

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 MAY -4 P 2:00

1. Minutes, City Council Meeting, April 24, 2017.
2. PUBLIC HEARING On the Application for Special Permit from Patrick Mauro of Royce Road Museum Realty Trust to build an addition to a single-family residence, 91 Royce Road, Order No. 17-1006869.
3. PUBLIC HEARING- Proposed FY18 Budget as submitted by Mayor Vigeant in the amount of \$156,990,717.00 for review and appropriation in which this spending plan reflects an increase of 4.9% over the approved Fiscal Year 2017 budget, Order No. 17-1006884.
4. PUBLIC HEARING On the Application for Special Permit from BSL Marlborough Development LLC, to construct a 52-Unit, 60,823 +/- square foot Assisted Living Facility with a Special Care Unit, 421 Bolton Street, Order No. 17-1006816A.
5. Communication from the Mayor re: DPW transfer request in the amount of \$23,900.00 which moves funds from Interest on Ban to various DPW accounts as noted on the attached spreadsheet to fund the recently ratified Memorandum of Agreement between City of Marlborough and the DPW Foreman, SEIU, Local 88 for Fiscal Years 2016, 2017 & 2018.
6. Communication from the Mayor re: Public Safety and Security State 911 Support and Incentive Grant Acceptance in the amount of \$1,484.24 to replace body armor for officers whose vests have expired and need replacement.
7. Communication from the Mayor re: Public Library Renovation Project. The Library Grant Application, Project Cost Estimate & Schematic Design Drawings are available for viewing in the City Clerk's office.
8. Communication from Retirement Board re: Granting Cost of Living Adjustment pursuant to MGL, Chapter 32, Section 103(i).
9. Application for Special Permit from Bohler Engineering on behalf of McDonald's USA, LLC to modify the existing drive-thru and associated menu boards and propose a new side-by-side drive-thru and menu boards to optimize circulation and restaurant operations at 250 Maple St.
10. Petition from NGRID to relocate P6, Elm St., 3.5' North at Marlborough's request for road improvement project.
11. Petition from NGRID to relocate P20, Pleasant St., 4.5' West, at Marlborough's request for road improvement project.
12. Application for Renewal of Junk Dealer's License, Gerald Dumais, d/b/a/ Dumais & Sons Second Hand Store, 65 Mechanic St.
13. Communication from the Department of Public Utilities, Condensed Financial Return for NSTAR Gas Co., year-end, December 2016.
14. Minutes, License Board, March 1 & 3 & 29, 2017.
15. Minutes, Conservation Commission, March 16 & April 6, 2017.
16. Minutes, Traffic Commission, March 2 & 28, 2017.
17. Minutes, Library Board of Trustees, April 6, 2016.
18. CLAIMS:
 - a. Alfredo Vidal, 611 Hosmer St., residential mailbox claim 2(a).
 - b. Richard Trotta, 39 Blaiswood Ave., residential mailbox claim 2(a) & other property damage.

REPORTS OF COMMITTEES:

Electronic devices, including laptops, cell phones, pagers, and PDAs must be turned off or put in silent mode upon entering the City Council Chamber, and any person violating this rule shall be asked to leave the chamber. Express authorization to utilize such devices may be granted by the President for recordkeeping purposes.

UNFINISHED BUSINESS:

From Public Services Committee

19. **Order No. 17-1006872: Application for Renewal of Junk Dealer's License, Jean Rabelo on behalf of Post Road Used Auto Parts of Marlborough, Inc., 785 Boston Post Road East. Motion made by Councilor Doucette, seconded by Chair, to recommend approval of the Application for Renewal of Junk Dealer's License, Jean Rabelo on behalf of Post Road Used Auto Parts of Marlborough, Inc., 785 Boston Post Road East. The motion carried 3-0.**
20. **Order No.17 -1006840: Application for Renewal of Junk Dealer's License, Roman Kimyagarov, Arthur & Sons Shoe Repair, 107 Main Street. Motion made by Councilor Doucette, seconded by Councilor Irish, to recommend approval of the Application for Renewal of Junk Dealer's License, Roman Kimyagarov, Arthur & Sons Shoe Repair, 107 Main Street. The motion carried 3-0.**
21. **Order No. 17-1006841: Application for Renewal of Junk Dealer's License, Tony Bitar, Hannoush Jewelers, 601 Donald Lynch Boulevard. Motion made by Councilor Irish, seconded by Chair, to recommend approval of the Application for Renewal of Junk Dealer's License, Tony Bitar, Hannoush Jewelers, 601 Donald Lynch Boulevard. The motion carried 3-0.**
22. **Order No. 17-1006870: Application for Renewal of Junk Dealer's License on behalf of Best Buy Stores, LP #1966, 601 Donald Lynch Boulevard. Motion made by Councilor Irish, seconded by Councilor Doucette, to recommend approval of the Application for Renewal of Junk Dealer's License on behalf of Best Buy Stores, LP #1966, 601 Donald Lynch Boulevard pending approval of the CORI report by the Police Chief. The motion carried 3-0.**
23. **Order No. 17-1006871: Application for Renewal of Junk Dealer's License on behalf of Best Buy Stores, LP #820, 769 Donald Lynch Boulevard. Motion made by Councilor Irish, seconded by Councilor Doucette, to recommend approval of the Application for Renewal of Junk Dealer's License on behalf of Best Buy Stores, LP #820, 769 Donald Lynch Boulevard pending approval of the CORI report by the Police Chief. The motion carried 3-0.**
24. **Order No. 17 -1006873: Application for Renewal of Junk Dealer's License, TVI, Inc. on behalf of Savers, 222A East Main Street.**

The following conditions and waivers are required as part of their license:

Conditions

1. The license shall not be transferred without prior review and approval of the City Council.
2. The license hereby granted is issued to TVI, Inc. d/b/a Savers only and is applicable only to the 222A East Main Street location.
3. There will be no exterior storage, display or sales of merchandise, other than a recycle trailer, a cloth delivery trailer with items waiting to be processed, and a local trailer from one of Savers' charitable partners delivering merchandise to the store. No more than three such trailers and trucks shall be parked at the loading dock area in the rear of the building at any one time, and no such trailers or trucks shall be parked on any other side of the building at any time.
4. Donations shall take place only during the hours of operation which shall be 9:00 A.M to 9:30 P.M. Monday through Saturday and 10:00 A.M. to 7:00 P.M. on Sundays, and during the month of October from 9:00 A.M. to 10:00 P.M. Monday through Saturday and 10:00 A.M. to 10:00 P.M. on Sundays.
5. No Savers' donation boxes shall be permitted outside of the building.
6. No scrolling or rotating message signs shall be permitted as part of Savers' signage plans.

7. Glue boards shall be installed at locations within the business premises satisfactory to the Marlborough Board of Health and Savers, and a monthly monitoring program shall be implemented consisting of a log book for said glue boards satisfactory to the Board of Health.
8. This license shall be subject to revocation or suspension for noncompliance of the above conditions or other applicable local ordinances or state laws.
9. The waivers granted as part of this license shall no longer be applicable should Savers commence paying the general public for merchandise delivered without first obtaining the review and approval of the City Council.

Waivers

1. The waiver of Section 377-4 of the Ordinance as requested by Savers is not granted because Section 377-4 is not applicable to Savers' operations.
2. The waiver of Section 377-5 of the Ordinance is granted with respect to the last sentence thereof requiring the City Clerk to keep a list of persons employed by Savers. All other provisions of Section 377-5, other than the duty of the City Clerk to keep a record of the name and residence of each dealer, are not applicable to Savers.
3. The provisions of Sections 377-6, 377-7 and 377-9 of the Ordinance are waived in their entirety.

Motion made by Councilor Irish, seconded by Councilor Doucette, to recommend approval of the Application for Renewal of Junk Dealer's License, TVI, Inc. on behalf of Savers, 222A East Main Street together with the longstanding conditions and waivers. The motion carried 3-0.

From Open Space Committee

25. **Order No. 17-1006858: Communication from the Commonwealth of Massachusetts, acting through its Department of Recreation and Conservation, regarding the acquisition of approximately 33 ± acres of land in Marlborough. Motion made by Councilor Elder, seconded by President Clancy, and approved 3-0 to:**
 - **Publicly announce the Commonwealth's interest in acquiring 33 ± acres of land, or other property interest, in the City of Marlborough for open space, public passage and natural resource protection as part of the Callahan State Park;**
 - **Recommend waiver of the 120 day notice period and the acquisition by the Department of Conservation and Recreation of ap**
 - **proximately 33 ± acres of land, or other property interest, in the City of Marlborough, in less than 120 days;**
 - **Recommend that the City Council President execute the Certificate of Announcement and 120 Day Waiver.**

ORDERED: That the Fire Department transfer request in the amount of \$275,000.00 which moves funds from various accounts to Overtime accounts as noted on the attached spreadsheets to fund Overtime costs, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT:		FIRE				FISCAL YEAR:		2017		
FROM ACCOUNT:					TO ACCOUNT:					
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$35,004.87	\$12,000.00	12200003	51440	Educational Incentive	\$12,000.00	12200003	51300	Overtime	\$75,938.75	
Reason:		Firefighter vacancies, retirements & extended absences				Firefighter vacancies, retirements & extended absences				
\$28,685.41	\$17,000.00	12200003	51450	Night Shift Differential	\$17,000.00	12200003	51300	Overtime	\$75,938.75	
Reason:		Firefighter vacancies, retirements & extended absences				Firefighter vacancies, retirements & extended absences				
\$61,809.99	\$46,000.00	12200003	51480	EMT	\$46,000.00	12200003	51300	Overtime	\$75,938.75	
Reason:		Firefighter vacancies, retirements & extended absences				Firefighter vacancies, retirements & extended absences				
\$121,658.21	\$51,358.41	12200003	51490	Holiday Pay	\$51,358.41	12200003	51300	Overtime	\$75,938.75	
Reason:		Firefighter vacancies, retirements & extended absences				Firefighter vacancies, retirements & extended absences				
Reason:										
\$126,358.41	Total				\$126,358.41	Total				

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:		FIRE			FISCAL YEAR:		2017		
Available Balance		FROM ACCOUNT:			TO ACCOUNT:			Available Balance	
Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		
\$589,394.34	\$17,928.22	12200001	50450	Firefighter	\$17,928.22	12200003	51300	Overtime	\$75,938.75
	Reason:	Transfer is available due to 111F payments			Firefighter vacancies, retirements & extended absences				
\$370,515.07	\$29,569.37	12200001	50810	Fire Lieutenant	\$29,569.37	12200003	51300	Overtime	\$75,938.75
	Reason:	Transfer is available due to 111F payments			Firefighter vacancies, retirements & extended absences				
\$20,562.59	\$13,144.00	12200003	51226	First Responder	\$13,144.00	12200003	51300	Overtime	\$75,938.75
	Reason:	Firefighter vacancies, retirements & extended absences			Firefighter vacancies, retirements & extended absences				
\$17,410.00	\$15,000.00	12200003	51412	HAZMAT Pay	\$15,000.00	12200003	51300	Overtime	\$75,938.75
	Reason:	Firefighter vacancies, retirements & extended absences			Firefighter vacancies, retirements & extended absences				
\$88,096.78	\$73,000.00	12200003	51430	Longevity	\$73,000.00	12200003	51300	Overtime	\$75,938.75
	Reason:	Firefighter vacancies, retirements & extended absences			Firefighter vacancies, retirements & extended absences				
\$148,641.59	Total				\$148,641.59	Total			

ORDERED: That DPW transfer request in the amount of \$73,475.00 which moves funds from Interest on Ban to various laborer payroll accounts in DPW as noted on the attached spreadsheet to fund the recently ratified Memorandum of Agreement with Marlborough Public Works Equipment Operators Association (MPWEOA) for FY16-18, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		DPW				FISCAL YEAR:		2017		
Available Balance	Amount	FROM ACCOUNT:				TO ACCOUNT:			Available Balance	
		Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		
\$389,500.00	\$73,475.00	17520006	59254	Interest on Ban	\$22,100.00	14001303	50740	Equipment Operators-Sts	\$164,918.62	
	Reason:	Calculated amounts for contractual obligations								
					\$5,525.00	14001403	50745	Motor Equipment Repairman	\$35,046.33	
					\$22,100.00	14001503	50740	Equipment Operators-Parks	\$132,442.49	
	Reason:									
					\$20,100.00	51090001	50740	Equipment Operators-Water	\$134,714.23	
	Reason:									
					\$1,850.00	50085001	50750	Equipment Operators-Sewer	\$11,522.56	
	Reason:									
					\$1,800.00	14001303	50790	Dispatcher-Streets	\$9,537.10	
	\$73,475.00	Total			\$73,475.00	Total				

ORDERED: That the Review & Approval of Financial and Investment Policies, refer to **FINANCE COMMITTEE**; adopted.

ORDERED: That the Gift Acceptance from Balanced Rock Investment Advisors in the amount of \$1,850.00 to sponsor the Farmers Market this summer, **APPROVED**; adopted.

ORDERED: That the Appointment of Wes Tuttle to Fort Meadow Commission for a term of three-years to expire from the date of City Council confirmation and to recognize Commissioner Delgenio for his years of service and whose term has expired, **TABLED**; adopted.

ORDERED: That the Reappointment of Linda Clark to the Board of Registrars for a term of three-years to expire April 1, 2020, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the Appointment of Robert Fagone to the Historical Commission for a term of three-years to expire from the date of City Council confirmation, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the Appointment of George LaVenture to the Planning Board for a term of five-years to expire Monday, February 7, 2022, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the Order of Taking by Eminent Domain, Rt. 85 Maple Street Reconstruction Project, which will supersede Order No. 17-1006788, refer to **LEGISLATIVE & LEGAL AFFAIRS COMMITTEE**; adopted.

ORDERED: That the Communication from Assistant City Solicitor, Cynthia Panagore Griffin, re: License and Indemnification, Chapa Quente Restaurant, for Use of Patio Adjacent at West Side of 195-205 Main Street, **FILE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY MAY 22, 2017** as **DATE FOR PUBLIC HEARING** On the Petition of NGrid to install solely owned Pole 13 to be set approximately 64' from existing Pole 12. New Pole 13 will be used to serve new charging station at corner of parking area for Hannaford's Supermarket in the approximate area of 193-199 Boston Post Road West, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Minutes, Library Board of Trustees, March 7, 2017, **FILE**; adopted.

ORDERED: That the Minutes, Planning Board, March 13, 2017 & March 27, 2017, **FILE**; adopted.

ORDERED: That the Minutes, Assabet Valley Regional Technical High School Committee, March 7, 2017, **FILE**; adopted.

ORDERED: That the Minutes, Board of Assessors, March 23, 2017, **FILE**; adopted.

ORDERED: That the following CLAIMS, refer to the **LEGAL DEPARTMENT**; adopted.

- a. Downtown Marlborough LLC, 17 Weed Street, other property damage and/or personal injury.
- b. Mary Dalpe, 164 Lakeshore Drive, residential mailbox claim 2(a).
- c. Carol Hurley, 143 Broad Street, #12, pothole or other road defect.
- d. Daniel Chaousis, 136 Lincoln Street, other property damage and/or personal injury.
- e. Michael Manning, 19 Longfellow Terrace, other property damage and/or personal injury.
- f. Carl Price, 109 Chase Road, residential mailbox claim 2(a).
- g. Margaret Ayres, 119 Chase Road, residential mailbox claim 2(a).
- h. David Willis, 124 Desimone Drive, residential mailbox claim 2(b).

Reports of Committees:

Councilor Landers reported the following out of the Public Services Committee:

Meeting Name: City Council Public Services Committee

Date: April 18, 2017

Location: City Council Chambers, 2nd Floor, City Hall, 140 Main Street

Convened: 7:15 PM – Adjourned: 8:07 PM

Present: Chairman Landers; Public Services Committee Members Councilor Irish and Doucette; and Councilor Clancy

Also Present: Jean Rabelo and Julia Rabelo (Post Road Used Auto Parts); Roman Kimyagarov (Arthur & Sons Shoe Repair); Tony Bitar (Hannoush Jewelers); Alex Kronuer and Kelly Costello (Best Buy Stores); and Roger Gauthier (Savers)

Order No. 17-1006872: Application for Renewal of Junk Dealer's License, Jean Rabelo on behalf of Post Road Used Auto Parts of Marlborough, Inc., 785 Boston Post Road East. Police Chief Leonard (retired) reviewed the CORI report for Jean Rabelo and had no objection to the renewal of their Junk Dealer's License. Chief Giorgi concurred. Ms. Jean Rabelo and Mr. Julio Rabelo appeared before the committee to request renewal of their license. Recommendation of the Public Services Committee was to approve the renewal of the Junk Dealer's License for Post Road Used Auto Parts of Marlborough, Inc. of 785 Boston Post Rd. East. **Motion made by Councilor Doucette, seconded by Chair, to recommend approval of the Application for Renewal of Junk Dealer's License, Jean Rabelo on behalf of Post Road Used Auto Parts of Marlborough, Inc., 785 Boston Post Road East. The motion carried 3-0.**

Order No.17 -1006840: Application for Renewal of Junk Dealer's License, Roman Kimyagarov, Arthur & Sons Shoe Repair, 107 Main Street. Police Chief Leonard (retired) reviewed the CORI report for Roman Kimyagarov of Arthur & Sons Shoe Repair and had no objection to the renewal of his Junk Dealer's License. Chief Giorgi concurred. Roman Kimyagarov appeared before the committee to request renewal of his license. Recommendation of the Public Services Committee was to approve the renewal of the Junk Dealer's License for Roman Kimyagarov of Arthur & Sons Shoe Repair located at 107 Main Street. **Motion made by Councilor Doucette, seconded by Councilor Irish, to recommend approval of the Application for Renewal of Junk Dealer's License, Roman Kimyagarov, Arthur & Sons Shoe Repair, 107 Main Street. The motion carried 3-0.**

Order No. 17-1006841: Application for Renewal of Junk Dealer's License, Tony Bitar, Hannoush Jewelers, 601 Donald Lynch Boulevard. Police Chief Leonard (retired) reviewed the CORI report for Tony Bitar of Hannoush Jewelers and had no objection to the renewal of his Junk Dealer's License. Chief Giorgi concurred. Tony Bitar appeared before the committee to request renewal of his license. Recommendation of the Public Services Committee was to approve the renewal of the Junk Dealer's License for Tony Bitar of Hannoush Jewelers located at 601 Donald Lynch Boulevard. **Motion made by Councilor Irish, seconded by Chair, to recommend approval of the Application for Renewal of Junk Dealer's License, Tony Bitar, Hannoush Jewelers, 601 Donald Lynch Boulevard. The motion carried 3-0.**

Reports of Committees Cont'd:

Order No. 17-1006870: Application for Renewal of Junk Dealer's License on behalf of Best Buy Stores, LP #1966, 601 Donald Lynch Boulevard. Police Chief Giorgi had not received the CORI report for Best Buy Stores on the application for renewal at the time of this meeting. Alex Kronuer, Store Manager of Best Buy Stores, LP#1966 (601 Donald Lynch Boulevard) and Kelly Costello, Store Manager of Best Buy Stores, LP#820 (769 Donald Lynch Boulevard), appeared before the committee to request renewal of their respective store's license. Recommendation of the Public Services Committee was to approve the renewal of the Junk Dealer's License for Best Buy Stores, LP#1966 located at 601 Donald Lynch Boulevard. **Motion made by Councilor Irish, seconded by Councilor Doucette, to recommend approval of the Application for Renewal of Junk Dealer's License on behalf of Best Buy Stores, LP #1966, 601 Donald Lynch Boulevard pending approval of the CORI report by the Police Chief. The motion carried 3-0.**

Order No. 17-1006871: Application for Renewal of Junk Dealer's License on behalf of Best Buy Stores, LP #820, 769 Donald Lynch Boulevard. Police Chief Giorgi had not received the CORI report for Best Buy Stores on the application for renewal at the time of this meeting. Alex Kronuer, Store Manager of Best Buy Stores, LP#1966 (601 Donald Lynch Boulevard) and Kelly Costello, Store Manager of Best Buy Stores, LP#820 (769 Donald Lynch Boulevard), appeared before the committee to request renewal of their respective store's license. Recommendation of the Public Services Committee was to approve the renewal of the Junk Dealer's License for Best Buy Stores, LP#820 located at 769 Donald Lynch Boulevard. **Motion made by Councilor Irish, seconded by Councilor Doucette, to recommend approval of the Application for Renewal of Junk Dealer's License on behalf of Best Buy Stores, LP #820, 769 Donald Lynch Boulevard pending approval of the CORI report by the Police Chief. The motion carried 3-0.**

Order No. 17 -1006873: Application for Renewal of Junk Dealer's License, TVI, Inc. on behalf of Savers, 222A East Main Street. Police Chief Giorgi reviewed the CORI report for Roger Gauthier of Savers and had no objection to the renewal of their Junk Dealer's License. Roger Gauthier, Store Manager for Savers, appeared before the committee to request renewal of their license. Recommendation of the Public Services Committee was to approve the renewal of the Junk Dealer's License for Roger Gauthier of TVI, Inc. on behalf of Savers located at 222A East Main Street.

