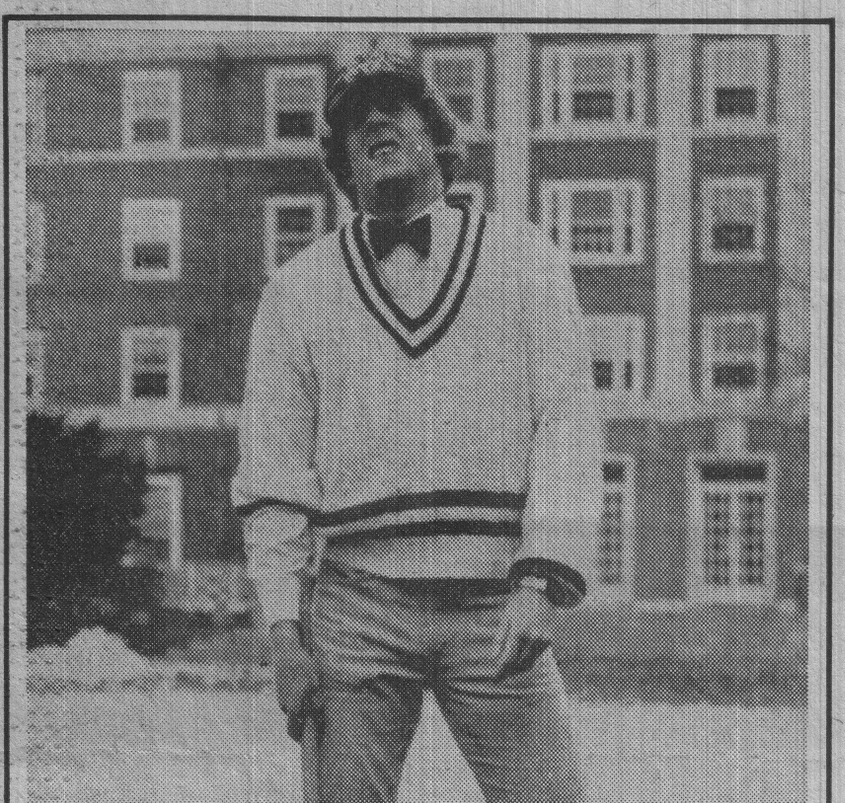


UPI Photo

All sports have their bright and black moments. Harvard's Joe Breuner, a junior, is experiencing a dark moment as his croquet ball stops just short of going through the wicket, during Harvard-Yale croquet match — the first sanctioned by the U.S. Croquet Association in many years. Yale was the winner 30-27.

Cambridge man turns patriotism into profit

By DICK BRAUDE
Associated Press Writer

There's profit in patriotism for a shrewd Cambridge merchant in step with the growing desire of Americans to show their colors.

Frederic Littlefield, 72, wanted to start a business in 1939 so he thumbed through the telephone book and saw there was no one listed under "F" for flags.

Forty years later — with hostages in Iran tugging at the nation's conscience — he's selling $200,000 worth of American flags a year.

These range from four-by-six inches for less than a dollar to the $1,800 banner, 26-by-36 feet, that flies at the John F. Kennedy Library in Boston. A standard three-by-five foot American flag costs up to $50, depending on its fabric.

"We've increased our business almost twice this year, and we're just getting started," says Littlefield, who sells other flags and custom-ordered banners of all sorts. "I think there is more patriotism. People are more aware of their nationality, and they want to show it."



Frederick Littlefield with some of his flags.

The yellow "ribbons" — banners actually — that people are flying as hostage reminders? Littlefield sells those too, thousands of them.

Even in the 1960s, when "hippies," as he calls them, were downgrading the American flag, Littlefield's business prospered. The kids swiped and defaced flags; local governments had to buy new ones — and they came to Littlefield's Flag Center.

"It was a shame. We didn't really like that kind of business," says Littlefield. He says he's patriotic "but not gung-ho about it."

His store also sells state flags. It seems to Littlefield that every Texan who's resettled in Massachusetts has bought a flag of his true home.

The Littlefield family turf is New England. It traces its American roots back 350 years in Maine and Massachusetts. The Littlefields still own more than 1,000 acres of coastal property — a grant from King George III — in Sargentville, Maine.

Littlefield's great-grandfather helped found a steamship company, and his father was a sea captain. Littlefield has an engineering degree, but he's always been purely a businessman, overseeing a lumber business and a firm in Sargentville that makes huge fiberglass flag poles.

As for the American flags — manufactured in New Jersey — Littlefield sells to private citizens and businesses — even sports teams.

When the New England Patriots of the National Football League wanted to sell cheerleading souvenir flags they ordered 20,000 from Littlefield.

"There's been an increasing demand for flags almost every year since we started," he says. "I think the business has tremendous potential that hasn't been tapped yet."

Budget cuts ordered in wake of 2½

By JANICE ELLIOTT
Staff Writer

Because of Proposition 2½, Cambridge city department heads have been ordered to cut their budgets by 25 percent next year, and widespread municipal layoffs appeared a certainty.

Deputy City Manager Robert Healy said yesterday the reductions were ordered by City Manager James L. Sullivan to help provide funds to pay $32.7 million in fixed costs in the $80 million budget supported by property taxes.

The fixed costs include debt service, pensions, health insurance and the city's MBTA assessment.

"There is no way we can avoid personnel layoffs and they will hit every department," Healy said.

In the current budget, the total police budget was $7.9 million and all but $700,000 was for manpower, he said. Similarly, in Fire Chief Daniel Reagan's fiscal 1980-81 budget, $6.6 million of a total appropriation of $7.1 million was for personnel.

"I can't see any way that the departments could reduce their budgets by the amount the manager has ordered and not lay off people," Healy said.

"Mathematically, the budget reductions would result in the loss of 980 of the city's 2,400 employees. We are hoping to reduce that number."

Another 1,600 are School Department workers.

Because the reduction in automobile excise taxes mandated by Proposition 2½, healy said there would be no way to finance supplemental budgets for the current fiscal year.

"Because of this, we've actually got to start cutting back before the beginning of the next fiscal year July 1," he said.

Sullivan said earlier that the city must reduce its new budget by $14.7 million to offset the loss of $12 million from property taxes under Prop 2½ and of $2.7 million from reduced automobile excise taxes.

The School Department must reduce its budget for the next fiscal year by $6 million.

Although most of the provisions of Prop 2½ will become effective with the new year, the excise tax provision goes into force Dec. 4.

In his annual budget message to his heads of department Sullivan said:

"We must prepare the budget on the premise that the law (Proposition 2½ will not be amended. Nor can we assume there will be any additional state aid."



Gene Alfano (second from right) of the Small Business Administration (SBA) and Shelley Freedman (right) of the Department of Housing and Urban Development (HUD) recently toured several businesses in Somerville. Bill Carnes (left) of the H. K. Porter Company gives demonstration of company's products. Looking on is Mayor Eugene Brune (second from left).

Police seek new volunteers to supplement auxiliary unit

The Somerville Police Auxiliary, a volunteer organization under the auspices of the local Civil Defense Administration and Somerville Police, is seeking new volunteers to supplement the auxiliary unit.

Any man or woman, ages 19½ to 65, and in good physical condition, who wishes to donate some time in the service of the community, is encouraged to contact auxiliary recruiters Wednesday evenings from 7-10 p.m. at 625-1212, extension 47, to arrange for an interview.

"This new program is designed for those citizens who have some free time and are interested in becoming involved in a community program," said Auxiliary Captain Nap Razzaboni. "The officers in this program will be used to assist in traffic control at the city's churches, community parades and special events."

The auxiliary unit is also assigned to PTA meetings, local telethons and events sponsored by non-profit organizations.

The value of the auxiliary police force can be found in its past efforts at such incidents as the Swifts fire, Blizzard of '78 and the chemical spill last April 3.

Volunteers will be offered training in traffic direction, laws of the Commonwealth, Cardio-Pulmonary Resuscitation (CPR), first aid and other procedures.

BRIEFS

Assessors mull over tax rate

The Board of Assessors may set the new fiscal 1981 property tax rate at Monday's regular 7 p.m. meeting. Then again, they might not.

A question has arisen over whether the Somerville School Department is over the state mandated four-percent tax cap on local spending. The confusion involves some $200,000 in Public Law 874 funds the department has not been allowed to include as expenditures and must be added to the budget. The School Department has voted previously to override the tax cap.

However, it appears the Board of Aldermen is charged with the final authority to override the tax cap and that action might take place at their Tuesday night meeting.

As a result, it would appear the assessors may not be able to vote on a new rate until Wednesday at the earliest.

Cable complaint line

"We want people to know that there's an office available to help them with consumer complaints about cable television in the city," says Robert Matorin, chairman of the Somerville Cable Advisory Board.

According to Matorin, local consumers with complaints about cable can contact the Office of Cable TV at City Hall to register their dissatisfaction.

"The office will help with service interruptions, billing or installation problems or any other difficulties people might have with cable television," Matorin said.

The Somerville Office of Cable TV is located in the basement of City Hall and can be reached at 625-6600, extension 156.

Honor for Camacho

The Cambridge School Committee tomorrow will honor the late Dr. Martin Camacho, who inspired the creation of the city's highly successful bilingual program in its public schools.

Dr. Camacho, who held a PhD in political science from Harvard, will be memorialized at ceremonies dedicating the Harrington School Atrium in his honor.

Edmund Denis, former Bristol County district attorney, will give the dedication address.

The ceremonies will begin at 3 p.m. A reception will follow.

Man of the year

Judge Lawrence F. Felony, Chief Justice of the Third District Court, has been elected "Man of the Year" by the Cambridge Boy's Club.

Felony will be honored at a dinner dance at the Stephen James House on Dec. 10, hosted by the Cambridge Boy's Club.

This is the third year that the club has named a man of the year.

Harvest dance

Somerville United Neighborhoods (SUN) will hold a harvest dance tonight at 8 at the Greek Orthodox Church Hall on Central Street, Somerville.

The event will feature music, buffet and cash bar. Donation for the affair is $5. For information call 623-5090.

Feds laud business renewal efforts

Several federal agencies have praised the Somerville Office of Planning and Community Development for its "outstanding efforts" with the city's Neighborhood Business Revitalization program.

Applauding the city's efforts were Shelley Freedman, regional administrator of the Department of Housing and Urban Development (HUD); Gene Alfano of the Boston office of the Small Business Administration (SBA); William Fitzhenry of the Boston office of the Economic Development Agency (EDA), and Diane Mwonyoha of the National Development Council (NDC).

Each official emphasized that Somerville has taken great strides since it was diagnosed as one of 25 "distressed" cities by the federal government in July 1978.

Somerville was one of the smallest target cities named to the list of "distressed" cities. The list included Baltimore, Chicago, Detroit, Los Angeles, New York, Philadelphia and San Francisco. Each city was seen as having a dim economic outlook and little or no chance to improve without federal help.

The federal government provided training and technical assistance to strengthen the effectiveness of the local community development office. Over $12 million in federal and private loans and federal grants was steered towards Somerville to help revitalize about two dozen businesses in the city. That project also helped create 300 new jobs.

"Expanding our tax base and improving our overall tax picture have been top priorities of my administration," Mayor Eugene Brune siad. "And the best way to do this is to fully assist our local businesses to grow and stay healthy. We're proud the federal government has recognized our success."

The federal agencies praised the city during a press conference held at the H.K. Porter Company.

"It's gratifying to know that even though we are one of the smallest cities in the program, our efforts have been among the most successful," said John Matthews, Assistant Director for Economic Development for the city.

Bomb called anti-nuclear issue

Atomic bombs and not atomic power plants are the greatest threat to human life, and the public needs to understand that issue, according to a group of disarmament specialists at Massachusetts Institute of Technology.

The main concern of the group, said MIT physicist Kosta Tsipis, is that too much effort is going into stopping nuclear power "which is at least useful," rather than into stopping nuclear armaments and nuclear war.

"The amount of radioactive material released by detonation of a single nuclear weapon, such as those now in the arsenals of the United States and the Soviet Union, would be at least 100 million times greater than what was actually released by the Three Mile Island reactor accident," Tsipis said recently.

He said the explosion of one nuclear bomb would be 1,000 times worse, in terms of radioactive materials released, than even the worst conceivable nuclear reactor accident.

He said a study conducted by him and physics senior Steve Fetter indicates "the public's concern is totally misplaced. What the public should be worried about are the recent statements about the possibility of fighting and winning a nuclear war. That's just insane."

However, Professor Henry Kendall of MIT, chairman of the Union of Concerned Scientists and a critic of the nuclear industry, disagreed with the group's conclusions.

"We must work on all critical problems," he said. "We can't afford to direct all our attention purely at the most severe problem. One cannot trivialize a major reactor accident in terms of its long-term contamination."

He quoted from a 16-year-old Atomic Energy Commission study on nuclear reactors that said a major accident would be comparable to a small nuclear weapon detonation. "I state that this is still true," he added.

New lottery provides funds for Somerville Arts Council

The city of Somerville helped kick off the new Massachusetts Arts Lottery when Mayor Eugene C. Brune purchased the first ticket sold here.

The state-run lottery will provide the newly appointed Somerville Arts Council with funds to support local arts development beginning June of 1981.

