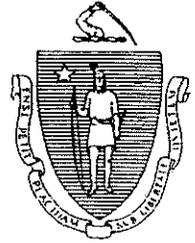




THE COMMONWEALTH OF MASSACHUSETTS

# Middlesex Canal Commission



Middlesex Canal Commission Annual Meeting Minutes-March 19, 2009

The Middlesex Canal Commission held its annual meeting on March 19, 2009 at 3:15 p.m. at the Middlesex Canal Museum, 71 Faulkner Street, Billerica, MA. The following were in attendance:

- Don Haska, Charlestown
- Dick Bauer, Somerville
- Tom Lincoln, Medford
- Tom Raphael, Winchester
- Len Harmon, Woburn
- Betty Bigwood, Wilmington
- Chuck Anderson, Billerica
- Doug Chandler, Chelmsford
- Mark E. Goldman, Lowell
- Beverly Woods, Northern Middlesex Council of Governments
- Doug Gordon, Guest

## Treasurer's Report and Finance Issues

Chairman Tom Raphael opened the meeting by welcoming those in attendance and introducing the members of the commission. The Report of the Treasurer was distributed and discussed. Treasurer Betty Bigwood noted that there is presently \$207,657 in funding on hand, of which \$25,000 will be set aside for the dam maintenance fund. These monies are the remaining funds from two \$250,000 legislative earmarks received in 2005 and 2006, plus accrued interest. A total of \$314,000 has been paid out, and another \$88,000 remains to be paid (including the \$25,000 for the dam maintenance fund set aside). Tom Raphael noted that future funds will likely be sought through the Transportation Enhancement Program, and another legislative earmark or line item through the state's budgetary process. He noted that the Wilmington design project will cost \$95,000.

## Status of the Canal Restoration Projects

Tom Raphael provided an overview and status report of each phase of the canal restoration program. He noted that a web link has been created for the Middlesex Canal Commission: [www.middlesexcanal.org](http://www.middlesexcanal.org). The following information was provided:

- National Register Map Book (39 Pages)
- Middlesex Canal Restoration- Program study (27 Pages)
- Concept Plans:

Woburn, Segment 5

Wilmington, Segment 6

- Heritage Corridor, Map Book (41 pages)

### *Phase I - Mill Pond Project*

A PowerPoint presentation was given on the details of the Phase 1 design plans. Easement agreements have been signed for Easements 1, 2, and 3, located on the west side of the river. These easements are being granted by Pace Industries. The 50-foot strip around the Mill Pond and Easement 4 will need to be granted by Leggett and Platt. The deed to the dam will be granted by CRT Development as soon as an inspection report on the dam and transfer is recorded by DCR. A meeting with MassHighway is also being arranged to discuss funding for completing the final design and construction of the Mill Pond Park project. The 25% design plans are now complete. There has been substantial progress made in advancing the environmental permitting needed to construct the project, which will likely be built in phases given the overall cost of constructing all four easement areas.

### *Phase II - Extant portion of canal encompassing 19 properties*

Segment 5 in Woburn, from Alfred to School Streets, is supported by the municipality and is progressing from the conceptual stage to 25% design. Segment 6 in Wilmington, along Main Street to Burlington Avenue, including the Ox Bow and the Maple Meadow Aqueduct, is under discussion at the local level. The town has been provided with estimated annual maintenance costs, which would be borne by the town once construction is complete. The possibility of securing stimulus funds for segments 1,3,4,5,6,11 and 12 was also discussed.

### *Phase III - Acquisition*

No activity at this time.

### *Phase IV*

Massachusetts Historical Commission (MHC) has prepared the nomination for the inclusion of the entire route of the Canal on the National Register of Historic Places. The necessary paperwork will be submitted for approval to the National Park Service Washington office soon.

Signs have been erected at all canal locations in Billerica.

Leonard Harmon will look into signs in Woburn.

### *Phase V - Museum and Headquarters*

While the canal museum is fortunate to have occupied its current space rent-free for six years, this arrangement has ended and monthly rent is now being charged by the building owner. The Association and the Commission have agreed to split the rental fee for the time being. Alternatives are being explored, including the possibility of relocating to one of the buildings at

the Talbot Mills. Discussions with the building owner are ongoing. The Commission unanimously agreed to continue investigating the option of relocating.