Reports of Committees Cont'd:

The following conditions and waivers are required as part of their license:

Conditions

1. The license shall not be transferred without prior review and approval of the City Council.
2. The license hereby granted is issued to TVI, Inc. d/b/a Savers only and is applicable only to the 222A East Main Street location.
3. There will be no exterior storage, display or sales of merchandise, other than a recycle trailer, a cloth delivery trailer with items waiting to be processed, and a local trailer from one of Savers' charitable partners delivering merchandise to the store. No more than three such trailers and trucks shall be parked at the loading dock area in the rear of the building at any one time, and no such trailers or trucks shall be parked on any other side of the building at any time.
4. Donations shall take place only during the hours of operation which shall be 9:00 A.M to 9:30 P.M. Monday through Saturday and 10:00 A.M. to 7:00 P.M. on Sundays, and during the month of October from 9:00 A.M. to 10:00 P.M. Monday through Saturday and 10:00 A.M. to 10:00 P.M. on Sundays.
5. No Savers' donation boxes shall be permitted outside of the building.
6. No scrolling or rotating message signs shall be permitted as part of Savers' signage plans.
7. Glue boards shall be installed at locations within the business premises satisfactory to the Marlborough Board of Health and Savers, and a monthly monitoring program shall be implemented consisting of a log book for said glue boards satisfactory to the Board of Health.
8. This license shall be subject to revocation or suspension for noncompliance of the above conditions or other applicable local ordinances or state laws.
9. The waivers granted as part of this license shall no longer be applicable should Savers commence paying the general public for merchandise delivered without first obtaining the review and approval of the City Council.

Waivers

1. The waiver of Section 377-4 of the Ordinance as requested by Savers is not granted because Section 377-4 is not applicable to Savers' operations.
2. The waiver of Section 377-5 of the Ordinance is granted with respect to the last sentence thereof requiring the City Clerk to keep a list of persons employed by Savers. All other provisions of Section 377-5, other than the duty of the City Clerk to keep a record of the name and residence of each dealer, are not applicable to Savers.
3. The provisions of Sections 377-6, 377-7 and 377-9 of the Ordinance are waived in their entirety.

Reports of Committees Cont'd:

Motion made by Councilor Irish, seconded by Councilor Doucette, to recommend approval of the Application for Renewal of Junk Dealer's License, TVI, Inc. on behalf of Savers, 222A East Main Street together with the longstanding conditions and waivers. The motion carried 3-0.

Motion made by Councilor Doucette, seconded by Chair, to adjourn. The motion carried 3-0. The meeting adjourned at 8:07 PM.

Councilor Robey reported the following out of the Legislative & Legal Affairs Committee:

City Council Legislative and Legal Affairs Committee
Tuesday, April 11, 2017, 5:30 PM– In Council Chambers
Minutes and Report

Present: Chairman Katie Robey, Councilor Delano, Councilor Juairé, Councilor Clancy, Councilor Ossing, Councilor Doucette and Councilor Landers. Also attending was Renato Reis, cousin of petitioner.

Order No. 17-1006857 Communication from Chapa Quente Restaurant, 201 Main Street to use city property for outside seating commencing in May and ending in October.

The letter from Heider Rabelo, owner of Chapa Quente was read into the record. The chair stated that when we approved the Downtown Village we encouraged restaurants to have outdoor seating on the sidewalks. However, they aren't asking to use the sidewalk in front of the restaurant, but instead a brick area to the west of the restaurant that is enclosed with a metal railing and abuts a rock wall in back. Also discussed was the draft License and Indemnification Agreement drawn up by the legal department which includes photographs attached as Exhibit A (which is a correction from 1st draft) and that the DPW has given documentation showing the land is city property. The license will be effective from May 1st to September 30th of 2017 with no use of area after 10 PM.

Councilor Juairé moved to recommend approval of Order 17-1006857, which would approve the use of the city owned area west of the restaurant by Chapa Quente Restaurant as outdoor seating from May 1st to September 30th 2017. The committee also agreed to ask for a suspension of rules at the April 24th Council meeting to vote on this so they can be ready to start on May 1st. The motion carried 3-0.

It was moved and seconded to adjourn; motion carried 3-0. The meeting adjourned at 5:40 PM.

Reports of Committees Cont'd:

Councilor Doucette reported the following out of the Open Space Committee:

Meeting Name: City Council Open Space Committee

Date: April 18, 2017

Location: City Council Chamber, 2nd Floor, City Hall, 140 Main Street

Convened: 7:00 PM – Adjourned: 7:09 PM

Present: Chairman Doucette and Councilor Elder; President Clancy, member ex-officio

Absent: Councilor Delano

3-27-17 – Order No. 17-1006858: Communication from the Commonwealth of Massachusetts, acting through its Department of Recreation and Conservation, regarding the acquisition of approximately 33 ± acres of land in Marlborough. Chairman Doucette read the March 9, 2017 communication from the Commonwealth of Massachusetts, acting through its Department of Conservation and Recreation (DCR), regarding the acquisition of approximately 33 ± acres of land in the City of Marlborough currently used for open space purposes. If acquired by the state, the property will continue to be used as open space, public passage, and natural resource protection as part of the Callahan State Park.

The committee agreed to support the Commonwealth's efforts to acquire the property, and Councilor Elder recommended an amendment to the "Certificate of Announcement and 120 Day Waiver" so that Edward J. Clancy, City Council President was listed as the signatory.

The regulations require that the proposal to acquire property be made public in a local forum. To comply with this requirement, the City Council should announce that the Commonwealth is considering this acquisition for the above-stated purposes and document the notice on the form enclosed with the March 9, 2017 communication. DCR also asked that the 120 day notice period be shortened (as allowed under the regulations) so that the Commonwealth may complete the transaction in a shorter period of time than presently allowed. Agreement to the reduction of time should be included on the public announcement and waiver form.

Motion made by Councilor Elder, seconded by President Clancy, and approved 3-0 to:

- **Publicly announce the Commonwealth's interest in acquiring 33 ± acres of land, or other property interest, in the City of Marlborough for open space, public passage and natural resource protection as part of the Callahan State Park;**
- **Recommend waiver of the 120 day notice period and the acquisition by the Department of Conservation and Recreation of approximately 33 ± acres of land, or other property interest, in the City of Marlborough, in less than 120 days;**
- **Recommend that the City Council President execute the Certificate of Announcement and 120 Day Waiver.**

Motion by President Clancy, seconded by Chair, to adjourn. The meeting adjourned at 7:09 PM.

Suspension of the Rules requested – granted

ORDERED:

License and Indemnification

WHEREAS, the Chapa Quente Restaurant, Corp., duly incorporated in the Commonwealth of Massachusetts with a principle office at 203/205 Main Street, Marlborough, MA, operating a restaurant known as the Chapa Quente Restaurant located at 203/205 Main Street, Marlborough, MA desires to use as outdoor dining space the outdoor patio located adjacent to the west side of 195-205 Main Street, Marlborough, MA (hereinafter, "License Area"); and

WHEREAS the City of Marlborough, owner of said License Area, wishes to allow the Chapa Quente Restaurant to use the License Area as outdoor dining space;

NOW, THEREFORE, the City of Marlborough, by and through its City Council (hereinafter, "the City"), grants to the Chapa Quente Restaurant, Corp. (hereinafter, "Licensee") permission to use the License Area for the limited purpose of outdoor dining associated with the Chapa Quente Restaurant and to place tables and chairs thereon for said purpose, and for no other purpose, under the terms and conditions stated below (hereinafter, "the license" or "this license"):

1. Said License Area is identified in the photographs attached hereto as Exhibit "A," which exhibit is made a part hereof.
2. The license shall be effective from May 1st to September 30th of 2017. Licensee may not place tables and chairs on the License Area until the start of business on May 1, 2017, and Licensee must remove all tables and chairs at the close of business on September 30, 2017.
3. Licensee shall not allow any use of the tables and chairs in the License Area after 10PM.
4. Licensee acknowledges that the License Area is owned exclusively by the City in fee, and that this license is not a grant of interest in the License Area or in any other portion of City property.
5. Licensee acknowledge that this license is exclusive to Licensee and that no other person(s) or entity(ies) has the permission of the City to utilize the License Area for any purpose other than for dining on products purchased at the Chapa Quente Restaurant.
6. Licensee agrees that it shall not allow loitering or other use of the License Area which is not related to dining on products purchased at the Chapa Quente Restaurant.

- 7. Licensee agrees to indemnify and hold harmless the City of Marlborough, its officers, employees and agents from and against all suits, actions or claims, civil or criminal, of any character brought because of any injury or damage received or sustained by any person, persons or property arising out of, or resulting from the existence of any obstruction or defect in the public way or in the License Area, or arising out of, or resulting from any asserted negligent or intentional act, error or omission of Licensee or its agents, servants or employees, occurring in the performance of the Licensee to place tables and chairs upon License Area and to allow the utilization by third parties of said License Area. The indemnification required hereunder shall not be limited by reason of the specifications of any particular insurance coverage of the Licensee.
- 8. Licensee acknowledges that the Building Commissioner or his agents may revoke the license for violation of the terms and conditions of this license.
- 9. Licensee acknowledges that all applicable federal, state, and City rules, regulations and ordinances shall remain in full force and effect.

IN WITNESS WHEREOF, Licensee has set its hand and seal this ____ day of April, 2017.

LICENSEE
Chapa Quente Restaurant, Corp.
By its President, duly authorized

Heider G. Rabelo
22 Bolton Street, Unit A.
Marlborough MA 01752

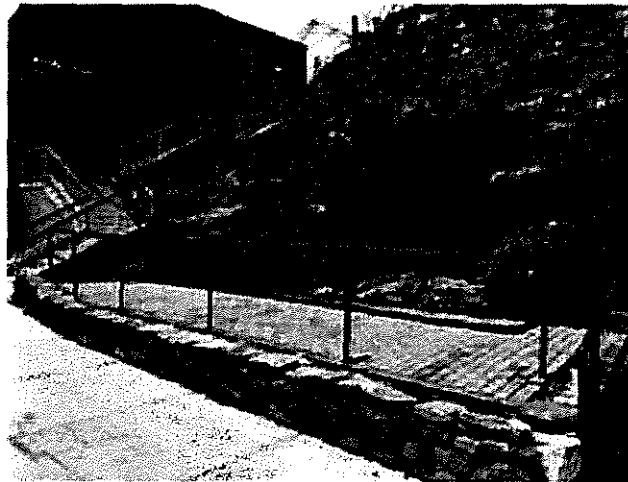
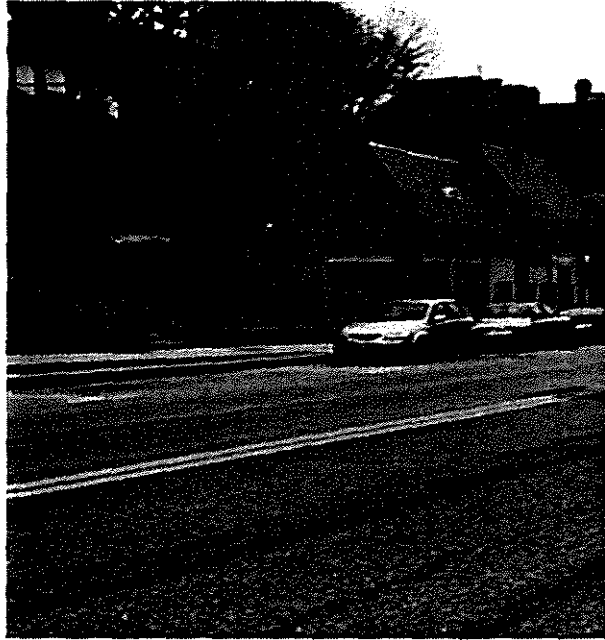
COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this _____ day of _____ 2017, before me, the undersigned notary public, personally appeared Heider G. Rabelo, proved to me through satisfactory evidence of identification which was _____, to be the person whose name is signed on the preceding or attached document as President of Chapa Quente Restaurant, Corp, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

Notary Public:
My Commission Expires:

EXHIBIT "A"



APPROVED; adopted.

ORDERED: That the Police Transfer Request in the amount of \$74,380.00 which moves funds from and to various accounts as noted below to fund retirement payouts in the Police Department **APPROVED**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Police				FISCAL YEAR:		2017		
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$99,166.19	\$37,680.00	12100003	51320	Overtime-Court Time	\$59,066.00	12100003	51920	Sick Leave Buy Back	\$82,562.93	
Reason:		Excess funds				Retirement payout				
\$154,650.38	\$30,000.00	12100003	51440	Educational Incentive	\$15,314.00	12100001	50820	Police Sergeants	\$207,259.46	
Reason:		Excess funds				Retirement payout				
\$152,740.11	\$4,800.00	12100001	50510	Police Lieutenants						
Reason:		Excess funds								
\$1,960.88	\$1,900.00	12100003	51370	Overtime-Celebrations						
Reason:		Excess funds								
	\$74,380.00	Total			\$74,380.00	Total				

ORDERED: That the City Council approve the Massachusetts Department of Revenue Financial Review Recommendation for adopting an abbreviated budget authorization format for all departments for the City budget. The City Council will assess the results in April 2018 to determine if the practice will continue, **APPROVED**; adopted.

Background: In its 2006 *Financial Management Review* of the City of Marlborough, the Massachusetts Department of Revenue recommended that the City adopt several best practices including approving the City budget with salary and expenditure accounts for each department as opposed to the current practice of approving each individual line item. This recommendation was also made in the City's Fiscal Year 2016 audit performed by Roselli, Clark & Associates. Department heads would not be able to add funds to their approved salary or expenditure accounts without City Council approval. The Auditor will provide a summary of all transfers within a department's budget each month to the City Council.

Yea: 6 – Nay: 3 – Absent: 2
Yea – Doucette, Tunnera, Irish, Juaira, Ossing, & Robey
Nay – Delano, Elder, & Landers
Absent – Clancy, & Oram

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 8:40 PM.



IN CITY COUNCIL

Marlborough, Mass., _____ APRIL 10, 2017

ORDERED:

That the That there being no objection thereto set **MONDAY, MAY 8, 2017** as **DATE FOR PUBLIC HEARING** on the Application for Special Permit from Patrick Mauro of Royce Road Museum Realty Trust to build an addition to a single family residence, 91 Royce Road, be and is herewith refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE.**

Ninety days after public hearing is 08/06/17 which falls on a Sunday, therefore Monday, 08/07/17 would be considered the 90th day.

ADOPTED

ORDER NO. 17-1006869



IN CITY COUNCIL

Marlborough, Mass., _____ APRIL 24, 2017

ORDERED:

That there being no objection thereto set **MONDAY, MAY 8, 2017** as date for a **PUBLIC HEARING** for the Proposed FY18 Budget as submitted by Mayor Vigeant in the amount of \$156,990,717.00 for review and appropriation in which this spending plan reflects an increase of 4.9% over the approved Fiscal Year 2017 budget, be and is herewith refer to **FINANCE COMMITTEE AND ADVERTISE**.

ADOPTED

ORDER NO. 17-1006884



IN CITY COUNCIL

Marlborough, Mass., _____ MARCH 27, 2017

ORDERED:

Suspension of the Rules to remove from Table the below mentioned Special Permit Application – CARRIES.

That there being no objection thereto set **MONDAY, MAY 8, 2017** as **DATE FOR PUBLIC HEARING** on the Application for Special Permit from BSL Marlborough Development LLC, to construct a 52-Unit, 60,823 +/- square foot Assisted Living Facility with a Special Care Unit, 421 Bolton Street, Order No. 17-1006816, be and is herewith refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE.**

Ninety days after public hearing is 08/06/17 which falls on a Sunday, therefore Monday, 08/07 /17 would be considered the 90th day.

ADOPTED

ORDER NO. 17-1006816A



City of Marlborough
Office of the Mayor

Arthur G. Vigeant
 MAYOR

RECEIVED
 CITY CLERK'S OFFICE
 CITY OF MARLBOROUGH
Patricia J. Milano
 EXECUTIVE AIDE

140 Main Street
 Marlborough, Massachusetts 01752
 Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

2017 MAY - 4
Patricia Bernard
 EXECUTIVE SECRETARY

May 4, 2017

City Council President Edward J. Clancy
 Marlborough City Council
 140 Main Street
 Marlborough, MA 01752

Re: Transfer Request – Department of Public Works

Honorable President Clancy and Councilors:

I am pleased to submit for your review and approval a transfer request in the amount of \$23,900 from the Interest on BAN account to various DPW foremen payroll accounts in the Department of Public Works.


