan will be to keep the operation of the zoo within a realistic budget. Commissioner Geary stated that any further delay in acting on this request would be counter-productive, and that the Commission now has an obligation to move forward with a Master Plan at Stone Zoo before further deterioration takes place. He explained that the Stone Zoo has carried the burden during the period Franklin Park Zoo has been under reconstruction and spoke of future management plans for the operation of both zoos. He also stated that the Master Plan, as presented, will not commit the MDC to expenditures for a new zoo, but simply gives us goals and objectives. Associate Commissioner Anderson spoke of her recent visit to Stone Zoo and how she was impressed by the work of Mr. Wickline and his Staff. She stated that the Master Plan addressed the relationship between Franklin Park Zoo and Stone Zoo to make sure each compliments the other. Associate Commissioner Scandrett stated that over 90% of animals at Stone Zoo are owned by the Boston Zoological Society and most will return to Franklin Park Zoo when it is ready to receive them. Mrs. Julia O'Brien, Director of Planning, stated that the Master Plan will address the interrelationship between the Franklin Park Zoo and the Stone Zoo and should assure that exhibits and programs will be complimentary and will mutually enhance the Metropolitan Zoological experience. She went on to say that the Master Plan should include a capital program recommending a level of expenditures and priorities for two, five, and ten-year periods. In closing, Mr. Wickline stated that 500,000 people used Stone Zoo last year and ranked as the 4th highest attraction of this type in the Commonwealth in number of visitors. The Commission V O T E D: to approve an expenditure of \$60,325.00 from the "Stone Zoo Improvement Fund" for the Development of a Master Plan for Stone Zoo, with the following stipulations:

1. The Master Plan to address the interrelationship between the Franklin Park Zoo and the Stone Zoo and assure that exhibits and programs will be complimentary and will mutually enhance the Metropolitan Zoological experience.
2. The Master Plan to include a capital program recommending a level of expenditures and priorities for two, five, and ten-year periods.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

3 Report of Ms. Haggerty, June 15, submitting Work Schedule Form for Project No. S82-1003-C2A - Digester System Rehabilitation and Improvements, Deer Island Sewage



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Treatment Plant, Boston, Massachusetts, estimated cost - \$2,000,000.00, Account No. 2439-7274.

The Commission V O T E D: Approved.

- 1 Report of Mr. Baratta, June 19, on request of the Massachusetts Turnpike Authority for permission for WGBH Educational Foundation, Lessee of Lease Area B (Owned by the Massachusetts Turnpike Authority), to make all necessary improvements in and on the easement of the MDC's South Charles Relief Sewer, Section 1, between Station 66+85± and Station 69+21±, and adjust the manhole at Station 67+40± to the proper grade.
- The Commission V O T E D: Approved as recommended by Mr. Baratta in his report of June 19, 1984, subject to the following conditions:
1. That the MDC's sewer shall be flagged along the course of the proposed construction for identification and protection purposes.
 2. That any damage to the MDC's sewer, resulting from the construction, shall be repaired at the Permittee's expense.
 3. That the Permittee, its successors and assigns, shall indemnify and save harmless the Commonwealth of Massachusetts, the Metropolitan District Commission, and its and their agents and servants, from any and all claims and demands for damages or injury to persons or property arising out of the exercise of this Permit.
 4. That all work to be performed to the satisfaction of the Director of the MDC's Sewerage Division.
 5. That the Permittee, its successors and assigns, shall indemnify and save harmless the Commonwealth of Massachusetts, the Metropolitan District Commission, and its and their agents and servants from any damage or additional cost which the granting of this permission may entail in the event that repairs to that portion of the sewer under the proposed construction becomes necessary, and upon the further condition that the Commission, and its agents and servants, may enter upon the location at any time in order to carry on the maintenance and repair of its sewer.
 6. That the granting of this permission shall in no way interfere with the rights of the Commission to exercise its said rights under its easement as provided in its taking.
 7. That the Permittee, its successors and assigns, agree, upon demand, to remove that portion necessary to install a new relief sewer in the existing easement if required in the future, all at its own expense.
 8. That the Permittee agrees that ample notice will be given to the MDC's Sewerage Division in order that an Inspector may be on the premises during the proposed construction.
 9. Any other condition deemed necessary by the Right-of-Way Section for the protection of the MDC's sewer lines and employees.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 2 Report of Mr. Brutsch, June 6, requesting authority to engage local Police Officers in the Metropolitan Boston Area to maintain and control vehicular traffic during excavation for repairs of leaks and breaks in MDC Water Mains, estimated cost for Fiscal Year 1985 - \$12,000.00, Account No. 2425-9001-03
 Commissioner Geary asked if MDC Police Officers could be used for these paid details.
 Mr. Brutsch responded that MDC Police will only work on these paid details when the city of town involved does not have an Officer available.
 The Commission V O T E D: Approved as requested by Mr. Brutsch in his report of June 6, 1984.
- 3 Report of Mr. Martorana, June 15, submitting Updated Work Schedule Form for Project No. W84-1035-S1A - Nashua River Watershed Association Stillwater River Project in order to reflect revisions in project starting time from March to August 1984 and completion time from February to July 1986; also designating Mr. Alfred Ferullo as the new Project Engineer for this project.
 Mr. Brutsch explained that work to be performed by the Nashua River Watershed Association will be to identify water quality problems in the Stillwater River Drainage Basin which flows into the Wachusett Reservoir.
 Commissioner Geary asked Mr. Brutsch to make arrangements to have representatives of the Nashua River Watershed Association attend a Commission meeting in the near future.
 The Commission V O T E D: Approved.
- 4 Report of Mr. Brutsch, June 8, relative to presentation by Ms. Mary Ann Fronk, Public Information Consultant in the Demand Management Program.
 Ms. Mary Ann Fronk, Public Information Consultant for the Water Division, reviewed the work which has been accomplished in the Demand Management Program during the



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past one and one-half years. First, she spoke of the Education Program that led to meetings with 23 communities at which time curriculum materials were distributed and teacher workshops were scheduled. Ms. Fronk explained that a Water Conservation Poster Contest was conducted for students in Grades K - 8 which resulted in 2,200 entries being submitted from 44 communities. She then explained some of the highlights of the Non-Domestic User Program. Included in this program was the distribution and display of 50,000 table-top tents to restaurants in the area with a Water Conservation message. She note that, as part of this program, Associated Industries of Massachusetts co-sponsored the distribution of Water Conservation kits to Non-Domestic Users. In addition, arrangements were made with the Greater Boston Hotel and Motel Association to distribute Water Conservation Posters to employees. As part of a Public Information Program, she noted, Water Conservation Public Service Announcements were distributed to Cable Television Stations; meetings were held with various groups where Demand Management plans were discussed; arrangements were made to place Water Conservation Posters in MBTA Subway Stations; ten thousand Water Conservation Bumper Stickers were distributed; and arrangements were made for the Governor's Water Conservation Week proclamation signing. At this point, Marcia MacClary, President of Media Matrix, the Commission's Consultant on the Public Information Project for Demand Management, presented the Commission with a copy of the new Water Conservation Poster which is being displayed in subways. She, and Commission Staff involved in the Demand Management Program, spoke of the favorable response the poster has received from the public. Ms. Fronk stated that she has had many requests for copies, but due to the lack of funds copies are not available for public distribution. Mr. Sam Kaufman presented two new Public Service Announcements on Water Conservation which were viewed by the Commission. Following the presentation, the Commission commended those involved in producing the Poster and the Public Service Announcements for their fine work. At this point, the Commission V O T E D: to commend Ms. Mary Ann Fronk for her outstanding work in promoting Water Conservation over the past eighteen months. It was noted that her creative and untiring efforts have helped establish the important concept of Water Conservation in all the cities and towns served by the Metropolitan Water District.

Action was taken upon the following Various Matters:

- 1 Report of Mr. Wright, June 14, submitting for approval and signature Contract-Agreement, with Daniel F. Coughlin, Certified Public Accountant, to Analyze Pre-qualification Statements, Upset Limit - \$3,000.00, Account No. 2410-1000. In response to questioning by Commissioner Geary, Mr. McCann stated that he had checked with the Massachusetts Board of Registered Accountants and found that Mr. Coughlin was in good standing. Commissioner Geary then asked that Mr. McCann obtain a list of Mr. Coughlin's clients. He also stated that the Commission should be notified of the names of any future clients while this contract is in force. The Commission V O T E D: Approved. The Secretary then submitted for signature Contract-Agreement, dated June 21, 1984, which was signed by the Commissioner and two Associate Commissioners.
- 2 Report of Mr. Wright, June 14, submitting for approval and signature Contract-Agreement, with Thomas F. McKenna, Esq., for Services in Representing the Commission in Courts of the Commonwealth in pending litigation, Upset Limit - \$5,000.00, Account No. 2440-0010. The Commission V O T E D: Approved. The Secretary then submitted for signature Contract-Agreement, dated June 21, 1984, which was signed by the Commissioner and two Associate Commissioners.
- 3 Associate Commissioner Jones spoke of a multi-million building program being planned by the Massachusetts General Hospital adjacent to Charles Street in Boston. He asked that Mrs. Julia O'Brien keep the Commission informed of the progress of the project keeping the Commission's interests in mind.

The following matter was placed on the agenda for the information of the Commission:

- 4 The following schedules were approved for payment by the Commissioner during the period from June 11, 1984 to June 18, 1984:

Invoices	\$ 936,461.03
Reservation of Funds	\$ 1,176,769.63
Advices of Change	\$ 778,291.45
Weekly Payroll	\$ 1,018,131.14
Medical Payments	\$ 26,618.10
Industrial Accident Report	\$ 18,932.23
Request for Advances	\$ 1,505,876.00.

ADJOURNED at 1:00 P.M., to meet on Thursday, June 28, 1984, at 10:00 A.M.

William F. Cusick
Secretary



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Record of the Three Thousand Two Hundred and Eighty-Fifth (3285th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, June 28, 1984, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The records of the meeting held on June 21, 1984, were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

- 1 Contract-Agreement, dated June 28, 1984, with WCH Industries, Inc., for Evaluation of MDC Buildings and Facilities Throughout the Metropolitan Parks District; Total Upset Limit of Contract-Agreement - \$39,966.42.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

- 2 Contract-Agreement, dated June 28, 1984, with Touche Ross & Co., Inc., for Study of Equipment, Labor, and Cost Requirements for Metropolitan Parks District; Total Upset Limit of Contract-Agreement - \$39,642.00.
- 3 Third Amendment, dated June 28, 1984, to Contract-Agreement, dated April 9, 1981, with Keyes Associates, for Distribution System Improvements, Stoneham, Woburn, and Wakefield, which allows for additional work outside the Scope of Services to provide a connection to Winchester and extends the Time for Performance to April 30, 1985; Total Upset Limit of the Contract-Agreement - \$782,098.00.
- 4 Contract-Agreement, dated June 28, 1984, with 5 Clancy Bros. Pest Control, for Pest Control Services at Various Locations Throughout the Metropolitan Parks District.
- 5 Contract No. P83-1220-M1A, dated June 28, 1984, with Penachio Bros. Electrical Corp., for Maintenance of Street Lighting Systems on Parkways and Roadways of the Metropolitan District Commission.
- 6 Contract No. P83-1223-C1A, dated June 28, 1984, with Vigil Electric Co., Inc., for Reconstruction of Traffic Signal System, Old Colony Avenue and Columbia Road, South Boston, Massachusetts.
- 7 Contract No. P83-1219-M1A, dated June 28, 1984, with Welders Supply of Worcester, Inc. d/b/a Weld Power Service Company, for Annual Preventative Maintenance and Repair Contract for Prime Power Generators and Emergency Generators at Various Locations Within the Metropolitan District Commission.
- 8 Contract No. P83-1212-M1A, dated June 28, 1984, with Metropolitan Signal Corp., for Electrical Maintenance Work at Sports Facilities and Recreation Areas of the Metropolitan Parks System.
- 9 Contract No. P83-1215-M1A, dated June 28, 1984, with Metropolitan Signal Corp. - New England Traffic Signals, Inc., Joint Venture, for Servicing and Maintaining Traffic Signal and Traffic Signal Control Systems on Roadways and Parkways of the Metropolitan District Commission.
- 10 Contract No. P83-1255-M1A, dated June 28, 1984, with Boston Service Company, Inc., for Servicing of Heating, Ventilating and Air Conditioning (HVAC) at New Charles River Dam, Charlestown, Massachusetts (FY 85).
- 11 Contract No. P83-1210-M1A, dated June 28, 1984, with Coviello Electric & General Contracting Co., Inc., for Electronic and Sound System Maintenance and Repair Work at Various Sports Facilities & Recreational Areas of the Metropolitan District Commission.
- 12 Presentation - Vanasse/Hangen Engineering, Inc. - Final Plans and Specifications for Contract No. P82-1046-C1A - Roadway Improvements, Hillcrest Parkway, Winchester, Massachusetts.

Mr. Ron Thompson, Partner of Vanasse/Hangen Engineering, Inc., reviewed the project with the Commission and explained that the following work will be included:

- Sidewalk Replacement, including a new granite curb to protect a nearby Reservoir from pollution
- Correcting a drainage problem in the area
- Installation of a new water line
- Road Grading
- Plantings
- Roadway Resurfacing.

He then spoke of a Public Hearing in the Town of Winchester where the sentiment of those in attendance was for the MDC to use a Colonial Type light fixture for the new street lighting system to be installed along the Parkway as part of the Reconstruction Project. Mr. Thompson stated that this is the type of fixture that the Town has installed as part of a new lighting system in the Center of Winchester. Commissioner Geary stated that the Commission should be sensitive to the requests of Member Communities and that he recommends that the Commission approve the use of the Colonial Type fixture for this project.

The Commission V O T E D: to approve the Colonial Type light fixture for this



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project.

The Commission further V O T E D: to approve the Final Plans and Specifications and authority given to advertise.

- 1 Report of Mr. Lydon, April 17, submitting the Parks Engineering and Construction Program for 1984-1985.
 The Commission V O T E D: Held over.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 2 Report of Ms. Haggerty, June 21, submitting Updated Work Schedule Form for Project No. P82-1020-D1A - Upgrade Deer Island - Power and Pump Station, which changes the estimated cost from \$2,000,000.00 to \$2,026,575.00.
 Commissioner Geary spoke of the importance of this project in the overall cleanup of Boston Harbor and noted that this is one of the most important steps in the MDC's Water Pollution Control efforts for the Harbor. He then spoke of his letter of May 23, 1984, to Professor Charles M. Haar, Special Master, informing him of the MDC's action to expedite the Boston Harbor Cleanup by going directly to design on the Deer Island Power and Pumping Station with the Study Consultant, Havens & Emerson/Parsons Brinckerhoff. Commissioner Geary said that he took this step notwithstanding the potential of severe criticism from the Office of the Inspector General. He stated that it was his feeling that the design of this project is too important to the overall impact on the Harbor to delay with another extensive selection procedure that is not mandated by statute. He went on to say that any delay in this project would result in the loss of available Environmental Protection Agency reimbursable funding.
 The Commission V O T E D: Approved.

- 3 Report of Ms. Haggerty, June 20, requesting approval of a 120-day extension of time from June 30, 1984 to October 28, 1984, on Contract No. S83-1105-M1A, with Creole Production Services, Inc., for Engine Maintenance Program at Nut Island Sewage Treatment Plant, due to the following reasons:

1. At the start of the contract two engines required overhauls which did not allow the contractor to perform engine analysis on these engines.
2. Delays were also encountered because of the heavy spring rains. Due to the high flows during April and May, all the remaining engines were running continuously which did not allow the contractor to perform the annual mechanical inspection.

The Commission V O T E D: to approve an extension of time from June 30, 1984 to October 28, 1984, as requested by Ms. Haggerty in her report of June 20, 1984, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

- 4 Report of Ms. Haggerty, June 21, recommending the following on Contract-Agreement No. S84-1112-S1A, with Camp Dresser & McKee, Inc., for Moon Island Phase I Study:
 - (a) That the work be accepted as completed as of April 20, 1984.
 - (b) That Payment No. 3 (Final), in the amount of \$5,516.32, be approved for payment.
 - (c) That retainage, in the amount of \$3,710.14, be approved for payment.
 The Commission V O T E D: Held over.

- 5 Report of Mr. Baratta, June 21, relative to presentation by Metcalf & Eddy, Inc. - Resubmittal of Secondary Waiver Application.
 Mr. Daniel Donahue, of Metcalf & Eddy, Inc., the MDC's Consultant for the Secondary Waiver Application, presented an overview of the Sewerage Division's reapplication to the Environmental Protection Agency (EPA). He stated that EPA had tentatively denied the Commission's original Secondary Waiver Application in 1983, and because of the importance of the project, the decision was made to reapply. Mr. Donahue then outlined the six issues which the EPA based its tentative denial decision and the steps taken in the reapplication process to clarify these issues and gather additional data to prove that granting a Waiver would not adversely affect the Massachusetts Bay environment. He discussed the sampling program to take place this summer to gather additional biological data and determine the location of the proposed outfall. Mr. Donahue stated that approval of the Waiver reapplication will mean that the Commission will not have to upgrade its two Treatment Plants to provide Secondary Treatment of wastewater, thereby saving the Commission millions of dollars in capital and yearly maintenance costs. He noted, however, that the Sewerage Division does intend to provide upgraded primary treatment, which should prove to be a cost effective and environmentally sound method of handling the millions of gallons of wastewater received at the plants daily.

- 6 Report of Mr. O'Brien, June 25, recommending approval of the following on Contract-

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Agreement No. S80-0828-D1A, with Metcalf & Eddy, Inc., for East Boston Pumping Station:

(a) Transfer of funds from Design Budget to the Subsurface Investigations Budget.

(b) Change of subcontractor from Carr-Dee to Guild Drilling.

The Commission V O T E D: to approve the transfer of funds from the Design Budget to the Subsurface Investigations Budget and a change of subcontractor from Carr-Dee to Guild Drilling, all as recommended by Mr. O'Brien in his report of June 25, 1984.

1 Report of Mr. O'Brien, June 22, on bids for Improvements to Sedimentation Tanks, Nut Island, Contract No. S80-0656-C5A.

Mr. O'Brien spoke of the problems involved with a discrepancy in the proposal of the apparent low bidder, Joint Venture of Bonacorso Construction Corp., Greater Boston Construction Co., Inc., and F&A Construction, Inc. He noted that if the discrepancy was waived by the Commission, said Joint Venture would remain the low bidder at \$2,538,436.00. However, he noted, that if the discrepancy was not waived, the Bonacorso (Joint Venture) bid would be recalculated to an amount of \$4,743,226.00 and R. Zoppo Co., Inc. would become low bidder at \$2,977,000.75 (a difference of about \$440,000.00 over Bonacorso's (Joint Venture) unadjusted bid). Mr. O'Brien further stated that by not awarding the contract to the low bidder, the Commission might lose federal reimbursement on the \$440,000.00 difference.

Commissioner Geary noted that the following three options are available:

1. Waive the informality as to form in Bonacorso's bid and award the contract to the Joint Venture of Bonacorso Construction Corp. et al as the lowest responsive bidder.
2. Do not waive the informality as to form in Bonacorso's bid, thereby requiring correction of their bid amount and then award the contract to R. Zoppo Co., Inc., as the lowest responsive bidder.
3. Reject all bids and direct rebidding of the project.

Associate Commissioners Anderson and Jones both stated that the Commission's specifications were clear and that the low bidder did not comply with what was called for under terms of the contract.

Commissioner Geary stated that the award to Bonacorso Construction Corp. et al was endorsed by the General Counsel, the Contract Administrator, and the Sewerage Division's Program Management Office. He also stated that the project's implementation schedule has been mandated by Environmental Protection Agency's Administrative Order and also Court Order.

Mr. O'Brien stated that R. Zoppo Co., Inc. has filed a bid protest with the Massachusetts Department of Labor and Industries on the premise that Bonacorso's unadjusted bid price was non-responsive, and as such should be recalculated giving a \$4.7 million figure.

Following a lengthy discussion concerning the issues or price difference of the bidders, interpretation of specifications, and the potential for delay if the project was readvertised, the Commission V O T E D: to waive the informality as to form in the bid of Bonacorso Construction Corp., Greater Boston Construction Co., Inc., and F&A Construction, Inc. (Joint Venture).

The Commission further V O T E D: to accept the lowest bid, that of Bonacorso Construction Corp., Greater Boston Construction Co., Inc., and F&A Construction, Inc., of \$2,538,436.00.

Associate Commissioners Anderson and Jones desired to be recorded as being opposed to this action of the Commission.

The Commission then directed appropriate MDC Staff to examine the section of our Standard Specifications that deals with errors, omissions, etc., to see if that section can be strengthened for future contracts.

2 Report of Mr. O'Brien, June 25, requesting approval of the following on Contract No. S77-0484 - Hingham Force Main & Pump Station:

1. A time extension of 9 months through March 31, 1985, on Contract-Agreement No. S77-0484-S1C, with Anderson-Nichols, for Facilities Planning, Force Main Design and Construction Services - on Phase 1 - Force Main.
2. A time extension of 2 weeks through July 13, 1984, on Contract No. S77-0484-C1A, with Methuen Construction Co., Inc., for Construction of the Hingham Force Main.
3. An overrun on line painting (EWO No. 1) of 10,000 feet at the earlier agreed upon unit price of \$0.115 per foot. This represents a 50% increase over the initial quantity and increases the line item by \$1,150.00 to a new total of \$3,450.00.

4. Revised Work Schedule Form for Phase 2 - Pump Station Improvements.

The Commission V O T E D: to approve a 9-months extension of time to March 31, 1985, on Contract-Agreement No. S77-0484-S1C, with Anderson-Nichols, on condition that no further request will be made for additional compensation.

The Commission further V O T E D: to approve a 2-weeks extension of time to July 13, 1984, on Contract No. S77-0484-C1A, with Methuen Construction Co., Inc., to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

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The Commission further V O T E D: to approve an overrun on line painting, at an additional cost of \$1,150.00.

The Commission further V O T E D: to approve the Revised Work Schedule Form for Phase 2 - Pump Station Improvements.

- 1 Report of Mr. Falvey, June 26, recommending that the amount of \$173,500.00 be awarded to the Massachusetts Bay Transportation Authority for damages in connection with the construction of the Millbrook Valley Relief Sewer through the Massachusetts Bay Transportation Authority's right-of-way (formerly a railroad spur track) in the Town of Lexington, and requesting that the \$173,500.00 be appropriated from Account No. 2439-7297; also recommending that the Right-of-Way Section be authorized to prepare an Order of Taking for easements within the public streets in connection with the same.

The Commission V O T E D: to approve Award of Damages, in the amount of \$173,500.00, to the Massachusetts Bay Transportation Authority; said amount to be appropriated from Account No. 2439-7297.

The Commission further V O T E D: to authorize the Right-of-Way Section to prepare an Order of Taking for easements within the public streets in connection with this project.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 2 Report of Mr. Martorana, June 19, on bids for Exploratory Excavation for Replacement of Certain Water Mains, Arlington, Boston, Brookline, Cambridge, Medford, and Somerville, Massachusetts, Contract No. W80-0871-X1A.

Mr. Brutsch explained that the low bidder submitted a bid of \$173,665.00 while the second low bidder submitted a bid of \$251,132.50; both in excess of the Engineer's estimate of \$100,000.00. He noted that the Engineer's estimate for Item 8 on the contract was \$35,000.00, and that the low bidder submitted a cost of \$132,000.00, which he considered unbalanced. He stated that he was, therefore, recommending that the contract be readvertised.

The Commission V O T E D: to reject all bids and authority given to readvertise.

- 3 Report of Mr. Martorana, June 21, recommending approval to exceed the estimated quantities on Contract No. W80-0763-C2A, with J. Biotti & Sons, for Furnishing and Laying Water Pipes in Lynn, Massachusetts, as follows:

Item 8 - "Miscellaneous Excavation Without Sheeting" - \$ 1,000.00

Item 58 - "Furnishing and Maintenance of Engineers Quarters" - \$7,000.00.

The Commission V O T E D: Approved as recommended by Mr. Martorana in his report of June 21, 1984.

- 4 Report of Mr. Martorana, June 21, recommending approval of the following on Contract No. W79-0970-C2A, with P. Gioioso & Sons, Inc., for Water Meter Modernization, Greater Boston Metropolitan Area:

(a) Extra Work Order No. 3, at a total cost of \$10,122.84, for electrical modifications to power trip/reset circuit at 51 meter sites and furnishing 3 spares.

(b) An extension of time from January 31, 1984 to July 31, 1984, for completion of all work.

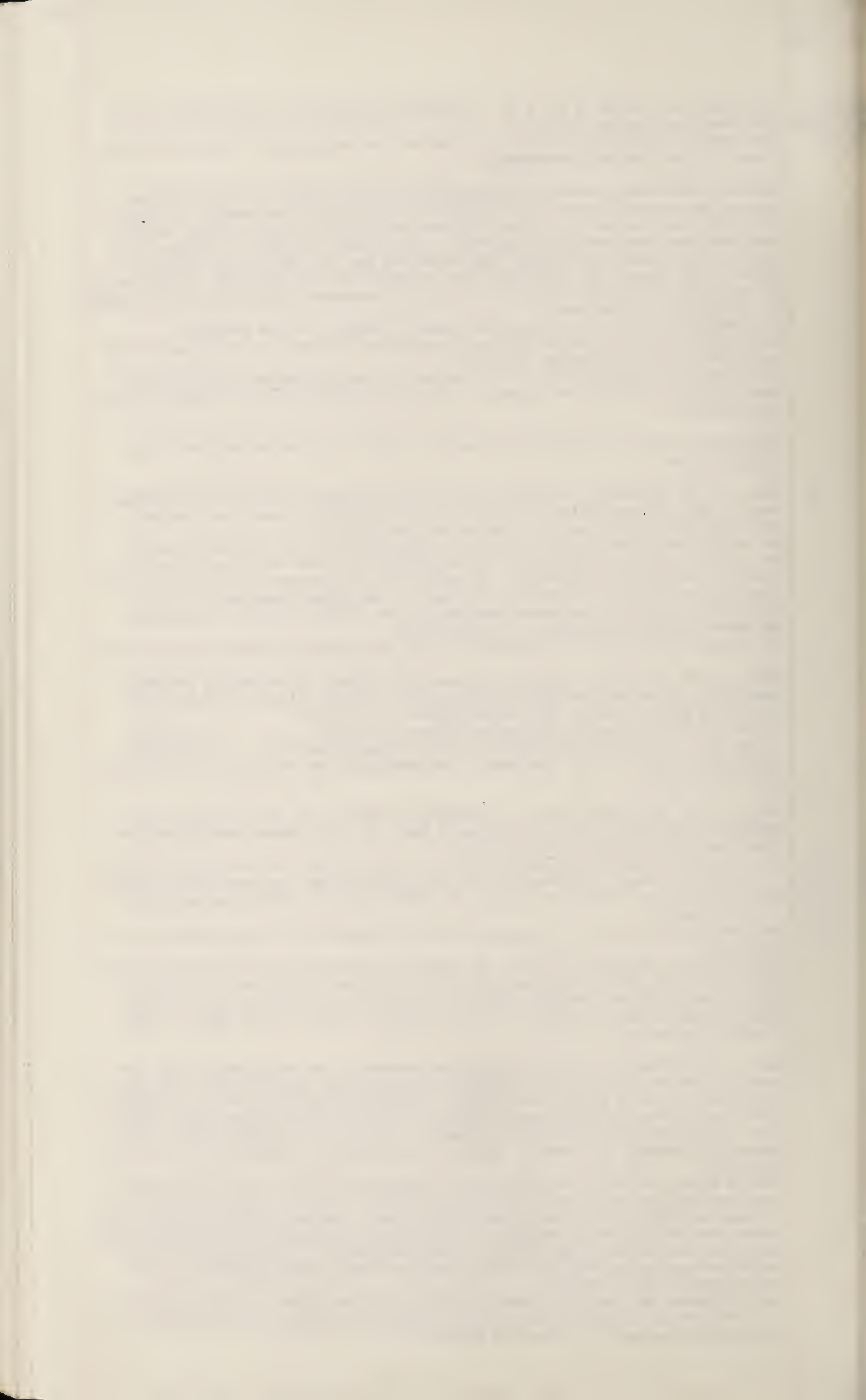
The Commission V O T E D: to approve Extra Work Order No. 3, at a total cost of \$10,122.84.

The Commission further V O T E D: to approve an extension of time from January 31, 1984 to July 31, 1984, as recommended by Mr. Martorana in his report of June 21, 1984, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

- 5 Report of Mr. Brutsch, June 14, requesting approval of an extension of time from June 30, 1984 to May 31, 1985, on Contract-Agreement No. W84-1034-S1A, with Abt Associates, Inc., to Design and Execute a Program to Distribute Water Conservation Curriculum Guides to Public School Teachers in the Forty-Five Water User Communities, subject to the availability of funds in the Fiscal Year 1985 Budget; also requesting approval of change of funding from Account No. 2420-0100 to Account No. 2420-0100.

(Due to delays in initiating the contract and because of the notification period required to schedule in-service teacher workshops, Abt Associates was unable to arrange workshops during the current school year. However, they encountered much enthusiasm for in-service sessions if they could be scheduled starting next Fall). Associate Commissioner Jones noting the problems that the Towns of Bedford and Burlington are having with their water supplies asked if both communities could be included in this program.

Terry Bickford, MDC Public Information Officer for the Demand Management Program, said that we are limited to 20 in-service teacher workshops, but that he will schedule both communities if at all possible.



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The Commission V O T E D: to approve an extension of time from June 30, 1984 to May 31, 1985, as requested by Mr. Brutsch in his report of June 14, 1984, on condition that no further request will be made for additional compensation, and subject to the availability of funds in the Fiscal Year 1985 Budget.
 The Commission further V O T E D: to approve changing the funding from Account No. 2420-0100 to Account No. 2420-0200.

- 1 Report of Mr. Martorana, June 20, recommending approval of an extension of time from May 19, 1984 to August 7, 1984, on Contract No. W84-1039-X1A, with General Electric Company, for Repair of Motor from Brattle Court Pumping Station, to allow time for the manufacture and delivery of a new fan for installation in the electric motor; also recommending that the present target cost be increased from \$2,987.00 to \$3,487.00 to cover \$500.00 for the extra work order to install the new fan.
 The Commission V O T E D: to approve an extension of time from May 19, 1984 to August 7, 1984, as recommended by Mr. Martorana in his report of June 20, 1984, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
 The Commission further V O T E D: to approve an increase in the target cost from \$2,987.00 to \$3,487.00.
- 2 Report of Mr. Martorana, June 22, on request of O'Brien & Gere Engineers, Inc., Consultant under Contract-Agreement No. W80-0915-D1A, for Rehabilitation of Northern Low Service - Section 57, for transfer of \$5,000.00 from John J. Pepper Corp., Corrosion Consultants, to O'Brien & Gere Engineers, Inc.
 The Commission V O T E D: Approved as recommended by Mr. Martorana in his report of June 22, 1984.
- 3 Report of Mr. Brutsch, June 20, on request of Vazza Associates, Site Developer, and Joseph W. Moore Co., Engineer, for Trustees of Sawyer Road Realty Trust, for permission to install a drainage system (435 linear feet of pipe) through MDC easement on property owned by Brandeis University in Waltham.
 The Commission V O T E D: to grant to Vazza Associates, Brandeis University, and Sawyer Road Realty Trust, permission to install a drainage system through MDC easement in Waltham, as set forth on plan drawn by J. W. Moore Co., entitled "Drain line connection," dated May 14, 1984, subject to the following conditions:
 1. The use of said easement is restricted solely to the installation and maintenance of a drainage system.
 2. The use is granted hereunder with the provision that the Commonwealth of Massachusetts, the Metropolitan District Commission, and its agents and servants, are held harmless and indemnified against all claims and demands for injuries or damages to persons, animals, or other property, arising out of the permission granted to install a drainage system.
 3. The permission granted for installation of said drainage system shall in no way interfere with the rights of the MDC to enter upon, use or care for the land or to construct, repair, maintain or renew any structure therein or thereon, nor shall the Commonwealth or said Commission or its officers, agents or servants in any event be liable or held responsible for any damage or inconvenience caused thereby.
 4. Any other condition deemed necessary by the Right-of-Way Section.
- 4 Report of Mr. Brutsch, June 22, on request of the Town of Bedford for an increase in the quantity of emergency water supply from the Metropolitan District Commission (through the Town of Lexington) from 1.0 M.G.D. to 2.1 M.G.D.
 Mr. Brutsch spoke of the loss of Bedford's town wells due to chemical contamination. He stated that the Water Division has no problems with recommending approval of the Town's request for an additional increase in the emergency water supply as long as certain conditions are complied with.
 At this point, Senator Carol Amick, Town Officials, and a representative of Camp, Dresser & McKee, Inc., a Consultant employed by the Town of Bedford to investigate the water transfer, spoke in favor of the emergency supply. The Consultant has determined that the Lexington Distribution System can provide the additional supply without any adverse effects on its system.
 Mr. Brutsch noted that he has met with Officials of the Town of Burlington and that there is a good possibility that Burlington may also be requesting approval to receive an emergency water supply of 1 million gallons through Lexington's Water System, but that no formal request has been received by the Water Division.
 The Commission V O T E D: to grant an increase in the quantity of emergency water supply furnished to the Town of Bedford, subject to further approval by the Town of Lexington, Board of Selectmen, and also subject to the following conditions:
 1. That the Town of Lexington agrees to an increase in the emergency water supply through its distribution system to the Town of Bedford. Further, the additional emergency water supplied will be restricted to the amount



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specified by the Town of Lexington.

2. That the increased quantity of water supplied shall not exceed 1.1 M.G.D. per day. The total quantity of water supplied by the Metropolitan District Commission to the Town of Bedford shall not exceed 2.1 M.G.D.
3. That the emergency water supply shall be provided only while a water supply emergency exists as certified by the Massachusetts Department of Environmental Quality Engineering under the provisions of Chapter 40 Section 41A, of Massachusetts General Laws.
4. That all costs associated with the emergency water supply will be borne by the Town of Bedford.
5. That the Town of Bedford shall submit a monthly report on consumption, conservation program results, and status of the emergency situation.
6. That the Metropolitan District Commission may restrict supply in the event of above average wellfield recharge or improvement in the water supply resource situation.
7. That the Town of Bedford shall continue all practicable conservation measures.
8. That the Metropolitan District Commission may limit or terminate supply due to unforeseen circumstances such as lack of supply, insufficient hydraulic capacity or other emergency conditions.
9. That the water supply furnished shall not be used to promote private development.
10. That the community continues its long-range planning to address water supply system deficiencies and continues with its development of additional water resources.
11. That the Town of Bedford shall continue to impose and enforce stringent water use restrictions and will continue to maximize use of available local water supply sources.
12. That this approval shall in no way be construed as changing any of the terms, requirements, or obligations in the existing Agreements between the Metropolitan District Commission and the Town of Lexington.

1 Report of Mr. Martorana, June 26, on bids for Bear Hill Standpipe and Pipeline in Stoneham, Massachusetts, Contract No. W80-0884-C2A.

Mr. Brutsch explained that upon reviewing the bids for the project, it was discovered that quantities for Item 7b (Excavation of Rock, Boulders and Masonry Tank Area to Station 21+00+) and Item 17 (Furnishing and Installing Cast-Iron Manhole Frames and Covers) were incorrect as listed by the Water Division in the bidding proposal documents. He then stated that by using the correct quantities as overruns at the appropriate time during construction, Natgun Corporation's low bid of \$3,469,805.04 would increase to \$3,812,805.04, and the second low bidder, Preload Corporation's bid, would increase from \$3,742,376.00 to \$3,966,406.00.

Mr. Brutsch then explained that the Commission has three options:

1. Accept the low bid of Natgun Corporation and handle the adjusted quantities as overruns at the appropriate time.
2. Adjust the quantities and respective bid prices to reflect the Engineer's estimated quantities and then award the contract to the low bidder. The low bidder would remain Natgun Corporation.
3. Reject all bids and readvertise the contract with corrected quantities.

In response to questioning by Commissioner Geary, Mr. Brutsch stated that if the Commission were to readvertise, a period of four to six weeks would expire before the project would come back to the Commission for award.

Commissioner Geary stated that he felt that the bid would come in at a higher price.

The Commission V O T E D: to adjust the quantities and respective bid prices to reflect the Engineer's estimated quantities.

The Commission further V O T E D: to accept the lowest bid, that of Natgun Corporation, of \$3,812,805.04.

2 Report of Mr. Faucher, June 25, on proposals for the purchase of eleven lots of standing timber located on the Ware River Watershed and the Quabbin Reservoir Watershed; also advising that in February 1984, the U. S. Geological Survey requested that a proposed joint study with the Water Division be conducted on Lot No. 424, Quabbin Reservoir Watershed, to determine the water quality from the field restoration program, and recommending that the Commission rescind its vote of December 22, 1983, awarding said lot to Letourneau, Inc. and return the bid deposit of \$1,790.00.

The Commission V O T E D: to accept the only qualified bid received, that of Letourneau & Methe Land Clearing & Tree Expert Co., Inc., of \$14,700.00, to purchase approximately 19,319 tons of whole tree wood on Lot No. 113A - Ware River Watershed.

