

MINUTES OF A REGULAR MEETING
OF THE BOSTON REDEVELOPMENT AUTHORITY

MARCH 18, 1982

The Members of the Boston Redevelopment Authority met in regular session at the office of the Authority, Board Room, City Hall, One City Hall Square, Boston, Massachusetts at 2:30 p.m. on March 18, 1982. 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>
Robert L. Farrell	Joseph J. Walsh (came in later)
James K. Flaherty	William A. McDerraott, Jr.
Clarence J. Jones	

A copy of the NOTICE OF MEETING, pursuant to Section 23B of Chapter 39, as amended, 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 23B of Chapter 39, as amended, of the General Laws that a regular meeting of the Boston Redevelopment Authority will be held at 2:30 p.m. on March 18, 1982, in the Boston Redevelopment Authority Board Room, City Hall, One City Hall Square, in the City of Boston, Massachusetts.

BOSTON REDEVELOPMENT AUTHORITY

By Kane Simonian

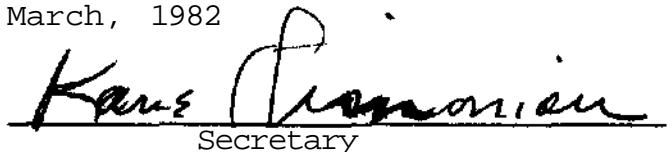
Title Secretary

March 12, 1982

CERTIFICATE AS TO SERVICE OF NOTICE OF MEETING

I, Kane Simonian, the duly appointed, qualified and acting Secretary of the Boston Redevelopment Authority, do hereby certify that on March 12, 1982, I filed in the manner provided by Section 23B of Chapter 39, as amended, of the 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 eighteenth day of March, 1982


Secretary

Messrs. Ryan and Simonian attended the meeting.

The minutes of the meeting of March 4, 1982 were read by the Secretary.

On the presentation of certified invoices and on motion duly made and seconded, it was unanimously

VOTED: To approve the payment of the following bills:

Access International, Inc.	\$ 8,342.00
John Avault	1,155.00
Childs, Bertman, Tseckares & Casendino, Inc.	8,851.00
D. Clancy & Sons Co.	12,495.33
Edwards and Kelcey, Inc.	20,637.88
ETA Engineering, Inc.	7,722.98
Susan E. Jaster	837.50
P. Leone Construction Co., Inc.	14,996.00
CE Kaguire, Inc.	44,930.78
CE Maguire, Inc.	2,047.09
Margaret C. O'Brien	464.13
Parsons, Brinckerhoff, Quade & Douglas, Inc.	9,188.89
Moshe, Safdie and Associates, Inc.	308.19
Schoenfeld Associates, Inc.	8,029.55
Schoenfeld Associates, Inc.	12,115.11
Schoenfeld Associates, Inc.	10,720.47
Beliefonte Insurance Agency	250.00
United States Liability Insurance Company	250.00
John Mahoney Construction Co., Inc.	55,557.42
Coopers & Lybrand	22,908.14
John E. O'Neill	1,600.00

Copies of a memorandum dated March 18, 1982 were distributed re Waterfront Project, Mass. R-77, Certificates of Completion Regarding Parcel A6/A7, which included a proposed vote.

On motion duly made and seconded, it was unanimously

VOTED: That the Director be and hereby is authorized to issue Certificates of Completion in accordance with Section 304 of the January 3, 1980 Land Disposition Agreement with the Trustees of the Downtown Boston Properties Trust and is further authorized to issue Certificates of Completion that are required under the terms of the Chapter 121A Regulatory Agreement.

Copies of a memorandum dated March 18, 1982 were distributed re Waterfront Project, Mass. R-77, License for Sargent's Wharf Parking Lot, attached to which were copies of a Tabulation of Bids and a proposed vote.

On motion duly made and seconded, it was unanimously

VOTED: That the Executive Director is authorized to execute a License Agreement with Allright Boston Parking, Inc., for a one year period commencing April 16, 1982, at the rate of \$27,384 per month for this parking lot at Sargent's Wharf, subject to the terms and conditions set forth in the bid documents.