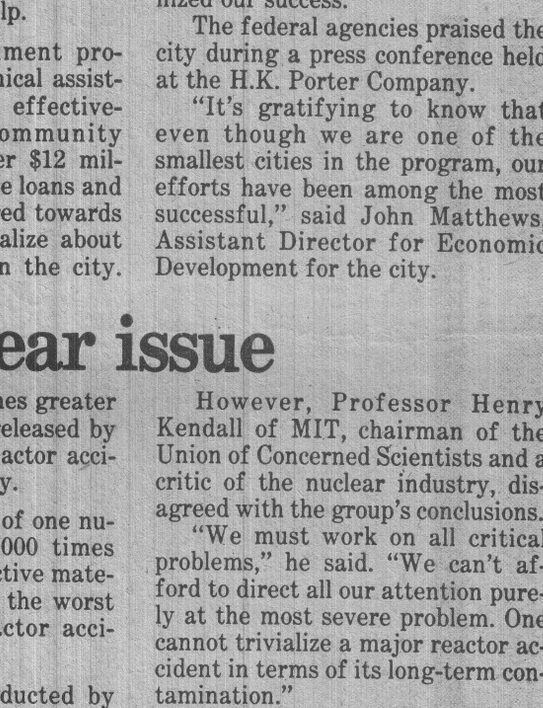
"The new Arts Lottery represents an opportunity to expand arts awareness, education and programming through our new Somerville Arts Council," Brune said.

The 13-member Somerville Arts Council was formed by Brune last March and since that time, they have been laying the groundwork for successful expansion of the arts in Somerville.

According to Mark Barnard, chairman of the Somerville Arts Council (SAC), the group plans to develop art by sponsoring local artists, expanding cultural affairs, sponsoring art competition, increasing the number of local concerts and instituting new programs.

"We have a wide range of exciting options open to us now," Barnard said. "The Arts lottery should bring Somerville close to $100,000 each year. That money will provide us with an ongoing program of support and growth for the local arts community."

The Arts Lottery is the result of legislative signed by the state into law last year. The game is administered by the Massachusetts State Lottery Commission, which has been operating other successful lottery games since 1972.



Somerville Major Eugene C. Brune purchases an Arts ticket from Sybil Sermos.

City of Cambridge

PUBLIC HEARING

The Cambridge City Council will hold a public hearing on Monday, November 24, 1980 at 6:30 p.m. in the City Council Chamber, City Hall, Cambridge, Massachusetts on the petition of the Metropolitan District Commission to acquire a strip of land which abuts the Reverend Romano Simoni Skating Rink on Fore Street to the Commonwealth of Massachusetts for the purposes of additional recreation space.

All interested persons are requested to attend and be heard at this time.

By order of the City Council,
Paul E. Healy, City Clerk.

City of Cambridge

#439 F-

PUBLIC HEARING

The Cambridge City Council will hold a public hearing on Monday, December 8, 1980 at 6:30 p.m. in the City Council Chamber, City Hall on the petition of GTE requesting an easement over land owned by the City of Cambridge in the Hobbs Brook Reservation.

All interested persons are requested to attend and be heard at this time.

By order of the City Council,
Paul E. Healy, City Clerk.

New York Stock Exchange (continued)

Stock & Div.	PE	Sales hds.	High	Low	Cls.	Chg.
KLM	26	15	29¼	29¼	29⅛	.....
K mart	.92	8	1847	18½	18⅛	18¼ - ⅜
KaisrAl	1.40	4	285	25½	24⅝	24⅝ - ¼
KaisCe	1.40	6	155	27⅜	27	27 .....
KaisrSt		12	268	45½	44	44 - 1¼
KaneMil	.28	..	12	8⅛	7⅞	7⅞ - ⅛
Kaneb	.90	13	1110	u39⅞	39	39⅞ + 1⅜
KCtyPL	2.78	5	x489	20⅜	19¾	20 - ⅜
KCPL	pf2.33	..	5	16⅜	16⅜	16⅜ + ⅛
KCSoln	1.40	8	81	48½	48	48 .....
KCSou	pf 1	..	z110	9¼	8¾	8¾ - ¼
KanGE	2.04	6	179	14⅝	14½	14⅝ + ⅛
KanNG	1.48b	11	61	u33⅞	33⅜	33⅝ + ⅜
KanPLt	2.04	5	84	17¼	16⅞	16⅞ - ⅛
KaPL	pf2.33	..	4	17	16⅝	16⅝ - ⅛
Katylnd		4	741	16¼	15⅝	16 - ¼
Katy	pf 1.46	..	39	u41½	40	40¼ - ¾
KaufBr	.24	6	164	12⅞	12½	12½ - ⅜
Keene	.60	7	31	24⅞	24⅝	24⅞ .....
Keller	.30	30	20	9¼	8⅞	8⅞ - ¼
Kellogg	1.32	8	904	18⅞	18½	18½ - ⅜
Kellwd	.40	6	88	10⅛	9¾	9¾ - ½
KenilRty	6c	17	12	38⅝	38½	38½ - ⅜
Kenmt	s .80	12	26	36	35	35⅜ - ⅜
Kennct	1.40	12	860	31⅛	29⅝	30⅛ - 1¼
KyUtil	2.12	10	126	15⅝	15⅜	15½ + ⅛
KerrGls	.44	6	86	11⅞	11½	11⅞ + ⅛
KerrG	pf1.70	..	29	18¼	17½	18¼ + ⅝
KerrM	1.80	14	958	92¼	90	90⅛ - 1¾
KeysCon		..	55	11	11	11 + ¼
KeysFd	n.20b	9	27	13½	13⅛	13⅜ .....
KeysInt	s.48	20	126	35¾	35	35 - ¾
Kidde	1.80	5	48	43¾	43½	43⅝ - ⅛
Kidde	prB 4	..	6	50	50	50 + ½
Kidde	pfC 4	..	1	50	50	50 .....
Kidde	pr1.64	..	2	34	34	34 .....
KimbCl	3.20	7	61	52¼	51½	51¾ + ⅝
KingDSt	.90	7	141	8	7⅞	7⅞ - ⅛
Kirsch	1.32	9	49	24¾	24	24¾ + ¾
KnigtRd	.80	11	27	30¼	30	30¼ + ¼
Koger n	.40	27	166	12½	11¾	12¼ + ½
Kollmr	s .40	22	203	39¾	39	39 - ½
Kopprs	1.40	13	898	32½	30⅞	31¾ - 1⅛
Kroehlr		..	34	7⅜	7¼	7⅜ .....
Kroger	1.52	7	237	22¼	21¾	22 + ½
Kuhlm	.80	296	35	9	8⅞	8⅞ - ⅛
KyotoCe	n.11r	15	71	28⅜	27⅝	27⅝ - 1⅜
Kysor	.88	7	59	10½	10¼	10⅜ - ⅛
LFE	.12r	20	42	9¼	9	9 .....
LITCO	1	7	6	13¾	13¾	13¾ .....
LLCCp		..	13	3¾	3⅝	3⅝ - ⅛
LLCCp	pf	..	11	12⅛	12	12⅛ .....

Stock & Div.	PE	Sales hds.	High	Low	Cls.	Chg.
LTV		6	2979	19⅝	19⅛	19¼ - ⅜
LTV	pf 5	..	3	493¼	49½	49¾ - ¼
LTV	pf I	..	1	19½	19½	19½ - ⅛
LTV	pf 2.60	..	91	50½	49⅞	50 - ¾
LQuint	1.11f	18	348	18¼	18⅛	18⅛ .....
LacGas	2.14	6	254	21	20	20⅞ + 2⅛
LamsSes	.20	..	48	8	7⅞	7⅞ - ⅛
LaneBry	1	8	34	18⅞	18½	18½ - ⅛
Lanier	.56	15	28	37⅜	37	37 - ⅜
LawtCh	.66	12	280	12⅜	12¼	12¼ + ⅛
LearPet	s.12	38	618	35½	33⅞	34¼ - ⅞
LearSg	1.24	9	579	38⅞	37¾	38⅞ + ⅞
LearS	pf2.25	..	12	95	93¾	95 + 2½
LswyTrn	1.40	9	74	34¼	34	34 + ⅛
LeeEnt	.96	9	16	26⅞	26⅛	26⅞ + ½
LegPlat	.52	8	9	12¾	12¼	12¼ - ¼
LehValInd		..	27	1¼	1⅛	1⅛ - ⅛
LVIn	pf	..	1	13¼	13¼	13¼ .....
Lehmn	1.73e	..	148	15½	15¼	15¼ - ¼
Lennar	s .20	7	228	20	18⅞	19⅝ - ⅛
Lenox	1.48	8	73	33	32¼	32⅜ - ½
LesFay	.48	10	126	10⅜	10⅛	10¼ + ⅛
Leucadia		..	26	6⅛	5⅞	5⅞ - ⅛
LevFdC		..	6	u27⅜	27¼	27⅜ + ⅛
LeviStr	s1.50	8	219	44	42⅝	42⅝ - ¾
LevitzF		1	6	71	25¼	25⅛ - ⅛
LOF		1.20	10	160	24¾	24½ .....
LOF	pf 4.75	..	43	44	43	43½ - ¾
LibtyCp	.68	.6	47	14⅝	14	14 - ⅞
Lifemk	s .60	19	76	37½	35⅝	35⅝ - 1⅜
LillyEli	2.30	13	779	59⅜	58¼	59 - ⅜
LincNt	3	6	286	40	39¼	39¼ - ¼
LincPl	1.92	..	14	14¾	14½	14½ - ¼
Lionel	.20b	13	246	10¼	9⅞	10 .....
Litton	1.20b	11	700	81	79½	79⅞ - 1⅛
Litt ptc	pf	..	16	u123	121	121 - 1
Litton	pf 2	..	15	17¾	17¼	17¼ - ⅝
Lockhd		94	1286	32¼	30⅝	32 + ⅞
Loctite	.56	17	423	33½	32¼	32¼ - ⅜
Loews	1.20	5	139	84¾	83⅜	83½ + ⅛
LomFn	1.28	7	29	19¾	19½	19¾ .....
LomMt	2.42e	8	54	19⅜	18⅝	18¾ - ⅝
LnStar	1.65	7	91	36⅞	35½	35⅝ - ¾
LLCCp	1.86	6	289	14½	14¼	14⅜ .....
LIL pfE	4.35	..	z100	31	31	31 .....
LIL pfK	8.30	..	z1130	59	56	56 - 3
LIL pfP	2.43	..	9	16¾	16⅜	16½ - ⅛
LIL pfQ	2.47	..	11	18¼	18¼	18¼ .....
LongDr	.84	12	172	31¼	31¼	31¼ + 1⅛
Loral	s .60	23	161	46⅞	45⅛	45⅞ - 1⅛
LaLand	1.80	12	2767	55⅝	54⅛	55¼ .....
LaPac	.72	11	299	24⅜	25⅜	25¾ - ¼

NYSE MARKET DIARY

Total NYSE Sales	56,380,000	NYSE Bonds	$25,990,000
		NYSE Warrants	215,700

HOURLY STATISTICS

	11 a.m.	12 noon	1 p.m.	2 p.m.	3 p.m.
The Dow 30 Industrials	998.46	994.97	992.32	990.36	988.57
The Dow 20 Transports	415.20	412.72	413.16	413.22	412.67
The Dow 15 Utilities	116.39	116.28	116.25	116.14	116.14
The Dow 65 Stocks	386.64	384.92	384.51	384.08	383.54
NYSE Volume	16,330,000	10,520,000	7,850,000	6,160,000	6,680,000

Sales: 3-4 p.m. 8,760,000 shares

DOW JONES AVERAGES

	Open	High	Low	Close	Chg
30 Ind	1000.00	1004.69	984.30	989.93	- 10.24
20 Trn	416.69	418.72	410.57	413.60	- 0.83
15 Utl	116.43	116.98	115.63	116.21	- 0.29
65 Stk	387.25	389.09	381.79	384.15	- 2.46
Indus				4,596,700	
Tran				1,402,900	
Utils				582,200	
65 Stk				6,581,800	

DOW BOND AVERAGES

20 Bonds	64.15 - 0.38
10 Public Utilities	62.60 - 0.61
10 Industrials	65.71 - 0.15
Commod futures index	501.54 + 0.18

15 DOLLAR LEADERS

Name	Tot($1000)	Sales(hds)	Last
Texaco Inc	$42,316	8793	48¼
Gen Motors	$38,032	8405	45⅛
Mobil	$33,466	4138	80¼
StdOilInd	$28,328	3152	90
Gen Elec	$27,738	4447	62¼
IBM	$26,776	3778	70⅜
TandyCp	$26,660	2717	96
Halliburtn	$26,478	1561	166½
Amer T&T	$26,074	5533	47
Royal Dut	$24,521	2242	108⅜
Gulf Oil	$21,726	4562	47¼
Std Brands	$19,977	7873	25⅞
AtlRichfl	$19,070	2686	70⅞
Exxon	$18,234	2075	87¾
Tenneco	$17,550	3375	52

ODD LOT TRADING

Purchases		
Nov. 19	Nov. 20	Nov. 18
243,101	213,183	228,722
Sales Inc. Short		
Nov. 19	Nov. 20	Nov. 18
524,347	496,220	507,557
Short Sales		
Nov. 19	Nov. 20	Nov. 18
3370	2674	2563

NYSE INDEXES

	Close	Change
Market		- 35 cents
Index		80.17 - 0.73
Industrial		95.17 - 0.92
Transport		80.84 - 0.02
Utility		38.35 - 0.32
Finance		67.52 - 0.61

STANDARD & POOR'S

	High	Low	Close	Chg.
400 Indust	161.72	158.04	159.20	+1.56
20 Transpt	26.38	25.85	26.12	+0.10
40 Utilities	53.30	52.45	52.79	- 0.31
40 Financl	12.85	12.59	12.67	- 0.14
500 Stocks	141.24	138.10	139.11	- 1.29

