

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2016 MAR 17 P 1:48

1. Minutes, City Council Meeting, February 22, 2016.
2. Minutes, City Council Meeting, March 7, 2016.
3. Communication from the Mayor re: Promotion of Eric Christensen to Lieutenant in the Fire Department.
4. Communication from the Mayor re: Richer School transfer request in the amount of \$1,000,000.00 which moves funds from the Undesignated to Feasibility Study-Richer account to conduct feasibly study phase of the Massachusetts School Building Authority (MSBA) process for Richer school Project.
5. Communication from the Mayor re: Helping Hand Mini Grant from the MArtap Advisory Committee in the amount of \$829.77 awarded to the Council on Aging to fund the purchase of GPS equipment, first aid kits, severe weather kits, and other transportation equipment for the Council on Aging passenger van.
6. Communication from the Mayor re: Pending retirement of David Grasso as Recreation Director with the recommendation of Charles Thebado as Recreation Director upon the effective date of Mr. Grasso's retirement.
7. Communication from Assistant City Solicitor Cynthia Panagore Griffin re: Proposed Order of Amendment to §7-76 of the General Code pertinent to creating a position of Assistant Building Commissioner, Order No. 16-1006466.
8. Communication from the Central Mass. Mosquito Control Project re: Online reports.
9. Petition from NGrid and Verizon New England, Inc. to install new intermediate pole P4-150 between existing P4-1 and P4-2 St. Martin Dr. A capacitor bank will be installed P4-150 to provide voltage support for customers located on St. Martin Dr.
10. Minutes, Traffic Commission, January 26, 2016.
11. Minutes, Planning Board, February 22, 2016.
12. Minutes, School Committee, February 23, 2016.
13. Minutes, Board of Health, February 2 & 16, 2016.
14. Minutes, License Board, January 8 & 27, 2016.
15. Minutes, Conservation Commission, February 18, 2016
16. CLAIMS:
 - a. Bernard Condry, 30 Rice St., other property damage.

REPORTS OF COMMITTEES:

17. **ORDERED:** That the City Council, working with the Council on Aging and the Mayor's office, explore the steps necessary and the benefits of becoming a member of AARP's Network of Age-Friendly Communities. AARP created a Network of Age-Friendly Communities as an affiliate of the World Health Organization's Age-Friendly Cities and Communities Program, an international effort to help cities prepare for rapid population aging and parallel trend of urbanization. Their participation in the program advances efforts to help people live easily and comfortably in their homes and communities as they age. There is a rigorous membership assessment cycle to become a member of AARP's Network of Age-Friendly Communities which includes acquiring a written pledge by the mayor to commit to a continual cycle of improvement. It is therefore, Ordered, to refer this matter to the Mayor, the Council on Aging and the City Council Human Services Committee.....Submitted by: Councilor Robey

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

UNFINISHED BUSINESS:

From Public Services Committee

18. **Order No. 16-1006444: Application for Junk Dealer's License, Gercieile Costa, Brazcom Wireless Inc., 223b Main Street.** Gercieile Costa of Brazcom Wireless Inc. is an authorized dealer for Metro PCS which is now part of T-Mobile. T-Mobile offers customers the opportunity to bring in their old devices, which are returned to T-Mobile, for a discount on the purchase of a new wireless device. She does not currently sell refurbished devices but that may change in the future. **Motion made by Councilor Irish, seconded by Chair, to approve Order No. 16-1006444. The motion carried 3-0.**

From City Council

19. **Order No. 14/15/16-1006005B-2 - The Finance Committee voted 4 – 0 to approve the order to revise the "Use of Sick Leave" section 125-27 to "not exceed the amount of \$5,000.00."**
At a regular meeting of the Marlborough City Council held on Monday, February 22, 2016 at 8:00 PM in the City Council Chambers, City Hall, the following proposed amendment to the Code of the City of Marlborough, **"USE OF SICK LEAVE ORDINANCE"** having been read was **ORDERED ADVERTISED UNDER SUSPENSION OF THE RULES:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, ACTING UPON A RECOMMENDATION OF THE MAYOR, THAT THE CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED AS FOLLOWS:

Section 125-27, entitled "Use of sick leave" is hereby amended by deleting paragraph C in its entirety and inserting in place thereof the following new paragraph C:

- C. Upon the termination of employment of a non-union employee, except where the termination is by the City for cause, or upon the death of a non-union employee, the City shall pay to said employee or said employee's beneficiary or estate, whichever is applicable, the value of the employee's accumulated and unused sick leave, not to exceed the amount of \$5,000.00.

ADVERTISEMENT TOOK PLACE ON FEBRUARY 28, 2016 THEREFORE CAN NOT BE FURTHER ADDRESSED UNTIL THE MARCH 21, 2016 CITY COUNCIL MEETING AS THE ADVERTISEMENT COULD NOT HAVE BEEN PUBLISHED IN TIME TO COMPLY WITH TEN DAY PERIOD PRIOR TO THE MARCH 7, 2016 CITY COUNCIL MEETING. ITEM WAS TABLED UNTIL THE MARCH 21, 2016 CITY COUNCIL MEETING.