The Commission further V O T E D: to accept the only qualified bid received, that of Hakala Logging, of \$1,635.99, to purchase approximately 31,000 board feet of sawlogs and 259 cords of firewood on Lot No. 117 - Ware River Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of



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Eugene Wilder, of \$1,138.00, to purchase approximately 11,845 board feet of sawlogs and 62 cords of firewood on Lot No. 118 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of E. A. Davis Lumber, Inc., of \$6,166.00, to purchase approximately 138,465 board feet of sawlogs on Lot No. 119 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Hyland Forest Products, Inc., of \$1,712.00, to purchase approximately 34,180 board feet of sawlogs on Lot No. 120 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of E. A. Davis Lumber, Inc., of \$5,224.00, to purchase approximately 126,435 board feet of sawlogs on Lot No. 121 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Theodore A. Gagnon, Jr., of \$3,186.00, to purchase approximately 12,000 board feet of red oak sawlogs on Lot No. 384 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Paul Skowyra, of \$1,489.52, to purchase approximately 86 cords of hardwood firewood on Lot No. 437 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the second highest bid, that of Godin Logging, Inc., of \$27,324.00, to purchase approximately 190,000 board feet of sawlogs on Lot No. 438 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest bid, that of Heyes Forest Products, of \$24,455.70, to purchase approximately 225,000 board feet of sawlogs and 90 cords of firewood on Lot No. 439 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only qualified bid received, that of Conkey Logging & Lumber, of \$575.00, to purchase approximately 10,500 board feet of sawlogs and 169 cords of firewood on Lot No. 441 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to rescind its vote of December 22, 1983, Volume 47, Page 108, Item 3, continued on Page 109, awarding Lot No. 424 - Quabbin Reservoir Watershed, to Letourneau, Inc.
The Commission further V O T E D: to return the bid deposit of \$1,790.00 to Letourneau, Inc.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 1 Report of Mr. Lydon, June 12, on bids for Washing Tile Walls of Storrow, Berkeley, and Longfellow Tunnels, Boston-Cambridge, Massachusetts, Contract No. P83-1217-M1A; also supplemental report of Mr. Lydon, June 25.
The Commission V O T E D: Delete from the agenda.
- 2 Report of Mr. Lydon, June 22, recommending that the work of Carol R. Johnson & Associates, Inc., Consultant under Contract-Agreement No. CS-77-4-E-20, for the Revere Beach Reservation Park Development Project, be accepted as completed as of June 22, 1984.
The Commission V O T E D: that the work of Carol R. Johnson & Associates, Inc., Consultant under Contract-Agreement No. CS-77-4-E-20, for the Revere Beach Reservation Park Development Project, be and hereby is accepted as completed as of June 22, 1984.
- 3 Report of Mr. Lydon, June 15, recommending the following on Force Account Agreement, dated February 18, 1982, between the Massachusetts Bay Transportation Authority and the Metropolitan District Commission, relative to Reconstruction of the Highland Avenue Bridge:
 1. Approval of an increase to the Force Account Agreement, in the amount of \$12,052.02.
 2. That Payment Review Form #9, in the amount of \$14,025.62, be approved for payment.
 The Commission V O T E D: to approve an increase to the Force Account Agreement, in the amount of \$12,052.02.
The Commission further V O T E D: to approve Payment Review Form #9, in the amount of \$14,025.62, for payment.
- 4 Report of Mr. Lydon, June 22, recommending the following on Contract-Agreement No. CS-79-1PE, with Anderson Nichols & Co., Inc., for Upgrading and Repair of Highland Avenue Bridge on McGrath Highway, Somerville, Massachusetts:
 - (a) That the work be accepted as completed as of July 31, 1983.
 - (b) That Invoice No. 3 (Final), in the amount of \$7,376.12, including retainage, be approved for payment.
 The Commission V O T E D: that the work of Anderson Nichols & Co., Inc., Consultant under Contract-Agreement No. CS-79-1PE, for Upgrading and Repair of Highland Avenue Bridge on McGrath Highway, Somerville, Massachusetts, be and hereby is accepted as completed as of July 31, 1983.
The Commission further V O T E D: to approve Invoice No. 3 (Final), in the amount of \$7,376.12, including retainage, for payment.



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Report of Ms. Minichiello, June 26, on bids for the Collection of Waste and Rubbish from Dumpsters Within the Metropolitan Parks District for Fiscal Year 1985; also submitting for signature Contract-Agreements with M. J. Connolly and Sons, Inc., Charles Lee Disposal, Inc., and Waste Management of Boston - North. Ms. Minichiello, of the Parks Division, spoke of the problems the Parks Division had with Charles Lee Disposal, Inc. in 1982. She stated that once she spoke with the Owner of the Company, all problems were resolved and service has been excellent since that time.

The Commission V O T E D: to award contracts for the Collection of Waste and Rubbish from Dumpsters Within the Metropolitan Parks District for Fiscal Year 1985, as follows:

M. J. Connolly and Sons, Inc.

- 1 - 5-Yard Dumpster - Mystic District
- 4 - 6-Yard Dumpsters - Mystic District
- 7 - 30-Yard Dumpsters - Mystic District
- 2 - 50-Yard Dumpsters - Mystic District
- 1 - 10-Yard Dumpster - Stone Zoo
- 1 - 30-Yard Dumpster - Stone Zoo
- 1 - 6-Yard Dumpster - Amelia Earhart Dam

Charles Lee Disposal, Inc.

- 7 - 35-Yard Dumpsters - Neponset District
- 1 - 40-Yard Dumpster - Franklin Park Zoo
- 3 - 35-Yard Dumpsters - Hallett St. - Harbor District

Waste Management of Boston - North

- 2 - 10-Yard Dumpsters - Charles District
- 6 - 30-Yard Dumpsters - Charles District

SCA Howard Berkley Division

- 2 - 35-Yard Dumpsters - Nantasket Beach - Harbor District.

The Secretary then submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

Contract-Agreement, dated June 28, 1984, with M. J. Connolly and Sons, Inc.

Contract-Agreement, dated June 28, 1984, with Charles Lee Disposal, Inc.

Contract-Agreement, dated June 28, 1984, with Waste Management of Boston - North.

- 2 Report of Mr. Lydon, June 26, relative to the Bridge Rating Report for the Revere Beach Parkway Bridge recommending that the Bridge be posted for 3 tons, with additional postings restricting use by all truck traffic and restricting bus traffic to the extreme right lanes in both directions.

The Commission V O T E D: that the Revere Beach Parkway Bridge be posted for three (3) tons.

The Commission further V O T E D: that the Revere Beach Parkway Bridge be put under Parkway Rules and that all trucks be prohibited from using the Bridge.

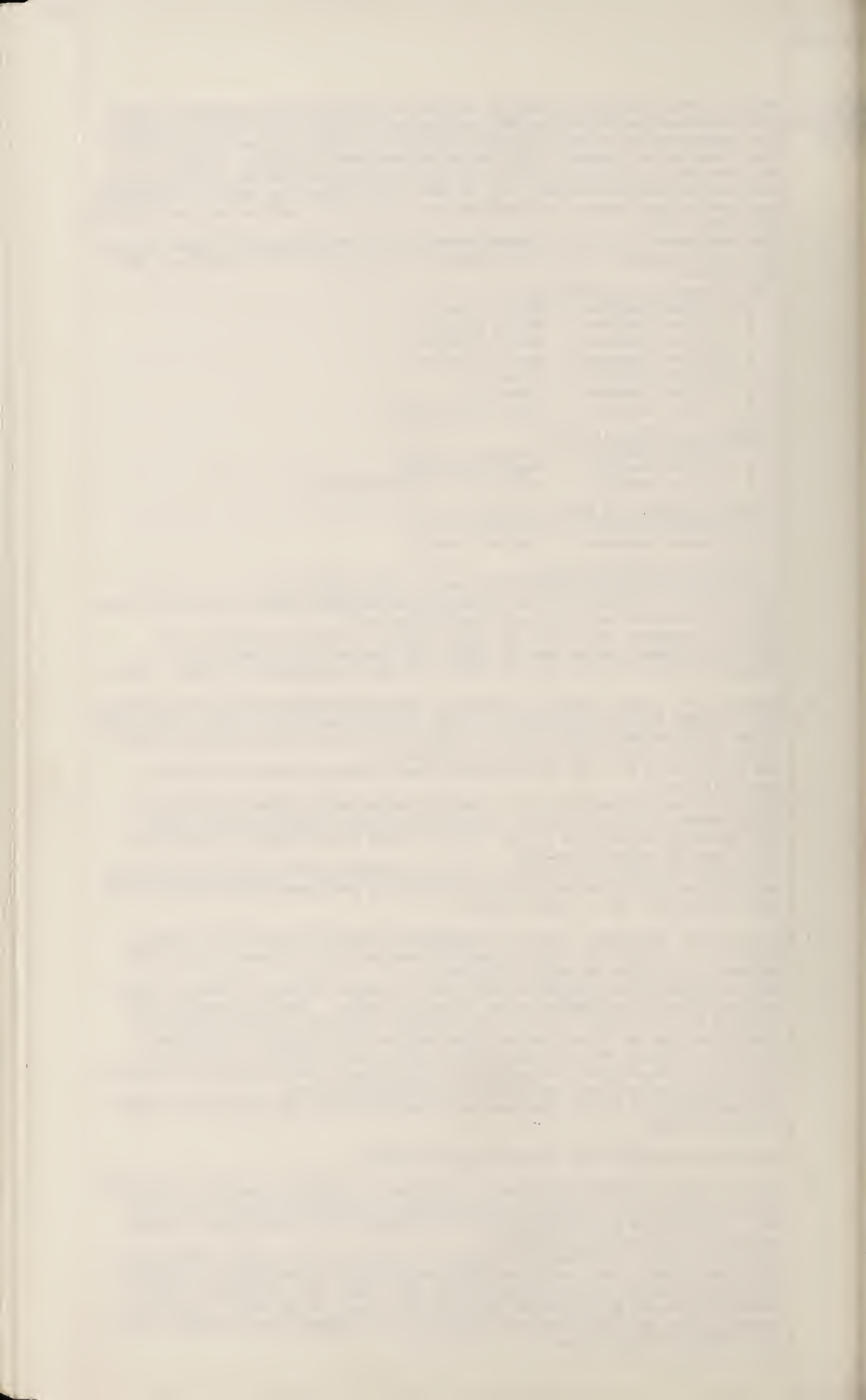
The Commission further V O T E D: that all buses be restricted to the extreme right lanes in either direction.

The Commission further V O T E D: to direct the Metropolitan Police to post the necessary regulatory and detour signs for closing the Revere Beach Parkway Bridge (MDC 802-019-100) to all truck traffic.

- 3 Report of Mr. Rodrigues, June 27, recommending approval of services of Boston Children's Theatre, Inc. for thirteen performances in MDC Recreation Facilities between July 1, 1984 and August 30, 1984. Associate Commissioner Anderson noted that the Boston Children's Theatre's Group had been used by the Commission for the past 22 years. She questioned who was eligible to participate in the Boston Children's Theatre and asked whether the Theatre was open to minorities and other children from outside of Brookline. Following a discussion, the Commission asked Mr. Ken Vitigliano, of the Parks Division, to investigate the possibility of opening up the selection of Children's Theatre's Groups to other groups for the 1985 Summer Season. The Commission V O T E D: Approved as recommended by Mr. Rodrigues in his report of June 27, 1984.

Action was taken upon the following Various Matter:

- 4 Report of Ms. Volpe-O'Malley, June 27, relative to Contract-Agreement, between the Metropolitan District Commission and Terra/Mare Research and Education Society, Inc., to berth the Museum ships "Luna" and "Venus" on the Charles River located adjacent to the Lee Pool in Boston. Ms. Carolyn Royal, Chairman of the Board of Directors of Terra/Mare Research and Education Society, Inc., explained that the Society is a non-profit corporation dedicated to preserving and restoring both the "Luna" and the "Venus," which are the sole survivors of the Boston Harbor tugboat fleet of the 1930's. She presented a slide show depicting the history of both tugboats from the 1930's until their refurbishing of today.



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Commissioner Geary spoke of the request of the Society to locate both tugboats on MDC property. He noted that the original proposed docking site was at the rear of the Steriti Rink in Boston's North End, but that the local community expressed concerns due to the increased traffic which would be generated in the area. He went on to say that consideration was then given to the docks to the rear of the Museum of Science, but that due to a commitment to utilize the area for the Charles River Cruise Boat, the area was not available. He stated that the area that was finally chosen to dock the tugboats is in the Charles River adjacent to the Lee Pool in Boston's West End.

Associate Commissioner Jones stated that he felt this area would be an ideal location for the tugboats and that they could tie in with the MDC's Education Program through Mr. Rodrigues' Office and also with the Programs at the Museum of Science. Commissioner Geary made note of the fact that Terra/Mare Research and Education Society, Inc. is a certified non-profit organization, and that the tugboats have been placed on the National Register of Historic Places, and also that a Study is now underway to determine their eligibility as Boston Landmarks. He also noted that the best location for the tugboats would be in the Harbor, but that docking fees have become prohibitive.

Captain Albert Swanson stated that this approval could be the best step in establishing a Boat Museum on the East Coast.

The Commission V O T E D: to enter into a Contract-Agreement with Terra/Mare Research and Education Society, Inc., as recommended by Ms. Volpe-O'Malley in her report of June 27, 1984; Commissioner Geary authorized to sign same for, and on behalf of, the Commission.

The following matter was placed on the agenda for the information of the Commission:

- 1 The following schedules were approved for payment by the Commissioner during the period from June 18, 1984 to June 25, 1984:

Invoices	\$ 983,356.08
Reservation of Funds	\$ 342,178.08
Advices of Change	\$ 59,028.05
Weekly Payroll	\$ 1,112,109.75
Request for Advances	\$ 869,000.00.

ADJOURNED at 3:00 P.M., to meet on Thursday, July 12, 1984, at 10:00 A.M.

William F. Quisholm
S e c r e t a r y .

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Record of the Three Thousand Two Hundred and Eighty-Sixth (3286th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, July 12, 1984 at 10:30 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The records of the meeting held on June 28, 1984, were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

- 2 Contract No. P83-1214-MIA, dated July 12, 1984, with Demco Sign Company, Inc., for Servicing Truck Warning Sign Signals Systems on Parkways and Roadways of the Metropolitan District Commission.
- 3 Contract-Agreement, dated June 25, 1984, with Richard Lennon, for Swimming Instructions for Non-Swimming Candidates for the Metropolitan Police Department.

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V O T E D: to grant to Salvatore DeTeso permission to install a sewer line and water line and also permission to extend Roland Street and grade the area for grass seed over the Commission's sewer easements between Station 16+55+ and 17+82+ of Section 108 of the North Metropolitan Relief Sewer and Station 64+82+ and 65+52+ of Section 21 of the Metropolitan Sewer in Medford as shown on plans on file in the office of the Sewerage Division, and to execute an instrument accordingly.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 5 Report of Mr. Lydon, April 17, submitting the Parks Engineering and Construction Program for 1984-1985.
The Commission V O T E D: Held over.



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Report of Mr. Lydon, June 21, recommending the following on Contract No. P84-1274-C1A, with Allied Weatherproofing Co., Inc., for Caulking, Sealing, and Associated Work, Metropolitan District Commission Building, Boston, Massachusetts:

(a) That the work be accepted as completed as of April 12, 1984.

(b) That Estimate No. 1 (Final), in the amount of \$8,265.00, be approved for payment.

(c) That reserve, in the amount of \$435.00, be approved for payment.

The Commission V O T E D: that the work of Allied Weatherproofing Co., Inc., contractor under Contract No. P84-1274-C1A, for Caulking, Sealing, and Associated Work, Metropolitan District Commission Building, Boston, Massachusetts, be and hereby is accepted as completed as of April 12, 1984.

The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of \$8,265.00, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$435.00, for payment.

- 2 Report of Mr. Lydon, June 26, requesting the Commission delete funding for Project No. P80-0847 - Simoni Skating Rink Team Rooms; also requesting the following accounts and amounts be deleted from Project No. P80-0847 funds and be utilized for Project No. P82-1037-C2A - Kasabuski Brothers Skating Rink Rehabilitation, Saugus, Project No. P79-0721 - Chelsea Naval Hospital Site Development, Peddocks Island Pier Repairs and other park projects as follows:
- | | |
|--|--------------|
| Account No. 2440-8786 - Repairs & Renovations to Certain Skating Rinks | \$ 30,930.55 |
| Account No. 2440-8787 - Rehabilitation of Various Park Facilities | \$132,679.22 |
| Account No. 2448-8751 - For Repairs and Renovations to Certain Skating Rinks | \$129,388.73 |
- The Commission V O T E D: Approved as requested by Mr. Lydon in his report of June 26, 1984.
- 3 Report of Mr. Lydon, June 27, recommending the following on bids for Resurfacing of Metropolitan District Parkways, Winthrop Parkway, Revere, and Revere Beach Parkway, Medford/Everett, Contract No. P84-1215-C1A:
1. That the bid of Trimount Bituminous Products Company, the lowest bidder, be rejected inasmuch as their bid was incomplete.
 2. That the bid of Highway Paving Inc., the second lowest bidder, be rejected due to the fact the firm was not pre-qualified.
 3. To accept the bid of Middlesex Paving, Inc., the lowest eligible bidder, of \$123,746.00.
- The Commission V O T E D: Held over for clarification of the name of the second low bidder.
- 4 Report of Mr. Lydon, June 29, on bids for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the Metropolitan District Commission, Contract No. P83-1218-M2A.
 The Commission V O T E D: to accept the lowest bid, that of Markings Inc., of \$134,425.00.
- 5 Report of Mr. Lydon, July 3, on bids for Dedham Parkway Reconstruction, Harding Terrace, Birch Street, Dedham, Mass., Contract No. P84-1314-C1A.
 The Commission V O T E D: to accept the only bid received, that of William P. Capone Corp., of \$40,555.00.
- 6 Report of Mr. Rodrigues, July 6, on request of the Watertown Chamber of Commerce to close off Charles River Road from Watertown Square to the intersection with Beechwood Avenue, on Sunday, September 16, 1984 from 7:00 A.M to 8:00 P.M. (rain date - September 23, 1984) for the purpose of holding a street and river festival to celebrate the downtown development of Watertown Square; also report of Captain Elliott.
 The Commission V O T E D: Approved; Louis Rodrigues, Director of Recreation & Programs, to prepare the Permit.
- 7 Report of Mr. Wright, July 9, submitting for approval and signature Contract-Agreement No. P83-1233-M1A, with Dr. John C. Swallow, for Horticultural Consultant Services; Total Compensation not to exceed \$10,000.00.
 The Commission V O T E D: Approved.
 The Secretary then submitted for signature Contract-Agreement No. P83-1233-M1A, dated July 12, 1984, with Dr. John C. Swallow, which was signed by the Commissioner and four Associate Commissioners.
- 8 Report of Mr. Wright, July 9, submitting for approval and signature Contract-Agreement No. P83-1235-M1A, with American Engineering & Testing, Inc., for



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Supplementing and Reinforcing Commission's Testing and Inspection Facilities in Conjunction with its Construction Projects for Inspection, Sampling, and Testing of Portland Cement Concrete, Bituminous Concrete, Soils, Paint, etc.; Total Compensation not to exceed \$30,000.00.

The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract-Agreement No. P83-1235-M1A, dated July 12, 1984, with American Engineering & Testing, Inc., which was signed by the Commissioner and four Associate Commissioners.

- 1 Report of Mr. Lydon, July 12, on bids for Rehabilitation of the Kasabuski Brothers Skating Rink, Saugus, Massachusetts, Contract No. P82-1037-C2A.
The Commission V O T E D: to accept the lowest bid, that of Allied Weatherproofing Co., Inc., of \$977,767.00.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 2 Report of Mr. Faucher, July 3, on request of the Department of Public Health that the Commission donate 7,200 linear feet of timber for construction of a Family Center at the Western Massachusetts Hospital, Westfield, Massachusetts.
Mr. Brutsch explained that the MDC's General Counsel has reviewed the request and advised that this donation can be made to the Department of Public Health. He then stated that in view of the nature of the project he was recommending that the Commission approve the donation.
Ms. Judy Hoyt of the Association for the Support of Human Services, a non-profit group committed to serving the developmentally disabled at the Western Massachusetts Hospital, was introduced.
She explained that the group has plans to build a Family Center at the Hospital where families can get together and assist the handicapped in becoming self-sufficient. Ms. Hoyt then spoke of the various donations received by the group including free labor provided by the Western Massachusetts Navy Seabee Unit which provides twenty men for a weekend a month to undertake various construction projects. This group, she noted, has volunteered to construct the Family Center. On questioning by Associate Commissioner Fontanez, Ms. Hoyt stated that the Association has a Spanish speaking staff member. Associate Commissioner Fontanez commended the Association for its work and stated that she will be contacting Ms. Hoyt in the near future relative to a site visit to the Western Massachusetts Hospital. At this point, Mr. William Nesti an employee of the Department of Public Health at Western Massachusetts Hospital, spoke in support of the donation. He then presented plans of volunteer work which has been performed to date by volunteers. Also lending support for the donation of the lumber was Peter Myette representing the State Office of Handicapped Affairs and Leonard Gentile, representing Representative A. Joseph DeNucci, Chairman of the Committee on Human Services and Elderly Affairs.
Following a lengthy discussion concerning the merits of the donation, Associate Commissioner Anderson asked that once the Family Center at the Western Massachusetts Hospital has been completed a suitable plaque be attached acknowledging the MDC's donation.
The Commission V O T E D: to donate 7, 200 linear feet of timber to the Department of Public Health for the construction of the Family Center at the Western Massachusetts Hospital, Westfield, Massachusetts.

- 3 Report of Mr. Martorana, July 7, recommending approval of Extra Work Order No. 2, in the amount of \$57,489.43, for additional footage of excavation and jacking sleeve operations, under Item 5C and 5G on Contract No. W80-0763-C2A, with J. Biotti & Sons, for Furnishing and Laying Water Pipes in Lynn, Massachusetts. Mr. Brutsch explained that the Extra Work Order for the additional footage of excavation and jacking sleeve operations was due to additional length of pipe needed because the crossing of the B & M property was at an angle (as designed) instead of perpendicular, which the original quantity was based on.
This led to a discussion by the Commission as to the responsibility of consulting firms in designing projects and the extent of review of plans and specifications that the Divisions are required to perform.
The Commission then discussed sending a letter to L.E.A. Inc., expressing the Commission's displeasure with the final plans and specifications for the project.
The Commission V O T E D: to approve Extra Work Order No. 2, with an upset limit of \$57,489.43.

- 4 Report of Mr. Brutsch, July 10, submitting for approval and signature First Amendment to Agreement, dated May 1, 1933, with the City of Worcester, for Treatment and Disposal of Sewage from the Rutland-Holden Trunk Sewer which provides for disposal of sewage from the new Rutland-Holden Trunk Sewer and also provides for cost-sharing in the construction of the new City of Worcester interceptor sewer; also requesting permission to initiate negotiations with the Upper Blackstone Water Pollution Abatement District concerning membership in the District. Associate Commissioner Jones commended Mr. Brutsch and his staff for their long-range planning for the protection of the Wachusett Watershed,

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The Commission V O T E D: Approved.
The Secretary then submitted for signature First Amendment, dated April 11, 1984, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 1 Report of Ms. Haggerty, July 2, recommending the following on Contract-Agreement No. S84-1113-S1A, with Camp, Dresser & McKee, Inc., for Moon Island Phase I Study:
 - (a) That the work be accepted as completed as of April 20, 1984.
 - (b) That Payment No. 3 (Final), in the amount of \$4,883.69, be approved for payment.
 - (c) That retainage, in the amount of \$3,701.46, be approved for payment.

The Commission V O T E D: that the work of Camp, Dresser & McKee, Inc., Consultant under Contract-Agreement No. S84-1113-S1A, for Moon Island Phase I Study, be and hereby is accepted as completed as of April 20, 1984.
The Commission further V O T E D: to approve Payment No. 3 (Final), in the amount of \$4,883.69, for payment.
The Commission further V O T E D: to approve release of retainage, in the amount \$3,701.46, for payment.

- 2 Report of Mr. Wright, July 5, submitting for approval and signature Contract-Agreement No. S82-1020, with Havens and Emerson Inc./Parsons Brinckerhoff Quade & Douglas, Inc., for Design of Deer Island Power and Pump Station Improvements; Total Compensation not to exceed \$2,026,575.00.

The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract-Agreement No. S82-1020, with Havens & Emerson Inc./Parsons Brinckerhoff Quade & Douglas, Inc., which was signed by the Commissioner and three Associate Commissioners.

- 3 Report of Mr. Wright, July 6, submitting for approval and signature Third Amendment to Contract-Agreement No. S77-0408, dated June 24, 1982, with Anderson Nichols & Co., Inc., for Facilities Planning for the Hingham Force Main & Pump Station, which amends the Scope of Services to provide for the administration, management and coordination of the design of approximately 1,300 linear feet of force main and additions and alterations to the Hingham Pumping Station; increases the Compensation by \$128,705.87, for a total contract price of \$358,942.54; and extends the time for Performance to March 31, 1985.

Associate Commissioner Scandrett noted that this project has been mandated by the Environmental Protection Agency's Administrative Order and also a Court Order.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Third Amendment, dated July 12, 1984, which was signed by the Commissioner and four Associate Commissioners.

- 4 Report of Mr. Jones and Ms. Haggerty, June 20, recommending approval of Extra Work Order No. 1, in the amount of \$49,555.18, for Rehabilitation of Engine No. 4, on Contract No. S80-0656-C1, with Harding & Smith, Inc., for Improvements to Diesel Engines and Engine Support Equipment, Nut Island Sewage Treatment Plant.

Associate Commissioner Scandrett noted that this project has been mandated by the Environmental Protection Agency's Administrative Order and also a Court Order.
Associate Commissioner Fontanez expressed her dissatisfaction with the lack of initiative on the part of the contractor in implementing the recently approved Minority Sub-Contractor solicitation aspect of the contract.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$49,555.18.
Associate Commissioner Fontanez desired to be recorded as being opposed to this action of the Commission.

- 5 Report of Mr. Baratta, July 10, requesting approval of Change Order No. 1, in the amount of \$3,478.00, which results from substitutions of filed subcontractors on the project and covers the costs associated with the general contractor's increased bonding premiums as well as the premiums for the bonds of the substituted subcontractors, on Contract No. S80-0656-C2A, with Joseph P. McCabe, Inc., for Ventilation and Odor Control for Main Building, Nut Island Sewage Treatment Plant.

Mr. Jack Hamm, Project Engineer, explained that this Change Order is necessary to cover the costs to the general contractor for the premium of the bonds required of the substituted subcontractors. He noted that the substitution of the subcontractors is in conformance with bidding laws.
Associate Commissioner Jones questioned whether the contract was indeed awarded to the low bidder when one considered the increase of the contract price caused by substituting the subcontractors.
Mr. Hamm responded that the Contract was awarded to the low bidder. The effect of substituting the subcontractors were compared to all general bids received to determine the lowest bidder, he added.
Mr. Baratta then explained that this Change Order was reviewed by the MDC General

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Counsel and was found in compliance with the bidding regulations.
The Commission V O T E D: to approve Change Order No. 1, in the amount of \$3,478.00.

Action was taken upon the following Various Matters:

- 1 Report of The Land Board, July 6; also supplemental report of Mr. Brutsch, July 9, recommending that the Commission in compliance with the provisions of Chapter 579 of the Acts of 1980, notify the Deputy Commissioner of Capital Planning and Operations that the MDC recognized the following parcels of land be declared surplus.
 - 1. City of Marlborough - Isolated Parcel. Water Division has no future interest in area. (Chapter 302 of the Acts of 1982).
 - 2. Town of Holden - This land has been under lease to designated interest since 1964. Water Division has no future interest in area. (Chapter 420 of the Acts of 1983).
 - 3. Town of Ludlow - Granting easement for access purpose will not be detrimental to the MDC. (Chapter 622 of the Acts of 1982).
 - 4. Town of Wellesley - Cochituate Aqueduct - 5.59 acres is the remainder of the major portion of the aqueduct transferred to the Town of Wellesley in 1963 for \$77,000.00.

Commissioner Geary spoke of the possibility of the Cochituate Aqueduct land being acquired by the Metropolitan Parks Division for open space purposes. Associate Commissioner Scandrett asked that any funds realized from the transfer or sale of these parcels of land be placed in the Metropolitan District Water Fund for the support of the Water Division. The Commission V O T E D: to notify the Deputy Commissioner of Capital Planning and Operations that the MDC recognizes the parcels of land in the following City and Towns be declared surplus:

- 1. City of Marlborough
- 2. Town of Holden
- 3. Town of Ludlow

The Commission further V O T E D: to hold over the Cochituate Aqueduct land in the Town of Wellesley, for further information and discussion.

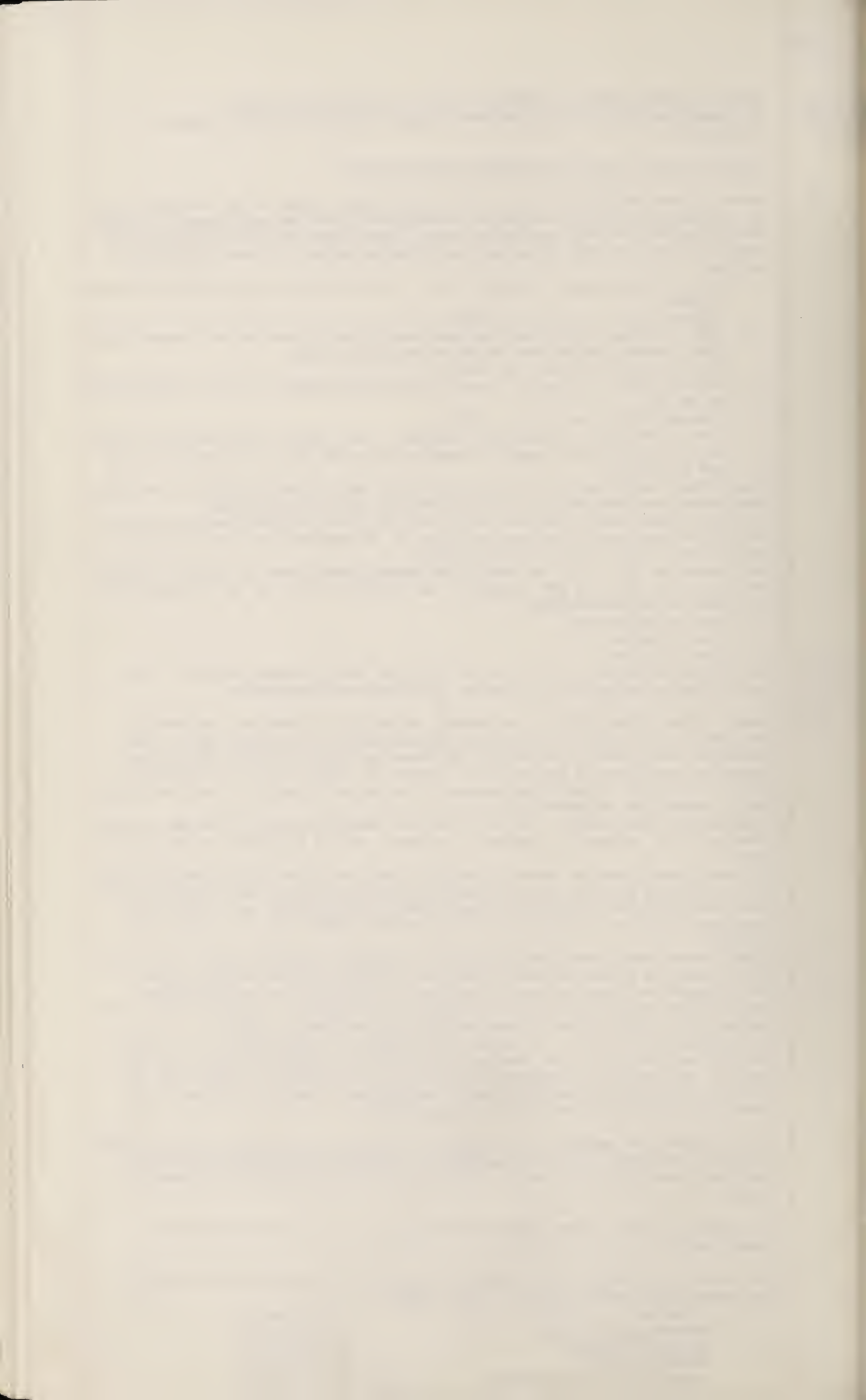
- 2 Report of Mr. Falvey, July 10, on request of the City of Medford, recommending the Commission accept the transfer of approximately 6,558 square feet of land located at the intersection of Winthrop Street and Mystic Valley Parkway, and under the provisions of Section 87 of Chapter 92, accept the care, custody and control of traffic signals, maintenance, lighting and plowing of snow, including police protection, in perpetuity. Commissioner Geary spoke of the vehicular and pedestrian safety problems in this area resulting in numerous accidents, injuries, and 10 fatalities in the past 12 years. He stated that these are the only traffic lights on a Commission roadway in the City of Medford that are not under Commission jurisdiction. He then noted that the existing traffic lights do not meet Commission standards and, should the Commission take over jurisdiction of the traffic lights, they will have to be upgraded. Commissioner Geary stated that he felt the dangerous condition could be rectified by the use of a painted traffic island (in the middle of the parkway) which would reduce the travelled way to one lane in each direction, upgrading the traffic light system, and increased selective enforcement. He then spoke of the success of a similar safety effort on Quincy Shore Drive in Quincy. The Commission V O T E D: to accept the transfer of approximately 6,558 square feet of land located at the intersection of Winthrop Street and Mystic Valley Parkway, and under the provisions of Section 87 of Chapter 92, accept the care, custody and control of traffic signals, maintenance, lighting and plowing of snow, including police protection, in perpetuity.

- 3 At this point, the members of the Commission spoke of the success of the July 4th Concert at the Hatch Shell and commended the Directors and staff involved for their outstanding efforts before, during and after the concert and fireworks display.

The following matters were placed on the agenda for the information of the Commission:

- 4 The following schedules were approved for payment by the Commissioner during the period from June 25, 1984 to July 2, 1984:

Invoices	\$1,027,047.18
Reservation of Funds	\$ 602,727.41
Advices of Change	\$ 49,296.13
Weekly Payroll	\$2,373,967.57
Industrial Accident Report	\$ 25,504.03



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The following schedules were approved for payment by the Commissioner during the period from July 2, 1984 to July 9, 1984:

Invoices	\$ 565,001.82
Reservation of Funds	\$ 225,738.02
Weekly Payroll	\$1,515,185.71
Requests for Advances	\$1,913,317.57

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The Commission V O T E D: to adopt the following Order of Taking:

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, July 12 , 1984.

ORDERED: That the Metropolitan District Commission, by virtue of the authority conferred upon it by Chapter 803 of the Acts of 1972, Chapter 481 of the Acts of 1976 and Chapter 714 of the Acts of 1977, and acts in amendment thereof or in addition thereto, and by every other power and authority hereto enabling, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, in the name and for the benefit of the Commonwealth of Massachusetts, the perpetual right and easement to construct, inspect, repair, renew, replace, operate and forever maintain a covered sewer, connecting sewers and drains, with their proper manholes, embankments, walls, culverts and other appurtenances in, through and under the following described parcels of land situated within the limits of streets situated in Lexington in the county of Middlesex and Commonwealth of Massachusetts, shown on plans numbered F-129, Sheets 1 through 8 inclusive, entitled "Plan of Mill Brook Valley Relief Sewer Easements in Lexington, Mass. To Be Taken by the Commonwealth of Massachusetts, Metropolitan District Commission, Sewerage Division, Scale: 1" = 40', September 9, 1983, "Prepared for Weston & Sampson - Engineers, 10 High Street, Boston, Mass. and signed by Noel D. Baratta, Director and Chief Engineer of Sewerage Division, copies of which shall be recorded with a copy of this order in the Middlesex South District Registry of Deeds and made a part of this order, namely:

Parcel one:

Beginning at a point in the westerly side line of Bow Street at land now or formerly of the Massachusetts Bay Transportation Authority which point is distant south 11° 11' 44" west, twelve and 94/100 (12.94) feet from the boundary line between said land of the Grantor and land now or formerly of Town of Lexington;

Thence the line runs south 77° 43' 14" east, crossing said Bow Street, forty and 01/100 (40.01) feet to a point in the easterly side line of said Bow Street at other land of Massachusetts Bay Transportation Authority;

Thence turning and running south 11° 11' 44" west by said side line of Bow Street, twenty and 00/100 (20.00) feet to a point;

Thence turning and running north 77° 43' 14" west, recrossing said Bow Street, forty and 01/100 (40.01) feet to a point in the westerly side line of said Bow Street;

THE UNIVERSITY OF CHICAGO
LIBRARY

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THE UNIVERSITY OF CHICAGO LIBRARY

The University of Chicago Library
has received from the University of
Chicago the following books
for its collection. These books
were purchased by the University
of Chicago from the University
of Chicago. The books are
now in the possession of the
University of Chicago Library.

THE UNIVERSITY OF CHICAGO LIBRARY
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of Chicago from the University
of Chicago. The books are
now in the possession of the
University of Chicago Library.

Thence turning and running north 11° 11' 44" east, by said westerly side line of Bow Street, twenty and 00/100 (20.00) feet to the point of beginning, being shown as Parcel 3 and containing eight hundred (800) square feet more or less within the limits of Bow Street as shown on the aforesaid plan.

Parcel two:

Beginning at a point at the intersection of the westerly side line of Bow Street with the boundary line between land now or formerly of the Massachusetts Bay Transportation Authority and land now or formerly of Town of Arlington as shown on Sheet 1 of the aforesaid plans;

Thence the line runs south 77° 43' 14" east, crossing said Bow Street, twenty-six and 04/100 (26.04) feet to a point in the easterly side line of said Bow Street at land of the Massachusetts Bay Transportation Authority;

Thence turning and running south 36° 19' 41" west by said side line of Bow Street, twenty and 99/100 (20.99) feet to a point at land now or formerly of the Massachusetts Bay Transportation Authority;

Thence turning and running north 69° 56' 44" west, recrossing said Bow Street, twenty-six and 04/100 (26.04) feet to a point in the easterly side line of Bow Street at other land now or formerly of Massachusetts Bay Transportation Authority;

Thence turning and running north 36° 19' 41" west by said side line of Bow Street, twenty and 99/100 (20.99) feet to the point of beginning, being shown as Parcel 5 and containing five hundred twenty-five (525) square feet more or less within the limits of said Bow Street, as shown on the aforesaid plan.

Parcel three:

Beginning at a point in the northwesterly side line of Fottler Avenue at land now or formerly of the Massachusetts Bay Transportation Authority as shown on Sheet 1 of the aforesaid plans;

Thence the line runs south 64° 32' 16" east, crossing said Fottler Avenue, fifty and 10/100 (50.10) feet to a point in the southeasterly side line of Fottler Avenue at other land of Massachusetts Bay Transportation Authority;

Thence turning and running south 28° 59' 51" west by said side line of Fottler Avenue, twenty and 04/100 (20.04) feet to a point;

Thence turning and running north 64° 32' 16" west, recrossing said Fottler Avenue, fifty and 10/100 (50.10) feet to a point in the northwesterly side line of said Fottler Avenue at land of Massachusetts Bay Transportation Authority;

Thence turning and running north 28° 59' 51" east by said side line of Fottler Avenue, twenty and 04/100 (20.04) feet to the point of beginning, being shown as Parcel 7 and containing one thousand two (1,002) square feet more or less within the limits of Fottler Avenue as shown on the aforesaid plan.

