

REGULAR MEETING
JUNE 19, 2017

IN CITY COUNCIL
ABSENT:

CONVENED:
ADJOURNED:

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 JUN 15 P 1:30

Presentation of City Scholarships 2017

1. Minutes, City Council Meeting, June 5, 2017.
2. Communication from the Mayor, re: Proposed Order to Assign Certain Aerial Utility Easements to MA Electric Company and Verizon for the East Main Street Reconstruction Project.
3. Communication from the Mayor, re: MWRA Lead Loan Program – Bond request in the amount of \$5,000,000.00 to replace remaining water service lines that contain lead within the city.
4. Communication from the Mayor, re: Fire Department transfer request in the amount of \$80,018.10 which moves funds from Fire Lieutenant to Sick Leave Buy Back to fund retirement payouts for two retirees.
5. Communication from the Mayor, re: Gift Acceptance in the amount of \$100.00 from a Connecticut resident who had requested the assistance of the Police Department and was very satisfied.
6. Communication from Councilor Ossing, re: Notice of Filing and Public Hearing for Municipal Aggregation.
7. Communication from Solicitor, Donald Rider, re: Acquisition of Staniunas Parcel off Fitchburg Street, Order No. 16/17-1006772B.
8. Communication from Code Enforcement Officer, Pam Wilderman, re: Sign Request, Hilton Garden Inn, 170 Forest Street.
9. Application for Special Permit from Walker Realty LLC for Proposed Veterinary Hospital, 58 Apex Drive, X16-1006633B.
10. Petition from NGrid to install 1 new pole and 1 new midspan pole along Boundary Street. Pole installs are part of a project to increase system reliability.
11. Communication from Attorney Bergeron of Mirick O'Connell, re: Proposed Zoning Amendment – New Section 650-12 Non-Conforming Uses.
12. Communication from Attorney Bergeron of Mirick O'Connell, re: Proposed Zoning Map Amendment, Expansion of Residence C District.
13. Communication from Attorney Bergeron of Mirick O'Connell, re: Proposed Zoning Map Amendment, Retirement Community Overlay District.
14. Communication from Attorney Bergeron of Mirick O'Connell, re: Site Plan Application for 28 South Bolton Street.
15. Communication from Kristin Regan, re: Permission to park on City property at the top of Emmett Street, X16-1006704, X14-1006035, X12-1005237, X11-1004017 and X03-9919A
16. Minutes, Conservation Commission, April 20, 2017 & May 4, 2017.
17. Minutes, Planning Board, May 8, 2017 & May 22, 2017.

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.

18. Minutes, Library Board of Trustees, May 2, 2017.
19. Minutes, Assabet Valley Regional Technical School Committee, March 28, 2017 & May 3, 2017.
20. Minutes, Traffic Commission, April 25, 2017
21. CLAIMS:
 - a. Frederick Orentlich, 8 Schipper Farm Lane, Southborough, pothole or other road defect.
 - b. Claude & Mary Clerc, 47 O'Malley Road, pothole or other road defect.

REPORTS OF COMMITTEES:

22. ORDERED: That the Chief of Police appear before the Operations and Oversight Committee to discuss procedures involved in companies who are applying for door to door permits. It is furthered ordered that the Committee and Council review possible restrictions to the permitting process to help residents not be harassed by salesmen..... Submitted by Councilor Elder

UNFINISHED BUSINESS:

From City Council

23. SET DATE FOR PUBLIC HEARING: On the 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 Street, Order No. 17-1006907.

From Finance Committee

24. Order No. 17-1006931A – Department Revolving Funds Ordinance. This was **ORDERED ADVERTISED. THE TEN-DAY PERIOD WILL BE MET FOLLOWING THE ADVERTISEMENT DATE OF JUNE 9, 2017 IN THE METROWEST DAILY NEWS.**



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CITY OF MARLBOROUGH

2017 JUN -8 A 11: 21

**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

**Lisa M. Thomas
140 Main St.
Marlborough, MA 01752
(508) 460-3775 FAX (508) 460-3723**

JUNE 5, 2017

Regular meeting of the City Council held on Monday, June 5, 2017 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Clancy, Ossing, Juaire, Oram, Robey, Delano, Doucette, Elder, Tunnera, Irish and Landers. Meeting adjourned at 9:09 PM.

ORDERED: That the Minutes of the City Council meeting May 22, 2017, **FILE**; adopted.

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Legislative Earmark Grant acceptance in the amount of \$100,000.00 from MA Department of Transportation for Transportation Programming; adopted.

ORDERED: That the Communication from Central MA Mosquito Control Project re: responding to residents' concerns about mosquitos in their area on the following dates in June: 1, 7,14, 21 & 28, **FILE**; adopted.

ORDERED: That the Minutes, Board of Assessors, April 12, 2017, **FILE**; adopted.

ORDERED: That the Minutes, Planning Board, April 24, 2017, **FILE**; adopted.

ORDERED: That the Minutes, School Committee, April 11, 2017 April 25, 2017 and May 9, 2017, **FILE**; adopted.

ORDERED: That the Minutes, Council on Aging, April 11, 2017, **FILE**; adopted.

ORDERED: That the Minutes, School Building Committee, March 27, 2017 & May 2, 2017, **FILE**; adopted.

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

- a. Benjamin Katcher, 16 Lands End Lane, Sudbury, pothole or other road defect.
- b. Robert Sibilio, 32 Elm Street, pothole or other road defect.
- c. Violet Tiru, 9 Springhill Avenue, other property damage and/or personal injury.

Reports of Committees:

Councilor Ossing reported the following out of the Finance Committee:

Marlboro City Council Finance Committee
Wednesday May 31, 2017
In Council Chambers

Present: Chairman Ossing; Finance Committee Members Councilors Robey, Oram, Doucette and Irish. Councilors Clancy, Landers, and Delano were also in attendance. The meeting convened at 7:00 PM.

1. **Order #17-1006919 - Snow and Ice Year End Transfers for \$1,375,000.00:** The Finance Committee reviewed the Mayor's letter dated May 18, 2017 requesting a transfer of \$1,375,000.00 from the Undesignated Fund account to the following snow and ice accounts:
 - \$245,000.00 to Overtime Snow and Ice
 - \$490,000.00 to Snow Removal
 - \$640,000.00 to Operating Expenses

The Finance Committee voted 5 - 0 to approve the transfers.

2. **Order #17-1006920 – Transfer \$1,200,000.00 to OPEB Trust Fund:** The Finance Committee reviewed the Mayor's letter dated May 18, 2017 requesting a transfer of \$1,200,000.00 from the Undesignated Fund account to the OPEB Trust account to fund the unfunded liabilities for other post-employment benefits. The Finance Committee voted 5 - 0 to approve the transfer.
3. **Order #17-1006921 – Transfer \$1,200,000.00 to the Undesignated Stabilization Account:** The Finance Committee reviewed the Mayor's letter dated May 18, 2017 requesting a transfer of \$1,200,000.00 from the Undesignated Fund account to the Undesignated Stabilization account to align with the recently approved Financial Policy to transfer 10% of the Free Cash into the Undesignated Stabilization account each year. The Finance Committee voted 5 - 0 to approve the transfer.

Reports of Committees Cont'd

- 4. Order #17-1006922 – Year End Transfers in the amount of \$1,215,192.34:** The Finance Committee reviewed the Mayor's letter dated May 18, 2017 requesting year end transfers from within the existing budget in the amount of \$1,215,192.34 for the Fire Department, Police Department, Legal Department, Department of Public Works and Comptroller. The Finance Committee took the following actions:

 - \$71,130.00 in the Legal Department – Finance Committee voted 5 - 0 to approve the transfers.
 - \$87,599.34 in the Fire Department – Finance Committee voted 5 - 0 to approve the transfers.
 - \$23,000.00 in the Police Department – Finance Committee voted 5 - 0 to approve the transfers.
 - \$425,000.00 in the Comptroller Department – Finance Committee voted 5 - 0 to approve the transfers.
 - \$608,463.00.00 in the Department of Public Works – Finance Committee voted 5 - 0 to approve the transfers.
- 5. Order #17-1006923 – Transfer \$660,077.00 from the Economic Development Account to Fund MEDC for FY18:** The Finance Committee reviewed the Mayor's letter dated May 18, 2017 requesting the transfer of \$660,077.00 from the Economic Development account to fund MEDC for FY18. The funds are from the local options hotel tax that has a current balance of \$1,129,032.43. The Finance Committee voted 4 - 1 (Councilor Oram opposed) to approve the transfer.
- 6. Order #17-1006924 – Transfer \$337,500.00 to the Future Growth Stabilization Account:** The Finance Committee reviewed the Mayor's letter dated May 18, 2017 requesting a transfer of \$337,500.00 from the Undesignated Fund account to the Future Growth Stabilization account to invest in projects that increase property values and attract economic development. The Finance Committee voted 5 - 0 to approve the transfer.
- 7. Order #17-1006925 – Transfer \$80,000.00 to DPW Capital Outlay Account:** The Finance Committee reviewed the Mayor's letter dated May 18, 2017 requesting a transfer of \$80,000.00 from the Undesignated Fund account to the DPW Capital Outlay account for upgrades to the sewer pump station at the eastern end of Donald Lynch Boulevard. The Finance Committee voted 5 - 0 to approve the transfer.
- 8. Order #17-1006926 – Transfer \$50,000.00 to DPW Energy Conservation Account:** The Finance Committee reviewed the Mayor's letter dated May 18, 2017 requesting a transfer of \$50,000.00 from the Undesignated Fund account to the DPW Energy Conservation account for energy efficiency/conservation improvements for the City. The Finance Committee voted 5 - 0 to approve the transfer.

Reports of Committees Cont'd

9. **Order #17-1006927 – Transfer \$22,000.00 to Open Space Stabilization Account:** The Finance Committee reviewed the Mayor's letter dated May 18, 2017 requesting a transfer of \$22,000.00 from the Undesignated Fund account to the Open Space Stabilization. The source of the \$22,000.00 is from the FY16 wireless antennae receipts. The Finance Committee voted 5 - 0 to approve the transfer.
10. **Order #17-1006928 – Transfer \$13,000.00 from Council on Aging Accounts to Capital Outlay Account:** The Finance Committee reviewed the Mayor's letter dated May 18, 2017 requesting a transfer of \$13,000.00 from the Council on Aging Transportation and Contract Services account to the Capital Outlay Building Repairs account fund patio upgrades at the Senior Center. The Finance Committee voted 5 - 0 to approve the transfers.

The Finance Committee agreed to support suspending the rules at the June 5, 2017 City Council meeting for agenda items 1 - 10.

11. **Order #17-1006931 – Revolving Fund Ordinances:** The Finance Committee reviewed the Mayor's letter dated May 18, 2017 requesting the City Council adopt ordinances for Revolving Funds in accordance with the Municipal Modernization Act of 2016. The Finance Committee took the following actions:
- Ordinance - Add Section 67-27 "Department Revolving Funds" as described in the Mayor's May 18, 2017 letter. The Finance Committee voted 5 - 0 to approve the ordinance. **The Finance Committee agreed to support suspending the rules at the June 5, 2017 City Council meeting to request the ordinance be advertised.**
 - Order - That no more than \$100,000.00 shall be expended from the Parks and Recreation Revolving Fund during Fiscal Year 2018, unless otherwise authorized by the City Council and Mayor. The Finance Committee voted 5 - 0 to approve the order.
 - Order - That no more than \$40,000.00 shall be expended from the Council on Aging Revolving Fund during Fiscal Year 2018, unless otherwise authorized by the City Council and Mayor. The Finance Committee voted 5 - 0 to approve the order.
 - Order - That no more than \$75,000.00 shall be expended from the Public Safety Revolving Fund during Fiscal Year 2018, unless otherwise authorized by the City Council and Mayor. The Finance Committee voted 5 - 0 to approve the order.

The Finance Committee adjourned at 9:12 PM.

Reports of Committees Cont'd

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

City Council Legislative and Legal Affairs Committee
Wednesday, May 31, 2017, 6:30 PM– In Council Chambers
Minutes and Report

Present: Chairman Katie Robey, Councilor Delano, Councilor Juaire, & Councilors Clancy and Doucette. Also attending was Tom DiPersio, City Engineer.

Order No. 17-1006933 Communication from the Mayor regarding an Order of Taking by Eminent Domain concerning public safety improvements on West Hill Road

The Mayor's letter of May 18th was read into the record. The order pertains to 2 properties, 161 & 151 West Hill Road; both to be taken by eminent domain for permanent easement for roadway widening purposes. Both are small parcels but the added land will help improve the road reconstruction/widening process.

Councilor Juaire moved to recommend approval of Order 17-1006933, an Order of Taking by Eminent Domain concerning public safety improvements on West Hill Road. The motion carried 3-0. It was agreed that a Suspension of Rules would be asked for at the June 5th Council meeting to approve this as the project is currently underway.

Suspension of the Rules requested – granted

ORDERED: That the transfer request in the amount of \$1,375,000.00 which moves funds from Undesignated to various Snow & Ice accounts as noted below to subsidize the Snow & Ice account deficits for FY17, **APPROVED**; adopted.

CITY OF MARLBOROUGH
BUDGET TRANSFERS –

DEPT:		DPW		FISCAL YEAR:		2017			
FROM ACCOUNT:				TO ACCOUNT:					
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$6,750,790.00	\$1,375,000.00	10000	35900	Undesignated Fund	\$245,000.00	14001203	51390	Overtime-Snow & Ice	-\$242,036.93
	Reason:	To fund the snow & ice deficit for FY17							
					\$490,000.00	14001206	52960	Snow Removal	-\$487,847.13
	Reason:								
					\$640,000.00	14001206	57040	Operating Expenses	-\$634,827.88
	\$1,375,000.00	Total			\$1,375,000.00	Total			

Suspension of the Rules requested – granted

ORDERED: That the transfer request in the amount of \$1,200,000.00 which moves funds from Undesignated to OPEB account as noted below, **APPROVED**; adopted.

CITY OF MARLBOROUGH
BUDGET TRANSFERS –

DEPT:		Mayor		FISCAL YEAR:		2017			
FROM ACCOUNT:				TO ACCOUNT:					
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$6,750,790.00	\$1,200,000.00	10000	35900	Undesignated Fund	\$1,200,000.00	87500	35900	OPEB Trust	\$6,220,593.17
	Reason:	Transfer funds to OPEB trust							
	\$1,200,000.00	Total			\$1,200,000.00	Total			

Suspension of the Rules requested – granted

ORDERED: That the transfer request in the amount of \$1,200,000.00 which moves funds from Undesignated to Undesignated Stabilization account as noted below to ensure the City’s fiscal stability, **APPROVED**; adopted.

CITY OF MARLBOROUGH
BUDGET TRANSFERS –

	DEPT:	Mayor				FISCAL YEAR:	2017			
		FROM ACCOUNT:				TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
<u>\$8,750,790.00</u>	<u>\$1,200,000.00</u>	<u>10000</u>	<u>35900</u>	<u>Undesignated Fund</u>	<u>\$1,200,000.00</u>	<u>83600</u>	<u>32925</u>	<u>Undesignated Stabilization</u>	<u>\$9,974,839.25</u>	
	Reason:	<u>To increase undesignated stabilization funds</u>								
	\$1,200,000.00	Total			\$1,200,000.00	Total				

Suspension of the Rules requested – granted

ORDERED: That the FY17 year-end transfer requests in the amount of \$1,215,192.34 which moves funds from and to various accounts as noted below to fund the remainder of noted accounts for FY17, **APPROVED**; adopted.

BUDGET TRANSFERS –

DEPT:		Legal				FISCAL YEAR:		2017		
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
<u>\$15,070.00</u>	<u>\$12,000.00</u>	11510006	57600	Claims & Judgements	<u>\$68,000.00</u>	11510004	53110	Legal Services	<u>\$49,475.32</u>	
	Reason:	<u>Fewer claims than anticipated</u>				<u>Fund Legal Services account through year end</u>				
<u>\$15,000.00</u>	<u>\$15,000.00</u>	13860006	53110	ST Interest-Legal Fees	<u>\$3,130.00</u>	11510001	50172	Asst City Solicitor	<u>\$10,199.02</u>	
		<u>Funds available. Premiums to be used</u>				<u>To fund step increase effective 1/1/17</u>				
<u>\$20,000.00</u>	<u>\$20,000.00</u>	60019904	53110	Sewer Bonds-Legal Fees						
	Reason:	<u>Funds available. Premiums to be used</u>								
<u>\$5,000.00</u>	<u>\$5,000.00</u>	61019904	53110	Water Bonds-Legal Fees						
	Reason:	<u>Funds available. Premiums to be used</u>								
<u>\$3,000.00</u>	<u>\$3,000.00</u>	13900006	50349	School Committee-Assabet						
	Reason:	<u>Funds available</u>								
<u>\$316,025.00</u>	<u>\$16,130.00</u>	17520006	59254	Interest on Ban						
	Reason:	<u>Funds available</u>								
	<u>\$71,130.00</u>	Total			<u>\$71,130.00</u>	Total				

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
<u>\$311,228.15</u>	<u>\$47,246.69</u>	<u>12200001</u>	<u>50810</u>	<u>Fire Lieutenant</u>	<u>\$47,246.69</u>	<u>12200006</u>	<u>52560</u>	<u>Vehicle Repair & Maint</u>	<u>\$14,761.55</u>
	Reason:	<u>Vacant positions</u>				<u>Unexpected repairs on aging fleet</u>			
<u>\$311,228.15</u>	<u>\$4,000.00</u>	<u>12200001</u>	<u>50810</u>	<u>Fire Lieutenant</u>	<u>\$4,000.00</u>	<u>12200003</u>	<u>51324</u>	<u>Overtime/Vehicle Maint</u>	<u>\$3,991.34</u>
	Reason:	<u>Vacant positions</u>				<u>Unexpected repairs on aging fleet</u>			
<u>\$311,228.15</u>	<u>\$7,384.21</u>	<u>12200001</u>	<u>50810</u>	<u>Fire Lieutenant</u>	<u>\$7,384.21</u>	<u>12200007</u>	<u>58512</u>	<u>Fire Dept Equipment</u>	<u>\$10,827.68</u>
	Reason:	<u>Vacant positions</u>				<u>Ice rescue suits, LED Survivor lights, C/O Meters</u>			
<u>\$146,150.36</u>	<u>\$28,968.44</u>	<u>12200001</u>	<u>50334</u>	<u>Battalion Chief</u>	<u>\$28,968.44</u>	<u>12200007</u>	<u>58512</u>	<u>Fire Dept Equipment</u>	<u>\$10,827.68</u>
	Reason:	<u>Vacant positions</u>				<u>Portable radios for new Chiefs</u>			
	<u>\$87,599.34</u>	<u>Total</u>			<u>\$87,599.34</u>	<u>Total</u>			

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT:		POLICE				FY:		2017	
FROM ACCOUNT:						TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$124,043.86</u>	<u>\$2,000.00</u>	<u>12100001</u>	<u>50820</u>	<u>POLICE SERGEANTS</u>	<u>\$2,000.00</u>	<u>12100001</u>	<u>50435</u>	<u>POLICE SPECIALIST</u>	<u>\$4,364.71</u>
	Reason:	<u>SURPLUS- VACANT POSITIONS</u>				<u>FUND SALARY %</u>			
<u>\$80,982.54</u>	<u>\$21,000.00</u>	<u>12100003</u>	<u>51342</u>	<u>LONGEVITY</u>	<u>\$10,000.00</u>	<u>12100003</u>	<u>51490</u>	<u>HOLIDAY</u>	<u>\$24,455.50</u>
	Reason:	<u>SURPLUS- VACANT POSITIONS</u>				<u>SALARY- MEMORIAL DAY</u>			
					<u>\$6,000.00</u>	<u>12100008</u>	<u>51975</u>	<u>INITIAL EQUIPMENT</u>	<u>\$0.00</u>
	Reason:					<u>2 NEW OFFICERS- JUNE ACADEMY</u>			
					<u>\$5,000.00</u>	<u>12100008</u>	<u>52560</u>	<u>VEHICLE REPAIR & MAINT.</u>	<u>\$408.25</u>
	Reason:					<u>REPAIR OF OLDER CRUISERS/NEW ONES ORDERED</u>			
	<u>\$23,000.00</u>	<u>Total</u>			<u>\$23,000.00</u>	<u>Total</u>			

CITY OF MARLBOROUGH
BUDGET TRANSFERS -

DEPT:		Comptroller				FISCAL YEAR:		2017	
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$2,286,037.47	\$400,000.00	11980006	51750	HealthLife Insurance	\$20,000.00	11980006	51752	Medicare Insurance	\$58,523.85
	Reason:	Surplus			Reason:	Shortfall			
\$316,025.00	\$25,000.00	17520006	59254	Interest on BAN	\$300,000.00	13100003	51751	Health Ins School	\$1,328,115.83
	Reason:	Surplus			Reason:	Shortfall			
					\$80,000.00	13100003	51753	Medicare School	\$55,475.38
	Reason:				Reason:	Shortfall			
					\$25,000.00	11330006	53460	Postage	\$22,513.43
	\$425,000.00	Total			\$425,000.00	Total			

CITY OF MARLBOROUGH
BUDGET TRANSFERS -

DEPT:		Department of Public Works/Public Facilities				FISCAL YEAR:		2017	
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$3,934	\$1,795	14001002	50770	Senior Clerk	\$44	14001002	50520	Principal Clerk	\$6,240
	Reason:	Vacant position				Step increase			
					\$326	14001101	50108	GIS Administrator	\$9,930
	Reason:					Cost of living adjustment			
					\$650	14001101	50660	Asst City Engineer	\$23,271
	Reason:					Step increase			
					\$387	14001401	50692	Supt of Automotive	\$11,807
	Reason:					Cost of living adjustment			
					\$388	14001501	50680	General Foreman	\$11,807
	Reason:					Cost of living adjustment			
	\$1,795	Total			\$1,795	Total			

CITY OF MARLBOROUGH
BUDGET TRANSFERS -

DEPT:		Department of Public Works/Public Facilities				FISCAL YEAR:		2017	
FROM ACCOUNT:						TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$113,220.00</u>	<u>\$110,000</u>	<u>14001406</u>	<u>54830</u>	<u>Fuel & Lubricants</u>	<u>\$35,000</u>	<u>14001406</u>	<u>54810</u>	<u>Rep/Maintenance</u>	<u>\$24</u>
	Reason:	<u>Decrease in fuel costs</u>				<u>Anticipated costs to cover remainder of FY 2017</u>			
<u>\$25,709.00</u>	<u>\$10,000</u>	<u>14001503</u>	<u>51240</u>	<u>Temporary Help</u>	<u>\$40,000</u>	<u>11920006</u>	<u>52200</u>	<u>Natural gas-city</u>	<u>\$840</u>
	Reason:	<u>vacant positions</u>				<u>Anticipated costs to cover remainder of FY 2017</u>			
					<u>\$45,000</u>	<u>11920006</u>	<u>53420</u>	<u>Telephone-city</u>	<u>\$14</u>
	Reason:					<u>Anticipated costs to cover remainder of FY 2017</u>			
<u>\$187,349.00</u>	<u>\$60,000</u>	<u>13032006</u>	<u>52200</u>	<u>Natural gas-school</u>	<u>\$10,000</u>	<u>13032006</u>	<u>53420</u>	<u>Telephone-school</u>	<u>\$33,055</u>
	Reason:					<u>Anticipated costs to cover remainder of FY 2017</u>			
					<u>\$50,000</u>	<u>14001506</u>	<u>54640</u>	<u>Parks Maintenance</u>	<u>\$531</u>
	Reason:					<u>Anticipated costs to cover remainder of FY 2017</u>			
	<u>\$180,000</u>	Total			<u>\$180,000</u>	Total			