Executive Secretary to the Mayor	-	-	-	-	-	-	\$53,009
Assistant City Solicitor	\$82,125	\$83,767	\$85,443	\$87,152	\$88,895	\$90,673	\$92,486
Chief Procurement Officer	\$76,679	\$78,213	\$79,777	\$81,372	\$83,000	\$84,660	\$86,353
Library Director	\$91,461	\$93,290	\$95,156	\$97,059	\$99,000	\$100,980	\$103,000
Paralegal	\$40,335	\$41,142	\$41,965	\$42,804	\$43,660	\$44,533	\$45,424
Assistant Recreation Director	\$57,279	\$58,424	\$59,593	\$60,785	\$62,000	\$63,240	\$64,505
Senior Clerk (nonunion)	\$40,335	\$41,142	\$41,965	\$42,804	\$43,660	\$44,533	\$45,424

G. Any changes to the salary of the Mayor and City Council shall not take effect until January 1, 2018.

Position	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7 / Max
	<i>Start</i>	<i>6 months of service</i>	<i>1 year of service</i>	<i>2 yrs. of service</i>	<i>3 yrs. of service</i>	<i>4 yrs. of service</i>	<i>5 yrs. of service</i>
Mayor							\$100,000
City Council							\$10,000

ADVERTISEMENT TOOK PLACE ON MARCH 12, 2016 THEREFORE CAN NOT BE FURTHER ADDRESSED UNTIL THE APRIL 4, 2016 CITY COUNCIL MEETING AS THE ADVERTISEMENT COULD NOT HAVE BEEN PUBLISHED IN TIME TO COMPLY WITH TEN DAY PERIOD PRIOR TO THE MARCH 21, 2016 CITY COUNCIL MEETING.



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2016 MAR -8 P 12:14

**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

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

FEBRUARY 22, 2016

Regular meeting of the City Council held on Monday, FEBRUARY 22, 2016 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Clancy, Juairé, Oram, Ossing, Robey, Delano, Doucette, Elder, Tunnera, Irish and Landers. Meeting adjourned at 9:27 PM.

ORDERED: That the Minutes of the City Council meeting FEBRUARY 8, 2016, **FILE**; adopted.

ORDERED: That the **PUBLIC HEARING** On the Petition from National Grid and Verizon New England, Inc. to relocate existing P12 and install new guy P12-84, and relocating P15, P18, P27, P28, P30 & P31 to accommodate road widening project on West Hill Rd., Order No. 16-1006427, X14-1005672A, all were heard who wish to be heard, hearing recessed at 8:18 PM; adopted.

Councilors Present: Delano, Doucette, Elder, Tunnera, Irish, Clancy, Landers, Juairé, Oram, Ossing, & Robey.

ORDERED: It is moved, in conformance with the provisions of section 21(a)(3) of Chapter 30A of the General Laws of the Commonwealth, that the Marlborough City Council conduct an executive session for the purpose of discussing litigation strategy in a pending lawsuit over a contract dispute involving a property off Boston Post Road East, as an open meeting may have a detrimental effect on the litigating position of the City of Marlborough, and the chair hereby declares that an open meeting may have that effect.

It is further moved and stated that the Marlborough City Council will re-convene in open session after the executive session, **APPROVED**; adopted.

Yea: 11-Nay: 0

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

ORDERED: That the Various Mid-Year Transfer requests as noted in the attached communication and on the assorted spreadsheets, refer to **FINANCE COMMITTEE;** adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --											
DEPT:	Police						FY:	2016			
Available Balance		FROM ACCOUNT:				TO ACCOUNT:				Available Balance	
Amount	Org Code	Object	Account Description:		Amount	Org Code	Object	Account Description:			
\$1,378,994	\$40,000.00	12100001	50420	Police Officers	\$40,000.00	12100003	51310	Regular Overtime		\$11,034	
	Reason:	Surplus due to vacancies and long term injuries				Deficit due to vacancies and injuries					
\$18,243	\$6,000.00	12100003	51120	Crossing Guards	\$6,000	12100003	51195	Detention Attendant		\$924	
	Reason:	Surplus due to vacancy				Higher than anticipated use of police matrons					
\$18,922	\$8,000.00	12100003	51920	Sick Leave BuyBack	\$8,000	12100003	51319	Cell Watch Overtime		\$0	
	Reason:	Fewer officers buying back annual sick time				Large number of at risk detainees					
\$18,922	\$5,000.00	12100003	51920	Sick Leave BuyBack	\$5,000.00	12100006	52560	Vehicle Repair		\$9,282	
	Reason:	Fewer officers buying back annual sick time				Higher than expected repairs to a few cruisers					
\$98,160	\$4,000.00	12100003	51490	Holiday	\$4,000	12100006	51975	Initial Equipment Issue		\$2,889	
	Reason:	Fewer officers working on some holidays				New dispatcher and new police officer					
	\$63,000.00	Total			\$63,000.00	Total					

CITY OF MARLBOROUGH BUDGET TRANSFERS --											
DEPT:	Police						FY:	2016			
Available Balance		FROM ACCOUNT:				TO ACCOUNT:				Available Balance	
Amount	Org Code	Object	Account Description:		Amount	Org Code	Object	Account Description:			
\$98,160	\$2,000.00	12100003	51490	Holiday	\$2,000.00	12100006	55882	Prisoner Meals		\$1,631	
	\$2,000.00	Total			\$2,000.00	Total					