Parcel four:

Beginning at a point in the northwesterly side line of Maple Street at land now or formerly of Massachusetts Bay Transportation Authority as shown on Sheet 2 of the aforesaid plans;

Thence the line runs south 37° 10' 00" east, crossing said Maple Street, fifty and 10/100 (50.10) feet to a point in the southeasterly side line of said Maple Street at other land now or formerly of Massachusetts Bay Transportation Authority;

Thence turning and running south 49° 18' 18" west, by said side line of Maple Street, twenty and 04/100 (20.04) feet to a point;

Thence turning and running north 37° 10' 00" west, recrossing said Maple Street, fifty and 10/100 (50.10) feet to a point in the northwesterly side line of said Maple Street at land of Massachusetts Bay Transportation Authority;

Thence turning and running north 49° 18' 18" east by said side line of Maple Street, twenty and 04/100 (20.04) feet to the point of beginning, being shown as Parcel 9 and containing one thousand two (1,002) square feet more or less within the limits of said Maple Street as shown on the aforesaid plan.

Parcel five:

Beginning at a point in the northwesterly side line of Woburn Street at the intersection of Hayes Lane and Vine Street as shown on Sheet 4 of the aforesaid plan;

Thence the line runs south $68^{\circ} 18' 38''$ east, crossing said Woburn Street, one hundred seventeen and $48/100$ (117.48) feet to a point in the southeasterly side line of said Woburn Street at land now or formerly of Massachusetts Bay Transportation Authority;

Thence turning and running south $83^{\circ} 31' 54''$ west, by said side line of Woburn Street, forty-two and $38/100$ (42.38) feet to a point;

Thence turning and running north $68^{\circ} 18' 38''$ west, recrossing said Woburn Street, one hundred seventeen and $48/100$ (117.48) feet to a point in the northwesterly side line of said Woburn Street at said land of Massachusetts Bay Transportation Authority;

Thence turning and running north $82^{\circ} 30' 40''$ east by said side line of Woburn Street, forty-one and $02/100$ (41.02) feet to the point of beginning, being shown as Parcel 11 and containing two thousand three hundred sixty-five (2,365) square feet more or less within the limits of Woburn Street as shown on the aforesaid plan.

Parcel six:

Beginning at a point at the intersection of Hayes Lane and Vine Street, which point is distant measuring north $69^{\circ} 29' 40''$ west, ninety-five and $52/100$ (95.52) feet from the northwesterly side line of Woburn Street as shown on Sheet 4 of the aforesaid plan;

Thence the line runs south $69^{\circ} 29' 40''$ east and crossing said intersection of Hayes Lane and Vine Street, ninety-five and $52/100$ (95.52) feet to a point in the northwesterly side line of Woburn Street;

Thence turning and running south $82^{\circ} 30' 40''$ west, by said side line of Woburn Street, forty-one and $02/100$ (41.02) feet to a point;

Thence turning and running north $68^{\circ} 18' 38''$ west, recrossing the intersection of Hayes Lane and Vine Street, fifty-nine and $70/100$ (59.70) feet to a point in the easterly side line of Vine Street at land of Massachusetts Bay Transportation Authority;

Thence turning and running north $21^{\circ} 41' 22''$ east by said land of Massachusetts Bay Transportation Authority, twenty and $00/100$ (20.00) feet to the point of beginning, being shown as Parcel 12 and containing one thousand five hundred fifty-two (1,552) square feet more or less within the limits of the intersection of Hayes Lane and Vine Street as shown on the aforesaid plan.

Parcel seven:

Beginning at a stone bound set in the westerly side line of Fletcher Avenue at land now or formerly of Massachusetts Bay Transportation Authority as shown on Sheet 4 of the aforesaid plans;

Thence the line runs south $69^{\circ} 29' 40''$ east, crossing said Fletcher Avenue, forty-one and $58/100$ (41.58) feet to a point in the easterly side line of said Fletcher Avenue at other land of Massachusetts Bay Transportation Authority;

Thence turning and running south $04^{\circ} 14' 49''$ west, thirty and $00/100$ (30.00) feet to a point;

Thence turning and running north $84^{\circ} 40' 56''$ west, twenty-one and $56/100$ (21.56) feet to a point in said Fletcher Avenue;

Thence turning and running north $00^{\circ} 00' 00''$ east, by said Fletcher Avenue, fifteen and $43/100$ (15.43) feet to a point in said Fletcher Avenue;

Thence turning and running north $69^{\circ} 29' 40''$ west, and recrossing said Fletcher Avenue, eighteen and $06/100$ (18.06) feet to a point in the westerly side line of said Fletcher Avenue at land of Massachusetts Bay Transportation Authority;

Thence turning and running north $04^{\circ} 14' 49''$ east by said land of Massachusetts Bay Transportation Authority, nineteen and $93/100$ (19.93) feet to the bound first mentioned and point of beginning, being shown as Parcel 14 and containing one thousand one hundred four (1,104) square feet more or less within the limits of Fletcher Avenue as shown on the aforesaid plan.

Parcel eight:

Beginning at a point in the westerly side line of Grant Street at land now or formerly of the Town of Lexington as shown on Sheet 5 of the aforesaid plans;

Thence the line runs south $69^{\circ} 29' 40''$ east, crossing said Grant Street, forty and $01/100$ (40.01) feet to a point in the easterly side line of said Grant Street at land of Massachusetts Bay Transportation Authority;

Thence turning and running south $19^{\circ} 05' 43''$ west, by said easterly side line of Grant Street, twenty and $01/100$ (20.01) feet to a point;

Thence turning and running north $69^{\circ} 29' 40''$ west, recrossing said Grant Street, forty and $01/100$ (40.01) feet to a point in the westerly side line of said Grant Street at land of Town of Lexington;

Thence turning and running north $19^{\circ} 05' 43''$ east, by said westerly side line of Grant Street, twenty and $01/100$ (20.01) feet to the point of beginning, being shown as Parcel 16 and containing eight hundred (800) square feet more or less within the limits of Grant Street as shown on the aforesaid plan.

Parcel nine:

Beginning at a point in the southeasterly side line of Meriam Street at land of Town of Lexington as shown on Sheet 5 of the aforesaid plans;

Thence the line runs south $60^{\circ} 06' 08''$ east, by said land of Town of Lexington, two hundred thirty and $53/100$ (230.53) feet to a point;

Thence south $52^{\circ} 32' 37''$ east, three hundred ninety-two and $17/100$ (392.17) feet to a point;

Thence south $69^{\circ} 29' 40''$ east, two hundred sixty-six and $99/100$ (266.99) feet to a point;

Thence south $75^{\circ} 30' 00''$ east, one hundred twenty-four and $00/100$ (124.00) feet to a point;

Thence south $69^{\circ} 29' 40''$ east, thirty-four and $10/100$ (34.10) feet to a point in the westerly side line of Grant Street, the last four (4) courses and distances being by said land of Town of Lexington;

Thence turning and running south $19^{\circ} 05' 43''$ west by said side line of Grant Street, twenty and $01/100$ (20.01) feet to a point in said side line at land of Massachusetts Bay Transportation Authority;

Thence turning and running north $69^{\circ} 29' 40''$ west, thirty-three and $54/100$ (33.54) feet to a point;

Thence north $75^{\circ} 30' 00''$ west, sixty-three and $08/100$ (63.08) feet to a point;

Thence north $69^{\circ} 29' 40''$ west, two hundred ninety-four and $01/100$ (294.01) feet to a point;

Thence by a line curving to the left with a radius of one thousand ninety-five and $13/100$ (1,095.13) feet, sixty-five and $27/100$ (65.27) feet to a point at land now or formerly of Town of Lexington, the last four (4) courses and distances being by said land of Massachusetts Bay Transportation Authority;

Thence north $52^{\circ} 32' 37''$ west, three hundred sixty-four and $93/100$ (364.93) feet to a point;

Thence north $60^{\circ} 06' 08''$ west, two hundred thirty and $39/100$ (230.39) feet to a point at land now or formerly of Massachusetts Bay Transportation Authority, the last two (2) courses and distances being by said land of Town of Lexington;

Thence by a line curving to the left with a radius of one thousand four hundred fifty-one and $89/100$ (1,451.89) feet, by said land of Massachusetts Bay Transportation Authority, one and $90/100$ (1.90) feet to a point in the southeasterly side line of Meriam Street;

Thence turning and running north $38^{\circ} 41' 21''$ east, by said side line of Meriam Street, nineteen and $82/100$ (19.82) feet to the point of beginning, being shown as Parcel 17 and containing eighteen thousand nine hundred ninety-eight (18,998) square feet more or less of land of the Town of Lexington as shown on the aforesaid plan.

Parcel ten:

Beginning at a point in the northwesterly side line of Meriam Street at land now or formerly of Massachusetts Bay Transportation Authority as shown on Sheet 5 of the aforesaid plans;

Thence the line runs north $38^{\circ} 41' 21''$ east, by said land of Massachusetts Bay Transportation Authority, twenty and $24/100$ (20.24) feet to a point;

Thence turning and running south $60^{\circ} 06' 08''$ east, crossing said Meriam Street, fifty and $54/100$ (50.54) feet to a point in the southeasterly side line of said Meriam Street at land now or formerly of Town of Lexington;

Thence turning and running south $38^{\circ} 41' 21''$ west, by said land of Town of Lexington, nineteen and $82/100$ (19.82) feet to a point in said side line at land now or formerly of Massachusetts Bay Transportation Authority;

Thence continuing south $38^{\circ} 41' 21''$ west, by said land of Massachusetts Bay Transportation Authority, forty-two hundredths (0.42) feet to a point;

Thence turning and running north $60^{\circ} 06' 08''$ west, recrossing said Meriam Street, fifty and $54/100$ (50.54) feet to a point in the northwesterly side line of said Meriam Street and point of beginning, being shown as Parcel 20 and containing one thousand eleven (1,011) square feet more or less within the limits of Meriam Street of Owners Unknown as shown on the aforesaid plan.

Parcel eleven:

Beginning at a point in the northwesterly side line of Hancock Street at land now or formerly of Massachusetts Bay Transportation Authority as shown on the aforesaid plan;

Thence the line runs north $21^{\circ} 43' 46''$ east, by said land of Massachusetts Bay Transportation Authority, twenty-five and $86/100$ (25.86) feet to a point;

Thence turning and running south $28^{\circ} 55' 57''$ east, crossing said Hancock Street, fifty-five and $18/100$ (55.18) feet to a point in the southeasterly side line of said Hancock Street at other land of Massachusetts Bay Transportation Authority;

Thence turning and running south $21^{\circ} 43' 46''$ west, by said land of Massachusetts Bay Transportation Authority, twenty-five and $86/100$ (25.86) feet to a point;

Thence turning and running north $28^{\circ} 55' 57''$ west, recrossing said Hancock Street, fifty-five and $18/100$ (55.18) feet to the point of beginning, being shown as Parcel 22 and containing one thousand one hundred four (1,104) square feet more or less within the limits of said Hancock Street of Owners Unknown as shown on the aforesaid plan.

Parcel twelve:

Beginning at a point in the southeasterly side line of Revere Street at land now or formerly of Massachusetts Bay Transportation Authority, which point is distance measuring south $59^{\circ} 18' 38''$ west along said side line, by two lines measuring eleven and $13/100$ (11.13) feet and nine and $29/100$ (9.29) feet from a drill hole in a stone bound (found) as shown on the aforesaid plan;

Thence the line runs in a northwesterly direction crossing said Revere Street by a line curving to the left with a radius of four hundred seventy-six and $92/100$ (476.92) feet, forty-one and $38/100$ (41.38) feet to a point in the northwesterly side line of said Revere Street at other land of Massachusetts Bay Transportation Authority;

Thence turning and running south $59^{\circ} 18' 38''$ west by said side line of Revere Street, twenty and $04/100$ (20.04) feet to a point;

Thence turning and running in a southeasterly direction by a line curving to the right, recrossing said Revere Street, forty-one and $39/100$ (41.39) feet to a point in the southeasterly side line of Revere Street;

Thence turning and running north $59^{\circ} 18' 38''$ east, twenty and $09/100$ (20.09) feet to the point of beginning, being shown as Parcel 24 and containing eight hundred twenty-eight (828) square feet more or less within the limits of Revere Street of Owners Unknown as shown on Sheet 6 of the aforesaid plans.

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Parcel thirteen:

Beginning at a point in the northeasterly side line of Bedford Street at land of the Massachusetts Bay Transportation Authority, which point is distant south 26° 06' 52" east measuring along said northeasterly side line of said Bedford Street, thirty-eight and 46/100 (38.46) feet from the intersection of said side line with the boundary line between land of Massachusetts Bay Transportation Authority and land now or formerly of George and Phillis M. Annand, as shown on Sheet 8 of the aforesaid plans;

Thence the line runs south 26° 06' 52" east by said side line of Bedford Street, twenty-five and 78/100 (25.78) feet to another point in said side line of Bedford Street;

Thence turning and running north 77° west by said Bedford Street, forty-five and 64/100 (45.64) feet to a point in said Bedford Street;

Thence turning and running north 27° 30' 00" west, two hundred thirty-one and 64/100 (231.64) feet to a point;

Thence north 25° 52' 53" west, four hundred thirteen and 30/100 (413.30) feet to a point;

Thence north 22° 12' 43" west, one hundred thirty and 89/100 (130.89) feet to a point;

Thence north 18° 30' 00" west, one hundred eighty-three and 81/100 (183.81) feet to a point;

Thence north, thirty and 98/100 (30.98) feet to a point;

Thence turning and running north 43° west, thirty and 12/100 (30.12) feet to a point;

Thence turning and running north 47° east, twenty and 00/100 (20.00) feet to a point;

Thence turning and running south 43° east, thirty-eight and 00/100 (38.00) feet to a point;

Thence turning and running south, thirty-five and 60/100 (35.60) feet to a point;

Thence south 18° 30' 00" east, one hundred seventy-nine and 90/100 (179.90) feet to a point;

Thence south 22° 12' 43" east, one hundred twenty-nine and 62/100 (129.62) feet to a point;

Thence south 25° 52' 53" east, four hundred twelve and 36/100 (412.36) feet to a point;

Thence south 27° 30' 00" east, two hundred twenty-two and 14/100 (222.14) feet to a point;

Thence turning and running south 77° east, twenty and 16/100 (20.16) feet to the point of beginning, the last fourteen (14) courses and distances being by said Bedford Street, being shown as Parcel 26 and containing twenty-one thousand forty-two (21,042) square feet more or less within the limits of Bedford Street of Owners Unknown.

The parcels hereinabove described are supposed to be owned by the following

owners:

PARCEL NO.	OWNER	AREA IN SQ. FT. IN WHICH PERPETUAL EASEMENT IS TAKEN
3	Owners Unknown (Bow Street)	800
5	Owners Unknown (Bow Street)	525
7	Owners Unknown (Pottler Avenue)	1,002
9	Owners Unknown (Maple Street)	1,002
11	Owners Unknown (Woburn Street)	2,365
12	Owners Unknown (Intersection of Hayes Lane and Vine Street)	1,552
14	Owners Unknown (Fletcher Avenue)	1,104
16	Owners Unknown (Grant Street)	800
17	Town of Lexington	18,998
20	Owners Unknown (Meriam Street)	1,011
22	Owners Unknown (Hancock Street)	1,104
24	Owners Unknown (Revere Street)	828
26	Owners Unknown (Bedford Street)	21,042

Table 1

The following table shows the results of the survey conducted in the year 1950. The data is presented in the following order: first, the total number of respondents; second, the number of respondents in each age group; third, the number of respondents in each sex; and finally, the number of respondents in each educational level. The data is presented in the following table:

Category	Number of Respondents
Total	100
Age Group 1	20
Age Group 2	30
Age Group 3	40
Age Group 4	10
Sex Male	50
Sex Female	50
Educational Level 1	10
Educational Level 2	20
Educational Level 3	30
Educational Level 4	40

Table 2

Year	Category	Value
1950	Category 1	10
	Category 2	20
	Category 3	30
	Category 4	40
	Category 5	50
	Category 6	60
	Category 7	70
	Category 8	80
	Category 9	90
	Category 10	100
1951	Category 1	15
	Category 2	25
	Category 3	35
	Category 4	45
	Category 5	55
	Category 6	65
	Category 7	75
	Category 8	85
	Category 9	95
	Category 10	105

Said Metropolitan District Commission does also hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts for the purposes aforesaid, the temporary right and easement to occupy and use for the passage of men and vehicles, the transportation of machinery and materials and for depositing machinery, tools, dirt and other materials thereon, together with the right to remove said machinery, tools, dirt and other materials so deposited thereon, but in no event later than October 1, 1987, the land situated in said Lexington in said County and Commonwealth and shown on the aforesaid plan and comprising land of the following owners:

PARCEL NO.	OWNER	AREA IN SQ. FT. IN WHICH TEMPORARY EASEMENT IS TAKEN
TE-3	Owners Unknown (Bow Street)	480
TE-4	Owners Unknown (Bow Street)	1,300
TE-7	Owners Unknown (Bow Street)	560
TE-8	Owners Unknown (Bow Street)	800
TE-11	Owners Unknown (Fottler Avenue)	108
TE-12	Owners Unknown (Fottler Avenue)	1,400
TE-15	Owners Unknown (Maple Street)	500
TE-16	Owners Unknown (Maple Street)	2,500
TE-19	Owners Unknown (Woburn Street)	1,208
TE-20	Owners Unknown (Woburn Street)	4,960
TE-21	Owners Unknown (Intersection of Hayes Lane and Vine Street)	510
TE-22	Owners Unknown (Intersection of Hayes Lane and Vine Street)	1,280
TE-25	Owners Unknown (Fletcher Avenue)	180
TE-26	Owners Unknown (Fletcher Avenue)	1,600
TE-29	Owners Unknown (Grant Street)	160
TE-30	Owners Unknown (Grant Street)	1,680
TE-31	Town of Lexington	11,300
TE-33	Town of Lexington	5,400
TE-35	Owners Unknown (Meriam Street)	500
TE-36	Owners Unknown (Meriam Street)	500
TE-39	Owners Unknown (Hancock Street)	50
TE-40	Owners Unknown (Hancock Street)	1,600
TE-43	Owners Unknown (Revere Street)	440
TE-44	Owners Unknown (Revere Street)	1,900
TE-47	Owners Unknown (Bedford Street)	43,600

The rights and easements in those portions of the above-described parcels comprising public ways and streets are taken without interference with or prejudice to the rights of the Town of Lexington and the public to maintain and use said streets as public ways, except so far as the same may be inconsistent with the exercise of the rights and easements hereby taken, and there are reserved to the said Town of Lexington and the public all their respective

The first part of the report is devoted to a general
 description of the work done during the year. It
 is followed by a detailed account of the various
 experiments conducted, and the results obtained.
 The last part of the report is a summary of the
 work done, and a list of the papers published.
 The report is written in a clear and concise
 style, and is well illustrated with diagrams
 and tables. It is a valuable contribution to
 the literature of the subject.

Year	Month	Day	Time	Place	Remarks
1880	Jan	1	10	London	Arrived
1880	Jan	2	11	London	Left
1880	Jan	3	12	London	Arrived
1880	Jan	4	13	London	Left
1880	Jan	5	14	London	Arrived
1880	Jan	6	15	London	Left
1880	Jan	7	16	London	Arrived
1880	Jan	8	17	London	Left
1880	Jan	9	18	London	Arrived
1880	Jan	10	19	London	Left
1880	Jan	11	20	London	Arrived
1880	Jan	12	21	London	Left
1880	Jan	13	22	London	Arrived
1880	Jan	14	23	London	Left
1880	Jan	15	24	London	Arrived
1880	Jan	16	25	London	Left
1880	Jan	17	26	London	Arrived
1880	Jan	18	27	London	Left
1880	Jan	19	28	London	Arrived
1880	Jan	20	29	London	Left
1880	Jan	21	30	London	Arrived
1880	Jan	22	31	London	Left
1880	Feb	1	1	London	Arrived
1880	Feb	2	2	London	Left
1880	Feb	3	3	London	Arrived
1880	Feb	4	4	London	Left
1880	Feb	5	5	London	Arrived
1880	Feb	6	6	London	Left
1880	Feb	7	7	London	Arrived
1880	Feb	8	8	London	Left
1880	Feb	9	9	London	Arrived
1880	Feb	10	10	London	Left
1880	Feb	11	11	London	Arrived
1880	Feb	12	12	London	Left
1880	Feb	13	13	London	Arrived
1880	Feb	14	14	London	Left
1880	Feb	15	15	London	Arrived
1880	Feb	16	16	London	Left
1880	Feb	17	17	London	Arrived
1880	Feb	18	18	London	Left
1880	Feb	19	19	London	Arrived
1880	Feb	20	20	London	Left
1880	Feb	21	21	London	Arrived
1880	Feb	22	22	London	Left
1880	Feb	23	23	London	Arrived
1880	Feb	24	24	London	Left
1880	Feb	25	25	London	Arrived
1880	Feb	26	26	London	Left
1880	Feb	27	27	London	Arrived
1880	Feb	28	28	London	Left
1880	Feb	29	29	London	Arrived
1880	Feb	30	30	London	Left
1880	Mar	1	1	London	Arrived
1880	Mar	2	2	London	Left
1880	Mar	3	3	London	Arrived
1880	Mar	4	4	London	Left
1880	Mar	5	5	London	Arrived
1880	Mar	6	6	London	Left
1880	Mar	7	7	London	Arrived
1880	Mar	8	8	London	Left
1880	Mar	9	9	London	Arrived
1880	Mar	10	10	London	Left
1880	Mar	11	11	London	Arrived
1880	Mar	12	12	London	Left
1880	Mar	13	13	London	Arrived
1880	Mar	14	14	London	Left
1880	Mar	15	15	London	Arrived
1880	Mar	16	16	London	Left
1880	Mar	17	17	London	Arrived
1880	Mar	18	18	London	Left
1880	Mar	19	19	London	Arrived
1880	Mar	20	20	London	Left
1880	Mar	21	21	London	Arrived
1880	Mar	22	22	London	Left
1880	Mar	23	23	London	Arrived
1880	Mar	24	24	London	Left
1880	Mar	25	25	London	Arrived
1880	Mar	26	26	London	Left
1880	Mar	27	27	London	Arrived
1880	Mar	28	28	London	Left
1880	Mar	29	29	London	Arrived
1880	Mar	30	30	London	Left
1880	Mar	31	31	London	Arrived

The second part of the report is devoted to a
 detailed account of the various experiments
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 followed by a summary of the work done, and
 a list of the papers published. The report
 is written in a clear and concise style, and
 is well illustrated with diagrams and tables.
 It is a valuable contribution to the literature
 of the subject.

rights in and to the use of said streets for all lawful purposes not inconsistent with the use thereof for all purposes hereinbefore mentioned.

Said rights and easements in the land included in the above-described parcels are taken without interference with or prejudice to the rights of the respective owners, except so far as is reasonably necessary in the exercise of the rights and easements hereby taken, and there are reserved to the respective owners and their heirs, successors and assigns all their respective rights in and to the use of their lands lying within said parcels for all lawful purposes not inconsistent with the use thereof for all purposes hereinbefore mentioned, provided, however, that unless the written consent of said Metropolitan District Commission, or such other authority as shall for the time being have the control and management of said easement on behalf of said Commonwealth, shall first have been obtained, no buildings or structures or foundations of buildings or structures, or parts thereof, shall hereafter be erected or maintained in or upon any part of said parcel; no trees, bushes or shrubs shall be grown thereon; no gravel, loam, rubbish or other material shall be removed therefrom or deposited thereon.

The rights and easements hereby taken are taken without interference with or prejudice to the lawful rights of the Massachusetts Bay Transportation Authority and/or Boston and Maine Corporation to maintain and operate a railroad in, over or upon said land and said rights and easements shall be exercised in such a manner as not to unnecessarily obstruct or impede travel thereon.

Trees and structures on said lands are included in this taking with the exception of the wires, pipes, conduits, poles and their appurtenances for the conveyance of water, sewage, steam, gas and electricity and for telephone and telegraph communications and the tracks, structures and appurtenances of the Massachusetts Bay Transportation Authority and/or Boston and Maine Corporation, now lawfully in or upon said land.

The Commission further V O T E D: to award no damages by reason of the taking.

ADJOURNED at 2:45 P.M. to meet on Thursday, July 19, 1984, at 10:00 A.M.

William F. Aushler
Secretary

The first part of the document is a letter from the Secretary of the Board of Directors to the Board of Directors. The letter is dated 18th day of March 1888. The letter is addressed to the Board of Directors of the American Telephone and Telegraph Company. The letter is signed by the Secretary of the Board of Directors, J. W. ...

The second part of the document is a letter from the Board of Directors to the Secretary of the Board of Directors. The letter is dated 18th day of March 1888. The letter is addressed to the Secretary of the Board of Directors of the American Telephone and Telegraph Company. The letter is signed by the Board of Directors, J. W. ...

J. W. ...

337th
July 19, 1984

Record of the Three Thousand Two Hundred and Eighty-Seventh (3287th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, July 19, 1984 at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners, Anderson, Fontanez, Jones, and Scandrett.

The records of the meeting held on July 12, 1984, were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1 Contract No. P82-1037-C2A, dated July 19, 1984, with Allied Weatherproofing Co., Inc., for Rehabilitation of the Kasabuski Brothers Skating Rink, Saugus, Massachusetts.

2 Contract-Agreement No. P83-1230-M1A, dated July 19, 1984, with Teledyne Engineering Services, for Supplementing and Reinforcing Commission's Testing and Inspection Facilities in Conjunction With its Construction Projects for Steel Inspection, Welding Inspection and Metallurgy etc.

3 Contract-Agreement No. W84-1035-S1A, dated July 19, 1984, with Nashua River Watershed Association, for A Study to Identify Existing and Potential Pollution Sources in Stillwater River, A Tributary of Wachusett Reservoir.

4 PERMIT

V O T E D: to grant permission to Ronald Ordway and Nora Ordway, their successors and assigns, permission to build a house and garage over the Framingham Trunk Interceptor sewer easement of Section 133-B, between Stations 83+44+ and 83+10+ on property located at 32 Oakland Street, Natick, Massachusetts, as shown on plan on file in the office of the Sewerage Division, and to execute an instrument accordingly.

5 PERMIT

V O T E D: to grant to Brandeis University, their successors and assigns, permission to install and maintain a drainage system through the Commission's water easement located on property owned by Brandeis University in Waltham as shown on a plan on file in the office of the Water Division, and to execute an instrument accordingly.

6 Contract No. P83-1218-M2A, dated July 19, 1984, with Markings, Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the Metropolitan District Commission.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

7 Report of Mr. Brutsch, June 28, relative to consumption of water by the Cities and Towns in the Metropolitan Water District during the year 1983. The Commission V O T E D: to accept the report of Mr. Brutsch and that the same be certified to the Treasurer and Receiver-General.

8 Report of Mr. Martorana, July 12, recommending the following on Contract No. W83-1026-C1A, with General Electric Co., for Electrical Repair to Generator at the Winsor Dam Power Plant, Quabbin, Massachusetts:

1. That the Commission rescind its vote of May 3, 1984 awarding Contract No. W83-1026-C1A to General Electric Co., for the sum of \$47,484.00 due to a computational error in Item 3 of the Contract.
2. That the Commission accept Item 3, "Furnish Labor for Work Unforeseen or Required," in the amount of \$4,721.00 which was not included in the Contractor's total bid of \$47,484.00.
3. That the Commission accept the bid of General Electric Co., in the amount of \$52,205.00 on Contract No. W83-1026-C1A for Electrical Repair to Generator at the Winsor Dam Power Plant, Quabbin Reservoir.

Also submitting Contract No. W83-1026-C1A for signature.

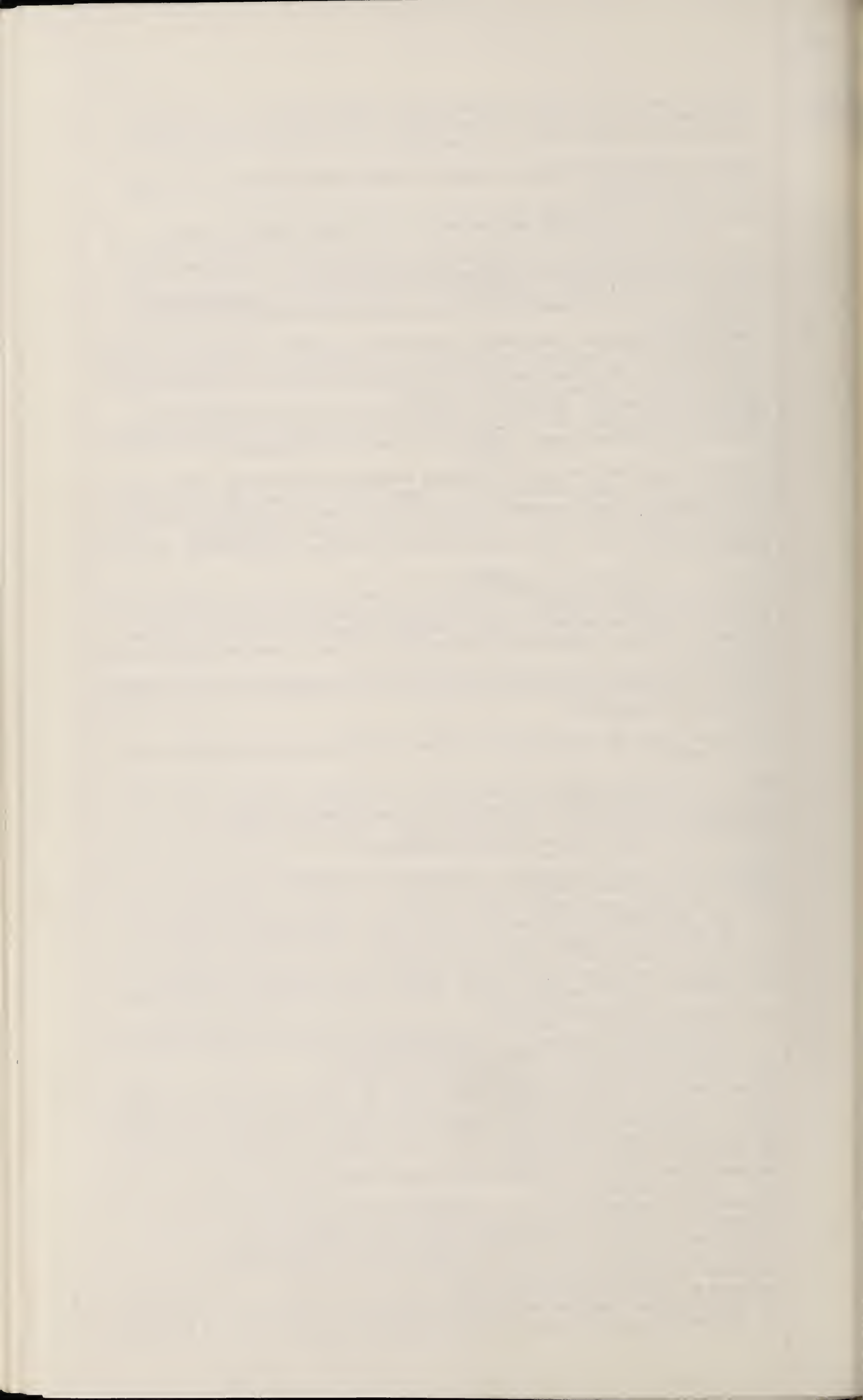
On questioning by Associate Commissioner Jones, Mr. Brutsch noted that the error was not caused by General Electric Co., but was due to an in-house clerical error. Associate Commissioner Jones asked that in the future, when errors occur in contracts, that the memo to the Commission indicate whether the error was caused by the Consultant, Contractor or MDC.

The Commission V O T E D: to rescind its vote of May 3, 1984, Volume 47, Page 185, Item 1, on this matter.

The Commission further V O T E D: to accept Item No. 3, "Furnish Labor for Work Unforeseen or Required," in the amount of \$4,721.00, which was not included in the Contractor's total bid of \$47,484.00 due to an in-house error.

The Commission further V O T E D: to accept the bid of General Electric Co., in the amount of \$52,205.00 on Contract No. W83-1026-C1A for Electrical Repair to Generator at the Winsor Dam Power Plant.

The Secretary then submitted for signature Contract No. W83-1026-C1A, dated July 19, 1984, which was signed by the Commissioner and three Associate Commissioners.



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Report of Mr. Martorana, July 12, recommending that the Commission approve retro-active authorization for Metcalf & Eddy, Inc., Consultant under Contract-Agreement No. W80-0798-S1A, for Sudbury Reservoir Pilot Plant Studies, to use "Additional Services" Phase G, to cover the cost of a 9 month rental of 6 pilot filter columns for use in the Sudbury Reservoir Pilot Plant, at a cost not to exceed 10,000.00.

Mr. Brutsch explained that Metcalf & Eddy has proceeded to install and use the pilot filter columns in the pilot plant without prior written approval of the Commission. He stated Metcalf & Eddy, Inc., apparently proceeded on the assumption that, having identified the rental on the required equipment list, they would be reimbursed with a purchase order. Mr. Brutsch explained that upon completion of the work, Metcalf & Eddy, Inc., presented a \$10,000.00 rental invoice to the Commission.

Mr. Brutsch stated that the pilot filter columns were a necessary element of the contract and the work would not be performed without them.

The Commission V O T E D: Approved as recommended by Mr. Martorana in his report of July 12, 1984.

2 Report of Mr. Gillis, July 13, on request of the Town of Marblehead to change the rates charged for water supplied to consumers.

Mr. Dana E. Snow of the Marblehead Water and Sewer Commission appeared before the Commission and stated that the increase is being requested because of water systems improvements, increased labor costs and material and maintenance expenses. Associate Commissioner Scandrett spoke of the MDC vote increase of 2% this year and noted that this was the first increase in the MDC's water rate in 9 years. He then went on to say that it is important to note Marblehead's increase in rates was not a result of a raise in assessment of MDC water.

Mr. Snow then spoke of a reduction of water consumption in the Town of Marblehead and stated that he felt a strong leak detector and repair program was responsible for the reduction.

The Commission then commended the Town for its water conservation program.

The Commission V O T E D: to approve minimum rate of \$.90 per 100 cubic feet insofar as the Commission is authorized to do so under Section 27 of Chapter 92 of the General Laws, effective July 1, 1984, provided that the Commission reserves the right to withdraw approval if policy is changed or legislation enacted which modifies current practices.

3 Report of Mr. Brutsch, July 13, requesting the Commission approve Final Payment, in the amount of \$614.30, on Contract No. W82-1028-X2A, with Mary Ann Fronk for Administration of Demand Management Project.

The Commission V O T E D: to approve Final Payment, in the amount of \$614.30.

4 Report of Mr. Brutsch, July 13, submitting for signature Contract No. W80-0884-C2A for Bear Hill Standpipe and Pipeline, Stoneham, Massachusetts.

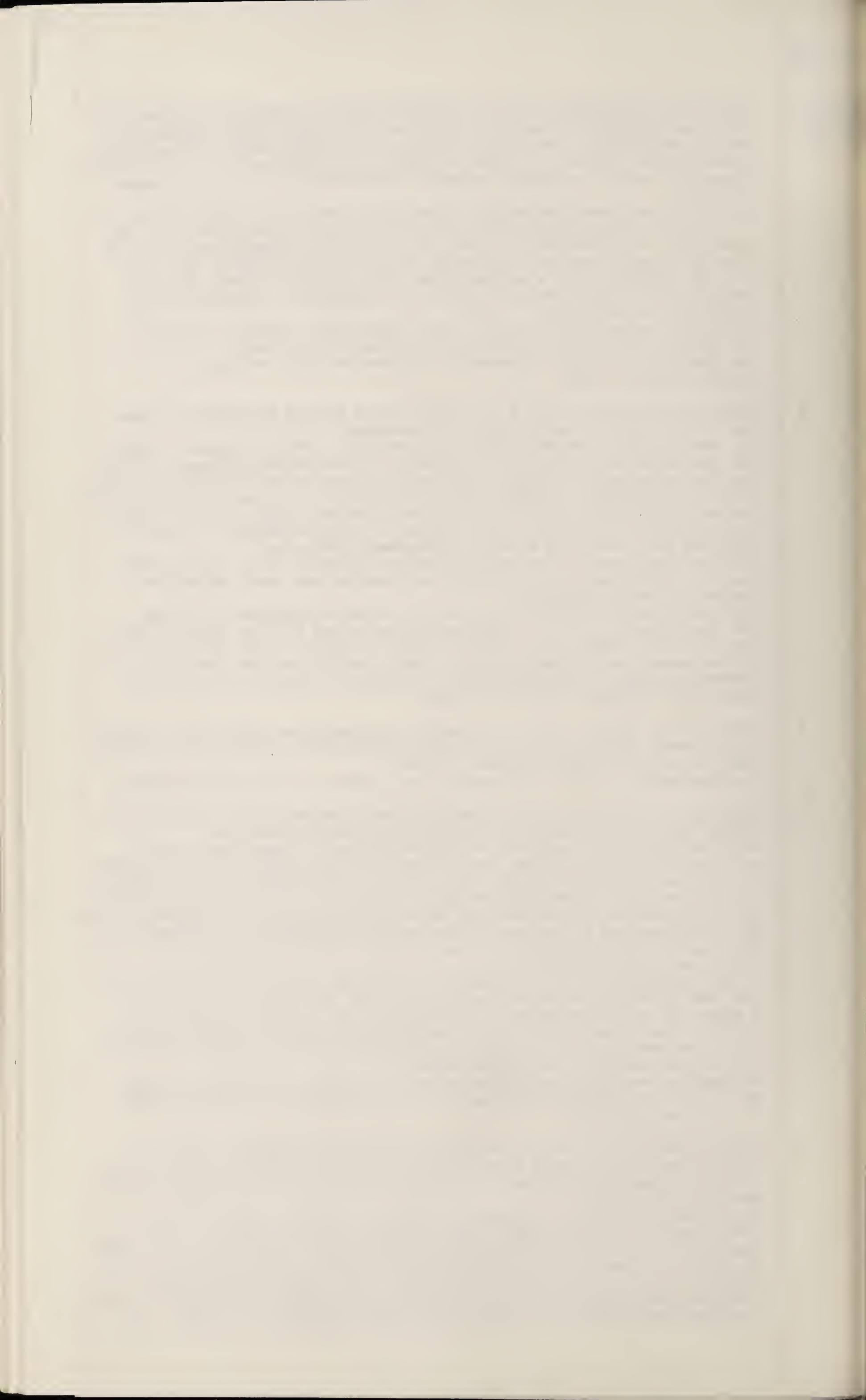
Prior to signing this contract, Mr. McCann notified the Commissioner that he had received a letter from Mr. Peter Waltonen, Senior Counsel for the Department of Labor and Industries stating that a protest has been filed by J. M. Cashman, Inc., alleging that there may have been a violation of statute in awarding the contract to Natgun Corporation. Mr. McCann then stated that he has been directed by Mr. Waltonen not to take any further action on the Bear Hill Standpipe contract until such time as the Department of Labor and Industries has made a final determination on the protest.