CITY OF MARLBOROUGH

DEPT:		Department of Public Works/Public Facilities				FISCAL YEAR:		2017	
FROM ACCOUNT:						TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$281,212.00</u>	<u>\$260,000</u>	<u>61090006</u>	<u>52320</u>	<u>MWRA Water</u>	<u>\$140,000</u>	<u>11920006</u>	<u>52120</u>	<u>Electricity</u>	<u>\$117,322</u>
	Reason:	<u>Chemical costs paid from separate account</u>				<u>Anticipated costs to cover remainder of FY 2017</u>			
					<u>\$120,000</u>	<u>61090006</u>	<u>55740</u>	<u>Water meters</u>	<u>\$23,171</u>
	Reason:					<u>Purchase additional water meters</u>			
<u>\$24,377.00</u>	<u>\$10,000</u>	<u>11920001</u>	<u>50291</u>	<u>Director</u>	<u>\$35,000</u>	<u>14001505</u>	<u>54810</u>	<u>General Materials</u>	<u>\$516</u>
	Reason:	<u>vacant position</u>				<u>Anticipated costs to cover remainder of FY 2017</u>			
<u>\$25,530.00</u>	<u>\$10,000</u>	<u>11920001</u>	<u>50292</u>	<u>Building Craftsman</u>					
	Reason:	<u>vacant position</u>							
<u>\$25,193.00</u>	<u>\$15,000</u>	<u>13032002</u>	<u>50141</u>	<u>Clerk</u>					
	Reason:	<u>vacant position</u>							
	<u>\$295,000</u>	Total			<u>\$295,000</u>	Total			

CITY OF MARLBOROUGH
BUDGET TRANSFERS -

DEPT:		Department of Public Works/Public Facilities				FISCAL YEAR:		2017	
FROM ACCOUNT:						TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$11,500.00</u>	<u>\$10,000</u>	<u>14001002</u>	<u>50062</u>	<u>Financial Analyst</u>	<u>\$870</u>	<u>60080001</u>	<u>50580</u>	<u>Assistant Chemist</u>	<u>\$6,965</u>
	Reason:	<u>Vacant position</u>				<u>Step increase</u>			
<u>\$27,239.00</u>	<u>\$18,363</u>	<u>14001101</u>	<u>50710</u>	<u>Jr Civil Engineer</u>	<u>\$5,443</u>	<u>60085001</u>	<u>50850</u>	<u>Treatment Plant Operators</u>	<u>\$31,149</u>
	Reason:	<u>Vacant position</u>				<u>Cost of Living adjustment</u>			
<u>\$36,975.00</u>	<u>\$7,000</u>	<u>13032001</u>	<u>50386</u>	<u>HVAC Tech</u>	<u>\$31,355</u>	<u>600850013</u>	<u>51920</u>	<u>Head Treat Sewer-SLBB</u>	<u>\$478</u>
	Reason:	<u>Vacant position</u>				<u>Retirement/SLBB</u>			
<u>\$12,955.00</u>	<u>\$9,305</u>	<u>13032001</u>	<u>50291</u>	<u>Director</u>	<u>\$7,000</u>	<u>13032001</u>	<u>50385</u>	<u>Electricians</u>	<u>\$10,700</u>
	Reason:	<u>Vacant position</u>				<u>Cost of living adjustment</u>			
	<u>\$44,668</u>	Total			<u>\$44,668</u>	Total			

CITY OF MARLBOROUGH
BUDGET TRANSFERS -

DEPT:		Department of Public Works/Public Facilities				FISCAL YEAR:		2017	
FROM ACCOUNT:						TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	
<u>\$44,487.00</u>	<u>\$30,000.00</u>	<u>60086006</u>	<u>52920</u>	<u>Rubbish Collection</u>	<u>\$30,000.00</u>	<u>11920006</u>	<u>52130</u>	<u>Street Lights</u>	
	Reason:	<u>Contract increase less than anticipated</u>				<u>Anticipated costs to cover remainder of FY 2017</u>			
<u>\$24,317.00</u>	<u>\$20,000.00</u>	<u>60086006</u>	<u>53142</u>	<u>Protection Services</u>	<u>\$30,000.00</u>	<u>14001504</u>	<u>53140</u>	<u>Contract services</u>	
	Reason:	<u>Decrease hours of services provided</u>				<u>Anticipated costs to cover remainder of FY 2017</u>			
<u>\$10,000.00</u>	<u>\$10,000.00</u>	<u>60086006</u>	<u>52940</u>	<u>Transfer station</u>	<u>\$27,000.00</u>	<u>11920006</u>	<u>52469</u>	<u>Repair/maintenance</u>	
	Reason:	<u>Expenses paid from solid waste</u>				<u>Anticipated costs to cover remainder of FY 2017</u>			
<u>\$36,976.00</u>	<u>\$12,000.00</u>	<u>13032001</u>	<u>50386</u>	<u>HVAC Tech</u>					
	Reason:	<u>vacant position</u>							
<u>\$18,905.00</u>	<u>\$15,000.00</u>	<u>60081001</u>	<u>50750</u>	<u>Equipment operator</u>					
	Reason:	<u>vacant position</u>							
	<u>\$67,000</u>	Total			<u>\$67,000</u>	Total			

Suspension of the Rules requested – granted

ORDERED: That the transfer request in the amount of \$660,077.00 which moves funds from Economic Development to MEDC Funding account as noted below to fully fund MEDC operations for FY18, **APPROVED**; adopted.

CITY OF MARLBOROUGH
BUDGET TRANSFERS –

DEPT:		Mayor				FISCAL YEAR:		2017	
FROM ACCOUNT:						TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$1,129,032.43</u>	<u>\$660,077.00</u>	<u>27000099</u>	<u>42440</u>	<u>Economic Development</u>	<u>\$660,077.00</u>	<u>11740006</u>	<u>53950</u>	<u>MEDC Funding</u>	<u>\$0.00</u>
Reason:		<u>To allow the MEDC to continue it's work in promoting the economic development of the City for FY18</u>							
	<u>\$660,077.00</u>	Total			<u>\$660,077.00</u>	Total			

Councilor Oram opposed.

Suspension of the Rules requested – granted

ORDERED: That transfer request in the amount of \$337,500.00 which moves funds from Undesignated to Future Growth Stabilization account as below to invest in projects that increase property values and attract economic development, **APPROVED**; adopted.

CITY OF MARLBOROUGH
BUDGET TRANSFERS –

DEPT:		Mayor				FISCAL YEAR:		2017	
FROM ACCOUNT:						TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$6,750,790.00</u>	<u>\$337,500.00</u>	<u>10000</u>	<u>35900</u>	<u>Undesignated Fund</u>	<u>\$337,500.00</u>	<u>83600</u>	<u>32727</u>	<u>Stabilization-Future Growth</u>	<u>\$337,500.00</u>
Reason:		<u>Final mitigation payment from the Preserves @ Ames Brookview Village for the City Revenue Growth Enhancement Fund</u>							
	<u>\$337,500.00</u>	Total			<u>\$337,500.00</u>	Total			

Suspension of the Rules requested – granted

ORDERED: That the transfer request in the amount of \$80,000.00 which moves funds from Undesignated to DPW Capital Outlay-Sewer Maintenance account as noted below to fund future upgrades to the sewer pump station at the eastern end of Donald Lynch Boulevard, **APPROVED**; adopted.

CITY OF MARLBOROUGH
BUDGET TRANSFERS –

DEPT:		DPW				FISCAL YEAR:		2017	
FROM ACCOUNT:						TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$6,750,790.00</u>	<u>\$80,000.00</u>	<u>10000</u>	<u>35900</u>	<u>Undesignated Fund</u>	<u>\$80,000.00</u>	<u>19300006</u>	<u>55650</u>	<u>Capital Outlay-Sewer Maint</u>	<u>\$0.00</u>
Reason:						Mitigation payment from NE Sports Center for costs of future upgrades to the sewer pump station at the eastern end of Donald Lynch Blvd			
	<u>\$80,000.00</u>	<u>Total</u>			<u>\$80,000.00</u>	<u>Total</u>			

Suspension of the Rules requested – granted

ORDERED: That the transfer request in the amount of \$50,000.00 which moves funds from Undesignated to DPW Energy Conservation account as noted below to fund energy efficiency/conservation improvements for the City, **APPROVED**; adopted.

CITY OF MARLBOROUGH
BUDGET TRANSFERS –

DEPT:		DPW				FISCAL YEAR:		2017	
FROM ACCOUNT:						TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$6,750,790.00</u>	<u>\$50,000.00</u>	<u>10000</u>	<u>35900</u>	<u>Undesignated Fund</u>	<u>\$50,000.00</u>	<u>29010201</u>	<u>56640</u>	<u>Energy Conservation</u>	<u>\$46,350.00</u>
Reason:						Payment from Iron Horse Solar to be used for energy efficiency improvements			
	<u>\$50,000.00</u>	<u>Total</u>			<u>\$50,000.00</u>	<u>Total</u>			

Suspension of the Rules requested – granted

ORDERED: That the transfer request in the amount of \$22,000.00 which moves funds from Undesignated to Stabilization-Open Space account as noted below to move wireless antenna receipts from FY16 to Open Space Stabilization, **APPROVED**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS –									
DEPT:		Mayor			FISCAL YEAR:		2017		
FROM ACCOUNT:		TO ACCOUNT:							
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$6,750,790.00</u>	<u>\$22,000.00</u>	<u>10000</u>	<u>35900</u>	<u>Undesignated Fund</u>	<u>\$22,000.00</u>	<u>83600</u>	<u>32918</u>	<u>Stabilization-Open Space</u>	<u>\$1,003,054.51</u>
Reason:		<u>To transfer annual wireless antennae payments received by the City in fiscal year 2016 to Open Space Stabilization</u>							
	<u>\$22,000.00</u>	Total			<u>\$22,000.00</u>	Total			

Suspension of the Rules requested – granted

ORDERED: That the transfer request in the amount of \$13,000.00 which moves funds from COA Contract Services & Transportation to Capital Outlay Building Repairs account as noted below for construction of a new patio, **APPROVED**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS –									
DEPT:		Council on Aging			FISCAL YEAR:		2017		
FROM ACCOUNT:		TO ACCOUNT:							
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$5,986.29</u>	<u>\$3,000.00</u>	<u>15410004</u>	<u>53140</u>	<u>COA-Contract Services</u>	<u>\$13,000.00</u>	<u>19300006</u>	<u>54310</u>	<u>Capital Outlay-Bldg Repairs</u>	<u>\$0.00</u>
Reason:									
<u>\$11,834.94</u>	<u>\$10,000.00</u>	<u>15410006</u>	<u>57075</u>	<u>COA-Transportation</u>					
	<u>\$13,000.00</u>	Total			<u>\$13,000.00</u>	Total			

Suspension of the Rules requested – granted

ORDERED: At a regular meeting of the Marlborough City Council held on Monday, June 5, 2017, at 8:00 PM in the City Council Chambers, City Hall, the following proposed amendment to the Code of the City of Marlborough, having been read, was **ORDERED ADVERTISED** as follows:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT, UPON THE RECOMMENDATION OF THE MAYOR, THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING CHAPTER 67 PURSUANT TO THE PROVISIONS OF § 53E½ OF CHAPTER 44 OF THE GENERAL LAWS OF THE COMMONWEALTH OF MASSACHUSETTS, AS AMENDED BY THE MUNICIPAL MODERNIZATION ACT ST. 2016, C. 218, SECTION 86, AS FOLLOWS:

Chapter 67 is further amended by inserting after § 67-26 a new section, entitled “Departmental Revolving Funds,” as follows:

§ 67-27. Departmental Revolving Funds.

- A. Purpose. This ordinance establishes and authorizes revolving funds for use by City departments, boards, committees, agencies and officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by § 53E½ of Chapter 44 of the Massachusetts General Laws, as amended.
- B. Expenditure Limitations. A department or agency head, board, committee or officer may incur liabilities against, and spend monies from, a revolving fund established and authorized by this ordinance without appropriation subject to the following limitations:
 1. Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund.
 2. No liability shall be incurred in excess of the available balance of the fund.
 3. The total amount spent during a fiscal year shall not exceed the amount authorized by the City Council on or before July 1 of said fiscal year, or any increased amount of said authorization which is later approved by the City Council and Mayor during that fiscal year.
- C. Interest. Interest earned on monies credited to a revolving fund established by this ordinance shall be credited to the General Fund.

- D. Procedures and Reports. Except as provided in § 53E½ of Chapter 44 of the Massachusetts General Laws, as amended, and this ordinance, the laws, charter provisions, ordinances, rules, regulations, policies or procedures governing the receipt and custody of City monies and the expenditure and payment of City funds shall apply to the use of a revolving fund established and authorized by this ordinance. The City Auditor shall include a statement on the collections credited to each fund, the encumbrances and expenditures charged to the fund and the balance available for expenditure in the regular report the City Auditor provides the department, board, committee, agency or officer on appropriations made for its use.
- E. Authorized Revolving Funds.
1. Parks and Recreation Revolving Fund.
 - a. Fund Name. There shall be a separate fund called the Parks and Recreation Revolving Fund for the use of the Department of Public Works.
 - b. Revenues. The City Auditor shall establish the Parks and Recreation Revolving Fund as a separate account and credit to the fund all payments, fees and/or rental income due the City from owners of antennae and related telecommunications equipment located or co-located at wireless communications facilities situated on property under the care, custody, management and control of the City of Marlborough.
 - c. Purposes and Expenditures. During each fiscal year, the Commissioner of Public Works may incur liabilities against, and spend monies from, the Parks and Recreation Revolving Fund for the purposes of maintenance and improvement of municipal parks and municipal recreational facilities.
 - d. Reports. The Commissioner of Public Works shall prepare a year-end report identifying funds received, funds expended, a description of expenditures, and the year-end balance.
 - e. Fiscal Years. The Parks and Recreation Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.
 2. Council on Aging Revolving Fund.
 - a. Fund Name. There shall be a separate fund called the Council on Aging Revolving Fund for the use of the Council on Aging.
 - b. Revenues. The City Auditor shall establish the Council on Aging Revolving Fund as a separate account and credit to the fund all donations received by the Council on Aging/Senior Center.

- c. Purposes and Expenditures. During each fiscal year, the Executive Director of the Council on Aging may incur liabilities against, and spend monies from, the Council on Aging Revolving Fund for the purposes of Council on Aging/Senior Center programming.
 - d. Reports. The Executive Director of the Council on Aging shall prepare a year-end report identifying funds received, funds expended, a description of expenditures, and the year-end balance.
 - e. Fiscal Years. The Council on Aging Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.
3. Public Safety Revolving Fund.
- a. Fund Name. There shall be a separate fund called the Public Safety Revolving Fund for the use of the Mayor of the City.
 - b. Revenues. The City Auditor shall establish the Public Safety Revolving Fund as a separate account and credit to the fund all emergency dispatch fee due the City pursuant to its contract with Patriot Ambulance, unless otherwise directed by the Massachusetts General Laws.
 - c. Purposes and Expenditures. During each fiscal year, the Mayor may incur liabilities against, and spend monies from, the Public Safety Revolving Fund for the purposes of public safety training.
 - d. Reports. The Mayor shall prepare a year-end report identifying funds received, funds expended, a description of expenditures, and the year-end balance.
 - e. Fiscal Years. The Public Safety Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

ADVERTISED AS INDICATED ABOVE AND CAN BE PLACED ON JUNE 19, 2017 MEETING AS THE TEN DAY PERIOD WILL BE MET FOLLOWING THE ADVERTISEMENT DATE OF JUNE 9, 2017; adopted.

Suspension of the Rules requested – granted**ORDERED:**

WHEREAS, the City Council of the City of Marlborough has determined that the public welfare, safety, and common convenience require that legal interests in certain portions of land located on West Hill Road, as more particularly described herein, be taken for the purpose of the reconstruction, construction, and maintenance of improvements to West Hill Road, and for other municipal purposes, and that the taking by eminent domain is reasonable and necessary to carry out the aforementioned purposes; and,

WHEREAS, in order to promote the public welfare, safety, common convenience, and necessity, it is necessary to take by Eminent Domain the easement interests in the land for the purposes and duration described herein; and,

WHEREAS, all preliminary requirements of Massachusetts General Laws Chapter 79 having been complied with;

NOW, THEREFORE, IT IS HEREBY ORDERED that the City Council of the City of Marlborough, acting in accordance with the power and authority conferred by the City Charter, Division 1, Section 30, Massachusetts General Laws, Chapter 79 and every power and authority thereto enabling, and in the exercise of the power and authority conferred by said laws, does hereby take by Eminent Domain the easement interests or fee simple interest in the following described land, including all trees and other vegetation thereon.

DESCRIPTION OF LAND TAKEN**1. Street address: 161 West Hill Road, Marlborough, MA 01752**

Permanent easement for roadway widening purposes: Being an approximately 687 S.F. portion of the property located on 161 West Hill Road, Marlborough, MA, known and numbered as Map 41, Parcel 64 on the Assessors' Map of the City of Marlborough and shown on a sketch plan attached herewith as Exhibit "A" prepared by the City of Marlborough Department of Public Works, Engineering Division, 135 Neil Street, Marlborough, MA 01752.

OWNER: Ulman Chouinard
161 West Hill Road
Marlborough, MA 01752

2. Street Address: 151 West Hill Road, Marlborough, MA

Permanent easement for roadway widening purposes: Being an approximately 960 S.F. portion of the property located at 151 West Hill Road, Marlborough, MA, known and numbered as Map 41, Parcel 65 on the Assessors' Map of the City of Marlborough, and shown on a sketch plan attached herewith as Exhibit "B" prepared by the City of Marlborough Department of Public Works, Engineering Division, 135 Neil Street, Marlborough, MA 01752.

OWNERS: Ronald E. Jacques and MaryEllen Jacques
151 West Hill Road
Marlborough, MA 01752

The ownership of said parcels and each of them are supposed to be as stated herein, but said easements and each of them are hereby taken whether the ownership is as stated herein or otherwise. We determine that the damages, set forth in the Table of Awards below, have been sustained by the owners of said parcels upon which said easements, so taken, are located.

TABLE OF AWARDS

The City Council hereby makes the following awards for damages for the owner or owners of record:

<u>OWNERS</u>	<u>MARLBOROUGH ASSESSORS' MAP/PARCEL</u>	<u>AREA (OF TAKING OF EASEMENT)</u>	<u>AWARD</u>
Ulman Chouinard 161 West Hill Road Marlborough, MA 01752	41/64	±687 S.F.	\$1,718
Ronald E. Jacques & MaryEllen Jacques 151 West Hill Road Marlborough, MA 01752	41/65	±960 S.F.	\$2,400

APPROVED; adopted

Councilor Irish recused.

Yea: 10- Abstain: 1

Yea - Delano, Doucette, Elder, Tunnera, Clancy, Landers, Juairé, Oram, Ossing, & Robey

Abstain: Irish

ORDERED: That the Marlborough City Council review the merits of a Zoning Moratorium for recreational marijuana establishments in the City of Marlborough for a period of eighteen months to ensure that the City's current zoning ordinance offers appropriate zoning protections to neighborhoods in all sections of the City; and, moreover, until the Massachusetts Legislature completes its review of the ballot initiative that led to the legalization of marijuana in the Commonwealth, refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE;** adopted.

Councilor Elder opposed.

ORDERED: That the Sign Ordinance as it relates to Electronic Message Center (EMC) Signs, as amended, be further amended to permit the display of pictures; and, it is further Ordered that this matter be referred to the Operations and Oversight Committee for review, **TABLED;** adopted.

Councilor Juairé opposed.

Councilor Tunnera recused.

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, **APPROVED**; adopted.

Councilor Elder opposed.

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, **APPROVED**; adopted.

Councilor Elder opposed.

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

ORDERED: That the Appointments of Samantha Khosla, & Pam Wilderman and the Reappointment of Lee Wright to the Historical Commission for terms of three years to expire from date of City Council confirmation, **APPROVED**; adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:09 PM.



City of Marlborough
Office of the Mayor

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 JUN 15
Arthur G. Vigeant
Mayor
Nicholas 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

Patricia Bernard
EXECUTIVE SECRETARY

June 15, 2017

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

Re: Proposed Order to Assign Certain Aerial Utility Easements to Massachusetts Electric Company and Verizon New England, Inc. – East Main Street Reconstruction Project

Honorable President Clancy and Councilors:

Please find enclosed a proposed order to assign certain public utility easements from the City of Marlborough to Massachusetts Electric Company and Verizon New England, Inc., said easements having been taken by the City for the purpose of aerial utility easements relating to the East Main Street reconstruction project.

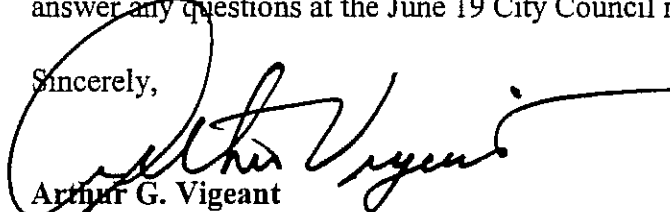
The Department of Public Works requested that I submit this order onto the City Council agenda and requested approval of the order, if possible, at the City Council's June 19, 2017 meeting. This order requires approval from 2/3rds of the members of the City Council.

The proposed order is in two parts. In conformance with M.G.L. c. 40, §15A, by the first part the City Council would determine that the subject easements are no longer needed by the City for the purpose for which they were taken, and would transfer the easements to itself for another purpose, namely assignment of the easements to Massachusetts Electric Company and Verizon New England, Inc.

Also, in conformance with M.G.L. c. 40, §15, by the second part the City Council would authorize the assignment to Massachusetts Electric Company and to Verizon New England, Inc., and in conformance with M.G.L. c. 40, § 3, would authorize the Mayor to execute the attached Assignment of Easement.

Commissioner of Public Works John Ghiloni and his team will be available to discuss further and answer any questions at the June 19 City Council meeting.

Sincerely,


Arthur G. Vigeant
Mayor

ORDERED:

WHEREAS, having by Order No. 16/17-1006732A taken by eminent domain (hereinafter, "Order of Taking") certain easements in land for the purpose of aerial utility easements relating to the reconstruction of East Main Street, said easements being shown as PUE-2, PUE-3, PUE-4 and PUE-6 on said Order of Taking recorded in the South Middlesex County Registry of Deeds (hereinafter, the "Registry") in Book 68882, Page 250 and more particularly described on a set of plans entitled "RIGHT-OF-WAY PLANS EAST MAIN STREET IN THE CITY OF MARLBOROUGH MIDDLESEX COUNTY" dated July 28, 2016 and recorded in the Registry as Plan No. 141 of 2017, pursuant to M.G.L. c. 40, §15A the City Council of the City of Marlborough (hereinafter, the "City Council"), having charge of the aforementioned easements, hereby determines that said easements are no longer needed by the City of Marlborough for said purpose, and hereby transfers said easements to the City Council for another specific municipal purpose, being assignment of said easements to Massachusetts Electric Company and to Verizon New England, Inc.; and

WHEREAS, pursuant to M.G.L. c. 40, §15, the City Council of the City of Marlborough hereby authorizes the assignment of said aforementioned easements, for nominal consideration, to Massachusetts Electric Company and to Verizon New England, Inc., and thus authorizes the Mayor, pursuant to Mass. Gen. Laws c. 40, § 3, to execute the herewith attached Assignment of Easement.

ADOPTED

In City Council

Order No. 16/17-10067324

Adopted

Approved by Mayor

Arthur G. Vigeant

Date:

A TRUE COPY

ATTEST:

Upon recording, please return to:

David Aho
National Grid
40 Sylvan Road
Waltham, MA 02451

ASSIGNMENT OF EASEMENT

THIS ASSIGNMENT OF EASEMENT (this "Assignment") is made as of the _____ day of _____, 2017 by and between the **CITY OF MARLBOROUGH**, by and through its Mayor, acting in his official capacity and not individually, a municipal corporation located in the County of Middlesex, Commonwealth of Massachusetts (the "City"), and **MASSACHUSETTS ELECTRIC COMPANY**, a Massachusetts corporation, having an address of 40 Sylvan Road, Waltham, Massachusetts 02451 ("MEC"), and **VERIZON NEW ENGLAND, INC.**, a New York corporation, having a local address of 125 High Street – Oliver Tower, 07 Floor, Boston, MA 02110 ("VNE").