This transfer will fund the recently ratified Memorandum of Agreement between the City of Marlborough and the DPW Foremen, SEIU, Local 888 for fiscal years 2016, 2017, and 2018.

This is the final MOA for the City's unions for the three-year period from 2016 to 2018. Negotiations for the past two years were always cordial and conducted professionally by both sides. The Foremen will receive percentage increases similar to the other City unions and agreed to key concessions. I want to thank Mike Urato and the rest of the leadership of the Foremen union.

Department of Public Works Commissioner John Ghiloni and I are available to discuss the memorandum of agreement and this required transfer with you in further detail, but please do not hesitate to contact one of us in the meantime with any questions.

Thank you in advance for your consideration.

Sincerely,


 Arthur G. Vigeant
 Mayor



City of Marlborough

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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Office of the Mayor

2017 MAY -4 A 10:22 140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Nicholas J. Milano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

May 4, 2017

City Council President Edward J. Clancy
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Grant Acceptance – Marlborough Police Department

Honorable President Clancy and Councilors:

I am pleased to submit for your acceptance a grant in the amount of \$1,484.24 for the Marlborough Police Department from the Commonwealth of Massachusetts Executive Office of Public Safety and Security State 911 Support and Incentive Grant Program.

As the enclosed letter and notification of grant award form from Chief Giorgi indicates, this grant will be used to fund the replacement of body armor for officers whose vests have expired and need replacement.

If you have any questions, please do not hesitate contact me or Chief Giorgi.

Thank you in advance for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor



City of Marlborough

Police Department

355 Bolton Street, Marlborough, Massachusetts 01752
Tel. (508)-485-1212 Fax (508)-624-6938

David A. Giorgi
Chief of Police

April 25, 2017

Mayor Arthur G. Vigeant
City Hall
140 Main Street
Marlborough, MA 01752

Dear Mayor Vigeant:

The Marlborough Police Department has been awarded a grant in the amount of \$1,484.24 from the Commonwealth of Massachusetts Executive Office of Public Safety and Security State 911 Support and Incentive Grant Program. The grant is slated to fund the replacement of body armor for officers whose vests have expired and need replacement.

Attached is a copy of the Notice of Grant Award, grant approval letter, and signed grant contract. I am requesting that the grant award be forwarded to the City Council for approval. Should you have any questions, please do not hesitate to call.

Sincerely,

David A. Giorgi
Chief of Police

CITY OF MARLBOROUGH NOTICE OF GRANT AWARD

DEPARTMENT: Police Department DATE: April 21,2017

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Chief David A. Giorgi

NAME OF GRANT: Executive Office of Public Safety State 911 Support and Incentive Grant

GRANTOR: Commonwealth of Massachusetts

GRANT AMOUNT: \$1,484.24

GRANT PERIOD: Present to June 30, 2017

SCOPE OF GRANT/
ITEMS FUNDED Replacement body armor

No

IS A POSITION BEING
CREATED:

CAN FRINGE BENEFITS BE PAID FROM GRANT?

IF YES: No

ARE MATCHING CITY
FUNDS REQUIRED?

None

IF MATCHING IS NON-MONETARY (MAN HOURS, ETC.) PLEASE SPECIFY:

IF MATCHING IS
MONETARY PLEASE
GIVE ACCOUNT None

ANY OTHER EXPOSURE TO CITY? No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: Approval needed asap to begin
the use of the grant.

**DEPARTMENT HEAD MUST SUBMIT THIS FORM, A COPY OF THE GRANT APPROVAL, AND A COVER
LETTER TO THE MAYOR'S OFFICE REQUESTING THAT THIS BE SUBMITTED TO CITY COUNCIL
FOR APPROVAL OF DEPARTMENT TO EXPEND THE FUNDS RECEIVED FOR THE PURPOSE OF THE G**

COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



This form is jointly issued and published by the Executive Office for Administration and Finance (ANF), the Office of the Comptroller (CTR) and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. Any changes to the official printed language of this form shall be void. Additional non-conflicting terms may be added by Attachment. Contractors may not require any additional agreements, engagement letters, contract forms or other additional terms as part of this Contract without prior Department approval. Click on hyperlinks for definitions, instructions and legal requirements that are incorporated by reference into this Contract. An electronic copy of this form is available at www.mass.gov/osc under Guidance For Vendors - Forms or www.mass.gov/osd under OSQ Forms.

CONTRACTOR LEGAL NAME: City of Marlborough (and d/b/a): Police Department	COMMONWEALTH DEPARTMENT NAME: Executive Office of Public Safety & Security MMARS Department Code: EPS
Legal Address: (W-9, W-4,T&C): 355 Bolton Street, Marlborough MA 01752	Business Mailing Address: Ten Park Plaza, Suite 3720, Boston MA 02116
Contract Manager: Mark F. Leonard	Billing Address (if different):
E-Mail: mleonard@marlborough-ma.gov	Contract Manager: Kevin Stanton
Phone: 508-485-1212 Fax: 508-624-6938	E-Mail: kevin.stanton@state.ma.us
Contractor Vendor Code:	Phone: (617) 725-3363 Fax: (617) 725-0260
Vendor Code Address ID (e.g. "AD001"): AD (Note: The Address ID must be set up for EFT payments.)	MMARS Doc ID(s):
<input checked="" type="checkbox"/> NEW CONTRACT PROCUREMENT OR EXCEPTION TYPE: (Check one option only) <input type="checkbox"/> Statewide Contract (OSD or an OSD-designated Department) <input type="checkbox"/> Collective Purchase (Attach OSD approval, scope, budget) <input checked="" type="checkbox"/> Department Procurement (Includes State or Federal grants 815 CMR 2.00) (Attach RFR and Response or other procurement supporting documentation) <input type="checkbox"/> Emergency Contract (Attach justification for emergency, scope, budget) <input type="checkbox"/> Contract Employee (Attach <u>Employment Status Form</u> , scope, budget) <input type="checkbox"/> Legislative/Legal or Other: (Attach authorizing language/justification, scope and budget)	<input type="checkbox"/> CONTRACT AMENDMENT Enter Current Contract End Date <u>Prior</u> to Amendment: _____, 20____. Enter Amendment Amount: \$ <u>1,489,000</u> (or "no change") AMENDMENT TYPE: (Check one option only. Attach details of Amendment changes.) <input type="checkbox"/> Amendment to Scope or Budget (Attach updated scope and budget) <input type="checkbox"/> Interim Contract (Attach justification for Interim Contract and updated scope/budget) <input type="checkbox"/> Contract Employee (Attach any updates to scope or budget) <input type="checkbox"/> Legislative/Legal or Other: (Attach authorizing language/justification and updated scope and budget)
The following COMMONWEALTH TERMS AND CONDITIONS (T&C) has been executed, filed with CTR and is incorporated by reference into this Contract. <input checked="" type="checkbox"/> Commonwealth Terms and Conditions <input type="checkbox"/> Commonwealth Terms and Conditions For Human and Social Services	
COMPENSATION: (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00. <input checked="" type="checkbox"/> Rate Contract (No Maximum Obligation. Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended). <input type="checkbox"/> Maximum Obligation Contract Enter Total Maximum Obligation for total duration of this Contract (or new Total if Contract is being amended). \$ _____.	
PROMPT PAYMENT DISCOUNTS (PPD): Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days ___% PPD; Payment issued within 15 days ___% PPD; Payment issued within 20 days ___% PPD; Payment issued within 30 days ___% PPD. If PPD percentages are left blank, identify reason <input type="checkbox"/> agree to standard 45 day cycle <input type="checkbox"/> statutory/legal or Ready Payments (G.L. c. 29, § 23A); <input type="checkbox"/> only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See <u>Prompt Pay Discounts Policy</u> .)	
BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT: (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.) Grant funds from the Bulletproof Vest Grant program administered by the Office of Grants and Research in the Executive Office of Public Safety and Security.	
ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: <input type="checkbox"/> 1. may be incurred as of the <u>Effective Date</u> (latest signature date below) and <u>no</u> obligations have been incurred <u>prior</u> to the <u>Effective Date</u> . <input type="checkbox"/> 2. may be incurred as of _____, 20____, a date <u>LATER</u> than the <u>Effective Date</u> below and <u>no</u> obligations have been incurred <u>prior</u> to the <u>Effective Date</u> . <input checked="" type="checkbox"/> 3. were incurred as of <u>2/29</u> , 20 <u>12</u> , a date <u>PRIOR</u> to the <u>Effective Date</u> below, and the parties agree that payments for any obligations incurred prior to the <u>Effective Date</u> are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.	
CONTRACT END DATE: Contract performance shall terminate as of <u>2/28</u> , 20 <u>17</u> , with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.	
CERTIFICATIONS: Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor makes all certifications required under the attached <u>Contractor Certifications</u> (incorporated by reference if not attached hereto) under the pains and penalties of perjury, agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable <u>Commonwealth Terms and Conditions</u> , this Standard Contract Form including the <u>Instructions</u> and <u>Contractor Certifications</u> , the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in <u>801 CMR 21.07</u> , incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.	
AUTHORIZING SIGNATURE FOR THE CONTRACTOR: X: <u>Mark F. Leonard</u> Date: <u>10/25/16</u> (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>Mark F. Leonard</u> Print Title: <u>Chief of Police</u>	AUTHORIZING SIGNATURE FOR THE COMMONWEALTH: X: _____ Date: <u>3-23-17</u> (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>ANTHONY F. DAVIS</u> Print Title: <u>Executive Director</u>

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CITY OF MARLBOROUGH
2017 MAY -4 A 10: 22

City of Marlborough
Office of the Mayor

140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur G. Nigant
MAYOR

Nicholas J. Milano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

May 4, 2017

City Council President Edward J. Clancy
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Marlborough Public Library Renovation Project

Honorable President Clancy and Councilors:

Please find enclosed for your review and approval two orders related to the Marlborough Public Library project grant application to the Massachusetts Board of Library Commissioners ("MBLC"). I have also enclosed schematic design drawings and the application submitted to the MBLC.

As you may know, the MBLC partners with Massachusetts communities to fund up to 40 percent of library construction and renovation projects. To receive funding, cities and towns must follow MBLC regulations and adhere to design requirements set by the MBLC.

Library staff, the Library Board of Trustees, and the Library Building Committee have been working diligently with the architectural firm, LLB Architects, to design a renovation of and addition to the existing Library building. The application and design was submitted to the MBLC for their review in late January.

We should be proud of the Marlborough Public Library today – it provides comprehensive programming, educational events for all ages, and is led by a staff that cares deeply about their mission. That said, the facility is undersized for a community as large as Marlborough. It was designed with 21st Century technology in mind. The addition and renovation project would result in a facility better aligned to meet the Library's programming and enable it to better provide a variety of services.

As previously discussed with the City Council, the application includes purchase and sales for neighboring properties for potential additional parking.

Approving the two attached orders does not by any means approve the project. Full funding of the project must come back before the City Council at a later stage. The design is still at a preliminary stage and a significant amount of detailed work remains. These City Council approvals are required for the project to stay in consideration for full funding by the MBLC.

I have also enclosed the current project budget which estimates the cost of the total project at close to \$24 million, which may increase due to construction costs continuing to escalate yearly.

The strong Massachusetts (and Marlborough) economy means construction costs are currently very high.

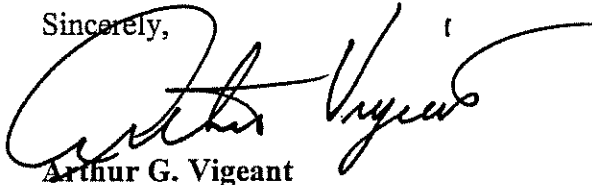
Throughout this project, I have stated to the Library Board of Trustees and the Building Committee that Marlborough's capital investments must be planned carefully and prudently. I believe the City should contribute no more than \$10 million to a Library project. The Capital Investment Plan provided recently to the City Council identifies a total of \$10 million in funds coming from the City. With grant funding from the MBLC combined with private funding, we should be able to afford the project. The Board of Trustees have begun a fundraising drive with this ambitious goal in mind.

In addition to previously approved capital investments, we have multiple projects on the horizon, including a much-needed elementary school project, which we are currently in Feasibility Study with the Massachusetts School Building Authority, plus potential fire station and DPW facility projects in future years.

My recommendation is to proceed with the MBLC application based on the current design, but that we do so fully aware that this project must have a tight budget. Overspending on this project could prevent our ability to make investments in other key areas.

Library Director Margaret Cardello and the architects will be available to discuss in greater detail. In the meantime, if you have any questions, please do not hesitate to contact me or Director Cardello.

Sincerely,



Arthur G. Vigeant
Mayor

Enclosures

ORDERED:

That the City Council of the City of Marlborough authorizes the Marlborough Public Library, by and through its Trustees, to apply for, accept, and expend any state funds which may be available for the proposed construction project at the Marlborough Public Library.

ADOPTED
In City Council
Order No. 17-

Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

ORDERED:

That the City Council of the City of Marlborough approves the preliminary architectural design, entitled "Marlborough Public Library Conceptual Schematic, Feasibility Study, January 2017," by LLB Architects, 161 Exchange Street, Pawtucket, RI, attached herewith, for the proposed project at the Marlborough Public Library.

ADOPTED
In City Council
Order No. 17-

Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

MARLBOROUGH RETIREMENT BOARD

255 Main Street, Room 201
Marlborough, Massachusetts 01752-3812

Telephone (508) 460-3760

Fax (508) 481-7814

Board Members

Gregory P. Brewster, Chairman

Thomas J. Abel

Christopher M. Sandini, Sr.

Diane Smith

William S. Taylor

April 26, 2017

President and Members

Marlborough City Council

140 Main Street

Marlborough, MA 01752

Dear President and Members:

Please be advised that the Marlborough Retirement Board will consider whether to grant an increased cost-of-living adjustment (COLA) pursuant to M.G.L. Chapter 32, Section 103(i) at its May meeting.

The meeting will be held on May 31, 2017 at 8:15 a.m. in the first floor conference room at the Walker Building, 255 Main Street, Marlborough.

Sincerely,



Margaret R. Shea

Director

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CITY OF MARLBOROUGH
2017 APR 28 P 4: 57



BOHLERTM
ENGINEERING

352 Turnpike Road
Southborough, MA 01772
PHONE
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
FAX 508.480.9080

2017 MAY -1 A 10: 45

City of Marlborough
Office of the City Council
140 Main Street
Marlborough, MA 01752

May 1, 2017

Attn: Lisa M. Thomas, City Clerk

Re: City Council Special Permit Application
McDonald's Restaurant
250 Maple Street
Marlborough, MA

Dear Ms. Thomas:

Please accept this letter and application package as McDonald's USA, LLC (c/o Bohler Engineering) application for City Council Special Permit in conjunction with the proposed site and drive-thru improvements to an existing "McDonald's" restaurant located at 250 Maple Street. The subject property is further identified as Map #82, Lot #156 on the City of Marlborough's Tax Assessor's maps. Enclosed with this application are twenty-one (21) sets of the following materials and supporting documentation:

- Filing fee in the amount of \$500.00;
- Certified Abutter List;
- Special Permit Application;
- Special Permit Summary Impact Statement;
- Building/Planning Certification;
- Tax Collector's certification of applicant's good tax standing;
- Site Development Plans prepared by Bohler Engineering dated April 20, 2017;
- Proposed Floor Plan and Exterior Elevations prepared by Landry Architects, LLC dated March 27, 2017;
- Project Narrative in the text below.

The City Clerk's original copy also includes the following:

- Checklist confirming receipt of submittal to other departments.

The owner of this McDonald's restaurant proposes to invest in the site by upgrading the existing drive-thru, retrofitting the exterior and interior of the existing building, and proposing site improvements to bring the site into



compliance with today's accessibility requirements. Modifications to the drive-thru requires a Special Permit under Section 650-17 of the City's Zoning Ordinance.

The proposed project is designed to maximize improvements with minimal site disturbance. Drive-thru modifications will consist of the installation of new menu boards and side-by-side drive-thru order stations, which will greatly improve overall operation and efficiency on-site. The additional order station will allow order times to be reduced and traffic to move more smoothly through the queue to ultimately reduce on-site stacking.

Building improvements will consist of a full building reface to bring the facility to today's branding standards, a 25± SF cash window addition, and interior improvements while maintaining the existing building footprint. The new building façade will provide a much needed update to the outward appearance, and interior renovations will offer greater services to patrons while improving the customer experience.

The existing site layout will generally remain as it is today, and traffic patterns onsite will be maintained with one-way circulation around the building. Additional site improvements will consist of new striping and modified grading in accessible parking areas to comply with the Americans with Disabilities Act (ADA) and Architectural Access Board (AAB) guidelines, the installation of new accessible ramps and pedestrian walkways, a new accessible pedestrian connection to Maple Street, new building and site signage, and new parking lot striping. Total onsite parking is proposed to be decreased by six (6) spaces to provide room for the drive-thru improvements while maintaining compliance with the parking requirement indicated in the City's Zoning Ordinance. New energy efficient LED lights will also be installed.

A new 20'x30' trash enclosure is proposed in the southeast corner of the site within the parking lot. The trash enclosure complies with the provisions indicated in Section 650-45 of the City's Zoning Ordinance. This enclosure will house all rubbish and recyclables and will be screened from the outside.

The exiting utility services are proposed to be maintained.

Additional permitting will include an administrative Site Plan Review and Building Permit for the work. Separate submittals will be made subsequent to the City Council Special Permit review process.

We respectfully request the Council's consideration in granting the Special Permit, which will allow McDonald's to make upgrades and improvements to a restaurant that has already been in use for many years. We look forward to discussing this with the Council at the next available meeting. Should you have any questions or need additional information, please do not hesitate to contact either of us at 508-480-9900.

Very Truly Yours,

BOHLER ENGINEERING

Nathaniel E. Mahonen, P.E.

John A. Kucich, P.E.

Attachments

cc. Adam Guilmette, McDonald's USA LLC (Electronic Copy)

Special Permit Cover Letter.doc

**CITY OF MARLBOROUGH
OFFICE OF THE CITY CLERK**

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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2017 MAY -1 A 10: 45

APPLICATION TO CITY COUNCIL FOR ISSUANCE OF SPECIAL PERMIT

1. Name and address of Petitioner or Applicant:
McDonald's USA, LLC. c/o Adam Guilmette
690 Canton Street, Suite 310, Westwood, MA 02090

2. Specific Location of property including Assessor's Plate and Parcel Number.
250 Maple Street (Route 85), Marlborough, MA 01752
Map #82, Lot #156 ("Lot 9")

3. Name and address of owner of land if other than Petitioner or Applicant:
McDonald's Corporation
690 Canton Street, Suite 310, Westwood, MA 02090

4. Legal interest of Petitioner or Applicant (owner lessee, prospective owner, etc.)

5. Specific Zoning Ordinance under which the Special Permit is sought:
Article V Section 650-14 Paragraph B Sub-paragraph 2

6. Zoning District in which property in question is located:
 B - Business

7. Specific reason(s) for seeking Special Permit
 The Project proposes modifications to an existing drive-thru and associated menu boards. A new side-by-side drive-thru and menu boards are proposed to optimize circulation and restaurant operations.