The Canal Museum has crafted a flyer promoting the availability of the museum as a desirable location for hosting meetings and functions. Increased use of the meeting space would generate additional revenues for the museum. The Canal Commission members were encouraged to distribute the flyers to those who might be interested in using the facility for future functions and meetings.

### **Amended Legislation**

Tom Raphael noted that the Canal Commission legislation needs to be amended to update certain information regarding state agencies that have had name changes or changes in status. For example, the Department of Environmental Management is now the Department of Conservation and Recreation, and the Metropolitan District Commission no longer exists. The Northern Middlesex Area Commission is now the Northern Middlesex Council of Governments.

### **Nyanza Natural Resources Damage Request**

Tom Raphael stated that the Executive Office of Energy and Environmental Affairs (EOEEA) contacted the Canal Commission regarding the Nyanza Natural Resources Damages Trustee Council's desire to study fish passage at the dam. After some discussion, the Commission determined that, as outlined in legislation, the purpose of the Commission is to restore the Canal to public use, which will be accomplished principally through the implementation of the Middlesex Canal Heritage Corridor plan, including the development of the Mill Pond park, and that removing or altering the dam is not consistent with this mission. Therefore, the Canal Commission voted unanimously to notify EOEEA that it does not support this proposed study, given that it is not compatible with the Commission's agenda and objectives.

### **Section Status**

The Billerica Section meets at 7:00 PM at the Museum on the second Wednesday of each month.

### **Election of Officer**

The present Officers were re-elected.

Thomas Raphael, Chairman

Thomas Lincoln, Vice Chairman

Michael McInnis, Secretary

Betty Bigwood, Treasurer

Charles Anderson, Asst. Treasurer

**Attachments**

Treasurer's Report

Budget Summary and Status

Design Fees for Middlesex Canal Park, Billerica

Billerica Section March 11 2009 Meeting Report

# ANNUAL MIDDLESEX CANAL COMMISSION

March 18, 2009 Financial Report

## Assets

- (1) 2 CD's Total value = \$192,447.93
  - (a) \$50,000. plus interest of \$3,312.86
  - (b) \$125,000. plus interest of \$14,135.07
- (2) Eastern Bank Savings Account : \$40,129.95
- (3) Eastern Bank Checking Account : \$80.08.

## Obligated Funds

- (1) Dam - \$25,000.

Total Available Funds: \$207,657.96

Betty M. Bigwood, treas.

MIDDLESEX CANAL COMMISSION

March 12 2009

BUDGET SUMMARY AND STATUS

	Project	Total Contract	Paid	Left
ICON Design	Highway	\$100,000	\$72,052.40	(forfeited-\$27,947.60?)
ICON Parks	MCC, Start	\$10,000	\$10,000.00	0
	MCC, Schem.	\$15,505	\$15,505.00	0
	Red Lock (Surv)	\$10,323.35	\$10,323.35	0
	MCC, 25%	\$52,515	\$51,727.00	\$788.00
	Dam Repair Res.	\$25,000	0	\$25,000
Green	AGE	\$12,600	\$6,997.66	\$5,602.34
	AGE (sub-WDG)	\$12,400	\$5,213.15	\$7,186.85
	AGE (sub-WDG)	\$19,100	\$10,255.66	\$8,844.34
	open-app		\$2,950.68	0
WDG	Woburn (C)	\$13,000	\$12,933.00	\$ 67.00
	Wilmington (C)	\$20,000	\$20,000.00	0
	Overall (C)	\$43,250	\$44,303.44(1053.04)	0
	Aqueduct	open-app	\$543.70	0
	Osterburg (C)	open-app	\$517.00	0
	DEP (C)	open-app	\$2,349.00	0
	Map Book (C)	open-app	\$9,472.78	0
	Admin	open-app	\$12,046.20	0
Surveys	Aqueduct (C)	\$8,980	\$8,980.00	0
	Sandy Beach (C)	\$11,400	\$11,400.00	0
	Osterberg (C)	\$13,193	\$13,954.15 (761.15)	0
WDG, 25% Design	Woburn	\$78,380	\$37,966.07	\$40,413.93
	Wilmington	[\$95,185]	0	0
Sections	Billerica	\$10,000	\$11,204.00 (1204.00)	0
	Chelmsford (C)	open-app	\$724.33	0
Reardon Esq.	Not Exceed	\$15,000	\$12,429.68	\$2,570.32
R. Ropes	Exec Adm.	\$2,500	\$2,304.43	\$195.57
Totals	Projects	<u>\$373,146.35</u>	<u>\$286,220.19(3018.19)</u>	<u>\$88,109.03</u>
	Hourly	open-app	\$28,603.69	
		<u>\$373,146.35</u>	<u>\$314,823.88</u>	