CITY OF MARLBOROUGH										
BUDGET TRANSFERS –										
DEPT:		FIRE				FISCAL YEAR:				2016
FROM ACCOUNT:		TO ACCOUNT:								Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$1,586,135.62	\$16,380.63	12200001	50450	FIREFIGHTER	\$16,380.63	12200003	51300	OVERTIME	\$70,697.20	
	Reason:	Transfer is available due to 111F payments								
\$126,424.91	\$6,156.42	12200001	50800	FIRE CAPTAIN	\$6,156.42	12200003	51300	OVERTIME	\$70,697.20	
	Reason:	Transfer is available due to 111F payments								
\$222,943.37	\$780.24	12200001	50810	FIRE LIEUTENANT	\$780.24	12200003	51300	OVERTIME	\$70,697.20	
	Reason:	Transfer is available due to 111F payments								
\$1,586,135.62	\$100,000.00	12200001	50450	FIREFIGHTER	\$100,000.00	12200003	51300	OVERTIME	\$70,697.20	
	Reason:	Transfer is available due to Retirements and vacant positions								
	\$123,317.29	Total			\$123,317.29	Total				

CITY OF MARLBOROUGH BUDGET TRANSFERS -								
DEPT:	Department of Public Works				FISCAL YEAR:	2016		
	FROM ACCOUNT:				TO ACCOUNT:			
Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$89,555	14001503	50740	Equipment Operators	\$10,000	14001306	55400	Sidewalk Maintenance	\$0
Reason:	Money available due to vacancy				Anticipated cost to cover remaining FY 16			
				\$10,000	14001306	55440	Drain Maintenance	\$8,740
					Anticipated cost to cover remaining FY 16			
				\$8,255	14001501	50690	Foreman	\$112,142
					Anticipated cost to cover remaining FY 16			
				\$22,000	14001503	51240	Temporary Part-Time	\$10,325
					Anticipated cost to cover remaining FY 16			
				\$20,000	14001503	51310	Overtime-Regular	\$800
					Anticipated cost to cover remaining FY 16			
				\$300	14001503	51990	Meal Allowances	\$0
					Anticipated cost to cover remaining FY 16			
				\$15,000	14001504	53140	Contract Services	\$2,399
					Anticipated cost to cover remaining FY 16			
				\$3,000	14001504	53810	Insect & Pest Control	\$0
					Anticipated cost to cover remaining FY 16			
				\$1,000	14001506	52500	Rep/Maint Equipment	\$225
					Anticipated cost to cover remaining FY 16			
\$89,555	Total			\$89,555	Total			

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT:		Department of Public Works				FISCAL YEAR:		2016		
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$343,541	\$14,860	14001303	50740	Equipment Operators	\$860	14001303	50790	Dispatch	\$19,950	
Reason:		Money available due to vacancy				Anticipated cost to cover remaining FY 16				
					\$8,000	14001303	51240	Temporary Part-time	\$0	
						Anticipated cost to cover remaining FY 16				
					\$8,000	14001303	51310	Overtime-Regular	\$2,594	
						Anticipated cost to cover remaining FY 16				
\$137,297	\$60,000	14001406	54830	Fuel & Lurcants	\$60,000	14001406	54810	Rep/Maint. Supplies	\$37,769	
Reason:		Money available due to drop in fuel prices				Anticipated cost to cover remaining FY 16				
\$405,150	\$41,700	14001503	50740	Equipment Operators	\$1,700	14001303	51990	Meal Allowances	\$0	
Reason:		Money available due to vacancy				Anticipated cost to cover remaining FY 16				
					\$10,000	14001304	53108	Catch Basin Cleaning	\$0	
						Anticipated cost to cover remaining FY 16				
					\$20,000	14001304	53140	Contract Services	\$16,243	
						Anticipated cost to cover remaining FY 16				
					\$10,000	14001305	55310	Highway Constr. Materials	\$20,492	
						Anticipated cost to cover remaining FY 16				
	\$116,560	Total			\$116,560	Total				

CITY OF MARLBOROUGH										
BUDGET TRANSFERS -										
DEPT:		Department of Public Works				FISCAL YEAR:		2016		
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$405,149	\$7,000	614001503	50740	Equipment Operators	\$7,000	614001506	54640	Park Maintenance	\$32,470	
		Reason: Money available due to vacancy				Anticipated cost to cover remaining FY 16				
\$924	\$924	60081003	51920	Sick Leave BuyBack	\$924	60081003	51470	Interim Foreman	\$179	
		Reason: Money available				Anticipated cost to cover remaining FY 16				
\$132,817	\$30,000	61090001	50690	Foreman	\$6,000	61090003	51240	Temporary Part-Time	\$3,810	
		Reason: Money available due to vacancy				Anticipated cost to cover remaining FY 16				
					\$8,000	61090003	51470	Interim Foreman	\$0	
						Anticipated cost to cover remaining FY 16				
					\$16,000	61090008	55750	Water Service Const	\$1,841	
						Anticipated cost to cover remaining FY 16				
\$296,506	\$20,000	61090001	50740	Equipment Operators	\$20,000	61090006	55710	Water Maintenance	\$4,974	
		Reason: Money available due to vacancy				Anticipated cost to cover remaining FY 16				
\$2,382	\$2,382	61090003	51920	Sick Leave BuyBack	\$2,382	61090008	55710	Water Maintenance	\$4,974	
		Reason: Money available due to vacancy				Anticipated cost to cover remaining FY 16				
\$5,520	\$1,000	60085005	55014	Lab/Testing Supplies	\$1,000	60085003	51470	Interim Foreman	\$198	
		Reason: Money available				Anticipated cost to cover remaining FY 16				
	\$61,306	Total			\$61,306	Total				