8. List of names and addresses of abutter. SEPARATE SHEET ATTACHED

PETITION IS HEREBY MADE FOR THE ISSUANCE OF A SPECIAL PERMIT BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH AND IS BASED ON THE WITHIN PETITION OR APPLICATION AS FILED HERewith AND MADE PART OF SAID PETITION.



Signature of Petitioner or Applicant

Address: 690 Canton Street, Suite 310
 Westwood, MA 02090

Telephone No. 978-660-1889

LIST OF NAMES AND ADDRESS OF ABUTTERS
AS REQUESTED ON THE APPLICATION FOR SPECIAL PERMIT OF:

Adam Guilmette
(Name of Petitioner)

FOR THE ISSUANCE OF SPECIAL PERMIT BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH UNDER CHAPTER 650, ZONING, OF THE CODE OF THE CITY OF MARLBOROUGH.

(Abutters as defined in §650-59, Section 4H, **Powers and Procedure of Special-Permit Granting Authorities**)

82

CITY OF MARLBOROUGH
140 MAIN ST
MARLBOROUGH, MA 01752

82

CITY OF MARLBOROUGH
CENTRAL FIRE STATION
140 MAIN ST
MARLBOROUGH, MA 01752

82

J A C S INC
223 MAPLE ST
MARLBOROUGH, MA 01752

82

K5 REALTY TRUST LLC
C/O KENNEDYS IRISH PUB
247 MAPLE ST
MARLBOROUGH, MA 01752

82

KENNEDY DENNIS P TR
CAROLYN M KENNEDY TR
80 CAMERON DR
MARLBOROUGH, MA 01752

82

MONTI LOUIS P JR
4 AUBURN ST
MARLBOROUGH, MA 01752

82

MONTI LOUIS P JR
4 AUBURN ST
MARLBOROUGH, MA 01752

82

KENNEDY DENNIS P TR
CAROLYN M KENNEDY TR
80 CAMERON DR
MARLBOROUGH, MA 01752

82

LG MONTI LLC
18 AHEARN RD
MARLBOROUGH, MA 01752

82

GIOMBETTI DONALD A TR
THARON E GIOMBETTI TR
80 GLEN ST
MARLBOROUGH, MA 01752

82

HASSAPES NICHOLAS TR
LINDA D HASSAPES TR
42 FRAMINGHAM RD
MARLBOROUGH, MA 01752

82

MONTI ANTHONY J
RHONDA L MONTI
38 FRAMINGHAM RD
MARLBOROUGH, MA 01752

82

MONTI ANTHONY J
RHONDA L MONTI
38 FRAMINGHAM RD
MARLBOROUGH, MA 01752

82

MONTI ANTHONY J
RHONDA L MONTI
38 FRAMINGHAM RD
MARLBOROUGH, MA 01752

82

MCDONALDS CORPORATION (20-0352)
C/O DAVID BALDACCI
PO BOX 902
SPENCER, MA 01562

82

M & E REALTY ASSOC LLC
172 WORCESTER RD
NATICK, MA 01760

82

M & E REALTY ASSOC LLC
172 WORCESTER RD
NATICK, MA 01760

82

PARKER EDWARD T
26 WINDMILL DR
MARLBOROUGH, MA 01752

82

STODDARD CRAIG
212 MAPLE ST
MARLBOROUGH, MA 01752

82

ORENSTEIN DAVID F
JANE R ORENSTEIN
11 ALGONQUIAN DRIVE
NATICK, MA 01760

82

ARMBRUSTER LARRY F TR
LARRY F ARMBRUSTER LIVING TRUST
5 MADISON ST
MARLBOROUGH, MA 01752

82

FAUGNO KENNETH P
RUTH M FAUGNO
25 MADISON ST
MARLBOROUGH, MA 01752

82

MARLBOROUGH MAPLE STREET LLC
230 MAPLE ST #6
MARLBOROUGH, MA 01752

82

MARLBOROUGH MAPLE STREET LLC
230 MAPLE ST #6
MARLBOROUGH, MA 01752

82

246 MAPLE LLC
246 MAPLE ST #1
MARLBOROUGH, MA 01752

82

RENAL CARE PROPERTIES LLC
5 SAUNDERS RD
SUDBURY, MA 01776

82

246 MAPLE LLC
246 MAPLE ST #3
MARLBOROUGH, MA 01752

82

MINA PROPERTY GROUP LLC
1199 WORCESTER RD
FRAMINGHAM, MA 01701

82

CITY OF MARLBOROUGH
140 MAIN ST
MARLBOROUGH, MA 01752

82

K5 REALTY TRUST LLC
C/O KENNEDYS IRISH PUB
247 MAPLE ST
MARLBOROUGH, MA 01752

82

MONTI POUIS P JR
4 AUBURN ST
MARLBOROUGH, MA 01752

82

MONAGHAN KEVIN J
21 MADISON ST
MARLBOROUGH, MA 01752

93

MOBIL OIL CORP
N/O K5 REALTY TRUST LLC
247 MAPLE ST
MARLBOROUGH, MA 01752

93

METROPOLITAN DISTRICT COMMISSION
ATTN DCR
251 CAUSEWAY ST STE 900
BOSTON, MA 02114-2104

93

VALLEE WILROSE
MARJORIE E VALLEE
47 FRAMINGHAM RD
MARLBOROUGH, MA 01752

93

CITY OF MARLBOROUGH
140 MAIN ST
MARLBOROUGH, MA 01752

SPECIAL PERMIT-SUMMARY IMPACT STATEMENT

Applicant's Name: McDonald's USA, LLC Address: 690 Canton Street, Suite 310
c/o Adam Guilmette Westwood, MA 02090

Project Name: McDonald's Address: 250 Maple Street (Route 85)
Map #82 Lot #156

1. PROPOSED USE: (describe) The proposed use is the same as existing. Modifications are proposed to the existing drive-thru which include the construction of a new side-by-side drive-thru lane and new associated menu boards.

2. EXPANSION OR NEW: Expansion

3. SIZE: floor area sq. ft. 25 SF +/- 1st floor 4,804 SF +/- Total all floors

buildings 1 # stories 1 lot area (s.f.) 47,064 SF (1.08 AC)

4. LOT COVERAGE: 73.9 % Landscaped area: 26.1 %

5. POPULATION ON SITE: Number of people expected on site at anytime:
Normal: 46 Peak period: 92

6. TRAFFIC:

(A) Number of vehicles parked on site:

During regular hours: 21 Peak period: 42

(B) How many service vehicles will service the development and on what schedule?

Two (2): Trash & Food Delivery. The operator will schedule pick-up/delivery during off peak hours.

7. LIGHT: How will the development be lit at the exterior? How much light will leave the property and enter the abutting property? Existing site lighting is proposed to be removed and replaced with new LED light fixtures and poles. Lighting levels have been designed to reduce the glow of ambient lighting perceptible at nearby properties/streets and arranged to prevent direct glare from the light source into any public street, private way, or onto adjacent properties.

8. NOISE:

(A) Compare the noise levels of the proposed development to those that exist in the area now.

The project is located along Route 85 and is in close proximity to commercial uses and the Marlborough Fire Department station. There is no change in noise levels anticipated for the proposed development from the existing condition.

(B) Described any major sources of noise generation in the proposed development and include their usual times of operation. N/A

9. AIR: What sources of potential air pollution will exist at the development? There is no change in the sources of air pollution for the proposed development.

10. WATER AND SEWER: Describe any unusual generation of waste. There is no unusual generation of waste anticipated for the proposed development. The proposed development will not impact the generation of waste from the existing condition.

11. HAZARDOUS MATERIAL: List any types of Hazardous Waste that will be on-site. How will this waste be stored? Where? How much will be in storage on a daily basis? How will it be disposed? N/A

***Attach additional sheets if necessary**



**CITY OF MARLBOROUGH
MARLBOROUGH, MASSACHUSETTS 01752**

City Hall
140 Main St.

Marlborough, Massachusetts 01752

Voice (508) 460-3775 Facsimile (508) 460-3723 TTD (508) 460-3610

President and Members City Council

Date: _____

**SPECIAL PERMIT APPLICATION
CERTIFICATION BY PLANNING DEPARTMENT**

Project Name: McDonald's

Project Use Summary: Fast Food Restaurant with Drive-Thru

Project Street Address: 250 Maple Street (Route 85)

Plate: Map #82 Parcel: Lot #156

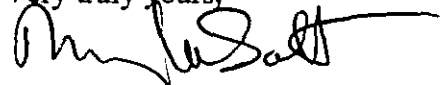
Applicant/Developer Name: McDonald's USA, LLC c/o Adam Guilmette


Plan Date: April 20, 2017 Revision Date: _____

Dear President and Members:

In accordance with the City Council's Rules for Special Permit Applications, I hereby certify that the Site Plan filed with the City Clerk has been reviewed by the Building Department within the limits of work shown on the plan, and that said plan meets all prior referenced informational requirements of Section 7; that the plan conforms in all aspects to City Code and to these Rules and Regulations, and that any necessary zoning variances have been already granted by the Marlborough Zoning Board of Appeals, and any applicable appeal period concerning said variances have run.

Very truly yours,


Robert Canacho

Interim Building Commissioner


Application Fee to submit to
City Clerk's office

\$500

**City of Marlborough, Massachusetts
CITY CLERK DEPARTMENT**




**Lisa M. Thomas
City Clerk**

Dear Applicant,

To ensure that each department listed below receives a copy of your completed Special Permit application, please hand-deliver to each department as instructions indicate below.

PLACE A CHECK-MARK AFTER HAND-DELIVERING THE APPLICATION TO THE FOLLOWING DEPARTMENTS AND SIGN YOUR NAME & DATE IT ACCORDINGLY. MAKE SURE THIS PAGE IS SIGNED AND RETURNED TO THE CITY CLERK'S OFFICE WITH THE COMPLETED APPLICATION. THE CITY CLERK'S OFFICE WILL NOT ACCEPT THE APPLICATION WITHOUT THE SIGNATURE OF THE APPLICANT OR PETITIONER AS INDICATED BELOW.

- 3 SETS OFFICE OF THE CITY CLERK ✓
- 1 SET POLICE CHIEF ✓
- 1 SET FIRE CHIEF ✓
- 1 SET CITY ENGINEER ✓
- 1 SET CITY PLANNER ✓
- 1 SET CONSERVATION OFFICER (IF WETLANDS AFFECTED) N/A (Application only submitted)
- 1 SET BUILDING INSPECTOR ✓
- 12 SETS OFFICE OF THE CITY COUNCIL ✓


Signature

5/1/17
Date

Thank you for your cooperation in this matter.

Sincerely,

*Lisa M. Thomas
City Clerk*

**City of Marlborough, Massachusetts
CITY CLERK DEPARTMENT**



**Lisa M. Thomas
City Clerk**

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all Municipal tax returns and paid all Municipal taxes required under law.

Company Name

McDonald's Corporation

Owner Name/Officer Name of LLC or Corporation

McDonald's USA, LLC., c/o Adam Guilmette

Owner/Officer Complete Address and Telephone Number

McDonald's Corporation


690 Canton Street, Suite 310, Westwood, MA 02090

Signature of Applicant



Attorney on behalf of Applicant, if applicable

The Special Permit Package will not be accepted unless this certification clause is signed by the applicant and the Tax Collector.



Tax Collector

nationalgrid

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 APR 27 A 9:23

April 7, 2017

City of Marlborough
City Clerks Office
140 Main Street
Marlborough, MA 01752

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID and VERIZON, covering joint NATIONAL GRID-VERIZON pole locations

If you have any questions regarding this permit please contact:

Angela Birch 401-784-7726

Please notify National Grid's Angela Birch of the hearing date / time at 401-784-7726 or angela.birch@us.ngrid.com

If this petition meets with your approval, please return an executed copy to each of the above named Companies.

National Grid Contact: Angela Birch; 280 Melrose Street; Providence, RI 02907

Very truly yours,

Handwritten signature of Chris Raymond in cursive, with the initials 'CR' at the end.

Chris Raymond, Engineering
Supervisor, Distribution Design

Enclosures

City Copy

PETITION FOR JOINT POLE RE-LOCATIONS

February 20, 2013

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 APR 27 A 9:23

To the City Clerks Office
of the City of Marlborough, Massachusetts

MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.

request permission to relocate poles, wires, cables and fixtures, including anchors, guys and other such necessary sustaining and protecting fixtures, along and across the following public way or ways:-

Elm Street Pole #6

National Grid request relocate Pole 6 Elm Street 3.5' north at the city of Marlborough - request for road improvement project.

Wherefore they ask that they be granted a joint relocation for and permission to erect and maintain poles, wires, cables and fixtures to be placed thereon, together with anchors, guys and other such sustaining and protecting fixtures as they must find necessary, said poles to be located substantially in accordance with the plan filed herewith marked: Plan No. 23738471 Dated: 04/04/2017

Also for permission to lay and maintain underground cables conduits, wires and necessary equipment in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioners agree to reserve space for one cross arm at a suitable point on each of said poles for the fire, police, telephone and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

MASSACHUSETTS ELECTRIC COMPANY

By: Chris Raymond
Manager of Distribution Design

VERIZON NEW ENGLAND, INC.

By: Allen D. Daulton
Manager, R.O.W.

ORDER FOR JOINT POLE RELOCATION

February 20, 2013

By the City Clerks Office
of the City of Marlborough, Massachusetts

IT IS HEREBY ORDERED:

that **MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.** be and they are hereby granted a joint relocation for and permission to erect and maintain poles and wires to be replaced thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the **7th day of April, 2017**

All construction under this order shall be in accordance with the following conditions:-
Poles shall be sound and timber, and reasonably straight, and shall be set substantially at the points indicated upon the plan marked:

Plan No. **23738471** Dated: **04/04/2017** filed with said petition.

There may be attached to said poles by said **MASSACHUSETTS ELECTRIC COMPANY** necessary wires, cables and fixtures and by said **VERIZON NEW ENGLAND, INC.** not to exceed **40** wires and **4** cables and all of said wires and cables shall be placed at a height of not less than **18** feet from the ground at highway crossings, and not less than **16** feet from the ground elsewhere.

The following are the public ways or parts of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:-

Elm Street Pole #6

National Grid request relocate Pole 6 Elm Street 3.5' north at the city of Marlborough - request for road improvement project.

Also that permission be and hereby is granted to each of said Companies to lay and maintain underground cables, conduits, wires and necessary equipment in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Marlborough, Massachusetts held on the _____ day of _____ 2013

Clerk of Council

CERTIFICATE

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Marlborough, Massachusetts held on the _____ day of _____ 2013

recorded with the records of location orders of said City,

Book _____, Page _____.

This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest: _____
City Clerk

Pole & UG Petition/Permit Request Form

City
Town of Marlboro WR # 23738471
(circle one)

Install _____ SO
(quantity) (circle one) JO Poles on _____
(street name)

Remove _____ SO
(quantity) (circle one) JO Poles on _____
(street name)

Relocate 1 SO
(quantity) (circle one) JO Poles on Elm Street
(street name)

Beginning at a point approximately _____ feet _____ of the centerline
(distance) (compass heading)

of the intersection of _____
(street name)

and continuing approximately _____ feet in a _____ direction.
(distance) (compass heading)

Install underground facilities:

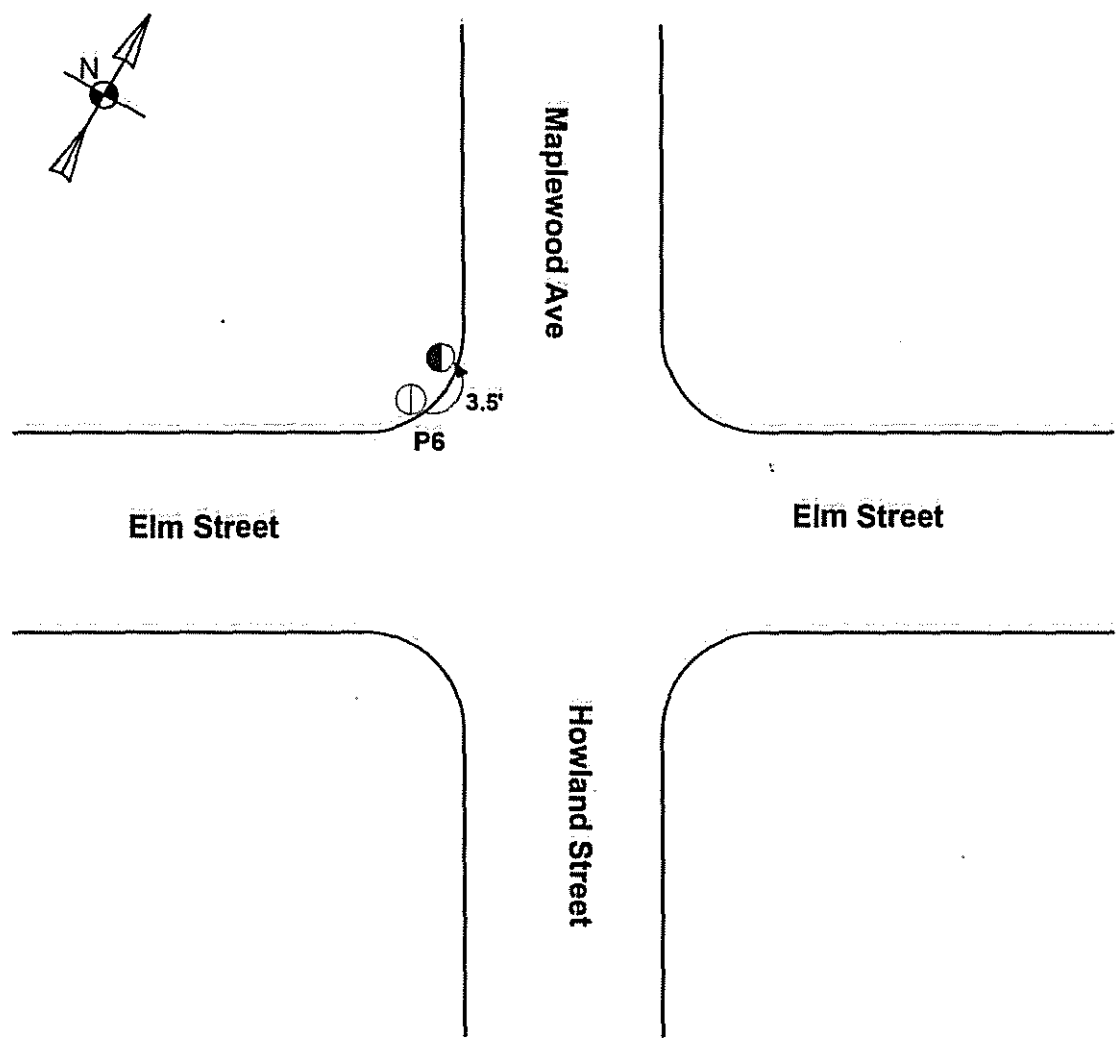
Street(s) _____

Description of Work:

Relocate P6 Elm Street 3.5' north at the City of Marlboro request for road improvement project.

