

MINUTES OF A REGULAR MEETING  
OF THE BOSTON REDEVELOPMENT AUTHORITY

HELD ON MAY 14, 1958

The Members of the Boston Redevelopment Authority met in regular meeting at the offices of the Authority, Room 350, 73 Tremont Street, Boston, Massachusetts, at 10:00 a. m. on May 14, 1958. The meeting was called to order by the Chairman, and upon roll call those present and absent were as follows:

<u>Present</u>	<u>Absent</u>
Joseph W. Lund Very Rev. Msgr. Francis J. Lally James G. Colbert Melvin J. Massucco Stephen E. McCloskey	None

Messrs, Warren, Jacobs, Wallace, Bogen and Doctor Schepens, representing the Retina Foundation, attended the meeting to discuss the views of the Retina Foundation with respect to Parcel J. At the conclusion of the conference with Retina Foundation representatives, the Authority suggested that the Executive Director arrange a meeting as soon as possible for the purpose of working out a mutually satisfactory solution between the architects for Charles River Park and the architect for the Retina Foundation, which meeting would be restricted to professional personnel only, such as the architects and the Executive Director.

The minutes of the meeting of May 7, 1958 were read by the Secretary, and upon motion duly made and seconded, it was unanimously

VOTED: to adopt the minutes as read.

On motion duly made and seconded it was unanimously

VOTED: to ratify the action of the Site Office Manager, John Hallisey, in dismissing Edward Myers, maintenance man, and in appointing Edward Davock as a replacement at \$1, 70 per hour, plus rent free in the Charlesbank Homes, as maintenance man for a term of ninety days.

On motion duly made and seconded it was unanimously

VOTED: to ratify the action of the Executive Director in purchasing a set of Bromley Atlases for the City of Boston for \$125 from Mr. Horatio Newhall of 27 State Street, Boston Mass.

The above price includes a wooden case for storing the volumes.

Acknowledgement was made of letter from Mayor Hynes to the Members of the Authority requesting a meeting in the Mayor's Office on June 3, 1958, for the purpose of discussing the overall renewal program with the Planning Board and other city officials.

On motion duly made and seconded it was

VOTED: to approve the service contract with the Service Bureau Corporation, a subsidiary of the IBM, for furnishing IBM services in connection with relocation records and reports for the West End Project at a cost of \$132.00 per month for the first twelve months; thereafter at \$100 a month for the term of the contract.

The Executive Director notified the Authority that he had received a call from Mr. Joseph Alecks, representing the parishioners of Our Lady of Ostrobrama Church, and requesting that the Members of the Authority meet with the parishioners for the purpose of discussing the status of the Polish Church. The Executive Director told the Authority that he had received a communication over a year ago from the Roman Catholic Archdiocese of Boston, requesting that all future negotiations concerning the church be made directly with the Chancery Office, inasmuch as the title to Our Lady of Ostrobrama is vested in the Roman Catholic Archdiocese of Boston.

It was the judgment of the Members of the Authority that further hearings or meetings with the parishioners of that church or other West End groups would not serve any useful purpose. The Executive Director was instructed to notify Mr. Alecks of the Authority's decision.

On motion duly made and seconded, it was unanimously

VOTED: to table the matter of engaging engineering services in connection with the site improvements in the West End Project.

The Executive Director brought up the matter of option prices for the West End parcels and recommended that the Authority authorize the Land Acquisition Consultant, Robert E. McGovern, to set the option prices for concurrence of the Urban Renewal Administration.

On motion duly made and seconded, it was unanimously

VOTED: to table this motion and that the General Counsel be instructed to make recommendations on the same at the next meeting.

A meeting with Messrs. Furlong and Morgan was cancelled because of the illness of Mr. Furlong.

Very Reverend Monsignor Lally left the meeting at this point.

On motion duly made and seconded, it was unanimously

VOTED: to approve partial payment for title searches completed, West End Project, to Charles J. Artesani in the amount of \$13,219.63.

On motion duly made and seconded, it was unanimously

VOTED: to authorize payment to Hanley Oil Company in the amount of \$4058.70 in connection with oil deliveries in the West End.

On motion duly made and seconded, it was unanimously

VOTED: to invite the representatives of Charles River Park, Inc., to meet with the Authority at the next regular meeting on Wednesday, May 21, 1958 at 11:00 a.m.

On motion duly made and seconded, and upon the recommendation of the General Counsel, it was unanimously

VOTED: to approve and ratify the action of the General Counsel in settling the following land damage cases in the following amounts in connection with the New York Streets Project: (The above cases were marked up and the cases were reached. The General Counsel settled these cases in court.)

Parcel 468A-122; Joseph Zirilli; \$5000, including taxes, interest and costs;  
Parcel 466 -85; Samuel Yanoff; \$3000, including taxes, interest and costs;  
Parcel 468B-14; McAuliffe & Burke; \$50,000, including taxes, interest and costs;

The Executive Director presented an agreement dated 4/8/58  
entitled "Agreement of Purchase and Sale of Land, New York Streets Project,  
U. R. Mass. 2-1<sup>1</sup>", which Agreement was read and discussed.

Upon the recommendation of the General Counsel and upon motion  
duly made and seconded, it was unanimously

VOTED: that subject to the approval of the Housing and Home Finance  
Agency, the Boston Redevelopment Authority enter into a contract with Clara  
Durcker, in a form substantially the same as those executed with other retained  
owners in the New York Streets area, to convey Parcel No. 3, as shown on  
the "Land Disposition plan", New York Streets Project, U. R. Mass. 2-1.