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT:		Department of Public Works				FISCAL YEAR:		2016		
FROM ACCOUNT:		TO ACCOUNT:								
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$48,179	\$1,691	14001101	50700	Grade 2 Engineering	\$1,691	14001103	51240	Temporary Part-time	\$4,075	
	Reason:	Unpaid leave				Anticipated cost to cover remaining FY 16				
\$4,400	\$4,400	14001103	51440	Educational Incentive	\$954	14001103	51240	Temporary Part-time	\$4,075	
	Reason:	Tuition benefit is unused				Anticipated cost to cover remaining FY 16				
					\$3,446	14001104	53180	Prof & Tech Service	\$15,513	
						Anticipated cost to cover remaining FY 16				
\$19,092	\$19,092	61090007	58770	Equipment/Tool Replacement	\$19,092	61090006	52320	Water-MMRA	\$1,000	
	Reason:	Milham WTP under construction				Anticipated cost to cover remaining FY 16				
\$187,603	\$187,603	61090006	55700	Water Treatment Plant	\$187,603	61090006	52320	Water-MMRA	\$1,000	
	Reason:	Milham WTP under construction				Anticipated cost to cover remaining FY 16				

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT:		Legal				FISCAL YEAR:		2016		
FROM ACCOUNT:		TO ACCOUNT:								
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$23,175.14	\$5,000.00	11510008	57600	Claims & Judgements	\$2,500.00	11510005	54220	Office Supplies/Expense	\$1,509.25	
	Reason:	Expenses running lower than anticipated				To cover anticipated costs through year end				
					\$2,500.00	11510006	53880	Registry of Deeds	\$50.00	
						To cover anticipated costs through year end				
	\$5,000.00	Total			\$5,000.00	Total				

CITY OF MARLBOROUGH									
BUDGET TRANSFERS --									
DEPT:		Various				FISCAL YEAR:		2018	
FROM ACCOUNT:						TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$2,092,330.17	\$215,891.00	13900008	53280	Assabet Regional Voc School	\$12,000.00	12410001	50970	Asst Wiring Inspector	\$1,575.00
	Reason:	Assessment lowered due to Local Aid increase				To cover upcoming inspections due to large projects			
\$105,697.00	\$99,697.00	11940008	51770	Retirement	\$5,000.00	12410001	50960	Asst Plumbing Inspector	\$480.00
	Reason:	Funds available due to one 7/1/2015 payment				To cover upcoming inspections due to large projects			
\$43,683.00	\$43,683.00	13100003	51770	Retirement	\$275,000.00	60080004	53110	Legal Services - Sewer	\$1,000.00
	Reason:	Funds available due to one 7/1/2015 payment				To cover various legal services thru year end			
\$417,530.00	\$82,729.00	60075208	59050	Interest Expense - Sewer	\$250,000.00	11920008	52120	Electricity	\$541,099.00
	Reason:	Funds available				To restore cut funds needed for remaining FY18			
\$4,896,252.00	\$100,000.00	10000	35900	Undesignated Fund					
	Reason:								
	\$542,000.00	Total			\$542,000.00	Total			

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Commonwealth of MA, Executive Office of Public Safety and Security grant awarded to the Police Department in the amount of \$99,805.00 to offset personnel costs in the Public Safety Dispatching Center and to purchase three computer tablets for updated, computerized Emergency Medical Dispatch protocol guidelines at each answering point in the Dispatch Center; adopted.

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Commonwealth of MA, Division of Local Services grant awarded to the City in the amount of \$30,000.00 as the City signed a Community Compact with Governor Baker's office; adopted.

ORDERED: That the City Council does hereby **APPROVES** the extension of sewer and water mains on Sudbury Street and the surrounding area; adopted.

Councilor Delano recused.

President Clancy orally reported approval via a hand vote of 10-0.

ORDERED: That the Communication from the Mayor re: Assistant Building Commissioner position refer as follows:

Chapter 7, §76-Ordinance pertinent to Building Department, refer to LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE; adopted.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING CHAPTER 7, ENTITLED "BUILDING DEPARTMENT," OF ARTICLE XIV, AS FOLLOWS:

A. Chapter 7 is hereby amended by deleting section 7-76 in its entirety and replacing it with the following:

§ 7-76 Assistant Building Commissioner; Appointment of Local Inspectors.

A. The Mayor may employ an Assistant Building Commissioner who shall assist in the performance of the duties of the Building Commissioner. The Assistant Building Commissioner shall be certified as a Building Commissioner or a Local Inspector, and shall meet the requirements and qualifications established by the Massachusetts Board of Building Regulations and Standards as defined by Section 3 of Chapter 143 of the Massachusetts General Laws.

B. The Mayor shall employ local inspectors, as necessary, to support the mission and duties of the Building Department. Local inspectors shall be under the direction of the Building Commissioner and the Assistant Building Commissioner. Local inspectors shall meet the requirements and qualifications established by the Massachusetts Board of Building Regulations and Standards as defined by Section 3 of Chapter 143 of the Massachusetts General Laws.