ENGINEER Bruce Kut

DATE 4/4/17



City of Marlboro request the relocation of JO P6 Elm Street approximately 3.5' north to accommodate a road widening project at the intersection of Maplewood Ave and Elm Street

JOINT OWNED POLE PETITION	nationalgrid And Verizon New England, Inc.
<input checked="" type="radio"/> Proposed NGRID Pole Locations	Date: 4/5/17
<input type="radio"/> Existing NGRID Pole Locations	Plan Number: 23738471-2
<input checked="" type="radio"/> Proposed J.O. Pole Locations	To Accompany Petition Dated:
<input type="radio"/> Existing J.O. Pole Locations	To The: City Of Marlboro
<input checked="" type="radio"/> Existing Telephone Co. Pole Locations	For Proposed: Relocate Pole: 6 Location: Elm Street
<input type="radio"/> Existing NGRID Pole Location To Be Made J.O.	Date Of Original Grant:
<input checked="" type="checkbox"/> Existing Pole Locations To Be Removed	
DISTANCES ARE APPROXIMATE	

City Copy

PETITION FOR JOINT POLE RE-LOCATIONS

February 20, 2013

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 APR 27 A 9:23

To the City Clerks Office
of the City of Marlborough, Massachusetts

MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.

request permission to relocate poles, wires, cables and fixtures, including anchors, guys and other such necessary sustaining and protecting fixtures, along and across the following public way or ways:-

Pleasant Street Pole 20

National Grid request relocate Pole 20 Pleasant Street 4.5' west at the city of Marlborough - request for road improvement project.

Wherefore they ask that they be granted a joint relocation for and permission to erect and maintain poles, wires, cables and fixtures to be placed thereon, together with anchors, guys and other such sustaining and protecting fixtures as they must find necessary, said poles to be located substantially in accordance with the plan filed herewith marked: Plan No. 23738471 Dated: 04/04/2017

Also for permission to lay and maintain underground cables conduits, wires and necessary equipment in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioners agree to reserve space for one cross arm at a suitable point on each of said poles for the fire, police, telephone and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

MASSACHUSETTS ELECTRIC COMPANY

By: Chris Raymond
Manager of Distribution Design

VERIZON NEW ENGLAND, INC.

By: Alb. E. Donella
Manager, R.O.W.

ORDER FOR JOINT POLE RELOCATION

February 20, 2013

By the City Clerks Office
of the City of Marlborough, Massachusetts

IT IS HEREBY ORDERED:

that **MASSACHUSETTS ELECTRIC COMPANY** and **VERIZON NEW ENGLAND, INC.** be and they are hereby granted a joint relocation for and permission to erect and maintain poles and wires to be replaced thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the **7th day of April, 2017**

All construction under this order shall be in accordance with the following conditions:-
Poles shall be sound and timber, and reasonably straight, and shall be set substantially at the points indicated upon the plan marked:

Plan No. **23738471** Dated: **04/04/2017** filed with said petition.

There may be attached to said poles by said **MASSACHUSETTS ELECTRIC COMPANY** necessary wires, cables and fixtures and by said **VERIZON NEW ENGLAND, INC.** not to exceed **40** wires and **4** cables and all of said wires and cables shall be placed at a height of not less than **18** feet from the ground at highway crossings, and not less than **16** feet from the ground elsewhere.

The following are the public ways or parts of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:-

Pleasant Street Pole 20

National Grid request relocate Pole 20 Pleasant Street 4.5' west at the city of Marlborough - request for road improvement project.

Also that permission be and hereby is granted to each of said Companies to lay and maintain underground cables, conduits, wires and necessary equipment in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Marlborough, Massachusetts held on the _____ day of _____ 2013

Clerk of Council

CERTIFICATE

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Marlborough, Massachusetts held on the _____ day of _____ 2013

recorded with the records of location orders of said City,

Book _____, Page _____.

This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest: _____
City Clerk

Pole & UG Petition/Permit Request Form

City Town of Marlboro WR# 23738471
(circle one)

Install _____ SO
(quantity) (circle one) JO Poles on _____
(street name)

Remove _____ SO
(quantity) (circle one) JO Poles on _____
(street name)

Relocate 1 SO
(quantity) (circle one) JO Poles on Pleasant Street
(street name)

Beginning at a point approximately _____ feet _____ of the centerline
(distance) (compass heading)

of the intersection of _____
(street name)

and continuing approximately _____ feet in a _____ direction.
(distance) (compass heading)

Install underground facilities:

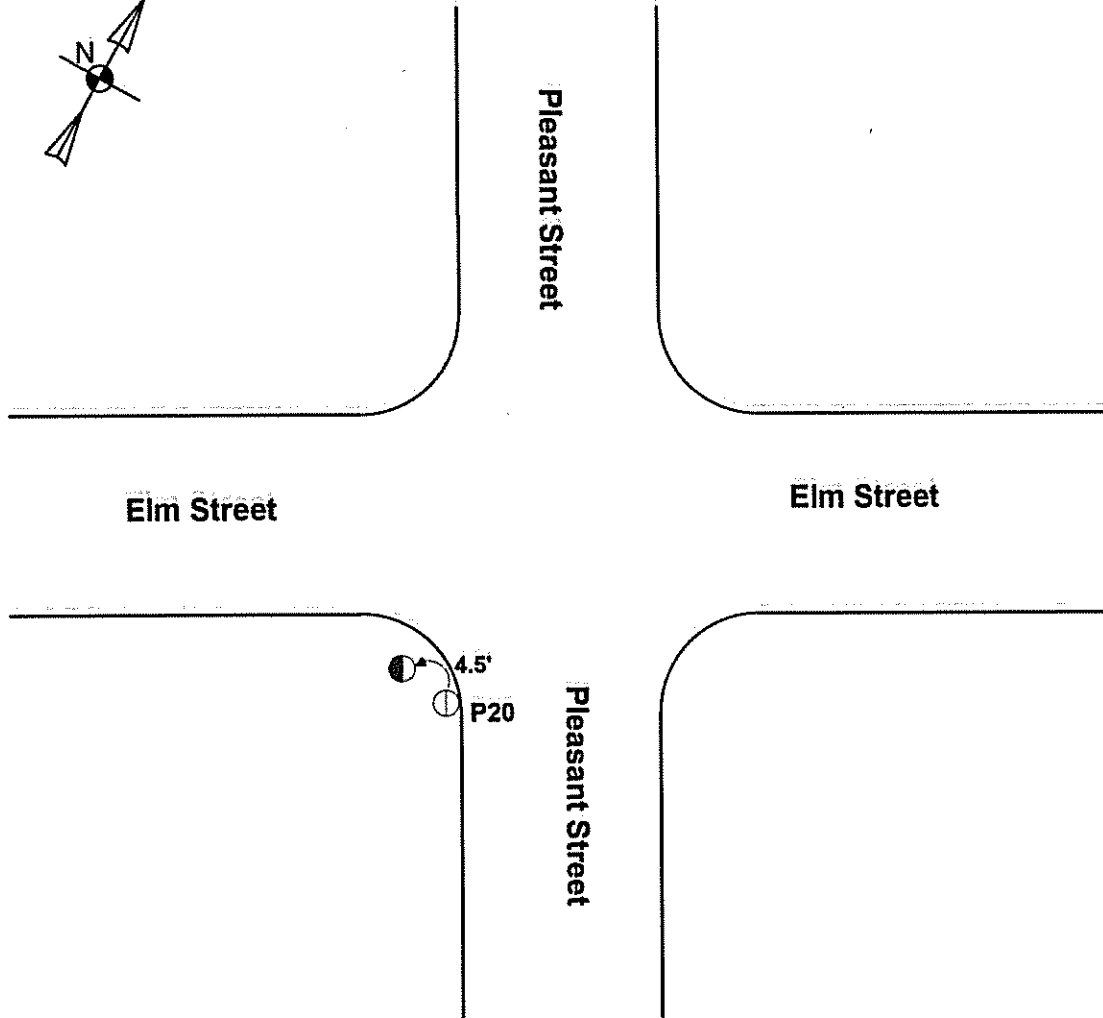
Street(s) _____

Description of Work:

Relocate P20 Pleasant Street 4.5' west at the City of Marlboro request for road improvement project.

ENGINEER Bruce Kut

DATE 4/4/17



City of Marlboro request the relocation of JO P20 Pleasant Street approximately 4.5' northwest to accommodate a road widening project at the intersection of Pleasant Street and Elm Street

JOINT OWNED POLE PETITION	nationalgrid And Verizon New England, Inc.
<input checked="" type="radio"/> Proposed NGRID Pole Locations	Date: 4/5/17
<input type="radio"/> Existing NGRID Pole Locations	Plan Number: 23738471-1
<input checked="" type="radio"/> Proposed J.O. Pole Locations	To Accompany Petition Dated:
<input type="radio"/> Existing J.O. Pole Locations	To The: City _____ Of Marlboro
<input checked="" type="radio"/> Existing Telephone Co. Pole Locations	For Proposed: Relocate Pole: 20 Location: Pleasant Street
<input type="radio"/> Existing NGRID Pole Location To Be Made J.O.	Date Of Original Grant:
<input checked="" type="checkbox"/> Existing Pole Locations To Be Removed	
DISTANCES ARE APPROXIMATE	

pd \$25 (check # 248)



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

**City of Marlborough, Massachusetts
CITY CLERK DEPARTMENT**

2017 APR 28 A 9 42

**Lisa M. Thomas
City Clerk**

MARLBOROUGH, MA

DATE: 4/28/17

To the City Council:

Owner Name: GERALD DUMAIS

Residential Address: 11 HIGH STREET MARLBOROUGH MA 01752

Telephone Number: 508-481-1519

Business Name: DUMAIS + SMS Second Hand Store

Business Address: 25 MECHANIC ST MARLBOROUGH MA 01752

Business Telephone Number: 508-485-4864

Email Address: dumaishand@gmail.com

Owner Signature: Gerald Dumais

The above-signed _____ respectfully requests that he/she be

granted a Junk Dealer/Second Hand Dealer License.

In City Council

DEPARTMENT OF PUBLIC UTILITIES

This statement is filed in accordance with Chapter 164, Section 84A

CONDENSED FINANCIAL RETURN
FOR YEAR ENDED DECEMBER 31, 2016

NSTAR GAS COMPANY
Doing Business as Eversource Energy

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 APR 24 A 9:02

FULL NAME OF COMPANY

800 BOYLSTON STREET

LOCATION OF PRINCIPAL BUSINESS OFFICE

BOSTON, MA 02199

STATEMENT OF INCOME FOR THE YEAR

Item	Current Year	Increase or (Decrease) from Preceding Year
OPERATING INCOME		
Operating Revenues		
Operating Expenses		
Operation Expense		
Maintenance Expense		
Depreciation Expense		
Amortization of Utility Plant		
Amortization of Regulatory Debts		
Amortization of Investment Tax Credit		
Taxes other than Income Taxes		
Income Taxes		
Provisions for Deferred Federal Income Taxes		
Federal Income Taxes Deferred In Prior Years..(Credit)		
Total Operating Expenses		
Net Operating Revenues		
Income from Utility Plant Leased to Others		
Other Utility Operating Income		
Total Utility Operating Income		
OTHER INCOME		
Income from Mdse. Jobbing & Contract Work		
Income from Nonutility Operations		
Nonoperating Rental Income		
Interest and Dividend Income		
Miscellaneous Nonoperating Income		
Total Other Income		
Total Income		
MISCELLANEOUS INCOME DEDUCTIONS		
Miscellaneous Amortization		
Other Income Deductions		
Total Income Deductions		
Income Before Interest Charges		
INTEREST CHARGES		
Interest on Long-Term Debt		
Amortization of Debt Discount and Expense		
Amortization of Premium on Debt-Credit		
Interest on Debt to Associated Companies		
Other Interest Expense		
Interest Charged to Construction-Credit		
Total Interest Charges		
Net Income		

SEE THE ATTACHED INCOME STATEMENT FOR 2016 AS FILED IN THE DPU ANNUAL RETURN

Annual report of.....NSTAR GAS COMPANY.....Year ended December 31, 2016

STATEMENT OF INCOME FOR THE YEAR

Line No.	Account (a)	Current Year (b)	Increase or (Decrease) from Preceding Year (c)
1	OPERATING INCOME		
2	Operating Revenues (400) P.43.....	\$ 421,678,953	(64,924,338)
3	Operating Expenses:		
4	Operation Expense (401) P.42,47.....	299,330,266	(71,997,828)
5	Maintenance Expense (402) P.42,47.....	7,902,342	(23,294)
6	Depreciation Expense (403) P.34.....	29,146,468	(1,261,903)
7	Amortization of Utility Plant (404 and 405).....	620,037	(195,625)
8	Amortization of Regulatory Credits, net (407.3, 407.4).....	(4,040,573)	(6,938,573)
9	Amortization of Investment Tax Credit (406).....	-	-
10	Taxes Other Than Income Taxes (408) P.49.....	22,550,390	3,854,087
11	Income Taxes (409) P.49.....	(13,056,491)	(17,591,585)
12	Provision for Deferred Fed. Inc. Taxes (410) P.36.....	44,056,694	7,097,537
13	Fed. Inc. Taxes Def. in Prior Yrs.-Cr. (411) P.36.....	(11,703,878)	14,130,574
14	Total Operating Expenses.....	374,805,256	(72,926,609)
15	Net Operating Revenues.....	46,873,697	8,002,271
16	Income from Utility Plant Leased to Others (412)-Net.....	-	-
17	Other Utility Operating Income (414) P.50.....	-	-
18	Total Utility Operating Income.....	46,873,697	8,002,271
19	OTHER INCOME		
20	Income from Mdse. Job & Contract Work (415) P.51.....	-	-
21	Income from Nonutility Operations (417).....	29,761	7,153
22	Nonoperating Rental Income (418).....	83,375	-
23	Interest and Dividend Income (419).....	449,862	417,558
24	Miscellaneous Nonoperating Income (421).....	1,382,683	(914,584)
25	Total Other Income.....	1,945,680	(489,873)
26	Total Income.....	48,819,377	7,512,398
27	MISCELLANEOUS INCOME DEDUCTIONS		
28	Miscellaneous Amortization (425).....	-	-
29	Other Income Deductions (426).....	257,736	(826,729)
30	Total Income Deductions.....	257,736	(826,729)
31	Income Before Interest Charges.....	48,561,641	8,339,127
32	INTEREST CHARGES		
33	Interest on Long-Term Debt (427) P.31.....	16,673,083	4,096,250
34	Amortization of Debt Disc. & Expense (428).....	114,956	10,341
35	Amortization of Prem. on Debt-Credit (429) P.26.....	-	-
36	Int. on Debt to Associated Companies (430) P.32.....	182,825	51,995
37	Other Interest Expense (431).....	279,766	(62,588)
38	Interest Charged to Construction-Credit (432).....	(240,062)	(184,196)
39	Total Interest Charges.....	17,010,568	3,911,802
40	Net Income.....	31,551,073	4,427,325
41	EARNED SURPLUS		
42	Unappropriated Earned Surplus (at beginning of period) (216).....	15,486,781	11,132,979
43	Balance Transferred from Income (433).....	31,551,073	4,427,326
44	Miscellaneous Credits to Surplus (434).....	-	(9,232)
45	Miscellaneous Debits to Surplus (435).....	89,405	89,405
46	Appropriations of Surplus (436).....	-	-
47	Net Additions of Earned Surplus.....	31,461,668	4,328,689
48	Dividends Declared-Preferred Stock (437).....	-	-
49	Dividends Declared-Common Stock (438).....	50,800,000	34,800,000
50	Unappropriated Earned Surplus (at end of period) (216).....	\$ (3,851,551)	\$ (19,338,332)

NOTES: SEE THE ATTACHED BALANCE SHEET FOR 2016 AS FILED IN THE DPU ANNUAL RETURN

BALANCE SHEET

Title of Account	Balance End of Year	Title of Account	Balance End of Year
UTILITY PLANT		PROPRIETARY CAPITAL	
Utility Plant.....		CAPITAL STOCK	
OTHER PROPERTY AND INVESTMENTS		Common Stock Issued.....	
Nonutility Property.....		Preferred Stock Issued.....	
Investment in Associated Companies.....		Capital Stock Subscribed.....	
Other Investments.....		Premium on Capital Stock.....	
Special Funds.....		Total.....	
Total Other Property and Investments		SURPLUS	
CURRENT AND ACCRUED ASSETS		Other Paid-In Capital.....	
Cash.....		Earned Surplus.....	
Special Deposits.....		Surplus Invested in Plant.....	
Working Funds.....		Total.....	
Temporary Cash Investments.....		Total Propriety Capital.....	
Notes and Accounts Receivable.....		LONG-TERM DEBT	
Receivables from Associated Companies....		Bonds.....	
Materials and Supplies.....		Advances from Associated Companies	
Prepayments.....		Other Long-Term Debt.....	
Interest and Dividends Receivable.....		Total Long-Term Debt.....	
Rents Receivable.....		CURRENT AND ACCRUED LIABILITIES	
Accrued Utility Revenues.....		Notes Payable.....	
Misc. Current and Accrued Assets.....		Accounts Payable.....	
Total Current and Accrued Assets.....		Payables to Associated Companies.....	
DEFERRED DEBITS		Customer Deposits.....	
Unamortized Debt Discount and Expense....		Taxes Accrued.....	
Extraordinary Property Losses.....		Interest Accrued.....	
Preliminary Survey and Investigation Charges.....		Dividends Declared.....	
Clearing Accounts.....		Matured Long-Term Debt.....	
Temporary Facilities.....		Matured Interest.....	
Miscellaneous Deferred Debits.....		Tax Collections Payable.....	
Total Deferred Debits.....		Misc. Current and Accrued Liabilities.....	
CAPITAL STOCK DISCOUNT AND EXPENSE		Total Current and Accrued Liabilities.....	
Discount on Capital Stock.....		DEFERRED CREDITS	
Capital Stock Expense.....		Unamortized Premium on Debt.....	
Total Capital Stock Discount and Expense.....		Customer Advances for Construction.....	
REACQUIRED SECURITIES		Other Deferred Credits.....	
Reacquired Capital Stock.....		Total Deferred Credits.....	
Reacquired Bonds.....		RESERVES	
Total Reacquired Securities.....		Reserves for Depreciation.....	
Total Assets and Other Debits.....		Reserves for Amortization.....	
		Reserves for Uncollectible Accounts.....	
		Operating Reserves.....	
		Reserve for Depreciation and Amortization of Nonutility Property.....	
		Reserves for Deferred Income Taxes.....	
		Total Reserves.....	
		CONTRIBUTIONS IN AID OF CONSTRUCTION	
		Contributions in Aid of Construction.....	
		Total Liabilities and Other Credits.....	