15 MOST ACTIVE

Texaco Inc	879,300	48¼	- 1
Gen Motors	840,500	45⅛	- 1
Std Brands	787,300	25⅞	+ ¼
Amer T&T	553,300	47	- ½
Sony Corp	474,800	16½	- ⅛
PennCen prB	457,800	18⅜	- ⅛
Gulf Oil	456,200	47¼	- ½
Gen Elec	444,700	62¼	+ ¾
Mobil	413,800	80¼	- 1¼
Curtiss Wrt	410,700	37¼	+ 11¼
FedNat Mtg	407,100	11⅝	- ⅛
Citicorp	392,000	21⅜	- ⅜
GaPacif	383,200	25	- ¾
SearsRoeb	380,700	15⅝	- ⅛
IBM	377,800	70⅜	- 1⅝

WHAT STOCKS DID

	Today	Prev. day
Advanced	508	885
Declined	1101	727
Unchanged	345	373
Total issues	1954	1985
New highs	123	148
New lows	14	11

ADVANCES VS. DECLINES

NYSE	Shares Advanced	Shares Declined
	13,907,760	36,974,190

Stock & Div.	PE	Sales hds.	High	Low	Cls.	Chg.
LouvGs	2.14	7	143	18⅝	18	18¼ .....
Lowenst		67	25	14¼	14	14 .....
Lowes n	.60	14	130	22	21¼	21⅝ + ⅛
Lubrzl	1.80	12	856	70⅝	68⅝	69 - 1⅜
LuckyS	1.12	8	1913	15¼	14⅞	15⅛ + ¼
Ludlow	.80	6	60	11	10¾	11 + ⅛
Lukens	.48	19	23	15¼	15	15 - ¼
LynCSys	.10	375	292	15½	14¼	15 + ½

M·N·O

Stock & Div.	PE	Sales hds.	High	Low	Cls.	Chg.
MACOM s		40	1086	u30⅞	30⅛	30½ .....
MCA	1.50	8	213	51¼	50½	51⅛ + ⅛
MEI	.44	9	73	17⅞	17¾	17¾ - ⅛
MGIC	1.12	8	672	29⅜	28¼	28¼ - 1
MGMGHtl	.44	7	2343	12⅞	d10	10 - 3
MacDn	.40	7	36	6¾	6¼	6¾ + ⅜
Macke	.52	8	55	13⅝	13⅜	13⅝ .....
MB Ltd g	n1.40a	..	8	34	33¾	33¾ - 1¼
Macmill	.82	17	306	14⅜	14	14 - ⅜
Macy s	1.50	7	101	44¾	44¼	44⅜ - ⅛
MdsFd	2.45e	..	167	u27⅞	27⅜	27¾ + ⅝
MagicCf	.32	36	127	9	9	9 - ⅛
MalonH	1.28	11	69	38¼	37⅜	38¼ + ⅞
MgtAst		380	907	20	18⅞	19 - ⅞
Manhlin	.30b	3	65	7½	7⅜	7½ - ⅛
ManhLf	.32	7	x26	6	6	6 .....
MfrHan	2.52	4	422	28⅞	28	28 - ¾
MAPCO	1.70	10	694	47⅜	46⅝	46⅝ .....
MarOil	2	13	865	82¼	79¼	79¾ - 1¾
MarMid	.90	5	75	17½	17¼	17¼ - ⅛
MarionL	.64	18	227	16	15¾	15¾ - ⅛
MarkCtl	.36	12	126	27⅛	26	26⅝ - ⅛
Mark pf	1.20	..	16	25⅞	25¼	25¼ - ⅝
Marley	1	10	569	34½	33¼	34½ + 1½
Marley	pf	..	26	27	26½	27 + ½
Marriot	.24	14	62	33⅞	33¼	33½ - ⅛
MrshM	s 2	10	497	31⅜	30⅝	30¾ - ¼
MrshF	1.24	10	759	15½	14¾	15¼ - ¼
MrshF	pf1.50	..	10	26	26	26 .....
MartM	2.52	10	426	72⅛	71½	71½ .....
MaryK	s .40	16	25	31¾	31	31 - ⅛
Md Cup	.64	8	126	31	30⅜	31 - ⅛
Masco	.68	12	265	u34½	33¾	34 + ¼
Masonit	1.32	13	792	28⅞	28¼	28¾ + ½
MasM	1.54e	8	34	13⅞	13¼	13¼ - ⅜
MasseyF		..	417	5	d 4¾	4¾ - ¼
MasCp	1.84	..	58	14⅜	14	14⅛ - ⅜
MasInc	1.24	..	x90	9¼	9	9⅛ + ⅛
MatsuE	.36r	11	2	42½	42½	42½ - ⅛
Mattel	.30	13	1988	16⅛	15⅝	15¾ - ⅝
Mattel	wt	..	373	12¼	11⅝	11⅝ - ⅝
Mattl	pf 2.50	..	147	35¾	34¾	35 - ¾
MayDS	1.54	6	334	24⅞	24½	24½ - ⅜
MaverO	1.10	8	31	16	15⅞	16 .....
MavsJW		19	29	3½	3⅜	3⅜ .....
Mavtg	1.80a	9	37	27¾	27⅛	27¾ + ½
McDrm	1.40	23	1658	u43⅞	42	43⅜ + 1¾
McDr	pf2.20	..	343	u44⅞	42¾	44½ + 2¼
McDr	pf2.60	..	3	21½	21¾	21⅜ - ¼
McDnld	.80	9	1814	47¼	46⅝	47 + ¼
McDonD	.90	12	x1678	44½	44	44⅜ .....
McDonh	1.40	10	9	42¾	42¼	42¼ .....
McGEd	1.80	12	675	38⅝	38¼	38⅝ + ⅛
McGrH	1.52	12	193	42	41⅝	41¾ + ⅛
McIntyr	g	..	33	64½	64	64¼ + ¼
McLean	.32	..	192	10	9⅞	9⅞ - ⅛
McLout		..	30	7	6⅞	6⅞ - ⅛
McMor	s .08	65	262	49½	47¼	49½ + 1¾
McNeil	.90	8	6	16⅜	16⅛	16¼ + ⅛
Mead	1.90	5	160	27⅞	27½	27⅞ + ¾
Measrx	.50	12	48	29⅛	28¼	28¼ - ⅝
Medtron	s.48	18	529	52	47⅝	47⅝ - 4⅜
Melville	1.60	9	122	36⅞	36	36⅜ - ½
Memorex		..	142	14⅝	14⅜	14⅜ - ⅛
MercSTr	1.25	5	x4	34	34	34 + ⅛
MerTex	1.32	7	64	29¼	29¼	29¼ - ⅛
Merck	2.30	15	328	80¾	79¾	80¾ + ¾
Merdith	1.32	7	4	53⅜	53⅛	53⅜ - ⅛
MerrLy	1.12	8	1675	39⅛	37⅜	37⅞ - ¾
MesaP	s .12	8	1866	u66¾	63⅝	64¾ - ⅜
MesaRoy	n1.83e	..	320	40¼	38⅝	39 - ⅝
Mesab	1.36e	11	148	14⅞	14¾	14¾ + ⅛
Mesta		..	35	15	14½	15 + ⅛
MGMFlm	.10r	16	1450	8½	8	8⅛ + ⅛
Metrm	3.20	9	7	104½	104½	104½ - 1¼
MtE	pfJ8.32	..	z320	49⅛	49	49 .....
MhCn	pf2.05	..	209	17¾	17¾	17¾ - 1¼
MchEnRs	1.30	16	10	14½	14¼	14½ .....
MhWi	pf2.67	..	2	23¼	23¼	23¼ .....
MhWi	pf2.12	..	1	18⅛	18⅛	18⅛ + ⅛
MdCTel	1.72	7	x56	17	16½	17 + ⅝
MdCT	pf2.06	..	x8	20¼	20¼	20¼ + ⅜
MidSUt	1.58	6	1466	12	11¾	11¾ - ¼
MidRos	1.40	7	55	24⅜	24⅛	24¼ - ⅜
MillerW	1.32	9	52	25¾	25	25⅝ + ⅛
MiltBrd	1.20	10	976	49⅞	46⅜	46½ - 3½
MiltR	s .40	10	68	20⅝	20¼	20¼ - 1⅛
MinnGs	2.04	5	15	19⅛	19	19 .....
MMM	2.80	10	873	61	59	59⅛ - 1
MinPL	2.04	7	63	16	15⅞	16 - ⅛
MirroCp	.96	8	19	14⅛	13⅞	13⅞ - ⅛
Misnins	.80	7	235	35¾	35	35¾ + ½
MPacC	3.32	9	301	u102	101¼	101½ + 3¼
MoPSv	1b	7	20	10¼	10	10¼ + ⅛
MoPS	pf2.44	..	5	16½	16½	16½ .....
MoPS	pr2.61	..	5	17¾	17¾	17¾ - ¼
Mobil	4	6	4138	82	79⅞	80¼ - 1¼
MobileH		19	19	23¼	21½	21½ - ¼
MdMer	.20	13	218	10	9⅝	9⅝ - ⅛
ModuCpt	n	22	122	28¼	26⅜	26½ - 1⅜
Mohasco	.22i	22	1003	10⅝	10¼	10⅝ + ⅛
MohkDta		17	461	27⅜	26¾	26¾ - ⅞
MohkR	1.20	6	98	21	20¾	20⅞ - ⅛
Monrch	s.80	9	145	30	29⅜	29½ .....
Monogr	.85	6	49	45½	45	45 .....
Monsan	3.60	11	1713	u67¼	65½	66¼ - ½
MntDU	1.80	10	76	u24¾	23⅝	23⅝ .....
MonPw	2.12	10	398	28¼	28	28⅛ + ⅛
MonSt	1.80a	..	49	15¾	15⅜	15⅝ + ⅛

Stock & Div.	PE	Sales hds.	High	Low	Cls.	Chg.
MONY	1.02e	8	69	8⅛	7¾	8⅛ - ⅛
MooreC	n1.64	8	x111	32⅝	32¼	32⅜ + ¼
MoorM	1.28	6	158	54¼	53¼	53¼ - 1½
Morgan	2.80	5	1484	44½	43½	44 - ¼
MorKn	s .92	13	133	45⅜	44	44⅜ - ⅞
MorseSh	.80	9	135	24	23⅛	23⅝ - ⅜
MorNor	1.52	8	189	28¾	28¼	28¼ - ¾
Motrola	1.60	14	1145	80½	79⅛	79⅛ - ¾
MtFuel	2.36	11	82	50⅜	49¾	49¾ - ½
MtSTel	2.32	7	35	26⅛	25¾	25¾ - ¼
Munford		13	79	57⅛	55⅝	55¾ + ⅛
Munfd	pf .40	..	9	4½	4½	4½ .....
Munsng	.60j	52	121	18¼	17⅞	18¼ + ⅛
MurphC	1.28	5	26	15¼	15	15 - ⅛
MurpO	s .50	16	319	63⅞	62⅝	63 - ¼
MurryO	1.20	6	26	17¼	16⅝	16⅝ - ⅞
MutOm	1.44	..	21	11¼	11⅛	11⅛ .....
MyersL	.60	8	46	14	13¾	13¾ .....
NCH	.72	8	679	21¾	21	21¾ .....
NCNB	.80	5	113	13	12⅞	12⅞ .....
NCR	2	8	1286	72⅞	72	72⅛ - 5⅝
NLInd	1.40	18	587	u79⅞	78¾	79¾ + ¾
NLT	1.32	6	450	21⅝	21¼	21½ + ¼
NVF	1.26f	13	432	42⅜	43¼	43¼ .....
Nabisco	1.80	7	457	25½	24⅝	24⅝ - ⅜
Nalco	1.60	14	49	49⅜	48⅞	49¼ + ⅛
Napco	s	14	92	u22¾	22⅜	22⅜ - ⅛
NapleFdl	.60e	7	11	17	17	17 .....
Narco	.68	41	16	18	17⅝	17¾ - ⅛
Nashua	1.50	6	53	28	27½	27½ - ¾
NatCan	.88	4	27	23½	23¼	23¼ - ⅜
NCan pf	1.50	..	1	41½	41½	41½ .....
NtCtyL	1a	13	12	18⅝	18⅝	18⅝ .....
NtDefr	2	5	44	30	29	29 - ½
NatDist	2	9	458	29	28⅝	28⅝ - ⅜
NDist	pf4.25	..	z30	63	63	63 - 1
NDist	pr1.85	..	8	16	15¾	15¾ - ½
NatEdu	1.05f	9	40	16⅞	16½	16½ - ¼
NatFG	2.70	7	29	28⅛	27⅞	27⅞ - ⅜
NFG	pf 2.30	..	46	20½	20¼	20½ + ¾
NatGyp	1.48	6	71	23¼	23	23⅛ + ⅛
NatHom			142	2¼	2⅛	2⅛ - ⅛
NtLibty	.32	11	433	22	21⅞	22 .....
NMdCr	s .46	16	243	21⅛	20½	20⅞ - ⅛
NMedEn	s.60	19	x945	37⅛	36⅝	37 + ⅛
NMineSv	.56	46	57	17⅝	17	17⅜ - ⅛
NtPrest	1.50a	6	51	25¼	25¼	25¼ + ⅛
NtSemi	s	15	1463	44⅞	43⅜	44 - ⅝
NtSvin	1.24	6	90	20⅞	20½	20½ - ⅜
NStand	1.24	11	167	14¼	13⅞	14⅛ - ⅛
NatISt	2	..	294	28½	27¾	27¾ - ⅝
NatTea		6	4	4⅞	4⅞	4⅞ - ⅛
Natomas	s 1	11	1676	43⅝	42¾	43⅜ - ⅜
NevPw	2.32	10	85	19⅜	18⅞	19 - ⅜
NevP	pf 1.60	..	z300	12	11⅜	12 + ⅛
NevP	pf 2.30	..	z800	16⅜	16¼	16¼ - ⅛
NevP	pf 1.95	..	3	13¾	13¾	13¾ .....
NEngEl	2.36	7	446	21⅝	20¾	21⅝ + ⅛
NEnGE	1.72	5	26	15	14⅞	15 .....
NENucl	.30	25	77	39⅜	38⅛	38½ .....
NEnP	pf2.76	..	2	25¼	25¼	25¼ - ⅛
NEngT	3.40	8	21	35⅝	35	35⅛ - ¼
NYSEG	1.88	5	200	14⅜	14⅛	14⅛ - ⅛
NYS	pf 8.80	..	z100	64	64	64 - ½
NYS	pf 2.12	..	16	15⅛	14¾	15⅛ + ⅛
Newell	.80	5	31	12⅛	11¾	12 .....
Newhall	s.60	13	22	38⅜	38¼	38⅜ - ¼
Newmt	1.40a	6	502	56¾	54½	54½ - 1
Newprk	s.13	31	186	32¼	30¾	30¾ - 1⅛
NiaMP	1.52	7	270	11¾	11⅝	11¾ + ⅛
NiaMpf	3.40	..	z30	23½	23½	23½ .....
NiaMpf	4.85	..	z200	34½	34½	34½ + ½
NiaMpf	6.10	..	z1000	42¼	42¼	42¼ - 2¾
NiMpf	10.60	..	z1670	84¾	84	84 + ½
NiaMpf	7.72	..	z200	53¼	53	53 - 1
NiagSh	2e	..	41	u25½	25	25 + ⅛
NICOR	2.68	8	154	42⅞	41¾	41¾ - 1¼
NICO	pf 1.90	..	5	u42¼	42¼	42¼ + 4½
NobIAf	n .16	28	204	u61⅜	59¾	61 + 1
NortWn	2.20	7	460	44⅜	42⅞	43¼ - ⅝
Norlin	.80j	..	57	13	d12½	12½ - ⅛
Norris	1.60	11	41	27¾	27½	27½ + ⅛
NACoal	.72	10	39	38⅜	37⅞	37⅞ - ⅝
NoAMtg		..	204	4⅜	4	4⅛ + ⅛
NoAPhl	1.70	6	554	35¼	35¼	35¼ - ⅛
NoestUt	1.10	7	1510	8⅜	8⅛	8¼ + ⅛
NCalSL	.70	12	30	14⅞	14½	14⅞ + ⅜
NIndPS	1.50	7	432	11¼	10⅞	11 - ⅜
NoStPw	2.42	7	71	21½	21⅜	21⅜ .....
NSPw	pf3.60	..	z330	29½	28¼	28¼ - ¼
NSPw	pf4.10	..	z20	32½