WHEREAS, The City is the holder of certain permanent rights and easements in, over, across and upon four parcels of land situated in Marlborough, Middlesex County, Massachusetts (collectively, the "Easements") acquired by the City pursuant to that Order of Taking dated January 9, 2017 and recorded with the Middlesex South District Registry of Deeds (the "Registry") in Book **68882**, Page **250** (the "Taking"), which parcels are more particularly described on Exhibit A attached hereto and made a part hereof, and are shown as Parcel Numbers "PUE-2," "PUE-3," "PUE-4," and "PUE-6" on a plan entitled: "RIGHT-OF-WAY PLANS EAST MAIN STREET IN THE CITY OF MARLBOROUGH MIDDLESEX COUNTY" dated July 28, 2016 and recorded with the Registry as Plan No. 141 of 2017, which Easements were acquired for aerial utility purposes; and

WHEREAS, the City desires to assign to MEC and VNE, and MEC and VNE desire to accept from the City, an assignment of the Easements to be used for aerial utility purposes as described below.

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00) paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged under seal, the parties hereto agree as follows:

The City hereby assigns and transfers to MEC and VNE, their successors and assigns, all of the City's right, title and interest in, to and under the Easements including, without limitation, any implied rights of access to the Easements, and MEC and VNE hereby accept and agree to this assignment of the Easements, to be used for aerial utility purposes.

TO HAVE AND TO HOLD the Easements unto the said MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC., their successors and assigns, to their own use, benefit and behoof forever.

This assignment does not constitute all or substantially all of the City's assets in the Commonwealth of Massachusetts.

IN WITNESS WHEREOF, the undersigned City, MEC and VNE have each executed this Assignment under seal as of the day and year first above written

THE CITY:

MEC:

CITY OF MARLBOROUGH
By and Through its Mayor, in his
official capacity and not individually

**MASSACHUSETTS ELECTRIC
COMPANY**

By: _____
Name: Arthur G. Vigeant
Title: Mayor
Duly Authorized

By: _____
Name: Michael E. Guerin
Title: Authorized Representative
Duly Authorized

VNE:

VERIZON NEW ENGLAND, INC.

By: _____
Name: Martin Williams
Title: Authorized Signatory

THE COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

On this ____ day of _____ 2017, before me, the undersigned notary public, personally appeared Arthur G. Vigeant, proved to me through satisfactory evidence of identification, which was photographic identification with signature issued by a federal or state governmental agency, oath or affirmation of a credible witness, personal knowledge of the undersigned, to be the persons whose name are signed on the preceding document, and acknowledged to me that they signed it voluntarily for its stated purpose in his official capacity, and not individually, as the Mayor of the City of Marlborough.

Before me,

_____, Notary
Public

My commission expires:

THE COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this ____ day of _____ 2017, before me, the undersigned notary public, personally appeared Michael E. Guerin, proved to me through satisfactory evidence of identification, which was photographic identification with signature issued by a federal or state governmental agency, oath or affirmation of a credible witness, personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document(s), and acknowledged to me that he/she signed it voluntarily for its stated purpose as Authorized Representative of Massachusetts Electric Company.

Before me,

_____, Notary Public

My commission expires:

THE COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this ____ day of _____ 2017, before me, the undersigned notary public, personally appeared Michael E. Guerin, proved to me through satisfactory evidence of identification, which was photographic identification with signature issued by a federal or state governmental agency, oath or affirmation of a credible witness, personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document(s), and acknowledged to me that he/she signed it voluntarily for its stated purpose as Authorized Representative of Massachusetts Electric Company.

Before me,

_____, Notary
Public

My commission expires:

EXHIBIT A

PERMANENT EASEMENT DESCRIPTIONS

1. Street Address: 59 East Main Street, Marlborough, MA 01752

Permanent easement for aerial utility purposes: Being a 568 S.F. portion of the property located at 59 East Main Street, Marlborough, MA, known and numbered as Map 57, Parcel 133 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel PUE-6 on Sheet 4 of 6 of a set of plans dated July 28, 2016 entitled: "RIGHT-OF-WAY PLANS EAST MAIN STREET IN THE CITY OF MARLBOROUGH MIDDLESEX COUNTY" and recorded with the Registry as Plan No. 141 of 2017.

2. Street Address: 79 East Main Street, Marlborough, MA 01752

Permanent easement for aerial utility purposes: Being a 335 S.P., more or less, portion of the property located at 79 East Main Street, known and numbered as Map 57, Parcel 182 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel PUE-4 on Sheet 4 of 6 of a set of plans dated July 28, 2016 entitled: "RIGHT-OF-WAY PLANS EAST MAIN STREET IN THE CITY OF MARLBOROUGH MIDDLESEX COUNTY" and recorded with the Registry as Plan No. 141 of 2017.

3. Street Address: 83-A East Main Street, Marlborough, MA 01752

Permanent easement for aerial utility purposes: Being a 209 S.F., more or less, portion of the property located at 83-A East Main Street, known and numbered as Map 57, Parcel 184 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel PUE-3 on Sheets 3 and 4 of 6 of a set of plans dated July 28, 2016, entitled "RIGHT-OF-WAY PLANS EAST MAIN STREET IN THE CITY OF MARLBOROUGH MIDDLESEX COUNTY" and recorded with the Registry as Plan No. 141 of 2017.

4. Street Address: 87 East Main Street, Marlborough, MA 01752

Permanent easement for aerial utility purposes: Being a 411 S.F., more or less, portion of the property located at 87 East Main Street, known and numbered as Map 57, Parcel 185 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel PUE-2 on Sheets 3 and 4 of 6 of a set of plans dated July 28, 2016, entitled: "RIGHT-OF-WAY PLANS EAST MAIN STREET IN THE CITY OF MARLBOROUGH MIDDLESEX COUNTY" and recorded with the Registry as Plan No. 141 of 2017



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. Vigeant
RECEIVED MAYOR
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
Nicholas J. Milano
2017 JUN 15 11:12
EXECUTIVE AIDE
Patricia Bernard
EXECUTIVE SECRETARY

June 15, 2017

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

Re: Bond Order – MWRA Lead Loan Program

Honorable President Clancy and Councilors:

I have enclosed for your review and approval a bond order in the amount of \$5,000,000.00 to enable the City of Marlborough to borrow funds from the Massachusetts Water Resources Authority ("MWRA") to replace all the remaining water service lines that contain lead in Marlborough.

As I indicated in previous communications to the City Council, my staff has been working with the MWRA to participate in their Lead Loan Program ("LLP"). My capital investment request submitted to the City Council in March identified that we would be requesting an additional \$5,000,000 in borrowing, but noted that the formal request would follow. I also included this projected cost in the Fiscal Year 2018-2022 Capital Plan submitted to the City Council.

Water service lines connect water pipes inside a resident's home with the City's water mains in the street. The service lines are owned by and the responsibility of property owners. Our source water is safe and arrives in Marlborough lead free. The water mains owned by the City are lead free. The lead that exists in the water network is in water service lines (owned by the property owners) and/or the pipes, fixtures, and solder inside homes. Testing conducted in November/December 2016 and again in January 2017 indicated that lead levels are in compliance with Department of Environmental rules and regulations.

However, since approximately 1,200 lead service lines remain in Marlborough and will likely not be replaced by property owners, it is my recommendation that the City replace the lead service lines. The MWRA's Lead Loan Program offers 10 year, interest free loans to eligible communities. At this time, I am requesting that City Council authorize borrowing a total of \$5 million over the course of five years from the MWRA to complete this project.

DPW is currently working with outside consultants to develop the replacement program and it has been submitted to the MWRA.

I look forward to discussing this project with you further, but please do not hesitate to contact me, or Public Works Commissioner John Ghiloni in the meantime.

Sincerely,

A handwritten signature in black ink, appearing to read "Arthur G. Vigeant". The signature is fluid and cursive, with a large initial "A" and a long, sweeping tail.

Arthur G. Vigeant
Mayor

Enclosures

ORDERED:

That the sum of \$5,000,000 (five million dollars) be and is hereby appropriated for financing the engineering and construction of the replacement of water service lines containing lead piping through the Massachusetts Water Resources Authority (MWRA) Lead Loan Program (LLP).

That to meet said appropriations the Comptroller/Treasurer, with the approval of the Mayor, is authorized to borrow all or a portion of the \$5,000,000.00 under and pursuant to the provisions of Chapter 44, Section 8(3) of the Massachusetts General Laws, as amended and supplemented, or any other enabling authority, and to issue bonds or notes of the City of Marlborough therefor. Further that the Comptroller/Treasurer, with the approval of the Mayor, is authorized to borrow all or a portion of the foregoing amount from the MWRA and in connection therewith, to enter into a loan agreement and/or security agreement with the MWRA relative to such loan, and the Commissioner of Public Works, with the approval of the Mayor, is authorized to contract for and expend any Federal, State or other aid available for the project, including any grant related to such program from the MWRA, and the Mayor and/or the Comptroller/Treasurer, with the approval of the Mayor, are authorized to take any other action necessary to carry out this project.

Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

ADOPTED
In City Council
Order No. 17 -
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:



City of Marlborough

Office of the Mayor

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 JUN 15

Arthur G. Vigeant
MAYOR
Nicholas 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

Patricia Bernard
EXECUTIVE SECRETARY

June 15, 2017

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

Re: Transfer Request -- Marlborough Fire Department

Honorable President Clancy and Councilors:

I have enclosed for your review and approval a transfer request in the amount of \$80,018.10 for the Marlborough Fire Department. This transfer, which will move funds from the Fire Lieutenant account to the Fire Department Sick Leave Buy Back Account, is necessary to fund the retirement payouts for two retirees in the Fire Department.

I appreciate your consideration of this transfer request and look forward to discussing it with you further. In the meantime, please do not hesitate to contact me or Chief Breen with any questions.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



City of Marlborough
FIRE DEPARTMENT
215 MAPLE STREET
MARLBOROUGH, MASSACHUSETTS 01752

June 13, 2017

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

Re: Transfer Request

Dear Mayor Vigeant,

I am submitting for your approval a transfer request to fund sick leave buy back payments for two retirements.

I respectfully request the following:

\$80,018.10 from #12200001-50810 (Fire Lieutenant) to #12200003-51920 (Sick Leave Buy Back)

Please feel free to contact me if you have any questions.

Sincerely,

Kevin J. Breen
Fire Chief



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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2017 JUN 15 A 11:12

Arthur G. Vigeant
MAYOR

Nicholas J. Milano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

June 15, 2017

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

Re: Gift Acceptance – Marlborough Police Department

Honorable President Clancy and Councilors:

I am pleased to enclose a gift to the Marlborough Police Department in the amount of \$100.00 from a Connecticut resident who requested assistance from MPD and was very satisfied with their delivery of service.

The attached letter from Chief David Giorgi and from Heidi and Dave Pickett contains additional information.

Thank you to the Picketts for supporting the Marlborough Police Department and thank you as always to our officers and dispatchers for their good work.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



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 27, 2017

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

Dear Mayor Vigeant:

The Marlborough Police Department has received a \$100 gift check from Heidi S. Pickett and David S. Pickett of Southington, CT. Mrs. Pickett contacted the department on April 8, 2017 and requested a well-being check of her husband who she was unable to reach at the time. Officers did locate Mr. Pickett and it was found that his phone had simply not been charged. Mr. and Mrs. Pickett were appreciative of the dispatcher's and officer's efforts and made a \$100 donation to the Police Department.

I have attached a copy of the card sent by Mr. and Mrs. Pickett and I am requesting that the gift 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 27, 2017

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Chief David A. Giorgi

NAME OF GRANT: Gift check

GRANTOR: Heidi and David Pickett

GRANT AMOUNT: \$100.00

GRANT PERIOD: N/A

SCOPE OF GRANT/
ITEMS FUNDED N/A

IS A POSITION BEING
CREATED: _____

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? _____

ARE MATCHING CITY
FUNDS REQUIRED? N/A

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

IF MATCHING IS MONETARY PLEASE GIVE ACCOUNT NUMBER AND DESCRIPTION OF CITY FUNDS
TO BE USED:

ANY OTHER EXPOSURE TO CITY?

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: N/A

**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 GRANT**

Hi there, Marlborough Police Dept,

Thank you for going out to check on my husband at 353 Stevens St. on April 8. Your

Dispatcher was kind and friendly.

I'm enclosing a check for you to use to benefit the M.P.D. in some way. My husband says "Thank you" also!

Very sincerely,

Heidi + Dave Pickett

HEIDI S PICKETT
DAVID S PICKETT

3561

51-309/111
475

April 10, 2017
Date

Pay to the Order of *Marlborough Police Dept* \$ *100*⁰⁰/₁₀₀

One hundred dollars Dollars

Photo
Safe
Deposit
Check on back

TD Bank

America's Most Convenient Bank®

For *Donation*

Heidi Pickett

[Redacted]

3561

Richard Clarke

GUARDIAN SAFETY YELLOW

2016-223

PIERCE ATWOOD

2017 JUN 15 A 8:07

OFFICE OF THE CITY SOLICITOR
MARLBOROUGH, MA 01752
JUN 14 2017

James M. Avery

100 Summer Street, 22nd Floor
Boston, MA 02110

617.488.8125 voice
617.824.2020 fax

javery@pierceatwood.com
www.pierceatwood.com

Admitted in: MA

June 12, 2017

VIA FIRST CLASS MAIL

Donald V. Rider, Jr., City Solicitor
City of Marlborough
140 Main Street
Marlborough, MA 01752

Re: City of Marlborough - D.P.U. 17-47

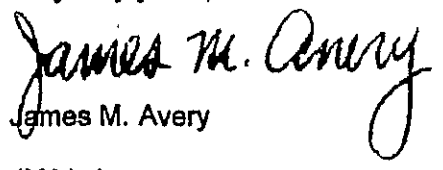
Dear Mr. Rider:

Enclosed please find the Notice of Filing and Public Hearing (Notice") issued by the Massachusetts Department of Public Utilities (Department") in the above-referenced proceeding. This Notice is provided to you in response to the Department's directive to serve a copy of such Notice on the service list in City of Marlborough, D.P.U. 08-102.

Please contact me if you have any questions with respect to this matter.

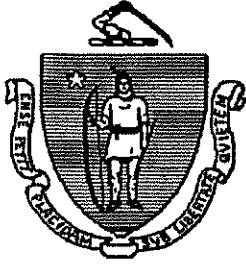
Thank you for your consideration.

Very truly yours,


James M. Avery

JMA/cdw
Enclosure

cc: Arthur Vigeant, Mayor, City of Marlborough
Mark Cappadona, President
Denise Allard, Vice President of Business Operations



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

NOTICE OF FILING AND PUBLIC HEARING

D.P.U. 17-47

June 8, 2017

Petition of the City of Marlborough for approval by the Department of Public Utilities of an amendment to its municipal aggregation plan pursuant to G.L. c. 164, §134.

On April 20, 2017, the City of Marlborough ("City") filed a request with the Department of Public Utilities ("Department") for approval of an amendment to its municipal aggregation plan pursuant to G.L. c. 164, § 134. General Laws c. 164, § 134 authorizes a municipality to procure electric supply on behalf of consumers within its municipal borders through a municipal aggregation program. The City's municipal aggregation plan was approved by the Department in City of Marlborough, D.P.U. 06-102 (2008). The proposed amendments to the City's municipal aggregation plan include the addition of: (1) an operational adder to the program price where the funds collected will enable the Town to fund an energy manager position; and (2) an optional renewable energy product. The City also proposes certain changes to its customer education and information plan and customer notification form. The Department docketed this petition as D.P.U. 17-47.

The Town has retained Colonial Power Group, Inc. ("Colonial") to serve as its agent in this proceeding and to assist in the implementation of the proposed amendments to its municipal aggregation program.

A copy of the City's petition is available for public viewing during regular business hours at the Department's offices, One South Station - 5th Floor, Boston, Massachusetts 02110 and on the Department's website at <http://www.mass.gov/dpu>. Documents on the Department's website may be accessed by docket number (D.P.U. 17-47) in the file room at <http://web1.enr.state.ma.us/DPU/FileRoom/dockets/bynumber>. A copy of the petition is also available for public viewing at the Marlborough City Hall, 140 Main Street, Marlborough, Massachusetts.

The Department will conduct a public hearing to receive comments on the proposed municipal aggregation plan. The hearing will take place on **Thursday, July 13, 2017, at 2:00 p.m.**, at the Department's offices located at One South Station - 5th Floor, Boston, Massachusetts 02110. Any person who desires to comment may do so at the time and place noted above or may submit written comments to the Department not later than the close of business (5:00 p.m.) on July 13, 2017.

An original hard copy of all written comments must be filed with Mark D. Marini, Secretary, Department of Public Utilities, One South Station, 5th Floor, Boston, Massachusetts 02110. Two copies of all written comments must also be sent to Elizabeth Lydon, Hearing Officer at the Department of Public Utilities. One copy of all written comments should also be sent to the attorney for Colonial, James M. Avery, Esq., Pierce Atwood LLP, 100 Summer Street, Suite 2250, Boston, Massachusetts 02110.

All documents should also be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to dpu.efiling@state.ma.us and to the Hearing Officer, Elizabeth Lydon, Elizabeth.Lydon@state.ma.us, or (2) on a CD-ROM. The text of the e-mail or CD-ROM must specify: (1) the docket number of the proceeding (D.P.U. 17-47); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic filing should also include the name, title, and telephone number of a person to contact in the event of questions about the filing. All documents submitted in electronic format will be posted on the Department's website: <http://www.mass.gov/dpu>.

Reasonable accommodations at public or evidentiary hearings for people with disabilities are available upon request. Contact Theresa Kelly at Theresa.Kelly@state.ma.us or (617) 305-3642. Include a description of the accommodation you will need, including as much detail as you can. Also include a way the Department can contact you if we need more information. Please provide as much advance notice as possible. Last minute requests will be accepted, but may not be able to be accommodated. In addition, to request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), contact Theresa Kelly at Theresa.Kelly@state.ma.us or (617) 305-3642.

Any person desiring further information regarding the City's filing should contact counsel for Colonial, James Avery, Esq., at (617) 488-8100. Any person desiring further information regarding this notice should contact Elizabeth Lydon, Hearing Officer, Department of Public Utilities, at (617) 305-3500.



**City of Marlborough
Legal Department**

140 MAIN STREET
MARLBOROUGH, MASSACHUSETTS 01752
TEL. (508) 460-3771 FACSIMILE (508) 460-3698 TDD (508) 460-3610
LEGAL@MARLBOROUGH-MA.GOV

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 JUN 15 10:03
DONALD V. RIDER, JR.
CITY SOLICITOR

CYNTHIA M. PANAGORE GRIFFIN
ASSISTANT CITY SOLICITOR

ELLEN M. STAVROPOULOS
PARALEGAL

June 15, 2017

Edward Clancy
President
Marlborough City Council

RE: Acquisition of Staniunas Parcel Off Fitchburg Street
Order No. 16/17-1006772B

Dear President Clancy and Members:

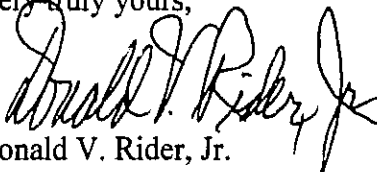
Earlier this year you will recall authorizing the Mayor to negotiate and enter into a P&S agreement to purchase the fee interest in a 5.2-acre parcel owned by the estate of Alexander Staniunas, located off Fitchburg Street at its intersection with Sasseville Way, and further described as Parcel 16 on Assessors Map 16 (Order No. 16/17-1006772A). Later, sufficient funds were appropriated for the negotiated purchase price (Order Nos. 16/17-1006772A and 17-1006826). In addition, my office has obtained an attorney's certificate of good title, as well as an on-site inspection revealing no apparent 21E issues.

Tonight, therefore, I am enclosing a copy of the signed deed, which would place the parcel under the management and control of the Conservation Commission for watershed protection and other similar purposes. In order to close on this property before the fiscal year ends in a few days, I would respectfully ask for your vote to accept the deed this evening.

A proposed order is enclosed for your convenience.

Thank you for your consideration of this matter.

Very truly yours,


Donald V. Rider, Jr.
City Solicitor

Enclosures

cc: Douglas J. Rowe, Esquire

ORDERED:

That the City of Marlborough, acting by and through its City Council, does hereby accept from Annette Crossen, Executrix under the Will of Alexander A. Staniunas, a/k/a Antony Alexander Staniunas, a/ka Antoni Staniunas (Middlesex Probate Number MI 12P 0805 EA), the deed of the fee interest in a parcel containing 5.2 acres and located off Fitchburg Street at its intersection with Sasseville Way, further described as Map 16, Parcel 16 of the Marlborough Assessors Maps and as shown on a plan entitled “ ‘Compiled Plan’ of Land in Marlboro, Mass.; Owned by: Thomas W. Callahan, Trustee of the Assabet Industrial Trust; Scale: 1" = 100'; Date: August 23, 1983;” and recorded at Middlesex South District Registry of Deeds, Plan Book 1983, Plan 1149.

The above-described parcel is conveyed to the City under the provisions of Mass. Gen. Laws c. 40, § 8C and is to be managed and controlled by the Marlborough Conservation Commission for the purposes of the promotion and development of natural resources, watershed protection, passive recreation, and conservation of open space.

ADOPTED

In City Council

Order No. 16/17-1006772C

Approved by Mayor

Arthur G. Vigeant

Date:

A TRUE COPY

ATTEST:

EXECUTOR'S DEED

I, Annette Crossen, Executrix under the Will of Alexander A. Staniunas, a/k/a Antony Alexander Staniunas, a/k/a Antoni Staniunas (Middlesex Probate Number MI 12P 0805 EA)

of Mesa, Arizona

by power conferred under the Will of the Late Alexander A. Staniunas, a/k/a Antony Alexander Staniunas, a/k/a Antoni Staniunas, (Middlesex Probate Number MI 12P 0805 EA) and every other power

in consideration of Eighteen Thousand and 00/100 Dollars (\$18,000.00)

grant to the City of Marlborough, a municipal corporation having a principal place of business at 140 Main Street, Marlborough, Massachusetts 01752,

with quitclaim covenants,

a certain parcel of land situated in Marlborough, Middlesex County, Commonwealth of Massachusetts, bounded and described as follows:

- Beginning at an Iron Pin located on the easterly side of Fitchburg Street, thence
EASTERLY four hundred fourteen and three one-hundredths (414.03) feet to an Iron Pin by land now or formerly of Bird Investment Corp., and turning
NORTHERLY two hundred four (204.00) feet by said land to an Iron Pin, and turning
EASTERLY one hundred eighty-one and twenty-two one-hundredths (181.22) feet by Land now or formerly of Assabet Valley Regional Vocational School District to stones, and turning
SOUTHERLY two hundred fifty-eight and twenty-nine one-hundredths (258.29) feet to a Drill Hole, thence running seventy-seven and seventy-two one-hundredths (77.72) feet to a Drill Hole, thence running eighty-three and sixty-four one-hundredths (83.64) feet to a point, thence running one hundred eighty-eight and fifty-nine one-hundredths (188.59) feet, all by land now or formerly of Margaret J. Smith to a point, and turning
WESTERLY two hundred eighteen and twenty one-hundredths (218.20) feet to a point, thence running fifty-eight and twenty-three one-hundredths (58.23) feet to a point, thence running one hundred fifty and thirty-eight one-hundredths (150.38) feet to a point, then jogging twenty-three and eighty-eight (23.88) feet to a point, and turning for nineteen and nine one-hundredths (19.09) feet to a point, and running fifteen and forty one-hundredths (15.40) feet to a point, and turning twenty and one one-hundredths (20.01) feet to a point, and turning and running one hundred twelve and sixty-three one-hundredths (112.63) feet to a point, and running one hundred forty-three and fifty-three one-hundredths (143.53) feet all by Sasseville Way to a point at Fitchburg Street, thence turning
NORTHERLY fifty-two and one one-hundredths (52.01) feet to a point and running one hundred forty-eight and fifty-five one-hundredths (148.55) feet along said Fitchburg Street to the point of beginning.