COMPARATIVE BALANCE SHEET Assets and Other Debits

Line No.	Title of Account (a)	Balance Beginning of Year (b)	Balance End of Year (c)	Increase or (Decrease) (d)
1	UTILITY PLANT			
2	Utility Plant (101-107) P.13.....	\$ 1,110,921,852	\$ 1,230,228,266	\$ 119,306,414
3	OTHER PROPERTY AND INVESTMENTS			
4	Nonutility Property (121) P.19.....	2,983,419	2,983,419	-
5	Investments in Associated Companies (123) P.20.....	-	-	-
6	Other Investments (124) P.20.....	6,000	6,000	-
7	Special Funds (125-129) P.21.....	-	16,191,576	16,191,576
8	Total Other Property and Investments.....	2,989,419	19,180,995	16,191,576
9	CURRENT AND ACCRUED ASSETS			
10	Cash (131).....	-	-	-
11	Special Deposits (132,133,134) P.21.....	-	-	-
12	Working Funds (135).....	-	-	-
13	Temporary Cash Investments (136) P.20.....	-	-	-
14	Notes and Accounts Receivable (141,142,143) P.22.....	53,794,581	57,106,473	3,311,892
15	Receivables from Assoc. Companies (145,146) P.23.....	38,107,194	5,736,306	(32,370,888)
16	Material and Supplies (151-159,163,164) P.24.....	21,001,355	19,211,013	(1,790,342)
17	Prepayments (165).....	-	-	-
18	Interest and Dividends Receivable (171).....	-	-	-
19	Rent Receivable (172).....	12,742	6,905	(5,837)
20	Accrued Utility Revenues (173,175).....	7,575,074	41,972,054	34,396,980
21	Misc. Current and Accrued Assets (174).....	-	-	-
22	Total Current and Accrued Assets.....	120,490,946	124,032,750	3,541,804
23	DEFERRED DEBITS			
24	Unamortized Debit Discount and Expense (181) P.26.....	786,405	700,681	(85,724)
25	Extraordinary Property Losses (182) P.27.....	-	-	-
26	Preliminary Survey and Investigation Charges (183).....	-	-	-
27	Clearing Accounts (184).....	-	-	-
28	Temporary Facilities (185).....	-	-	-
29	Miscellaneous Deferred Debits (186) P.27.....	269,563,151	259,136,279	(10,426,872)
30	Matured Interest (240).....	-	-	-
31	Total Deferred Debits.....	270,349,556	259,836,960	(10,512,596)
31	CAPITAL STOCK DISCOUNT AND EXPENSE			
32	Discount on Capital Stock (191) P.28.....	-	-	-
33	Capital Stock Expense (192) P.28.....	-	-	-
34	Total Capital Stock Discount and Expense.....	-	-	-
35	REACQUIRED SECURITIES			
36	Reacquired Capital Stock (196).....	-	-	-
37	Reacquired Bonds (197).....	-	-	-
38	Total Reacquired Securities.....	-	-	-
39	Total Assets and Other Debits.....	\$ 1,504,751,773	\$ 1,633,278,970	\$ 128,527,197

COMPARATIVE BALANCE SHEET Liabilities and Other Credits

Line No.	Title of Account (a)	Balance Beginning of Year (b)	Balance End of Year (c)	Increase or (Decrease) (d)
1	PROPRIETARY CAPITAL			
2	CAPITAL STOCK			
3	Common Stock Issued (201) P.29.....	\$ 71,425,000	\$ 71,425,000	\$ -
4	Preferred Stock Issued (204) P.29.....	-	-	-
5	Capital Stock Subscribed (202,205).....	-	-	-
6	Premium on Capital Stock (207) P.29.....	-	-	-
7	Total.....	71,425,000	71,425,000	-
8	SURPLUS			
9	Other Paid-In Capital (208-211) P. 12.....	271,233,483	271,233,483	-
10	Earned Surplus (215,216) P. 12.....	15,486,781	(3,851,551)	(19,338,332)
11	Surplus Invested In Plant (217).....	-	-	-
12	Total.....	286,720,264	267,381,932	(19,338,332)
13	Total Proprietary Capital.....	358,145,264	338,806,932	(19,338,332)
14	LONG TERM DEBT			
15	Bonds (221) P.31.....	310,000,000	310,000,000	-
16	Advances from Assoc. Companies (223) P.31	-	-	-
17	Other Long-Term Debt (224) P.31.....	-	-	-
18	Total Long-Term Debt.....	310,000,000	310,000,000	-
19	CURRENT AND ACCRUED LIABILITIES			
20	Notes Payable (231) P.32.....	-	-	-
21	Accounts Payable (232).....	40,588,579	48,440,200	7,851,621
22	Payables to Associated Companies (233,234) P.32.....	18,445,015	101,083,975	82,638,960
23	Customer Deposits (235) P.80C.....	1,269,852	1,256,809	(13,043)
24	Taxes Accrued (236).....	27,505,539	33,709,534	6,203,995
25	Interest Accrued (237).....	3,705,505	3,720,295	14,790
26	Dividends Declared (238).....	-	-	-
27	Matured Long-Term Debt(239).....	-	-	-
28	Matured Interest (240).....	-	-	-
29	Tax Collections Payable (241).....	319,876	704,190	384,314
30	Misc. Current and Accrued Liabilities (242) P.33.....	10,068,543	9,967,232	(101,311)
31	Total Current and Accrued Liabilities.....	101,902,909	198,882,236	96,979,326
32	DEFERRED CREDITS			
33	Unamortized Premium on Debt (251) P.26.....	-	-	-
34	Customer Advances for Construction (252)	2,023,500	-	(2,023,500)
35	Other Deferred Credits (253) P.33.....	143,436,833	147,038,892	3,602,059
36	Total Deferred Credits.....	145,460,333	147,038,892	1,578,559
37	RESERVES			
38	Reserves for Depreciation (254-256) P.13.....	372,458,640	393,657,343	21,198,704
39	Reserves for Amortization (257-259) P.13.....	2,049,386	2,667,570	618,184
40	Reserve for Uncollectible Accounts (260).....	15,773,238	16,373,871	600,633
41	Operating Reserves (261-265) P.35.....	24,904,907	26,773,956	1,869,049
42	Reserve for Depreciation & Amortization of Nonutility Property (266).....	(2,054)	-	2,054
43	Reserves for Deferred Federal Income Taxes (268).....	174,059,150	199,078,170	25,019,020
44	Total Reserves.....	589,243,267	638,550,909	49,307,644
45	CONTRIBUTIONS IN AID OF CONSTRUCTION			
46	Contributions in Aid of Construction (271) P. 36.....	-	-	-
47	Total Liabilities and Other Credits.....	\$ 1,504,751,773	\$ 1,633,278,970	\$ 128,527,197

STATEMENT OF EARNED SURPLUS

Account	Amount for Year	Inc/(Dec) from Preceding Year
Unappropriated Earned Surplus (at beginning of period)		
Balance Transferred from Income		
Accumulated Other Comprehensive Income		
Miscellaneous Debits to Surplus		
Appropriations of Surplus		
Net Additions to Earned Surplus		
Paid in Capital Adjustments		
Dividends Declared-Common Stock		
Unappropriated Earned Surplus (at end of period)		

SEE THE ATTACHED STATEMENT OF EARNED SURPLUS FOR 2016 AS FILED IN THE DPU ANNUAL RETURN

ELECTRIC OPERATING REVENUES

Account	Operating Revenues	
	Amount for Year	Inc/(Dec) from Preceding Year
SALES OF ELECTRICITY		
Residential Sales	\$	
Commercial and Industrial Sales		
Small (or Commercial)		
Large (or Industrial)		
Public Street and Highway Lighting		
Other Sales to Public Authorities		
Sales to Railroad and Railways		
Interdepartmental Sales		
Miscellaneous Electric Sales		
Total Sales to Ultimate Consumers		
Sales for Resale		
Less: Provision for Rate Refunds		
Total Sales of Electricity		
OTHER OPERATING REVENUES		
Forfeited Discounts		
Miscellaneous Service Revenues		
Sales of Water and Water Power		
Rent from Electric Property		
Interdepartmental Rents		
Other Electric Revenues		
Total Other Operating Revenues		
Total Electric Operating Revenues	None	None

SUMMARY OF ELECTRIC OPERATION AND MAINTENANCE EXPENSES

Functional Classification	Operation	Maintenance	Total
Power Production Expenses		\$	\$
Electric Generation			
Steam Power			
Nuclear Power			
Hydraulic Power			
Other Power			
Other Power Supply Expenses			
Total Power Production Expenses			
Transmission Expenses			
Distribution Expenses			
Customer Accounts Expenses			
Sales Expenses			
Administrative and General Expenses			
Total Electric Operation and Maintenance Expenses	None	None	None

Annual report of.....NSTAR GAS COMPANY.....Year ended December 31,2016

STATEMENT OF EARNED SURPLUS (Accounts 215-216)

1. Report in this schedule an accounting for changes in appropriated and unappropriated earned surplus for the year.

2. Each credit and debit during the year should be identified as to the surplus account in which included (Accounts 433-438 inclusive) and the contra primary account affected shown. Minor items may be grouped by classes; however, the number of items in each group should be shown.

3. For each reservation or appropriation of earned surplus state the purpose, amount, and in the case of reservations, the reserve account credited.

Explain in a footnote the basis for determining the amount reserved or appropriated and if such reservation or appropriation is to be recurrent, state the number and annual payments to be reserved or appropriated as well as the totals eventually to be accumulated.

4. Dividends should be shown for each class and series of capital stock. Show amounts of dividends per share.

5. List credits first; then debits.

Line No.	Item (a)	Contra Primary Account Affected (b)	Amount (c)
1	UNAPPROPRIATED EARNED SURPLUS (Account 216)		\$
2	Balance-Beginning of Year		15,486,781
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14	Credits:		
15	Net income (loss)	433	31,551,073
16			
17			
18	Debits:		
19	Dividends on Common Stock:		
20	Cash Dividend on Common Stock	131	50,800,000
21	Accum Other Comprehensive Income	219	89,405
22			
23	03/16 - 2,857,000 shares at \$4.45 per share		
24	06/16 - 2,857,000 shares at \$4.45 per share		
25	09/16 - 2,857,000 shares at \$4.45 per share		
26	12/16 - 2,857,000 shares at \$4.45 per share		
27	Balance - end of year		(3,851,551)
28	APPROPRIATED EARNED SURPLUS (Account 215)		\$
29	State balance and purpose of each appropriated earned surplus amount at end		
30	of year and give accounting entries for any applications of appropriated earned		
31	surplus during the year.		
32			
33	NONE		
34			
35			
36			
37			
38			
39			
40			
41			
42			
43			
44			
45			
46			
47			
48			
49			

GAS OPERATING REVENUES		
Account	Operating Revenues	
	Amount for Year	Increase or (Decrease) from Preceding Year
SALES OF GAS		
Residential Sales.....	\$ 232,269,397	\$ (38,772,614)
Commercial and Industrial Sales		
Small (or Commercial).....	70,188,744	(27,340,684)
Large (or Industrial).....	8,611,019	(7,274,591)
Other Sales to Public Authorities.....	7,597,808	(5,097,214)
Interdepartmental Sales.....	-	-
Miscellaneous Gas Sales - Deferrals.....	17,120,549	49,040,274
Total Sales to Ultimate Consumers.....	335,787,517	(29,444,829)
Sales for Resale.....	33,762,891	(26,218,382)
Total Sales of Gas.....	369,540,408	(55,663,211)
OTHER OPERATING REVENUES		
Forfeited Discounts-Late Payment Charges.....	224,724	(160,631)
Miscellaneous Service Revenues.....	249,127	(3,652,360)
Revenues from Transportation of Gas to Others.....	50,275,009	(5,118,017)
Sales of Products Extracted from Natural Gas.....	-	-
Revenues from Natural Gas Processed by Others.....	-	-
Rent from Gas Property.....	830,504	127,503
Interdepartmental Rents.....	-	-
Other Gas Revenues.....	559,181	(457,632)
Total Other Operating Revenues.....	62,138,545	(9,261,127)
Total Gas Operating Revenues.....	\$ 421,678,953	\$ (64,924,338)

SUMMARY OF GAS OPERATION AND MAINTENANCE EXPENSES			
Functional Classification	Operation	Maintenance	Total
Steam Production.....			
Manufactured Gas Production.....			
Other Gas Supply Expenses.....	\$ 227,737,548	\$ -	\$ 227,737,548
Total Production Expenses.....	227,737,548	-	227,737,548
Local Storage Expenses.....	-	-	-
Transmission and Distribution Expense.....	20,547,688	7,902,342	28,450,010
Customer Accounts Expense.....	19,582,804	-	19,582,804
Sales Expense.....	2,448,189	-	2,448,189
Administrative and General Expenses.....	29,014,057	-	29,014,057
Total Gas Operation and Maintenance Expenses.....	\$ 299,330,266	\$ 7,902,342	\$ 307,232,608

April 13, 2017, I hereby certify that the foregoing statements are full, just and true to the best of my knowledge and belief. This statement is signed under the penalties of perjury.


 Christine L. Vaughan
 Vice President, Rates and Regulatory Requirements and Treasurer


 Jay S. Butz
 Vice President, Controller and Chief Accounting Officer

City of Marlborough
License Board
 140 Main Street, Lower Level
 Marlborough, MA 01752
 (508) 460-3751 FAX (508) 460-3625

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 CITY OF MARLBOROUGH

2017 APR 27 A 11: 09

Minutes of the License Board Regular Meeting Held Wednesday, March 1, 2017
 at 7:30 pm, City Hall, 1st floor, Council Committee Room.

Attending: Walter Bonin (WB), Chairman; Gregory Mitrakas (GM); David Bouvier (DB) Member;
 Tina Nolin, Clerk

Meeting called to order by Walter Bonin, Chairman at 7:30 PM

New Business

1. ONE DAY PERMITS

- **Masonic Hall**
 Member Mitrakas motioned for approval, Member Bouvier seconded
 Board vote: 3-0 approved
- **St. Matthais**
 Member Mitrakas motioned for approval, Member Bouvier seconded
 Board vote: 3-0 approved
- **Best Western**
 Member Bouvier motioned for approval, Member Mitrakas seconded
 Board vote: 3-0 approved

2. Change of Name Application – LBZ2

Mr. Robert Brown applied to change the name of the LBZ2 Class II Dealership. The current owner of the license was not an applicant on the application LBZ2 Class II Dealership. Therefore, the Board explained that the current owner must appear before the board saying they wished to transfer the license to Mr. Brown and have a new Dealership license application presented.

Representative Danielle Gregoire, City Councilor Ed Clancy and Marlborough Resident Michael Buckley spoke on behalf of the neighborhood expressing their and the neighborhood's concern that another car dealership on the property is not a good fit for the property. In addition, representative Gregoire requested to be notified of any applications that come through for the property.

Member Mitrakas motioned to table the application until the current owner could come in before the board, Member Bouvier seconded, Board vote: 3-0 approved

3. Change of Location Application for Stony Brook Market

Tharwat Henen, owner of Stony Brook Market presented the application

The pastor and members of the Centro Christiano Emanuel Church were also in attendance to express opposition to a store selling Beer and Wine in the same plaza as their church. Most opposition centered around a store that sells beer and wine being in the same plaza as the church would influence undo pressure to purchase beer or wine on parishioners who are fighting alcohol addiction. In addition, there was concern that the parking lot would become a more dangerous place for children who attend the church and have activities outside, as well as fear of people who've been drinking driving through the lot.

After hearing and reviewing the objections by those in attendance the board decided to recess the current hearing until they could go and examine the location of the store to the church for themselves. The Board agreed they would do this on Friday, March 3rd, and reconvene Friday, March 3rd at 3:00 pm to deliberate and do a final vote on Mr. Henen's application.

4. Informal discussion for Wine & Malt License for new restaurant concept - Brazilian Steak Grill

Robert Do Espirito Santo presented to the floor plans of his establishment's renovation.

After some discussion, the Board agreed they support his idea and invited him to submit a formal application for a Wine and Malt license. Mr. Santo would be applying in the future.

5. Informal discussion for All Alcohol License for Eviva Cucina Restaurant

Nick Harron presented the restaurant concept opening at the new Apex complex on Route 20 west. After seeing his presentation and discussion he was encouraged to apply for a license.

6. Reports from the Chairman - Farmer's Market Special License procedure

Chairman Bonin reported on a request from the city's event planner regarding the procedure for special licenses for the Farmers Market.

7. Misc. correspondence and open issues

There were no misc. correspondences and open issues

8. Review minutes –

Regular meeting, January 25, 2016

Member Bouvier motioned to approve the minutes and place on file, Member Mitrakas seconded. Vote to approve minutes and place on file 3-0.

Motion made to recess at 9:40 pm and re-adjourn on Friday, March 3rd at 3:00 pm to vote on the Marco Brew Inc. change of location application. Vote: 3-0 for recess and re-adjourn on Friday at 3:00 pm. The next meeting, following Friday, March 3rd, of the License Board is Wednesday, March 29, 2017.

Respectfully submitted,

Walter Bonin

Walter Bonin, Chairman

**City of Marlborough
License Board**

140 Main Street, Lower Level
Marlborough, MA 01752
(508) 460-3751 FAX (508) 460-3625

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2017 APR 27 A 11:09

**Minutes of the License Board Regular Meeting Held Friday, March 3, 2017
at 7:30 pm, City Hall, 3rd floor, Memorial Hall.**

Attending: Walter Bonin (WB), Chairman; Gregory Mitrakas (GM); David Bouvier (DB)
Member; Tina Nolin, Clerk

Meeting called to order by Walter Bonin, Chairman at 3:00 PM

**1. Reconvening to Vote on the Change of Location Application for Stonybrook Market
after the Board viewed the locations of both the store and the church to one another*.**

The Board, after hearing and reviewing the objections raised by those in attendance (see minutes from March 1, 2017 meeting) and viewing the locations of the establishments determined that the license applied for would not be detrimental to the educational and spiritual activities of the church for reasons below:

- The store will be predominantly a convenience store
- Distance between the store and church would not unduly influence church attendees/employees
- Church attendees and staff may access the church via another portion of the driveway through an area not visible to the store.
- In the three years at their prior location there have been no incidents of reported trouble of any kind related to their liquor license.
- Signage regarding beer and wine will be kept to a reasonable level, relative to other products, needed to announce beer and wine is being sold and that the Board would review signage on an ongoing basis.

