

Volume 65

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Meeting

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Meeting

September 9, 1999


July 27, 2000

3905th

3945th

Volume 65

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Record of the Three Thousand Nine Hundred and Fifth (3905th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, September 9, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on August 19, 1999 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Brooks and Mayhew, August 30, recommending approval of an extension of time from August 19, 1999 to September 9, 1999, on Contract No. P99-1993-C1A, with E. A. Colangeli Construction Company, for Porcelain Enamel Joint Repairs at the Charles River Dam, Boston.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from August 19, 1999 to September 9, 1999, as recommended by Messrs. Faucher, Brooks and Mayhew, in their report of August 30, 1999, 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 Mrs. Overton Bussell and Messrs. Faucher and Orfant, September 8, requesting that the Commission rescind its vote of August 12, 1999, which rejected all bids received on Contract No. P95-1804-C1A, for Dorchester Shores Reservations Beaches Restoration, and award the contract to McCourt Construction Co., Inc., the low bidder, with a bid of \$4,669,959.00.
The bids were rejected because sufficient funds were not available at that time. Since the rejection, the Secretary of Environmental Affairs has provided the necessary capital funds to award the contract.
Account No. 2440-8956 and release of additional funds by the Secretary of Environmental Affairs.
Associate Commissioner Carr asked if the recommended action is in compliance with all State Rules and Regulations governing award of construction contracts.
Mr. Jewett responded in the affirmative.
He went on to note that nothing in the contract has changed and that the contractor has agreed to undertake the contract at his original low bid price.
The Commission V O T E D: to rescind its vote of August 12, 1999, which rejected all bids received on Contract No. P95-1804-C1A, for Dorchester Shores Reservations Beaches Restoration.
The Commission further V O T E D: to award the contract to McCourt Construction Co., Inc., the low bidder, with a bid of \$4,669,959.00, as requested by Mrs. Overton Bussell and Messrs. Faucher and Orfant in their report of September 8, 1999.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Mr. Baratta, August 19, recommending approval of an Alteration and a Revision in Quantities on Contract No. WM97-061-C1A, with C.J.P. & Sons Construction Co., Inc., for Sewer Construction Phase III (Fort Sumter/Center/Davis Hill - East Sewers, Holden), as follows -

ALTERATION

Alteration No. 1 \$15,000.00

To comply with DEP permit requirement to provide cathodic protection to a ductile iron pipe crossing under the Quinapoxett River.

REVISION IN QUANTITIES

Item No. 1 \$11,375.00

1f-12" PVC Sewers Over 16' Deep

Item No. 2 \$ 385.00

3f-8" Ductile Iron Force Main Sewer Trench

Total of Revisions - \$11,760.00

Resulting in an increase in contract amount to \$4,917,921.80.

Funding from Account No. 2420-7961.

The Commission V O T E D: to approve Alteration No. 1, in the amount of \$15,000.00.

The Commission further V O T E D: to approve Revisions in Quantities, in the amount of \$11,760.00.

Action was taken upon the following Various Matter:

Report of Mrs. O'Brien, September 7, recommending approval and authorization for Commissioner Balfour to execute, on behalf of the Commission, Amendment to Interdepartmental Service Agreement No. 7279, with the Massachusetts Highway Department, for North Point Park Design and Construction Technical Services, which increases the amount for technical services, from \$1,661,000.00 to \$3,166,341.00 (an increase of \$1,505,341.00).

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, Amendment to Interdepartmental Service Agreement No. 7279, with the Massachusetts Highway Department, for North Point Park Design and Construction Technical Services.

Report of Messrs. French and Kelter, September 7, requesting approval and adoption of an Amendment to the Regulations that govern ice rink rental fees.

The Commission V O T E D: to approve and adopt an Amendment to the Regulations that govern ice rink rental fees, as follows -

350 CMR: METROPOLITAN DISTRICT COMMISSION

350 CMR: 14.00:

14.01: Ice Skating Rinks: All Day, Evening, Saturdays, Sundays and
Holidays

(1) Season rinks rentals (with ice)

a) Youth Hockey Organizations \$130 per fifty minute hour

b) Municipally-Funded Organizations \$130 per fifty minute hour
& Secondary Schools

THE HISTORY OF THE CITY OF BOSTON

FROM THE FIRST SETTLEMENT
TO THE PRESENT TIME
BY
JOSEPH NEALE
OF BOSTON

IN TWO VOLUMES.
VOL. I.
FROM THE FIRST SETTLEMENT
TO THE YEAR 1700.

BOSTON:
PUBLISHED BY
JOSEPH NEALE,
AT THE SIGN OF THE
"CROWN,"
IN THE
MARKET PLACE.
1790.

- (1) Season rinks rentals (with ice) (con.-)
- c) Individuals \$130 per fifty minute hour
 - d) Other Organizations: Commercial \$160 per fifty minute hour
Entities
 - e) Rental of Small Ice Rink \$ 50 per fifty minute hour
- (2) Off-season rink rentals (with ice)
- a) Youth Hockey Organizations \$130 per fifty minute hour
 - b) Municipally-Funded Organizations \$130 per fifty minute hour
& Secondary Schools
 - c) Individuals \$130 per fifty minute hour
 - d) Other Organizations: Commercial \$160 per fifty minute hour
Entities
 - e) Rental of Small Ice Rink \$ 50 per fifty minute hour
- (3) Miscellaneous Rentals
- a) Off-Season facility rental \$100 per event plus staff
(no ice) cost

NOTE: The provisions of 14.01 (1) a) and b) and (2) a)and b) shall take effect on January 1, 2000.

Adjourned at 9:35 a.m., to meet on Thursday, September 16, 1999,
at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Nine Hundred and Sixth (3906th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, September 16, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort and Sheppard.

The Records of the Commission Meeting held on September 9, 1999 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Brooks and Mayhew, September 1, on bids for Demolition of Single Story Building and Steel Hopper, Stoneham, Contract No. P99-2026-C1A.
(Messrs. Faucher, Brooks and Mayhew, recommend acceptance of the lowest bid received, that of DePrizio Paving & Construction Co., Inc., D/B/A, DePrizio and Garofano Construction, Inc., of \$55,900.00).
The Commission V O T E D: to accept the lowest bid received, that of DePrizio Paving & Construction Co., Inc., D/B/A, DePrizio and Garofano Construction, Inc., of \$55,900.00."
2. Report of Messrs. Faucher and DiPietro, September 8, recommending approval of the request of the contractor for an extension of time from September 8, 1999 to October 8, 1999, on Contract No. P99-2016-C1A, with J.W.H. Construction, Inc., for Charles River Locks and Dam, Marine Building, Smokestack and Brick Wall Repair, due to submittal process and the lead time and availability of products.
(At no additional Contract cost).
The Commission V O T E D: to approve an extension of time from September 8, 1999 to October 8, 1999, as recommended by Messrs. Faucher and DiPietro, in their report of September 8, 1999, 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 Messrs. Faucher, Brooks and Martinez, September 7, submitting for approval Project Summary, Work Schedule, Project Justification and requesting approval of Contract No. P00-2035-S1A, with Stellar Corporation, for Investigative Study of Temporary Roof Shoring, Steriti Rink, North End, Boston.
Cost - \$1,000.00.
Time for Performance - two weeks.
Account No. 2440-9800.
The Commission V O T E D: to approve Contract No. P00-2035-S1A, for Investigative Study of Temporary Roof Shoring, Steriti Rink, North End, Boston.
The Commission further V O T E D: to retain Stellar Corporation, as Consultant on Contract No. P00-2035-S1A, as recommended by Messrs. Faucher, Brooks and Martinez in their report of September 7, 1999.

1. Report of Messrs. Faucher and DiRamio, September 7, recommending approval of the request of R.A.D. Corporation, contractor on Contract No. P98-1954-C2A, for Construction of New Playground at Caddy Park, Quincy Shore Drive, Quincy, to engage the services of the following sub-contractor -

Massachusetts Bay Electric

for Site Lighting \$11,200.00

(At no increase in Contract cost).

The Commission V O T E D: Approved.

2. Report of Messrs. Faucher, Carrigan and Machado, September 8, recommending approval of the action of Deputy Commissioner Faucher, resulting in revisions in quantities, on Contract No. P99-2017-C1A, with D & R General Contracting, Inc./MDR Construction Co., Inc., for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan District, as follows -

Item No. 010-020 \$ 3,000.00

Curbing or Edging R & D

Item No. 011-010 \$36,750.00

Granite Edgestone (Straight)

Item No. 013-010 \$ 400.00

Granite Corner Blocks, 2 ft. Radius

Item No. 014-010 \$ 600.00

Pavement Trimming

Total - \$40,750.00

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 001-010 - Unclassified Excavation and 007-010 - Bituminous Concrete).

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in revisions in quantities, on Contract No. P99-2017-C1A.

The Commission further V O T E D: to approve the revisions in quantities, in the amount of \$40,750.00.

3. Report of Messrs. Faucher, Brooks and Mayhew, September 10, recommending approval of the action of Deputy Commissioner Faucher, resulting in Extra Work Order No. 1, to remove and dispose of the existing ceiling light fixtures, conduit and wiring and install 23 new ceiling light fixtures, new conduit, new wiring and new switches, at a cost of \$13,519.34, on Contract No. P99-1982-C1A, with E. A. Colangeli Construction Company, Inc., for Rehabilitation of the Hall Swimming Pool Bathhouse, Stoneham.

Funding from Account No. 2440-8952.

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Extra Work Order No. 1, on Contract No. P99-1982-C1A.

The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of \$13,519.34.

4. Report of Messrs. Faucher, Brooks and Mayhew, September 10, recommending approval of the action of Deputy Commissioner Faucher, resulting in Extra Work Order No. 2, for 146 linear feet of sloped brick at the window sills, 52 square feet of brick

replacement, 44 single clay brick replacement, and 11 square feet of Angle Iron Brick seat replacement, at a cost of \$19,405.59, on Contract No. P99-1982-C1A, with E. A. Colangeli Construction Company, Inc., for Rehabilitation of the Hall Swimming Pool Bathhouse, Stoneham.

Funding from Account No. 2440-8952.

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Extra Work Order No. 2, on Contract No. P99-1982-C1A.

The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of \$19,405.59.

1. Report of Messrs. Faucher, Brooks and Mayhew, September 10, recommending approval of the action of Deputy Commissioner Faucher, resulting in Extra Work Order No. 3, for painting the 160 feet long x 60 feet wide x 4 feet deep - Hall Swimming Pool, at a cost of \$14,266.26, on Contract No. P99-1982-C1A, with E. A. Colangeli Construction Company, Inc., for Rehabilitation of the Hall Swimming Pool Bathhouse, Stoneham.
Funding from Account No. 2440-8952.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Extra Work Order No. 3, on Contract No. P99-1982-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of \$14,266.26.
2. Report of Messrs. Faucher, Brooks and Mayhew, September 10, recommending approval of the action of Deputy Commissioner Faucher, resulting in Extra Work Order No. 4, to furnish and install three emergency lights with battery packs and furnish and install two sets of 1 - 1/4" outside diameter 2 line pipe rail with end extensions, at a cost of \$2,944.51, on Contract No. P99-1982-C1A, with E. A. Colangeli Construction Company, Inc., for Rehabilitation of the Hall Swimming Pool Bathhouse, Stoneham.
Funding from Account No. 2440-8952.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Extra Work Order No. 4, on Contract No. P99-1982-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of \$2,944.51.

Action was taken upon the following matter relating to the Watershed Management Division:

3. Report of Mr. McGinn and Ms. Crocker, August 9, submitting for approval Contract No. WMWB-026-X1A, between the MDC and Environmental Planning Consultant, for Pure Water Stewardship Committee Pilot Program, for Nashua and Chicopee Watersheds.
Time for Performance - forty three weeks - September 1, 1999 to June 30, 2000.
Compensation - \$36,760.00 which includes \$35,599.00 for compensation for services and \$1,161.00 for mileage expenses.

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Funding from Account No. 2420-1400 - FY2000.

The Commission V O T E D: Approved as recommended by Mr. McGinn and Ms. Crocker in their report of August 9, 1999.

Action was taken upon the following Various Matters:

1. Report of Mrs. O'Brien and Miss Garnett, September 10, requesting approval of an Amendment to Contract No. PL93-023-S2A, with Camp Dresser and McKee, Inc., for Due Diligence Investigation - Neponset River Trail - Dorchester/Milton. The Amendment will initiate an Immediate Response (IRA) Plan, overseeing its implementation in the field and completing all other activities to close out the project and the MCP - at a cost \$53,911.00 and additional services under the original contract for drilling and laboratory services at a cost of - \$ 5,749.00.

Total - \$59,660.00.

Funding from Account No. 2440-8961.

The Commission V O T E D: Approved.

2. Report of Messrs. French and Gray, September 15, recommending that the Commission vote, consistent with the vote of the Commission on June 24, 1999, to authorize the use of the existing parking lot currently being utilized by Arthur D. Little, Inc., on MDC property located in the City of Cambridge and the Town of Arlington and within the MDC Alewife Brook Reservation by AP Cambridge Limited Partners LLC, as purchaser of the adjacent privately-held property, by means of an annual MDC permit, which permit shall allow the use of this parking lot solely for parking purposes, for a term not to exceed five (5) years from the effective date of July 24, 1999, and to authorize the Commissioner to sign said permit on its behalf.

Messrs. French and Gray further recommend that this MDC permit shall not incorporate the conditions set forth in the earlier vote of June 24, 1999, but rather shall expressly include and incorporate the following conditions:

- i. The permittee shall assume the full and sole costs of maintaining the existing parking lot in its current operational condition.
- ii. The permittee shall assume the full and sole cost of funding a phased Master Plan and design, and an initial phase of construction, encompassing the entire Alewife Brook Reservation, in an amount not to exceed \$50,000.00 per installment during the first three years of this permit, payable in three (3) separate installments at twelve-month intervals beginning six (6) months from the effective date of this permit. The total amount to be paid by said permittee shall not exceed the total amount of \$150,000.00 for the phased Master Plan and design, and an initial phase of construction, as contemplated by the Commission, and shall be paid either directly to the consultant or consultants selected by the Commission, or as otherwise directed by said Commission.

- iii. The phased Master Plan shall be conducted by the MDC Planning Office, in consultation with all interested community groups.
- iv. If this permit continues in force and effect, the permittee shall pay the Commission the amount of \$5,000.00 per month during the fourth through the fifth successive year of this permit.
- v. The permittee acknowledges that the public shall be allowed to access the premises for park use and enjoyment, subject to the rules and regulations of the Commission.

Following several minutes of general discussion, Commissioner Balfour noted that the matter of the parking permit was discussed at length with interested parties at the Commission Meeting of June 24, 1999 and also at a special meeting at Commission headquarters on September 14, 1999.

However, he stated, due to the interest shown at today's meeting, he would allow a period of further discussion by those in attendance. In addition, he stated, Mr. Gray would be available in the Commission's ninth floor conference room, following the Commission meeting, to answer any additional questions.

In response to Richard Cleary of North Cambridge, Mr. Gray stated that the spaces in the parking lot will be available to the public and will not be for the exclusive use of AP Cambridge Partners LLC. In addition, Mr. Gray explained title of the parking lot will not be transferred to AP Cambridge Partners LLC. Julia Bowdoin, Conservation Commission Director for the City of Cambridge, addressed the Commission and stated that the Conservation Commission is opposed to the issuance of the parking permit. She then read a memo from Susanne Rasmussen, Director of Environmental and Transportation Planning, for the City of Cambridge, which was presented to the Secretary, for the record, and stated in part, "I would encourage that the demand calculation be made a factor in MDC's decision whether to continue to make the parking in the Reservation available to Acorn Park, as it may determine that this parking is not needed to meet project demand."

Stash Horowitz, President of the Cambridge Neighborhood Association, spoke of his opposition to the issuance of a parking permit as written and spoke of his other concerns regarding the permit.

He encouraged the Commission to increase the permit fees as outlined section ii and iii of the conditions with the collected funds going to the consultant study and traffic mitigation measures.

Representative Alice Wolf of Cambridge, addressed the Commission and expressed her opposition to the permit. She presented the Secretary with a letter, for the record, expressing her concerns. Representative Anne M. Paulsen of Belmont, spoke of the adverse impact the parking lot has on the Alewife Reservation and stated that it is time to return the parking lot land to the Alewife

Reservation. Representative Paulsen presented the Secretary with a letter, for the record, outlining her concerns.

Michael Brandon of North Cambridge questioned if a real estate appraisal of the property had been performed.

Mr. Gray responded in the affirmative.

The Commission V O T E D: Consistent with the vote of the Commission on June 24, 1999, to authorize the use of the existing parking lot currently being utilized by Arthur D. Little, Inc., on MDC property located in the City of Cambridge and the Town of Arlington and within the MDC Alewife Brook Reservation by AP Cambridge Limited Partners LLC, as purchaser of the adjacent privately-held property, by means of an annual MDC permit, which permit shall allow the use of this parking lot solely for parking purposes, for a term not to exceed five (5) years from the effective date of July 24, 1999.

The Commission further V O T E D: to authorize Commissioner Balfour to sign said permit on its behalf.

The Commission further V O T E D: that this MDC permit shall not incorporate the conditions set forth in the earlier vote of June 24, 1999, but rather shall expressly include and incorporate the following conditions:

- i. The permittee shall assume the full and sole costs of maintaining the existing parking lot in its current operational condition.
- ii. The permittee shall assume the full and sole cost of funding a phased Master Plan and design, and an initial phase of construction, encompassing the entire Alewife Brook Reservation, in an amount not to exceed \$50,000.00 per installment during the first three years of this permit, payable in three (3) separate installments at twelve-month intervals beginning six (6) months from the effective date of this permit. The total amount to be paid by said permittee shall not exceed the total amount of \$150,000.00 for the phased Master Plan and design, and an initial phase of construction, as contemplated by the Commission, and shall be paid either directly to the consultant or consultants selected by the Commission, or as otherwise directed by said Commission.
- iii. The phased Master Plan shall be conducted by the MDC Planning Office, in consultation with all interested community groups.
- iv. If this permit continues in force and effect, the permittee shall pay the Commission the amount of \$5,000.00 per month during the fourth through the fifth successive year of this permit.
- v. The permittee acknowledges that the public shall be allowed to access the premises for park use and enjoyment, subject to the rules and regulations of the Commission.

Adjourned at 9:50 a.m., to meet on Thursday, September 23, 1999,
at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Nine Hundred and Seventh (3907th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, September 23, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on September 2, 1999 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. P99-2026-C1A, dated September 23, 1999, with DePrizio Paving & Construction Co., Inc., d/b/a DePrizio and Garafano Construction, Inc., for Demolition of Single Story Building and Steel Hopper, Stoneham.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Lenhardt, September 13, recommending approval of Extra Work Order No. 2, on Contract No. PL97-044-C1A, with WES Construction Corp., for John Paul II Park Development Phase I, Neponset River Reservation, Boston, as follows -

Item No. 1	\$ 25,000.00
New Bridge Deck	
Item No. 2	\$ 5,000.00
Traffic Control	
Item No. 3	\$102,000.00
Remove and Transport of Soil	
Item No. 4	\$ 45,000.00
Survey and Layout of Trail	
Item No. 5	\$150,000.00
Erosion, Sediment Control	
Item No. 6	\$ 50,000.00
Clearing & Grubbing	
Item No. 7B	\$ 40,000.00
Removal & Disposal of RR ties	
Item No. 8	\$142,800.00
Gravel Borrow	
Item No. 9	\$ 20,000.00
Health & Safety Plan and DEP Requirements	
Item No. 10	\$260,100.00
Incorporate Fill in Hallet St. Site	
Item No. 11	<u>\$ 15,000.00</u>
Survey and Layout at Hallet St.	

Total - \$854,900.00

Funding from Account No. 2449-8755.
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Lenhardt, September 13, requesting

approval of joint repair to Wood's Memorial Drawbridge, at a cost of \$15,782.72, on Contract No. P99-1989-C1A, with SPS New England, for Emergency Standby for Bridge Repair Assignment No. 1.

Messrs. Faucher and Lenhardt further request payment to SPS New England, in the amount of \$15,782.72.
Account No. 2490-0012.

The Commission V O T E D: to approve joint repair to Wood's Memorial Drawbridge, at a cost of \$15,782.72, on Contract No. P99-1989-C1A, with SPS New England, for Emergency Standby for Bridge Repair Assignment No. 1.

The Commission further V O T E D: to approve payment to SPS New England, in the amount of \$15,782.72.

1. Report of Messrs. Faucher and Brooks, September 2, recommending that work be accepted as completed as of April 30, 1999, on Contract No. P97-1887-M1A, with Allied Weatherproofing Co., Inc., for Service and Repair to All MDC Swimming Pools and Service Buildings Within the Metro Parks System -
(Basis of Award - \$949,384.00)
(Amount to Date - \$852,780.10)
(Contract Performance Rating - 70 with 100 being excellent)
(EEO Compliance - 2.80 with 5.00 being excellent)
The Commission V O T E D: that the work of Allied Weatherproofing Co., Inc., Contractor under Contract No. P97-1887-M1A, be and hereby is accepted as completed as of April 30, 1999.
2. Report of Messrs. Faucher and Soroka and Miss Clutchey, September 17, requesting approval and execution of a Project Financing Agreement with Developers Diversified Realty Corporation (DDRC) for MDC Project No. P99-1988-C1A, for Traffic Improvements for Santilli Circle in Everett.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Project Financing Agreement, dated September 23, 1999, with Developers Diversified Realty Corporation (DDRC) which was signed by the Commissioner and four Associate Commissioners.
3. Report of Messrs. Faucher and Soroka and Miss Clutchey, September 17, requesting approval of and authorization for Commissioner Balfour to execute, on behalf of the Commission, an Intergovernmental Service Agreement with the Massachusetts Highway Department for Capital Spending Authorization for MDC Project No. P99-1988-C1A, Traffic Safety Improvements to Santilli Circle, Everett.
The Commission V O T E D: to approve an Intergovernmental Service Agreement with the Massachusetts Highway Department for Capital Spending Authorization for MDC Project No. P99-1988-C1A, Traffic Safety Improvements to Santilli Circle, Everett.
The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, the Intergovernmental Service Agreement with the Massachusetts Highway Department.

1. Report of Messrs. Faucher and Soroka and Miss Clutchey, September 17, requesting authorization to advertise Project No. P99-1988-C1A, for Safety Improvements to Santilli Circle in Everett. Funding for estimated \$3,150,000.00 is available in Account No. 2400-1961 and through the Project Financing Agreement with Developers Diversified Realty Corporation of Beechwood, Ohio. (Capital spending authorization for the \$3 million appropriation will be provided through an ISA with the Massachusetts Highway Department).
Estimated Duration of Project - fourteen months.
The Commission V O T E D: authorization to advertise Project No. P99-1988-C1A, for Safety Improvements to Santilli Circle in Everett.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Kane, September 8, recommending approval of the request of WES Construction Co., Inc., contractor on Contract No. WM95-085-C1A, for Boat Cove Docking Facility, Wachusett Reservoir, Clinton, to engage the services of the following sub-contractors -

Foster's Electric Service, Inc. (MBE)

Item No. 16000.1	\$41,525.00
Electrical	
Item No. 02140.1	<u>\$ 8,000.00</u>
Electrical for Dewatering System	
Total -	\$47,525.00

Delta Construction Corp. (WBE)

Item No. 02480.1	\$38,000.00
Docks & Facilities	

C.D. Explosives, Inc.

Item No. 02160.1	\$ 5,000.00
Rock Bolts - Drilling Only	
Item No. 02201.1	<u>\$ 6,000.00</u>
Remove Bedrock and Boulders by Blasting	
Total -	\$11,000.00

(At no increase in Contract Cost).
The Commission V O T E D: Approved.

3. Report of Messrs. McGinn and Baratta, August 2, requesting approval and execution of Agreements between the MDC and the Town of West Boylston and the West Boylston Water District for reimbursement for work associated with drainage, roadway improvements and replacement of water services to be included into sewer construction Contract No. WM98-061-C1A (97-5W), with FED Corporation of Needham.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Agreements, dated September 23, 1999, with the Town of West Boylston and the West Boylston Water District, which were signed by the Commissioner and four Associate Commissioners.
4. Report of Messrs. McGinn and Baratta, August 2, requesting

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approval of an increase in quantities and an increase in the upset limit from \$6,748,046.00 to \$7,590,551.00, for work to be performed in the streets of West Boylston and paid directly to the MDC's contractor, FED Corporation by the Town of West Boylston and the West Boylston Water District.
(Funds available in Account No. 2420-7961).
The Commission V O T E D: Approved.

Action was taken upon the following Various Matters:

1. Report of Messrs. Jewett and French, September 16, requesting approval and execution of a Contract with Georgia B. Gibbons for Services as Coordinator of Special Projects and Events for the Metropolitan District Commission.
Compensation - not-to-exceed \$39,700.00, which includes \$2,500.00 for reimbursable expenses.
Time for Performance - from Notice to Proceed through June 30, 2000.
Account No. 2448-0052.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract, dated September 23, 1999, with Georgia B. Gibbons, which was signed by the Commissioner and four Associate Commissioners.
2. Report of Mr. Broderick, September 21, requesting approval of and authorization for Commissioner Balfour to execute on behalf of the Commission, an Agreement with the National Park Service, regarding reimbursable funding for seawall restoration at George's Island, in the sum of \$761,000.00.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, an Agreement with the National Park Service, regarding reimbursable funding for seawall restoration at George's Island, in the sum of \$761,000.00.
3. Report of Mr. Jewett, September 21, on behalf of the Consultant Selection Committee requesting approval of the selection of Gannett Fleming, Inc., for Contract No. P99-1986-D1A, for Professional Engineering Services for Bridges, Parkways and Other Commission Facilities.
Time for Performance - twenty four months.
Compensation - paid on a cost plus fixed fee basis - not-to-exceed \$250,000.00.
Account No. 2490-0012.
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Office of General Counsel:

1. Report of Mr. Gray, September 17, recommending that the Commission adopt an Order of Taking for acquisition of approximately 82.3 acres of land owned by Jean M. Spofford, et als, located in the Town of Holden, Massachusetts, and to approve an award of damages in the amount of \$785,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936. The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 82.3 acres of land owned by Jean M. Spofford, et als, located in the Town of Holden, Massachusetts.

**ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION**

Boston, September 23, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Holden in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land on Lowell Avenue, also accessed via Blueberry Lane, lying off of the northerly side of Shrewsbury Street, the westerly side of Bullard Road, and the easterly side of Chapel Street, being the remaining unsubdivided and unconveyed portion of the "Lowell Farm" more particularly bounded and described as follows:

Beginning at a point at the northeasterly corner of the northerly terminus of Lowell Avenue, at the northwesterly corner of land, now or formerly, of Evelyn E. Fish, located at # 35 Lowell Avenue and shown as Lot 35 upon a plan recorded with Worcester District Registry of Deeds as Plan 93 in Plan Book 262, which plan, together with all other recorded plans cited below, being more fully identified at the conclusion of this description;

Thence S. 84° 20' 20" E., 191.43 feet, by the northeasterly line of Lot 35, to a point at its easternmost corner;

Thence S. 05° 39' 40" W., 150.00 feet, by the southeasterly line of Lot 35, to a point at the southernmost corner of said lot, at a point in another truncated unbuilt terminus of Lowell Avenue;

1. The first part of the paper discusses the importance of maintaining accurate records of all transactions. It emphasizes that this is not only a legal requirement but also a key to successful business management. The author argues that without proper record-keeping, a business owner is unable to make informed decisions about the future of the company.

2. The second part of the paper focuses on the various methods used to collect and analyze data. It compares different statistical techniques and their applicability in different contexts. The author provides a detailed explanation of how to choose the right method for a given problem, taking into account factors such as the nature of the data and the goals of the study.

3. The third part of the paper discusses the challenges of data collection and analysis. It highlights the common pitfalls that researchers often fall into and provides strategies to avoid them. The author also discusses the importance of data quality and the steps that should be taken to ensure that the data is reliable and valid.

4. The fourth part of the paper discusses the importance of data security and privacy. It explains the various risks associated with data breaches and the steps that should be taken to protect sensitive information. The author also discusses the legal requirements for data protection and the role of data security in building trust with customers.

5. The fifth part of the paper discusses the future of data collection and analysis. It explores the latest trends in the field and the potential for new technologies to revolutionize the way we collect and analyze data. The author concludes by emphasizing the importance of staying up-to-date with the latest developments in the field.

- Thence S. $05^{\circ} 39' 40''$ W., 40 feet, by the unbuilt truncated terminus of Lowell Avenue, to a point in the northeasterly line of Lot 32, other land, now or formerly, of Evelyn E. Fish;
- Thence S. $84^{\circ} 20' 20''$ E., 50.00 feet, more or less, by Lot 32, to a point at its northeasterly corner;
- Thence S. $21^{\circ} 20' 20''$ E., 198.57 feet, by the easterly lines of Lot 32, land, now or formerly, of E.E. Fish and of Lot 30, land, now or formerly, of Henry C. & Vivianne L. Ouellette, to a point at the northeasterly corner of Lot 28, land, now or formerly, of Donald L. & Margot M. Olson, as shown on a plan recorded with said Deeds as Plan 11 in Plan Book 230, all of the last five courses being as shown upon Plan 93 in Plan Book 262;
- Thence S. $21^{\circ} 20' 20''$ E., 464.24 feet, by the easterly lines of Lots 28, 26, 24 and 22, lands, now or formerly, of the aforesaid Olson, of Eric T. & Beverly M. Strom, of Paul D. Jr. & Robin J. Powers, and of Wesley T. & Marjorie E. Holm, to a point at the northeasterly corner of Lot 20, land, now or formerly, of Bruce F. & Barbara R. Carlson;
- Thence S. $37^{\circ} 20' 20''$ E., 101.00 feet, by the easterly line of Lot 20, to a point at its southeasterly corner;
- Thence N. $52^{\circ} 39' 40''$ E., 15.00 feet, by the southeasterly line of Lot 20, to a point at the northeasterly corner of another truncated unbuilt spur of Lowell Avenue, the last three courses being as shown upon Plan 11 in Plan Book 230;
- Thence S. $37^{\circ} 20' 20''$ E., 340.00 feet, by the Lowell Avenue spur, and by the easterly lines of Lots 18, 16 and 14, lands, now or formerly, of William & Erica G. Higgins, of Donald E. & Ruby F. Johnson, and of Paul R. & Kathleen E. MacKinnon, to a point at the northeasterly corner of Lot 12, land, now or formerly, of Mark N. & Paula J. Markarian, this course being as shown upon a plan recorded with said Deeds as Plan 26 in Plan Book 205;
- Thence S. $32^{\circ} 41' 41''$ E., 211.35 feet, by the easterly lines of Lots 12 and 10, lands, now or formerly, of the aforesaid Markarian, and of Jay B. & Michele S. Simard, to a point at the northwesterly corner of land, now or formerly, of John W. & Gloria L. Kennedy, shown upon a plan recorded with said Deeds as Plan 42 in Plan Book 490;
- Thence N. $45^{\circ} 18' 22''$ E., 320.00 feet, more or less, to a point at the northeasterly corner of said abutting land;

- Thence S. 45° 18' 22" E., 131.25 feet, more or less, by the northeasterly line of land, now or formerly, of J.W. & G.L. Kennedy, to a point in the northerly terminus of Blueberry Lane, the last two courses are as shown upon Plan 42 in Plan Book 490;
- Thence N. 45° 18' 22" E., 40.00 feet, by the terminus of Blueberry Lane to a point at land, now or formerly, of Eric H. & Aliee J. Smith, shown as Parcel "B" upon a plan recorded with said Deeds as Plan 80 in Plan Book 416;
- Thence N. 44° 41' 38" W., 60.00 feet, to an iron pipe at the northwesterly corner of Parcel "B";
- Thence N. 45° 18' 22" E., 150.00 feet, by the northerly line of Parcel "B", to an iron pipe in the westerly line of Lot # 19, located at #31 Bullard Street, land, now or formerly, of John F. & Cynthia A. Denning, as shown upon a plan recorded with said Deeds as Plan 117 in Plan Book 216;
- Thence N. 30° 56' 45" E., 571.64 feet, by the remains of a stone wall and southwesterly lines of Lots 19,18,17,16 and 15, lands, now or formerly, of the aforesaid Denning, of George T. & Margaret G. Antinelli, of Russell N. & Gayle Brett, of Paul V. & Gayle M. LaChance, and of V. Raymond & Joanne M. Strandberg, to an iron pin at an angle in the line of Lot 15;
- Thence N. 02° 35' 35" E., 518.68 feet, by a stone wall and the westerly lines of Lots 15,14,13,12,11 and a former paper street between Lots 11 and 10, lands, now or formerly, of the aforesaid Strandberg, of Raymond W. & Clara Nelson, of Elizabeth Monaghan, and of Ronald L. & Elaine D. Barrus, to a drill hole in the wall corner at the southwesterly corner of Lot 11, other land, now or formerly, of Ronald L. & Elaine D. Barrus, as shown upon a plan recorded with said Deeds as Plan 32 in Plan Book 203, the last two courses are as shown upon Plan 117 in Plan Book 216;
- Thence N. 02° 35' 35" E., 1052.00 feet, by the westerly lines of Lots 10 through 1 inclusive, being lands, now or formerly, of the aforesaid Barrus, of Teckla A. Bergstrand, of Marvin M. & Maria T. Henkins, of Bonnie J. & Scott W. Olson, of Earle S. & Mildred M. Borowski, of Chester W. & Marilou Setterlund, of Ruth L. Beaumont, of David S. & Virginia E. Bengtson, and of Omer O. & Irene L. Gingras, to a stone monument at an angle in the line of land, now of the Commonwealth of Massachusetts, MDC, formerly of George E. Wolfe, shown upon a plan entitled "Commonwealth Of Massachusetts, Metropolitan District Commission, Water Division, Plan Of Land In Holden Formerly Owned By George E. Wolfe", dated June 4, 1957, showing lands conveyed to the Commonwealth in a deed dated January 30, 1941 and reeorded with said Deeds at Book 2806, Page 327, a eopy of which plan is on file with the MDC Office of the General Counsel, at its 20

The first part of the paper discusses the importance of the study and the objectives of the research. It then proceeds to a literature review, followed by a description of the methodology used in the study. The results of the study are presented in the next section, followed by a discussion of the findings and their implications. The paper concludes with a summary of the main points and a list of references.

The study was conducted in a laboratory setting, using a series of experiments to measure the effect of different factors on the rate of reaction. The results show that the rate of reaction increases with increasing temperature and decreasing concentration of the reactants. The data also indicates that the reaction is first order with respect to the concentration of the reactants.

The findings of this study have important implications for the understanding of chemical reactions and the factors that influence their rate. They also provide a basis for the development of more efficient industrial processes and the design of new materials.

Somerset Street, Boston headquarters (see also Wachusett Reservoir-Land Surveys, Sheet 202, also on file):

- Thence S. $86^{\circ} 34' 57''$ W., 276.76 feet, by land, formerly of G.E. Wolfe, to another stone monument at a point in the southerly line thereof;
- Thence S. $87^{\circ} 03' 22''$ W., 1301.3 feet, by the southerly line of land, formerly of G.E. Wolfe, to a stone monument set in place of a stake and stones at the southwesterly corner of this abutting land, now of the Commonwealth of Massachusetts, and at a point in the easterly line of land, formerly of Carl A. Ottoson, now or formerly, of Ernest C. & Ethel C. Malo, (for a description of this last named abutting lot see the deed dated 08/27/48 as recorded with said Deeds at Book 3142, Page 69, note that Holden Assessors Plan 189 shows this Lot 2 parcel in a different location);
- Thence S. 02° W., 718.3 feet, more or less, to a heap of stones at the southeasterly corner of this abutting parcel;
- Thence N. $85^{\circ} 42'$ W., 34.5 rods, or 569.25 feet, more or less, by the southerly line of this abutting parcel, to a heap of stones at the southwesterly corner of same, land, now or formerly, of E.C. & E.C. Malo, (the deed says "at land formerly of Daniel Knowlton") and at the northeasterly corner of other land, now or formerly, of Malo, shown as Lot 2 upon a plan recorded with said Deeds as Plan 68 in Plan Book 91;
- Thence S. $10^{\circ} 09'$ W., 437.61 feet, by the easterly lines of Lots 2,3,4 and 5 as shown upon the last cited plan, lands, now or formerly, of the aforesaid Malo, of Glen T. & Eileen B. McLain, and of Sara E. Millay, to a point at the northeasterly corner of land, formerly of Adolph J. Pearson, being the northernmost of three 130 foot wide lots of land shown upon a plan recorded with said Deeds as Plan 67 in Plan Book 34;
- Thence S. $10^{\circ} 09'$ W., 365.36 feet, more or less, by the easterly line of the 1st, 2nd and part of the 3rd, 3 acre plus lots, shown in the middle of the last cited plan, being land, formerly of Adolph J. Pearson, now or formerly of Mary E. & Kevin R. Linfors (see deed dated 6/16/97 recorded with said Deeds at Book 18910, Page 363), formerly of Elmer J. & Anna M. Johnson, now or formerly, of Michael P. & Susan M. Bastardo (see deed dated 5/31/90 recorded with said Deeds at Book 12811, Page 340), and formerly of William S. & Agnes C. Otterson, now or formerly, of Lawrence J. Jr. & Sally Bouchard (see deed dated 10/15/65 recorded with said Deeds at Book 4610, Page 313), to a point at the northwesterly corner of land, now or formerly, of Ronald S. Walinsky and Marion D. Tricomi, as shown upon a plan recorded with said Deeds as Plan 35 in Plan Book 550 (see also deed dated 5/19/86 recorded with said Deeds at Book 9477, Page 394);

- Thence S. 88° 35' 25" E., 117.84 feet, by land, now or formerly, of R.S. Walinsky & M.D. Tricomi, to a point at the northwesterly corner of land, now or formerly, of Knight Communications Corporation, as shown upon a plan recorded with said Deeds as Plan 27 in Plan Book 92;
- Thence S. 88° 35' 25" E., 1545.04 feet, by the northeasterly line of land, now or formerly, of Knight Communications Corp., as shown upon the last cited plan, to a point in the westerly line of Lot 25 as shown upon Plan 11 in Plan Book 230, as cited above, being land, now or formerly, of Phyllis L. Young;
- Thence N. 37° 20' 20" W., 58.43 feet, by the westerly line of Lot 25, to a point at its northwesterly corner;
- Thence N. 52° 39' 40" E., by the northwesterly line of Lot 25, to a point at the southwesterly corner of Lot 27, land, now or formerly, of Elton A. Jr. & Joanne G. Root;
- Thence N. 37° 20' 20" W., 111.51 feet, by the westerly line of Lot 27, to a point at its northwesterly corner;
- Thence N. 52° 39' 40" E., 30.00 feet, more or less, by the northwesterly line of Lot 27, to a point in the southwesterly terminus of another unbuilt spur of Lowell Avenue;
- Thence N. 21° 20' 20" W., 60.00 feet, more or less, by the terminus of the Lowell Avenue Stub, to a point at the southwesterly corner of Lot 29, as shown upon Plan 93 in Plan Book 262, cited above, land, now or formerly, of Jacob & Mary Ann E. Kojalo;
- Thence N. 21° 20' 20" W., 390.00 feet, by the westerly lines of Lots 29,31 and 33, lands, now or formerly, of the aforesaid Kojalo, and of Evelyn E. Fish, to a point at the northwesterly corner of Lot 33;
- Thence N. 52° 39' 40" E., 150.00 feet, by the northwesterly line of Lot 33, to a point in the westerly line of the northerly terminus of Lowell Avenue;
- Thence N. 21° 20' 20" W., 118.00 feet, more or less, by the westerly line of the northerly terminus of Lowell Avenue, to a point at its northernmost point;
- Thence S. 84° 20' 20" E., 50.00 feet, more or less, by the northeasterly line of the northerly terminus of Lowell Avenue, to a point at the northwesterly corner of Lot 35, being the point and place of beginning.

Containing 82.35 acres, more or less, by estimation.

There is no known recorded or unrecorded perimeter plan of the above described property. The description set forth above is based largely upon recorded plans of property severed and conveyed from the locus parcel, and is believed to be an accurate description of the property herein taken.

In addition to the MDC Plan of the George Wolf lot cited in the body of the description set forth above, the following list is a full citation of the recorded survey plans briefly cited above, and used in the construction of the description set forth herein:

- 1) Plan Book 262, Plan 93, a plan entitled "Wachusett Engineering & Construction Co. Inc. Extension Of Lowell Ave-Holden STA 17+00 To STA 21+00 On Land Owned BY Wesley H. & Esther J. Lowell", dated Dec. 1961, and prepared by Leslie H. Spofford, R.P.E. & R.L.S.
- 2) Plan Book 230, Plan 11, a plan entitled "Plan Of Lots And Extension Of Lowell Avenue On Land Owned By Wesley H. & Esther J. Lowell", dated Sept 1957, and prepared by Leslie H. Spofford, R.P.E. & R.L.S.
- 3) Plan Book 205, Plan 26, a plan entitled "Plan Of Lots And Extension Of Lowell Avenue On Land Owned by Wesley H. & Esther J. Lowell", prepared by Leslie H. Spofford, R.P.E. & R.L.S., dated Nov. 1954.
- 4) Plan Book 490, Plan 42, a plan entitled "Plan Of House Lot In Holden On Blueberry Lane Owned By Wesley H. & Esther J. Lowell", dated May 1957, the preparer of which plan is not listed.
- 5) Plan Book 416, Plan 80, a plan entitled "Plan Of Property In Holden, Mass. Surveyed For: Esther J. Lowell By: Wachusett Engineering & Const. Co. Inc.", dated September 1975, and prepared by Winslow M. Spofford, R.L.S.
- 6) Plan Book 216, Plan 117, a plan entitled "Plan Of Lots Bullard Street-Holden Surveyed For Carl F. Anderson", dated July 1956, and prepared by L.H. Spofford & A.J. Estey, Registered Professional Engineers.
- 7) Plan Book 203, Plan 32, a plan entitled "Plan Of Land On Bullard Street-Holden Surveyed For Carl F. Anderson", dated Dec 1952, revised Mar 23 1953, Apr 13 1954, and May 29 1954, and prepared by L.H. Spofford & A.J. Estey, Registered Professional Engineers.
- 8) Plan Book 91, Plan 68, a plan entitled "Lots Owned By Carl A. Ottoson and Anna C. Ottoson Situated In Holden Mass.", dated April 1936, and prepared by J.J. Lee.
- 9) Plan Book 34, Plan 67, a plan entitled "A Plan Of The Farm In Holden, Massachusetts, Owned By Bengt P. Ottoson", dated 1920, and being Plan No. 774 prepared by Edmund D. Woods, Engineer, Worcester.

10) Plan Book 550, Plan 35, a plan entitled "Plan Of A Portion Of 'Mount View' Sec.3 Requested to be rescinded (Lots 47,48,49,50,51,& 53) In Holden, Mass. Owned by Maplewood Realty Inc.", dated Dec.17,1972, and prepared by Thompson & Liston Associates, Inc., Douglas L. Liston, R.L.S.

11) Plan Book 92, Plan 27, a plan entitled "Plan Of Land For Location Of Radio Transmission Station WTAG Worcester, Mass. Located On Shrewsbury St. Holden, Mass.", dated Aug 5, 1936, and prepared by H.L. Robinson, Eng. Worcester, Mass.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Lowell Avenue and/or Blueberry Lane, which may be held by the supposed owners as a result of their ownership of the above described premises, and being the remaining unsubdivided and unsold portion of same premises described in a deed from Wilhelmina D. Minsch to Wesley H. Lowell and Esther J. Lowell, dated January 17, 1922 and recorded with Worcester District Registry of Deeds at Book 2260, Page 425.

The above property, taken herein and hereby, is further identified as the same property described in the following deeds and probate:

A deed from Esther J. Lowell to Wesley H. Lowell, Jr., Gordon W. Lowell, Dorothy Schedin, and Jean M. Spofford, dated September 14, 1981, and recorded with said Deeds at Book 7331, Page 122, conveying a 2% undivided interest in the property to each of her four children.

A deed from Esther J. Lowell to the same grantors, dated January 2, 1982 and recorded with said Deeds at Book 7397, Page 86, conveying an additional 6% undivided interest in the property to each of the four children.

A deed from Esther J. Lowell to the same grantors, dated January 3, 1983 and recorded with said Deeds at Book 7649, Page 189, conveying an additional 6% undivided interest in the property to each of her children.

A deed from Esther J. Lowell to the same grantors, dated January 3, 1984 and recorded with said Deeds at book 8044, Page 223, conveying an additional 6 % undivided interest in the property to each of her children.

SEE ALSO Probate of Estate of Esther J. Lowell, Worcester County Probate No. 90P3157E-1, through which a 5% undivided interest was conveyed to each of her four children.

AND a deed from Wesley H. Lowell, Jr., to Jean M. Spofford, Nancy J. Gray, Susan L. Harris, Linda M. Annunziato, and James W. Spofford, dated December 4, 1992 and recorded

with said Deeds at Book 14782, Page 9, in which he conveyed an undivided 5% interest in the property to his sister, nieces and nephew.

The above described property is represented upon Holden Assessors Tax Map 190 as Parcel 1. (Note: The above description is based upon a reconfiguration of the current tax maps, shifting Map 189 Parcel 2 northerly to cover the westerly portion of Map 178 Parcel 27, thus increasing the locus parcel to an area of 82.35 acres, more or less.)

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

<u>OWNERS</u>	<u>AWARD</u>
Jean M. Spofford 30 % undivided interest	\$ 235,500.00
Gordon W. Lowell 25 % undivided interest	\$ 196,250.00
Dorothy Schedin 25 % undivided interest	\$ 196,250.00
Nancy J. Gray 5 % undivided interest	\$ 39,250.00
Susan L. Harris 5 % undivided interest	\$ 39,250.00
Linda M. Annunziato 5 % undivided interest	\$ 39,250.00
James W. Spofford 5 % undivided interest	\$ 39,250.00
Total Award \$ 785,000.00	

The Commission further V O T E D: to approve an award of damages in the amount of \$785,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, September 17, recommending that the Commission adopt an Order of Taking for acquisition of approximately 123.48 acres of land owned by Barbara F. Anderson a.k.a. Barbara F. Andersen, et al, Trustees of Andersen Realty Trust, located in the Towns of Sterling and West Boylston, Massachusetts, and to approve an award of damages in the amount of \$975,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 123.48 acres of land owned by Barbara F. Anderson a.k.a. Barbara F. Andersen, et al, Trustees of Andersen Realty Trust, located in the Towns of Sterling and West Boylston, Massachusetts.

**ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION**

Boston, September 23, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Towns of West Boylston and Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying in the northerly part of the Town of West Boylston and the southerly part of the Town of Sterling, lying northwesterly of and adjoining the "Service Road" a.k.a. "Raymond S. Huntington Highway" a.k.a. "Legg Road," built as part of the Interstate -190 project, more particularly bounded and described as follows:

Beginning at a point in the northwesterly layout line of the I-190 Service Road, as shown upon Sheet 3 of 12 Sheets of 1978 Layout No. 6305, which plan is recorded with Worcester District Registry of Deeds as Plan 50 in Plan Book 456, said point being at land, late of Norman Goodale, now of the Commonwealth of Massachusetts, Metropolitan District Commission, taken in an order recorded with said Deeds at Book 17892, Page 315, said point being located N. 57° 53' 00" E. 348.46 feet from another point in the northwesterly layout line of the Service Road at Station 48+06.84, this second point being located N. 32° 07' 00" W., 60.00 feet from a stone bound with drill hole found in the southeasterly layout line of said Service Road;

Thence N. 17° 56' 02" W., 649.42 feet, by land late of Norman Goodale, now of the Commonwealth of Massachusetts, MDC, to a stake and stones found at the northeasterly corner of said abutting lot;

- Thence N. 81° 56' 02" W., 1,079.80 feet, partially by land formerly of Norman Goodale, now of the Commonwealth of Massachusetts, MDC, and partially by registered land, late of Raymond J. & Janet B. Sansoucy, as described in L.C.Certificate No. 10352 and shown upon L.C. Plan 35272A, taken in an order recorded with said Deeds at Book 20274, Page 252 and also registered with the Worcester District Land Registration Office on August 6, 1998 as L.C. Document No. 67869, and running to a concrete bound with drill hole found at an angle in the line;
- Thence N. 23° 27' 28" W., 485.87 feet, by land late of Raymond J. & Janet B. Sansoucy, now of the Commonwealth of Massachusetts, MDC, to a drill hole found at land late of George Kristoff, Jr., Gerald Kristoff, William W. Cotting, Trustee of the Sterling Downs Trust, and Paul M. Sushchyk, Trustee of the John D. Kristoff Trust/1988, now of the Commonwealth of Massachusetts, MDC, taken in an order recorded with said Deeds at Book 20389, Page 120;
- Thence N. 68° 18' 09" E., 825.00 feet, along and through a post and wire fence, to a point at an angle in the line;
- Thence N. 03° 34' 29" W., 264.00 feet, leaving West Boylston and entering Sterling, running to a point in a stone wall, said point being N. 74° 47' 17" E., 2.67 feet from a witness drill hole made to mark this corner;
- Thence N. 74° 47' 17" E., 233.67 feet, by the wall, to a point therein;
- Thence N. 74° 22' 19" E., 333.28 feet, by the wall, to a point at a wall intersection;
- Thence N. 75° 06' 17" E., 331.37 feet, by the wall, to a point therein;
- Thence N. 74° 14' 19" E., 212.51 feet, by the wall, to a drill hole made in a wall corner;
- Thence N. 14° 34' 24" W., 571.78 feet, by the wall, to a drill hole made in a wall corner;
- Thence N. 44° 46' 33" E., 89.20 feet, by the wall, to a point therein;
- Thence N. 47° 10' 09" E., 206.06 feet, by the wall, to a point therein;
- Thence N. 46° 12' 10" E., 176.26 feet, by the wall, to a drill hole made in a wall corner;
- Thence S. 28° 43' 20" E., 467.55 feet, by the wall, to a drill hole made in another wall corner;

- Thence N. 34° 45' 06" E., 127.90 feet, by the wall, to a point therein;
- Thence N. 32° 55' 30" E., 188.05 feet, by the wall, to a point therein;
- Thence N. 32° 34' 56" E., 184.48 feet, by and through a wall intersection, to a point in the wall;
- Thence N. 32° 01' 12" E., 108.47 feet, by the wall to a point at its terminus, and intersection with a barbed wire fence;
- Thence S. 88° 52' 12" E., 24.25 feet, by the fence, to an angle therein;
- Thence S. 48° 01' 03" E., 178.95 feet, by and through the wire fence and a stone wall segment, to its terminus and the start of another barbed wire fence segment;
- Thence N. 89° 26' 52" E., 124.79 feet, by the fence segment, to a point in a fence corner;
- Thence S. 04° 00' 28" E., 217.12 feet, by the fence, to a corner thereof;
- Thence N. 71° 41' 20" E., 613.25 feet, by the old barbed wire fence, to an iron pipe found in the line of the fence, at a point at land, now or formerly, of Richard J. Schultz, Trustee of Schultz Nominee Trust, as described in a deed recorded with said Deeds at Book 16488, Page 7 and as shown upon a plan recorded as Plan 80 in Plan Book 417, the last eighteen (18) courses being by land late of the aforesaid George Kistoff, Jr. et als, now of the Commonwealth of Massachusetts, MDC;
- Thence S. 09° 31' 58" E., 138.09 feet, by land, now or formerly, of Richard J. Schultz, Trustee of Schultz Nominee Trust, to a point in the curve forming the northwesterly layout line of "Legg Road" (the aforementioned 1-190 service road) as shown upon Sterling 1978 Layout No. 6307, as recorded with said Deeds as Plan 51 in Plan Book 456;
- Thence Southwesterly, by the northwesterly layout line of "Legg Road", along the arc of a curve to the left, having a radius of 830.00 feet, an arc distance of 280.73 feet, to a stone bound with drill hole found at Station 86+54.36;
- Thence S. 01° 10' 00" W., 656.57 feet, along the layout line of "Legg Road", to another stone bound with drill hole found at Station 73+37.79;
- Thence Southwesterly, by the layout line of the "Service Road", along the arc of a curve to the right, having a radius of 1170.00 feet, an arc distance of 1158.17 feet, recrossing from Sterling into West Boylston, and running to another stone bound with drill hole found;

- Thence S. 57° 53' 00" W., 218.80 feet, along the northwesterly line of the "Service Road", to a point at the easternmost corner of Parcel 3-15-T-UR, land of the Commonwealth of Massachusetts, Department of Public Works (now Transportation), as described in an order recorded with said Deeds at Book 6580, Page 307;
- Thence N. 16° 21' 45" W., 78.59 feet, to a corner of the abutting lot;
- Thence S. 55° 38' 15" W., 438.90 feet, along the northwesterly line of Parcel 3-15-T-UR, to a point at an angle therein;
- Thence S. 44° 57' 10" W., 261.17 feet, by the adjoining land of the Commonwealth of Massachusetts, DPW, (now Transportation) to a point in the northerly layout line of the "Service Road";
- Thence S. 57° 53' 00" W., 119.34 feet, by the northerly layout line of the "Service Road" known as "Raymond S. Huntington Highway", to another stone bound with drill hole found;
- Thence S. 57° 53' 00" W., 644.70 feet, by the northerly layout line of "Raymond S. Huntington Highway", crossing a woods road entrance to the property herein being described and running to the first mentioned point, at land late of Norman Goodale, now of the Commonwealth of Massachusetts, MDC, being the point and place of beginning.

Containing 123.48 acres as shown as Lot 1 upon a two sheet plan entitled "Land In Sterling and West Boylston, Mass. Surveyed For Andersen Realty Trust, Barbara F. Andersen and Jane E. Sullivan Trustees", dated June 1998, and prepared by David E. Ross Associates, Inc., David Edward Ross, P.L.S., which plan is recorded with Worcester District Registry of Deeds, as Plan 123 in Plan Book 743.

Of the total of 123.48 acres, 61.4 acres \pm are located in Sterling, and 62.1 acres \pm are located in West Boylston, according to information shown upon the above cited plan.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Raymond S. Huntington Highway or Legg Road, which may be held by the supposed owners as a result of their ownership of the above described premises, and being the most of the same premises described in a deed from Barbara F. Andersen a.k.a. Barbara F. Anderson to Barbara F. Andersen a.k.a. Barbara F. Anderson and Jane E. Sullivan, Trustees of Andersen Realty Trust, dated February 14, 1997 and recorded with Worcester District Registry of Deeds at Book 19490, Page 65.

The above described property is represented upon Sterling Assessors Tax Map 62 as Parcel 4 and Map 63 as the northwesterly portion of Parcel 3A, and upon West Boylston Assessors Tax Map 104 as Parcels 1 and 2.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

<u>OWNERS</u>	<u>AWARD</u>
Barbara F. Andersen a.k.a Barbara F. Anderson and Jane E. Sullivan, Trustees of Andersen Realty Trust	\$ 975,000.00

The Commission further V O T E D: to approve an award of damages in the amount of \$975,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, September 17, recommending that the Commission adopt an Order of Taking for acquisition of approximately 37.4195 acres of land owned by Eight-Point Sportsmen's Club, Inc., located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of \$202,500.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 37.4195 acres of land owned by Eight-Point Sportsmen's Club, Inc., located in the Town of Sterling, Massachusetts.

**ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION**

Boston, September 23, 1999

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and Sections 30,31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land in the westerly part of the said Town of Sterling, being part of the former Homestead Farm of the Late Joseph Bailey, known as the "Chandler Lot", more particularly bounded and described as follows:

Beginning at a point in the northerly layout line of the September 17, 1963 Worcester County Layout of Beaman Road, formerly referred to as the road leading from Sterling to East Princeton, at the southwesterly corner of land, now or formerly, of Donald R. & Kathleen S. Ganczarski, located at # 141 Beaman Road, as described in a deed dated 6/19/87 and recorded with Worcester District Registry of Deeds at Book 10566, Page 32;

Thence N. 11° 48' 37" E., 252.36 feet, by and through the westerly line of the land, now or formerly, of D.R. & K.S. Ganczarski, and partially by the westerly line of land, now or formerly, of Marion Hulick, described as the 5th parcel

in a deed dated April 28, 1964 and recorded with said Deeds at Book 4471, Page 59, and running to an iron pin found on line and in line of a wire fence;

Thence N. 10° 46' 02" E., 111.92 feet, by the westerly line of the last above cited parcel and owner, to a point, at or near the southerly end of a wire fence, where a white oak with stones once stood;

Thence N. 09° 47' 08" E., 792.00 feet, entering and running by the wire fence mentioned above, partially by the westerly line of the 7th parcel, the "Bailey Lot", as also described in the last above cited deed, and also partially by the westerly line of other land, now or formerly, of Marion Hulick, described in a deed dated April 11, 1986 and recorded with said Deeds at Book 9504, Page 171, to a point at an angle in the fence line, at which a maple stub and stones were once located;

Thence N. 34° 47' 08" E., 485.10 feet, partially by the westerly line of the last cited abutting lot, and partially by the westerly lines of the 7th and 6th parcels described in the deed dated April 28, 1964, as recorded with said Deeds at Book 4471, Page 59, and running to a point at an angle in the line, at which a stake and stones were formerly located;

Thence N. 24° 41' 08" E., 330.00 feet, by the westerly line of the 6th parcel cited above, to a point at the northwesterly corner thereof, and, also at the northeasterly corner of the parcel herein being described, said point being in the southerly line of the "Wilder Lot", other land, now or formerly, of Marion Hulick, described as the 4th parcel in the deed last cited above;

Thence N. 72° 52' 52" W., 203.56 feet, by the southerly line of the "Wilder Lot", crossing a brook and running to a drill hole set in a stone wall corner, at the southeasterly corner of land, formerly of J.H. Osgood, late of the Davis Farm Trust, and now of the Commonwealth of Massachusetts, Metropolitan District Commission, as described in an order of taking dated June 5, 1996 and recorded with said Deeds at Book 18052, Page 284, said abutting land being known as the "Hastings Pasture", the last five courses being by various parcels, now or formerly, of Marion Hulick;

Thence N. 72° 52' 52" W., 1533.56 feet, by the stone wall and the southerly line of the "Hastings Pasture", across a 125 foot wide New England Power Service Company electric transmission easement, as described in a deed dated March 1, 1962 and recorded with said Deeds at Book 4269, Page 288, to a drill hole set in a stone wall corner, in the easterly line of a discontinued town road formerly known as Leonard Road;

Thence N. 72° 52' 52" W., 11.67 feet, to a point in the middle of the discontinued road, as delineated by ancient stone walls marking the former course of the traveled way;

Thence S. 14° 39' 48" W., 933.41 feet, down the middle of the former road bed, and by land which reverted to the parcel of land upon the westerly side of the discontinued way, being the "Bailey Lot", formerly of Davis Farm Trust, and now of the Commonwealth of Massachusetts, MDC, also taken in the above cited order, and running to a point at an angle in the former roadway;

Thence S. 11° 42' 46" E., 442.25 feet, continuing down the middle of the former town road, and recrossing the 125 foot wide N.E.P.Co. power line easement, and running to a point at which the midpoint of the former roadway intersects with the southeasterly line of said easement, this course being partially by land reverted to the "Bailey Lot", and partially by land reverted to the adjoining parcel, land located at # 181 Beaman Road, now or formerly, of Earl W. & Deborah E. Temple, as described in a deed dated December 4, 1995, as recorded with said Deeds at Book 17516, Page 343;

Thence N. 49° 57' 50" E., 687.79 feet, by the southeasterly line of the N.E.P.Co. easement to a point therein, which point shall be monumented, at a later date, with an iron pipe set in concrete;

Thence S. 69° 58' 52" E., 858.17 feet, to a point on the westerly bank of the brook referenced above, which point shall be monumented, at a later date, with an iron pipe set in concrete;

Thence S. 26° 49' 07" W., 33.09 feet, by the brook, to a point;

Thence S. 88° 39' 37" W., 55.89 feet, by the brook, to a point;

Thence S. 17° 38' 07" W., 69.90 feet, by the brook, to a point;

Thence S. 06° 55' 39" E., 93.07 feet, by the brook, to a point;

Thence S. 55° 54' 12" W., 80.10 feet, by the brook, to a point;

Thence S. 02° 29' 20" W., 25.01 feet, by the brook, to a point;

Thence S. 02° 51' 30" W., 120.14 feet, by the brook, to a point;

Thence S. 15° 55' 06" W., 94.26 feet, by the brook, to a point;

Thence S. 09° 29' 12" W., 75.99 feet, by the brook, to a point;

Thence S. 12° 48' 03" W., 17.67 feet, by the brook, to a point;

Thence S. 21° 23' 29" W., 106.18 feet, by the brook, to a point;

Thence S. 19° 50' 59" W., 77.23 feet, by the brook, to a point;

Thence S. 63° 37' 46" E., 139.19 feet, by the brook, to a point;

Thence S. 18° 47' 25" W., 56.63 feet, by the brook, to a point;

Thence S. 35° 39' 26" W., 78.72 feet, by the brook, to a point;

Thence S. 03° 11' 59" E., 57.37 feet, by the brook, to a point;

Thence S. 43° 24' 12" W., 48.58 feet, by the brook, to a point;

Thence S. 51° 49' 46" W., 64.82 feet, by the brook, to a point;

Thence N. 67° 49' 59" W., 46.79 feet, by the brook, to a point;

Thence N. 68° 55' 48" W., 57.82 feet, by the brook, to a point;

Thence S. 36° 35' 13" W., 88.05 feet, by the brook, to a point;

Thence S. 75° 35' 49" W., 12.40 feet, by the brook, to a point in the northerly line of the September 17, 1963 W.C.H. Layout of Beaman Road;

Thence S. 68° 33' 25" E., 123.68 feet, by the northerly layout line of the road, to a point at an angle therein;

Thence S. 81° 25' 55" E., 179.51 feet, by the northerly layout line of the road, to a point at another angle therein;

Thence S. 55° 52' 35" E., 17.24 feet, by the northerly layout line of the road, to the first mentioned point at the southwesterly corner of land, now or formerly, of D.R. & K.S. Ganczarski, being the point and place of beginning.

Containing, 37.4135 acres, more or less, as shown as "M.D.C. RESTRICTED AREA" upon a plan entitled "Plan Of Property Surveyed For Eight-Point Sportsmen's Club, Inc. Beaman Road, Sterling Massachusetts", dated October 2, 1998, and prepared by Central Mass. Land Survey, Inc., R.F. Dombrowski, P.L.S., which plan is recorded with Worcester District Registry of Deeds, as Plan 69 in Plan Book 746.



The above described lands, intended to be restricted hereby and herein, are the northerly and easterly portions of a parcel shown upon Sterling Assessors Map 44 as Parcel 13.

The aforementioned parcel is supposed to be owned by the following owner:

<u>OWNER</u>	<u>RESTRICTION AREA TAKEN</u>
Eight-Point Sportsmen's Club, Inc.	37.4135 acres \pm

Meaning and intending to take hereby a watershed preservation restriction and conservation easement in, on and to the above premises, howsoever the same may be bounded and described, and being a portion of the same premises described in a deed from Frank H. Wilder and Louise M. Wilder to the Eight-Point Sportsmen's Club, Inc., dated May 2, 1952 and recorded with the Worcester District Registry of Deeds in Book 3415, Page 444.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcel of land hereinabove described.

1. No construction or placing of buildings or structures or parts thereof, or roads, ways, paths or portions thereof, shall be permitted on said premises, except as otherwise permitted herein.
2. No construction or placing of utilities or utility delivery systems, or portions thereof, shall be permitted, (except as necessary for that portion of the premises designated upon the plan as the unrestricted area).
3. The use of the above described premises, or any portion thereof, herein and hereby restricted, shall not be used to satisfy zoning requirements for the development of any adjoining unrestricted land.
4. No septic systems or leach fields shall be permitted.
5. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance shall be permitted, except as needed to maintain the land, and except as otherwise permitted herein.

6. No storage, stockpiling, or use of hazardous materials, petroleum products, pesticides and herbicides, manure and fertilizers, shall be permitted.

7. No tillage.

8. No grazing or sheltering of livestock or animals shall be permitted.

9. No commercial or public recreational use shall be permitted, except as otherwise permitted herein.

10. No motorized or vehicular recreational use by the landowners shall be permitted, other than such uses which directly relate to the enjoyment of the premises by the disabled, the customary utilization of recreational vehicles for the removal of game species, and except as otherwise permitted herein.

11. No commercial timber harvesting shall be permitted, unless such harvesting is in compliance with the Massachusetts Forest Cutting Practices Act (M.G.L. c. 132, as amended), and MDC Best Management Practices for Forest Management.

12. No other acts or uses detrimental to such watershed, as determined by the duly authorized representatives of said Commission, its successors or assigns, or such other authority which shall for any time legally control or hold said restriction and easement.

13. The MDC specifically authorizes and permits, and does thereby expressly not prohibit, the following rights and uses within the premises restricted under this taking:

a.) The right to continue to operate under the provisions of M.G.L. Chapter 61, or other similar state and federal programs, now or in the future, dedicated to uses for conservation, wildlife management, game preserve and other like purposes in compliance with this restriction;

b.) The right to continue to hunt, fish and trap in any legal manner in compliance with applicable Commonwealth and federal statutes and regulations, including, but not limited to: hunting migratory game; use of hunting dogs; use of lead shot and ammunition; bow hunting, including the use of tree stands, with or without screw-in pegs; the ability to breed, stock and release game for hunting; and the ability to fish throughout the year, using artificial or live bait;

c.) The rights to continue to allow, by members and guests, all forms of hiking, cross country skiing, snowshoeing, camping (including overnight camping and the use of open campfires for cooking), picnicking and swimming on the property by members and invitees, and the use of all forms of tobacco products;

d.) The right to shoot firearms, antique firearms, and bows, during any legal hours, according to applicable Commonwealth and federal statutes and regulations;



e.) The right to continue to sponsor shooting and sporting competitions by members and invitees, including, but not limited to, fishing, the use of firearms, antique firearms, sporting clays, and bows, for silhouette and three dimensional targets;

f.) The rights to continue to manage the land in accordance with the provisions of M.G.L. Chapter 132 and MDC Best Management Practices for Forest Management, in cooperation with agents of the MDC, or its statutory successor, including, but not limited to, the ability to patch cut select areas for wildlife management, in accordance with the creation of temporary forest openings, per the Wildlife Habitat Enhancement Document for SIP-8 drafted by DFWELE, and to prepare and seed the patch cut areas, to develop grasslands, and to maintain the openness of these areas with farm or residential mowing equipment; to plant trees, grass and/or other ground cover for wildlife management; to operate logging and maintenance equipment, and vehicles, as necessary, and;

g.) The right to construct, use and maintain fire roads and walking trails on the restricted property, said fire roads and trails shall be located in cooperation with MDC, its agents, or statutory successor(s) and shall not be constructed with any impervious surface or material;

h.) The right to maintain, improve or replace the existing foot bridge over the stream known as Bailey Brook;

i.). The right to improve all existing power easements;

j.) The right to allow members and their invitees to operate motorized vehicles on the premises, to include snow mobiles, motorcycles, ATVs, but limiting operation to members and guests, not the general public at large.

The entire parcel will not be posted as restricted from hunting or fishing, by club members, or the general public, unless it is the decision of the club membership to privately post restrictions on the property.

The watershed preservation restriction and conservation easement hereby taken, grants the Commission, its successors and assigns, the right to enter upon the land hereinabove described at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same, but does not grant the public any such rights. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owner, including the right to privacy.



The Commission awards damages sustained by the owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER

AWARD

Eight-Point Sportsmen's Club, Inc.

\$ 202,500.00

The Commission further V O T E D: to approve an award of damages in the amount of \$202,500.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Adjourned at 10:00 a.m., to meet on Thursday, September 30, 1999, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Nine Hundred and Eighth (3908th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, September 30, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on September 16, 1999 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Carrigan and Machado, September 20, requesting approval of a revision in quantities on Item No. 055-010 - for Black Vinyl Clad C.L.F. - 4 Ft. High - at a cost of \$21,060.00, on Contract No. P99-2019-C1A, with D'Allesandro Corporation, for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan District Park System.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item Nos. 001-010, 002-010, 004-010, 005-010, 006-010, 007-010, 008-010, 014-010, 015-010, 017-010, 018-010, 019-010, 021-010, 022-010, 023-010, 024-010, 026-010, 027-010, 028-010, 029-010, 030-010, 031-010, 032-010, 033-010, 034-010, 069-010, 081-010 and 086-010.
The Commission V O T E D: Approved.
2. Report of Messrs. Faucher and Lenhardt, September 24, recommending approval and execution of Amendment No. 2, to Contract No. P93-1672-D1A, with Simpson, Gumpertz & Heger, Inc., for Professional Engineering Services for Bridges, Parkways and Other Commission Facilities, which calls for an extension of time from October 1, 1999 to December 31, 1999.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 2, dated September 30, 1999, with Simpson, Gumpertz & Heger, Inc., which was signed by the Commissioner and three Associate Commissioners.
3. Report of Messrs. Faucher, Brooks and Balicki, September 14, on bids for Project No. P99-1987-C1A - Pumps and Other Equipment Replacement, Fellsway Outbound Tunnel Pump Station, Somerville.
(Messrs. Faucher, Brooks and Balicki recommend acceptance of the lowest bid received, that of J. F. White Contracting Co., of \$107,680.00).
Associate Commissioner Elkort questioned the difference in cost of the Project from the Engineer's estimate.
Mr. Jewett explained that after the initial estimate of \$70,000.00 was put together, there were some elements added to the project prior to the bid, and the Engineer's estimate was not updated to reflect the additions.
The Commission V O T E D: to accept the lowest bid received, that of J. F. White Contracting Co., of \$107,680.00.

1. Report of Messrs. Faucher, DiPietro and Galvin, September 27, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P99-2022-D1A, for Evaluation, Design and Construction Services for the Modification of Failing Subsurface Wastewater Disposal Systems at Various MDC Facilities.
Upset Limit - \$50,000.00.
Time for Performance - 14 months.
Account No. 2441-9952.
Associate Commissioner Elkort asked if this was Title V work.
Mr. Galvin replied in the affirmative.
Mr. Jewett explained the project was for design and administration services by the designer to oversee the work as it is performed for compliance with MCP and Title V regulations.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P99-2022-D1A, for Evaluation, Design and Construction Services for the Modification of Failing Subsurface Wastewater Disposal Systems at Various MDC Facilities.
2. Report of Messrs. Faucher, DiPietro and Galvin, September 27, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P00-2022-D1A, for Evaluation, Design and Construction Services for the Modification of Failing Subsurface Wastewater Disposal System at the Houghton's Pond Bathhouse.
Upset Limit - \$25,000.00.
Time for Performance - 14 months.
Account No. 2440-8963.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P00-2022-D1A, for Evaluation, Design and Construction Services for the Modification of Failing Subsurface Wastewater Disposal System at the Houghton's Pond Bathhouse.
3. Report of Mr. Faucher and Mrs. Graves-Jones, September 23, recommending approval of the following revision in quantities on Contract No. P98-1925-M1A, with Coviello Electric & General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts -

Item No. 002-020	\$5,000.00
Maintenance for Traffic Control Devices	

(At no additional Contract cost as the revision will be offset by unused quantities in Item No. 018-010, Traffic Signal Loop Detector Conductor).
The Commission V O T E D: Approved.
4. Report of Messrs. Faucher, Brooks and Martinez, September 23, requesting approval of Contract No. P00-2031-X1A, for Industrial Hygienist Services for OSHA Testing of Lead Paint and Asbestos at the Halfway Sanitary Facility, Nahant Beach, Nahant.
Estimated cost - \$1,000.00
Time for Performance - two weeks.
Account No. 2440-8963.

(Messrs. Faucher, Brooks and Martinez, further request approval to procure the services of an industrial hygienist through this contract).

The Commission V O T E D: to approve Contract No. P00-2031-X1A, for Industrial Hygienist Services for OSHA Testing of Lead Paint and Asbestos at the Halfway Sanitary Facility, Nahant Beach, Nahant, as recommended by Messrs. Faucher, Brooks and Martinez in their report of September 23, 1999.

The Commission further V O T E D: approval to procure the services of an industrial hygienist through this contract.

1. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, September 27, requesting that the Commission vote to amend its vote of September 9, 1999, awarding Contract No. P95-1804-C1A - Dorchester Shores Beaches Restoration (Savin Hill, Malibu and Tenean Beaches), to McCourt Construction Co., Inc., in the amount of \$4,669,959.00, and award Contract No. P95-1804-C1A, - Dorchester Shores Beaches Restoration (Savin Hill, Malibu and Tenean Beaches), to McCourt Construction Co., Inc., in the correct low bid amount of \$4,694,379.00.
The Commission V O T E D: to amend its vote of September 9, 1999, awarding Contract No. P95-1804-C1A - Dorchester Shores Beaches Restoration (Savin Hill, Malibu and Tenean Beaches), to McCourt Construction Co., Inc., in the amount of \$4,669,959.00, and award Contract No. P95-1804-C1A, - Dorchester Shores Beaches Restoration (Savin Hill, Malibu and Tenean Beaches), to McCourt Construction Co., Inc., in the correct low bid amount of \$4,694,379.00, as requested by Mrs. Overton Bussell and Messrs. Faucher and Orfant in their report of September 27, 1999.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Pula, September 14, on proposals for the purchase of forest products located on the Quabbin, Ware River and Wachusett Watersheds.
The Commission V O T E D: to accept the only qualified bid, that of Bosse Logging, of \$2,110.00; to purchase approximately 14,000 board feet of timber, 136 cords of hardwood and 26 cords of softwood on Timber Lot No. 162 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the only qualified bid, that of Bosse Logging, of \$2,755.00; to purchase approximately 24,700 board feet of timber, 51 cords of hardwood and 42 cords of softwood on Timber Lot No. 163 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Green Meadow Lumber, of \$6,356.00; to purchase approximately 53,000 board feet of timber and 24 cords of firewood on Timber Lot No. 284 - Ware River Watershed.
The Commission further V O T E D: to accept the only qualified bid, that of Curtis Lumber, of \$14,975.00; to purchase approximately 39,000 board feet of timber and 243 cords of firewood on Timber Lot No. 286 - Ware River Watershed.

The first part of the paper is devoted to a general discussion of the problem. It is shown that the problem is of great importance in the theory of the differential equations of the second order. The second part of the paper is devoted to the study of the properties of the solutions of the differential equations of the second order. It is shown that the solutions of the differential equations of the second order are of great importance in the theory of the differential equations of the second order.

The third part of the paper is devoted to the study of the properties of the solutions of the differential equations of the second order. It is shown that the solutions of the differential equations of the second order are of great importance in the theory of the differential equations of the second order. The fourth part of the paper is devoted to the study of the properties of the solutions of the differential equations of the second order. It is shown that the solutions of the differential equations of the second order are of great importance in the theory of the differential equations of the second order.

The fifth part of the paper is devoted to the study of the properties of the solutions of the differential equations of the second order. It is shown that the solutions of the differential equations of the second order are of great importance in the theory of the differential equations of the second order. The sixth part of the paper is devoted to the study of the properties of the solutions of the differential equations of the second order. It is shown that the solutions of the differential equations of the second order are of great importance in the theory of the differential equations of the second order.

The seventh part of the paper is devoted to the study of the properties of the solutions of the differential equations of the second order. It is shown that the solutions of the differential equations of the second order are of great importance in the theory of the differential equations of the second order. The eighth part of the paper is devoted to the study of the properties of the solutions of the differential equations of the second order. It is shown that the solutions of the differential equations of the second order are of great importance in the theory of the differential equations of the second order.

The Commission further V O T E D: to accept the only qualified bid, that of Sawyer Trucking, of \$7,452.00; to purchase approximately 69,000 board feet of timber and 84 cords of firewood on Timber Lot No. 287 - Ware River Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Sawyer Trucking, of \$4,662.00; to purchase approximately 44,000 board feet of timber, 75 cords of firewood, and 80 tons of whole tree wood on Timber Lot No. 288 - Ware River Watershed.

The Commission further V O T E D: to accept the only qualified bid, that of Rich Williams Logging, of \$5,864.65; to purchase approximately 47,100 board feet of timber, 255 cords of firewood and 23 cords in tops on Timber Lot No. 810A - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Green Meadow Lumber, of \$7,575.00; to purchase approximately 101,500 board feet of timber, 211 cords of hardwood and 229 tons of softwood on Timber Lot No. 849A - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only qualified bid, that of Tommila Bros., of \$24,680.10; to purchase approximately 223,500 board feet of timber and 519 cords of hardwood on Timber Lot No. 850 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Crossties Lumber, of \$68,800.00; to purchase approximately 457,000 board feet of timber, 70 cords of hardwood, 994 tons of softwood and 12 marked culls on Timber Lot No. 851 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Crossties Lumber, of \$54,300.00; to purchase approximately 398,000 board feet of timber, 25 cords or 69 tons of hardwood and 350 cords or 949 tons of softwood on Timber Lot No. 852 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Curtis Lumber, of \$24,990.00; to purchase approximately 211,000 board feet of timber, 54 cords or 148 tons of hardwood and 268 cords or 768 tons of softwood on Timber Lot No. 853 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Conkey Logging & Lumber, of \$4,506.50; to purchase approximately 29,000 board feet of timber, 40 cords of hardwood and 10 tons of softwood on Timber Lot No. 854 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of King-Chaffee Enterprise, of \$54,102.00; to purchase approximately 366,000 board feet of timber, 75 cords of hardwood and 806 tons of softwood on Timber Lot No. 855 - Quabbin Reservoir Watershed.

1. Report of Messrs. McGinn and Kane, September 18, recommending approval of the request of WES Construction Corp., Contractor on Contract No. WM95-085-C1A, for Boat Cove Docking Facility, Wachusett Reservoir, Clinton, MA, to engage the services of the

following sub-contractor -

E.A.N. Corporation

Item No. 03300.1

\$81,972.50

Cast in Place Concrete

Install Rebar

(At no increase in Contract cost).

The Commission V O T E D: Approved.

1. Report of Messrs. McGinn and Baratta, September 15, requesting approval of Amendment No. 8 to Contract No. WM97-061-D2A, for Phase III of Holden/West Boylston Sewer Project, with Weston and Sampson Engineers, Inc., which will extend the time for performance for one month.

Messrs. McGinn and Baratta, further request authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.