This conveyance is subject to all easements, rights, restrictions and encumbrances, insofar as the same affects title.

Property location: 0 Fitchburg Street, Marlborough, MA 01752

The above described parcel containing 5.2 acres is further described as Map 16, Parcel 16 of the Marlborough Assessors Maps and as shown on a plan entitled "'Compiled Plan' of Land in Marlboro, Mass.; Owned by: Thomas W. Callahan, Trustee of the Assabet Industrial Trust; Scale: 1" = 100'; Date: August 23, 1983;" and recorded at Middlesex South District Registry of Deeds, Plan Book 1983, Plan 1149.

The above described parcel is conveyed to said City under the provisions of Mass. Gen. Laws c. 40, § 8C and is to be managed and controlled by the Marlborough Conservation Commission for the purposes of the promotion and development of natural resources, watershed protection, passive recreation, and conservation of open space.

For Title see Estate of Alexander A. Staniunas, Middlesex Probate No. MI 12P 0805 EA. Also, see Deed of Greater Boston Bank, a Co-Operative Bank, to Alexander A. Staniunas dated October 31, 1989, recorded at Middlesex South District Registry of Deeds, Book 20344, Page 412.

(SIGNATURES AND NOTARY CLAUSE FOLLOW ON NEXT PAGE)

City of Marlborough
Commonwealth of Massachusetts



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Pamela A. Wilderman
Code Enforcement Officer
140 Main Street
Marlborough, MA 01752
Phone: (508) 460-3765
Fax: (508) 460-3736
Email: pwilderman@marlborough-ma.gov

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

RE: Sign Request
Hilton Garden Inn
170 Forest Street

Dear Mr. President and Members:

The Hilton Garden Inn has requested to add to the signage as shown on the attached photograph. BLVD is the name of the restaurant at the location and is the only "restaurant" in the area and they would like to capitalize on that service.

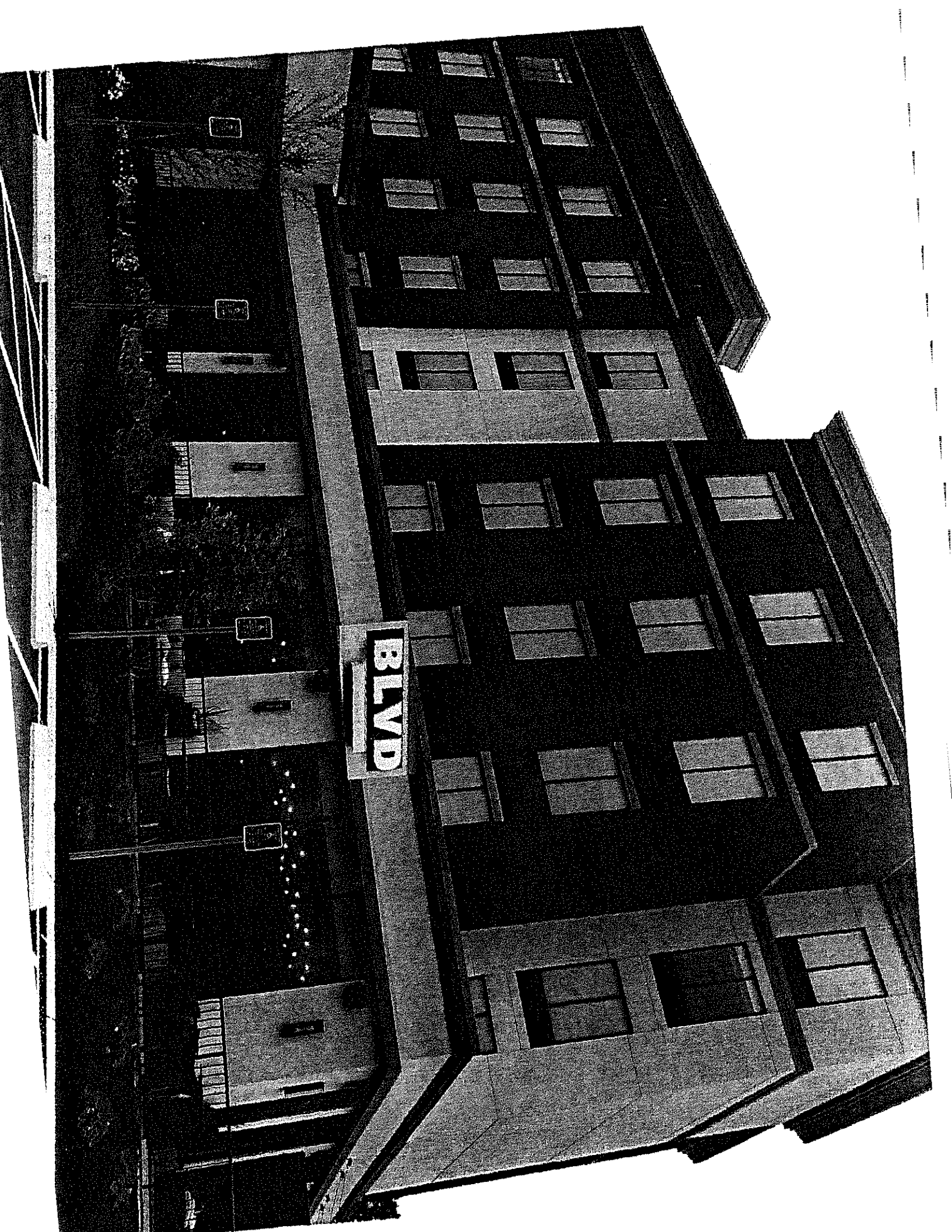
As you recall, the original sign for this location exceeded the allowed square footage but was allowed by the Council given the size of the facility and its location. I don't believe that the addition of the BLVD sign will detract from the Councilor's intent for this area but as the development agreement stipulates that the Council must review and approve all such signs, I would appreciate your review and decision on this sign.

As always, please feel free to contact this office if you have any questions or if I can be of any further assistance to you.

Sincerely,

Pamela A. Wilderman
Code Enforcement Officer

cc: File



BLVD

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 JUN -8 P 12: 23

May 23, 2017

Councilor Edward Clancy, President Marlborough City Council
City Hall
Marlborough, MA 01752

**Re: Apex Center- Special Permit Application for Proposed Veterinary Hospital
58 Apex Drive, Marlborough, MA**

Dear Councilor Clancy and Councilors:

Enclosed please find Walker Realty LLC's (the "Applicant") application for the following Special Permit related to a proposed veterinary hospital at 58 Apex Drive:

- 1) Special Permit to allow for the use of a veterinary hospital in the HRMUOD pursuant to Article VI, Section 650, Paragraph 35, Sub-paragraphs E(2)(e) and I(1); and
- 2) Any additional permit relief deemed necessary and appropriate in City Council's discretion.

Please accept the attached application along with supplemental materials including plans of the proposed veterinary hospital, certified abutters list, and check for filing. Kindly process in your usual manner and place on the agenda for the next available meeting of the City Council. We look forward to discussing this application in greater detail with the City Council. Thank you for your attention to this matter. Please do not hesitate to contact me directly with any questions.

Very truly yours,



Kevin S. Eriksen

CITY OF MARLBOROUGH
OFFICE OF THE CITY CLERK

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

APPLICATION TO CITY COUNCIL FOR ISSUANCE OF SPECIAL PERMIT

2011 JUN -8 P 12: 23

1. Name and address of Petitioner or Applicant:

Walker Realty LLC

2. Specific Location of property including Assessor's Plate and Parcel Number.

58 Apex Drive - Unit E (Map 78-39, 78-12, 78-14, 89-77, 78-38)

3. Name and address of owner of land if other than Petitioner or Applicant:

Same as above

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

5. Specific Zoning Ordinance under which the Special Permit is sought:

Article VI Section 650 Paragraph 35 Sub-paragraph E(2)(c), I(1)

6. Zoning District in which property in question is located:

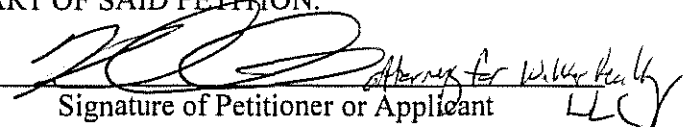
B & HRMUOD

7. Specific reason(s) for seeking Special Permit

To allow for a Veterinary Hospital use in the HRMUOD, and any additional relief deemed necessary from City Council.

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: 4 Lan Drive

Westford, MA 01886

Telephone No. 978-692-9450

Date: _____

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

Walker Realty LLC

(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**)

See attached certified abutters list

77
RFP LINCOLN 293 LLC
ATTN LINCOLN PROPERTY CO
161 WORCESTER RD
FRAMINGHAM, MA 01701

78
62 REALTY LLC
ATTN TIMOTHY PRESTON
241 BOSTON POST RE W 2ND FL
MARLBOROUGH, MA 01752

78
WALKER REALTY LLC
ATTN RYAN DEVELOPMENT LLC
4 LAN DR
WESTFORD, MA 01886

78
MCDONALDS CORPORATION
C/O DAVID BALDACCI
P O BOX 902
SPENCER, MA 01562

78
R K ASSOCIATES-MARLBORO INC
C/O RK CENTERS
50 CABOT STREET STE 200
NEEDHAM, MA 02494

78
BUCCHINO NOREEN C
RONALD L BUCCHINO
88 GLEN ST
MARLBOROUGH, MA 01752

78
98 GLEN ST LLC
C/O MARK REGIS
1 BUSH RD
HUDSON, MA 01749

78
GOSSELIN JAMES L
KAREN J GOSSELIN
106 GLEN ST
MARLBOROUGH, MA 01752

78
MURILLO JACKELINE
ERWIN ALFREDO MURILLO
51 CONRAD RD
MARLBOROUGH, MA 01752

78
NUCCIO PETER J
THERESA M NUCCIO
116 GLEN ST
MARLBOROUGH, MA 01752

78
NEWTON-WALTHAM BANK & TRUST CON
C/O BANK OF AMERICA CORP RE
101 N TRYON ST NCI-001-03-81
CHARLOTTE, NC 28255

78
BOSTON POST ROAD BUILDING 65 LLC
40 MECHANIC ST STE 300
MARLBOROUGH, MA 01752

78
MARLBORO NCP I LLC
C/O CROSSPOINT ASSOCIATES
300 3RD AVE STE 2
WALTHAM, MA 02451

78
GUTIERREZ ARTURO J TR
JOHN A CATALDO TR
200 WHEELER RD
BURLINGTON, MA 01803

78
11 APEX LLC
C/O RYAN DEVELOPMENT LLC
4 LAN DR
WESTFORD, MA 01886

78
BPR EQUITY PARTNERS LLC
C/O K S PARTNERS LLC
150 EAST 58TH ST STE 2000
NEW YORK, NY 10155

78
FELCOR/CMB MARLBOROUGH HOTEL LL
125 JOHN CARPENTER FREEWAY
STE 1300
IRVING, TX 75062

78
KARAPATSAS PAUL
C/O WENDY'S ATTN BLAKE SNIDER
ONE DAVE THOMAS BLVD
DUBLIN, OH 43017

78
R K ASSOCIATES-MARLBORO INC
C/O RK CENTERS
500 CABOT STREET STE 200
NEEDHAM, MA 02494

79
MCDONALD JAMES S LI EST
N/O ROBERT PALMA
171 CARRIAGE HILL RD
NORTHBOROUGH, MA 01532

79
ANGERS ROGER G TR
CONRAD REALTY TRUST
40 CONRAD RD
MARLBOROUGH, MA 01752

79
DELOREY STEVEN
74 THOMAS DR
MARLBOROUGH, MA 01752

79
CONTI MARY K
35 CONRAD RD
MARLBOROUGH, MA 01752

79
FEDERAL MORTGAGE ASSOCIATION
3900 WISCONSIN AVE NW
WASHINGTON, DC 20016

79
HUANG WEIJUN
PEI ZHAI
17 CONRAD RD
MARLBOROUGH, MA 01752

79
SARNO KAREN M
7 CONRAD RD
MARLBOROUGH, MA 01752

79
CARVAJAL SERGIO
LAURELL CHRISTMAS
62 GLEN ST
MARLBOROUGH, MA 01752

79
ALLINSON RICKY
PAMELA J ALLINSON
72 GLEN ST
MARLBOROUGH, MA 01752

79
GIOMBETTI DONALD A
THARON E GIOMBETTI
80 GLEN ST
MARLBOROUGH, MA 01752

88
NORMANDY NICKERSON ROAD LLC
C/O NORMANDY REAL ESTATE PARTNER
53 MAPLE ST
ATTN JOSEPH ADAMO
MORRISTOWN, NJ 07960

89
KORANDANIS ASPASIA TR
ALEXIS KORANDANIS TR
275 BOSTON POST RD WEST
MARLBOROUGH, MA 01752

89
NORMANDY NICKERSON ROAD LLC
C/O NORMANDY REAL ESTATE PARTNER
53 MAPLE ST
ATTN JOSEPH ADAMO
MORRISTOWN, NJ 07960

89
PACIFIC HENRY G JR TR
188 GLEN ST
MARLBOROUGH, MA 01752

89
GIANCOLA JAMEY A
124 GLEN ST
MARLBOROUGH, MA 01752

89
GUSTAFSON ROBERT
ANNE GUSTAFSON
134 GLEN ST
MARLBOROUGH, MA 01752

89
DESOUZA ANDRE H
VERONICA L DESOUZA
142 GLEN ST
MARLBOROUGH, MA 01752

89
RAHN ROBERT L
JOYCE S RAHN
81 CONRAD RD
MARLBOROUGH, MA 01752

89
BLACK ERNEST E II
MARY W BLACK
73 CONRAD RD
MARLBOROUGH, MA 01752

89
CAMPBELL TREVOR
JENNIFER C CAMPBELL
65 CONRAD RD
MARLBOROUGH, MA 01752

89
DELOREY STEVEN
MARY J INSANI
74 THOMAS DR
MARLBOROUGH, MA 01752

89
RODRIGUEZ OSCAR
31 AHLGREN CIR
MARLBOROUGH, MA 01752

89
BENDERSON RONALD TR
RANDALL BENDERSON & DAVID BALDA
570 DELAWARE AVE
BUFFALO, NY 14202

89
KORANDANIS ASPASIA TR
ALEXIS KORANDANIS TR
275 BOSTON POST RD EAST
MARLBOROUGH, MA 01752

89
WILSON JOY
64 CONRAD RD
MARLBOROUGH, MA 01752

89
CASELLA JOSEPH D JR
JULIE CASELLA
72 CONRAD RD
MARLBOROUGH, MA 01752

89
CZARKOWSKI THOMAS R
SANDRA A FINN
80 CONRAD RD
MARLBOROUGH, MA 01752

89
BOUTTE RANDY
YVONNE BOUTTE
104 CONRAD RD
MARLBOROUGH, MA 01752

89
MAYO LEWIS W JR
LAURA LEE MAYO
95 CONRAD RD
MARLBOROUGH, MA 01752

89
WONG RICHARD
MARCIA WONG
154 GLEN ST
MARLBOROUGH, MA 01752

89
DELEON ALFREDO
162 GLEN ST
MARLBOROUGH, MA 01752

89
FARRINGTON BONNIE M
103 CONRAD RD
MARLBOROUGH, MA 01752

89
BOUFFARD MARCEL R
CAROL BOUFFARD
170 GLEN ST
MARLBOROUGH, MA 01752

89
KEFALAS MARIA
EMMANOUIL KOUTSOUROUPIS
111 CONRAD RD
MARLBOROUGH, MA 01752

89
MCDUGALL MARGARET T TR
MARGARET T MCDUGALL REVOCABLE
178 GLEN ST
MARLBOROUGH, MA 01752

89
JUHANSOO SHARON K
N/O JAAK JUHANSOO
2 SPRUCE ST LANE
FORRESTDALE, MA 02644

89
FORBES JUSTINA B
111 TEMPLE RD
CONCORD, MA 01742-1514

89
FAIRFIELD LIMITED PARTNERSHIP
5501 MOREHOUSE DR STE 200
ATTN TAX DEPT 11175
SAN DIEGO, CA 92121

89
MARLBORO HOSPITALITY LLC
C/O RYAN DEVELOPMENT LLC
4 LAN DR
WESTFORD, MA 01886

90
PULSIFER JANICE M
48 CONRAD RD
MARLBOROUGH, MA 01752

SPECIAL PERMIT-SUMMARY IMPACT STATEMENT

Applicant's Name: Walker Realty LLC Address: 4 Lan Drive, Westford, MA 01886

Project Name: APEX Center Address: 58 Apex Drive, Marlboro, MA 01752

1. PROPOSED USE: (describe) Veterinary Hospital

2. EXPANSION OR NEW: New

3. SIZE: floor area sq. ft. 1,500 s.f. 1st floor 1,500 s.f. all floors 1,500 s.f.

buildings 1 # stories 1 lot area (s.f.) 1,264,930 s.f.

4. LOT COVERAGE: See approved Apex Center Site Plan %Landscaped area: *see Apex Landscape Plan (29.039 acres) (Lot 13 on attached ANR Plan)

5. POPULATION ON SITE: Number of people expected on site at anytime:

Normal: 20 +/- Peak period: 40 +/-

6. TRAFFIC:

(A) Number of vehicles parked on site:

During regular hours: 10 +/- Peak period: 16 +/-

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

Minimal, service vehicles for ordinary deliveries are expected.

7. LIGHT: How will the development be lit at the exterior? How much light will leave the property and enter the abutting property? Per Apex Center lighting plan

8. NOISE:

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

Proposed use is not expected to increase noise levels over existing conditions.

(B) Described any major sources of noise generation in the proposed development and include their usual times of operation. None

9. AIR: What sources of potential air pollution will exist at the development? None

10. WATER AND SEWER: Describe any unusual generation of waste. None

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? None

***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: 6/6/17

**SPECIAL PERMIT APPLICATION
CERTIFICATION BY PLANNING DEPARTMENT**

Project Name: Apex Center

Project Use Summary: Proposed Veterinary Hospital

Project Street Address: 58 Apex Drive, Marlboro, MA 01752

78 12,14,38,39
Plate: 89 Parcel: 77

Applicant/Developer Name: Walker Realty LLC

Plan Date: 5/25/17 Revision Date: _____

Dear President and Members:

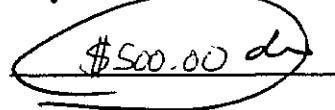
In accordance with the City Council's Rules for Special Permit Applications, I hereby certify that the Site Plan filed with the City Clerk has been reviewed by the Building Department within the limits of work shown on the plan, and that said plan meets all prior referenced informational requirements 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,


Douglas Scott

Interim Building Commissioner

Application Fee to submit to
City Clerk's office

\$500.00 

**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 <u>ICE</u>
1 SET	FIRE CHIEF <u>ICE</u>
1 SET	CITY ENGINEER <u>ICE</u>
1 SET	CITY PLANNER <u>ICE</u>
1 SET	CONSERVATION OFFICER (IF WETLANDS AFFECTED) <u>N/A</u>
1 SET	BUILDING INSPECTOR <u>ICE</u>
12 SETS	OFFICE OF THE CITY COUNCIL <u>ICE</u>



Signature

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

Walker Realty LLC

Owner Name/Officer Name of LLC or Corporation

Robert Walker

Owner/Officer Complete Address and Telephone Number

4 Lan Drive

Westford, MA 01886

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.

Eileen Bristol

Tax Collector

True Copy

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

May 17, 2017

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

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

2017 JUN -5 A 9:27

MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.

request permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary to be owned and used in common by your petitioners, in the following public way or ways:

Boundary Street Pole 1,2,3-50

National Grid request installing 1 new poles and 1 new midspan pole along Boundary Street. Pole installs are part of a project to increase system reliability.

Wherefore they pray that after due notice and hearing as provided by law, it be granted joint or identical locations for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked: **MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.**

Plan No. 22781686 Dated: 12/28/2016

Also for permission to lay and maintain underground laterals, cables and wires 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: *Eric Widman*
Manager of Distribution Design *AB*

VERIZON NEW ENGLAND, INC.

By: *Chloe D. D...*
Manager, R.O.W.

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

May 17, 2017

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

Notice having been given and public hearing held, as provided by law, IT IS HEREBY ORDERED: **that MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.** be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed 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 **17th day of May, 2017**

All construction under this order shall be in accordance with the following conditions:-

Poles shall be of sound timber, and reasonably straight, and shall be set substantially at the points indicated upon the plan marked--

Plan No. **22781686** Dated: **12/28/2016** filed with this order.

There may attached to said **MASSACHUSETTS ELECTRIC COMPANY** not to exceed twenty wires and by said **VERIZON NEW ENGLAND, INC.** not to exceed forty wires and four aerial cables, and all of said wires and cables shall be placed at a height of not less than eighteen feet from the ground.

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:--

Boundary Street Pole1,2,3-50
National Grid request installing 1 new poles and 1 new midspan pole along
Boundary Street. Pole installs are part of a project to increase system reliability.

Also for permission to lay and maintain underground laterals, cables and wires 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.

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 _____ 2017

Clerk of Council

Received and entered in the records of location orders of the City of Marlborough, Massachusetts

Book: _____ Page: _____

City Clerk

We hereby certify that on _____ 2017 at _____ o'clock, _____ M.
at _____ a public hearing was held on the petition of the

MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, cables, fixtures and connections described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Companies are permitted to erect poles, wires, cables, fixtures and connections under said order. And that thereupon said order was duly adopted.

Council of the City of

Marlborough, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a joint location order and certificate of hearing with notice adopted by the City Council of the City of Marlborough, Massachusetts, on the _____ day of _____ 2017 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 Marlborough WR # 22781686

Install 2 SO JO Poles on Boundary St

Remove SO JO Poles on

Relocate SO JO Poles on

Beginning at a point approximately 90 feet North of the centerline

of the intersection of Boston Post Rd W & Boundary St

and continuing approximately 700 feet in a Northwest direction.