* The visit to the store and church was for examination and not deliberation as was noted in the original meeting.

Member Mitrakas motioned to approve license subject to a review of the store signage, seconded by Member Bouvier. Vote: 3-0 to approve license.

Motion made to adjourn at 3:20 pm Vote: 3-0 for adjournment. The next meeting of the Licensing Board is Wednesday, March 29, 2017.

Respectfully submitted,

Walter Bonin
Walter Bonin, Chairman

**City of Marlborough
License Board**

140 Main Street, Lower Level
Marlborough, MA 01752
(508) 460-3751 FAX (508) 460-3625

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CITY OF MARLBOROUGH

2017 APR 27 A 11:09

**Minutes of the License Board Regular Meeting Held Friday, March 29, 2017
at 7:30 pm, City Hall, 3rd floor, Memorial Hall.**

Attending: Walter Bonin (WB), Chairman; Gregory Mitrakas (GM); David Bouvier (DB) Member;
Tina Nolin, Clerk

Meeting called to order by Walter Bonin, Chairman at 7:30 PM

New Business

1. ONE DAY PERMITS

– **Masonic Hall / Stevie's Eatery**

Member Mitrakas motioned for approval, Member Bouvier seconded
Board vote: 3-0 approved

2. Change of DBA Marco Brew Inc (Stonybrook Market) – 796 Boston Post Road E

Marco Brew Inc. presented before the Board their application for a change of DBA from
Stoneybrook Market to Stoney Lane Market.

Member Bouvier motioned to table the application for change of DBA from Stonebrook
Market to Stoney Lane Market, Member Mitrakas seconded, Board vote: 3-0 approved to
approve DBA name change from Stoneybrook Market to Stoney Lane Market.

**3. Application for Transfer of License for Ginger Garden – Former Fuji Steakhouse – 200
Boston Post Road E**

Attorney Chris Coleman and Dennis Pan presented the Transfer of License Application for Fuji
Steakhouse to Ginger Garden, with Dennis Pan as Manager.

Public Hearing opened at 7:34

No comments: positive or negative were presented.

Public Hearing closed at 7:45

Member Mitrakas motioned to accept the application for transfer of liquor license from Fuji
Steakhouse to Ginger Garden, Member Bouvier seconded, Board vote: 3-0 approved transfer of
liquor license from Fuji Steakhouse to Ginger Garden.

4. Chapa Quente Restaurant – 203/205 Main Street - informal discussion for a beer and wine license as well as outside seating

(Initially tabled until later in the meeting as the applicants were not present)

Heider & Naiara Rabelo presented their desire for a beer and wine license to serve in their restaurant and outside dining area.

Board agreed that first the applicants would obtain permissions from the legal and legislative bodies in the city regarding the outside dining and if granted permission it would be appropriate for them to apply for a beer and wine license if that is what they want or need.

5. Pdraig O'Beirne, owner of new establishment coming in at 200 East Main St – informal discussion re: Beer and Wine License

Mr. O'Beirne presented his concept for establishing a tavern with a beer and wine license. The concept is to restore the 200 East Main Street building, back to its original façade and interior and open the tavern on the first floor. The establishment would offer heavy appetizer and soup/sandwich style options and serve beer and wine.

Councilor Edward Clancy raised concerns regarding noise, hours of operation, lighting, and flow of traffic in and out of the establishment. Mr. O'Beirne addressed the concerns and mentioned he was working on a few options to help with the traffic flow.

Board agreed that if he could address the outstanding issues and be in touch with neighbors to start the process they supported his applying for a beer and wine license.

6. Reports from the Chairman

- Noted Westender patio fence. Chairman Bonin went down to inspect the fence. It was not a substantial change and did not need to be before the board and does not warrant a change to their license.
- Noted retaining all meeting minute drafts on file

7. Review minutes –

- March 1, 2017 (Feb) Meeting – Member Mitrakas motioned to accept minutes and place on file, Member Bouvier seconded, Vote: 3 – 0 to accept minutes and place on file.
- March 3, 2017 – special meeting to vote on Marco Brew Change of Location application, Member Mitrakas motioned to accept minutes and place on file once revisions to minutes made, Member Bouvier seconded, Vote: 3 – 0 to accept minutes and place on file once revisions are made.

Member Mitrakas motion to adjourn at 9:07 pm, seconded by Member Bouvier Vote: 3-0 for to adjourn. The next meeting of the License Board is Wednesday, April 26, 2017.

Respectfully submitted,

Walter Bonin

Walter Bonin, Chairman

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

Minutes

March 16, 2017 (Thursday)

Marlborough City Hall – 3rd Floor, Memorial Hall

7:00 PM

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 APR 27 P 3:37

Present: Edward Clancy, Chairman, John Skarin, Lawrence Roy, Allan White, and David Williams. Also present was Priscilla Ryder-Conservation Officer.

Absent: Dennis Demers and Karin Paquin.

Approval of Minutes – The minutes of February 16, 2017 and March 2, 2017 were reviewed and unanimously 5-0, approved.

Public Hearings:

Request for Determination of Applicability

MassDOT – Highway Division

Brian Cordeiro of Mass DOT, Andrea Kelly of LEC; and Mr. Boucher were all present.

Mr. Cordeiro explained that MassDOT is doing a state-wide initiative to improve all drainage from Massachusetts highways that currently drain into impaired waters. They have looked at all their roadways near these outfalls and proposed improvements. Tonight, they are proposing an improvement of roadway runoff on Rte. 20 at the Framingham/Sudbury line to improve water quality to Gristmill Pond. The water from the road will drain off into the swale designed with check dams to help remove total suspended solids. The Commission discussed maintenance and annual inspections at the site, so that it works effectively. These have been provided. The work is anticipated to be advertised in Fall 2017 with work beginning in winter 2017/spring 2018.

After further discussion about highway winter maintenance, the hearing was closed. The Commission voted unanimously 5-0 to issue a negative determination with standard conditions.

Request for Determination of Applicability - Continuation

431 Bolton St. – Marlborough High School

Johnathan Charwick of Activitas represented the DPW. He presented a set of revised plans dated 3-19-17, based on the discussion at the last meeting. The new plans address: The property line, site access and erosion controls, construction sequencing and soil removal stockpile. They assume they will encounter some large stones which will be processed on site. They anticipate work to begin this summer. The driveway parking area for handicapped parking has been reduced in width to prevent other people parking on this pavement. A small detention basin is shown as well. The drainage system function was

described. The maintenance of the field was also discussed, as no vehicles can travel across the grass without damaging the pipes etc. The piping and stone work were discussed as well as the level spreader. Staff will be trained on the new maintenance requirements as well. After some discussion, the Commission voted 5-0 to issue a negative determination with standard conditions

Certificate of Compliance:

- DEP 212-923 18 LaRose Dr. – Ms. Ryder noted that all work was done on this lot according to plans. The Commission voted unanimously 5-0 to issue a full Certificate of Compliance.

Draft Order of Conditions:

- DEP 212-1185 Maple St. reconstruction - The Commission reviewed a set of draft conditions for this project. The Commission voted unanimously 5-0 to issue the Order as written and amended.
- DEP 212-1186 D'Angelo Dr. – reconstruction - The Commission reviewed a set of draft conditions for this project. The Commission voted unanimously 5-0 to issue the Order as written and amended.


Other Business/Correspondence/Discussion:

- 81 McNeil Circle – Cat Tail Marsh - Ms. Ryder noted she received another e-mail asking about the status of the cat tail marsh at the pond at Cider Knoll and if anything could be done to control the cattails from taking over. The Commission noted that the cat tails are native plants and the pond is shallow, so nature is doing her thing. The Commission is not inclined to take any action on this, nor spend any money on the control since it is a natural process.

Meetings – Next Conservation meetings – April 6th and 20th, 2017 (Thursdays)

Adjournment - There being no further business the meeting was adjourned at 8:33 PM.

Respectfully submitted,


Priscilla Ryder
Conservation Officer

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

**Minutes
April 6, 2017 (Thursday)
Marlborough City Hall – 3rd Floor, Memorial Hall
7:00 PM**

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 APR 27 P 3: 37

Present: Edward Clancy-Chairman, Lawrence Roy, David Williams, Allan White, Dennis Demers, Karin Paquin and John Skarin. Also present was Priscilla Ryder-Conservation Officer.

Absent: None

Public Hearings:

Notice of Intent

Apex - Walker Realty LLC

Proposes to do complete off site roadway improvements including intersection improvements at Rte. 20 and Boundary St., Rte. 20 and Apex Center, and a sidewalk from Ames St. to Glen St. A portion of work on this section of Rte. 20 West will be near wetlands and the Riverfront Area.

Meredith Avery and Matt of VHB were both present. They outlined the design proposed to complete off site roadway improvements including intersection improvements at Rte. 20 and Boundary St., Rte. 20 and Apex Center, and a sidewalk from Ames St. to Glen St. A portion of work on this section of Rte. 20 West will be near wetlands and the Riverfront Area. This roadway work is advancing with a grant from the Mass-Works grant on the MDOT roadway layout. The roadway adjustments were required by the MEPA filing requirements. In some locations the entire roadway is widened, in others new lane configuration and curbing is added. The two locations near wetlands to which this widening is required is at Millham Brook (near Ames St.). Impact is to riverfront area and floodplain. But, the impacts are minimal, flows are maintained and the riprap slope will be mechanically stabilized. The Commission discussed sequence of construction at Millham St. and required it be only during low flow periods. The other wetland location is near the 99 Restaurant. The sidewalk widening will extend into the existing rip rap slope which will be re-established. Access to maintain the highway drainage basins was discussed as well. Time of year for this construction will be critical too. The Commission, after some additional discussion, closed the hearing and asked Ms. Ryder to draft conditions for the next meeting.

Certificate of Compliance:

- DEP 212-1138 17 Bemis Ln. (Lot 7)- the lawn has not been established. This item was tabled until May.


Other Business/Correspondence/Discussion:

- Lincoln St. reconstruction – DPW – exempt - City Engineer Tom DiPersio was present and explained that the city's DPW will be reconstructing Lincoln St. The project falls under the recent exemptions established in the WPA regulations. However, it drains to Lake Williams, so he wanted to explain the project to the Commission to get input. The Commission asked for erosion controls at Rte. 20, and that Ms. Ryder attend the pre-construction meeting to be able to explain to the contractor the sensitive drainage receptors and locations. The sequence of construction was discussed, utilities, water, then drainage. After some discussion, the Commission agreed that a letter should be sent to Mr. DiPersio outlining the discussion and two conditions noted above, to memorialize this.
- Letter from Division of Fisheries & Wildlife, dated: March 27, 2017 RE: Draft Priority Habitat Map of rare species available for public comment, April 3, 2017 thru June 3, 2017 - Ms. Ryder noted she will look at these plans and provide any comments at subsequent meetings.
- DPW's upcoming project list – 2017- The Commission reviewed the list and voted to accept and place on file.
- Rain event occurred on April 6, 2017 - Ms. Ryder noted violations at 90 Crowley Dr., Apex Center, and Howes Landing - follow up letters will be sent.

Meetings – Next Conservation meetings – April 20th and May 4th, 2017 (Thursdays)

Adjournment- There being no further business, the meeting was adjourned at 8:13 PM.

Respectfully submitted,


Priscilla Ryder
Conservation Officer



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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 APR 25 A 11: 55

**CITY OF MARLBOROUGH
OFFICE OF TRAFFIC COMMISSION
140 MAIN STREET
MARLBOROUGH, MASSACHUSETTS 01752**

Traffic Commission Minutes

The Regular Meeting of the Traffic Commission was held on Thursday, March 2, 2017 at 10:00am in the City Council Committee Room, City Hall. Members present: Chairman - Police Chief Mark Leonard, DPW Commissioner John Ghiloni, Fire Chief Kevin Breen and City Clerk Lisa Thomas. Also present: City Engineer Tom DiPersio, Assistant City Engineer Tim Collins and Incoming Police Chief Dave Giorgi. Minutes taken by: Karen Lambert, MPD Records Clerk.

1- Minutes

The minutes of the Traffic Commission meeting of Tuesday, December 20, 2016.

MOTION was made, seconded, duly VOTED:
TO APPROVE - Accept and Place on File.

2 - New Business

2a) Elm Street @ Bigelow St. intersection concerns.

Pam Wilderman sent an email to Chief Leonard advising that the homeowner from 488 Elm Street stopped by her office to express concern over this intersection. There have been a number of accidents where drivers have "blown through the intersection" and ended up on his property or that of the neighbors' in the eventual accident. He was asking if it was possible to re-work the intersection or any other options that could possibly help. Chief Leonard said that the throat of this intersection is wide and that people may not realize the stop sign is there due to the way the roadway opens up. He asked if there was a way to highlight the stop sign or indicate that there is a stop ahead.

Tim Collins advised that there used to a small stop sign here but it has been replaced by a bigger sign. He also noted that the advance warning sign was not in the proper place and that this part of Elm Street is posted at 30mph but those coming off other roads may not

be aware that the speed has slowed. Chief Leonard said that he believes the main concern is with people coming off Bigelow onto Elm. Chief Leonard brought two recent accident reports involving vehicles that either blew through the stop sign or did not know it was there. One hit a tree and rolled over and the other went through the yard of 488 Elm and into the driveway hitting the property owner's car. He also noted, however, that some of the accidents here have involved drugs or alcohol.

Tim Collins said that the signage was upgraded in March of 2016 but that ultimately he is looking for a guardrail. Highlighting the stop sign may be the only thing that can be done from a Traffic Commission standpoint, however, lighted signs cost \$2,000 each. Commissioner Ghiloni said that maybe in the future they could look at the make-up of the intersection but short term the DPW can look into signage again. It can be put on Engineering's radar for future improvements. An island was another option mentioned, however, the Commissioner said he would rather see changes to the roadway than an island. Islands create issues for snowplowing.

MOTION was made, seconded, duly VOTED to REFER to the DPW to check the advance warning sign, stop line and stop sign.

2b) Request for stop sign on Montanari Drive.

A resident of Hunter Ave. sent in this request. She said in her email that "EVERY morning when she drives up her street to go to work someone coming out of Montanari Dr. never stop before pulling out and EVERY morning I am close to being t-boned".

Chief Leonard said that he is sure that this area would not meet the warrants for a stop sign but asked if it would be allowed because of the T-intersection. Tim Collins advised that it is actually a four-way intersection. Hunter is very narrow compared to Montanari. The stop sign would need to be placed on Hunter not Montanari if it were allowed. The normal rule of the road is that whoever gets there first goes first. If they get there at the same time, the person on the right goes first. Since the intersection does not meet the warrants for a stop sign, the request cannot be approved.

MOTION was made, seconded, duly VOTED to ACCEPT and PLACE ON FILE.

2c) City Council acceptance of Section 17C of Chapter 90.

The City Council accepted this new section of Chapter 90 which allows the City to reduce the speed limit in thickly settled zones from 30 mph to 25 mph. Chief Leonard had already advised the City Council that the Traffic Commission discussed Section 17C and would prefer to see a street by street change as needed rather than a citywide change in the speed limit. This would give the City more options in Thickly Settled Zones. Chief Leonard said that he would let the Mayor's office know that the Traffic Commission is in favor of accepting the new section.

The City Council also referred this acceptance to the Public Safety Committee, however, the Chief was not sure if this Committee ever actually met. Lisa Thomas went to her office to check on this. She found that Councilor Irish was the Chair., Councilor Tunnera was the Vice Chair and Counselor Ossing was also a member. The last meeting was in 2005 and the last referral to the committee was in 2011.

MOTION was made, seconded, duly VOTED to REFER to Chief Leonard to advise Nick Malano, the Mayor's Aide, that the Traffic Commission is in favor of accepting the new section and that if the Public Safety Committee wants to discuss further the Traffic Commission is available for input.

2d) Request for additional one-way signage on Bicknell Street.

This request came from SeeClickFix.com. The requestor said that several times a day cars travel in the wrong direction here and noted it is a narrow street with limited visibility over a hill and that it is only a matter of time before a serious accident occurs. Tim Collins passed out a photo of the end of this street, which was taken two days ago, indicating that it is clearly marked as one way. There are "Do Not Enter – One Way" signs on each side of the street. It could not be any more clearly marked that this is a one-way street.

MOTION was made, seconded, duly VOTED to ACCEPT and PLACE on FILE.

2e) Concern about vegetation in the vicinity of 147 Hildreth Street.

Officer Parente forwarded this concern to Chief Leonard. He took an accident report at this location. A female was pulling out of her driveway and struck another vehicle traveling East on Hildreth St. She advised that her parents have been trying for years to get the property owner at 147 Hildreth Street to cut their bushes as they can never see west onto Hildreth Street when backing out of their driveway.

Tim Collins passed out a photo of this location showing the tall hedges and noted that these types of issues normally go to Code Enforcement. A bush is considered like a fence and, as such, it is not to exceed three feet. The photo shows that the bush is obviously higher than three feet. It appears to be the same height as the roofs of the cars parked in front of the house.

MOTION was made, seconded, duly VOTED to REFER to Pam Wilderman of Code Enforcement.

2f) Signage/stop condition on Dicenzo Blvd. at Boston Post Rd.

Chief Leonard received a verbal request to look into this issue. The requestor lives at the condos past Home Depot, The Village at Hager Meadows. He said that he has a terrible time trying to take a left onto Route 20. His street is just past Dicenzo Blvd. He said that Dicenzo has a wide opening and that cars are not coming to a complete stop before turning and are merging onto Rte. 20 instead. When he is trying to turn left, he sees that he has a clear road on rte. 20 and attempts to make the turn, then someone will quickly turn right out of Dicenzo.

Commissioner Ghiloni said that he has also talked to him and he wanted to know if there was a way to highlight the stop sign. The Commissioner thought that there might be something obstructing the stop sign. Tim Collins explained that when Hager Meadows went in Dicenzo Blvd. was created. There was supposed to be a connection from Hager to Dicenzo so that you could go left on Dicenzo and circle around to the signalized

intersection at Target & Home Depot to turn onto Rte. 20. He said that at the time of construction Diczko did their part and made a cut but Hager did not complete the connection.