It was then noted that J. M. Cashman, Inc., did not meet the qualifications as outlined in the bidding document which called for the General Contractor to be a specialist in the design and construction of wire or strand, tension wound, circular prestressed concrete tanks, and shall have built by its own force and in its own name not less than five (5) comparable prestressed tanks now giving satisfactory service in the United States.

Following a lengthy discussion concerning this contract, the Commission took no action on this matter while awaiting the determination from the Department of Labor and Industries.

5 Report of Mr. Barron, July 19, requesting the Commission accept Contract No. W83-1027, with Louis Berger & Associates, for Inventory Register Evaluation of Historic Properties of MDC Water Division as final and authorize payment in the amount of \$20,000.00.

Mr. Barron explained that Commission approval is needed for the project at today's meeting, July 19, 1984, because Federal Grant Requirements for 50% funding for the Historic Preservation Survey must be satisfied by July 31, 1984. He stated that the final report and other deliverables, under the terms of the contract, will be received during the week of July 23, 1984, and will be processed for payment by the MDC. At this time he noted, appropriate filing with the Massachusetts Historical Commission for grant monies will be made.



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The Commission then V O T E D: to accept the contract as final, pending receipt of the final report and approval by the Water Division and authorize final payment in the amount of \$20,000.00 to Louis Berger Associates.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

1 Report of Ms. Haggerty, June 27, recommending 75% of retainage, in the amount of \$3,268.89, be approved for payment, on Contract-Agreement No. S80-0854-D1A, with Wright-Pierce, Architects/Engineers, for Design of Alternate Power Source, Nut Island Sewage Treatment Plant, Quincy, Massachusetts.
The Commission V O T E D: to approve release of 75% of retainage, in the amount of \$3,268.89, for payment.

2 Report of Mr. Baratta, July 12, requesting approval of an extension of time to October 14, 1984, on Contract No. S81-0951-C2A, with W. T. Rich Company, Inc., for the MDC Composting Facility, Deer Island Sewage Treatment Plant, Boston, Massachusetts, due to a late start because of a delay in Division of Water Pollution Control approval, and delays incurred during construction due to existing piping and drainage lines that were not shown on original Deer Island design changes to the building slab and appurtenant equipment.
The Commission V O T E D: to approve an extension of time to October 14, 1984, to be effective, however, only upon receipt of the written consent of the bonding company and on condition that no further request will be made for additional compensation.

3 Report of Mr. Baratta, July 13, requesting approval of the following on Contract No. S77-0484-C1A, with Methuen Construction Company for Construction of the Hingham Force Main:

- (a) To exceed the estimated quantities on the following:
 - Item No. 23 - Perm. Full Width Pavement - \$2,773.05
 - Extra Work Order No. 1 - Line Painting - \$ 415.04
 - Extra Work Order No. 11 - Perm. Full Width Pavement Markings - \$ 389.20

- (b) That the work be accepted as completed as of July 6, 1984.
- (c) That Estimate No. 5 (Final), in the amount of \$100,168.30, be approved for payment.
- (d) That reserve, in the amount of \$41,433.49, be approved for payment.

Mr. John Hamm, Project Engineer, explained that all the work has been completed, however, he had just been informed by the Contractor that an extra work claim is going to be filed.

Mr. James McCann, Contract Administrator, spoke of the potential problem with the requested action in light of this claim.

After some discussion, Mr. Hamm asked that the request be modified by changing Estimate No. 5 (Final), to Estimate No. 5 (Semi-Final), and authorize a reduction in the reserved amount of 80% (4% of the work completed).

Associate Commissioner Scandrett inquired as to the nature of the claim to be filed. Mr. Hamm explained it involved materials purchased for the contract, but which later were not employed in the work.

Associate Commissioners Jones and Fontanez spoke at some length about EEO and MBE/WBE reporting procedures.

The Commission V O T E D: to approve Mr. Baratta's request to exceed the estimated quantities on Contract No. S77-0484-C1A as follows:

- Item No. 23 - Perm. Full Width Pavement - \$2,773.05
- Extra Work Order No. 1 - Line Painting - \$ 415.04
- Extra Work Order No. 11 - Perm. Full Width Pavement Markings - \$ 389.20

The Commission further V O T E D: that the work of Methuen Construction Company, Inc., contractor under Contract No. S77-0484-C1A, for Construction of the Hingham Force Main, be and hereby is accepted as substantially completed as of July 6, 1984, pending a claim for extra work.

The Commission further V O T E D: to approve Estimate No. 5 (Semi-Final), in the amount of \$100,168.30, for payment.

The Commission further V O T E D: to release reserve, in the amount of \$33,146.79, for payment.

Action was taken upon the following matters relating to the Metropolitan Parks System:

4 Report of Mr. Lydon, April 17, submitting the Parks Engineering and Construction Program for 1984-1985.
The Commission V O T E D: held over.

5 Report of Mr. Lydon, July 13, recommending the following on bids for Resurfacing of Metropolitan District Parkways, Winthrop Parkway, Revere, and Revere Beach



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Parkway, Medford/Everett.

1. That the bid of Trimount Bituminous Company, the lowest bidder, be rejected inasmuch as their bid was incomplete.
2. That the bid of Hiway Paving Inc., the second lowest bidder, be rejected due to the fact that the firm was not pre-qualified.
3. Accept the bid of Middlesex Paving, Inc., the only eligible bidder, of \$123,746.00.

On questioning by Associate Commissioner Jones, Mr. Lydon stated that bid documents were given to Hiway Paving Inc., by mistake and they should not have received the documents because they were not pre-qualified for work with the Commission. The Commission V O T E D: to reject the bid of Trimount Bituminous inasmuch as their bid was incomplete.

The Commission further V O T E D: to reject the bid of Hiway Paving, Inc., due to the fact that the firm was not pre-qualified.

The Commission further V O T E D: to accept the only eligible bid, that of Middlesex Paving, Inc., of \$123,746.00.

1 Report of Mr. Lydon, July 6, recommending that Contract Agreement No. P82-0A02, with Metcalf & Eddy, Inc., for the Town Brook Flood Control Project, be amended to extend the Time of Performance from June 30, 1984 to November 30, 1984, at no additional cost, due to involvement of Local, State, and Federal Agencies in the review process and timely receipt of review comments, problems related to dewatering of the excavation for the Town River Culvert have necessitated more extensive design considerations than anticipated, and the need for more extensive studies on groundwater control at the tunnel intake area.
The Commission V O T E D: Approved as recommended by Mr. Lydon in his report of July 6, 1984.

2 Report of Mr. Lydon, July 11, on bids for Washing Tile Walls of Storrow, Berkeley and Longfellow Tunnels, Boston - Cambridge, Contract No. P83-1217-M1A.
The Commission V O T E D: to accept the lowest bid, that of Mobile Fleet Systems, of \$5,369.98.

3 Report of Mr. Lydon, July 17, on request of MASCO to erect signs on MDC Roadways. Mr. Donald Shea, Manager of Development Coordination, for Medical Area Service Corporation (MASCO) was introduced to the Commission. He explained that MASCO is a shared service organization in the Longwood Medical Area of Boston which assists its members in carrying out their function and assists in area-wide planning and development efforts. He then explained that the Longwood Medical area is a 175-acre site located in the Fenway area of Boston. He then named the twelve non-profit hospitals and educational institutions who are members of the Corporation. At this point, Mr. Shea made a slide presentation of proposed signage changes which he felt would better direct motorists to hospitals and education institutions in the area and would eliminate "pole pollution". He then outlined the specifics of his request which included:

1. Extension of the Longwood Medical Area Signage System to the Riverway and Fenway.
2. Upgrading of existing MDC signage.
3. Revision of misleading new signage.

He then noted that the program would be an extension of work already performed on some City of Boston streets in the area and would be performed at no cost to the Commission.

Following a lengthy discussion concerning the proposal by both Commission and staff members, the Commission V O T E D: to place the matter on file.

The following matter was placed on the agenda for the information of the Commission:

4 The following schedules were approved for payment by the Commissioner during the period from July 9, 1984 to July 16, 1984:

Invoices	\$ 574,635.79
Reservation of Funds	\$ 9,702.00
Advices of Change	\$ 2,200.00
Weekly Payroll	\$1,161,821.92
Industrial Accident Report	\$ 33,052.56

ADJOURNED at 2:15 P.M. to meet on Thursday, August 9, 1984, at 10:00 A.M.

William F. Crushin
Secretary

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Record of the Three Thousand Two Hundred and Eighty-Eighth (3288th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, August 9, 1984, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Fontanez, Jones, and Scandrett.

The records of the meeting held on July 19, 1984, were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

- 1 Contract No. P84-1315-C1A, dated August 9, 1984, with Middlesex Paving, Inc., for Resurfacing of Metropolitan District Parkways, Winthrop Parkway, Revere, and Revere Beach Parkway, Medford/Everett.
- 2 Contract No. W80-0884-C2A, dated August 9, 1984, with Natgun Corporation, for Bear Hill Standpipe and Pipeline in Stoneham, Massachusetts.

PERMIT

V O T E D: to grant to Massachusetts Turnpike Authority, its successors and assigns, permission to make all the necessary improvements in and on said sewer easement of the Metropolitan District Commission's South Charles Relief Sewer, Section 1, between Stations 66+85± and 69+21±, and adjust the manhole at Station 67+40 to the proper grade, as shown on plans on file in the office of the Sewerage Division, and to execute an instrument accordingly.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 4 Report of Mr. Lydon, April 17, submitting the Parks Engineering and Construction Program for 1984-1985.

Mr. Lydon, Acting Director of Parks Engineering and Construction, reported on the Energy Conservation Program and explained the reasons that the following projects deviated from the approved work schedule:

- P77-0404-C1A - Lighting Modernization - Memorial Drive.
- P83-1199-C1A - Lighting Modernization - Fellsway East.
- P83-1201-C1A - Lighting Modernization - Morrissey Boulevard, Dorchester.
- P83-1231-C1A - Lighting Modernization - Mystic Valley Parkway, Winchester, Medford, and Arlington.

The Commission V O T E D: to accept the Energy Conservation Program for 1984-1985.

- 5 Report of Mr. Lydon, July 16, recommending approval of release of retainage, in the amount of \$1,810.16, on Contract No. P78-0679-C1A, with Storch Associates, for Rehabilitation of Fenway/Park Drive, Boston.

The Commission V O T E D: to approve release of retainage, in the amount of \$1,810.16, for payment.

- 6 Report of Mr. Lydon, July 17, recommending approval of Extra Work Claim No. 1, in the amount of \$12,920.73, for re-cleaning of Town Line Brook, Everett and Malden, which was necessitated by the dumping of rubbish and debris at this location over the winter months, on Contract No. P82-1140-C2A, with J. M. Cashman, Inc., for Miscellaneous Clean-Up Work at Spot Pond and Town Line Brooks in Malden, Melrose, and Revere.

Mr. Lydon explained that the upstream half of the Town Line Brook, which abuts a residential area, was cleaned, inspected, accepted, and paid for in December 1983. He noted, however, that over the winter months vandals dumped considerable amounts of trash and brush from surrounding dump sites into the Brook resulting in unsightly conditions and numerous complaints from local Residents. He went on to say that severe winter storms and tidal action added silt and sediment to the previously cleaned bottom of the Brook in this area.

Associate Commissioner Jones then asked Mr. Lydon to obtain the correspondence from the Commission's Resident Engineer which authorized J. M. Cashman, Inc. to perform the Extra Work on this project so that the Secretary's Office will have a complete file on this matter.

Commissioner Geary then directed Secretary Chisholm to forward all information on this matter to Sergeant James Celino, of the Hazardous Waste Unit, for an investigation as to who is responsible for the illegal dumping at this location.

The Commission V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 1, in the amount of \$12,920.73.

- 7 Report of Mr. Lydon, July 19, recommending the following on Contract No. P84-1311-C1A, with Labadani Tree and Landscape Co., Inc., for Sodding, Shrub and Tree Planting at Tenean Beach, Dorchester, Massachusetts:

- (a) That the work be accepted as completed as of June 15, 1984.
- (b) That Estimate No. 1 (Final), in the amount of \$40,989.34, be approved for payment.



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(c) That reserve, in the amount of \$2,157.33, be approved for payment on August 19, 1984.

Commissioner Geary spoke of his many visits to the site and commended the contractor for the excellent work.

The Commission V O T E D: that the work of Labadani Tree and Landscape Co., Inc., contractor under Contract No. P84-1311-C1A, for Sodding, Shrub and Tree Planting at Tenean Beach, Dorchester, Massachusetts, be and hereby is accepted as completed as of June 15, 1984.

The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of \$40,989.34, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$2,157.33, for payment on August 19, 1984.

1 Report of Mr. Lydon, July 23, recommending the following on Contract No. P82-1187-C1A, with Allied Weatherproofing Co., Inc., for Roof Replacement, Stoneham Pool, Stoneham, Massachusetts:

(a) That the work be accepted as completed as of April 7, 1984.

(b) That Estimate No. 2 (Final), in the amount of \$5,581.45, be approved for payment.

(c) That reserve, in the amount of \$1,278.76, be approved for payment.

Associate Commissioner Fontanez asked Mr. Lydon to provide her with further information concerning minority participation on this project.

The Commission V O T E D: that the work of Allied Weatherproofing Co., Inc., contractor under Contract No. P82-1187-C1A, for Roof Replacement, Stoneham Pool, Stoneham, Massachusetts, be and hereby is accepted as completed as of April 7, 1984.

The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of \$5,581.45, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$1,278.76, for payment.

2 Report of Mr. Lydon, July 26, recommending the following on Contract No. P83-1204-C1A, with Bonacorso Construction Corp., for Proposed Bridge Approach Reconstruction, John J. Beades Bridge, Morrissey Boulevard, over Dorchester Bay, Boston, Massachusetts:

(a) That the work be accepted as completed as of May 31, 1984.

(b) That Estimate No. 9 (Final), in the amount of \$60,179.99, be approved for payment.

(c) That reserve, in the amount of \$60,565.47, be approved for payment.

The Commission V O T E D: that the work of Bonacorso Construction Corp., contractor under Contract No. P83-1204-C1A, for Proposed Bridge Approach Reconstruction, John J. Beades Bridge, Morrissey Boulevard, over Dorchester Bay, Boston, Massachusetts, be and hereby is accepted as completed as of May 31, 1984.

The Commission further V O T E D: to approve Estimate No. 9 (Final), in the amount of \$60,179.99, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$60,565.47, for payment.

3 Report of Mr. Lydon, July 27, recommending approval of Alteration No. 1, in the amount of \$24,421.80, which represents the difference between the allowances carried for Section 4A - "Masonry," Section 15A - "Plumbing," and Section 16A - "Electrical." and the sub-bids received, on Contract No. P82-1168-M1A, with Solimando Construction Co., Inc., for Repairs to Swimming Pools and Service Buildings Within the Metropolitan Parks System; also submitting Revised Work Schedule Form and Project Management Exception Report.

The Commission V O T E D: to approve Alteration No. 1, in the amount of \$24,421.80.

4 Report of Mr. Lydon, August 1, recommending that the Commission rescind its vote of May 31, 1984, approving Alteration No. 1 - credit to the Commission in the amount of \$8,749.56, on Contract No. P81-0929-C1A, with Major Construction Management Corp., for Replacement of Three Refrigeration Systems at the Revere, Medford, and Somerville Ice Skating Rinks, and vote to approve Alteration No. 2 - credit to the Commission in the amount of \$8,749.56.

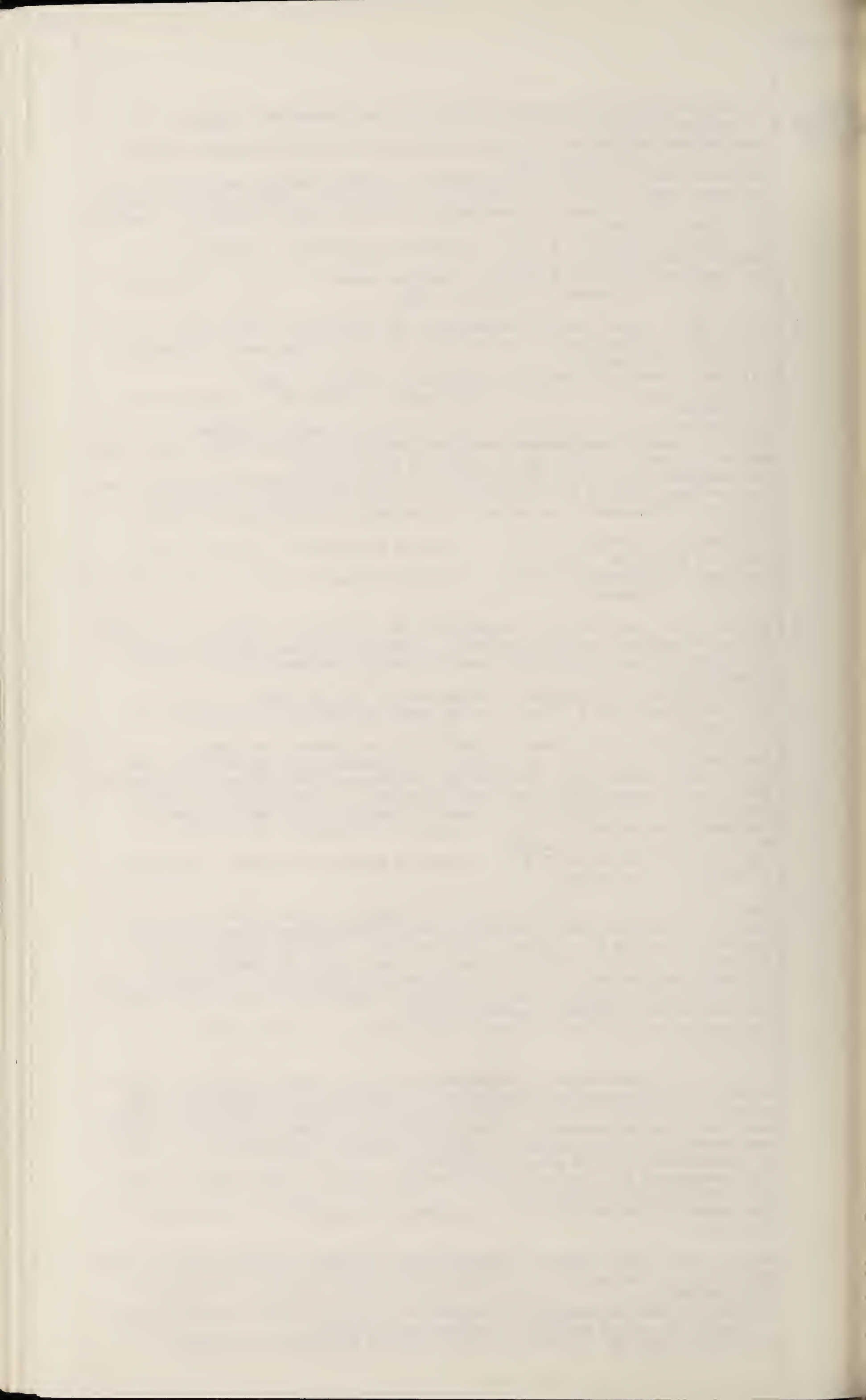
The Commission V O T E D: to rescind its vote of May 31, 1984, Volume 47, Page 200, Item 4, on this matter.

The Commission further V O T E D: to approve Alteration No. 2, in the amount of \$8,749.56.

5 Report of Mr. Lydon, June 25, recommending the following on Contract No. P82-1149-M1A, with E. A. Berman Co., for Servicing Refrigeration Systems at Ice Skating Rinks (FY 83):

(a) That the work be accepted as completed as of March 25, 1983, due to the fact that E. A. Berman went out of business on that date.

(b) That Estimate No. 5 (Final), in the amount of \$94,388.05, be approved



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for payment

(c) That reserve, in the amount of \$18,265.67, be approved for payment. Also submitting an Indemnity Agreement for Commissioner Geary's signature. The Commission V O T E D: that the work of E. A. Berman Co., contractor under Contract No. P82-1149-M1A, for Servicing Refrigeration Systems at Ice Skating Rinks (FY 83), be and hereby is accepted as completed as of March 25, 1983. The Commission further V O T E D: to approve Estimate No. 5 (Final), in the amount of \$94,388.05, for payment. The Commission further V O T E D: to approve release of reserve, in the amount of \$18,265.67, for payment. The Commission further V O T E D: to authorize Commissioner William J. Geary to sign the Indemnity Agreement, dated May 31, 1984, between the MDC and the Fidelity and Deposit Company of Maryland, for and on behalf of the Commission.

1 Report of Mr. Lydon, July 20, recommending the following on Contract-Agreement No. CS-78-5PE (P78-0639-D1A), with Schoenfeld Associates, Inc., for Upgrading and Repairing of Monsignor William J. Casey Overpass, Boston, and the Longfellow Bridge in Boston and Cambridge:

- (a) That the work be accepted as completed as of July 1, 1984.
- (b) That Invoice No. 26 (Final), in the amount of \$1,532.38, be approved for payment.
- (c) That Invoice No. 27, Release of Retainage in the amount of \$10,726.55, be approved for payment.

The Commission V O T E D: that the work of Schoenfeld Associates, Inc., Consultant under Contract-Agreement No. CS-78-5PE (P78-0639-D1A), for Upgrading and Repairing of Monsignor William J. Casey Overpass, Boston, and the Longfellow Bridge in Boston and Cambridge, be and hereby is accepted as completed as of July 1, 1984. The Commission further V O T E D: to approve Invoice No. 26 (Final), in the amount of \$1,532.38, for payment. The Commission further V O T E D: to approve Invoice No. 27, Release of Retainage in the amount of \$10,726.55, for payment.

2 Report of Mr. Lydon, July 31, recommending approval of exceeding the estimated quantity of Item No. 27, "Bituminous Concrete," at an additional cost of \$18,200.00, on Contract No. P78-0638-C1A, with Bonacorso Construction Corp., for Bridge Repairs, Monsignor McGrath Highway, McCarthy Overpass, and Squire's Bridge, Somerville, Massachusetts. The Commission V O T E D: Approved as recommended by Mr. Lydon in his report of July 31, 1984.

3 Report of Mr. Lydon, August 3, on bids for Roof Replacement Garage Storage, Preparation and Carpenter Shop Building, Franklin Park Zoo, Contract No. P84-1318-C1A. Associate Commissioner Fontanez expressed her concern about the lack of background information on the Contractor and asked that this matter be held over pending receipt of further information from Mr. Lydon concerning references and also how the Engineer's estimate for the project was arrived at. The Commission V O T E D: Held over.

4 Report of Mr. Lydon, August 2, recommending the following on Contract No. E79-17PE, with William P. Capone Corp., for Reconstruction of Sidewalks and Driveways and Resurfacing Roadways, Old Colony Avenue and Columbia Road from Kosciuszko Circle to Pacuska Circle:

- (a) That the Guarantee Agreement, between the MDC and William P. Capone Corp., for Item 16 - "Bituminous Concrete," be accepted as completed as of June 25, 1984.

Mr. Lydon explained that the contractor on this project used a bituminous concrete mix that did not meet the Commission's specifications. He stated that on November 13, 1980, the prior Commission waived the bituminous concrete material under Item 16 of the contract on condition that the contractor guarantee all bituminous concrete work for a period of three years. Mr. Lydon went on to say that the remainder of the work was accepted as substantially completed on August 13, 1980. He stated that the three-year guarantee has now expired and Mr. Johnston, Director of Testing for the Commission, has submitted a memo stating that the contractor has fulfilled his agreement and that he recommends that the job be closed. The Commission V O T E D: that the Guarantee Agreement, dated November 13, 1980, between the MDC and William P. Capone Corp., for Item No. 16 - "Bituminous Concrete," be and hereby is accepted as completed as of June 25, 1984.

5 Report of Mr. Lydon, August 1, recommending approval of exceeding the estimated quantity on Item No. 6 - "Materials, Components, and Parts," at an additional cost of \$3,363.03, on Contract No. P82-1162-M1A, with Coviello Electric and General Contracting Company, Inc., for Electrical Maintenance Work at Sports Facilities and Recreational Areas of the Metropolitan Parks System.



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The Commission V O T E D: Approved as recommended by Mr. Lydon in his report of August 1, 1984.

- 1 Report of Mr. Lydon, August 3, recommending that the Commission approve the concept of employing the use of 22-50000 Lumen High Pressure Sodium Lighting Fixtures on the existing hardware along the Mystic Valley Parkway, Medford, from Boston Avenue to Armory Bridge; also recommending that the Commission approve the estimated \$1,011.00 increase in annual street lighting costs due to this conversion.

Associate Commissioner Jones, noting the pedestrian and vehicular safety problems in this area, asked Mr. Lydon to move this project with dispatch and also to ask the Massachusetts Electric Company to make this a high priority item.

The Commission V O T E D: Approved as recommended by Mr. Lydon in his report of August 3, 1984; the Massachusetts Electric Company to make the conversion at no construction cost to the Commission.

The Commission further V O T E D: to approve the estimated \$1,011.00 increase in annual street lighting costs due to the conversion.

- 2 Report of Mr. Lydon, August 3, recommending the following on Contract No. P80-0793-C1A, with J. M. Cashman, Inc., for Maritime Work, Pemberton Pier, Hull, Massachusetts:

(a) That the work be accepted as completed as of June 30, 1984.

(b) That Estimate No. 12 (Final), in the amount of \$11,597.60, be approved for payment.

(c) That reserve, in the amount of \$1,735.40, be approved for payment on September 3, 1984.

Commissioner Geary spoke of the Commission's desire to turn care and control of the pier over to the Town of Hull before the winter season. He then noted that, at his request, the Inspector General's Office had visited the pier and found the design and construction was standard for this type of facility. Commissioner Geary asked Mr. Lydon to prepare a letter to the Town of Hull requesting that the Town have someone of their choosing inspect the pier and furnish the Commission with a certification that the pier was in good shape prior to the MDC turning the pier over to the Town.

The Commission V O T E D: that the work of J. M. Cashman, Inc., contractor under Contract No. P80-0793-C1A, for Maritime Work, Pemberton Pier, Hull, Massachusetts, be and hereby is accepted as completed as of June 30, 1984.

The Commission further V O T E D: to approve Estimate No. 12 (Final), in the amount of \$11,597.60, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$1,735.40, for payment on September 3, 1984.

- 3 Report of Mr. Lydon, August 7, on bids for Temporary Repairs to Pier, Peddocks Island, Hull, Massachusetts, Contract No. P84-1320-C1A.

The Commission V O T E D: to reject the bid of Goudreau Corporation inasmuch as said Company did not submit the required bid security with its bid and, therefore, submitted an incomplete bid.

The Commission further V O T E D: to accept the lowest bid, that of J. M. Cashman, Inc., of \$45,345.00.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 4 Report of Mr. Martorana, August 1, submitting Work Schedule Form and Project Summary Form for Contract No. W78-0739-C1A - Early Electrification of Spot Pond Pumping Station, estimated cost - \$120,000.00.

Mr. Brutsch explained that the two motors to be electrified were installed several years ago but were not put into operation because of inadequate electric power supply. He noted that once the Early Electrification project is completed, power will be available and the motors can be tested. He alerted the Commission to the possibility that some parts replacements to the motors may be necessary due to the several years of inactivity.

The Commission V O T E D: Approved.

- 5 Report of Mr. Martorana, July 31, requesting approval of partial release of retainage, in the amount of \$37,149.63, on Contract-Agreement No. W79-0749-S2B, with Wallace, Floyd Associates, for Long-Range Water Supply Study and EIR.

The Commission V O T E D: to approve partial release of retainage, in the amount of \$37,149.63, for payment.

- 6 Report of Mr. Martorana, July 25, recommending approval of a 6-month extension of time from June 11, 1984, on Contract-Agreement No. W79-0970-D1A, with Bethel, Duncan & Associates, Inc., for Water Meter Modernization, on condition that there will be no additional costs for services associated with Contracts Nos. W79-0970-



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C1A and W79-0970-C2A.

The Commission V O T E D: to approve a 6-month extension of time from June 11, 1984, as recommended by Mr. Martorana in his report of July 25, 1984, on condition that there will be no additional costs for services associated with Contracts Nos. W79-0970-C1A and W79-0970-C2A.

1 Report of Mr. Martorana, July 27, recommending the following on Contract No. W80-0763-C2A, with J. Biotti & Sons, for Furnishing and Laying Water Pipes in Lynn, Massachusetts:

1. That the Commission rescind its vote of July 12, 1984, approving Extra Work Order No. 2, in the amount of \$57,489.43, inasmuch as the Notice of Intent to the Comptroller's Office to act upon Extra Work Order No. 2 had less than the 7 days required prior to the action of the Commission.
2. That the Commission vote to approve Extra Work Order No. 2, in the amount of \$57,489.43.

The Commission V O T E D: to rescind its vote of July 12, 1984, Volume 47, Page 247, Item 3, on this matter.

The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of \$57,489.43.

2 Report of Mr. Brutsch, August 2, requesting approval to retain the services of Media Matrix, Inc. until December 31, 1984, to provide two additional Public Information materials (a 30-second television PSA and the Quabbin poster reprint) to be funded through FY 85 budget allotment for the Demand Management Program, Account No. 2420-0200-13, at a cost not to exceed \$15,000.00.

Commissioner Geary spoke of the success of the PSA and Quabbin poster and asked that Leslie Campbell, of the Water Division, be credited with the photo in any future reprints.

The Commission V O T E D: Approved as requested by Mr. Brutsch in his report of August 2, 1984.

3 Report of Mr. Gillis, August 2, requesting that the Commission ratify and approve the action of Acting Commissioner Byrne in undertaking an Emergency Contract, with Bond Bros., Inc., for Repairing a Break in MDC's 40-Inch Cast Iron Main, Low Service Pipe Lines, Brookline, Massachusetts, estimated cost - \$35,000.00, as outlined by Acting Commissioner Byrne in his letter to the Executive Office for Administration and Finance, dated July 27, 1984.

The Commission commended the Water Division Staff for its prompt response in having this vital water main repaired.

The Commission V O T E D: Ratified and approved.

4 Report of Mr. Martorana, August 2, recommending acceptance of the technical recommendations of International Engineering Co. for the Construction of the Aqueduct Transfer Hydropower Station Within Water Division Facilities in Southborough, Massachusetts (subject to the revisions directed by the Water Division), approval of the increase in design contract upset to \$293,000.00, and approval of 20-month extension in project scheduling.

The Commission V O T E D: to accept the technical recommendations of International Engineering Co. and approve the increase in the design contract upset to \$293,000.00 and a 20-month extension in project scheduling, all as recommended by Mr. Martorana in his report of August 2, 1984.

5 Report of Mr. Martorana, August 2, recommending approval of Project No. W83-1037-S2A - Metropolitan Water Works Preservation Survey, estimated cost - \$20,000.00, Account No. 2429-7140, for inclusion in the 1985 Project Program; also requesting authority to prepare a contract with a Historic Conservation Consultant.

The Commission V O T E D: to approve Project No. W83-1037-S2A - Metropolitan Water Works Preservation Survey.

The Commission further V O T E D: Authority given to prepare a contract with a Historic Conservation Consultant.

6 Report of Mr. Martorana, July 27, on bids for Installation of an Oil Separator/ Drainage System, Spot Pond Pumping Station, Stoneham, Massachusetts, Contract No. W81-1001-C1A.

Mr. Brutsch stated that, due to the excessive difference between the Engineer's estimate and the bidders' prices for the Concrete Detention Tank, he recommends that the Commission reject both bids and readvertise the project this Fall. He went on to say that he felt the Commission would get a better price for the work because the contractors will not be as busy as they are during the Summer months. The Commission V O T E D: to reject all bids and authority given to readvertise.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

7 Report of Mr. Baratta, July 18, recommending the following on Contract No. CS-78-



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17-E-25, with R. G. Vanderweil Engineers, Inc., for Installation of a 2000 Horsepower Electric Motor for Sewage Pump Drive at the Deer Island Sewage Treatment Plant:

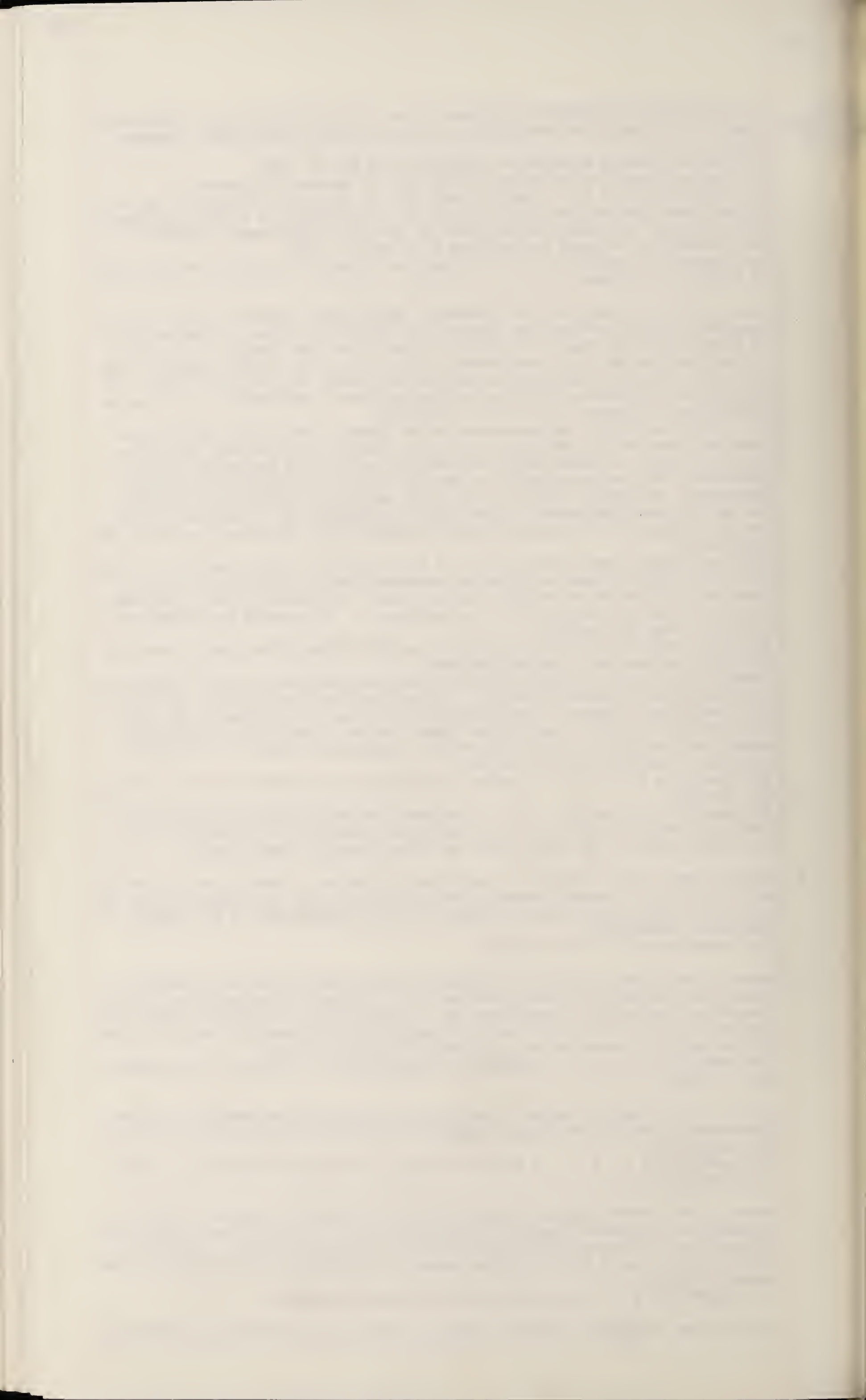
(a) That the work be accepted as completed as of May 31, 1983.

(b) That retainage, in the amount of \$684.00, be approved for payment.

The Commission V O T E D: that the work of R. G. Vanderweil Engineers, Inc., Consultant under Contract No. CS-78-17-E-25, for Installation of a 2000 Horsepower Electric Motor for Sewage Pumping Drive at the Deer Island Sewage Treatment Plant, be and hereby is accepted as completed as of May 31, 1983.

The Commission further V O T E D: to approve release of retainage, in the amount of \$684.00, for payment.