Install underground facilities:

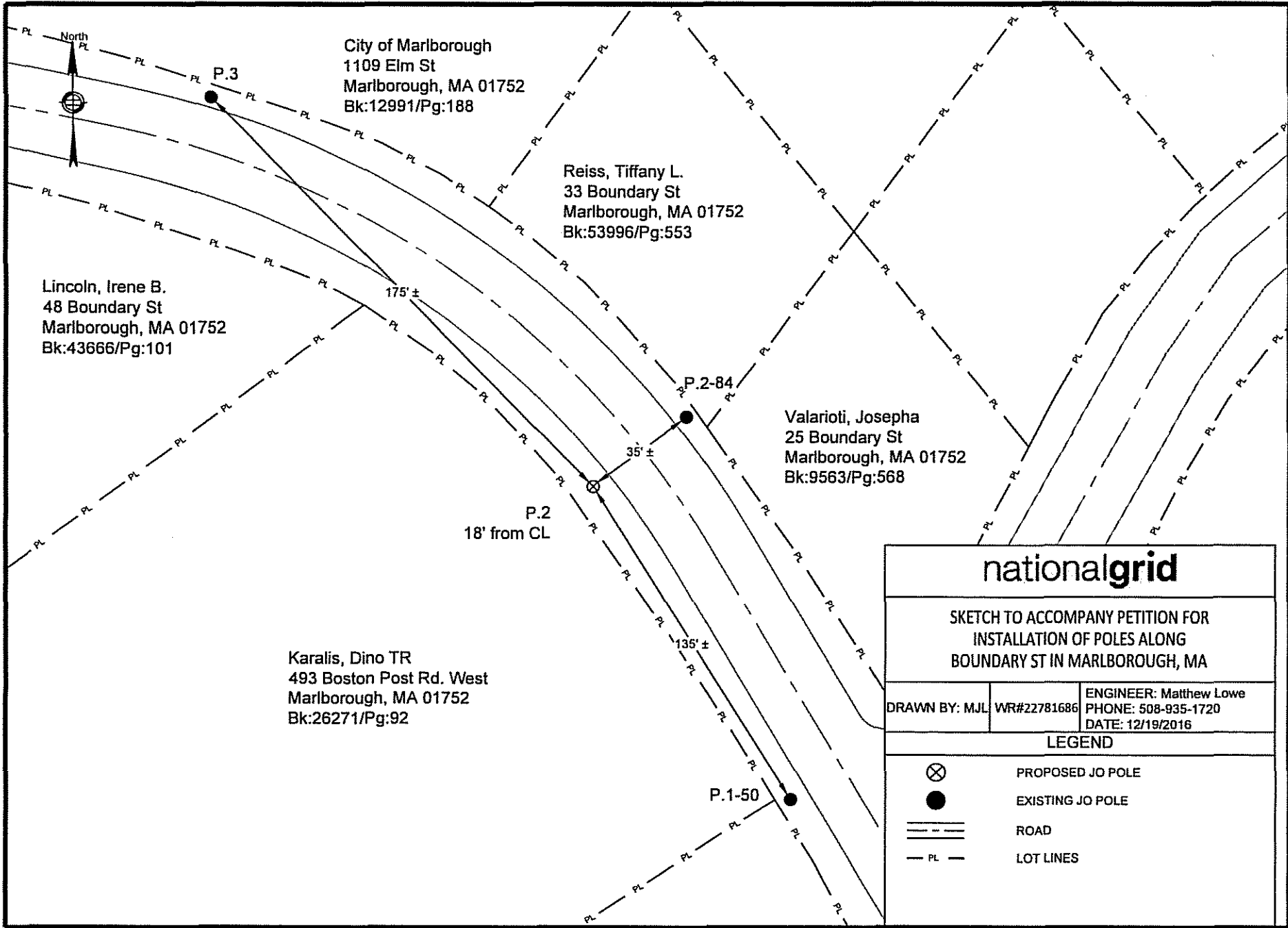
Street(s)

Description of Work:

Installing 1 new pole and 1 new midspan pole along Boundary St. Pole installs are part of a project to increase system reliability.

ENGINEER Matthew Lowe

DATE 12/28/16



City of Marlborough
 1109 Elm St
 Marlborough, MA 01752
 Bk:12991/Pg:188

Reiss, Tiffany L.
 33 Boundary St
 Marlborough, MA 01752
 Bk:53996/Pg:553

Lincoln, Irene B.
 48 Boundary St
 Marlborough, MA 01752
 Bk:43666/Pg:101

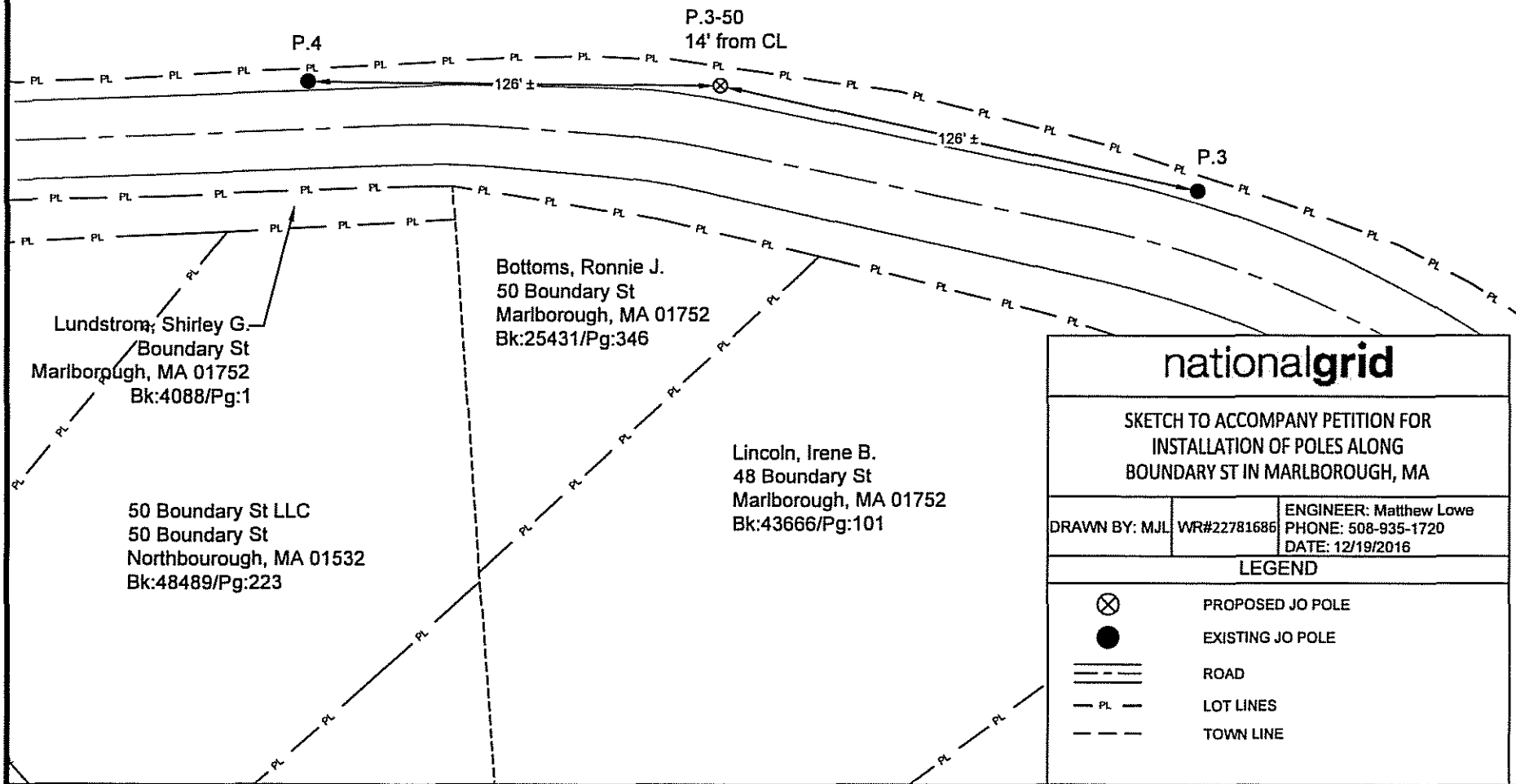
Valarioti, Josepha
 25 Boundary St
 Marlborough, MA 01752
 Bk:9563/Pg:568

Karalis, Dino TR
 493 Boston Post Rd. West
 Marlborough, MA 01752
 Bk:26271/Pg:92

nationalgrid	
SKETCH TO ACCOMPANY PETITION FOR INSTALLATION OF POLES ALONG BOUNDARY ST IN MARLBOROUGH, MA	
DRAWN BY: MJL WR#22781686	ENGINEER: Matthew Lowe PHONE: 508-935-1720 DATE: 12/19/2016
LEGEND	
⊗	PROPOSED JO POLE
●	EXISTING JO POLE
====	ROAD
- PL -	LOT LINES



City of Marlborough
1109 Elm St
Marlborough, MA 01752
Bk:12991/Pg:188








nationalgrid

SKETCH TO ACCOMPANY PETITION FOR
INSTALLATION OF POLES ALONG
BOUNDARY ST IN MARLBOROUGH, MA

DRAWN BY: MJL	WR#22781686	ENGINEER: Matthew Lowe
		PHONE: 508-935-1720
		DATE: 12/19/2016

LEGEND

-  PROPOSED JO POLE
-  EXISTING JO POLE
-  ROAD
-  LOT LINES
-  TOWN LINE

88
MONTEIRO JOHN B
MARIA ADELAIDE C MONTEIRO
85 WASHINGTON ST
HUDSON, MA 01749

88
KARALIS DINO TR
SPARTE II REALTY TRUST
34 MAGNOLIA ST
FRAMINGHAM, MA 01701

88
CITY OF MARLBOROUGH
140 MAIN ST
MARLBOROUGH, MA 01752

88
OLESEN DANIEL M
33 BOUNDARY ST
MARLBOROUGH, MA 01752

88
VALARIOTI DOMENIC J TR
C/O JOSEPH VALARIOTI
25 BOUNDARY ST
MARLBOROUGH, MA 01752

88
DUBEAU MICHAEL R
DENISE B CHAMPAGNE
475 NORTHBORO RD WEST #1
MARLBOROUGH, MA 01752

88
CLARK JUSTIN N
CHRISTINE NICOLE CLARK
475 NORTHBORO RD WEST #2
MARLBOROUGH, MA 01752

88
YU YI JUNG TR
M R REALTY TRUST
18 ALLEN CT
NORTHBOROUGH, MA 01532-1616

88
BEYERSDORFER LEONARD E
475 NORTHBORO RD WEST #4
MARLBOROUGH, MA 01752

88
NETTO CANDIDO J
475 NORTHBORO RD WEST #5
MARLBOROUGH, MA 01752

88
MEGANATHAN VIJAY
475 NORTHBORO RD WEST #6
MARLBOROUGH, MA 01752

88
FAGAN ANDREW
481 NORTHBORO RD WEST #1
MARLBOROUGH, MA 01752

88
THOMPSON ROBERT W
SHEILA THOMPSON
481 NORTHBORO RD WEST #2
MARLBOROUGH, MA 01752

88
PICKFORD ASHLEY E
481 NORTHBORO RD WEST #3
MARLBOROUGH, MA 01752

88
GODDARD ADAM P
481 NORTHBORO RD WEST #4
MARLBOROUGH, MA 01752

88
VIETH MICHAEL L
DONNA M VIETH
481 NORTHBORO RD WEST #5
MARLBOROUGH, MA 01752

88
GERAGHTY JAMES M
26 LONGFELLOW RD
SUDBURY, MA 01776

88
MCKINNON DARLENE E
103 OLD CHARTER RD
MARLBOROUGH, MA 01752

88
GUIMARAES JANAINA
479 NORTHBORO RD WEST #2
MARLBOROUGH, MA 01752

88
MADDEN ROY W
MARIANNE T MADDEN
479 NORTHBORO RD WEST #3
MARLBOROUGH, MA 01752

88
BERRIOS JORGE
ZOREBEL BERRIOS
479 NORTHBORO RD WEST #4
MARLBOROUGH, MA 01752

88
WERTHEIM GABRIELLE L
MILA SHUGOL
479 NORTHBORO RD WEST #5
MARLBOROUGH, MA 01752

88
PAUL RONALD R
URDUJA PAUL
479 NORTHBORO RD WEST #6
MARLBOROUGH, MA 01752

88
WEAVER CHRISTOPHER T
479 NORTHBORO RD WEST #7
MARLBOROUGH, MA 01752

88
ROSSI TIZIANA
477 NORTHBORO RD WEST #1
MARLBOROUGH, MA 01752

88
RUDZINSKI CHESTER F
ELUNED T RUDZINSKI
477 NORTHBORO RD WEST #2
MARLBOROUGH, MA 01752

88
CHINNA DEVENDRA NAIK SUGALI
477 NORTHBORO RD WEST #3
MARLBOROUGH, MA 01752

88
ALLAN SUSAN P
477 NORTHBORO RD WEST #4
MARLBOROUGH, MA 01752

88
JENSEN KRISTINE M
477 NORTHBORO RD WEST #5
MARLBOROUGH, MA 01752

88
DURAND BARBARA A
477 NORTHBORO RD WEST #6
MARLBOROUGH, MA 01752

MIRICK O'CONNELL

ATTORNEYS AT LAW

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 JUN 15 A 11: 0

Arthur P. Bergeron

Mirick O'Connell

1800 West Park Drive, Suite 400

Westborough, MA 01581-3926

abergeron@mirickoconnell.com

t 508.860.1470

f 508.463.1385

June 15, 2017

Councilor Edward Clancy, President
Marlborough City Council
City Hall
Marlborough, MA 01752

Re: Proposed Zoning Amendment – Section 650-12 (Non-Conforming Uses)

Dear Councilor Clancy:

I represent David Skarin, the owner of land located at 19 Ash Street, Assessors Map 43, Parcel 29. On behalf of Mr. Skarin, I respectfully request that the City Council consider amending Section 650-12 of the Zoning Ordinance of the City of Marlborough concerning non-conforming uses, as specified in the attached Proposed Order.

The amendment would provide the City Council with discretion, when granting a special permit to alter or extend a non-conforming use with a contractor's yard, outside storage use, or other similar use, to waive the requirement that such extension is limited to an increase of 25% of the floor and ground area of the non-conforming use. In accordance with M.G.L. c. 40A, § 5, Mr. Skarin is the owner of land to be affected by this proposed amendment.

Please refer this matter to the Planning Board and take the appropriate steps for review by the City Council. Pursuant to City Council Order No. 91-3822A, I am notifying you that Mirick O'Connell is representing David Skarin in this matter before the City Council.

Very truly yours,



Arthur P. Bergeron

APB/

Encl.

cc: Client
Brian R. Falk, Esq.

MIRICK, O'CONNELL, DEMALLIE & LOUGEE, LLP

WORCESTER | WESTBOROUGH | BOSTON

www.mirickoconnell.com

PROPOSED CITY COUNCIL ORDER

ORDERED:

Be it ordained by the City Council of the City of Marlborough that the Code of the City of Marlborough, as most recently amended, be further amended by amending certain provisions of (new text underlined, deleted text in strikethrough):

§ 650-12 Nonconforming uses.

- A. No building or other structure nor any land shall be used nor shall any building or other structure or part thereof be erected or altered except in conformity with the provisions of this chapter and any amendments thereof which apply to the district in which the building, structure or premises shall be located; provided, however, that this chapter shall not apply to the existing use of any building or structure or of land to the extent to which it was lawfully used at the time of the adoption of this chapter.
- B. This chapter shall apply to any change of use thereof and to any alteration of a building or structure when the same would amount to reconstruction, extension or structural change and to any alteration of a building or structure to provide for its use for a purpose or in a manner substantially different from the use to which it was put before alteration or for its use for the same purpose to a substantially greater extent, provided that the City Council determines, by the grant of a special permit, that expansion or alteration of a nonconforming use or structure is not substantially more detrimental to the neighborhood than the existing nonconforming use, except that no special permit is needed if the alteration or expansion is to a nonconforming single- or two-family dwelling and said alteration or expansion does not increase the nonconforming nature of the dwelling, and subject, however, to the following provisions:
- (1) Such use has not been abandoned for a period of two years or more, except in the case of land used for agriculture, horticulture or floriculture for a period of less than five years.
 - (2) Such use is not enlarged to more than 25% of the floor and ground areas of use existing at the time of adoption of the original Zoning Ordinance, or any amendments thereto, **except that the City Council may waive this requirement in the case of a nonconforming contractor's yard use, outdoor storage use, or other similar use where the outdoor aspect of the use is itself nonconforming and not accessory to an indoor use, and** ~~than that~~ any nonconforming farm may be enlarged up to the total area owned by the nonconforming farmer at the time of adoption of this chapter, and there shall be no limit as to the expansion of farm buildings.
 - (3) In case the use is destroyed or damaged by fire, explosion or other catastrophe to not greater than 75% of the fair market value of the building or structure,

exclusive of foundation, based upon replacement cost immediately prior to such damage, the structure or use may be restored or rebuilt at the same location and used as previously, provided that:

- (a) The building, structure or use of land as restored or rebuilt shall be no greater in floor or land area than the maximum permitted under Subsection B(3)(b) of this section.
 - (b) The restoration or rebuilding shall conform to this chapter so far as practicable and shall be completed within two years of the catastrophe, unless approved by the City Council in writing in accordance with Article VIII.
- (4) The building or structure is completed if a permit for construction was granted prior to the adoption of this chapter and construction is accomplished within two years after the date of adoption of this chapter.
- (5) The provisions of the above Subsection B(1), (2) and (4) shall not apply to a single-family dwelling.

ADOPTED
In City Council
Order No. 17-

Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

MIRICK O'CONNELL

A T T O R N E Y S A T L A W

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 JUN 15 A 11: 10

Arthur P. Bergeron
Mirick O'Connell
1800 West Park Drive, Suite 400
Westborough, MA 01581-3926
abergeron@mirickoconnell.com
t 508.860.1470
f 508.463.1385

June 15, 2017

Councilor Edward Clancy, President
Marlborough City Council
City Hall
Marlborough, MA 01752

Re: Marlborough Hub LLC, Land Off of Howe Street;
Proposed Zoning Map Amendment – Expansion of Residence C District

Dear Councilor Clancy:

I represent Marlborough Hub LLC, the owner of land located off of Howe Street, Assessors Map 82, Parcel 125. The property is located primarily within the Residence C District, with smaller portions located in the Industrial District and Business District.

Marlborough Hub LLC respectfully requests that the City Council consider amending the Zoning Map as specified in the attached Proposed Order, to expand the Residence C District to include all of Assessors Map 82, Parcel 125. The Proposed Order also expands the Business District to include all of Assessors Map 82, Parcel 131A (141 Maple Street) and Parcel 132 (175 Maple Street), to avoid leaving thin slivers of those parcels within the Industrial District. In accordance with M.G.L. c. 40A, § 5, Marlborough Hub LLC is the owner of land to be affected by this proposed amendment.

Please refer this matter to the Planning Board and take the appropriate steps for review by the City Council. Pursuant to City Council Order No. 91-3822A, I am notifying you that Mirick O'Connell is representing Marlborough Hub LLC in this matter before the City Council.

Very truly yours,



Arthur P. Bergeron

APB/

Encl.

cc: Client
Brian R. Falk, Esq.

MIRICK, O'CONNELL, DEMALLIE & LOUGEE, LLP

WORCESTER | WESTBOROUGH | BOSTON

www.mirickoconnell.com

PROPOSED CITY COUNCIL ORDER

ORDERED:

Be it ordained by the City Council of the City of Marlborough that the Code of the City of Marlborough, as amended, be further amended by amending the Zoning Map established by Chapter 650 Zoning Article III Establishment of Districts Section 650-8 "Boundaries Established; Zoning Map". Said Zoning Map is amended by extending the Residence C District shown on the City of Marlborough Massachusetts Zoning Map by including in said Residence C District all of Assessors Map 82, Parcel 125, and by extending the Business District shown on the City of Marlborough Massachusetts Zoning Map by including in said Business District all of Assessors Map 82, Parcels 131A and 132.

ADOPTED

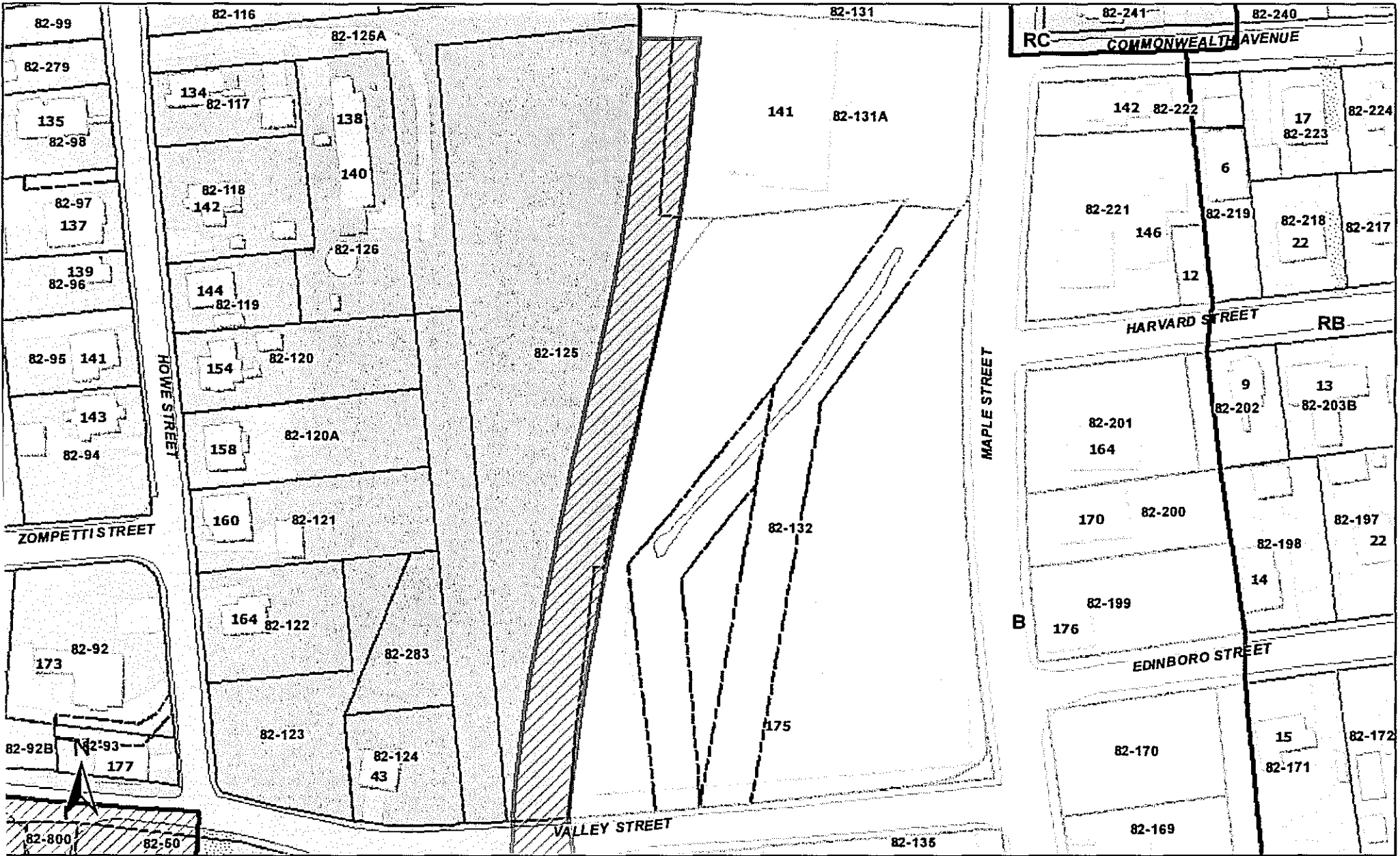
In City Council
Order No. 17-

Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

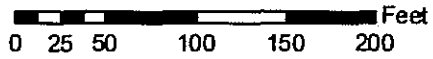
A TRUE COPY
ATTEST:

GIS Map



- Easements
- Unpaved
- Driveways
- Parking Lots
- Type
- Type
- Paved
- Paved

1 inch = 106 feet



June 9, 2017

City of Marlborough



All Marlborough GIS data to be considered generalized spatial representation that is subject to verification. This information is provided as a visual representation only and is not to be used as a legal or official representation of legal boundaries. This website is not intended to be used as the exclusive basis for decision-making.

MIRICK O'CONNELL

ATTORNEYS AT LAW

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 JUN 15 A 11: 10

Arthur P. Bergeron
Mirick O'Connell
1800 West Park Drive, Suite 400
Westborough, MA 01581-3926
abergeron@mirickoconnell.com
t 508.860.1470
f 508.463.1385

June 15, 2017

Councilor Edward Clancy, President
Marlborough City Council
City Hall
Marlborough, MA 01752

Re: Capital Group Properties LLC, 685 Farm Road;
Proposed Zoning Map Amendment – Retirement Community Overlay District

Dear Councilor Clancy:

I represent Capital Group Properties LLC, the prospective buyer of approximately 20 acres of land located at 685 Farm Road, Assessors Map 73, Parcels 52 and 53, and Assessors Map 85, Parcels 14 and 15. The land is currently owned by Sandra A. Stetson and Marlborough Airport Properties, Inc., and is located entirely within the Limited Industrial (LI) Zoning District.