Copies of a memorandum dated March 18, 1982 were distributed re Charlestown Project, Mass. R-55, Site Preparation Contract "X-1", Modern Continental Construction Co., Inc., Reduction in Retainage, attached to which were copies of an invoice dated December 10, 1981 from The Modern Continental Construction Co., Inc. and a proposed vote.

On motion duly made and seconded, it was unanimously

VOTED: That Payment Request No. 10, a portion of the retainage in the amount of \$14,024.33 by Modern Continental Construction Co., Inc. for Site Preparation Contract "X-1", E.P.A. funded, in the Charlestown Project, Mass. "R-55, is approved for payment.

Copies of a memorandum dated March 18, 1982 were distributed re Charlestown Project, Mass. R-55, Tentative Designation of Gilbert Eatherton as Redeveloper of Disposition Parcel R-12D, attached to which were copies of a Resolution, a Redeveloper's Statement for Public Disclosure, a Redeveloper's Statement of Qualifications and Financial Responsibility, and a map indicating the location of the area.

A Resolution entitled, "RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY RE: TENTATIVE DESIGNATION OF GILBERT EATHERTON, DISPOSITION

PARCEL R-12D IN THE CHARLESTON URBAN RENEWAL AREA PROJECT NO. MASS. R-55" was introduced, read and considered.

On motion duly made and seconded, it was unanimously
VOTED: To adopt the Resolution as read and considered.

The aforementioned Resolution is filed in the Document Book of the Authority as Document No. 4178.

Copies of a memorandum dated March 18, 1982 were distributed re Charlestown Project, Mass. R-55, Permission to Advertise Vacant Parcels for Residential Construction, attached to which were copies of eight maps indicating the locations of the parcels and a proposed vote.

On motion duly made and seconded, it was unanimously
VOTED: That the Director be and hereby is authorized to advertise the above parcels for development in the Charlestown Project.

Copies of a memorandum dated March 18, 1982 were distributed re South End Project, Mass. R-56, Final Designation of Stride Rite Corporation as Redeveloper of Reuse Parcel 41D, attached to which were copies of a Resolution, a Redeveloper's Statement for Public Disclosure, a Redeveloper's Statement of Qualifications and Financial Responsibility, The Stride Rite Corporation 1981 Annual Report, and a map indicating the location of the area.

A Resolution entitled, "RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY RE: FINAL DESIGNATION OF REDEVELOPER, APPROVAL OF FINAL WORKING DRAWINGS AND SPECIFICATIONS AND PROPOSED DISPOSITION OF PARCEL 41D IN THE SOUTH END URBAN RENEWAL AREA, PROJECT NO. MASS. R-56" was introduced, read and considered.

On motion duly made and seconded, it was unanimously
VOTED: To adopt the Resolution as read and considered.

The aforementioned Resolution is filed in the Document Book of the Authority as Document No. 4179.

Copies of a memorandum dated March 18, 1982 were distributed re Kittredge Square Project, Mass. R-167, Rejection of Low Bid and Authorization to Award Contract to Second Low Bidder for Exterior Architectural Restoration Work at 15 Morley Street, attached to which were copies of a Tabulation of Bids, an Analysis of Bids, and two proposed votes.

On motion duly made and seconded, it was unanimously

VOTED: That the low bid of \$31,460 for Exterior Restoration Work at 15 Morley Street in the Kittredge Square Project by CM Contracting Company, be rejected as incomplete; and

FURTHER

VOTED: That the contract for Exterior Restoration Work at 15 Morley Street in the Kittredge Square Project be awarded to the second lowest eligible and responsible bidder, Cousins Construction Company, in the amount of \$38,189 and the Director is authorized to execute said contract in behalf of the Authority.

Copies of a memorandum dated March 18, 1982 were distributed re Report and Decision - East Canton Street Associates.

On motion by Mr. Flaherty, seconded by Mr. Jones, it was unanimously

VOTED: To place this memorandum at the end of agenda for consideration at that time.

Copies of a memorandum dated March 18, 1982 were distributed re North Station Urban Renewal Project, Order of Taking, attached to which were copies of a Resolution and an Order of Taking including Annex A, Project Area Description and Annex B, Taking Area Description.

