

MINUTES OF A REGULAR MEETING
OF THE BOSTON REDEVELOPMENT AUTHORITY

HELD ON OCTOBER. 25,1961

The Members of the Boston Redevelopment Authority met in regular session at the offices of the Authority, Room 350, 73 Tremont Street, Boston, Massachusetts, at 10:00 a.m. on Oct. 25, 1961. 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>
Msgr. Francis J. Lally	None
Stephen E. McCloskey	
James G. Colbert	
Melvin J. M&ssucco	
John P. Ryan	

A copy of the NOTICE OF MEETING, pursuant to Section 23A of Chapter 39 of the General Laws, with the CERTIFICATE AS TO SERVICE OF NOTICE OF MEETING attached thereto, was read and ordered spread upon the minutes of this meeting and filed for record.

NOTICE OF MEETING

Notice is hereby given in accordance with Section 23A of Chapter 39 of the General Laws that a meeting of the Boston Redevelopment Authority will be held at ten o'clock a.m. on October 25, 1961 at 73 Tremont Street in the City of Boston.

BOSTON REDEVELOPMENT AUTHORITY

By Kane Simonian

October 19, 1961

Title: Secretary

CERTIFICATE AS TO SERVICE OF NOTICE OF MEETING
(Sec. 23A, Chapter 39, General Laws)

I, Kane Simonian, the duly appointed, qualified and acting Secretary of the Boston Redevelopment Authority, do hereby certify that on Oct. 19» 1961 I filed, in the manner provided by Sec. 23A, Chapter 39, General Laws, with the City Clerk of the City of Boston, Massachusetts, a NOTICE OF MEETING of which the foregoing is a true and correct copy.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of said Authority this 25th day of October, 1961.

Kane Simonian
Secretary

LS

Messrs. Logue and Conley attended the meeting.

The minutes of the meeting of October 18, 1961 were read by the Secretary. On motion duly made and seconded, it was unanimously

VOTED: to approve the minutes as read.

The Executive Director distributed copies of a letter from the Journey-men Plumbers and Gasfitters' Local Union No. 12, complaining that the site improvement contractor, Salah & Pecci, were utilizing laborers in the West End site preparation contract for work that should be performed by plumbers, in accordance with the jurisdictional agreement between the Laborers' and Plumbers' Union. The General Counsel reported that he had reviewed the site preparation contract, which contract stipulated that all disputes of this nature were to be referred to the Administrator of the Housing and Home Finance Agency for clearance with the Secretary of Labor.

On motion duly made and seconded, it was unanimously

VOTED: that the Executive Director be instructed to submit the matter to the Administrator for adjudication in accordance with the contract requirements.

The Development Administrator presented to the Authority three memoranda all dated October 25th entitled (1) Revision in October 4 Recommendations on Properties to be Taken and Properties to be Excluded in the Government Center Initial Land Taking; (2) City Bank and Trust Company Building, 173-179 Washington Street; (3) Fitz-Inn Parking Lot. The memoranda were read by the Authority and discussed.

The following Resolution concerning the Order of Taking for the Government Center Project was introduced by Mr. Ryan, read in full and considered:

BE IT RESOLVED by the Boston Redevelopment Authority that an Order of Taking dated October 25, 1961, relating to the Government Center Project, No. R-35, be executed, together with a plan consisting of three (3) sheets dated August 23, 1961 and drawn by Henry F. Bryant & Son, Inc., Engineers, Brookline, Mass., which sheets are respectively entitled: Plan No. 1, Plan No. 2 and Plan No. 3, all of which are incorporated herein and made a permanent part of these proceedings, copies of which the Secretary shall cause to be recorded in the Office of the Registry of Deeds for the County of Suffolk; and

BE IT FURTHER RESOLVED that the Secretary shall deposit with the Mayor of the City of Boston, Massachusetts, security to the said Mayor's satisfaction for the payment of such damages as may be awarded in accordance with the law by reason of the taking therein made.

Mr. Ryan then moved the adoption of the Resolution as introduced and read. Mr. Colbert seconded the motion, and on roll call, the following voted "aye": Monsignor Lally and Messrs. McCloskey, Colbert, Massucco and Ryan; and the following voted "nay": None.

The Chairman thereupon declared the motion carried and the Resolution adopted as introduced and read.