As noted in the enclosed Letters of Authorization, Ms. Stetson and Marlborough Airport Properties, Inc., whose properties would be affected by this proposal, request in accordance with M.G.L. c. 40A, § 5 that the City Council consider amending the Zoning Map as specified in the attached Proposed Order, such that the Retirement Community Overlay District is superimposed over Assessors Map 73, Parcels 52 and 53, and Assessors Map 85, Parcels 14 and 15.

Please refer this matter to the Planning Board and take the appropriate steps for review by the City Council. Pursuant to City Council Order No. 91-3822A, I am notifying you that Mirick O'Connell is representing Capital Group Properties LLC in this matter before the City Council.

Very truly yours,



Arthur P. Bergeron

APB/

Encl.

cc: Client
Brian R. Falk, Esq.

MIRICK, O'CONNELL, DEMALLIE & LOUGEE, LLP

WORCESTER | WESTBOROUGH | BOSTON

www.mirickoconnell.com

PROPOSED CITY COUNCIL ORDER

ORDERED:

Be it ordained by the City Council of the City of Marlborough that the Code of the City of Marlborough, as amended, be further amended by amending the Zoning Map established by Chapter 650 Zoning Article III Establishment of Districts Section 650-8 "Boundaries Established; Zoning Map". Said Zoning Map is amended by superimposing the Retirement Community Overlay District over Assessors Map 73, Parcels 52 and 53, and Assessors Map 85, Parcels 14 and 15.

ADOPTED

In City Council
Order No. 17-

Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

Sandra A. Stetson
685 Farm Road
Marlborough, MA 01752

June 7, 2017

Councilor Edward Clancy, President
Marlborough City Council
City Hall
Marlborough, MA 01752

Dear Councilman Clancy:

Please be advised that the undersigned, Sandra A Stetson, is the owner of the property located at 685 Farm Rd, Marlborough, MA 01752, Assessors Map 73, Parcel 53, and does hereby authorize Mirick O'Connell, on behalf of Capital Group Properties LLC, to submit to the City Council for consideration a proposed zoning amendment to superimpose the Retirement Community Overlay District on the property described above.

Thank you for your time and attention to this matter

Sincerely,



Sandra A. Stetson

**Marlborough Airport Properties, Inc.
685 Farm Road
Marlborough, MA 01752**

June 7, 2017

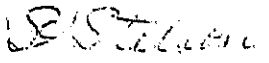
Councilor Edward Clancy, President
Marlborough City Council
City Hall
Marlborough, MA 01752

Dear Councilman Clancy:

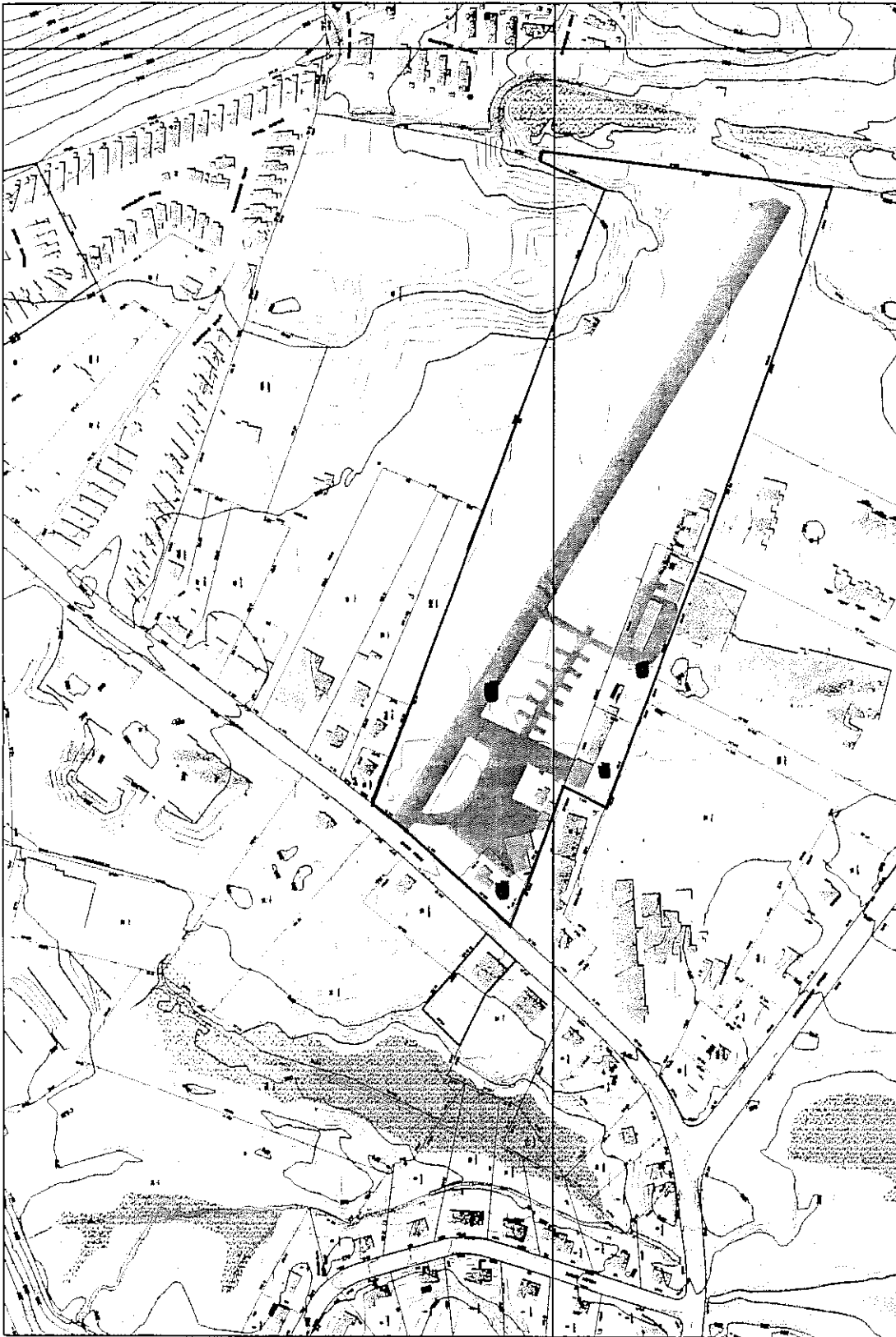
Please be advised that the undersigned, Marlborough Airport Properties, Inc, is the owner of the property located at 685 Farm Rd, Marlborough, MA 01752, Assessors Map 73, Parcel 52, and does hereby authorize Mirick O'Connell, on behalf of Capital Group Properties LLC, to submit to the City Council for consideration a proposed zoning amendment to superimpose the Retirement Community Overlay District, on the property described above.

Thank you for your time and attention to this matter

Sincerely,
Marlborough Airport Properties, Inc



Sandra A. Stetson, President



N



of 112

Drawn By:

City of Minneapolis, Minnesota
 Date of Revision: January 1, 2013
 Date of Printing: June 1, 2013



Scale: 1 inch = 100 feet



City of Minneapolis
 Department of Public Works
 Planning and Development Division

MIRICK O'CONNELL

ATTORNEYS AT LAW

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 JUN 15 A 11: 54

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June 15, 2017

Councilor Edward Clancy, President
Marlborough City Council
City Hall
Marlborough, MA 01752

Re: Site Plan Application for 28 South Bolton Street

Dear Councilor Clancy:

Enclosed please find a Site Plan Review Application package submitted on behalf of my client, Cameron Realty Trust, for a mixed-use project at 28 South Bolton Street in the Marlborough Village District.

This mixed-use project consists of a 25,191 square foot, 5-story building with 12 residential units and a ground floor office. The project will incorporate the existing building on the property, and will include 9 on-site parking spaces in a basement garage and 3,106 square feet of private open space on a roof-top terrace. Pursuant to Section 650-18(42) and Section 650-34.B(1)(b) of the Zoning Ordinance, the project requires Site Plan Review by the City Council in accordance with Section 270-2 of the City Code.

Pursuant to City Council Order No. 91-3822A, I am notifying you that Mirick O'Connell is representing Cameron Realty Trust in this matter before the City Council.

Very truly yours,



Arthur P. Bergeron

APB/

cc: Marilyn Green
Brian R. Falk, Esq.

MIRICK, O'CONNELL, DEMALLIE & LOUGEE, LLP

WORCESTER | WESTBOROUGH | BOSTON

www.mirickoconnell.com



City of Marlborough

SITE PLAN APPROVAL APPLICATION (For Non-Residential and Major Residential Projects)

Type of Hearing (check one)

Major Renovation Minor Renovation

Please Print

DATE: June 15, 2017

PROJECT

Name of facility: 28 South Bolton Street

Address: 28 South Bolton Street

Assessor's Map No. 70-528; 70-213; 70-212A; Parcel No. 70-223A; 70-224

APPLICANT

Name: Cameron Realty Trust

Address: 28 South Bolton Street

Telephone: (508) 929-1678 (Atty Brian R. Falk) Fax: (508) 983-6256

Email: bfalk@mirickoconnell.com

OWNER'S CONSENT

If applicant is not the owner, is written consent of the owner or owner's agent attached (see Section 270-2(B) (7))? YES NO

PROPERTY OWNER

Name: same

Address: _____

Telephone: _____ Fax: _____

Email: _____

APPLICANT'S ENGINEER (preparing site plan)

Name: Connorstone Engineering, Inc.

Address: 10 Southwest Cutoff, Suite 7, Northborough, MA 01532

Telephone: (508) 393-9727 Fax: (508) 393-5242

Email: mjs@sca121.com

APPLICANT'S LANDSCAPE ARCHITECT

Name: _____

Address: _____

Telephone: _____ Fax: _____

Email: _____

PROJECT INFO

PROPOSED USE (see Section 63-5(B) (1))

Non-Residential

Residential

Provide a brief description of the project; including the proposed type of use, whether expansion of new, size of buildings, number of new parking spaces, any unusual utility use of impact on abutters (traffic, noise, lighting, odors, hazardous material, etc.)

This mixed-use project consists of a 25,190 square foot, 5-story building with 12
2-bedroom residential units and a ground floor office. The project will incorporate the
existing building on the property, and will include 9 on-site parking spaces in a
basement garage and 3,106 square feet of private open space on a roof-top terrace.

Identify all zoning districts, including overlay zones applicable to this site. The zones must also be shown on the site plan cover sheet. (See Section 270-2 (C) (2) (b) (3)).

ZONING DISTRICT(S) Marlborough Village District

WHAT OTHER PERMITS REQUIRED (check off which applies)

- | | |
|---|---|
| <input type="checkbox"/> City Council for Special Permit | <input type="checkbox"/> Blasting Permit (Fire Dept) |
| <input type="checkbox"/> ZBA Special Permit | <input type="checkbox"/> Title V Approval (Board of Health) |
| <input type="checkbox"/> ZBA Variance | <input type="checkbox"/> Food Permit (Board of Health) |
| <input type="checkbox"/> Wetlands Protection Act | <input checked="" type="checkbox"/> Building Permit (Building Dept) |
| <input type="checkbox"/> Section 404, Clean Water Act (Army Corps) | <input type="checkbox"/> Sign Permit (Building Dept) |
| <input type="checkbox"/> C 91 Waterways Permit | |
| <input type="checkbox"/> Subdivision Control Act (Planning Board) | |
| <input type="checkbox"/> State Curb Cut (MA Highway) | |
| <input type="checkbox"/> Indirect Access Permit (MA Highway) | |
| <input type="checkbox"/> MEPA ENF or EIR (EOEA) | |
| <input type="checkbox"/> Sewer Connection Permit (DPW, City Council, DEP) | |
| <input type="checkbox"/> Street Opening Permit (DPW, Engineering Dept) | |
| <input type="checkbox"/> Sewer Connection (DPW, City Council, DEP) | |
| <input type="checkbox"/> Other: _____ | |

WHAT IS THE FEDERAL FLOOD INSURANCE RATE ZONE? _____

SUBMITTED PLANS AND REPORTS

See Section 270-2 (C) for submission requirements. Please include a locus map per Section 270-2 (C) (2) (b) (1)

<u>Site Plan of 28 South Bolton Street</u>	<u>June 15, 2017</u>	<u>Vito Colanng</u>
Title	Date	Stamped By

Fee

For Minor Site Plan without a building: \$750

For a Minor Site Plan (with a building under 8,000 square feet): \$1,000, plus \$0.03 a square foot of building gross floor area

For a Major Site Plan (with a building over 8,000 square feet): \$2,000, plus \$0.06 square feet per square feet of building gross floor area

$$\begin{aligned}
25,190 \times \$0.06 &= \$1,511.40 \\
&+ \$2,000.00 \\
&\underline{\hspace{1.5cm}} \\
&= \$3,511.40
\end{aligned}$$

PUBLIC NOTICE

Applicants for Site Plan Approval under Chapter 270-2 of the Marlborough City Code must publish a public notice in a newspaper of general circulation within the area at least once within two weeks of filing a Site Plan application using the format below. A copy of the public notice must be submitted with the application. Applications for Site Plan Approval shall not be certified as complete unless the public notice is properly published.

Date of Publication: June 20, 2017

Name of Newspaper: Metrowest Daily News
(Form of notice attached)


HISTORIC BUILDING NOTICE

Is the site within 250 feet of any building, cemetery or monument built before 1850? YES NO

If in doubt, ask the Historic Commission (508 481-2400). If the answer is YES, send a photocopy notice and one copy of the site plans (excluding utilities) to:

Chairman, Historic Commission
City Hall
Marlborough, MA 01752

APPLICANT'S SIGNATURE

 Atty Brian R. Falk

Applicant or Representatives Signature

June 15, 2017

Date

Applicant shall submit this form to the Building Dept with all required plans (8 copies of plans, 4 copies of Traffic and Drainage reports) after a "Pre-Application Review" with the City reviewing Authority at which most requirements can be examined and discussed.

The applicant maybe required to attend a Preliminary scoping session with the Site Plan Review Committee prior to submitting this form.

Office Use Only:

Date Received: _____

Site Plan Number: _____

SITE PLAN APPROVAL PUBLIC NOTICE FORM

Applicants for Site Plan Approval under Chap 270-2 of the Marlborough City Code must publish a public notice once in a newspaper of local circulation, using the format below at least once within two weeks of filing an application. A copy of the public notice must be submitted to the Building Dept with the application for Site Plan Approval.

Metrowest Daily News, Framingham 01701
Advertising: Fax: 1-781-453-6650

City of Marlborough Public Notice of Site Plan Submission

A proposed site plan has been submitted for the following project and is available for public inspections during regular business hours at the office of the Building Inspector, City Hall, Second Floor, 140 Main Street, Marlborough, MA 01752

Project Name and Type or Use: 28 South Bolton Street

Project Street Address: 28 South Bolton Street

Applicant's Name: Cameron Realty Trust

The City will accept public comments in written form until 14 days from the date of this publication. This notice is published in accordance with the City Code, Chapter 270-2 Site Plan Review and Approval.

Wednesday June 14, 2017

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 JUN 15 A 9:03

To Marlborough City Counsel,

My name is Kristin Regan and I am writing a letter about the parking permit for 56 Emmett Street that was granted to myself and my husband Kenneth D. Regan Jr. The Order number is 16-1006704, adopted on October 17th, 2016 for five years. Unfortunately, Kenneth and I are in the middle of a divorce and are in the middle of trying to sell our house. We have an offer and a completed Purchase and Sales agreement. The reason for this letter is that the potential new owners are concerned about being able to have the parking permit transferred into their names or if they write their own letter for parking they would be declined. I hope that you can understand that this is a very tough situation that Kenneth and I are in, not only are we going through a divorce but are having difficulties selling the house due to the parking permit issue. Is there any way that you can insure that the buyers will not have a hard time obtaining a parking permit so Kenneth and I can continue with the selling of our house? I really appreciate your consideration to this matter.

Thank you,

Kristin Regan

Kenneth D. Regan Jr.

2017 JUN -6 P 3:45

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

Minutes

April 20, 2017 (Thursday)

Marlborough City Hall - 3rd Floor, Memorial Hall

7:00 PM

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

Absent: Edward Clancy,

Approval of Minutes: The minutes of March 16, 2017 and April 6, 2017 were unanimously approved 5-0 as written. (David Williams arrived after this vote)

Public Hearings:

Notice of Intent

245 Lakeshore Dr. - ETG, LLC

Stephen Garofalo bought this property and is proposing to demolish the existing house (which has been abandoned for a while) and construct a new house 28' x 48' in size next to Ft. Meadow Reservoir. He will need to remove the large trees on the lot with 3 in front and 2 in back and he'll replace them with one in front and one in back with some nice landscaping to the property. He will get a tree company with a skyhook to remove the trees. He is proposing silt fence and straw wattles as erosion controls. Mr. Demers suggested the orange silt fencing, since it is more visible and more likely to be removed when the project is complete. The abutter at 249 Lakeshore Dr. Neil Vigeant and his father asked questions about the retaining walls and drainage between the two properties. Mr. Garofalo explained that his engineer, Bruce Saluk can look into that to confirm the drainage will remain the same or be improved - this will be resolved between the neighbors. There is a small section of the retaining wall on the water's edge that they will wait to repair when the water level is low next time. The back yard will be replaced with grass. Work will be similar to the house recently completed down the street by Peter Sharon. After some discussion about the retaining walls and landscaping and material stockpiles, the Commission voted 6-0 unanimously to issue an Order of Conditions with standard conditions similar to those issued for Peter Sharon.

Draft Order of Conditions:

- DEP 212-1187 Apex Center Rte. 20 roadway improvements. The Commission reviewed the draft Order of Conditions for this project; and voted unanimously 6-0 to issue the Order of Conditions as drafted and amended.

Other Business/Correspondence/Discussion:


- Certificate of Compliance 212-581 63 Gregoire (lot 9) - (Mr. Demers abstained since he had worked on this house previously.) A request was received for a full Certificate of Compliance for this subdivision lot. Ms. Ryder confirmed all was according to the plan. The Commission voted 5-0 (Demers abstained) to issue a full Certificate of Compliance.
- Hazardous Waste Day - April 22, 2017 (9:00 - 1:00 PM) - The Commission was notified of this event.
- Salt use- Mr. Demers explained that in another town he was fixing drainage structures and has seen the damage road salt can do to these structures. He is concerned with the city's straight salt policy and the long-term impacts this could have to the city's drainage infrastructure. The Commission discussed road-salt use and will revisit this with the DPW in the near future.

Meetings - Next Conservation meetings - May 4th and May 18th, 2017 (Thursdays)

Adjournment

There being no further business the meeting was adjourned at 7:45 PM.

Respectfully submitted,


Priscilla Ryder
Conservation Officer

CITY OF MARLBOROUGH
CONSERVATION COMMISSION

Minutes

May 4, 2017 (Thursday)

Marlborough City Hall - 3rd Floor, Memorial Hall

7:00 PM

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 JUN -6 P 3:45

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

Absent: None

Discussion:

- DEP 212-1187 Rte. 20 Improvements – Apex Center – Discussion with contractor as required in the Order of Conditions. – the contractor was not yet ready, so this item was continued to the next meeting.
- DEP 212-1158 DPW yard improvement – review of updated plans as required in Order of Conditions. Per the Order of Condition #41 for the DPW yard details on the slope next to the brook were not available during the hearing due to snow cover and required the city engineer to return with more details when the snow melted. Tom DiPersio, City Engineer and Ted Scott, Assistant Commissioner of Operations were both present to explain the next phase of the DPW yard improvements related to the stream bank. Mr. DiPersio explained that they had surveyed the stream bank. They found that the section of bank next to the new salt shed to about where the water line was installed is very steep. The best treatment for this area will be to grade it at a 2:1 slope and armor it with rip rap, with heavy stone at the bottom to avoid erosion. The lower area has a gentler slope and they are proposing to plant it with vegetation. Some types were discussed. Ms. Ryder will provide a list to the DPW of plants that would hold the slope and adapt to some water level changes. The Commission asked about the current salt shed. Mr. Scott explained that it is per design, they haven't decided which side the loading ramp will be located, but have concluded it will not be on the brook side of the shed. They expect to pave under the shed in a few weeks. The berm along the top of the slope will leave a 3' shoulder for stability and will allow the grading on the slope as discussed. After some discussion about the phasing of the plan and the installation of the permanent detention basin, the Commission voted unanimously to approve the slope by the brook as designed and shown on plan titled: "DPW site improvements - Construction plan update: Slope stabilization" dated 5-3-17 prepared by DPW. Planting plan for lower section still to be reviewed and approved.
- 181 Cullinane Dr. – The owner Mr. Leipold explained that after he received the Determination of Applicability from the Commission for the addition, the building inspector and architect discovered that they needed to replace the full foundation for the house. They will jack up the

house to pour the new foundation. Because this is additional work, Chairman Clancy explained that they would need to file formally for a new Request for Determination of Applicability (RDA) to cover this additional work. The Commission assured him it would be approved, however, because it is more work than originally discussed the new permit would cover this new work. Ms. Ryder will contact the building department to convey same. The Commission asked that Mr. Leipold bring someone to the next meeting who can describe the work to be done and stockpile etc. additional erosion controls should be shown as well. Mr. Leipold will file tomorrow for the meeting of May 18th.

Other Business/Correspondence/Discussion: The Commission reviewed the following correspondence and voted unanimously to accept and place on file.

- National Grid – RE: Yearly Operational Plan – letter dated April 24, 2017
 - Letter from Dept. of Agricultural Resources – RE: Request for exclusion from wide-area applications for mosquito control pesticide applications.
 - Letter from Dept. of Environmental Protection – dated April 14, 2017 RE: Water Quality Certification – Maple St. (Rte 85)
 - Memo from TRC, dated: April 19, 2017 RE: New England Power Co. – copy of a Request for 401 Water Quality Certification.
 - Memo from TRC, dated: April 24, 2017 RE: New England Power Co. – Proofs for Public Notice publication from the Environmental Monitor and the Metro West Daily News for the 401 Water Quality Certification application.
 - Letter from amec foster wheeler – RE: 2017 Yearly Operational Plan for right of way management – CSX Transportation, Inc.
- Three AmeriCorps volunteers attended the hearing. They are working for FEMA region 1 and as part of their training they were asked to attend a local municipal meeting to observe. The Commission welcomed them and discussed their work.

Meetings – Next Conservation meetings – May 18th and June 1st, 2017 (Thursdays)

Adjournment: There being no further business, the meeting was adjourned at 7:45 PM

Respectfully submitted,


Priscilla Ryder
Conservation Officer

**MINUTES
MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752**

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 JUN -8 P 3:06
May 08, 2017

Call to Order

The Meeting of the Marlborough Planning Board was called to order at 7:00 pm in Memorial Hall, 3rd Floor City Hall, 140 Main Street, Marlborough, MA. Members present included: Barbara Fenby, Colleen Hughes, Sean Fay, Shawn McCarthy & Brian DuPont. Also in attendance were City Engineer, Thomas DiPersio, City Solicitor, Don Rider, prospective Board member, George LaVenture and Planning Board Administrator, Krista Holmi.

1. Meeting Minutes:

A. April 24, 2017

On a motion made by Ms. Hughes, seconded by Mr. DuPont, the Board voted to approve the minutes from the April 24, 2017, regular Planning Board meeting noting the clarification of item 5a detailed in an attached correspondence by Assistant City Engineer Collins. Motion carried.

2. Chair's Business:

Chairperson Fenby introduced Krista Holmi and welcomed her to her new position as Board Administrator. Ms. Holmi thanked the Board, DPW Engineering, City Clerk's and City Council Offices as well as Melissa Peltier for their support in the transition.

A. City Comptroller responding to Board request (Bonds)

At the request of Chairperson Fenby, City Comptroller, Brian Doheny, was present to review the information outlined in the MUNIS bond report previously submitted for the April 24 meeting. Mr. Doheny explained the process of bond authorization and the release of funds. Ms. Hughes pointed out the confusion of the report provided, since the report was intermingled with accounts unrelated to the Planning Board. Additionally, the accounts that were associated with Planning Board mentioned only the developer name. She noted that one developer may have numerous projects running concurrently, making it difficult to associate funds with a certain project.