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

2. Contract No. P95-1804-C1A, dated September 30, 1999, with McCourt Construction Company, for Dorchester Shores Beaches Restoration.

Adjourned at 9:45 a.m., to meet on Thursday, October 7, 1999, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Nine Hundred and Ninth (3909th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, October 7, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on September 23, 1999 were read and approved.

Action was taken upon the following matter relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Carrigan and Machado, October 1, recommending approval of the request of the contractor for an extension of time from August 31, 1999 to October 22, 1999, on Contract No. P97-1919-C1A, with DeLucca Fence Company, Inc., for Installation of Closure Gates, Guard Rail and Fencing at Various Locations, due to delay in receiving castings for embankment fence installation on Memorial Drive.
(At no additional contract cost).
The Commission V O T E D: to approve an extension of time from August 31, 1999 to October 22, 1999, as recommended by Messrs. Faucher, Carrigan and Machado, in their report of October 1, 1999, 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 Watershed Management Division:

2. Report of Mr. McGinn, September 20, submitting for approval and signature Quabbin Park Cemetery Deed No. Q-1727, conveying Lot No. 1103, to Rinaldo J. DeSantis, Jr. and Patricia S. DeSantis.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1727, dated October 7, 1999, which was signed by the Commissioner and four Associate Commissioners.
3. Report of Mr. McGinn, September 20, submitting for approval and signature Quabbin Park Cemetery Deed No. Q-1728, conveying Lot No. A-52, to James J. and Deborah W. Krainski.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1728, dated October 7, 1999, which was signed by the Commissioner and four Associate Commissioners.
4. Report of Mr. McGinn, September 20, submitting for approval and signature Quabbin Park Cemetery Deed No. Q-1729, conveying S.W. 1/2 Lot No. 1146 to James F. and Kathleen F. Doubleday.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1729, dated October 7, 1999, which was signed by the Commissioner and four Associate Commissioners.

The first of the series of experiments was conducted on the 1st of January 1875. The object of the experiment was to determine the effect of the temperature of the water on the rate of the reaction. The results of the experiment were as follows:—

The first experiment was conducted at a temperature of 15°C. The results of the experiment were as follows:—

The second experiment was conducted at a temperature of 20°C. The results of the experiment were as follows:—

The third experiment was conducted at a temperature of 25°C. The results of the experiment were as follows:—

1. Report of Messrs. McGinn and Vignaly, September 7, submitting for approval and execution Joint Funding Agreement with the Department of the Interior, Geological Survey, (USGS), Contract No. WM00-027-S1A, for Stream and Groundwater Gauging. Time for Performance - October 1, 1999 through September 30, 2000.
MDC Share - \$45,677.00
USGS Share - \$38,468.00
Account No. 2420-1400 sub TT.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Joint Funding Agreement, dated October 7, 1999, with the Department of the Interior, Geological Survey, (USGS), Contract No. WM00-027-S1A, which was signed by the Commissioner and four Associate Commissioners.

2. Report of Messrs. McGinn and Kowalski, September 28, recommending approval of revisions in quantities and an alteration, on Contract No. WM98-097-M3P, with Arello, Inc., for Sudbury Reservoir Tributary Tree Planting, as follows -

Revisions in Quantities

Item No. 2	- Shadbush	- \$1,800.00
Item No. 6A	- Swamp Azelea	- \$1,520.00
Item No. 6	- Loam	- \$ 900.00
Item No. 7	- Compost	- \$1,350.00
Item No. 8	- Mulch	- \$ 900.00
Total		- <u>\$6,470.00</u>

Funding from Account No. 2420-1400.

Alteration

Alteration No. 1 - **\$4,500.00**

Item No. 4 - Increase size of the Red Jade Weeping Crab Tree (At no increase in cost as the number of trees will be reduced from 15 to 12).

The Commission V O T E D: to approve the Revisions in Quantities, in the amount of \$6,470.00.

The Commission further V O T E D: to approve Alteration No. 1, in the amount of \$4,500.00.

Action was taken upon the following matters relating to Office of General Counsel:

3. Report of Mr. Gray, October 4, recommending that the Commission adopt an Order of Taking for acquisition of approximately 2.4 acres of land owned by James E. Simpson, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of \$65,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 2.4 acres of land owned by James E. Simpson, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, October 7, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the westerly side of Bullard Road, and partially flowed by, and bounded by East Wachusett Brook, more particularly bounded and described as follows:

Beginning at the northeasterly corner of the parcel herein being described, at a point in a stone wall on the westerly side of Bullard Road, said point being located S. 20° 03' 23" W., 540.82 feet, as measured along the westerly line of Bullard Road, from the intersection of the westerly line of Bullard Road and the southerly line of Houghton Road;

Thence S. 20° 03' 25" W., 225.00 feet, by the stone wall and the westerly line of Bullard Road, to a point at the northeasterly corner of Lot 5, land, now or formerly, of Joseph A. & Susan R. Langone, shown upon a plan referenced at the conclusion of this description;

- Thence S. 87° 22' 05" W., 408.09 feet, by the northerly line of Lot 5, to a point in a corner of stone walls;
- Thence S. 84° 07' 00" W., 160.00 feet, more or less, by the northerly line of Lot 5, and partially by a stone wall, to a point in the centerline, or thread of, the stream known as East Wachusett Brook:
- Thence Northeasterly, 92.00 feet, more or less, by the centerline, or thread of, East Wachusett Brook, and land, formerly of Marjorie Inman, et ali, late of the Federal Deposit Insurance Corporation, and now of the Commonwealth of Massachusetts, Metropolitan District Commission, to a point;
- Thence N. 02° 54' 45" E., 100.00 feet, more or less, entering and running by a stone wall, and the easterly line of land, formerly of Marjorie Inman, et ali, now of the Commonwealth of Massachusetts, MDC, to a point in a corner of walls, said point being at the southwesterly corner of Lot 3, land, now or formerly, of William H. & Janet L. Erickson;
- Thence N. 83° 13' 00" E., 592.40 feet, by the southerly line of Lot 3, to the first mentioned point in the stone wall on the westerly side of Bullard Road, being the point and place of beginning.

Containing 104,330 square feet, or 2.40 acres as shown upon a plan entitled "Land In Princeton, Massachusetts owned by Donald R. Mathieu", dated May 16, 1978, prepared by Reney Brothers, Inc., which plan is recorded with Worcester District Registry of Deeds, as Plan 25 in Plan Book 453.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Bullard Road, which may be held by the supposed owner as a result of his ownership of the above described premises, and being the same premises described in a deed from William H. Erickson to James E. Simpson, dated 11th October 1995 and recorded with Worcester District Registry of Deeds at Book 17381, Page 341.

The above described property is represented upon Princeton Assessors Tax Map 13 as Parcel 8-4.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

<u>OWNER</u>	<u>AWARD</u>
James E. Simpson	\$ 65,000.00

The Commission further V O T E D: to approve an award of damages in the amount of \$65,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, October 4, recommending that the Commission adopt an Order of Taking for acquisition of approximately 22.05 acres of land owned by Hazel M. Lund, located in the Town of Holden, Massachusetts, and to approve an award of damages in the amount of \$300,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 22.05 acres of land owned by Hazel M. Lund, located in the Town of Holden, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, October 7, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Holden in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land in the Northeasterly part of the said Town of Holden, lying on the Southeasterly side of Sterling Road, more particularly bounded and described as follows:

Beginning at the Northwesterly corner, at the remains of a stake & stones, on the Southeasterly line of Sterling Road, and at a corner of land, formerly of a Mrs. Murphy, now or formerly, of the Theodore E. Zawalick, Jr. et als;

Thence S. 77° 45' E., 20 rods and 2 links, or 331.32 feet, more or less, by land, now or formerly, of T.E. Zawalick, Jr. et als (see deed recorded with Worcester District Registry of Deeds at Book 7238, Page 289, and accompanying plan recorded as Plan 100 in Plan Book 486), to the remains of a stake & stones, at a corner, and land, formerly of James F. & Patricia G. Francoeur, now of the Commonwealth of Massachusetts, Division of Fisheries, Wildlife and Environmental Law Enforcement (see instrument recorded with said Deeds at Book 13694, Page 83, Tract 3);

- Thence S. about 8° W., 40 rods, or 660.0 feet, more or less, to the remains of a stake & stones, or a heap of stones;
- Thence S. $05^{\circ} 15'$ W., 47 rods, or 775.5 feet, more or less, to a bound at land, now or formerly, of the Town of Holden (see instrument recorded with said Deeds at Book 577 [?], Page 207), the last two courses being by land of the Commonwealth of Massachusetts, D.F.W.E.L.E.;
- Thence N. 80° W., 19 rods and 15 links, or 323.4 feet, more or less, to a bound by land, formerly of one Dr. Partridge, now or formerly, of the Town of Holden;
- Thence N. 23° W., 62 rods and 12 links, or 1360.92 feet, more or less, by land, formerly of one Cook, now or formerly, of the Town of Holden (see instrument recorded with said Deeds at Book 5075, Page 479), to the remains of a stake & stones, at land, formerly of one Rice, now or formerly, of the Town of Holden (see instrument recorded with said Deeds at Book 5075, Page 478);
- Thence N. 43° W., 18 rods and 14 links, or 306.24 feet, more or less, by land, formerly of Rice, now or formerly, of the Town of Holden, to stones at Sterling Road, the last three courses being by three different parcels, all now held by the Town of Holden as part of its Trout Brook Watershed;
- Thence N. $72^{\circ} 30'$ E., 24 rods and 15 links, or 405.9 feet, more or less, by the southeasterly line of Sterling Road to a point therein;
- Thence N. 58° E., 21.5 rods, or 354.75 feet, more or less, by the southeasterly line of Sterling Road, to the first mentioned bound at land, formerly of one Mrs. Murphy, being the point and place of beginning.

Containing 22.05 acres, more or less, by former deed description, and tax map calculation.

There is no known recorded or unrecorded perimeter plan of the above described premises.

The above described parcel is represented upon Holden Assessors Tax Map 26 as Parcel 2.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Sterling Road, which may be held by the supposed owner as a result of her ownership of the above described premises, and being the same premises described in a deed from Harry T. Buck to Walter Lund and Hazel Lund, dated 13th September 1942 and recorded with Worcester District Registry of Deeds at Book 2897, Page 377. (See also the Certificate of Death filed for Walter R. Lund as recorded with said Deeds at Book 11877, Page 394).

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

<u>OWNER</u>	<u>AWARD</u>
Hazel M. Lund	\$ 300,000.00

The Commission further V O T E D: to approve an award of damages in the amount of \$300,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Page 1

1. Report of Mr. Gray, October 4, recommending that the Commission adopt an Order of Taking for acquisition of approximately 29.89 acres of land owned by Arthur W. and Dorothy A. French, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of \$200,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
- Meeting of 11/7/99 The Commission VOTED to affirm the decision of 10/2/99 regarding Frenchland*
- In response to a question by Associate Commissioner Carr, concerning the family relationship of an MDC employee with the land owners, Mr. Gray explained that the matter had been cleared through the State Ethics Commission and all mandatory guidelines were adhered to during the course of negotiations with the land owners.
- The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 29.89 acres of land owned by Arthur W. and Dorothy A. French, located in the Town of Sterling, MA.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, October 7, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Section 117 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying in the westerly part of the said Town of Sterling, on the southeasterly side of Holden Road, more particularly bounded and described as follows:

Beginning at a concrete bound found at the northeasterly corner of land, now or formerly, of Willard K. II & Barbara A. French, at a point in the southeasterly line of Holden Road;

Thence S. 48° 34' 47" E., 622.60 feet, by land, now or formerly, of W.K. II & B.A. French, to a point at the southeasterly corner of said abutting land, and the northeasterly corner of other land, now or formerly, of Arthur W. & Dorothy A. French, specifically excluded from the provisions of this order of taking and shown as Parcel C upon a recorded survey plan cited at the conclusion of this description;

Thence S. 04° 42' 02" E., 196.38 feet, by Parcel C, to a gun barrel set at the southeasterly corner of Parcel C;

Thence S. 59° 43' 38" W., 483.79 feet, by Parcel C, to a gun barrel at the northeasterly corner of land, now or formerly, of Percia Salvatore, said corner being the southwesterly corner of both Parcel C and land, now or formerly, of W.K. II & B.A. French;

Thence S. 22° 40' 51" E., 619.35 feet, partially by land, now or formerly, of P. Salvatore and partially by land, now or formerly, of James B. & Pamela G. Simpson, to a drill hole in rock found at the southeasterly corner of land, now or formerly, of J.B. & P.G. Simpson, and at a point in the northerly line of land, now or formerly, of Listowich Farm Trust, Anthony B. Listowich and Henry B. Listowich, Trustees;

Thence N. 61° 54' 26" E., 1180.84 feet, by land, now or formerly, of Listowich Farm Trust, to a concrete bound found at the northwesterly corner of other land, now or formerly, of Arthur W. & Dorothy A. French, specifically excluded from the provisions of this order of taking;

Thence N. 57° 37' 32" E., 491.91 feet, by said other land, now or formerly, of Arthur W. & Dorothy A. French, to a gun barrel set at the southeasterly corner of the parcel herein being described, and at the southwesterly corner of land, formerly of Edwin E. Wronski, et als, now of the Commonwealth of Massachusetts, Metropolitan District Commission;

Thence N. 37° 37' 58" W., 545.51 feet, by land of the Commonwealth of Massachusetts, MDC, to a drill hole in rock found;

Thence N. 35° 40' 53" W., 415.49 feet, by land of the Commonwealth of Massachusetts, MDC, to a drill hole in rock found at the southeasterly corner of other land, now or formerly, of Arthur W. & Dorothy A. French, specifically excluded from this order of taking, and shown upon the plan cited below as Parcel A;

Thence S. 32° 57' 33" W., 330.65 feet, by Parcel A, to a concrete bound found at the southeasterly corner of land, now or formerly, of Paul R. Brown, Jr.;

Thence S. 32° 51' 28" W., 204.87 feet, by land, now or formerly, of P.R. Brown, Jr., to another concrete bound found at the southwesterly corner of said abutting land;

Thence N. 53° 51' 54" E., 422.92 feet, by land, now or formerly, of P.R. Brown, Jr., to another concrete bound found at a point in the southeasterly line of land, now or formerly, of John T. & Lynne C. LeFort;

Thence S. 41° 45' 31" E., 300.33 feet, partially by land, now or formerly, of J.T. & L.C. LeFort, and partially by land, now or formerly, of Mary Ann L. Schreiber, to a gun barrel found at a corner;

Thence N. 48° 34' 47" W., 437.17 feet, by land, now or formerly, of M.A.L. Schreiber, to a point in the southeasterly line of Holden Road;

Thence S. 39° 10' 40" W., 40.03 feet, by the southeasterly line of the road to the first mentioned concrete bound found, being the point and place of beginning.

Containing 29.893 acres, more or less, as shown as Parcel B upon a survey plan entitled "Plan Of Land In Sterling Prepared For Arthur W. & Dorothy A. French", dated 22 December 1997, prepared by Berry Engineering, Inc., Edward T. Berry, P.L.S., which plan shall be Recorded with Worcester District Registry of Deeds at a later date, and be made a part of this order.

The aforementioned parcel is supposed to be owned by the following owners:

<u>OWNERS</u>	<u>RESTRICTION AREA TAKEN</u>
Arthur W. French	
Dorothy A. French	29.893 acres



Meaning and intending to take hereby a watershed preservation restriction and conservation easement in, on and to the above premises, howsoever the same may be bounded and described, and being a portion of the premises described as Parcel I, excluding exceptions, as stated, in a deed from Arthur W. French and Dorothy A. French to Arthur W. French and Dorothy A. French, dated September 7, 1989, and recorded with Worcester District Registry of Deeds at Book 12334, Page 86.

The above described land, herein restricted, is represented upon Sterling Assessors Map 54 as most of Parcel 5.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcel of land hereinabove described.

1. No construction or placing of buildings or structures or parts thereof, or roads, ways, paths or portions thereof, shall be permitted on said premises, however, this provision shall not be read so as to prohibit the continued maintenance and improvement of the existing pervious surfaced cart road presently traversing the property, said cart paths' uses not being limited herein.
2. No construction or placing of utilities or utility delivery systems, or portions thereof, shall be permitted.
3. The use of the above described premises, or any portion thereof, herein and hereby restricted, shall not be used to satisfy zoning requirements for development of any adjoining unrestricted land.
4. No septic systems or leach fields shall be permitted.
5. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance shall be permitted, except as needed to maintain the land.

6. No storage, stockpiling, or use of hazardous materials, petroleum products, pesticides and herbicides, manure and fertilizers, shall be permitted.

7. No tillage.

8. No grazing or sheltering of livestock or animals shall be permitted.

9. No commercial or public recreational use shall be permitted, and no motorized or vehicular recreational use by the landowners shall be permitted.

10. No commercial timber harvesting shall be permitted, unless such harvesting is in compliance with the Massachusetts Forest Cutting Practices Act (M.G.L. c. 132, as amended), and MDC Best Management Practices for Forest Management.

11. No other acts or uses detrimental to such watershed, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

The watershed preservation restriction and conservation easement hereby taken, grants the Commission, its successors and assigns, the right to enter upon the land hereinabove described at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same, but does not grant the public any such rights. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owners, including the right to privacy.

The Commission awards damages sustained by the owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS

AWARD

Arthur W. French

\$ 200,000.00

Dorothy A. French



Vol.65 p.54
3909th
Oct. 7, 1999
(con.-)

The Commission further V O T E D: to approve an award of damages in the amount of \$200,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Adjourned at 9:30 a.m., to meet on Thursday, October 14, 1999, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Nine Hundred and Tenth (3910th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, October 14, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on September 30, 1999 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. P99-1987-C1A, dated October 14, 1999, with J. F. White Contracting Co., for Pumps and Other Equipment Replacement, Fellsway Outbound Tunnel Pump Station, Somerville.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher, Brooks and Mayhew, October 4, recommending approval of the action of Deputy Commissioner Faucher, resulting in Alteration No. 1 - for payment of premium time related to the scheduled opening of the Hall Swimming Pool, Stoneham - at a cost of \$1,536.27, on Contract No. P99-1982-C1A, with E. A. Colangeli Construction Co., for Rehabilitation of the Hall Swimming Pool Bathhouse, Stoneham.

Account No. 2440-9800.

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Alteration No. 1, on Contract No. P99-1982-C1A.

The Commission further V O T E D: to approve Alteration No. 1, in the amount of \$1,536.27.

3. Report of Messrs. Faucher, Carrigan and Machado, October 5, recommending approval of the action of Deputy Commissioner Faucher resulting in revisions in quantities, on Contract No. P99-2019-C1A, with D'Allesandro Corporation, for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan Parks System, as follows -

Item No. 035-010	\$1,391.25
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SS Guard Rail and Posts	
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Item No. 058-010	\$3,504.00
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Galvanized Steel C.L.F. 6 Ft. High	
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Item No. 059-010	<u>\$4,159.20</u>
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Vinyl Clad C.L.F. 6 Ft. High	
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Total - \$9,054.45

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 077-010 - Boston Pattern - Embankment Fence Painting and 079-010 - Furnish and Install, Repair or Replace Steel Picket Fence 5 Ft. to 6 Ft. High).

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in revisions in quantities,

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on Contract No. P99-2019-C1A.

The Commission further V O T E D: to approve the revisions in quantities, in the amount of \$9,054.45.

1. Report of Messrs. Faucher and Brooks, October 4, recommending approval of the action of Deputy Commissioner Faucher, resulting in Alteration No. 1 - for repairs to chair lift at the Hatch Shell at premium overtime rate for labor, at a total cost of \$769.50, on Contract No. P98-1963-M1A, with Keystone Elevator Company, Inc., for Service and Maintenance of Elevators at Various Locations.
Account No. 2440-0010.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Alteration No. 1, on Contract No. P98-1963-M1A.
The Commission further V O T E D: to approve Alteration No. 1, in the amount of \$769.50.
2. Report of Messrs. Faucher, Brooks and Mayhew, October 4, recommending approval of the action of Deputy Commissioner Faucher, resulting in Extra Work Order No. 5, for reconstructing electrical wiring to two existing hot water heaters - reconstructing electrical wiring to the swimming pool water control panel and installing a new electrical outlet for amplifier, at a cost of \$1,119.10, on Contract No. P99-1982-C1A, with E. A. Colangeli Construction Co., Inc., for Rehabilitation of the Hall Swimming Pool Bathhouse, Stoneham.
Account No. 2440-9800.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Extra Work Order No. 5, on Contract No. P99-1982-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of \$1,119.10.
3. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, October 6, recommending approval of an extension of time from September 30, 1999 to September 30, 2000, on Contract No. P97-1881-D2A, with Bourne Consulting Engineering, Inc., for Boston Harbor Islands Pier Repair Project, so that the design engineers will be available to provide bidding and construction assistance for the construction contract.
Account No. 2440-8889.
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Watershed Management Division:
4. Report of Messrs. McGinn and Kowalski, October 5, recommending approval of the request of the contractor for an extension of time from July 10, 1999 to June 30, 2000, on Contract No. WM98-097-M3P, with Arelllo, Inc., for Sudbury Reservoir Tributary Tree Planting, to allow for watering of trees and shrubs.
(At no additional contract cost).

The Commission V O T E D: to approve an extension of time from July 10, 1999 to June 30, 2000, as recommended by Messrs. McGinn and Kowalski, in their report of October 5, 1999, 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.

Adjourned at 9:30 a.m., to meet on Thursday, October 21, 1999, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Nine Hundred and Seventh (3911th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, October 21, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on October 7, 1999 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Carrigan and Machado, October 4, recommending approval of the action of Deputy Commissioner Faucher resulting in revisions in quantities on Contract No. P99-2018-C1A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations Throughout the Metropolitan Area, as follows -

Item No. 001-010	\$ 3,051.80
Unclassified Excavation	
Item No. 009-010	\$ 1,086.32
Curbing and Edging, Removed and Disposed of	
Item No. 010-010	\$47,316.50
Granite Edgestone Removed and Reset	
Item No. 014-010	\$ 100.00
New Granite Corner Blocks, 2 Ft. Radius	
Item No. 015-010	\$12,396.00
Pavement Trimming	
Item No. 021-010	\$24,000.00
Bituminous Concrete for Sidewalks, Driveways, Patching, Small parking Lots, & Sport Courts	
Item No. 023-010	<u>\$ 6,955.00</u>
Bituminous Concrete Curb Type 2	
Total - \$94,905.62	

(At no additional Contract cost as the revisions will be offset by unused quantities in Item Nos. 005-010, 006-010, 008-010, 011-010, 012-010, 013-010, 018-010 and 019-010).

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in revisions in quantities on Contract No. P99-2018-C1A.

The Commission further V O T E D: to approve the revisions in quantities, in the amount of \$94,905.62.
 2. Report of Messrs. Faucher and Lenhardt, October 8, requesting approval for Assignment No. 2, for deck repair to Craigie Drawbridge, by SPS New England on Contract No. P99-1989-C1B, for Emergency Standby for Bridge Repair and authorization to pay SPS New England the sum of \$3,411.00 for the project.
- Funding from Account No. 2490-0012.
- The Commission V O T E D: to approve Assignment No. 2, for deck repair to Craigie Drawbridge, by SPS New England on Contract No.

P99-1989-C1B, for Emergency Standby for Bridge Repair.
The Commission further V O T E D: authorization to pay SPS New England the sum of \$3,411.00 for the project.

1. Report of Messrs. Faucher and McCalla, September 28, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P00-2030-M1A, for Maintenance of Lighting Systems on MDC Parkways, Roadways and Properties.
Estimated Cost - for twenty four months over FY's 2000 - 2002 - \$536,000.00.
Account Nos. 2444-9001 and 2490-0017.
Funding for FY's other than current year contingent upon sufficient funds being made available through annual budgetary appropriation process.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P00-2030-M1A, for Maintenance of Lighting Systems on MDC Parkways, Roadways and Properties.
2. Report of Messrs. Faucher, Brooks and Mayhew, September 28, recommending approval of a revision in quantities on Item No. 004-010 - Repointing Brick Work - at a cost of \$2,250.00, on Contract No P99-1993-C1A, with E. A. Colangeli Construction Company, Inc., for Porcelain Enamel Joint Repairs at the Charles River Dam, Boston.
Funding from Account No. 2440-8950.
The Commission V O T E D: Approved.
3. Report of Messrs. Faucher and Thurlow, October 13, requesting approval of Amendment No. 2, for continuation of service - at a cost of \$22,666.35, on Contract No. P95-1761-D1A, with Rojas Associates, Inc., for Playground Design Services (Artesani Playground - Brighton).
Funding from Account No. 2440-8952.
The Commission V O T E D: Approved.
4. Report of Messrs. Faucher, Carrigan and Machado, October 7, requesting approval to use \$100,000.00 from Account No. 2495-8998 to fund construction activities under Contract No. P99-2017-C1A, for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan Area.
(At no increase in Contract cost).
The Commission V O T E D: Approved as recommended by Messrs. Faucher, Carrigan and Machado in their report of October 7, 1999.
5. Report of Messrs. Faucher, Carrigan and Machado, October 7, requesting approval to use \$80,000.00 from Account No. 2495-8998 to fund construction activities under Contract No. P99-2018-C1A, for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations Throughout the Metropolitan Area.
(At no increase in Contract cost).
The Commission V O T E D: Approved as recommended by Messrs. Faucher, Carrigan and Machado in their report of October 7, 1999.

1. The first part of the report deals with the general situation of the country and the progress of the work during the year. It is divided into two main sections: the first section deals with the general situation of the country and the progress of the work during the year, and the second section deals with the results of the work during the year.

2. The second part of the report deals with the results of the work during the year. It is divided into two main sections: the first section deals with the results of the work during the year, and the second section deals with the results of the work during the year.

3. The third part of the report deals with the results of the work during the year. It is divided into two main sections: the first section deals with the results of the work during the year, and the second section deals with the results of the work during the year.

4. The fourth part of the report deals with the results of the work during the year. It is divided into two main sections: the first section deals with the results of the work during the year, and the second section deals with the results of the work during the year.

5. The fifth part of the report deals with the results of the work during the year. It is divided into two main sections: the first section deals with the results of the work during the year, and the second section deals with the results of the work during the year.

6. The sixth part of the report deals with the results of the work during the year. It is divided into two main sections: the first section deals with the results of the work during the year, and the second section deals with the results of the work during the year.

7. The seventh part of the report deals with the results of the work during the year. It is divided into two main sections: the first section deals with the results of the work during the year, and the second section deals with the results of the work during the year.

8. The eighth part of the report deals with the results of the work during the year. It is divided into two main sections: the first section deals with the results of the work during the year, and the second section deals with the results of the work during the year.

9. The ninth part of the report deals with the results of the work during the year. It is divided into two main sections: the first section deals with the results of the work during the year, and the second section deals with the results of the work during the year.

10. The tenth part of the report deals with the results of the work during the year. It is divided into two main sections: the first section deals with the results of the work during the year, and the second section deals with the results of the work during the year.

Action was taken upon the following matters relating to the Office of Planning:

1. Report of Mrs. Davidge, October 4, requesting approval and authorization to advertise for a Graphic Designer to coordinate the printing of an updated brochure - for New Charles River Dam and approval of funding for photography, at a cost not-to-exceed \$1,000.00, for graphic design services, at a cost not-to-exceed \$5,000.00 and printing, at a cost not-to-exceed \$5,000.00. Time for Performance - six months from Notice to Proceed. Funding from Account No. 2449-1001.
The Commission V O T E D: approval and authorization to advertise for a Graphic Designer to coordinate the printing of an updated brochure - for New Charles River Dam.
The Commission further V O T E D: approval of funding for photography, at a cost not-to-exceed \$1,000.00, for graphic design services, at a cost not-to-exceed \$5,000.00 and printing, at a cost not-to-exceed \$5,000.00.
2. Report of Mrs. O'Brien and Ms. Garnett, October 15, requesting approval of and authorization for Commissioner Balfour to execute, on behalf of the Commission, Interagency Service Agreement between the MDC and the Massachusetts Highway Department (MHD), which enables the transfer of \$1,375,485.00 in ISTEA Enhancement Funds from MHD to MDC for construction of the Neponset River Trail.
The Commission V O T E D: Held Over.

Action was taken upon the following Various Matter:

3. Report of Mrs. Overton Bussell and Johnson and Mr. Traficante, October 19, requesting approval and authorization to advertise for Drug and Alcohol Testing Services for MDC Employees who hold Commercial Driver's Licenses.
Time for Performance - thirty six months.
Cost Not-to-Exceed - \$33,000.00. Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise for Drug and Alcohol Testing Services for MDC Employees who hold Commercial Driver's Licenses.
4. At this point, the Commission reconvened to consider a request of Mr. Gray to amend the vote of September 16, 1999 to acknowledge AP Cambridge Partners LLC as the correct legal name for the Permittee authorized by vote of the Commission on September 16, 1999, to use the existing parking lot on MDC property located in the City of Cambridge and the Town of Arlington and within the MDC Alewife Brook Reservation, by means of an annual MDC permit, and to substitute that correct name where appropriate within said vote of September 16, 1999.
The Commission V O T E D: approved as recommended by Mr. Gray in his report of October 21, 1999.

Adjourned at 9:40 a.m., to meet on Thursday, October 28, 1999, at 9:00 a.m.

William J. Rush
S e c r e t a r y

THE HISTORY OF THE UNITED STATES OF AMERICA

FROM THE FIRST SETTLEMENTS TO THE PRESENT TIME

BY JAMES M. SMITH

NEW YORK: PUBLISHED BY J. B. LIPPINCOTT & CO.

1854

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Record of the Three Thousand Nine Hundred and Twelfth (3912th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, November 4, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on October 14, 1999 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Gearheart, October 12, recommending the following on Contract No. P98-1969-C1A, with Hub Construction & Maintenance Company, Inc., for Assembly and Installation of 25 Picnic Benches, Nantasket Beach -

- (a) That work be accepted as completed as of August 3, 1999.
- (b) That Estimate No. 1 (Final), in the amount of \$9,191.25, be approved for payment.
- (c) That reserve, in the amount of \$483.75, be approved for payment.

(Basis of Award - \$9,675.00)

(Amount to Date - \$9,675.00)

(Contract Performance Rating - 4.00)

(EEO Compliance - N/A)

The Commission V O T E D: that the work of Hub Construction & Maintenance Company, Inc., Contractor under Contract No. P98-1969-C1A, be and hereby is accepted as completed as of August 3, 1999.

The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of \$9,191.25, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$483.75, for payment.

2. Report of Messrs. Faucher and DiPietro, October 21, recommending the following on Contract No. P99-2016-C1A, with J.W.H. Construction Incorporated, for Charles River Locks & Dam, Marine Building Smokestack and Brickwall Repair -

A revision in quantity on Item No. 02200-0 - for Excavating, Backfilling and Compacting, at a cost of \$4,200.00.

(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 04202-2 - Unit Masonry Concrete Block).

Messrs. Faucher and DiPietro further recommend approval of the request of the contractor for an extension of time from October 8, 1999 to November 9, 1999, at no increase in Contract cost.

The Commission V O T E D: to approve a revision in quantity on Item No. 02200-0, at a cost of \$4,200.00.

The Commission further V O T E D: to approve an extension of time from October 8, 1999 to November 9, 1999, as recommended by Messrs. Faucher and DiPietro in their report of October 21, 1999, 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 Messrs. Faucher and DiPietro, October 7, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission a Haul Road License Agreement, involving the Town Brook Flood Control Project, between the MDC and Braintree Property Associates Limited Partnership.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission a Haul Road License Agreement, involving the Town Brook Flood Control Project, between the MDC and Braintree Property Associates Limited Partnership.
2. Report of Messrs. Faucher and DiPietro, October 19, requesting approval of Amendment No. 3, to Contract No. P94-1712-D1A, with Metcalf and Eddy, for Georges Island Seawall Restoration, which extends time of performance from October 31, 1999 to October 31, 2002 and increases the upset limit by \$9,023.00 from \$82,950.00 to \$91,973.00.
Account No. 2440-8889.
The Commission V O T E D: Approved.
3. Report of Messrs. Faucher and McCalla, October 29, recommending approval of a revision in quantities on Item No. 6, Materials, Components, Parts and Equipment - at a cost of \$60,000.00, on Contract No. P98-1961-M1A, with Coviello Electric & General Contracting Co., Inc., for Electrical and Electronic Sound System Maintenance at Various Locations.
Funding in the amount of \$32,835.00, is available in Account No. 2440-9800. The remaining amount of \$27,165.00, will be taken from unused quantities in Item Nos. 1, 2, 3, 4 and 5.
The Commission V O T E D: Approved.
4. Report of Messrs. Faucher and Thurlow, October 13, recommending approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 2, for removal of two trees, at a cost of \$1,430.98, on Contract No. P97-1870-C3A, with D & R General Contracting, Inc./MDR Construction Co., Inc., for Reconstruction of Artesani Playground, Brighton.
Funding from Account No. 2440-9800.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 2, on Contract No. P97-1870-C3A.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of \$1,430.98.
5. Report of Messrs. Faucher and Lenhardt, October 26, recommending approval of an extension of time from October 30, 1999 to November 30, 1999, on Contract No. P99-1992-C1A, with N.E.L. Corporation, for Remedial Repairs to Beades Drawbridge, Dorchester, due to the need to complete permanent repairs to the structure.
(At no additional contract cost).

The Commission V O T E D: to approve an extension of time from October 30, 1999 to November 30, 1999, as recommended by Messrs. Faucher and Lenhardt, in their report of October 26, 1999, 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. Faucher and Ms. Pfetsch, October 26, on proposal for Service Contract No. 00-HATCH, for Installation of Cast Bronze Letters on Base of the Hatch Shell Amphitheater.
(Mr. Faucher and Ms. Pfetsch recommend acceptance of the only proposal received, that of Architectural Graphics and Signs, Inc., of \$1,595.00)
Time for Performance - four months from Notice-to-Proceed.
Account No. 2448-0052.
The Commission V O T E D: to accept the only proposal received, that of Architectural Graphics and Signs, Inc., of \$1,595.00.
2. Report of Mrs. Overton-Bussell and Messrs. Faucher and Orfant, October 15, recommending approval of Amendment No. 4, on Contract No. P95-1801-D1A, with Sasaki Associates, for Dorchester Shores Beaches Restoration Program, as follows -
 1. Additional design costs in the sum of \$113,587.00 associated with completing project plans as well as for bidding and construction services.
 2. An extension of time from December 31, 1999 to July 15, 2001.Funding from Account No. 2440-8956.
The Commission V O T E D: Approved.
3. *Meeting 45.000*
3-11-99, VOTED
note by [illegible]
Account No. 2495-8998
P00-2049-C1A
Report of Messrs. Faucher, Mayhew and Brooks, November 1, requesting approval to solicit proposals for Project No. P00-2049-C1A, to Paint the MDC Dwelling at One Woodland Road, Stoneham.
Estimated Cost - \$5,000.00.
Time for Performance - two weeks.
Account No. 2495-8998.
The Commission V O T E D: approval to solicit proposals for Project No. P00-2049-C1A, to Paint the MDC Dwelling at One Woodland Road, Stoneham.
4. Report of Messrs. Faucher and Lenhardt, October 27, requesting approval of Alteration No. 3 to revise Extra Work Order No. 2, on Contract No. PL97-044-C1A, with WES Construction Corp., for Pope John Paul II Park Development, Phase I, Neponset River Reservation, Boston, as follows -

Item No. 1	\$ 25,000.00
New Bridge Deck	
Item No. 2	\$ 5,000.00
Traffic Control	
Item No. 3	\$102,000.00
Removal and Transport of Soil	
Item No. 4	\$ 45,000.00
Survey and Layout of Trail	

Item No. 5	\$150,000.00
Erosion, Sediment Control	
Item No. 6	\$ 50,000.00
Clearing & Grubbing	
Item No. 7B	\$ 30,000.00
Removal & Disposal of RR Ties	
Item No. 8	\$142,800.00
Gravel Borrow	
Item No. 9	\$ 20,000.00
Health & Safety Plan and DEP Requirements	
Item No. 10	\$260,100.00
Incorporate Fill in	
Item No. 11	\$ 15,000.00
Survey and Layout at Hallet Street	
Item No. 12	<u>\$ 10,000.00</u>
MBTA Flagging Services	
Total - \$854,900.00	

(At no increase in Contract cost).

The Commission V O T E D: approval of Alteration No. 3, in the amount of \$854,900.00, to revise Extra Work Order No. 2, on Contract No. PL97-044-C1A, as requested by Messrs. Faucher and Lenhardt, in their report of October 27, 1999.

1. Report of Messrs. Faucher and Soroka and Ms. Clutchey, October 29, on bids for Santilli Circle Safety Improvements, Everett, Massachusetts.
(Messrs. Faucher and Soroka and Ms. Clutchey recommend acceptance of the lowest adjusted bid received, that of MRP Site Development, Inc., of \$3,230,088.50).
The Commission V O T E D: to accept the lowest adjusted bid received, that of MRP Site Development, Inc., of \$3,230,088.50.
2. Report of Messrs. Faucher and Lenhardt, November 1, recommending approval of the action of Deputy Commissioner Faucher, resulting in Extra Work Order No. 1, for reopening the north draw leaf and temporary repairs to the transition joints, at a cost of \$15,194.65, on Contract No. P99-1992-C1A, with N.E.L. Corporation, for Remedial Repairs to Beades Drawbridge, Boston. Funding from Account No. 2490-0017.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Extra Work Order No. 1, on Contract No. P99-1992-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of \$15,194.65.
3. Report of Messrs. Faucher and Lenhardt, November 1, recommending approval of Extra Work Order No. 2, for permanent repairs to the north draw leaf transition joints and supporting steel angles, in an amount not-to-exceed \$45,688.98, on Contract No. P99-1992-C1A, with N.E.L. Corporation, for Remedial Repairs to Beades Drawbridge, Boston. Funding from Account No. 2490-0017.
The Commission V O T E D: to approve Extra Work Order No. 2, in the amount of \$45,688.98.

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Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Mr. McGinn, October 19, submitting for approval and signature Quabbin Park Cemetery Deed No. Q-1730, conveying Lot No. A-21, to John E. Carroll and Cheryl L. Trudeau.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1730, dated November 4, 1999, conveying Lot No. A-21, to John E. Carroll and Cheryl L. Trudeau, which was signed by the Commissioner and four Associate Commissioners.
2. Report of Messrs. McGinn and Scannell, October 19, requesting approval and execution of Amendment No. 5 to Contract No. WM95-060-X1A, with SEA Consultants, for Pilot On-Site Remediation Design Project, which increases the upset limit by \$30,000.00, to cover added costs incurred to file for additional permits, to redesign the systems as required by various reviewers and to address their comments.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 5, dated November 4, 1999, to Contract No. WM95-060-X1A, with SEA Consultants, which was signed by the Commissioner and three Associate Commissioners.
3. Report of Mr. Baratta, October 14, requesting approval of Amendment No. 4 to Contract No. WM97-061-D4A, with Camp Dresser & McKee, Inc., for Fast Track Sewer Construction and Phase III, which increases the contract value by a total of \$370,324.00, for providing construction inspectors, administrative services and to provide testing services for contracts 97-3H and 97-1H.
Account No. 2420-1443.
The Commission V O T E D: Approved.
4. Report of Messrs. McGinn and Baratta, October 15, requesting approval of Amendment No. 9 to Contract No. WM97-061-D2A, with Weston and Sampson Engineers, Inc., for Phase III, 97-4W and 97-5W, Phase IV and V, Cambridge Street, Worcester, which increases the cost of the project in a sum not-to-exceed \$650,775.00 and extends time of performance from October 30, 1999 to September 30, 2000, to provide needed services through the completion of the Cambridge Street construction.
Account Nos. 2422-1443 and 2420-1400.
The Commission V O T E D: Approved.
5. Report of Mr. Baratta, October 28, requesting approval of revisions in quantities on Contract No. WM97-061-C1A, with C.J.P. and Sons Construction Co., Inc., for Sewer Construction Project Phase III, 97-3H, as follows -

Item No. 1-1b	\$ 46,000.00
8" PVC Sewer Pipe over 16' Deep	
Item No. 2-1g	\$ 34,775.00
8" PVC Sewer Cross Country 0-16'	

Item No. 3-2d	\$ 14,250.00
8" Sewer Chimney	
Item No. 4-2e	\$ 62,000.00
6" PVC Building Connections	
Item No. 5-3d	\$ 5,000.00
4" PVC Force Main	
Item No. 6-10d	\$ 4,500.00
Stone Gutter Dams	
Item No. 7-10e	\$ 8,400.00
Siltation Control Devices	

Total - \$174,925.00

(The revisions are required as a result of many varying conditions encountered during construction of the project).
Funding from Account No. 2422-1443.
The Commission V O T E D: Approved.

- Report of Mr. Pula, November 2, requesting that the Commission rescind the vote of September 30, 1999 awarding Timber Lot 852 to Crossties Lumber and that future bids from Crossties Lumber not be accepted until they perform on lots already purchased from the Commission.
The Commission V O T E D: to rescind the vote of September 30, 1999 awarding Timber Lot 852 to Crossties Lumber.
The Commission further V O T E D: that future bids from Crossties Lumber not be accepted until they perform on lots already purchased from the Commission, as requested by Mr. Pula in his report of November 2, 1999.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

- Report of Mr. Doak, November 2, submitting for renewal ice skating rink concession permits for the 1999-2000 ice skating season with the provision that each youth organization provide updated copies of the following:
Only those non-profit youth hockey groups or organizations, which have their Articles of Organization (and addendum if applicable) registered with the Secretary of State's Office under provisions of Chapter 180 of the Massachusetts General Laws, will be eligible to renew as a non-profit group. In addition, a list of names, addresses and titles of current officers of the group along with current copies of Certificates of Insurance, price list and menu must be submitted.

<u>LOCATION</u>	<u>CONCESSIONAIRE</u>	<u>PERMIT FEE</u>
Anthony A. LoConte Rink, Veterans Memorial Parkway, Medford	Medford Youth Hockey	\$1.00 per season - plus \$100.00 per month for utilities
Paul W. Cronin Rink Revere Beach Parkway Revere	Revere Youth Hockey	\$1.00 per season - plus \$100.00 per month for utilities

<u>LOCATION</u> (Con.-)	<u>CONCESSIONAIRE</u>	<u>PERMIT FEE</u>
Francis L. Murphy Rink William J. Day Blvd. South Boston	South Boston Youth Hockey	\$1.00 per season - plus \$100.00 per month for utilities
Allied Veterans Memorial Rink Elm Street Everett	CLOSED FOR THE SEASON	
Alexander S. Bajko Rink Turtle Pond Parkway Hyde Park	Hyde Park Youth Hockey	\$1.00 per season - plus \$100.00 per month for utilities
Robert M. Devine Rink Morrissey Boulevard Dorchester	Dorchester Youth Hockey	\$1.00 per season - plus \$100.00 per month for utilities
Emmons-Horrigan-O'Neil Rink Rutherford Avenue Charlestown	Charlestown Youth Hockey	\$1.00 per season - plus \$100.00 per month for utilities
Rev. Romano Simoni Rink Gore Street Cambridge	Cambridge Youth Hockey	\$1.00 per season - plus \$100.00 per month for utilities
Walter D. Bryan Rink VFW Parkway West Roxbury	Parkway Youth Hockey	\$1.00 per season - plus \$100.00 per month for utilities
Reilly Memorial Rink Cleveland Circle Brighton	All-Bright Youth Hockey	\$1.00 per season - plus \$100.00 per month for utilities
Connery Memorial Rink Shepard Street Lynn	Lynn Youth Hockey	\$1.00 per season - plus \$100.00 per month for utilities
Flynn Memorial Rink Woodland Road Medford	Tri City Youth Hockey	\$1.00 per season - plus \$100.00 per month for utilities
Porrizzo Memorial Rink Constitution Beach East Boston	East Boston Youth Hockey	\$1.00 per season - plus \$100.00 per month for utilities

<u>LOCATION</u> (con.-)	<u>CONCESSIONAIRE</u>	<u>PERMIT FEE</u>
Connell Memorial Rink Broad Street Weymouth	Weymouth Youth Hockey	\$1.00 per season - plus \$100.00 per month for utilities
Veterans Memorial Rink Somerville Avenue Somerville	Somerville Youth Hockey	\$1.00 per season - plus \$100.00 per month for utilities
Veterans Memorial Rink Totten Pond Road Waltham	Waltham Youth Hockey	\$1.00 per season - plus \$100.00 per month for utilities
Max Ulin Rink Unquity Road Milton	Milton Youth Hockey	\$1.00 per season - plus \$100.00 per month for utilities
Daly Memorial Rink Nonantum Road Brighton	North End Youth Hockey	\$1.00 per season - plus \$100.00 per month for utilities

The Commission V O T E D: Approved as submitted by Mr. Doak in his report of October 19, 1999.

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

1. Report of Mr. Broderick and Ms. Richardson, on proposal for Repairs to the M/V Martha.
(Mr. Broderick and Ms. Richardson recommend acceptance of the only proposal received, that of D. N. Kelley and Son, Inc., of \$25,755.00).
Time for Performance - approximately five months.
Account No. 2440-0010.
The Commission V O T E D: to accept the only proposal received, that of D. N. Kelley and Son, Inc., of \$25,755.00.

Action was taken upon the following matters relating to the Office of Planning:

2. Report of Mrs. O'Brien and Ms. Garnett, October 15, requesting approval of and authorization for Commissioner Balfour to execute, on behalf of the Commission, Interagency Service Agreement between the MDC and the Massachusetts Highway Department (MHD), which enables the transfer of \$1,375,485.00 in ISTEA Enhancement Funds from MHD to MDC for construction of the Neponset River Trail.
The Commission V O T E D: Held Over.

1. Report of Mrs. O'Brien and Mr. Corsi, September 10, requesting approval and execution of Contract-Agreement No. PL99-060-S1A, with Alexander J. Felson for Planning Intern Services to provide assistance on issues concerning the New Charles River Basin, the Historic Charles River Basin, the Neponset River Reservation and the M.D.C.'s web site.
Time for Performance - not-to-exceed twenty six weeks.
Compensation - not-to-exceed \$2,600.00.
Account No. 2490-8915 of Chapter 33, Acts of 1991.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract-Agreement No. PL99-060-S1A, dated November 4, 1999, with Alexander J. Felson, which was signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following matters relating to the Office of General Counsel:

2. Report of Mr. Gray, November 1, recommending that the Commission declare surplus and transfer in accordance with the provisions of Chapter 17 of the Acts of 1999, that certain parcel of land located in the City of Medford containing approximately 43.9 acres, to the City of Medford solely for recreation, open space and education purposes, subject to the terms and provisions of said Chapter 17, the EOEA Article 97 Land Disposition Policy, the Chapter 91 mitigation measures and other provisions set forth in the draft EIR certificate for EOEA Project No. 11947 dated October 29, 1999, and all other applicable state laws and regulations, and subject further to the following conditions:
 1. No conveyance of this parcel shall be valid unless the deed contains a conservation restriction, expressly restricting the areas of the panel not otherwise required for school purposes, for recreation, open space and educations purposes.
 2. No conveyance of this parcel shall be valid unless the deed contains a conservation easement, reserving a right of way for the general public for recreation and open space purposes along a reparation corridor two hundred (200') feet in width.
 3. No conveyance of this parcel shall be valid unless the deed contains a provision allowing the regional use of the playing fields by the general public when not otherwise being utilized by the City of Medford, and a provision allowing the regional use of the restricted areas of the parcel for open space and environmental education purposes, including but not limited to Project WET, Project Aquatic WILD, and Project Learning Tree activities.
 4. No conveyance of this parcel shall be valid unless the deed contains a provision requiring that the Massachusetts Historical Commission be consulted prior to any excavation on site.

The Commission V O T E D: Approved as recommended by Mr. Gray in his report of November 1, 1999.

1. Report of Mr. Gray, November 3, recommending that the Commission vote to affirm the earlier vote of the Commission on October 7, 1999, and adopt an order of taking for approximately 29.89 acres of land owned by Arthur W. and Dorothy A. French, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of \$200,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39, and 44A. Account No. 2420-8936.

**ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION**

Boston, November 4, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Section 117 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying in the westerly part of the said Town of Sterling, on the southeasterly side of Holden Road, more particularly bounded and described as follows:

Beginning at a concrete bound found at the northeasterly corner of land, now or formerly, of Willard K. II and Barbara A. French, at a point in the southeasterly line of Holden Road:

Thence S. 48° 34' 47" E., 622.60 feet, by land, now or formerly, of W.K. II & B.A. French, to a point at the southeasterly corner of said abutting land, and the northeasterly corner of other land, now or formerly, of Arthur W. and Dorothy A. French, specifically excluded from the provisions of this order of taking and shown as Parcel C upon a recorded survey plan cited at the conclusion of this description;

- Thence S. 04° 42' 02" E., 196.38 feet, by Parcel C, to a gun barrel set at the southeasterly corner of Parcel C;
- Thence S. 59° 43' 38" W., 483.79 feet, by Parcel C, to a gun barrel at the northeasterly corner of land, now or formerly, of Percia Salvatore, said corner being the southwesterly corner of both Parcel C and land, now or formerly, of W.K. II and B.A. French;
- Thence S. 22° 40' 51" E., 619.35 feet, partially by land, now or formerly, of P. Salvatore and partially by land, now or formerly, of James B. and Pamela G. Simpson, to a drill hole in rock found at the southeasterly corner of land, now or formerly, of J.B. and P.G. Simpson, and at a point in the northerly line of land, now or formerly, of Listowich Farm Trust, Anthony B. Listowich and Henry B. Listowich, Trustees;
- Thence N. 61° 54' 26" E., 1180.84 feet, by land, now or formerly, of Listowich Farm Trust, to a concrete bound found at the northwesterly corner of other land, now or formerly, of Arthur W. and Dorothy A. French, specifically excluded from the provisions of this order of taking;
- Thence N. 57° 37' 32" E., 491.91 feet, by said other land, now or formerly, of Arthur W. and Dorothy A. French, to a gun barrel set at the southeasterly corner of the parcel herein being described, and at the southwesterly corner of land, formerly of Edwin E. Wronski, et als, now of the Commonwealth of Massachusetts, Metropolitan District Commission;
- Thence N. 37° 37' 58" W., 545.51 feet, by land of the Commonwealth of Massachusetts, MDC, to a drill hole in rock found;
- Thence N. 35° 40' 53" W., 415.49 feet, by land of the Commonwealth of Massachusetts, MDC, to a drill hole in rock found at the southeasterly corner of other land, now or formerly, of Arthur W. and Dorothy A. French, specifically excluded from this order of taking, and shown upon the plan cited below as Parcel A;
- Thence S. 32° 57' 33" W., 330.65 feet, by Parcel A, to a concrete bound found at the southeasterly corner of land, now or formerly, of Paul R. Brown, Jr.;
- Thence S. 32° 51' 28" W., 204.87 feet, by land, now or formerly, of P.R. Brown, Jr., to another concrete bound found at the southwesterly corner of said abutting land;
- Thence N. 53° 51' 54" W., 422.92 feet, by land, now or formerly, of P.R. Brown, Jr., to another concrete bound found at a point in the southeasterly line of land, now or formerly, of John T. and Lynne C. LeFort;

Thence S. 41° 45' 31" W., 300.33 feet, partially by land, now or formerly, of J.T.and L.C. LeFort, and partially by land, now or formerly, of Mary Ann L. Schreiber, to a gun barrel found at a corner;

Thence N. 48° 34' 47" W., 437.17 feet, by land, now or formerly, of M.A.L. Schreiber, to a point in the southeasterly line of Holden Road;

Thence S. 39° 10' 40" W., 40.03 feet, by the southeasterly line of the road to the first mentioned concrete bound found, being the point and place of beginning.

Containing 29.893 acres, more or less, as shown as Parcel B upon a survey plan entitled "Plan Of Land In Sterling Prepared For Arthur W. & Dorothy A. French," dated December 22, 1997, prepared by Berry Engineering, Inc., Edward T. Berry, P.L.S., which plan shall be Recorded with Worcester District Registry of Deeds at a later date, and be made a part of this order.

The aforementioned parcel is supposed to be owned by the following owners:

OWNERS

RESTRICTION AREA TAKEN

Arthur W. French
and
Dorothy A. French

29.893 acres

Meaning and intending to take hereby a watershed preservation restriction and conservation easement in, on and to the above premises, howsoever the same may be bounded and described, and being a portion of the premises described as Parcel I, excluding exceptions, as stated, in a deed from Arthur W. French and Dorothy A. French to Arthur W. French and Dorothy A. French, dated September 7, 1989, and recorded with Worcester District Registry of Deeds in Book 12334, Page 86.

The above described land, herein restricted, is represented upon Sterling Assessors Map 54 as most of Parcel 5.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcel of land hereinabove described.

1. No construction or placing of buildings or structures or parts thereof, or roads, ways, paths or portions thereof, shall be permitted on said premises: however, this provision shall not be read so as to prohibit or limit the continued use, maintenance and improvement of the existing pervious-surfaced cart road presently traversing the property.
2. No construction or placing of utilities or utility delivery systems, or portions thereof, shall be permitted.
3. The use of the above described premises, or any portion thereof, herein and hereby restricted, shall not be used to satisfy zoning requirements for development of any adjoining unrestricted land.
4. No septic systems or leach fields shall be permitted.
5. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance shall be permitted, except as needed to maintain the land.
6. No storage, stockpiling, or use of hazardous materials, petroleum products, pesticides and herbicides, manure and fertilizers, shall be permitted.
7. No tillage.
8. No grazing or sheltering of livestock or animals shall be permitted.
9. No commercial or public recreational use shall be permitted, and no motorized or vehicular recreational use by the landowners shall be permitted.
10. No commercial timber harvesting shall be permitted, unless such harvesting is in compliance with the Massachusetts Forest Cutting Practices Act (M.G.L. c. 132, as amended), and MDC Best Management Practices for Forest Management.
11. The parcel subject to this conservation restriction includes an existing outbuilding which shall be used only for storage and light maintenance purposes (i.e., woodworking) and is further encumbered to strictly prohibit:
 - a. enlargement or conversion of the building beyond storage and work space;

- b. the addition of any other utilities beyond the existing utility service;
- c. commercial use of the building by the owner and/or the rental of the building to another for any revenue generating purpose; and
- d. storage or maintenance of motor vehicles or other internal combustion devices.

12. No other acts or uses detrimental to such watershed, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

The watershed preservation restriction and conservation easement hereby taken, grants the Commission, its successors and assigns, the right to enter upon the land hereinabove described at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same, but does not grant the public any such rights. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owners, including the right to privacy.

The Commission awards damages sustained by the owners of the land hereinabove mentioned by reason of said taking, in the following sum:

<u>OWNERS</u>	<u>AWARD</u>
Arthur W. French and Dorothy A. French	\$ 200,000.00

The Commission V O T E D: to affirm the earlier vote of the Commission on October 7, 1999, and adopt an order of taking for approximately 29.89 acres of land owned by Arthur W. and Dorothy A. French, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of \$200,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39, and 44A.

Adjourned at 9:45 a.m., to meet on Wednesday, November 10, 1999, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Nine Hundred and Thirteenth (3913th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Wednesday, November 10, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on October 21, 1999 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Brooks and Mayhew, November 3, recommending approval of an extension of time from September 9, 1999 to December 2, 1999, on Contract No. P99-1993-C1A, with E. A. Colangeli Construction Company, Inc., for Porcelain Enamel Joint Repairs at the Charles River Dam, Boston, MA, due to the need to install new roofing over Stairway Number 2 and to repoint 45 linear feet of exterior brick joints.
(At no additional contract cost).
The Commission V O T E D: to approve an extension of time from September 9, 1999 to December 2, 1999, as recommended by Messrs. Faucher, Brooks and Mayhew in their report of November 3, 1999, 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. At this point, Associate Commissioner Carr questioned the status of the guidelines for Commission approval of extra work orders, revisions in quantities, etc. The inquiry was being made, he noted, as a result of several items appearing on today's agenda concerning ratification of the action of the Deputy Commissioner for Technical Services, for extra work orders and revisions in quantities.
Mr. Jewett responded that several drafts of the guidelines and procedures have been circulated amongst interested parties, exclusive of the Commission.
These drafts are currently under review, Mr. Jewett explained.
3. Report of Messrs. Faucher, Brooks and Mayhew, November 5, recommending approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 7, for additional work performed by Spector Metals Products Company, Inc., on steel railings, at a cost of \$2,322.65 on Contract No. PL92-017-C2A, with D & C Construction Company, Inc., for Upper Charles River Reservation Restoration - Phase 1B, Newton/Waltham.
Funding from Account No. 2490-0017.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 7, on Contract No. PL92-017-C2A.
The Commission further V O T E D: to approve Extra Work Order No. 7, in the amount of \$2,322.65.

1. Report of Messrs. Faucher and Thurlow, November 3, recommending approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 1, for the identification of an unknown pipe and its removal, at a cost of \$2,186.69, on Contract No. P97-1871-C2A, with SB General Contracting Co., Inc., for Construction of New Comfort Station at Artesani Playground, Brighton.
Funding from Account No. 2440-9800.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 1, on Contract No. P97-1871-C2A.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of \$2,186.69.
2. Report of Messrs. Faucher and Thurlow, November 3, recommending approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 2, for removal of unsuitable material at the building slab, at a cost of \$10,301.76, on Contract No. P97-1871-C2A, with SB General Contracting Co., Inc., for Construction of New Comfort Station at Artesani Playground, Brighton.
Funding from Account No. 2440-9800.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 2, on Contract No. P97-1871-C2A.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of \$10,301.76.
3. Report of Messrs. Faucher, Brooks and Mayhew, October 29, on bids for Demolition of Bathhouse at Havey Beach, V.F.W. Parkway, West Roxbury, Contract No. P98-1948-C1A.
(Messrs. Faucher, Brooks and Mayhew recommend acceptance of the lowest bid received, that of Jay-Mor Enterprises of \$16,400.00).
The Commission V O T E D: to accept the lowest bid received, that of Jay-Mor Enterprises of \$16,400.00.
4. Report of Messrs. Faucher, Brooks and Mayhew, November 1, recommending approval of the action of Deputy Commissioner Faucher resulting in revisions in quantities on Contract No. PL92-017-C2A, with D & C Construction Company, Inc., for Upper Charles River Reservation Restoration-Phase 1B, Newton/Waltham, as follows -

Item No. 02200-10	-	Placed Boulders	-	\$2,700.00
Item No. 02930-5	-	Loam Spread	-	\$4,500.00
Item No. 02200-6	-	Rounded River Stone	-	<u>\$1,000.00</u>
		Total		\$8,200.00
5. Funding from Account No. 2490-0017.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher resulting in revisions in quantities on Contract No. PL92-017-C2A.
The Commission further V O T E D: to approve the revisions in quantities, in the amount of \$8,200.00.
6. Report of Mr. Faucher and Ms. Pomorska, November 4, recommending

approval of revisions in quantities on Contract No. P98-1926-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signals and Control Systems in Middlesex Fells and Revere Beach Districts, as follows -

Item No. 002-010 - Materials, Components	- \$17,010.00
Item No. 004-030 - Labor Rate for Helper	- <u>\$11,100.00</u>
	Total \$28,110.00

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos.003-020, 007-020, 011-010, 011-020, 014-010, 015-015, 015-021 and 018-010).

The Commission V O T E D: Approved.

1. Report of Messrs. Faucher, Brooks and Mayhew, October 29, recommending approval of the request of the Contractor for an extension of time from October 31, 1999 to December 15, 1999, on Contract No. PL82-1022-C2A, with T. Cooney Company, for Revere Landing Park Restrooms, Charlestown, due to building fire rating code requirements resulting in a change of materials in order to comply with code.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from October 31, 1999 to December 15, 1999, as recommended by Messrs. Faucher, Brooks and Mayhew, in their report of October 29, 1999, 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 Messrs. Faucher and Mrs. Graves Jones, November 3, recommending approval of revisions in quantities on Contract No. P98-1925-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signals and Control Systems, Old Colony and Blue Hills Districts, as follows -

Item No. 004-020 - Labor Rate for Licensed Electrician Serviceman	\$ 9,360.00
Item No. 004-030 - Labor Rate for Licensed Helper - Misc. & Repair	<u>\$ 2,960.00</u>
	Total \$12,320.00

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 002-010, 006-010, 006-020, 007-010, 007-020, 008-010, 008-020, 008-030, 009-010, 010-010, 011-010, 011-020, 014-010, 015-009, 015-015, 015-021, 016-010, 017-010 and 018-010).

The Commission V O T E D: Approved.
3. Report of Messrs. Faucher and Soroka, November 4, recommending approval of revisions in quantities on Contract No. P98-1927-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal Systems and Control Systems Charles River Basin Districts, as follows -

Item No. 002-020 - Maintenance for Traffic Control Devices	- \$ 2,000.00
Item No. 004-020 - Labor Rate for Licensed Electrician	- \$ 5,200.00
Item No. 004-030 - Labor Rate for Helper Miscellaneous Repairs	- \$ 2,220.00

Item No. 006-020 - Vehicle Signal Head - \$ 1,800.00
Single Section 12"

Total \$11,220.00

(At no increase in contract cost as the revisions will be offset by unused quantities in Item Nos. 011-010, 011-020, 018-010, 015-015, 020-010, 007-010, 018-010, 008-030, 009-010 and 007-020).

The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Office of Planning:

1. Report of Mrs. O'Brien and Ms. Garnett, October 15, requesting approval of and authorization for Commissioner Balfour to execute, on behalf of the Commission, Interagency Service Agreement between the MDC and the Massachusetts Highway Department (MHD), which enables the transfer of \$1,375,485.00 in ISTEA Enhancement Funds from MHD to MDC for construction of the Neponset River Trail.
The Commission V O T E D: Held Over.
2. Report of Mrs. O'Brien and Mr. Driscoll, November 4, recommending the following on Contract No. PL92-017-S1A, with Carol R. Johnson & Associates, Inc., for Upper Charles River Master Plan and Design Services - Watertown, Newton, Waltham and Weston, MA -
(a) That work be accepted as completed as of June 30, 1999.
(b) That reserve, in the amount of \$20,279.10, be approved for payment.

(Basis of Award - \$350,000.00)

(Amount to Date - \$552,567.24)

(Contract Performance Rating - 8 (with 10 being excellent)

(EEO Compliance - N/A)

The Commission V O T E D: that the work of Carol R. Johnson & Associates, Inc., Consultant under Contract No. PL92-017-S1A, be and hereby is accepted as completed as of June 30, 1999.

The Commission further V O T E D: to approve release of reserve, in the amount of \$20,279.10, for payment.

Adjourned at 9:35 a.m., to meet on Thursday, November 18, 1999, at 9:00 a.m.

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

Record of the Three Thousand Nine Hundred and Thirteenth (3914th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, November 18, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on November 4, 1999 were read and approved.

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

1. Service Contract No. 00-HATCH, dated November 18, 1999, with Architectural Graphics and Signs, Inc., for Installation of Cast Bronze Letters on Base of the Hatch Shell Amphitheater.
2. Contract No. P99-1988-C1A, dated November 18, 1999, with M.R.P. Site Development, Inc., for Santilli Circle Safety Improvements, Everett.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher and Griffin and Mrs. O'Brien, November 12, requesting that R.H.D. Construction Company, Inc., be found in default for violating certain requirements of Contract No. PL82-1022-C1A, for Revere Landing Park.

Messrs. Faucher and Griffin and Mrs. O'Brien recommend the Commission adopt the following vote -

WHEREAS: The Engineer certifies to the Commission that the rate of progress is unsatisfactory, that the work has been unnecessarily and unreasonably delayed, and that the contractor has consistently failed to provide materials in accordance with contract plans and specifications, we hereby declare that R.H.D. Construction Co., Inc., is in default, having violated certain provisions of the contract; and

WHEREAS: R.H.D. Construction Co., Inc. has voluntarily declared that it is in default of the contract;

and **WHEREAS:** The St. Paul Surety Company of Baltimore, Maryland executed a Performance Bond, as surety, on behalf of R.H.D. Construction Co., Inc. as principal, agreeing to be held and firmly bound unto the Commonwealth of Massachusetts for the faithful performance of R.H.D. Construction Co., Inc. and agrees to complete the contract work pursuant to the agreement attached hereto.

Messrs. Faucher and Griffin and Mrs. O'Brien further request approval of an extension of time, for administrative purposes only, from December 31, 1999 to July 1, 2000, under provisions of Article XXII.

(Messrs. Faucher and Griffin and Mrs. O'Brien further request that the Commissioner be authorized to execute the agreement on behalf of the Commission).

The Commission V O T E D: to adopt the following vote -

WHEREAS: The Engineer certifies to the Commission that the rate of progress is unsatisfactory, that the work has been unnecessarily and unreasonably delayed, and that the contractor has consistently failed to provide materials in accordance with contract plans and specifications, we hereby declare that R.H.D. Construction Co., Inc., is in default, having violated certain provisions of the contract; and

WHEREAS: R.H.D. Construction Co., Inc. has voluntarily declared that it is in default of the contract; and

WHEREAS: The St. Paul Surety Company of Baltimore, Maryland executed a Performance Bond, as surety, on behalf of R.H.D. Construction Co., Inc. as principal, agreeing to be held and firmly bound unto the Commonwealth of Massachusetts for the faithful performance of R.H.D. Construction Co., Inc. and agrees to complete the contract work pursuant to the agreement attached hereto.

The Commission further V O T E D: to approve an extension of time, for administrative purposes only, from December 31, 1999 to July 1, 2000, under provisions of Article XXII, as recommended by Messrs. Faucher and Griffin and Mrs. O'Brien in their report of November 12, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation and that this extension of time shall in no way affect the liquidated damages in Article No. XXI, that may be due to the Commission and shall not operate as a waiver on the part of the Commission or in any of its rights under the Contract.

The Commission further V O T E D: to authorize Commissioner Balfour to execute the agreement on behalf of the Commission.

1. Report of Messrs. Faucher and Thurlow, November 8, submitting for approval Project Summary, Work Schedule, Project Justification and requesting authorization to advertise Project No. P00-2038-C1A, for Tree Pruning and Removals at Ponkapoag Golf Course, Canton.
Estimated Cost - \$25,000.00.
Time for Performance - three months.
Account no. 2440-4000.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P00-2038-C1A, for Tree Pruning and Removals at Ponkapoag Golf Course, Canton.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.
2. Report of Messrs. Faucher and Thurlow, November 9, requesting approval of an extension of time from November 10, 1999 to January 19, 2000, on Contract No. P99-2020-C1A, with Tree Technology, Inc., for Landscape Improvements at Bellevue Hill, West Roxbury, due to delay in receiving benches.
(At no additional Contract cost).
The Commission V O T E D: to approve an extension of time from



November 10, 1999 to January 19, 2000, as requested by Messrs. Faucher and Thurlow in their report of November 9, 1999, 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 Messrs. Faucher, Brooks and Mayhew, November 8, recommending approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 9, for -

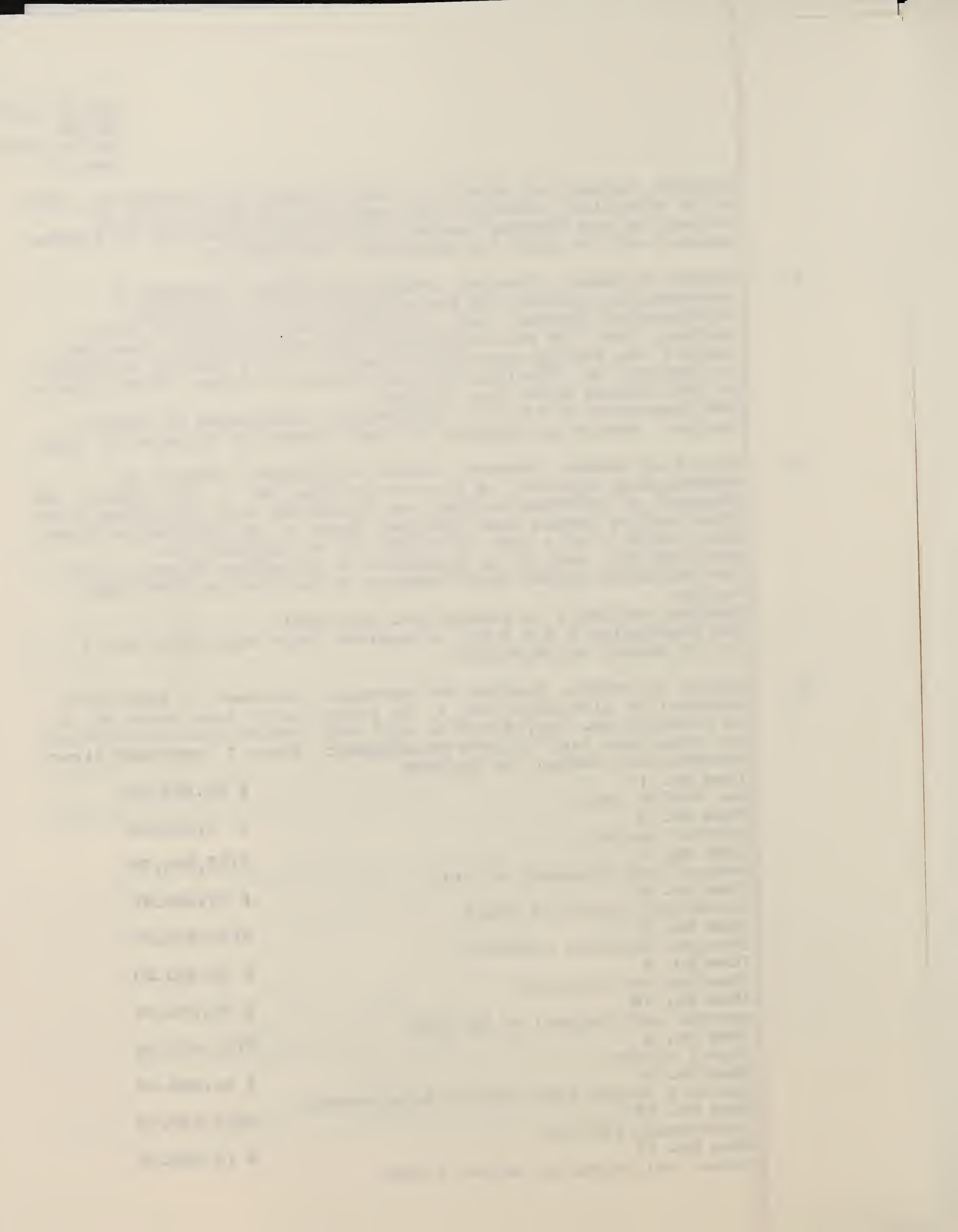
sod installation -	\$1,200.00
removal of debris -	\$1,700.00
installation of rip-rap -	\$2,100.00
removal of knotweed -	\$2,500.00
contractor 3% markup -	\$ 225.00
Total -	\$7,725.00

on Contract No. PL92-017-C2A, with D & C Construction Company, Inc., for Upper Charles River Reservation Restoration - Phase 1B, Newton/Waltham.
Funding available in Account No. 2490-0017.
Associate Commissioner Carr noted that he received a briefing, prior to today's Commission Meeting, concerning the status of the proposed policy for procedures to be used for extra work orders, revisions in quantities, etc., as discussed at the Meeting of November 10, 1999.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 9, on Contract No. PL92-017-C2A.
The Commission further V O T E D: to approve Extra Work Order No. 9, in the amount of \$7,725.00.
2. Report of Messrs. Faucher, Brooks and Mayhew, November 8, recommending approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 8, for installation of two catch basins, piping and new paving - at a cost of \$9,239.52, on Contract No. PL92-017-C2A, with D & C Construction Company, Inc., for Upper Charles River Reservation Restoration - Phase 1B, Newton/Waltham.
Funding available in Account No. 2490-0017.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 8, on Contract No. PL92-017-C2A.
The Commission further V O T E D: to approve Extra Work Order No. 8, in the amount of \$9,239.52.
3. Report of Messrs. Faucher, Brooks and Mayhew, November 12, recommending approval of the request of the Contractor for an extension of time from November 2, 1999 to November 30, 1999, on Contract No. P99-2026-C1A, with DePrizio & Garofano Construction, Inc., for Demolition of a Single Story Building and Steel Hopper, Stoneham, due to unforeseen problems.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from November 2, 1999 to November 30, 1999, as recommended by Messrs.

Faucher, Brooks and Mayhew, in their report of November 12, 1999, 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 Messrs. Faucher, Brooks and Mayhew, November 9, recommending approval of the request of E. A. Colangeli Construction Company, Inc., to engage the services of Titan Roofing, Inc., as sub-contractor, to remove existing roof and install new roofing over Stair Tower A - at a cost of \$7,200.00, on Contract No. P99-1993-C1A, for Porcelain Enamel Joint Repairs at the Charles River Dam, Boston.
The Commission V O T E D: Approved as recommended by Messrs. Faucher, Brooks and Mayhew, in their report of November 9, 1999.
2. Report of Messrs. Faucher, Brooks and Mayhew, October 29, recommending approval of Extra Work Order No. 1, for removal and disposal of existing roofing and furnishing and installing a new EPDM roofing system over Stairway Tower A, at the Charles River Dam, Boston - at a cost of \$8,862.47, on Contract No. P99-1993-C1A, with E. A. Colangeli Construction Company, Inc., for Porcelain Enamel Joint Repairs at the Charles River Dam, Boston.
Funding available in Account No. 2440-8950.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$8,862.47.
3. Report of Messrs. Faucher and Lenhardt, November 5, requesting approval of Alteration No. 4, to revise Extra Work Order No. 2, on Contract No. PL97-044-C1A, with WES Construction Corporation, for Pope John Paul II Park Development, Phase I, Neponset River Reservation, Boston, as follows -

Item No. 1	\$ 25,000.00
New Bridge Deck	
Item No. 2	\$ 5,000.00
Traffic Control	
Item No. 3	\$102,000.00
Removal and Transport of Soil	
Item No. 4	\$ 45,000.00
Survey and Layout of Trail	
Item No. 5	\$150,000.00
Erosion, Sediment Control	
Item No. 6	\$ 50,000.00
Clearing and Grubbing	
Item No. 7B	\$ 30,000.00
Removal and Disposal of RR Ties	
Item No. 8	\$125,627.00
Gravel Borrow	
Item No. 9	\$ 20,000.00
Health & Safety Plan and DEP Requirements	
Item No. 10	\$260,100.00
Incorporate Fill in	
Item No. 11	\$ 15,000.00
Survey and Layout at Hallet Street	



Item No. 12	\$ 10,000.00
MBTA Flagging Services	
Item No. 13	\$ 17,173.00
Asphalt Removal	

Total - \$854,900.00

(At no increase in Contract cost).

The Commission V O T E D: to approve Alteration No. 4, to revise Extra Work Order No. 2, in the amount of \$854,900.00, as requested by Messrs. Faucher and Lenhardt in their report of November 5, 1999.

1. Report of Messrs. Faucher and Lenhardt, November 4, recommending that the Commission amend its vote of May 20, 1999, on Contract No. P84-1276-C1A, for Rehabilitation of Sub-structure, Cambridge Viaduct, Cambridge, by substituting Account No. 2440-9990 for Account No. 2490-0017 and increase the value of the project from \$1,500,000.00 to \$2,062,384.00.
(Messrs. Faucher and Lenhardt further recommend acceptance of the lowest bid received for the project, that of SPS New England, Inc., of \$2,062,384.00).
The Commission V O T E D: to amend its vote of May 20, 1999, on Contract No. P84-1276-C1A, for Rehabilitation of Sub-structure, Cambridge Viaduct, Cambridge, by substituting Account No. 2440-9990 for Account No. 2490-0017 and increase the value of the project from \$1,500,000.00 to \$2,062,384.00.
The Commission further V O T E D: to accept the lowest bid received for the project, that of SPS New England, Inc., of \$2,062,384.00.
2. Report of Messrs. Faucher, Carrigan and Machado, November 12, recommending approval of the action of Deputy Commissioner Faucher resulting in Extra Work Orders, on Contract No. P99-2018-C1A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations Throughout the Metropolitan Area, as follows -

Extra Work Order No. 2	\$ 2,008.50
Traffic Signal Detector Loops	
Extra Work Order No. 3	\$15,955.92
Repairs to Craddock Bridge Sidewalk	

Total - \$17,964.42

(At no increase in Contract cost as the extra work will be offset by unused quantities in Item No. 020-010).

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Orders No. 2 and No. 3, on Contract No. P99-2018-C1A.

The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of \$2,008.50.

The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of \$15,955.92.
3. Report of Messrs. Faucher, Carrigan and Machado, November 5, recommending approval of the request of the Contractor to engage

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the services of Bell Traffic Signal, for Extra Work Order No. 2 - Furnish and Install Traffic Detector Loops - at a cost of \$1,950.00, on Contract No. P99-2018-C1A, with D & R General Contracting Inc./MDR Construction Company, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations Throughout the Metropolitan Area. (At no increase in Contract cost).

The Commission V O T E D: to approve the request of the Contractor to engage the services of Bell Traffic Signal, for Extra Work Order No. 2 - Furnish and Install Traffic Detector Loops - at a cost of \$1,950.00, on Contract No. P99-2018-C1A, as recommended by Messrs. Faucher, Carrigan and Machado in their report of November 5, 1999.