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9017

OFFICE OF
THE CITY CLERK

June 24, 1980

Mr. Frank I, Sullivan, Esq.
GTE Laboratories, Inc.
West and Winter Streets
Waltham, MA 02154

Dear Mr. Sullivan:

You have been requested to attend a hearing held by the City Council on Monday, June 30, 1980 at 9:00 p.m. in the City Council Chamber, City Hall, Cambridge on the request for authorization to enter into an easement for granting of a right-of-way on land owned by the City of Cambridge for water purposes in Waltham.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

Paul E. Healy

Paul E. Healy, City Clerk.

PEH/dl

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9017

OFFICE OF
THE CITY CLERK

June 24, 1980

Mr. William B. Tyler
Rackemann, Sawyer & Brewster
Councillors-At-Law
28 State Street
Boston, MA 02109

Dear Mr. Tyler:

You have been requested to attend a hearing held by the City Council on Monday, June 30, 1980 at 9:00 p.m. in the City Council Chamber, City Hall, Cambridge on the request for authorization to enter into an easement for granting of a right-of-way on land owned by the City of Cambridge for water purposes in Waltham.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

Paul E. Healy

Paul E. Healy, City Clerk.

PEH/dl

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9017

OFFICE OF
THE CITY CLERK

June 24, 1980

Mr. Conrad Fagone
Commissioner of Public Works
147 Hampshire Street
Cambridge, MA 02139

Dear Mr. Fagone:

You have been requested to attend a hearing held by the City Council on Monday, June 30, 1980 at 9:00 p.m. in the City Council Chamber, City Hall, Cambridge on the request for authorization to enter into an easement for granting of a right-of-way on land owned by the City of Cambridge for water purposes in Waltham.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

Paul E. Healy

Paul E. Healy, City Clerk.

PEH/dl

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9017

OFFICE OF
THE CITY CLERK

June 24, 1980

Mr. John Sietes
Superintendent of Water Department
250 Fresh Pond Parkway
Cambridge, MA 02140

Dear Mr. Sietes:

At the City Council meeting of June 23, 1980 the City Council requested a map and a written report, prior to June 30, 1980, regarding the request for authorization to enter into an easement for granting of a right-of-way on land owned by the City of Cambridge for water purposes in Waltham.

You have also been requested to attend a hearing held by the City Council on this matter on June 30, 1980 at 9 p. m. in the City Council Chamber.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

Paul E. Healy

Paul E. Healy, City Clerk.

PEH/dl

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9017

OFFICE OF
THE CITY CLERK

June 24, 1980

Mr. James L. Sullivan
City Manager
City Hall
Cambridge, MA 02139

Dear Mr. Sullivan:

In connection with Agenda Item Number Six of June 23, 1980, the same being a request for authorization to enter into an easement for granting of a right-of-way on land owned by the City of Cambridge for water purposes in Waltham, Councillor Crane has requested that the City Manager advise the City Council as to the details of the financial disposition of the agreement for the record.

Councillor Wylie also requested to be informed as to the length of the easment and would like to view the easement prior to action by the City Council and a map of the area covered by the easement.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

Paul E. Healy, City Clerk.

PEH/dl

c.c. City Solicitor.

C. C. 106

City of Cambridge

MASSACHUSETTS

Agenda # 6' authorization to enter into an easement for granting of a right-of-way on land owned by the City of Cambridge for water purposes in Waltham.

In City Council June 23 198 0

	YEA	NAY	ABSENT	PRESENT
Mr. Kevin P. Crane				
Mr. Thomas W. Danehy				
Ms. Saundra Graham				
Mr. Leonard J. Russell				
Mr. David E. Sullivan				
Mr. Walter J. Sullivan				
Mr.Alfred Vellucci				
Mr. David A. Wylie				
Mayor Francis H. Duehay				

CCM-101

City of Cambridge

CALENDAR ITEM NO. 7

IN CITY COUNCIL

June 30, 1980

COUNCILLOR DANEHY
COUNCILLOR VELLUCCI

ORDERED: That this City Council hereby postpones action on the request of GTE Associates for an easement through the city owned property at Hobbs Brook until such time as the Water Board submits a report on this request to the City Council.

In City Council June 30, 1980.
Adopted by the affirmative vote of 9 members.
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST: Paul E. Healy

AUGUST R MEYER
RICHARD H LOVELL
LORING P. JORDAN, JR
WILLIAM B TYLER
DAVID G COLT
GEORGE V. ANASTAS
PETER W. KILBORN
HENRY H THAYER
BRIAN S MEYER
JOSEPH L SERAFINI
STEPHEN CARR ANDERSON
LAWRENCE E. KAPLAN
ALBERT M. FORTIER, JR
MICHAEL F O'CONNELL
JOHN J GRIFFIN, JR.

OF COUNSEL
ROGER B TYLER
WILLIAM L. PAYSON
ALBERT B. WOLFE

RACKEMANN, SAWYER & BREWSTER
PROFESSIONAL CORPORATION
COUNSELLORS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109
AREA CODE 617 523-3550

STUART T. FREELAND
RAYMOND J. BRASSARD
BARBARA KINO PERRY
MARTIN R. HEALY
RICHARD TELLER
ALAN B. RUBENSTEIN
W THOMAS MOULTON, JR.
CATHERINE L FARRELL
PETER R. MERRY
WILLIAM S. ROSENBERG
JAMES R. SHEA, JR.
ELZBIETA K. WELZ
KEVIN J. TOOMEY
BRIAN M. HURLEY
ABBY VON DER HEYDE

June 20, 1980

City Council
795 Massachusetts Avenue
Cambridge, MA 02138

Attention: Paul E. Healy, City Clerk

Ladies and Gentlemen:

We represent GTE Laboratories, Inc. which presently has its corporate headquarters on West and Winter Streets, Waltham near the City of Cambridge reservoir.

Adjoining the company's Waltham facility is a tract of vacant land belonging to the Casella family which is presently being operated as a large pig farm. In order to provide an area in which to expand its laboratory activities, the Company has entered a purchase and sale agreement with the Casella family to buy this adjacent tract. Under the terms of the agreement, the Company's obligation to purchase is subject to several conditions, one of which is that the Company succeed in obtaining from the City of Cambridge a grant of right of way 70 feet in width extending from Winter Street in a southerly direction to the Casella land, this easement to serve as the principal access to the property.

If the Company is able to satisfy this condition and goes forward with the acquisition of the land, the Company anticipates spending many millions of dollars towards the development of a campus-type facility at which it will carry on its research and development activities. The construction of these laboratories will lead to the creation of an estimated 1,000 new high-technology jobs in addition to providing employment for numerous support personnel.

Because the land has been used intensively for the raising of pigs, the land is presently in a condition which will require very substantial and costly site work in order to be useable for the Company's purposes. This work will involve the removal of thousands of yards of decayed garbage and manure. Because of the proximity of this land to the Cambridge Reservoir and

the Hobbs Brook water course, all of which comprise part of the Cambridge water supply system, it is believed that the work to be done by the Company will be a major step in cleaning up the environment in the area.

Representatives of the Company have met with the Cambridge Water Board on four separate occasions and have made detailed presentations of the Company's proposal for the long-range development and use of the Casella land. These discussions have resulted in a number of adjustments to the Company's plan in order to accommodate certain wishes of the Water Board. We believe that we now have the informal approval of the Cambridge Water Board and we accordingly request that the matter be placed before the City Council for action at the next meeting to be held on Monday, June 30, 1980.

We will be most grateful if the Council would take up this matter at that time and adopt an order authorizing the granting of the required easement to GTE Laboratories, Inc. subject, of course, to such reasonable conditions as may be stipulated by the Water Board and also in compliance with all applicable state and municipal laws and ordinances.

Very truly yours,

William B. Tyler

WBT:rmt
xc: Russell B. Higley, Esq.
Frank I. Sullivan, Esq., GTE Laboratories, Inc.
Mr. Melvin M. Scott, Jr., GTE Laboratories, Inc.

CITY OF CAMBRIDGE

INTEROFFICE CORRESPONDENCE

To Honorable Members of the Cambridge City Council **Date** August 1, 1980

From Thomas J. Begley, President
Cambridge Water Board **Reference**

Subject Status Report: GTE Laboratories request for easement

Please be advised of the following actions which have been taken by the Cambridge Water Board since our last discussion on June 30, 1980 relative to a resolution on the aforementioned matter.

1) Arrangements have been made through the City Manager to obtain the necessary technical assistance from the Law Department regarding various legal issues concerning this project.

2) The Water Board has drafted a statement of conditions which will commence with the construction phase and become part of the general maintenance plan for the management of the facility.

3) A meeting with the Town of Weston Conservation Commission and the City of Waltham Planning Department and Conservation Commission has been scheduled for August 7, 1980 with the aim of coordinating agreements and conditions developed by those bodies in our effort to insure full compliance with the provisions of the Massachusetts Wetlands Protection Act.

4) The Water Board has met with representatives of GTE Laboratories in an effort to obtain certain detailed preliminary information requested by the City Council, which has been subsequently distributed to you.

The Water Board would be pleased to provide any or all members of the City Council with copies of the draft statement of conditions upon request. We would also hope that you have had the opportunity to personally visit the proposed site for the purpose of considering the merits of the issue.

If this office could be of additional assistance to you regarding this matter, please be assured of our continued cooperation.

cc: James L. Sullivan, City Manager

CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
JAMES L. SULLIVAN
City Manager

August 4, 1980

To the Honorable, the City Council:

I am enclosing a copy of a communication received from Thomas J. Begley, President of the Cambridge Water Board, supplying the members of the City Council with material prepared by GTE Laboratories which deals with the discussions regarding land presently held by the Cambridge Water Board and located in the City of Waltham.

Very truly yours,

James L. Sullivan
City Manager

JLS/mbf
Enc.

Agenda # 15

Report from the Cambridge Water Board from GTE.

IN City Council,

August 4, 1980

Referred to
Calendar Item
Number Two
RE Easement
Report.

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9017

OFFICE OF
THE CITY CLERK

June 24, 1980

Mr. Russell B. Higley
City Solicitor
City Hall
Cambridge, MA 02139

Dear Mr. Higley:

You have been requested to attend a hearing held by the City Council on Monday, June 30, 1980 at 9:00 p.m. in the City Council Chamber, City Hall, Cambridge on the request for authorization to enter into an easement for granting of a right-of-way on land owned by the City of Cambridge for water purposes in Waltham.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

Paul E. Healy

Paul E. Healy, City Clerk.

PEH/dl

CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
JAMES L. SULLIVAN
City Manager

June 23, 1980

To the Honorable, the City Council:

I am enclosing herewith a copy of a communication addressed to the City Council which requests granting of a right-of-way on land owned by the City of Cambridge for water purposes in Waltham.

The request is self-explanatory. The Commissioner of Public Works, Conrad Fagone, has advised me that the request is acceptable to the Water Board.

Authorization is hereby requested for the City Manager to enter into an easement for a grant of a right-of-way 70 feet in width, extending from Winter Street in a southerly direction to the Casella land in Waltham, to serve as principal access to the development by GTE Laboratories, Inc.

Very truly yours,

James L. Sullivan
City Manager

JLS/b

Cal #7 Agenda # 6 6/30/80 (J)
Cal #2 8/4/80

Authorization to enter into an easement for granting a right-of-way on land owned by the City of Cambridge for water purposes in Waltham.