Mr. Fay commented that a better tracking system is required to prove that bonds are in place prior to extensions and reductions.

It was requested that the topic of bonds be placed on the next agenda as an informal discussion item and that City Auditor, Diane Smith, be invited to a future meeting to explore more comprehensive report functionality. Chairperson Fenby tabled the topic and recommended that item 2A be addressed again during item 10: **Informal Discussion**. Motion made by Sean Fay, seconded by Ms. Hughes. Motion carried.

B. Recommendation to City Council Regarding Proposed Zoning Amendment, Expansion and Modification of HRMUOD.

The Board discussed the proposed amendment noting they did not see a tremendous benefit to the City in supporting this zoning amendment. The Board feels the developer failed to make a compelling argument for this zoning change. Board member DuPont presented a written statement of his opposition to the proposed zoning amendment, which was read into the record. On a motion by Ms. Hughes and seconded by Mr. Fay, it was voted to accept the statement and

place on file. Motion carried. Mr. DuPont echoed the recommendation of the City's 2011 Economic Development Plan, which indicated the City's urgent need to update its city-wide Master Plan, which would result in the City adopting "a more comprehensive approach, and examine land use, economic development, natural resources, recreation, transportation *and* housing together."

On a motion by Ms. Hughes, seconded by Mr. Fay, the Board voted to make "No Recommendation" regarding the proposed zoning amendment, and to attach Mr. DuPont's statement. Motion Carried.

C. Mayors Appointment of New Planning Board Member

Chairperson Fenby reintroduced George LaVenture and informed the Board of the May 9, 2017, scheduled meeting of the Marlborough City Council's Personnel Committee. Once the committee reports out its recommendation, the full Council will vote on his appointment.

Chairperson Fenby requested a motion to move item 10A up in the agenda to accommodate the applicant's 8:00 presentation to the Marlborough City Council. Motion by Ms. Hughes, seconded by Mr. Fay. Motion carried.

10. Informal Discussion

A. Discussion of Potential Conventional Subdivision 72 Hager Street

Presentation by Hager Street proponent, Peter Bemis of EDC, Inc. Mr. Bemis explained the three plans created for the six-acre parcel: 1) conventional, five lot 2) an open space, four lot (on hold due to the City's imposed 6-month moratorium for filing housing special permits) 3) a three lot conventional plan which would preserve an "open space" area for cow grazing. The third conceptual plan presented would require Planning Board waivers for items including roadway width, right-of-way width, etc.

On a motion by Mr. Fay and seconded by Ms. Hughes, a vote was made to refer the matter to Engineering. Motion carried. The board also noted that the Conservation Officer's comments on the proposed open space be sought.

3. Approval Not Required:

A: 32 Eager Court

Applicant, Robert Cabral, began by making an historical presentation on several different land use proposals at this location. Mr. Cabral believes he now has the requirements for the Board to vote favorably on his application for an ANR.

On a motion by Mr. Fay and seconded by Ms. Hughes, the Board voted to refer the matter to Engineering. Motion carried. (Determination due by May 29; therefore, vote due at closest meeting of the Board prior to deadline - May 22.)

5. Pending Subdivision Plans: Updates and Discussion:

A. Engineer's Report

City Engineer DiPersio reported out to the Board the following:

The Walker Brook Estates:

The developer recently paved the roadway and is still on track to complete work by 5/15, the expiration date of the subdivision approval. The board was reminded that they will not meet again until 5/22, so they may want to grant an extension of the approval to 5/22 or later, so that the developer can formally request to be put into the 1-year maintenance period. The board voted to extend the approval to June 6th. The developer will be asked to make a formal request to be put into the 1-year maintenance period, in accordance with Planning Board Regulations. Motion by Ms. Hughes, seconded by Mr. Fay to extend the approval of the subdivision until June 6th. Motion carried.

Mauro Farm: Developer is putting together deeds in preparation for street acceptance. City Engineer DiPersio deferred the remaining updates from the Engineer's report, which will be addressed in the next agenda items.

B. Request for Extension Cider Mill Subdivision (Fafard)

Ms. Hughes read into the record the emailed correspondence from Attorney Beattie of FRE Builders requesting a completion schedule of July 1, 2018. The attorney also provided the Board an updated construction schedule, which had been a condition of approval.

Ms. Hughes read a communication from Assistant City Engineer Collins into the record confirming that the proposed completion schedule was consistent with construction scheduling approved by the Engineering office. Given the initial Planning Board approval of December 16, 2002, with a two-year timeframe to complete the subdivision construction, it was further recommended that the developer be advised that the July 1, 2018, extension represents the Board's final extension. On a motion by Mr. DuPont, seconded by Mr. McCarthy, it was voted to accept the correspondence and place on file. Motion carried.

Mr. Fay requested a Continuation Certificate (verifying bond status) be provided as a condition for approval.

On a motion made by Mr. DuPont, seconded by Mr. McCarthy, it was voted to conditionally approve the completion extension of July 1, 2018. Motion carried.

C. Request for Extension Commonwealth Heights (May 9, 2017)

Ms. Hughes read the correspondence by Scott Weiss of the Gutierrez Company requesting an extension until May 22, 2017, to provide further information to the Board. Mr. Weiss was not able to attend the May 8 meeting, and indicated his availability at the next meeting to further discuss the new construction schedule and other requested documentation.

Ms. Hughes read into the record a letter to the Board from Assistant City Engineer Collins. Mr. Fay motioned to accept and place on file. Motion seconded by Mr. DuPont. Motion carried.

While Mr. Collins noted the receipt of an updated construction completion schedule as well as confirmation that tax payments were up to date, considerable blight issues exist on this property.

On a motion by Mr. Fay, seconded by Ms. Hughes, it was voted to grant an extension for the Commonwealth Heights Subdivision until July 25, 2017, subject to the following conditions: By June 19, 2017, the developer is required to address the blight issues on the property and deliver a letter from the Code Enforcement Officer indicating that the property is free from blight. Should the developer fail to provide this proof prior to the meeting of the Board on July 24, 2017, no further extensions will be granted. Motion carried.

6. Preliminary/Open Space Submissions/Limited Development Subdivisions: None

7. Definitive Subdivision Submission: None

8. Signs: None

9. Unfinished Business: None

10. Informal Discussion:

B. Discussion with City Solicitor Rider – Joe May, 297 Concord Rd. Feasibility of ANR plan
Solicitor Rider has invested considerable time researching whether the proposed division of land located at 297 Concord Road is subject to the subdivision control law. Rider shared the following standard:

Said property shall not be deemed to constitute a subdivision within the meaning of the subdivision control law if, at the time when it was made, every lot within the tract so divided has frontage on

- a) a public way or a way which the clerk of the city or town certifies is maintained and used as a public way, or
- b) a way shown on a plan theretofore approved and endorsed in accordance with the subdivision control law or
- c) a way in existence when the subdivision control law became effective in the city or town in which the land lies, ...

Despite Solicitor Rider's significant research, the factual proof that the property qualifies for an ANR status remains indeterminant. Mr. Fay reminded Mr. May that the burden of proof for an ANR plan lies with the landowner, not the City Solicitor. He recommended that Mr. May hire his own attorney to pick up where Solicitor Rider left off.

Solicitor Rider explained that the basis for his considerable research extends beyond the request by Mr. May. The research provides valuable legal evidence on issues related to current Public Works projects within the City.

C: Bond Discussion Continued from item 2 A.

Recommendations for formalized process of bond verification emerged during the discussion. The following points were recommended:

- Include specific language in the covenant identifying the type of performance guarantee in place – a proper bond, a deposit of money or a negotiable security.
- Developer must provide verification of bond status (Continuation Certificate) for extension requests and requests for bond reductions.
- Developer must annually provide evidence of bond status.
- Require proof of bond reduction following affirmative votes to reduce.

It was further suggested that the Planning Board tracking calendar include the date of bond expiration.

11. Correspondence: None

12. Public Notices of other Cities and Towns:

A. Town of Framingham Planning Board, 2 Notices, Town of Framingham Zoning Board of Appeals, 3 Notices

On a motion made by Ms. Hughes, seconded by Mr. McCarthy, it was voted to accept and place on file. Motion carried.

Calendar Tracking Updates:

Action on Cider Mill Request to Extend (July 1, 2018)

Request to Extend Commonwealth Heights to (July 25, 2017)

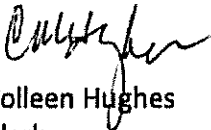
Public Hearing Decision to Council 21 Days (May 15, 2017) No meeting that date, decision to Council after May 8 meeting.

Extension for Walker Brook Estates (June 6, 2017)

ANR Decision Due 32 Eager Court (May 22 meeting – Actual 5-29)

Adjournment: On a motion made by Mr. McCarthy, seconded by Mr. Fay, it was voted to adjourn at 8:45 pm. Motion carried.

Respectfully submitted,


Colleen Hughes
Clerk

/kih

**MINUTES
MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752**

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2017 JUN -8 P 3:06
May 22, 2017

Call to Order

The Meeting of the Marlborough Planning Board was called to order at 7:00 pm in Memorial Hall, 3rd Floor City Hall, 140 Main Street, Marlborough, MA. Members present: Barbara Fenby, Philip Hodge, Colleen Hughes, Sean Fay and Shawn McCarthy. Also in attendance were City Engineer, Thomas DiPersio, City Solicitor, Don Rider, and Planning Board Administrator, Krista Holmi.

1. Meeting Minutes:

a. May 8, 2017

On a motion made by Ms. Hughes, seconded by Mr. Fay, the Board voted to approve the minutes from the May 8, 2017, regular Planning Board meeting. Motion carried.

2. Chair's Business:

Chairperson Fenby informed the Board that the City Council would be voting on the appointment of George LaVenture during the May 22, 2017, City Council meeting. Assuming an affirmative vote by the City Council, (along with the Mayor's signed order and subsequent swearing in by the City Clerk), Mr. LaVenture's first Planning Board meeting will be June 5, 2017.

3. Approval Not Required:

a: 32 Eager Court (Decision)

Applicant, Robert Cabral, was present for the discussion. Ms. Hughes read a letter into the record from City Engineer DiPersio noting the Engineering Division's favorable recommendation for endorsement of the plan. On a motion by Mr. Fay and seconded by Ms. Hughes, the Board voted to accept the letter and place on file. Motion Carried.

On a motion by Ms. Hughes and seconded by Mr. McCarthy, the Board voted to endorse the Approval Not Required Plan for the property located at 32 Eager Court. With the decision, the Board recommended that correspondence be sent to both the City Building Commissioner and the Zoning Board of Appeals detailing the following: The Board's endorsement of the ANR plan for 32 Eager Court should not be construed as basis for the issuance of a building permit for 32 Eager Court or any other contiguous parcel owned by Robert Cabral and/or Cabral Construction, LLC, or as justification for relief from the City's zoning regulations. Motion carried.

5. Pending Subdivision Plans: Updates and Discussion:

a: Engineer's Report

City Engineer DiPersio reported the following updates:

Mauro Farm:

Developer is preparing paperwork for street acceptance.

City Engineer DiPersio explained that a site inspection will be scheduled approximately 20 days before the end of the one-year maintenance period ending June 29, 2017. Engineering's recommendation is expected for the June 19 Board meeting.

Cider Mill Estates:

On track for completion next year. July 1, 2018, anticipated completion date.

Blackhorse Farms:

Property is in its 1-year maintenance period. (11-14-17)

Commonwealth Heights:

Extension in place until July 25, 2017. Owner was directed to address blight issues on the property, and ownership is actively seeking a new developer to complete the subdivision. Engineering was approached by a prospective developer inquiring about the property.

The Walker Brook Estates:

The developer recently paved the roadway. The agenda for the June 5, 2017, meeting of the Board will include the developer's formal request for bond reduction and placement in the 1-year maintenance period. The developer has provided all necessary documentation including an updated schedule, proof of up to date taxes, statement from the Code Enforcement Officer indicating the property is free from blight, and proof of bond status from the developer's bank. (The bond information had not arrived in time for inclusion on the May 22 agenda.) Walker Brook Estates currently has an extension in place until June 6, 2017.

Howes Landing:

Expiration date of 12-1-17. Utilities installed, roadway paved. Site plans are pending.

Goodale Estates (Open Space):

City Engineer reports that blasting for the placement of utilities is currently underway. A sidewalk on the west side is the developer's (as well as the Board's) preferred design over a trail. Noting site conditions that prohibit a full-width sidewalk in certain areas of the development, the Board discussed the possibility of a sidewalk "interrupted" by a trail in those areas.

6. Preliminary/Open Space Submissions/Limited Development Subdivisions: None

7. Definitive Subdivision Submission: None

8. Signs: None

9. Unfinished Business: None

10. Informal Discussion

a: Bond Discussion

Ms. Hughes read a letter into the record from Assistant City Engineer, Tim Collins, detailing a previous practice for verification of bond status. The process is detailed below:

- 1) Developer makes a formal request at a Board meeting for bond reduction.
- 2) Planning Board refers the bond request to the Engineering Division for review and recommendations.

- 3) Engineering reviews and makes recommendations to the Planning Board.
- 4) Planning Board votes to reduce the bond amount based on the recommendation from Engineering and makes the following notifications:
 - a. To the City Treasurer (Comptroller)
 - b. To the entity securing funds for completion of the subdivision requesting acknowledgement in letter form of the reduction in security.
- 5) Entity holding security for the completion of the subdivision sends a letter to the Planning Board referencing the means, balance (and expiration) of the security.

On a motion by Ms. Hughes and seconded by Mr. Fay, the Board voted to accept the correspondence and place on file. Motion carried.

The Board discussed the fact that the only steps of the process currently missing are the notification of the City Comptroller and the final step of verification with the entity holding the security. (which is a practice we have reestablished). Board member McCarthy asked whether that process has enough steps. The Board felt it was, if we follow the practice consistently. Ms. Hughes discussed that in an age of bank acquisitions and mergers, without a detailed verification process, it would be easy to lose track of the securities. Ms. Hughes indicated that the Board would like further clarification from the Auditor indicating what, if any, Planning Board funds are being held by the City. She also felt that there should be a more identifiable place to look for the funds, for example, a DPW Planning Board account. The Board would like to extend an invitation to the City Auditor to discuss Planning Board funds at a future meeting.

b: Discussion of Potential Conventional Subdivision 72 Hager Street

There was a continuation of the discussion regarding the conceptual three-lot subdivision plan at 72 Hager St. City Engineer DiPersio explained that Engineering will provide information to the Board at its regular meeting on June 5 enumerating the required waivers for this plan design. He indicated that comment had been solicited from the Conservation Officer regarding the third conceptual plan, which preserves an area of "open space". Conservation Officer Ryder prefers the "spirit" of this conceptual plan over the five-lot conventional plan due to the preservation of open land, which is in keeping with the traditional eastern gateway into the City. City Engineer DiPersio said that he will consult with City Solicitor Rider to determine what, if any, impact there is to the development given that the Marlborough portion is less than five acres. (The six-acre parcel spans two communities, Marlborough and Framingham.)

c: General Sign Discussion

The Board discussed signage at various locations in the City. Board member Fay mentioned providing a report to the Building Department. The report was forwarded to the City's Code Enforcement Officer for evaluation. No further action was suggested.

11. Correspondence: None

12. Public Notices of other Cities and Towns:

On a motion made by Ms. Hughes, seconded by Mr. McCarthy, it was voted to accept and place on file. Motion carried.

Adjournment: On a motion made by Mr. McCarthy, seconded by Mr. Hodge, it was voted to adjourn at 7:40 pm. Motion carried.

Respectfully submitted,



Colleen Hughes
Clerk

/kih

Marlborough Public Library Board of Trustees

Meeting Minutes

May 2, 2017

Bigelow Auditorium, Marlborough Public Library

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2017 JUN 12 A 11: 36

Meeting called to order by Rustin Kyle at 7:12pm

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

Also Present: Margaret Cardello, Library Director and Morgan Manzella, Assistant Library Director

Absent: Ray Hale

Proceedings:

1. **Minutes:** *A motion to approve the meeting minutes from the April 4th meeting was passed (Abel/Bloomquist).*

2. **Trust Fund Reports:** *A motion was passed to approve the Trust Fund Reports for March (Abel/Brewin).*

3. **Director's Report:** (see attached for more details)
 - Upon filling the Cataloger/Head of Technical Services position, the library will finally be fully staffed. However, this will not last as at least one PT position will be leaving upon finishing their MLS degree.
 - There are 4 remaining items that need to be done before the grant can be considered complete and must be done by June 17:
 - City Council approval of the grant application
 - Approval of the preliminary schematic design by City Council
 - A signed Purchase & Sale on the West Main Street property
 - Local historical commission approval of the removal of buildings around the library.
 - City Council has the library project on their agenda for May 8 and will most likely forward it for consideration by the Finance Committee. Finance will meet on either May 15, 16, or 17.
 - The FY18 budget has been approved as of April 26.

4. **Committee Reports:**

- Foundation:
 - A pledge card has been created for the "Friends & Family" campaign.
 - A "case for support" is currently being developed.
 - An "infograph" with key data points about the library is also being created to educate people quickly and visually about the library and its services.

- Friends: (see attached report for detailed information)
 - The Annual Book and Bake Sale earned \$1,755 and \$326, respectively.
 - The Friends Annual Meeting will be on Wednesday, June 7th.

5. **Old Business:**

- Scholarships: Heather Wing, Nathaniel Stemple, Danka Sotelo were presented with certificates just prior to the trustee's meeting tonight.

6. **New Business:**

- None

7. **Adjournment:** *A motion to adjourn passed at 8:53 (Brewin/Johnson).*

Minutes submitted by Secretary Robyn Ripley.

**Assabet Valley Regional Technical High School
School Committee
School Committee Meeting
Tuesday, March 28, 2017
School Committee Conference Room**

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2017 JUN 13 P 1:58

In Attendance:

Bill Charbonneau; Laura Ross; Lynn Ryan; Paul George; Peggy Ayres; Virginia Simms George

Also:

Ernest F. Houle; Kris Luoto; Mark Hollick; Dawn Bacon; Emily Blackwood

Not In Attendance:

Christopher Evers

Approval of Minutes

A motion was made and seconded to approve the proposed meeting minutes of March 7, 2017 as presented.

Move: Lynn Ryan Second: Virginia Simms George Status: Passed

Bills and Payroll

A motion was made and seconded to approve Warrant Nos. 23, 1096-1105, and 5574-5575.

Move: Virginia Simms George Second: Peggy Ayres Status: Passed

Audience

Andrea Nykiel, Special Education Teacher, was present to give a presentation on Camp Sunshine, a camp for children with life-threatening illness. Andrea goes on the trip annually and brings students to volunteer. She reviewed the cost for students, transportation and number of students allowed to attend. Paul George suggested that the District pay the \$30 cost for students to attend and that the students' \$30 personal fee be donated to the camp. Student Representative, Rachel Blasko, gave feedback on her own experience at the camp.

Keith Baldinger, JROTC liaison, was present to discuss JROTC activities. He discussed the upcoming Vendor Fair scheduled for May 6, 9-4.

Student Representative Report

Student Representative, Rachel Blasko, was present to discuss recent and upcoming student activities as reflected in her report dated March 28, 2017. Rachel also shared her plans for the future.

Policy

Members of the Policy Subcommittee noted that policy work is ongoing. They will come back before the committee at a future meeting with more updates.

Lynn Ryan discussed the GC series of policies. She asked that the Committee review some of the policies and reviewed the specific policies in question (GCA, GCBA, GCBC, GCE).

Peggy Ayres had some questions/comments on some policies as well (GBGB, GDB)

Virginia Simms George indicated that the subcommittee will review the questions addressed by members.

Members discussed procedure versus policy.

Lynn asked for an electronic copy of the old policy to make a comparison. Emily will send the copy.

A motion was made and seconded to move by consensus Policy H. The motion was passed unanimously.

Move: Lynn Ryan Second: Peggy Ayres Status: Passed

Superintendent-Director's Report

Ernie Houle discussed his presented report as follows:

- FY18 Budget Meetings - Many meetings have been completed. Several meetings are still upcoming, members received the list in the Superintendent-Director's report.
- Senate Bill 223 - Discussion of the bill, sponsored by Senator Sonia Chang-Diaz. Members received a copy of the bill. A motion was made and seconded to support the bill with a letter from the Committee. The motion was passed unanimously.

Move: Lynn Ryan Second: Peggy Ayres Status: Passed

- MARS Legislative Breakfast - Overview of the recent (March 17, 2017) annual Legislative breakfast hosted by MARS and Nashoba Valley Tech. Members received a copy of the meeting minutes.

Director of Business Operations Report

Kris Luoto presented his prepared report as follows:

- FY16 Audit Reports - R.E. Brown and Company - The auditor was unable to attend the meeting as scheduled due to illness. Kris reviewed the financial electronic statements that were posted on BoardPaq for member review. The review also included three areas to improve.

A motion was made and seconded to accept the Auditor's Report as presented.

Move: Lynn Ryan Second: Peggy Ayres Status: Passed

Passed unanimously by a roll call vote, voting 'yea' on the motion were Lynn Ryan, Peggy Ayres, Paul George, Laura Ross, Virginia Simms George and Bill Charbonneau. There were no 'nay' votes.

- Security Breach Concern - To be addressed in Executive Session.

Principal's Report

Mark Hollick discussed his prepared report dated March 23, 2017 as follows:

- Teacher Licensure - As requested by Lynn Ryan at a previous meeting, the process of licensure was outlined.
- Athletic Participation - Review of participation in winter 207 sports programs along with six-year historical data.
- MCAS Testing - Update on recent and upcoming testing.
- Student Achievement - Updates on student activities since the last meeting on March 7, 2017.
- Out-of-State Travel Request - Requests for six out-of-state, four overnight travel requests.

A motion was made and seconded to approve the six out-of-state, four overnight travel requests as outlined in the Principal's report. The motion was passed unanimously.

Move: Virginia Simms George Second: Peggy Ayres Status: Passed

- Graduation Information - Update on the ceremony to be held on June 3, 2017.

Personnel

Members reviewed the proposed job description for the position of Athletic Director.

Ernie discussed the Superintendent-Director's mid-cycle review process along with his own progress and plans on each of his five goals.

A motion was made and seconded to authorize the administration to post, advertise and fill two academic positions. The motion was passed unanimously.

Move: Virginia Simms George Second: Laura Ross Status: Passed

Communications

Reading and review of Communications included in BoardPaq as follows:

- National Honor Society Program from March 15, 2017
- Letter from McCann Technical School dated March 16, 2017 re: commending the Bowling Team
- MASC Day on the Hill email dated March 21, 2017
- Chamber of Commerce Letter dated March 9, 2017 congratulating Assabet Valley on 25 years of membership
- Letter congratulating the Robotics team on their win of the Quality Award at a recent competition

Program Advisory Committee

A motion was made and seconded to appoint Bryan Foley to the Radio & Television Broadcasting Program Advisory Committee. The motion was passed unanimously.

Move: Lynn Ryan Second: Paul George Status: Passed

Old Business

Lynn Ryan made a request that the Administration look at the cost of school lunches and compare the cost with area schools. Kris will follow up.

Lynn Ryan asked if the Strategic Planning group still a functioning group. Ernie noted that they are and a meeting will be scheduled soon.

Lynn Ryan asked when the School Improvement Plan comes out. Mark noted that a review will come out in June. Lynn asked that the Plan be posted on BoardPaq.

Lynn asked about changes in the law for posting meetings and hearings.

Peggy Ayres asked that School Committee meetings be posted on the general school events calendar. Mark Hollick will follow up with his secretary.

At 9:15 p.m., a motion was made and seconded to go into Executive Session for purposes of discussing matters pertaining to Collective Bargaining and for an emergency session on security. It was noted that the Committee will be returning to regular session.