- 1 Report of Mr. O'Brien, July 19, submitting Updated Work Schedule Form and Project Management Exception Report for Contract No. S83-1048 - Historical Review Study of Boston Gatehouses Nos. 1 & 2, which assigns a new staff member to finalize a contract and oversee study performance; also report of Mr. Wright, August 8, submitting for approval and signature Contract-Agreement, with Metcalf & Eddy, Inc., for the Boston Gatehouse 106 Historical Review; total compensation not to exceed \$100,000.00, including a fixed fee of \$6,679.00.
Mr. O'Brien noted that the gatehouses are an integral part of the Charles River Combined Sewer Overflow Program and they are listed on the National Register of Historic Places. As such, before any physical work can be performed involving gatehouses, the Commission must first perform a Historical Study and Structural Assessment. He further noted that the study would cost \$100,000.00, which will include sub-contracted work of approximately \$35,000.00 for excavation to allow for an evaluation of the foundation and \$10,000.00 for a historical review of the information.
Associate Commissioner Fontanez spoke of the obligation of the Commission, including the Governor's Executive Order in promoting Minority and Women Business Enterprises utilization on projects such as these. She further spoke of the necessity of the MDC encouraging the prime contractor to incorporate the MBE/WBE participation into this project.
Associate Commissioner Jones stated that the Work Schedule Form should have been presented for approval at an earlier date.
Commissioner Geary noted that the project had been adopted by a prior Commission, which included Consultant Selection. He explained that the requested approval of the Updated Work Schedule is only modifying the time for performance and assigning a Project Engineer. Commissioner Geary further stated that the Commission should reaffirm this action of the previous Commission to ensure continuity and progress in implementing this project.
The Commission V O T E D: to approve the Updated Work Schedule Form for Contract No. S83-1048.
The Commission further V O T E D: to approve Contract-Agreement, dated August 9, 1984, with Metcalf & Eddy, Inc., for the Boston Gatehouse 106 Historical Review, which was signed by the Commissioner and three Associate Commissioners.
- 2 Report of Mr. O'Brien, August 2, submitting Revised Work Schedule Form for Project No. S81-0951-S2A - Compost Marketing/Distribution Program, which adds a marketing contract to the pilot composting project, at an estimated cost of \$200,000.00, Account No. 2439-7272.
The Commission V O T E D: Approved.
- 3 Report of Mr. Baratta, July 23, on request of the Town of Winthrop, through its Consultant, Linenthal Eisenberg Anderson, Inc., Engineers, for permission to increase the size of Public Connection No. 1, Intersection of Washington Avenue and Shirley Street, to 15 inches from the existing 12-inch connection, which is necessitated due to a re-routing of a section of Winthrop's sewers.
The Commission V O T E D: Approved as recommended by Mr. Baratta in his report of July 23, 1984.
- 4 Report of Ms. Haggerty, August 1, on bids for Digester System Rehabilitation and Improvements, Deer Island Sewage Treatment Plant, Boston, Massachusetts, Contract No. S82-1003-C2.
The Commission V O T E D: to accept the lowest bid, that of Peabody N.E., Inc., of \$2,594,285.00.
- 5 Report of Mr. Wright, August 1, submitting for approval and signature Contract-Agreement, with Mabbett, Capaccio & Associates, Inc., for Occupational Safety and Health Survey of Sewerage Division Facilities; the contract is on a cost-plus-fixed fee basis, with a not-to-exceed amount of \$39,979.34, which includes a fixed fee of \$3,139.21.
The Commission V O T E D: Held over for further information.
- 6 Report of Ms. Haggerty, July 30, requesting approval of an extension of time from



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August 31, 1984 to October 31, 1984, on Contract No. S82-1015-C1A, with Harding and Smith, Inc., for Replacement of Chlorine Piping and Diffusers at Deer Island Sewage Treatment Plant, Boston, Massachusetts, due to the following reasons:

1. A problem arose at the start of the contract in regards to the manner in which direction the Contractor should take to remove diffuser pipes from the pre-chlorination chamber. A delay of approximately 6 weeks was incurred until this problem was resolved.
2. A delay had been incurred in locating the special elbows so that the angles could be verified by the Contractor. These special elbows were not located as shown on the original Deer Island drawings, Contract No. C-265.
3. Delays have been incurred during construction due to existing piping and drainage lines that were not shown on original Deer Island plans and re-routing of the new chlorine line.
4. Because of necessitating plant operations, the MDC is unable to shut down chlorine lines to expedite installation of valves in the Chlorine Building.

The Commission V O T E D: to approve an extension of time from August 31, 1984 to October 31, 1984, as requested by Ms. Haggerty in her report of July 30, 1984, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

- 1 Report of Ms. Haggerty, August 2, submitting Updated Work Schedule Forms and Project Justifications for the following projects:
 1. Project No. S82-1020-D2A - Rehabilitation of Existing Chlorination Facility, Deer Island.
 2. Project No. S82-1020-D3A - Improvements to Remote Headworks, Deer Island.
 3. Project No. S82-1020-D4A - Improvements to Primary Sedimentation System, Deer Island.

The Commission V O T E D: Approved as requested by Ms. Haggerty in her report of August 2, 1984.

- 2 Report of Mr. McCann, August 1, recommending that the firm of Perkins Jordan, Inc. be selected for Project No. S84-0930-T3A - Analytical Requirements for the Metropolitan District Commission, Sewerage Division's Industrial Waste Program, Boston, Massachusetts.
The Commission V O T E D: to select the firm of Perkins Jordan, Inc. for Project No. S84-0930-T3A.

- 3 Report of Mr. O'Brien, August 2, on bids for Millbrook Valley Relief Sewer, Contract No. S81-0938-C1A.
Mr. Jack Hamm, of the Project Management Office, stated that he had spoken to Ms. Adeline Kolbiski of the Massachusetts Department of Public Works, Contracts Section, and requested information on the bids tendered for the Burgin Parkway Project, and she stated that e.e. Cruz of New Jersey submitted the lowest bid price with Modern Continental the second lowest bidder. Mr. Hamm went on say that Ms. Kolbiski also advised that as part of Massachusetts DPW's bidding procedures, the bidder is required at the time of bid to identify both the Minority Business Enterprise and Woman Business Enterprise to be employed on the job; that the MBE and WBE requirements on the Burgin Parkway project were a minimum of 10% and 1% respectively; and that the Massachusetts DPW has identified that these submission requirements, at time of bidding, are a matter of substance and, therefore, cannot be waived. Mr. Hamm also stated that Ms. Kolbiski said that e.e. Cruz identified in their bid an MBE firm at 10% as required but also identified MBE firm at 1% rather than the WBE firm that was required, and as such, the Massachusetts DPW did not award the contract to e.e. Cruz, but went to the second low bidder, Modern Continental. Mr. Hamm concluded by stating that Ms. Kolbiski said that Massachusetts DPW did prequalify e.e. Cruz and does not have any problems with the firm.
The Commission V O T E D: to award Contract No. S81-0938-C1A to e.e.Cruz & Co., at its low responsible bid price of \$4,547,896.25, on condition that and effective upon the date permission to award is given by the Massachusetts Division of Water Pollution Control.
The Commission further V O T E D: to approve the following subcontractors:
Pipeline Construction Co., a SOMBA certified MBE, in the amount of \$485,000.00.
Copa Construction Co., a SOMBA certified WBE, in the amount of \$228,000.00.

- 4 Report of Mr. O'Brien, August 1, relative to award of Contract No. S80-0656-C5A - Improvements to Sedimentation Tanks - Nut Island; also submitting letter of Bonacorso Construction Corp., July 30.
Mr. O'Brien, Director of the Program Management Office, stated that he was recommending that the Commission rescind its votes of June 28, 1984, wherein the Commission waived the informality as to form in the bid of Bonacorso Construction Corp., Greater Boston Construction Co., Inc. and F&A Construction, Inc. (Joint Venture) and accepted the bid of said Joint Venture, and then vote on the intent to award the contract to R. Zoppo Co. Mr. O'Brien noted that at that time R.



Zoppo Co. filed a protest with the Massachusetts Department of Labor & Industries that resulted in a ruling which upheld R. Zoppo's protest. He then stated that the bid amounts were recomputed, in accordance with the ruling of Labor & Industries, and, as such, the low responsible bidder is R. Zoppo Co.

Associate Commissioner Scandrett asked if the Bonacorso error was one of transcription.

Mr. O'Brien responded that the error was vague and could not be determined with certainty.

Associate Commissioner Scandrett noted that there is precedence in not accepting the recommendations of Labor & Industries, and also that the MDC Contract Administrator perceives the error to be one of transcription. He then stated that one of the three options available when the Commission acted earlier on this matter was to reject all bids and direct a rebidding of the contract. Associate Commissioner Scandrett also spoke of the possibility that the Commission may be taken to Court by either of the two parties should the Commission award the contract to the other party.

Commissioner Geary noted that when the original vote was taken to award the contract to Bonacorso, two Associate Commissioners voted against the award due to their belief that the Commission must hold to its written rules and procedures specified in the bidding documents. He stated that whichever way the Commission acts, its action may be criticized. Commissioner Geary continued by saying that it is the responsibility and obligation of the Commission to evaluate all the facts and then vote its best judgment. He then asked if the MDC General Counsel had reviewed the findings of Labor & Industries.

Mr. Jack Hamm, of the Project Management Office, responded that Mr. Wright had reviewed the findings and stated that Mr. Wright advised that he would not recommend proceeding with Bonacorso contrary to the ruling. Mr. Hamm stated that the Contract Administrator continues to support proceeding with Bonacorso.

Commissioner Geary stated that when the original vote of award to Bonacorso was made the discussion brought out meritorious issues on both sides, and that it was deemed prudent to submit the issue to Labor & Industries, as an impartial body, for a ruling and then to abide by their decision. He also stated that this contract is a priority project subject to both Court Order and EPA Administrative Order and that he concurs with the recommendation of the Program Management Office.

Commissioner Geary noted that the ruling of Labor & Industries, while not legally binding, is an important factor in this dispute which could have gone either way. Associate Commissioner Jones stated that any action other than an award to the lowest responsible bidder would be a deviation of this Commission's normal procedures.

Mr. Hamm stated that the requested action before the Commission was only an intent to award, subject to receipt from EPA, through DEQE, of permission to award.

The Program Management Office was then instructed to obtain written opinions from the Contract Administrator and General Counsel, as well as a letter from DEQE, on behalf of EPA, authorizing permission to award.

The Program Management Office was also instructed to contact Mr. Bonacorso regarding his intent to file an appeal with the Commission and to advise Mr. Bonacorso to contact Secretary Chisholm to arrange a time for the Commission to hear his arguments before the contract is executed.

The Commission then V O T E D: to rescind its votes of June 28, 1984, Volume 47, Page 239, Item 1, on this matter.

The Commission further V O T E D: to award Contract No. S80-0656-C5A to R. Zoppo Co., at its low responsible bid price of \$2,977,000.75, on condition that and effective upon the date that permission to award is made by the Massachusetts Division of Water Pollution Control.

The Commission further V O T E D: to approve the following subcontractors:

Rusco Steel Co., a SOMBA approved MBE, in the amount of \$305,000.00.

G. E. Construction Co., a SOMBA approved WBE, in the amount of \$160,000.00.

Associate Commissioner Fontanez was absent during the time this matter was being discussed. Therefore, she did not vote on this matter.

Action was taken upon the following Various Matters:

- 1 Report of the Land Board, July 6, relative to transfer of 5.59 acres of Cochituate Aqueduct land in Wellesley to the Town of Wellesley for park and recreation purposes; also report of Mr. Brutsch, July 9.
- Mrs. Julia O'Brien, Director of Planning, explained that this is the last segment of the unused Cochituate Aqueduct which is not presently owned by the Town of Wellesley. She stated that this land is an isolated parcel on the border of Natick which is several miles from the nearest Commission parkland.
- The Commission V O T E D: to declare the 5.59 acres of Cochituate Aqueduct land in Wellesley surplus to the Metropolitan District Commission's needs, in accordance with Chapter 579 of the Acts of 1980, and that the land be transferred to the Town of Wellesley for park and recreational purposes, with the provision that this restriction on use be written in the deed in language approved by the Secretary of



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Environmental Affairs, as specified in MEPA Regulations VII (c), Ch.30s.62.

Letter from the City Manager of the City of Cambridge, July 26, 1984, requesting that the MDC acknowledge and express no objection to the filling of portions of Lechmere Canal that has occurred at various times since 1963 to the present date in the area of East Cambridge west of Commercial Avenue, southwest of Msgr. O'Brien Expressway and east of First Street, including but not limited to Lots 4 and 6 on Land Court Plan 85-0, Lot A² on Land Court Plan 17498C, and Lots 1 and 2 on Land Court Plan 19502B, and requesting that the MDC vote to confirm its approval of the present configuration of Lechmere Canal and the location of all existing dikes, bulkheads and filled areas as the same are shown on the plan entitled "Lechmere Canal and Park, City of Cambridge, Massachusetts (Sheet G-2A), dated 7/24/84 by Carol R. Johnson & Associates, Inc.;" also report of Mr. Wright, August 2.
The Commission V O T E D: Held over.

2 Report of Mr. Wright, August 3, submitting for approval and signature Contract-Agreement, dated July 1, 1984, with Dr. Guy Seymour, Ph.D., to Provide Psychological Evaluation of Police Recruits; Total Compensation not to exceed \$30,000.00.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract-Agreement, dated July 1, 1984, with Dr. Guy Seymour, Ph.D., which was signed by the Commissioner and two Associate Commissioners.

3 Report of Mr. Falvey, August 7, relative to acquisition of Cecil S. Rose Property, Blue Hills Reservation, Milton.
The Commission V O T E D: to acquire, by purchase, 20.3 acres of open land on Hillside Street in Milton, owned by Cecil S. Rose, for the sum of \$300,000.00, as recommended by Mr. Falvey in his report of August 7, 1984; funds to be taken from Account No. 2449-8754.
The Commission V O T E D: to authorize the Right-of-Way Section to take all steps necessary to complete the acquisition.

The following matters were placed on the agenda for the information of the Commission:

4 The following schedules were approved for payment by the Commissioner during the period from July 16, 1984 to July 23, 1984:

Invoices	\$ 4,036,349.30
Reservation of Funds	\$ 6,190,048.00
Advices of Change	\$ 8,000.00
Weekly Payroll	\$ 1,372,171.29
Request for Advances	\$ 4,602,500.00.

5 The following schedules were approved for payment by the Commissioner during the period from July 23, 1984 to July 30, 1984:

Invoices	\$ 1,037,652.40
Reservation of Funds	\$ 262,181.25
Advices of Change	\$ 4,479.29
Weekly Payroll	\$ 1,327,653.89
Industrial Accident Report	\$ 13,074.36
Medical Payments	\$ 5,593.66
Request for Advances	\$ 725,000.00.

6 The following schedules were approved for payment by the Commissioner during the period from July 30, 1984 to August 6, 1984:

Invoices	\$ 758,955.80
Reservation of Funds	\$ 532,489.85
Advices of Change	\$ 266,735.00
Weekly Payroll	\$ 1,472,730.43
Request for Advances	\$ 550.00.

ADJOURNED at 4:05 P.M., to meet on Thursday, August 16, 1984, at 10:00 A.M.

William F. Cahill
Secretary.

Prior to the start of the regularly scheduled meeting of August 16, 1984, an informal meeting was held with members of the Commission and Mr. Anthony J. Bonacorso, Chief Executive Officer of Bonacorso Construction Company. The informal meeting lasted 1½ hours and during that time Mr. Bonacorso and his Legal Counsel, Mr. Harvey Heafitz were offered an opportunity to present their views and comments concerning the award of Contract No. S80-0656-C5A - Improvements to Sedimentation Tanks, Nut Island, to the Commission.

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Record of the Three Thousand Two Hundred and Eighty-Ninth (3289th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, August 16, 1984, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones & Scandrett.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

- 1 Contract No. P83-1217-M1A, dated August 16, 1984, with Mobile Fleet Systems, Inc., for Washing Tile Walls of Storrow, Berkeley and Longfellow Tunnels, Boston-Cambridge, Massachusetts.
- 2 Contract No. P84-1314-C1A, dated August 16, 1984, with William P. Capone Corp., for Dedham Parkway Reconstruction, Harding Terrace, Birch Street, Dedham, Massachusetts.
- 3 Contract No. P84-1320-C1A, dated August 16, 1984, with J. M. Cashman, Inc., for Temporary Repairs to Pier, Peddocks Island, Hull, Massachusetts.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 4 Report of Mr. O'Brien, August 15, requesting that the Commission finalize the award of Contract No. S80-0656-C5A, for Improvements to Sedimentation Tanks and Administration Building, Nut Island Wastewater Treatment Plant, to R. Zoppo Co., at its low responsible bid price of \$2,977,000.75, including selection of Empire Masonry as the filed sub-bidder, in the amount of \$19,600.00; also letter of Massachusetts Department of Environmental Quality Engineering - Division of Water Pollution Control, August 13, authorizing the award of Contract No. S80-0656-C5A to R. Zoppo Co., Inc.

The Commission reviewed the two prior votes concerning the award of this contract: the vote of June 28, 1984, which accepted the bid of Bonacorso Construction Corp., Greater Boston Construction Co., Inc., and F&A Construction Inc., in which Associate Commissioners Anderson and Jones voted in opposition to the award; and the vote of August 9, 1984, in which the Commission voted to rescind its vote of June 28, 1984, after a hearing and decision by the Massachusetts Department of Labor & Industries on a bid protest, and award the contract to R. Zoppo Co., at its low responsible bid, on condition that and effective upon the date that permission to award is made by the Massachusetts Division of Water Pollution Control. It was noted that this authorization has been received from the Massachusetts Division of Water Pollution Control.

Commissioner Geary then asked Mr. Wright if the last week's vote would have to be rescinded.

Mr. Wright responded that the vote on record stands unless there is a motion to rescind which carries. He went on to say that if there is no motion, all Commissioners may sign the contract regardless of how they vote or voted in the past on this contract.

At this point, Associate Commissioner Scandrett made a motion to rescind the vote of last week in which the Commission awarded Contract No. S80-0656-C5A to R. Zoppo Co.

Associate Commissioner Fontanez seconded the motion.

On Associate Commissioner Scandrett's motion, Associate Commissioner Scandrett voted in favor, Commissioner Geary and Associate Commissioners Anderson and Fontanez opposed.

Associate Commissioner Scandrett's motion failed to carry.

Associate Commissioner Scandrett stated that even though he had favored awarding the contract to Bonacorso Construction Corp. et al, he was signing the contract with R. Zoppo Co., Inc. because it was certainly a valid bid and he accepted responsibility with the rest of the Commission for this valid vote.

The Commission then V O T E D: to reaffirm its vote of August 9, 1984, awarding Contract No. S80-0656-C5A to R. Zoppo Co., Inc., at its low responsible bid price of \$2,977,000.75.

The Secretary then submitted for signature Contract No. S80-0656-C5A (EPA Project No. C250-670-02), dated August 16, 1984, with R. Zoppo Co., Inc., for Improvements to Sedimentation Tanks and Administration Building, Nut Island Wastewater Treatment Plant, which was signed by the Commissioner and three Associate Commissioners.

- 5 Report of Mr. Wright, August 1, submitting for approval and signature Contract-Agreement, with Mabbett, Capaccio & Associates, Inc., for Occupational Safety and Health Survey of Sewerage Division Facilities; the contract is on a cost-plus-fixed fee basis, with a not-to-exceed amount of \$39,979.34, which includes a fixed fee of \$3,139.21.

Mr. Baratta stated that the delay in executing the contract was due to the fact that this was the first contract that this firm had undertaken for a State Agency and, therefore, they wanted the contract to be reviewed by its Legal Counsel. Mr.



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Baratta noted that the firm's Legal Counsel was ill for an extended period of time and, therefore, the contract was not returned to the Commission until recently. Mr. Baratta stated that he did not think the delay was intentional and, therefore, the Commission should move forward with approving the contract.

Commissioner Geary then spoke of his many meetings with members of the Division's Labor Unions and also with Management when he first became Commissioner. He noted that the chief complaints were working conditions and safety hazards. He went on to say that as a result of these meetings, he reinstated the Safety Committee and backed the development of this Occupational Safety and Health Survey for the Sewerage Division.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Contract-Agreement, dated August 16, 1984, with Mabbett, Capaccio & Associates, Inc., which was signed by the Commissioner and three Associate Commissioners.

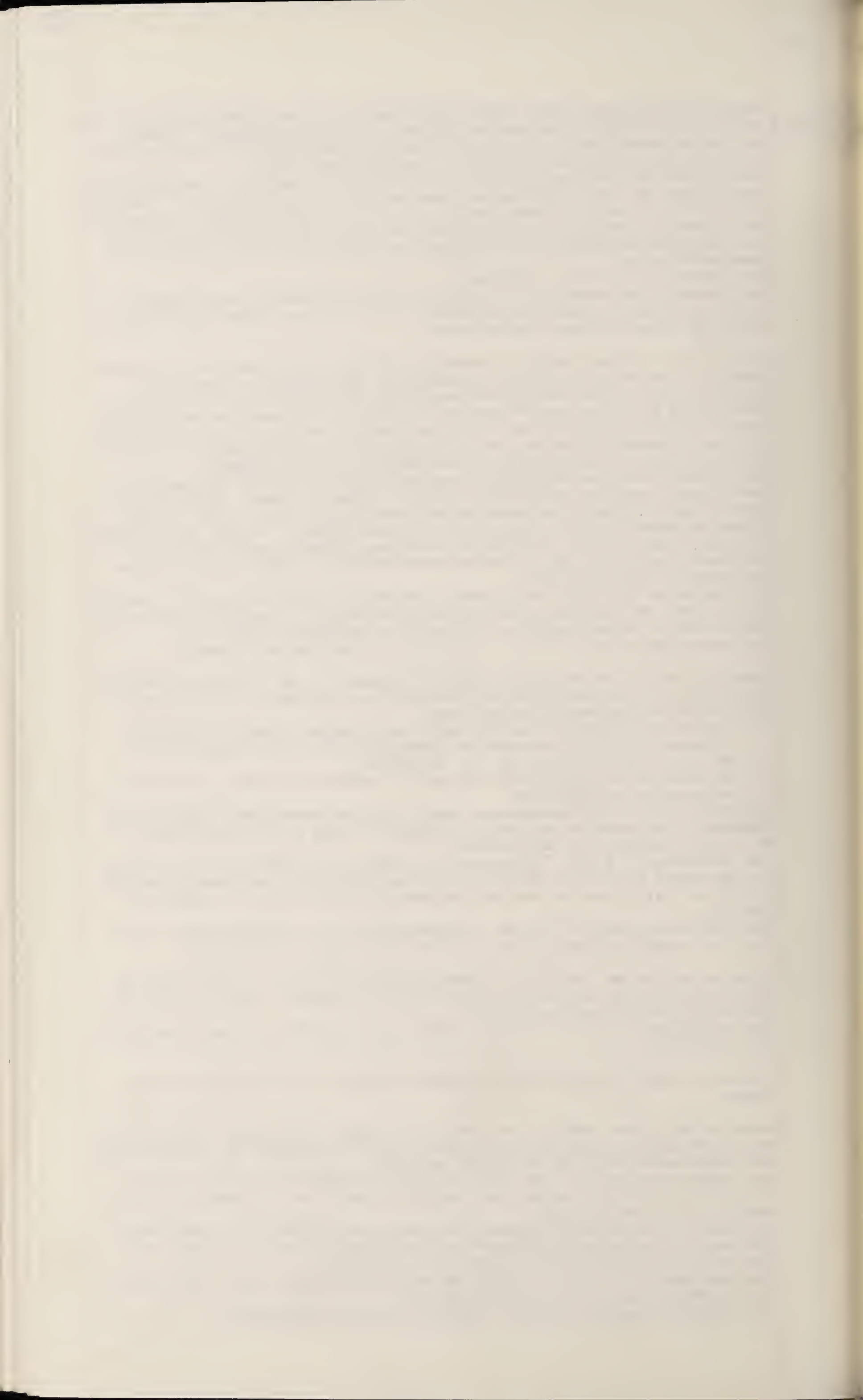
- 1 Report of Mr. O'Brien, August 8, requesting approval of an extension of time from August 5, 1984 to July 1, 1985, on Contract No. S82-1020-S1A, with Havens & Emerson/Parsons & Brinckerhoff, for Deer Island Facilities Plan, due to the fact that the EPA EIS, that is still ongoing, is evaluating alternatives which could have a tremendous impact on the Facilities Planning work and as such the contract is going to essentially be put "on-hold" until the EIS is completed; also submitting Revised Work Schedule and Project Management Exception Report.
 Mr. O'Brien stated that this project was for planning long-term improvements at Deer Island. He noted that the Environmental Protection Agency, in its Environmental Impact Statement, has added options that possibly could result in Deer Island not being the final location for a Treatment Plant. As such, he explained, the major efforts on the Facilities Plan has been curtailed until such time as some decisions are made by the Environmental Protection Agency relative to the Environmental Impact Statement.
 The Commission V O T E D: to approve an extension of time from August 5, 1984 to July 1, 1985, as requested by Mr. O'Brien in his report of August 8, 1984, on condition that no further request will be made for additional compensation.
 The Commission further V O T E D: to approve the Revised Work Schedule.

- 2 Report of Mr. O'Brien, August 8, requesting approval of the following on Contract-Agreement, with Linenthal Eisenberg Anderson, Inc., Engineers, for Facilities Planning on the New Neponset Valley Sewer:
 - (a) Transfer of \$15,000.00 from the subcontractor budget reserved for Malcolm Pirnie and \$5,000.00 in unexpended funds reserved for Diving Services to a new subcontractor service for T.V. Inspection.
 - (b) PSG, Inc. as subcontractor to perform T.V. Inspection Services, at a not-to-exceed amount of \$20,000.00.
 Associate Commissioner Fontanez asked that if by transferring these funds at this time would the Commission be asked to replace the funds at some future date. Mr. O'Brien responded in the negative.
 The Commission V O T E D: to approve the transfer of \$15,000.00 from the subcontractor budget reserved for Malcolm Pirnie and \$5,000.00 in unexpended funds reserved for Diving Services to a new subcontractor service for T.V. Inspection Services.
 The Commission further V O T E D: to approve PSG, Inc. as subcontractor to perform T.V. Inspection Services, at a not-to-exceed amount of \$20,000.00.

- 3 Report of Mr. McCann, August 15, recommending that the firm of Tighe & Bond Consulting Engineers be selected for Project No. S84-1114-D1A - Somerville Marginal CSO Facility Rehabilitation Project.
 The Commission V O T E D: to select Tighe & Bond Consulting Engineers for Project No. S84-1114-D1A.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 4 Report of Mr. Lydon, August 3, on bids for Roof Replacement Garage Storage Preparation and Carpenter Shop Building, Franklin Park Zoo, Contract No. P84-1318-C1A; also supplemental report of Mr. Lydon, August 14.
 Mr. Lydon stated that the time frame for re-advertisement will allow for more contractors to bid this project and should also obtain for the Commission a more realistic price for the work.
 In response to questioning by Associate Commissioner Fontanez, Mr. Lydon stated that even if the project is re-advertised and a new contractor is chosen, the work should be completed prior to the onset of winter.
 The Commission V O T E D: to reject the only bid received, that of Olympic Roofing & Construction Co., Inc., of \$96,772.00.
 The Commission further V O T E D: Authority given to re-advertise.



- 329th 1 Report of Mr. Lydon, August 8, on bids for New Gasoline Tank Installation, Franklin Park Zoo, Boston, Massachusetts, Contract No. P84-1316-C2A.
ug.6,1984 (on.-) The Commission V O T E D: to accept the lowest bid, that of Coast Construction Corporation, of \$5,449.00.
- 2 Report of Mr. Lydon, August 8, on bids for Upgrading & Rehabilitation of Casting Structures in the Charles, Harbor, and Mystic Districts, Contract No. P84-1317-C1A.
The Commission V O T E D: to accept the only bid received, that of Metropolitan Signal Corp., of \$85,700.00.
- 3 Report of Mr. Lydon, August 10, requesting approval of adjusting the estimated quantities on Contract No. P79-0721-C2A, with D. Cicconi, Inc., for Site Improvements, Construction of Recreational Facilities at Chelsea Naval Hospital Park in the City of Chelsea, Massachusetts, as follows:
Overrun on Item No. 38 - "Granite Block Pavement with Granite Edging"-\$4,585.60.
Underrun on Item No.37 - "Granite Rubble Block Pavement" -\$4,044.60.
Actual additional cost to the Commission for the increase on Item No. 38 is \$541.00.
The Commission V O T E D: Approved as requested by Mr. Lydon in his report of August 10, 1984.
- 4 Report of Mr. Lydon, August 8, recommending approval of increasing the estimated quantities, at a total additional cost of \$27,946.88, on Contract No. P82-1157-M1A, with Metropolitan Signal Corp./New England Traffic Signals, Inc., Joint Venture, for Servicing Traffic Signal and Control Systems on Parkways and Roadways of the Metropolitan District Commission, as follows:
Item No. 7 - "Materials, Components, Parts and Controls" - \$7,549.75
Item No. 12 - "Hourly Labor Rate for Licensed Serviceman for Misc. Repairs" - \$2,337.50
Item No. 13 - "Hourly Labor Rate for Serviceman for Misc. Repairs" - \$5,057.50
Item No. 14 - "Hourly Labor Rate for Helper for Misc. Repairs" - \$6,278.40
Item No. 15 - "Hourly Rate for Vehicle for Misc. Repairs" - \$3,611.00
Item No. 18 - "Pedestrian Signal Head - Type A" - \$1,225.00
Item No. 23 - "Traffic Signal Post - Various Lengths" - \$ 125.00
Item No. 28 - "Cement Concrete Foundations - Octagonal Base" - \$1,400.00
Item No. 40 - "Traffic Control Devices " - \$ 362.73.
Commissioner Geary and Associate Commissioner Fontanez expressed their concern regarding the Contractor's poor EEO performance on a prior contract.
Mr. Lydon was directed to notify Metropolitan Signal Corp./New England Traffic Signals, Inc., Joint Venture, that the Commission is concerned that they do not utilize the proper percent of minority participation in all trades when undertaking work for the MDC.
Associate Commissioner Fontanez asked if there was increased EEO participation in overruns.
Mr. Lydon explained that EEO participation is based on hours rather than dollars.
The Commission V O T E D: Approved as recommended by Mr. Lydon in his report of August 8, 1984.
- 5 Report of Mr. Lydon, August 8, recommending approval of increasing the estimated quantities, at a total additional cost of \$12,200.00, on Contract No. P83-1228-C1A, with William P. Capone Corporation, for Repairing or Replacing Bituminous and Cement Concrete Sidewalks in Various Areas of the Metropolitan District, as follows:
Item No. 1 - "Unclassified Excavation" - \$1,750.00.
Item No. 3 - "Gravel Borrow" - \$ 700.00
Item No. 4 - "Loam Borrow" - \$3,000.00
Item No. 17 - "Cement Concrete for Sidewalks, Medians & Traffic Islands" - \$6,750.00.
The Commission V O T E D: Approved as recommended by Mr. Lydon in his report of August 8, 1984.
- 6 Report of Mr. Lydon, August 9, recommending the following on Contract No. P84-1300-M1A, with The F. A. Bartlett Tree Expert Co., for Spraying Sycamore Trees on Memorial Drive, Cambridge, and Soldiers Field Road, Boston:
(a) That the work be accepted as completed as of May 24, 1984.
(b) That Estimate No. 1 (Final), in the amount of \$5,586.00, be approved for payment.
(c) That reserve, in the amount of \$294.00, be approved for payment.
The Commission discussed at length various forms used in evaluating a contractor's EEO performance on work undertaken for the MDC.
The Commission then directed that in all future contracts which are under \$10,000.00, it will no longer be necessary for Mr. Turner to supply an EEO Com-



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pliance Evaluation Rating Form as these contracts do not fall under minority criteria. In addition, the Commission directed that it is not necessary for the Resident Engineer to enter a rating for Category 7, Submission of EEO Reports, on the Contractor's Performance Evaluation Report for projects under \$10,000.00. The Commission felt that making this entry, when it is not required, unnecessarily subtracts from the overall evaluation of the Contractor's performance.

The Commission V O T E D: that the work of The F. A. Bartlett Tree Expert Co., contractor under Contract No. P84-1300-M1A, for Spraying Sycamore Trees on Memorial Drive, Cambridge, and Soldiers Field Road, Boston, be and hereby is accepted as completed as of May 24, 1984.

The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of \$5,586.00, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$294.00, for payment.

- 1 Report of Mr. Rodrigues, August 13, on request of Terra/Mare Research & Education Society, Inc. for permission to hold a fundraising party aboard the Tugboats "Luna" and "Venus", now docked in the Charles River by the Lee Pool, on August 25, 1984 (Rain Date - August 26, 1984).

The Commission V O T E D: Approved; Mr. Rodrigues to prepare the Permit including the following stipulations:

1. That an MDC Police Detail must be hired.
2. That any amplified music must end no later than 10:30 P.M.

- 2 Report of Mr. Rodrigues, August 13, on request of WBZ/Radio for permission to conduct an "Anything That Floats Race" on the Charles River, beginning at the Daly Field Launch and ending at Magazine Beach, on September 8, 1984 (Rain Date - September 15, 1984).

Mr. Rodrigues reviewed the request with the Commission and then enumerated on the various stipulations which will be written into the Permit.

Associate Commissioner Fontanez asked Mr. Rodrigues if he foresaw any possible conflict with the Cambridge Arts Festival which she believed was to held on the same day.

Mr. Rodrigues responded that he was unsure of the date of the Festival but that he will check on the matter.

Commissioner Geary expressed his concern regarding the length of the event, age of participants who will be permitted to participate, and the logo used by WBZ in its fact sheet. He also asked that the length of the race be reevaluated.

Associate Commissioner Scandrett spoke of possible health problems with participants falling into or swimming in the River. He asked that the participants be informed that the River is rated as Class C.

Commissioner Geary then spoke of the need for a substantial Police Marine Patrol Detail along with the Police Detail which will be patrolling on land. He asked that a stipulation be incorporated into the Permit stating that the Marine Division reserves the right to declare any race entry unseaworthy. Commissioner Geary spoke of the current advertising by WBZ promoting the "Anything That Floats Race" and expressed his concern that the event was publicized prior to Commission approval. He stated that when Staff is negotiating with the sponsor of this type of activity, permission to proceed may not be granted at this point. The permission to proceed, he noted, is reserved for the Commission. Commissioner Geary concluded by saying that the sponsor of the event must be forewarned not to advertise or publicize such an event because certain restrictions may be imposed by the Commission which will be unacceptable to the sponsor.

The Commission V O T E D: Held over.

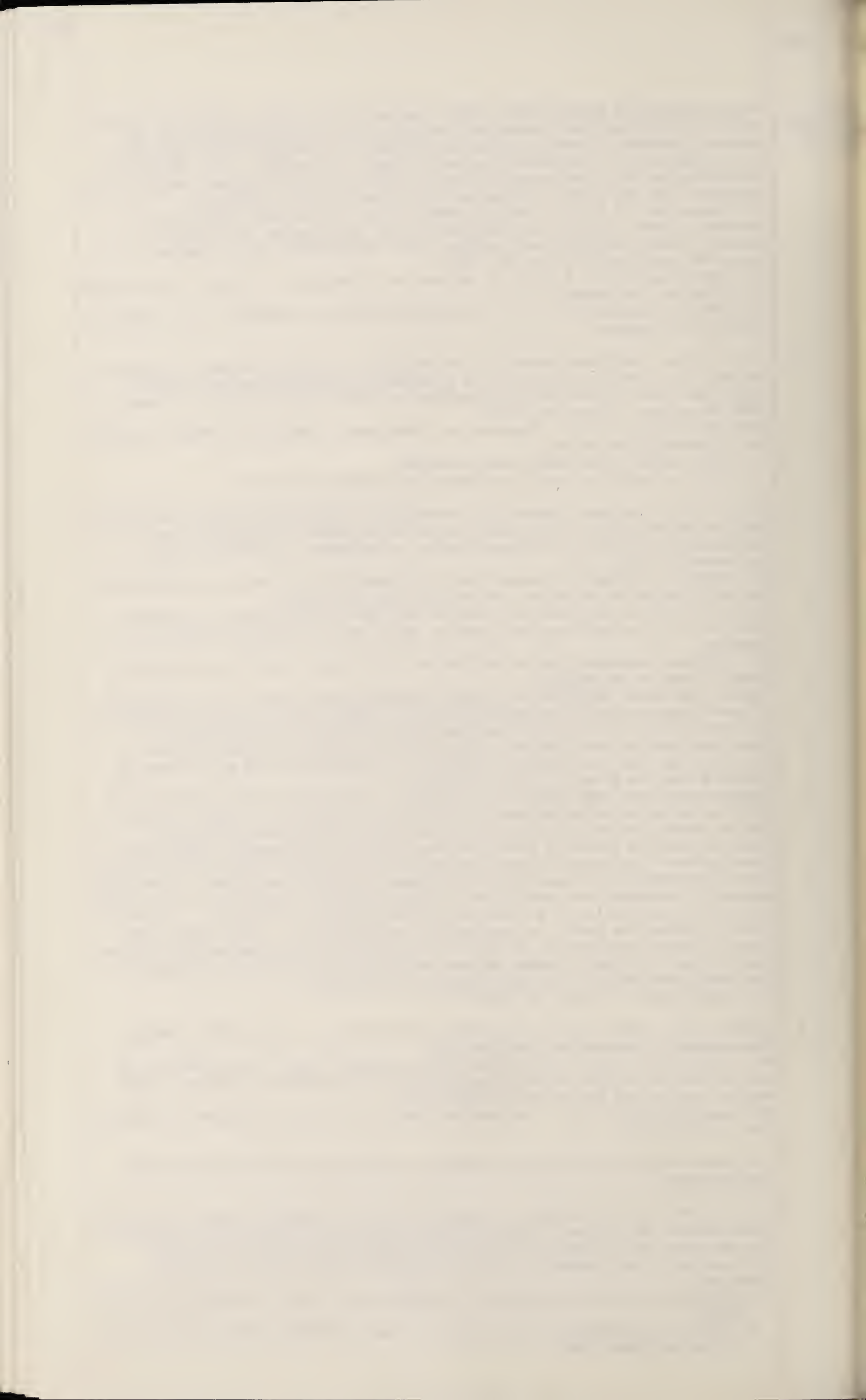
- 3 Report of Mr. Lydon, August 14, on bids for Roof Repair, LoConte Rink, Medford, Massachusetts, Contract No. P84-1289-C1A.

Mr. Lydon stated that the Commission plans to divest itself of this Rink to the City of Medford and the City has requested that the Commission have these roof repairs made before the transfer takes place.

The Commission V O T E D: to accept the lowest bid, that of Urethane Applications, Inc., of \$62,700.00.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 4 Report of Mr. Brutsch, August 1, requesting that the Commission approve retroactive authorization for Wallace, Floyd Associates, Consultant under Contract-Agreement for the Water Supply Study and EIR (W79-0749-S2B), to perform the following services and to be reimbursed a total of \$12,347.00 from Task 14: Additional Services:
- \$10,808.00 to Arthur D. Little Inc. for additional runs of the Demand Simulation Model.
 - \$ 1,539.00 to Normandeau, Associates, Inc. for additional ecological field work in the Merrimack River.



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Associate Commissioner Jones asked for clarification as to whether the work done was authorized by MDC Staff prior to its initiation.

Ms. Patricia Corcoran, of the Water Division, explained that it was authorized prior to performance but that the Consultant did not inform the MDC that it was work beyond the Scope of Services until after it was completed. Therefore, prior written authorization was not given by the Water Division; a contract stipulation for Task 14 work.

Mr. James F. McCann, Contract Administrator, explained that this payment is within the Upset Limit of the contract.

Mr. Brutsch noted that this work and other additional work performed has been to ensure that subjects are studied thoroughly.

Associate Commissioner Scandrett pointed out that the contract is large and receives great public scrutiny and that extra work should be fully explained.

The Commission V O T E D: Held over for further information and review.