#1

Requests for information
By C. Crane } Recd
C Wylie } Aug 4/80
GTE, Rackemann, Sawyer + Brewster, PW, C. Sol, Water Dept
notified 6/24/80 (dl)
- Tabled on Motion of Councillor Wylie -

In City Council,

June 23, 1980

6/23/1980

MP 6/30/1980
Postponed until further notice
for Hearing
at 9PM 6/30/1980
8/4/1980 Report Received

CITY OF CAMBRIDGE
CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 ● (617) 498-9017

OFFICE OF
THE CITY CLERK

October 7, 1980

Mr. Thomas J. Begley
President Water Board
City of Cambridge
18 Yerxa Road
Cambridge, MA 02140

Dear Mr. Begley:

The City Council was in receipt of a communication from William B. Tyler, a copy of which is enclosed, regarding the easement request of GTE over city-owned land in Waltham.

A report is pending from the Water Board on this request and a hearing has been scheduled for October 27, 1980 at 6 p. m. in the City Council Chamber, City Hall, Cambridge, Massachusetts if this report has been received.

Would you kindly inform me by return mail if this report will be available prior to the October 27th hearing date in order to schedule this hearing before the City Council.

Your earliest response in this matter will be greatly appreciated.

Very truly yours,

_____

Paul E. Healy, City Clerk.

PEH/dl
Enc. (1)

RACKEMANN, SAWYER & BREWSTER
PROFESSIONAL CORPORATION
28 STATE STREET
BOSTON, MASSACHUSETTS 02109

October 1, 1980

Paul E. Healy, City Clerk
City of Cambridge
795 Massachusetts Avenue
Cambridge, MA 02138

Dear Mr. Healy:

This is a request on behalf of our client, GTE Laboratories, Inc., that the matter of the easement requested by the company over Cambridge Water Department land in Waltham be brought before the City Council for full consideration on October 27.

We would be most grateful if the matter could be taken up by the Council and formal resolution made at that meeting.

We continue to appreciate the excellent cooperation we have been receiving from your office.

Sincerely,

William B. Tyler

WBT:rmt
xc: Frank I. Sullivan, Esq., GTE Laboratories, Inc.
Mr. Melvin M. Scott, Jr., GTE Laboratories, Inc.
Thomas J. Begley, President, City of Cambridge Water Board

AUGUST R. MEYER
RICHARD H. LOVELL
LORING P. JORDAN, JR.
WILLIAM B. TYLER
DAVID G. COLT
GEORGE V. ANASTAS
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ALBERT M. FORTIER, JR.
MICHAEL F. O'CONNELL
JOHN J. GRIFFIN, JR.
STUART T. FREELAND

COUNSEL
JAMES W. MOORE

RECEIVED BY
OFFICE OF THE CITY CLERK
Oct 6 9 25 AM '80
CAMBRIDGE, MASS.

RACKEMANN, SAWYER & BREWSTER
PROFESSIONAL CORPORATION
COUNSELORS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109
AREA CODE 617 523-3550

OF COUNSEL
ROGER B. TYLER
ALBERT B. WOLFE

RAYMOND J. BRASSARD
BARBARA KIND PERRY
MARTIN R. HEALY
RICHARD TELLER
ALAN B. RUBENSTEIN
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PETER R. MERRY
WILLIAM S. ROSENBERG
JAMES R. SHEA, JR.
ELZBIETA K. WELZ
KEVIN J. TOOMEY
BRIAN M. HURLEY

October 1, 1980

Paul E. Healy, City Clerk
City of Cambridge
795 Massachusetts Avenue
Cambridge, MA 02138

Dear Mr. Healy:

This is a request on behalf of our client, GTE Laboratories, Inc., that the matter of the easement requested by the company over Cambridge Water Department land in Waltham be brought before the City Council for full consideration on October 27.

We would be most grateful if the matter could be taken up by the Council and formal resolution made at that meeting.

We continue to appreciate the excellent cooperation we have been receiving from your office.

Sincerely,

William B. Tyler

WBT:rmt
xc: Frank I. Sullivan, Esq., GTE Laboratories, Inc.
Mr. Melvin M. Scott, Jr., GTE Laboratories, Inc.
Thomas J. Begley, Presicent, City of Cambridge Water Board

(1)

Comm. from William B. Tyler, Rackemann, Sawyer & Brewster, on behalf of his client, GTE Laboratories, Inc. in regard to the easement request by GTE over land in Waltham owned by the City of Cambridge.

Mr. Begley informed of hearing & request for report 10/7/80 (dl)

In City Council,

October 6, 1980

10/6/1980
Check Water Board
for Recommendation
Shall Oct 27th at
6 o'clock if Report
is received-

AUGUST R. MEYER
RICHARD H. LOVELL
LORING P. JORDAN, JR.
WILLIAM B. TYLER
DAVID G. COLT
GEORGE V. ANASTAS
PETER W. KILBORN
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COUNSEL
JAMES W. MOORE

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KEVIN J. TOOMEY
BRIAN M. HURLEY

November 4, 1980

Mr. David Vickery
Assistant City Manager
for Community Development
57 Inman Street
City Hall Annex
Cambridge, MA 02139

Re: Proposal to Grant Easement to GTE Laboratories over Cambridge Water Board Land in Waltham

Dear Mr. Vickery:

I appreciated very much your helpful suggestions in connection with this matter.

In order to give some background on this proposal, I am enclosing the following:

1. Draft of order which was unanimously adopted by the City Council at its meeting on October 27, subject to Councilor Velucci's request for an opinion from the City Solicitor on the applicability of Cambridge Ordinance No. 733. As you can see, certain amendments to the order as originally proposed were adopted and these appear in the handwriting of Mr. Connarton, the Assistant City Clerk, on page 2. I believe these are self-explanatory.

2. A copy of the Plan referred to in the order.

3. Letter dated June 20, 1980, from myself to the City Council explaining in general the circumstances relating to the proposal.

4. Copy of the Water Board's report and recommendations to the City Council.

5. Form of letter (of which I do not at this moment have a signed copy) from the Water Board stating that the easement is no longer required for public purposes.

6. My letter of November 4 to City Manager Sullivan which discusses our decision to meet the requirements of Ordinance No. 733 and which also suggests how the annual payment to be made by the company to the City might be calculated.

Your suggestion that I appear before the Planning Board on November 18, will meet our needs very nicely and I would hope the matter can be taken up again by the Council at its meeting on December 8, 1980.

I would be grateful if you could give me a call with any suggestions or questions which may occur to your. I presume that the responsibility for publication, posting and sending notice of the Council hearing would lie with the Clerk's office?

Sincerely yours,

William B. Tyler, Esq.

WBT/eam
Enclosures
cc: Mr. James L. Sullivan
Frank I. Sullivan, Esq.
Mr. Melvin Scott
Mr. E. Cunningham
Mr. Connerton
Mr. Begley

CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
JAMES L. SULLIVAN
City Manager

October 27, 1980

To the Honorable, the City Council:

Reference is hereby made to the offer of GTE Laboratories, Inc. ("GET Labs") to purchase from the City of Cambridge an interest in certain of the land in Waltham acquired by the City for the so-called Cambridge Reservoir facilities, to wit, a right of way and easement in, over and under an area hereinbelow described, for all purposes for which public streets or ways are now or hereafter may customarily be used in the City of Waltham. Said right of way and easement shall comprise an area shown and designated "ACCESS & UTILITY EASEMENT 70.00 FT. WIDE" on a plan entitled "Plan of Land Showing Proposed Easement in Waltham, Mass.," dated June 30, 1980, prepared by Miller & Nylander.

The undersigned officer of the City of Cambridge, in accordance with General Laws, Chapter 40, Sections 15 and 15B, hereby notifies you that, in the opinion of the undersigned, the interest in land proposed to be granted to GTE Labs as aforesaid is no longer required for public purposes and public water supply works.

Very truly yours,

James L. Sullivan
City Manager

JLS/mbf

CCM-101

City of Cambridge

IN CITY COUNCIL

October 27, 1980

WHEREAS, the City of Cambridge is the owner through its Water Board of certain land in Waltham, Massachusetts, lying southerly of Winter Street between said street and land now owned by Richard J. Casella and others containing 57.8 acres (the "Casella Property"), which land of the City comprises a portion of its so called Cambridge Reservoir facilities in Waltham;

WHEREAS, GTE Laboratories, Inc. ("GTE Labs") which has its corporate headquarters off Winter Street in said Waltham has agreed to buy the Casella Property subject to the fulfillment of certain conditions, one of which being the acquisition from the City of Cambridge of a right of way and easement providing access between said Winter Street and the Casella Property;

WHEREAS, GTE Labs has offered to purchase from the City such right of way and easement for a minimum amount of $7,500.00 , and as further consideration therefor to make such additional annual payments to the City of such reasonable amounts and in such manner as the City Manager shall determine; and

WHEREAS, the Cambridge Water Board has notified the City Council that the interest in the land of the City which is proposed to be transferred to GTE Labs is an interest in land no longer required for public purposes, including public water supply works.

IT IS ORDERED:- That the City Manager be and he hereby is authorized in the name and on behalf of the City of Cambridge to sell, grant and convey to GTE Labs a perpetual right of way and easement located within the area shown and designated "ACCESS & UTILITY EASEMENT 70.00 FT. WIDE" shown on a plan entitled "Plan of Land Showing Proposed Easement in Waltham, Mass." dated June 30, 1980 prepared by Miller & Nylander, Inc. Said easement shall run in favor of GTE Labs and its successors and assigns and shall be appurtenant to the Casella Property and to any other land contiguous thereto which is now or hereafter owned of record by GTE Labs (the "Benefitted Property"), and shall provide access and egress between said Winter Street and the Benefitted Property for all purposes for which public streets or ways are now or hereafter may customarily be used in the City of Waltham including but not by way of limitation, travel on foot and by vehicle and the right to lay, maintain, repair, replace and use on, in, under and over the easement area wires, pipes, poles, mains, conduits (including appurtenances to all of the same) for the transmission of water, electricity, telephone, gas and other utility

services to the Benefitted Property.

The City Manager is hereby authorized to include in the instrument granting such right of way and easement whatever reasonable restrictions or limitations the Water Board may determine to be appropriate for the protection and preservation of the Cambridge reservoir water supply facility and such instrument of grant may contain covenants on the part of GTE Labs enforceable by the City that GTE Labs will comply with such restrictions and limitations and will also make timely payment of the annual amounts hereinabove referred to. Said instrument of grant shall otherwise be in such form and contain such terms as the City Manager shall determine.

The granting of the aforesaid right of way and easement shall be on condition that:-

1. GTE shall have acquired the Casella Property by deed recorded on or before December 31, 1981;

2. GTE shall pay the aforesaid minimum amount of $7,500.00 ✓ #1 to the City of Cambridge for the granting of such right of way and easement; and

3. All requirements of General Laws, Chapter 40, Sections 15 and 15B shall be fulfilled, including without limitation offering such right of way and easement to the City of Waltham for a minimum amount of #1 $7,500.00 ✓ and approval of the Department of Environmental Quality Engineering.

✓ = Amendment

#1 and #2 Amendments

And such other annual amounts as the City Manager shall determine -

#3 Amendment will be on Page 2 and designate with a Arabic Numeral 4.

The area subject to the Easement shall not be used for fence and there shall no impediment to crossing by foot, and in addition there shall be no overhead [illegible] or structures permitted

CITY OF CAMBRIDGE

INTEROFFICE CORRESPONDENCE

To James L. Sullivan, City Manager **Date** October 27, 1980

From Board of Assessors **Reference**

Subject Winter St. Land (25,079 sf) for GTE

We are in the process of preparing a full report on the above; at this time, however, we wish to submit the following information.

Fair market value of the subject property should be based on similar commercial land sales. It will be used as an important part of the GTE development giving them access to their site and also providing utilities to the site. Zoning for land is limited commercial. This value in use is calculated at $75,000 for the 25,079 sf land area.

This type of land is purchased on the basis of potential gross building area. In this limited commercial zone, the floor area ratio is .5, thereby allowing for 12,500 sf gross building area on the 25,079 sf site. In the general area, prices paid are around $6.00 psf of allowed building area or:

12,500 sf @ $6.00 = $75,000

We feel that an annual payment of 2-4% below prime may be appropriate:

75,000 x .10 = $7,500

to be reviewed at 3-5 year intervals.

Rudolph R. Russo, Chairman

Abigail A. Burns, SRA, MRA

Kevin T. McDevitt, MAA

AAB:kw

AUGUST R. MEYER
RICHARD H. LOVELL
LORING P. JORDAN, JR.
WILLIAM B. TYLER
DAVID G. COLT
GEORGE V. ANASTAS
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COUNSELLORS AT LAW
28 STATE STREET
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AREA CODE 617 523-3550

[illegible] T. FREELAND
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JAMES R. SHEA, JR.
ELZBIETA K. WELZ
KEVIN J. TOOMEY
BRIAN M. HURLEY
ABBY VON DER HEYDE

June 20, 1980

City Council
795 Massachusetts Avenue
Cambridge, MA 02138

Attention: Paul E. Healy, City Clerk

Ladies and Gentlemen:

We represent GTE Laboratories, Inc. which presently has its corporate headquarters on West and Winter Streets, Waltham near the City of Cambridge reservoir.

Adjoining the company's Waltham facility is a tract of vacant land belonging to the Casella family which is presently being operated as a large pig farm. In order to provide an area in which to expand its laboratory activities, the Company has entered a purchase and sale agreement with the Casella family to buy this adjacent tract. Under the terms of the agreement, the Company's obligation to purchase is subject to several conditions, one of which is that the Company succeed in obtaining from the City of Cambridge a grant of right of way 70 feet in width extending from Winter Street in a southerly direction to the Casella land, this easement to serve as the principal access to the property.