Move: Laura Ross Second: Virginia Simms George Status: Passed
Passed unanimously by a roll call vote, voting 'yea' on the motion were Lynn Ryan, Peggy Ayres, Paul George, Laura Ross, Virginia Simms George and Bill Charbonneau. There were no 'nay' votes.

At 10:10 p.m., a motion was made and seconded to go out of Executive Session and return to regular session. The motion was passed unanimously.

Move: Virginia Simms George Second: Paul George Status: Passed
Passed unanimously by a roll call vote, voting 'yea' on the motion were Lynn Ryan, Peggy Ayres, Paul George, Laura Ross, Virginia Simms George and Bill Charbonneau. There were no 'nay' votes.

A motion was made and seconded to approve the Athletic Director job description as it currently reads. Any changes will be brought back before the Committee. The motion was passed by a vote of 5-1.

Move: Virginia Simms George Second: Laura Ross Status: Passed
Passed 5-1 by a roll call vote, voting 'yea' on the motion were Peggy Ayres, Paul George, Laura Ross, Virginia Simms George and Bill Charbonneau. Lynn Ryan voted 'nay.'

Lynn Ryan left the meeting.

A motion was made and seconded to rescind the vote on the approval of the Athletic Director job description. The motion was passed unanimously.

Move: Paul George Second: Virginia Simms George Status: Passed

A motion was made and seconded to recognize a vacancy due to retirement and to post, advertise and fill the position of Athletic Director. The motion was passed unanimously.

Move: Paul George Second: Laura Ross Status: Passed

At 10:30 p.m., a motion was made and seconded to adjourn the meeting. The motion was passed unanimously.

Move: Peggy Ayres Second: Laura Ross Status: Passed

The minutes herein were recorded by the Clerk, approved by the Committee, and so noted in a subsequent record.

Laura Ross, Secretary

Accompanying Paperwork for March 28, 2017 School Committee Meeting

- Agenda for the meeting of 3/28/2017
- Proposed meeting minutes of 3/22/2017
- Memo from Ernie Houle dated March 28, 2017, re: Warrant Vote
- Student Representative Report dated March 28, 2017
- Superintendent-Director's Report to the School Committee dated March 22, 2017
- Copy of Bill S.223, An Act Modernizing the Foundation Budget for the 21st Century
- MARS Legislative Breakfast Minutes dated March 17, 2017
- Fiscal & Operations Update dated March 28, 2017
- Assabet Valley Regional Technical High School Management Letter dated June 30, 2016
- Assabet Valley Regional Technical High School Independent Auditors Report for the year ended June 30, 2016
- Assabet Valley Regional Technical High School Report on Examination of Basic Financial Statements dated June 30, 2016
- Principal's Report dated March 23, 2017
- Teacher Licensure by Department 2016-2017 School Year
- Assabet Valley Regional Technical High School Annual Athletic Report 2016/17
- Memo to the School Committee from Mary Miller dated 3/7/17, re: BPA – National Leadership Conference-Orlando Florida
- Memo to the School Committee from Mark Hollick dated March 9, 2017 seeking approval for the BPA conference trip
- Letter from Donna Groccia dated March 20, 2017 seeking approval to visit the University of Southern New Hampshire
- Memo to the School Committee from Mark Hollick dated March 22, 2017 seeking approval for the BPA USNH trip
- Letter to Mark Hollick from William Italiano and John Allard dated March 22, 2017 seeking approval for the Maine Seacoast Mission trip
- Memo to the School Committee from Mark Hollick dated March 22, 2017 seeking approval for the Maine Seacoast Learn & Serve trip
- Letter to Mark Hollick from Andrea Nykiel dated February 27, 2017 seeking approval for the field trip to Camp Sunshine
- Memo to the School Committee from Mark Hollick dated March 22, 2017 seeking approval for the Camp Sunshine Trip
- Letter to the School Committee from Phil Lacroix and John Parsons seeking approval for a trip to Rensselaer Polytechnic Institute
- Memo to the School Committee from Mark Hollick dated March 22, 2017 seeking approval for a trip to Troy NY to participate in the National STEM League Racing Series
- National Honor Society Program from March 15, 2017
- Letter from McCann Technical School dated March 16, 2017 re: commending the Bowling Team
- MASC Day on the Hill email dated March 21, 2017
- Chamber of Commerce Letter dated March 9, 2017 congratulating Assabet Valley on 25 years of membership

- Letter congratulating the Robotics team on their win of the Quality Award at a recent competition
- Memo to Ernie Houle from Russ Mangsen dated March 7, 2017 re: Recommendation of a candidate to the Radio & Television Broadcasting Program Advisory Committee (Bryan Foley)

**Assabet Valley Regional Technical High School
School Committee
School Committee Meeting Minutes
Wednesday, May 3, 2017
School Committee Conference Room**

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2017 JUN 13 P 1:58

In Attendance:

Christopher Evers; Lynn Ryan; Peggy Ayres; Virginia Simms George

Also: Ernest F. Houle; Kris Luoto; Mark Hollick

Not In Attendance:

Bill Charbonneau; Laura Ross; Paul George

Approval of Minutes

A motion was made and seconded to approve the meeting minutes of March 28, 2017 as presented. The motion was passed unanimously.

Move: Peggy Ayres Second: Christopher Evers Status: Passed

Bills and Payroll

A motion was made and seconded to approve warrant nos. 25, 26, 1108-1122, and 5579-5583. The motion was passed unanimously.

Move: Peggy Ayres Second: Lynn Ryan Status: Passed

Public Hearing

At 8:10 p.m., a motion was made and seconded to suspend the regular session meeting and move into the Public Hearing on School Choice. The motion was passed unanimously.

Move: Peggy Ayres Second: Lynn Ryan Status: Passed

Ernie Houle made a recommendation that the district not participate in School Choice for the 2017-2018 school year.

A motion was made by Peggy Ayres and seconded by Lynn Ryan to approve the recommendation. The motion was passed unanimously.

At 8:15 p.m., a motion was made by Lynn Ryan and seconded by Peggy Ayres to close the Public Hearing and return to the regular session meeting. The motion was passed unanimously.

Audience

Ellen Santos, LPN Program Coordinator, was present to give an update on the LPN Program. She distributed and discussed her report, Program Outcomes and Updates 2016-2017. Ellen also reviewed proposed changes to the 2017-2018 Student Handbook. Ernie commended Ellen and her staff for their hard work.

A motion was made and seconded to approve the 2017-2018 LPN Student Handbook as amended. The motion was passed unanimously.

Move: Lynn Ryan Second: Peggy Ayres Status: Passed

Student Representative Report

Student Anna O'Connell was present to give an overview of recent and upcoming student activities. Mark Hollick informed the committee that Anna will be graduating in June and attending WPI for chemistry in the fall.

Policy Update

Virginia Simms George informed the committee that the previous changes and recommendations are still being worked on and members are encouraged to review the policies in the BoardPaq library and bring any questions, concerns or recommended changes to the next School Committee meeting.

Superintendent-Director's Report

Ernie Houle discussed his prepared report as follows:

- FY18 Budget Meetings - Meetings are ongoing.
- Senator Eldridge's Senior Conference - The conference was held on April 20 and was well attended.
- Radio and Television Broadcasting Program - Ernie has received communication from DESE that the application for a Chapter 74 Radio and Television Broadcasting program has not been approved. He informed the committee that it would be possible to apply again next year with some additions to the program to widen the scope of employability for students.
- Gene Haas Foundation Grant - Assabet Valley has been awarded a \$15,000 grant from the foundation to be used for scholarships and student competition programs.
- Staff Recognition - Teacher recognition week is ongoing and members were informed of the activities that have been going on all week.

- School Visit - A visit from an education delegation from Alaska and members of the Board of Directors from MAVA is scheduled for next week.
- Superintendent-Director's Goals Update - Discussion of enrollment data as part of the Superintendent-Director's Evaluation Evidence. Lynn Ryan asked for a breakdown of in- and out-of-district numbers. Ernie will get her that information.
- Ernie also reviewed MCAS results for the current junior class.

Director of Business Operations

Kris Luoto discussed his prepared report as follows:

- School Lunch Price - FY18 - Comparisons for area school lunch programs were reviewed. Peggy Ayres questioned student account shortages. Kris informed the committee of the process that is followed by the food services director for accounts that are not paid up to date. He assured members that no student is turned away from eating for unpaid balances and that a lower quality lunch is not served to those students.

Kris Luoto made a recommendation that the school lunch prices remain the same for FY18. The motion was passed unanimously.

Move: Lynn Ryan Second: Peggy Ayres Status: Passed

- Childcare Rates – FY18 - Kris asked that the vote on the childcare tuition vote be tabled until the next meeting. He gave an overview of what changes he would like to make for the upcoming school year.
- FY19 Budget - Kris Luoto discussed the impact that the Mass State Retirement Board Assessment will have on the FY19 budget.
- Budget FY18 - going well, more information at the next meeting when more members are present.

Principal's Report

Mark Hollick discussed his prepared report dated May 3, 2017 as follows:

- Handbook for Students and Parents – members reviewed proposed updates for the handbook for the 2017-2018 school year. Members received a copy of the proposed changes.

A motion was made and seconded to approve the proposed changes to the student handbook. Motion was passed unanimously.

Move: Peggy Ayres Second: Lynn Ryan Status: Passed

- MetroWest Adolescent Health Survey - members received the results of the survey which was administered during the fall of 2016 along with data from previous years.
- Recruitment and Enrollment - figures were provided to members and discussed.
- SkillsUSA State Competition - Results of the recent competition were discussed.
- School Events - Discussion of upcoming events with a list for members to review.
- Out-of-State Travel Requests – A review was conducted of proposed travel requests as follows:
 - Senior Class Trip to Granby, CT scheduled for May 26, 2017
 - JROTC trip to Boston to work and sleep aboard the USS Constitution June 9-10, 2017
 - Football team to Berwick, Maine to attend a football camp on July 28-29, 2017
 - The Metal Fabrication Program seeking permission to travel to Bath, Maine on June 14, 2017

A motion was made and seconded by Ayres to approve all travel requests. The motion was passed unanimously.

Move: Lynn Ryan Second: Peggy Ayres Status: Passed

Communications

Reading and distribution of communications received by the Committee and the Superintendent.

- Letter from Tim Murray thanking Ernie Houle for participating on the Roundtable
- Grasso article
- MASC Weekly Update
- MASC forms - reminder that June 1 is the deadline

Personnel

A motion was made and seconded to authorize the Administration to post, advertise and fill a paraprofessional vacancy, due to a resignation. The motion was passed unanimously.

Move: Lynn Ryan Second: Peggy Ayres Status: Passed

A motion was made and seconded to authorize the Administration to post, advertise and fill the position of Reading Teacher, due to a resignation. The motion was passed unanimously.

Move: Lynn Ryan Second: Peggy Ayres Status: Passed

Mr. Houle informed the Committee that two technical program teachers have been selected and are awaiting CORI check and fingerprinting for finalization.

Members were informed that the Admissions/PR position hiring process is ongoing; and the process of hiring the two new math positions is also ongoing.

Superintendent Rubric

Mr. Houle informed the Committee that all Superintendent-Director evaluation information is included in the BoardPaq Library for member review. He reviewed with members the process on how to find the information.

At 9:35 p.m., a motion was made and seconded to go into Executive Session for purposes of discussing matters pertaining to collective bargaining. It was noted that the Committee would be returning to regular session. The motion was passed unanimously.

Move: Peggy Ayres Second: Chris Evers Status: Passed

At 9:45 p.m. a motion was made and seconded to go out of Executive Session and return to regular session. The motion was passed unanimously.

Move: Peggy Ayres Second: Chris Evers Status: Passed

The memorandum of agreement between the AFT Local 3199 and the Assabet School District were distributed for review and signature.

A motion was made and seconded to authorize the Vice-Chair to sign the agreements on behalf of the committee. The motion was passed by a vote of 3-1.

Move: Peggy Ayres Second: Chris Evers Status: Passed

Peggy Ayres, Chris Evers and Virginia Simms George voted in favor of the motion, Lynn

Ryan was opposed.

Other

Virginia Simms George gave the Committee an overview of a visit by the FIRST Robotics team to Raytheon on take your child to work day to give a demonstration of the FIRST robot. She noted that the students were a credit to the school.

At 9:55 p.m., a motion was made and seconded to adjourn the meeting. The motion was passed unanimously.

Move: Peggy Ayres Second: Chris Evers Status: Passed

The minutes herein were recorded by the Clerk and will not become official until approved by the Committee and so noted in a subsequent record.

Dawn M. Bacon, Clerk

Accompanying Paperwork for School Committee meeting – May 3, 2017

- Meeting Agenda dated May 3, 2017
- Proposed meeting minutes of March 28, 2017
- Memo from Ernie Houle to School Committee dated May 3, 2017 re: Warrant Vote
- Proposed revisions to PNP Student Handbook, Class of 2017-2018
- Student Representative Report, May 3, 2017
- Copy of check from Gene Haas Foundation dated 3/2/2017
- Letter from DESE to Mr. Houle thanking the district for Chapter 74 New Program Approval Application
- Superintendent-Director's Report to the School Committee dated April 26, 2017
- Fiscal & Operations Update dated May 3, 2017
- Principal's Report for May 3, 2017
- 2017-2018 Student Handbook Changes
- MetroWest Adolescent Health Survey Key Indicator Report
- Application Status 17-18
- Principal's Post dated April 26, 2017
- Letter from Mark Hollick dated April 7, 2017 requesting approval of out-of-state travel
- Letter from Sandra Stuart dated April 6, 2017 requesting out-of-state travel approval
- Letter from Mark Hollick dated April 25, 2017 requesting out-of-state travel approval
- Letter from Chief Mansfield requesting approval for out-of-state travel
- Letter from Mark Hollick dated April 25, 2017 requesting out-of-state travel
- Proposal from Ken Stukonis for out-of-state travel
- Letter from the Worcester Regional Chamber of Commerce dated March 31, 2017
- Community Advocate Article re: Father-son team leads Assabet basketball to successful season
- Weekly Update – April 27, 2017
- Massachusetts Model System for Educator Evaluation
- Superintendent Rubric At-A-Glance
- Proposed Executive Session meeting minutes of March 28, 2017

April 25, 2017

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 JUN 14 A 11:30



**CITY OF MARLBOROUGH
OFFICE OF TRAFFIC COMMISSION
140 MAIN STREET
MARLBOROUGH, MASSACHUSETTS 017**

Traffic Commission Minutes

The Regular Meeting of the Traffic Commission was held on Tuesday, April 25, 2017 at 10:00am in the City Council Committee Room, City Hall. Members present: Chairman - Police Chief David Giorgi, DPW Commissioner John Ghiloni and City Clerk Lisa Thomas. Also present: Assistant City Engineer Tim Collins. Minutes taken by: Karen Lambert, MPD Records Clerk.

1- Minutes

The minutes of the Traffic Commission meeting of Thursday, March 2, 2017 and Tuesday, March 28, 2017.

MOTION was made, seconded, duly VOTED:

Minutes from March 2, 2017 – TO APPROVE – Accept and Place on File.

Minutes from March 28, 2017 – TO APPROVE – Accept and Place on File.

2 – New Business

2a) Public Safety Concerns on Brigham Street.

Local resident Janet Vigeant sent an email to the Traffic Commission outlining her concerns. Over the past two years she has been in contact with city officials and the Traffic Commission numerous times regarding the increased traffic volume and speed on Brigham Street. She said in her email, 'It is impossible to walk along Brigham Street especially from 6-9 am and 4-7 pm and on Saturdays without coming close to being hit by a vehicle that is speeding'. She is requesting that the city reconsider her request for rolling 25 mph speed bumps such as the ones in place in Southboro, Framingham and Wayland. She also asked again about the solar powered speed signs.

Tim Collins said that a rolling speed bump is basically a speed table. It is the length of a car and has bumps on it that you drive over. He explained that historically the City does not like to use speed bumps as they create drainage problems and plowing issues. He

mentioned another option that just came up recently. They City now has the option of changing the speed limit in Thickly Settled Zones to 20 mph. It is a narrow street with no sidewalks and difficult to walk down. This area could possibly be designated as a safety zone with the lower speed limit and post it as such.

Mr. Collins also mentioned that a truck exclusion had also been discussed for this area in the past, however, Brigham Street did not meet the warrants for a truck exclusion. The warrants state that 5-8% of traffic volume must consist of trucks. If less, the exclusion is not needed, if more, trucks do need to utilize the roadway. Brigham street does not have the required truck volume. There would also need to be a feasible detour route available. Any detour would need to go through Southboro and the Town of Southboro has said no to this request. Also, a truck exclusion requires permission from the State.

Ms. Vigeant also asked about the possibility of solar powered speed signs, like those on Farm Road and Bigelow Street. Mr. Collins advised that the cost of these signs is \$10,000 each. Chief Giorgi said that Officer Larose (of CEMLAC) has been looking into a different type of speed sign which is portable and downloadable. It records speeds and times and the cost is \$4,500 each.

MOTION was made, seconded, duly VOTED to REFER to the POLICE DEPARTMENT for enforcement. Chief Giorgi said that he would respond to Ms. Vigeant's email.

2b) Parking at Gay, Central and Mechanic.

Councilor Oram sent an e-mail to Chief Giorgi on this issue. He said that there are problems with parking at the corners and in front of driveways. Chief Giorgi said that he drove through the area prior to coming to today's meeting and it appears that it is posted properly. He noted that he saw yellow curbing that was very faded and said it would be helpful if it could be repainted to make it more obvious.

Tim Collins advised that he would check on the City Ordinance here regarding parking near corners and driveways. He noted that many of the homes here are three family homes or higher so people are parking wherever they can. He said there is only a five-foot separation between some driveways. Cars are parked in front of homes and on grass but it may "open a can of worms" if we try to change anything.

Commissioner Ghiloni said that with the potential new library coming these roads and parking issues will be reviewed again at a later date.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to review the regulations and determine what is allowed and how much parking is available.

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

3-Old Business**3a) Traffic Commission rules and regulations update.**

Lisa Thomas advised that all the advertisements are now on the Traffic Commission website except for the one that was just advertised on April 15th. She said that finally after 10 years we can have an updated rules and regulations manual. She also wanted to stress that this update will come out of the police department budget. She will forward the contact information for General Code to the Police Department and suggested that the police department work with them on the proper format to forward all the information to them.

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.

Tim Collins advised that the traffic island has been painted onto the pavement. It just needs to be constructed. The DPW is in the process of determining who will be doing the work.

MOTION was made, seconded, duly VOTED to REFER to the DPW for construction of the island.

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

Commissioner Ghiloni advised that this issue is still pending. He explained to Chief Giorgi that Weed Street currently ends at City Hall. The rest of the roadway is owned by the CDC and Masonic Hall. The Commissioner wants the City to own the full roadway.

MOTION was made, seconded, duly VOTED to TABLE.

3d) Parking restriction on Forest Street near AMSA.

Tim Collins advised that the new signs are in place, however, they are not working. He passed out a recent photo (from last week) of Forest Street at 3:15 pm showing 25 cars queued in the "No Stopping, No Standing and No Parking Zone". Cars wait here for the busses to pull out so they can then pull into the school. The corner is now clearly marked and being ignored. This area of Forest Street is a safety concern especially in the winter when passing cars cannot get through. The proper signage is in place and now it is a matter of enforcement.

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

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

Tim Collins gave an overview of the issues at this intersection for Chief Giorgi. He explained how it is currently more of a Y intersection where drivers tend to ignore the stop sign. The Traffic Commission had discussed making it more of a T intersection in

the hopes that drivers would come to a complete stop before making the turn onto Elm Street. Mr. Collins hopes to get it marked out next week for the Traffic Commission to review.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to mark the pavement.

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

UPDATE: Commissioner Ghiloni advised that he did meet with MA DOT and he mentioned this issue and agenda item 3h below as both are part of the MA DOT layout. He said that Boston Post Road East from Peters Ave. to the Sudbury town line is scheduled for work in 2019 and that MA DOT is reviewing the area.

3g) Request to swap stop sign on Bigelow St. from Nashoba Dr. to Shea Dr.

Tim Collins said that the question here is if there is enough site distance when making the turn from Shea onto Bigelow. He passed out two photos: 1) at the stop line and 2) at the edge of the roadway. He noted that 200 feet of site distance is required. When you pull up to the edge of Shea you do have the required site distance. He said that if you creep forward to the end of the road before turning you can see fine. You just have to be careful.

He noted, however, that there could possibly be a separate issue involving vegetation. He said that there is a separate ordinance that states that there needs to be a clear triangle at the corner with 25 feet of clear view on Shea and the same on Bigelow. He said that we can check with Code Enforcement to see if any vegetation needs to be cut back.

It was also noted in the original request that last winter a snow pile had been plowed onto the triangle of site distance. Next winter the DPW can be instructed to keep this area clear when plowing. The original request had also been to move the stop sign from Nashoba to Shea. He advised that this can't be done. The intersection of Shea and Bigelow does not meet the warrants for a stop sign. There would need to be 300 cars coming out of Shea Drive daily to meet the warrants. The Traffic Commission was able to keep the stop sign at Nashoba with the possibility that future sidewalks could increase pedestrian traffic and then meet warrants other than traffic volume.

MOTION was made, seconded, duly VOTED to REFER to CODE ENFORCEMENT and the DPW for next year's plowing.

3h) Request for turn lane into 894 Boston Post Rd. East.

See Agenda Item 3f above. Fire Chief Breen also wanted to review the area to see if there was any issue for fire trucks. He was unable to attend this meeting.

MOTION was made, seconded, duly VOTED to TABLE.

3i) Request to look at parking restrictions on Gay and Witherbee Streets.

This item was previously discussed above under New Item 2b).

MOTION was made, seconded, duly VOTED to REMOVE from Agenda

Chief Giorgi asked for a suspension of rules to discuss two items not on the Agenda. - ALL IN FAVOR.

Request for sidewalk at Gikas Lane.

A resident of Gikas Lane called the Chief's to make this request. Tim Collins advised that this is the new development over by Boston Scientific. He said that a sidewalk is planned, it just hasn't been constructed yet. The plan includes a sidewalk and crosswalk. He also noted, however, that the request for the specific location for the crosswalk and sidewalk will need to come before the Traffic Commission for approval.

Mr. Collins advised that he would call the resident and advise that her issue was discussed and explain the process to her.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING.

Parking Issues on Warren Avenue.

The Police Department received a request to have an officer take a look at several cars that have been parking on the sidewalk and on the wrong side of the street. Chief Giorgi advised that he forwarded this request to the shift supervisors to follow up.

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

Traffic Commission Meeting Schedule for 2017

Lisa Thomas passed out another copy of the schedule to all members.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 10:40 am.

Respectfully submitted,

Karen L. Lambert
Records Clerk
Marlborough Police Department

List of documents and other exhibits used at the meeting:

- Meeting Agenda for Tuesday, April 25, 2017. (Including City of Marlborough Meeting Posting).
- Draft of Traffic Commission Minutes from March 2, 2017.
- Draft of Traffic Commission Minutes from March 28, 2017.

-Email from Janet Vigeant to Chief Leonard, dated 4/1/17, re: Public Safety Concerns on Brigham Street.

-Email from Councilor Oram to City Council (forwarded to Traffic Commission by Karen Boule), dated 4/7/17, re: Parking at Gay, Central and Mechanic.

Additional Handouts:

-Two photos of intersection of Shea and Bigelow, one at the stop line and one at the edge of the roadway.

-Photo of traffic on Forest Street near AMSA school at 3:15pm, showing 25 cars in no stopping, no standing and no parking zone.

-Email from David DesRosiers to the Police Department, dated 4/24/17, re: Parking issues.

-Email from Carrie Lizotte to Chief Giorgi, dated 4/24/17, re: Request for a sidewalk (following a phone call from local resident, Gabrielle Miller).

-Copy of Traffic Commission Meeting schedule for 2017.