1. Report of Messrs. Faucher, Carrigan and Machado, November 8, recommending approval of the action of Deputy Commissioner Faucher resulting in Extra Work Orders and Revisions in Quantities, on Contract No. P99-2019-C1A, with D'Allesandro Corporation, for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan Park System, as follows -

EXTRA WORK ORDERS

Extra Work Order No. 1	\$ 8,626.68
Hand Rails Dilboy Field	
Extra Work Order No. 2	\$ 1,184.67
Temporary Construction Fencing 8 Ft. High	

REVISIONS IN QUANTITIES

Item No. 065-010	\$ 1,290.80
Vinyl C.L.F. Fence 12 Ft. High	
Item No. 074-010	\$ 3,366.00
Remove, Dispose or Store C.L.F. 8 Ft. High	

Total - \$14,468.15

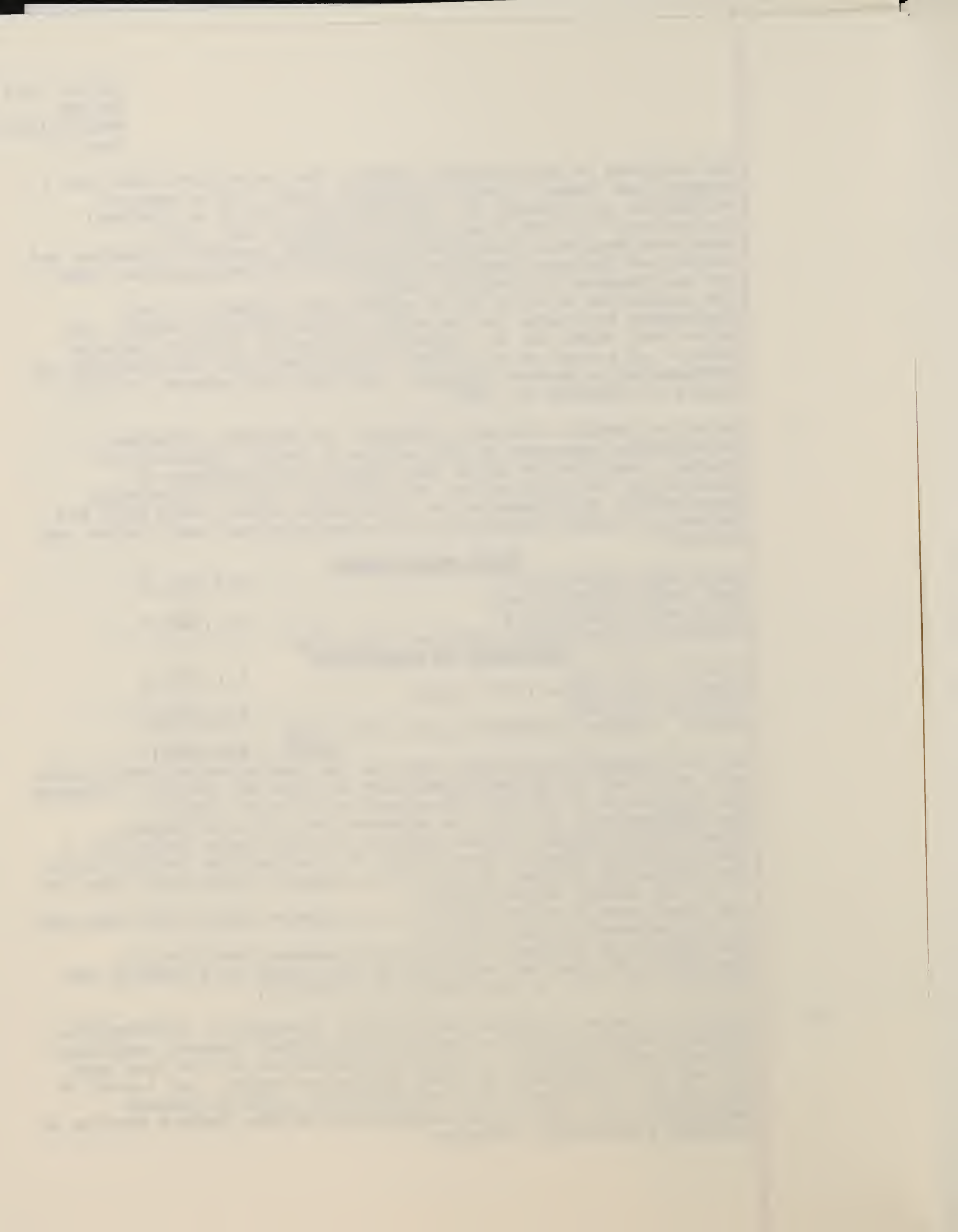
(At no increase in Contract cost as the revisions and extra work will be offset by unused quantities in Item No. 045-010 - Furnish and Install 4" x 10" Wood Guardrail on 8" x 8" Posts).

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Orders No. 1 and 2 and Revisions in Quantities, on Contract No. P99-2019-C1A. The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of \$8,626.68.

The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of \$1,184.67.

The Commission further V O T E D: to approve Revision in Quantities on Item No. 065-010, in the amount of \$1,290.80 and Item No. 074-010, in the amount of \$3,366.00.

2. Report of Messrs. Faucher and Thurlow, November 3, recommending approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 3, for the excavation of the sump pump pit and the relocation of floor drains and vents - at a cost of \$21,404.79, on Contract No. P97-1871-C2A, with SB General Contracting Co., Inc., for Construction of New Comfort Station at Artesani Playground, Brighton.



Funding available in Account No. 2440-9800.

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 3, on Contract No. P97-1871-C2A.

The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of \$21,404.79.

1. Report of Messrs. Faucher, Brooks and Mayhew, November 15, recommending approval of Alteration No. 1 - for an alternate joint sealing system for the porcelain panels in lieu of the panels sealant material - at an increase of \$42,878.37, on Contract No. P99-1993-C1A, with E.A. Colangeli Construction Company, Inc., for Porcelain Enamel Joint Repairs at the Charles River Dam, Boston.
(At no increase in Contract cost as the Alteration will be offset by unused quantities in Item Nos. 001-010 - Sealing Porcelain Enamel Joints and 005-010 - Removal of all Existing Taping, Sealant and Backing).
The Commission V O T E D: to approve Alteration No. 1, in the amount of \$42,878.37.

2. Report of Messrs. Faucher, Brooks and Balicki, October 4, recommending approval of extra work claims on Contract No. P99-1972-X2A, with William Scotsman, Inc., for work at the Peter J. Kelly Ice Rink, Jamaica Plain, as follows -

Extra Work Claim No. 1	\$1,234.99
for doorway unblock and reblock - associated with the Warming Room/Office Trailer	
Extra Work Claim No. 2	\$ 400.00
for modesty screen associated with the restroom trailer	

Account No. 2440-9812.
The Commission V O T E D: to approve Extra Work Claim No. 1, in the amount of \$1,234.99.
The Commission V O T E D: to approve Extra Work Claim No. 2, in the amount of \$400.00.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Mr. McGinn, November 2, submitting for approval and authorization to advertise Project No. WM00-027-X1A, for procurement of materials required for Installation of the Wachusett Reservoir Narrows Baffle Curtain.
Estimated Cost - \$180,000.00.
(Funding from Account No. 2420-1400 FY00).
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. WM00-027-X1A, for procurement of materials required for Installation of the Wachusett Reservoir Narrows Baffle Curtain.
4. Report of Messrs. McGinn and Kane, November 10, recommending

approval and execution of Amendment No. 1, for an extension of time from November 30, 1999 to December 31, 1999, on Contract No. WM96-010-S1A, with GZA GeoEnvironmental, Inc., for Inspection of Division of Watershed Management Dams, due to need to complete publication of the inspection report for eighty-six of the Division's dams and impoundment structures.

(At no increase in Contract cost).

The Commission V O T E D: Approved.

The Secretary then submitted for signature Amendment No. 1, dated November 18, 1999, to Contract No. WM96-010-S1A, with GZA GeoEnvironmental, Inc., which was signed by the Commissioner and four Associate Commissioners.

1. Report of Messrs. McGinn and Kane, November 8, requesting approval and execution of Amendment No. 3, for an extension of time from November 30, 1999 to January 31, 2000, on Contract No. WM95-085-D1A, with GZA GeoEnvironmental, Inc., for Design and Construction Services, Boat Cove, Wachusett Reservoir, Clinton, due to unanticipated site conditions.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
The Secretary submitted for signature Amendment No. 3, dated November 18, 1999, on Contract No. WM95-085-D1A, with GZA GeoEnvironmental, Inc., which was signed by the Commissioner and four Associate Commissioners.
2. Report of Messrs. McGinn and Kane, November 5, recommending approval of the request of the Contractor for an extension of time from November 30, 1999 to December 31, 1999, on Contract No. WM95-085-C1A, with WES Construction Corporation, for Boat Cove Docking Facility, Wachusett Reservoir, Clinton, due to design modifications and inclement weather conditions.
(At no additional Contract cost).
The Commission V O T E D: to approve an extension of time from November 30, 1999 to December 31, 1999, as recommended by Messrs. McGinn and Kane in their report of November 5, 1999, 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 Office of Planning:

3. Report of Mrs. O'Brien and Ms. Garnett, October 15, requesting approval of and authorization for Commissioner Balfour to execute, on behalf of the Commission, Interagency Service Agreement between the MDC and the Massachusetts Highway Department (MHD), which enables the transfer of \$1,375,485.00 in ISTEA Enhancement Funds from MHD to MDC for construction of the Neponset River Trail.
The Commission V O T E D: Held Over.
4. Report of Mrs. O'Brien and Ms. Garnett, November 15, requesting

approval and execution of Amendment No. 1, for an extension of time from November 30, 1999 to March 30, 2001, on Contract No. PL97-044-S1A, with Camp Dresser and McKee Inc., for Pope John Paul II Park.

(At no increase in Contract cost).

The Commission V O T E D: Approved.

The Secretary then submitted for signature Amendment No. 1, dated November 18, 1999, to Contract No. PL97-044-S1A, with Camp Dresser and McKee Inc., which was signed by the Commissioner and four Associate Commissioners.

1. Report of Mrs. O'Brien, November 15, recommending approval and execution of Amendment No. 1, for 5 Tasks to Contract No. P82-1022-D2A, with Carr, Lynch and Sandell, for Design of North Point Park, as follows -

Task 1 \$ 45,878.00

Past Additional Services requested by CA/T

Task 2 \$ 64,632.00

Future Additional Services, Not In Original
Scope of Services (Includes \$17,233.00 For
Boat Ramp Design, If Necessary).

Task 3 \$ 228,245.00

Park Revisions Due To Highway Contract
Issues (Total Amount For Boat Ramp Design,
If Necessary).

Task 4 \$ 261,352.00

Requested Design Revisions For Value
Engineering.

Task 5 \$ 518,131.00

Restore Funds To Bidding and Construction
Observations

At a Total of - \$1,118,238.00

Mrs. O'Brien further recommends that Tasks 2.1, 2.3, 2.4, 3.0 and 5.0 be approved as optional services, with each sub-task to be negotiated with the Consultant prior to commencement of work.

Mrs. O'Brien further requests approval of an extension of time from June 30, 2001 to June 30, 2003, to complete design and construction observation.

Mrs. O'Brien further requests authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
Account No. 2449-1002.

The Commission V O T E D: to approve Amendment No. 1, for 5 Tasks to Contract No. P82-1022-D2A, with Carr, Lynch and Sandell, for Design of North Point Park.

The Commission further V O T E D: to approve Tasks 2.1, 2.3, 2.4, 3.0 and 5.0 as optional services, with each sub-task to be negotiated with the Consultant prior to commencement of work.

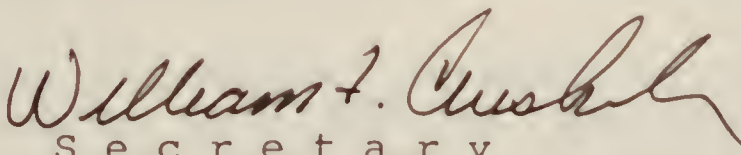
The Commission further V O T E D: to approve an extension of time from June 30, 2001 to June 30, 2003, to complete design and construction observation.

The Secretary then submitted for signature Amendment No. 1, dated November 18, 1999, to Contract No. P82-1022-D2A, with Carr, Lynch and Sandell, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matter relating to the Office of General Counsel:

1. Report of Mr. Gray, November 15, recommending that the Commission approve and execute a Joint Management and License Agreement with the City of Cambridge, to allow the City of Cambridge to fund the design and construction of multi-purpose recreational fields and improvements to Magazine Beach situated in the City of Cambridge and within the MDC Charles River Reservation, and to allow the City of Cambridge to jointly manage said property, pursuant to and in accordance with the provisions of said Agreement. The Commission V O T E D: Approved. The Secretary then submitted for signature Joint Management and License Agreement, dated November 18, 1999, with the City of Cambridge, which was signed by the Commissioner and four Associate Commissioners.

Adjourned at 10:05 a.m., to meet on Thursday, December 2, 1999, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Nine Hundred and Fifteenth (3915th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Wednesday, December 1, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on November 10, 1999 were read and approved.

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

1. Amendment No. 3, dated December 1, 1999, to Contract- Agreement No. P95-1761-D1A, with Rojas Associates, Inc., for Playground Design Services, (Artesani Playground, Brighton).

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Mayhew, November 16, recommending the following on Contract No. P99-1982-C1A, with E. A. Colangeli Construction Co., Inc., for Rehabilitation of the Hall Swimming Pool Bathhouse, Stoneham -
 - (a) That work be accepted as completed as of October 15, 1999.
 - (b) That Estimate No. 4 (Final), in the amount of \$3,543.85, be approved for payment.
 - (c) That reserve, in the amount of \$9,178.75, be approved for payment.
 - (Basis of Award - \$130,784.00)
 - (Amount to Date - \$183,575.07)
 - (Contract Performance Rating - 90 with 100 being excellent)
 - (EEO Compliance - 3.67)

The Commission V O T E D: that the work of E. A. Colangeli Construction Co., Inc., be and hereby is accepted as completed as of October 15, 1999.

The Commission further V O T E D: to approve Estimate No. 4 (Final), in the amount of \$3,543.85, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$9,178.75, for payment.

3. Report of Messrs. Faucher and Kane, November 4, recommending the following on Contract No. P98-1951-C1A, with Jay-Mor Enterprises, Inc., for Demolition of the MDC Owned Structure Adjacent to Almy's Building, Western Avenue, Brighton -
 - (a) That work be accepted as completed as of September 21, 1999.
 - (b) That Estimate No. 1 (Final), in the amount of \$23,132.50, be approved for payment.
 - (c) That reserve, in the amount of \$1,217.50, be approved for payment.
 - (Basis of Award - \$24,350.00)
 - (Amount to Date - \$24,350.00)
 - (Contract Performance Rating - 4.67)
 - (EEO Compliance - 4.20)

The Commission V O T E D: that the work of Jay-Mor Enterprises, Inc., Contractor under Contract No. P98-1951-C1A, be and hereby is accepted as completed as of September 21, 1999.

The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of \$23,132.50, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$1,217.50, for payment.

1. Report of Mrs. Overton Bussell and Messrs. Faucher and DiRamio, October 28, recommending ratification of the action of Deputy Commissioner Faucher resulting in extra work orders, alterations and revisions in quantities, on Contract No. P95-1783-C1A, with B & E Construction Company, for Rehabilitation of Constitution Beach, East Boston, as follows -

REVISIONS IN QUANTITIES

Item No. 002-050	\$ 1,400.00
Drainage Struct. Abandoned	
Item No. 002-110	\$ 700.00
Sanitary Structure Adjusted	
Item No. 002-131	\$ 900.00
Electrical Struct. Adjusted	
Item No. 002-220	\$ 3,000.00
Topsoil Exc. & Stacked	
Item No. 002-290	\$ 1,600.00
Crushed Stone	
Item No. 002-300	\$ 20.00
Dense Graded Crushed Stone	
Item No. 002-310	\$ 4,800.00
Topsoil Rehand. & Spread	
Item No. 002-460	\$ 2,625.00
Removal of Wood Posts and Concrete	
Item No. 006-020	\$ 300.00
6" Ductile Iron Pipe	
Item No. 006-040	\$ 400.00
2" Copper Tubing Type "K"	
Item No. 006-050	\$ 2,200.00
1" Copper Tubing Type "K"	
Item No. 006-060	\$ 650.00
3/4" Copper Tubing Type "K"	
Item No. 010-020	\$ 100.00
Handball Court Fence on Wall	
Item No. 010-150	\$ 4,950.00
6' Ht. Chain Link Fence	
Item No. 010-190	\$ 1,125.00
10' Ht. Chain Link Fence Dbl. Gate	
Item No. 011-110	\$ 3,600.00
Basketball Court Surface	

Total - \$28,370.00

EXTRA WORK ORDERS

Extra Work Order No. 4	\$11,802.00
Changes Made By Boston Edison to Their Original Street and Pedestrian Lighting Plan.	
Extra Work Order No. 6	\$ 4,190.48
Remove and Replace 18" Pipe	

EXTRA WORK ORDERS (CON.-)

Extra Work Order No. 7 \$ 3,780.00
Additional Work Performed While Installing
the New 18" Water Mains at Coleridge Street
Total - \$19,772.48

ALTERATIONS

Alteration No. 2
Item No. 009-030 \$23,315.00
Change From Penetrant Sealer to An Anti-
Graffiti Compound because of possibility
of Vandalism
Alteration No. 3
Item No. 090-030 \$ 2,451.23
Change in Dimensions of Pre-Cast Beams
Alteration No. 4
Item No. 002-070 \$ 500.00
Drainage Structure Remodeled
Item No. 002-080 \$ 500.00
Drainage Structure Removed
Item No. 002-100 \$ 600.00
Sanitary Structure Rebuilt
Item No. 002-120 \$ 500.00
Sanitary Structure Remodeled
Total - \$27,866.23

The Commission is further requested to approve Extra Work Order No. 5 - to tie into a power source for new lighting at the Bennington Street Entrance by installing a 2" conduit across the new pedestrian bridge - at a cost of \$7,339.00.

Account No. 2490-8915.

The Commission V O T E D: to ratify the action of Deputy Commissioner Faucher which resulted in Extra Work Order Nos. 4, 6 and 7, Alteration Nos. 2, 3 and 4 and Revisions in Quantities, on Contract No. P95-1783-C1A.

The Commission further V O T E D: to approve Revisions in Quantities, in the amount of \$28,370.00.

The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of \$11,802.00.

The Commission further V O T E D: to approve Extra Work Order No. 6, in the amount of \$4,190.48.

The Commission further V O T E D: to approve Extra Work Order No. 7, in the amount of \$3,780.00.

The Commission further V O T E D: to approve Alteration No. 2, in the amount of \$23,315.00.

The Commission further V O T E D: to approve Alteration No. 3, in the amount of \$2,451.23.

The Commission further V O T E D: to approve Alteration No. 4, in the amount of \$2,100.00.

The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of \$7,339.00.

2. Report of Messrs. Faucher, Brooks and Martinez, November 19, on bid for Industrial Hygienist Services for OSHA Testing of Lead Paint and Asbestos, at the Halfway Sanitary Facility, Nahant

Beach, Nahant, Contract No. POO-2031-X1A.

(Messrs. Faucher, Brooks and Martinez recommend acceptance of the only bid received, that of Pennoni Associates, Inc., of \$1,496.50).

Time for Performance - two weeks.

Account No. 2440-8963.

The Commission V O T E D: to accept the only bid received, that of Pennoni Associates, Inc., of \$1,496.50.

1. Report of Messrs. Faucher, DiPietro and Galvin, November 23, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. POO-2037-D1A for Evaluation, Design and Construction Services for the Modification of Failing Subsurface Wastewater Disposal System at Georges Island Administration Building.

Upset Limit - \$25,000.00.

Time for Performance - fourteen months.

Account Number 2440-8963.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. POO-2037-D1A for Evaluation, Design and Construction Services for the Modification of Failing Subsurface Wastewater Disposal System at Georges Island Administration Building.

2. Report of Messrs. Faucher and Lenhardt, November 23, recommending approval of the request of the Contractor for an extension of time from November 30, 1999 to December 24, 1999, on Contract No. P99-1992-C1A, with N. E. L. Corporation, for Remedial Repairs to Beades Drawbridge, Boston, due to unexpected repairs to the breaking system.

(At no additional contract cost).

The Commission V O T E D: to approve an extension of time from November 30, 1999 to December 24, 1999, as recommended by Messrs. Faucher and Lenhardt, in their report of November 23, 1999, 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 Office of Planning:

3. Report of Mrs. O'Brien and Ms. Garnett, October 15, requesting approval of and authorization for Commissioner Balfour to execute, on behalf of the Commission, Interagency Service Agreement between the MDC and the Massachusetts Highway Department (MHD), which enables the transfer of \$1,375,485.00 in ISTEA Enhancement Funds from MHD to MDC for construction of the Neponset River Trail.

The Commission V O T E D: Held Over.

4. Report of Mrs. O'Brien, November 26, recommending approval and authorization for Commissioner Balfour to execute on behalf of the Commission, Amendment to Interdepartmental Service Agreement

(ISA) No. 7568 with Massachusetts Highway Department, for Nashua Street Park Design and Construction Technical Services, in the sum of \$850,000.00 for -

Task 1

Past Design Phase Services \$131,710.00

Task 2

Future Design Phase Services \$492,475.00

Includes Soil Remediation \$157,385.00

Bridge Design Services \$205,506.00

New Basin Maintenance Plan \$ 44,630.00

Task 3

Future Construction Phase Services \$175,671.00

Task 4

Optional Services \$ 50,144.00

The Commission V O T E D: Approved as recommended by Mrs. O'Brien in her report of November 26, 1999.

The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, Amendment to Interdepartmental Service Agreement (ISA) No. 7568 with Massachusetts Highway Department, for Nashua Street Park Design and Construction Technical Services.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

1. Report of Mr. Doak, November 29, recommending that S.C.O.R.E. (Sportsmanship Character Opportunity Respect Education), a non-profit organization that teaches hockey and its skills to urban youth, be awarded the skating rink food concession at the Shea Memorial Rink, Quincy, for the 1999-2000 season, for a permit fee of \$1.00 per season and \$100.00 per month for utilities.
The Commission V O T E D: Approved as recommended by Mr. Doak in his report of November 29, 1999.

Action was taken upon the following matters relating to the Office of General Counsel:

2. Report of Mr. Gray, November 29, recommending that the Commission adopt an Order of Taking for acquisition of approximately 142.76 acres of land owned by Marion Hulick a.k.a. Marion J. Hulick and Henry F. Hulick, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of \$975,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 142.76 acres of land owned by Marion Hulick a.k.a. Marion J. Hulick and Henry F. Hulick, located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, December 1, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

Two certain abutting parcels of land, the first lying off of the westerly side of South Nelson Road, being the rear portion of a sixty acre farm tract, and the second being an assemblage of small tillage and pasture lots, lying on and off of the northerly side of Beaman Road, more particularly bounded and described as follows:

Parcel 1

A certain parcel of rear land lying off of the westerly side of South Nelson Road, more particularly bounded and described as follows:

Beginning at a stake with nail set in a stone wall corner, said corner being the southwesterly corner of land formerly of one Jason, now or formerly, land of Thomas E. & Mary M. Chase (see deed dated 10/10/83 recorded with Worcester District Registry of Deeds at Book 7925, Page 311), said stake being located N. 53° 00' 39" W., 211.82 feet, as measured along a stone wall and remaining lands, now or formerly, of Henry F. & Marion J. Hulick, excluded from this order and intended to be retained by them, from a Worcester County Highway bound in the westerly line of the 1934 Record Layout of South Nelson Road at Station 39+40, which is the true point of beginning (see Worcester County Commissioners Decree 1060 recorded with said Deeds at Book 2626, Page 49 and the accompanying Plan H-2392 R recorded as Plan 8 in Plan Book 83);

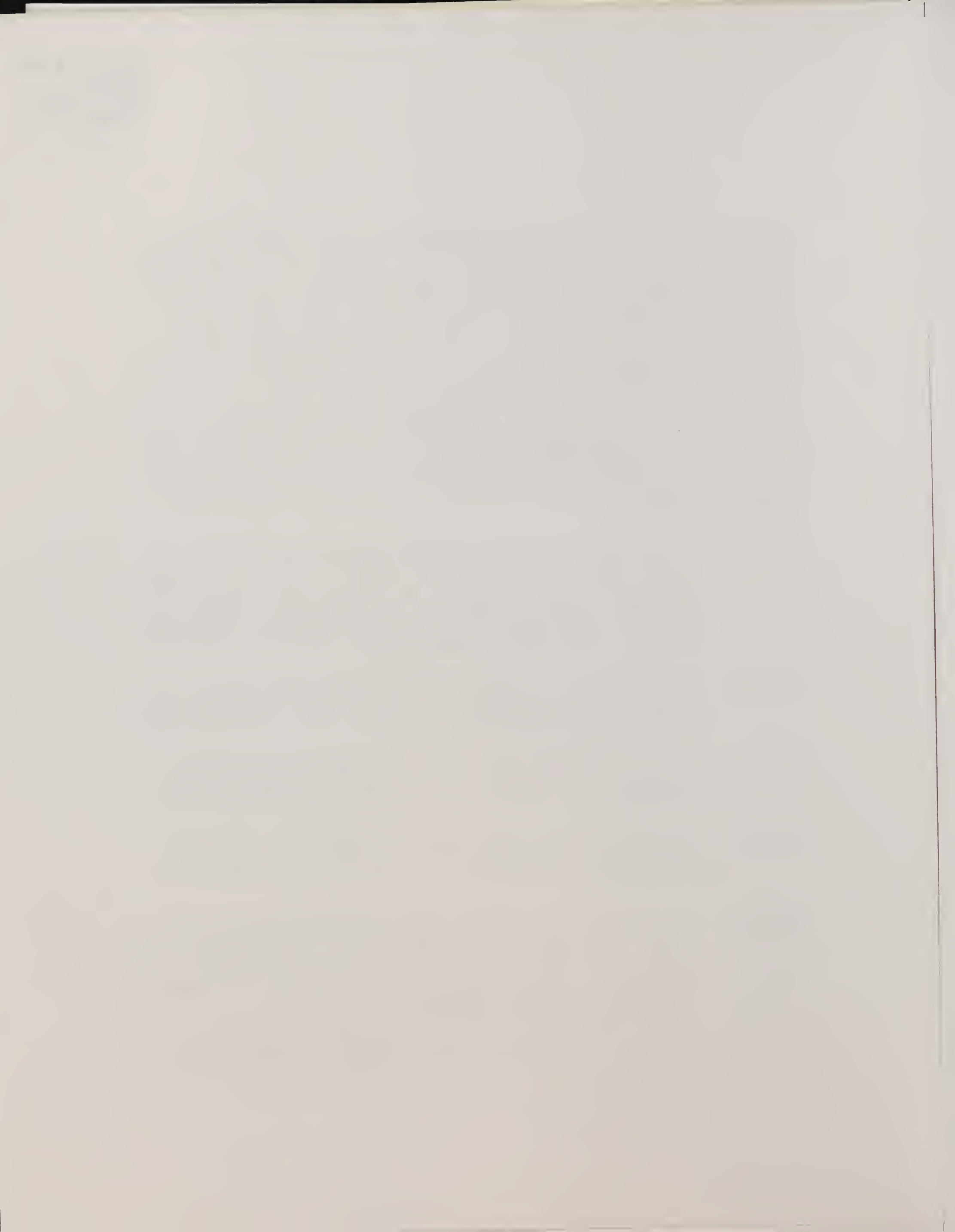
Thence N. 18° 09' E., 395.0 feet, by the stone wall and land, now or formerly, of T.E. & M.M. Chase, to a point in a wall corner, at land, formerly of one Rimbach, now or formerly, of John S. & Phyllis L. George (see deed dated 8/30/66 recorded with said Deeds at Book 4696, Page 199);

Thence N. 80° 36' W., 458.0 feet, by the stone wall and land, now or formerly, of J.S. & P.L. George, to a point at another wall corner;

Thence S. 04° 34' W., 84.0 feet, by the wall and land formerly of Rimbach, to a point in another wall corner;

Thence N. 64° 36' W., 247.0 feet, by the wall and wall remnants, to a point in the wall at an angle in the line;

Thence N. 28° 30' W., 1006.5 feet, by and through the stone wall and continuing along a wire fence, by land, now or formerly, of J.S. & P.L. George, to a point at a fence corner, at the "Mace Lot" land formerly of John Blanchard, now of the Commonwealth of Massachusetts, Metropolitan District Commission (see Order of Taking dated 5/31/95 recorded with said Deeds at Book 17071, Page 20);



- Thence N. 70° 00' W., 515.0 feet, along the wire fence and by land of the Commonwealth of Massachusetts, MDC, to a point in a stone wall, at the "Powers Lot", land, now or formerly, of Marion Hulick, being one of the lots described below as part of Parcel 2;
- Thence S. 25° 30' W., 432.0 feet, along mixed stone wall and wire fence, by the "Powers Lot", land formerly of Frank Wilder et ux, to a point at an angle in the line, at the "Wilder Lot", other land formerly of Frank Wilder et ux, now or formerly, of Marion Hulick, and described below as part of Parcel 2;
- Thence S. 03° 40' E., 930.0 feet, along the wire fence and the "Wilder Lot", to a point at angle in the line, said point being the northernmost point of the "Nelson Lot", other land, formerly of Frank Wilder et ux, now or formerly, of Marion Hulick, and described below as part of Parcel 2;
- Thence S. 11° 10' E., 497.0 feet, along the wire fence and by the "Nelson Lot", to a point at the westerly terminus of a stone wall, and land, formerly of one Woodcock, late of Kenneth I.H. & June B. Williams, and now of the Commonwealth of Massachusetts, Metropolitan District Commission (see the order of taking dated 2/05/98 and recorded with said Deeds at Book 19681, Page 86);
- Thence S. 69° 50' E., 634.10 feet, by the stone wall and land formerly of K.I.H. & J.B. Williams, to a stake with nail set at a wall corner, at other land, now or formerly, of Henry F. & Marion J. Hulick, excluded from the provisions of this order and reserved to them, their heirs and assigns, the said stake marking the westernmost point of this excluded abutting parcel;
- Thence N. 52° 18' 56" E., 333.92 feet, by the stone wall and the excluded parcel, to another stake with nail set at another wall corner;

Thence N. 53° 13' 43" W., 272.40 feet, by the wall and the excluded parcel, to another stake with nail set at another wall corner;

Thence N. 15° 35' 42" E., 313.02 feet, by the stone wall and the excluded parcel, to another stake with nail set at another wall corner;

Thence S. 60° 09' 22" E., 493.53 feet, by the stone wall and the excluded parcel to another stake with nail set at the southeasterly terminus of the wall;

Thence S. 25° 57' 29" E., 142.37 feet, by the excluded parcel to another stake with nail set;

Thence S. 14° 01' 37" W., 132.04 feet, by the excluded parcel, to another stake with nail set;

Thence S. 53° 30' 21" E., 118.42 feet, by the excluded parcel, to another stake with nail set;

Thence N. 16° 44' 02" E., 283.25 feet, by the excluded parcel, to another stake with nail set at a corner;

Thence N. 71° 07' 47" W. 42.47 feet, by the excluded parcel, to another stake with nail set at another corner;

Thence N. 10° 22' 47" E., 243.77 feet, by the excluded parcel, to another stake with nail set at an angle;

Thence S. 60° 13' 07" E., 273.00 feet, by the excluded parcel to the first mentioned stake with nail set at the stone wall corner, being the southwesterly corner of land, now or formerly, of Thomas E. & Mary M. Chase, and the point and place of beginning in the description of Parcel 1.

Containing, by survey calculations, 40.46 acres, more or less.

In addition to the above referenced Record Layout of South Nelson Road, the following survey plans were used in the construction of the description of Parcel 1 set forth above:

1. A plan entitled "Land In Sterling Of Alden Rose, Surveyed January 1955", prepared by John F. Fuller at a scale of 100 feet to the inch and depicting a tract of 60 acres, more or less. This plan is recorded with said Deeds as Plan 43 in Plan Book 204.

2. A plan entitled "Land In Sterling, Massachusetts Owned By Henry F. & Marion J. Hulick", dated November 15, 1999, prepared by Robert D. O'Neil, Jr., R.P.L.S. of Worcester MA, at a scale of 60 feet to the inch and depicting the Remaining Land or Excluded Parcel of 19.54 acres of frontage land to be retained by the owners from the original 60 acre tract. A copy of this plan is on file in the Office of the General Counsel of the Metropolitan District Commission, at its headquarters located at 20 Somerset Street Boston, MA. This plan shall be placed on record with the Worcester District Registry of Deeds, at a later date, and be made a part of this order.

3. A plan entitled "Plan Of Land In Sterling Prepared For The Commonwealth Of Massachusetts Metropolitan District Commission", dated 22 January 1997, prepared by Berry Engineering, Inc. Petersham MA, William L. Berry, Jr. P.L.S. A copy of this plan depicting land abutting Parcel 1, as described above, taken from Kenneth I.H. & June B. Williams, is on file in the Office of the General Counsel of the Metropolitan District Commission, at its Headquarters located at 20 Somerset Street, Boston, MA. This plan shall be placed on record with the Worcester District Registry of Deeds, at a later date.

Parcel 2

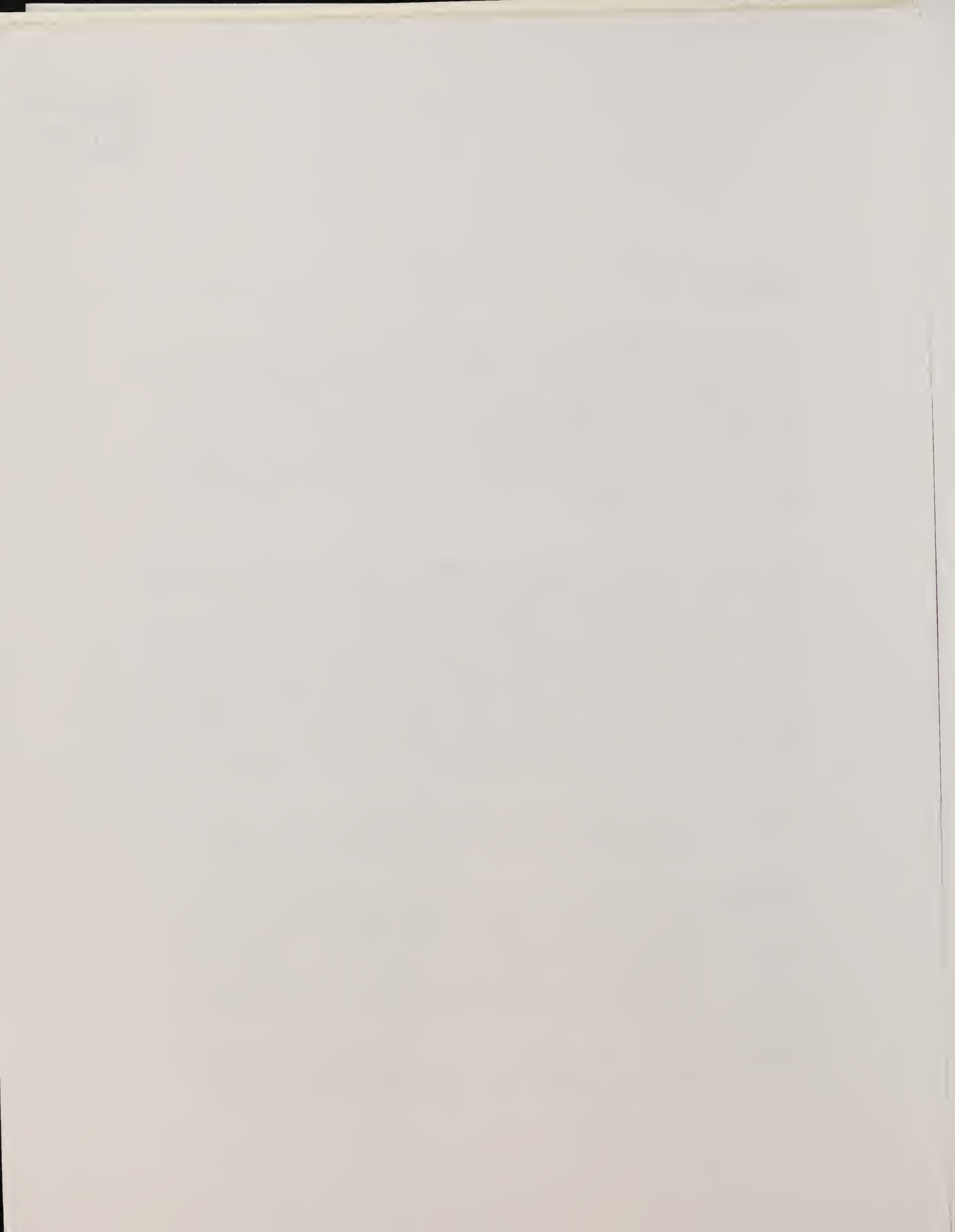
A certain assemblage of parcels, comprised of nine adjoining tillage and pasture lots, lying on and off of the northerly side of the September 17, 1963 Worcester County Highway Record Layout of Beaman Road (see Decree # 2124 of the Worcester County Commissioners, dated 9/17/63 and recorded with Worcester District Registry of Deeds at Book 4409, Page 37 and see also the accompanying Plan H-3898-R recorded as Plan 29 in Plan Book 275), more particularly bounded and described as follows:

Beginning at a drill hole in ledge in the northerly line of the record layout of Beaman Road, at Station 72+62.75, said drill hole marking the southeasterly corner of the assemblage of land being described herein as Parcel 2, and monumenting also the southwesterly corner of the adjoining land, formerly of Expedito & Christina Munoz, and now or formerly, of Keith W. & Rosemarie I. Dinant (see deed dated 8/17/83 and recorded with said Deeds at Book 7876, Page 16, see also the record survey plan of this abutting parcel recorded as Plan 1 in Plan Book 510 and more fully identified below at the conclusion of this description);

Thence N. 67° 07' 25" W., 537.71 feet, by the northerly line of the highway, to a point at Station 78+00.00;

Thence N. 55° 52' 35" W., 14.02 feet, more or less, by the northerly line of the highway layout, to a point at the southeasterly corner of land, now or formerly, of Donald R. & Kathleen S. Ganczarski, located at # 141 Beaman Road (see deed dated 6/19/87 recorded with Worcester District Registry of Deeds at Book 10566, Page 32);

Thence N. 13° 18' 06" W., 233.41 feet, by said abutting lot, to a point at its northeasterly corner;



- Thence N. 55° 23' 05" W., 200.48 feet, by said abutting lot, to a point at its northwesterly corner, and land, formerly of Joseph Bailey (the larger portion of the "Chandler Lot"), now or formerly, of the Eight-Point Sportsmen's Club, Inc. (see the MDC order of taking, dated 9/23/99, placing a conservation restriction upon certain lands of the Club, recorded with said Deeds at Book 21970, Page 118, for the description of the abutting lands of the Club);
- Thence N. 11° 48' 37" E., 17.26 feet, by land, now or formerly, of the Eight-Point Sportsmen's Club, to an iron pin found on line and in line of a wire fence;
- Thence N. 10° 46' 02" E., 111.92 feet, by land, now or formerly, of the Club, to the southerly end of the wire fence, at which point a white oak with stones once stood, being the southwesterly corner of the "Bailey Lot", another of the assemblage lots;
- Thence N. 09° 47' 08" E., 792.00 feet, by the wire fence and land, now or formerly, of the Club, to a point at an angle in the line, where once stood a maple stub and stones, said point being the westernmost point of an unnamed six acre lot adjoining the "Bailey Lot" to the north, another of the assemblage lots;
- Thence N. 34° 47' 08" E., 485.10 feet, running easterly of the wire fence, to a point at an angle in the line where a stake and stones once stood, this course being by the westerly line of the unnamed lot last mentioned, another unnamed six acre lot adjoining it to the north, and partially by yet another unnamed six acre lot lying north of and adjoining the second, said unnamed lots being among the nine assemblage lots herein described;

- Thence N. 24° 41' 08" E., 330.00 feet, by land, now or formerly, of the Club, to a point at a lot corner, being the northeasterly corner of land, now or formerly, of the Club, and the northwesterly corner of the third mentioned six acre lot, said corner being at a point in the southerly line of the "Wilder Lot", another of the assemblage lots;
- Thence N. 72° 52' 52" W., 203.56 feet, by the northerly line of that portion of the "Chandler Lot", now or formerly, of the Eight-Point Sportsmen's Club, Inc., crossing a brook and running to a drill hole set in a stone wall corner at the southwesterly corner of the "Wilder Lot", and the southeasterly corner of the "Hastings Pasture", land formerly of J.H. Osgood, late of Davis Farm Trust, and now of the Commonwealth of Massachusetts, Metropolitan District Commission (see the order of taking dated 6/05/96 recorded with said Deeds at Book 18052, Page 284);
- Thence Northerly, 28 rods and 2 links, or 463.32 feet, more or less, by the easterly line of the "Hastings Pasture", to a point in a lot corner, said point being the southernmost point of the "Powers Lot" another of the assemblage lots comprising Parcel 2, as described herein;
- Thence N. 44° 30' W., 19 rods, or 313.5 feet, more or less, by the northerly line of the "Hastings Lot", to a point;
- Thence N. 35° 30 W., 58 rods and 15 links, or 966.9 feet, more or less, to a point at a lot corner where a stake and stones once stood, said corner being the northwesterly corner of the "Hastings Lot" and the southwesterly corner of the "Powers Lot", said lot corner being at an angle in the southeasterly side of a parcel of land, formerly of Tyler Osgood, late of Davis Farm Trust and now of the Commonwealth of Massachusetts, MDC, (see the order of taking referenced above);

Thence N. 36° E., 55 rods and 12 links, or 915.42 feet, more or less, by land formerly of Davis Farm Trust, to the northwesterly corner of the "Powers Lot" at which a stake and stones once sat, and at which point a drill hole was set in the northwesterly end of a stone wall, said corner being also a corner of the "Mace Lot", land formerly of John Blanchard, now of the Commonwealth of Massachusetts, Metropolitan District Commission (see order of taking dated 5/04/95 recorded with said Deeds at Book 17071, Page 20 and also the accompanying plan recorded as Plan 6 in Plan Book 685);

Thence S. 23° 37' 14" E., 715.64 feet, by the stone wall and the "Mace Lot", to a point;

Thence S. 24° 14' 14" E., 767.93 feet, by the wall and land formerly of J. Blanchard, crossing a 125 foot wide N.E.P.CO. Power Line Easement and running to a drill hole set at an angle in the wall;

Thence S. 18° 42' 56" W., 729.62 feet, by the wall and land of the Commonwealth of Massachusetts, to another drill hole set in a wall angle;

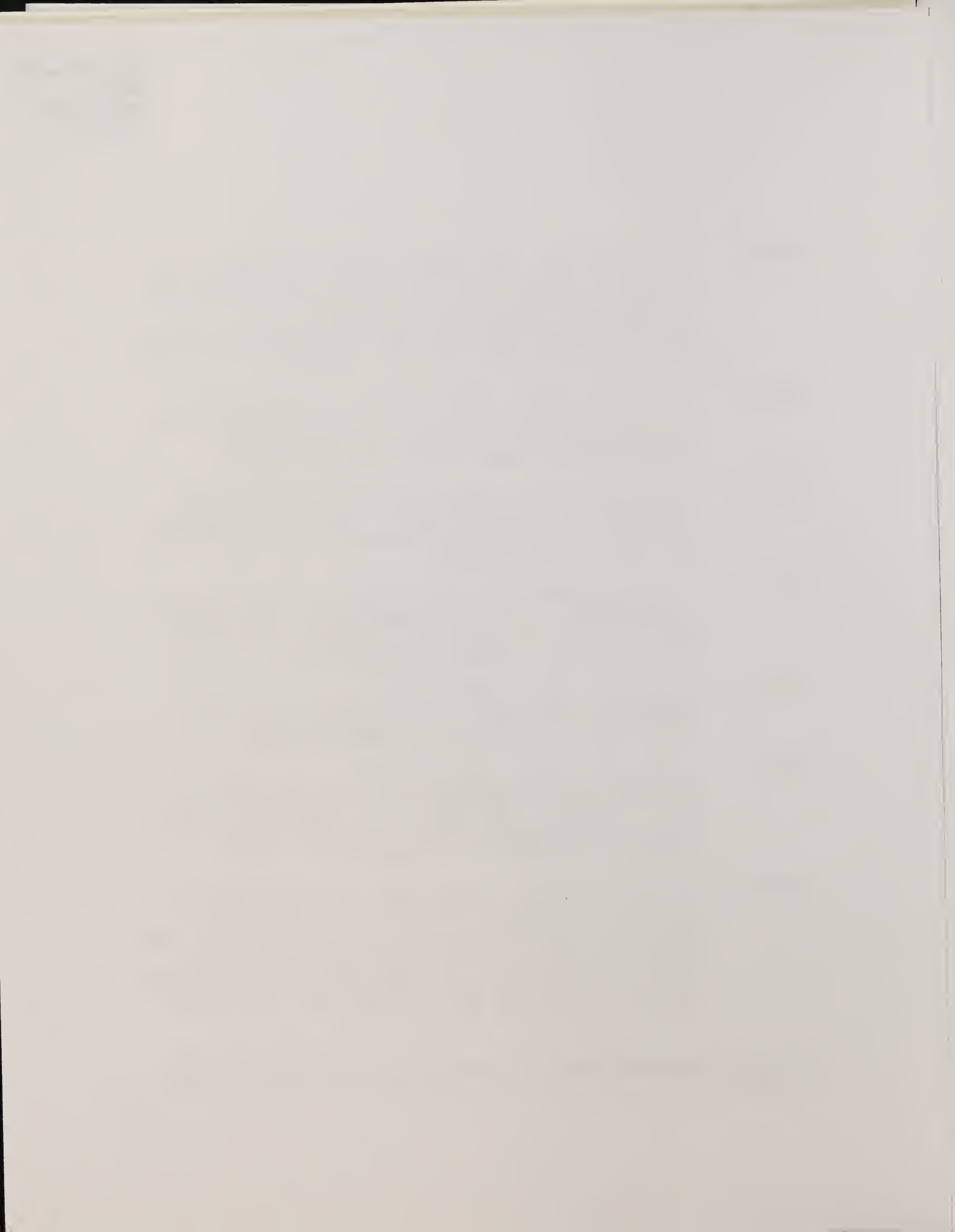
Thence S. 48° 52' 11" W., 132.00 feet, by the wall and land formerly of J. Blanchard, to a point at a corner of Parcel 1 (the "Rose Lot"), as described above;

Thence S. 25° 30' W., 432.0 feet, by the stone wall and wire fence and by Parcel 1, to an angle in the line;

Thence S. 03° 40' E., 930.0 feet, by the wire fence and Parcel 1, to a lot corner being the southeasterly corner of the "Wilder Lot", the northeasterly corner of the third mentioned unnamed six acre lots, and the northernmost angular corner of the "Nelson Lot", the last mentioned of the assembled lots comprising Parcel 2;

- Thence S. 11° 10' E., 497.0 feet, by the wire fence and Parcel 1, to a drill hole set in a stone wall lot corner, at land, formerly of Kenneth I.H. & June B. Williams, now of the Commonwealth of Massachusetts, MDC (see order of taking referenced in the description of Parcel 1 above);
- Thence S. 27° 43' 19" W., 567.83 feet, by the stone wall and land formerly of K.I.H. & J.B. Williams, to a drill hole set in a stone wall corner, the southeasterly corner of the "Nelson Lot";
- Thence N. 43° 01' 41" W., 300.00 feet, by land of the Commonwealth of Massachusetts, MDC, entering and running in a stone wall segment, to a drill hole set at a point therein;
- Thence On the same bearing, 316.00 feet, by land formerly of Williams, to a rough stone bound with drill hole set at a point in the easterly line of the first mentioned unnamed six acre lot;
- Thence S. 20° 28' 19" W., 297.00 feet, still by land formerly of Williams, entering and running by a stone wall, to a point at a bend therein;
- Thence S. 07° 43' 19" W., 151.14 feet, by the stone wall and land of the Commonwealth of Massachusetts, MDC, to a drill hole found in a stone wall corner, at the northwesterly corner of land, now or formerly, of Keith W. & Rosemarie I. Dinant;
- Thence S. 20° 34' 20" W., 414.21 feet, by the westerly line of land, now or formerly, of K.W. & R.I. Dinant, to a drill hole in ledge at a point in the northerly layout line of the Worcester County Highway September 17, 1963 Record Layout of Beaman Road, at Station 72+62.75, said drill hole being the point and place of beginning.

Containing by previous deed description 102.30 acres, more or less.



The total area of both Parcel 1 and Parcel 2, as described above and taken herein, is calculated to be 142.76 acres, more or less.

The description of Parcel 2 was derived from previous deed description of the locus parcels, from deed descriptions of the abutting parcels, from information provided on Sterling Assessors Maps and most importantly from information taken from the following survey plans:

1. Plan H-3898-R, Decree 2124 the Worcester County Highway Record Layout of Beaman Road, Sheets 2 and 3 of 6, recorded with said Deeds as Plan 29 in Plan Book 275.

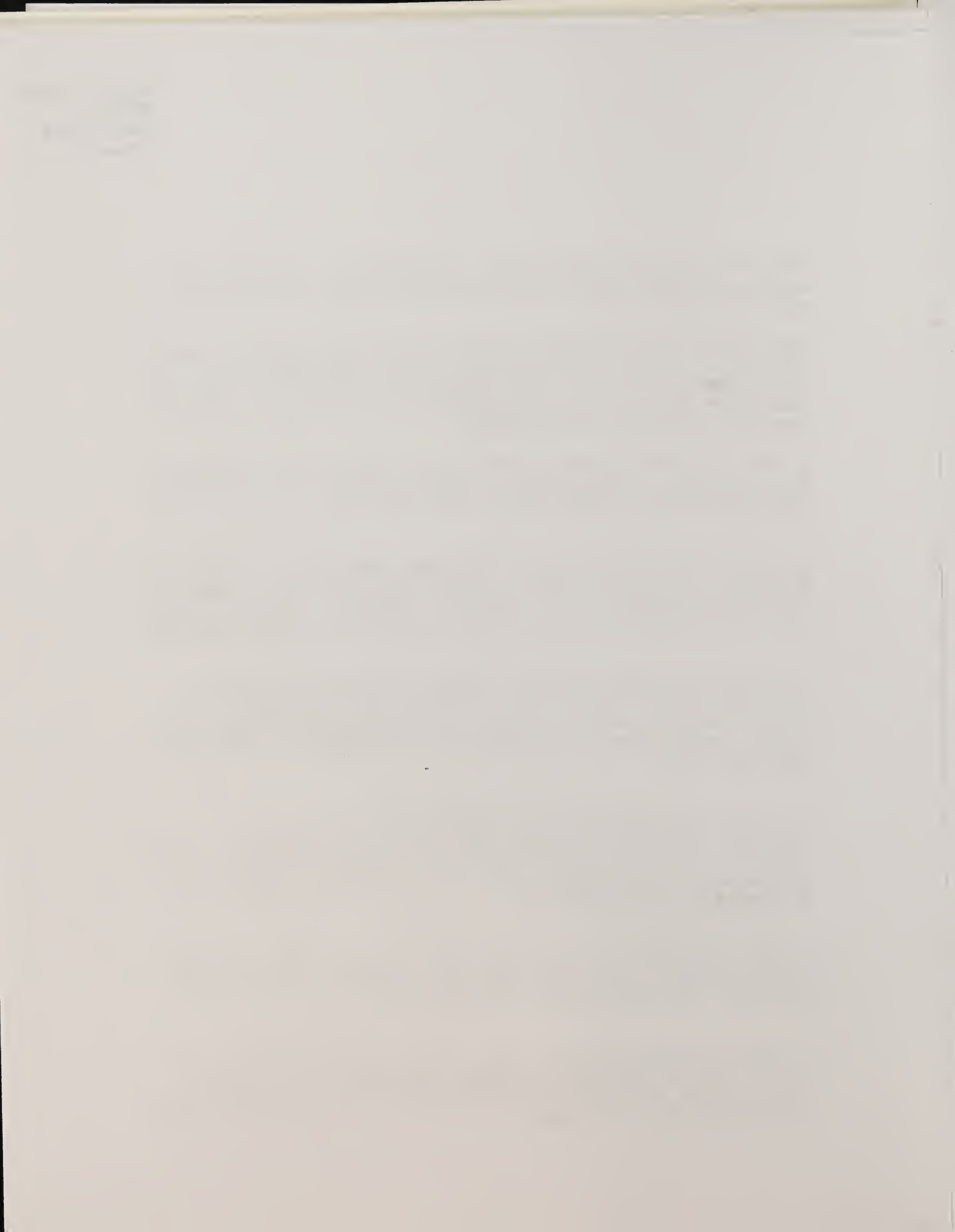
2. A plan entitled "Land In Sterling, Massachusetts Owned By Expedito & Christina Munoz", dated July 28, 1983, prepared by Bouley Brothers, Inc., Arthur L. Bouley, R.P.L.S., which plan is recorded with said Deeds as Plan 1 in Plan Book 510.

3. A plan entitled "Plan Of Property Surveyed For Eight-Point Sportsmen's Club, Inc., Beaman Road Sterling, Massachusetts", dated 10/02/98, prepared by R.F. Dombrowski, P.L.S., which plan is recorded with said Deeds as Plan 69 in Plan Book 746.

4. A plan entitled "Plan Of Property Owned By John V. Blanchard Justice Hill Road, Sterling, Massachusetts", dated June 27, 1994, prepared by Cullinan Engineering, Inc., R.F. Dombrowski, P.L.S., which plan is recorded with said Deeds as Plan 6 in Plan Book 685.

5. The "Rose Plan", Plan 43 in Plan Book 204, see the full citation above, being the same plan listed as the 1st plan following the description of Parcel 1.

6. The Berry Engineering, Inc. plan of the former Kenneth I.H. & June B. Williams Property, see the full citation above, being the same plan listed as the 3rd plan following the description of Parcel 1.



Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Beaman Road, which may be held by the supposed owners as a result of their ownership of the above described premises, and Parcel 1 being most of the same premises described in a deed from Alden Rose and Alice T. Rose to Henry F. Hulick and Marion J. Hulick, dated 16th March 1955 and recorded with Worcester District Registry of Deeds at Book 3664, Page 557, and Parcel 2 being al of the same premises described in a deed from Christina Munoz to Marion Hulick, dated May 13, 1986 and recorded with said Deeds at Book 9504, Page 171, and also all of the 1st, 2nd, 3rd, 4th, 6th & 7th parcels, and two easterly portions of the 5th parcel being the premises described in a deed from Rose Gassler to Marion Hulick, dated 28th April 1964 and recorded with said Deeds at Book 4471, Page 59.

The property described above as Parcel 1 is represented upon Sterling Assessors Tax Map 44 as most of the rear or westerly portion of Parcel 24.

The property described above as Parcel 2 is represented upon Sterling Assessors Tax Map 44 as Parcels 15 & 21 (portions of the "Chandler Lot"), as Parcel 16 (the "Bailey Lot"), as Parcel 20 (the "Nelson Lot"), as Parcels 17,18 & 19 (three adjoining un-named 6 acre lots), and upon Map 39 as Parcel 8 (the "Wilder Lot") and Parcel 7 (the "Powers Lot").

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

<u>OWNERS</u>	<u>AWARD</u>
Marion J. Hulick	
	\$ 975,000.00
Henry F. Hulick	

The Commission further V O T E D: to approve an award of damages in the amount of \$975,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, November 29, recommending that the Commission adopt an Order of Taking for acquisition of approximately 4 acres of land owned by National Wildlife Federation Endowment, Inc., located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of \$54,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 4 acres of land owned by National Wildlife Federation Endowment, Inc., located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, December 1, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the northeasterly side of the 1979 State Alteration of the 1931 Worcester County Layout of Princeton Road-Route 62, at its intersection with the northwesterly line of Interstate Route 190, more particularly bounded and described as follows:

Beginning at the southeasterly corner of the parcel herein being described, at the northwesterly corner of the intersection of the two above cited roads;

- Thence N. 42° 53' 35" E., 677.06 feet, by the 1979 State Layout of Interstate Route 190, to a point in a stone wall at land, formerly, of the Listowich Family Realty Trust, Joseph W. Listowich and Eleanor B. Listowich, Trustees, now of the Commonwealth of Massachusetts, Metropolitan District Commission (see Order of Taking dated April 16, 1998 recorded with Worcester District Registry of Deeds at Book 19946, Page 16);
- Thence N. 58° 16' 17" W., 50.34 feet, by the stone wall to a point at a turn therein;
- Thence N. 60° 32' 44" W., 109.00 feet, by the wall and across a cart road gap in same to a drill hole found at a point therein;
- Thence N. 62° 34' 22" E., 162.87 feet, by the wall, to a point at land, now or formerly, of Burzenski Family Trust, Charles H. Burzenski and Eleanor B. Sendrowski, Trustees, shown as Lot 1 upon the plan cited below at the conclusion of this description, the last three courses being by land, formerly of Listowich Family Realty Trust, Joseph W. & Eleanor B. Listowich, Trustees, now of the Commonwealth of Massachusetts, MDC;
- Thence S. 36° 23' 44" W., 563.92 feet, by Lot 1, crossing a stream and running to a point in the northeasterly line of the 1979 State Alternation of the 1931 Worcester County Layout of Princeton Road-Route 62;
- Thence Southeasterly by the line of the highway along the arc of a curve to the right, having a radius of 2,033.00 feet, an arc distance of 251.64 feet, recrossing the stream and running to the first mentioned point at the southeasterly corner of the parcel being described, being the point and place of beginning.

Containing 4.00 acres as shown as Lot 2 upon a plan entitled "Land In Sterling, Mass. Surveyed For Stephen H. & Barbara J. Burzenski et al", dated August 1979, prepared by Charles A. Perkins Co., Inc., which plan is recorded with Worcester District Registry of Deeds, as Plan 74 in Plan Book 560.

ALSO taken herein and hereby is the twenty foot wide right of way, access and utility easement, running from the Old County Road across Lot 1 to the westerly line of Lot 2, as shown upon the above cited plan.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Princeton Road-Route 62, which may be held by the supposed owner as a result of its' ownership of the above described premises, and being the same premises described in a deed from Frances Samartina, Anthony Samartina, Judy Spiegel and Jeffrey Spiegel to National Wildlife Federation Endowment, Inc., dated 18th November 1993 and recorded with Worcester District Registry of Deeds at Book 15822, Page 209.

The above described property is represented upon Sterling Assessors Tax Map 48 as Parcel 30.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

<u>OWNER</u>	<u>AWARD</u>
National Wildlife Federation Endowment, Inc.	\$ 54,000.00

The Commission further V O T E D: to approve an award of damages in the amount of \$54,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, November 29, recommending that the Commission adopt an Order of Taking for acquisition of approximately 19.5 acres of land owned by Chris P. Caputo, Trustee of N.A.C. Realty Trust, located in the Town of Boylston, Massachusetts, and to approve an award of damages in the amount of \$190,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 19.5 acres of land owned by Chris P. Caputo, Trustee of N.A.C. Realty Trust, located in the Town of Boylston, Massachusetts.

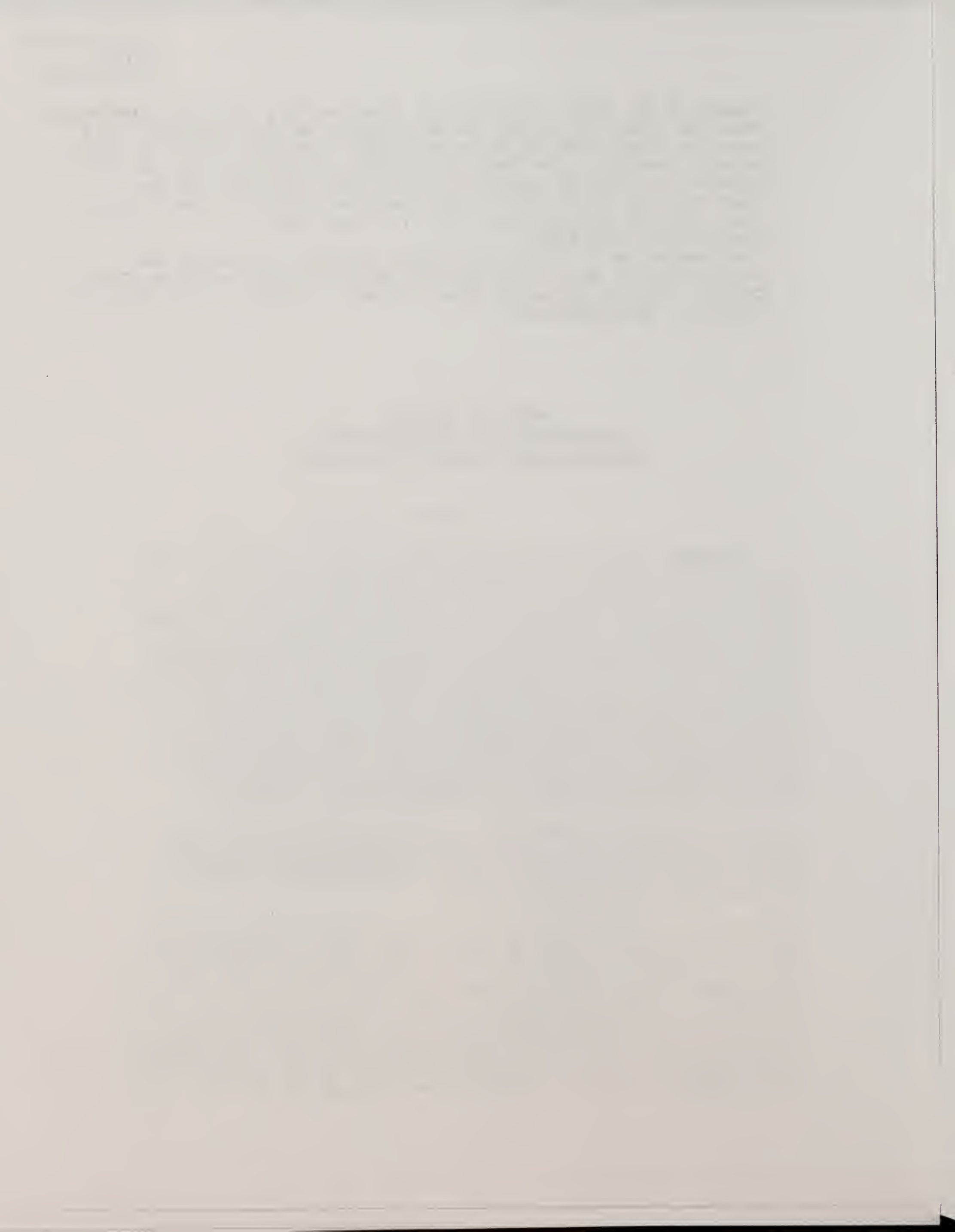
ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, December 1, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southerly side of a road now known as Duffy Road or Mills Road, and formerly known as the road to Sawyers Mills and Princeton, more particularly described as follows:

Beginning at a point on the southerly side of Duffy Road at the northeasterly corner of other land, now or formerly, of Chris P. Caputo, Trustee of N.A.C. Realty Trust, shown as Lot 3 upon the plan first referenced below, at the conclusion of this description, said point being located N. 67° 46' 49" W., 43.95 feet from an iron pipe found in the frontage of the land herein being described, and said point being further located as lying S. 67° 46' 49" E., 24.03 feet from another iron pipe found in the frontage of Lot 3;



Thence S. 08° 21' 28" W., 63.29 feet, by the westerly line of Lot 3, to a point of curvature;

Thence Southwesterly, by the westerly line of Lot 3, along the arc of a curve to the left, having a radius of 172.88 feet, an arc distance of 58.20 feet, to a point at another curve;

Thence Southeasterly, still by the westerly line of Lot 3, along the arc of a curve to the right, having a radius of 150.00 feet, an arc distance of 90.23 feet, to a point at the westernmost corner of Lot 3;

Thence N. 63° 41' 30" W., 257.27 feet, by the southerly line of Lot 3, to a point in the westerly line of land, now or formerly, of John T. & Shirley A. Wilkinson (see deed dated 4/24/67 recorded with said Deeds at Book 4751, Page 157);

Thence S. 20° 17' 01" W., 179.87 feet, by the westerly line of land, now or formerly, of J.T. & S.A. Wilkinson, to an iron pin found at the southwesterly corner of said abutting land;

Thence N. 76° 30' W., 400 feet, by the southerly line of the last named abutters, to a point at the southwesterly corner thereof, said point being also the southeasterly corner of Lot 4, another parcel, now or formerly, of Chris P. Caputo, Trustee of N.A.C. Realty Trust, shown upon the second plan referenced below;

Thence N. 68° 04' 13" W., 271.07 feet, by the southwesterly line of Lot 4, to a point at its southwesterly corner, at land formerly of George R. Hastings and now of the Commonwealth of Massachusetts, Metropolitan District Commission (see Metropolitan Water Works Order of Taking dated July 6, 1900, recorded with Worcester District Registry of Deeds at Book 1658, Page 1, and the third plan referenced below), said point being further located as lying S. 19° 40' 30" W., 480.83 feet from a Commonwealth stone bound found at a point in the southerly line of Duffy Road;

Thence S. 19° 40' 30" W., 202.17 feet, by land of the Commonwealth of Massachusetts, MDC, to another Commonwealth stone monument;

Thence S. 12° 02' W., 727.5 feet, to an iron bolt in a rock at land, formerly of one Tanzi, now or formerly, of Paul & Jeanne G. Bellucci (see deed recorded with said Deeds at Book 6995, Page 383, and the plan recorded with said Deeds as Plan 64 in Plan Book 476, more fully referenced below);

Thence S. 86° 54' 19" E., 139.02 feet, by land, now or formerly, of Bellucci, to an iron pin at land, now or formerly, of Paul E. & Robin L. Keisling (see deed recorded with said Deeds at Book 6940, Page 61, and the plan recorded with said Deeds as Plan 57 in Plan Book 473, more fully referenced below);

Thence S. 86° 54' 36" E., 271.50 feet, by land, now or formerly, of Keisling, to an iron pin at land, now or formerly, of Richard W. & Julie A. Clark (see deed recorded with said Deeds at Book 8628, Page 48);

Thence S. 86° 54' E., 381.5 feet, more or less, to a stone bound at land, now or formerly, of Raymond L. & Mary L. McNamara;

Thence N. 34° 57' 03" E., 758.77 feet, more or less, by lands, now or formerly, of R.L. & M.L. McNamara, of Michael Paul Stachura (see deed recorded with said Deeds at Book 5807, Page 312), and of Robert W. Jr. & Jane M. Eaton (see deed recorded with said Deeds at Book 8163, Page 111, and the plan recorded with said Deeds as Plan 56 in Plan Book 226) to an iron pin at a corner, and other land, formerly of Chris P. Caputo, Trustee of N.A.C. Realty Trust, late of Chris P. Caputo, and, now or formerly, of John M. & Deana M. Solomonides (see deed dated 6/15/98 recorded with said Deeds at Book 20061, Page 298), shown as Parcel 1-B upon the first survey plan cited below at the conclusion of this description;

- Thence N. 30° 08' 03" W., 95.09 feet, by the southerly line of Parcel 1-B, to a point of curvature;
- Thence Northerly, by Parcel 1-B, along the arc of a curve to the left, having a radius of 200.00 feet, an arc distance of 41.65 feet, to a point at another curve;
- Thence Northeasterly, by Parcel 1-B, along the arc of a curve to the right, having a radius of 122.88 feet, an arc distance of 71.10 feet, to a point at another curve;
- Thence Northeasterly, by Parcel 1-B, along the arc of a curve to the right, having a radius of 20.00 feet, an arc distance of 31.42 feet, said arc being subtended by a central angle of 20° 00' 00" to a point of tangency, said point being in the southerly line of Duffy Road, and being located N.67°46'49" W., 37.96 feet from an iron pin found at an angle in the line of the road, in the frontage of Parcel 1-B;
- Thence N. 67° 46' 49" W., 36.18 feet, by the southerly line of the road, to an iron pin found at a point therein;
- Thence N. 67° 44' 49" W., 43.95 feet, by the southerly line of the road, to a point at the northeasterly corner of Lot 3, other land, now or formerly, of Chris P. Caputo, Trustee of N.A.C. Realty Trust, being the point and place of beginning.

The above described parcel is estimated to contain 19.5 acres, more or less.

There is no record plan showing all of the above described property. The description set forth herein above is derived from deed descriptions of the locus premises and abutting lands, and from the following survey plans:

1. A plan entitled "Land In Boylston, Mass. Surveyed For Chris P. Caputo", dated September 1997, prepared by David E. Ross Associates, Inc., David Edward Ross, P.L.S., which plan is recorded with said Deeds as Plan 17 in Plan Book 728.

2. A plan entitled "Plan Of Land In Boylston, MA Prepared For Chris Caputo", dated December 3, 1999, prepared by Whitman & Bingham Associates, Inc., Steven J. Whitman, R.P.L.S., a copy of which unrecorded plan is on file with the Office of the General Counsel Of the Metropolitan District Commission, at its Headquarters, located at 20 Somerset Street, Boston, MA 02108.

3. A plan entitled "Commonwealth of Massachusetts, Metropolitan Water Board, Plan No. 47 of Land Takings, Wachusett Reservoir, Lands in Boylston", signed by Frederick P. Stearns, Chief Engineer, dated July 6, 1900, and recorded with Worcester District Registry of Deeds at Plan Book 6, Page 15.

4. A plan entitled "A Plan of Land in Boylston, Mass. prepared for Paul Bellucci Et Ux", dated May 13, 1980, prepared by Lawrence J. Ducharme R.L.S., Bolton, MA. and recorded with said Deeds as Plan 64, in Plan Book 476.

5. A plan entitled "Plan Of Property In Boylston, Mass. Owned By Charles A. & Stella L. Keisling", dated August 20, 1979, prepared by Thompson-Liston Associates, Inc., and recorded with said Deeds as Plan 57 in Plan Book 473.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Duffy, or Mills Road which may be held by the supposed owner, as a result of his ownership of the above described property, and being the major portion of the same premises described in a deed from Nicholas A. Caputo and Phyllis A. Caputo to N.A.C. Realty Trust, Chris P. Caputo, Trustee, dated September 21, 1987 and recorded with Worcester District Registry of Deeds at Book 10919, Page 279.

The above described property is represented upon the Revised
Boylston Assessors Tax Maps dated May 1997 as most of Parcel
12 On Tax Map 66.

AND IN LIKE MANNER, for the same purposes and by virtue
of the same powers, the said Metropolitan District
Commission does hereby order the taking of and does hereby
take in the name and for the benefit of the Commonwealth of
Massachusetts, for the purposes of said acts and provisions,
all trees on said land and structures affixed to said land,
with the exception of the poles, wires, cables, conduits,
pipes and their appurtenances, for the conveyance of water,
sewage, steam, gas and electricity, and for the transmission
of telephone and telegraph communications and data or
signals by electrical or electronic or electromagnetic means
of any kind, now lawfully in or upon said land, and
excluding all easements of record on, over, under, across
and through said land.

The Commission awards damages sustained by the supposed
owner of the land hereinabove mentioned by reason of said
taking, in the following sum:

<u>OWNER</u>	<u>AWARD</u>
Chris P. Caputo, Trustee of N.A.C. Realty Trust	\$ 190,000.00

The Commission further V O T E D: to approve an award of damages
in the amount of \$190,000.00, together with such damages and
costs as required under General Laws, Chapter 79, Sections 6, 12,
39 and 44A.

1. Report of Mr. Gray, November 29, recommending that the Commission adopt an Order of Taking for acquisition of approximately 1.1 acres of land owned by Mary Ann Winters a.k.a. Mary Ann Wadell Winters, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of \$60,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936. The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 1.1 acres of land owned by Mary Ann Winters a.k.a. Mary Ann Wadell Winters, located in the Town of Sterling, Massachusetts.

**ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION**

Boston, December 1, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the easterly or southeasterly side of Lower Nelson Road or South Nelson Road, more particularly bounded and described as follows:

Beginning at a stone wall in the easterly side of said road, at the southwesterly corner of the parcel herein being described, said corner being also the northwesterly corner of land, formerly of Edwin Wilder, now or formerly, of Robert A. & Sharon Ann Bloom (see deed dated 11/03/76 recorded with Worcester District Registry of Deeds at Book 6061, Page 49);

Thence Northeasterly, 510 feet, more or less, by the easterly side of the said road, to a point in the remains of a wall, said point being 71.5 feet southwesterly of a Worcester County Highway bound in the easterly side of said road, and at land, formerly of Alden & Alice T. Rose, now or formerly, of Walter A. Janowicz and the late Emily E. Janowicz (see deed dated 12/09/55 recorded with said Deeds at Book 3738, Page 4);

Thence S. 56° E., 100 feet, more or less, by land, now or formerly, of W. Janowicz et als, to a point at the northeasterly corner of the parcel herein being described;

Thence Southwesterly, 510 feet, more or less, on a line parallel to the easterly side of said road, to a point in the stone wall marking the northerly line of land, formerly of E. Wilder, now or formerly, of the aforesaid R.A. & S.A. Bloom;

Thence N. 56° W., 100 feet, more or less, by the stone wall and land, now or formerly, of R.A. & S.A. Bloom, to the point and place of beginning in the easterly line of South Nelson Road.

Containing 1.1 acres, more or less, by prior deed description.

It is noted that the above recited description, based upon the prior deed description, is not entirely consistent with the record descriptions of the abutting lands, now or formerly, of said Janowicz.

The current deed description of the property of Walter Janowicz et als, is supposed to be based upon a plan entitled "Plan of Land in Sterling, Mass. drawn by John F. Fuller for Alden Rose", dated April 1955, which plan was to be recorded with the deed from Alden & Alice T. Rose to Walter A. & Emily E. Janowicz, dated 12/09/55, and recorded with said Deeds at Book 3738, Page 4. This plan is, however, not of record with Worcester District Registry of Deeds.

The 4th, 5th and 6th courses recited in the above cited deed should conform to the 2nd and 3rd courses in the earlier conveyance from Alden & Alice T. Rose to Robert H. & Olive W. Winter dated 11/16/54 and recorded with said Deeds at Book 3637, Page 188.

The 4th, 5th and 6th courses are as follows:

Thence S. 56° 25' E., 100 feet, by Winters land, to a point;

Thence S. 09° 50' W., 68 feet, by Winters land, to a point;

Thence S. 23° 40' W., 443 feet, more or less, along Winters land, to a stone wall at land, now or formerly, of Edwin Wilder;

See also a plan of the land, formerly of Edwin Wilder, entitled "Plan of Land in Sterling to be conveyed to James E. Simpson," dated 25 June 1976, prepared by William L. Berry, P.L.S., Berry Engineering, Inc., which plan is recorded with said Deeds as Plan 62 in Plan Book 426.

The 1934 Worcester County Record Layout of South Nelson Road shows that the northwesterly line of the premises described and taken herein consists partially of a straight line and partially of the arc of a curve. See the County Commissioners taking recorded with said Deeds on November 6, 1934 at Book 2626, Page 49, and the accompanying plan labeled Decree 1060 Plan H-2392 R, 11 Sheets, recorded as Plan 8 in Plan Book 83.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in South Nelson Road, which may be held by the supposed owner as a result of her ownership of the above described premises, and being the same premises described as Parcel 2 in a deed from Mary Ann Waddell and Martha B. Smith to Mary Ann Waddell, dated 9th July 1985 and recorded with Worcester District Registry of Deeds at Book 8848, Page 92.

The above described property is represented upon Sterling Assessors Tax Map 45 as Parcel 12.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

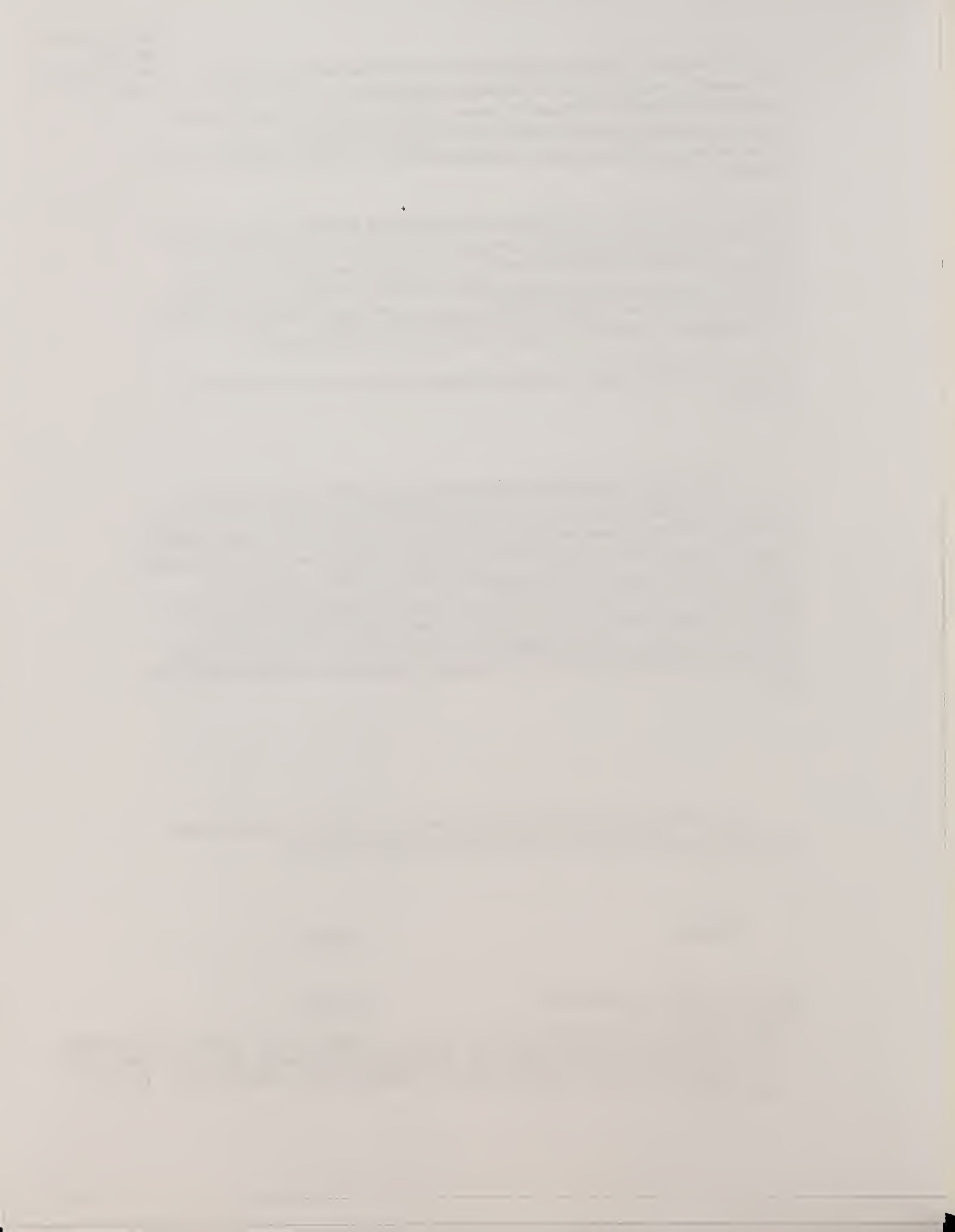
OWNER

AWARD

Mary Ann Winters a.k.a. Mary Ann
Waddell Winters

\$ 60,000.00

The Commission further V O T E D: to approve an award of damages in the amount of \$60,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.