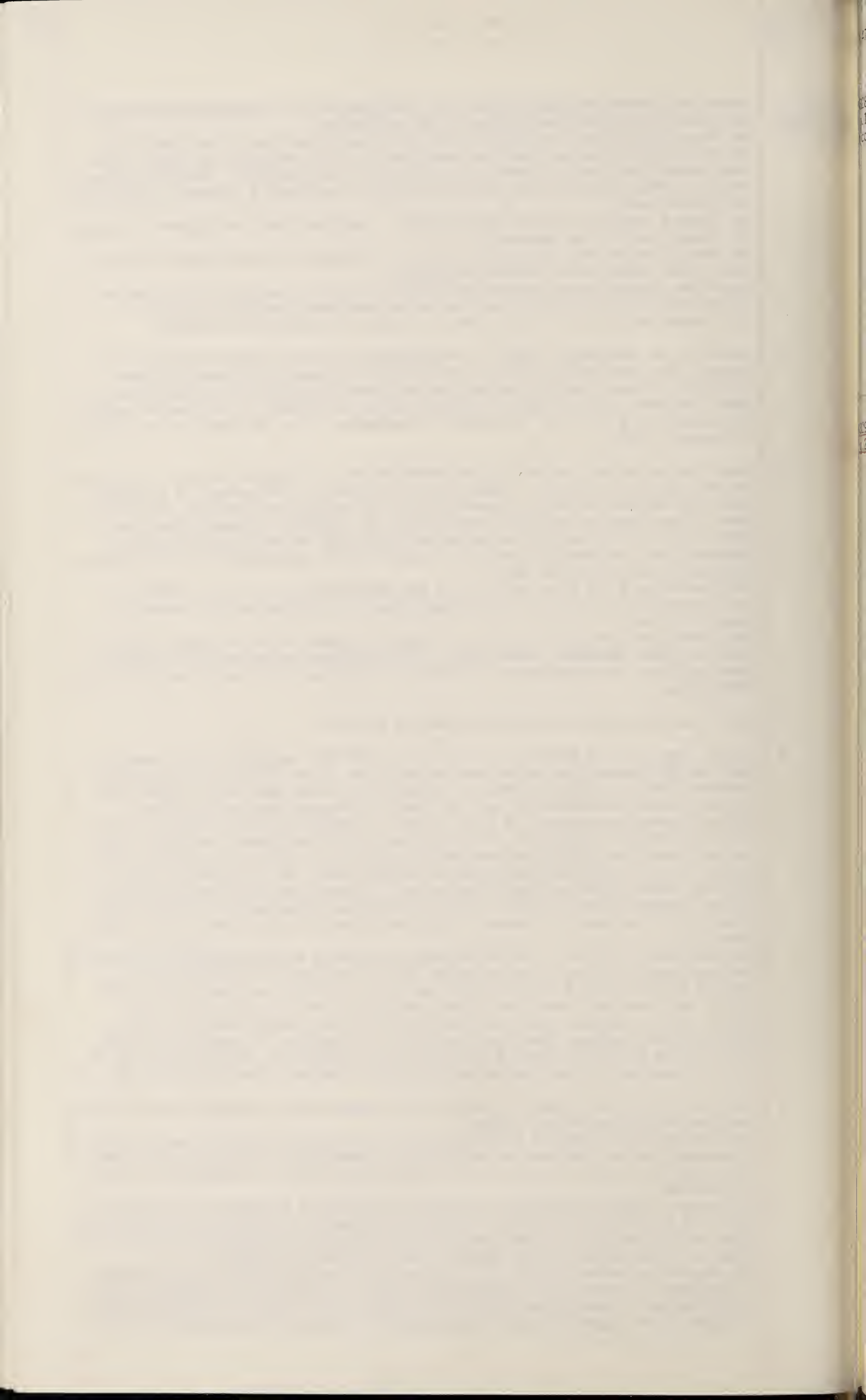
- 1 Report of Mr. Martorana, August 7, recommending that the present target cost of Contract No. W84-1039-X1A, with General Electric Company, for Repair of Motor from Brattle Court Pumping Station, be increased from \$3,487.00 to \$4,147.00, to cover the extra cost of \$660.00 incurred during the repair of the electric motor. The Commission V O T E D: Approved as recommended by Mr. Martorana in his report of August 7, 1984.

- 2 Report of Mr. Wright, August 14, recommending that the Commission vote to apply to the Massachusetts Historical Commission for a grant, in the amount of \$7,500.00, under the National Historic Preservation Act as administered through the Department of the Interior, National Park Service, to complete a Thematic Resources Nomination on the Pre-1926 Portion of the Facilities of the Metropolitan Water District; also recommending that the Commissioner be authorized to sign the Grant Agreement on behalf of the MDC.
The Commission V O T E D: to apply to the Massachusetts Historical Commission for the matching grant-in-aid, as recommended by Mr. Wright in his report of August 14, 1984.
The Commission further V O T E D: to authorize Commissioner William J. Geary to sign the Grant Agreement, dated July 1, 1984, between the Metropolitan District Commission and the Massachusetts Historical Commission, for, and on behalf of, the Commission.

Action was taken upon the following Various Matters:

- 3 Letter from the City Manager of the City of Cambridge, July 26, 1984, requesting that the MDC acknowledge and express no objection to the filling of portions of Lechmere Canal that has occurred at various times since 1963 to the present date in the area of East Cambridge west of Commercial Avenue, southwest of Msgr. O'Brien Expressway and east of First Street, including but not limited to Lots 4 and 6 on Land Court Plan 85-0, Lot A² on Land Court Plan 17498C, and Lots 1 and 2 on Land Court Plan 19502B, and requesting that the MDC vote to confirm its approval of the present configuration of Lechmere Canal and the location of all existing dikes, bulkheads and filled areas as the same are shown on the plan entitled "Lechmere Canal and Park, City of Cambridge, Massachusetts (Sheet G-2A), dated 7/24/84 by Carol R. Johnson & Associates, Inc."; also report of Mr. Wright, August 2.
The Commission V O T E D: to acknowledge and express no objection to the filling of Lechmere Canal that has occurred to the date of this vote, including but not limited to Lots 4 and 6 on Land Court Pan 85-0, Lot A² on Land Court Plan 17498B, Lots 1 and 2 on Land Court Plan 17498C, and Lots 1 and 2 on Land Court Plan 19502B, and to approve the present configuration of Lechmere Canal, as shown on plan entitled "Lechmere Canal and Park, City of Cambridge, Massachusetts (Sheet G-2A), dated 7/24/84 by Carol R. Johnson & Associates, Inc.," as requested by the City of Cambridge through the letter of its City Manager, dated July 26, 1984.

- 4 Report of Mr. Falvey, August 15, relative to acquisition of Joseph Federico Property, Blue Hills Reservation, Canton.
Commissioner Geary spoke of Governor Dukakis' directive to preserve and to increase by acquisition land adjacent to the Blue Hills Reservation. He then stated that this piece of property is on a list of acquisitions that the Commission is actively pursuing.
Following a lengthy discussion concerning the merits of acquiring this parcel of land, the Commission V O T E D: to authorize Jeremiah A. Falvey, Jr., Director of Right-of-Way Section, to offer Joseph Federico the sum of \$655,000.00 for the purchase of 44.80± acres of land owned by him in the Town of Canton.
The Commission further V O T E D: to have Mr. Falvey notify the Planning Board of the Town of Canton of the Commission's offer to purchase this parcel of land and inform said Planning Board that if the Commission's offer to purchase is not accepted by Mr. Federico on or before August 22, 1984, the Commonwealth of Mass-



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achusetts, acting through the Metropolitan District Commission, will move to acquire this land by an eminent domain taking.

The following matter was placed on the agenda for the information of the Commission:

- 1 The following schedules were approved for payment by the Commissioner during the period from August 6, 1984 to August 13, 1984:

Invoices	\$1,231,119.43
Reservation of Funds	\$5,040,106.10
Weekly Payroll	\$1,347,069.04
Industrial Accident Report	\$ 24,530.69
Request for Advances	\$ 72,300.00.

ADJOURNED at 3:00 P.M., to meet on Thursday, August 23, 1984, at 10:00 A.M.

William F. Curshel
 Secretary.

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Record of the Three Thousand Two Hundred and Ninetieth (3290th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, August 23, 1984, at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The records of the meeting held on August 9, 1984, were read and approved.

- 2 The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

TRANSFER OF CARE AND CONTROL

Transfer of Care and Control, dated August 23, 1984, from the City of Medford to the Metropolitan District Commission, of land located at the intersection of Winthrop Street and Mystic Valley Parkway, as shown on a plan entitled "Plan of Land at Winthrop Street To Be Acquired from the City of Medford by the Commonwealth of Massachusetts, dated June 25, 1984, and signed by Edmund L. Lydon, Acting Director of Parks Engineering and Construction," being plan accession number 51095-V.T., said parcel being further identified as Parcel 1 consisting of 6,558 square feet on the aforesaid plan.

- 3 Presentation - Massachusetts Department of Environmental Quality Engineering, Division of Water Supply, relative to potential sources of contamination and potential effects on the MDC.

Mr. Ilyas Bhatti, Director of the Massachusetts Department of Environmental Quality Engineering, Division of Water Supply, gave an overview of the water supply and water quality problems in Massachusetts. He stated that the MDC was fortunate in having excellent water primarily because of MDC's ownership and control of large areas of its watersheds. He mentioned that this is not the case in many areas of Massachusetts where contamination is appearing, particularly in well waters and where municipalities are also having problems with quantity. Mr. Bhatti praised the MDC for its careful surveillance of its watersheds and its cooperation with DEQE. He introduced Steve Roy of his Division who described his role in DEQE of developing records of potential sources of contamination such as landfills, impoundments, hazardous waste sites, and auto junk yards. These sites were located on U. S. Geological Survey maps with overlays identifying the contamination sources. Water supply sources are rated in accordance with the proximity of pollution sources to water supplies. A discussion of aquifers followed in which "aquifer" was first defined and variations in its characteristics described. Members from the Water Supply Citizens Advisory Committee were in attendance and asked questions of the speakers. Ms. Gannott raised questions about the adequacy of upcoming legislation forming an authority consisting of the Water and Sewerage Divisions. There was a brief discussion of the relative jurisdictions of DEQE versus the Pesticide Control Board under the Massachusetts Department of Food & Agriculture. Water Division personnel gave examples of how its watersheds have been protected from attempts to use herbicides.

The Commission V O T E D: Taken under advisement.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 4 Report of Mr. Rodrigues, August 13, on request of WBZ/Radio for permission to conduct an "Anything That Floats Race" on the Charles River, beginning at the Daly Field Launch and ending at Magazine Beach, on September 8, 1984 (Rain Date - September 15, 1984).

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Commissioner Geary stated that he had spoken to Captain Richard Feeney concerning the event and that the Captain did not anticipate any major problems. He then asked Mr. Rodrigues to contact WBZ concerning the possibility of shortening the length of the race course. Associate Commissioner Anderson questioned whether the Charles River Watershed Association had been contacted concerning the "Anything That Floats Race." Mr. Rodrigues responded that WBZ was going to contact the Association. Associate Commissioner Jones asked that, in the future, prior to presenting this type of event to the Commission for action, the Metroparks & Recreation Division contact any public interest group which may have an interest for their input. Mr. Rodrigues noted that WBZ will pay for necessary Marine and Land Police Detail, clean-up of the area, and any other expenses associated with the race. The Commission V O T E D: Approved; Mr. Rodrigues to prepare a Permit incorporating all necessary stipulations and restrictions.

1 Report of Mr. Rodrigues, August 13, submitting 1984-1985 Ice Rink Schedule, Fees, Rental Charges, and Regulations.

Mr. Rodrigues spoke of the program and explained that it is primarily the same as last season.

Associate Commissioner Jones asked how many hours per day were available at the rinks for public skating.

Mr. Rodrigues responded that at least 1½ hours are set aside each day and public skating is available all day Sunday at all rinks.

Associate Commissioner Jones then stated that he would like public skating hours expanded for next season and asked Mr. Rodrigues to explore the possibility.

The Commission V O T E D: to adopt the following Ice Rink Schedule, Fees, Rental Charges, and Regulations:

1. OPENING AND CLOSING DATES

All Rinks:

Monday, November 12, 1984, through the close of the business day on Saturday, March 16, 1985.

(Opened for a total of 18 weeks)

2. ADMISSION AND RENTAL FEES

A. Public Session:

\$.50 - Under 18 years of age at all sessions.

\$.50 - Senior Citizens (65 years of age or older) at all sessions.

\$ 1.00 - 18 years of age and over at all sessions.

B. Ice Rental:

\$65.00 per fifty (50) minutes (\$1.30 per minute).

3. SPECIAL PRIVILEGES

A. Public, private, and parochial schools in the Metropolitan Parks District shall be permitted to use the rinks free of charge from 9:00 A.M. to 12:00 Noon on school days for recreational skating.

B. Adults accompanying children under 10 years of age are to be permitted to use the rinks free of charge on weekday morning and afternoon sessions.

4. HOLIDAY SCHEDULE

A. Rinks will be closed on the following holidays:

Thanksgiving - All Day

Christmas Eve - 4:00 P.M.

Christmas Day - All Day

New Year's Eve - 4:00 P.M.

New Year's Day - Reopen at 2:00 P.M.

B. Schedules at all rinks will not be changed during holiday vacation times.

5. ICE RENTAL CANCELLATION NOTICE

The renter shall be charged for all ice time contracted or scheduled. No cancellations will be accepted. In the event that the same time period is not utilized two consecutive times, that time period may be rented to another group. However, the rental fee will not be charged if the time period is cancelled due to the fault of the MDC or if weather conditions are such that both the Rink Manager and Team agree that hazardous conditions exist.

6. PAYMENTS

All rental charges for ice time must be paid for a week in advance at the District Office. The only exception will be municipally funded organizations. Payment must be made by money order or certified check only.

7. ICE RENTAL PRIORITIES

A. City and Town Recreation Departments who are members of the Metropolitan Parks District and are conducting and paying for programs for children 15 years of age and under.

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- B. Youth Hockey Programs.
- C. High School Team Practice (all grades) after December 1, 1984.
- D. Individual Teams, Industrial Leagues, Etc.

- 1 Report of Mr. Lydon, August 16, recommending approval of an extension of time from May 15, 1984 to June 29, 1984, on Contract No. P79-0721-C2A, with D. Cicconi, Inc., for Chelsea Naval Hospital Park, due to severe weather problems. Mr. Lydon explained that problems leading to this request for an extension of time included removal of contaminated soil, construction coordination between several different public and private groups working at the Park, and inclement weather. Commissioner Geary then spoke of the possibility of receiving Federal Funds for the project and directed Mr. Lydon to confer with Mr. Henry Higgott concerning this matter. He noted the problems with grass taking hold in certain areas of the Park and asked that the final payment to the contractor be held until such time as we are sure that the grass is growing satisfactorily. The Commission V O T E D: to approve an extension of time from May 15, 1984 to June 29, 1984, as recommended by Mr. Lydon in his report of August 16, 1984, on condition that no further request will be made for additional compensation.
- 2 Report of Mr. Lydon, August 17, recommending approval of an extension of time from October 26, 1983 to June 22, 1984, on Contract No. P79-0721-C3A, with D. Cicconi, Inc., for Chelsea Naval Hospital Park, Architectural Construction due to delays in obtaining specialty items. The Commission V O T E D: to approve an extension of time from October 26, 1983 to June 22, 1984, as recommended by Mr. Lydon in his report of August 17, 1984, on condition that no further request will be made for additional compensation.
- 3 Report of Mr. Lydon, August 13, recommending the following on Contract No. P81-0929-C1A, with Major Construction Management Corp., for Replacement of Refrigeration Systems at Revere, Medford, and Somerville Rinks:
 - (a) That the work be accepted as completed as of November 1, 1983.
 - (b) That Estimate No. 8 (Final), in the amount of \$27,971.27, be approved for payment.
 - (c) That reserve, in the amount of \$23,785.18, be approved for payment.
 The Commission V O T E D: that the work of Major Construction Management Corp., contractor under Contract No. P81-0929-C1A, for Replacement of Refrigeration Systems at Revere, Medford, and Somerville Rinks, be and hereby is accepted as completed as of November 1, 1983. The Commission further V O T E D: to approve Estimate No. 8 (Final), in the amount of \$27,971.27, for payment. The Commission further V O T E D: to approve release of reserve, in the amount of \$23,785.18, for payment.
- 4 Report of Mr. Lydon, August 8, recommending that Contract No. P82-1179-M1A, with Teledyne Engineering Services, for Steel Inspection, Welding and Metallurgy, Fiscal Year 1984, be accepted as completed as of June 30, 1984. The Commission V O T E D: that the work of Teledyne Engineering Services, Consultant under Contract No. P82-1179-M1A, for Steel Inspection, Welding and Metallurgy, Fiscal Year 1984, be and hereby is accepted as completed as of June 30, 1984.
- 5 Report of Mr. Lydon, August 14, recommending the following on Contract No. P82-1183-D1A, with Barnes and Jarnis, Inc., for Replacement of Cordingly Dam Footbridge, Newton-Wellesley, Massachusetts:
 - (a) That the work be accepted as completed as of July 30, 1984.
 - (b) That Invoice No. 10 (Final), in the amount of \$2,379.72, including retainage, be approved for payment.
 The Commission V O T E D: that the work of Barnes and Jarnis, Inc., Consultant under Contract No. P82-1183-D1A, for Replacement of Cordingly Dam Footbridge, Newton-Wellesley, be and hereby is accepted as completed as of July 30, 1984. The Commission further V O T E D: to approve Invoice No. 10 (Final), in the amount of \$2,379.72, including retainage, for payment.
- 6 Report of Mr. Lydon, August 16, recommending the following on Contract No. P83-1240-M1A, with P. H. Mechanical Corporation, for Servicing of Heating, Ventilating, and Air Conditioning (HVAC), Fiscal Year 1984, New Charles River Dam:
 - (a) That the work be accepted as completed as of July 9, 1984.
 - (b) That Estimate No. 6 (Final), in the amount of \$1,413.13, be approved for payment.
 - (c) That reserve, in the amount of \$892.50, be approved for payment on September 12, 1984.
 The Commission discussed, at length, the contractor's poor Contract Administration

The first part of the document discusses the general principles of the system, including the importance of maintaining accurate records and the role of the various departments involved. It emphasizes the need for a clear and concise reporting structure to ensure that all necessary information is captured and analyzed in a timely manner.

The second section details the specific procedures for data collection and analysis. This includes the use of standardized forms and the implementation of a regular reporting schedule. The document also outlines the methods for identifying trends and anomalies in the data, as well as the steps to be taken when such issues are identified.

The third part of the document focuses on the dissemination of information and the communication of findings to the relevant stakeholders. It stresses the importance of providing clear and actionable recommendations based on the data analysis. The document also discusses the role of the various departments in ensuring that the information is effectively communicated and implemented.

Finally, the document concludes with a summary of the key points and a call to action for all involved parties. It reiterates the importance of ongoing communication and collaboration in the success of the system. The document is intended to serve as a guide for all those involved in the process, ensuring that everyone is working towards the same goals and objectives.

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Rating and EEO Compliance on this contract. It was noted that even though P. H. Mechanical Corporation was low bidder on the Fiscal Year 1985 contract for this work, they were not awarded the contract due to their poor performance on the Fiscal Year 1984 contract.

Mr. Lydon was asked to check with Mr. McCann to see if P. H. Mechanical Corporation is still prequalified with the Commission.

The Commission V O T E D: that the work of P. H. Mechanical Corporation, contractor under Contract No. P83-1240-M1A, for Servicing of Heating, Ventilating, and Air Conditioning (HVAC), Fiscal Year 1984, New Charles River Dam, be and hereby is accepted as completed as of July 9, 1984.

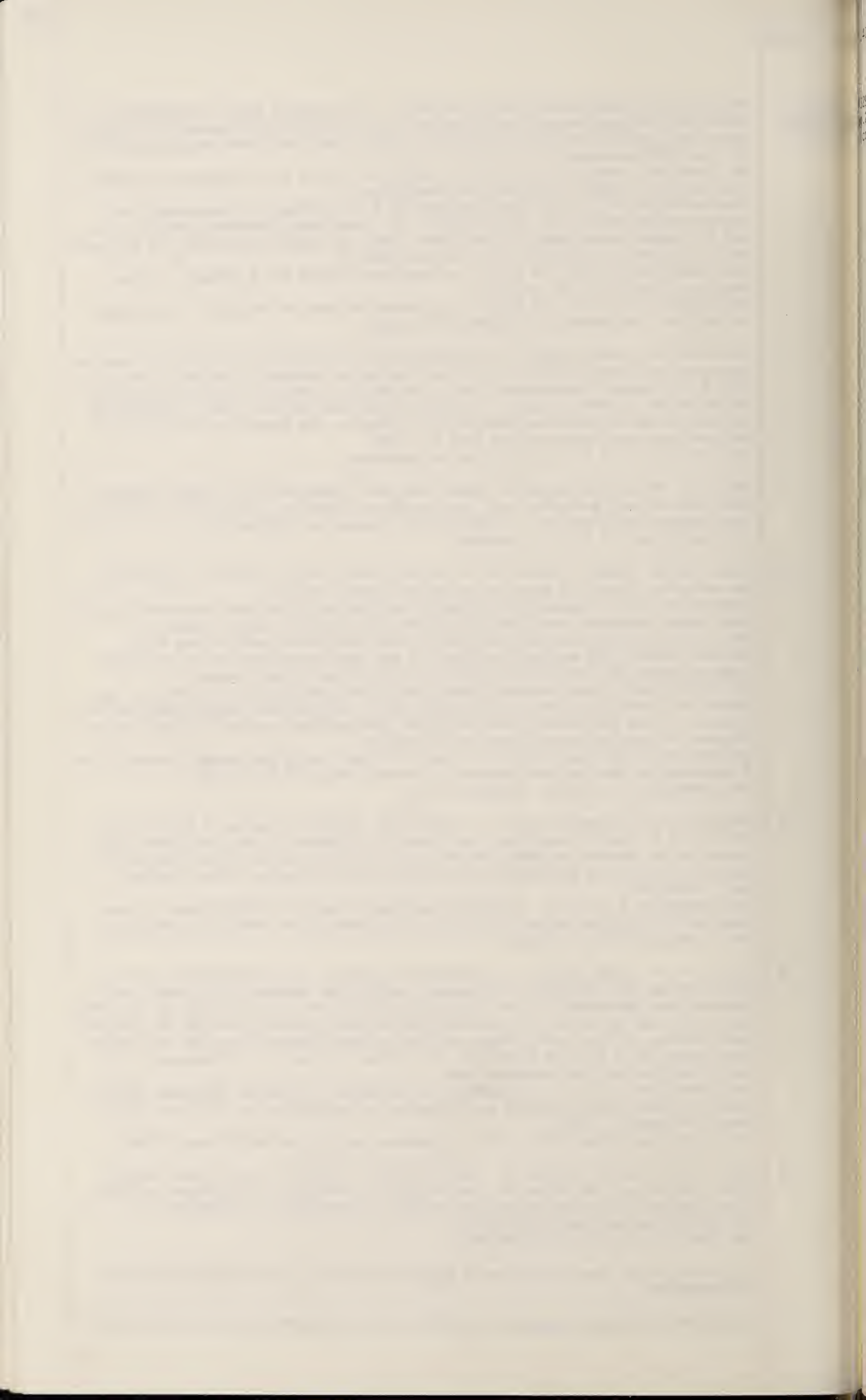
The Commission further V O T E D: to approve Estimate No. 6 (Final), in the amount of \$1,413.13, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$892.50, for payment on September 12, 1984.

- 1 Report of Mr. Lydon, August 17, requesting that the Commission ratify and approve the action of Commissioner Geary in undertaking an Emergency Contract (P84-1321), with P & H General Contractors, Inc., for Repairs to Roof on New England Museum of Sports at the Herter Center, Soldiers Field Road, Boston, Cost - \$112,000.00, as outlined by Commissioner Geary in his letter to the Executive Office for Administration and Finance, dated June 14, 1984.
 The Commission V O T E D: Ratified and approved.
- 2 Report of Mr. Lydon, August 15, submitting Work Schedule Form, Project Summary Form, and Project Justification, for Project No. P85-1324 - Fall 1984 Tree Planting Program, estimated cost - \$140,000.00, Account No. 2490-0100.
 The Commission V O T E D: Approved.
- 3 Report of Mr. VanWart, August 13, relative to Fall-Winter Staffing requirements for both the Blue Hills Reservation and the Harbor Islands.
 Commissioner Geary commended Mr. VanWart and his Staff for their outstanding work this Summer Season at the Blue Hills Reservation and the Harbor Islands. He noted that the work was performed with a very small Staff and limited funds. He then spoke of the newspaper editorials and the many letters he has received commending the MDC for the improvements accomplished at both areas.
 Associate Commissioner Fontanez then spoke of the possibility of increasing the number of minority children visiting the Harbor Islands next Summer and asked Mr. Primack, of the Office of Reservations and Interpretive Services, to work on an Outreach Program and report back on its results.
 The Commission then expressed its support for work being performed by Reservations & Interpretive Services and endorsed a continuation of this program.
 The Commission V O T E D: Placed on file.
- 4 Report of Mr. Van-Wart, August 13, requesting emergency funding of \$650.00 for removal of 15 bags of asbestos trash stored in a bunker at Georges Island; also report of Mr. Primack recommending that the Commission contract with Pollution Control Unlimited of East Boston for removal of the asbestos; Total Contract Cost - \$650.00.
 The Commission V O T E D: to approve emergency funding of \$650.00 and to contract with Pollution Control Unlimited of East Boston for removal of asbestos; Total Contract Cost - \$650.00.
- 5 Report of Mr. Lydon, August 1, recommending approval of an Amendment to Contract-Agreement No. P82-1184-D1C, with Hayden, Harding and Buchanan, for Design and Construction Administration of Fish Passage Facilities at Finlay Dam and Cordingly Dam on the Charles River, to provide for additional services in order to complete modifications to the lower fishway section at Moody Street before the next migratory season, at a cost of \$7,960.00, and extend the Time for Performance; also submitting Revised Work Schedule Form.
 The Commission V O T E D: to approve an Amendment to Contract-Agreement No. P82-1184-D1C, with Hayden, Harding and Buchanan, as recommended by Mr. Lydon in his report of August 1, 1984.
 The Commission further V O T E D: to approve the Revised Work Schedule Form.
- 6 Report of Mr. Lydon, August 22, submitting Work Schedule Form, Project Summary Form, and Project Justification, for Project No. P85-1325 - Replacement of Fuel Lines, Charles River Dam, Boston/Charlestown, Massachusetts, estimated cost - \$25,000.00, Account No. 2440-0010-12.
 The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 7 Report of Mr. Brutsch, August 1, requesting that the Commission approve retroac-



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tive authorization for Wallace, Floyd, Associates, Consultant under Contract-Agreement for the Water Supply Study and EIR (W79-0749-S2B), to perform the following services and to be reimbursed a total of \$12,347.00 from Task 14: Additional Services:

\$10,808.00 to Arthur D. Little Inc. for additional runs of the Demand Simulation Model.

\$ 1,539.00 to Normandeau, Associates, Inc. for additional ecological field work in the Merrimack River.

Also supplemental report of Mr. Brutsch, August 21.

Mr. Brutsch stated that while the work was necessary and eligible for Task 14 funding, the Consultants did not notify the Division until sometime after its performance that it was work beyond the basic Scope of Services of the contract and should have been included under Task 14. Mr. Brutsch also stated that he agreed that it was work he would have approved under Task 14 if such approval had been requested. He went on to say that because the contract requires prior approval for Task 14, he is seeking Commission waiver of this requirement to pay the Consultant for this work. Mr. Brutsch noted that sufficient funds are available in Task 14 and that the amount does not exceed the total Upset Limit of the contract. Associate Commissioner Jones noted that the work was necessary and asked that the Water Division notify Wallace, Floyd, Associates of the Commission's uneasiness in approving the retroactive request when the work was performed without prior approval.

The Commission V O T E D: Approved as requested by Mr. Brutsch in his report of August 1, 1984.

- 1 Report of Mr. Martorana, August 16, on request of Environmental Research and Technology, Inc., for a 248-day extension of time to December 1, 1984, on Contract No. W79-0970-C1A, for Water Monitoring Process Controller, Boston and Medford, Massachusetts, to allow time to complete the additional software.
 The Commission V O T E D: to approve a 248-day extension of time to December 1, 1984, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that there will be no additional expense to the Commission for completing existing contract work.
 - 2 Report of Mr. Martorana, August 16, recommending approval of Extra Work Order No. 1, in the amount of \$20,000.00, for payment of anticipated police services for traffic control, safety measures, etc. during the MDC portion of the work, on Massachusetts Department of Public Works Contract No. 23363, for Traffic Improvement Project with Special Provisions for MDC Water System Improvements (W80-0884-C1A) in Stoneham, Massachusetts.
 The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$20,000.00.
 - 3 Report of Mr. Martorana, August 16, recommending approval of Revised Work Schedule for Project W80-0800-S1C - Sudbury Reservoir Treatment Plant EIR; also recommending approval of an Amendment to Contract-Agreement with Parsons, Brinckerhoff, Quade & Douglas, Inc. to include \$5,200.00 for increased printing costs and an extension of time to December 19, 1984, for completion of all services.
 The Commission V O T E D: to approve the Revised Work Schedule.
 The Commission further V O T E D: to approve an Amendment to Contract-Agreement No. P80-0800-S1C, with Parsons, Brinckerhoff, Quade & Douglas, Inc., as recommended by Mr. Martorana in his report of August 16, 1984.
 - 4 Report of Mr. Wright, August 22, submitting for approval and signature Contract-Agreement, with Black & Veatch, Engineers-Architects, for Study of Pipeline Replacement in Boston Low Service; Total Compensation to be paid under this contract shall not exceed \$224,059.00 for Phases I, IIA, and III, or \$328,261.00 for Phases I, IIB, and III.
 The Commission V O T E D: Approved.
 The Secretary then submitted for signature Contract-Agreement, dated August 23, 1984, with Black & Veatch, Engineers-Architects, which was signed by the Commissioner and four Associate Commissioners.
- Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:
- 5 Report of Ms. Haggerty, August 13, recommending approval of a 6-month extension of time from September 1, 1984 to March 1, 1985, on Contract No. S80-0656-C1, with Harding & Smith, Inc., for Improvements to Diesel Engines and Engine Support Equipment, Nut Island Sewage Treatment Plant, due to long delivery time for parts.
 The Commission V O T E D: to approve an extension of time from September 1, 1984 to March 1, 1985, as recommended by Ms. Haggerty in her report of August 13, 1984, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

[The text in this section is extremely faint and illegible. It appears to be a list or a series of entries, possibly organized in a table with multiple columns. The text is too light to transcribe accurately.]

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 Aug 23, 1984
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Report of Ms. Haggerty, August 16, requesting approval of Extra Work Order No. 1, in the amount of \$1,500.00, for furnishing and installing, near the Treatment Plant Gate, a wood pole for electric service, on Contract No. S80-0854-C1A, with The Chappy Corporation, for Alternate Power Supply, Nut Island Sewage Treatment Plant.

The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$1,500.00.

2 Report of Mr. O'Brien, August 15, requesting approval of Revised Work Schedule for Project No. S81-0938 - Millbrook Valley Relief Sewer; also requesting approval of entering into a Contract-Agreement, with Weston & Sampson, for Resident Engineering Services, at an estimated cost of \$375,000.00.

The Commission V O T E D: to approve the Revised Work Schedule.

The Commission further V O T E D: enter into a Contract-Agreement, with Weston & Sampson, as requested by Mr. O'Brien in his report of August 15, 1984.

3 Report of Mr. O'Brien, August 17, recommending approval of partial release of retainage, in the amount of \$12,569.59, on Contract-Agreement, with Anderson-Nichols, for MDC Hingham Pump Station and Force Main Study.

The Commission V O T E D: to approve partial release of retainage, in the amount of \$12,569.59, for payment.

Action was taken upon the following Various Matter:

4 Report of Mr. McCann, August 22, recommending that the firm of CES Telecommunications be selected for Project L84-1001-D1A, Advanced Telecommunications System, MDC Police.

Deputy Police Superintendent John Picardi explained that the project was advertised in the Central Register, two responses were received, and each of the two firms was sent an RFP. He noted that the proposal received was that of CES Telecommunications. He then reviewed the qualifications of CES Telecommunications, noting that the firm has designed most new major systems in Massachusetts and is recognized nationally as being an outstanding firm in this field.

Commissioner Geary then noted that a new system is a high priority item for the MDC due to the outmoded existing system.

The Commission V O T E D: to select the firm of CES Telecommunications for Project L84-1001-D1A.

The following matter was placed on the agenda for the information of the Commission:

5 The following schedules were approved for payment by the Commissioner during the period from August 13, 1984 to August 20, 1984:

Invoices	\$ 855,326.38
Reservation of Funds	\$ 894,774.76
Advices of Change	\$ 1,200.00
Weekly Payroll	\$ 1,364,942.72
Request for Advances	\$ 3,187,724.00

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The Commission V O T E D: to adopt the following Order of Taking:

ORDER OF TAKING
 COMMONWEALTH OF MASSACHUSETTS
 METROPOLITAN DISTRICT COMMISSION

Boston, Mass., August 23, 1984.

ORDERED: That the Metropolitan District Commission by virtue of the authority conferred upon it by Chapter 723 of the Acts of 1983 and every other power and authority hereto enabling, for the purpose of said Act and Section 33 of Chapter 92 of the General Laws, does hereby order the taking of and does hereby take in fee under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts three (3) certain parcels of land in the Town of Canton in the County of Norfolk and Commonwealth of Massachusetts, situated on Washington Street bounded and described as follows:

Parcel 1

Beginning on the southwesterly corner thereof on said Washington Street and running easterly by the northerly line of Parcel 2 herein described sixteen hundred fifty-eight and 26/100 (1,658.26) feet as shown on Land Court Plan 1004A; thence turning at an acute angle and running as the walls now stand westerly by land formerly of Lilla Cabot Perry to said Washington Street; thence by said Washington Street as it existed before taking for widening by the Norfolk County Commissioner four hundred eighty-six and 6/10 (486.6) feet to the point of beginning.

Being the same property described in a deed of Lilla Cabot Perry to Albert R. Whittner, Jr. dated June 21, 1921 and recorded in Norfolk Deeds Book 1489, Page 596.

Parcel 2

Westerly by Washington Street, six hundred fifty and 45/100 (650.45) feet; northerly, sixteen hundred fifty-eight and 26/100 (1,658.26) feet; and northeasterly, eleven hundred fourteen and 90/100 (1,114.90) feet, by land now or formerly of Lilla Cabot Perry; southeasterly by land now or formerly of the Commonwealth of Massachusetts, five hundred forty-four and 21/100 (544.21) feet; southerly by lands now or formerly of Frank R. Bird, et al and of Charles Stretton, nineteen hundred thirty-three and 49/100 (1,933.49) feet; and westerly, one hundred ninety-eight and 61/100 (198.61) feet, and southerly, five hundred sixty-two and 52/100 (562.52) feet, by land now or formerly of Charles Stretton.

All of said boundaries are determined by the Land Court to be located as shown on a plan drawn by Frederic Endicott, Surveyor, dated October, 1904, as approved by said Court, filed in the Land Registration Office as No. 1004A, a copy of a portion of which is filed in Norfolk Registry District with Certificate No. 466, Vol. 3.

Parcel 3

Beginning at the northwesterly corner thereof on said Washington Street and running easterly by the southerly line of Parcel 2 five hundred sixty-two and 52/100 (562.52) feet to a corner; thence turning and running southerly by said Parcel 2 one hundred ninety-eight and 61/100 (198.61) feet to a corner;

The Commission is of the opinion that the following should be done:

RECOMMENDATIONS

The Commission is of the opinion that the following should be done:

The Commission is of the opinion that the following should be done:

The Commission is of the opinion that the following should be done:

The Commission is of the opinion that the following should be done:

The Commission is of the opinion that the following should be done:

Respectfully,
[Signature]

RECOMMENDATIONS

The Commission is of the opinion that the following should be done:

The Commission is of the opinion that the following should be done:

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RECOMMENDATIONS

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RECOMMENDATIONS

The Commission is of the opinion that the following should be done:

The Commission is of the opinion that the following should be done:

The Commission is of the opinion that the following should be done:

thence turning and running easterly by said Parcel 2 seven hundred fifteen and 49/100 (715.49) feet as shown on "Commonwealth of Massachusetts Metropolitan District Commission Parks Division Blue Hills Reservation Canton Plan of Taking for Addition to Ponkapoag Golf Course" dated July 3, 1956 recorded in Norfolk County Deeds Plan Book 202, Plan 934 to a point; thence turning and running by an acute angle by Parcel 4B on said last described plan one thousand seventeen feet more or less to land now or formerly of William R. and Helen G. Henrici; thence turning and running northerly by said Henricis' eighty-seven feet more or less (87+) and by land now or formerly of S. Goldstone eighty-six and 55/100 (86.55) feet, the latter course shown on Plan No. 812 of 1976 recorded in Norfolk Deeds Book 5285, Page 519, to a corner; thence turning and running westerly two hundred seventy and 77/100 (270.77) feet to said Washington Street; thence turning and running northerly by said Washington Street approximately two hundred twelve (212) feet to the point of beginning. This parcel creates no new boundaries.

Subject to takings by the Commonwealth of Massachusetts recorded in Norfolk Registry of Deeds Book 3386, Page 553 on July 15, 1955 and Book 3490, Page 33 on July 24, 1956 and Registered Land Document No. 183972.

Excluding from aforementioned Parcel 2 are Parcels 3-11, 3-12 and 3-13 on Land Court Plan 1004C.

Certain portions of said land are registered land as shown by the following certificate of title filed in the Registry District for Norfolk County, Certificate No. 114113, Registration Book 571, Page 113.

Trees on said land and structures affixed to said land are included in the taking.

Intending and meaning to take the land in Canton conveyed to and supposed to be owned by Joseph Federico, Individually, see deed recorded in Norfolk Registry of Deeds on February 19, 1982, Book 5975, Page 214 and noted on Registered Land Certificate 32236, Book 162, Page 36, as Document No. 420135.

The Commission awards the damages sustained by Joseph Federico, Individually, in his property by reason of said taking as follows:

<u>OWNER</u>	<u>AWARD</u>
Joseph Federico, Individually	\$655,000.00

ADJOURNED at 2:15 P.M., to meet on Thursday, August 30, 1984, at 11:00 A.M.

William F. Cusick
Secretary.

The first part of the report is devoted to a general survey of the situation in the country. It is followed by a detailed account of the work done during the year. The report concludes with a summary of the results and a list of the names of the members of the committee.

The second part of the report is devoted to a detailed account of the work done during the year. It is followed by a summary of the results and a list of the names of the members of the committee.

The third part of the report is devoted to a detailed account of the work done during the year. It is followed by a summary of the results and a list of the names of the members of the committee.