Ms. Joan Smith of the Authority staff addressed the Authority and answered the Members' questions regarding relocation.

On motion duly made and seconded, it was unanimously

VOTED: To adopt the following Resolution:

"BE IT RESOLVED by the Boston Redevelopment Authority that an ORDER OF TAKING dated March 18, 1982 relating to portions of the NORTH STATION URBAN RENEWAL AREA be executed and made a permanent part of these proceedings, a copy 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."

The aforementioned Order of Taking is filed in the Document Book of the Authority as Document No. 4180.

Copies of a memorandum dated March 18, 1982 were distributed re Authorization to Enter into a Consultant Contract with Kallman, McKinnell and Wood Architects, Inc., which included a proposed vote.

On motion duly made and seconded, it was unanimously

VOTED: That the Director is hereby authorized to enter into a contract with the firm of Kallman, McKinnell and Wood Architects, Inc. for the purpose of evaluating the impact of the Sheraton Hotel plaza level expansion, at a total contract amount not to exceed \$7,000 at no cost to the city.

Copies of a memorandum dated March 18, 1982 were distributed re Zoning Text Amendment No. 87, Map Amendment Application No. 216: Height Limit District for St. Botolph Street Area, attached to which

were copies of Map Amendment Application No. 216, Text Amendment Application No. 87, a map indicating the location of the area, and a proposed vote.

On motion duly made and seconded, it was unanimously
VOTED: That in connection with Text Amendment Application No. 87 and Map Amendment Application No. 216, by Terrence and Patricia Geoghegan for the St. Botolph Citizen's Committee, the Boston Redevelopment Authority recommends that the Zoning Commission delay in making a decision until such time as the Authority can submit a more detailed -written recommendation.

Copies of several memoranda dated March 18, 1982 were distributed re Board of Appeal Referrals.

Mr. Walsh entered the meeting at this point.

On motion duly made and seconded, it was unanimously
VOTED: In reference to Petition Z-5557, brought by Dorothy Abbe, Eastern Harbor Associates, Inc., 50 Redfield Street, Dorchester, for two variances to erect three-story office building in a manufacturing (M-1) district, the Boston Redevelopment Authority recommends denial.

On motion duly made and seconded, it was unanimously
VOTED: In reference to Petition Z-5559, brought by Cosmo J. Mignosa, 385a-387 West Broadway, South Boston, for two variances to subdivide and change occupancy from one-family dwelling and store to apartment, store, and clubhouse in a general business (B-2) district, the Boston Redevelopment Authority recommends denial.

On motion duly made and seconded, it was unanimously
VOTED-. In reference to Petitions Z-5570 and 5572, brought by Burger King Corporation and DKT Realty Trust, 4594-4600 Washington Street, Roslindale, for three

conditional uses and a variance to subdivide and erect one-story Burger King restaurant with drive-through window in a local business (L-5) district, the Boston Redevelopment Authority recommends denial without prejudice.

On motion duly made and seconded, it was unanimously

VOTED: To approve the Director's recommendations relating to Petition Nos. Z 5534, Z-5541, £-5543, 2-5546, Z-5549, 2-5550, Z-5551, Z-5552, Z-5553, Z-5555, Z-5556, Z-5567, Z-5584.

The aforementioned Board of Appeal Referrals are filed in the Document Book of the Authority as Document Mo. 4181.

Copies of a memorandum dated March 18, 1982 were distributed re Informational Memo on Staff Reductions, which memorandum was duly considered and accepted.

Copies of a memorandum dated March 18, 1982 were distributed re Notice of Hearing by the Boston Redevelopment Authority Board - Staff Personnel Reduction, attached to which were copies of a list dated March 18, 1982 containing the name of one (1) employee, position classification and salary. Also attached were copies of a letter dated March 18, 1982 containing a formal notice voting to grant a hearing to the employee whose termination of employment was in the above-referenced list. Enclosed with this letter of notice was a copy of Sections 39, 40, 41, 42, 43, 44 and 45 of Chapter 31 of the Massachusetts General Laws and a copy of a proposed Resolution to be considered by the Boston Redevelopment Authority. Also attached were copies of a Notice of Hearing by Authority Board, Staff Personnel Reduction/1 Employee, dated March 18, 1982 and a proposed vote.