The foregoing Order of Taking is incorporated in the minutes of the meeting and filed in the Document Book of the Authority as Document No. 165.

Mr. Colbert stated that he wanted to include the following in the minutes:

"I voted for the recommendation as submitted by the Development Administrator with the understanding that Patten's Restaurant, which originally was not to be taken, is in my opinion a supporting facility in the Government Center area, where a great many people who have business in the area such as attorneys, judges, Court House officials and businessmen patronize for lunch and dinner, and I voted for this building to be included in the taking with the specific understanding as far as I am concerned that I will oppose the demolition of the Restaurant until some other facility is available to serve the area in a similar manner; and as I understand it, there are no immediate plans to demolish the Patten's Restaurant building until such other facilities are available. In order to prevent chaos, confusion and panic on the part of the employees in some of the establishments that we are taking, it should be understood that the taking does not mean that all of the buildings are going to be torn down next week, next month or next year. "

The Chairman stated that Mr. George Gloss, Cornhill Book Store, and others had requested to attend the meeting of the Authority to discuss the preservation of the Sears Block. The Executive Director was instructed to contact Mr. Gloss and advise him that the Authority would meet with him and his committee on November 15th at 11:00 a.m.

Two bills from J. L. Hayden Associates, approved by the Chief Engineer, totaling \$1339.04 were distributed by the Executive Director for engineering services rendered for the contract in connection with the site improvements for the West End project.

On motion by Mr. Massucco, seconded by Mr. Ryan, it was unanimously

VOTED: to authorize the above payment.

Letters from a resident in the Whitney Street project area, regarding improvements to the MTA, were distributed for informational purposes.

A letter from Hugh Stubbins and Associates, together with a sketch plan showing the proposed new sign for the Whitney project, were distributed.

A letter from the First Realty Company of Boston, making a proposal to continue management of two buildings in the Government Center project area after the eminent domain taking, were distributed. The First Realty offered to manage these properties in accordance with Federal regulations at the approved Real Estate Board schedule for management, namely, a fee of 6% of gross income.

On motion by Mr. Massucco, seconded by Mr. Colbert, it was unanimously

VOTED: to accept the offer and approve, the management of Barristers Hall and* 20 Pemberton Square Building in the Government Center project area at 6% of gross income, subject to the usual Federal Manual requirements, and that the Executive Director be authorized to execute the Agreement in accordance with the Property Management Policy of the Authority.

Copies of a letter from Charles River Park, Inc. were distributed, enclosing a plan for the use of an acre of land in Parcel-i-B for use by visitors to the model apartments in Parcel 1-A. Parcel 1-B is currently in the possession of Qharles River Park, Inc. under a lease executed September 8, 1961.

Permission for the use of the land for this purpose temporarily was requested in accol>dance with th* Lease Agreement. The Executive Director reported that the required area has been adequately roped off and regulated by private police guards.

On motion^by Mr. McCloskey, seconded by Mr. Ryan, it was unanimously

VOTED: to approve the temporary use of the land by Charles River Park, Inc. for the above-named purpose.

Copies of a letter were distributed from Attorney Fred Hertan, representing the Valmont Homes, tentative redevelopers for the proposed Mattapan project, advising the Authority that the FHA has given preliminary feasibility for the garden-type apartments in the Mattapan area. The Development Administrator reported that he had discussed the matter of obtaining Federal funds for this project with the regional officials and that the matter was under active consideration in the regional office.

The Property Management Policy, dated October 17, 1961, which was laid on the table at the last meeting, was taken from the table and discussed.

On motion duly made and seconded, it was unanimously

VOTED: to amend Section III A on Page 4 to authorize a fee of 6% of the total gross rent collections, which is the approved Real Estate Board schedule, in lieu of the 5% previously stipulated.

On motion by Mr. McCloskey, seconded by Mr. Ryan, it was unanimously

VOTED: to adopt the Property Management Policy.

The foregoing Property Management Policy is filed in the Document Book of the Authority as Document No. 166.

The Secretary was instructed to post security for the Government Center eminent domain taking with His Honor, the Mayor, in accordance with Chapter 79, and to file the Order of Taking as voted at the Registry of Deeds, Suffolk County. The General Counsel and the Secretary left the meeting at 11:12 a.m. *KP*

On motion duly made and seconded, it was unanimously

VOTED: to appoint William J. Johnson, Assistant Executive Director, as Secretary Pro Tern for the remainder of the meeting.