The fourth part of the report is devoted to a detailed account of the work done during the year. It is followed by a summary of the results and a list of the names of the members of the committee.

The fifth part of the report is devoted to a detailed account of the work done during the year. It is followed by a summary of the results and a list of the names of the members of the committee.

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Aug. 30, 1984

Record of the Three Thousand Two Hundred and Ninety-First (3291st) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, August 30, 1984, at 11:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Fontanez, Jones, and Scandrett.

The records of the meeting held on August 16, 1984, were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

- 1 Contract No. S82-1003-C2A, dated August 30, 1984, with Peabody N.E., Inc., for Digester System Rehabilitation and Improvements, Deer Island Sewage Treatment Plant, Boston, Massachusetts.
- 2 Contract No. P84-1316-C1A, dated August 30, 1984, with Coast Construction Corp., for New Gasoline Tank Installation, Franklin Park Zoo, Boston, Massachusetts.

- 3 Presentation - Proposed plans and intended use of New Science Teaching Center at the Science Park site.

Dr. Roger L. Nichols, Director - Museum of Science, presented proposed plans for a New Science Teaching Center at the Museum. He pointed out that the expansion will occur on the street side of the building and that the new addition will blend well architecturally with the existing structure. Dr. Nichols then noted that the proposed plans have received the approval of the Museum Trustees, Charles River Watershed Association, and appropriate City of Boston Regulatory Agencies. In response to questioning by Associate Commissioner Scandrett, Dr. Nichols responded that he is not aware of any objection to the new addition.

Associate Commissioner Scandrett asked that the Museum work closely with the Commission during all aspects of the contract.

Associate Commissioner Jones then asked that specific language be written into the construction contract requiring review of the work with the MDC prior to the start of construction.

Mr. Lydon noted that the Commission is in the process of hiring a Design Consultant to do a study of the Craigie Bridge and the Charles River Drawbridge. In the event that plans and specifications are received for the Museum project before the MDC Design Consultant is hired, Mr. Lydon stated that he will have the Bridge Rating Consultant review the plans and specifications.

Associate Commissioner Scandrett stated that no heavy equipment, which could damage the bridge or cause a long-term effect on traffic, should be utilized during the construction of the new addition.

The Commission V O T E D: Approved; the final plans and specifications to be submitted to the MDC for review prior to the start of construction.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

- 4 Report of Mr. Faucher, August 23, on proposals for the purchase of fourteen lots of standing timber located on Wachusett Reservoir Watershed, Ware River Watershed, and Quabbin Reservoir Watershed.

The Commission V O T E D: to accept the highest qualified bid, that of Robert E. Goguen, of \$2,902.00, to purchase approximately 10,000 board feet of sawlogs and 190 cords of firewood on Lot No. 56 - Wachusett Reservoir Watershed.

The Commission further V O T E D: to reject the only qualified bid received, that of William J. Stelmokas, of \$1,268.00, to purchase approximately 10,760 board feet of sawlogs and 76 cords of firewood on Lot No. 122 - Ware River Watershed.

The Commission further V O T E D: to accept the only qualified bid received, that of Hakala Logging, of \$1,939.00, to purchase approximately 34,500 board feet of sawlogs and 196 cords of firewood on Lot No. 123 - Ware River Watershed.

The Commission further V O T E D: to accept the only qualified bid received, that of Hakala Logging, of \$798.52, to purchase approximately 17,000 board feet of sawlogs and 239 cords of firewood on Lot No. 124 - Ware River Watershed.

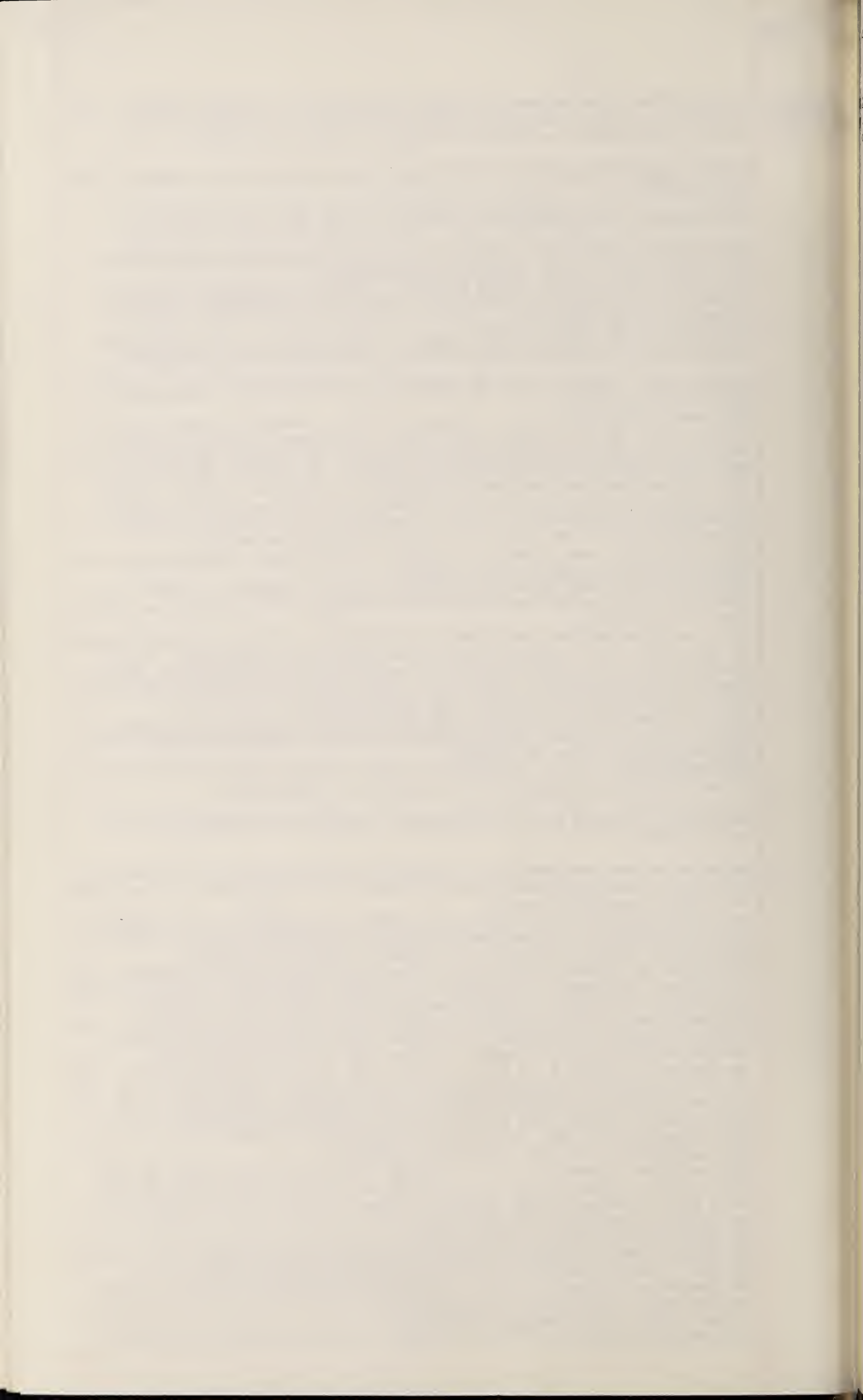
The Commission further V O T E D: to accept the highest qualified bid, that of Hakala Logging, of \$1,899.79, to purchase approximately 29,000 board feet of white pine sawlogs on Lot No. 125 - Ware River Watershed.

The Commission further V O T E D: to accept the second highest qualified bid, that of Lashway Lumber, Inc., of \$26,400.00, to purchase approximately 236,000 board feet of sawlogs and 208 cords of firewood, plus 155 cords of tops, on Lot No. 422AA - Quabbin Reservoir Watershed.

The Commission further V O T E D: to reject all bids to purchase approximately 60,000 board feet of sawlogs, 113 cords of firewood, and 40 cords of tops, on Lot No. 423A - Quabbin Reservoir Watershed; the lot to be readvertised.

The Commission further V O T E D: to accept the highest qualified bid, that of Chester Lemon, of \$1,200.00, to purchase approximately 100 cords of firewood on Lot No. 431A - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the second highest qualified bid,



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that of James Krol, of \$1,115.00, to purchase approximately 74 cords of firewood on Lot No. 442 - Quabbin Reservoir Watershed.
 The Commission further V O T E D: to accept the second highest qualified bid, that of James Krol, of \$350.00, to purchase approximately 61 cords of firewood on Lot No. 443 - Quabbin Reservoir Watershed.
 The Commission further V O T E D: to accept the highest qualified bid, that of Theodore A. Gagnon, Jr., of \$3,000.00, to purchase approximately 26,000 board feet of hardwood timber and 213 cords of firewood, plus 12 cords of tops on Lot No. 444 - Quabbin Reservoir Watershed.
 The Commission further V O T E D: to accept the second highest qualified bid, that of Ronald Blaine, of \$120.00, to purchase approximately 40 cords of firewood on Lot No. 445 - Quabbin Reservoir Watershed.
 The Commission further V O T E D: to accept the second highest qualified bid, that of Heyes Forest Products, of \$8,920.60, to purchase approximately 71,600 board feet of sawlogs and 64 cords of firewood on Lot No. 446 - Quabbin Reservoir Watershed.
 The Commission further V O T E D: to accept the only qualified bid received, that of Hubbard Lumber Co., of \$13,422.00, to purchase approximately 77,000 board feet of sawlogs and 20 cords of firewood on Lot No. 447 - Quabbin Reservoir Watershed. Due to a field trip for the Commission, Associate Commissioners Fontanez and Scandrett were not present during the time this matter was discussed and, therefore, did not vote.

- 1 Report of Mr. Martorana, August 16, recommending approval of Extra Work Order No. 2, in the amount of \$560.00, for furnishing and laying 40 linear feet of 15-inch reinforced concrete pipe as required during the MDC portion of the contract, on Massachusetts Department of Public Works Contract No. 23363 for Traffic Improvement Project with Special Provisions for MDC Water System Improvements (W80-0884-C1A) in Stoneham, Massachusetts.
 Mr. Brutsch explained that the Commission has entered into an Agreement with the Massachusetts Department of Public Works so that water system improvements can be undertaken on the MDC's Water System in the area while traffic improvements are being undertaken by the Department of Public Works. He noted that Extra Work Orders 2, 3, 4, 5, and 6 will allow the contractor to perform work which was not included in the Agreement between the agencies.
 The Commission V O T E D: to approve Extra Work Order No. 2, in the amount of \$560.00.
 Due to a field trip for the Commission, Associate Commissioners Fontanez and Scandrett were not present during the time this matter was discussed and, therefore, did not vote.

- 2 Report of Mr. Martorana, August 16, recommending approval of Extra Work Order No. 3, in the amount of \$630.00, for furnishing and laying 30 linear feet of 24-inch reinforced concrete pipe as required during the MDC portion of the contract, on Massachusetts Department of Public Works Contract No. 23363 for Traffic Improvement Project with Special Provisions for MDC Water System Improvements (W80-0884-C1A) in Stoneham, Massachusetts.
 The Commission V O T E D: to approve Extra Work Order No. 3, in the amount of \$630.00.
 Due to a field trip for the Commission, Associate Commissioners Fontanez and Scandrett were not present during the time this matter was discussed and, therefore, did not vote.

- 3 Report of Mr. Martorana, August 16, recommending approval of Extra Work Order No. 4, in the amount of \$1,440.00, for excavation of test pits as required during the MDC portion of the contract, on Massachusetts Department of Public Works Contract No. 23363 for Traffic Improvement Project with Special Provisions for Water System Improvements (W80-0884-C1A) in Stoneham, Massachusetts.
 The Commission V O T E D: to approve Extra Work Order No. 4, in the amount of \$1,440.00.
 Due to a field trip for the Commission, Associate Commissioners Fontanez and Scandrett were not present during the time this matter was discussed and, therefore, did not vote.

- 4 Report of Mr. Martorana, August 16, recommending approval of Extra Work Order No. 5, in the amount of \$1,860.00, for furnishing and laying 60 linear feet of 10-inch ductile iron drain pipe as required during the MDC portion of the contract, on Massachusetts Department of Public Works Contract No. 23363 for Traffic Improvement Project with Special Provisions for MDC Water System Improvements (W80-0884-C1A) in Stoneham, Massachusetts.
 The Commission V O T E D: to approve Extra Work Order No. 5, in the amount of \$1,860.00.
 Due to a field trip for the Commission, Associate Commissioners Fontanez and Scandrett were not present during the time this matter was discussed and, therefore, did not vote.

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Report of Mr. Martorana, August 16, recommending approval of Extra Work Order No. 6, in the amount of \$2,010.00, for furnishing and laying 60 linear feet of 12-inch ductile iron drain pipe as required during the MDC portion of the contract, on Massachusetts Department of Public Works Contract No. 23363 for Traffic Improvement Project with Special Provisions for MDC Water System Improvements (W80-0884-C1A) in Stoneham, Massachusetts.

The Commission V O T E D: to approve Extra Work Order No. 6, in the amount of \$2,010.00.

Due to a field trip for the Commission, Associate Commissioners Fontanez and Scandrett were not present during the time this matter was discussed and, therefore, did not vote.

2 Report of Mr. Brutsch, August 27, requesting approval of Amendment #3 to Contract-Agreement, with Wallace, Floyd, Associates, for Long-Range Water Supply Study and EIR 2020, to extend the Time for Performance to 54 months and to transfer funds between Tasks, with no increase in present contract total amount; also requesting authorization for the General Counsel and Contract Administrator to finalize and prepare the documents for signing.

Mr. Brutsch explained that Amendment #3 is Step 1 of two Amendments needed to increase funds and time on this contract. He stated that increased time and effort are needed because of the complexity of the Study, and also that agency responsiveness to citizen concerns have led to delays in products, longer review and decision periods, and increased level of effort to produce a more in-depth and detailed analysis than estimated. Mr. Brutsch explained that Amendment #3 will transfer existing funds between tasks within the present total contract limit to allow all work to proceed for 5 months extending the Time for Performance from 35 to 54 months. He went on to explain that Amendment #4, which is presently being finalized, will increase the Upset Limit of the contract and restore funds borrowed from Tasks 16, 20, 21, and 22, which are scheduled to begin in 5 months. Mr. Brutsch noted that after the Draft EIR is publicized, MEPA may require new work before the final EIR. If so, he stated, this work may require another Amendment later for additional funds.

Associate Commissioner Anderson asked for an explanation of the causes for the delays and the increased effort.

Mr. Brutsch responded that the complex nature of the work and the agency's responsiveness to citizen concerns have led to more detailed analysis, longer review periods by the MDC Staff and citizens, thus to delays in schedule and increases in the level of effort.

Commissioner Geary noted that this is a very important study which will benefit the entire State, and its expense, while large, is justified by the study's magnitude. This, he noted, also makes it important to ensure time for full public review and discussion of the findings. Commissioner Geary expressed his appreciation for the excellent work performed to this point by the Consultant.

Associate Commissioners Anderson and Jones asked why an Amendment takes so long to execute.

Mr. McCann explained that this contract has an elaborate internal financial structure that requires almost full-time accounting by Mr. Donald Dewar of his Staff. Mr. Adel Fox, Project Manager - Wallace, Floyd, Associates, explained that there are 13 sub-consultants and 22 tasks with separate upset limits divided into labor and expense resulting in hundreds of financial categories.

Ms. Ann Gannett, Chairperson - Water Supply Citizens Advisory Committee, supported the transfer and stated that if its method and purpose were spelled out clearly, it would not raise questions. She then pointed out that if no transfer was made, all work on the contract would be stopped for up to 6 months.

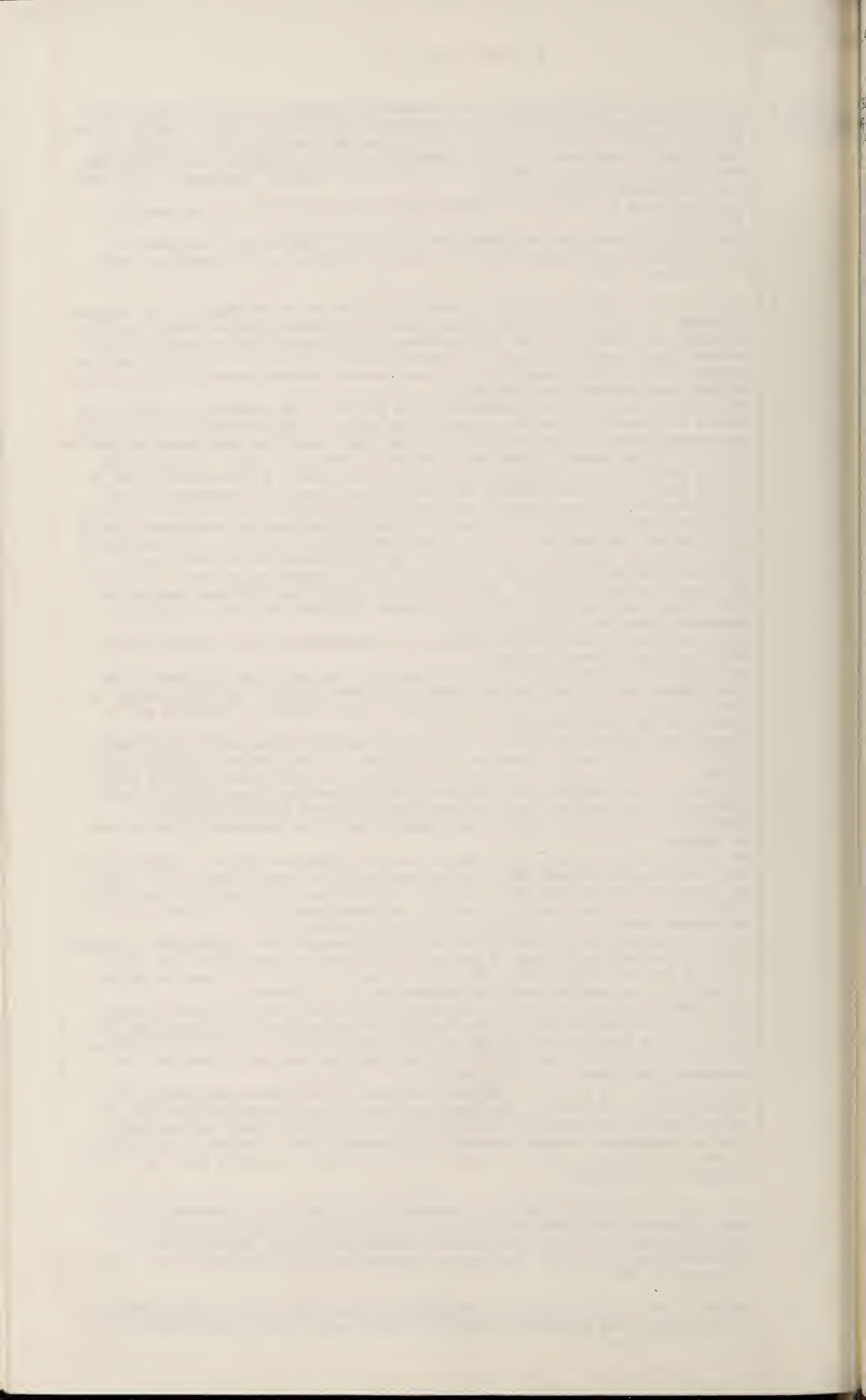
Associate Commissioner Scandrett asked that the minutes of the meeting clearly state that movement of funds in Amendment #3 from post-draft EIR tasks, 16, 20, 21, and 22 is a temporary transfer to allow present work to continue pending approval of Amendment #4, which will add new funds and replenish those borrowed temporarily in Tasks 16, 20, 21, and 22.

The Commission V O T E D: to approve Amendment #3 to Contract-Agreement, with Wallace, Floyd, Associates, for Long-Range Water Supply Study and EIR 2020, to extend the Time for Performance to 54 months and transfer funds between tasks, with no increase in present contract total amount; John W. Wright, Esq., General Counsel, and James F. McCann, Contract Administrator, to prepare and finalize the document for signature.

3 Report of Mr. Brutsch, August 17, recommending approval of an Amendment to Contract-Agreement, with Barbara Lahage, for Management and Administration of the Demand Management Program, to provide a maximum obligation of \$32,650.00.

The Commission V O T E D: Approved as recommended by Mr. Brutsch in his report of August 17, 1984.

4 Report of Mr. Falvey, August 29, relative to acquisition of the Johnson Property located within the Wachusett Watershed in the Town of Holden, Massachusetts, for



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the sum of \$58,000.00.

The Commission V O T E D: to request the Secretary of Environmental Affairs to schedule funds, as provided in Section 9E of Chapter 723 of the Acts of 1983, to acquire 37.3 acres of land, owned by Norma L. Johnson, located with the Wachusett Watershed, in the Town of Holden, for the sum of \$58,000.00.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 1 Report of Mr. O'Brien, August 23, submitting Updated Work Schedule Form for Project S82-1017 - St. Mary's Street In-System CSO Storage Project, which reflects the anticipated Time for Performance and Reimbursement, estimated cost - \$380,000.00, Account No. 2439-7290.
 The Commission V O T E D: Approved.

- 2 Report of Mr. O'Brien, August 27, submitting for approval and signature Agreement, between the Metropolitan District Commission and the Town of Bedford, relative to the Upgrading of the Bedford Main Pumping Station.
 The Commission V O T E D: Approved.
 The Secretary then submitted for signature Agreement, dated August 30, 1984, between the Metropolitan District Commission and the Town of Bedford, which was signed by the Commissioner and four Associate Commissioners.

- 3 Report of Mr. O'Brien, August 29, requesting that the Commission correct its records of July 12, 1984, relative to Amendment to Contract-Agreement, with Anderson Nichols & Co., Inc., for Facilities Planning for the Hingham Force Main & Pump Station, to reflect that this Amendment is the Fourth Amendment instead of the Third Amendment, and also that the Contract-Agreement No. is S77-0484 instead of S77-0408.
 The Commission V O T E D: to correct its records of July 12, 1984, Volume 47, Page 248, Item 3, by striking out the word "Third" in the 1st and 12th lines and inserting in place thereof the word "Fourth," and by striking out the number "S77-0408" in the 2nd line and inserting in place thereof the number "S77-0484" so that the records will read as follows:
 "Report of Mr. Wright, July 6, submitting for approval and signature Fourth Amendment to Contract-Agreement No. S77-0484, dated June 24, 1982, with Anderson Nichols & Co., Inc., for Facilities Planning for the Hingham Force Main & Pump Station, which amends the Scope of Services to provide for the administration, management and coordination of the design of approximately 1,300 linear feet of force main and additions and alterations to the Hingham Pumping Station; increases the Compensation by \$128,705.87, for a total contract price of \$358,942.54; and extends the Time for Performance to March 31, 1985.
 Associate Commissioner Scandrett noted that this project has been mandated by the Environmental Protection Agency's Administrative Order and also a Court Order.
 The Commission V O T E D: Approved.
 The Secretary then submitted for signature Fourth Amendment, dated July 12, 1984, which was signed by the Commissioner and four Associate Commissioners."

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 4 At this point, the members of the Commission commended Mr. Edmund L. Lydon for his outstanding performance during the six-month period in which he was the Acting Director of the Parks Engineering and Construction Division. The Commission then congratulated Mr. Lydon on his recent appointment as Deputy Director of that Division.

- 5 Report of Mr. Lydon, August 24, on request of Allied Weatherproofing Co., Inc., for permission to work overtime on Saturdays and Sundays, if necessary, on Contract No. P82-1037-C2A, for Rehabilitation of Kasabuski Brothers Rink, Saugus, Massachusetts.
 Mr. Lydon explained that the overtime work will be performed by the contractor at no additional cost to the Commission.
 The Commission V O T E D: Approved as recommended by Mr. Lydon in his report of August 24, 1984.

- 6 Report of Mr. Lydon, August 16, recommending approval of an extension of time from May 31, 1984 to July 14, 1984, on Contract No. P78-0679-C1A, with Mario Susi & Son, Inc., for Reconstruction and Rehabilitation of the Fenway Area; the extension of time was necessitated by the sodding of areas that are subject to above average foot traffic and the Rosa Rugosa plantings and mulching at Boylston Street and Park Drive.

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The Commission V O T E D: to approve an extension of time from May 31, 1984 to July 14, 1984, as recommended by Mr. Lydon in his report of August 16, 1984, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

- 1 Report of Mr. Lydon, August 16, recommending the following on Contract No. P83-1245-M1A, with Farina Corporation, for Servicing of Heating, Ventilating, and Air Conditioning (HVAC) at Franklin Park Zoo, including Tropical Forest Pavilion in Dorchester and Stoneham Memorial Zoo, Stoneham (FY 84):
- (a) That the work be accepted as completed as of June 30, 1984.
 - (b) That Estimate No. 11 (Final), in the amount of \$3,718.86, be approved for payment.
 - (c) That reserve, in the amount of \$2,762.05, be approved for payment on September 3, 1984.

Associate Commissioner Fontanez spoke of the Commission's EEO commitment and also the Governor's Executive Order No. 237 which calls for Minority Business Enterprise Participation in all construction contracts, consultant contracts, and procurement contracts of State Agencies. She then asked if the percentage, as outlined in the EEO Compliance Evaluation on MDC contracts, are in terms of money. Mr. McCann responded that the percentage related to person hours for each trade involved in the construction contract.

Associate Commissioner Fontanez then asked to meet with Messrs. Lydon and McCann at a later date for further clarification of EEO requirements.

The Commission V O T E D: that the work of Farina Corporation, contractor under Contract No. P83-1245-M1A, for Servicing of Heating, Ventilating, and Air Conditioning (HVAC) at Franklin Park Zoo, including Tropical Forest Pavilion in Dorchester and Stone Memorial Zoo, Stoneham (FY 84), be and hereby is accepted as completed as of June 30, 1984.

The Commission further V O T E D: to approve Estimate No. 11 (Final), in the amount of \$3,718.86, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$2,762.05, for payment on September 3, 1984.

- 2 Report of Mr. Wright, August 24, submitting for approval and signature Agreement, between the Metropolitan District Commission and the Division of Capital Planning and Operations, which assigns Contract-Agreement No. CS-77-12-E-86, with Weidlinger Associates, for the Development and Improvement of the Franklin Park Zoo, to the Division of Capital Planning and Operations.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Agreement, dated August 30, 1984, between the Metropolitan District Commission and the Division of Capital Planning and Operations, which was signed by the Commissioner and four Associate Commissioners.

- 3 Report of Mr. Lydon, August 28, recommending that Contract-Agreement No. P82-1036-X1A, with William Stokinger, for Architectural, Archeological and Interpretive Services at Fort Independence, South Boston, Massachusetts, be accepted as completed as of June 30, 1984; Final Cost of Contract - \$9,973.69.

The Commission V O T E D: that the work of William Stokinger, Consultant under Contract-Agreement No. P82-1036-X1A, for Architectural, Archeological and Interpretive Services at Fort Independence, South Boston, Massachusetts, be and hereby is accepted as completed as of June 30, 1984.

- 4 Report of Mr. Lydon, August 28, recommending approval of increasing the estimated quantities, at a total additional cost of \$9,285.00, on Contract No. P84-1320-C1A, with J. M. Cashman, Inc., for Temporary Repairs to Pier, Peddocks Island, as follows:

Item No. 1	-	"Oak Timber Piles"	-	\$5,425.00
Item No. 3	-	"Existing Timber Piles"	-	\$4,400.00.

Mr. Lydon stated that the Police Marine Division has requested that serious safety and security problems for Police Boats at the New Charles River Dam be given immediate attention. He explained that J. M. Cashman had agreed to drive additional piles and hook up floats at the Dam as a part of the Peddocks Island contract, thereby correcting the safety and security problems.

The Commission then directed that Captain Richard Feeney, of the Marine Division, forward a report to the Secretary concerning the emergency nature of the work at the New Charles River Dam.

The Commission V O T E D: Approved as recommended by Mr. Lydon in his report of August 28, 1984.

Action was taken upon the following Various Matters:

- 5 Letter of The Trustees of the Esplanade, Inc., August 17, relative to formal ac-

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ceptance of the "Arthur Fiedler Memorial" located on the island adjacent to the Hatch Shell, which was donated to the Metropolitan District Commission by the Trustees of the Esplanade, Inc.
The Commission V O T E D: to accept the donation by the Trustees of the Esplanade, Inc. of the "Arthur Fiedler Memorial."
The Commission further V O T E D: to authorize Commissioner William J. Geary to sign the Acceptance for, and on behalf of, the Commission.
It was noted that the maintenance of the "Arthur Fiedler Memorial" will be provided by the Trust Fund of the Trustees of the Esplanade, Inc.

1 Report of Mr. Falvey, August 29, recommending that the sum of \$15,000.00 be awarded to William S. LeBlanc as a final settlement of his claim in connection with the Beaver Brook Twin Culvert Project in Waltham; Funds are available in Account No. 2449-7350 for payment of this claim.
Mr. Falvey explained that after a complete review by the Right-of-Way Section, it was determined that Mr. LeBlanc, being the legal occupant of the open-air market at this location at the time of the taking, was denied access to his place of business during the construction of the Beaver Brook Twin Culvert. He then recommended that, under the provisions of Chapter 79, Section 9, of the General Laws, that the Commission award the sum of \$15,000.00 to Mr. LeBlanc from available funds in Account No. 2449-7350.
Associate Commissioner Jones asked Mr. Falvey to check with John W. Wright, Esq., General Counsel, to determine if the contractor who was working at this site is liable for damages due to the inconvenience caused to Mr. LeBlanc.
The Commission V O T E D: to award the sum of \$15,000.00 to William S. LeBlanc as a final settlement of his claim in connection with the Beaver Brook Twin Culvert Project in Waltham, in accordance with the provisions of General Laws, Chapter 79, Section 9; the payment of the claim to be made from Account No. 2449-7350.

2 Report of Mr. Wright, August 29, submitting for approval and signature Contract-Agreement, with Goldberg-Zoino & Associates, Inc., to Provide Geotechnical Engineering Services on Design and Construction of Foundation on Specific Highway, Bridge, Water Supply, Sewerage, and Other Projects; Total amount to be paid under this Contract-Agreement shall not exceed \$30,000.00.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract-Agreement, dated August 30, 1984, which was signed by the Commissioner and four Associate Commissioners.

The following matter was placed on the agenda for the information of the Commission:

3 The following schedules were approved for payment by the Commissioner during the period from August 20, 1984 to August 27, 1984:

Invoices	\$ 1,109,180.66
Reservation of Funds	\$ 1,539,839.36
Advices of Change	\$ 83,120.73
Weekly Payroll	\$ 1,349,201.40
Industrial Accident Report	\$ 19,460.95.

ADJOURNED at 3:05 P.M., to meet on Thursday, September 6, 1984, at 10:00 A.M.

William F. Crush
S e c r e t a r y .

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9.6,1984

Record of the Three Thousand Two Hundred and Ninety-Second (3292nd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, September 6, 1984 at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Jones, and Scandrett.

The records of the meeting held on August 23, 1984, were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and two Associate Commissioners:

- 4 Contract No. P84-1317-C1A, dated September 6, 1984, with Metropolitan Signal Corp., for Upgrading of Casting Structures in the Charles, Harbor and Mystic Districts.
- 5 Contract No. S81-0938-C1A, dated September 6, 1984, with e.e. Cruz & Co., for Millbrook Valley Relief Sewer.

The first part of the document discusses the general principles of the project, including the objectives and the scope of the work. It outlines the importance of the research and the need for a systematic approach to the data collection and analysis.

The second part of the document provides a detailed description of the methodology used in the study. This includes the selection of the study area, the identification of the variables, and the procedures for data collection and analysis. The methodology is designed to ensure the reliability and validity of the results.

The third part of the document presents the results of the study. This includes a summary of the findings, a discussion of the implications of the results, and a comparison of the findings with the existing literature. The results show that there is a significant relationship between the variables studied, and this relationship is consistent across the different groups.

The fourth part of the document discusses the limitations of the study and the need for further research. It identifies the strengths and weaknesses of the study and suggests ways in which the research could be improved. The study is limited by the sample size and the scope of the work, and further research is needed to confirm the findings.

The fifth part of the document provides a conclusion and a summary of the main findings. It emphasizes the importance of the research and the need for a systematic approach to the data collection and analysis. The study has provided valuable insights into the relationship between the variables studied, and these findings have important implications for the field.

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Action was taken upon the following matters relating to the Metropolitan Parks System:

- 1 Report of Mr. Lydon, August 27, recommending the following on Contract No. P82-1165-M2A, with Traffic Markings, Inc., for Installation of Pavement Markings on MDC Parkways and Boulevards:
 - (a) That the work be accepted as completed as of June 30, 1984.
 - (b) That Estimate No. 3 (Final), in the amount of \$2,986.80, be approved for payment.
 - (c) That reserve, in the amount of \$3,508.80, be approved for payment.
 The Commission V O T E D: that the work of Traffic Markings, Inc., contractor under Contract No. P82-1165-M2A, for Installation of Pavement Markings on MDC Parkways and Boulevards, be and hereby is accepted as completed as of June 30, 1984.
 The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of \$2,986.80, for payment.
 The Commission further V O T E D: to approve release of reserve, in the amount of \$3,508.80, for payment.

- 2 Report of Mr. Lydon, August 28, recommending approval of a partial release of reserve, in the amount of \$19,835.42, on Contract No. P78-0668-D1C, with Whitman & Howard, Inc., for Engineering Services for Improvements and Rehabilitation Work in and around Stony Brook Reservation.
 The Commission V O T E D: to approve partial release of reserve, in the amount of \$19,835.42, for payment.

- 3 Report of Mr. Lydon, August 29, recommending the following on Contract No. P84-1301-M1A, with The F. A. Bartlett Tree Expert Co., for Soil Aeration and Fertilization of Sycamore Trees, Memorial Drive, Cambridge, Massachusetts:
 - (a) That the work be accepted as completed as of May 30, 1984.
 - (b) That Estimate No. 1 (Final), in the amount of \$13,509.00, be approved for payment.
 - (c) That reserve, in the amount of \$711.00, be approved for payment.
 The Commission V O T E D: that the work of The F. A. Bartlett Tree Expert Co., contractor under Contract No. P84-1301-M1A, for Soil Aeration and Fertilization of Sycamore Trees, Memorial Drive, Cambridge, Massachusetts, be and hereby is accepted as completed as of May 30, 1984.
 The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of \$13,509.00, for payment.
 The Commission further V O T E D: to approve release of reserve, in the amount of \$711.00, for payment.

- 4 Report of Mr. Lydon, September 4, on request of MASCO to erect signage in the Longwood Medical area, which would extend to the Riverway and Fenway. Messrs. Donald Shea and Rick Shea of Medical Area Service Corporation (MASCO), were introduced to the Commission.
 Mr. Donald Shea stated that the new signage, as proposed, would not only assist the public visiting the educational and medical institutes in the area, but, in addition, would help identify MDC Roadways by utilizing an MDC color scheme at no cost to the Commission. He then stated that MASCO is reducing its original request for seven signs to five signs.
 Commissioner Geary then spoke of his desire to establish a new signage system which would differentiate MDC Roads and Facilities from those controlled by Cities and Towns and the State. He noted that the MASCO request could serve as a Pilot Program for the new signage system and could be accomplished at no cost to the MDC.
 Associate Commissioner Scandrett asked if the cost of these new signs would be reflected in increased costs to those hospitals and educational facilities utilizing the services of MASCO.
 Mr. Donald Shea responded that this would not affect the cost because the funds will come from a special endowment which will be utilized for the improvement. Commissioner Geary stated that this new signage program will let the MDC experiment and work cooperatively with MASCO to see if the Commission comes up with its own system. He noted that under the MASCO plan, one sign will direct visitors to at least four institutions in lieu of four separate signs. Commissioner Geary stated that this will be an experiment as MASCO's expense and the first step in adopting a comprehensive signage system for MDC Roadways.
 The Commission then established a Committee consisting of Mr. Richard Signore, Director of Parks Engineering and Construction, or his designee; Ms. Dotty Volpe-O'Malley, Director of Community Affairs; and Ms. Julia O'Brien, Director of Planning; to develop a prototype which the Commission can look at and review; Color Scheme, Locations, Concept of View, MDC Identity.

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Associate Commissioner Jones suggested that the Commission engage in a Pilot Program with MASCO to develop a signage design and an initial prototype system to be installed in the five locations, subject to review by the Commission, at MASCO's expense from existing funds.

The Commission V O T E D: to engage in a Pilot Program with MASCO to develop a signage design and an initial prototype system to be installed in the five locations, subject to review by the Commission, at MASCO's expense from existing funds.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

1

Report of Mr. Baratta, August 30, requesting that the Commission ratify and approve the action of Commissioner Geary in undertaking an Emergency Contract, with Fantoni Co., Inc., for Repairing a Break in the 24-Inch Force Main near the Squantum Pumping Station in Quincy, Massachusetts, estimated cost - \$915.00 per linear foot with a \$50,000.00 Upset Limit, as outlined by Commissioner Geary in his letter to the Executive Office for Administration and Finance, dated August 28, 1984.

Associate Commissioner Jones asked if it would be possible to inspect the force main on a regular basis.

Mr. John Vetere, Assistant Director of the Collection System, stated that the force main is five miles long with most of it underground. He then explained that he has had a reduction of 65% in his work force making a regular inspection impossible because of lack of personnel. However, he stated, that he would inspect the force main whenever possible.

Associate Commissioner Jones then spoke of the instant response of the Sewerage Division during this break on Saturday, August 25, 1984. He commended Mr. Noel Baratta, Director of Sewerage Division, Mr. John Vetere, Assistant Director of the Collection System, and Sewerage Division Staff, for their immediate response and work during the emergency. Associate Commissioner Jones made special note of the work of Mr. Vetere during the break.

The Commission V O T E D: Ratified and approved.

2

Reports of Ms. Haggerty, August 16 and August 22, requesting approval of Extra Work Order No. 2, at an estimated total cost of \$91,141.91, for new location of 2000 KVA transformer, transformer pad, underground ductwork, explosion proof building ductwork, construction of an additional electric manhole and retaining wall, and purchase of G.E. switchgear and additional wire, on Contract No. S80-0854-C1A, with The Chappy Corporation, for Alternate Power Supply, Nut Island Sewage Treatment Plant.