Lisa Thomas advised that she would check the Special Permit to see if it was a requirement. Commissioner Ghiloni also asked who is responsible for enforcing this. Chief Leonard said that he would think that it would be a part of the Building Inspector's responsibility. The problem is that it is now 15 to 20 years later.

Tim Collins suggested that the Condo put up a sign on their property making drivers aware of the traffic. Something stating that they don't have the right of way out of the Condos.

MOTION was made, seconded, duly VOTED to TABLE for next the next meeting so that Lisa Thomas, City Clerk, can research the special permit.

3-Old Business

3a) Traffic Commission rules and regulations update.

Lisa Thomas advised that we are finally almost up to date with the Rules and Regs. There are two more items left to advertise. She said that if you go to the Traffic Commission website you will see everything that will be sent to General Code. This weekend should be the last of the advertisements. Once everything is sent to General Code and updated all members will finally receive a current Rules & Regulations book. She noted that it is too costly to recodify on a yearly basis, any new regulations would get submitted as amendments.

Chief Leonard and Karen Lambert will verify that everything has been advertised and then forward it to General Code and confirm the cost and new contact information. Lisa Thomas said that she has everything in PDF format and can forward it to the Chief.

MOTION was made, seconded, duly VOTED to REFER to the CITY CLERK'S office and the POLICE DEPARTMENT to coordinate and finalize this project.

3b) Traffic Concerns at Wilson & Hemenway Sts.

Update: Engineering advised that they would be waiting until the Spring to make any changes here. They don't want to install the new island with the snow.

MOTION was made, seconded, duly VOTED to TABLE.

3c) Request for stop signs on Weed St. at Florence St.

Commissioner Ghiloni advised that this issue is still pending.

MOTION was made, seconded, duly VOTED to TABLE.

3d) Parking restriction on Forest Street near AMSA.

Chief Leonard saw that the signs are there, but he thinks they are facing the wrong way. The Chief gave a quick overview of this issue to the incoming Police Chief, Dave Giorgi. He explained how cars at AMSA que up on Forest Street causing problems at pick up time. The new signs state "No Parking". Chief Leonard would prefer to see them state "No Stopping, Standing or Parking" to avoid vehicles just sitting and waiting. The issue was not as bad this year as we did not get much snow. In previous years, there were high snowbanks on each side making it very difficult to pass cars waiting for students at the school.

Engineering initially advised that 51 signs would be required to clearly mark the stretch of the roadway. Currently, 4 have been installed. Chief Leonard said that they are not working. Tim Collins advised that signs indicating a zone for "No Stopping, Standing or Parking" would be better. The signs would have arrows indicating between here and there. They would be bigger blanket signs that would then need to be followed up with enforcement. If the regulation is clear and the proper signs are in place, the Police Department can write tickets and maybe that will finally help to resolve the issue. In the past, officers have just advised cars to move along as there was no formal regulation.

Mr. Collins again mentioned the issue that when AMSA went into this location they never went before Site Plan. Site Plan would have told them that there was not enough parking available. In the past, they used the vacant lot across the street, however, this area has now been developed. Then they used the lot at 4 Kicks but that also did not work out. The first day of school there were 600 cars in the Fore Kicks lot so Fore Kicks said they couldn't use it anymore. Most parents pick their children up from school which causes a 15-20 minute issue when there is nowhere for cars to wait.

MOTION was made, seconded, duly VOTED to REFER to ENGEINEERING to determine the wording and placement for new signs.

3e) Request to explore the possibility of changing the one-way direction of travel on Hayden Street.

Fire Chief Breen said that he went out and looked at this location and did not find any problems for Fire Apparatus if the direction of travel on Hayden Street was changed. Commissioner Ghiloni said that he does not want to make any changes. Tim Collins also agreed that changing the direction of travel would just create more problems on other roads. All agreed that it was more of a convenience for the Senior Center rather than a necessity.

Chief Leonard advised that it would better to educate those going to the Senior Center instead. They could possibly be directed to the overflow lot at the school first and then if they saw spots below they could continue to drive down. It would also be helpful to have signs at the Senior Center directing drivers to the alternate parking at Ward Park.

MOTION was made, seconded, duly VOTED to REFER to REMOVE from the AGENDA as the issue has been discussed and found to not be a good option at this point.

3f) Request for truck exclusion on Winter Street.

Tim Collins advised that the traffic counts have been completed and it was found that only 3-4% of volume was truck traffic. A minimum of 5% is necessary to consider a truck exclusion. There is currently a sign at the intersection of Elm St. and Winter Street advising that a truck exclusion is ahead. There is a truck exclusion on Lincoln Street. Trucks traveling down Winter Street would end up on Lincoln Street. Trucks making deliveries on Winter St. could proceed down the street but would then need to turn around and come back up.

MOTION was made, seconded, duly VOTED to REMOVE from the agenda as Winter Street does not meet the warrants for a truck exclusion.

3g) Request from Tim Collins to evaluate the flashing yellow light at Main/Maple/Hildreth Sts.

Tim Collins provided a brief history lesson on this intersection. Back in 1951 all was flashing yellow with Rte. 85 having the right of way. In 2003, it was changed to a flashing red on Hildreth and a double flashing yellow on Main and Maple. Since it is a wide area and not a T-intersection and both have a flashing yellow, there has always been confusion as to who has the right of way. Engineering is now trying to determine the best way to avoid this confusion. They were suggesting a stop sign on Maple Street so that Main Street keeps going, as it has the main movement. A stop sign on Hildreth Street also works and allows Main Street (Route 85) to have the right of way.

Tim Collins is proposing that the City try a stop sign on Maple St. for a year and see how it goes. Chief Leonard asked if this area meets the warrants for a stop sign. Tim Collins advised that it does because there is more confusion the way it is. Since Maple Street is basically neighborhood traffic a stop sign here should not cause a backup.

MOTION was made, seconded, duly VOTED to APPROVE the recommendation for a stop sign on Maple Street at Main Street. ALL IN FAVOR.

and

MOTION was made, seconded, duly VOTED to REFER to Chief Leonard to prepare the regulation for a vote at the next meeting.

3h) Request for speed limit signage on Boundary Street.

Tim Collins advised that there is no posted speed limit sign here. He also said that the resident making this request actually lives in Northboro. The addresses are confusing here because the houses are in Northboro but the actual street is in Marlborough. He advised that this is a thickly settled zone with a 30mph speed limit. To be considered a thickly settled zone there needs to be an average of 20 feet between building for 1/8 of a mile. It was discussed that this is more of an enforcement issue.

MOTION was made, seconded, duly VOTED to REFER to the POLICE DEPARTMENT for enforcement.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 11:45 am.

Respectfully submitted,

Karen L. Lambert
Records Clerk
Marlborough Police Department

List of documents and other exhibits used at the meeting:

- Meeting Agenda for Thursday, March 2, 2017. (Including City of Marlborough Meeting Posting).
- Draft of minutes from Tuesday, January 31, 2017.
- Email from Pam Wilderman to all Traffic Commission members, dated 11/29/16, re: 488 Elm Street.
- Email from Lynn Comeau to Chief Leonard, dated 1/20/17, re: Traffic.
- Copy of City Council acceptance of Section 17C of Chapter 90 along with a copy of a letter from Mayor Vigeant's recommendation letter.
- See Click Fix entry regarding issue on Bicknell Street
- Email from Officer Parente to Chief Leonard. Dated 1/28/17, re: 17-85-AC

Additional Handouts:

- Diagram of Traffic Signal Plan for Main Street, Brown Street & Granger Blvd.
- Photo of Bicknell Street showing one way and do not enter signage
- Photo of corner of Grove Street and Hildreth Street showing tall hedge on property.



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CITY OF MARLBOROUGH

2017 APR 25 A 11: 55

**CITY OF MARLBOROUGH
OFFICE OF TRAFFIC COMMISSION
140 MAIN STREET
MARLBOROUGH, MASSACHUSETTS 01752**

Traffic Commission Minutes

The Regular Meeting of the Traffic Commission was held on Thursday, March 28, 2017 at 10:00am in the City Council Committee Room, City Hall. Members present: Chairman - Police Chief Mark Leonard, DPW Commissioner John Ghiloni, Fire Chief Kevin Breen and City Clerk Lisa Thomas. Also present: City Engineer Tom DiPersio, and Incoming Police Chief Dave Giorgi. Minutes taken by: Karen Lambert, MPD Records Clerk.

1- Minutes

The minutes of the Traffic Commission meeting of Tuesday, March 2, 2017.

MOTION was made, seconded, duly VOTED:

TO TABLE for next meeting. Minutes were passed out at today's meeting and were not yet reviewed by Traffic Commission members.

2 - New Business

2a) Request to swap stop sign on Bigelow St. from Nashoba Dr. to Shea Dr.

Chief Leonard received an email from a resident of Bigelow St. stating that the intersection with Shea Drive has become very dangerous with the removal of the stop sign. She said that now you cannot see the cars coming up the hill and that they drive very fast. She also said that with the snow and the way it is plowed, the southbound lane of Bigelow is almost totally blocked. She is requesting that the Traffic Commission reconsider and change the stop sign from Nashoba to Shea.

Chief Leonard reviewed the thought process that went into deciding which stop signs to take down. It was well researched when the decision was made. None of the stop signs on Bigelow Street were warranted and the Traffic Commission had to come up with a compromise in order to keep some of them. It was determined that if sidewalks were installed at a future date which would connect certain areas they could at least meet

potential future warrants for pedestrian crossing areas. The stop signs that remain in place fit into the outline for potential future sidewalks.

Tom DiPersio noted that the email also mentioned a sight distance issue and asked if this had been looked into recently. Chief Leonard said that maybe there is an issue now with vegetation or something blocking the view.

MOTION was made, seconded, duly VOTED to ACCEPT the communication and REFER to ENGINEERING to look at the site distance issue.

2b) Request for turn lane into 894 Boston Post Rd. East.

Chief Leonard received an email from the General Manager of New England Academy of Gymnastics on this issue. He said that their building is part of a busy commercial lot, across the street from Raytheon and that he has dealt with numerous accidents at this intersection. He said that there have been about five just year. He said that their club services many children and families here in Marlborough, "about 500 per week to be more precise". He feels it is "only a matter of time before we are dealing with a fatal crash, possibly involving children". He asked about a possible turn lane into their location.

Chief Leonard said that he has not yet reviewed the specific accidents at this location. He did note, however, that this area is part of MA DOT's layout and therefore is not under the control of the City of Marlborough. He advised that he emailed the General Manager back to let him know.

Commissioner Ghiloni advised that he is actually meeting with MA DOT tomorrow regarding potential changes to Rte. 20. He can also bring this specific issue to their attention at the same time.

MOTION was made, seconded, duly VOTED to REFER to the DPW for further discussion with MA DOT since they control this portion of the roadway.

2c) Request to look at parking restrictions on Gay and Witherbee Streets.

A request came in on SeeClickFix asking if it was possible to restrict parking to only one side of the street. It was noted that "they are both narrow streets which allow for parking on both sides which complicate passing traffic as a two-way street".

Chief Leonard advised that he has not received any other complaints about this issue except if maybe something specific was going on at the library. Commissioner Ghiloni mentioned that there is a possible new library in the future which would include the City buying additional property in the area. He advised it would be better to wait and see what happens here.

Chief Breen said he would look at the roadway to make sure there was room for fire apparatus.

MOTION was made, seconded, duly VOTED to REFER to the FIRE DEPARTMENT for review.

And

TO TABLE and revisit the issue if/when a new library is planned.

3-Old Business

3a) Traffic Commission rules and regulations update.

Lisa Thomas advised that if you look at the Traffic Commission's website you will see everything that needs to be added to the Traffic Code. She said she gave Chief Leonard the new contact information for General Code. Everything has been advertised and the new regulations can be sent to General Code for recodification. Any new regulations will be added as amendments. She said that this will come out of the Police Department's budget. It should be all set to go once someone confirms that we have a regulation to match each add.

MOTION was made, seconded, duly VOTED to REFER to the POLICE DEPARTMENT to coordinate and finalize this project.

3b) Traffic Concerns at Wilson & Hemenway Sts.

Update: Engineering advised that they would be waiting until the Spring to make any changes here. They don't want to install the new island with the snow.

MOTION was made, seconded, duly VOTED to TABLE.

3c) Request for stop signs on Weed St. at Florence St.

Commissioner Ghiloni advised that this issue is still pending.

MOTION was made, seconded, duly VOTED to TABLE.

3d) Parking restriction on Forest Street near AMSA.

Update: Commissioner Ghiloni is hoping to have the proper signage installed before Chief Leonard's last day on March 31st.

MOTION was made, seconded, duly VOTED to REFER to the DPW for proper installation of the new signs.

3e) Request from Tim Collins to evaluate the flashing yellow light at Main/Maple/Hildreth Sts.

Tim Collins noted that in addition to voting on the regulation for a new stop sign on Maple street we also needed to include a stop condition on Hildreth. He noted that "the

Hildreth Street STOP sign/line was regulated by the Signal Permit that will be discontinued so a new regulation for Hildreth Street should be adopted". He forwarded the proper wording to Chief Leonard on 3/17/17. Chief Leonard prepared the amended regulation for a vote. He will also forward the regulation to Lisa Thomas to advertise. Ms. Thomas advised incoming Chief Giorgi that she pays for all advertisements out of her budget, even for the Traffic Commission. Advertisements appear in the Main Street Journal, which comes out every other week. If a regulation needs to go into effect sooner an Emergency Preamble is also voted upon.

MOTION was made, seconded, duly VOTED to APPROVE the amended regulation for a stop sign on Hildreth Street at the intersection of Main/Maple/Hildreth Sts. and a stop sign on Maple Street at the intersection of Main/Maple/Hildreth Sts. ALL IN FAVOR.

3f) Elm Street @ Bigelow St. intersection concerns.

Tim Collins provided a sketch of the intersection showing a reconfiguration of the turn movement off Bigelow Street onto Elm Street. The re-alignment creates more of a 90-degree turning movement. If the Traffic Commission is in favor of this idea he will mark it on the pavement "so the Traffic Commission can field observe what the change will look like".

Chief Leonard also said that the other issue was to highlight the stop condition. He agreed with the idea of narrowing the throat but he also wanted to make sure the stop sign was visible and the proper advance warning signage was in place.

MOTION was made, seconded, duly VOTED to REFER to the DPW to mark off the new turn movement and REFER to ENGINEERING to review the best way to highlight the stop condition.

3g) Signage/stop condition on Dicenzo Blvd. at Boston Post Rd.

Update: Lisa Thomas checked the Special Permit for this area, however, it basically had "nothing on it." The Traffic Commission thought it may have had a requirement to make a connection onto Dicenzo Blvd. so drivers could take a left out of The Village at Hager Meadows and circle around to the signalized intersection to safely take a left turn onto Rte. 20.

Commissioner Ghiloni advised that he and Tom DiPersio could discuss this issue with MA DOT at their meeting tomorrow as this area is also part of the MA DOT layout.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING for further discussion with MA DOT.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 10:28 am.

Respectfully submitted,

Karen L. Lambert
Records Clerk
Marlborough Police Department

List of documents and other exhibits used at the meeting:

-Meeting Agenda for Thursday, March 28, 2017. (Including City of Marlborough Meeting Posting).

-Email from City Council to Chief Leonard, dated 3/20/17, re: Bigelow Street Stop Signs (Original email from Barbara Quinn, dated 3/20/17 – forward by City Council to Chief Leonard.)

-Email from Devan Tonelli, New England Academy of Gymnastics, to Chief Leonard, dated 3/2/17, re: Dangerous Intersection on Rte. 20 (forwarded to Chief Leonard by Karen Lambert).

-Copy of SeeClickFix entry from 3/17/17, re: Parking on Gay Street

-Copy of amended regulation to add Stop Signs on Hildreth St. and Maple St.

-Email from Tim Collins to Chief Leonard, dated 3/17/17, re: New STOP regulation for Maple Street/Main Street/Hildreth Street.

-Email from Tim Collins to Chief Leonard, dated 3/22/17, re: Bigelow Street at Elm Street, along with a diagram.

Additional Handouts:

-Draft of Traffic Commission Minutes from 3/2/17.

Marlborough Public Library Board of Trustees

Meeting Minutes

April 6, 2017

Bigelow Auditorium, Marlborough Public Library

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2017 MAY -3 P 4:40

Meeting called to order by Rustin Kyle at 7:05pm

Board Members Present: Tom Abel, Nena Bloomquist, William Brewin, Ray Hale, Ray Johnson, Rustin Kyle, Janice Merk, and Robyn Ripley

Also Present: Margaret Cardello, Library Director

Absent: Karen Bento

Proceedings:

1. **Minutes:** *A motion to approve the meeting minutes from the March 7th meeting was passed (Johnson/Bloomquist).*
2. **Trust Fund Reports:** *A motion was passed to approve the Trust Fund Reports for March (Brewin/Merk).*
3. **Director's Report:** (see attached for more details)
 - Morgan Manzella has been hired as the new Assistant Director/Head of Reference. Her first day is Monday, April 3rd.
 - The two approvals needed for our grant application have been slated for City Council review on April 10th and will most likely be referred directly to committee. More details on the architect's presentation on design will be made available as they are known.
 - The lift/elevator is out of order once again after being in working order for only 3 days. Fines for not being ADA compliant can be quite stiff (as much as \$1,000 per day). However, we are actively attempting to fix the problem and providing accommodation wherever possible.
 - Margaret and Tom Abel met with the Mayor to go over the library's FY18 budget. The increase in the Assistant Director salary was not approved. We have yet to find out if more money for materials and for the CW/MARS membership will be approved.

4. **Committee Reports:**

- Foundation:
 - Having the City Council approval is critical to getting support from big donors. Hopefully, having the preliminary designs approved soon will make a big difference in fundraising efforts.
 - A professional brochure is needed for approaching large donors. A local graphic designer is offering services at a significant discount for the project. It would cost \$5,000 for design AND production of brochures. *A motion to approve a loan of \$5,000 from State Aid funds to the Foundation was passed (Johnson/Bloomquist).*
- Friends: (see attached report for detailed information)
 - The photography show is currently on and the new panels look great.

5. **Old Business:**

- **Scholarships:** The following students will each be awarded \$500 for their winning essay:
 - Heather Wing
 - Nathaniel Stemple
 - Danka Sotelo

6. **New Business:**

- **Banners:** There are hooks at the back entrance of the library to allow a banner to be hung and in the past, The Friends have advertised various programs by hanging a banner there. Shall we continue to allow banners to be displayed there? *A motion to allow the Friends and the Foundation to hang banners at the back entrance after seeking appropriate city permits and approval from the Library Director was passed (Bloomquist/Hale).*

7. **Adjournment:** *A motion to adjourn passed at 8:21 (Johnson/Abel).*

Minutes submitted by Secretary Robyn Ripley.