(The foregoing Purchase and Sale Agreement is filed as Document No.  
£'6 in the Document Book of the Authority. )

The Executive Director presented a Form of a Deed conveying land  
in the New York Streets Project Area to Clara Drucker, pursuant to the Purchase  
and Sales Agreement.

On motion duly made and seconded, it was unanimously

VOTED: that the form of deed just presented to this meeting be and it  
hereby is approved, and that the Chairman, Joseph W. Lund, be and he hereby  
is authorized and directed to enter into and execute said deed with Clara Drucker  
and that the Secretary be, and he hereby is authorized to affix thereto and attest  
the seal of the Boston Redevelopment Authority, conveying Parcel No. 3 as shown  
in said New York Streets Project Area, UR Mass. 2-1 as shown on a plan entitled  
"Urban Renewal Division, Boston Housing Authority, New York Streets Project  
UR Mass. 2-1, Land Disposition Plan" by Hayden, Harding & Buchanan, Inc. , ,  
Consulting Engineers, Boston 35, Massachusetts, dated March 6, 1957, Revi-  
sions June 26, 1957.

(The foregoing form of deed is filed as Document No. 77 in the Docu-  
ment Book of the Authority. )

The Executive Director presented the Redeveloper's statement of qualifications and financial responsibility with respect to Clara Drucker, and also presented a resolution entitled "Resolution re Determination of the Boston Redevelopment Authority as to the Qualifications and Financial Responsibility of Clara Drucker, Redeveloper, New York Streets Project Area UR Mass. 2-1."

Upon the recommendation of the Executive Director and on motion duly made and seconded, it was unanimously

VOTED: to adopt said resolution as read.

(The foregoing resolution is filed as Document No. 2& in the Document Book of the Authority. )

The Executive Director informed the Authority that he had received a telephone call from Mr. Charles J. Horan, Regional Director of Region I, URA, on April 29, 1958 concerning the contract for engineering services with J. M. McCusker Associates in connection with the Mattapan Project, UR Mass. R-5.

The Executive Director further informed the Authority of the following background concerning this contract:

The proposed contract had been submitted for review and approval to the URA, New York office, early in December of 1957, pursuant to a vote of the Boston Housing Authority authorizing said firm to perform the engineering services required and authorizing execution of a contract with said firm in a form acceptable to the U.R. A. The Housing Authority voted their authorizations upon the recommendations of Mr. Kane Simonian, Chief of Urban Renewal. With the prior approval of the URA given orally, said contractor was authorized to proceed with the performance of the required services prior to the approval of the contract or the execution of the contract in order to meet a deadline of January 15, 1958. This deadline was established by the Commissioner of the URA making it mandatory to submit all applications for so-called "Old Act" projects by January 15, 1958 or the capital grant reservations for such projects would be

cancelled. After the novation agreement between the Boston Housing Authority and the Boston Redevelopment Authority was executed, the Redevelopment Authority adopted a vote on January 3, 1958 ratifying in effect the action of the Housing Authority and authorizing the execution of a contract with J. M. McCusker Associates in a form acceptable to the U. R. A. The required services under the proposed contract were performed by the J. M. McCusker Associates and were accepted by this Authority in time to meet the deadline of January 15, 1958. Since December of 1957, after many telephone calls, a communication was received from the URA in March of 1958 requesting some minor changes in the form of the contract. The communication was answered by the Executive Director.

On April 28, 1958, the Executive Director called Mr. Charles J. Horan of the U. R. A. and again inquired as to the status of the proposed contract. Mr. Horan promised to look into the matter. On April 29, 1958, Mr. Horan called the Executive Director and made the following statements.

1. The proposed contract called for complete engineering services both preliminary as well as final working drawings and specifications for the site improvements;
2. Since the URA regional office had notified the Authority of its intention to disapprove the project if the project land could not be sold to a re-developer "as is", there would not be any need for working drawings or final engineering specifications for site improvements because the Redeveloper, not the Authority, would install the site improvements;
3. Therefore, since only preliminary engineering services were all that would be required under these conditions, and which had already been performed, the contract should only cover the preliminary engineering services required for planning purposes;
4. The URA would approve a contract revised in accordance with the above and that the Authority should adopt a flat resolution approving a reasonable fee for the services performed to date;

5. This telephone call would constitute approval to execute a contract under the above conditions.

After conference with Mr. John Millerick, Chief of Development for the Urban Renewal Division under the Housing Authority and Mr. Wallace Orpin, Chief of Development for the Redevelopment Authority, it was determined that a reasonable and equitable fee for the preliminary engineering services performed would be 15% of the schedule of fees approved by the Society of Civil Engineers for the complete engineering services if a project were carried out through the development stage. This determination was in agreement with the terms of the proposed contract submitted to the URA in December, 1957, and is acceptable to J. M. McCusker Associates who have already performed the services under the above tentative terms.


Upon the recommendation of the Executive Director and upon motion duly made and seconded, it was unanimously

VOTED: to approve a contract with J. M. McCusker Associates for engineering services performed in connection with final plans for the Mattapan Project in the amount of \$5323.63; and that on the basis of adequately documented supporting data, the compensation to be paid the contractor is fair and proper under all circumstances and at a rate not in excess of what is customarily paid in a locality for equivalent services.

On motion duly made and seconded, it was unanimously

VOTED: to adjourn.

The meeting adjourned at 1:15 p.m.

  
Secretary