If the Company is able to satisfy this condition and goes forward with the acquisition of the land, the Company anticipates spending many millions of dollars towards the development of a campus-type facility at which it will carry on its research and development activities. The construction of these laboratories will lead to the creation of an estimated 1,000 new high-technology jobs in addition to providing employment for numerous support personnel.

Because the land has been used intensively for the raising of pigs, the land is presently in a condition which will require very substantial and costly site work in order to be useable for the Company's purposes. This work will involve the removal of thousands of yards of decayed garbage and manure. Because of the proximity of this land to the Cambridge Reservoir and

the Hobbs Brook water course, all of which comprise part of the Cambridge water supply system, it is believed that the work to be done by the Company will be a major step in cleaning up the environment in the area.

Representatives of the Company have met with the Cambridge Water Board on four separate occasions and have made detailed presentations of the Company's proposal for the long-range development and use of the Casella land. These discussions have resulted in a number of adjustments to the Company's plan in order to accommodate certain wishes of the Water Board. We believe that we now have the informal approval of the Cambridge Water Board and we accordingly request that the matter be placed before the City Council for action at the next meeting to be held on Monday, June 30, 1980.

We will be most grateful if the Council would take up this matter at that time and adopt an order authorizing the granting of the required easement to GTE Laboratories, Inc. subject, of course, to such reasonable conditions as may be stipulated by the Water Board and also in compliance with all applicable state and municipal laws and ordinances.

Very truly yours,

William B. Tyler

WBT:rmt
xc: Russell B. Higley, Esq.
Frank I. Sullivan, Esq., GTE Laboratories, Inc.
Mr. Melvin M. Scott, Jr.,GTE Laboratories, Inc.

CITY OF CAMBRIDGE

250 FRESH POND PKY., CAMBRIDGE, MASSACHUSETTS 02138 • TEL. 498-9070

OFFICE OF THE WATER BOARD

Thomas J. Begley
President
Walter Conlon
Ruth C. Birkhoff
Donald Hornig
Timothy F. White
John H. Seites
Clerk of the Board

RECEIVED
SEP 29 1980
M. M. SCOTT

September 19, 1980

Mr. James L. Sullivan, City Manager
City Hall
Cambridge, Ma.

Re: GTE proposal, Waltham, Mass.

Dear Mr. Sullivan;

The attached covenants are recommended by the Water Board and provided for further action. Included are three of the recommendations provided to the Board by the Law Department with the belief that the other recommendations made by that office have been adequately covered in the Board's proposal.

Sincerely,
For the Board

Thomas J. Begley

Thomas J. Begley
Preident

cc: E. Cunningham
Law Department

mp

CAMBRIDGE WATER BOARD

PROPOSED COVENANTS

FOR LEASE OF LAND IN WALTHAM

GTE agrees to undertake the following:

1) SITE PLAN REVIEW: A copy of the site plan and any subsequent future amendments will be submitted to the Cambridge Water Board at the earliest available date prior to construction or site work. This process shall be followed for all future construction or site work. Any subsequent proposed construction or site work, which as determined by the Cambridge Water Board potentially produces significant detrimental affects on the water supply, requires Board approval prior to initiation.

2) MONITORING: An agent shall be designated by the Cambridge Water Board to monitor the site on behalf of the department, during and after construction, to confirm adherence to these covenants.

3) CONSTRUCTION PROCESS: a) Approved Soil Conservation Service, soil erosion and sedimentation controls shall be utilized and properly maintained during all phases of site work and construction.

b) In the event of a condition, spill, or accident which results in silt or other pollutants appearing in Hobbs Brook Stream or bordering wetlands in a deleterious magnitude as determined by the Cambridge Water Board, or other city, town, state, or federal regulatory agency, all phases of construction or site work shall cease until accepted corrective measures are implemented to the satisfaction of the Cambridge Water Board and said agency and the integrity of the stream and the bordering wetlands is restored.

c) GTE shall insure the proper, safe, and off-site removal of:

1) The approximate 90,000 cubic yards of pig refuse and solid waste material.

2) All chemical and petroleum products, including waste oils, present on site.

4) BASINS: a) Gas-trap catch basins or alternatives approved by the Cambridge Water Board, with basin design capacity sufficient for the inlet pipe diameters shall be required on all parking, roadway and loading dock areas. An appropriate inspection and cleaning schedule shall be employed.

b) Retention basins shall be of sufficient size to insure attenuation of the peak storm runoff volume for a 100 year storm to a volume commensurate to conditions existing prior to construction. These basins to be establish and maintained with a grass type vegetative cover with no woody vegetation allowed to persist. Basins designed with perpetual water levels shall be maintained as open water basins and routinely skimmed for flotables. Dredging of these basins shall be done when less than six inches of free-board will potentially exist when basin is filled to design capacity.

c) Sodium chloride or other de-icing material shall not be applied to any roads, driveways, or parking and loading areas within the GTE property boundaries, including any easement, licensed, or other contiguous property utilized by GTE.

5) CHEMICAL STORAGE AND CONTROL: a) All underground petroleum storage tanks shall be constructed of fiberglass, vaulted, sumped, and subject to inspection by Cambridge Water Board or other regulatory agency at its descretion.

b) GTE shall supply to the Cambridge Water Department a list of chemicals used or stored on the site. This list will be updated annually and is to include volumes involved.

c) Placement of outdoor containers for the storage of materials, both active and waste, shall be shown on the site plan.

d) All unused or waste materials or chemicals will be properly disposed of exterior to the boundaries of the watershed as defined by the Cambridge Water Board.

e) A contingency plan for the control and removal of pollutant spillages, leaks, or intrusions into water courses, wetlands, or site shall be developed and adhered to. A copy of this plan shall be submitted to the Cambridge Water Board by GTE for the Boards consideration and approval prior to initiation of site work and/or construction.

f) No dumping or stockpiling of any material to include snow shall occur on or immediately adjacent to the designated wetlands.

6) UTILITIES: All domestic and unrecovered laboratory sewage shall be disposed of through the City of Waltham sewer system.

Proposed by the Law Department and endorsed by the Board for inclusion into agreement.

1) A lease of the property for a term of years to be determined by negotiation, but probably based upon the useful life of the building which GTE Sylvania plans to construct.

2) The lease should contain a provision of escalation and might take several forms; one form would be based upon the Consumer Price Index for the Boston area; another form might use the increase in the city budget over the years; and a third form might be based upon the increase in the tax rate. It would seem to me that whatever would result in the highest revenue to the city would be the appropriate method.

3) There should be a provision requiring liability insurance which would include having the city as a named insured.

CCM-101

City of Cambridge

AMENDED ORDER

IN CITY COUNCIL

October 27, 1980

WHEREAS, the City of Cambridge is the owner through its Water Board of certain land in Waltham, Massachusetts, lying southerly of Winter Street between said street and land now owned by Richard J. Casella and others containing 57.8 acres (the "Casella Property"), which land of the City comprises a portion of its so called Cambridge Reservoir facilities in Waltham;

WHEREAS, GTE Laboratories, Inc. ("GTE Labs") which has its corporate headquarters off Winter Street in said Waltham has agreed to buy the Casella Property subject to the fulfillment of certain conditions, one of which being the acquisition from the City of Cambridge of a right of way and easement providing access between said Winter Street and the Casella Property;

WHEREAS, GTE Labs has offered to purchase from the City such right of way and easement for a minimum amount of $7,500.00 , and as further consideration therefor to make such additional annual payments to the City of such reasonable amounts and in such manner as the City Manager shall determine; and

WHEREAS, the Cambridge Water Board has notified the City Council that the interest in the land of the City which is proposed to be transferred to GTE Labs is an interest in land no longer required for public purposes, including public water supply works.

IT IS ORDERED:- That the City Manager be and he hereby is authorized in the name and on behalf of the City of Cambridge to sell, grant and convey to GTE Labs a perpetual right of way and easement located within the area shown and designated "ACCESS & UTILITY EASEMENT 70.00 FT. WIDE" shown on a plan entitled "Plan of Land Showing Proposed Easement in Waltham, Mass." dated June 30, 1980 prepared by Miller & Nylander, Inc. Said easement shall run in favor of GTE Labs and its successors and assigns and shall be appurtenant to the Casella Property and to any other land contiguous thereto which is now or hereafter owned of record by GTE Labs (the "Benefitted Property"), and shall provide access and egress between said Winter Street and the Benefitted Property for all purposes for which public streets or ways are now or hereafter may customarily be used in the City of Waltham including but not by way of limitation, travel on foot and by vehicle and the right to lay, maintain, repair, replace and use on, in, under and over the easement area wires, pipes, poles, mains, conduits (including appurtenances to all of the same) for the transmission of water, electricity, telephone, gas and other utility

services to the Benefitted Property.

The City Manager is hereby authorized to include in the instrument granting such right of way and easement whatever reasonable restrictions or limitations the Water Board may determine to be appropriate for the protection and preservation of the Cambridge reservoir water supply facility and such instrument of grant may contain covenants on the part of GTE Labs enforceable by the City that GTE Labs will comply with such restrictions and limitations and will also make timely payment of the annual amounts hereinabove referred to. Said instrument of grant shall otherwise be in such form and contain such terms as the City Manager shall determine.

The granting of the aforesaid right of way and easement shall be on condition that:-

1. GTE shall have acquired the Casella Property by deed recorded on or before December 31, 1981;

2. GTE shall pay the aforesaid minimum amount of $7,500.00 and such other annual amounts as the City Manager shall determine to the City of Cambridge for the granting of such right of way and easement;

3. All requirements of General Laws, Chapter 40, Sections 15 and 15B shall be fulfilled, including without limitation offering such right of way and easement to the City of Waltham for a minimum amount of $7,500.00 and such other annual amounts as the City Manager shall determine and approval of the Department of Environmental Quality Engineering.

4. The area subject to the easement shall not be used for fence and there shall be no impediment to crossing the easement by foot and in addition there shall be no over head wire or structures permitted.

In City Council December 8, 1980.
Adopted by a yea and nay vote:-
Yeas 9; Nays 0; Absent 0.
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:- Paul E. Healy

C. C. 106

C. Walter Sullivan

City of Cambridge

MASSACHUSETTS

In City Council December 8 1980

Vote of the City Council
[illegible] Easement Agreement
for [illegible] Corporation

	YEA	NAY	ABSENT	PRESENT
Mr. Kevin P. Crane	✓			
Mr. Thomas W. Danehy	✓			
Ms. Saundra Graham	✓			
Mr. Leonard J. Russell	✓			
Mr. David E. Sullivan	✓			
Mr. Walter J. Sullivan	✓			
Mr. Alfred Vellucci	✓			
Mr. David A. Wylie	✓			
Mayor Francis H. Duehay	✓			
	9	0	0	

CSSR
28
17

CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
JAMES L. SULLIVAN
City Manager

November 3, 1980

To the Honorable, the City Council:

I am attaching herewith a communication from Russell Higley concerning the motion for reconsideration of the Council Order granting an easement to GTE. The communication indicates that it is the opinion of the City Solicitor that Ordinance No. 733 does not pertain to the granting of this easement.

I have discussed this opinion with representatives from GTE who have indicated that they wish to talk to their legal counsel as well, and possibly pursue compliance with 733 to eliminate any potential doubts as to the validity of the easement granted.

Respectfully submitted,

James L. Sullivan
City Manager

JLS/mbf
Enc.

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9020

LAW DEPARTMENT

RUSSELL B. HIGLEY
CITY SOLICITOR

MICHAEL C. COSTELLO
ASSISTANT CITY SOLICITOR

EDWARD A. CUNNINGHAM
ANDREW T. TRODDEN
SEVERLIN B. SINGLETON
DAVID B. O'CONNOR
LEGAL COUNSEL

CHARLES A. WATSON
LEGISLATIVE AGENT

October 31, 1980

James L. Sullivan
City Manager
City Hall
Cambridge, MA

Re: Motion for reconsideration of Council Order granting an easement to GTE

Dear Mr. Sullivan:

With regard to the above-mentioned motion, please be advised that Ordinance No. 733 does not pertain to the granting of this easement. This is because Ordinance 733 deals only with the sale, rental, or leasing of City-owned land. The granting of an easement is a separate and distinct action; specifically defined by law.

Very truly yours,

Russell B. Higley
City Solicitor

RBH:ln

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9020

LAW DEPARTMENT

RUSSELL B. HIGLEY
CITY SOLICITOR

MICHAEL C. COSTELLO
ASSISTANT CITY SOLICITOR

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CHARLES A. WATSON
LEGISLATIVE AGENT

October 31, 1980

James L. Sullivan
City Manager
City Hall
Cambridge, MA

Re: Motion for reconsideration of Council Order granting an easement to GTE

Dear Mr. Sullivan:

With regard to the above-mentioned motion, please be advised that Ordinance No. 733 does not pertain to the granting of this easement. This is because Ordinance 733 deals only with the sale, rental, or leasing of City-owned land. The granting of an easement is a separate and distinct action; specifically defined by law.

Very truly yours,

Russell B. Higley
City Solicitor

RBH:ln

5.

CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
JAMES L. SULLIVAN
City Manager

November 3, 1980

To the Honorable, the City Council:

I am attaching herewith a communication from Russell Higley concerning the motion for reconsideration of the Council Order granting an easement to GTE. The communication indicates that it is the opinion of the City Solicitor that Ordinance No. 733 does not pertain to the granting of this easement.

I have discussed this opinion with representatives from GTE who have indicated that they wish to talk to their legal counsel as well, and possibly pursue compliance with 733 to eliminate any potential doubts as to the validity of the easement granted.

Respectfully submitted,

James L. Sullivan
~~City~~ Manager

JLS/mbf
Enc.

Agenda # 5

Comm. from City Solicitor concerning the motion for reconsideration of the City Council Order granting an easement to GTE.