Action was taken upon the following Various Matter:

1. Report of Mr. Jewett, November 30, on behalf of the Consultant Selection Committee recommending selection of the firm of Health Resources Corporation for Drug and Alcohol Testing Services.
Time for Performance - thirty six months.
Cost - not-to-exceed \$33,000.00 on a unit cost basis.
Mr. Jewett further requests execution of the contract by the Commission.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract, dated December 1, 1999, with Health Resources Corporation, for Drug and Alcohol Testing Services, which was signed by the Commissioner and four Associate Commissioners.

Adjourned at 9:50 a.m., to meet on Thursday, December 9, 1999, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Nine Hundred and Sixteenth (3916th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, December 9, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on November 18, 1999 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. P98-1948-C1A, dated December 12, 1999, with Jay-Mor Enterprises, Inc., for Demolition of Bathhouse at Havey Beach, V.F.W. Parkway, West Roxbury.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher, Brooks and Kane, November 24, requesting approval and authorization to solicit proposals for Project No. P00-2036-C1A, for Cleaning and Disinfecting of Air Ducts at the Charles River Dam, Boston.
Estimated Cost - \$9,600.00.
Time for Performance - thirty days.
Account No. 2449-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to solicit proposals for Project No. P00-2036-C1A, for Cleaning and Disinfecting of Air Ducts at the Charles River Dam, Boston.
3. Report of Messrs. Faucher and Gearheart, November 15, recommending ratification of the action of Deputy Commissioner Faucher resulting in a revision in quantities on Item No. 06130 - treated timber - at a cost of \$5,532.57, on Contract No. P82-1112-C2A, with Early & Sons, Inc., for Peddocks Island Pier Replacement.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 01570 - Traffic Control Services).
The Commission V O T E D: to ratify the action of Deputy Commissioner Faucher which resulted in a revision in quantities on Item No. 06130 - treated timber, on Contract No. P82-1112-C2A.
The Commission further V O T E D: to approve the revision in quantities on Item No. 06130 - treated timber - at a cost of \$5,532.57.
4. Report of Messrs. Faucher and Lenhardt, December 2, recommending approval and execution of Amendment No. 3, which extends time of performance from December 31, 1999 to June 30, 2000, on Contract No. P93-1672-D1A, with Simpson, Gumpertz & Heger, Inc., for Professional Engineering Services for Bridges, Parkways and Other

Commission Facilities.

(At no increase in Contract cost).

The Commission V O T E D: to approve Amendment No. 3.

However, Amendment No. 3 did not arrive in time for execution.

Therefore, execution of Amendment No. 3 will take place at next week's Commission Meeting.

1. Report of Messrs. Faucher, DiPietro and Galvin, December 3, recommending approval of the request of the Consultant for an extension of time from December 31, 1999 to December 31, 2002, on Contract No. P80-0844-D4A, with SEA Consultants, Inc., for Beaver Brook Flood Mitigation Project - Reaches II and III, due to need to continue to provide support services.
(Service costs will be negotiated at a later date when construction funding is apparent).
The Commission V O T E D: Approved.
2. Report of Messrs. Faucher and Gearheart, December 3, requesting approval of an extension of time from July 31, 1999 to October 3, 1999, on Contract No. P82-1112-C2A, with Early & Sons, Inc., for Peddock's Island Pier Replacement.
(The extension is required to allow the completion of administrative actions and allow final payments to be made to the contractor. The extension is for administrative purpose only under provisions of Article XXII and will in no way affect liquidated damages provision of Article XXII and will not operate as a waiver on the part of the Commission or in any of its rights under this contract).
The Commission V O T E D: to approve an extension of time, for administrative purposes only, under the provisions of Article XXII, from July 31, 1999 to October 3, 1999, as recommended by Messrs. Faucher and Gearheart in their report of December 3, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation and that this extension of time shall in no way affect the liquidated damages provision in Article No. XXI, that may be due to the Commission and shall not operate as a waiver on the part of the Commission or in any of its rights under the Contract.
3. Report of Messrs. Faucher, DiPietro and Galvin, December 2, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to solicit proposals for Project No. P87-1449-M7A, for Analytical & Water Quality Testing.
Time for performance - Two calendar years.
Estimated Cost - \$40,000.00 per year, for a total of \$80,000.00
Account No. 2440-0010 - Funding for second year contingent upon sufficient funds being made available through the annual budgeting appropriation process.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to solicit proposals for Project No. P87-1449-M7A, for Analytical & Water Quality Testing.

1. Report of Mr. Faucher and Mrs. Graves Jones, November 22, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. POO-2032-M1A, for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts.
Time for Performance - Twenty-four months.
Estimated Cost - \$569,000.00
Account Nos. - 2490-0017 and 2444-9001 - Contract funding for fiscal years other than current year is contingent upon sufficient funds being made available through the annual budgeting appropriation process.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. POO-2032-M1A, for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts.
2. Report of Messrs. Faucher and Soroka, December 3, submitting for approval Project Summary, Project Justification Work, Schedule and requesting authorization to advertise Project No. POO-2034-M1A for Servicing Traffic Signal and Control Systems, Charles River Basin Districts.
Time for Performance - Twenty-four months.
Estimated Cost - \$534,000.00.
Account Nos. - 2490-0017 and 2444-9001 - Contract funding for fiscal years other than current year is contingent upon sufficient funds being made available through the annual budgeting appropriation process.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. POO-2034-M1A for Servicing Traffic Signal and Control Systems, Charles River Basin Districts.
3. Report of Mr. Faucher and Mrs. Graves Jones, December 3, recommending approval of a revision in quantities on Item No. 003-010 - 4" Reflectorized L. F. Line (Thermoplastic) - at a cost of \$27,000.00, on Contract No. P99-1991-M1A, with Hi-Way Safety Systems, Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the MDC.
(At no increase in contract cost as the revision will be offset by unused quantities in Item Nos. 001-010, 002-010, 004-010, 006-010, 007-010, 008-010 and 009-010).
The Commission V O T E D: Approved.
4. Report of Messrs. Faucher and DiRamio, November 26, recommending ratification of the action of Deputy Commissioner Faucher resulting in extra work orders and revisions in quantities on Contract No. P98-1954-C2A, with R.A.D. Corporation, for Construction of New Playground at Caddy Park, Quincy Shore Drive, Quincy, as follows -

REVISIONS IN QUANTITIES

Item No. 000-003 - Unclassified Excavation	- \$ 920.00
Item No. 000-005 - Stonedust	- \$1,200.00
Item No. 000-023 - Loam	- \$ 600.00
Item No. 004-004 - Ordinary Borrow	- \$ 600.00
Total	= \$3,320.00

EXTRA WORK ORDERS

Extra Work Order No. 1 - Gravel Borrow	- \$2,117.50
Extra Work Order No. 2 - Move Granite Blocks	- \$3,890.00
Total	= \$6,007.50

Funding from Account No. 2440-8956.

The Commission V O T E D: to ratify the action of Deputy Commissioner Faucher resulting in Extra Work Order Nos. 1 and 2 and Revisions in quantities, on Contract No. P98-1954-C2A.

The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of \$2,117.50.

The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of \$3,890.00.

The Commission further V O T E D: to approve Revisions in Quantities, in the amount of \$3,320.00.

1. Report of Mr. Faucher and Mrs. Pomorska, December 6, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P00-2033-M1A, for Servicing Traffic Signal and Control Systems, Middlesex Fells and Revere Beach Districts.

Estimated Cost - \$561,000.00.

Time for Performance - twenty four months.

Account Nos. 2490-0017 and 2444-9001 - Contract funding for fiscal years other than current year is contingent upon sufficient funds being made available through the annual budgetary appropriation process.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P00-2033-M1A, for Servicing Traffic Signal and Control Systems, Middlesex Fells and Revere Beach Districts.

Action was taken upon the following matter relating to the Office of Planning:

2. Report of Mrs. O'Brien and Ms. Garnett, October 15, requesting approval of and authorization for Commissioner Balfour to execute, on behalf of the Commission, Interagency Service Agreement between the MDC and the Massachusetts Highway Department (MHD), which enables the transfer of \$1,719,807.00 in ISTEA Enhancement Funds from MHD to MDC for construction of the Neponset River Trail.
The Commission V O T E D: to approve an Interagency Service Agreement between the MDC and the Massachusetts Highway Department (MHD), which enables the transfer of \$1,719,807.00 in ISTEA Enhancement Funds from MHD to MDC for construction of the Neponset River Trail.
The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, Interagency Service Agreement between the MDC and the Massachusetts Highway Department.

Action was taken upon the following matter relating to the
Watershed Management Division:

1. Report of Messrs. McGinn and Kane, November 8, recommending the following on Contract No. WM99-002-X2A, with GZA GeoEnvironmental, Inc., for Safety Evaluation, Blue Hills Reservoir Dam, Quincy -

- (a) That work be accepted as completed as of July 15, 1999.
- (b) That Estimate No. 2 (Final), in the amount of \$12,375.00, be approved for payment.
- (c) That reserve, in the amount of \$4,290.00, be approved for payment.

(Basis of Award - \$49,900.00)

(Amount to Date - \$42,900.00)

(Contract Performance Rating - 9 with 10 being
excellent)

(EEO Compliance - N/A)

The Commission V O T E D: that the work of GZA GeoEnvironmental, Inc., Contractor under Contract No. WM99-002-X2A, be and hereby is accepted as completed as of July 15, 1999.

The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of \$12,375.00, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$4,290.00, for payment.

Adjourned at 9:45 a.m., to meet on Thursday, December 16, 1999,
at 9:00 a.m.

Julio B. Breinf
Secretary

10/1/2020

1. The first part of the document is a list of the names of the people who were present at the meeting.

2. The second part of the document is a list of the topics that were discussed during the meeting.

3. The third part of the document is a list of the actions that were taken during the meeting.

4. The fourth part of the document is a list of the decisions that were made during the meeting.

5. The fifth part of the document is a list of the conclusions that were reached during the meeting.

6. The sixth part of the document is a list of the recommendations that were made during the meeting.

7. The seventh part of the document is a list of the conclusions that were reached during the meeting.

8. The eighth part of the document is a list of the conclusions that were reached during the meeting.

9. The ninth part of the document is a list of the conclusions that were reached during the meeting.

10. The tenth part of the document is a list of the conclusions that were reached during the meeting.

11. The eleventh part of the document is a list of the conclusions that were reached during the meeting.

12. The twelfth part of the document is a list of the conclusions that were reached during the meeting.

13. The thirteenth part of the document is a list of the conclusions that were reached during the meeting.

Record of the Three Thousand Nine Hundred and Seventeenth (3917th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, December 16, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort and Sheppard.

The Records of the Commission Meeting held on December 1, 1999 were read and approved.

The Secretary submitted for signature the following paper:

1. Amendment No. 3, to Contract No. P93-1672-D1A, with Simpson, Gumpertz & Heger, Inc., for Professional Engineering Services for Bridges, Parkways and Other Commission Facilities, did not arrive in time for execution by the Commission. Therefore the Commission V O T E D: to authorize Commissioner Balfour to execute the Amendment on behalf of the Commission.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, December 8, requesting authorization to solicit proposals for Licensed Site Professional Services for Initial Site Assessment of a Potential Contamination Site at Savin Hill, Dorchester. Cost not-to-exceed - \$5,000.00.
Time of Performance - three months.
Funding from Account No. 2440-8956.
The Commission V O T E D: authorization to solicit proposals for Licensed Site Professional Services for Initial Site Assessment of a Potential Contamination Site at Savin Hill, Dorchester.
Meeting of 2.24.2000 Commission VOTED: to Amend its VOTE of 12.16.99 by increasing expenses from \$5,000.00 to \$6,720.00.
3. Report of Messrs. Faucher, Brooks and Abounaja, December 1, recommending approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 15, for police detail and protective tyvec suits, spill pads, a 3" centrifugal pump, hoses and vacuum truck - at a cost of \$20,820.00 and revisions in quantities on Item No. 004-001 - Crew Shift - at a cost of \$104,000.00 and Item No. 004-002 - Removal and Disposal of HA Waste Drum Under Crew Shift - at a cost of \$82,500.00, at a total cost of \$186,500.00, on Contract No. P95-1789-C3A, with Zenone Inc., for Contaminated Site Clean-Up at Various MDC Facilities. (At no additional Contract cost as the extra work and revisions will be offset by unused quantities in Item Nos. 002-004 - Furnish and Install 4000 Gallon U.S.T., 002-005 - Furnish and Install 5000 Gallon U.S.T. and 002-006 - Furnish and Install 10,000 U.S.T.).
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 15.
The Commission further V O T E D: to approve Extra Work Order No. 15, in the amount of \$20,820.00.
The Commission further V O T E D: to approve revisions in quantities on Item No. 004-001, in the amount of \$104,000.00.
The Commission further V O T E D: to approve revisions in quantities on Item No. 004-002, in the amount of \$82,500.00.

1. Report of Mr. Faucher and Mrs. Graves Jones, December 8, recommending approval of a revision in quantities on Item No. 002-010 - Materials, Components and Parts - at a cost of \$18,000.00, on Contract No. P98-1925-M1A, with Coviello Electric & General Contracting, Inc., for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts. Funding from Account No. 2441-9001.
The Commission V O T E D: Approved.
2. Report of Messrs. Faucher and DiPietro, December 10, recommending approval of Extra Work Order No. 1 - for added core drilling and concrete form work - at a cost of \$3,138.30, on Contract No. P99-2016-C1A, with J. W. H. Construction, Inc., for Charles River Locks and Dam, Marine Smoke Stack and Brick Wall Repair. (At no additional cost as the extra work will be offset by unused quantities in Item No. 04202-3 - Unit Masonry, Brick).
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$3,138.30.
3. Report of Messrs. Faucher and Sacco, December 8, recommending approval of an extension of time from December 31, 1999 to July 31, 2000, on Contract No. P98-1930-S1A, with GEI Consultants, Inc., for Feasibility Study For Securing Public Safety at Granite Rail Quarry, Quincy, due to need to evaluate scenarios to proceed with final disposition of the Quarry.
Mr. Jewett requests authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
4. Report of Mr. Faucher and Mrs. Pomorska, December 3, recommending approval of revisions in quantities on Contract No. P98-1926-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems in the Middlesex Fells and Revere Beach Districts, as follows -

Item No. 002-010	\$ 8,864.00
Materials, Components	
Item No. 004-010	\$10,036.00
Labor Rate for Electrician	
Item No. 004-030	<u>\$11,100.00</u>
Labor Rate for Helper	
Total -	\$30,000.00

Funding from Account No. 2444-9001.
The Commission V O T E D: Approved.
5. Report of Messrs. Faucher and Soroka, December 8, recommending approval of revisions in quantities on Contract No. P98-1927-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal Systems and Control Systems, Charles River Basin Districts, as follows -

Item No. 002-010	\$24,000.00
Materials, Components, Parts and Controls	
Item No. 002-020	\$ 3,040.00
Maintenance for Traffic Control Devices	

Item No. 004-020	\$ 6,760.00
Labor Rate for Licensed Electrician	
Item No. 004-030	\$ 4,440.00
Labor Rate for Helper Miscellaneous Repairs	
Item No. 005-010	\$ 1,560.00
Hourly Rate for Vehicle	
Item No. 020-010	<u>\$ 1,200.00</u>
Traffic Control Services	
Total -	\$41,000.00

Funding from Account No. 2444-9001.
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and McCalla, December 14, recommending approval of revisions in quantities on Contract No. P98-1938-M1A, with Boston Edison Company, for Maintenance of Street Lighting Systems on Various MDC Parkways, Roadways and Properties, as follows -

Item No. 009-010	\$ 165.10
175 W.Metal Halide Lamp	
Item No. 019-010	\$ 6,125.00
Electrician Helper	
Item No. 020-010	\$16,150.00
Hourly Rate for Vehicle	
Item No. 024-010	\$ 5,639.90
Materials, Components and Parts	
Item No. 025-010	<u>\$ 1,920.00</u>
Traffic Control	
Total	\$30,000.00

Funding from Account No. 2444-9005.
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Pula, December 8, on proposals for the purchase of forest products located on the Quabbin, Ware River and Wachusett Watersheds.
The Commission V O T E D: to accept the only qualified bid, that of Everett LaBree, of \$1,450.00; to purchase approximately 178 cords of hardwood on Timber Lot No. 164 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of King-Chaffee Enterprise, of \$10,185.00; to purchase approximately 105,000 board feet of timber, 66 cords of firewood and 221 tons of pulp on Timber Lot No. 289 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Forward Enterprise, of \$3,800.00; to purchase approximately 54,000 board feet of timber, 27 cords of firewood and 113 tons of pulp on Timber Lot No. 290 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Curtis Lumber, of \$17,280.00; to purchase

approximately 144 board feet of timber on Timber Lot No. 291 - Ware River Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Curtis Lumber of \$6,240.00; to purchase approximately 48,000 board feet of Timber on Timber Lot. No. 292 - Ware River Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Curtis Lumber of \$45,000.00; to purchase approximately 398,000 board feet of timber, 25 cords of firewood and 949 tons of pulp on Timber Lot No. 852A - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Wagner Wood, of \$18,254.20; to purchase approximately 94,000 board feet of timber, 94 cords of hardwood and 5 marked culls on Timber Lot No. 856 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only qualified bid, that of King-Chaffee Enterprise, of \$91,160.00; to purchase approximately 859,000 board feet of timber, 142 cords of hardwood, 1900 tons of softwood and 16 marked culls on Timber Lot No. 857 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only qualified bid, that of King-Chaffee Enterprise, of \$53,775.00; to purchase approximately 455,000 board feet of timber and 400 tons of softwood on Timber Lot No. 858 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Tim Robinson Logging, of \$37,562.00; to purchase approximately 311,570 board feet of timber, 552 cords of hardwood and 173 tons of softwood on Timber Lot No. 859 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the qualified bid, that of Specialty Timber, of \$625.00; to purchase approximately 7,600 board feet of timber and 50 cords of hardwood on Timber Lot No.. 860 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Specialty Timber, of \$525.00; to purchase approximately 5,000 board feet of timber and 42 cords of hardwood on Timber Lot No. 861 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only qualified bid, that of Specialty Timber, of \$425.00; to purchase approximately 5,500 board feet of timber and 40 cords of hardwood on Timber Lot No. 862 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Hubbard Forest Industries, of \$2,516.00; to purchase approximately 68 cords of firewood on Timber Lot No. RS64 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only qualified bid, that of King-Chaffee Enterprise, of \$891.00; to purchase approximately 8,370 board feet of logs on Timber Lot No. RS65 - Quabbin Reservoir Watershed.

1. Report of Mrs. Overton Bussell and Messrs. McGinn and Pula, December 1, submitting for approval MDC/DWM Public Access Management Plan Update - Ware River Watershed.
The Commission V O T E D: Approved.

1. Report of Messrs. McGinn and Kane, December 9, requesting approval of an extension of time from December 31, 1999 to January 31, 2000, for administrative purposes only, on Contract No. WM95-085-C1A, with WES Construction Corporation, for Boat Cove Docking Facility, Wachusett Reservoir, Clinton, due to need to resolve final design modification costs.
The Commission V O T E D: to approve an extension of time from December 31, 1999 to January 31, 2000, for administrative purposes only, as requested by Messrs. McGinn and Kane in their report of December 9, 1999, 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 Messrs. McGinn and Kane, December 3, requesting approval of Amendment No. 5, for an extension of time from December 31, 1999 to December 31, 2001, on Contract No. WM94-003-D1A, with A. C. Lichtenstein and Associates, Inc., for Remedial Design for Public Safety Considerations, Beaman Street Bridge, West Boylston, due to need for additional investigation and design.
(At no additional Contract cost).
Mr. Jewett requests authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
3. Report of Mr. McGinn, December 10, requesting authorization for Commissioner Balfour, to execute on behalf of the Commission, Agreements for Transfer of Completed Sewer System Components for Operation and Use between the MDC and the Towns of Holden and West Boylston - on Contract for Phase I Fast Track - Pinecroft Area - Holden and West Boylston.
The Commission V O T E D: authorization for Commissioner Balfour, to execute on behalf of the Commission, Agreements, dated December 16, 1999, for Transfer of Completed Sewer System Components for Operation and Use between the MDC and the Towns of Holden and West Boylston - on Contract for Phase I Fast Track - Pinecroft Area - Holden and West Boylston.

Action was taken upon the following Various Matters:
4. Report of Messrs. Gray and Jewett, December 14, requesting approval and execution of Amendment No. 1, to Service Contract with Michael R. McDonald, for Construction Contract Attorney Services, which extends time of performance from January 1, 2000 to December 31, 2000.
Compensation - shall not exceed the sum of \$49,500.00 for the twelve month period at the rate of \$50.00 per hour.
Account No. 2460-1000 or another account to be designated at a later date.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 1, dated December 16, 1999, which was signed by the Commissioner and three Associate Commissioners.

The first part of the paper is devoted to a general discussion of the problem of the origin of life. It is shown that the problem is not only a scientific one, but also a philosophical one. The second part of the paper is devoted to a detailed discussion of the problem of the origin of life. It is shown that the problem is not only a scientific one, but also a philosophical one. The third part of the paper is devoted to a detailed discussion of the problem of the origin of life. It is shown that the problem is not only a scientific one, but also a philosophical one. The fourth part of the paper is devoted to a detailed discussion of the problem of the origin of life. It is shown that the problem is not only a scientific one, but also a philosophical one. The fifth part of the paper is devoted to a detailed discussion of the problem of the origin of life. It is shown that the problem is not only a scientific one, but also a philosophical one. The sixth part of the paper is devoted to a detailed discussion of the problem of the origin of life. It is shown that the problem is not only a scientific one, but also a philosophical one. The seventh part of the paper is devoted to a detailed discussion of the problem of the origin of life. It is shown that the problem is not only a scientific one, but also a philosophical one. The eighth part of the paper is devoted to a detailed discussion of the problem of the origin of life. It is shown that the problem is not only a scientific one, but also a philosophical one. The ninth part of the paper is devoted to a detailed discussion of the problem of the origin of life. It is shown that the problem is not only a scientific one, but also a philosophical one. The tenth part of the paper is devoted to a detailed discussion of the problem of the origin of life. It is shown that the problem is not only a scientific one, but also a philosophical one.

1. Report of Mr. Jewett, December 14, requesting approval of Contract Services with Pennoni Associates, Inc., combining Contract Nos. P99-2022-D1A - for Evaluation, Design and Construction Services for the Modification of Failing Subsurface Wastewater Disposal Systems at Various MDC Facilities, P00-2022-D1A - for Evaluation, Design and Construction Services for the Modification of Failing Subsurface Wastewater Disposal System at the Houghton's Pond Bathhouse, and P00-2037-D1A - for Evaluating, Design and Construction Services for the Modification of Failing Subsurface Wastewater Disposal System at Georges Island Administration Building.
Cost not-to-exceed - \$100,000.00 - subject to negotiations.
Time for Performance - fourteen months.
Account Nos. 2440-8963 and 2441-9952.
(The three Contracts are being combined to achieve economies of scale and for ease of administering the consultant services).
The Commission V O T E D: Approved as requested by Mr. Jewett in his report of December 14, 1999.
2. Report of Mrs.O'Brien and Mr. Corsi, December 8, requesting approval and execution of Amendment No. 2, to Contract-Agreement No. PL99-059-D1B, with Mills Whitaker Architects, LLP, for the Restoration of Historic Landings, Charles River Esplanade, Boston, which extends time of performance from December 31, 1999 to September 30, 2000, due to need to complete Phase I - Construction Document and Permitting.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 2, dated December 16, 1999, to Contract-Agreement No. PL99-059-D1B, with Mills Whitaker Architects, LLP, which was signed by the Commissioner and three Associate Commissioners.
3. Report of Messrs. Gray and Broderick, December 15, recommending that the Commission rescind its vote of March 4, 1999, concerning the appointment of the MDC Harbor Master and appoint Lt. Alan H. Thompson of the Marine Section of the Massachusetts State Police as Harbor Master of the Charles River Basin, and to appoint Lt. John O'Donnell Commander of the MDC Park Ranger Marine Unit as Deputy Harbor Master of the Charles River Basin.
The Commission V O T E D: to rescind its vote of March 4, 1999, concerning the appointment of the MDC Harbor Master and appoint Lt. Alan H. Thompson of the Marine Section of the Massachusetts State Police as Harbor Master of the Charles River Basin.
The Commission further V O T E D: to appoint Lt. John O'Donnell Commander of the MDC Park Ranger Marine Unit as Deputy Harbor Master of the Charles River Basin.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:
4. Report of Mr. Doak, December 15, submitting for approval and authorization for Commissioner Balfour to execute on behalf of the Commission Agreement between the MDC and Charles River

Date		Description		Amount	
1890	Jan 1	Balance		100.00	
	Feb 1	Interest		5.00	
	Mar 1	Interest		5.00	
	Apr 1	Interest		5.00	
	May 1	Interest		5.00	
	Jun 1	Interest		5.00	
	Jul 1	Interest		5.00	
	Aug 1	Interest		5.00	
	Sep 1	Interest		5.00	
	Oct 1	Interest		5.00	
	Nov 1	Interest		5.00	
	Dec 1	Interest		5.00	
1891	Jan 1	Balance		100.00	
	Feb 1	Interest		5.00	
	Mar 1	Interest		5.00	
	Apr 1	Interest		5.00	
	May 1	Interest		5.00	
	Jun 1	Interest		5.00	
	Jul 1	Interest		5.00	
	Aug 1	Interest		5.00	
	Sep 1	Interest		5.00	
	Oct 1	Interest		5.00	
	Nov 1	Interest		5.00	
	Dec 1	Interest		5.00	
1892	Jan 1	Balance		100.00	
	Feb 1	Interest		5.00	
	Mar 1	Interest		5.00	
	Apr 1	Interest		5.00	
	May 1	Interest		5.00	
	Jun 1	Interest		5.00	
	Jul 1	Interest		5.00	
	Aug 1	Interest		5.00	
	Sep 1	Interest		5.00	
	Oct 1	Interest		5.00	
	Nov 1	Interest		5.00	
	Dec 1	Interest		5.00	

Recreation, Inc., for providing Cross Country Skiing at the Leo J. Martin Golf Course, Weston, for one season through March 17, 2000.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission Agreement between the MDC and Charles River Recreation, Inc., for providing Cross Country Skiing at the Leo J. Martin Golf Course, Weston, for one season through March 17, 2000.

Action was taken upon the following matters relating to the Office of Planning:

1. Report of Mrs Davidge, December 15, requesting approval of an extension of time from December 31, 1999 to December 31, 2001, on Contract No. P95-037-D1A, with Childs Engineering Corp., for Lovejoy Wharf, New Charles River Dam, due to the need to complete negotiations between Department of Environmental Protection and the property owner.
(At no increase in Contract cost).
Mr. Jewett requests authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
2. Report of Mrs. Davidge, December 15, requesting approval of an extension of time from December 31, 1999 to December 31, 2000, on Contract No. P82-1022-D1A, with Carr, Lynch and Sandell, for Paul Revere Park, New Charles River Dam.
(At no increase in Contract cost).
Mr. Jewett requests authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
3. Report of Mrs. Davidge, December 15, requesting approval of an extension of time from December 31, 1999 to April 30, 2000, on Contract with Valley Communications Systems, Inc., for Video Surveillance at Paul Revere Park, New Charles River Basin, due to coordination problems with Bell Atlantic and equipment supplied by vendor.
(At no increase in Contract cost).
Mr. Jewett requests authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
Associate Commissioner Carr did not participate in discussion nor vote on this item.

Adjourned at 10:00 a.m., to meet on Thursday, January 6, 2000, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Nine Hundred and Eighteenth (3918th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, January 6, 2000, at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Rollins and Sheppard.

The Records of the Commission Meeting held on December 9, 1999 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Brooks and Kane, December 16, 1999, on bids for Painting of Dwelling at One Woodland Road, Stoneham, Contract No. P00-2049-C1A.
(Messrs. Faucher, Brooks and Kane recommend acceptance of the lowest bid received, that of Village Contracting Co., of \$9,372.00).
The Commission V O T E D: Held Over for further review.
2. Report of Messrs. Faucher and Lenhardt and Miss Peterson, December 14, 1999, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P93-1672-C4A, for Remedial Repairs to First Street Bridge, Cambridge.
Estimated Cost - \$740,700.00.
Time for Performance - four months.
Account No. 2440-9990.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P93-1672-C4A, for Remedial Repairs to First Street Bridge, Cambridge.
3. Report of Messrs. Faucher and Sacco, December 2, 1999, recommending ratification of the action of Deputy Commissioner Faucher resulting in Alteration No. 1 and revisions in quantities on Contract No. P98-1930-C1A, with J. F. White Contracting Company, for Controlled Dewatering and Related Work, Granite Rail Quarry, Quincy, as follows -

ALTERATION NO. 1

Alteration No. 1	\$98,011.26
Alter the method of pumping to completely drain the Quarry.	

REVISIONS IN QUANTITIES

Item No. 002-010	\$14,490.00
Galv. Chain Link Fence	
Item No. 002-040	\$ 750.00
20' Swing Gate	
Item No. 003-010	\$ 2,400.00
Work Barge	
Item No. 004-070	\$ 4,145.70
Electric Power	
Item No. 009-020	\$ 8,000.00
Mobilization of Crane	

Item No. 011-010 \$20,000.00
Engineers Field Office

Total of Revisions - \$49,785.70

Funding in the amount of \$131,154.20 is available in Account No. 2440-8885.

Funding in the amount of \$16,642.76 will be offset by unused quantities in Item No. 010-020 - Labor.

The Commission V O T E D: to ratify the action of Deputy Commissioner Faucher, which resulted in Alteration No. 1 and revisions in quantities, on Contract No. P98-1930-C1A.

The Commission further V O T E D: to approve Alteration No. 1, in the amount of \$98,011.26.

The Commission further V O T E D: to approve Revisions in Quantities, in the amount of \$49,785.70.

1. Report of Messrs. Faucher and Lenhardt, December 14, 1999, requesting approval of Alteration No. 5, in the amount of \$48,460.00, and a Revision to Alteration No. 2, resulting in an additional Credit to the Commission, in the amount of \$43,100.00, on Contract No. PL97-044-C1A, with WES Construction Corp., for Pope John Paul II Park, Phase I, Neponset River Reservation, Boston, as follows -

Alteration No. 5 **\$ 48,460.00**

Item No. 27

Increase the asphalt pavement thickness in areas where heavy trucking is expected.

Revision to Alteration No. 2 (Credit) **\$ 43,100.00**

Additional DEP approved fill at a unit price credit of \$50.00 per truck load has increased the credit to the Commission from \$128,750.00 to a total Credit to the Commission in the amount of \$171,850.

Messrs. Faucher and Lenhardt further request the Commission approve the expenditure of \$48,460.00, for Alteration No. 5, from the credit.

The Commission V O T E D: to approve Alteration No. 5, in the amount of \$48,460.00.

The Commission further V O T E D: to approve a Revision to Alteration No. 2, resulting in an additional Credit to the Commission, in the amount of \$43,100.00.

The Commission further V O T E D: to approve the expenditure of \$48,460.00, for Alteration No. 5, from the credit, as requested by Messrs. Faucher and Lenhardt in their report of December 14, 1999.

2. Report of Messrs. Faucher, Carrigan and Machado, December 27, 1999, recommending approval of the request of the Contractor, for Extra Work Claim No. 1, in the amount of \$42,645.60, for fine grading and associated construction work to enlarge seven parking lots and construct a soccer field in Stoneham, not included in the original contract, on Contract No. P99-2018-C1A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and

Section 1		Section 2		Section 3	
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841	842	843	844	845	846
847	848	849	850	851	852
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859	860	861	862	863	864
865	866	867	868	869	870
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967	968	969	970	971	972
973	974	975	976	977	978
979	980	981	982	983	984
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997	998	999	1000	1001	1002

Curbing at Various Locations Throughout the Metropolitan Area.
(At no increase in contract cost as the Extra Work Claim will be offset by unused quantities in Item Nos. 010-010, 027-010, 030-010, 033-010, 033-020, 035-010 and 036-010).

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 \$42,645.60, for the cost of fine grading and associated construction work to enlarge seven parking lots and construct a soccer field in Stoneham, not included in the original contract.

1. Report of Messrs. Faucher, Carrigan and Machado, December 27, 1999, recommending ratification of the action of Deputy Commissioner Faucher resulting in revisions in quantities, on Contract No. P99-2018-C1A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations Throughout the Metropolitan Area, as follows -

Item No. 001-010 **\$ 6,150.00**

Unclassified Excavation

Item No. 003-020 **\$12,865.84**

Reclaimed Pavement Borrow Material
for Subbase Course

Item No. 004-010 **\$ 3,900.00**

Loam Borrow

Item No. 009-010 **\$ 200.00**

Curbing and Edging, Removed and Disposed of

Item No. 014-010 **\$ 200.00**

New Granite Corner Blocks, 2 Foot Radius

Item No. 021-010 **\$12,900.00**

Bituminous Concrete for Sidewalks,
Driveways, Patching, Small Parking Lots
and Sport Courts

Total - \$36,215.84

(At no increase in contract cost as the revisions will be offset by unused quantities in Item Nos. 005-010, 006-010, 006-040, 007-010, 010-010, 016-010, 017-010 and 020-010).

The Commission V O T E D: to ratify the action of Deputy Commissioner Faucher which resulted in revisions in quantities, on Contract No. P99-2018-C1A.

The Commission further V O T E D: to approve the revisions in quantities, in the amount of \$36,215.84.

2. Report of Messrs. Faucher, Carrigan and Machado, December 23, 1999, recommending ratification of the action of Deputy Commissioner Faucher resulting in Alteration Nos. 1, 2 and 3, on Contract No. P99-2017-C1A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan District, as follows -

Alteration No. 1 **\$ 71,833.84**

Pulverize the existing bituminous concrete
pavement at the Artesani parking lot

100

100

100

100

100

100

Alteration No. 2 **\$ 39,989.97**

Furnish and Install Geotextile Fabric over the pulverized bituminous concrete pavement at the Artesani parking lot

Alteration No. 3 **\$ 78,032.88**

Furnish and install Dense Graded Gravel with maximum size 3/4 inch diameter stone over the Geotextile Fabric surface, Artesani parking lot

Total - \$189,856.69

(At no increase in contract cost as the Alterations will be offset by unused quantities in Item Nos. 007-010, 008-010, 016-010, 020-010, 021-010, 025-010, 029-010, 034-060, 035-010, 036-010, 040-010, 041-010, 042-010, 043-010, 044-010 and 048-010).

The Commission V O T E D: to ratify the action of Deputy Commissioner Faucher which resulted in Alteration Nos. 1, 2 and 3, on Contract No. P99-2017-C1A.

The Commission further V O T E D: to approve Alteration No. 1, in the amount of \$71,833.84.

The Commission further V O T E D: to approve Alteration No. 2, in the amount of \$39,989.97.

The Commission further V O T E D: to approve Alteration No. 3, in the amount of \$78,032.88.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Vignaly, October 13, 1999, recommending the following on Contract No. WM99-027-S1A, with U.S. Department of the Interior, Geological Survey, for Stream Gauging and Well Monitoring -
 - (a) That work be accepted as completed as of September 30, 1999.
 - (b) That Invoice No. 044250082, in the amount of \$13,009.00, be approved for payment.
 - (Basis of Award - \$52,035.00)
 - (Amount to Date - \$52,035.00)
 - (Contract Performance Rating - 8 with 10 being excellent)
 - (EEO Compliance - N/A)The Commission V O T E D: that the work of U.S. Department of the Interior, Geological Survey, Contractor under Contract No. WM99-027-S1A, be and hereby is accepted as completed as of September 30, 1999.

The Commission further V O T E D: to approve Invoice No. 044250082, in the amount of \$13,009.00, for payment.

Action was taken upon the following matter relating to the Office of Planning:

2. Report of Mrs. Davidge, December 1, 1999, requesting approval of Contract No. PL99-022-X1A, with Sylvia Peretz, to provide graphic

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14. 10/10/10

design and printing services for Updated Brochure - New Charles River Basin.

Time for Performance - six months from Notice-to-Proceed.

Cost of Graphic Design Services - not to exceed \$5,000.00.

Cost of Printing - not to exceed \$14,000.00

Funding from Account Nos. 2449-1001 and 2449-1002.

The Commission V O T E D: Approved.

Adjourned at 9:45 a.m., to meet on Thursday, January 13, 2000,
at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Nine Hundred and Nineteenth (3919th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, January 13, 2000, at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Rollins and Sheppard.

The Records of the Commission Meeting held on December 16, 1999 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. *Meeting of 2.13.00
Comm. Carr, Rollins, Sheppard
to discuss
bid for painting
of P00-2049-C1A
to be accepted*
Report of Messrs. Faucher, Brooks and Kane, December 16, 1999, on bids for Painting of Dwelling at One Woodland Road, Stoneham, Contract No. P00-2049-C1A.
(Messrs. Faucher, Brooks and Kane recommend acceptance of the lowest bid received, that of Village Contracting Co., of \$9,372.00).
Commissioner Balfour noted that when this item was discussed at last week's Commission Meeting, he felt that \$9,372.00 was an excessive amount to pay for this painting project and, he asked for further information.
Since that time, he explained, Mr. Brooks informed him that the Contract also includes extensive carpentry work, siding and trim repairs and prep work to prepare the building for painting.
Following a discussion, the Commission V O T E D: to accept the lowest bid received, that of Village Contracting Co., of \$9,372.00.
2. Report of Messrs. Faucher and Thurlow, January 4, requesting approval of an extension of time from November 24, 1999 to March 30, 2000, on Contract No. P97-1871-C2B, with SB General Contracting Co., for Construction of New Comfort Station at Artesani Playground, due to need to make necessary changes and alteration to the specified work.
(At no additional contract cost).
The Commission V O T E D: to approve an extension of time from November 24, 1999 to March 30, 2000, as requested by Messrs. Faucher and Thurlow, in their report of January 4, 2000, 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 Messrs. Faucher, Brooks and Martinez, December 16, 1999, recommending approval of an extension of time from December 2, 1999 to February 2, 2000, on Contract No. P99-1993-C1A, with E. A. Colangeli Construction Company, Inc., for Porcelain Enamel Joint Repairs at the Charles River Dam, Boston, due to weather conditions.
(At no additional contract cost).
The Commission V O T E D: to approve an extension of time from December 2, 1999 to February 2, 2000, as recommended by Messrs.

Date		Description		Amount	
1911	Jan 1	Balance		100.00	
	Jan 5	Received from A. B. C.		50.00	
	Jan 10	Received from D. E. F.		25.00	
	Jan 15	Received from G. H. I.		75.00	
	Jan 20	Received from J. K. L.		100.00	
	Jan 25	Received from M. N. O.		150.00	
	Jan 30	Received from P. Q. R.		200.00	
	Feb 5	Received from S. T. U.		250.00	
	Feb 10	Received from V. W. X.		300.00	
	Feb 15	Received from Y. Z. A.		350.00	
	Feb 20	Received from B. C. D.		400.00	
	Feb 25	Received from E. F. G.		450.00	
	Feb 30	Received from H. I. J.		500.00	
	Mar 5	Received from K. L. M.		550.00	
	Mar 10	Received from N. O. P.		600.00	
	Mar 15	Received from Q. R. S.		650.00	
	Mar 20	Received from T. U. V.		700.00	
	Mar 25	Received from W. X. Y.		750.00	
	Mar 30	Received from Z. A. B.		800.00	
	Apr 5	Received from C. D. E.		850.00	
	Apr 10	Received from F. G. H.		900.00	
	Apr 15	Received from I. J. K.		950.00	
	Apr 20	Received from L. M. N.		1000.00	
	Apr 25	Received from O. P. Q.		1050.00	
	Apr 30	Received from R. S. T.		1100.00	
	May 5	Received from U. V. W.		1150.00	
	May 10	Received from X. Y. Z.		1200.00	
	May 15	Received from A. B. C.		1250.00	
	May 20	Received from D. E. F.		1300.00	
	May 25	Received from G. H. I.		1350.00	
	May 30	Received from J. K. L.		1400.00	
	Jun 5	Received from M. N. O.		1450.00	
	Jun 10	Received from P. Q. R.		1500.00	
	Jun 15	Received from S. T. U.		1550.00	
	Jun 20	Received from V. W. X.		1600.00	
	Jun 25	Received from Y. Z. A.		1650.00	
	Jun 30	Received from B. C. D.		1700.00	
	Jul 5	Received from E. F. G.		1750.00	
	Jul 10	Received from H. I. J.		1800.00	
	Jul 15	Received from K. L. M.		1850.00	
	Jul 20	Received from N. O. P.		1900.00	
	Jul 25	Received from Q. R. S.		1950.00	
	Jul 30	Received from T. U. V.		2000.00	
	Aug 5	Received from W. X. Y.		2050.00	
	Aug 10	Received from Z. A. B.		2100.00	
	Aug 15	Received from C. D. E.		2150.00	
	Aug 20	Received from F. G. H.		2200.00	
	Aug 25	Received from I. J. K.		2250.00	
	Aug 30	Received from L. M. N.		2300.00	
	Sep 5	Received from O. P. Q.		2350.00	
	Sep 10	Received from R. S. T.		2400.00	
	Sep 15	Received from U. V. W.		2450.00	
	Sep 20	Received from X. Y. Z.		2500.00	
	Sep 25	Received from A. B. C.		2550.00	
	Sep 30	Received from D. E. F.		2600.00	
	Oct 5	Received from G. H. I.		2650.00	
	Oct 10	Received from J. K. L.		2700.00	
	Oct 15	Received from M. N. O.		2750.00	
	Oct 20	Received from P. Q. R.		2800.00	
	Oct 25	Received from S. T. U.		2850.00	
	Oct 30	Received from V. W. X.		2900.00	
	Nov 5	Received from Y. Z. A.		2950.00	
	Nov 10	Received from B. C. D.		3000.00	
	Nov 15	Received from E. F. G.		3050.00	
	Nov 20	Received from H. I. J.		3100.00	
	Nov 25	Received from K. L. M.		3150.00	
	Nov 30	Received from N. O. P.		3200.00	
	Dec 5	Received from Q. R. S.		3250.00	
	Dec 10	Received from T. U. V.		3300.00	
	Dec 15	Received from W. X. Y.		3350.00	
	Dec 20	Received from Z. A. B.		3400.00	
	Dec 25	Received from C. D. E.		3450.00	
	Dec 30	Received from F. G. H.		3500.00	
	Jan 1	Balance		3550.00	

Faucher, Brooks and Martinez, in their report of December 16, 1999, 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 Messrs. Faucher and Thurlow, January 4, requesting approval of an extension of time from January 5, 2000 to May 30, 2000, on Contract No. P97-1870-C3A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Reconstruction of Artesani Playground, due to changes, alterations and redesign of specific work.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from January 5, 2000 to May 30, 2000, as requested by Messrs. Faucher and Sacco, in their report of January 4, 2000, 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 Messrs. Faucher, Brooks and Martinez, December 15, 1999, recommending approval of the action of Deputy Commissioner Faucher resulting in alterations and extra work claims on Contract No. PL82-1022-C2A, with T. Cooney Company, for Paul Revere Landing Restrooms, Charlestown, as follows -

ALTERATIONS

Alteration No. 2	\$ 582.02
Changes in Rafter Sizes and Methods of Attaching to Existing Pump Station	
Alteration No. 3	<u>\$ 719.04</u>
Change in Length of Pipe to Hook Up the Restrooms to the Pump Station and to Winterize the Restrooms Plumbing to Prevent Freezing	
Total - \$1,301.06	

EXTRA WORK CLAIMS

Extra Work Claim No. 1	\$ 290.14
Add a Roof Gutter to the Design of the Restroom Roof	
Extra Work Claim No. 2	\$ 449.60
Add a Tile Baseboard Along the Varying Elevations of Concrete Wall and to Tile Over Two Hatch Covers Previously Added to the Contract	
Extra Work Claim No. 3	\$ 745.25
Remove Small Portion of the Existing Pump Foundation	
Extra Work Claim No. 4	<u>\$1,061.80</u>
Add More Material to Wall and Ceiling of the Restrooms to Meet Regulations of Fire Rating	

Total - \$2,546.79

Funding from Account No. 2449-6033.

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Alteration Nos. 2 and 3

and Extra Work Claim Nos. 1, 2, 3 and 4, on Contract No. PL82-1022-C2A.

The Commission further V O T E D: to approve Alteration No. 2, in the amount of \$582.02.

The Commission further V O T E D: to approve Alteration No. 3, in the amount of \$719.04.

The Commission further V O T E D: to approve Extra Work Claim No. 1, in the amount of \$290.14.

The Commission further V O T E D: to approve Extra Work Claim No. 2, in the amount of \$449.60.

The Commission further V O T E D: to approve Extra Work Claim No. 3, in the amount of \$745.25.

The Commission further V O T E D: to approve Extra Work Claim No. 4, in the amount of \$1,061.80.

1. Report of Messrs. Faucher and Gearheart, December 29, 1999, recommending termination of Contract No. P82-1112-D2A, with Hayden/Wegman, Consulting Engineers, Incorporated, for Peddock's Island Pier Replacement, due to failure to comply with the terms of the Contract. Termination will be effective seven (7) days from Hayden/Wegman's receipt of the Commission vote to terminate. It is further recommended that funds in the amount of \$41,829.88 be withheld from final payment and that the Engineering and Construction Division be authorized to utilize said funds for a study and design of a feasible Handicapped Accessibility System and attachment mechanisms for Floating Dock flotation pods under separate Contract.
It is further recommended that the Commission authorize the General Counsel to file an Errors and Omissions Claim against Hayden/Wegman's Professional Liability Insurance Policy to recover all costs that may be incurred by the Commission in correcting all deficiencies as outlined in Messrs. Faucher and Gearheart's report of December 29, 1999.
The Commission V O T E D: termination of Contract No. P82-1112-D2A, with Hayden/Wegman, Consulting Engineers, Incorporated, for Peddock's Island Pier Replacement, due to failure to comply with the terms of the Contract. Termination will be effective seven (7) days from Hayden/Wegman's receipt of the Commission vote to terminate.
The Commission further V O T E D: that funds in the amount of \$41,829.88 be withheld from final payment and that the Engineering and Construction Division be authorized to utilize said funds for a study and design of a feasible Handicapped Accessibility System and attachment mechanisms for Floating Dock flotation pods under separate Contract.
The Commission further V O T E D: to authorize the General Counsel to file an Errors and Omissions Claim against Hayden/Wegman's Professional Liability Insurance Policy to recover all costs that may be incurred by the Commission in correcting all deficiencies as outlined in Messrs. Faucher and Gearheart's report of December 29, 1999.
2. Report of Messrs. Faucher and Gearheart, December 29, 1999,

recommending the following on Contract No. P82-1112-C2A, with Early & Sons, Inc., for Peddock's Island Pier Replacement -

- (a) That work, with the exception of Item No. 02489, for the Accessibility Float System - in the sum of \$183,000.00 and Item No. 02488, for the Repair of the Floating Docks, at an estimated cost of \$7,000.00, be accepted as completed as of October 3, 1999.
- (b) That the bid, in the amount of \$183,000.00, for Item No. 02489, for the Accessibility Float, be withheld from the Contractor and that the Engineering and Construction Division utilize the \$183,000.00 to replace the Accessibility Float System under separate Contract.
- (c) That the \$7,000.00 withheld for Item No. 02488 be used to repair Floating Docks under separate Contract.
- (d) That Estimate No. 15 (Final), in the amount of \$23,104.89, be approved for payment.
- (e) That reserve, in the amount of \$10,000.00, be approved for payment.

(Basis of Award - \$1,997,675.50)

(Amount to Date - \$1,967,038.51)

(Contract Performance Rating - 3.30)

(EEO Compliance - 3.00)

The Commission V O T E D: that the work of Early & Sons, Inc., Contractor under Contract No. P82-1112-C2A, with the exception of Item No. 02489, for the Accessibility Float System - in the sum of \$183,000.00 and Item No. 02488, for the Repair of the Floating Docks, at an estimated cost of \$7,000.00, be accepted as completed as of October 3, 1999.

The Commission further V O T E D: that the bid, in the amount of \$183,000.00, for Item No. 02489, for the Accessibility Float, be withheld from the Contractor and that the Engineering and Construction Division utilize the \$183,000.00 to replace the Accessibility Float System under separate Contract.

The Commission further V O T E D: that the \$7,000.00 withheld for Item No. 02488 be used to repair Floating Docks under separate Contract.

The Commission further V O T E D: to approve Estimate No. 15 (Final), in the amount of \$23,104.89, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$10,000.00, for payment.

1. Report of Messrs. Faucher and Lenhardt, January 10, recommending approval of an extension of time from December 24, 1999 to January 21, 2000, on Contract No. P99-1992-C1A, with N.E.L. Corporation, for Remedial Repairs to Beades Drawbridge, Boston, due to difficulty encountered in obtaining a replacement brake assembly.

(At no increase in Contract cost).

The Commission V O T E D: to approve an extension time from December 24, 1999 to January 21, 2000, as recommended by Messrs. Faucher and Lenhardt in their report of January 10, 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 Messrs. Faucher, Carrigan and Machado, January 7, recommending approval of the action of Deputy Commissioner Faucher resulting in revisions in quantities on Contract No. P99-2017-C1A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan Area, as follows -

Item No. 002-010	\$ 3,689.60
0" - 4" Cold Planing	
Item No. 010-010	\$ 6,400.00
Granite E.S. R & R	
Item No. 010-020	\$ 2,700.00
Curbing and Edging Remove & Dispose	
Item No. 011-010	\$24,500.00
Granite E.S. Straight	
Item No. 012-010	\$ 4,400.00
Granite E.S. Curved	
Item No. 015-010	\$ 1,875.00
Cement Concrete in Front of E.S.	
Item No. 034-030	\$ 440.00
12" R.C.P. Class IV	
Item No. 037-010	<u>\$15,000.00</u>
Bituminous Concrete Curb, Type 2	
Total -	\$59,004.60

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 003-010 - Gravel Borrow, 007-010 - Bituminous Concrete, 016-010 - 4" Reflectorized Pavement Markings and 018-010 - 12" Reflective Pavement Markings).

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in revisions in quantities on Contract No. P99-2017-C1A.

The Commission further V O T E D: to approve the revisions in quantities, in the amount of \$59,004.60, as recommended by Messrs. Faucher, Carrigan and Machado in their report of January 7, 2000.
2. Report of Messrs. Faucher, Carrigan and Machado, January 7, recommending approval of the action of Deputy Commissioner Faucher resulting in extra work orders on Contract No. P99-2017-C1A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan Area, as follows -

Extra Work Order No. 1	\$ 4,500.00
Furnish and Install 100 Inkberry Bushes	
Extra Work Order No. 2	\$12,000.00
Construct Three Swales	
Extra Work Order No. 3	<u>\$ 7,875.00</u>
Furnish and Install 3" Galvanized Steel Conduit	
Total -	\$24,375.00

(At no increase in Contract cost as the extra work orders will be offset by unused quantities in Item Nos. 001-010 - Unclassified Excavation, 003-010 - Gravel Borrow, 004-010 - Catch Basins and Manholes Adjusted to Grade, 005-0110 - Catch Basins and Manholes

Rebuilt, 006-010 - Utility Boxes Adjusted to Grade, 009-010 - Bituminous Tack Coat, 017-010 - 8" Reflectorized Markings (Thermoplastic), 018-010 - 12" Reflectorized Markings (Thermoplastic), 019-010 - Reflectorized Pavement Symbols & Legends per square foot (Thermoplastic), 023-020 - Furnishing & Installation of New Catch Basins or Drop Inlets excluding cost of Castings and 025-010 - Furnishing & Installing Manholes excluding Cost of Castings).

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Order Nos. 1, 2 and 3 on Contract No. P99-2017-C1A.

The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of \$4,500.00.

The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of \$12,000.00.

The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of \$7,875.00.

Adjourned at 10:00 a.m., to meet on Thursday, January 20, 2000, at 9:00 a.m.


S e c r e t a r y

1891
1892

1891		1892	
Jan	1	Jan	1
Feb	2	Feb	2
Mar	3	Mar	3
Apr	4	Apr	4
May	5	May	5
Jun	6	Jun	6
Jul	7	Jul	7
Aug	8	Aug	8
Sep	9	Sep	9
Oct	10	Oct	10
Nov	11	Nov	11
Dec	12	Dec	12

1893

Record of the Three Thousand Nine Hundred and Twentieth (3920th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, January 20, 2000, at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on January 6, 2000 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Soroka, January 12, on bids for Servicing Traffic Signals and Control Systems, Charles River Basin Districts, Contract No. P00-2034-M1A.
(Messrs. Faucher and Soroka recommend acceptance of the only bid received, that of Coviello Electric and General Contracting Co., Inc., of \$510,536.75).
The Commission V O T E D: to accept the only bid received, that of Coviello Electric and General Contracting Co., Inc., of \$510,536.75.
2. Report of Mr. Faucher and Mrs. Graves-Jones, January 12, on bids for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts, Contract No. P00-2032-M1A.
(Mr. Faucher and Mrs. Graves-Jones recommend acceptance of the only bid received, that of Coviello Electric and General Contracting Co., Inc., of \$547,675.00).
The Commission V O T E D: to accept the only bid received, that of Coviello Electric and General Contracting Co., Inc., of \$547,675.00.
3. Report of Messrs. Faucher and Thurlow, January 10, requesting approval of an extension of time from January 5, 2000 to May 30, 2000, on Contract No. P95-1761-D1A, with Rojas Associates, Inc., for Playground Design Services - Artesani Playground and Comfort Station, due to need to continue monitoring of construction.
The Commission V O T E D: Approved.
4. Report of Messrs. Faucher, McGinn, Gray, Jewett and Kelter, January 13, requesting approval and adoption of a Standard Operating Procedure for Extra Work Orders for construction contracts, which breaks down extra work into three separate categories -
 1. Extra Work with a cost of less than \$15,000.00 or 5% of the project price, whichever is less.
 2. Extra Work in excess of \$15,000.00 or 5% of the project price, whichever is less.
 3. Emergency extra work.

The Commission V O T E D: Approved.

The Commission further V O T E D: to adopt a Standard Operating Procedure for Extra Work Orders for construction contracts, which

breaks down extra work into three separate categories, as follows -

1. Extra Work with a cost of less than \$15,000.00 or 5% of the project price, whichever is less.
2. Extra Work in excess of \$15,000.00 or 5% of the project price, whichever is less.
3. Emergency extra work.

1. Report of Messrs. Faucher and Thurlow, December 13, 1999, requesting approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 3 - for installation of a new winterizing manhole to properly drain the balancing tank and pool during the off-season and winter to prevent freezing - at a cost of \$18,284.03, on Contract No. P97-1870-C3A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Reconstruction of Artesani Playground.
Funding from Account No. 2440-9800.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 3, on Contract No. P97-1870-C3A.
The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of \$18,284.03.
2. Report of Messrs. Faucher and Thurlow, December 13, 1999, requesting approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 4 - for installation of new transfer boxes and grates in the wading pool, installation of a new dry well for the comfort station, outdoor shower and to core holes in the foundation wall for new pump line - at a cost of \$4,686.03, on Contract No. P97-1870-C3A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Reconstruction of Artesani playground.
Funding from Account No. 2440-9800.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 4, on Contract No. P97-1870-C3A.
The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of \$4,686.03.
3. Report of Messrs. Faucher, Brooks and Balicki, January 10, recommending approval of an extension of time from December 28, 1999 to March 20, 2000, on Contract No. P99-1987-C1A, with J. F. White Contracting Company, for Pumps and other Equipment Replacement, Fellsway Outbound, Tunnel Pump Station, Somerville, pumps will not arrive until first week of February 2000.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from December 28, 1999 to March 20, 2000, as recommended by Messrs. Faucher, Brooks and Balicki, in their report of January 10, 2000, 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 Messrs. Faucher and Thurlow, December 13, 1999, requesting approval of Alteration No. 1 - for upgrading the filtration system - at a cost of \$15,414.47, on Contract No. P97-1870-C3A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for the Reconstruction of Artesani Playground.
Account No. 2440-9800.
The Commission V O T E D: to approve Alteration No. 1, in the amount of \$15,414.47.
2. Report of Messrs. Faucher and Thurlow, December 13, 1999, requesting approval of the action of Deputy Commissioner Faucher resulting in Alteration No. 2 - for relocation of new 8" sewer line, installation of gravel borrow and installation of additional erosion control - at a cost of \$15,455.79, on Contract No. P97-1870-C3A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for the Reconstruction of Artesani Playground.
Account No. 2440-9800.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Alteration No. 2, on Contract No. P97-1870-C3A.
The Commission further V O T E D: to approve Alteration No. 2, in the amount of \$15,455.79.
3. Report of Messrs. Faucher and Thurlow, December 16, 1999, requesting approval of the action of Deputy Commissioner Faucher resulting in Alteration No. 1 - for installation of additional accessories and work to install new specified tubular steel support over the vestibule and changes necessary to comply with state and local plumbing codes - at a cost of \$9,629.87, on Contract No. P97-1871-C2B, with SB General Contracting Co., for Construction of New Comfort Station at Artesani Playground.
Account No. 2440-9800.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Alteration No. 1, on Contract No. P97-1871-C2B.
The Commission further V O T E D: to approve Alteration No. 1, in the amount of \$9,629.87.
4. Report of Messrs. Faucher and Thurlow, December 16, 1999, requesting approval of the action of Deputy Commissioner Faucher resulting in Alteration No. 2 - for installation of a double top plate on all perimeter and intermediate walls and the installation of new masonry block sink chase walls - at a cost of \$7,601.83, on Contract No. P97-1871-C2B, with SB General Contracting Co., for Construction of New Comfort Station at Artesani Playground.
Account No. 2440-9800.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Alteration No. 2, on Contract No. P97-1871-C2B.
The Commission further V O T E D: to approve Alteration No. 2, in the amount of \$7,601.83.

1. Report of Messrs. Faucher and McCalla, December 17, 1999, on request of Boston Edison, General Contractor, on Contract No. P98-1938-M1A, for Maintenance of Street Lighting Systems on MDC Parkways, Roadways and Properties at Various Locations, to engage the services of the following sub-contractors - for
 Aris, Incorporated and Technical Construction Services, Inc.
 Item No. 018-010 - Electrician - \$16,000.00
 Item No. 019-010 - Electrician's Helper - \$10,780.00
 Item No. 020-010 - Vehicle - \$ 8,360.00
 Total - \$35,140.00

 (At no increase in Contract cost).
 The Commission V O T E D: Approved.
2. Report of Messrs. Faucher, Brooks and Balicki, January 11, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P00-2044-ClA, to Waterblast, Caulk, Patch and Paint Swimming Pools, Various Locations.
 Estimated Cost - \$168,000.00.
 Time for Performance - ninety days.
 Account No. 2440-8952.
 The Commission V O T E D: Approved.
 The Commission further V O T E D: authorization to advertise Project No. P00-2044-ClA, to Waterblast, Caulk, Patch and Paint Swimming Pools, Various Locations.
3. Report of Messrs. Faucher, Brooks and Balicki, January 13, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P00-2050-ClA, for New Modular Gutter System and Associated Piping, Magazine Beach Pool, Cambridge.
 Estimated Cost - \$200,000.00.
 Time for Performance - ninety days.
 Account No. 2440-8952.
 The Commission V O T E D: Approved.
 The Commission further V O T E D: authorization to advertise Project No. P00-2050-ClA, for New Modular Gutter System and Associated Piping, Magazine Beach Pool, Cambridge.
4. Report of Messrs. Faucher, Brooks and Balicki, January 12, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P00-2041-ClA, for Diatomaceous Earth Removal from Sewer Discharge, Reilly Pool, Cleveland Circle, Brighton.
 Estimated Cost - \$40,000.00.
 Time for Performance - forty five days.
 Account No. 2440-8952.
 The Commission V O T E D: Approved.
 The Commission further V O T E D: authorization to advertise Project No. P00-2041-ClA, for Diatomaceous Earth Removal from Sewer Discharge, Reilly Pool, Cleveland Circle, Brighton."
5. Report of Messrs. Faucher, Brooks and Martinez, January 13, submitting for approval Work Schedule, Project Summary, Project

Justification and requesting authorization to advertise Project No. P00-2053-ClA. for Renovations to Service Building at Connors Pool. Waltham.

Estimated Cost - \$290.000.00.

Time for Performance - ten weeks.

Account No. 2440-0010 - \$200.000.00 and

Account No. 2440-9800 - \$ 90,000.00.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P00-2053-ClA. for Renovations to Service Building at Connors Pool. Waltham.

1. Report of Mr. Faucher and Ms. Pomorska, January 12. on bids for Servicing Traffic Signal and Control Systems, Middlesex Fells and Revere Districts. Contract No. P00-2033-M1A.
(Mr. Faucher and Ms. Pomorska recommend acceptance of the only bid received. that of Coviello Electric and General Contracting Co., Inc., of \$569.560.00).
The Commission V O T E D: to accept the only bid received. that of Coviello Electric and General Contracting Co., Inc., of \$569.560.00.
2. Report of Messrs. Faucher and McCalla, January 13, on bids for Maintenance of Street Lighting Systems on MDC Parkways, Roadways and Properties at Various Locations. Contract No. P00-2030-M1A.
(Messrs. Faucher and McCalla recommend acceptance of the only bid received. that of Coviello Electric and General Contracting Co., Inc., of \$637.800.00).
The Commission V O T E D: to accept the only bid received. that of Coviello Electric and General Contracting Co., Inc., of \$637.800.00.

Adjourned at 9:45 a.m.. to meet on Thursday, January 27, 2000.
at 9:00 a.m.


S e c r e t a r y

1. The first part of the paper is devoted to a general discussion of the problem.

2. In the second part, we consider the case of a single particle in a potential well.

3. The third part is devoted to the case of a system of two particles.

4. In the fourth part, we consider the case of a system of three particles.

5. The fifth part is devoted to the case of a system of four particles.

6. In the sixth part, we consider the case of a system of five particles.

7. The seventh part is devoted to the case of a system of six particles.

8. In the eighth part, we consider the case of a system of seven particles.

Record of the Three Thousand Nine Hundred and Twenty First (3921st) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, January 27, 2000, at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on January 13, 2000 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. P00-2030-M1A, dated January 27, 2000, with Coviello Electric and General Contracting Co., Inc., for Maintenance of Street Lighting Systems on MDC Parkways, Roadways and Properties at Various Locations.
2. Contract No. P00-2032-M1A, dated January 27, 2000, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts.
3. Contract No. P00-2033-M1A, dated January 27, 2000, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Middlesex Fells and Revere Districts.
4. Contract No. P00-2034-M1A, dated January 27, 2000, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signals and Control Systems, Charles River Basin Districts.

Action was taken upon the following matters relating to the Engineering and Construction Division:

5. Report of Mr. Faucher and Mrs. Graves-Jones, January 12, recommending approval of revisions in quantities on Contract No. P98-1925-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts, as follows -

Item No. 004-020	\$ 4,940.00
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Labor Rate for Licensed Electrician
(Serviceman)

Item No. 004-030	\$ 3,885.00
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Labor Rate for Licensed Helper -
Miscellaneous Repair

Item No. 006-010	\$ 250.00
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Vehicle Signal Head-Single Section -
8 Inch Lens

Item No. 009-010	\$ 450.00
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Pedestrian Pushbutton and Sign

Item No. 010-010	\$ 1,015.00
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Traffic Signal Metal Base Octagonal

Item No. 020-010	\$ 1,950.00
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Traffic Control Services

Total - \$12,490.00

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(At no increase in Contract cost as the revisions will be offset by unused quantities in Item No. 001-010 - Clean and Relamping Traffic Control, Item No. 006-020 - Vehicle Signal Head - Single Section - 12 Inch Lens, Item No. 007-020 - Pedestrian Signal Head - Single Section, Item No. 012-010 - Communication System and Clerical Work, Item No. 013-010 - Storage Room and Engineer's Office, Item No. 015-015 - Traffic Signal Cable - 15 Conductor, Item No. 016-010 - General Purpose Wire (X.H.H.W.#14) and Item No. 018-010 - Traffic Signal Loop Detector Conductor).

The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and DiPietro, January 15, recommending that work of Aquatic Control Technology, Inc., Contractor under Contract No. P95-1798-M2A, for Aquatic Vegetation Control, Upper Mystic Lake Forebays, be accepted as completed as of October 29, 1999.

(Basis of Award - \$21,950.00)

(Amount to Date - \$20,700.00)

(Contract Performance Rating - 9 with 10 being excellent)

(EEO Compliance - N/A)

The Commission V O T E D: that the work of Aquatic Control Technology, Inc., Contractor under Contract No. P95-1798-M2A, be and hereby is accepted as completed as of October 29, 1999.

2. Report of Messrs. Faucher, Carrigan and Machado, January 19, requesting approval of the action of Deputy Commissioner Faucher resulting in a revision in quantities on Item No. 058-010 - Galvanized Steel Chain Link Fence 6 Feet High - at a cost of \$6,570.00, on Contract No. P99-2019-C1A, with D'Allessandro Corporation, for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan District Park System.

(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 061-010 - Furnish, Install, Repair or Replace Black Vinyl Clad Chain Line Fence 8 Feet High).

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in a revision in quantities on Item No. 058-010, on Contract No. P99-2019-C1A.

The Commission further V O T E D: to approve the revision in quantities on Item No. 058-010, at a cost of \$6,570.00.

3. Report of Messrs. Faucher, Carrigan and Machado, January 20, on request of D & R General Contracting Inc./MDR Construction Company, Inc., General Contractor, on Contract No. P99-2017-C1A, for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan District, to engage the services of Bardon Trimount, as sub-contractor for -

Item No. 002-010 - 0" - 4" Cold Planing - \$206,460.00

(At no increase in Contract cost).

The Commission V O T E D: Approved.

4. Report of Messrs. Faucher, Carrigan and Machado, January 20, on request of D & R General Contracting Inc./MDR Construction

Company, Inc., General Contractor, on Contract No. P99-2017-C1A, for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan District, to engage the services of Hi-Way Safety Systems, Inc., as sub-contractor for -

Item No. 016-010	\$46,400.00
4" Reflectorized Thermoplastic	
Item No. 017-010	\$ 2,100.00
8" Reflectorized Thermoplastic	
Item No. 018-010	\$13,200.00
12" Reflectorized Thermoplastic	
Item No. 019-010	\$ 3,750.00
Reflectorized Pavement Symbols & Legends - Thermoplastic	
Item No. 022-010	\$ 1,400.00
Temporary Pavement Markings - 4" Painted	
Item No. 040-010	\$ 360.00
Pavement Marking - Removal - Paint	
Item No. 041-010	\$ 375.00
Pavement Marking Removal Thermoplastic	
Item No. 044-010	\$ 6,000.00
4" Painted Lines With Layout	
Item No. 044-020	\$ 500.00
Systems, Legend & Gore Lines (Painted)	
Total -	\$74,085.00

(At no increase in Contract cost).
The Commission V O T E D: Approved.

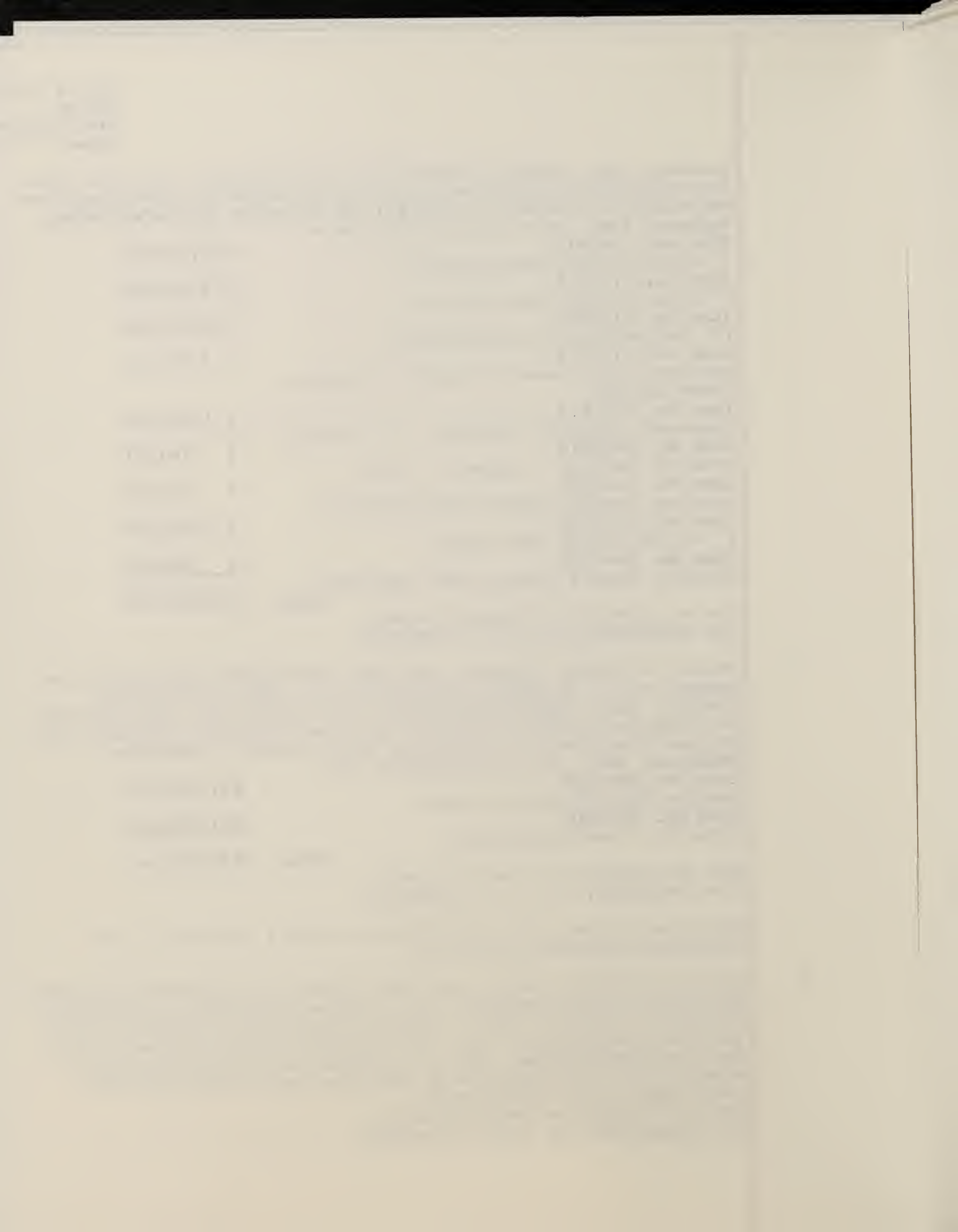
- Report of Messrs. Faucher, Carrigan and Machado, January 20, on request of D & R General Contracting Inc./MDR Construction Company, Inc., General Contractor, on Contract No. P99-2017-C1A, for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan District, to engage the services of Superior Sealcoat, Inc., as sub-contractor for -

Item No. 036-010	\$17,500.00
Sealing Bitt. Concrete Cracks	
Item No. 047-010	\$71,750.00
Expansion Joint Replacement	
Total -	\$89,250.00

(At no increase in Contract cost).
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Watershed Management Division:

- Report of Messrs. McGinn and Kane, January 6, requesting approval and execution of Amendment No. 1, for an extension of time from February 1, 2000 to July 1, 2000, on Contract No. WM96-011-S1A, with GEI Consultants, Inc., for Follow-Up Investigation, Winsor Dam, Ware/Belchertown, due to coordination and accessibility problems for the operation of the gates and valves which are under the control of the MWRA.
(At no increase in Contract cost).
The Commission V O T E D: Approved.



Mr. Jewett requested authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.

1. Report of Messrs. McGinn and Kane, January 20, requesting approval of an extension of time from January 31, 2000 to February 29, 2000, for administrative purposes only, on Contract No. WM95-085-D1A, with GZA GeoEnvironmental, Inc., for Design and Construction Services, Boat Cove, Wachusett Reservoir, Clinton, due to the need to provide time for Division Engineers to fully review the Consultant request for additional compensation for the actual work involved and prepare the paperwork to finalize the project.

The Commission V O T E D: Approved.

Mr. Jewett requested authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.

2. Report of Messrs. McGinn and Kane, January 21, requesting approval of an extension of time from January 31, 2000 to February 29, 2000, for administrative purposes only, on Contract No. WM95-085-C1A, with WES Construction Corporation, Boat Cove Docking Facility, Wachusett Reservoir, Clinton, due to the need to provide time for Division Engineers to fully review the Contractor's request for additional compensation for the actual work involved and prepare the necessary paperwork to finalize the project.

The Commission V O T E D: to approve an extension of time from January 31, 2000 to February 29, 2000, for administrative purposes only, as requested by Messrs. McGinn and Kane in their report of January 21, 2000, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation.

Action was taken upon the following matters relating to the Recreational Facilities and Programs Division:

3. Report of Mr. Testa, January 13, requesting approval and authorization to have prepared a Marketing and Promotional Video highlighting the many services and programs that the Commission provides to the citizens of the District and Commonwealth to be used by agency officials and staff in making presentations to various groups.

The Commission is further requested to approve the selection of The Rendon Group, Inc., to produce the video.

Cost not-to-exceed - \$20,000.00.

Services to be completed by - June 30, 2000.

Account No. 2448-0052.

The Commission V O T E D: authorization to have prepared a Marketing and Promotional Video highlighting the many services

and programs that the Commission provides to the citizens of the District and Commonwealth to be used by agency officials and staff in making presentations to various groups.
The Commission further V O T E D: to approve the selection of The Rendon Group, Inc., to produce the video.

1. Report of Mr. Doak, January 19, requesting that the Commission approve an abatement in the amount of \$4,026.00 from the compensation that Michael F. Wortis, d/b/a MFW, Inc., is required to pay the Commission for Golf Professional Services at Leo J. Martin Golf Course, for the 1997, 1998 and 1999 golf seasons. (The abatement is the amount that had been expended by MFW, Inc., to make improvements to the golf course).
The Commission V O T E D: Approved as requested by Mr. Doak, in his report of January 19, 2000.

Action was taken upon the following matter relating to the Office of General Counsel:

2. Report of Mr. Gray, January 24, recommending that the Commission reaffirm its vote of December 1, 1999, and adopt an Order of Taking for acquisition of approximately 142.76 acres of land owned by Marion Hulick a.k.a. Marion J. Hulick and Henry F. Hulick, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of \$975,000.00, together with such damages and costs as required under General laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.

The Commission V O T E D: to reaffirm its vote of December 1, 1999, and adopt an Order of Taking for acquisition of approximately 142.76 acres of land owned by Marion Hulick a.k.a. Marion J. Hulick and Henry F. Hulick, located in the Town of Sterling, Massachusetts.

**ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION**

Boston, January 27, 2000.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

Two certain abutting parcels of land, the first lying off of the westerly side of South Nelson Road, being the rear portion of a sixty acre farm tract, and the second being an assemblage of small tillage and pasture lots, lying on and off of the northerly side of Beaman Road, more particularly bounded and described as follows:

Parcel I

A certain parcel of rear land lying off of the westerly side of South Nelson Road, more particularly bounded and described as follows:

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Beginning at a stake with nail set in a stone wall corner, said corner being the southwesterly corner of land formerly of one Jason, now or formerly, land of Thomas E. & Mary M. Chase (see deed dated 10/10/83 recorded with Worcester District Registry of Deeds at Book 7925, Page 311), said stake being located N. 53° 00' 39" W., 211.82 feet, as measured along a stone wall and remaining lands, now or formerly, of Henry F. & Marion J. Hulick, excluded from this order and intended to be retained by them, from a Worcester County Highway bound in the westerly line of the 1934 Record Layout of South Nelson Road at Station 39+40, which is the true point of beginning (see Worcester County Commissioners Decree 1060 recorded with said Deeds at Book 2626, Page 49 and the accompanying Plan H-2392 R recorded as Plan 8 in Plan Book 83):

- Thence N. 18° 09' E., 395.0 feet, by the stone wall and land, now or formerly, of T.E. & M.M. Chase, to a point in a wall corner, at land, formerly of one Rimbach, now or formerly, of John S. & Phyllis L. George (see deed dated 8/30/66 recorded with said Deeds at Book 4696, Page 199);
- Thence N. 80° 36' W., 458.0 feet, by the stone wall and land, now or formerly, of J.S. & P.L. George, to a point at another wall corner;
- Thence S. 04° 34' W., 84.0 feet, by the wall and land formerly of Rimbach, to a point in another wall corner;
- Thence N. 64° 36' W., 247.0 feet, by the wall and wall remnants, to a point in the wall at an angle in the line;
- Thence N. 28° 30' W., 1006.5 feet, by and through the stone wall and continuing along a wire fence, by land, now or formerly, of J.S. & P.L. George, to a point at a fence corner, at the "Mace Lot" land formerly of John Blanchard, now of the Commonwealth of Massachusetts, Metropolitan District Commission (see Order of Taking dated 5/31/95 recorded with said Deeds at Book 17071, Page 20);
- Thence N. 70° 00' W., 515.0 feet, along the wire fence and by land of the Commonwealth of Massachusetts, MDC, to a point in a stone wall, at the "Powers Lot", land, now or formerly, of Marion Hulick, being one of the lots described below as part of Parcel 2;
- Thence S. 25° 30' W., 432.0 feet, along mixed stone wall and wire fence, by the "Powers Lot", land formerly of Frank Wilder et ux, to a point at an angle in the line, at the "Wilder Lot", other land formerly of Frank Wilder et ux, now or formerly, of Marion Hulick, and described below as part of Parcel 2;
- Thence S. 03° 40' E., 930.0 feet, along the wire fence and the "Wilder Lot", to a point at angle in the line, said point being the northernmost point of the

"Nelson Lot", other land, formerly of Frank Wilder et ux, now or formerly, of Marion Hulick, and described below as part of Parcel 2:

- Thence S. $11^{\circ} 10'$ E., 497.0 feet, along the wire fence and by the "Nelson Lot", to a point at the westerly terminus of a stone wall, and land, formerly of one Woodcock, late of Kenneth L.H. & June B. Williams, and now of the Commonwealth of Massachusetts, Metropolitan District Commission (see the order of taking dated 2/05/98 and recorded with said Deeds at Book 19681, Page 86);
- Thence S. $69^{\circ} 50'$ E., 634.10 feet, by the stone wall and land formerly of K.L.H. & J.B. Williams, to a stake with nail set at a wall corner, at other land, now or formerly, of Henry F. & Marion J. Hulick, excluded from the provisions of this order and reserved to them, their heirs and assigns, the said stake marking the westernmost point of this excluded abutting parcel;
- Thence N. $52^{\circ} 18' 56''$ E., 333.92 feet, by the stone wall and the excluded parcel, to another stake with nail set at another wall corner;
- Thence N. $53^{\circ} 13' 43''$ W., 272.40 feet, by the wall and the excluded parcel, to another stake with nail set at another wall corner;
- Thence N. $15^{\circ} 35' 42''$ E., 313.02 feet, by the stone wall and the excluded parcel, to another stake with nail set at another wall corner;
- Thence S. $60^{\circ} 09' 22''$ E., 493.53 feet, by the stone wall and the excluded parcel to another stake with nail set at the southeasterly terminus of the wall;
- Thence S. $25^{\circ} 57' 29''$ E., 142.37 feet, by the excluded parcel to another stake with nail set;
- Thence S. $14^{\circ} 01' 37''$ W., 132.04 feet, by the excluded parcel, to another stake with nail set;
- Thence S. $53^{\circ} 30' 21''$ E., 118.42 feet, by the excluded parcel, to another stake with nail set;
- Thence N. $16^{\circ} 44' 02''$ E., 283.25 feet, by the excluded parcel, to another stake with nail set at a corner;
- Thence N. $71^{\circ} 07' 47''$ W., 42.47 feet, by the excluded parcel, to another stake with nail set at another corner;
- Thence N. $10^{\circ} 22' 47''$ E., 243.77 feet, by the excluded parcel, to another stake with nail set at an angle;

Thence S. 60° 13' 07" E., 273.00 feet, by the excluded parcel to the first mentioned stake with nail set at the stone wall corner, being the southwesterly corner of land, now or formerly, of Thomas E. & Mary M. Chase, and the point and place of beginning in the description of Parcel 1.