On motion by Mr. Jones, seconded by Mr. Flaherty, it was unanimously

VOTED: That Charles A. Cotter be given a hearing by the Boston Redevelopment Authority in the Board Room, ninth floor, City Hall, Boston, Massachusetts, at 2:30 p.m., April 8, 1982 relative to the proposed termination of his employment for cause, namely, lack of money; and that Charles A. Cotter be notified of said hearing by letter in the form attached hereto.

A copy of the aforementioned list of one employee, letter of notice, and proposed Resolution is filed in the Document Book of the Authority as Document No. 4182.

Copies of a memorandum dated March 18, 1982 were distributed re Staff Personnel Reductions, attached to which were copies of a Resolution with a proposed vote, an attachment dated March 18, 1982 containing a list of three (3) names as follows:

<u>NAME</u>	<u>POSITION CLASSIFICATION</u>	<u>SALARY</u>
Sheila R. Craven	Senior Staff Photographer	\$14,996
Mildred A. Terrell	Chief Neighborhood Organizational Spec.	\$18,692
Candace J. Chick	Graphic Designer I	\$16,076

Also attached were copies of three letters dated March 18, 1982 containing a formal notice of termination of employment and instructions on requesting a hearing before the Authority Board, to Ms. Sheila R. Craven, Mrs. Mildred A. Terrell, and Ms. Candace J. Chick.

On a motion by Mr. Flaherty, seconded by Mr. Walsh, it was unanimously

VOTED: To adopt the following Resolution and vote with reference to the three (3) employees referred to above:

"WHEREAS, on December 30, 1968 (see also Resolution of January 25, 1961) the Authority pursuant to the recommendation of the then Development Administrator adopted the following policy:

" 1. Re: Establishment of a class of temporary employees to be known as Development Program Employees.

Whereas, the expanded staff requirements for carrying out the Boston Development Program will exist for a temporary period and can best be met by a maximum flexibility in hiring, dismissal, promotion and transfer of staff, and

Whereas, if such staff were to be classified as permanently employed within the meaning of Section 52 of Chapter 121B of the General Laws, it would seriously jeopardize the Authority's ability to carry out the program with maximum efficiency and economy.

Therefore, be it Resolved that there shall be established a new class of temporary employees of the Authority, which shall be known as Development Program Employees who shall be employed from time to time for work in the Development Program and shall not be considered as permanent employees of the Authority. All such employees, unless otherwise specifically provided, may be dismissed at any time for cause or on three months' notice without cause.'

"WHEREAS, the Director has recommended that the employment of the persons listed on the attached be terminated for cause, namely, lack of money; and

"WHEREAS, the Authority has found on evidence presented at the Board Meeting of March 18, 1982, that lack of money warrants the termination of employment of the following named individuals and;

On motion duly made and seconded, it was

VOTED: That the employment of the following persons listed on the attachment be terminated for cause, namely,

lack of money, said termination to take effect April 16, 1982. Said notice shall be in the form attached hereto and shall include a statement that the Authority does not by this action waive any other causes that it may have for the termination of said employment."

The aforementioned attachment containing the three (3) names is filed in the Document Book of the Authority as Document No. 4183.

On motion by Mr. Flaherty, seconded by Mr. Jones, it was unanimously

VOTED: To consider the memorandum previously moved to the end of the agenda re Report and Decision, East Canton Street Associates, dated March 18, 1982, attached to which were copies of a Fact Sheet and a proposed vote.

On motion duly made and seconded it was

VOTED: That the Authority hereby authorizes the General Counsel to prepare a favorable Report and Decision on the Chapter 121A Application of East Canton Street Associates for the Authorization and Approval of a Project Under Massachusetts General Laws (Ter.Ed.) Chapter 121A as Amended, and Chapter 652 of the Acts of 1960.

Mr. Flaherty voted "Nay".

On motion duly made and seconded, it was unanimously

VOTED: That the next meeting of the Authority be held on Thursday, April 8, 1982 at 2:30 p.m.

On motion duly made and seconded, it was unanimously

VOTED: To adjourn.

The meeting adjourned at 3:40 p.m.


Secretary