Chapter 125, §6-Ordinance pertinent to Compensation Schedule, refer to FINANCE COMMITTEE; adopted.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, ACTING UPON A RECOMMENDATION OF THE MAYOR, THAT THE CODE OF THE CITY OF MARLBOROUGH (HEREINAFTER, THE "CITY CODE"), AS AMENDED, BE FURTHER AMENDED BY AMENDING IN CHAPTER 125, ENTITLED "PERSONNEL," SECTION 6, ENTITLED "COMPENSATION SCHEDULE," AS FOLLOWS:

Position	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7 / Max
	<i>Start</i>	<i>6 months of service</i>	<i>1 year of service</i>	<i>2 yrs. of service</i>	<i>3 yrs. of service</i>	<i>4 yrs. of service</i>	<i>5 yrs. of service</i>
Assistant Building Commissioner	\$70,000.00	\$71,400.00	\$72,828.00	\$74,284.56	\$75,770.25	\$77,285.66	\$78,831.37

ORDERED: That the Communication from Council President Clancy re: Proposed Salary Ordinance: Election Stipend for Pollworkers as follows, refer to **FINANCE COMMITTEE**; adopted.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING SECTION 125-6 OF CHAPTER 125, ENTITLED "COMPENSATION SCHEDULE," SAID AMENDMENT TO BE EFFECTIVE AS OF JULY 1, 2017, AS FOLLOWS:

<u>Stipend Position</u>	<u>Stipend Per Election</u>
Election Wardens	\$250.00
Election Clerks	\$200.00
Election Inspectors/Checkers (per approximate 6-hour shift)	\$60.00
Constables at Polls	\$18.75 per hour

ORDERED: That the City Clerk be and is herewith directed to have proper notices issued notifying the VOTERS of the City of Marlborough that the **PRESIDENTIAL PRIMARY ELECTION** will be held in the polling locations as noted below on **TUESDAY, MARCH 1, 2016** as follows: President, State Committee Man, State Committee Woman for the Middlesex & Worcester Senate District and Ward Committee members, **FILE**; adopted.

THE POLLS WILL OPEN AT 7:00 A.M. AND WILL CLOSE AT 8:00 P.M.

POLLING LOCATIONS ARE AS FOLLOWS:

WARD ONE: Precinct 1 and 2	Francis J. Kane School, 520 Farm Road
WARD TWO: Precinct 1 and 2	Francis J. Kane School, 520 Farm Road
WARD THREE: Precinct 1	Senior Center, 40 New Street
WARD THREE: Precinct 2 Road	Raymond J. Richer School, 80 Foley
WARD FOUR: Precinct 1 and 2	Senior Center, 40 New Street
WARD FIVE: Precinct 1 and 2	Senior Center, 40 New Street
WARD SIX: Precinct 1 and 2 Union Street, Library	1LT Charles W. Whitcomb School, 25
WARD SEVEN: Precinct 1 and 2	Hildreth School, 85 Sawin Street

ORDERED: That the Communication from Assistant City Solicitor Cynthia Panagore Griffin re: Modification of Special Permit from 110 Pleasant LLC, to allow for 18 residential units in place of 17 residential units and 1 office unit, (Howe Shoe Factory Condominium) in proper legal form, Order No. 15/16-100639C, X-Order No. 10-1002683B & 11-1002923F, **MOVE TO ITEM 18**; adopted.

Councilor Tunnera abstained.

- ORDERED: That the Minutes, Planning Board, January 25, 2016, **FILE**; adopted.
- ORDERED: That the Minutes Public Schools, January 26, 2016, **FILE**; adopted.
- ORDERED: That the Minutes, Zoning Board of Appeals, February 2, 2016, **FILE**; adopted.
- ORDERED: That the Minutes, Board of Assessor's, January 27, 2016, **FILE**; adopted.
- ORDERED: That the Communication from Steven Toomey on behalf of Rosalio and Carmen Regalado re: Improper/Faulty Water Meter Installation, refer to **LEGAL DEPARTMENT**; adopted.
- ORDERED: That the following **CLAIMS**, refer to the **LEGAL DEPARTMENT**; adopted.
- a. Richard Bonnell, 41 Evelina Dr., other property damage.
 - b. Noel Raphael, 80 Bolton St., #1, pothole or other road defect.
 - c. Anthony Long, 20 Kelleher St., residential mailbox claim 2(a).

Reports of Committees:

Councilor Ossing reported the following out of the Finance Committee:

**Marlboro City Council Finance Committee
Tuesday February 9, 2016
In Council Chambers**

Present: Chairman Ossing; Finance Committee members Councilors Robey, Irish and Doucette (Councilor Oram was absent.) Councilors Clancy and Landers were also in attendance. The meeting convened at 7:01 PM.

1. **Order #16-1006424 – Transfer \$130,000.00 from Police Officers account to the Regular Overtime account.** The Finance Committee reviewed the Mayor's letter dated January 21, 2016 requesting the transfer of \$130,000.00 from the Police Officers Account to the Regular Overtime account in the Police Department. The Finance Committee voted 4 – 0 to approve the transfers.

The Finance Committee agreed to support suspending the rules at the February 22, 2016 City Council meeting to approve the transfer.

2. **Order #14-1006005A, 14-1006005B – Non Union Compensation Proposal and Proposed Job Title Changes.** The Finance Committee reviewed the Mayor's letters dated October 30, 2014 and November 13, 2014 involving the updating of the salaries and compensation of several Department heads and non-union positions. The Finance Committee took the following actions:

The Finance Committee voted 4 – 0 to approve the salary ordinance as amended below:

Reports of Committees cont'd:

- Change effective date for the salary schedule (Item B) to July 1, 2016
- Delete the Fire Chief and Building Commissioner positions as these salary ordinances were approved last year.
- Change the following position titles in Item "E" back to their existing titles Chief of Staff to the Mayor to Executive Aide to the Mayor, Executive Assistant to the Mayor to the Executive Secretary to the Mayor and Executive Assistant to the City Council to City Council Research Assistant
- The Mayor will adjust the step increases by 2% for FY16 and 2% for FY17 in the salary schedule to align with the current adjustments recently approved by the City Council.