Containing, by survey calculations, 40.46 acres, more or less.

In addition to the above referenced Record Layout of South Nelson Road, the following survey plans were used in the construction of the description of Parcel 1 set forth above:

1. A plan entitled "Land In Sterling Of Alden Rose, Surveyed January 1955", prepared by John F. Fuller at a scale of 100 feet to the inch and depicting a tract of 60 acres, more or less. This plan is recorded with said Deeds as Plan 43 in Plan Book 204.

2. A plan entitled "Land In Sterling, Massachusetts Owned By Henry F. & Marion J. Hulick", dated November 15, 1999, prepared by Robert D. O'Neil, Jr., R.P.L.S. of Worcester MA, at a scale of 60 feet to the inch and depicting the Remaining Land or Excluded Parcel of 19.54 acres of frontage land to be retained by the owners from the original 60 acre tract. A copy of this plan is on file in the Office of the General Counsel of the Metropolitan District Commission, at its headquarters located at 20 Somerset Street Boston, MA. This plan shall be placed on record with the Worcester District Registry of Deeds, at a later date, and be made a part of this order.

3. A plan entitled "Plan Of Land In Sterling Prepared For The Commonwealth Of Massachusetts Metropolitan District Commission", dated 22 January 1997, prepared by Berry Engineering, Inc. Petersham MA. William L. Berry, Jr. P.L.S.

A copy of this plan depicting land abutting Parcel 1, as described above, taken from Kenneth L.H. & June B. Williams, is on file in the Office of the General Counsel of the Metropolitan District Commission, at its Headquarters located at 20 Somerset Street, Boston, MA. This plan shall be placed on record with the Worcester District Registry of Deeds, at a later date.

Parcel 2

A certain assemblage of parcels, comprised of nine adjoining tillage and pasture lots, lying on and off of the northerly side of the September 17, 1963 Worcester County Highway Record Layout of Beaman Road (see Decree # 2124 of the Worcester County Commissioners, dated 9/17/63 and recorded with Worcester District Registry of Deeds at Book 4409, Page 37 and see also the accompanying Plan H-3898-R recorded as Plan 29 in Plan Book 275), more particularly bounded and described as follows:

Beginning at a drill hole in ledge in the northerly line of the record layout of Beaman Road, at Station 72+62.75, said drill hole marking the southeasterly corner of the assemblage of land being described herein as Parcel 2, and monumenting also the southwesterly corner of the adjoining land, formerly of Expedito & Christina Munoz, and now or formerly, of Keith W. & Rosemarie L. Dinant (see deed dated 8/17/83 and recorded with said Deeds at Book 7876, Page 16, see also the record survey plan of this abutting parcel recorded as Plan 1 in Plan Book 510 and more fully identified below at the conclusion of this description):

Thence N. 67° 07' 25" W., 537.71 feet, by the northerly line of the highway, to a point at Station 78+00.00;

Thence N. 55° 52' 35" W., 14.02 feet, more or less, by the northerly line of the highway layout, to a point at the southeasterly corner of land, now or formerly, of Donald R. & Kathleen S. Ganczarski, located at # 141 Beaman Road (see deed dated 6/19/87 recorded with Worcester District Registry of Deeds at Book 10566, Page 32);

Thence N. 13° 18' 06" W., 233.41 feet, by said abutting lot, to a point at its northeasterly corner;

Thence N. 55° 23' 05" W., 200.48 feet, by said abutting lot, to a point at its northwesterly corner, and land, formerly of Joseph Bailey (the larger portion of the "Chandler Lot"), now or formerly, of the Eight-Point Sportsmen's Club, Inc. (see the MDC order of taking, dated 9/23/99, placing a conservation restriction upon certain lands of the Club, recorded with said Deeds at Book 21970, Page 118, for the description of the abutting lands of the Club);

- Thence N. $11^{\circ} 48' 37''$ E., 17.26 feet, by land, now or formerly, of the Eight-Point Sportsmen's Club, to an iron pin found on line and in line of a wire fence;
- Thence N. $10^{\circ} 46' 02''$ E., 111.92 feet, by land, now or formerly, of the Club, to the southerly end of the wire fence, at which point a white oak with stones once stood, being the southwesterly corner of the "Bailey Lot", another of the assemblage lots;
- Thence N. $09^{\circ} 47' 08''$ E., 792.00 feet, by the wire fence and land, now or formerly, of the Club, to a point at an angle in the line, where once stood a maple stub and stones, said point being the westernmost point of an unnamed six acre lot adjoining the "Bailey Lot" to the north, another of the assemblage lots;
- Thence N. $34^{\circ} 47' 08''$ E., 485.10 feet, running easterly of the wire fence, to a point at an angle in the line where a stake and stones once stood, this course being by the westerly line of the unnamed lot last mentioned, another unnamed six acre lot adjoining it to the north, and partially by yet another unnamed six acre lot lying north of and adjoining the second, said unnamed lots being among the nine assemblage lots herein described;
- Thence N. $24^{\circ} 41' 08''$ E., 330.00 feet, by land, now or formerly, of the Club, to a point at a lot corner, being the northeasterly corner of land, now or formerly, of the Club, and the northwesterly corner of the third mentioned six acre lot, said corner being at a point in the southerly line of the "Wilder Lot", another of the assemblage lots;
- Thence N. $72^{\circ} 52' 52''$ W., 203.56 feet, by the northerly line of that portion of the "Chandler Lot", now or formerly, of the Eight-Point Sportsmen's Club, Inc., crossing a brook and running to a drill hole set in a stone wall corner at the southwesterly corner of the "Wilder Lot", and the southeasterly corner of the "Hastings Pasture", land formerly of J.H. Osgood, late of Davis Farm Trust, and now of the Commonwealth of Massachusetts, Metropolitan District Commission (see the order of taking dated 6/05/96 recorded with said Deeds at Book 18052, Page 284);
- Thence Northerly, 28 rods and 2 links, or 463.32 feet, more or less, by the easterly line of the "Hastings Pasture", to a point in a lot corner, said point being the southernmost point of the "Powers Lot" another of the assemblage lots comprising Parcel 2, as described herein;
- Thence N. $44^{\circ} 30'$ W., 19 rods, or 313.5 feet, more or less, by the northerly line of the "Hastings Lot", to a point;

- Thence N. 35° 30' W., 58 rods and 15 links, or 966.9 feet, more or less, to a point at a lot corner where a stake and stones once stood, said corner being the northwesterly corner of the "Hastings Lot" and the southwesterly corner of the "Powers Lot", said lot corner being at an angle in the southeasterly side of a parcel of land, formerly of Tyler Osgood, late of Davis Farm Trust and now of the Commonwealth of Massachusetts, MDC,(see the order of taking referenced above);
- Thence N. 36° E., 55 rods and 12 links, or 915.42 feet, more or less, by land formerly of Davis Farm Trust, to the northwesterly corner of the "Powers Lot" at which a stake and stones once sat, and at which point a drill hole was set in the northwesterly end of a stone wall, said corner being also a corner of the "Mace Lot", land formerly of John Blanchard, now of the Commonwealth of Massachusetts, Metropolitan District Commission (see order of taking dated 5/04/95 recorded with said Deeds at Book 17071, Page 20 and also the accompanying plan recorded as Plan 6 in Plan Book 685);
- Thence S. 23° 37' 14" E., 715.64 feet, by the stone wall and the "Mace Lot", to a point;
- Thence S. 24° 14' 14" E., 767.93 feet, by the wall and land formerly of J. Blanchard, crossing a 125 foot wide N.E.P.CO. Power Line Easement and running to a drill hole set at an angle in the wall;
- Thence S. 18° 42' 56" W., 729.62 feet, by the wall and land of the Commonwealth of Massachusetts, to another drill hole set in a wall angle;
- Thence S. 48° 52' 11" W., 132.00 feet, by the wall and land formerly of J. Blanchard, to a point at a corner of Parcel 1 (the "Rose Lot"), as described above;
- Thence S. 25° 30' W., 432.0 feet, by the stone wall and wire fence and by Parcel 1, to an angle in the line;
- Thence S. 03° 40' E., 930.0 feet, by the wire fence and Parcel 1, to a lot corner being the southeasterly corner of the "Wilder Lot", the northeasterly corner of the third mentioned unnamed six acre lots, and the northernmost angular corner of the "Nelson Lot", the last mentioned of the assembled lots comprising Parcel 2;

- Thence S. 11° 10' E., 497.0 feet, by the wire fence and Parcel 1, to a drill hole set in a stone wall lot corner, at land, formerly of Kenneth I.H. & June B. Williams, now of the Commonwealth of Massachusetts, MDC (see order of taking referenced in the description of Parcel 1 above);
- Thence S. 27° 43' 19" W., 567.83 feet, by the stone wall and land formerly of K.I.H. & J.B. Williams, to a drill hole set in a stone wall corner, the southeasterly corner of the "Nelson Lot";
- Thence N. 43° 01' 41" W., 300.00 feet, by land of the Commonwealth of Massachusetts, MDC, entering and running in a stone wall segment, to a drill hole set at a point therein;
- Thence On the same bearing, 316.00 feet, by land formerly of Williams, to a rough stone bound with drill hole set at a point in the easterly line of the first mentioned unnamed six acre lot;
- Thence S. 20° 28' 19" W., 297.00 feet, still by land formerly of Williams, entering and running by a stone wall, to a point at a bend therein;
- Thence S. 07° 43' 19" W., 151.14 feet, by the stone wall and land of the Commonwealth of Massachusetts, MDC, to a drill hole found in a stone wall corner, at the northwesterly corner of land, now or formerly, of Keith W. & Rosemarie I. Dinant;
- Thence S. 20° 34' 20" W., 414.21 feet, by the westerly line of land, now or formerly, of K.W. & R.I. Dinant, to a drill hole in ledge at a point in the northerly layout line of the Worcester County Highway September 17, 1963 Record Layout of Beaman Road, at Station 72+62.75, said drill hole being the point and place of beginning.

Containing by previous deed description 102.30 acres, more or less.

The total area of both Parcel 1 and Parcel 2, as described above and taken herein, is calculated to be 142.76 acres, more or less.

The description of Parcel 2 was derived from previous deed description of the locus parcels, from deed descriptions of the abutting parcels, from information provided on Sterling Assessors Maps and most importantly from information taken from the following survey plans:

1. Plan H-3898-R, Decree 2124 the Worcester County Highway Record Layout of Beaman Road, Sheets 2 and 3 of 6, recorded with said Deeds as Plan 29 in Plan Book 275.
2. A plan entitled "Land In Sterling, Massachusetts Owned By Expedito & Christina Munoz", dated July 28, 1983, prepared by Bouley Brothers, Inc., Arthur L. Bouley, R.P.L.S., which plan is recorded with said Deeds as Plan 1 in Plan Book 510.
3. A plan entitled "Plan Of Property Surveyed For Eight-Point Sportsmen's Club, Inc., Beaman Road Sterling, Massachusetts", dated 10/02/98, prepared by R.F. Dombrowski, P.L.S., which plan is recorded with said Deeds as Plan 69 in Plan Book 746.
4. A plan entitled "Plan Of Property Owned By John V. Blanchard Justice Hill Road, Sterling, Massachusetts", dated June 27, 1994, prepared by Cullinan Engineering, Inc., R.F. Dombrowski, P.L.S., which plan is recorded with said Deeds as Plan 6 in Plan Book 685.
5. The "Rose Plan", Plan 43 in Plan Book 204, see the full citation above, being the same plan listed as the 1st plan following the description of Parcel 1.
6. The Berry Engineering, Inc. plan of the former Kenneth L.H. & June B. Williams Property, see the full citation above, being the same plan listed as the 3rd plan following the description of Parcel 1.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Beaman Road, which may be held by the supposed owners as a result of their ownership of the above described premises, and Parcel 1 being most of the same premises described in a deed from Alden Rose and Alice T. Rose to Henry F. Hulick and Marion J. Hulick, dated 16th March 1955 and recorded with Worcester District Registry of Deeds at Book 3664, Page 557, and Parcel 2 being al of the same premises described in a deed from Christina Munoz to Marion Hulick, dated May 13, 1986 and recorded with said Deeds at Book 9504, Page 171, and also all of the 1st, 2nd, 3rd, 4th, 6th & 7th parcels, and two easterly portions of

the 5th parcel being the premises described in a deed from Rose Gassler to Marion Hulick, dated 28th April 1964 and recorded with said Deeds at Book 4471, Page 59.

The property described above as Parcel 1 is represented upon Sterling Assessors Tax Map 44 as most of the rear or westerly portion of Parcel 24. The property described above as Parcel 2 is represented upon Sterling Assessors Tax Map 44 as Parcels 15 & 21 (portions of the "Chandler Lot"), as Parcel 16 (the "Bailey Lot"), as Parcel 20 (the "Nelson Lot"), as Parcels 17,18 & 19 (three adjoining un-named 6 acre lots), and upon Map 39 as Parcel 8 (the "Wilder Lot") and Parcel 7 (the "Powers Lot").

The following property is specifically excluded from Parcel 1 and Parcel 2, as described above and taken herein:

A. A parcel of 19.54 acres on the westerly side of South Nelson Road shown as "Remaining Land" on the plan by Robert D. O'Neil, Jr., R.P.L.S., referred to above and entitled "Land In Sterling, Massachusetts Owned By Henry F. And Marion J. Hulick", which plan is dated November 15, 1999, and recorded with said Deeds on December 28, 1999, as Plan 57 in Plan Book 750.

B. A certain Parcel of land known as the "Schoolhouse Lot", containing about nine acres, on the northerly side of the road from Sterling to West Sterling and more particularly described in a deed from Eleanor M. Wilder to Henry F. Hulick and Marion J. Hulick, dated August 16, 1966 and recorded with said Deeds at Book 4692, Page 101.

C. A certain parcel of land on the easterly side of the road leading from West Sterling to Leominster, more particularly described in a deed from Frank Sanders to Henry F. Hulick and Marion J. Hulick, dated April 9, 1973 and recorded with said Deeds at Book 5326, Page 299.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS

AWARD

Marion Hulick a.k.a. Marion J. Hulick
and Henry F. Hulick

\$ 975,000.00

The Commission further V O T E D: to approve an award of damages in the amount of \$975,000.00, together with such damages and costs as required under General laws, Chapter 79, Sections 6, 12, 39 and 44A.

Adjourned at 9:55 a.m., to meet on Thursday, February 3, 2000, at 9:00 a.m.

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

Record of the Three Thousand Nine Hundred and Twenty Second (3922nd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, February 3, 2000, at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on January 20, 2000 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Carrigan and Machado, January 26, on request of D & R General Contracting, Inc./MDR Construction Company, Inc., general contractor, on Contract No. P99-2018-C1A, for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing Various Locations Throughout the Metropolitan Area, to engage the services of Superior Sealcoat, Inc., as sub-contractor for -
Extra Work Claim No. 2 **\$720.00**
Crack Sealing bituminous concrete tennis court surface
The Commission V O T E D: Approved.
2. Report of Messrs. Faucher, Carrigan and Machado, January 26, on request of D & R General Contracting, Inc./MDR Construction Company, Inc., general contractor, on Contract No. P99-2018-C1A, for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing Various Locations Throughout the Metropolitan Area, for -
Extra Work Claim No. 2 **\$741.60**
Crack Sealing bituminous concrete tennis court surface
(At no increase in Contract cost as the extra work will be offset by unused quantities in Item No. 027-010).
The Commission V O T E D: Approved.
3. Report of Messrs. Faucher, Carrigan and Machado, January 26, recommending approval of the request of the contractor for an extension of time from October 22, 1999 to December 2, 1999, on Contract No. P97-1919-C1A, with DeLucca Fence Company, Inc., for Installation of Closure Gates, Guard Rail and Fencing at Various Locations of the Metropolitan Park System, to allow the contractor time to finish touch-up paint work at a temperature above 40 degrees.
(At no additional Contract cost).
The Commission V O T E D: to approve an extension of time from October 22, 1999 to December 2, 1999, as recommended by Messrs. Faucher, Carrigan and Machado in their report of January 26, 2000, 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 first part of the report deals with the general situation of the country and the progress of the work during the year.

The second part of the report deals with the results of the work during the year and the progress of the work during the year.

The third part of the report deals with the results of the work during the year and the progress of the work during the year.

The fourth part of the report deals with the results of the work during the year and the progress of the work during the year.

The fifth part of the report deals with the results of the work during the year and the progress of the work during the year.

The sixth part of the report deals with the results of the work during the year and the progress of the work during the year.

The seventh part of the report deals with the results of the work during the year and the progress of the work during the year.

The eighth part of the report deals with the results of the work during the year and the progress of the work during the year.

The ninth part of the report deals with the results of the work during the year and the progress of the work during the year.

The tenth part of the report deals with the results of the work during the year and the progress of the work during the year.

1. Report of Messrs. Faucher and DiPietro, January 13, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to procure service for Project No. P95-1798-M3A, Control of Nuisance Vegetation, Upper Mystic Lake.
Upset Limit - \$25,000.00.
Contract to Expire - December 31, 2001.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to procure service for Project No. P95-1798-M3A, Control of Nuisance Vegetation, Upper Mystic Lake.
2. Report of Messrs. Faucher, Brooks and Balicki, January 24, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P00-2051-C1A, for Wading Pools, Drains and Other Work - twelve (12) locations.
Estimated Cost - \$75,000.00.
Time for Performance - ninety days.
Account No. 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P00-2051-C1A, for Wading Pools, Drains and Other Work - twelve (12) locations.
3. Report of Messrs. Faucher and Thurlow, January 20, requesting approval of an extension of time from January 19, 2000 to March 31, 2000, on Contract No. P99-2020-C1A, with Tree Technology, Inc., for Landscape Improvements at Bellevue Hill, West Roxbury, due to weather conditions.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from January 19, 2000 to March 31, 2000, as requested by Messrs. Faucher and Thurlow in their report of January 20, 2000, 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. Overton Bussell and Messrs. Faucher and Orfant, December 2, requesting approval and authorization for Commissioner Balfour to execute, on behalf of the Commission, an Agreement with the United States Fish and Wildlife Service, to accept a grant of \$425,000.00 for the construction of the mitigation area under Contract No. P95-1804-C2A, for Dorchester Shores Beaches Restoration Program.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, an Agreement with the United States Fish and Wildlife Service, to accept a grant of \$425,000.00 for the construction of the mitigation area under Contract No. P95-1804-C2A, for Dorchester Shores Beaches Restoration Program.

1. Report of Messrs. Faucher, Brooks and Kane, January 28, on bids for New Metal Projected Windows and Overhead Doors at the MDC Garage, Brighton, Contract No. P99-2025-C1A.
(Messrs. Faucher, Brooks and Kane recommend acceptance of the lowest bid received, that of Walker Construction, Inc., of \$87,350.00).
The Commission V O T E D: to accept the lowest bid received, that of Walker Construction, Inc., of \$87,350.00.
2. Report of Messrs. Faucher and Thurlow, January 13, on bids for Tree Pruning and Removals at Ponkapoag Golf Course, Canton, Contract No. P00-2038-C1A.
(Messrs. Faucher and Thurlow recommend acceptance of the lowest bid received, that of Tree Technology & Landscape Co., Inc., of \$20,980.00).
The Commission V O T E D: to accept the lowest bid received, that of Tree Technology & Landscape Co., Inc., of \$20,980.00.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.
3. Report of Messrs. Faucher and Kane, January 28, submitting for approval Project Summary, Work Schedule, Project Justification and requesting authorization to advertise Project No. P00-2042-C1A, for Renovations to the McCrehan Pool House, North Cambridge.
Estimated Cost - \$350,000.00.
Time for Performance - three months.
Account No. 2440-0501.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P00-2042-C1A, for Renovations to the McCrehan Pool House, North Cambridge.
4. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, January 26, on request of McCourt Construction Company, general contractor, on Contract No. P95-1804-C1A, for Dorchester Shores Beaches Restoration Program, to engage the services of the following sub-contractors -

L & C Flashing Barricades

Signs & Line Striping \$ 8,825.00

Patriots Environmental & Demolition

Site Demolition \$ 80,000.00

Mass Bay Electrical Corporation

Electrical Systems, Light Posts & Luminaires \$338,560.00

Mr. Jewett noted that since the time that this item was presented for today's Agenda, he has been informed that Mass Bay Electrical Corporation was barred by the Attorney General from participating in public contracts for a period of one year beginning December 20, 1999 through December 20, 2000.

Therefore, the Commission V O T E D: to reject Mass Bay Electrical Corporation, as a sub-contractor for installation of electrical systems, light post and luminaires on this Contract.

The Commission further V O T E D: to approve the request of McCourt Construction Company, general contractor, on Contract No. P95-1804-C1A, for Dorchester Shores Beaches Restoration Program, to engage the services of the following sub-contractors -

L & C Flashing Barricades	\$ 8,825.00
Signs & Line Striping	
Patriots Environmental & Demolition	\$80,000.00.
Site Demolition	

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Baratta, January 10, requesting approval of Extra Work Order Claim No. 2 - to resolve an ambiguity with respect to charges for electrical services for two pump stations in the Fast Track project area - which are the responsibility of the MDC - at a cost of \$22,813.79, to be paid to West Boylston Municipal Light, on Contract No. WM95-061-C1A, with Roads Corp., for Fast Track Sewer Construction in the Pinecroft Area of Holden and West Boylston.
Account No. 2420-4994.

The Commission V O T E D: to approve Extra Work Order Claim No. 2, in the amount of \$22,813.79, to be paid to West Boylston Municipal Light, as requested by Messrs. McGinn and Baratta in their report of January 10, 2000.

2. Report of Mr. McGinn, January 7, submitting for approval and execution Contract-Agreements with the following individuals and Worcester County Horticultural Society, as Rain Gauge Observers for 2000, 2001 and 2002 -

Quabbin Section

Arthur R. Coolidge
Glen M. Dickson
John Guzik

Wachusett Section

Dennis S. Moore
John T. Flanagan, Jr.
Worcester County Horticultural
Society

1. FY 2000 - \$1,440.00/7 = \$240.00 per observer, 3 payment = \$80.00
 2. FY 2001 - \$1,440.00/7 = \$240.00 per observer, 3 payment = \$80.00
 3. FY 2002 - \$1,440.00/7 = \$240.00 per observer, 3 payment = \$80.00
- Account No. 2420-1400-HH-H25.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Contract-Agreements, dated February 3, 2000, with Arthur R. Coolidge, Glen M. Dickson, John Guzik, Dennis S. Moore, John T. Flanagan, Jr., and the Worcester County Horticultural Society, which were signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following Various Matter:

3. Report of Mr. Jewett, January 28, on behalf of the Review Committee requesting approval of the selection of Specialty Diving Services, Inc., to furnish and install the Wachusett Reservoir Narrows Baffle Curtain, Contract No. WM00-027-X1A. Mr. Jewett further requests authorization to prepare a Contract

for execution by the Commission.

Time for Performance - twelve weeks from Notice to Proceed.

Lump Sum Cost - \$141,355.00.

Account No. 2420-1400.

The Commission V O T E D: to approve the selection of Specialty Diving Services, Inc., to furnish and install the Wachusett Reservoir Narrows Baffle Curtain, Contract No. WM00-027-X1A.

The Commission further V O T E D: to authorize Mr. Jewett to prepare the Contract for execution by the Commission.

Adjourned at 9:50 a.m., to meet on Thursday, February 10, 2000, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Nine Hundred and Twenty Third (3923rd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, February 10, 2000, at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on January 27, 2000 were read and approved.

The Secretary submitted for signature the following paper:

1. Contract No. P99-1986-D1A, with Gannett Fleming, Inc., for Professional Engineering Services for Bridges, Parkways and Other Commission Facilities.
The Commission V O T E D: Delete from Agenda.
Action was taken upon the following matters relating to the Engineering and Construction Division:
2. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, February 2, requesting approval of Extra Work Order No. 1 - for Rodent Control Services - at a cost of \$7,029.95, on Contract No. P95-1804-C1A, with McCourt Construction Company, for Dorchester Shores Beaches Restoration Program.
(At no increase in Contract cost as the extra work will be offset by unused quantities in Item No. T-028-003 - Beach Mat).
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$7,029.95.
3. Report of Messrs. Faucher and Thurlow, January 26, recommending the following on Contract No. P92-1628-C7A, with Foye & Letendre Landscaping, Inc., for 1998 Parkway Landscape Improvements -
 - (a) That work be accepted as completed as of October 31, 1999.
 - (b) That Estimate No. 9 (Final), in the amount of \$3,800.00, be approved for payment.
 - (c) That reserve, in the amount of \$15,655.59, be approved for payment.
 - (Basis of Award - \$328,810.00)
 - (Amount to Date - \$313,111.80)
 - (Contract Performance Rating - 3.60)
 - (EEO Compliance - 3.17)

The Commission V O T E D: that the work of Foye & Letendre Landscaping, Inc., Contractor under Contract No. P92-1628-C7A, be and hereby is accepted as completed as of October 31, 1999.
The Commission further V O T E D: to approve Estimate No. 9 (Final), in the amount of \$3,800.00, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of \$15,655.59, for payment.

Action was taken upon the following matters relating to the Watershed Management Division:

4. Report of Mr. McGinn, January 24, submitting for approval and

execution Quabbin Park Cemetery Deed No. Q-1731, conveying Lot No. S.W. 1/2, A-72, to Anne M. Carroll.

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

1. Report of Mr. McGinn, January 24, submitting for approval and execution Quabbin Park Cemetery Deed No. Q-1732, conveying Lot No. A-43, to Michael J. Czech.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1732, dated February 10, 2000, which was signed by the Commissioner and three Associate Commissioners.
2. Report of Messrs. Faucher and Thurlow, January 26, recommending the following on Contract No. P92-1628-C7A, with Foye & Letendre Landscaping, Inc., for 1998 Parkway Landscape Improvements -
 - (a) That work be accepted as completed as of October 31, 1999.
 - (b) That Estimate No. 9 (Final), in the amount of \$3,800.00, be approved for payment.
 - (c) That reserve, in the amount of \$15,655.59, be approved for payment.
 - (Basis of Award - \$328,810.00)
 - (Amount to Date - \$313,111.80)
 - (Contract Performance Rating - 3.60)
 - (EEO Compliance - 3.17)The Commission V O T E D: that the work of Foye & Letendre Landscaping, Inc., Contractor under Contract No. P92-1628-C7A, be and hereby is accepted as completed as of October 31, 1999.
The Commission further V O T E D: to approve Estimate No. 9 (Final), in the amount of \$3,800.00, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of \$15,655.59, for payment.
3. Report of Messrs. McGinn and Pula, February 1, on proposals for the taping of sugar maple trees located on the Quabbin Reservoir Watershed.
The Commission V O T E D: to accept the only bid received, that of Shattuck Sugar House, of \$271.80; allowing 906 taps of 453 sugar maple trees on Sugar Maple Lot #93 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of \$180.00; allowing 471 taps of 277 sugar maple trees on Sugar Maple Lot #94 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of \$168.00; allowing 557 taps of 287 sugar maple trees on Sugar Maple Lot #95 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of \$142.00; allowing 404 taps of 171 sugar maple trees on Sugar Maple Lot #96 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of \$172.00; allowing 491 taps

The first part of the paper discusses the importance of the study of the history of the United States. It is pointed out that the study of history is not only a means of understanding the past, but also a means of understanding the present and the future. The author argues that the study of history is essential for the development of a nation and for the well-being of its people.

The second part of the paper discusses the role of the government in the development of the United States. It is pointed out that the government has played a major role in the development of the country, and that its actions have shaped the course of history. The author argues that the government should continue to play a major role in the development of the country, and that its actions should be guided by the principles of justice and fairness.

The third part of the paper discusses the role of the individual in the development of the United States. It is pointed out that the actions of individuals have shaped the course of history, and that the individual has a responsibility to contribute to the development of the country. The author argues that the individual should continue to play a major role in the development of the country, and that its actions should be guided by the principles of justice and fairness.

The fourth part of the paper discusses the role of the future in the development of the United States. It is pointed out that the future is a time of great opportunity, and that the actions of the present will shape the future. The author argues that the future should be a time of progress and development, and that the actions of the present should be guided by the principles of justice and fairness.

of 202 sugar maple trees on Sugar Maple Lot #97 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of \$150.00; allowing 420 taps of 312 sugar maple trees on Sugar Maple Lot #98 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of \$88.00; allowing 235 taps of 175 sugar maple trees on Sugar Maple Lot #99 - Quabbin Reservoir Watershed.

1. Report of Messrs. McGinn and Kane, February 2, requesting approval of Alteration No. 1 - for a new riser pole in order for electrical power to be provided for the new docking facility - at a cost of \$2,671.14, on Contract No. WM95-085-C1A, with WES Construction Corp., for the Boat Cove Docking Facility, Wachusett Reservoir, Clinton.
(At no increase in Contract cost as the Alteration will be offset by unused quantities in Item No. 01570 - Traffic Control Services).
The Commission V O T E D: to approve Alteration No. 1, in the amount of \$2,671.14.

2. Report of Messrs. McGinn and Baratta, January 25, requesting approval of the following on Contract No. WM95-061-C1A, with Roads Corporation, for Fast Track Sewer Construction in the Pinecroft Area of Holden and West Boylston -

ALTERATION

Alteration No. 5	\$11,120.30
to provide water, underground electric service and landscaping for the Mark Bradford Pump Station	

REVISIONS IN QUANTITIES

Item No. 1i	\$ 437.00
2 - 1/2" PVC Pressure Sewer	
Item No. 6a	\$ 2,500.00
4' Dia. Manhole Base, Frame & Cover	
Item No. 9b	\$19,284.00
Permanent Pavement 2" Binder >12'	
Item No. 9e	\$ 7,967.00
2" Binder F.M. Trench Only	
Item No. 9g	\$ 9,203.52
Additional Pavement	

Total - \$39,391.52

EXTRA WORK ORDER

Extra Work Order No. 7	\$73,170.99
to make service connections to eleven residential grinder pumps	

EXTRA WORK CLAIM

Extra Work Claim No. 1	\$12,541.61
to reimburse the contractor for cost of utility hook-up for the pump station installed at Mark Bradford Drive in Holden.	

1901-1902

1902-1903

1903-1904

1904-1905

1905-1906

1906-1907

1907-1908

1908-1909

1909-1910

1910-1911

1911-1912

1912-1913

(Funds for the Alteration, Revision in Quantities, Extra Work Order and Extra Work Claim, in the sum of \$136,224.42, are available in Account No. 2420-4994).

The Commission V O T E D: to approve Alteration No. 5, in the amount of \$11,120.30.

The Commission further V O T E D: to approve Revisions in Quantities, in the amount of \$39,391.52.

The Commission further V O T E D: to approve Extra Work Order No. 7, in the amount of \$73,170.99.

The Commission further V O T E D: to approve Extra Work Claim No. 1, in the amount of \$12,541.61.

Action was taken upon the following Various Matters:

1. Report of Mr. Jewett, February 4, on behalf of the Consultant Selection Committee requesting approval of the selection of Rizzo Associates, Inc., to perform services for Stormwater Conveyance Mapping, Contract No. WM99-052-S1A.
Time for Performance - estimated at seven months.
Compensation - a maximum of \$80,000.00.
Account No. 2420-1400.
The Commission V O T E D: to approve the selection of Rizzo Associates, Inc., to perform services for Stormwater Conveyance Mapping, Contract No. WM99-052-S1A.
2. Report of Mr. Jewett, February 7, on behalf of the Consultant Selection Committee requesting approval of the selection of Technology Planning and Management Corporation, for Watershed Division Database Management, Contract No. WM99-053-S1A.
Time for Performance - estimated at six months.
Compensation - a maximum of \$30,000.00.
Account No. 2420-1400.
The Commission V O T E D: to approve the selection of Technology Planning and Management Corporation, for Watershed Division Database Management, Contract No. WM99-053-S1A.

Adjourned at 9:55 a.m., to meet on Thursday, January 17, 2000, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Nine Hundred and Twenty Fourth (3924th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, February 17, 2000, at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on February 3, 2000 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Griffin, February 11, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P00-2058-D1A, for Study and Design of a Pedestrian Crossing at the V.F.W. Parkway, West Roxbury.
Estimated Cost - \$100,000.00.
Time for Performance - one year.
Account No. 2495-8998.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P00-2058-D1A, for Study and Design of a Pedestrian Crossing at the V.F.W. Parkway, West Roxbury.
2. Report of Messrs. Faucher, Brooks and Abounaja, February 9, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P00-2049-M1A, for Painting of Bandstand and Pavilions at the Revere Beach Reservation, Revere.
Estimated Cost - \$150,000.00.
Time for Performance - forty five days.
Account No. 2440-0501.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P00-2049-M1A, for Painting of Bandstand and Pavilions at the Revere Beach Reservation, Revere.
3. Report of Messrs. Faucher and Lenhardt, February 7, recommending approval of an extension of time from January 21, 2000 to March 31, 2000, on Contract No. P99-1992-C1A, with N.E.L. Corporation, for Remedial Repairs to Beades Drawbridge, Boston, due to additional time needed to issue an Extra Work Order to replace a failed steel element supporting the open steel grate decking.
At no additional cost to the Commission.
The Commission V O T E D: to approve an extension of time from January 21, 2000 to March 31, 2000, as recommended by Messrs. Faucher and Lenhardt, in their report of February 7, 2000, 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 Messrs. Faucher and Thurlow, February 2, requesting approval of revisions in quantities on the following items on Contract No. P92-1628-C8A, with Greenscape Land Design Inc., for 1999 Parkway Landscape Improvements -
Item No. 000-029 \$ 4,620.00
Tree Removals 12" - 24" cal.
Item No. 000-030 \$14,425.00
Tree Removals 24" + cal.
Total - \$19,045.00
(No additional funding is required as there are sufficient unused quantities in Item Nos. 000-007 - Additional Pruning, 000-008 - Bittersweet Removal, 000-031 - Stump removal, 000-032 - Loam for Planting and 000-033 - Traffic Allowance, to offset the cost).
The Commission V O T E D: Approved.
2. Report of Messrs. Faucher, Brooks and Martinez, February 11, recommending approval of an extension of time from February 2, 2000 to April 2, 2000, on Contract No. P99-1993-C1A, with E. A. Colangeli Construction Company, Inc., for Porcelain Enamel Joint Repairs at the Charles River Dam, Boston, due to weather conditions.
At no additional cost to the Commission.
The Commission V O T E D: to approve an extension of time from February 2, 2000 to April 2, 2000, as recommended by Messrs. Faucher, Brooks and Martinez, in their report of February 11, 2000, 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 Messrs. Faucher, Brooks and Martinez, February 9, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P00-2031-C1A, for Demolition and Replacement of the Halfway Sanitary Facility, Nahant Beach, Nahant.
Estimated Cost - \$93,100.00.
Time for Construction - ten weeks.
Account No. 2440-8963.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P00-2031-C1A, for Demolition and Replacement of the Halfway Sanitary Facility, Nahant Beach, Nahant.
4. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, December 14, 1999, recommending that the Commission ratify the action of Deputy Commissioner Faucher resulting in Extra Work Order Nos. 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, and to approve Revision in Quantities, Extra Work Order Nos. 7 through 18, Alteration No. 4, Extra Work Claims No. 1 and 2, and an extension of time from March 1, 2000 to June 2, 2000, necessary to complete contract work, on Contract No. P95-1784-C3A, with McCourt Construction Company, for South Boston Beaches Rehabilitation Phase 2, as follows -

REVISIONS IN QUANTITIES

Item No. 022-003	\$ 7,773.50
Dense Graded Crushed Stone	
Item No. 025-008	\$ 5,080.00
Reset Cobble Curb	
Item No. 026-002	\$ 390.00
3/4" Type K Copper Pipe	
Item No. 026-004	\$ 600.00
2" Type K Copper Pipe	
Item No. 026-007	\$ 2,235.00
6" Ductile Iron Pipe	
Item No. 026-011	\$ 700.00
6" Resilient Seated Gate Valve	
Item No. 026-016	\$ 2,000.00
Water Meter Pit	
Item No. 027-004	\$ 5,400.00
Infiltration Trench	
Item No. 029-006	\$ 8,000.00
Deciduous Shrub	
Item No. 030-002	\$ 3,000.00
M Street Seawall	

Revisions in Quantities Total - \$35,178.50

EXTRA WORK ORDERS

Extra Work Order No. 7	\$54,471.94
Unanticipated extra work required to reconstruct the parking lot at Carson Beach	
Extra Work Order No. 8	\$ 490.20
Correction of design error of the parking area at Pleasure Bay (Fitzgerald Circle)	
Extra Work Order No. 9	\$ 573.36
Relocate water hydrant at Pleasure Bay	
Extra Work Order No. 10	\$ 347.15
Reconstruction of catch basin chimney in Day Boulevard	
Extra Work Order No. 11	\$ 3,326.21
Rectify a potential traffic hazard by changing the Day Boulevard approach and shifting the island between Columbia Road and Day Boulevard.	
Extra Work Order No. 12	\$ 1,094.37
Demolish newly constructed handicapped access ramp and reconstruct it wider than designed.	
Extra Work Order No. 13	\$ 288.22
Install temporary railing at the "penalty box" area at Fitzgerald Circle.	
Extra Work Order No. 14	\$ 922.88
Two test pits at two locations to determine subsurface, necessary to explore possibility of installing railing on footings behind the M Street Beach seawall.	

EXTRA WORK ORDERS (CON.-)

Extra Work Order No. 15	\$ 479.31
Two test pits in the north Parking lot at Carson Beach to determine the condition of the soil.	
Extra Work Order No. 16	\$ 2,600.75
North Parking lot at Carson Beach striped during the evening of June 24, 1999, in order to have the lot open and available for the annual beach opening on June 25, 1999.	
Extra Work Order No. 17	\$ 170.15
Necessary field modifications to the design of the new beach entrance requiring small amount of demolition and new concrete wall of appropriate dimension.	
Extra Work Order No. 18	<u>\$ 6,706.00</u>
Supply and install required sand necessary to install seasonally sensitive planting materials.	

Extra Work Order Total - \$71,470.54

ALTERATION

Alteration No. 4 (CREDIT TO THE COMMISSION)	\$34,592.84
Change in materials for boardwalk decking from Trimax to Trex.	

EXTRA WORK CLAIMS

Extra Work Claim No. 1	\$11,703.38
Testing of excavated soils removed from site at Columbus Park	
Extra Work Claim No. 2	<u>\$ 2,587.75</u>
Testing of soils required to be disposed of off-site resulting from the full depth reconstruction of the North Parking lot at Carson Beach.	

Extra Work Claims Total - \$14,291.13

(At no additional contract cost as the Revisions in Quantities, Extra Work orders and Claims will be offset by Alteration No. 4, a reduction in the total amount of 10' wide boardwalk, further reductions in plantings and unused quantities in Item No. 025-003 - 8" Concrete Pavement).

The Commission V O T E D: to ratify the action of Deputy Commissioner Faucher, which resulted in Extra Work Order Nos. 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, on Contract No. P95-1784-C3A.

The Commission further V O T E D: to approve Revisions in Quantities, in the amount of \$35,178.50.

The Commission further V O T E D: to approve Extra Work Order No. 7, in the amount of \$54,471.94.

The Commission further V O T E D: to approve Extra Work Order No. 8, in the amount of \$490.20.
The Commission further V O T E D: to approve Extra Work Order No. 9, in the amount of \$573.36.
The Commission further V O T E D: to approve Extra Work Order No. 10, in the amount of \$347.15.
The Commission further V O T E D: to approve Extra Work Order No. 11, in the amount of \$3,326.21.
The Commission further V O T E D: to approve Extra Work Order No. 12, in the amount of \$1,094.37.
The Commission further V O T E D: to approve Extra Work Order No. 13, in the amount of \$288.22.
The Commission further V O T E D: to approve Extra Work Order No. 14, in the amount of \$922.88.
The Commission further V O T E D: to approve Extra Work Order No. 15, in the amount of \$479.31.
The Commission further V O T E D: to approve Extra Work Order No. 16, in the amount of \$2,600.75.
The Commission further V O T E D: to approve Extra Work Order No. 17, in the amount of \$170.15.
The Commission further V O T E D: to approve Extra Work Order No. 18, in the amount of \$6,706.00.
The Commission further V O T E D: to approve Alteration No. 4, at a credit to the Commission, in the amount of \$34,592.84.
The Commission further V O T E D: to approve Extra Work Claim No. 1, in the amount of \$11,703.38.
The Commission further V O T E D: to approve Extra Work Claim No. 2, in the amount of \$2,587.75.
The Commission further V O T E D: to approve an extension of time from March 1, 2000 to June 2, 2000, as recommended by Mrs. Overton Bussell and Messrs. Faucher and Orfant in their report of December 14, 1999, 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 Messrs. Faucher and Sacco, January 27, recommending that the work of John J. Paonessa Co., Inc., Contractor under Contract No. P85-1341-C1A, for Rehabilitation of Lynn Shore Drive, Lynn, be accepted as completed as of June 30, 1998, with the exception of the following -

- * Several reconstructed concrete stairways have poor step geometry (out of code) and premature cracking and spalling as a result of construction.
- * Railing anchor bolts have non-uniform height.
- * Previous trimmed railing galvanized anchor bolts were improperly coated and are showing signs of severe corrosion.
- * Colorgalv coating on the railings and posts is in failure showing blistering and peeling.
- * Premature burnout of internal parts of park lighting.

(The MDC has withheld the final two payments totaling \$210,101.64 to John J. Paonessa Co., Inc., for failure to honor the contract warranties and correct these remaining deficiencies).

In accordance with the Settlement Agreement reached on these issues between the MDC and the carrier of the contract performance bond, United States Fidelity and Guaranty Co., Messrs. Faucher and Sacco further recommend:

- (1) to authorize the Engineering and Construction Division to utilize the withheld funds in the amount of \$200,000.00 to prepare plans, specifications, solicit bids and fund a contract to correct the deficiencies.
- (2) to authorize the Engineering and Construction Division to make payment to John J. Paonessa Co., Inc., as part of the settlement agreement, in the amount of \$10,101.64.

Messrs. Faucher and Sacco further recommend that Commissioner Balfour be authorized to execute, on behalf of the MDC, the Mutual Release Agreement.

(Basis of Award - \$ 9,987,076.00)
(Total to Date - \$10,419,618.19)
(Contractor's performance rating - 2.16 - on a scale of
1 to 5 with 5 being excellent).
(EEO Compliance - 3.85)

The Commission V O T E D: that the work of John J. Paonessa Co., Inc., Contractor under Contract No. P85-1341-C1A, for Rehabilitation of Lynn Shore Drive, Lynn, be and hereby is accepted as completed as of June 30, 1998, with the exception of the following -

- * Several reconstructed concrete stairways have poor step geometry (out of code) and premature cracking and spalling as a result of construction.
- * Railing anchor bolts have non-uniform height.
- * Previous trimmed railing galvanized anchor bolts were improperly coated and are showing signs of severe corrosion.
- * Colorgalv coating on the railings and posts is in failure showing blistering and peeling.
- * Premature burnout of internal parts of park lighting.

The Commission further V O T E D: to authorize the Engineering

and Construction Division to utilize the withheld funds in the amount of \$200,000.00 to prepare plans, specifications, solicit bids and fund a contract to correct the deficiencies.

The Commission further V O T E D: to authorize the Engineering and Construction Division to make payment to John J. Paonessa Co., Inc., as part of the settlement agreement, in the amount of \$10,101.64.

The Commission further V O T E D: to authorize Commissioner Balfour to execute, on behalf of the MDC, the Mutual Release Agreement.

1. Report of Mr. Faucher, February 15, submitting for approval Work Schedule, Project Summary and Project Justification and requesting authorization to solicit proposals, for Project No. P83-1250-S2A, in two phases, for Study and Design for New Upper Mystic Lakes Dam.

Total Upset Limit for both phases - \$150,000.00.

Total Time of Performance for both phases - nine months.

Account No. 2440-0501.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to solicit proposals, for Project No. P83-1250-S2A, in two phases, for Study and Design for New Upper Mystic Lakes Dam.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Pula, February 8, on proposals for the purchase of roadside sawlogs located on the Quabbin Reservoir Watershed.

The Commission V O T E D: to accept the only qualified bid, that of Puffer Forest Products, of \$1,361.00; to purchase approximately 68 cords of firewood on Roadside Sale No. 64A - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the second highest qualified bid, that of R. W. Rich & Sons, of \$7,050.00; to purchase approximately 38,000 board feet of logs on Roadside Sale No. 67 - Quabbin Reservoir Watershed.

3. Report of Mrs. Overton Bussell and Messrs. McGinn and Baratta, February 9, requesting approval of an additional account (2420-4994) and account reallocations for the Sewer Construction Project to protect the Wachusett Reservoir Watershed, amongst the following contracts -

WM97-061-X3A	WM98-061-X8R	WM95-061-C1A
WM95-061-D1A	WM97-061-D3A	WM98-061-S1A
WM97-061-D2A	WM97-061-C1H	WM97-061-X9R
WM97-061-C3H	WM97-061-C4W	WM97-061-C5W
WM97-061-X5R	WM97-061-X4R	WM98-061-X7R
WM98-061-X6R		

Funds are available in Account Nos. 2442-1443, 2420-4994 and 2420-7961.

The Commission V O T E D: Approved as requested by Mrs. Overton Bussell and Messrs. McGinn and Baratta in their report of February 9, 2000.

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Action was taken upon the following Various Matters:

1. Report of Mrs. Overton Bussell and Mr. Murphy, February 11, requesting approval of a Hazardous Material Management Program and utilization of statewide contracts for its implementation. Cost Not-to-Exceed - \$167,850.00. Time for Performance - to be completed by June 30, 2000. Account No. 2440-4994. The Commission V O T E D: Approved as requested by Mrs. Overton Bussell and Mr. Murphy, in their report of February 11, 2000.
2. Report of Messrs. Jewett and Kelter, February 11, requesting approval and execution of a Memorandum of Agreement (MOA) with the Buttonwood Park Zoological Society, Inc. (Buttonwood), of New Bedford, which provides for the transfer of \$250,000.00 to Buttonwood, allowing the non-profit corporation to establish educational programs, exhibits and other enhancements at the Buttonwood Park Zoo. (The Legislature, in Chapter 127 of the Acts of 1999, directed that the funding shall be provided to Buttonwood for the stated purposes). Funds are available in Account No. 2443-2002. The Commission V O T E D: Approved. The Secretary then submitted for signature Memorandum of Agreement, dated February 17, 2000, with the Buttonwood Park Zoological Society, Inc., which was signed by the Commissioner and four Associate Commissioners.
3. Report of Messrs. Jewett and Kelter, February 11, requesting approval and execution of a Memorandum of Agreement (MOA) with the Forest Park Zoological Society, Inc., (Forest Park), of Springfield, which provides for the transfer of \$250,000.00 to Forest Park, for improvements to the Zoo. (The Legislature, in Chapter 127 of the Acts of 1999, directed that the funding shall be provided to the Forest Park Childrens Zoo. The Forest Park Zoological Society currently manages and operates the Zoo for the City by virtue of a lease). Funds are available in Account No. 2443-2002. The Commission V O T E D: Approved. The Secretary then submitted for signature Memorandum of Agreement, dated February 17, 2000, with the Forest Park Zoological Society, Inc., which was signed by the Commissioner and four Associate Commissioners.
4. Report of Mr. Jewett, January 21, on behalf of the Consultant Selection Committee, requesting approval of the selection of four Consultant firms for Contract Nos. WM98-061-X9A through X12A, for Construction Inspection Services - Holden/West Boylston Sewer Program, as follows -

<u>Consultant Firm</u>	<u>Estimated Contract Value</u>
Camp Dresser & McKee, Inc.	\$ 800,000.00 - \$1,000,000.00

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1891											
Jan	1	2	3	4	5	6	7	8	9	10	11
Feb	1	2	3	4	5	6	7	8	9	10	11
Mar	1	2	3	4	5	6	7	8	9	10	11
Apr	1	2	3	4	5	6	7	8	9	10	11
May	1	2	3	4	5	6	7	8	9	10	11
Jun	1	2	3	4	5	6	7	8	9	10	11
Jul	1	2	3	4	5	6	7	8	9	10	11
Aug	1	2	3	4	5	6	7	8	9	10	11
Sep	1	2	3	4	5	6	7	8	9	10	11
Oct	1	2	3	4	5	6	7	8	9	10	11
Nov	1	2	3	4	5	6	7	8	9	10	11
Dec	1	2	3	4	5	6	7	8	9	10	11
1892											
Jan	1	2	3	4	5	6	7	8	9	10	11
Feb	1	2	3	4	5	6	7	8	9	10	11
Mar	1	2	3	4	5	6	7	8	9	10	11
Apr	1	2	3	4	5	6	7	8	9	10	11
May	1	2	3	4	5	6	7	8	9	10	11
Jun	1	2	3	4	5	6	7	8	9	10	11
Jul	1	2	3	4	5	6	7	8	9	10	11
Aug	1	2	3	4	5	6	7	8	9	10	11
Sep	1	2	3	4	5	6	7	8	9	10	11
Oct	1	2	3	4	5	6	7	8	9	10	11
Nov	1	2	3	4	5	6	7	8	9	10	11
Dec	1	2	3	4	5	6	7	8	9	10	11
1893											
Jan	1	2	3	4	5	6	7	8	9	10	11
Feb	1	2	3	4	5	6	7	8	9	10	11
Mar	1	2	3	4	5	6	7	8	9	10	11
Apr	1	2	3	4	5	6	7	8	9	10	11
May	1	2	3	4	5	6	7	8	9	10	11
Jun	1	2	3	4	5	6	7	8	9	10	11
Jul	1	2	3	4	5	6	7	8	9	10	11
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Oct	1	2	3	4	5	6	7	8	9	10	11
Nov	1	2	3	4	5	6	7	8	9	10	11
Dec	1	2	3	4	5	6	7	8	9	10	11

<u>Consultant Firm</u>	<u>Estimated Contract Value (con.-)</u>
Fay Spofford & Thorndike	\$ 800,000.00 - \$1,000,000.00 \$ 300,000.00 - \$ 400,000.00 (Optional Services)
Parsons Brinckerhoff	\$1,300,000.00 - \$1,600,000.00
Weston & Sampson Engineers, Inc.	\$ 600,000.00 - \$ 800,000.00

Mr. Jewett further requests authorization to begin negotiations with each firm to obtain the best value for the Commission.

Estimated Cost - will range from \$3.2 Million to \$4.4 Million for construction inspection services and \$300 Thousand to \$400 Thousand for engineer of record services.

Estimated Duration - twenty four to thirty months.

Funds are available in Account Nos. 2420-7961, 2442-1443 and 2420-4994.

The Commission V O T E D: Approved as recommended by Mr. Jewett in his report of January 21, 2000.

The Commission further V O T E D: to authorize Mr. Jewett to begin negotiations with each firm to obtain the best value for the Commission.

Adjourned at 9:55 a.m., to meet on Thursday, February 24, 2000, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Nine Hundred and Twenty Fifth (3925th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, February 24, 2000, at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort and Rollins.

The Records of the Commission Meeting held on February 10, 2000 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. P84-1276-C1A, dated February 24, 2000, with SPS New England, Inc., for Rehabilitation of Sub-structure, Cambridge Viaduct, Cambridge.
2. Contract No. P99-2025-C1A, dated February 24, 2000, with Walker Construction, Inc., for New Metal Projected Windows and Overhead Doors at the MDC Garage, Brighton.

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

3. Contract No. P00-2038-C1A, dated February 24, 2000, with Tree Technology & Landscape Co., Inc., for Tree pruning and Removals at Ponkapoag Golf Course, Canton.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Messrs. Faucher and Lenhardt, February 15, recommending approval of revision in quantities on the following items on Contract No. P99-1992-C1A, with N.E.L. Corporation, for Remedial Repairs to Beades Drawbridge, Boston -

Item No. 5	\$ 3,750.00
Open Steel Grating Removed	
Item No. 6	\$ 7,200.00
Open Steel Grating Replaced	
Item No. 8	\$ 7,200.00
Repair of Transition Joints	
Item No. 11	<u>\$20,000.00</u>
Traffic Control Services	

Total - \$38,150.00

(Funds in the amount of \$18,150.00 are available in Account No. 2490-0017. Remaining \$20,000.00 will be offset by unused portions of Extra Work Order No. 2, Item No. 7 - 2" Copper Water Pipe, and Item No. 9 - Rewelding Open Steel Grating).

The Commission V O T E D: Approved.

5. Report of Messrs. Faucher and Thurlow, February 16, submitting for approval Work Schedule, Project Summary, Project

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100

1. *Chrysomelidae* (Coleoptera) - 100

2. *Curculionidae* (Coleoptera) - 100

3. *Chrysomelidae* (Coleoptera) - 100

4. *Curculionidae* (Coleoptera) - 100

5. *Chrysomelidae* (Coleoptera) - 100

6. *Curculionidae* (Coleoptera) - 100

7. *Chrysomelidae* (Coleoptera) - 100

8. *Curculionidae* (Coleoptera) - 100

9. *Chrysomelidae* (Coleoptera) - 100

10. *Curculionidae* (Coleoptera) - 100

11. *Chrysomelidae* (Coleoptera) - 100

12. *Curculionidae* (Coleoptera) - 100

13. *Chrysomelidae* (Coleoptera) - 100

14. *Curculionidae* (Coleoptera) - 100

15. *Chrysomelidae* (Coleoptera) - 100

16. *Curculionidae* (Coleoptera) - 100

17. *Chrysomelidae* (Coleoptera) - 100

Justification and requesting authorization to advertise Project No. P00-2055-D1A, for Study and Design of Playgrounds.

Estimated Cost - \$75,000.00.

Time for Performance - 6 months.

Account No. 2440-0010.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P00-2055-D1A, for Study and Design of Playgrounds.

1. Report of Messrs. Faucher and Thurlow, February 14, requesting approval of an Interdepartmental Service Agreement (ISA) with the University of Massachusetts, Dartmouth, for painting of landscape mural to be used as backdrop in the MDC's Spring Flower Show exhibit scheduled for March 11, through 19, 2000.
Cost - not-to-exceed \$4,454.00.
Time for Performance - February 15, 2000 to March 15, 2000.
Funds are available in Account No. 2448-0052.
The Commission V O T E D: Approved.

2. Report of Mr. Faucher and Mrs. Graves-Jones, February 17, recommending approval of revisions in quantities on the following items on Contract No. P98-1925-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts -

Item No. 008-010	\$300.00
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Post Top Mounting One Way

Item No. 010-010	\$290.00
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Traffic Signal Metal Base Octagonal

Item No. 014-010	\$210.00
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Traffic Signal Wire T.F.F. #18

Total - \$800.00

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 002-020 - Maintenance for Traffic Control Devices and 020-010 - Traffic Control Services).
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Soroka, February 17, recommending approval of revisions in quantities on the following items on Contract No. P98-1927-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal Systems and Control Systems - Charles River Basin Districts -

Item No. 008-020	\$ 390.00
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Post Top Mounting 2 Way

Item No. 010-010	\$ 870.00
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Traffic Signal Metal Base Octagonal

Total - \$1,260.00

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item No. 020-010 - Traffic Control Services).

The Commission V O T E D: Approved.

4. Report of Messrs. Faucher, Brooks and Haider, February 11, recommending approval of Alteration No. 2, to transfer services

and maintenance of elevators from the Almy's Building to Carson Beach Bathhouse, on Contract No. P98-1963-M1A, with Keystone Elevator Co., Inc., for Service and Maintenance of Elevators at Various MDC Locations.

(At no increase in Contract cost).

The Commission V O T E D: to approve Alteration No. 2, at no increase in Contract cost, as recommended by Messrs. Faucher, Brooks and Haider in their report of February 11, 2000.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Mr. McGinn, February 10, submitting for approval and execution Quabbin Park Cemetery Deed No. Q-1733, conveying N.E. 1/4 Lot No. 1146, to Gerard O. and Mary Jane Houle.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1733, dated February 24, 2000, which was signed by the Commissioner and three Associate Commissioners.
2. Report of Mr. McGinn, February 10, submitting for approval and execution Quabbin Park Cemetery Deed No. Q-1734, conveying Lot No. A-60 to Corinne A. Walker.
The Commission V O T E D: Approved.
The Secretary then submitted for signature, Quabbin Park Cemetery Deed No. Q-1734, dated February 24, 2000, which was signed by the Commissioner and three Associate Commissioners.
3. Report of Messrs. McGinn and Kane, February 18, requesting approval of an extension of time from February 29, 2000 to March 31, 2000, on Contract No. WM95-085-D1A, with GZA GeoEnvironmental, Inc., for Design and Construction Services, Boat Cove, Wachusett Reservoir, Clinton, due to the need to complete paperwork and review associated costs relating to design modifications.
The Commission V O T E D: Approved.
4. Report of Messrs. McGinn and Baratta, January 31, requesting approval of Amendment No. 10 to Contract No. WM97-061-D2A, with Weston and Sampson Engineers, Inc., for Phase III - 97-5W Interim Construction Inspection Services, which increases the contract amount by \$150,000.00 (from \$3,338,775.00 to \$3,488,755.00), to ensure that construction for Phase 3 proceeds forward.
Funding from Account No. 2420-4994.
The Commission V O T E D: Approved.

Action was taken upon the following Various Matters:

5. Report of Mr. Jewett, February 17, 2000, requesting approval of the selection of Rizzo Associates, Inc., to perform Licensed Site Professional Services for Initial Site Assessment of a Potential Contamination Site at Savin Hill, Dorchester, Contract No. P95-1804-S2A.

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Estimated Cost - \$6,720.00.

Time for Performance - three months.

Mr. Jewett further requests that the Commission amend its vote of December 16, 1999, by increasing the approved expenditure from \$5,000.00 to \$6,720.00.

The Commission V O T E D: to approve the selection of Rizzo Associates, Inc., to perform Licensed Site Professional Services for Initial Site Assessment of a Potential Contamination Site at Savin Hill, Dorchester, Contract No. P95-1804-S2A.

The Commission further V O T E D: to amend its vote of December 16, 1999, by increasing the approved expenditure from \$5,000.00 to \$6,720.00, as requested by Mr. Jewett in his report of February 17, 2000.

1.

Report of Mr. Jewett, February 22, recommending award of the following eight (8) Contract-Agreements for Open Order Contract No. RP00-0001, for Professional Real Estate Appraisal Services - (Watershed Land Acquisition Program FY00/FY01 -

<u>NAME</u>	<u>VALUE</u>	<u>ASSIGNMENTS</u>
Reynolds Company 304 Victory Road Quincy, MA 02171-3122	\$54,450.00	14
Peter S. Emerson & Associates P.O. Box 207 Wakefield, MA 01880	\$33,750.00	12
Meredith & Grew, Inc. 160 Federal Street Boston, MA 02110-1701	\$16,100.00	4
O'Connor Real Estate Associates 48 Franklin Street P.O. Box 1211 Westfield, MA 01086-1211	\$23,200.00	9
E.W.H. Anderson Real Estate Valuation & Preservation 6 Beacon Street Boston, MA 02108 20 Dana Road Petersham, MA 01366	\$54,000.00	17
The Foster Company 100 Erdman Way Leominster, MA 01453	\$49,500.00	10
Northeast Appraisal Services, Inc. 41 Elm Street Worcester, MA 01609	\$ 3,000.00	1

4.6.00
Commission
VOTED: 11
amend to
DATE of 2.24.00
by increasing
the value from
\$5,000.00 to
\$6,720.00
2.24.00 - 2
2.24.00 - 3.

<u>NAME</u>	<u>VALUE</u>	<u>ASSIGNMENTS</u>
G & M Valuation 10 Marigold Avenue Wellesley, MA 02482	\$15.000.00	6

Mr. Jewett further request authorization for Commissioner Balfour to execute the Contract-Agreements on behalf of the Commission. Funding from Account No. 2421-9936.

The Commission V O T E D: Approved.

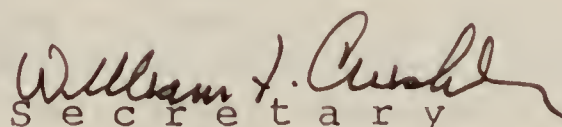
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract-Agreements on behalf of the Commission.

1. Report of Mr. Jewett, February 22, on behalf of the Proposal Selection Committee, requesting approval of the selection of G & L Laboratories, to perform Contract No. P87-1449-M7A, for Analytical and Water Quality Testing - MDC Facilities. Time for Performance - twenty four months. Compensation - not-to-exceed - \$80,000.00 at a rate of \$40,000.00 per year - paid on a unit price basis. Account No. 2440-0010. The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Office of General Counsel:

2. Report of Mr. Gray, February 18, requesting authorization to expend \$300,000.00, within this Fiscal Year, on Contract No. RP00-0001 - Open Order Contract - Appraisals, Title Examinations, and Related Services for Watershed Land Acquisition in FY2000 and FY2001, for cost related to the preparation of parcels targeted for watershed protection and for all purposes consistent with Sections 6 and 12 of Chapter 36 of the Acts of 1992 (Cohen Bill), as amended. Account No. 2421-9936. The Commission V O T E D: authorization to expend \$300,000.00, within this Fiscal Year, on Contract No. RP00-0001 - Open Order Contract - Appraisals, Title Examinations, and Related Services for Watershed Land Acquisition in FY2000 and FY2001, for cost related to the preparation of parcels targeted for watershed protection and for all purposes consistent with Sections 6 and 12 of Chapter 36 of the Acts of 1992 (Cohen Bill), as amended.

Adjourned at 9:50 a.m., to meet on Thursday, March 2, 2000, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Nine Hundred and Twenty Sixth (3926th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, March 2, 2000, at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on February 17, 2000 were read and approved.

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

1. Contract-Agreement No. P99-1986-D1A, dated March 2, 2000, with Gannett Fleming, Inc., for Professional Engineering Services for Bridges, Parkways and Other Commission Facilities.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Machado, February 9, recommending the following on Contract No. P97-1919-C1A, with DeLucca Fence Co., Inc., for Installation of Closure Gates, Guard Rail and Fences at Various Locations Throughout the Metropolitan Park System -
 - (a) That work be accepted as completed as of December 2, 1999.
 - (b) That Estimate No. 14 (Final), in the amount of \$10,032.00, be approved for payment.
 - (c) That reserve, in the amount of \$31,730.61, be approved for payment.
 - (Basis of Award - \$572,535.08)
 - (Amount to Date - \$652,409.29)
 - (Contract Performance Rating - 3.00)
 - (EEO Compliance - 3.80)

The Commission V O T E D: that the work of DeLucca Fence Co., Inc., Contractor under Contract No. P97-1919-C1A, be and hereby is accepted as completed as of December 2, 1999.

The Commission further V O T E D: to approve Estimate No. 14 (Final), in the amount of \$10,032.00, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$31,730.61, for payment.

3. Report of Messrs. Faucher and McCalla, February 22, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P00-2056-M1A, for Maintenance of Prime Power and Emergency Generators at Various MDC Locations -
 - Estimated cost - \$84,000.00 - funding for FY2001 and FY2002 contingent upon sufficient funds being available through the annual budgetary appropriation process.

Time for Performance - two years.

Account No. 2440-0010.

1890

Received of the Treasurer of the County of ... the sum of ...

for the purchase of ...

the sum of ...

for the purchase of ...

the sum of ...

for the purchase of ...

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the sum of ...

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P00-2056-M1A, for Maintenance of Prime Power and Emergency Generators at Various MDC Locations.

1. Report of Mr. Faucher and Mrs. Pomorska, February 25, recommending approval of revisions in quantities on the following items on Contract No. P98-1926-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signals and Control Systems in Middlesex Fells and Revere Beach Districts -
Item No. 003-020 \$2,450.00
Traffic Signal Knockdown Rep.
Item No. 004-010 \$5,694.00
Labor Rate for Electrician
Item No. 006-020 \$ 810.00
Vehicle Signal Head Section
Total - \$8,954.00
(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 004-030, 002-020, 002-010, 007-020, 008-010, 008-020, 006-010 and 008-030).
The Commission V O T E D: Approved.
2. Report of Messrs. Faucher, Brooks and Kane, February 28, requesting that the Commission amend its votes of November 4, 1999, January 6, 2000 and January 13, 2000, to reflect the corrected Contract No. P00-2040-C1A, for Painting of Dwelling, One Woodland Road, Stoneham and delete the Contract No. P00-2049-C1A, which was incorrectly stated by the Division.
(At no increase in Contract cost).
The Commission V O T E D: to amend its votes of November 4, 1999, January 6, 2000 and January 13, 2000, to reflect the corrected Contract No. P00-2040-C1A, for Painting of Dwelling, One Woodland Road, Stoneham and delete the Contract No. P00-2049-C1A.
3. Report of Messrs. Faucher, Brooks and Balicki, February 25, on bids to Waterblast, Caulk, Patch and Paint MDC Swimming Pools at Various Locations, Contract No. P00-2044-C1A.
(Messrs. Faucher, Brooks and Balicki recommend acceptance of the lowest bid received, that of BSA Painting Co., Inc., of \$147,975.00).
The Commission V O T E D: to accept the lowest bid received, that of BSA Painting Co., Inc., of \$147,975.00.
4. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, February 14, recommending approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 19 - for separating and disposing of construction debris - at a cost of \$6,633.20; also to approve Extra Work Order No. 20 - for preparing the M Street Seawall for the new precast caps - at a cost of \$9,397.80 and to approve a revision in quantities on Item No. 030-001 - for Carson Beach Seawall (revision to Alteration No. 3) - at a cost of \$10,292.16, on Contract No. P95-1784-C3A, with McCourt Construction Company, for South Boston Beaches Rehabilitation Phase 2.

THE HISTORY OF THE UNITED STATES

The history of the United States is a story of growth and change. It begins with the first settlers, who came to the land in search of a better life. They found a land of opportunity, but also a land of challenge. The early years were marked by struggle and hardship, but the spirit of the pioneers was strong. They built a nation, one state at a time, and their legacy lives on in the hearts of the people.

The American Revolution was a turning point in the nation's history. It was a time of great sacrifice and heroism, as the colonists fought for their freedom from British rule. The war was long and difficult, but the colonists were determined to win. They won, and the United States was born. The new nation was a land of hope and promise, and it was destined to become a great power.

The American Civil War was another great chapter in the nation's history. It was a war of great significance, as it fought to end slavery and preserve the Union. The war was a time of great suffering and loss, but it was also a time of great progress. The Union was preserved, and slavery was abolished. The United States emerged from the war a stronger and more united nation.

(At no increase in Contract cost as the extra work and the revision will be offset by elimination of Item No. 028-018 - Interpretive Plaques and Item No. 028-018 - a surplus in the Information Materials Item).

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 19, on Contract No. P95-1784-C3A.

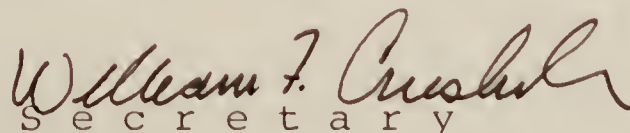
The Commission further V O T E D: to approve Extra Work Order No. 19, in the amount of \$6,633.20.

The Commission further V O T E D: to approve Extra Work Order No. 20, in the amount of \$9,397.80.

The Commission further V O T E D: to approve a revision in quantities on Item No. 030-001, in the amount of \$10,292.16.

1. Report of Messrs. Faucher, Brooks and Balicki, February 28, on bids for Diatomaceous Earth Removal from Sewer Discharge, Reilly Pool, Cleveland Circle, Brighton, Contract No. P00-2041-C1A. (Messrs. Faucher, Brooks and Balicki recommend acceptance of the lowest bid received, that of Global Contracting Services, Inc., of \$44,525.00).
The Commission V O T E D: to accept the lowest bid received, that of Global Contracting Services, Inc., of \$44,525.00.
2. Report of Messrs. Faucher, Brooks and Balicki, February 28, on bids for New Modular Gutter System and Associated Piping, Magazine Beach Pool, Cambridge, Contract No. P00-2050-C1A. (Messrs. Faucher, Brooks and Balicki recommend acceptance of the lowest bid received, that of J. D'Amico, Inc., of \$263,498.00).
The Commission V O T E D: to accept the lowest bid received, that of J. D'Amico, Inc., of \$263,498.00.
3. Report of Messrs. Faucher and DiRamio, February 29, recommending approval of funding and authorization for Commissioner Balfour to execute on behalf of the Commission, an Agreement with the Boston Water and Sewer Commission (BWSC) for Improvements to the Storm Drainage System at the Coleridge Street Entrance to Constitution Beach, East Boston, at a cost not-to-exceed \$300,000.00, with project to be performed by a BWSC contractor.
Estimated Time for Performance - one month from Notice to Proceed.
Account No. 2490-0017.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, an Agreement with the Boston Water and Sewer Commission (BWSC) for Improvements to the Storm Drainage System at the Coleridge Street Entrance to Constitution Beach, East Boston.
Associate Commissioner Carr noted that in his opinion, this Agreement will be a win-win situation beneficial to both the Commission and the City of Boston.

Adjourned at 9:50 a.m., to meet on Thursday, March 9, 2000, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Nine Hundred and Twenty Seventh (3927th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, March 9, 2000, at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on February 24, 2000, 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 No. PL99-022-X1A, dated March 9, 2000, with Sylvia Peretz, to provide graphic design and printing services for Updated Brochure - New Charles River Basin.
2. Contract-Agreement No. PL97-046-D1A, dated March 9, 2000, with Pressley Associates, Inc., for Historic Dam - North and South - New Charles River Basin.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher, DiPietro and Galvin, March 2, recommending the following on Contract No. P87-1449-M6A, with G & L Laboratories, for Analytical and Water Quality Testing
 - (a) That work be accepted as complete.
 - (b) That retainage, in the amount of \$2,928.29, be approved for payment.
(Basis of Award - \$110,000.00)
(Amount to Date - \$107,605.72)
(Contract Performance Rating - 9 with 10 being excellent)
(EEO Compliance - N/A)

The Commission V O T E D: that the work of G & L Laboratories, Contractor under Contract No. P87-1449-M6A, be and hereby is accepted as completed.

The Commission further V O T E D: to approve release of retainage, in the amount of \$2,928.29, for payment.

Report of Messrs. Faucher, Brooks and Abounaja, February 29, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P00-2064-C1A, for Asbestos Abatement From Various MDC Facilities.
Estimated Cost - \$56,200.00.

Time for Performance - one year.

Account No. 2440-4994.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P00-2064-C1A, for Asbestos Abatement From Various MDC Facilities.

* *see next page*
Report of Messrs. Faucher, Brooks and Abounaja, February 28, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project

*Meeting of 4.
3.8.00
Commission
VOTED to
cancel its vote
by increasing
value fr. \$36,200.00
to \$76,200.00
The \$20,000.00
increase to be
provided by
State of 5.
\$20,000.00
to address
abatement requirements
on this property*

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of 304.00
increasing
from 295-
to 310.10

Starting at 9.07.00
Commission VOTED:
to increase the cost
of 3 07.00 by
increasing its value
from 95,500.00
to 910,000.00

No. P00-2065-D1A, for Licensed Site Professional (LSP) Services for Various MDC Contaminated Sites.

Estimated Cost - \$95,500.00.

Time for Performance - one year.

Account No. 2440-4994.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P00-2065-D1A, for Licensed Site Professional (LSP) Services For Various MDC Contaminated Sites.

1. Report of Messrs. Faucher, Brooks and Abounaja, February 28, submitting for approval Work Schedule, Project Summary. Project Justification and requesting authorization to advertise Project No. P00-2063-D1A, for Industrial Hygiene Services for Various MDC Facilities.

Estimated Cost - \$16,500.00.

Time for Performance - one year.

Account No. 2440-4994.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P00-2063-D1A, for Industrial Hygiene Services for Various MDC Facilities.

2. Report of Messrs. Faucher and Brooks, February 28, recommending approval of a revision in quantities on Item No. 001-010 - Hourly Rate - at a cost of \$4,770.00, on Contract No. P99-2004-M2A, with R. Zoppo Corp., Inc., for Maintenance and Service to Hydraulic Power Systems at Various Flood Control/Navigational Sites.

(At no additional Contract cost as the revision will be offset by unused quantities in Item No. 001-020 - overtime for licensed technician).

The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Soroka, March 1, recommending approval of the request of M.R.P Site Development, Inc., General Contractor, on Contract No. P99-1988-C1A, for Santilli Circle Safety Improvements, Everett, to engage the services of the following sub-contractors -

D & R General Contracting, Inc.	\$346,455.00
For Paving Operations	

Drew Electric Co., Inc.	\$178,000.00
for Electrical Lighting and Conduit Installation	

Bell Traffic Maintenance Co., Inc.	\$134,300.00
for Traffic Signal Procurement and Installation	

The Commission V O T E D: Approved as requested by Messrs. Faucher and Soroka in their report of March 1, 2000.

1. Report of Messrs. Faucher and DiPietro, January 19, recommending approval of the action of Deputy Commission Faucher, resulting in Extra Work Order No. 4A for additional level of effort for extended gate travel – at a cost of \$809.73, on Contract No. P98-1940-C1A, with Tasco Construction Company, for Removal and Replacement of Sluice Gates and Related Work at the New Charles River Dam.
(At no increase in contract cost as the funds are available from a surplus in Extra Work Order No. 3).
The Commission V O T E D: to approve the action of Deputy Commission Faucher, which resulted in Extra Work Order No. 4A , on Contract No. P98-1940-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 4A, in the amount of \$809.73.
2. Report of Messrs. Faucher. Abounaja and Brooks, February 29, recommending the following on Contract No. P95-1792-C1B, with Environmental Restoration, Inc., for Lead Paint Removal at Various MDC Facilities -
 - (a) That work be accepted as completed as of December 31, 1999.
 - (b) That retainage, in the amount of \$4,591.40, be approved for payment.
(Basis of Award - \$500,330.00).
(Amount to Date - \$735,137.56)
(Contract Performance Rating - 98 with 100 being excellent)
(EEO Compliance - 2.25)The Commission V O T E D: that the work of Environmental Restoration, Inc., Contractor under Contract No. P95-1972-C1B, be and hereby is accepted as completed as of December 31, 1999.
The Commission further V O T E D: to approve release of retainage, in the amount of \$4,591.40, for payment.
3. Report of Messrs. Faucher, Brooks and Balicki, March 1, on bids for Wading Pool Drains and Other Work at Various MDC Locations, Contract No. P00-2051-C1A.
(Messrs. Faucher, Brooks and Balicki recommend acceptance of the lowest bid received, that of J. D'Amico, Inc., of \$119,300.00).
The Commission V O T E D: to accept the lowest bid received, that of J. D'Amico, Inc., of \$119,300.00.

Action was taken upon the following Various Matter:
4. Report of Mr. Jewett, March 6, requesting approval of the following Amendment to the Food Service Concession Permit held by Family Affair Catering, Inc., (FACI) at the Ponkapoag Golf Course Clubhouse, in Canton, as requested by (FACI) –

Section 6, UTILITIES, is amended to read as follows:
 - 6.1 The Permittee shall be responsible to make seven (7) monthly payments of \$400.00 each to the MDC for utilities. These payments shall be for the months of April through October of each year of the Permit, retroactive to the commencement of concession services. The Permittee shall also be responsible for all costs of telephone installation and service if such service is desired.

The Commission is further requested to waive utility payments for the months of December 1998, January, February, November and December 1999, and January, February and March 2000 and authorize the Office of Finance to apply a credit to the Concessionaire's payments for the eight months listed.

The Commission is further requested to authorize the Secretary to execute the Amendment on behalf of the Commission.

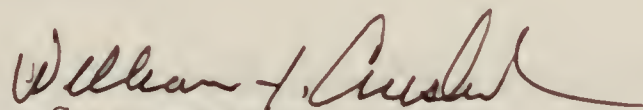
The Commission V O T E D: to approve the Amendment to the Food Service Concession Permit held by Family Affair Catering, Inc., at the Ponkapoag Golf Course Clubhouse, in Canton, as requested by Mr. Jewett, in his report of March 6, 2000.

The Commission further V O T E D: to waive utility payments for the months of December 1998, January, February, November and December 1999, and January, February and March 2000 and authorize the Office of Finance to apply a credit to the Concessionaire's payments for the eight months listed.

The Commission further V O T E D: to authorize the Secretary to execute the Amendment on behalf of the Commission.

Associate Commissioner Elkort did not participate in discussion or vote on this matter.

Adjourned at 9:40 a.m., to meet on March 16, 2000, at 9:00 a.m.


Secretary

Record of the Three Thousand Nine Hundred and Twenty Eighth (3928th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, March 16, 2000.

Present, Commissioner Balfour and Associate Commissioners Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on March 2, 2000 were read and approved.