T. Raphael 031209

Monday, December 18, 2006

### Design Fee for Middlesex Canal Park, Billerica

(Assumes no need for certified easement plans)	Construction Budget	Schematic	25% Design Documents	75% Design Documents	100% Design Documents	Supervision	Full Design Services
Redlock Setting- Area #1	\$ 700,000.00	\$ 7,000.00	\$ 21,000.00	\$ 24,500.00	\$ 7,000.00	\$ 10,500.00	\$ 70,000.00
Street Crossing & Guard Lock- Area #2	\$ 305,000.00	\$ 2,745.00	\$ 8,235.00	\$ 9,607.50	\$ 2,745.00	\$ 4,117.50	\$ 27,450.00
Talbot's Mill's Canal Lock- Area #3	\$ 740,000.00	-	\$ 6,000.00	\$ 20,720.00	\$ 5,920.00	\$ 8,880.00	\$ 59,200.00
Mill Pond East- Area #4	\$ 640,000.00	\$ 5,760.00	\$ 17,280.00	\$ 20,160.00	\$ 5,760.00	\$ 8,640.00	\$ 57,600.00
<b>Total per phase</b>	<b>\$ 2,385,000.00</b>	<b>\$ 15,505.00</b>	<b>\$ 52,515.00</b>	<b>\$ 74,987.50</b>	<b>\$ 21,425.00</b>	<b>\$ 32,137.50</b>	<b>\$ 214,250.00</b>

**NOTES:**

- 1) Work not included in the above- Environmental permitting, environmental analysis, and survey cost.
- 2) Fee for Supervision will be reduced if MassHighway does on-site supervision.
- 3) Talbot's Mill Area - The price for 25% Design Documents represents the additional fee necessary to complete the remainder of the work.  
(Credit for \$10,000 deposit taken into consideration)
- 4) Historic research to be performed by others.



The Commonwealth of Massachusetts  
**Middlesex Canal Commission**

**Billerica Section**

Charles S. Anderson  
Chairman

Alec Ingraham  
Vice Chairman, Treasurer

William F. Bulens  
Alternate

William S. Barker  
Alternate

**Minutes of March 11, 2009 Meeting**

Notice for the March 11, 2009 meeting was posted and February 14, 2009 minutes were sent to all members of record. A scheduled meeting was held on Wednesday, March 11, 2009, in the Reardon Meeting Room of the Middlesex Canal Museum at the Faulkner Mills. There being no quorum present an informal meeting was held. The following people were present: Betty Bigwood, Tom Raphael, Debby Fox, and Alec Ingraham.

No agenda.

Issues discussed.

1. Rent for Ron will be left in the Museum office for Shane to pay him. Any future checks will be made out to the MCC Billerica Section (not Museum).
2. Chuck will be reimbursed \$57.00 for the light bulbs he purchased.
3. John and Chuck will be putting up Museum hour signs this weekend (MAR 14 – 15).
4. Tall ladders once located in the Museum seem to have disappeared.
5. The Mill Pond easements have been signed and the 100% design phase has begun.
6. The Talbot Mill space will be measured for a possible move.
7. The Dam will be inspected again as a part of the final transfer of the property.
8. The Billerica Alliance will be at the Museum March 26<sup>th</sup>.
9. The Lexington Historical Society will be at the Museum March 31<sup>st</sup>.
10. On March 15<sup>th</sup> ASA photography will be conducting a workshop from 9-5. Traci Jensen will be assisting them. A 2<sup>nd</sup> workshop is scheduled for May 17<sup>th</sup> from 9-1

**Adjournment:**

Next Meeting April 8, 2009 at 7:00 PM in the Reardon Room.

Respectfully Submitted by  
Charles S Anderson Chairman