Commissioner Geary distributed a report which he requested from Wright-Pierce, Architects Engineers, the MDC's Consultants on this project. The report outlined the reasons for the changes, a description of work to be performed, what would occur if the changes were not approved, whether the cost estimate was reasonable, why it was not in the original contract, and whether the work should be performed. Messrs. Noel D. Baratta and Joseph Young, of the Sewerage Division, explained the work to be performed under the Extra Work Order, which includes modification of the new and existing electrical apparatus to comply with new requirements of the Massachusetts Electric Company; relocation of a manhole due to changed project site conditions; supply and installation of an underground chamber; relocating the transformer pad, realigning and extra underground ductwork and conductors; and an additional electric panel and retaining wall.

Associate Commissioner Jones questioned the Extra Work Order and asked the Sewerage Division to prepare a step-by-step summary of the events which led to the extra work. He noted that the MDC could expect a challenge on this matter.

Commissioner Geary asked what triggered the need for the Extra Work Order. Mr. Baratta responded that the need for an odor control building at the site was the primary reason, and also additional protective devices to meet the requirements of the Massachusetts Electric Company.

In response to questioning by Commissioner Geary, Mr. James F. McCann, Contract Administrator, pointed out that The Chappy Corporation's cost with 15 percent markup is not calculated in accordance with the MDC's standard practice. He recommended that the cost with 15 percent markup be corrected from \$90,061.18 to \$88,034.80 with the allowance for bond corrected from \$1,080.73 to \$1,056.42, and the total cost of Extra Work Order No. 2 corrected from \$91,141.91 to \$89,091.22. The Commission V O T E D: that the cost with 15 percent markup be corrected from \$90,061.18 to \$88,034.80 with the allowance for bond corrected from \$1,080.73 to \$1,056.42, and the total cost of Extra Work Order No. 2 corrected from \$91,141.91 to \$89,091.22.

The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of \$89,091.22.

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Report of Mr. Martorana, August 14, recommending the following on Contract No. W80-0798-S1A, with Metcalf & Eddy, Inc., for Pilot Plant Study for the Proposed Sudbury Reservoir Water Treatment Plant:

(a) That Final Report entitled "Pilot Plant Study for the Proposed Sudbury Reservoir Water Treatment Plant," be approved.

(b) That the work be accepted as completed as of September 1, 1983.

(c) That Final Payment, in the amount of \$9,415.18, be approved for payment.

(d) That retainage, in the amount of \$41,203.86, be approved for payment.

The Commission V O T E D: to approve the Final Report entitled "Pilot Plant Study for the Proposed Sudbury Reservoir Water Treatment Plant," as prepared by Metcalf & Eddy, Inc.

The Commission further V O T E D: that the work of Metcalf & Eddy, Inc., Consultant under Contract No. W80-0798-S1A, for Pilot Plant Study for the Proposed Sudbury Reservoir Water Treatment Plant, be and hereby is accepted as completed as of September 1, 1983.

The Commission further V O T E D: to approve Final Payment, in the amount of \$9,415.18, for payment.

The Commission further V O T E D: to approve release of retainage, in the amount of \$41,203.86, for payment.

2 Report of Mr. Martorana, August 30, requesting approval to extend the Time for Performance from September 30, 1984 to April 1, 1985, on Contract No. W79-0715-D1B, with Camp, Dresser & McKee, Inc., for Design of Clinton Wastewater Treatment Plant Improvements, to allow the Consultant to assist the Water Division in obtaining legal authority for an industrial pretreatment program and to assist the the Division during regulatory agency review of our submittals to them relative to that program.

The Commission V O T E D: to approve an extension of time from September 30, 1984 to April 1, 1985, as requested by Mr. Martorana in his report of August 30, 1984, on condition that no additional cost will be incurred due to this extension of time.

3 Report of Mr. Brutsch, August 31, on request of the Town of Burlington for emergency water supply from the MDC Water System via the Town of Lexington. Mr. Brutsch spoke of the request of the Town of Burlington and introduced Mr. John Shawcross of Metcalf & Eddy, Inc., Consultant for the Town. Mr. Shawcross stated that the Town of Burlington had lost two of its seven wells due to contamination by industrial waste which leaked from sewer lines. In response to questioning by the Commission, Mr. Brutsch stated that the MDC Sewerage Division is aware of the problem and the Industrial Waste Section is following up on the matter to make sure that the local industries are now treating their industrial waste.

Mr. Harold J. Publicover, P.E. Superintendent of Public Works for the Town of Burlington, explained that a request for the emergency water supply has been made to the Town of Lexington, but formal approval has not yet been received. Associate Commissioner Scandrett stated that a limit should be imposed on what can be charged by communities who act as middle-men in the sale of MDC water. He asked Mr. Brutsch to look into this matter

Associate Commissioner Jones noted that the Commission has no problem with supplying up to one million gallons per day and any lesser amount would be a restriction by the Town of Lexington. He asked that the Town of Burlington be notified that the Commission will not be raising its current water rate for this emergency water supply.

The Commission V O T E D: to grant up to 1 M.G.D. emergency water supply to the Town of Burlington through the Town of Lexington's Water System, subject to the following conditions:

1. That a formal agreement is reached with the Town of Lexington to furnish emergency water supply through its water system to the Town of Burlington. Further, the emergency water supply will be restricted to the amount specified by the Town of Lexington.
2. That the quantity of water supply by MDC via the Town of Lexington shall not exceed 1.0 M.G.D.
3. That the emergency water supply shall be provided only while a water supply emergency exists as certified by the Massachusetts Department of Environmental Quality Engineering under the provisions of Chapter 40, Section 41, of the Massachusetts General Laws.
4. That all costs associated with emergency water supply will be borne by the Town of Burlington.
5. That the Town of Burlington shall submit a monthly report on consumption, conservation program results, and status of emergency situation.
6. That the Metropolitan District Commission may restrict supply in the event of the above average wellfield recharge or improvement in water supply resource situation.

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- 7. That the Town of Burlington shall continue all practicable conservation measures.
- 8. That the Metropolitan District Commission may limit or terminate supply due to unforeseen circumstances such as lack of supply, insufficient hydraulic capacity, or other emergency conditions.
- 9. That the water supply furnished shall not be used to promote private development.
- 10. That the community continues its long-range planning to address water supply system deficiencies and continues with its development of additional water resources.
- 11. That the Town of Burlington shall continue to impose and enforce stringent water use restrictions and will continue to maximize use of available local water supply sources.
- 12. That this approval shall in no way be construed as changing any of the terms, requirements, or obligations in the existing agreements between the Metropolitan District Commission and the Town of Lexington.

Action was taken upon the following Various Matters:

- 1 Report of Mr. Wright, submitting Agreement, with the Town of Weston to Continue Joint Police Protection of Certain Areas Within the Town, for a period of one year.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Agreement, dated September 6, 1984, with the Town of Weston, which was signed by the Commissioner and three Associate Commissioners.

- 2 Report of Mr. Falvey, September 5, submitting for approval and signature "Notice of Right of Energy for Condition Broken or Possibility of Reverter" in connection with Watertown Arsenal property, which was transferred to the U.S. of America on September 13, 1920.
It was noted that by approving, signing, and recording this document in the Middlesex South District Registry of Deeds, all interested parties will be alerted that the title to this property is in dispute and that if they purchase the property, they are in danger of being bound by an adverse judgment.
Associate Commissioner Jones encouraged the Right-of-Way Section to make the repossession of this property a high priority matter.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Notice of Right of Entry for Condition Broken or Possibility of Reverter, dated September 6, 1984, which was signed by the Commissioner and three Associate Commissioners.

- 3 Report of Mr. Falvey, September 4, relative to acquisition of 5.0361 acres of land in fee and 1.0845 acres of land for conservation easement from Louis F. and Jean A. Pedrotti, Blue Hills Reservation, Canton.
Associate Commissioner Jones asked that the following be incorporated into the acquisition documents:
"In the event that Louis F. and Jean A. Pedrotti decide, at some future date, to sell the remaining property, including the dwelling, the MDC should be given first preference."
The Commission V O T E D: to acquire in fee the 5.0361 acres of land, as shown on plan accession number 51122-V.T. - Lot 5, dated August 10, 1984, as provided under the provisions of Chapter 723 of the Acts of 1983, for the sum of \$65,000.00.
The Commission further V O T E D: to acquire, under Chapter 184, Sections 31 to 33, inclusive, a conservation easement in perpetuity on that portion of Lot 4, as shown on plan accession number 51122-V.T. and indentified as "Conservation Easement I" containing 1.0845 acres; the consideration for this conservation easement will be in the sum of \$20,000.00.

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Item 4).

The following matter was placed on the agenda for the information of the Commission:

- 4 The following schedules were approved for payment by the Commissioner during the period from August 27, 1984 to September 3, 1984:

Invoices	\$ 463,442.91
Reservation of Funds	\$ 116,866.60
Advices of Change	\$ 74,541.00
Weekly Payroll	\$1,321,792.10
Medical Payments	\$ 112.80
Requests for Advances	\$2,441,375.00

ADJOURNED at 1:30 P.M., to meet on Thursday, September 20, 1984 at 10:00 A.M.

William F. Crush
Secretary.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be clearly documented, including the date, amount, and purpose of the transaction. This ensures transparency and allows for easy reconciliation of accounts.

In the second section, the author outlines the various methods used to collect and analyze data. This includes direct observation, interviews, and the use of specialized software tools. The goal is to gather comprehensive information that can be used to identify trends and make informed decisions.

The third part of the document focuses on the challenges faced during the data collection process. These challenges often include limited access to certain areas, inconsistent data quality, and the need for extensive training for staff involved in the process. Overcoming these challenges requires careful planning and effective communication.

Finally, the document concludes with a summary of the key findings and recommendations. It stresses the need for ongoing monitoring and evaluation to ensure that the data collection process remains effective and efficient. Regular updates to the methodology and staff training are essential for maintaining the accuracy and reliability of the data.

3293rd
Sept. 20, 1984

Record of the Three Thousand Two Hundred and Ninety-Third (3293rd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, September 20, 1984 at 10:00 A.M.

Present, Commissioner Geary and Associate Commissioners Anderson, Jones and Scandrett.

The records of the meetings held on August 30, 1984 and September 6, 1984 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

- 1 Seventh Amendment, dated September 20, 1984, to Contract-Agreement, dated April 16, 1981, with Parsons, Brinckerhoff, Quade & Douglas, Inc., for Sudbury Reservoir Treatment Plant EIR, to include \$5,200.00 for increased printing costs and an extension of time to December 19, 1984, for completion of all services.
- 2 Second Amendment, dated September 20, 1984, to Contract-Agreement, dated February 9, 1984, with Barbara Lahage, for Management and Administration of the Demand Management Program, to provide a maximum obligation of \$32,650.00.
- 3 Contract No. P84-1289-C1A, dated September 20, 1984, with Urethane Applications, Inc., for Roof Repair, LoConte Rink, Medford, Massachusetts.
On questioning by Commissioner Geary, Mr. Dennis Kane, Project Engineer, explained that ureaformaldehyde will not be used on this project.

- 4 At this point, Ms. Elizabeth Houghton, of The Friends of the Blue Hills, informed the Commission of illegal dumping of fill by the MBTA on MDC land adjacent to the Dedham Railroad Station. The fill, she noted, is being dumped in an area adjacent to a wetland in violation of the Wetlands Protection Act and is causing flooding problems in the area.
She then explained that the Dedham Conservation Commission has ordered the MBTA to cease dumping. As a result of this action, the MBTA has filed an application with the Dedham Conservation Commission to resume dumping and the matter will be discussed at the Dedham Conservation Commission meeting this evening.
Ms. Houghton stated that Mr. Van Wart is aware of the situation and is taking appropriate action. However, she explained, she wanted to bring the matter to the attention of the full Commission.

Action was taken upon the following matters relating to the Metropolitan Water Quality and Sewerage System:

- 5 Report of Ms. Haggerty, September 4, on request of Joseph P. McCabe, Inc., General Contractor on Contract No. S80-0656-C2, for Ventilation and Odor Control for the Main Building, Nut Island Sewage Treatment Plant, Quincy, Massachusetts, to use the following subcontractors:
 1. Harding & Smith - piping systems.
 2. Production Corporation d/b/a Dillion Company - labor involved with odor control equipment.
 3. McCarthy Mechanical, Inc. - labor involved with chemical feed equipment.
 4. Mannings Iron - erection of structural steel.
 5. Bloom South & Gurney - vinyl tile.
 6. Chapman Waterproofing Company - caulking and sealing.
 7. J. Farmer & Co., Inc. - landscaping.
 8. Guild Drilling Company - inclinometer casings.
 9. Gilbert & Becker Company - roofing.
 10. John D. Ahern Co. - painting.
 11. New England Foundation Co., Inc. - foundation work.
 12. Frank P. Goodwin Co., Inc., - protective floor coatings.

It was pointed out that these sub-bids amount to 42% of the work to be done under this contract. This is less than the 50% subcontracting maximum as stated in Article XVI of the contract.

Associate Commissioner Scandrett noted that this contract is part of the work mandated by both Court and EPA Order for the Boston Harbor Clean-up.

The Commission V O T E D: Approved as recommended by Ms. Haggerty in her report of September 4, 1984.

- 6 Report of Ms. Haggerty, June 27, requesting approval of the following on Contract No. S82-1004-C1A, with J. Biotti and Sons, for Reconstruction of the Kilby Street Culvert, Quincy, Massachusetts:
 - (a) An extension of time from July 28, 1984 to September 15, 1984. (Due to an imposed suspension of work based on the unanticipated enforcement of the Massachusetts Wetland Protection Act, the contractor was prevented by the Sewerage Division from working during the period from May 3, 1984 to June 11, 1984).

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(b) The \$35,062.91 Claim for increased costs due to the suspension of work. Mr. Baratta explained that work on this contract was suspended during the period from May 3, 1984 to June 11, 1984, due to the enforcement of the Massachusetts Wetland Protection Act by the Quincy Conservation Commission. Commissioner Geary questioned why this problem was not discovered from the time the contract was awarded on December 8, 1983 until work started on the project on March 1, 1984. He then stated that a checklist should have been put together during this three-month period at which time the problem could have been discovered. Commissioner Geary then questioned why it took five weeks for the Conservation Commission to act on the matter when the project was of such importance to the City.

Mr. Edward Carpman, Principal Sanitary Engineer, responded that the delay was caused by various steps which the Conservation Commission had to undertake before the matter could be resolved.

The Commission discussed at length the claim submitted by J. Biotti and Sons for rental charges as outlined in the Equipment Rental Blue Book.

Mr. Baratta pointed out that when J. Biotti and Sons initiates a construction project they assign equipment to the project. This equipment stays with the project for its duration and cannot be assigned elsewhere. If the equipment were moved a demobilization and remobilization would be assessed against the project. The Commission then asked if all of the equipment included in the claim was rental or was some owned by the Contractor. Mr. Baratta responded he was not positive, but would check and report back to the Commission.

Commissioner Geary then spoke of problems with a water line project in Lynn in which J. Biotti and Sons are filing claims against the MDC.

At this point, the Commission V O T E D: to hold the matter over so that it can be determined if approval of this claim could adversely affect the Commission's position on the Lynn water line.

1 Report of Mr. McCann, September 18, recommending that the firm of Camp Dresser & McKee, be selected for Project No. S84-1117-X1A - Engineering Management Services, MDC Sewerage Division.

The Commission V O T E D: to select Camp Dresser & McKee, as Consultant for Project No. S84-1117-X1A.

The Commission further V O T E D: to authorize James F. McCann, Contract Administrator, to commence negotiations with Camp Dresser & McKee, and develop a Scope of Services, Method of Compensation, and Time for Performance.

Action was taken upon the following matters relating to the Metropolitan Water Supply System:

2 Report of Mr. Faucher, September 6, submitting for approval and signature Quabbin Park Cemetery Deed No. Q-1650, conveying the Northeasterly 1/4 of Lot No. 1366 to Harrison L. Thresher.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1650, dated September 20, 1984, which was signed by the Commissioner and two Associate Commissioners.

3 Report of Mr. Martorana, September 13, on bids for Exploratory Excavation for Replacement of Certain Water Mains, Arlington, Boston, Brookline, Cambridge, Medford, and Somerville, Massachusetts, Contract No. W80-0871-X1A.

Mr. Martorana stated that this project was advertised for bids this past June, but the bids received were unbalanced and, therefore, all were rejected.

He explained that the project was readvertised this past August and the bids were once again unbalanced. However, he noted, the bids came in approximately \$20,000 below the low bid of last June.

Mr. Martorana then stated that it is now imperative that the Commission award the contract so our consultant on corrosion detection can complete its investigation. He went on to state that without this exploratory work, we must assume that the pipes will have to be replaced at a cost of approximately \$20,000,000.00 rather than \$10,000,000.00 for a cathodic protection and relining project.

The Commission V O T E D: to accept the lowest bid received, that of P. Caliacco Corp., of \$151,368.50.

4 Report of Mr. Faucher, September 13, requesting that the Commission ratify and approve the action of Commissioner Geary in undertaking an Emergency Contract with Sutton Corporation, for Repair to MDC 138" Hultman Aqueduct located at Grove Street, Framingham, Massachusetts, for the sum of not more than \$60,000.00, as outlined by Commissioner Geary in his letter to the Executive Office for Administration and Finance, dated August 21, 1984.

The Commission V O T E D: Ratified and approved.

The Secretary then submitted for signature Emergency Contract No. 85-2, which was signed by the Commissioner and three Associate Commissioners.

At this point, the Commission further V O T E D: to commend those employees of the Water Division, Central Services, and Police Divisions who participated in the Grove Street, Hultman Aqueduct Emergency Repair Project on August 31, 1984 and September 1, 1984. It was noted that through their efforts, the emergency

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repairs were completed during a 12-hour period with negligible effect on the water supply of the Metropolitan Water District. The Commission then expressed its gratitude to each employee who participated in the emergency repair contract.

1 Report of Mr. Martorana, September 14, requesting approval of Project No. W84-1042-D1A, Domestic Device Retrofit Project for inclusion in the FY 1985 Work Program at an estimated cost of \$2,055,000.00, subject to availability of funding, Account No. 2420-0200; to approve the expenditure of \$55,000.00 on Phase I in FY 85; to authorize the Water Division to work with the Consultant Selection Committee to seek the services of a consultant for this project; also submitting Work Schedule Form, Project Summary Form, and Project Justification. Ms. Barbara Lahage, Consultant for the Demand Management Project, explained the proposed project, which if approved, will undertake design and testing through a broadly based pilot project of a detailed plan to implement the Domestic Device Retrofit Program of the Demand Management Plan adopted in October of 1983. Under this program, she stated water saving devices will be purchased and installed in 500,000 households in the MDC Water User Communities. The initial pilot project will include up to 20,000 homes so that sufficient testing can be done to identify a broad range of problems which might occur in the system-wide implementation, she explained. Ms. Lahage then stated that the major costs of the pilot program is for installation of the domestic devices which would include a licensed plumber. Associate Commissioner Jones stated that it is important that a licensed plumber be used for the installation of the devices because of possible legal problems which could occur. The Commission V O T E D: approved as recommended by Mr. Martorana in his report of September 14, 1984.

2 Report of Mr. Martorana, September 14, on request of Natgun Corp., for approval of the following subcontractors on Contract No. W80-0884-C2A, for Bear Hill Stand-Pipe and Pipeline in Stoneham, Massachusetts:
1. Reynolds Bros. Inc. - Item Nos. 3, 4, 5, 6, 8 to 33 inclusive, 35, 36, 38, 39, 40, 41, 45 to 51 inclusive, 53, 54, and 55.
2. Timber Harvesters Equipment Corp. - Item Nos. 1 and 2.
3. Mark Associates, Inc. - Item Nos. 7A and 7B.
4. Geosystems, Inc. - Item No. 37.
5. Deluca Fence Co. - Item Nos. 42, 43 and 44.
On questioning by Associate Commissioner Jones concerning the sub-letting portions of work in excess of 50% of the Contract, Mr. Martorana pointed out a provision in the specifications, for this project only, which states the following: "The General Contractor will be permitted, however, to sublet other portions of the work, notwithstanding the 50% requirement contained in the provisions of Article XVI of the General Conditions."
Mr. Martorana explained that the prime contractor on the project specializes in tank construction and, therefore, is not equipped to perform certain aspects of the contract. The Commission V O T E D: approved as recommended by Mr. Martorana in his report of September 14, 1984.

3 Report of Mr. Martorana, September 14, requesting approval to extend the Time for Performance to February 28, 1985, on Contract No. W79-0806-X1A, with Tighe & Bond/SCI, for Norumbega Reservoir Disinfection Study, due to the fact that one set of chemical analyses had to be repeated due to malfunction of laboratory equipment and the firm was involved in reorganization during the early phase of the work. The Commission V O T E D: to approve an extension of time to February 28, 1985, as requested by Mr. Martorana in his report of September 14, 1984, on condition that no additional cost will be incurred due to this extension of time.

4 Report of Mr. Martorana, September 13, requesting approval of increasing the estimated quantities, at a total additional cost of \$44,336.66, on Contract No. W80-0723-C1A, with Joseph A. Polito & Sons, for Construction of the Rutland- Holden Relief Trunk Sewer, as follows:
Item No. 1A - "10" or 12" D.I. Pipe" - \$ 80.00
Item No. 1P - "30" D.I. Sewer Pipe" - \$1,072.00
Item No. 1R - "Crushed Stone Bedding" - \$6,490.94
Item No. 3C - "72"o P.C.C. M.H., 0-8' Deep" - \$3,200.00
Item No. 3G - "72"o P.C.C. M.H., 8' Deep" - \$1,440.00
Item No. 6 - "M.H. over Existing Pipe" - \$2,000.00
Item No. 11C - "16" Pipe Culverts" - \$4,200.00
Item No. 15A - "Reconnections to Existing Sewer" - \$5,500.00

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Item No. 15B - "Reconnections to New Sewers"	- \$ 500.00
Item No. 17 - "Relocate Water Mains"	- \$8,304.00
Item No. 25 - "Crushed Stone"	- \$ 993.00
Item No. 26 - "Gravel Borrow"	- \$2,392.00
Item No. 31A - "Temporary Paving State Roads"	- \$1,164.52
Item No. 32B - "Permanent Overlay State Roads"	- \$5,000.00
Item No. 43 - "Traffic Police"	- \$2,000.00

The Commission noted that this contract will be completed approximately five months ahead of schedule. In addition, the cost of the work will be well under the contractor's bid price once the underruns have been calculated.

The Commission V O T E D: approved as requested by Mr. Martorana in his report of September 13, 1984.

Action was taken upon the following matters relating to the Metropolitan Parks System:

- 1 Report of Mr. Signore, September 5, on bids for Repairing or Replacing Bituminous and Cement Concrete Sidewalks in Various Areas of the Metropolitan District, Contract No. P84-1290-C1A.
 The Commission V O T E D: to accept the lowest bid, that of Metropolitan Signal Corp., of \$590,280.00.

- 2 Report of Mr. Lydon, September 5, recommending the following on Contract No. P79-0721-C3A, with D. Cicconi, Inc., for Architectural Construction of Recreation Facilities at Chelsea Naval Hospital Park in the City of Chelsea Massachusetts:
 - (a) That the work be accepted as completed as of June 22, 1984.
 - (b) That Estimate No. 7 (Final), in the amount of \$49,613.75, be approved for payment.
 - (c) That reserve, in the amount of \$7,483.20, be approved for payment.
 The Commission V O T E D: that the work of D. Cicconi, Inc., contractor under Contract No. P79-0721-C3A, for Architectural Construction of Recreation Facilities at Chelsea Naval Hospital Park in the City of Chelsea, Mass., be and hereby is accepted as completed as of June 22, 1984.
 The Commission further V O T E D: to approve Estimate No. 7 (Final), in the amount of \$49,613.75, for payment.
 The Commission further V O T E D: to approve release of reserve, in the amount of \$7,483.20, for payment.

- 3 Report of Mr. Signore, September 5, recommending the following on Contract No. P82-1178-M1A, with American Engineering & Testing, Inc., for Testing Bituminous Concrete, Asphaltic Material and Other Miscellaneous Materials, Fiscal 1984:
 - (a) That the work be accepted as completed as of June 30, 1984.
 - (b) That Invoice No. 3 (Final), in the amount of \$394.20, be approved for payment.
 - (c) That retainage, in the amount of \$117.00, be approved for payment.
 The Commission V O T E D: that the work of American Engineering & Testing, Inc., consultant under Contract No. P82-1178-M1A, for Testing Bituminous Concrete, Asphaltic Material and Other Miscellaneous Materials, Fiscal 1984, be and hereby is accepted as completed as of June 30, 1984.
 The Commission further V O T E D: that Invoice No. 3 (Final), in the amount of \$394.20, be approved for payment.
 The Commission further V O T E D: to approve release of retainage, in the amount of \$117.00, for payment.

- 4 Report of Mr. Lydon, September 5, recommending the following on Contract No. P83-1248-C1A, with Bell's Roofing Co., Inc., for Replacement of Roof, Administration and Hospital Building, Franklin Park Zoo:
 - (a) That the work be accepted as completed as of May 4, 1984.
 - (b) That Estimate No. 2 (Final), in the amount of \$1,292.00, be approved for payment.
 - (c) That reserve, in the amount of \$1,349.93, be approved for payment.
 The Commission V O T E D: that the work of Bell's Roofing Co., Inc., contractor under Contract No. P83-1248-C1A, for Replacement of Roof, Administration and Hospital Building, Franklin Park Zoo, be and hereby is accepted as completed as of May 4, 1984.
 The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of \$1,292.00, for payment.
 The Commission further V O T E D: to approve release of reserve, in the amount of \$1,349.93, for payment.

- 5 Report of Mr. Signore, September 10, recommending approval of Extra Work Order No. 1, in the amount of \$1,318.62, for installing additional concrete block wall to accomodate a new ceiling and removal of existing tile wall and flooring, on Contract No. P82-1037-C2A, with Allied Weatherproofing Company, Inc., for

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Rehabilitation of the Kasabuski Brothers Skating Rink, Saugus, Massachusetts.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$1,318.62.

- 1 Report of Mr. Lydon, September 11, recommending the following on Contract No. P79-0721-C2A, with D. Cicconi, Inc., for Site Improvements, Construction of Recreational Facilities, Chelsea Naval Hospital Park, Chelsea, Massachusetts:
 - (a) That the work be accepted as completed as of June 29, 1984.
 - (b) That Estimate No. 11 (Final), in the amount of \$51,313.03 be approved for payment.
 - (c) That reserve, in the amount of \$55,743.36, be approved for payment.

The Commission V O T E D: that the work of D. Cicconi, Inc., contractor under Contract No. P79-0721-C2A, for Site Improvements, Construction of Recreational Facilities, Chelsea Naval Hospital Park, Chelsea, Massachusetts, be and hereby is accepted as completed as of June 29, 1984.
The Commission further V O T E D: to approve Estimate No. 11 (Final), in the amount of \$51,313.03, for payment.
The Commissioner further V O T E D: to approve release of reserve, in the amount of \$55,743.36, for payment.

- 2 Report of Mr. Signore, September 11, recommending that Contract No. P78-0679-C1A, with Storch Associates, for Reconstruction of the Fenway/Park Drive Roadway System, be accepted as completed as of August 9, 1984.
The Commission V O T E D: that Contract No. P78-0679-C1A, for Reconstruction of the Fenway/Park Drive Roadway System, with Storch Associates, Inc., be accepted as completed as of August 9, 1984.

- 3 Report of Mr. Signore, September 12, recommending the following on Contract No. P83-1206-M1A, with Emerson Electrical Contr. Co., Inc., for Electronic and Sound System Maintenance and Repair Work at Various Sports Facilities and Recreational Areas of the Metropolitan Parks System:
 - (a) That the work be accepted as completed as of June 30, 1984.
 - (b) That Estimate No. 7 (Final), in the amount of \$16,215.95, be approved for payment.
 - (c) That reserve, in the amount of \$4,558.70, be approved for payment.

The Commission V O T E D: that the work of Emerson Electrical Contr. Co., Inc., contractor under Contract No. P83-1206-M1A, for Electronic Sound System Maintenance and Repair Work at Various Sports Facilities and Recreational Areas of the Metropolitan Parks System, be and hereby is accepted as completed as of June 30, 1984.
The Commission further V O T E D: to approve Estimate No. 7 (Final), in the amount of \$16,215.95, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of \$4,558.70, for payment.

- 4 Report of Mr. Signore, September 13, on bids for Replacement of Fuel Lines, Charles River Dam, Boston, Massachusetts, Contract No. P85-1325-C1A.
The Commission V O T E D: to accept the only bid received, that of Harding & Smith Inc., of \$28,463.00.
The Secretary then submitted for signature Contract No. P85-1325-C1A, for Replacement of Fuel Lines, Charles River Dam, Boston, Massachusetts, with Harding & Smith Inc., which was signed by the Commissioner and three Associate Commissioners.

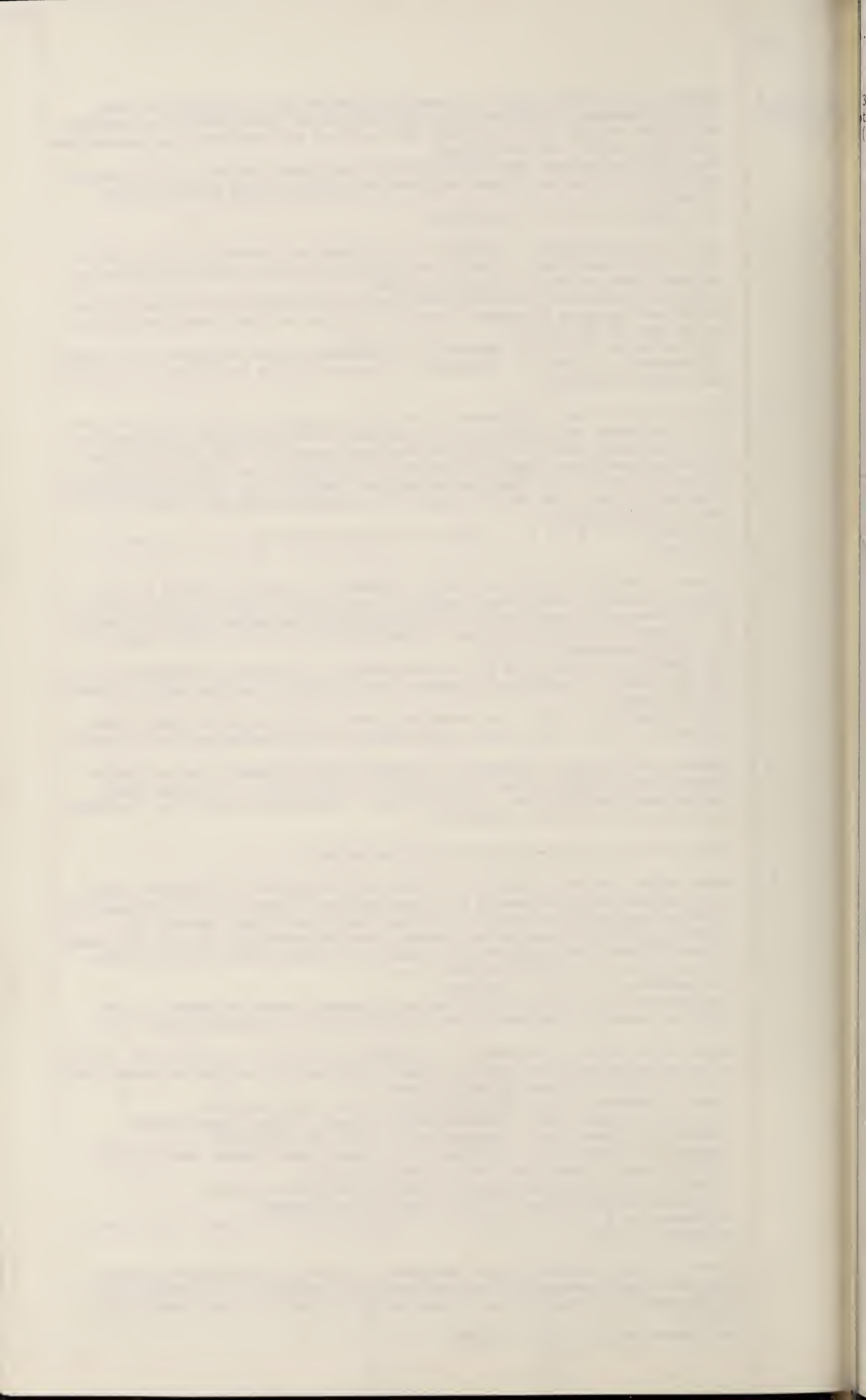
- 5 Report of Mr. Signore, September 13, recommending the following on Contract No. P82-1162-M1A, with Coviello Electric & General Contracting Co., Inc., for Electrical Maintenance Work at Sports Facilities and Recreational Areas of the Metropolitan Parks System:
 - (a) That the work be accepted as completed as of June 30, 1984.
 - (b) That Estimate No 12 (Final), in the amount of \$19,276.62, be approved for payment.
 - (c) That reserve, in the amount of \$9,259.87, be approved for payment.

The Commission V O T E D: that the work of Coviello Electric & General Contracting Co., Inc., the contractor under Contract No. P82-1162-M1A, for Electrical Maintenance Work at Sports Facilities and Recreational Areas of the Metropolitan Parks System, be and hereby is accepted as completed as of June 30, 1984.
The Commission further V O T E D: to approve Estimate No. 12 (Final), in the amount of \$19,276.62, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of \$9,259.87, for payment.

- 6 Report of Mr. Signore, September 14, on bids for Roof Replacement, Garage, Storage, Food Preparation and Carpenter Shop Building, Franklin Park Zoo, Contract No. P84-1318-C2A.
The Commission V O T E D: to accept the only bid received, that of Bell's Roofing Co., Inc., of \$89,775.00.

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- Report of Mr. Lydon, August 29, submitting Updated Work Schedule Form, and Project Management Exception Report for Contract No. P83-1198-S1A, for Parkway Evaluation Program, due to the fact that contract and consultant fee negotiations took longer than first anticipated.
 Associate Commissioner Jones expressed his uneasiness with the size and scope of the Parkway Evaluation Program and, therefore, abstained from voting on this project.
 The Commission V O T E D: Approved.
- 2 Report of Mr. Rodrigues, September 13, on request of Conventures, Inc., August 30, for the cooperation of the MDC in producing the "1984 Bonne Bell/Chevrolet 10K Road Race" on Monday, October 8, 1984.
 Associate Commisisoner Scandrett asked that the Recreation and Program Division remind race sponsors to request Commission approval at least three months prior to any race on MDC property.
 The Commission V O T E D: Approved as recommended by Mr. Rodrigues in his report of September 13, 1984; Mr. Rodrigues and Captain LoConte to coordinate the event and prepare the permit.
- 3 Report of Mr. Signore, September 14, requesting approval of Extra Work Order No. 2, in the amount of \$7,363.99, for relocation of roof drain into pipe chase in new toilet room; removal of lighting fixtures on wall of rink; furnishing and installing additional lighting fixtures; and furnishing and installing additional course of block in rink area, on Contract No. P82-1037-C2A, with Allied Weather-proofing Co., Inc., for Rehabilitation of the Kasabuski Brother Skating Rink, Saugus, Massachusetts.
 The Commission V O T E D: to approve Extra Work Order No. 2, in the amount of \$7,363.99.
- 4 Letter of Abigail Schirmer and Family, September 9, donating \$200.00 to the Metropolitan Parks Trust Fund in honor of their Parents Boone and Peggy Schirmer's 70th birthdays, in appreciation of the MDC placing two Arthur Shurcliff benches on the banks of the Charles River in Cambridge, Massachusetts; also report of Mr. Falck, September 12, 1984.
 The Commission acknowledged with thanks receipt of a donation of \$200.00 from the Schirmer Family of Cambridge in honor of their Parents Boone and Peggy Schirmer's 70th birthdays.
 The Commission V O T E D: to accept the donation which will be placed in the Metropolitan Parks Trust Fund for improvements to the Commission's Parks System.
- 5 Report of Mr. Signore, September 18, submitting Work Schedule Form and Project Summary Form, for Project No. P85-1328-C1A - Installation of Entrance Gates, Chelsea Naval Hospital Park - estimated cost - \$15,000.00, Account No. 2440-8801.
 The Commission V O T E D: Approved.
- Action was taken upon the following Various Matters:
- 6 Report of Mr. Wright, September 7, submitting for approval and signature Agreement, between the Massachusetts Bay Transportation Authority and the Metropolitan District Commission, for property exchanges near Alewife Brook Parkway, in Cambridge, which are required to further a program undertaken for the improvement of the MBTA Red Line transportation system and involve certain changes in the roadway system in the Alewife Station area.
 The Commission V O T E D: Approved.
 The Secretary then submittd for signature Agreement, dated September 20, 1984 which was signed by the Commissioner and three Associate Commissioners.
- 7 Report of Mr. Falvey, September 17, recommending that Paul J. Reynolds be retained to prepare Appraisals for parcels of land located within the Town of Canton, for a fee of \$12,500.00, owned by the following:
 Joseph Federico, 2305 Washington Street, Canton, Massachusetts.
 William P. Homans Estate, 2561 Washington Street, Canton, Massachusetts.
 Homans Associates, Inc., 5 Homans Lane, Canton, Massachusetts.
 James A. P. Homans, Tr., Ponkapoag Tr., 2 Homans Lane, Canton, Massachusetts.
 Marion Homans, Homans Lane, Canton, Massachusetts.
 Louis F. & Jean Pedrotti, Royall Street, Canton, Massachusetts
 Vickerson Property, Royall Street, Canton, Massachusetts.
 The Commission V O T E D: Approved as recommended by Mr. Falvey in his report of September 17, 1984.
- 8 Report of Superintendent Keough, September 17, submitting Revised Work Schedule Form and Project Management Exception Report for Contract No. L84-1001-D1A, for MDC Advanced Telecommunications Systems, which revises the target date of this Contract.
 The Commission V O T E D: Approved.



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The following matters were placed on the agenda for the information of the Commission:

1 The following schedules were approved for payment by the Commissioner during the period from September 3, 1984 to September 10, 1984:

Invoices	\$1,379,980.36
Reservation of Funds	\$ 862,728.87
Advices of Change	\$ 761,829.25
Weekly Payroll	\$1,275,765.02
Industrial Accident Report	\$ 23,735.20
Request for Advances	\$ 60,650.00.

2 The following schedules were approved for payment by the Commissioner during the period from September 10, 1984 to September 17, 1984:

Invoices	\$ 908,327.78
Reservation of Funds	\$ 676,348.51
Advices of Change	\$ 691,267.63
Weekly Payroll	\$1,082,794.45

ADJOURNED at 1:30 P.M., to meet on Thursday, September 27, 1984, at 10:00 A.M.

William F. Crush
Secretary.