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

1. Contract No. P87-1449-M7A, dated March 16, 2000, with G & L Laboratories, for Analytical and Water Quality Testing – MDC Facilities.
2. Contract No. WM00-027-X1A, dated March 16, 2000, with Specialty Diving Services, Inc., to furnish and install the Wachusett Reservoir Narrows Baffle Curtain
3. Contract No. P00-2051-C1A, dated March 16, 2000, with J. D'Amico, Inc., for Wading Pool Drains and Other Work at Various MDC Locations.
4. Contract No. P00-2050-C1A, dated March 16, 2000, with J. D'Amico, Inc., for New Modular Gutter System and Associated Piping, Magazine Beach Pool, Cambridge.
5. Contract No. P00-2044-C1A, dated March 16, 2000, with BSA Painting Co., Inc., to Waterblast, Caulk, Patch and Paint MDC Swimming Pools at Various Locations.

Action was taken upon the following matters relating to the Engineering and Construction Division:

6. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, March 6, recommending approval of the following on Contract No. P95-1784-C3A, with McCourt Construction Company, for South Boston Beaches Rehabilitation Phase 2 –

Alteration No. 5 – Credit to the Commission	\$3,371.00
Removal of existing concrete stairs at M Street	
Alteration No. 6 – Credit to the Commission	<u>\$3,826.00</u>
Elimination of the installation of guardrail atop the eastern end of the M Street Seawall	

Total Credit - \$7,197.00

The Commission V O T E D: to approve Alteration No. 5, at a credit to the Commission, in the amount of \$3,371.00.

The Commission further V O T E D: to approve Alteration No. 6, at a credit to the Commission, in the amount of \$3,826.00.

1. Report of Messrs. Faucher, Galvin and DiPietro, March 8, requesting that work be accepted as completed as of February 29, 2000, on Contract No. P99-1995-D1A, with Dufresne-Henry Consulting Engineers, for Evaluation and Modification of Exhaust Stacks -
(Basis of Award - \$45,000.00)
(Amount to Date - \$11,499.32)
(Contract Performance Rating – 8 on a scale of 1 to 10 with 10 being excellent)
(EEO Compliance – N/A)
The Commission V O T E D: that the work of Dufresne-Henry Consulting Engineers, Contractor under Contract No. P99-1995-D1A, be and hereby is accepted as completed as of February 29, 2000.
2. Report of Messrs. Faucher, Brooks and Balicki, March 8, requesting that the Commission amend its vote of March 2, 2000 awarding Contract No. P00-2044-C1A, to Waterblast, Caulk, Patch and Paint MDC Swimming Pools at Various Locations to BSA Painting Co., Inc., by reducing the Contract award amount from \$147,975.00 to \$144,275.00.
The Commission V O T E D: to amend its vote of March 2, 2000 awarding Contract No. P00-2044-C1A, to Waterblast, Caulk, Patch and Paint MDC Swimming Pools at Various Locations to BSA Painting Co., Inc., by reducing the Contract award amount from \$147,975.00 to \$144,275.00.
3. Report of Messrs. Faucher and Carrigan, March 10, requesting approval of and authorization for Commissioner Balfour to execute on behalf of the Commission a Memorandum of Agreement with Massachusetts Water Resources Authority for reimbursement to the MDC of \$370,587.50, for major restoration on MDC Parkways in Stoneham and Medford.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission a Memorandum of Agreement with the Massachusetts Water Resources Authority for reimbursement to the MDC of \$370,587.50, for major restoration on MDC Parkways in Stoneham and Medford.
4. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, March 10, requesting approval of authorization for Commissioner Balfour to execute on behalf of the Commission a Memorandum of Agreement with the Massachusetts Water Resources Authority which will allow the MDC to construct a dechlorination line for the Fox Point Combined Sewer Outfall on behalf of the MWRA.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission a Memorandum of Agreement with the Massachusetts Water Resources Authority which will allow the MDC to construct a dechlorination line for the Fox Point Combined Sewer Outfall on behalf of the MWRA.
5. Report of Messrs. Faucher and Thurlow, March 3, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P00-2067-M1A, Landscape Maintenance of Lynn Shore Drive and Revere Beach Reservation.

Estimated Cost - \$60,000.00.

Time for Performance – seven months.

Account No. 2440-0010.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P00-2067-M1A, for Landscape Maintenance of Lynn Shore Drive and Revere Beach Reservation.

Action was taken upon the following matter relating to the Office of Planning:

1. Report of Ms. Davidge, March 3, recommending that the Commission reapprove Contract No. P98-054-X1A, which expired on November 30, 1999 with new Contract No. P98-054-X2A, with Kalliroscope Corporation, for art work at Paul Revere Park, to install an interactive musical sculpture on the rail of the pedestrian walkway.

Estimated cost - \$48,000.00.

Duration of Services – through December 31, 2000.

Funds are available in Account No. 2449-6033.

The Commission V O T E D: to reapprove Contract No. P98-054-X1A, which expired on November 30, 1999 with new Contract No. P98-054-X2A, with Kalliroscope Corporation, for art work at Paul Revere Park, to install an interactive musical sculpture on the rail of the pedestrian walkway, as recommended by Ms. Davidge, in her report of March 3, 2000.

Action was taken upon the following Various Matter:

2. Report of Messrs. Jewett and Kelter, March 10, requesting approval of and authorization for Commissioner Balfour to execute on behalf of the Commission, a contract with the Town of Saugus which permits the Town to make repairs to the roof and appurtenances at the Kasabuski Memorial Ice Skating Rink, Saugus.

(The rink is a former MDC rink currently under a 25-year lease to the Town of Saugus, which was effective on April 1, 1987).

Funding for the project in the amount of \$650,000.00, was approved by the legislature under terms of Chapter 127 of the Acts of 1999 – Account No. 2440-0501.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, a contract with the Town of Saugus, which permits the Town to make repairs to the roof and appurtenances at the Kasabuski Memorial Ice Skating Rink, Saugus.

Adjourned at 9:50 a.m., to meet on March 23, 2000, at 9:00 a.m.


Secretary

Record of the Three Thousand Nine Hundred and Twenty Ninth (3929th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, March 23, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on March 9, 2000 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. P00-2041-C1A, dated March 23, 2000, with Global Contracting Services, Inc., for Diatomaceous Earth Removal from Sewer Discharge, Reilly Pool, Cleveland Circle, Brighton.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Griffin, March 14, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P96-1866-C1A, for Repair of McCarthy Overpass, Somerville. Estimated Cost - \$450,000.00.
Time for Performance – four months.
Account No. 2440-9990.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P96-1866-C1A, for Repair of McCarthy Overpass, Somerville.
3. Report of Mr. Faucher and Ms. Farquharson, March 7, submitting for approval Project Summary, Project Justification and requesting authorization to advertise Project No. P00-2057-M1A, for Electrical, Electronic and Sound Systems Maintenance at MDC Sports Facilities, Recreational Areas, Properties and Buildings throughout the Metropolitan District.
Estimated Cost - \$425,000.00.
Time for Performance – FY2001 and FY2002.
(Funding for both years is contingent upon sufficient funds being available through the annual budgetary process).
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P00-2057-M1A, for Electrical, Electronic and Sound Systems Maintenance at MDC Sports Facilities, Recreational Areas, Properties and Buildings throughout the Metropolitan District.

1. Report of Messrs. Faucher, Brooks and Kane, March 13, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to solicit bids for Project No. P00-2068-C1A, for Upgrading Plumbing and Domestic Hot Water Services at the Bernie King Pavilion Concession Stand.
Estimated Cost - \$7,800.00.
Time for Performance – thirty days.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to solicit bids for Project No. P00-2068-C1A, for Upgrading Plumbing and Domestic Hot Water Services at the Bernie King Pavilion Concession Stand.
2. Report of Messrs. Faucher and Martinez, February 24, recommending the following on Contract No. PL82-1022-C2A, with T. Cooney Co., for Revere Landing Park – Construction of Restrooms, Charlestown –
 - (a) That work be accepted as completed as of December 15, 1999.
 - (b) That Estimate No. 7 (Final), in the amount of \$3,655.46, be approved for payment.
 - (c) That reserve, in the amount of \$5,895.99, be approved for payment.

(Basis of Award - \$ 95,000.00
(Amount to Date - \$117,919.51)
(Contract Performance Rating – 86 with 100 being excellent)
(EEO Compliance – 4.60)

The Commission V O T E D: that the work of T. Cooney Co., Contractor under Contract No. PL82-1022-C2A, be and hereby is accepted as complete as of December 15, 1999.
The Commission further V O T E D: to approve Estimate No. 7 (Final), in the amount of \$3,655.46, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of \$5,895.99, for payment.
3. Report of Mr. Faucher and Ms. Farquharson, March 14, recommending approval of revision in quantities on Item No. 6 – Hourly Rate for Generator Rental – at a cost of \$680.00, on Contract No. P98-1960-M1A, with F M Generators, Inc., for Maintenance of Prime Power and Emergency Generators at Various Locations.
(At no additional contract cost as the revision will be offset by unused quantities in Item No. 2).
The Commission V O T E D: Approved.
4. Report of Messrs. Faucher and Soroka, March 9, recommending approval of the request of M.R.P. Site Development, Inc., general contractor, on Contract No. P99-1988-C1A, for Santilli Circle Safety Improvements, Everett, to engage the services of Amerphil, Inc., for Roadway Reconstruction – at a cost of \$720,000.00.
The Commission V O T E D: Approved.

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1. Report of Messrs. Faucher, Brooks and Martinez, March 15, recommending that the Commission reject both bids, those of Shaw Construction and G.V.W., Inc., on Contract No. P00-2053-C1A, for Renovations to Service Buildings at Connors Pool, Waltham. Shaw's – adjusted bid of \$223,000.00 and G.V.W.'s bid of \$335,500.00 were found ambiguous and defective. In addition, the bid of G.V.W., Inc., was 15.70% above the Engineers estimate.

Messrs. Faucher, Brooks and Martinez further recommend that authorization be granted to readvertise the project as Contract No. P00-2053-2A, Renovations to Service Building at Connors Pool, Waltham.

Estimated Cost - \$290,000.00.

Account Nos. 2440-0010 and 2440-9800.

The Commission V O T E D: reject both bids, those of Shaw Construction and G.V.W., Inc., on Contract No. P00-2053-C1A, for Renovations to Service Buildings at Connors Pool, Waltham, as recommended by Messrs. Faucher, Brooks and Martinez, in their report of March 15, 2000.

The Commission further V O T E D: authorization to readvertise the project as Contract No. P00-2053-2A, Renovations to Service Building at Connors Pool, Waltham.

Action was taken upon the following matter relating to the Watershed Management Division:

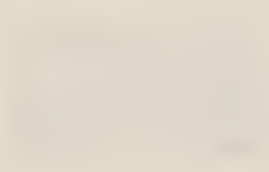
2. Report of Mr. McGinn, March 13, submitting for approval and execution Quabbin Park Cemetery Deed No. Q-1735, conveying Lot No. 969, to John S. Plowucha.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1735, dated March 23, 2000, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matter relating to the Office of Planning:

3. Report of Mrs. O'Brien and Ms. Garnett, March 16, requesting approval of Amendment No. 2, to Contract No. PL93-023-C2A, with Camp Dresser and McKee, Inc., for Due Diligence Investigation – Neponset River Trail, which increases the amount for technical services by \$58,210.00 to \$192,870.00.
Account No. 2440-8961.
The Commission V O T E D: Approved as recommended by Mrs. O'Brien and Ms. Garnett in their report of March 16, 2000.

Action was taken upon the following Various Matters:

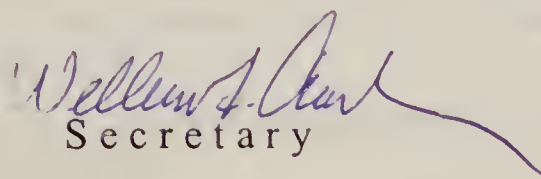
4. Report of Mr. Jewett, March 15, on behalf of the Proposal Review Committee, requesting approval of the selection of Aquatic Control Technologies, Inc., to perform Contract No. P95-1798-M3A, for Control of Nuisance Vegetation, Upper Mystic Lake.
Time for Performance – two years with an expiration date of December 31, 2001.
Compensation – in an amount not-to-exceed - \$25,000.00.
Account No. 2440-0010.
The Commission V O T E D: to approve the selection of Aquatic Control Technologies, Inc., to perform Contract No. P95-1798-M3A, for Control of Nuisance Vegetation, Upper Mystic Lake.



[The following text is extremely faint and illegible due to the quality of the scan. It appears to be a series of paragraphs or a list of items, possibly a report or a letter. The text is organized into several distinct blocks, some of which may be headings or sub-sections. The overall structure suggests a formal document, but the specific content cannot be discerned.]

1. Report of Mrs. Sylvester, March 16, submitting for approval and execution the annual Contract with the City of Boston for Maintenance and Operation of the James Michael Curley Recreational Facility, Day Boulevard, South Boston.
Maximum Obligation - \$293,116.00.
Contract will terminate – June 30, 2000.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract, dated March 23, 2000, with the City of Boston for Maintenance and Operation of the James Michael Curley Recreational Facility, Day Boulevard, South Boston, which was signed by the Commissioner and four Associate Commissioners.
2. Report of Mr. Jewett, March 10, on behalf of the Consultant Selection Committee, requesting approval of the selection of Rizzo Associates, Inc., to perform Contract No. P98-1937-D1A, for Wollaston Beach Rehabilitation Project, Quincy.
Time for Performance – eighteen months.
Compensation – estimated at \$750,000.00 on a cost plus fixed fee basis – subject to negotiation.
Account Nos. 2440-8956 and 2490-8915.
The Commission V O T E D: to approve the selection of Rizzo Associates, Inc., to perform Contract No. P98-1937-D1A, for Wollaston Beach Rehabilitation Project, Quincy.
3. Report of Messrs. Jewett and Kelter, March 20, requesting authorization to implement a program of tree planting and replacement, in the sum of \$100,000.00, with not less than 50% of the trees under this program allocated to cities and towns for use by them in city and town parks and streets.
Time for Performance – program must be implemented this spring and completed by June 30, 2000.
Funding for the program was directed by the legislature in Section 2, Line Item 2440-0010 of Chapter 127 of the Acts of 1999.
Messrs. Jewett and Kelter further request authorization for Commissioner Balfour to enter into and execute on behalf of the Commission, any agreements with the cities and towns on its behalf.
The Commission V O T E D: authorization to implement a program of tree planting and replacement, in the sum of \$100,000.00, with not less than 50% of the trees under this program allocated to cities and towns for use by them in city and town parks and streets.
The Commission further V O T E D: authorization for Commissioner Balfour to enter into and execute on behalf of the Commission, any agreements with the cities and towns on its behalf.

Adjourned at 9:50 a.m., to meet on Thursday, March 30, 2000, at 9:00 a.m.


Secretary

Record of the Three Thousand Nine Hundred and Thirtieth (3930th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, March 30, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on March 16, 2000 were read and approved.

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

1. Contract, dated March 30, 2000, with Parsons Brinckerhoff for Construction Inspection Services – Holden/West Boylston Sewer Program.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, March 17, recommending approval of the action of Deputy Commissioner Faucher resulting in **Extra Work Order No. 2** – for Class B Excavation – at a cost of **\$8,160.00** and approval of an Alteration and Revisions in Quantities, on Contract No. P95-1804-C1A, with McCourt Construction Company, for Dorchester Shores Beaches Restoration Program, as follows –

Alteration No. 1

A change in the concrete surface appearance of the new promenade at Savin Hill – a **savings of \$72,660.00.**

Revisions in Quantities

Item No. S-027-002	\$2,500.00
4' Pre-cast Drain Manhole	
Item No. S-027-011	\$1,750.00
4" PVC SDR Gravity Sewer Main	
Item No. S-026-001	\$1,500.00
½" Copper Water Line	
Item No. S-026-003	<u>\$1,080.00</u>
2" Copper Line	

Total - \$6,830.00

The total cost of the revisions and extra work will be offset by a credit of \$72,660.00, resulting from Alteration No. 1.

The Commission **V O T E D**: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 2, on Contract No. P95-1804-C1A.

The Commission further **V O T E D**: to approve Extra Work Order No. 2 – for Class B Excavation – at a cost of \$8,160.00.

The Commission further **V O T E D**: to approve Alteration No. 1, at a credit to the Commission, in the amount of \$72,660.00.

The Commission further **V O T E D**: to approve Revisions in Quantities, in the amount of \$6,830.00.

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1. Report of Messrs. Faucher and Thurlow, March 14, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P00-2054-C1A, for Construction of a playground and exercise stations, at Spot Pond.
Estimated Cost - \$125,000.00.
Time for Performance – six months.
Account No. 2440-0501.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P00-2054-C1A, for Construction of a playground and exercise stations, at Spot Pond.
2. Report of Mr. Faucher and Ms. Pomorska, March 3, recommending the following on Contract No. P98-1926-M1A, with Coviello Electric & General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Middlesex Fells and Revere Districts –
 - (a) That work be accepted as completed as of January 31, 2000.
 - (b) That Estimate No. 24 (Final), in the amount of \$15,254.00, be approved for payment.
 - (c) That reserve, in the amount of \$20,966.63, be approved for payment.

(Basis of Award - \$533,000.00)
(Amount to Date - \$580,537.10)
(Contract Performance Rating – 4.66)
(EEO Compliance - 4.40)

The Commission V O T E D: that the work of Coviello Electric & General Contracting Co., Inc., Contractor under Contract No. P98-1926-M1A, be and hereby is accepted as completed as of January 31, 2000.

The Commission further V O T E D: to approve Estimate No. 24 (Final), in the amount of \$15,254.00, be approved for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$20,966.63, for payment.
3. Report of Messrs. Faucher, Brooks and Kane, March 20, on bids for Renovations to the McCrehan Pool House, North Cambridge, Contract No. P00-2042-C1A.
(Messrs. Faucher, Brooks and Kane recommend acceptance of the lowest bid received, that of Massey Construction Corp., of \$197,000.00).
Messrs. Faucher, Brooks and Kane further recommend execution of the Contract.
The Commission V O T E D: to accept the lowest bid received, that of Massey Construction Corp., of \$197,000.00.
The Secretary then submitted for signature Contract No. P00-2042-C1A, dated March 30, 2000, with Massey Construction Corp., which was signed by the Commissioner and four Associate Commissioners.
4. Report of Messrs. Faucher, Carrigan and Machado, March 23, recommending approval of revisions in quantities on Contract No. P99-2017-C1A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan District, as follows –

Item No. 002-010	\$ 3,264.00
0" – 4" Cold Planing	

Item No. 045-010 **\$12,500.00**

Bridge Deck Concrete Excavation

Item No. 046-010 **\$33,075.00**

Rapid Setting Concrete Compound

Total - \$48,839.00

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 007-010 – Bituminous Concrete and 008-010 – Bituminous Concrete for Sidewalks, Driveways and Small Parking Lots).

The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and Carrigan, March 22, requesting approval of Extra Work Order No. 4 – for removal of a section of bituminous concrete mix from the Harvard Bridge and replacing it with new bituminous concrete – at a cost of \$7,043.14, on Contract No. P99-2017-C1A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan Area.

(At no increase in Contract cost as the extra work will be offset by unused quantities in Item No. 007-010 – Bituminous Concrete).

The Commission V O T E D: to approve Extra Work Order No. 4, in the amount of \$7,043.14.

2. Report of Messrs. Faucher and Brooks, March 22, recommending approval of revisions in quantities on Contract No. P98-1957-M1A, with Lewis Refrigeration Company, Inc., for Maintenance of Refrigeration Systems at Various MDC Ice Skating Rinks, as follows –

Item No. 023-010 **\$ 69,924.00**

Providing Maintenance Services

Item No. 025-010 **\$ 47,720.34**

Parts and Materials

Total - \$117,644.34

Funding from Account No. 2440-9800.

The Commission V O T E D: Approved.

3. Report of Messrs. Faucher, Brooks and Martinez, March 22, submitting for approval Project Summary, Project Justification, Work Schedule and authorization to solicit proposals for Project No. P00-2052-C1A, for Repairs to Deck and Pipe Tunnel at Cass Pool, Roxbury.

Estimated Cost - \$10,000.00.

Time for Performance – three weeks.

Account No. 2440-8952.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to solicit proposals for Project No. P00-2052-C1A, for Repairs to Deck and Pipe Tunnel at Cass Pool, Roxbury.

4. Report of Messrs. Faucher and Lenhardt, March 16, requesting approval of Alteration No. 6, to revise Extra Work Order No. 2, on Contract No. PL97-044-C1A, with WES Construction Corporation, for Pope John Paul II Park Development, Phase I, Neponset River Reservation, Boston, as follows -

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the transparency and accountability of the organization. This section also outlines the various methods used to collect and analyze data, ensuring that the information is reliable and up-to-date.

2. The second part of the document focuses on the implementation of the proposed changes. It details the steps involved in the transition process, from the initial planning phase to the final execution. This section highlights the challenges faced during the implementation and the strategies used to overcome them. It also provides a timeline for the completion of the project, ensuring that all stakeholders are aware of the progress and can provide input as needed.

3. The third part of the document discusses the future of the organization. It outlines the long-term goals and the strategies to achieve them. This section also addresses the potential risks and the measures to mitigate them. It emphasizes the importance of continuous improvement and the need to stay abreast of the latest developments in the industry. The document concludes with a statement of commitment to the organization's mission and vision, and a call to action for all employees to work together to achieve the organization's goals.

Item No. 1	\$ 25,000.00
New Bridge Deck	
Item No. 2	\$ 8,075.00 *
Traffic Control	
Item No. 3	\$ 170,000.00 *
Removal and Transport of Soil	
Item No. 4	\$ 45,000.00
Survey and Layout of Trail	
Item No. 5	\$ 150,000.00
Erosion, Sediment Control	
Item No. 6	\$ 50,000.00
Clearing & Grubbing	
Item No. 7B	\$ 12,000.00 *
Removal & Disposal of RR Ties	
Item No. 8	\$ 51,152.00 *
Gravel Borrow	
Item No. 9	\$ 20,000.00
Health & Safety Plan and DEP Requirements	
Item No. 10	\$ 433,500.00 *
Incorporate Fill in	
Item No. 11	\$ 15,000.00
Survey and Layout at Hallet Street	
Item No. 12	\$ 14,000.00 *
MBTA Flagging Services	
Item No. 13	\$ 17,173.00
Asphalt Removal	
Item No. 14	\$ 2,000.00 **
Filter Fabric	
Item No. 15	<u>\$ 20,000.00 **</u>
Re-survey Trail	

Total of - \$1,032,900.00

(*) Item increased/decreased

() Added Item**

Funds in the amount of \$178,000.00 for the revisions to Extra Work Order No. 2, are available in Account No. 2449-8755.

The Commission V O T E D: to approve Alteration No. 6, to revise Extra Work Order No. 2, on Contract No. PL97-044-C1A, as requested by Messrs. Faucher and Lenhardt in their report of March 16, 2000.

1. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, March 16, recommending approval of the request of McCourt Construction Company, General Contractor, on Contract No. P95-1804-C1A, for Dorchester Shores Beaches Restoration Program, to engage the services of the following Sub-Contractors –

Mass Bay Electrical Corporation	\$338,560.00
For electrical systems, light parts and luminaires	
Carr-Dee Corporation	(approximately) \$ 56,000.00
Test borings	
Spector Metal Products	(approximately) \$189,494.00
Hand rail, railings, chain and bollards	

The Commission V O T E D: Approved.
2. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, March 22, recommending approval of revisions in quantities, on the following items on Contract No. P95-1784-C3A, with McCourt Construction Company, for South Boston Beaches Rehabilitation Phase 2 –

Item No. 022-005	\$ 13,500.00
Unclassified Excavation	
Item No. 025-002	<u>\$ 96,400.00</u>
6" Concrete Sidewalk	
Total - \$109,900.00	

(At no increase in Contract cost, as the revisions will be offset by unused quantities in items for work associated with the City of Boston Water Line Replacement).

The Commission V O T E D: Approved.
3. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, March 27, requesting that the Commission rescind its vote of September 3, 1998, granting authorization to solicit bids including a bid alternate to complete the construction of the Georges Island Picnic Pavilion, Contract No. P96-1839-C1A and authorization to assess liquidated damages against Bull Contracting, Inc. and its Surety Company.
Mrs. Overton Bussell and Messrs. Faucher and Orfant further request authorization to readvertise for the Harbor Islands Piers Repair, Contract No. P97-1881-C2A.
Estimated Cost - \$335,000.00.
Time for Performance – twelve months.
Account No. 2440-8889.
The Commission V O T E D: to rescind its vote of September 3, 1998, granting authorization to solicit bids including a bid alternate to complete the construction of the Georges Island Picnic Pavilion, Contract No. P96-1839-C1A.
The Commission further V O T E D: to authorization to assess liquidated damages against Bull Contracting, Inc. and its Surety Company.
The Commission further V O T E D: authorization to readvertise for the Harbor Islands Piers Repair, Contract No. P97-1881-C2A.
4. Report of Messrs. Faucher, Brooks and Abounaja, March 23, on bids for Painting of Bandstand and Pavilions at the Revere Beach Reservation, Revere, Contract No. P00-2049-M1A.
(Messrs. Faucher, Brooks and Abounaja recommend acceptance of the only bid received, that of B.S.A. Painting Co., Inc., of \$119,130.00).

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the transparency and accountability of the organization. This section also outlines the various methods used to collect and analyze data, ensuring that the information is reliable and up-to-date.

2. The second part of the document focuses on the financial aspects of the organization. It provides a detailed breakdown of the budget, including income, expenses, and the resulting surplus or deficit. This section also discusses the various financial risks faced by the organization and the strategies implemented to mitigate them. The goal is to ensure that the organization remains financially sound and sustainable in the long term.

3. The third part of the document addresses the operational aspects of the organization. It describes the various processes and procedures that are in place to ensure the efficient and effective delivery of services. This section also discusses the various challenges faced by the organization and the strategies implemented to overcome them. The goal is to ensure that the organization is able to meet the needs of its stakeholders in a timely and cost-effective manner.

4. The fourth part of the document discusses the human resources of the organization. It provides a detailed overview of the various roles and responsibilities of the staff, as well as the various training and development programs in place. This section also discusses the various challenges faced by the organization in terms of recruitment, retention, and performance. The goal is to ensure that the organization has a strong and capable workforce that is able to deliver high-quality services.

5. The fifth part of the document discusses the legal and regulatory aspects of the organization. It provides a detailed overview of the various laws and regulations that apply to the organization, as well as the various steps taken to ensure compliance. This section also discusses the various challenges faced by the organization in terms of legal and regulatory issues. The goal is to ensure that the organization is able to operate within the law and maintain a strong reputation.

6. The sixth part of the document discusses the environmental and social aspects of the organization. It provides a detailed overview of the various environmental and social issues that the organization faces, as well as the various steps taken to address them. This section also discusses the various challenges faced by the organization in terms of environmental and social issues. The goal is to ensure that the organization is able to operate in a sustainable and socially responsible manner.

7. The seventh part of the document discusses the future of the organization. It provides a detailed overview of the various opportunities and challenges that the organization faces in the future, as well as the various strategies implemented to address them. This section also discusses the various challenges faced by the organization in terms of future planning. The goal is to ensure that the organization is able to adapt to changing circumstances and continue to grow and thrive.

Messrs. Faucher, Brooks and Abounaja further request that the Commission execute the Contract.

The Commission V O T E D: to accept the only bid received, that of B.S.A. Painting Co., Inc., of \$119,130.00.

The Secretary then submitted for signature Contract No. P00-2049-M1A, dated March 30, 2000, with B.S.A. Painting Co., Inc., which was signed by the Commissioner and four Associate Commissioners.

1. Report of Messrs. Faucher, Brooks and Martinez, March 15, on bids for Demolition and Replacement of the Halfway Sanitary Facility, Nahant Beach, Nahant, Contract No. P00-2031-C1A.
(Messrs. Faucher, Brooks and Martinez recommend acceptance of the only bid received, that of Rene C. Lamarre Co., Inc., of \$120,788.00.
The Commission V O T E D: to accept the only bid received, that of Rene C. Lamarre Co., Inc., of \$120,788.00.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Pula, March 15, on proposals for the purchase of forest products located on the Quabbin and Sudbury Watersheds.
The Commission V O T E D: to accept the only qualified bid, that of BURCO, Inc., of \$4,697.85; to purchase approximately 71,958 board feet of timber, 17 cords of fuelwood, and 448 cords (1025 tons) of softwood pulp (including 161 cords (389 tons) of softwood topwood), on Timber Lot No. 20A – Sudbury Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of King-Chaffee Enterprise, of \$4,650.00; to purchase approximately 30,772 board feet of timber, 290 cords of fuelwood (including 44 cords of hardwood topwood, 290 cords of fuelwood (including 44 cords of hardwood topwood), on Timber Lot No. 3000 – Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of John H. Conkey & Sons Logging, Inc., of \$97,765.00; to purchase approximately 980,440 board feet of timber, 34 cords of fuelwood (including 9 cords of hardwood topwood), and 427 cords (1026 tons) of softwood pulp (including 335 cords (844 tons) of softwood topwood), on Timber Lot No. 3001 – Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Curtis Lumber, of \$79,280.00; to purchase approximately 560,275 board feet of timber, 345 cords of fuelwood (including 111 cords of hardwood topwood), and 887 cords (1973 tons) of softwood pulp (including 483 cords (1137 tons) of softwood topwood), on Timber Lot No. 3002 – Quabbin Reservoir Watershed.
3. Report of Messrs. McGinn and Kane, March 21, requesting approval of an extension of time from March 31, 2000 to May 31, 2000, on Contract No. WM95-085-1A, with GZA GeoEnvironmental, Inc., for Design and Construction Services, Boat Cove, Wachusett Reservoir, Clinton, due to the need to complete additional paper work and review associated costs relating to necessary design modifications at the site.
Messrs. McGinn and Kane further request that the Commission execute the Amendment.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the transparency and accountability of the organization. This section also outlines the various methods used to collect and analyze data, ensuring that the information is reliable and up-to-date.

2. The second part of the document focuses on the implementation of the proposed changes. It details the steps involved in the transition process, from the initial planning phase to the final execution. This section also addresses the potential challenges that may arise during the implementation and provides strategies to overcome them.

3. The third part of the document discusses the impact of the proposed changes on the organization's overall performance. It presents a detailed analysis of the expected outcomes, including improvements in efficiency, cost reduction, and enhanced customer satisfaction. This section also includes a comparison of the current state of the organization with the projected future state.

4. The fourth part of the document provides a summary of the key findings and conclusions. It reiterates the importance of the proposed changes and the need for continued monitoring and evaluation. This section also includes a list of recommendations for further action and a timeline for the implementation of these recommendations.

5. The fifth part of the document is a conclusion that summarizes the main points of the document. It emphasizes the commitment of the organization to transparency and accountability and the belief that the proposed changes will lead to a more successful and sustainable future.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Amendment, dated March 30, 2000, to Contract No. WM95-085-1A, with GZA GeoEnvironmental, Inc., which was signed by the Commissioner and four Associate Commissioners.

1. Report of Messrs. McGinn and Scannell, March 21, requesting approval of Amendment No. 1, to Contract No. WM97-033-X1A, with Viewpoint Engineering, Inc., Septic System Database Project – Wachusett Reservoir Watershed, which calls for bringing two primary database programs into Y2K compliance along with training local Boards of Health and MDC staff.

Messrs. McGinn and Scannell further request an extension of time from March 31, 2000 to August 31, 2000 and increase the contract value by \$22,700.00 to a new total of \$92,634.00. In addition they request execution of the Amendment by the Commission.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Amendment No. 1, dated March 30, 2000, to Contract No. WM97-033-X1A, with Viewpoint Engineering, Inc., Septic System Database Project – Wachusett Reservoir Watershed, which was signed by the Commissioner and four Associate Commissioners.

2. Report of Mr. Pula, March 22, submitting for Commission approval, season and fee schedule for the 2000 fishing season at Quabbin Reservoir.

The Commission V O T E D: to approve the season and fee schedule for the 2000 fishing season at Quabbin Reservoir, as follows -

A. FISHING SEASON DATES

The season, weather permitting, for boat and shore fishing will be as follows:

- Boat Launch Area #1 (Gate 8), Boat Launch Area #2 (Gate 31), and Boat Launch Area #3 (Gate 43) will open on Saturday, April 8, and close on Saturday, October 7, 2000.

B. DAYS OPEN

All Three Boat Launch Areas will be open seven days per week and a limited number of boats and motors will be available for rental at each area.

C. OPENING HOURS

- April 8 – 5:00 A.M. (due to large crowds on first weekend)
- April 9 – October 7: 6:00 A.M.

D. CLOSING HOURS – BOATS OFF WATER

- April 8 – April 16 – 6:00 P.M.
- April 17 – September 3 – 7:00 P.M.
- September 4 – September 10 – 6:30 P.M.
- September 11 – September 24 – 6:00 P.M.
- September 25 – October 7 – 5:30 P.M.

E. BOAT RENTAL RATES

<u>Rentals</u>	<u>Minimum</u>	<u>Maximum (8+hrs)</u>	<u>Deposit</u>
Boat	\$ 2.00	\$ 7.00	\$ 7.00
Motor (inc. 3 gallons gas)	<u>\$ 8.00</u>	<u>\$20.00</u>	<u>\$20.00</u>
Total	\$10.00	\$27.00	\$27.00

Senior Citizens (65 or older) Monday through Friday – except Holidays.

Handicapped Citizens pay half price at all times.

<u>Rentals</u>	<u>Minimum</u>	<u>Maximum (8+hrs)</u>	<u>Deposit</u>
Boat	\$ 1.00	\$ 3.50	\$ 3.50
Motor (inc. 3 gallons gas)	<u>\$ 4.00</u>	<u>\$10.00</u>	<u>\$10.00</u>
Total	\$ 5.00	\$13.50	\$13.50

F. PARKING/LAUNCHING FEES

Parking: Per Vehicle	\$4.00
Senior Citizens/	\$2.00
Handicapped Citizen	
Private Boat Launching: Per Person	\$2.00
Senior Citizen/	\$1.00.
Handicapped Citizen	

Action was taken upon the following matter relating to the Office of Planning:

1. Report of Mrs. O'Brien and Ms. Garnett, March 23, requesting approval of Contract No. PL93-023-D2A, with Planners Collaborative, Inc., for Revisions to Construction Documents for Neponset River Multi-Use Trail.
 Contract Services – not-to-exceed \$49,926.00.
 Time for Performance – one year from notice to proceed.
 Account No. 2449-8755.
 The Commission V O T E D: Approved.
2. At this point, Secretary Chisholm announced that John M. Mayhew, Louis N. Cavagnaro, Jr., and Cosmo Ciccarello, dedicated employees of the Engineering and Construction Division, have recently retired.

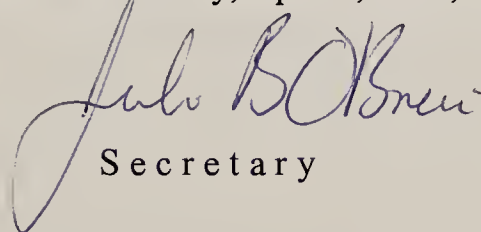
The Commission and Associate Commissioners then unanimously adopted the following Resolutions:

3. **RESOLVED:** that the Metropolitan District Commission, assembled at its Meeting held on March 30, 2000, does hereby express its deep and sincere appreciation to John M. Mayhew, Mechanical Engineer of the Parks Engineering and Construction Division, for his more than thirty-nine years of professional, productive service with the Commission and for the example he has set as a conscientious and dedicated public servant; that he will be missed by his many friends and co-workers; 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. Mayhew.

1. **RESOLVED:** that the Metropolitan District Commission, assembled at its Meeting held on March 30, 2000, does hereby express its deep and sincere appreciation to Louis N. Cavagnaro, Jr., Civil Engineer of the Parks Engineering and Construction Division, for his more than thirty-eight years of professional, productive service with the Commission and for the example he has set as a conscientious and dedicated public servant; that he will be missed by his many friends and co-workers; 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. Cavagnaro.
2. **RESOLVED:** that the Metropolitan District Commission, assembled at its Meeting held on March 30, 2000, does hereby express its deep and sincere appreciation to Cosmo Ciccarello, Laboratory Supervisor of the Engineering and Construction Division, for his more than thirty-seven years of professional, productive service with the Commission and for the example he has set as a conscientious and dedicated public servant; that he will be missed by his many friends and co-workers; 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. Ciccarello

Adjourned at 10:15 a.m., to meet on Thursday, April 6, 2000, at 9:00 a.m.


Secretary

Record of the Three Thousand Nine Hundred and Thirty First (3931st) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, April 6, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on March 23, 2000 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. PL93-023-D2A, dated April 6, 2000, with Planners Collaborative, Inc., for Revisions to Construction Documents for Neponset River Multi-Use Trail.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Thurlow, March 29, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P92-1628-C9A, for Year 2000 Parkway Landscape Improvements.
Estimated Cost - \$350,000.00.
Time for Performance – twelve months.
Account No. 2490-8910.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P92-1628-C9A, for Year 2000 Parkway Landscape Improvements.
3. Report of Messrs. Faucher and DiRamio, February 9, recommending the following on Contract No. P98-1954-C2A, with R.A.D., Corp., for Construction of a New Playground at Caddy Park, Quincy-
 - (a) That work be accepted as completed as of November 20, 1999.
 - (b) That Estimate No. 6 (Final), in the amount of \$9,431.12, be approved for payment.
 - (c) That reserve, in the amount of \$9,523.03, be approved for payment.
(Basis of Award - \$182,333.00)
(Amount to Date - \$190,460.50)
(Contract Performance Rating – 4.80)
(EEO Compliance – 4.66)The Commission V O T E D: that the work of R.A.D. Corp., Contractor under Contract No. P98-1954-C2A, be and hereby is accepted as completed as of November 20, 1999.
The Commission further V O T E D: to approve That Estimate No. 6 (Final), in the amount of \$9,431.12, for payment.
The Commission further V O T E D: to approve reserve, in the amount of \$9,523.03 for payment.

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1. Report of Messrs. Faucher and DiRamio, March 28, recommending approval of the request of B & E Construction Corporation, General Contractor on Contract No. P95-1783-C1A, for Rehabilitation of Constitution Beach, East Boston, to engage the services of East Coat Sealcoating, Inc., as sub-contractor for Sealcoating, at a sum of \$8,190.00.
The Commission V O T E D: Approved
2. Report of Messrs. Faucher, Brooks and Balicki, March 21, recommending approval of an extension of time from March 8, 2000 to April 28, 2000, on Contract No. P99-1987-C1A, with J. F. White Contracting Co., for Pumps and Other Equipment Replacement, Fellsway Outbound Tunnel Pump Station, Somerville, due to the inability of pump manufacturer to meet the original 10 week schedule.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from March 8, 2000 to April 28, 2000, as recommended by Messrs. Faucher, Brooks and Balicki in their report of March 21, 2000, 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 Messrs. Faucher, Brooks and Haider, March 22, recommending approval of the action of Deputy Commissioner Faucher resulting Extra Work Order No. 5 - for repairs to damaged hatch on freight elevator at 20 Somerset Street, Boston – at a cost of \$1,827.91, on Contract No. P98-1963-M1A, with Keystone Elevator Co., Inc., for Service and Maintenance of Elevators at Various MDC Locations.
Account No. 2440-0010.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 5 on Contract No. P98-1963-M1A.
The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of \$1,827.91.
4. Report of Messrs. Faucher and Hamel, March 27, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P00-2071-C1A, for Concrete and Grillage Repair and Hydraulic Cylinder Installation at Amelia Earhart Dam, Somerville.
Estimated Cost - \$25,000.00.
Time for Performance – estimated at three months.
Account No. 2440-8950.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P00-2071-C1A, for Concrete and Grillage Repair and Hydraulic Cylinder Installation at Amelia Earhart Dam, Somerville.
5. Report of Messrs. Faucher and Hamel, March 27, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to procure equipment via Project No. P00-2071-E1A, for Purchase of Hydraulic Operating Cylinder, for Amelia Earhart Dam, Somerville.
Estimated Cost - \$15,000.00.
Time for Performance – estimated at three months.

Account No. 2440-8950.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to procure equipment via Project No. P00-2071-E1A, for Purchase of Hydraulic Operating Cylinder, for Amelia Earhart Dam, Somerville.

1. Report of Mr. Faucher and Mrs. Graves-Jones, March 20, recommending the following on Contract No. P98-1925-M1A, with Coviello Electric & General Contracting Co., Inc., for Servicing Traffic Signals and Control Systems in the Old Colony and Blue Hills Districts –

- (a) That work be accepted as completed as of January 31, 2000.
- (b) That Estimate No. 24 (Final), in the amount of \$37,526.76, be approved for payment.
- (c) That reserve, in the amount of \$16,902.23, be approved for payment.
(Basis of Award - \$568,295.00)
(Amount to Date - \$588,852.98)
(Contract Performance Rating – 4.50)
(EEO Compliance – 4.40)

The Commission V O T E D: that the work of Coviello Electric & General Contracting Co., Inc., Contractor under Contract No. P98-1925-M1A, be and hereby is accepted as completed as of January 31, 2000.

The Commission further V O T E D: to approve Estimate No. 24 (Final), in the amount of \$37,526.76, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$16,902.23, for payment.

2. Report of Messrs. Faucher and Soroka, March 8, recommending the following on Contract No. P98-1927-M1A, with Coviello Electric & General Contracting Co., Inc., for Servicing Traffic Signals and Control Systems – Charles River Basin Districts –

- (a) That work be accepted as completed as of January 31, 2000.
- (b) That Estimate No. 24 (Final), in the amount of \$12,654.02, be approved for payment.
- (c) That reserve, in the amount of \$25,617.83, be approved for payment.
(Basis of Award - \$532,318.00)
(Amount to Date - \$514,187.05)
(Contract Performance Rating – 4.50)
(EEO Compliance – 4.40)

The Commission V O T E D: that the work of Coviello Electric & General Contracting Co., Inc., Contractor under Contract No. P98-1927-M1A, be and hereby is accepted as completed as of January 31, 2000.

The Commission further V O T E D: to approve Estimate No. 24 (Final), in the amount of \$12,654.02, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$25,617.83 for payment.

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1. Report of Messrs. Faucher and Lenhardt, March 28, recommending approval of Extra Work Claim No. 1, in the amount of \$4,222.60, for rewinding six of the twenty-four coils used in the brake systems, on Contract No. P99-1992-C1A, with N.E.L. Corporation, for Remedial Repairs to Beades Drawbridge, Boston.
(At no increase in contract cost, as the claim will be offset by unused quantities in Item No. 5 – Open Steel Grating Removed and No. 6 – Open Steel Grating Replaced).
The Commission V O T E D: to approve Extra Work Claim No. 1, in the amount of \$4,222.60.
2. Report of Messrs. Faucher and Lenhardt, March 27, requesting ratification of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 3 – for replacing deteriorated steel supporting the open steel grating, on a time and material basis with a cost not-to-exceed \$3,608.17, on Contract No. P99-1992-C1A, with N.E.L. Corporation, for Remedial Repairs to Beades Drawbridge, Boston.
(At no increase in Contract cost as the extra work will be offset by unused quantities in Item No. 9 – Rewelding Open Steel Grating).
The Commission V O T E D: to ratify the action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 3 on Contract No. P99-1992-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of \$3,608.17.
3. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, March 29, requesting approval of Amendment No. 1 to MDC - DEM Contract No. P97-1877-D1A, with Parsons Brinckerhoff Quade and Douglas, for Winthrop Shores Reservation Restoration Expanded Borrow Site Analysis, which increases scope of work for an expanded borrow site analysis for beach nourishment and increases the MDC's contribution to the project with DEM by \$34,620.00 and the DEM's share by 34,620.00.
MDC funding from Account No. 2440-8956.
DEM funding from Account No. 2440-0005.
The Commission V O T E D: Approved.
4. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, March 29, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, Interdepartmental Services Agreement between the Department of Environmental Management (DEM) and the MDC for Expanded Borrow Site Analysis, which transfers half the cost of a proposed expansion of the Scope of Services for Task 3, in Contract No. P97-1877-D1A, for Winthrop Shores Reservation Restoration.
The total cost of expanded Task 3 is \$69,420,00, with DEM share of \$34,620.000.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, Interdepartmental Services Agreement between the Department of Environmental Management (DEM) and the MDC for Expanded Borrow Site Analysis, which transfers half the cost of a proposed expansion of the Scope of Services for Task 3, in Contract No. P97-1877-D1A, for Winthrop Shores Reservation Restoration.



1. Report of Messrs. Faucher, Brooks and Kane, April 3, requesting approval of Work Schedule, Project Summary, Project Justification and authorization to advertise Project No. P93-1693-C1A, for Reconstruction of the Sallyport Gates and Entrance at Fort Independence, Castle Island, South Boston.
Estimated Cost - \$90,500.00.
Time for Performance – estimated at four months.
Account No. 2440-8885.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P93-1693-C1A, for Reconstruction of the Sallyport Gates and Entrance at Fort Independence, Castle Island, South Boston.
2. Report of Messrs. Faucher and Lenhardt, March 31, requesting that the Commission amend its vote of April 21, 1999 approving funding in the amount of \$250,000.00, on Contract No. P99-1986-D1A, for Professional Engineering Services for Bridges, Parkways and other Commission Facilities, by changing funding source from Account No. 2490-0012 to Account No. 2490-0012 – in the sum of \$208,200.00 and Account No. 2440-8889 in the sum of \$41,800.00, for a total of \$250,000.00.
The Commission V O T E D: to amend its vote of April 21, 1999 approving funding in the amount of \$250,000.00, on Contract No. P99-1986-D1A, for Professional Engineering Services for Bridges, Parkways and other Commission Facilities, by changing funding source from Account No. 2490-0012 to Account No. 2490-0012 – in the sum of \$208,200.00 and Account No. 2440-8889 in the sum of \$41,800.00, for a total of \$250,000.00.
3. Report of Messrs. Faucher and Sacco, March 31, submitting for approval Work Schedule, Project Summary, Project Justification and authorization to Advertise Project No. P85-1341-C2A, for Repairs to Railings, Lynn Shore Drive, Lynn.
Budgeted Cost - \$90,000.00.
Time for Performance – 60 days.
Account No. 2490-8910.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to Advertise Project No. P85-1341-C2A, for Repairs to Railings, Lynn Shore Drive, Lynn.
4. Report of Messrs. Faucher, Carrigan and Machado, March 31, recommending approval to increase the value of Contract No. P99-2017-C1A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan District, from \$1,723,185.84 to \$2,093,773.34, an increase of \$370,587.50, to undertake the resurfacing of various MDC Parkways.
Account No. 2448-0052.
(The \$370,587.50 is a reimbursement from the Massachusetts Water Authority to the MDC for drainage and resurfacing improvements on Woodland Road, Pond Street, and South Street, Medford and Stoneham. Funding is contingent upon funds being received from the Massachusetts Water Resources Authority prior to any expenditure of funds).
The Commission V O T E D: Approved as recommended by Messrs. Faucher, Carrigan and Machado, in their report of March 31, 2000.

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Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

1. Report of Mr. Broderick, March 28, requesting that the Commission accept a payment plan proposed by Education Project LLC, for payment of a past due account balance of \$2,080.00 owed for Special Events/Ranger Detail Services, during the period June 11, 1999 through July 11, 1999. The payment plan will spread over a six month period.
The Commission V O T E D: to accept a payment plan proposed by Education Project LLC, for payment of a past due account balance of \$2,080.00, as requested by Mr. Broderick, in his report of March 28, 2000.

Action was taken upon the following matter relating to the Office of Planning:

2. Report of Mrs. O'Brien and Mr. Driscoll, March 30, requesting authorization to advertise a Request for Response for the operation of excursion boat and charter trip service on the Upper Charles River, between Moody Street, Waltham and Commonwealth Avenue, Newton – for the 2000, 2001, 2002, 2003 and 2004 season.
Mrs. O'Brien and Mr. Driscoll further request authorization to issue a temporary permit to Charles West Boat Line to provide the service during April and May of 2000.
The Commission V O T E D: to authorization to advertise a Request for Response for the operation of excursion boat and charter trip service on the Upper Charles River, between Moody Street, Waltham and Commonwealth Avenue, Newton – for the 2000, 2001, 2002, 2003 and 2004 season.
The Commission further V O T E D: authorization to issue a temporary permit to Charles West Boat Line to provide the service during April and May of 2000.

Action was taken upon the following Various Matters:

3. Report of Mr. Jewett, March 31, requesting that the Commission amend its vote of February 24, 2000 awarding eight (8) Contract-Agreements for Open Order Contract No. RP00-0001, for Professional Real Estate Appraisal Services – Watershed Land Acquisition Program FY00/FY01 be increasing the value and number of parcels to be appraised.
Mr. Jewett further requests authorization for Commissioner Balfour to execute the contracts as amended, on behalf of the Commission.
Funding from Account No. 2421-9936.
The Commission V O T E D: to amend its vote of February 24, 2000 awarding eight (8) Contract-Agreements for Open Order Contract No. RP00-0001, for Professional Real Estate Appraisal Services – Watershed Land Acquisition Program FY00/FY01 be increasing the value and number of parcels to be appraised as follows –

Meredith & Grew, Inc.

160 Federal Street

Boston MA 02110-1701

VALUE	PARCELS	
From	- \$16,100.00	4
Add	- <u>\$ 6,250.00</u>	<u>2</u>
New Totals	- \$22,350.00	6

THE UNIVERSITY OF CHICAGO

PHILOSOPHY DEPARTMENT

PHILOSOPHY 101

LECTURE NOTES

BY

PROFESSOR

JOHN

SMITH

CHICAGO

1998

PHILOSOPHY

DEPARTMENT

CHICAGO

1998

E.W.H. Anderson Real Estate Valuation & Preservation

6 Beacon Street
Boston, MA 02108
20 Dana Road
Petersham, MA 01366

VALUE	PARCELS
From - \$54,000.00	17
Add - \$ <u>7,750.00</u>	<u>3</u>
New Totals - \$61,750.00	20

The Commission further V O T E D: authorization for Commissioner Balfour to execute the contracts as amended, on behalf of the Commission.

1. Report of the Concession Selection Committee, April 3, recommending award of the Recreational Equipment Rental Concession at the Edward J. McCormack, Jr., Bathhouse, Day Boulevard, South Boston, to Robert Ferguson, owner of the Ski Market, LTP, Inc., for a period of five (5) years. The Commission V O T E D: to award the Recreational Equipment Rental Concession at the Edward J. McCormack, Jr., Bathhouse, Day Boulevard, South Boston, to Robert Ferguson, owner of the Ski Market, LTP, Inc., for a period of five (5) years.

Action was taken upon the following matters relating to the Office of General Counsel:

2. Report of Mr. Gray, April 3, recommending that the Commission authorize the Commissioner, his designee, or the Secretary to the Commission, to sign on behalf of the Commission, a Termination of Agreement document or any other document or documents which may be required, to terminate an agreement and otherwise remove restrictive language limiting access along Revere Beach Parkway from the record title, and from any Certificate of Title issued by the Land Court Department of the Trial Court of the Commonwealth, pertaining to that parcel situated at the intersection of Fifth Street and Revere Beach Parkway in the City of Everett, Massachusetts, more particularly described in an agreement by and between David A. Robinson and the Metropolitan District Commission, dated May 10, 1932, and recorded with the Middlesex South District Registry of Deeds in Book 5656, Page 298.
The Commission V O T E D: to authorize the Commissioner, his designee, or the Secretary to the Commission, to sign on behalf of the Commission, a Termination of Agreement document or any other document or documents which may be required, to terminate an agreement and otherwise remove restrictive language limiting access along Revere Beach Parkway from the record title, and from any Certificate of Title issued by the Land Court Department of the Trial Court of the Commonwealth, pertaining to that parcel situated at the intersection of Fifth Street and Revere Beach Parkway in the City of Everett, Massachusetts, more particularly described in an agreement by and between David A. Robinson and the Metropolitan District Commission, dated May 10, 1932, and recorded with the Middlesex South District Registry of Deeds in Book 5656, Page 298.
3. Report of Mr. Gray and Mrs. Provenzano, April 4, recommending that the Commission approve and issue the revised MDC Boat Club and Yacht Club Permits, and authorize the Secretary to execute the Permits on behalf of the Commission.

The Commission V O T E D: to approve and issue the revised MDC Boat Club and Yacht Club Permits, as recommended by Mr. Gray and Mrs. Provenzano in their report of April 4, 2000.

The Commission further V O T E D: to authorize the Secretary to execute the Permits on behalf of the Commission.

1. Report of Mr. Gray, April 4, recommending that the Commission approve and issue a License to The Boston Red Sox Baseball Club Limited Partnership c/o Paul Revere Transportation LLC, to operate a free shuttle service on a pilot program basis, along portions of certain MDC roadways, from April 11, 2000 through October 31, 2000, and only on those days professional baseball games are played, and authorize Commissioner Balfour to execute said License and any and all other documents which may be required on behalf of the Commission.

The Commission V O T E D: to approve and issue a License to The Boston Red Sox Baseball Club Limited Partnership c/o Paul Revere Transportation LLC, to operate a free shuttle service on a pilot program basis, along portions of certain MDC roadways, from April 11, 2000 through October 31, 2000, and only on those days professional baseball games are played.

The Commission further V O T E D: to authorize Commissioner Balfour to execute said License and any and all other documents which may be required on behalf of the Commission.

Adjourned at 9:45 a.m., to meet on April 13, 2000, at 9:00 a.m.


Secretary

Record of the Three Thousand Nine Hundred and Thirty Second (3929th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, April 13, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on March 30, 2000 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Brooks and Haider, April 7, submitting for approval Project Summary, Project Justification and Work Schedule for Project No. P00-2075-X1A, for Installation and Registering of Cross Connection Prevention Devices at Various MDC Facilities.
Messrs. Faucher, Brooks and Haider further request approval to procure the services of Plumbing Contractors that are listed on the statewide contract.
Estimated Cost - \$15,500.00.
Time for Performance – ninety days.
Account No. 2440-4994.
The Commission V O T E D: Approved.
The Commission further V O T E D: approval to procure the services of Plumbing Contractors that are listed on the statewide contract.
2. Report of Messrs. Faucher and Lenhardt, March 31, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P00-2073-M1A, for Maintenance of Mechanical/Electrical Systems for Three MDC Drawbridges.
Budgeted Cost - \$45,000.00.
Time for Performance – twenty-four months.
Account No. 2440-0010.
(Funding is contingent upon sufficient funds being made available through the annual budgetary appropriation process).
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P00-2073-M1A, for Maintenance of Mechanical/Electrical Systems for Three MDC Drawbridges.
3. Report of Messrs. Faucher and Thurlow, March 28, requesting approval of Alteration No. 3, in the amount of \$4,990.24, necessary to redesign the proposed electrical service to accept 240 volt/ 3 phase, on Contract No. P97-1871-C2B, with SB General Contracting Co., Inc., for Construction of Artesani Playground Comfort Station.
Funds are available in Account No. 2440-9800.
The Commission V O T E D: to approve Alteration No. 3, in the amount of \$4,990.24.
4. Report of Messrs. Faucher and Thurlow, March 28, requesting approval of Alteration No. 3, in the amount of \$20,149.48, due to specified foot activators for the operation of the pool features are no longer recommended by the manufacturer and that a hand operated activator, along with associated

equipment will now be used, on Contract No. P97-1870-C3A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Reconstruction of Artesani Playground.

Funds are available in Account No. 2440-9800.

The Commission V O T E D: to approve Alteration No. 3, in the amount of \$20,149.48.

1. Report of Messrs. Faucher, Brooks and Haider, April 10, recommending approval of Revisions in Quantities on Item No. 001-010 – Hourly Rate for Licensed Technicians, in the amount of \$2,240.00, on Contract No. P99-2002-M1A, with P. J. Kennedy and Sons, Inc., for Service and Maintenance to HVAC Systems at Various Flood Control and Navigational Sites.
(No additional funding is required, as there are sufficient unused quantities in Item No. 001-020 – Overtime for Licensed Technicians).
The Commission V O T E D: Approved

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

2. Report of Mr. Pastore, March 10, on proposals for Natural Resources Inventory of Middlesex Fells Reservation.
(Mr. Pastore recommends acceptance of the only proposal received, that of Earth Tech, Inc., of \$4,935.00).
Time for Performance – twelve months.
Account No. 2440-0010.
The Commission V O T E D: to accept the only proposal received, that of Earth Tech, Inc., of \$4,935.00.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Messrs. McGinn and Vignaly, March 27, requesting approval and execution of an Amendment to Contract No. WM00-027-S1A, with U.S. Geological Survey, for Stream Gauging and Well Monitoring, which increases the basis of award of the Contract from \$45,677.00 to \$58,437.00, an increase of \$12,760.00.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated April 13, 2000, to Contract No. WM00-027-S1A, with U.S. Geological Survey, which was signed by the Commissioner and four Associate Commissioners.
4. Report of Mr. McGinn, March 7, requesting approval and authorization to request proposals on Project No. WM00-030-X1A, for Title 5 Inspections/Sterling Campgrounds.
Estimated Cost - \$20,000.00.
Time for Performance – approximately twelve weeks from Notice to Proceed.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to request proposals on Project No. WM00-030-X1A, for Title 5 Inspections/Sterling Campgrounds.

1. Report of Messrs. McGinn and Baratta, January 13, requesting approval to increase quantities, add additional items and increase the upset limit by \$1,915,220.69, from \$5,092,846.80 to \$7,008,067.49, on Contract No. WM97-061-C1A (97-3H), with C.J.P. & Sons Construction Co., Inc., for Sewer Construction Phase III (Fort Sumter/Center/Davis Hill – East Sewers, Holden), for the purpose of resolving above average water quality concerns in the Class A Drinking Water Supply Tributaries to the Wachusett.
Funds are available in Account No. 2420-4994.
Associate Commissioner Carr inquired if bid would have changed if this \$1,915,220.69 had been bid as part of the original contract.
Mr. McGinn explained that the Contractor is holding original bid prices and therefore feels it is certainly cost competitive.
The Commission V O T E D: Approved as requested by Messrs. McGinn and Baratta in their report of January 13, 2000.
2. Report of Mr. McGinn, March 7, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, the Agricultural Best Management Practices (BMP) Interagency Service Agreement between the Metropolitan District Commission (MDC) and the Massachusetts Department of Food & Agriculture (DFA), in an amount not-to-exceed \$30,000.00 for distribution to farms within the Wachusett Reservoir watershed, to control or eliminate the risk to water quality posed by agricultural operations.
Funds are available in Account No. 2420-1400 for FY 2000.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, the Agricultural Best Management Practices (BMP) Interagency Service Agreement between the Metropolitan District Commission (MDC) and the Massachusetts Department of Food & Agriculture (DFA).
3. Report of Messrs. McGinn and Zimmerman, April 3, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, an Inter-agency Service Agreement between the Metropolitan District Commission (MDC) and the Department of Revenue (DOR), for the Revaluation of MDC Division of Watershed Management Property.
Time of Performance – April 1, 2000 to June 30, 2000.
Funding for the MDC portion in the amount of \$8,200.00, is available in Account No. 2420-1400.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, an Inter-agency Service Agreement between the Metropolitan District Commission (MDC) and the Department of Revenue (DOR).
4. Report of Messrs. McGinn and Fisher, April 10, requesting authorization for the Division of Watershed Management and the Archives Unit of the Bureau of Industrial Standards and Compliance, to proceed with communications with the Massachusetts Water Resources Authority, Wachusett Watershed local Historical Societies and Libraries and the Massachusetts State Archives to Partner, To Clean, Rehouse, and Reformat onto continuous tone microfilm 10,000 glass plate photonegatives and 1,000 additional photo prints taken between 1895-1921 of the Metropolitan Water Works system.

The Commission V O T E D: authorization for the Division of Watershed Management and the Archives Unit of the Bureau of Industrial Standards and Compliance, to proceed with communications with the Massachusetts Water Resources Authority, Wachusett Watershed local Historical Societies and Libraries and the Massachusetts State Archives, as requested by Messrs. McGinn and Fisher in their report of April 10, 2000.

Action was taken upon the following mater relating to the Office of Planning:

1. Report of Mrs. O'Brien and Mr. Driscoll, April 3, recommending approval of Project No. PL00-066-D1A, for Charles River Lakes District Mechanical Weed Harvesting Program – 2000. Mrs. O'Brien and Mr. Driscoll further recommend authorization to advertise for consultant services.
Estimated Cost - \$100,000.00.
Duration of Services – June 2000 to December 2000.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise for consultant services.

Adjourned at 9:45 a.m., to meet on April 20, 2000, at 9:00 a.m.


Secretary

Record of the Three Thousand Nine Hundred and Thirty Third (3933rd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, April 20, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on April 6, 2000 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Griffin, April 14, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P00-2045-C1A, for Repair of Craigie Drawbridge, Boston.
Estimated Cost - \$200,000.00.
Estimated Duration of Contract – nine months.
Account No. 2440-9990.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P00-2045-C1A, for Repair of Craigie Drawbridge, Boston.
2. Report of Messrs. Faucher and Lenhardt, April 13, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P00-2046-C1A, for Repair of Wood's Memorial Bridge Deck.
Estimated Cost - \$200,000.00.
Estimated Duration of Contract – six months.
Account No. 2240-9990.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P00-2046-C1A, for Repair of Wood's Memorial Bridge Deck.
3. Report of Messrs. Faucher, Brooks and Abounaja, April 6, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P00-2077-D1A, for Licensed Site Professional Services for MDC Facilities at 164 Pond Street, Stoneham, for Future Planning.
Estimated Cost - \$65,000.00.
Time for Performance – one year
Account No. 2440-0501.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P00-2077-D1A, for Licensed Site Professional Services for MDC Facilities at 164 Pond Street, Stoneham, for Future Planning.
4. Report of Messrs. Faucher, Brooks and Martinez, April 12, requesting that the Commission ratify the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 1 – for excavation

of trench to relocate the gasoline pumps control system, at a cost not-to-exceed \$3,000.00, and approve a Revision in Quantities on Item No. 005-000 – Bituminous Concrete Paving, in the amount of \$1,105.00, on Contract No. P99-2026-C1A. with DePrizio & Garfano Construction, Inc., for Demolition of a Single Story Building and Steel Hopper, Stoneham.
Funding is available in Account No. 2440-2000.

The Commission V O T E D: to ratify the action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 1, on Contract No. P99-2026-C1A.

The Commission further V O T E D: to approve Extra Work Order No. 1, at a cost not-to-exceed \$3,000.00.

The Commission further V O T E D: to approve a Revision in Quantities on Item No. 005-000 – Bituminous Concrete Paving, in the amount of \$1,105.00.

1. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, April 6, requesting approval of an Amendment to Contract No. P97-1881-D2A, with Bourne Consulting Engineering, Inc., for Boston Harbor Islands Pier Repair Project, which increases the Contract in the amount of \$10,000.00, to provide bidding and construction phase services and extends the time of performance from September 30, 2000 to December 31, 2000.
Funds are available in Account No. 2440-8889.
The Commission V O T E D: Approved as requested by Mrs. Overton Bussell and Messrs. Faucher and Orfant in their report of April 6, 2000.
2. Report of Mr. Faucher, April 10, requesting approval of and authorization to solicit consultant services, for Project No. P00-2048-M1A, Testing Camp Nihan Water Supply.
Estimated Cost - \$5,300.00
Time for Performance – 25 months.
Account No. 2440-0010.
(Funding for fiscal years other than the current year is contingent upon sufficient funds being made available through the annual budgetary process).
Account No. 2440-0010.
Associate Commissioner Rollins inquired if the MDC has staff that can test water.
Mr. Galvin replied that we did not.
Associate Commissioner Elkort then asked if we did not test the water would we have to stop using it.
Mr. Galvin replied yes.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to solicit consultant services, for Project No. P00-2048-M1A, Testing Camp Nihan Water Supply.
3. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, April 14, requesting approval of the following on Contract No. P95-1784-C3A, with McCourt

Construction Company, for South Boston Beaches Rehabilitation Phase 2 –

Revision in Quantity

Item No. 028-003 \$17,500.00
8' Boardwalk @ Pleasure Bay

Alteration No. 1 to Extra Work Order No. 1 \$ 7,330.62

To provide new conduit, as directed by Boston Edison, from the electrical service manhole to the new lighting previously approved as part of Extra work Order No. 1.

(No additional funding will be required, as the cost will be offset by elimination of Item No. 036-001 – Crack Repair, in the lump sum amount of \$40,000.00).

The Commission V O T E D: to approve the Revision in Quantity, in the amount of \$17,500.00.

The Commission further V O T E D: to approve Alteration No. 1 to Extra Work Order No. 1, in the amount of \$7,330.62.

1. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, April 5, requesting approval of Extra Work Order No. 3, to provide for the installation of a sodium bisulfite pipeline, in the amount of \$277,511.39, performed on behalf of the Massachusetts Water Resources Authority (previously approved at Commission Meeting of March 16, 2000) by the McCourt Construction Company, Inc., under Contract No. P95-1804-C1A, Dorchester Shores Beaches Restoration Program. Account 2448-0052.
The Commission V O T E D: to approve Extra Work Order No. 3, in the amount of \$277,511.39.

Action was taken upon the following matter relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Kane, February 22, requesting approval of Amendment No. 7, for additional scope of work for tasks associated with the final design as well as construction phase services, at a cost of \$26,457.00 which increases the upset limit from \$82,355.00 to \$108,812.00, on Contract No. WM95-085-D1A, with GZA GeoEnvironmental, Inc., for Design and Construction Services, Boat Cove, Wachusett Reservoir, Clinton.
Funds are available in Account No. 2420-1400.
The Commission V O T E D: Approved as requested by Messrs. McGinn and Kane in their report of February 22, 2000.

Action was taken upon the following matters relating to the Recreational Facilities and Programs Division:

3. Report of Mr. Doak, April 14, recommending approval to exercise the first one-year option (approved at Commission Meeting of March 6, 1997), to renew Contract with Michael J. Wortis, d/b/a MFW, Inc., to provide Professional Golf Services at Leo J. Martin Golf Course.
Compensation to the Commission will reflect a 10% increase over the prior compensation.

Mr. Doak further requests authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

The Commission V O T E D: Approved as recommended by Mr. Doak in his report of April 14, 2000.

The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

1. Report of Mr. Doak, April 14, recommending approval to exercise the first one-year option (approved at Commission Meeting of January 30, 1997), to renew Contract with Kenneth Campbell, to provide Professional Golf Services at the Ponkapoag Golf Course. Compensation to the Commission will reflect a 10% increase over the prior compensation.

Mr. Doak further requests authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

The Commission V O T E D: Approved as recommended by Mr. Doak in his report of April 14, 2000.

The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

Associate Commissioner Elkort did not participate in discussion or vote on this matter.

Action was taken upon the following matter relating to the Office of General Counsel:

2. Report of Mr. Gray, April 14, requesting authorization to expend an additional \$70,000.00 within this Fiscal Year on Contract No. RP00-0001 - Open Order Contract - Appraisals, Title Examinations and Related Services for Watershed Land Acquisition in FY2000 and FY2001, for costs related to the preparation of parcels targeted for watershed protection and for all purposes consistent with MDC Waste Water Project No. WM93-001-S1A and with Sections 6 and 12 of Chapter 36 of the Acts of 1992 (Cohen Bill), as amended, and sections 2 and 63 of Chapter 15 of the Acts of 1996 (the New Open Space Bond Bill), as amended.

Total Contract Funding - \$ 370,000.00.

Account Nos. 2421-9936 and 2420-4994.

The Commission V O T E D: authorization to expend an additional \$70,000.00 within this Fiscal Year on Contract No. RP00-0001 - Open Order Contract - Appraisals, Title Examinations and Related Services for Watershed Land Acquisition in FY2000 and FY2001, as requested by Mr. Gray in his report of April 14, 2000.

Action was taken upon the following Various Matters:

3. Report of Mr. Jewett, April 14, recommending approval of and authorization for Commissioner Balfour to execute, on behalf of the Commission, two Contracts for Professional Real Estate Appraisal Services, for Fast Track Sewer Project – Holden and West Boylston – Contract No. WM93-001-S1A, as follows -

<u>NAME</u>	<u>VALUE</u>	<u>PARCELS</u>
Peter S. Emerson & Associates	\$20,000.00	25

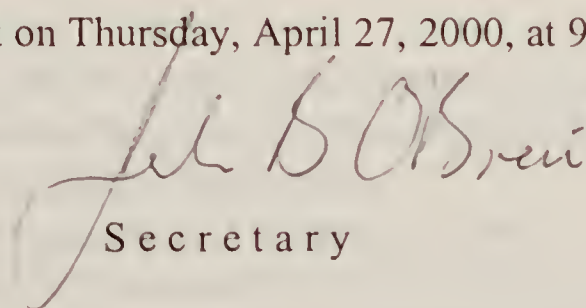
<u>NAME</u>	<u>VALUE</u>	<u>PARCELS</u>
E.W.H Real Estate Valuation & Preservation	\$18,000.00	56

Account No. 2420-4994.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, two Contracts for Professional Real Estate Appraisal Services, for Fast Track Sewer Project – Holden and West Boylston – Contract No. WM93-001-S1A.

Adjourned at 9:35 a.m., to meet on Thursday, April 27, 2000, at 9:00 a.m.


Secretary

Record of the Three Thousand Nine Hundred and Thirty Fourth (3934th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, April 27, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on April 13, 2000 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and DiPietro, March 28, recommending the following on Contract No. P98-1940-C1A, with Tasco Construction, Inc., for Removal and Replacement of Sluice Gates and Culvert Gates at the Charles River Dam, Charlestown –
 - (a) That work be accepted as completed as of August 31, 1999.
 - (b) That Estimate No. 12 (Final), in the amount of \$769.24, be approved for payment.
 - (c) That reserve, in the amount of \$36,842.42, be approved for payment.
 - (Basis of Award - \$560,000.00)
 - (Total to Date - \$736,848.46)(Contract Administration Rating – 2.70 – on a scale of 1 to 5, with 5 being excellent)
(EEO Compliance – 3.00)
The Commission V O T E D: that the work of Tasco Construction, Inc., Contractor under Contract No. P98-1940-C1A, be and hereby is accepted as completed as of August 31, 1999.
The Commission further V O T E D: to approve Estimate No. 12 (Final), in the amount of \$769.24, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of \$36,842.42, for payment.
2. Report of Messrs. Faucher and Sacco, April 19, requesting approval of an extension of time from April 30, 2000 to May 31, 2000, on Contract No. P97-1893-M2A, with RMH Electrical Co., Inc., for Maintenance of Mechanical/Electrical Systems for General Edwards Bridge, Lynn/Revere, due to the need to maintain coverage until the new maintenance contract has been executed.
The Commission V O T E D: to approve an extension of time from April 30, 2000 to May 31, 2000, as requested by Messrs. Faucher and Sacco in their report of April 19, 2000, 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. Jewett requested authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
The Commission then V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.

1. Report of Messrs. Faucher, Brooks and Kane, April 21, on bids for Upgrade of Plumbing at the Bernie King Pavilion, Contract No. P00-2068-C1A.
(Messrs. Faucher, Brooks and Kane request acceptance of the lowest bid received, that of Patrick J. Kennedy & Sons, Inc., of \$6,300.00).
The Commission V O T E D: to accept the lowest bid received, that of Patrick J. Kennedy & Sons, Inc., of \$6,300.00.
2. Report of Messrs. Faucher and Brooks, April 21, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P00-2078-M1A, for Maintenance of Refrigeration Systems Located in Ice Skating Rinks within the Metropolitan Parks System.
Estimated Cost for two-year maintenance contract - \$575,000.00.
Time for Performance – two years.
Account No. 2440-0010.
(Funding for FY2001 and FY2002 is contingent upon sufficient funds being made available through the annual budgetary appropriation process).
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P00-2078-M1A, for Maintenance of Refrigeration Systems Located in Ice Skating Rinks within the Metropolitan Parks System.

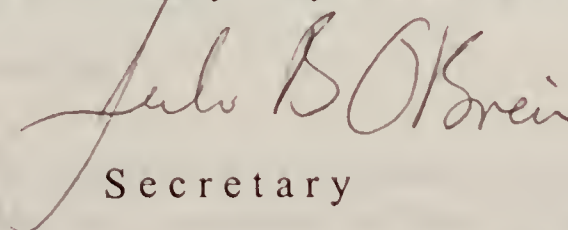
Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Messrs. McGinn and Church, April 6, requesting approval of an Amendment, to the Intergovernmental Service Agreement with the University of Massachusetts, Amherst, Department of Forest and Wildlife Management of the Rare Species Mapping and Inventory Contract (WM98-050-S1A). The Amendment, at a cost not-to-exceed \$35,000.00, will expand the scope of services and extend the time of performance from July 1, 2000 to June 30, 2001.
Funds are available in Account No. 2420-1400 for FY2001.
The Commission V O T E D: Approved.
4. Report of Messrs. McGinn and Kane, February 9, requesting approval of Alteration No. 2, in the amount of \$45,247.46, to modify the design in certain areas from a rock bolt supported wall structure to a spread footing supported cantilever wall design and necessary related work, on Contract No. WM95-085-C1A, with WES Construction Corp., for Boat Cove Docking Facility, Wachusett Reservoir, Clinton.
(Funding for this Alteration will be partially offset, in the amount of \$21,128.26, by unused quantities in Item Nos. 01570 – Traffic Control Services, 02140 – Dewatering Control, 02160 – Installation of Rock Bolts, 02200.3 – Load and transport surplus material to Wilson St. yard, 02200.4 – Overexcavation greater than 3 feet below bottom of footing and 02201.1 – Excavate and remove boulders by blasting. Funding for the remaining balance, in the amount of \$24,119.20 is available in Account No. 2420-1400).
The Commission V O T E D: to approve Alteration No. 2, in the amount of \$45,247.46.

Action was taken upon the following Various Matters:

1. Report of Mr. Jewett, April 21, requesting award of a service contract to McNulty Landscaping, the lowest bidder, in the lump sum amount of \$76,970.00, for Landscape Maintenance of Lynn Shore Drive and Revere Beach Reservation, Contract No. P00-2067-M1A.
Duration of Services – seven months.
Funds are available in Account No. 2440-0010.
Mr. Jewett further requests authorization to prepare the Contract for execution.
The Commission V O T E D: to award of a service contract to McNulty Landscaping, the lowest bidder, in the lump sum amount of \$76,970.00, for Landscape Maintenance of Lynn Shore Drive and Revere Beach Reservation, Contract No. P00-2067-M1A.
The Commission further V O T E D: to authorize Mr. Jewett to prepare the Contract for execution.
2. Report of Mrs. Overton Bussell, April 25, requesting approval and execution of a Memorandum of Agreement between the Metropolitan District Commission and the Commonwealth Zoological Corporation d/b/a Zoo New England (ZNE) that will allow the sum of \$2,000,000.00, to be transferred to the Commonwealth Zoological Corporation, for continued improvements to the Franklin Park and Stone Zoos.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Memorandum of Agreement, dated April 27, 2000, between the Metropolitan District Commission and the Commonwealth Zoological Corporation d/b/a Zoo New England (ZNE) which was signed by the Commissioner and four Associate Commissioners.
3. Report of Mrs. Davidge, April 19, requesting approval of an extension of time from April 30, 2000 to July 31, 2000 on a Contract with Valley Communications Systems, Inc., for Video Surveillance at Paul Revere Park, New Charles River Basin, due to continued coordination problems with Bell Atlantic and equipment supplied by vendor.
(At no increase in Contract cost).
Mrs. Davidge further requests authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.

Adjourned at 9:45 a.m., to meet on Thursday, May 4, 2000, at 9:00 a.m.


Secretary

Record of the Three Thousand Nine Hundred and Thirty Fifth (3935th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, May 4, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on April 20, 2000 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 No. WM98-061-X11A, dated May 4, 2000, with Camp, Dresser & McKee, Inc., for Construction Inspection Services – Holden/West Boylston Sewer Program.
2. Contract-Agreement No. WM98-061-X10A, dated May 4, 2000, with Weston & Sampson Engineers, Inc., for Construction Inspection Services – Holden/West Boylston Sewer Program.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher, Brooks and Balicki, April 19, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P00-2069-C1A, Rehabilitation of Spring Cartridges and Installation of New Cylinders at the Charles River Dam.
Estimated Cost - \$145,000.00.
Time for Performance – four months.
Account No. 2440-8950.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P00-2069-C1A, Rehabilitation of Spring Cartridges and Installation of New Cylinders at the Charles River Dam.
4. Report of Messrs. Faucher, Brooks and Balicki, April 19, submitting for approval Project Summary, Project Justification, Work Schedule and requesting permission to procure equipment via Project No. P00-2069-E1A, Purchase of thirteen (13) Spring Cartridges.
Estimated Cost - \$67,000.00.
Time for Performance – three months.
Account No. 2440-8950.
(This procurement will allow the Contractor on companion Project No. P00-2069-C1A, Rehabilitation of Spring Cartridges and Installation of New Cylinders at the Charles River Dam, to commence work immediately and minimize the downtime on the gates at the Dam).
The Commission V O T E D: Approved.
The Commission further V O T E D: permission to procure equipment via Project No. P00-2069-E1A, Purchase of thirteen (13) Spring Cartridges.

1. Report of Messrs. Faucher and Griffin, April 27, on bids for Repair of McCarthy Overpass, Somerville, Contract No. P96-1866-C1A.
(Messrs. Faucher and Griffin, request acceptance of the lowest bid received that of B & E Construction Corporation, of \$320,882.00).
The Commission V O T E D: to accept the lowest bid received that of B & E Construction Corporation, of \$320,882.00.
2. Report of Messrs. Faucher and DiRamio, April 27, requesting approval of the following extensions of time on Contract No. P95-1783-C1A, with B & E Construction Corporation, for Rehabilitation of Constitution Beach, East Boston –
April 30, 2000 to June 30, 2000 – for all work under Contract No. P95-1783-C1A, with the exception of landscaping of ballfields and installation of granite Interpretive Panels.
April 30, 2000 to October 15, 2000 – for landscaping of ballfields, installation of granite Interpretive Panels and related work.
The Commission V O T E D: to approve an extension of time from April 30, 2000 to June 30, 2000, for all work under Contract No. P95-1783-C1A, with the exception of landscaping of ballfields and installation of granite Interpretive Panels, 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 extension of time from April 30, 2000 to October 15, 2000, on Contract No. P95-1783-C1A, for landscaping of ballfields, installation of granite Interpretive Panels and related work, 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. Faucher and Ms. Peterson, April 28, on bids for Remedial Repairs First Street Drawbridge, Cambridge, Contract No. P93-1672-C4A.
(Mr. Faucher and Ms. Peterson, recommend acceptance of the lowest bid received that of N.E.L. Corporation, of \$691,584.00).
The Commission V O T E D: to accept the lowest bid received that of N.E.L. Corporation, of \$691,584.00.
4. Report of Messrs. Faucher, Brooks and Balicki, April 19, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P00-2074-D1A, Floor Drains: Closure or Continued Use, at Various MDC Locations.
Estimated Cost - \$175,000.00.
Estimated Duration of Contract – eighteen months.
Account No. 2440-4994.
The Commission V O T E D: Approved.