In City Council,

November 3, 1980

– 11/3/80 –

Comm placed on File

for Reconsideration

on Issues which

Council and the

Grant of Easement

was Tabled pending

Action by Planning

Board – Hearing by Council

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9017

OFFICE OF
THE CITY CLERK

October 30, 1980

Mr. Russell Higley
City Solicitor
City Hall
Cambridge, MA 02139

Dear Sir:

At the City Council meeting of October 27, 1980 the City Council adopted an order granting an easement to GTE, a copy of which is enclosed.

In connection with the above matter, the City Clerk was in receipt of a motion for reconsideration by Councillor Vellucci who has raised the question as to whether or not this granting of an easement is covered by Ordinance Numbered 733 which is concerned with the sale or leasing of property for the City of Cambridge, a copy of which is also enclosed.

The City Council would appreciate your opinion in this matter prior to its meeting of November 3, 1980.

Very truly yours,

Paul E. Healy, City Clerk.

PEH/dl

Encs. (2)

CCM-101

City of Cambridge

AMENDED ORDER

IN CITY COUNCIL

October 27, 1980

WHEREAS, the City of Cambridge is the owner through its Water Board of certain land in Waltham, Massachusetts, lying southerly of Winter Street between said street and land now owned by Richard J. Casella and others containing 57.8 acres (the "Casella Property"), which land of the City comprises a portion of its so called Cambridge Reservoir facilities in Waltham;

WHEREAS, GTE Laboratories, Inc. ("GTE Labs") which has its corporate headquarters off Winter Street in said Waltham has agreed to buy the Casella Property subject to the fulfillment of certain conditions, one of which being the acquisition from the City of Cambridge of a right of way and easement providing access between said Winter Street and the Casella Property;

WHEREAS, GTE Labs has offered to purchase from the City such right of way and easement for a minimum amount of $7,500.00 , and as further consideration therefor to make such additional annual payments to the City of such reasonable amounts and in such manner as the City Manager shall determine; and

WHEREAS, the Cambridge Water Board has notified the City Council that the interest in the land of the City which is proposed to be transferred to GTE Labs is an interest in land no longer required for public purposes, including public water supply works.

IT IS ORDERED:- That the City Manager be and he hereby is authorized in the name and on behalf of the City of Cambridge to sell, grant and convey to GTE Labs a perpetual right of way and easement located within the area shown and designated "ACCESS & UTILITY EASEMENT 70.00 FT. WIDE" shown on a plan entitled "Plan of Land Showing Proposed Easement in Waltham, Mass." dated June 30, 1980 prepared by Miller & Nylander, Inc. Said easement shall run in favor of GTE Labs and its successors and assigns and shall be appurtenant to the Casella Property and to any other land contiguous thereto which is now or hereafter owned of record by GTE Labs (the "Benefitted Property"), and shall provide access and egress between said Winter Street and the Benefitted Property for all purposes for which public streets or ways are now or hereafter may customarily be used in the City of Waltham including but not by way of limitation, travel on foot and by vehicle and the right to lay, maintain, repair, replace and use on, in, under and over the easement area wires, pipes, poles, mains, conduits (including appurtenances to all of the same) for the transmission of water, electricity, telephone, gas and other utility

services to the Benefitted Property.

The City Manager is hereby authorized to include in the instrument granting such right of way and easement whatever reasonable restrictions or limitations the Water Board may determine to be appropriate for the protection and preservation of the Cambridge reservoir water supply facility and such instrument of grant may contain covenants on the part of GTE Labs enforceable by the City that GTE Labs will comply with such restrictions and limitations and will also make timely payment of the annual amounts hereinabove referred to. Said instrument of grant shall otherwise be in such form and contain such terms as the City Manager shall determine.

The granting of the aforesaid right of way and easement shall be on condition that:-

1. GTE shall have acquired the Casella Property by deed recorded on or before December 31, 1981;

2. GTE shall pay the aforesaid minimum amount of $7,500.00 and such other annual amounts as the City Manager shall determine to the City of Cambridge for the granting of such right of way and easement;

3. All requirements of General Laws, Chapter 40, Sections 15 and 15B shall be fulfilled, including without limitation offering such right of way and easement to the City of Waltham for a minimum amount of $7,500.00 and such other annual amounts as the City Manager shall determine and approval of the Department of Environmental Quality Engineering.

4. The area subject to the easement shall not be used for fence and there shall be no impediment to crossing the easement by foot and in addition there shall be no over head wire or structures permitted.

In City Council October 27, 1980.
Adopted by a yea and nay vote:-
Yeas 8; Nays 0; Absent 1.
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:- Paul E. Healy

COUNCILLOR VELLUCCI HAS FILED RECONSIDERATION ON THIS MATTER.

ORDINANCE NO. 733
Final Publication No. 1539. First Publication in Cambridge Chronicle-Sun, January 7, 1965.

CITY OF CAMBRIDGE

In the Year One Thousand, Nine Hundred and Sixty-five.

AN ORDINANCE

In amendment to an Ordinance entitled: "The General Ordinances of the City of Cambridge"

Be it ordained by the City Council of the City of Cambridge as follows:—

The General Ordinances of the City of Cambridge are hereby amended by inserting the following section entitled:—

City Owned Land and Buildings.

Section 1. Sale, Lease or Rental of City Owned Land.

For the purposes of protecting the citizens of Cambridge, real estate values and obtaining the best possible land use; no sale, lease or rental by the City of Cambridge of City owned land or ways shall be accomplished until such offer, when received by the City Council, shall be referred to the Planning Board of the City of Cambridge for study and a report made to the City Council, which shall hold a public hearing to which the Planning Board shall be invited. Said hearing shall be held within one month after receipt of the Planning Board's report to the City Council.

At least ten days prior to said hearing the City Clerk shall post notices of the hearing upon the City owned land or ways with respect to the proposed sale, lease or rental and shall send a written notice to the owners of the property adjoining and opposite said land or ways within two hundred feet thereof as shown on the most recent tax list of the Board of Assessors, and to such owners and civic groups as may be deemed by the City Clerk to be affected and shall publish notice of said hearing in newspapers of general circulation within the City of Cambridge.

In City Council January 18, 1965. Passed to be ordained as amended.

Edward A. Crane, Mayor.

A true copy. Attest:—

THOMAS M. McNAMARA,
City Clerk.

(C)F11.

ORDINANCE NO. 733

Final Publication No. 1539. First Publication in Cambridge Chronicle-Sun, January 7, 1965.

CITY OF CAMBRIDGE

In the Year One Thousand, Nine Hundred and Sixty-five.

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In City Council January 18, 1965.
Passed to be ordained as amended.
Edward A. Crane, Mayor.
A true copy. Attest:—
THOMAS M. McNAMARA,
City Clerk.

(C) F11.

services to the Benefitted Property.

The City Manager is hereby authorized to include in the instrument granting such right of way and easement whatever reasonable restrictions or limitations the Water Board may determine to be appropriate for the protection and preservation of the Cambridge reservoir water supply facility and such instrument of grant may contain covenants on the part of GTE Labs enforceable by the City that GTE Labs will comply with such restrictions and limitations and will also make timely payment of the annual amounts hereinabove referred to. Said instrument of grant shall otherwise be in such form and contain such terms as the City Manager shall determine.

The granting of the aforesaid right of way and easement shall be on condition that:-

1. GTE shall have acquired the Casella Property by deed recorded on or before December 31, 1981;

2. GTE shall pay the aforesaid minimum amount of $7,500.00 and such other annual amounts as the City Manager shall determine to the City of Cambridge for the granting of such right of way and easement;

3. All requirements of General Laws, Chapter 40, Sections 15 and 15B shall be fulfilled, including without limitation offering such right of way and easement to the City of Waltham for a minimum amount of $7,500.00 and such other annual amounts as the City Manager shall determine and approval of the Department of Environmental Quality Engineering.

4. The area subject to the easement shall not be used for fence and there shall be no impediment to crossing the easement by foot and in addition there shall be no over head wire or structures permitted.

In City Council October 27, 1980.
Adopted by a yea and nay vote:-
Yeas 8; Nays 0; Absent 1.
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:- Paul E. Healy

COUNCILLOR VELLUCCI HAS FILED RECONSIDERATION ON THIS MATTER.

CCM-101

City of Cambridge

AMENDED ORDER

IN CITY COUNCIL

October 27, 1980

WHEREAS, the City of Cambridge is the owner through its Water Board of certain land in Waltham, Massachusetts, lying southerly of Winter Street between said street and land now owned by Richard J. Casella and others containing 57.8 acres (the "Casella Property"), which land of the City comprises a portion of its so called Cambridge Reservoir facilities in Waltham;

WHEREAS, GTE Laboratories, Inc. ("GTE Labs") which has its corporate headquarters off Winter Street in said Waltham has agreed to buy the Casella Property subject to the fulfillment of certain conditions, one of which being the acquisition from the City of Cambridge of a right of way and easement providing access between said Winter Street and the Casella Property;

WHEREAS, GTE Labs has offered to purchase from the City such right of way and easement for a minimum amount of $7,500.00 , and as further consideration therefor to make such additional annual payments to the City of such reasonable amounts and in such manner as the City Manager shall determine; and

WHEREAS, the Cambridge Water Board has notified the City Council that the interest in the land of the City which is proposed to be transferred to GTE Labs is an interest in land no longer required for public purposes, including public water supply works.

IT IS ORDERED:- That the City Manager be and he hereby is authorized in the name and on behalf of the City of Cambridge to sell, grant and convey to GTE Labs a perpetual right of way and easement located within the area shown and designated "ACCESS & UTILITY EASEMENT 70.00 FT. WIDE" shown on a plan entitled "Plan of Land Showing Proposed Easement in Waltham, Mass." dated June 30, 1980 prepared by Miller & Nylander, Inc. Said easement shall run in favor of GTE Labs and its successors and assigns and shall be appurtenant to the Casella Property and to any other land contiguous thereto which is now or hereafter owned of record by GTE Labs (the "Benefitted Property"), and shall provide access and egress between said Winter Street and the Benefitted Property for all purposes for which public streets or ways are now or hereafter may customarily be used in the City of Waltham including but not by way of limitation, travel on foot and by vehicle and the right to lay, maintain, repair, replace and use on, in, under and over the easement area wires, pipes, poles, mains, conduits (including appurtenances to all of the same) for the transmission of water, electricity, telephone, gas and other utility

C. C. 106

C. Wylie

City of Cambridge

MASSACHUSETTS

In City Council October 29, 1981

Calendar Item #1 Vote of the City Council After Hearing on Grant of an Easement to ETE Laboratories in Waltham - Cambridge Research

	YEA	NAY	ABSENT	PRESENT
Mr. Kevin P. Crane	✓			
Mr. Thomas W. Danehy	✓			
Ms. Saundra Graham			✓	
Mr. Leonard J. Russell	✓			
Mr. David E. Sullivan	✓			
Mr. Walter J. Sullivan	✓			
Mr. Alfred Vellucci	✓			
Mr. David A. Wylie	✓			
Mayor Francis H. Duehay	✓			
	8	0	1	

- Order Adopted as Amended by Council Wylie Three Times - See original papers

CITY OF CAMBRIDGE

INTEROFFICE CORRESPONDENCE

To James L. Sullivan, City Manager **Date** October 27, 1980

From Board of Assessors **Reference**

Subject Winter St. Land (25,079 sf) for GTE

We are in the process of preparing a full report on the above; at this time, however, we wish to submit the following information.

Fair market value of the subject property should be based on similar commercial land sales. It will be used as an important part of the GTE development giving them access to their site and also providing utilities to the site. Zoning for land is limited commercial. This value in use is calculated at $75,000 for the 25,079 sf land area.

This type of land is purchased on the basis of potential gross building area. In this limited commercial zone, the floor area ratio is .5, thereby allowing for 12,500 sf gross building area on the 25,079 sf site. In the general area, prices paid are around $6.00 psf of allowed building area or:

12,500 sf @ $6.00 = $75,000

We feel that an annual payment of 2-4% below prime may be appropriate:

75,000 x .10 = $7,500

to be reviewed at 3-5 year intervals.

Rudolph R. Russo, Chairman

Abigail A. Burns, SRA, MRA

Kevin T. McDevitt, MAA

AAB:kw

6 20/pm Order as amended — 3 times

C Wylie Sent

~~Room~~ Page 2 #4

The area subject to the Easement shall not be used for fence and there shall be no impedement to crossing the easement by foot.

And in addition there shall be no over head wires or structures permitted

OK/Adopted as amended

[illegible]

services to the Benefitted Property.

The City Manager is hereby authorized to include in the instrument granting such right of way and easement whatever reasonable restrictions or limitations the Water Board may determine to be appropriate for the protection and preservation of the Cambridge reservoir water supply facility and such instrument of grant may contain covenants on the part of GTE Labs enforceable by the City that GTE Labs will comply with such restrictions and limitations and will also make timely payment of the annual amounts hereinabove referred to. Said instrument of grant shall otherwise be in such form and contain such terms as the City Manager shall determine.

The granting of the aforesaid right of way and easement shall be on condition that:-

1. GTE shall have acquired the Casella Property by deed recorded on or before December 31, 1981;

2. GTE shall pay the aforesaid minimum amount of $7,500.00 to the City of Cambridge for the granting of such right of way and easement; and #1

3. All requirements of General Laws, Chapter 40, Sections 15 and 15B shall be fulfilled, including without limitation offering such right of way and easement to the City of Waltham for a minimum amount of $7,500.00 and approval of the Department of Environmental Quality Engineering. #2

4) Third Amendment

V = Amendment

#1 and #2 Amendments

And such other annual amounts as the City Manager shall determine -

#3 Amendment will be on Page 2 and designate with a Arabic Numeral 4.