The Finance Committee voted 4 – 0 to approve the following changes to the City Council and Mayor salaries effective January 1, 2018:

- City Council - \$10,000.00
 - Mayor - \$100,000.00
3. **Order #14-1006005B** - The Finance Committee voted 4 – 0 to approve the order to revise the "Use of Sick Leave" section 125-27 to "not exceed the amount of \$5,000.00."

Suspension of the Rules requested-granted

ORDERED: That the Police Department transfer request in the amount of \$130,000.00 which moves funds from Police Officers to Regular Overtime to fund overtime, **APPROVED;** adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS –										
DEPT:										FY:2016
Police										
FROM ACCOUNT:					TO ACCOUNT:					
Available										Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		Balance
\$1,424,236	\$130,000.00	12100001	50420	Police Officers	\$130,000.00	12100003	51310	Regular Overtime		\$19,330
	Reason:	Surplus due to vacancies and long term injuries				Deficit due to vacancies and long term injuries				
	\$130,000.00	Total			\$130,000.00	Total				

Suspension of the Rules requested-granted

ORDERED: At a regular meeting of the Marlborough City Council held on Monday, February 22, 2016 at 8:00 PM in the City Council Chambers, City Hall, the following proposed amendment to the Code of the City of Marlborough, **“USE OF SICK LEAVE ORDINANCE”** having been read was **ORDERED ADVERTISED;** adopted.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, ACTING UPON A RECOMMENDATION OF THE MAYOR, THAT THE CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED AS FOLLOWS:

Section 125-27, entitled “Use of sick leave” is hereby amended by deleting paragraph C in its entirety and inserting in place thereof the following new paragraph C:

- C. Upon the termination of employment of a non-union employee, except where the termination is by the City for cause, or upon the death of a non-union employee, the City shall pay to said employee or said employee’s beneficiary or estate, whichever is applicable, the value of the employee’s accumulated and unused sick leave, not to exceed the amount of \$5,000.00.

Suspension of the Rules requested-granted

ORDERED: That the Communication from Attorney Falk on behalf of Bolton Granger Realty Trust, regarding Proposed Order of Relocation of Court St. Extension, refer to **URBAN AFFAIRS COMMITTEE AND PLANNING BOARD;** adopted.

ORDERED:

**DECISION ON A SECOND AMENDMENT
TO ORIGINAL SPECIAL PERMIT AND
FIRST AMENDMENT TO SPECIAL PERMIT
GRANTED TO 110 PLEASANT LLC**

**CITY COUNCIL ORDER NO. 15/16-1006395C /
X10-1002683F & X11-1002923F**

Application of:
110 Pleasant LLC
Locus:
110-118 Pleasant Street
Map 68, Parcel 462

FINDINGS OF FACT AND CONDITIONS

The City Council of the City of Marlborough hereby GRANTS the application of 110 Pleasant LLC, a Massachusetts limited liability company having a mailing address of 26 Elderwood Drive, Stoughton, MA 02072, as provided in this Decision and subject to the following Findings of Fact and Conditions.

PROCEDURAL FINDINGS OF FACT

1. 110 Pleasant LLC, a Massachusetts limited liability company having a mailing address of 26 Elderwood Drive, Stoughton, MA 02072, is referred to hereinafter as the "Applicant."
2. Applicant is the owner of certain real estate located at 110-118 Pleasant Street, Marlborough, MA, as further described in a deed recorded at the Middlesex South District Registry of Deeds in Book 55633, Page 468 (hereinafter, the "Premises").
3. On September 27, 2010, the City Council of the City of Marlborough voted to grant the Applicant a special permit concerning the Premises, as further described in a document recorded at the Middlesex South District Registry of Deeds in Book 55633, Page 471 (hereinafter, the "Original Special Permit").
4. On December 5, 2011, the City Council of the City of Marlborough voted to grant the Applicant an amended special permit concerning the Premises, as further described in a document recorded at the Middlesex South District Registry of Deeds in Book 58300, Page 306 (hereinafter, the "First Amendment").
5. On December 17, 2015, the Applicant submitted to the City Clerk of the City of Marlborough an application seeking to amend the Original Special Permit and the First Amendment under the provisions of M.G.L. c. 40A, § 9 and the Marlborough Zoning Ordinance, Article IV, § 650-12.B and Article VI, § 650-59.C(20) (hereinafter, the "Application").

6. In connection with the Application, Applicant filed a Summary Impact Statement, certified list of abutters, filing fee and twenty (20) copies of the existing Site Plan.
7. The existing Site Plan was certified by the Planning Department of the City of Marlborough (Building Commissioner) as having complied with the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.
8. Pursuant to the Rules and Regulations of the City Council and applicable statutes of the Commonwealth of Massachusetts, the City Council established a date for a public hearing on the Application and the City Clerk caused to be advertised the public hearing's date in the MetroWest Daily News and sent notice of said hearing to abutters entitled to notice under law.
9. On January 25, 2016, the City Council held a public hearing concerning the Application. The hearing was opened and closed on that date.
10. The Applicant presented testimony at the public hearing detailing the Application. All testimony made by those speaking at the public hearing have been duly considered in making this Decision.
11. The Procedural Findings of Fact specified above supplement those made in the Original Special Permit and in the First Amendment, which are expressly incorporated herein by reference.