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The Commission further V O T E D: authorization to advertise Project No. P00-2074-D1A, Floor Drains: Closure or Continued Use, at Various MDC Locations.

1. Report of Mr. Faucher and Mrs. Graves Jones, April 27, requesting approval of implementation of a three-month trial period of one way traffic flow along Winthrop Shore Drive in Winthrop from Cutler Street to Beach Road and further requesting approval of the following revisions in quantities, (necessary to implement the three-month trial period), on Contract No. P99-1991-M1A, with Hi-Way Safety Systems, Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of MDC –

Item No. 002-010	\$ 174.00
6 inch Reflectorized Edge Line (Paint)	
Item No. 003-010	\$ 1,620.00
4 inch Reflectorized (Thermoplastic)	
Item No. 004-010	\$ 700.00
12 inch Reflectorized Edge Line (Paint)	
Item No. 005-010	\$ 995.00
Reflectorized Line (Thermoplastic)	
Item No. 006-010	\$ 324.00
Reflectorized Pavement Symbols and Legends (Paint)	
Item No. 007-010	\$ 69.60
Reflectorized Pavement Symbols and Legends (Thermoplastic)	
Item No. 008-010	\$ 4,858.40
Pavement Marking Removal (Paint)	
Item No. 009-010	\$ 6,027.00
Pavement Marking Removal (Thermoplastic)	
Item No. 010-010	<u>\$ 3,840.00</u>
Traffic Control Services	
Total - \$18,608.00	

Funds are available in Account No. 2490-0017.

Associate Commissioner Elkort asked if additional Traffic Police Details would be required. Mrs. Graves Jones responded that they would be needed and are provided for under Item No. 010-010 – Traffic Control Services.

The Commission V O T E D: Approved.

2. Report of Messrs. Faucher, Carrigan and Machado, April 28, recommending approval of revisions in quantities on the following items on Contract No. P99-2019-C1A, with D'Allesandro Corporation, for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan District Park System –

Item No. 035-010	\$ 7,420.00
New SS Guard Rail (Straight)	
Item No. 037-010	\$ 435.00
Terminal End Section	
Item No. 045-010	\$ 6,100.50
4" x10" Treated Wood Guard Rail	

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Item No. 084-010 **\$ 6,000.00**

Hay Bales

Item No. 084-020 **\$ 6,000.00**

Sedimentation Fence

Total - \$25,955.50

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 091-010 – New Railing Installed and 091-020 – New Posts Installed).

The Commission V O T E D: Approved.

1. Report of Messrs. Faucher, Carrigan and Machado, April 28, recommending approval of revisions in quantities on the following items on Contract No. P99-2019-C1A, with D'Allesandro Corporation, for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan District Park System –

Item No. 055-010 **\$ 8,100.00**

Black Vinyl Clad Chain Link Fence 4'to 4'6" High

Item No. 061-010 **\$ 4,988.70**

Black Vinyl Clad Chain Link Fence 8' High

Item No. 082-010 **\$15,429.36**

Black Vinyl Clad Chain Link Backstop 12' High

Item No. 084-010 **\$ 1,500.00**

Bales of Hay for Erosion Control

Item No. 084-020 **\$ 1,500.00**

Sedimentation Fence for Erosion Control

Total - \$31,518.06

(Funding is available in Account No. 2440-8952).

The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Pula, April 26, on proposals for the purchase of roadside sawlogs located on the Quabbin Reservoir Watershed.

The Commission V O T E D: to accept the only qualified bid, that of King-Chaffee Enterprise, of \$1,495.00; to purchase approximately 11,030 board feet of logs on Roadside Sale No. 68 – Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only qualified bid, that of R. W. Rich & Sons, of \$2,300.00; to purchase approximately 75 cords or 206 tons of hardwood pulpwood on Roadside Sale No. 69 – Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Hubbard Forest Industries, of \$13,421.01; to purchase approximately 56,870 board feet of logs on Roadside Sale No. 70 – Quabbin Reservoir Watershed.

Section 1

Section 2

Section 3

Section 4

Section 5

Section 6

Section 7

Section 8

Section 9

Section 10

Section 11

Section 12

Section 13

Section 14

Section 15

Section 16

Section 17

Section 18

Section 19

Section 20

Section 21

Section 22

Section 23

1. Report of Mr. McGinn, April 28, requesting approval of a Sewer Use Agreement between the Commonwealth of Massachusetts Metropolitan District Commission and the City of Worcester for Intermunicipal Sewer Use, which provides for the transport of wastewater from the towns of Holden, Rutland and West Boylston to the Upper Blackstone Water Pollution Abatement District treatment facility through the City of Worcester.
The Commission V O T E D: Approved.

Action was taken upon the following Various Matters:

2. Report of Mr. Jewett, May 1, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, the following three Contract-Agreements for Watershed Land Acquisition Program FY00-FY01 Open Order Contract No. RP00-0001 – Professional Real Estate Title Examination Services –

NAME	VALUE	PARCELS
Law Office of Peter E. Flynn P. C.	\$13,470.00	15
George S. Norton, Esquire	\$ 6,650.00	10
Nancy Mahoney Harris, Esquire	\$ 3,650.00	5

Account No. 2421-9936.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, Contract-Agreements with the Law Office of Peter E. Flynn P. C., George S. Norton, Esquire and Nancy Mahoney Harris, Esquire, for Watershed Land Acquisition Program FY00-FY01 Open Order Contract No. RP00-0001 – Professional Real Estate Title Examination Services.

3. Report of Mr. Jewett, May 1, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, the following two Contract-Agreements for Watershed Land Acquisition Program, MDC Sewer Project - Open Order Contract No. RP00-0001 –

NAME	VALUE	PARCELS
George S. Norton, Esquire	\$ 3,750.00	25
Nancy Mahoney Harris, Esquire	\$ 7,350.00	56

Account No. 2421-9936.

The Commission V O T E D: Approved.

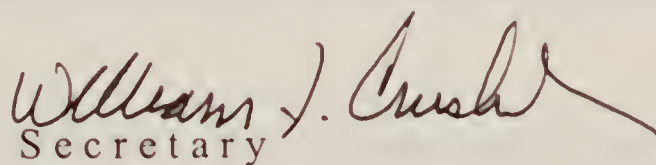
The Commission further V O T E D: and authorization for Commissioner Balfour to execute on behalf of the Commission, Contract-Agreements with George S. Norton, Esquire and Nancy Mahoney Harris, Esquire, for Watershed Land Acquisition Program, MDC Sewer Project - Open Order Contract No. RP00-0001.

Action was taken upon following matter relating to the Office of General Counsel:

1. Report of Mr. Gray, May 2, regarding the assessment of use and occupancy rates for Commonwealth-owned property off Granite Avenue in the City of Boston, Massachusetts, under the care and control of the MDC.

The Commission V O T E D: to authorize the assessment of use and occupancy rates for payment on a monthly basis, payable retroactively from May 1, 2000, and on the first day of each month thereafter, for the continued use and occupancy of Commonwealth-owned property off Granite Avenue in the City of Boston, Massachusetts, under the care and control of the MDC, in the amount of \$ 4,400 per month to be paid by SDB Corporation and/or Schlager Auto Body and Repair, and in the amount of \$ 8,500 per month to be paid by Richard A. Johnson, Trustee of C & J Realty Trust, and/or T Equipment Corporation, said payments to be deposited into the General Fund of the Commonwealth, or any other account or accounts deemed appropriate, as recommended by Mr. Gray in his report of May 2, 2000.

Adjourned at 9:40 a.m., to meet on Thursday, May 11, 2000, at 9:00 a.m.


Secretary

Record of the Three Thousand Nine Hundred and Thirty Sixth (3936th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, May 11, 2000.

Present, Commissioner Balfour and Associate Commissioners Rollins and Sheppard.

The Records of the Commission Meeting held on April 27, 2000 were read and approved.

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

1. Sewer Use Agreement, dated May 11, 2000, between the Commonwealth of Massachusetts Metropolitan District Commission and the City of Worcester for Intermunicipal Sewer Use.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher, Brooks and Balicki, May 5, recommending approval of an extension of time from April 28, 2000 to June 27, 2000, necessary for the finalization and checkout of alarm and data communication devices and to process payments for the work, on Contract No. P99-1987-C1A, with J. F. White Contracting Co., for Pumps and Other Equipment Replacement, Fellsway Outbound Tunnel Pump Station, Somerville.
The Commission V O T E D: to approve an extension of time from April 28, 2000 to June 27, 2000, as recommended by Messrs. Faucher, Brooks and Balicki in their report of May 5, 2000, 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 Messrs. Faucher and Thurlow, April 24, requesting approval of Alteration No. 4, in the amount of \$2,897.24, necessary due to redesign and enlargement of fresh water feed to the spray pool, on Contract No. P97-1870-C3A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Reconstruction of Artesani Playground.
Funds are available in Account No. 2440-9800.
The Commission V O T E D: to approve Alteration No. 4, in the amount of \$2,897.24.
4. Report of Messrs. Faucher, Brooks and Haider, May 2, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P00-2060-M1A, for Service to Underwater Structures at Various Flood Control/Navigational Sites.
Estimated Cost - \$95,000.00.
Time for Performance – one year.
Account No. 2440-0010.
(Funding for FY2001 is contingent upon sufficient funds being made available through the annual budgetary appropriation process).
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P00-2060-M1A, for Service to Underwater Structures at Various Flood Control/Navigational Sites

The first part of the paper discusses the importance of the study and the objectives of the research.

The second part of the paper describes the methodology used in the study and the data collection process.

The third part of the paper presents the results of the study and discusses the findings.

The fourth part of the paper discusses the implications of the study and the conclusions drawn from the research.

The fifth part of the paper discusses the limitations of the study and the areas for future research.

The sixth part of the paper discusses the contributions of the study to the field of research.

The seventh part of the paper discusses the practical applications of the study and the recommendations for practice.

The eighth part of the paper discusses the ethical considerations of the study and the measures taken to ensure ethical standards.

The ninth part of the paper discusses the acknowledgments and the funding sources of the study.

The tenth part of the paper discusses the references and the sources used in the study.

The eleventh part of the paper discusses the appendices and the additional information provided.

The twelfth part of the paper discusses the conclusion and the final remarks of the study.

1. Report of Messrs. Faucher, Brooks and Haider, May 2, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P00-2062-M1A, for Service to Hydraulic Systems at Various Flood Control/Navigational Sites.
Estimated Cost - \$83,000.00.
Time for Performance – one year.
Account No. 2440-0010.
(Funding for FY2001 is contingent upon sufficient funds being made available through the annual budgetary appropriation process).
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P00-2062-M1A, for Service to Hydraulic Systems at Various Flood Control/Navigational Sites.
2. Report of Messrs. Faucher, Brooks and Martinez, May 5, recommending that the Commission rescind its vote of March 30, 2000, awarding Contract No. P00-2031-C1A, for Demolition and Replacement of the Halfway Sanitary Facility, Nahant Beach, Nahant to Rene Lamarre Co., Inc., the only bidder, in the amount of \$120,788.00 and reject that bid.
Messrs. Faucher, Brooks and Martinez further request authorization to re-advertise the project as Contract No. P00-2031-C2A, Demolition of the Halfway Sanitary Facility, Nahant Beach, Nahant.
Estimated cost - \$24,000.00.
Time for Performance – two weeks.
Account No. 2440-8963.
Commissioner Balfour inquired about the possibility of adding another building for demolition into this contract.
Mr. Brooks and Mr. Jewett replied that Engineering staff would evaluate the feasibility.
Associate Commissioner Rollins then moved that the item be held over.
The Commission V O T E D: Held Over.

Action was taken upon the following matters relating to the Watershed Management Division:
3. Report of Mr. McGinn, April 28, submitting for approval and signature Quabbin Park Cemetery Deed No. Q-1736, conveying N.W. ¼ of Lot No. 1258, to Sandra Marcill.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1736, dated May 11, 2000, which was signed by the Commissioner and two Associate Commissioners.
4. Report of Messrs. McGinn and Kane, May 3, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. WM00-002-C1A, for Upgrade of Fuel Dispensing Facilities at Clinton, Southborough and West Boylston.
Estimated Cost - \$20,000.00.
Time for Performance – two months.
Account No. 2420-1400.
The Commission V O T E D: Approved.

THE HISTORY OF THE UNITED STATES

The history of the United States is a story of growth and change. It begins with the first settlers, who came to the Americas in search of a new life. They found a land of opportunity, but also a land of challenge. The early years were marked by conflict and struggle, as the settlers fought to establish a new society. Over time, the United States grew from a small colony into a powerful nation. It was a process of constant evolution, shaped by the dreams and aspirations of its people. The story of the United States is a testament to the power of the human spirit and the ability to overcome adversity. It is a story of hope and progress, of a nation that has always been looking forward.

The early years of the United States were marked by conflict and struggle. The settlers fought to establish a new society, and they faced many challenges along the way. The land was not always friendly to them, and they often found themselves at odds with the native population. Despite these difficulties, the settlers persevered, and they eventually established a new way of life. The United States grew from a small colony into a powerful nation, and it has since become a model for other countries around the world.

The story of the United States is a testament to the power of the human spirit and the ability to overcome adversity. It is a story of hope and progress, of a nation that has always been looking forward. The United States has been shaped by the dreams and aspirations of its people, and it has grown from a small colony into a powerful nation. It is a story of growth and change, of a nation that has always been evolving. The history of the United States is a story of a people who have always been looking for a better life, and who have never stopped striving for it.

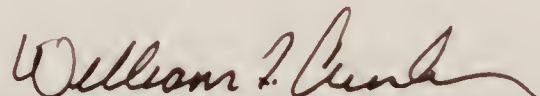
The Commission further V O T E D: authorization to advertise Project No. WM00-002-C1A, for Upgrade of Fuel Dispensing Facilities at Clinton, Southborough and West Boylston

1. Report of Messrs. McGinn, Church and Morrone, April 27, requesting approval of a Contract Service, No. WM00-099-X1A, with Trident Environmental Group LLC, for Environmental and Industrial Hygienist Services.
Total Project Cost - \$8,500.00.
Time for Performance – May 15, 2000 to June 30, 2001.
Funding is available in Account No. 2420-1400.
The Commission V O T E D: Approved.

Action was taken upon the following Various Matters:

2. Report of Mr. Jewett, May 5, on proposals for Maintenance of Mechanical/Electrical Systems for Three M.D.C. Drawbridges, Contract No. P00-2073-M1A.
(Mr. Jewett requests acceptance of the lowest bid received, that of RMH Electric Company, Inc., in the amount of \$45,250.00).
The Commission V O T E D: to accept the lowest bid received, that of RMH Electric Company, Inc., in the amount of \$45,250.00.

Adjourned at 9:50 a.m., to meet on Thursday, May 18, 2000, at 9:00 a.m.


Secretary

Record of the Three Thousand Nine Hundred and Thirty Seventh (3937th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, May 18, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on May 4, 2000 were read and approved.

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

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Brooks and Martinez, May 5, recommending that the Commission rescind its vote of March 30, 2000, awarding Contract No. P00-2031-C1A, for Demolition and Replacement of the Halfway Sanitary Facility, Nahant Beach, Nahant to Rene Lamarre, Co., Inc., the only bidder, in the amount of \$120,788.00 and reject that bid.
Messrs. Faucher, Brooks and Martinez further request authorization to re-advertise the project as Contract No. P00-2031-C2A, Demolition of the Halfway Sanitary Facility, Nahant Beach, Nahant.
Estimated Cost-\$24,000.00
Time for Performance-two weeks
Account No. 2440-8963.
The Commission V O T E D: to rescind its vote of March 30, 2000, awarding Contract No. P00-2031-C1A, for Demolition and Replacement of the Halfway Sanitary Facility, Nahant Beach, Nahant to Rene Lamarre, Co Inc., the only bidder, in the amount of \$120,788.00 and reject that bid.
The Commission further V O T E D: authorization to re-advertise the project as Contract No. P00-2031-C2A, Demolition of the Halfway Sanitary Facility, Nahant Beach, Nahant.
2. Report of Messrs. Faucher, Brooks and Kane, May 11, requesting approval of Extra Work Order No. 1 due to need to comply with particular codes when it was found that panels were transite and not a non-asbestos material, at a cost of \$2,842.00, on Contract No. P00-2042-C1A, with Massey Construction Corp., for Renovations to the McCrehan Pool House, North Cambridge.
Funding from Account No. 2440-0501.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$2,842.00.
3. Report of Messrs. Faucher, Brooks and Haider, May 10, recommending approval of Extra Work Order No. 1, for replacement of a 15 ton air compressor with all necessary rigging and piping at Community Boat House, Boston, at a cost of \$6,105.00, on Contract No. P99-2005-M1A, with Patrick J. Kennedy & Sons, Inc., for Service and Maintenance of HVAC Systems at various MDC facilities.
Funding from Account No. 2440-8885.

The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$6,105.00.

1. Report of Messrs. Faucher, Carrigan and Machado, May 11, recommending approval of the request of D & R General Contracting Company, Inc./MDR Construction Company, Inc., for an extension of time from May 22, 2000 to July 15, 2000, on Contract No. P99-2017-C1A, for Resurfacing MDC Parkways at Various Locations throughout the Metropolitan Area in order to accomplish additional resurfacing works at various areas as requested by the MDC.
The Commission V O T E D: to approve an extension of time from May 22, 2000 to July 15, 2000, as recommended by Messrs. Faucher, Carrigan and Machado in their report of May 11, 2000, 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 Messrs. Faucher, Carrigan and Machado, May 10, recommending approval of the request of D & R General Contracting Company, Inc./MDR Construction Company, Inc., for an extension of time from May 22, 2000 to July 15, 2000, on Contract No. P99-2018-C1A, for Repairing/Replacing Bituminous & Cement Concrete Sidewalks, in order to accomplish additional sidewalk work at various locations as requested by the MDC.
The Commission V O T E D: to approve an extension of time from May 22, 2000 to July 15, 2000, as recommended by Messrs. Faucher, Carrigan and Machado in their report of May 10, 2000, 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 Messrs. Faucher and DiRamio, May 11, requesting approval of the request of Vollmer Associates, for an extension of time from May 31, 2000 to October 15, 2000 on Contract No. P98-1956-D2A, for Construction Phase Services for the Rehabilitation of Constitution Beach, due to the need to inspect the project when completed by October 15, 2000, and prepare a punch list of items for the general contractor.
(At no increase in Contract cost.)
The Commission V O T E D: to approve an extension of time from May 31, 2000 to October 15, 2000 on Contract No. P98-1956-D2A, as requested by Messrs. Faucher and DiRamio in their report of May 11, 2000.
4. Report of Messrs. Faucher and Lenhardt, May 11, on bid to Repair Railings, Lynn Shore Drive, Lynn - Project No. P85-1341-C2A.
(Messrs. Faucher and Lenhardt recommending acceptance of the only bid received that of BSA Painting Co., Inc., of \$105,325.00).
The Commission V O T E D: to accept the only bid received that of BSA Painting Co., Inc., of \$105,325.00
5. Report of Messrs. Faucher and Lenhardt, May 10, submitting for approval Project Summary, Work Schedule, Project Justification and requesting authorization to advertise Project No. P99-1986-CIA, for Repair of Peddocks Island Wharves.

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Estimated Cost - \$10,000.00 - The Commission at its meeting of January 13, 2000, approved \$7,000.00 for the Repair of the floating Docks – The additional \$3, 0000.00 is available in Account No. 2440-8889.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P99-1986-CIA, for Repair of Peddocks Island Wharves.

Report of Mr. Faucher and Mrs. Graves Jones, May 3, submitting for approval, Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No.P00-2080-M1A, for installation of Reflectorized Pavement Markings on the Parkways and Roadways of the MDC.

Estimated cost - \$400,000.00.

Time for Performance -twenty four months.

Account No. 2490-0017.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No.P00-2080-M1A, for installation of Reflectorized Pavement Markings on the Parkways and Roadways of the MDC.

2. Report of Messrs. Faucher and McCalla, May 5, recommending approval of revisions in quantities on Contract No. P00-2030-M1A, with Coviello Electric & General Contracting Co, Inc., for Maintenance of Street Lighting Systems on MDC Parkways, Roadways and Properties at various locations as follows:

ITEM NO. 019-010 - \$21,000.00

Hourly Rate for Licensed Electrician Helper for Misc. Repairs

ITEM NO. 020-010 - \$19,000.00

Hourly Rate for Vehicle for Misc. Repairs

Total - \$40,000.00

(Funding from Account Nos. 2444-9001 - \$19,873.00 and 2490-0017 - \$20,127.00.

The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Thurlow, May 9, requesting approval of an extension of time from March 31, 2000 to May 31, 2000 on Contract No. P97-1871-C2B, with SB General Contracting Co., for Construction of New Comfort Station at Artesani Playground, due to need for installation of floor and wall sealants over the new cement floors and block walls in lavatories, as required by public health codes.

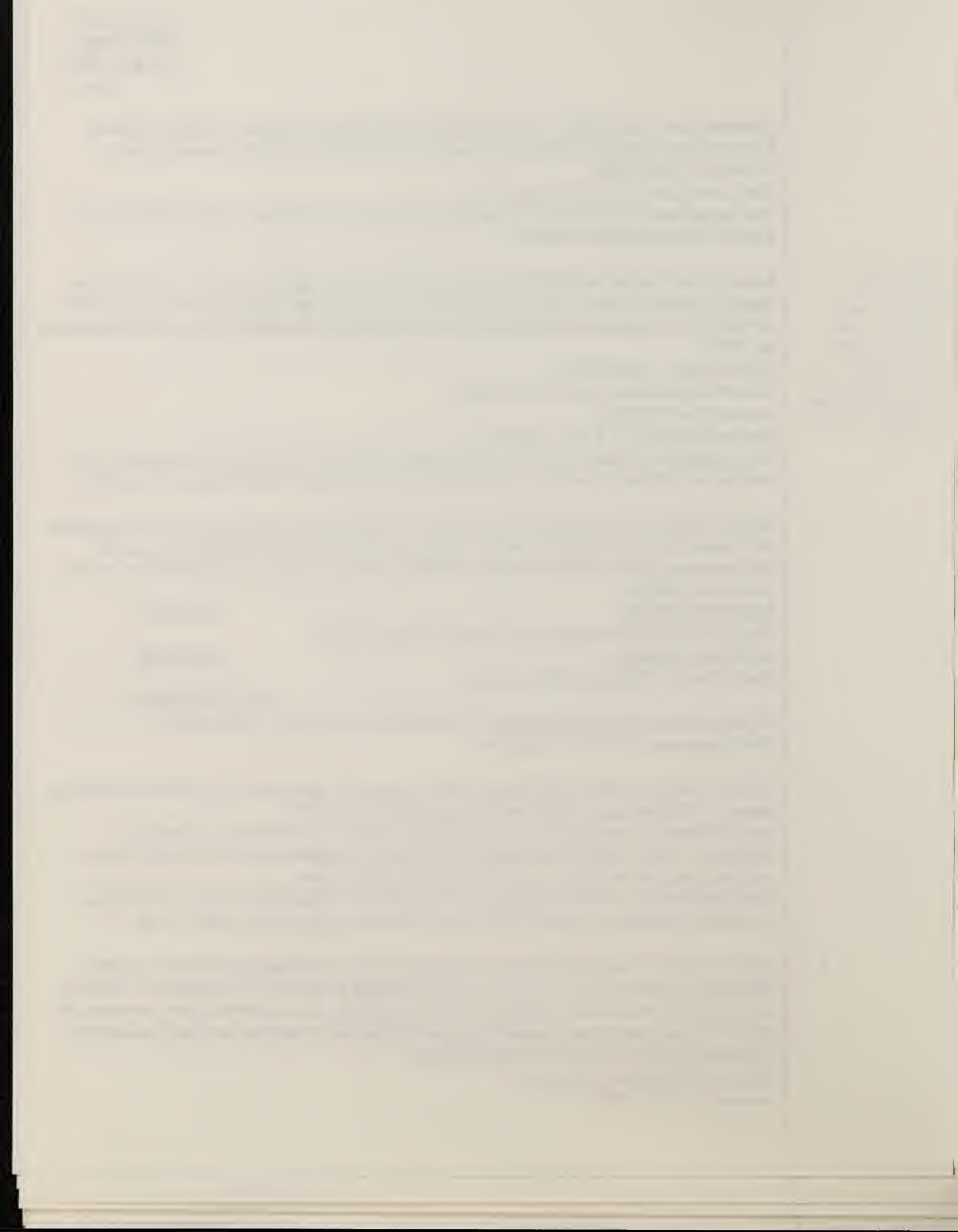
The Commission V O T E D: to approve of an extension of time from March 31, 2000 to May 31, 2000, as requested by Messrs. Faucher and Thurlow in their report of May 9, 2000.

4. Report of Messrs. Faucher, Brooks and Abounaja, May 9, requesting approval of the award of Emergency Contract No. P00-2039-D1A, for Emergency Licensed Site Professional Services for various MDC Contaminated facilities to CDW Consultants, Inc., in a contract sum not-to-exceed \$23,601.00 and shall be paid pursuant to pre-established rates that have been established by the Commonwealth's Operational Services Division.

Time for Performance - one year.

Account No. 2441-9952.

*Meeting
of 6.8.00
Commission
VOTED to
amend its
VOTE of 5.15.00
by changing
Acct # 2490-0017
to Acct # 2490-
8881.*



The Commission V O T E D: to award Emergency Contract No. P00-2039-D1A, for Emergency Licensed Site Professional Services for various MDC Contaminated facilities to CDW Consultants, Inc., in a contract sum not-to-exceed \$23, 601.00, to be paid pursuant to pre-established rates that have been established by the Commonwealth's Operational Services Division.

1. Report of Messrs. Faucher, Brooks and Haider, May 8, submitting for approval Project Summary Work Schedule, Project Justification and requesting authorization to advertise Project No. P00-2059-M1A, for Service of HVAC Systems at Various Flood Control and Navigation Sites. Estimated Cost - \$53,000.00 - for the two-year project.
This one-year contract will be contingent upon availability of funds in Account No. 2440-0010- for FY2001.
Mr. Brooks noted that the report submitted by the Division was in error and that the project is for one year rather than two years.
The Commission V O T E D: approval with the understanding that the project is for one year rather than two years.
2. Report of Messrs. Faucher and Brooks, May 12, recommending approval of revisions in quantities on Contract No. P98-1957-M1A, with Lewis Refrigeration Company Inc., for Maintenance of Refrigeration Systems at Various MDC Ice Skating Rinks, as follows:

Item No. 023-010 - Labor	\$20,770.00
Item No. 025-010 - Parts and Materials	<u>\$71,118.30</u>
Total -	\$91,888.30

Funding from Account No. 2440-0501.
The Commission V O T E D: Approved
3. Report of Messrs. Faucher and Lenhardt, May 1, requesting approval of the following on Contract No. PL97-044-C1A, with WES Construction Corp., for Pope John Paul II Park, Phase I, Neponset River Reservation, Boston –

REVISIONS IN QUANTITIES

Item No. 2	Furnish and Install Erosion Control Fencing	\$10,362.00
Item No. 9A	Furnish and Install 8" Type 1 Loam and Meadow Mix Seed	26,832.00
Item No. 10	Furnish and Install Erosion Control Blanket	10,000.00
Item No. 14	RipRap Restoration	22,710.00
Item No. 22B	Furnish and Install 6" Type 1 Loam and Meadow Seed Mix	18,998.00
Item No. 29	Concrete Sidewalks	2,200.00
Item No. 30	Bituminous Concrete Sidewalks	<u>2,880.00</u>
TOTAL -		\$93,982.00

ALTERATIONS

ALTERATION NO. 7 TO ALTER NO. 44 -	\$20,500.00
Replace broken check valve (tidegate) to 48" drain line from Gallivan Boulevard to Morrissey Boulevard	

ALTERATION NO. 8 TO ALTER NO. 27 -

\$13,500.00

Reclaim an encroachment of the Walgreen Drug Parking Lot at the main entrance at Gallivan Boulevard.

And a **revision to Alteration No. 2** – a “Credit to the Commission” – from a **credit of \$171,850.00 to a credit of \$240,650.00**, resulting from DEP approved fill into the project at a rate of \$50.00 a truckload.

The Commission V O T E D: to approve the Revisions in Quantities, in the amount of \$93,982.00.

The Commission further V O T E D: to approve Alteration No. 7 to alter No. 44, in the amount of \$20,500.00.

The Commission further V O T E D: to approve Alteration No. 8 to alter No. 27, in the amount of \$13,500.00.

The Commission further V O T E D: to approve a revision to Alteration No. 2 – a “Credit to the Commission” – from a credit of \$171,850.00 to a credit of \$240,650.00.

Action was taken upon the following matters relating to the Office of Planning:

1. Report of Mrs. O'Brien, May 4, requesting renewal and execution of a Contract-Agreement with Daniel Driscoll for Planning Services Pursuant to Land Acquisition and Master Planning, FY2001, MDC Contract No. PL00-065-S1A.
Cost – Not-to-exceed \$61,528.00.
Time of Performance – July 1, 2000 to June 30, 2001.
The Commission V O T E D: to renew a Contract-Agreement with Daniel Driscoll for Planning Services Pursuant to Land Acquisition and Master Planning, FY2001, MDC Contract No. PL00-065-S1A.
The Secretary then submitted for signature Contract-Agreement, dated May 18, 2000, with Daniel Driscoll, which was signed by the Commissioner and four Associate Commissioners.
2. Report of Mrs. O'Brien and Mr. Driscoll, May 3, requesting approval and execution of Amendment No. 1. to Contract No. PL92-017-D2A, with Carol R. Johnson Associates Inc., for Upper Charles River Reservation Restoration – Master Plan and Design Services - Phase II, which calls for an increase in compensation of \$57,552.00, for additional services including - additional survey work to prepare recordable plans for gift permanent conservation easement.
Funding from Account No. 2490-0017.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 1, dated May 18, 2000, to Contract No. PL92-017-D2A, with Carol R. Johnson Associates Inc., which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matters relating to the Division of Watershed Management:

3. Report of Messrs. McGinn and Pula, May 10, requesting approval of the 2000 Quabbin Reservation Controlled Deer Hunt, as outlined in Table 1 of the report.

Messrs. McGinn and Pula request approval to close the controlled hunt areas as outlined in Table 1 to all persons except those with official access permits, for the following periods for each area:

New Salem - November 30 – December 1
 Hardwick - November 27 – November 28
 Petersham - November 27 – November 28

Messrs. McGinn and Pula further request that the Commission approve access for hunters with MDC Permits to Prescott Peninsula for the period November 30 – December 1, in accordance with Chapter 737 of the Acts of 1972, Section 09.

The Commission V O T E D: to approve the 2000 Quabbin Reservation Controlled Deer Hunt, as outlined in Table 1 of the report, as follows –

LOCATION	SEGMENTS	#HUNTERS APPROXIMATE	ACRES/ HUNTER	DATES
PETERSHAM (Gates 36-40) 8,600 acres	1, 2-DAY	288	30	Nov 27 – 28
HARDWICK (Gates 41-50) 6,000 acres	1, 2-DAY	183	33	Nov 27 – 28
NEW SALEM (Gates 21-35) 5,000 acres	1, 2-DAY	150	33	Nov 30 – Dec 1
PRESCOTT (Gates 17-21) 12,500 acres	1, 2-DAY	375	33	Nov 30 – Dec 1
TOTALS	4 SEGMENTS (8 area-days)	996		

The Commission further V O T E D: Approval to close the controlled hunt areas as outlined in Table 1 to all persons except those with official access permits, for the following periods for each area (closures include all times during days outlined):

New Salem - November 30 – December 1
 Hardwick - November 27 – November 28
 Petersham - November 27 – November 28

The following table shows the results of the experiment conducted on 12/12/2023.

Time (min)	Temperature (°C)	Pressure (kPa)
0	25.0	101.3
10	25.5	101.5
20	26.0	101.8
30	26.5	102.0
40	27.0	102.2
50	27.5	102.5
60	28.0	102.8
70	28.5	103.0
80	29.0	103.2
90	29.5	103.5
100	30.0	103.8

The data indicates a steady increase in both temperature and pressure over time. The temperature rose from 25.0°C to 30.0°C, while the pressure increased from 101.3 kPa to 103.8 kPa. This suggests a positive correlation between the two variables.

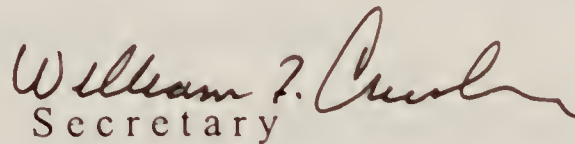
Time (min)	Temperature (°C)	Pressure (kPa)
110	30.5	104.0
120	31.0	104.2
130	31.5	104.5
140	32.0	104.8
150	32.5	105.0
160	33.0	105.2
170	33.5	105.5
180	34.0	105.8
190	34.5	106.0
200	35.0	106.2
210	35.5	106.5
220	36.0	106.8
230	36.5	107.0
240	37.0	107.2
250	37.5	107.5
260	38.0	107.8
270	38.5	108.0
280	39.0	108.2
290	39.5	108.5
300	40.0	108.8

The experiment was conducted under controlled conditions. The results show a consistent upward trend in both temperature and pressure, with no significant fluctuations or anomalies observed.

The Commission further V O T E D: to approve access for hunters with MDC Permits to Prescott Peninsula for the period November 30 – December 1, in accordance with Chapter 737 of the Acts of 1972, Section 09).

1. Report of Mr. McGinn, May 15, on proposal for Title 5 Inspections of Sterling Campgrounds - Project No. WM 00-030-X1A.
(Mr. McGinn recommends acceptance of the proposal of Pennoni Associates, Inc., low bidder, with a proposal of \$25,750.00).
Mr. McGinn further requests authorization for the Contract Administrator to prepare and issue a contract with Pennoni Associates, Inc.
Account No. 2420-1400.
The Commission V O T E D: to accept the proposal of Pennoni Associates, Inc., low bidder, with a proposal of \$25,750.00.
The Commission further V O T E D: to authorize the Contract Administrator to prepare and issue a contract with Pennoni Associates, Inc

Adjourned at 9:45 a.m., to meet on Thursday, May 25, 2000, at 9:00 a.m.


Secretary

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THE UNIVERSITY OF CHICAGO

PHILOSOPHY DEPARTMENT

PHILOSOPHY 101

LECTURE NOTES

BY

JOHN DEWEY

1919

Record of the Three Thousand Nine Hundred and Thirty Eighth (3938th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, May 25, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on May 11, 2000 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. P85-1341-C2A, dated May 25, 2000, with BSA Painting Co., Inc., for Repairs to Railings, Lynn Shore Drive, Lynn.
2. Contract No. P96-1866-C1A, dated May 25, 2000, with B & E Construction Corporation, for Repair of McCarthy Overpass, Somerville.
3. Contract No. P93-1672-C4A, dated May 25, 2000, with N.E.L. Corporation, for Remedial Repairs, First Street Drawbridge, Cambridge.
4. Amendment, dated May 25, 2000, to Contract No. P98-1956-D2A, with Vollmer Associates, for Construction Phase Services for the Rehabilitation of Constitution Beach.

Action was taken upon the following matters relating to the Engineering and Construction Division:

5. Report of Messrs. Faucher, Brooks and Haider, May 11, requesting approval of an extension of time from June 30, 2000 to July 31, 2000, on Contract No. P99-2003-M1A, with Inner Space Services, Inc., for Service to Underwater Structures at Various Flood Control/Navigation Sites, to act as a safeguard to continue service in the event a new contract is not in place as of July 1, 2000.
On questioning by Associate Commissioner Carr, Mr. Brooks explained that it appears that the extensions of time requested for Contract Nos. P99-2003-M1A, P99-2004-M2A, P98-1963-M1A and P99-2002-M1A will not be necessary. However, he noted, if a problem does arise with the new Contracts being in place, the Commission will have necessary service until the new Contracts are executed. The Commission V O T E D: to approve an extension of time from June 30, 2000 to July 31, 2000, as requested by Messrs. Faucher, Brooks and Haider in their report of May 11, 2000, 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 Messrs. Faucher, Brooks and Haider, May 11, requesting approval of an extension of time from June 30, 2000 to July 31, 2000, on Contract No P99-2004-M2A, with R. Zoppo Corporation, for Maintenance and Service to Hydraulic Systems

at Various Flood Control/Navigational Sites, to act as a safeguard to continue service in the event a new contract is not in place as of July 1, 2000.

The Commission V O T E D: to approve an extension of time from June 30, 2000 to July 31, 2000, as requested by Messrs. Faucher, Brooks and Haider, in their report of May 11, 2000, 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 Messrs. Faucher, Brooks and Haider, May 11, requesting approval of an extension of time from June 30, 2000 to July 31, 2000, on Contract No. P98-1963-M1A, with Keystone Elevator Co., Inc., for Service and Maintenance of Elevators at Various Locations, to act as a safeguard to continue service in the event a new contract is not in place as of July 1, 2000.
The Commission V O T E D: to approve an extension of time from June 30, 2000 to July 31, 2000, as requested by Messrs. Faucher, Brooks and Haider in their report of May 11, 2000, 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 Messrs. Faucher, Brooks and Haider, May 12, requesting approval of an extension of time from June 30, 2000 to July 31, 2000, on Contract No. P99-2002-M1A, with P. J. Kennedy & Sons, Inc., for Service to HVAC at Various Flood Control/Navigational Sites, to act as a safeguard to continue services in the event a new contract is not in place as of July 1, 2000.
The Commission V O T E D: to approve an extension of time from June 30, 2000 to July 31, 2000, 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 Messrs. Faucher, Brooks and Haider, May 11, recommending approval of revisions in quantities on Contract No. P99-2005-M1A, with P. J. Kennedy & Sons, Inc., for Service and Maintenance to HVAC Systems, as follows –

Item No. 001-010	\$ 7, 840.00
Hourly Rate for Licensed Technicians	
Item No. 002-010	<u>\$ 4,160.00</u>
Materials and Parts	
	\$12,000.00

Funding from Account No. 2440-0010.
The Commission V O T E D: Approved.
4. Report of Messrs. Faucher, Brooks and Haider, May 11, recommending approval of a revision in quantities on Item No. 001-010 – Per Shift Diving Services – at a cost of \$13,440.00, on Contract No. P99-2003-M1A, with Inner Space Services, Inc., for Service to Underwater Structures at Various Flood Control/Navigation Sites.
(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 003-010 – Crane Rental and 004-010 – Overtime).
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher, Brooks and Kane, May 11, requesting approval of an Alteration and Extra Work Orders on Contract No. P00-2042-C1A, with Massey Construction Corp., for Renovations to the McCrehan Pool House, North Cambridge, as follows –

ALTERATION

Alteration No. 1	\$ 3,043.07
Substituting Skid Resistant Floor Tile/Cove Base/Waterproofing Membrane in place of “unglazed tile”.	

EXTRA WORK ORDERS

Extra Work Order No. 2	\$ 1,047.00
Remove/Replace Rotted Out M & W Shower Room Door Frames	
Extra Work Order No. 3	\$ 2,883.00
Install Window Trim and Jamb Extension on Windows	
Extra Work Order No. 4	\$ 1,944.00
Repair/Replace Wood Cornice Trim	
Extra Work Order No. 5	\$ 1,290.50
Install HC Shower Seat, Shower Grab Bars, Coat Hooks and Signage	
Extra Work Order No. 6	<u>\$ 2,873.00</u>
Add Security Screens to All New Windows	

Total - \$13,080.57

(Funding from Account No. 2440-0501).

The Commission V O T E D: to approve Alteration No. 1, in the amount of \$3,043.07.

The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of \$1,047.00.

The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of \$2,883.00.

The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of \$1,944.00.

The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of \$1,290.50.

The Commission further V O T E D: to approve Extra Work Order No. 6, in the amount of \$2,873.00.

2. Report of Messrs. Faucher, Brooks and Haider, May 12, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P00-2061-M1A, for Maintaining Elevators at Various MDC Facilities within the Metro Parks System. Time for Performance – twenty-four months.

Estimated Cost - \$100,000.00 – FY2001 - \$50,000.00

FY2002 - \$50,000.00

Account No. 2440-0010 – The two-year Contract will be contingent upon the availability of funds via the budgetary process.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P00-2061-M1A, for Maintaining Elevators at Various MDC Facilities within the Metro Parks System.

1. Report of Messrs. Faucher, Brooks and Kane, May 19, requesting approval of an extension of time from May 25, 2000 to June 15, 2000, on Contract No. P99-2025-C1A, with Walker Construction, Inc., for Projected Windows and Overhead Doors, MDC Garage, Brighton, due to delay in receiving windows.
The Commission V O T E D: to approve extension of time from May 25, 2000 to June 15, 2000, as requested by Messrs. Faucher, Brooks and Kane in their report of May 19, 2000, 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. Faucher and Mrs. Graves-Jones, May 11, recommending approval of revisions in quantities on Contract No. P99-1991-M1A, with Hi-Way Safety Systems, Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the MDC, as follows –

Item No. 005-010	\$20,000.00
Reflectorized Line (Thermoplastic)	
Item No. 010-010	<u>\$10,000.00</u>
Traffic Control Services	
	Total - \$30,000.00

Account No. 2490-8881.
The Commission V O T E D: Approved.
3. Report of Messrs. Faucher, Brooks and Martinez, May 19, submitting for approval Project Summary, Work Schedule, Project Justification and authorization to advertise Project No. P00-2084-C1A, for Demolition of the Constitution Beach Bathhouse, Orient Heights, East Boston.
Estimated Cost - \$65,000.00.
Time for Construction – four weeks.
Account No. 2440-8963.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P00-2084-C1A, for Demolition of the Constitution Beach Bathhouse, Orient Heights, East Boston.
4. Report of Messrs. Faucher, Brooks and Haider, May 19, submitting for approval Work Schedule, Project Summary, Project Summary, Project Justification and requesting authorization to advertise Project No. P00-2081-C1A, for Replacement and Installation of 48'x 48' Wooden Dance Floor, Hull.
Estimated Cost - \$10,000.00.
Time for Performance – thirty days.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P00-2081-C1A, for Replacement and Installation of 48'x 48' Wooden Dance Floor, Hull.
5. Report of Messrs. Faucher and Brooks, May 19, recommending approval of the action of Deputy Commissioner Faucher resulting in revisions in quantities on Contract No. P99-1996-M1A, with Allied Weatherproofing Co., Inc., for Service and Repairs to all MDC Swimming Pools and Filtration Systems Within the Metro Parks System, as follows –

Item No. 023-010	\$47,220.00
Maintenance Service	
Item No. 026-010	<u>\$ 5,780.00</u>
Material & Parts	
Total - \$53,000.00	

Account No. 2440-4994.

Associate Commissioner Carr questioned why these revisions did not come before the Commission for initial approval, as called for under terms of the new policy approved by the Commission.

Mr. Gearheart explained the revisions were intended to be paid for with funds that were not available when the Contract was awarded. In essence, he noted, that the work included in the revisions was funded from existing contract funds with the knowledge and intent that these costs would be reimbursed when the Clean State Funds became available.

The Division, he noted, was informed of the possibility of receiving funds from the Clean State Program for this work about one year ago.

Associate Commissioner Carr stated that the Commission should have been informed at that time of the possibility of receiving the funds.

Mr. Gearheart stated that he was in agreement.

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in revisions in quantities on Contract No. P99-1996-M1A.

The Commission further V O T E D: to approve the revisions in quantities, in the amount of \$53,000.00.

1. Report of Messrs. Faucher, Brooks and Haider, May 18, on bids to Furnish, Install and Register Backflow Preventers at ten MDC Locations, Contract No. P00-2075-X1A.
 (Messrs. Faucher, Brooks and Haider recommend acceptance of the only valid bid received, that of P. J. Kennedy & Sons, Inc., of \$19,105.00).
 The Commission V O T E D: to accept of the only valid bid received, that of P. J. Kennedy & Sons, Inc., of \$19,105.00.
2. Report of Messrs. Faucher and Thurlow, May 18, requesting approval of Alteration No. 5, for grounding of the revised pool features, at a cost of \$2,740.78, on Contract No. P97-1870-C3A, with D & R General Contracting, Inc./MDR Construction Co., Inc., for Reconstruction of Artesani Playground, Brighton.
 Funding from Account No. 2440-9800.
 The Commission V O T E D: to approve Alteration No. 5, in the amount of \$2,740.78.

 Action was taken upon the following Various Matters:
3. Report of the Concession Selection Committee, May 19, recommending award of the Mobile Food Service Concession at the Artesani Tot Lot, Soldiers Field Road, Brighton, to North East Ice Cream, Inc., 315 New Boston Street, Woburn, MA 01801, with a bid of \$4,052.01, per season, a total of \$20,260.05 for the five year permit.
 The Concession Selection Committee further requests authorization for the Secretary to execute the permit on behalf of the Commission.

The Commission V O T E D: to award the Mobile Food Service Concession at the Artesani Tot Lot, Soldiers Field Road, Brighton, to North East Ice Cream, Inc., 315 New Boston Street, Woburn, MA 01801, with a bid of \$4,052.01, per season, a total of \$20,260.05 for the five year permit.

The Commission further V O T E D: to authorize Secretary Chisholm to execute the permit on behalf of the Commission.

1. Report of Mrs. Davidge, May 19, requesting approval and execution of Amendments for extensions of time from June 30, 2000 to June 30, 2002 on Interdepartmental Service Agreements for Paul Revere Park Design and Construction (Nos. 6984 and 6595), Lovejoy Wharf (No. 7278), Leverett Circle/Storrow Drive Design (No. 7280), Land Acquisition Phase 1 (No. 7570), Land Acquisition Phase II (No. 7790), and Seawall (No. 7576), due to the need for additional coordination between the Central Artery/Tunnel Project and the MDC.

(At no change in scope of funding).

The Commission V O T E D: Approved as requested by Mrs. Davidge in her report of May 19, 2000.

The Secretary then submitted for signature Amendments, dated May 25, 2000, to Interdepartmental Service Agreements for Paul Revere Park Design and Construction (Nos. 6984 and 6595), Lovejoy Wharf (No. 7278), Leverett Circle/Storrow Drive Design (No. 7280), Land Acquisition Phase 1 (No. 7570), Land Acquisition Phase II (No. 7790), and Seawall (No. 7576), which were signed by Commissioner Balfour on behalf of the Commission.

2. Report of Mr. Jewett, May 22, on behalf of the Consultant Selection Committee requesting approval of the selection of John Copley and Associates, Inc./Lynn Wolff Associates, Inc., a Joint Venture, for Study and Design of Playgrounds at the Southwest Corridor Park, Jamaica Plain/Mattapan.

Estimated Time for Performance – six months.

Compensation – cost plus fixed fee basis and shall not exceed \$75,000.00.

Funding from Account No. 2440-0010.

The Commission V O T E D: to approve the selection of John Copley and Associates, Inc./Lynn Wolff Associates, Inc., a Joint Venture, for Study and Design of Playgrounds at the Southwest Corridor Park, Jamaica Plain/Mattapan.

3. Report of Mrs. Overton Bussell, May 22, requesting authorization to advertise banner fabrication and installation for replacement banners for the “Back to the Beaches” light pole program.

Cost – not-to-exceed - \$35,000.00.

Funding from Account No. 2440-8956.

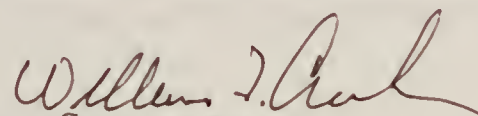
The Commission V O T E D: authorization to advertise banner fabrication and installation for replacement banners for the “Back to the Beaches” light pole program.

At this point, Secretary Chisholm announced that Roland F. Beaudoin, a dedicated employee of the Watershed Management Division, has recently retired.

The Commission and Associate Commissioners then unanimously adopted the following Resolution:

1. Resolved: that the Metropolitan District Commission, assembled at its Meeting held on May 18, 2000, does hereby express its deep and sincere appreciation to Roland F. Beaudoin, Civil Engineer III of the Watershed Management Division, for his more than twenty-eight years of professional, productive service with the Commission and for the example he has set as a conscientious and dedicated public servant; that he will be missed by his many friends and co-workers; 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. Beaudoin.

Adjourned at 9:50 a.m., to meet on Thursday, June 1, 2000, at 9:00 a.m.


Secretary

Record of the Three Thousand Nine Hundred and Thirty Ninth (3939th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, June 1, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on May 18, 2000 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Lenhardt, May 23, recommending approval of an Amendment for an extension of time from June 30, 2000 to November 30, 2000, on Contract No. P93-1672-D1A, with Simpson, Gumpertz & Heger, Inc., for Professional Engineering Services for Bridges, Parkways and other Commission Facilities, due the need for assistance to the Commission in resolving an uncompleted construction project dispute.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
2. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, May 25, recommending approval of an extension of time from June 2, 2000 to September 30, 2000, on Contract No. P95-1784-C3A, with McCourt Construction Company, for South Boston Beaches Rehabilitation Phase 2, due to changes in field conditions, extra work orders and revisions in quantities.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from June 2, 2000 to September 30, 2000, as recommended by Mrs. Overton Bussell and Messrs. Faucher and Orfant in their report of May 25, 2000, 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 Messrs. Faucher and McCalla, May 18, on bids for Electrical, Electronic and Sound System Maintenance at Sports Facilities, Recreational Areas and MDC Buildings throughout the Metropolitan District, FY01-02 Contract No. P00-2057-M1A.
(Messrs. Faucher and McCalla recommend acceptance of the only bid received, that of Coviello Electric and General Contracting Company, Inc., of \$418,800.00).
Funding for FY2001 and 2002 is contingent upon sufficient funds being made available through the annual budgetary appropriation process.
The Commission V O T E D: to accept the only bid received, that of Coviello Electric and General Contracting Company, Inc., of \$418,800.00.
4. Report of Messrs. Faucher, Brooks and Haider, May 24, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to solicit consultant bid proposals for Project No. P00-2082-S1A, for Comprehensive Water Supply Study for the Blue Hills Ski Area.

Estimated Cost - \$20,000.00.

Duration – ninety days.

Account No. 2440-9843.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to solicit consultant bid proposals for Project No. P00-2082-S1A, for Comprehensive Water Supply Study for the Blue Hills Ski Area.

Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

1. Report of Messrs. Faucher, Brooks and Abounaja, May 19, recommending approval of ExtraWork Order No. 1 – for preparation and painting of pavilion and benches, preparation and painting of Shirley Avenue and Oak Island bathrooms, and doors and trim, and sign post in front of State Police Station – at a cost of \$14,500.00 and an extension of time from June 5, 2000 to June 30, 2000, on Contract No. P00-2049-M1A, with B.S.A. Painting Company, Inc., for Painting of Bandstand and Pavilions at the Revere Beach Reservation, Revere.
Funding from Account No. 2440-0501.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$14,500.00.
The Commission further V O T E D: to approve an extension of time from June 5, 2000 to June 30, 2000, as recommended by Messrs. Faucher, Brooks and Abounaja, in their report of May 19, 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 Messrs. Faucher and Johnston, May 19, requesting approval of an extension time from June 30, 2000 to June 30, 2001, on Professional Services Contract No. P87-1447-M1A, with GZA GeoEnvironmental, Inc., for Geotechnical Engineering Advice.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
3. Report of Messrs. Faucher and Brooks, May 23, recommending approval of the request of the Contractor to engage the services of HVAC Mechanical Systems, Inc., as sub-contractor – to furnish and install desiccant dehumidifier (complete in place) at Connell Rink, Weymouth – at a cost of \$91,883.30, on Contract No. P98-1957-M1A, with Lewis Refrigeration Company, Inc., for Maintenance of Refrigeration Systems at Various MDC Ice Skating Rinks.
The Commission V O T E D: Approved

Action was taken upon the following matters relating to the Watershed Management Division:

4. Report of Mr. McGinn, May 15, recommending award of Rubbish Removal Services, to Fred J. Fijal Rubbish Removal, the low bidder, for Quabbin Administration Building and New Salem and Oakham Offices for FY01-FY02, as follows –
Administration Building, Quabbin
1 – 10 yard container, once a week pickup - \$175.00 per month.
Oakham
1 – 8 yard container, picked up every other week - \$97.00 per month.

New Salem

1 – 3 yard container picked up every other week - \$57.00 per month.

Time for Performance – July 1, 2000 through June 30, 2002.

Estimated Cost - \$7,896.00 – for two years.

Funding from Account No. 2420-1400-JJ.

The Commission V O T E D: to award Rubbish Removal Services, for Quabbin Administration Building and New Salem and Oakham Offices for FY01-FY02, to Fred J. Fijal Rubbish Removal, the low bidder, as recommended by Mr. McGinn in his report of May 15, 2000.

1. Report of Messrs. McGinn and Kane, May 23, recommending the following on Contract No. WM95-085-C1A, with WES Construction Corp., for Wachusett Reservoir – Boat Docking Facility –
 - (a) That work be accepted as completed as of December 31, 1999.
 - (b) That Estimate No. 6 (Final), in the amount of \$45,360.09, be approved for payment.
 - (c) That reserve, in the amount of \$24,968.47, be approved for payment.
 - (Basis of Award - \$475,250.00)
 - (Amount to Date - \$499,369.20)
 - (Contract Performance Rating – 4.00)
 - (EEO Compliance – 4.40)

The Commission V O T E D: that the work of WES Construction Corp., Contractor under Contract No. WM95-085-C1A, be and hereby is accepted as completed as of December 31, 1999.

The Commission further V O T E D: to approve Estimate 6 (Final), in the amount of \$45,360.09, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$24,968.47, for payment.
2. Report of Messrs. McGinn and Baratta, May 20, requesting approval and authorization to advertise Project No. WM00-061-C1A, for Construction of a Relief Sewer and Other Ancillary Structures in the Cambridge Street area of the City of Worcester.

Estimated Cost - \$900,000.00.

Time for Performance – nine months.

Account No. 2420-4995.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. WM00-061-C1A, for Construction of a Relief Sewer and Other Ancillary Structures in the Cambridge Street area of the City of Worcester.

Action was taken upon the following Various Matters:

1. The first part of the paper discusses the importance of maintaining accurate records of all transactions. It emphasizes that this is essential for the proper management of the company's finances and for ensuring that all stakeholders are kept informed of the company's financial health.

2. The second part of the paper discusses the importance of maintaining accurate records of all transactions. It emphasizes that this is essential for the proper management of the company's finances and for ensuring that all stakeholders are kept informed of the company's financial health.

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4. The fourth part of the paper discusses the importance of maintaining accurate records of all transactions. It emphasizes that this is essential for the proper management of the company's finances and for ensuring that all stakeholders are kept informed of the company's financial health.

5. The fifth part of the paper discusses the importance of maintaining accurate records of all transactions. It emphasizes that this is essential for the proper management of the company's finances and for ensuring that all stakeholders are kept informed of the company's financial health.

1. Report of Mr. Jewett, May 26, recommending award of the following three (3) Contract-Agreements for Open Order Contract No. GC00-0002, for Professional Real Estate Appraisal Services – Park Land Acquisition Program FY00/FY01 –

<u>NAME</u>	<u>VALUE</u>	<u>ASSIGNMENTS</u>
Reynolds Company 304 Victory Road Quincy, MA 02171	\$ 13,000.00	2
Meredith & Grew, Inc. 160 Federal Street Boston, MA 02110-1701	\$ 8,000.00	2
E.W.H. Anderson Real Estate Consulting, Valuation and Preservation 20 Old Dana Road Petersham, MA 01366	\$ 7,000.00	2

Mr. Jewett further requests authorization for Commissioner Balfour to execute the Contract-Agreements on behalf of the Commission.

Funding from Account No. 2421-9960.

The Commission V O T E D: to award Contract-Agreements for Open Order Contract No. GC00-0002 to Reynolds Company, Meredith & Grew, Inc., and E.W.H. Anderson Real Estate Consulting, Valuation and Preservation.

The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract-Agreements on behalf of the Commission.

2. Report of Mr. Jewett, May 26, recommending award of the following three (3) Contract-Agreements for Open Order Contract No. GC00-0002, for Professional Real Estate Title Examination Services – Park Land Acquisition Program FY00/FY01 –

<u>NAME</u>	<u>VALUE</u>	<u>PARCELS</u>
Law Offices of Peter E. Flynn, P.C. 78 Essex Street Saugus, MA 01906	\$ 8,195.00	9
George S. Norton, Esq. 140 Windemere Road Auburndale, MA 02166	\$ 7,520.00	11
Nancy Mahoney Harris, Esq. 4 Park View Drive Hingham, MA 02043	\$ 4,175.00	4

Mr. Jewett further requests authorization for Commissioner Balfour to execute the Contract-Agreements on behalf of the Commission.

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Funding from Account No. 2441-9960.

The Commission V O T E D: to award Contract-Agreements for Open Order Contract No. GC00-0002 to the Law Offices of Peter E. Flynn, P.C., George S. Norton, Esq. and Nancy Mahoney Harris, Esq.

The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract-Agreements on behalf of the Commission

Action was taken upon the following matters relating to the Office of General Counsel:

1. Report of Mr. Gray, May 26, recommending authorization of Lease Assignment by G. Arnold Haynes in certain Metropolitan District Commission property in the vicinity of the Charles River on Eliot Street in Newton.
The Commission V O T E D: to authorize G. Arnold Haynes to assign to Echo Bridge LLC, a Massachusetts limited liability company, his leasehold interest in a certain parcel of Commonwealth-owned property under the care and control of the Metropolitan District Commission, situated on Eliot Street in the City of Newton and comprising a portion of the MDC Charles River Restoration, which is more particularly described in the May 8, 1969 lease between the Commonwealth of Massachusetts and Telmwood Realty Trust, which authorization is granted on the condition that the assignment does not alter any terms or conditions of the Agreement for Partial Judgment as to Count 1 or the Modified Agreement for Partial Judgment as to Count 1 in Civil Action No. 88-1839, said terms and conditions specifically set forth as follows:
 - 1) That the lease to G. Arnold Haynes or his assignees shall expire on November 1, 2008.
 - 2) That the lease shall not include the property identified as Parcel 27A on "Plan of Parcel to be Leased to G. Arnold Haynes by the Commonwealth of Massachusetts and Revised Easements for Main Drain and Common Sewer."
 - 3) That G. Arnold Haynes or his assignees temporarily releases the parcel identified as Parcel L-1A on "Plan of Parcel to be Leased to G. Arnold Haynes by the Commonwealth of Massachusetts and Revised Easements for Main Drain and Common Sewer." This parcel shall become part of the leased premises upon completion of the sewer construction.
 - 4) That G. Arnold Haynes paid to MDC \$9,000.00 back rent from 1972 without interest, which condition was fulfilled on March 22, 1989.
 - 5) That G. Arnold Haynes or his assignees pays rent in the amount of \$900.00 per year for the remainder of the lease.
 - 6) That the Commonwealth recognizes that G. Arnold Haynes or his assignees has easements to maintain his sewer main and for pedestrian access to his building over the parcel immediately adjacent even after his lease expires
 - 7) That G. Arnold Haynes or his assignees agrees to remove paving and re-seed the leased property at the expiration of the lease on November 1, 2008.
2. Report of Mr. Gray, May 26, 2000, submitting for approval expenditure of \$ 48,000.00 in Open Order Contract No. GC00-0002, for Appraisal, Title and Related Services for Park

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Land Acquisition FY/00 – Middlesex, Suffolk, Norfolk, Essex and Plymouth Counties.
Account No. 2441-9960, under Section 2 of Chapter 15 of the Acts of 1996 (Open Space
Bond.)

The Commission V O T E D: Approved

Adjourned at 9:50 a.m., to meet on Thursday, June 8, 2000, at 9:00 a.m.


Secretary

Record of the Three Thousand Nine Hundred and Fortieth (3940th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, June 8, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on May 25, 2000 were read and approved.

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

1. Amendment No. 1, dated June 8, 2000, to Contract No. P97-1877-D1A, with Parsons Brinckerhoff Quade and Douglas, for Winthrop Shores Reservation Restoration Expanded Borrow Site Analysis.
2. Contract No. P00-2057-M1A, dated June 8, 2000, with Coviello Electric & General Contracting Co., Inc., for Electronic & Sound System Maintenance at MDC Sports Facilities, Recreational Areas, Properties and Buildings throughout the Metropolitan District.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher, Brooks and Balicki, June 1, recommending approval of revisions in quantities on Contract No. P00-2050-C1A, with J. D'Amico, Inc., for New Modular Gutter and Associated Piping, Magazine Beach Pool, Cambridge, as follows –
Item No. 001 – Unclassified Excavation - \$ 2,000.00
Item No. 003 – Lite Wt. Concrete Deck - \$28,860.00
Total - \$30,860.00
Funding from Account No. 2440-8952.
The Commission V O T E D: Approved.
4. Report of Messrs. Faucher, Brooks and Haider, May 30, recommending approval of a revision in quantities on Item No. 002-010 – Material and Parts – at a cost of \$4,000.00, on Contract No. P99-2005-M1A, with P.J. Kennedy and Sons, Inc., for Service and Maintenance to HVAC Systems at Various MDC Facilities.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 001-010 – Hourly Rate for Licensed Mechanics and Item No. 001-020 – Overtime for Licensed Technicians).
The Commission V O T E D: Approved.
5. Report of Messrs. Faucher, Brooks and Martinez, May 31, on bid for Repairs to Deck and Pipe Tunnel at Cass Pool, Roxbury, Contract No. P00-2052-C1A.
(Messrs. Faucher, Brooks and Martinez recommend acceptance of the only bid received, that of Cousins Contracting, Inc., of \$7,500.00).

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The Commission V O T E D: to accept the only bid received, that of Cousins Contracting, Inc., of \$7,500.00.

1. Report of Mr. Faucher and Mrs. Graves-Jones, May 24, requesting that the Commission Amend its vote of May 18, 2000, on Contract No. P00-2080-M1A, for Installation of Reflectorized Pavement Markings on the Parkways and Roadways of the MDC, by changing the Account No. from 2490-0017 to 2490-8881.
The Commission V O T E D: to Amend its vote of May 18, 2000, on Contract No. P00-2080-M1A, for Installation of Reflectorized Pavement Markings on the Parkways and Roadways of the MDC, by changing the Account No. from 2490-0017 to 2490-8881, as requested by Mr. Faucher and Mrs. Graves-Jones in their report of May 24, 2000.
2. Report of Messrs. Faucher, Brooks and Abounaja, May 31, requesting that the Commission Amend its vote of March 9, 2000, on Contract No. P00-2064-C1A, for Asbestos Abatement from Various MDC Facilities, by increasing the value from \$56,200.00 to \$76,200.00. (The additional funding of \$20,000.00 is being provided by the Division of Watershed Management to address asbestos abatement requirements of Watershed properties).
Account No. 2420-1400.
The Commission V O T E D: to Amend its vote of March 9, 2000, on Contract No. P00-2064-C1A, for Asbestos Abatement from Various MDC Facilities, by increasing the value from \$56,200.00 to \$76,200.00. The additional funding of \$20,000.00 will be provided by the Division of Watershed Management to address asbestos abatement requirements of Watershed properties. Account No. 2420-1400
3. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, June 2, on bids for Harbor Islands Pier Replacement, Contract No. P97-1881-C2A.
(Mrs. Overton Bussell and Messrs. Faucher and Orfant recommend acceptance of the lowest bid received, that of AGM Marine Contractors, Inc., of \$455,862.50).
The Commission V O T E D: to accept of the lowest bid received, that of AGM Marine Contractors, Inc., of \$455,862.50.
4. Report of Messrs. Faucher, Brooks and Abounaja, June 2, recommending approval of the request of the Contractor for an extension of time from June 17, 2000 to June 17, 2001, on Contract No. P95-1789-C3A, with Zenone, Inc., for Contaminated Site Clean up at Various MDC Facilities, to complete the Contaminated Site Clean up process at Various MDC Facilities. (At no additional Contract cost).
The Commission V O T E D: to approve for an extension of time from June 17, 2000 to June 17, 2001, as recommended by Messrs. Faucher, Brooks and Abounaja, in their report of June 2, 2000, 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 Messrs. Faucher and Lenhardt, and Miss Peterson, June 2, recommending that the Commission reject the only bid received, that of AGM Marine Contractors, Inc., for Repair and Modification to Floating Dock Units, George's Island, Project No. P99-1986-C1A, in the sum of \$53,580.00, as it is \$43,580.00 over the Engineers estimate for the project.

The first part of the paper discusses the importance of the study and the objectives of the research. It also mentions the scope of the study and the limitations. The second part of the paper discusses the methodology used in the study. It mentions the data sources and the data collection methods. The third part of the paper discusses the results of the study. It mentions the findings and the conclusions. The fourth part of the paper discusses the implications of the study. It mentions the practical applications and the future research. The fifth part of the paper discusses the references. It mentions the books, articles, and other sources used in the study.

The Commission V O T E D: to reject the only bid received, that of AGM Marine Contractors, Inc., for Repair and Modification to Floating Dock Units, George's Island, Project No. P99-1986-C1A, as recommended by Messrs. Faucher and Lenhardt and Miss Peterson in their report of June 2, 2000.

1. Report of Messrs. Faucher and Thurlow, May 25, requesting that the Commission rescind its vote of April 6, 2000 authorizing approval and authorization to advertise Project No. P92-1628-C9A, for Year 2000 Parkway Landscape Improvements, as the Division is of the opinion that the work should be divided into two – two year Contracts – one for Parkways Landscape Improvements and the other Arborcultural Improvements.
The Commission V O T E D: to rescind its vote of April 6, 2000 authorizing approval and authorization to advertise Project No. P92-1628-C9A, for Year 2000 Parkway Landscape Improvements, as requested by Messrs. Faucher and Thurlow in their report of May 25, 2000.
2. Report of Messrs. Faucher and Thurlow, May 25, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P92-1628-C9A, for Year 2000 and 2001 Parkway Landscape Improvements.
Estimated Cost - \$350,000.00.
Time for Performance – two years.
Account No. 2490-8910.
The Commission V O T E D: Approved.
The Commission further V O T E D: rescind its vote of April 6, 2000 authorizing approval and authorization to advertise Project No. P92-1628-C9A, for Year 2000 Parkway Landscape Improvements.
3. Report of Messrs. Faucher and Thurlow, May 26, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P00-2083-C1A, for Year 2000 and 2001 Arborcultural Improvements.
Estimated Cost - \$350,000.00.
Time for Performance – two years.
Account No. 2490-8910.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P00-2083-C1A, for Year 2000 and 2001 Arborcultural Improvements.
4. Report of Messrs. Faucher and Thurlow, June 5, requesting approval of an extension of time from May 30, 2000 to July 15, 2000, on Contract No. P95-1761-D1A, with Rojas Associates, Inc., for Playground Design Services, due to an expanded timetable of construction beyond original completion date.
The Commission V O T E D: Approved.
5. Report of Messrs. Faucher, Brooks and Kane, June 5, requesting approval of an extension of time from June 1, 2000 to July 3, 2000, on Contract No. P00-2042-C1A, with Massey Construction Corp., for Renovations to the McCrehan Memorial Pool House, North Cambridge. The extension of time from June 16, 2000 to July 3, 2000, is for administrative purposes only.

The Commission V O T E D: to approve an extension of time from June 1, 2000 to July 3, 2000, as requested by Messrs. Faucher, Brooks and Kane in their report of June 5, 2000, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher, Brooks and Balicki, June 2, recommending approval of the request of the Contractor for an extension of time from June 1, 2000 to July 3, 2000, on Contract No. P00-2050-C1A, with J. D'Amico, Inc., for New Modular Gutter System and Associated Piping, Magazine Beach Pool, Cambridge, due to request of MDC for extra work on the Contract. The extension of time from June 15, 2000 to July 3, 2000 is for administrative purposes only.
The Commission V O T E D: to approve an extension of time from June 1, 2000 to July 3, 2000, as recommended by Messrs. Faucher, Brooks and Balicki in their report of June 2, 2000, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation.
Report of Messrs. Faucher, Brooks and Balicki, June 5, requesting approval of an extension of time from June 1, 2000 to June 15, 2000, on Contract No. P00-2044-C1A, with B.S.A. Painting Co., Inc., to Waterblast, Caulk and Paint Swimming Pools, Various Locations.
The extension is necessary so that the work on the contract can be completed.
The Commission V O T E D: to approve an extension of time from June 1, 2000 to June 15, 2000, as requested by Messrs. Faucher, Brooks and Balicki in their report of June 5, 2000, 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 Messrs. Faucher, Brooks and Balicki, June 2, recommending that the Commission reject the bids of N.E.L. Corp., because of a lack of experience in dam construction and Atlantic Millwrights because they did not include a bid bond with their bid, on Contract No. P00-2071-C1A, for Concrete Grillage Repair and Hydraulic Cylinder Installation at the Amelia Earhart Dam, Somerville.
(Messrs. Faucher, Brooks and Balicki recommend acceptance of the bid of All Star Construction Co., Inc., of \$24,730.00).
The Commission V O T E D: to reject the bids of N.E.L. Corp., because of a lack of experience in dam construction and Atlantic Millwrights because they did not include a bid bond with their bid, on Contract No. P00-2071-C1A.
The Commission further V O T E D: to accept the bid of All Star Construction Co., Inc., of \$24,730.00.
3. Report of Messrs. Faucher and Thurlow, June 5, recommending approval of the request of the Contractor for an extension of time from May 31, 2000 to July 15, 2000, on Contract No. P97-1870-C3A, with D & R Contracting/MDR Construction Co., Inc., for Reconstruction of Artesani Playground, Brighton, in order to complete all construction work and for administrative purposes only.
The Commission V O T E D: to approve for an extension of time from May 31, 2000 to July 15, 2000, as recommended by Messrs. Faucher and Thurlow in their report of June 5, 2000, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Thurlow, June 5, recommending approval of the request of the Contractor for an extension of time from May 31, 2000 to July 15, 2000, on Contract No. P97-1871-C2B, with SB General Contracting Co., for Construction of New Comfort Station at Artesani Playground, Brighton, in order to complete all construction work and for administrative purposes only.

The Commission V O T E D: to approve an extension of time from May 31, 2000 to July 15, 2000, as recommended by Messrs. Faucher and Thurlow in their report of June 5, 2000, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher, Carrigan and Machado, June 2, recommending approval of revisions in quantities on Contract No. P99-2018-C1A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations Throughout the Metropolitan Area, as follows –

Item No. 001-010	\$ 4,563.00
Unclassified Excavation	
Item No. 003-020	\$ 4,058.10
Reclaimed Pavement Borrow Materials for Subbase Course	
Item No. 008-010	\$ 100.00
Utility Boxes Adjusted Grade	
Item No. 010-010	\$10,514.00
Granite Edgestone Removed and Reset	
Item No. 014-010	\$ 200.00
New Granite Corner Blocks, 2 Foot Radius	
Item No. 015-010	\$ 2,168.00
Pavement Trimming	
Item No. 016-010	\$ 2,100.00
Cement Concrete in Front of Edgestone	
Item No. 020-010	\$ 600.00
Pedestrian Ramps	
Item No. 021-010	\$16,526.40
Bituminous Concrete for Sidewalks, Driveways, Patching, Small Parking Lots, and Sport Courts	
Item No. 027-010	<u>\$ 9,170.50</u>
Traffic Control Services	

Total - \$50,000.00

Funding from Account No. 2490-0010.

The Commission V O T E D: Approved.

3. Report of Messrs. Faucher, Carrigan and Machado, June 2, recommending approval of revisions in quantities on Contract No. P99-2018-C1A, with D & R General Contracting, Inc./MDR General Contracting Company, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations Throughout the Metropolitan Area as follows –

Item No. 001-010	\$11,110.00
Unclassified Excavation	
Item No. 003-020	\$ 7,717.50
Reclaimed Pavement Borrow Materials for Subbase Course	
Item No. 009-010	\$ 480.00
Curbing or Edging, Removed and Disposed of	
Item No. 021-010	<u>\$60,000.00</u>
Bituminous Concrete for Sidewalks, Driveways, Patching, Small Parking Lots, and Sport Courts	
Total -	\$79,307.50

Funding from Account Nos. 2440-0501 and 2440-8885.
The Commission V O T E D: Approved.

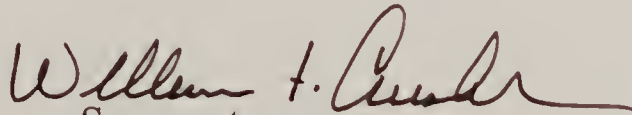
Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Lacy, June 1, requesting approval of an Amendment for an extension of time from May 31, 2000 to December 31, 2000, on Contract No. WM96-078-X1A, with Beals and Thomas, Inc., for Rutland Master Plan Update Technical Assistance Project, due to unexpected delays.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

Action was taken upon the following Various Matter:

2. Report of Mrs. Overton Bussell and Johnston, June 1, requesting approval of Amendment No. 2, to Contract No. P98-1967-X1A, with Health Resources Corporation, for Employee Medical Surveillance Program, which adds \$10,000.00 to the second option year of the contract and increases the value to \$30,000.00 and extends the time of performance from June 30, 1999 to June 30, 2001.
Funding from Account No. 2440-0010.
The Commission V O T E D: Approved.

Adjourned at 9:55 a.m., to meet on Thursday, June 15, 2000, at 9:00 a.m.


Secretary

Record of the Three Thousand Nine Hundred and Fortieth (3941st^h) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, June 15, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on June 1, 2000 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Brooks and Haider, June 8, on bids for Removal and Installation of 48ft x 48ft Wooden Dance Floor, Hull, Contract No. P00-2081-C1A.
(Messrs. Faucher, Brooks and Haider recommend acceptance of the lowest bid received, that of G.V.W., Inc., of \$9,985.00).
The Commission V O T E D: to accept the lowest bid received, that of G.V.W., Inc., of \$9,985.00.
2. Report of Messrs. Faucher and Thurlow, May 24, on bids for Construction of Playground and Exercise Station at Spot Pond in Stoneham and Breakheart Reservation in Saugus, Contract No. P00-2054-C1A.
(Messrs. Faucher and Thurlow recommend acceptance of the lowest bid received, that of James A. Gross, Inc., of \$117,400.00).
Messrs. Faucher and Thurlow further recommend execution of the Contract by the Commission.
The Commission V O T E D: to accept the lowest bid received, that of James A. Gross, Inc., of \$117,400.00
The Secretary then submitted for signature, Contract No. P00-2054-C1A, dated June 15, 2000, with James A. Gross, Inc., which was signed by the Commissioner and four Associate Commissioners.
3. Report of Messrs. Faucher and Lenhardt, May 30, on bids for Repair of Woods Memorial Bridge Deck, Everett/Medford, Contract No. P00-2046-C1A.
(Messrs. Faucher and Lenhardt recommend acceptance of the lowest bid received, that of B & E Construction Corp., of \$217,245.00).
Messrs. Faucher and Lenhardt further recommend execution of the Contract by the Commission.
The Commission V O T E D: to accept the lowest bid received, that of B & E Construction Corp., of \$217,245.00.
The Secretary then submitted for signature, Contract No. P00-2046-C1A, dated June 15, 2000, with B & E Construction Corp., which was signed by the Commissioner and four Associate Commissioners.

1. Report of Messrs. Faucher and Brooks, June 7, on bids for Maintenance of Refrigeration Systems Located in Ice Skating Rinks Within the Metropolitan Parks Systems, Contract No. P00-2078-M1A.
Messrs. Faucher and Brooks recommend rejection of both bids received, due to Refrigeration Engineering and Contracting Co., Inc., the low bidder, failure to submit required certificate of eligibility with their proposal, making the bid incomplete and invalid and Lewis Refrigeration Co., the second bidder, bid was 13.82% above the Engineer's estimate.
Messrs. Faucher and Brooks further recommend authorization to readvertise the project as Contract No. P00-2078-M2A, Maintenance of Refrigeration Systems Located in Ice Skating Rinks Within the Metropolitan Parks System.
Account No. 2040-0010.
The Commission V O T E D: to reject both bids received on Contract No. P00-2078-M1A, as recommended by Messrs. Faucher and Brooks in their report of June 7, 2000.
The Commission further V O T E D: authorization to readvertise the project as Contract No. P00-2078-M2A, Maintenance of Refrigeration Systems Located in Ice Skating Rinks Within the Metropolitan Parks System.
2. Report of Messrs. Faucher and Lenhardt, June 9, requesting approval of the following on Contract No. PL97-044-C1A, with WES Construction Corp., for Pope John Paul II Park, Phase I, Neponset River Reservation, Boston – Extra Work Order No. 3, in the amount of \$14,500.00, for Installation of Three Flagpoles and a Commemorative Rock and a Revision to Alteration No. 2 – ‘Credit to the Commission’ – from a credit of \$240,650.00, to a credit of \$270,800.00, resulting from DEP approved fill into the project at a rate of \$50.00 a truckload.
The Commission V O T E D: to approve Extra Work Order No. 3, in the amount of \$14,500.00.
The Commission further V O T E D: to approve a Revision to Alteration No. 2 - ‘Credit to the Commission’ from a credit of \$240,650.00, to a credit of \$270,800.00.
3. Report of Mr. Faucher and Mrs. Graves Jones, June 8, requesting approval of implementation of traffic lane reductions along Charles River Road and North Beacon Street and further requesting approval of the following revisions in quantities, (necessary to implement the traffic lane reductions), on Contract No. P99-1991-M1A, with Hi-Way Safety Systems, Inc., for Installation of Reflectorized Pavement markings on Parkways and Roadways of MDC –

Item No. 003-010	\$ 8,618.31
4 inch Reflectorized (Thermoplastic)	
tem No. 007-010	\$ 2,279.14
Reflectorized Pavement Symbols and Legends (Thermoplastic)	
Item No. 009-010	<u>\$14,102.55</u>
Pavement Marking Removal (Thermoplastic)	
	Total - \$25,000.00

Funds are available in Account No. 2448-0052.
(The Town of Watertown, through its Watertown Arsenal Redevelopment Corporation, has funded \$25,000.00 towards the cost of traffic lane reductions along the Charles River Road and North Beacon Street).