The area subject to the Easement shall not be used for fence and there shall no impediment to crossing by foot and in addition there shall be no [illegible] or structures permitted

CCM-101

City of Cambridge

8.

IN CITY COUNCIL

October 20, 1980

COUNCILLOR WYLIE

WHEREAS: Some $250,000 per year out of the increased water rates, was promised for expenditure in improving the Fresh Pond Reservation; and

WHEREAS: It appears that the bulk of the money is being used for macadam and chain link fencing; and

WHEREAS: Fencing off the water works building (as distinguished from fencing off the water supply) appears to be a wasteful expenditure, replacing the beautiful circle behind the main building with an industrial scene; and

WHEREAS: The City Council never was afforded the courtesy of being shown the plans, but nevertheless has exercised restraint and not interfered upon the many assurances that the result of the "improvements" will be an improvement; and

WHEREAS: The Water Board's preoccupation with chain link fence and pavement may not be consistent with either the quality and conservation of the water supply or the needs and desires of the public; therefore be it

ORDERED: That the City Manager is requested to order work stopped pending a public hearing, such hearing to occur at 7:00 P. M., Monday, October 27, 1980, at which the Water Board is requested to bring all plans, present and contingent, which will affect the appearance and use of the Fresh Pond Reservation.

In City Council October 20, 1980.
Adopted by the affirmative vote of 8 members.
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:- Paul E. Healy

CITY OF CAMBRIDGE

INTEROFFICE CORRESPONDENCE

To James L. Sullivan, City Manager **Date** October 27, 1980

From Board of Assessors **Reference**

Subject Winter St. Land (25,079 sf) for GTE

We are in the process of preparing a full report on the above; at this time, however, we wish to submit the following information.

Fair market value of the subject property should be based on similar commercial land sales. It will be used as an important part of the GTE development giving them access to their site and also providing utilities to the site. Zoning for land is limited commercial. This value in use is calculated at $75,000 for the 25,079 sf land area.

This type of land is purchased on the basis of potential gross building area. In this limited commercial zone, the floor area ratio is .5, thereby allowing for 12,500 sf gross building area on the 25,079 sf site. In the general area, prices paid are around $6.00 psf of allowed building area or:

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We feel that an annual payment of 2-4% below prime may be appropriate:

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to be reviewed at 3-5 year intervals.

Rudolph R. Russo, Chairman

Abigail A. Burns, SRA, MRA

Kevin T. McDevitt, MAA

AAB:kw

CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
JAMES L. SULLIVAN
City Manager

October 27, 1980

To the Honorable, the City Council:

Reference is hereby made to the offer of GTE Laboratories, Inc. ("GET Labs") to purchase from the City of Cambridge an interest in certain of the land in Waltham acquired by the City for the so-called Cambridge Reservoir facilities, to wit, a right of way and easement in, over and under an area hereinbelow described, for all purposes for which public streets or ways are now or hereafter may customarily be used in the City of Waltham. Said right of way and easement shall comprise an area shown and designated "ACCESS & UTILITY EASEMENT 70.00 FT. WIDE" on a plan entitled "Plan of Land Showing Proposed Easement in Waltham, Mass.," dated June 30, 1980, prepared by Miller & Nylander.

The undersigned officer of the City of Cambridge, in accordance with General Laws, Chapter 40, Sections 15 and 15B, hereby notifies you that, in the opinion of the undersigned, the interest in land proposed to be granted to GTE Labs as aforesaid is no longer required for public purposes and public water supply works.

Very truly yours,

James L. Sullivan
City Manager

JLS/mbf

CCM-101

City of Cambridge

IN CITY COUNCIL

October 27, 1980

WHEREAS, the City of Cambridge is the owner through its Water Board of certain land in Waltham, Massachusetts, lying southerly of Winter Street between said street and land now owned by Richard J. Casella and others containing 57.8 acres (the "Casella Property"), which land of the City comprises a portion of its so called Cambridge Reservoir facilities in Waltham;

WHEREAS, GTE Laboratories, Inc. ("GTE Labs") which has its corporate headquarters off Winter Street in said Waltham has agreed to buy the Casella Property subject to the fulfillment of certain conditions, one of which being the acquisition from the City of Cambridge of a right of way and easement providing access between said Winter Street and the Casella Property;

WHEREAS, GTE Labs has offered to purchase from the City such right of way and easement for a minimum amount of $7,500.00 , and as further consideration therefor to make such additional annual payments to the City of such reasonable amounts and in such manner as the City Manager shall determine; and

WHEREAS, the Cambridge Water Board has notified the City Council that the interest in the land of the City which is proposed to be transferred to GTE Labs is an interest in land no longer required for public purposes, including public water supply works.

IT IS ORDERED:- That the City Manager be and he hereby is authorized in the name and on behalf of the City of Cambridge to sell, grant and convey to GTE Labs a perpetual right of way and easement located within the area shown and designated "ACCESS & UTILITY EASEMENT 70.00 FT. WIDE" shown on a plan entitled "Plan of Land Showing Proposed Easement in Waltham, Mass." dated June 30, 1980 prepared by Miller & Nylander, Inc. Said easement shall run in favor of GTE Labs and its successors and assigns and shall be appurtenant to the Casella Property and to any other land contiguous thereto which is now or hereafter owned of record by GTE Labs (the "Benefitted Property"), and shall provide access and egress between said Winter Street and the Benefitted Property for all purposes for which public streets or ways are now or hereafter may customarily be used in the City of Waltham including but not by way of limitation, travel on foot and by vehicle and the right to lay, maintain, repair, replace and use on, in, under and over the easement area wires, pipes, poles, mains, conduits (including appurtenances to all of the same) for the transmission of water, electricity, telephone, gas and other utility

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3. All requirements of General Laws, Chapter 40, Sections 15 and 15B shall be fulfilled, including without limitation offering such right of way and easement to the City of Waltham for a minimum amount of $7,500.00 and approval of the Department of Environmental Quality Engineering.

CITY OF CAMBRIDGE

INTEROFFICE CORRESPONDENCE

To James L. Sullivan, City Manager **Date** October 27, 1980

From Board of Assessors **Reference**

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to be reviewed at 3-5 year intervals.

Rudolph R. Russo, Chairman

Abigail A. Burns, SRA, MRA

Kevin T. McDevitt, MAA

AAB:kw

CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
JAMES L. SULLIVAN
City Manager

October 27, 1980

To the Honorable, the City Council:

Reference is hereby made to the offer of GTE Laboratories, Inc. ("GET Labs") to purchase from the City of Cambridge an interest in certain of the land in Waltham acquired by the City for the so-called Cambridge Reservoir facilities, to wit, a right of way and easement in, over and under an area hereinbelow described, for all purposes for which public streets or ways are now or hereafter may customarily be used in the City of Waltham. Said right of way and easement shall comprise an area shown and designated "ACCESS & UTILITY EASEMENT 70.00 FT. WIDE" on a plan entitled "Plan of Land Showing Proposed Easement in Waltham, Mass.," dated June 30, 1980, prepared by Miller & Nylander.

The undersigned officer of the City of Cambridge, in accordance with General Laws, Chapter 40, Sections 15 and 15B, hereby notifies you that, in the opinion of the undersigned, the interest in land proposed to be granted to GTE Labs as aforesaid is no longer required for public purposes and public water supply works.

Very truly yours,

James L. Sullivan
City Manager

JLS/mbf

Agenda # 9

Easement granting right of way over land in the Hobbs Brook Reservoir to GTE.

In City Council,

October 27, 1980

copy sent to Law Dept. 10/28/80 (dl)

Easement

MOTION FOR RECONSIDERATION SUBMITTED BY COUNCILLOR VELLUCCI

OCTOBER 27, 1980
Date

Councillor Vellucci intention to move reconsideration of the vote of the City Council adopting the easement request as amended by GTE over land in Hobbs Brook Reservation.

Alfred Vellucci
Signature

Cal # 7 #7

Reconsideration of the vote of the City Council adopting the easement request as amended by GTE over land in Hobbs Brook Reservation.

In City Council,

November 3, 1980

11/3/1980

Reconsideration

Enacted

Tabled on motion of

C. Vellucci -

Referred Petition to

Planning Board for

Hearing & Report -

October , 1980

City Council
Cambridge, MA

Dear Sirs:

Reference is hereby made to the offer of GTE Laboratories, Inc. ("GTE Labs") to purchase from the City of Cambridge an interest in certain of the land in Waltham acquired by the City for the so-called Cambridge Reservoir facilities, to wit, a right of way and easement in, over and under an area hereinbelow described, for all purposes for which public streets or ways are now or hereafter may customarily be used in the City of Waltham. Said right of way and easement shall comprise an area shown and designated "ACCESS & UTILITY EASEMENT 70.00 FT. WIDE" on a plan entitled "Plan of Land Showing Proposed Easement in Waltham, Mass.," dated June 30, 1980, prepared by Miller & Nylander.

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_____

Approved by the Cambridge Water Board

AUGUST R. MEYER
RICHARD H. LOVELL
LORING P. JORDAN, JR.
WILLIAM B. TYLER
DAVID G. COLT
GEORGE V. ANASTAS
PETER W. KILBORN
HENRY H. THAYER
BRIAN S. MEYER
JOSEPH L. SERAFINI
STEPHEN CARR ANDERSON
LAWRENCE E. KAPLAN
ALBERT M. FORTIER, JR.
MICHAEL F. O'CONNELL
JOHN J. GRIFFIN, JR.
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CATHERINE L. FARRELL
PETER R. MERRY
WILLIAM S. ROSENBERG
JAMES R. SHEA, JR.
ELZBIETA K. WELZ
KEVIN J. TOOMEY
BRIAN M. HURLEY

November 4, 1980

Mr. James L. Sullivan
City Manager
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Dear Mr. Sullivan:

Let me mention again how much the people from GTE, not to mention myself, appreciate the time and constructive help which you have given to our easement matter.

As I mentioned on the phone, I have given further reflection to the possible applicability of Cambridge Ordinance No. 733 to this proposal by GTE. My careful reading of the ordinance continues to affirm my initial opinion that this ordinance was never intended to apply to a situation such as the one we have in this case; that is to say, that the sponsors of the ordinance I am sure did not contemplate the sale of an interest in City land lying outside the territorial limits of Cambridge and under the vigilant protection of the Cambridge Water Board. Nevertheless, as an overly-cautious lawyer, I have to conclude that the issue is not entirely free of doubt. Consequently, the company and I have determined that it is the better part of prudence to deal with the matter at this time.

I am therefore proposing to present the issue to the Cambridge Planning Board as soon as possible in the hope that they will report on the question to the Council prior to a Council meeting in late November or early December. At that time the order will be reconsidered and presumably adopted without debate.

I have just had a very helpful conversation with Mr. David Vickery in the City Planning Department. He has suggested that I bring the matter to the Planning Board at their regular meeting on November 18, following which they will render an appropriate report to the Council. Mr. Vickery's suggestion seemed sensible and I am most appreciative of his cooperation.

Under the terms of Ordinance No. 733, it is apparently necessary for the Council to receive a form of offer from GTE Labs presumably setting forth the consideration and other terms of the purchase. The draft form of order which is already in your hands would seem to cover this point, but if you feel that a more formal statement from the company is in order, please let me know. Otherwise, I think that this letter and the enclosed copy of the draft order can be regarded as the company's offer which can be conveyed by you to the Council.

It seems to me that the only mechanical details which must be attended to are those relating to notice of the hearing. According to the ordinance, posting publication and the sending of notice to abutters must take place at least ten days before the hearing. I assume, of course, that any regular meeting of the Council can also be designated as a hearing for purposes of the ordinance. On the assumption that these matters are taken care of by the City Clerk, I am sending a copy of this letter to him and will subsequently be in touch with his office by telephone.

On the subject of the annual payments which GTE will be making to the City for the use of the right-of-way, I would like to suggest that the calculation on these payments be based on two components. The first would be a determination of the value of the easement based on the fair market value of the land under the right-of-way but taking into account (a) that the City retains title to the land; (b) has a right to use the way in common with GTE; and (c) the transfer will not give rise to any obligation on the City to provide municipal services. I think we both understand that this valuation figure, whatever it turns out to be, must be permitted to "float" so that as circumstances change over the years either party would be in a position to seek a periodic adjustment as might then be indicated. If either party should seek an adjustment in valuation, and agreement cannot be reached within a stated period of time, an appraisal process can be provided for which will expeditiously settle the issue.

The second component of the formula will, of course, be the rate factor to be applied to the valuation figure. In my opinion the fairest approach would be to link this factor to the Cambridge tax rate so that the City would be receiving its return on substantially the same basis and in the same manner as it does from taxable real estate lying within its territorial limits.

I wish you would give these suggestions some thought and let me know if it is appropriate for me to submit to you a draft agreement between the City and GTE on the basis of this formula. Such an agreement would, of course, cover all other

items which must be dealt with between the parties, including a firm commitment by GTE to be bound by all of the conditions contained in the Water Board report.

Once again, I am grateful for your help on this matter.

Sincerely,

William B. Tyler

WBT:smm
xc: Frank I. Sullivan, Esq.
Mr. M. Scott
Mr. E. Cunningham
Mr. Connerton
Mr. Begley
Mr. P. Healy

F-439

Comm. from William B. Tyler, GTE, in regard to GTE request for an easement over land in the Hobbs Brook Reservation.

Amended order sent to C. Mgr, C. Solicitor, Water Dept, C. Council Off. 12/22/80 (dl) Assessors.

Mr. Tyler notified 11/12/80 (dl)

12/8/1980

After Hearing

Order Adopted

9-0-0

In City Council,

November 10, 1980

11/10/80

Hearing to be held before Planning Board & City Council 12/8/80 at 6:30 pm

Advt & Post Notices

Hinden Ordinance