BASED UPON THE ABOVE, THE CITY COUNCIL MAKES THE FOLLOWING FINDINGS OF FACT AND TAKES THE FOLLOWING ACTIONS:

- A) The City Council finds that Applicant has complied with all the Rules and Regulations promulgated by the Marlborough City Council as they pertain to the Application.
- B) The City Council finds that the proposed use of the site, subject to the conditions imposed below, will not be in conflict with the public health, safety, convenience and welfare and will not be detrimental or offensive. Further, the City Council finds that the proposed new use of the site, and the structure as altered, will not be substantially more detrimental to the neighborhood than the continued use of the existing site and structure for manufacturing and other non-conforming uses. The visual impacts from the proposed use have been mitigated, and the traffic impacts will be no more detrimental than the possible impacts from industrial uses. In addition, the City Council finds that the proposed residential use may act as a catalyst in encouraging further growth in, and improvements to, the surrounding area.

C) The City Council, pursuant to its authority under M.G.L. c. 40A, § 9 and Chapter 650 of the Marlborough City Code, GRANTS the Applicant a Second Amendment to the Original Special Permit and the First Amendment to alter the preexisting nonconforming use of the Premises to a residential use and to alter the preexisting nonconforming structure that exists thereon, through the adaptive reuse of the structure to accommodate eighteen (18) residential housing units (the "Project"), by:

- (a) deleting Condition Number 7 and substituting there for a new Condition Number 7, as set forth below;
- (b) deleting the Condition Number 22 and substituting there for a new Condition Number 22, as set forth below;
- (c) deleting Condition Number 24 and substituting there for a new Condition Number 24, as set forth below;
- (d) inserting a new Condition Number 27, as set forth below; and
- (e) inserting a new Condition Number 28, as set forth below.

All other conditions of the Original Special Permit and the First Amendment shall continue in full force and effect, and are expressly incorporated herein by reference.

7. Limit and Type of Residential Units. The Project will contain no more than eighteen (18) residential units which will all be two-bedroom units as referenced in the modified site plans and further depicted on related architectural building permit plans.

22. Owner-Occupancy. It shall be a condition of the condominium by-laws of the Project that all residential units in the Project, consisting of a total of eighteen (18) units that are sold will be purchased by a person or persons who intend to reside in the units. The condominium documents shall provide for appropriate daily fines for the violation of this section of the condominium by-laws, and will provide that this section may not be amended. No occupancy permit regarding the project shall be issued unless and until the City Solicitor has certified to the Building Commissioner that the condominium by-laws, along with the condominium master deed, have been recorded. Applicant (110 Pleasant LLC, 26 Elderwood Drive, Stoughton, MA 02072), including its successors and assigns, may, following the issuance of the occupancy permit for a particular unit but prior to the conveyance thereof to the purchaser of the unit, rent said units to tenants; provided, however, that:

- a. No said unit shall be or continue to be rented after the fifth anniversary of the date of issuance of the occupancy permit of said unit;
- b. No unit shall be rented or continue to be rented after the seventh anniversary of the date of issuance of the first occupancy permit for the site;
- c. The number of units being rented and occupied by tenants shall not exceed eighteen (18) units;
- d. An executed "rent to own" contract shall qualify the subject unit as owner-occupied, so long as transfer of title for that unit occurs within 36 months of the starting date of the rental agreement for that unit;
- e. Applicant, including its successors and assigns, shall continue to market the units as condominiums;
- f. No sign at the premises shall market any units as being for rent; however "rent to own" signs are permissible so long as they are in compliance with City's sign ordinance without variance; and
- g. No unit shall be rented to any person or persons for more than three years unless, prior to the expiration of those three years, said person or persons execute(s) a purchase and sale agreement.

The term "Applicant, its successors and assigns," as used herein and for purposes of this Condition 22 shall include Applicant, its successors and assigns, and any entity controlled by said entities, or controlled by the principal and/or principals of said entities. No entity may, at one time, own more than 10% of the units in any condominium created hereunder.

24. No Further Subdivision of Condominiums. Applicant shall cause there to be included in the Master Deed creating the condominium for the Project a requirement that there shall be no further units created within the condominium other than the eighteen (18) residential units allowed through this special permit. Prior to the issuance of the first occupancy permit for the first unit of the Project, the City Solicitor shall verify in writing to the Building Commissioner that the Master Deed creating the condominium for the Project has been recorded, that said requirement is contained in the Master Deed, and that the Master Deed contains a provision that said Master Deed requirement prohibiting the creation of further units may not be eliminated.

27. Prior Decisions. The Project may consist of up to eighteen (18) residential units, notwithstanding anything in the Original Special Permit or the First Amendment to the contrary.

28. Recording. This Second Amendment to the Original Special Permit and the First Amendment shall be recorded at the Middlesex South District Registry of Deeds in accordance with the provisions of M.G.L. Chapter 40A, § 11. The Applicant (110 Pleasant LLC, 26 Elderwood Drive, Stoughton, MA 02072), including its successors and assigns, shall be responsible for recording, at its expense, this Second Amendment, and shall present evidence of said recording to the City Solicitor's office, which thereupon shall duly forward said recording evidence to the Building Commissioner.

Yea: 10 – Nay: 0 – Abstain: 1

Yea: Delano, Doucette, Elder, Irish, Clancy, Landers, Juair, Oram, Ossing & Robey

Abstain: Tunnera

ORDERED: That the sum of \$6,350,000 (six million three hundred fifty thousand dollars) be and is hereby appropriated for street construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$6,350,000.