The Development Administrator distributed a tabulation prepared by Wallace Orpin of proposals received by invitation from several engineering firms for engineering survey work on the Government Center project. The lowest proposal was from Whitman and Howard in the amount of \$16,800; The second lowest proposal was in the amount of \$29,000.

The Development Administrator explained that the specifications in the invitation for proposals called for 150 days; however, since last week the General Services Administration officials, their architects and engineers had requested the Authority to expedite the preparation and delivery

of the site for the Federal Building; further, that the delivery of this land and the progress of the project would be expedited considerably if the engineering survey material could be obtained in 120 days instead of 150 days as solicited.

Mr. Logue further reported that the Chief Engineer had discussed the matter of the completion of the survey in thirty days less time with Whitman and Howard, and had been advised that the survey could be completed in 120 days instead of 150 days at an increased cost of \$3500, which would make the total still substantially less than the second low bidder.

On the recommendation of the Development Administrator and on motion by Mr. Massucco, seconded by Mr. Ryan, it was unanimously

VOTED: to accept the proposal from Whitman and Howard for \$18, 800 and that a contract be executed by the Development Administrator stipulating that the contractor would be entitled to a \$3500 bonus if the work is completed within 120 days rather than 150 days originally contemplated.

On motion by Mr. Colbert, seconded by Mr. Massucco, it was

VOTED: that in future contracts a penalty clause be inserted for failure to complete work in the specified time.

Mr. Ryan voted "nay".

The Development Administrator recommended that the Site Office Manager, Government Center project, be authorized to hire three additional maintenance men at the usual rate, subject to the approval of the Executive Director.

Mr. Colbert objected to the delegation of this type of authority, inasmuch as the Authority's policy is to vote all the appointments when names are presented.

On motion by Mr. Colbert, seconded by Mr. Massucco, it was unanimously

VOTED: to authorize the Site Office Manager, Government Center project, to hire three additional maintenance men at the usual rate, subject to the approval of the Executive Director and the Authority.

The Development Administrator distributed a copy of a memo dated October 25th re Franklin, Pearl, Hartford and Wendell Street parking facilities, attached to which was a memo from Donald M. Graham, Planning Administrator, to Mr. Logue, recommending that the Authority approve the

determination made by the Real Property Board that the foregoing area is no longer needed for off-street parking purposes.

On motion by Mr. Massucco, seconded by Mr. McCloskey, it was VOTED: that the Boston Redevelopment Authority hereby approves the determination made by the Real Property Board at its meeting held on September 29, 1961 that the Franklin, Pearl, Hartford and Wendell Streets, Boston, off-street parking site, containing 38,378 square feet, more or less, is no longer required for off-street parking purposes.

Mr. Ryan voted "present" for reasons previously stated in the minutes of October 4, 1961.

A recommendation, which was tabled at last week's meeting, for a change in the scope of work - remodeling 10th and 11th floors, City Hall Annex, was taken from the table.

In this connection, the Development Administrator distributed copies of a memo dated October 25th, revising last week's memo on this matter and recommending that the acoustical tile ceiling which was in the original specifications not be deleted as recommended last week, and that because of this the additional work recommended last week should be financed by credits received from unexpended items and the authorization for an extra payment in the amount of \$1376.26.

The three changes in the scope of work recommended were as follows: (1) enclose the stairwell ceiling on the 11th floor; (2) re-enclose the existing plastic ceiling on the 11th floor; (3) provide access panels in new suspended baffles on the 10th and 11th floors. The total estimated cost of these three items is \$3629.00.

Mr. Logue reported to the Authority that the expenditure for the above three items could be paid by allocating a credit of \$2252.74 received from other items under the contract for which these funds are not needed, in addition to an authorization for an extra payment in the amount of \$1376.26.

On motion by Mr. Ryan, seconded by Mr. Massucco, it was VOTED: to authorize the change in the scope of work to provide the above three items and to approve an extra in the contract in the amount of \$1376.26 for the purpose of defraying the cost of the changes.

The Vice Chairman, Mr. McCloskey, requested that the following statement be included in the record: "In my opinion, acoustical tile is not durable and is an inferior substitute for lathing and plastering."