The Commission V O T E D: to approve the implementation of traffic lane reductions along Charles River Road and North Beacon Street, as requested by Mr. Faucher and Mrs. Graves Jones in their report of June 8, 2000.

The Commission further V O T E D: to approve the Revisions in Quantities, in the amount of \$25,000.00.

1. Report of Messrs. Faucher, Carrigan and Machado, May 25, requesting approval of Extra Work Order No. 3, to Remove 220 linear feet of 6 foot high chain link fence topped with a three strand barb wire and reinstall the fence into an existing MWRA fence to protect the Spot Pond Pumping Station, Stoneham from unauthorized entry by the public, at a cost of \$6,540.96, on Contract No. P99-2019-C1A, with D'Allessandro Corporation, for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan Area.
 (At no increase in Contract cost as the Extra Work will be offset by unused quantities in Item No. 091-020 – New Posts Installed).

The Commission V O T E D: to approve Extra Work Order No. 3, in the amount of \$6,540.96.

2. Report of Messrs. Faucher, Carrigan and Machado, May 26, requesting the following on Contract No. P99-2019-C1A, with D'Allessandro Corporation, for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan District Park System –
 1. Ratify the action of Deputy Commissioner Faucher directing the Contractor to perform work associated with Revision in Quantity of Item No. 092-030 – Anchor Bolts for Median Barrier Posts.
 2. Approve Revisions in Quantities on Item No. 059-010 – Black Vinyl Clad Chain Line Fence 6 Feet High, in the amount of \$2,599.50 and Item No. 092-030 – Anchor Bolts for Median Barrier Posts, in the amount of \$4,233.60, for a total amount of \$6,833.10.

(At no additional contract cost as the Revisions will be offset by an unused quantity in Item No. 091-020 – New Posts Installed).

The Commission V O T E D: to Ratify the action of Deputy Commissioner Faucher directing the Contractor to perform work associated with Revision in Quantity of Item No. 092-030 – Anchor Bolts for Median Barrier Posts.

The Commission further V O T E D: to approve the Revisions in Quantities, in the amount of \$6,833.10.

3. Report of Messrs. Faucher, Carrigan and Machado, May 31, recommending approval of revisions in quantities on Contract No. P99-2017-C1A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Resurfacing MDC Parkways at Various Locations throughout the Metropolitan District, as follows –

Item No. 002-010	\$ 80,000.00
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0" -4" Cold Planning

Item No. 004-010	\$ 3,000.00
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Catch Basins and Manholes adjusted to Grade

Item No. 005-010	\$ 7,500.00
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Catch Basins and Manholes, Rebuilt

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First main paragraph of text, starting with a capital letter.

Second main paragraph of text, continuing the narrative or argument.

Third main paragraph of text, showing a shift in focus or detail.

Fourth main paragraph of text, possibly a concluding thought or summary.

Fifth main paragraph of text, providing further context or information.

Sixth main paragraph of text, ending the visible section of the document.

Item No. 006-010	\$ 1,800.00
Utility Boxes adjusted to Grade	
Item No. 007-010	\$194,940.00
Bituminous Concrete	
Item No. 008-010	\$ 16,500.00
Bituminous Concrete for Sidewalks, Driveways, Patching, Small Parking Lots and Sport Courts	
Item No. 009-010	\$ 6,500.00
Bituminous Tack Coat	
Item No. 010-010	\$ 3,440.00
Granite Edgestone Type VA4-6" x 18", Remove and Reset	
Item No. 014-010	\$ 278.40
Pavement Trimming	
Item No. 015-010	\$ 675.00
Cement Concrete in front of Edgestone	
Item No. 016-010	\$ 13,500.00
4" Reflectorized Pavement Markings (Thermoplastic)	
Item No. 017-010	\$ 97.50
8" Reflectorized Pavement Markings (Thermoplastic)	
Item No. 018-010	\$ 1,680.00
12" Reflectorized Pavement Markings (Thermoplastic)	
Item No. 020-010	\$ 13,650.00
Traffic Signals Detector Loops	
Item No. 021-010	\$ 23,000.00
Traffic Control Services	
Item No. 024-010	\$ 3,900.00
Rebuilding of Deteriorated Catch Basins or Drop Inlets Excluding Cost of Casting	
Item No. 030-010	\$ 4,500.00
Loam Borrow	
Item No. 031-010	<u>\$ 9,500.00</u>
Grading, Liming, Fertilizing and Seeding	

Total - \$384,460.90

(At no additional Contract cost as the Revisions will be offset by previously approved funding which was reimbursed by the MWRA for drainage and resurfacing improvements on Woodland Road, Pond Street, and South Street, Medford and Stoneham, and unused quantities in Item Nos. 009-010, 010-020, 011-010, 012-010, 022-010, 023-010, 026-010, 027-010, 028-010, 032-010, 037-010 and 044-010.

The Commission V O T E D: Approved as recommended by Messrs. Faucher, Carrigan and Machado in their report of May 31, 2000.

1. Report of Messrs. Faucher and Carrigan, June 8, requesting approval of the following Extra Work authorized by Deputy Commissioner Faucher pursuant to Commission Policy, on Contract No. P99-2017-C1A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Resurfacing MDC Parkways at Various Locations throughout the Metropolitan Area –

Extra Work No. 5 **cost not-to-exceed - \$7,575.45**

To install and remove on a daily basis (maximum of 5 days) fabricated plywood sheets with a protective fabric gortex material to protect track and wood ties from possible damage on an Amtrak administrated railroad track beneath an MDC Bridge undergoing deck repairs, on Revere Beach Parkway in Everett and employment of a railroad flagman, required by Amtrak. Funds are available in Account No. 2490-0017.

The Commission V O T E D: to approve Extra Work No. 5, at a cost not-to-exceed \$7,575.45, as requested by Messrs. Faucher and Carrigan in their report of June 8, 2000.

1. Report of Messrs. Faucher and Soroka, June 12, recommending approval of the following revisions in quantities on Contract No. P99-1988-C1A, with MRP Site Development, Inc., for Santilli Circle Safety Improvements, Everett, contingent upon receipt of funds from Developers Diversified Realty Corporation (DDRC) under the Project Financial Agreement between the MDC and DDRC –

Item No. 121-100	\$ 21,600.00
Unclassified Excavation	
Item No. 150-000	\$ 4,000.00
Ordinary Borrow	
Item No. 151-000	\$ 49,000.00
Gravel Borrow	
Item No. 180-400	\$105,000.00
Handling and Stockpile Contaminated Soil	
Item No. 181-500	\$148,750.00
Special Waste Soil	
Item No. 241-120	\$ 3,690.00
(12") RCP	
Item No. 241-180	\$ 4,620.00
(18") RCP	
Item No. 241-300	\$ 350.00
(30") RCP	
Item No. 244-150	\$ <u>1,947.00</u>
(15") RCP Class V	

Total - \$338,957.00

The Commission V O T E D: to approve the Revisions in Quantities, in the amount of \$338,957.00, contingent upon receipt of funds from Developers Diversified Realty Corporation.

2. Report of Messrs. Faucher and Thurlow, June 8, requesting approval of Alteration No. 4, for installation of access panels in main pipe chase, to relocate equipment access hatch and frame to install wind and rain barriers in roof vent Louvers, at a cost of \$6,084.78, on Contract No. P97-1871-C2B, with SB General Contracting, Inc., for Construction of New Comfort Station, Artesani Playground.
 Funding from Account No. 2440-9800.
 The Commission V O T E D: to approve Alteration No. 4, in the amount of \$6,084.78.

1. Report of Messrs. Faucher and Thurlow, June 8, requesting approval of Alteration No. 5 for epoxy coating of the floors and walls, at a cost of \$12,902.18, on Contract No. P97-1871-C2B, with SB General Contracting, Inc., for Construction of New Comfort Station at Artesani Playground.
Funding from Account No. 2440-9800.
The Commission V O T E D: to approve Alteration No. 5, in the amount of \$12,902.18.
2. Report of Messrs. Faucher and Thurlow, June 8, requesting approval of Alteration No. 6, for installation of redesigned fill/refill water line and isolation and winterization valves and unions for the special spray features at the pool, at a cost of \$10,999.96, on Contract No. P97-1870-3A, with D & R Contracting/MDR Construction, Co., Inc., for Reconstruction of Artesani Playground.
Funding from Account No. 2440-9800.
The Commission V O T E D: to approve Alteration No. 6, in the amount of \$10,999.96.
3. Report of Messrs. Faucher and Thurlow, June 9, requesting approval of Alteration No. 7, for the installation of revised new filtration systems pumps and filters, at a cost of \$1,742.25, on Contract No. P97-1870-C3A, with D & R Contracting/MDR Construction Co., Inc., for Reconstruction of Artesani Playground.
Funding from Account No. 2440-9800.
The Commission V O T E D: to approve Alteration No. 7, in the amount of \$1,742.25.

Action was taken upon the following matter relating to the Office of Watershed Management:

4. Report of Messrs. McGinn and Kane, May 30, requesting approval and execution of Amendment No. 2, for an extension of time from July 1, 2000 to June 1, 2001, necessary to conduct underwater inspections of the Winsor Dam conduits, on Contract No. WM96-011-S1A, with GEI Consultants, for Follow-Up Investigation, Winsor Dam, Ware/Belchertown, Massachusetts.
The Commission V O T E D: Approved.
The Amendment did not arrive by the start of the Meeting. Therefore, it will be executed at a later Commission Meeting.

Action was taken upon the following Various Matters:

5. Report of Mr. Jewett, June 13, on behalf of the Consultant Selection Committee, requesting approval of Contract No. P00-2058-D1A, with STV Incorporated, for Study and Design of Pedestrian Crossing, VFW Parkway, West Roxbury, and further to authorize a Contract be prepared for execution.
Compensation - Cost plus fixed fee basis – estimated at \$100,000.00 – subject to negotiations.
Time for Performance – Twelve months.
Account No. 2495-8998.
The Commission V O T E D: Approved.
The Commission further V O T E D: to authorize Mr. Jewett to prepare the Contract for Commission execution.

1. Report of Mr. Jewett, June 13, requesting approval of Contract No. PL00-066-D1A, with Aquatic Control Technology, Inc., for Charles River Lakes District Mechanical Weed Harvesting Program-2000, and further to authorize a Contract be prepared for execution.
Compensation – Not-to-exceed \$100,000.00 and paid on a unit price basis
Time for Performance – approximately seven months
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: to authorize Mr. Jewett to prepare the Contract for Commission execution.

Adjourned at 9:50 a.m., to meet on Thursday, June 22, 2000, at 9:00 a.m.


Secretary

Record of the Three Thousand Nine Hundred and Forty Second (3942nd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, June 22, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on June 8, 2000 were read and approved.

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

1. Amendment No. 2, dated June 22, 2000, to Contract-Agreement No. WM96-011-S1A, with GEI Consultants, for Follow-Up Investigation, Winsor Dam, Ware/Belchertown.
2. Contract-Agreement No. PL00-066-D1A, dated June 22, 2000, with Aquatic Control Technology, Inc., for Charles River Lakes District Mechanical Weed Harvesting Program – 2000.
3. Contract No. P00-2071-C1A, dated June 22, 2000, with All Star Construction Co., Inc., for Concrete Grillage Repair and Hydraulic Cylinder Installation at the Amelia Earhart Dam, Somerville.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Messrs. Faucher and Lenhardt, May 23, recommending the following on Contract No. P99-1992-C1A, with N.E.L. Corporation, for Remedial Repairs to Beades Drawbridge, Boston –
 - (a) That work be accepted as completed as of March 31, 2000.
 - (b) That Estimate No. 5 (Final), in the amount of \$22,637.95, be approved for payment.
 - (c) That reserve, in the amount of \$19,836.37, be approved for payment.
 - (Basis of Award - \$328,034.00)
 - (Amount to Date - \$396,727.49)
 - (Contract Performance Rating – 3.67)
 - (EEO Compliance – 3.60)

Associate Commissioner Rollins questioned why, as stated in the back-up information provided for this item, having a minority enterprise subcontracted to work on the drawbridge is not feasible.

Mr. Lenhardt responded that this is a specialty item and only a limited number of contractors are qualified to do this work.

The Commission V O T E D: that the work of N.E.L. Corporation, Contractor under Contract No. P99-1992-C1A, be and hereby is accepted as completed as of March 31, 2000.

The Commission further V O T E D: to approve Estimate No. 5 (Final), in the amount of \$22,637.95, for payment.

The first part of the paper is devoted to a discussion of the general principles of the theory of the structure of the atom.

In the second part of the paper the author discusses the question of the structure of the atom in the case of a many-electron atom.

The third part of the paper is devoted to a discussion of the question of the structure of the atom in the case of a many-electron atom.

The fourth part of the paper is devoted to a discussion of the question of the structure of the atom in the case of a many-electron atom.

The fifth part of the paper is devoted to a discussion of the question of the structure of the atom in the case of a many-electron atom.

The sixth part of the paper is devoted to a discussion of the question of the structure of the atom in the case of a many-electron atom.

The seventh part of the paper is devoted to a discussion of the question of the structure of the atom in the case of a many-electron atom.

The eighth part of the paper is devoted to a discussion of the question of the structure of the atom in the case of a many-electron atom.

The ninth part of the paper is devoted to a discussion of the question of the structure of the atom in the case of a many-electron atom.

The tenth part of the paper is devoted to a discussion of the question of the structure of the atom in the case of a many-electron atom.

The eleventh part of the paper is devoted to a discussion of the question of the structure of the atom in the case of a many-electron atom.

The twelfth part of the paper is devoted to a discussion of the question of the structure of the atom in the case of a many-electron atom.

The Commission further V O T E D: to approve release of reserve, in the amount of \$19,836.37, for payment.

- Meeting of 8/03/00 the Commission VOTED: to amend the vote of 6.22.00 to read: to accept the lowest bid received that of Allied Weatherproofing Co. Inc. at \$320,030.00*
1. Report of Messrs. Faucher, Brooks and Martinez, June 9, on bids for Renovations to Service Building at Connors Pool, Waltham, Contract No. P00-2053-C2A.
(Messrs. Faucher, Brooks and Martinez recommend acceptance of the lowest bid received, that of Allied Weatherproofing Co., Inc., of \$230,000.00 – adjusted with a roofing allowance of \$43,000.00 to a total of \$273,000.00).
The Commission V O T E D: to accept the lowest bid received, that of Allied Weatherproofing Co., Inc., of \$230,000.00.
 2. Report of Mr. Faucher and Mrs. Graves-Jones, June 12, recommending approval of a revision in quantities on Item No. 003-010 – for 4 inch Reflectorized (Thermoplastic) – at a cost of \$10,800.00 on Contract No. P99-1991-M1A, with Hi-Way Safety Systems, Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the MDC.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 005-010 – Reflectorized Line – Thermoplastic).
The Commission V O T E D: Approved.
 3. Report of Messrs. Faucher, Brooks and Haider, May 25, recommending the following on Contract No. P98-1948-C1A, with Jay-Mor Enterprises, Inc., for Demolition of Bathhouse at Havey Beach, V.F.W. Parkway, West Roxbury –
(a) That work be accepted as completed as of April 20, 2000.
(b) That Estimate No. 2 (Final), in the amount of \$3,116.00, be approved for payment.
(c) That reserve, in the amount of \$820.00, be approved for payment.
(Basis of Award - \$16,400.00)
(Amount to Date - \$16,400.00)
(Contract Performance Rating – 4.00)
(EEO Compliance – 4.67)
The Commission V O T E D: that the work of Jay-Mor Enterprises, Inc., Contractor under Contract No. P98-1948-C1A, be and hereby is accepted as completed as of April 20, 2000.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of \$3,116.00, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of \$820.00 for payment
 4. Report of Mrs. Overton Bussell and Messrs. Faucher and DiRamio, June 15, recommending approval of the action of Deputy Commissioner Faucher, resulting in Alteration No. 5 to Item No. 009-030 – Pedestrian Bridge Structure – which adds six new climbing guards on the pedestrian overpass – for safety purposes at a cost of \$12,545.00, on Contract No. P95-1783-C1A, with B & E Construction Corporation, for Rehabilitation of Constitution Beach, East Boston.

THE HISTORY OF THE UNITED STATES

OF THE UNITED STATES OF AMERICA
FROM THE FIRST SETTLEMENTS TO THE PRESENT TIME
BY JAMES M. SMITH

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(At no increase in Contract cost as the Alteration will be offset by unused quantities in Item No. 008-040 – Resurface Trench).

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Alteration No. 5 to Item No. 009-030 – Pedestrian Bridge Structure. on Contract No. P95-1783-C1A.

The Commission further V O T E D: to approve Alteration No. 5, in the amount of \$12,545.00.

1. Report of Messrs. Faucher, Brooks and Kane, June 7, requesting approval of the following extra work authorized by Deputy Commissioner Faucher pursuant to Commission Policy, on Contract No. P00-2042-C1A, with Massey Construction Corporation, for Renovations to the McCrehan Memorial Pool House, North Cambridge.
Extra Work Order No. 7 **\$2,603.00**
Installation of exhaust fans and associated ductwork,
electrical work framing etc., in the handicapped
bathrooms/shower rooms.
Funding from Account No. 2440-0501.
The Commission V O T E D: to approve Extra Work Order No. 7, in the amount \$2,603.00.
2. Report of Messrs. Faucher and Griffin, June 8, on bids for Repair of Craigie Drawbridge, Boston, Contract No. P00-2045-C1A.
(Messrs. Faucher and Griffin recommend acceptance of the lowest bid received, that of N.E.L. Corporation of \$189,800.00
Add Alternate 1 - \$ 25,000.00
Add Alternate 2 - \$ 7,200.00
for a total of - \$222,000.00).
Messrs. Faucher and Griffin further request execution of the Contract by the Commission.
The Commission V O T E D: to accept the lowest bid received, that of N.E.L. Corporation, in the total amount of \$222,000.00, as recommended by Messrs. Faucher and Griffin in their report of June 8, 2000.
The Secretary then submitted for signature Contract No. P00-2045-C1A, dated June 22, 2000, which was signed by the Commissioner and four Associate Commissioners.
3. Report of Messrs. Faucher, Carrigan and Machado, June 12, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P00-2085-C1A, for Resurfacing of MDC Parkways at Various Locations Throughout the Metropolitan District.
Estimated Cost - \$3,000,000.00
Time for Performance – Twenty-four months
Account Nos. 2490-0017 and 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P00-2085-C1A, for Resurfacing of MDC Parkways at Various Locations Throughout the Metropolitan District
4. Report of Messrs. Faucher, Carrigan and Machado, June 12, submitting

1. The first part of the report deals with the general situation of the country and the progress of the work during the year. It is divided into two main sections: the first section deals with the general situation of the country and the progress of the work during the year, and the second section deals with the results of the work during the year.

2. The second part of the report deals with the results of the work during the year. It is divided into two main sections: the first section deals with the results of the work during the year, and the second section deals with the results of the work during the year.

3. The third part of the report deals with the results of the work during the year. It is divided into two main sections: the first section deals with the results of the work during the year, and the second section deals with the results of the work during the year.

4. The fourth part of the report deals with the results of the work during the year. It is divided into two main sections: the first section deals with the results of the work during the year, and the second section deals with the results of the work during the year.

5. The fifth part of the report deals with the results of the work during the year. It is divided into two main sections: the first section deals with the results of the work during the year, and the second section deals with the results of the work during the year.

6. The sixth part of the report deals with the results of the work during the year. It is divided into two main sections: the first section deals with the results of the work during the year, and the second section deals with the results of the work during the year.

7. The seventh part of the report deals with the results of the work during the year. It is divided into two main sections: the first section deals with the results of the work during the year, and the second section deals with the results of the work during the year.

8. The eighth part of the report deals with the results of the work during the year. It is divided into two main sections: the first section deals with the results of the work during the year, and the second section deals with the results of the work during the year.

9. The ninth part of the report deals with the results of the work during the year. It is divided into two main sections: the first section deals with the results of the work during the year, and the second section deals with the results of the work during the year.

10. The tenth part of the report deals with the results of the work during the year. It is divided into two main sections: the first section deals with the results of the work during the year, and the second section deals with the results of the work during the year.

for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P00-2086-C1A, for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations Throughout the Metropolitan District.

Estimated Cost - \$1,200,000.00

Time for Performance – Twenty-four months

Account Nos. 2490-0017 and 2440-8952.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P00-2086-C1A, for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations Throughout the Metropolitan District.

1. Report of Messrs. Faucher and Thurlow, June 15, requesting approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 5, for Installation of Fencing and Sod, in the sum of \$11,349.50, on Contract No. P97-1870-C3A, with D & R General Contracting Inc./MDR Construction Co., Inc., for Reconstruction of Artesani Playground, Brighton.
Funding from Account No. 2440-8952.
The Commission V O T E D: to approve action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 5, on Contract No. P97-1870-C3A.
The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of \$11,349.50
2. Report of Messrs. Faucher and Thurlow, June 15, requesting approval of the action of Deputy Commissioner Faucher, resulting in Extra Work Order No. 6, for Installation of Flagpoles, Commemorative Boulder, Flowers and SpotLight, in the sum of \$13,587.98, on Contract No. P97-1870-C3A, with D & R General Contracting Inc./MDR Construction Co., Inc., for Reconstruction of Artesani Playground, Brighton.
Funding from Account No. 2440-8952.
The Commission V O T E D: to approve action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 6, on Contract No. P97-1870-C3A.
The Commission further V O T E D: to approve Extra Work Order No. 6, in the amount of \$13,587.98.
3. Report of Messrs. Faucher, Brooks and Balicki, June 13, requesting approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 1, for relocating existing lighting fixtures, at a cost not-to-exceed \$843.52, on Contract No. P99-2000-C1A, with Davison Co., Inc., for Improvements to Ventilation, Neponset Garage (at no increase in Contract cost as the extra work will be offset by unused quantities in Item No. 201.B, New Air Distribution Ductwork).
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 1, on Contract No. P99-2000-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of \$843.52.

1. Report of Messrs. Faucher, Brooks and Balicki, June 8, requesting approval of extra work on Contract No. P99-2050-C1A, with J. D'Amico, Inc., for New Modular Gutter System and Associated Piping, Magazine Beach Pool, Cambridge, as follows:

EW0-1 – Support for Concrete Plank -	\$11,500.00
EW0-2 – Piping Access Hatches and Ladders -	\$5,498.42
EW0-3 – Bury Wading Pool Piping -	\$3,100.00
EW0-4 – Two New Lifeguard Chairs -	\$5,700.00
EW0-5 – Platform for Handicap Access -	<u>\$1,450.00</u>
Total	\$27,248.42

Funding from Account No. 2440-8952.

The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$11,500.00.

The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of \$5,498.42.

The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of \$3,100.00.

The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of \$5,700.00.

The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of \$1,450.00.
2. Report of Messrs. Faucher and Thurlow, May 30, recommending the following on Contract No. P99-2020-C1A, with Tree Technology & Landscape Co., Inc., for Landscape Improvements at Bellevue Hill, West Roxbury –
 - (a) That work be accepted as completed as of March 31, 2000.
 - (b) That Estimate No. 2 (Final), in the amount of \$7,214.30, be approved for payment.
 - (c) That reserve, in the amount of \$1,080.00, be approved for payment.

(Basis of Award - \$21,600.00)

(Amount to Date - \$ 1,080.00)

(Contract Performance Rating – 4.08)

(EEO Compliance – 1.25)

The Commission V O T E D: that the work of Tree Technology & Landscape Co., Inc., Contractor under Contract No. P99-2020-C1A, be and hereby is accepted as completed as of March 31, 2000.

The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of \$7,214.30, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$1,080.00, for payment.
3. Report of Messrs. Faucher and McCalla, May 31, recommending the following on Contract No. P98-1938-M1A, with Boston Edison Company, for Maintenance of Street Lighting Systems on Parkways and Roadways and Properties at Various Locations -
 - (a) That work be accepted as completed as of January 31, 2000.
 - (b) That Estimate No. 24 (Final), in the amount of \$5,009.07, be approved for payment.

(c) That reserve of \$21,028.86, (less \$6,000.00 credit due the Commission for missing and damaged material held in storage) be approved, in the amount of \$15,028.86 for payment.

(Basis of Award - \$526,986.90)

(Amount to Date - \$548,376.93)

(Contract Performance Rating – 3.20)

(EEO Compliance – 1.25)

The Commission V O T E D: that the work of Boston Edison Company, Contractor under Contract No. P98-1938-M1A, be and hereby is accepted as completed as of January 31, 2000. The Commission further V O T E D: to approve Estimate No. 24 (Final), in the amount of \$5,009.07.

The Commission further V O T E D: that reserve of \$21,028.86, (less \$6,000.00 credit due the Commission for missing and damaged material held in storage) be approved, in the amount of \$15,028.86 for payment.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Mr. McGinn and Ms. McGrath, June 1, requesting approval of an extension of time from June 30, 2000 to October 31, 2000, on Contract No. WM98-093-X1R, with Wachusett Regional Household Hazardous Products Committee, for Wachusett Watershed Technical Assistance Program, Town of Sterling, to provide for completion of public education and awareness programs.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
2. Report of Mr. McGinn, June 14, requesting approval and execution of Amendment No. 1, for an extension of time from June 30, 2000 to July 31, 2000, on Contract No. WM00-027-X1A, with Specialty Diving Services, Inc., for Wachusett Reservoir Narrows Baffle Curtain, due to a delay in the fabrication and delivery of the baffle curtain.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 1, dated June 22, 2000, on Contract No. WM00-027-X1A, with Specialty Diving Services, Inc., which was signed by the Commissioner and four Associate Commissioners.
3. Report of Messrs. McGinn, Church and Kyker-Snowman, June 12, requesting approval of a proposed Contract for Forest Management Plans for Private Lands on MDC Watersheds, with plans to be prepared by private consulting foresters and approved by state employed foresters. Time for Performance – July 1, 2000 through June 30, 2003.
Cost – not-to-exceed \$5,000.00 per fiscal year, nor \$15,000.00 for the Contract period.
Funding from Account No. 2420-1400.
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Office of General Counsel:

The first part of the report discusses the importance of maintaining accurate records of all transactions. It is essential for the company to have a clear and concise system in place to ensure that all data is properly recorded and stored. This will help in the identification of any discrepancies or errors that may occur during the course of the business.

The second part of the report focuses on the need for regular communication and collaboration between all departments. It is important for everyone involved in the business to stay informed and up-to-date on the latest developments. This will help in the identification of any potential risks or opportunities that may arise.

The third part of the report discusses the importance of maintaining a strong and secure network. It is essential for the company to have a reliable and secure system in place to ensure that all data is properly protected and stored. This will help in the identification of any potential security risks or vulnerabilities that may exist.

The fourth part of the report focuses on the need for regular monitoring and evaluation of the business. It is important for the company to have a clear and concise system in place to ensure that all data is properly recorded and stored. This will help in the identification of any potential risks or opportunities that may arise.

The fifth part of the report discusses the importance of maintaining a strong and secure network. It is essential for the company to have a reliable and secure system in place to ensure that all data is properly protected and stored. This will help in the identification of any potential security risks or vulnerabilities that may exist.

The sixth part of the report focuses on the need for regular communication and collaboration between all departments. It is important for everyone involved in the business to stay informed and up-to-date on the latest developments. This will help in the identification of any potential risks or opportunities that may arise.

The seventh part of the report discusses the importance of maintaining accurate records of all transactions. It is essential for the company to have a clear and concise system in place to ensure that all data is properly recorded and stored. This will help in the identification of any discrepancies or errors that may occur during the course of the business.

The eighth part of the report focuses on the need for regular monitoring and evaluation of the business. It is important for the company to have a clear and concise system in place to ensure that all data is properly recorded and stored. This will help in the identification of any potential risks or opportunities that may arise.

The ninth part of the report discusses the importance of maintaining a strong and secure network. It is essential for the company to have a reliable and secure system in place to ensure that all data is properly protected and stored. This will help in the identification of any potential security risks or vulnerabilities that may exist.

The tenth part of the report focuses on the need for regular communication and collaboration between all departments. It is important for everyone involved in the business to stay informed and up-to-date on the latest developments. This will help in the identification of any potential risks or opportunities that may arise.

1. Report of Mr. Gray, June 15, recommending that the Commission adopt an Order of Taking for acquisition of approximately 3.2 acres of land owned by Mount Grace Land Conservation Trust, Inc., located in the Town of New Salem, Massachusetts, and to approve an award of damages in the amount of \$32,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 3.2 acres of land owned by Mount Grace Land Conservation Trust, Inc., located in the Town of New Salem, Massachusetts.

**ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION**

Boston, June 22, 2000.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of New Salem in the County of Franklin and Commonwealth of Massachusetts, namely:

A certain parcel of land located in the westerly part of New Salem, lying on the southeasterly side of Daniel Shays Highway-US Route 202, formerly held by Laurence A. Powers, more particularly bounded and described as follows:

Beginning at an iron stake and stones at the southeast corner of the land herein being described, and at a corner in the southwesterly line of land formerly of Earl Whitaker, and now or formerly of Frederick J. & Marion Von Mering (see deed recorded with Franklin County Registry of Deeds at Book 1493, Page 22);

Thence Northerly, 430 feet, by land, now or formerly, of F. J. and M. Von Mering, to a stake and stones at land, formerly of William Mokrynka, now of the Commonwealth of Massachusetts (see 2nd parcel in deed to the Metropolitan District Water Supply Commission, dated 2nd July 1934, recorded with said Deeds at Book 802, Page 237);

Thence Westerly, 273 feet, by the southerly line of land, formerly of W. Mokrynka, to a cement post, about twelve (12) inches high, in the southerly line of Daniel Shays Highway-US Route 202;

The first part of the paper is devoted to a discussion of the general principles of the theory of the structure of the atom. It is shown that the structure of the atom is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles.

The second part of the paper is devoted to a discussion of the structure of the nucleus. It is shown that the structure of the nucleus is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles.

THE STRUCTURE OF THE ATOM

1. The structure of the atom is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles.

The first part of the paper is devoted to a discussion of the general principles of the theory of the structure of the atom. It is shown that the structure of the atom is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles. The second part of the paper is devoted to a discussion of the structure of the nucleus. It is shown that the structure of the nucleus is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles.

The third part of the paper is devoted to a discussion of the structure of the molecule. It is shown that the structure of the molecule is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles.

The fourth part of the paper is devoted to a discussion of the structure of the crystal. It is shown that the structure of the crystal is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles.

The fifth part of the paper is devoted to a discussion of the structure of the solid. It is shown that the structure of the solid is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles.

The sixth part of the paper is devoted to a discussion of the structure of the liquid. It is shown that the structure of the liquid is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles.

- Thence Westerly, following the southeasterly layout line of the highway, along the arc of a curve to the right, having a radius of 1234.01 feet, an arc distance of 188.34 feet, to a point in the easterly line of the highway which formerly lead from Cooleyville to Prescott, now commonly called Cooleyville Road;
- Thence Southerly, 126 feet, by the easterly line of Cooleyville Road, to an iron stake and stones at the northwesterly corner of other land, formerly of Laurence A. Powers, now or formerly, of Madeline and Frank Evangelist (see deed recorded with said Deeds at Book 1246, Page 229);
- Thence Easterly, 300 feet, by the northerly line of land, now or formerly, of M. and F. Evangelist, which line is parallel to the southerly line of the original "Powers Lot", to a stake and stones at the northeasterly corner of said abutting lot;
- Thence Southerly, 126 feet, by the easterly or rear line of the abutting lot, in a course parallel to the easterly line of Prescott or Cooleyville Road, to another iron stake and stones, at land formerly of the Heirs of Orrin J. Powers, now of the Commonwealth of Massachusetts (see 1st parcel in deed from Eleanor G. Powers, et als to the Metropolitan District Water Supply Commission, dated 23rd March 1936 and recorded with said Deeds at Book 812, Page 238);
- Thence Easterly, 215 feet, more or less, by the line common to the Laurence A. Powers Lot and the Orrin J. Powers Heirs Lot, to the first mentioned iron stake and stones, being the point and place of beginning.

Containing 3.2 acres, more or less, by tax map calculation.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Daniel Shays Highway-US Route 202, and/or Cooleyville Road, which may be held by the supposed owner as a result of its ownership of the above described premises, and being the same premises described in a deed from Meyer Schoenberg and Naomi Schoenberg to Mount Grace Land Conservation Trust, Inc., dated December 31, 1997 and recorded with Franklin County Registry of Deeds at Book 3296, Page 114.

The above-described property is represented upon New Salem Assessors Tax Map 405 as Parcel 28. The same premises are shown upon Quabbin Survey Sheet 487 as most of Parcel 23, formerly property of Laurence A. Powers, the remainder of said parcel being land now or formerly of Madeline and Frank Evangelist.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water,

sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

<u>OWNER</u>	<u>AWARD</u>
Mount Grace Land Conservation Trust, Inc.	\$ 32,000.00

The Commission further V O T E D: to approve an award of damages in the amount of \$32,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Action was taken upon the following Various Matters:

1. Report of Mr. Griffin, June 16, requesting an increase in funding for the Commission's contract with Harvard University by \$8,500.00 for the maintenance of John F. Kennedy Park in Cambridge during fiscal year 2000. The contract was signed in 1987 and stipulated that the Commission shall pay one half of the maintenance costs, not to exceed \$20,000.00 per party per year.
Funding from Account No. 2440-0010.
The Commission V O T E D: to approve an increase in funding for the Commission's contract with Harvard University by \$8,500.00 for the maintenance of John F. Kennedy Park in Cambridge during fiscal year 2000, as requested by Mr. Griffin in his report of June 16, 2000.
2. Report of Mr. Jewett, June 21, recommending that the Commission vote to terminate the Contract with Peter S. Emerson & Associates, for Professional Real Estate Appraisal Services, for Fast Track Sewer project – Holden and West Boylston, Contract No. WM93-001-S1A, awarded on April 20, 2000 and award the Contract to Reynolds Company – value of \$20,000.00 – 25 parcels.
Mr. Jewett further requests that the Commission vote to authorize Commissioner Balfour to execute the Contract on behalf of the Commission.
Account No. 2420-4994.
The Commission V O T E D to terminate the Contract with Peter S. Emerson & Associates, for Professional Real Estate Appraisal Services, for Fast Track Sewer project – Holden and West Boylston, Contract No. WM93-001-S1A, awarded on April 20, 2000.
The Commission further V O T E D: to award Contract No. WM93-001-S1A, to Reynolds Company – value of \$20,000.00 – 25 parcels, as recommended by Mr. Jewett in his report of June 21, 2000.
The Commission further V O T E D: to authorize Commissioner Balfour to execute the Contract on behalf of the Commission.

Adjourned at 9:45 a.m., to meet on Thursday, June 29, 2000, at 9:00 a.m.

William F. Rush
Secretary

Record of the Three Thousand Nine Hundred and Forty Third (3943rd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, June 29, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on June 15, 2000 were read and approved.

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

1. Amendment, dated June 29, 2000, to Contract-Agreement No. WM98-093-X1R, with Wachusett Regional Household Hazardous Products Committee, for Wachusett Watershed Technical Assistance Program, Town of Sterling.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher, Brooks and Martinez, June 7, on bids for Demolition of the Halfway Sanitary Facility, Nahant Beach, Nahant, Contract No.P00-2031-C2A.
(Messrs. Faucher, Brooks and Martinez recommend acceptance of the lowest bid received, that of Francesco Demolition, Inc., of \$21,500.00).
Messrs. Faucher, Brooks and Martinez further recommend authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.
The Commission V O T E D: to accept the lowest bid received, that of Francesco Demolition, Inc., of \$21,500.00.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.
3. Report of Messrs. Faucher, Brooks and Haider, June 16, on bid for Maintenance of Underwater Structures at Various Flood Control Navigational Sites, Contract No.P00-2060-M1A.
(Messrs. Faucher, Brooks and Haider recommend acceptance of the only bid received, that of Inner Space Services, Inc., of \$90,975.90).
Messrs. Faucher, Brooks and Haider further request authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.
The Commission V O T E D: to accept the only bid received, that of Inner Space Services, Inc., of \$90,975.90.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.
4. Report of Messrs. Faucher and Martinez, June 20, recommending the following on Contract No. P99-1993-C1A, with E.A. Colangeli, Inc., for Porcelain Enamel Joint Repair at Charles River Dam, Boston –
(a) That work be accepted as completed as of April 2, 2000.
(b) That Estimate No.5 (Final), in the amount of \$2,643.28, be approved

1. The first part of the document is a letter from the President of the United States to the Congress, dated January 3, 1862. It is a very important document, as it contains the President's views on the state of the Union and the progress of the war.

2. The second part of the document is a report from the Secretary of the War Department, dated January 10, 1862. It contains a detailed account of the military operations of the Army during the year 1861.

3. The third part of the document is a report from the Secretary of the Navy Department, dated January 15, 1862. It contains a detailed account of the naval operations of the Navy during the year 1861.

4. The fourth part of the document is a report from the Secretary of the Department of the Interior, dated January 20, 1862. It contains a detailed account of the operations of the Department during the year 1861.

5. The fifth part of the document is a report from the Secretary of the Department of the Treasury, dated January 25, 1862. It contains a detailed account of the operations of the Department during the year 1861.

6. The sixth part of the document is a report from the Secretary of the Department of the State, dated February 1, 1862. It contains a detailed account of the operations of the Department during the year 1861.

7. The seventh part of the document is a report from the Secretary of the Department of the War, dated February 5, 1862. It contains a detailed account of the operations of the Department during the year 1861.

8. The eighth part of the document is a report from the Secretary of the Department of the Navy, dated February 10, 1862. It contains a detailed account of the operations of the Department during the year 1861.

9. The ninth part of the document is a report from the Secretary of the Department of the Interior, dated February 15, 1862. It contains a detailed account of the operations of the Department during the year 1861.

10. The tenth part of the document is a report from the Secretary of the Department of the Treasury, dated February 20, 1862. It contains a detailed account of the operations of the Department during the year 1861.

11. The eleventh part of the document is a report from the Secretary of the Department of the State, dated February 25, 1862. It contains a detailed account of the operations of the Department during the year 1861.

12. The twelfth part of the document is a report from the Secretary of the Department of the War, dated March 1, 1862. It contains a detailed account of the operations of the Department during the year 1861.

for payment.

(c) That reserve, in the amount of \$4,127.30, be approved for payment.

(Basis of Award - \$73,480.00)

(Amount to Date - \$82,546.04)

(Contract Performance Rating – 85 with 100 being excellent)

(EEO Compliance – 2.20)

The Commission V O T E D: that the work of E.A. Colangeli, Inc., Contractor under Contract No.P99-1993-C1A, be and hereby is accepted as completed as of April 2, 2000. The Commission further V O T E D: to approve Estimate No. 5 (Final), in the amount of \$2,643.28, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$4,127.30, for payment.

1. Report of Messrs. Faucher and McCalla, June 15, on bid for Maintenance of Prime Power and Emergency Generators at Various MDC Locations FY01 and FY02, Contract No. P00-2056-M1A.
(Messrs. Faucher and McCalla recommend acceptance of the only bid received, that of FM Emergency Generator, Inc., of \$83,952.00).
Messrs. Faucher and McCalla further request execution of the Contract by the Commission. Funding for FY01 and FY02 contingent upon sufficient funds being made available in Account No. 2440-0010 through the annual budgetary appropriation process.
The Commission V O T E D: to accept the only bid received, that of FM Emergency Generator, Inc., of \$83,952.00.
The Secretary then submitted for signature Contract No. P00-2056-M1A, dated June 29, 2000, with FM Emergency Generator, Inc., which was signed by the Commissioner and four Associate Commissioners.
2. Report of Messrs. Faucher, Brooks and Haider, June 16, on bids for Service and Maintenance of HVAC Systems at Various Flood Control/Navigational Sites, Contract No. P00-2059-M1A. (Messrs. Faucher, Brooks and Haider recommend acceptance of the lowest bid received, that of Patrick J. Kennedy & Sons, Inc., of \$58,087.50).
Messrs. Faucher, Brooks and Haider further request authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.
The Commission V O T E D: to accept the lowest bid received, that of Patrick J. Kennedy & Sons, Inc., of \$58,087.50.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.
3. Report of Messrs. Faucher and Griffin, June 26, recommending approval of an extension of time from July 1, 2000 to August 31, 2000, on Contract No. PL82-1022-C1A, with the St. Paul Surety Company, for Revere Landing Park. The extension of time is requested under the provisions of Article XXII at no increase in Contract cost and in no way will it affect the liquidated damages provisions of Article XXI that may be due the Commission. The extension will not operate as a waiver on the part of the Commission or in any of its rights under the Contract.

The Commission V O T E D: to approve an extension of time from July 1, 2000 to August 31, 2000, on Contract No. PL82-1022-C1A, with the St. Paul Surety Company, for Revere Landing Park, under the provisions of Article XXII and at no increase in Contract cost. The extension of time shall in no way affect the liquidated damages provisions of Article XXI that may be due the Commission and shall not operate as a waiver on the part of the Commission or in any of its rights under the Contract.

1. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, June 14, requesting approval of an additional \$1,750.00 to complete the Notification, site risk characterization and Response Action Outcome Statement, on Contract No. P95-1804-S3A, with Rizzo Associates, Inc., for Licensed Site Professional Services for Initial Site Assessment of a potentially contaminated site at Savin Hill Beach.
 Time for additional services – three months.
 Account No. 2440-8956.
 The Commission V O T E D: Approved.
2. Report of Messrs. Faucher, Brooks and Balicki, June 21, requesting approval of the action of Deputy Commissioner Faucher resulting in extra work on Contract No. P00-2050-C1A, with J. D'Amico, Inc., for New Modular Gutter System and Associated Piping, Magazine Beach Pool, Cambridge, as follows –

Extra Work Order No. 6	\$1,879.50
Electrical Grounding	
ExtraWork Order No. 7	<u>\$3,800.00</u>
Three SS Pool Ladders	
	Total - \$5,679.50

Funding from Account No. 2440-8952.

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Orders No. 6 and 7 on Contract No. P00-2050-C1A.

The Commission further V O T E D: to approve Extra Work Order No. 6, in the amount of \$1,879.50.

The Commission further V O T E D: to approve Extra Work Order No. 7, in the amount of \$3,800.00. Report of Messrs. Faucher, Carrigan and Machado, June 15, requesting approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 4, for the installation of three flagpoles and a memorial stone at Red Rock Park, Lynn Shore Drive, Lynn, at a lump sum cost of \$8,771.80, on Contract No. P99-2018-C1A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations throughout the Metropolitan Area.

Funding from Account No. 2440-9800.

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work No. 4 on Contract No. P99-2018-C1A.

The Commission further V O T E D: to approve ExtraWork Order No. 4, in the amount of \$8,771.80.

1890

Received of the Treasurer of the County of ...
the sum of ... Dollars ...

For ...
...
...

Witness my hand and seal this ... day of ...
1890

Attest:
...

...

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...

...

1. Report of Messrs. Faucher, Carrigan and Machado, June 15, requesting approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 4, for the installation of three flagpoles and a memorial stone at Red Rock Park, Lynn Shore Drive, Lynn, at a lump sum cost of \$8,771.80, on Contract No. P99-2018-C1A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations throughout the Metropolitan Area.
Funding from Account No. 2440-9800.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work No. 4 on Contract No. P99-2018-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of \$8,771.80.
2. Report of Messrs. Faucher, Brooks and Balicki, June 23, requesting approval of a revision in quantities on Item No. 001-050 – Painting, at a cost of \$2,600.00, on Contract No. P00-2044-C1A, with B.S.A. Painting Co., Inc., for Water Blast, Caulk, Patch and Painting of Swimming Pools at Various Locations.
Funding from Account No. 2440-8952.
The Commission V O T E D: Approved.
3. Report of Messrs. Faucher and Brooks, June 26, requesting approval and execution of a new Service Contract Agreement No. P00-HATCH-X1A, with Architectural Graphic and Signs, Inc., to replace missing bronze letters, on the base of the Hatch Shell Amphitheater.
Cost - \$1,595.00.
Time for Performance – November 22, 1999 to June 30, 2000.
(The original Contract approved by the Commission on November 4, 1999 expired before the work could be finished).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Service Contract Agreement No. P00-HATCH-X1A, dated June 29, 2000, with Architectural Graphic and Signs, Inc., which was signed by the Commissioner and four Associate Commissioners.
4. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, June 21, recommending approval of the action of Deputy Commissioner Faucher resulting in extra work and also approve revisions in quantities on Contract No. P95-1784-C3A, with McCourt Construction Company, for South Boston Beaches Rehabilitation Phase 2, as follows –

REVISIONS IN QUANTITIES

Item No. 028-014 – Beach Sign - \$ 3,000.00
Item No. 028-010 – MDC Bench - \$13,500.00
Total - \$16,500.00

EXTRA WORK ORDERS

The first part of the paper discusses the importance of the study and the objectives of the research. It also outlines the methodology used in the study and the results obtained. The second part of the paper discusses the implications of the study and the conclusions drawn from the research. The third part of the paper discusses the limitations of the study and the areas for future research.

The study was conducted in a laboratory setting and the results were compared with those obtained from previous studies. The study found that the results were consistent with those obtained from previous studies. The study also found that the results were consistent with those obtained from previous studies. The study also found that the results were consistent with those obtained from previous studies.

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The study was conducted in a laboratory setting and the results were compared with those obtained from previous studies. The study found that the results were consistent with those obtained from previous studies. The study also found that the results were consistent with those obtained from previous studies. The study also found that the results were consistent with those obtained from previous studies.

Extra Work Order No. 21	\$ 5,767.08
Water Service Marine Park <i>(Cost to be offset by a credit from Alterations 4 and 5)</i>	
Extra Work Order No. 22	\$17,800.00
Electrical Conduit Marine Park <i>(Cost to be paid by surplus in Contract pay item "A-1" Boston Edison charges).</i>	
Extra Work Order No. 23	\$11,911.20
Furnishing and Installing Three Flag Poles and Inscribed Commemorative Stone at Fitzgerald Circle. <i>(Funding from Account No. 2440-8956)</i>	

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in extra work on Contract No. P95-1784-C3A.

The Commission further V O T E D: to approve the Revisions in Quantities, in the amount of \$16,500.00.

The Commission further V O T E D: to approve Extra Work Order No. 21, in the amount of \$5,767.08.

The Commission further V O T E D: to approve Extra Work Order No. 22, in the amount of \$17,800.00.

The Commission further V O T E D: to approve ExtraWork Order No. 23, in the amount of \$11,911.20.

1. Report of Messrs. Faucher, Brooks and Haider, June 28, recommending that the Commission authorize readvertisement of Contract No.P00-2062-M1A, for Maintenance of Service to Hydraulic Systems at Various Flood Control Navigational Sites, as no bids were received for the project on June 28, 2000.

The Commission V O T E D: to authorize readvertisement of Contract No.P00-2062-M1A, for Maintenance of Service to Hydraulic Systems at Various Flood Control Navigational Sites, as recommended by Messrs. Faucher, Brooks and Haider in their report of June 28, 2000.

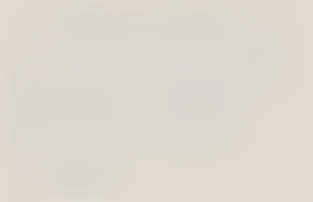
Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Pula, June 21, on proposals for the purchase of forest products located on the Quabbin, Ware River, and Wachusett Watersheds.

The Commission V O T E D: to accept the only qualified bid, that of Bosse Logging of \$4,988.00; to purchase approximately 25,280 board feet of timber, 271 cords of fuelwood and 80 tons of pulp on Timber Lot No. 5165 – Wachusett Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of New England Forest Products of \$6,600.00; to purchase approximately 94,920 board feet of timber, 105 cords of firewood and 208 tons of pulp on Timber Lot No. 4273 – Ware River Watershed.

The Commission further V O T E D: to accept the only qualified bid, that of New England Forest Products of \$2,550.00; to purchase approximately 22,149 board feet of timber, 7 cords of firewood and 64 tons of pulp on Timber Lot No. 4293 – Ware River Watershed.



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The Commission further V O T E D: to accept the only qualified bid, that of King Timber Harvesting of \$3,650.00; to purchase approximately 89,561 board feet of timber, 61 cords of firewood and 373 tons of pulp on Timber Lot No. 4294 – Ware River Watershed.

The Commission further V O T E D: to accept the second highest qualified bid, that of R.W.Rich & Sons of \$3,301.00; to purchase approximately 45,473 board feet of timber, 19 cords of firewood and 128 tons of pulp on Timber Lot No. 4295 – Ware River Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of John Conkey & Sons of \$42,750.00; to purchase approximately 280,693 board feet of timber and 413 cords of firewood on Timber Lot No. 1000 – Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only qualified bid, that of Specialty Timber of \$1,001.00; to purchase approximately 6,412 board feet of timber and 42 cords of firewood on Timber Lot No. 1001 – Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only qualified bid, that of Puffer Forest Products of \$1,254.12; to purchase approximately 152 cords of firewood on Timber Lot No. 2001 – Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Trowbridge Forest Products of \$57,000.00; to purchase approximately 507,156 board feet of timber, 16 cords of firewood and 628 tons of pulp on Timber Lot No. 2002 – Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only qualified bid, that of King Timber Harvesting of \$5,310.00; to purchase approximately 25,583 board feet of timber and 204 cords of firewood on Timber Lot No. 3003 – Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only qualified bid, that of King Timber Harvesting of \$15,805.00; to purchase approximately 109,236 board feet of timber, 149 cords of firewood and 528 tons of pulp on Timber Lot No. 3004 – Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of John Conkey & Sons of \$19,011.00; to purchase approximately 159,853 board feet of timber, 30 cords of firewood and 301 tons of pulp on Timber Lot No. 3005 – Quabbin Reservoir Watershed.

1. Report of Messrs. McGinn and Kane, June 1, recommending the following on Contract No. WM95-085-D1A, with GZA GeoEnvironmental, Inc., for Design and Construction Services, Boat Cove, Wachusett Reservoir, Clinton –

- (a) That work be accepted as completed as of May 31, 2000.

- (b) That Estimate No. 10 (Final), in the amount of \$13,566.35, be approved for payment.

- (c) That reserve, in the amount of \$3,479.84, be approved for payment.

(Basis of Award - \$39,921.00)

(Amount to Date - \$108,812.00)

- (Contract Performance Rating – 9.00 with 10.00 being excellent)

- (EEO Compliance – N/A)

The Commission V O T E D: that the work of GZA GeoEnvironmental, Inc., Contractor under Contract No. WM95-085-D1A, be and hereby is accepted as completed as of May 31, 2000.

The Commission further V O T E D: to approve Estimate No. 10 (Final), in the amount of \$13,566.35, for payment.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the transparency and accountability of the organization. This section also outlines the various methods used to collect and analyze data, ensuring that the information is reliable and up-to-date.

2. The second part of the document focuses on the financial aspects of the organization. It provides a detailed overview of the budget, including the projected income and expenses for the upcoming year. This section also discusses the various financial risks and how they are being managed to ensure the organization's financial stability.

3. The third part of the document addresses the human resources aspect of the organization. It discusses the current staffing levels, the skills and qualifications of the employees, and the plans for future recruitment and training. This section also highlights the importance of maintaining a positive work environment and fostering a sense of team spirit among the employees.

4. The fourth part of the document discusses the organization's marketing and public relations efforts. It outlines the various strategies used to promote the organization's services and products, and the results of these efforts. This section also discusses the importance of maintaining a strong relationship with the media and other stakeholders.

5. The fifth part of the document discusses the organization's environmental and social responsibilities. It outlines the various initiatives used to reduce the organization's carbon footprint and promote sustainable practices. This section also discusses the importance of engaging with the community and other stakeholders to promote social responsibility.

6. The sixth part of the document discusses the organization's governance and compliance efforts. It outlines the various policies and procedures used to ensure that the organization is operating in accordance with applicable laws and regulations. This section also discusses the importance of maintaining a strong ethical culture and promoting transparency in all organizational activities.

7. The seventh part of the document discusses the organization's future plans and goals. It outlines the various strategies used to achieve the organization's long-term vision and mission. This section also discusses the importance of maintaining a strong relationship with the board of directors and other stakeholders.

8. The eighth part of the document discusses the organization's financial performance and the results of its various initiatives. It provides a detailed overview of the organization's financial statements and the results of its marketing, human resources, and environmental and social initiatives. This section also discusses the importance of maintaining a strong financial position and promoting transparency in all organizational activities.

9. The ninth part of the document discusses the organization's overall performance and the results of its various initiatives. It provides a detailed overview of the organization's performance in all areas, including financial, marketing, human resources, and environmental and social. This section also discusses the importance of maintaining a strong performance and promoting transparency in all organizational activities.

10. The tenth part of the document discusses the organization's future plans and goals. It outlines the various strategies used to achieve the organization's long-term vision and mission. This section also discusses the importance of maintaining a strong relationship with the board of directors and other stakeholders.

The Commission further V O T E D: to approve release of reserve, in the amount of \$3,479.84, for payment.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

1. Report of Mr. Doak, May 17, requesting authorization to solicit Request for Responses for the purchase and installation of two 50HP and 460V irrigation pumps for Ponkapoag Golf Course, Canton.

Estimated Cost - \$30,000.00.

Funding from Account No. 2440-4000.

The Commission V O T E D: authorization to solicit Request for Responses for the purchase and installation of two 50HP and 460V irrigation pumps for Ponkapoag Golf Course, Canton, as requested by Mr. Doak in his report of May 17, 2000.

Associate Commissioner Elkort did not participate in discussion or vote on this matter.

Action was taken upon the following Various Matters:

2. Report of Mrs. O'Brien and Mr. Corsi, June 16, requesting approval of Amendment No. 4, for an extension of time from June 30, 2000 to June 30, 2001, on Contract No. PL92-007-S1D, with Goody, Clancy & Associates, for Charles River Basin Master Plan.

Mrs. O'Brien and Mr. Corsi further request execution of the Amendment by the Commission.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Amendment No. 4, dated June 29, 2000, on Contract No. PL92-007-S1D, with Goody, Clancy & Associates, which was signed by the Commissioner and four Associate Commissioners.

3. Report of Mrs. Overton Bussell and Mr. Gray, June 26, submitting for approval an Administrative Consent Order by and between the Department of Environmental Protection and the Commission, as mandated by Executive Order No. 350, the Clean State Initiative, which requires each state agency to investigate, identify and correct environmental contamination at all sites and facilities under its care and control.

Associate Commissioner Carr noting that negotiations with DEP are still ongoing and must be completed on or before June 30, 2000, moved that Mrs. Overton Bussell and Mr. Gray complete negotiations with DEP and that Commissioner Balfour be authorized to execute the final Administrative Consent Order on behalf of the Commission.

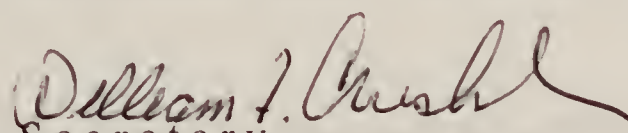
The Commission V O T E D: to approve an Administrative Consent Order by and between the Department of Environmental Protection and the Commission, as mandated by Executive Order No. 350, the Clean State Initiative.

The Commission further V O T E D: to authorize Mrs. Overton Bussell and Mr. Gray to complete negotiations with the Department of Environmental Protection.

The Commission further V O T E D: to authorize Commissioner Balfour to execute the final Administrative Consent Order on behalf of the Commission.

1. Report of Mrs. O'Brien and Mr. Corsi, June 16, requesting approval and execution of Amendment No. 2, for an extension of time from June 30, 2000 to September 30, 2001, on Contract No. PL95-031-D1B, with Moriece & Gary, Inc., for Design of Abigail Adams Park, due to need to complete Task VI – Permits and Approvals and Task VII – Final Construction Plans and Specifications and Construction Services.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 2, dated June 29, 2000, on Contract No. PL95-031-D1B, with Moriece & Gary, Inc, which was signed by the Commissioner and four Associate Commissioners.
2. Report of Mrs. Overton Bussell, June 27, on bids for Banner Fabrication and Installation of Replacements for the Back to the Beaches Light Poles.
(Mrs. Overton Bussell requests acceptance of the bid of Digital Graphics in an amount not-to-exceed \$35,000.00)
Account No. 2440-8956.
The Commission V O T E D: to accept the bid of Digital Graphics in an amount not-to-exceed \$35,000.00, for banner Fabrication and Installation of Replacements for the Back to the Beaches Light Poles.
3. Report of Mr. Testa, June 27, requesting approval of an Interdepartmental Service Agreement with the Department of Economic Development, who will engage the expertise of a contractor to act as a Liaison for Tall Ships 2000, First Night, First Week Boston and Fourth of July 2000 Harborfest, among others.
Cost not-to-exceed - \$50,000.00, which includes reimbursable expenses.
Time for Performance – July 1, 2000 through June 30, 2001.
Funding from Account No. 2448-0052.
Mr. Testa further requests authorization for Commissioner Balfour to execute the Interdepartmental Service Agreement on behalf of the Commission.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Interdepartmental Service Agreement on behalf of the Commission.

Adjourned at 9:50 a.m., to meet on Thursday, July 13, 2000, at 9:00 a.m.


Secretary

Record of the Three Thousand Nine Hundred and Forty Fourth (3944th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, June 20, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on June 22, 2000 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. P97-1881-C2A, dated July 20, 2000, with A.G.M. Marine Contractors, Inc., for Harbor Islands Pier Replacement.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Brooks, April 24, recommending the following on Contract No. PL92-017-C2A, with D & C Construction Co., Inc., for Upper Charles River Reservation/Restoration Phase 1B, (Newton & Waltham Segments) –
 - (a) That work be accepted as completed as of November 1, 1999.
 - (b) That Estimate No. 15 (Final), in the amount of \$26,112.81, be approved for payment.
 - (c) That reserve, in the amount of \$1,373.90, be approved for payment.
(Basis of Award - \$1,623,480.00)
(Total to Date - \$1,993,745.16)(Contract Performance Rating – 4.17 on a scale of 1 to 5, with 5 being excellent)

(EEO Compliance – 3.33)

The Commission V O T E D: that the work of D & C Construction Co., Inc., Contractor under Contract No. PL92-017-C2A, be and hereby is accepted as complete as of November 1, 1999.

The Commission further V O T E D: to approve Estimate No. 15 (Final), in the amount of \$26,112.81, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$1,373.90, for payment.

3. Report of Messrs. Faucher and Martinez, June 5, recommending the following on Contract No. P99-2026-C1A with DePrizio Paving & Construction Co., Inc., d/b/a/ DePrizio & Garofano Construction, Inc., for Demolition of Single Story Building & Steel Hopper, Stoneham -
 - (a) That work be accepted as completed as of November 28, 1999.
 - (b) That Estimate No. 3 (Final), in the amount of \$2,430.37, be approved for payment.
 - (c) That reserve, in the amount of \$2,863.92, be approved for payment.
(Basis of Award - \$55,900.00)
(Total to Date - \$57,278.38)

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FROM THE FIRST SETTLEMENTS TO THE PRESENT TIME

BY JAMES M. SMITH

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(Contract Performance Rating – 84 - on a scale of 1 to 100)
(EEO Compliance – 1.75)

The Commission V O T E D: that the work of DePrizio Paving & Construction Co., Inc., d/b/a/ DePrizio & Garofano Construction, Inc., Contractor under Contract No. P99-2026-C1A, Contractor under Contract No. P99-2026-C1A, be and hereby is accepted as complete as of November 28, 1999.

The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of \$2,430.37, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$2,863.92, for payment.

1. Report of Messrs. Faucher, Brooks and Abounaja, July 7, recommending approval of an Amendment for an extension of time from July 14, 2000 to July 14, 2002, on Contract No. P95-1768-D2A, with Camp Dresser and McKee, Inc., for Licensed Site Professional (L.S.P.) Services for Various MDC Facilities, due to the need to complete clean-up of hazardous conditions at Indian Line Farm.
The Commission V O T E D: Approved.
2. Report of Messrs. Faucher, Brooks and Abounaja, March 3, recommending the following on Contract No. P88-1548-C4A, with SCS Environmental Services, Inc., for Asbestos Abatement at Various MDC Facilities –
 - (a) That work be accepted as complete as of October 30, 1999.
 - (b) That retainage, in the amount of \$2,719.94, be approved for payment.
(Basis of Award - \$240,000.00)
(Amount to Date - \$331,673.35)(Contract Performance Rating – 88 with 100 being excellent)
(EEO) Compliance – 4.50)
The Commission V O T E D: that the work of SCS Environmental Services, Inc., Contractor under Contract No. P88-1548-C4A, be and hereby is accepted as complete as of October 30, 1999.
The Commission further V O T E D: to approve release of retainage, in the amount of \$2,719.94, for payment.
3. Report of Mr. Faucher and Mrs. Graves Jones, June 28, on bids for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the MDC, Contract No. P00-2080-M1A. (Mr. Faucher and Mrs. Graves Jones recommend acceptance of the lowest bid received, that of Markings, Inc., of \$370,710.00).
Mr. Faucher and Mrs. Graves Jones further recommend execution of the contract by the Commission.
The Commission V O T E D: to the lowest bid received, that of Markings, Inc., of \$370,710.00. The Secretary then submitted for signature Contract No. P00-2080-M1A, dated July 20, 2000, with Markings, Inc., which was signed by the Commissioner and four Associate Commissioners.
4. Report of Mr. Faucher and Ms. Pomorska, July 11, recommending approval of revisions in quantities on the following item on Contract No. P00-2033-M1A, with Coviello Electric &

General Contracting Co., Inc., for Servicing Traffic Signals and Control Systems in Middlesex Fells and Revere Beach Districts –

Item No. 015-010

\$375.00

Traffic Signal Wire (TFF #18)

(At no Increase in Contract cost as the revision will be offset by unused quantities in Item No. 002-020 – Maintenance for Traffic Control Device).

The Commission V O T E D: Approved.

1. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, July 10, recommending approval of revisions in quantities and Extra Work Order No. 4 authorized by Deputy Commissioner Faucher pursuant to Commission Policy, on Contract No. P95-1804-C1A, with McCourt Construction Company, for Dorchester Shores Beaches Restoration Program, as follows –

Revisions in Quantities

Item No. S-015-002	\$1,400.00
Silt Fence	
Item No. S-027-001	\$2,100.00
5" Catch Basin w/oil & gas trap	
Item No. S-027-003	\$1,350.00
12" HOPE Drain Pipe	
Item No. S-028-010	<u>\$ 300.00</u>
Drainage Structure Casting	

Revisions in Quantities Total - \$5,750.00

Extra Work

Extra Work Order No. 4 **\$3,021.33**

Installation of two 20-foot lengths of 4" galvanized conduit for electrical service to the site of the future Savin Hill sanitary/bathhouse and two 75 foot lengths of 2" conduit for relocation of the electrical service panel for the Dorchester Yacht Club's underground sewer injector pump.

(At no additional contract cost).

The Commission V O T E D: to approve the Revisions in Quantities in the amount of \$5,750.00.

The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of \$3,021.33.

2. Report of Messrs. Faucher and Griffin, June 28, recommending approval of the following on Contract No. P96-1866-C1A, with B & E Construction Corporation, for Repair of McCarthy Overpass –

Alteration

Alteration No. 1 to Item No. 3-Cement Concrete Masonry **\$ 185.00**
Furnish and install one anchor bolt at Abutment A

Revisions in Quantities

Item No. 4 \$ 1,487.50

Structural Steel

Item No. 6 \$13,125.00

Concrete Substructure Repair (6" or less in depth)

Revision in Quantity Total - \$14,612.50

Funds are available in Account No. 2440-9990.

The Commission V O T E D: to approve Alteration No. 1 to Item No. 3, in the amount of \$185.00.

The Commission further V O T E D: to approve Revisions in Quantities, in the amount of \$14,612.50.

1. Report of Messrs. Faucher, Brooks and Kane, June 28, recommending that the Commission reject the only bid received, that of Village Forge, Inc., on Contract No. P93-1693-C1A, for Reconstruction of the Sallyport Gates, Fort Independence, Castle Island, South Boston, due to Contractor not being qualified for this type of project.
(Messrs. Faucher, Brooks and Kane further recommend that authorization be granted to readvertise the project as Contract No. P93-1693-C2A, for Reconstruction of the Sallyport Gates, Fort Independence, Castle Island, South Boston).
Funding is available in Account No. 2440-0501.
The Commission V O T E D: to reject the only bid received, that of Village Forge, Inc., on Contract No. P93-1693-C1A, as recommended by Messrs. Faucher, Brooks and Kane in their report of June 28, 2000.
The Commission further V O T E D: authorization to readvertise the project as Contract No. P93-1693-C2A, for Reconstruction of the Sallyport Gates, Fort Independence, Castle Island, South Boston.
2. Report of Messrs. Faucher, Brooks and Haider, July 14, on bids for Maintenance of Elevators at Various MDC Facilities within the Metro Parks Service – 23 month Contract, Contract No. P00-2061-M1A.
(Messrs. Faucher, Brooks and Haider recommend acceptance of the lowest corrected bid received, that of Eagle Elevator Co., of \$50,382.80).
The Commission V O T E D: to accept the lowest corrected bid received, that of Eagle Elevator Co., of \$50,382.80.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Mr. McGinn, June 28, June 28, submitting for approval and signature Quabbin Park Cemetery Deed No. Q-1737, conveying Northerly ½ of Lot No. 975, to Charlotte R. (Lyman) and Harland R. Eldredge.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1737, dated July 20, 2000, which was signed by the Commissioner and four Associate Commissioners.

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NEW
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FROM
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TO
1898
BY
JOHN
B. HOGAN
AND
JAMES
M. SMITH
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1898

1. Report of Messrs. McGinn, Church and Morrone, July 6, requesting approval of an Amendment to Contract No. WM00-099-X1A, with Trident Environmental Group, for Asbestos and Lead Paint Testing Services, at a cost of \$6,920.00, which is necessary to conduct additional sampling and testing for lead paint and asbestos containing material on abandoned watershed properties.
Account No. 2420-1400.
The Commission V O T E D: Approved.
2. Report of Messrs. McGinn and Vignaly, July 11, requesting approval and of Contract WM01-077-S1A, with American Underwater Search and Survey, in the amount of \$5,000.00, to acquire Sidescan Sonar Mosaics for portions of flooded towns within Wachusett and Quabbin Reservations.
Account No. 2420-1400.
The Commission V O T E D: Approved.
3. Report of Mr. McGinn, July 6, requesting renewal and authorization for Commissioner Balfour to execute on behalf of the Commission Contract –
Agreement No. WM01-057-X4A with Ronald E. Sharpin, Ph.D., P.E., for Wastewater Program Manager Services.
Cost not – to – exceed - \$54,176.00.
Time for Performance – July 1, 2000 through June 30, 2001.
Account No. 2420-1400HH.
The Commission V O T E D: Approved.
The Commission further V O T E D: and authorization for Commissioner Balfour to execute on behalf of the Commission Contract – Agreement No. WM01-057-X4A with Ronald E. Sharpin, Ph.D., P.E., for Wastewater Program Manager Services.
4. Report of Messrs. McGinn and Kane, July 10, on bids to update the Fuel Dispensing Facilities, Clinton, Southborough and West Boylston. Contract No. WM00-002-C1A.
(Messrs. McGinn and Kane recommend acceptance of the lowest bid received, that of Green Environmental, Inc., of \$24,375.00).
The Commission V O T E D: to accept the lowest bid received, that of Green Environmental, Inc., of \$24,375.00.

Action was taken upon the following matter relating to the Office of Planning:
5. Report of Mrs. O'Brien and Mr. Driscoll, June 23, recommending the following on Contract No. PL99-051-D1A, with Aquatic Control Technology, Inc., for Charles River Lakes District Weed Harvesting Program – Summer 1999 -
(a) That work be accepted as completed as of January 13, 2000.
(b) That reserve, in the amount of \$12,987.56, be approved for payment.
 (Basis of Award - \$150,000.00)
 (Total to Date - \$129,875.55)
(Contract Performance Rating – 8 on a scale of 1 to 10, with 10 being excellent)
(EEO Compliance – N/A)

The Commission V O T E D: that the work of Aquatic Control Technology, Inc., Contractor under Contract No. PL99-051-D1A, be and hereby is accepted as complete as of January 13, 2000.

The Commission further V O T E D: to approve release of reserve, in the amount of \$12,987.56, for payment.

Action was taken upon the following Various Matters:

1. Report of Mr. Broderick, July 10, requesting approval to issue a Request for Responses for a new ski slope operator for the 2000-2001 season at the Blue Hill Ski Area.
The Commission V O T E D: Approved.
Associate Commissioner Elkort did not participate in discussion or vote on this matter.
2. Report of Mr. Jewett, July 10, on behalf of the Consultant Selection Committee requesting approval of the award of Contract No. P83-1250-S2A, to Camp Dresser & McKee, Inc., for Study and Design of New Upper Mystic Lake Dam and authorize a contract to be prepared for execution by the Commission.
Compensation – estimated at \$150,000.00 – on a cost plus fixed fee basis – subject to negotiations.
Time for Performance – estimated at nine months.
Account No. 2440-0501.
The Commission V O T E D: Approved.
The Commission further V O T E D: to authorize Mr. Jewett to prepare the Contract for Commission execution.
3. Report of Mr. Jewett, July 10, on behalf of a Selection Committee, requesting approval of the selection of VHB/Vanasse Hangen Brustlin, Inc., for Licensed Site Professional Services at MDC's Central Services Garage Facilities, Stoneham, Contract No. P00-2077-D1A.
Cost – not-to-exceed \$65,000.00 to be paid on a predetermined rate schedule.
Time for Performance – duration one year from Notice to Proceed.
Account No. 2440-0501.
The Commission V O T E D: Approved as requested by Mr. Jewett in his report of July 10, 2000.
4. Report of Mr. Jewett, July 10, on behalf of a Selection Committee requesting approval of the selection of GEI Consultants, for Licensed Site Professional Services for Various MDC Contaminated Sites, Contract No. P00-2065-D1A.
Cost – not-to-exceed \$95,500.00 to be paid on a predetermined rate schedule.
Time for Performance – one year from Notice to Proceed
Account No. 2440-4994.
The Commission V O T E D: Approved as requested by Mr. Jewett in his report of July 10, 2000.

1. Report of Mrs. O'Brien, July 12, requesting approval and execution by Secretary Chisholm of Amendment No. 1 to Permit Agreement to Boston Duck Tours, L. P., for the Operation of an Amphibious Tour Program on the Charles River.

The Permit – Agreement stipulates that permit revenues, as specified in Section 26.1, be granted to the MDC in the sum of \$25,000.00 each year, and that these revenues be spent only on “maintenance and improvement of the North Point Park.” Given that North Point Park is not scheduled to be completed until 2002, the Planning Office recommends that the Permit – Agreement be revised to widen the scope on which revenues may be spent. It is recommended that on page 9, section 26.1, in the first sentence, that “maintenance and improvement of the North Point Park “be deleted, and maintenance and improvement of the New Charles River Basin Parks” be substituted.

The Commission V O T E D: to approve Amendment No. 1 to Permit Agreement to Boston Duck Tours, L. P., for the Operation of an Amphibious Tour Program on the Charles River, as requested by Mrs. O'Brien in her report of July 12, 2000.

The Commission further V O T E D: to authorize Secretary Chisholm to execute Amendment No. 1 on behalf of the Commission.

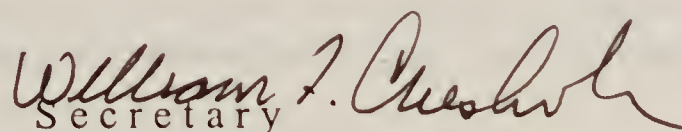
Action was taken upon the following matter relating to the Office of General Counsel:

2. Report of Mr. Gray, July 10, recommending approval and execution of a License Agreement with the City of Somerville, to allow the City of Somerville to construct recreational areas and improvements to property under the jurisdiction of the Commission adjacent to Conway Park and situated on Somerville Avenue in the City of Somerville, and to allow the City of Somerville to jointly manage and use said improved property, pursuant to and in accordance with the provisions of said Agreement.

The Commission V O T E D: Approved.

The Secretary then submitted for signature License Agreement, dated July 20, 2000, with the City of Somerville, which was signed by the Commissioner and four Associate Commissioners.

Adjourned at 10:00 a.m., to meet on July 27, 2000, at 9:00 a.m.


Secretary

Record of the Three Thousand Nine Hundred and Forty Fifth (3945th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, July 27, 2000.

As Commissioner Balfour was not available for today's Meeting, pursuant to Massachusetts General Laws, Chapter 28, Section 3 and Chapter 30, Section 6, he delegated Associate Commissioner Carr, as Acting Commissioner for today's Meeting.

Present, Acting Commissioner Carr and Associate Commissioners Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on June 22, 2000 were read and approved.

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

1. Contract No. P00-2061-M1A, dated July 27, 2000, with Eagle Elevator Co., for Maintenance of Elevators at Various MDC Facilities within the Metro Parks System.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Griffin, July 19, recommending approval of revisions in quantities on Contract No. P96-1866-C1A, with B & E Construction Corporation, for Repair of McCarthy Overpass, Somerville, as follows –

Item No. 4A – New Railing Installed - \$3,175.20

Item No. 4B – New Railing Caps Installed - \$4,320.00

at a total of - \$7,495.20

Funding from Account No.2440-9990.

The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Thurlow, June 6, recommending the following on Contract No. P00-2038-C1A, with Tree Technology & Landscape Co., Inc., for Tree Pruning and Removals at Ponkapoag Golf Course, Canton –

(a) That work be accepted as completed as of March 31, 2000.

(b) That Estimate No. 1 (Final) in the amount of \$19,931.00, be approved for payment.

(c) That reserve in the amount of \$1,049.00, be approved for payment.

(Basis of Award - \$20,980.00)

(Total of Date - \$20,980.00)

(Contract Performance Rating – 4.16)

(EEO Compliance – 2.50)

The Commission V O T E D: that the work of Tree Technology & Landscape Co., Inc., Contractor under Contract No. P00-2038-C1A, be and hereby is accepted as complete as of March 31, 2000.

The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of \$19,931.00, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$1,049.00, for payment.

Associate Commissioner Elkort did not participate in discussion or vote on this matter.

1. Report of Messrs. Faucher and DiPietro, July 20, recommending approval and execution of an amendment for an extension of time from July 31, 2000 to July 31, 2001, on Contract No. P98-1930-S1A, with GEI Consultants, Inc., for Feasibility Study for Securing Public Safety at Granite Rail Quarry, Quincy, due to need to keep Contract in force if the need arises for future evaluations of the site.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Amendment, dated July 27, 2000, with GEI Consultants, Inc., which was signed by the Acting Commissioner and three Associate Commissioners.

2. Report of Messrs. Faucher and DiPietro, July 16, recommending approval of the Contractor's claim for alternative method of measurement and removal of masonry wall, in the sum of \$4,270.00 and permission to pay the contractor, \$4,270.00, for the work on Contract No. P99-2016-C1A, with J.W.H.Construction, Inc., for Charles River Dam Locks, Smoke Stack and Brick Wall Repair.

(At no increase in Contract cost as the claim will be offset by unused quantities in Item No. 04200-1 – Unit Masonry, Demolish and Remove Brick and Concrete).

The Commission V O T E D to approve J.W.H.Construction, Inc., Contractor under Contract No. P99-2016-C1A, claim for alternative method of measurement and removal of masonry wall, in the sum of \$4,270.00.

The Commission further V O T E D: permission to pay the contractor, \$4,270.00 for the work, as recommended by Messrs. Faucher and DiPietro in their report of July 16, 2000.

3. Report of Messrs. Faucher, Brooks and Martinez, July 20, recommending that the Commission accept the bid withdrawal of Francesco Demolition, Inc., in the sum of \$67,284.00, due to an omission in their bid of pricing some items and award Contract No. P00-2084-C1A, for Demolition of the Constitution Beach Bathhouse, Orient Heights, East Boston, to the second lowest responsible and eligible bidder, McConnell Enterprise, Inc., in the amount of \$79,000.00.

(Francesco Demolition, Inc. agrees to relinquish to the Commission their bid deposit in the amount of \$3,364.20).

The Commission V O T E D: to accept the bid withdrawal of Francesco Demolition, Inc., on Contract No. P00-2084-C1A, in the sum of \$67,284.00, due to an omission in their bid of pricing some items.

The Commission further V O T E D: to award Contract No. P00-2084-C1A, for Demolition of the Constitution Beach Bathhouse, Orient Heights, East Boston, to the second lowest responsible and eligible bidder, McConnell Enterprise, Inc., in the amount of \$79,000.00

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Kane, July 7, recommending the following on Contract No. WM96-010-S1A, with GZA GeoEnvironmental, Inc., for Inspection of Division of Watershed Management Dams -
 - (a) That works be accepted as completed as of December 30, 1999.
 - (b) That Estimate No. 8 (Final) in the amount of \$2,351.33, be approved for payment.
 - (c) That reserve, in the amount of \$7,259.01, be approved for payment.
 - (Basis of Award - \$72,600.00)
 - (Amount to Date - \$72,589.98)(Contract Performance Rating – 9.5 with 10 being excellent)
(EEO Compliance – N/A)
The Commission V O T E D: that the work of with GZA GeoEnvironmental, Inc., Contractor under Contract No. WM96-010-S1A, be and hereby is accepted as complete as of December 30, 1999.
The Commission further V O T E D: to approve Estimate No. 8 (Final), in the amount of \$2,351.33, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of \$7,259.01, for payment
2. Report of Messrs. McGinn, Church and Kyker – Snowman, July 20, recommending the following on Contract No. WM96-076-S1A, with Berkshire-Pioneer Resource Conservation and Development Area, Inc., for Forest Management Plans and Forest Restoration Projects within the Wachusett Reservoir Watershed –
 - (a) That work be accepted as completed as of June 22, 2000.
 - (b) That final invoice, in the amount of \$15,296.65, be approved for payment.The Commission V O T E D: that the work of Berkshire-Pioneer Resource Conservation and Development Area, Inc., Contractor under Contract No. WM96-076-S1A, be and hereby is accepted as completed as of June 22, 2000.
The Commission further V O T E D: to approve final invoice, in the amount of \$15,296.65, for payment

Adjourned at 9:50 a.m., to meet on Thursday, August 3, 2000, at 9:00 a.m.


Secretary