Pursuant to the provisions of Chapter 44, Section 7 (5) of the Massachusetts General Laws, as amended, and the guidelines established by the Division of Local Services within the Massachusetts Department of Revenue, each issue of such bonds or notes shall be payable in not more than fifteen (15) years from its date of issue.

APPROVED; adopted.

Councilor Irish recused.

Yea: 10 – Nay: 0 – Abstain: 1

Yea – Delano, Doucette, Elder, Tunnera, Clancy, Landers, Juair, Oram, Ossing, & Robey

Abstained: Irish

ORDERED: That the sum of \$650,000 (six hundred fifty thousand dollars) be and is hereby appropriated for water meters.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$650,000.

Pursuant to the provisions of Chapter 44, Section 8 (7A) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than ten (10) years from its date of issue.

APPROVED; adopted.

Yea: 11 – Nay: 0

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

ORDERED: That the sum of \$350,000 (three hundred fifty thousand dollars) be and is hereby appropriated for sewer construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$350,000.

Pursuant to the provisions of Chapter 44, Section 8 (15) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than thirty (30) years from its date of issue.

APPROVED; adopted.

Yea: 11 – Nay: 0

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

ORDERED: That the sum of \$3,350,000 (three million three hundred fifty thousand dollars) be and is hereby appropriated for water main construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$3,350,000.

Pursuant to the provisions of Chapter 44, Section 8 (5) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than forty (40) years from its date of issue.

APPROVED; adopted.

Yea: 11 – Nay: 0

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

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:27 PM.



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**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

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

MARCH 7, 2016

Regular meeting of the City Council held on Monday, MARCH 7, 2016 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Clancy, Juaire, Oram, Robey, Delano, Doucette, Elder, Tunnera, Irish and Landers. Absent: Ossing. Meeting adjourned at 9:53 PM.

ORDERED: That the Minutes of the City Council meeting FEBRUARY 22, 2016, **TABLED UNTIL NEXT CITY COUNCIL MEETING;** adopted.

ORDERED: That the PUBLIC HEARING On the Proposed Zoning Amendment by adding a new Section to Chapter 650 §35, HOSPITALITY AND RECREATION MIXED USE OVERLAY DISTRICT, Order No. 16-1006443, all were heard who wish to be heard, hearing recessed at 9:09 p.m.

Councilors Present: Delano, Doucette, Elder, Tunnera, Irish, Clancy, Landers, Juaire, Oram, & Robey.

Absent: Ossing

ORDERED: That the Communication from Mayor re: Amended Salary Schedule for Non-Union positions as recommended by the Finance Committee, Order No. 14/15/16-1006005A-1, **MOVE TO ITEM 18;** adopted.

ORDERED: That the Right of First Refusal concerning the purchase offer for land at 421 Bolton Street, as provided to the City under M.G.L. c. 61, § 8 in the Notice of Intent dated January 26, 2016, refer to the **URBAN AFFAIRS COMMITTEE;** adopted.

That the Communication from the Mayor re: West Hill Rd. Project, refer **BACK TO THE MAYOR TO REQUEST A REAFFIRMATION OF THE CITY COUNCIL VOTE TO MOVE PROJECT FORWARD;** adopted.

Councilor Irish recused.

President Delano orally reported approval via a hand vote of 9-0.

Councilor Ossing was absent.

ORDERED: That the Communication from the Planning Board re: Waters Edge Subdivision Correspondence from Legal Department, refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE;** adopted.

Councilor Oram recused.

ORDERED: That there being no objection thereto set **MONDAY, APRIL 4, 2016** as **DATE FOR PUBLIC HEARING** On the Application for Special Permit, Q Café d/b/a Firefly's, 350 East Main St., to expand outdoor patio/deck area; add small bar; add serving cooking kitchen; add acoustic music; add televisions; add games; add fire pit; and add outdoor heating. The capacity is to remain the same.

Refer to **URBAN AFFAIRS COMMITTEE, ADVERTISE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, APRIL 4, 2016** as **DATE FOR PUBLIC HEARING** On the Application for LED Sign Special Permit, Marlborough Savings Bank, 71 Boston Post Rd. E. to erect an electronic message board below the existing Marlborough Savings Bank sign, refer to **URBAN AFFAIRS COMMITTEE, ADVERTISE**; adopted.

Councilor Delano recused.

Councilor Elder submitted a disclosure which is now on file with this order.

ORDERED: That the Application of Cynthia DesGrange, Hightech Signs, to display temporary mesh banners on the chain link construction fence at the future site of Talia Apartments, 155 Ames St., refer to **CODE ENFORCEMENT**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, APRIL 4, 2016** as date for a **PUBLIC HEARING** On the Petition from National Grid and Verizon New England, Inc. to relocate P5, P6-50, P7, P8, P10, P10-80, P11, P11-50 along Main St. between Main St. and Francis St. The City of Marlborough requests pole relocations to accommodate road improvement project, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Application for Junk Dealer/ Second Hand License, Rosiane Domar-Nelson, D'Mar Enterprises Inc., 181 Boston Post Rd., refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Communication from MassDevelopment re: Consideration of Approval of Revenue Bond Financing for a Project by CIL Realty of MA, **FILE**; adopted.

Councilor Robey requested that this communication be posted on the City's webpage. Request was honored and placed under the Announcements category.

ORDERED: That the Minutes, Planning Board, February 8, 2016, **FILE**; adopted.

ORDERED: That the Minutes, Conservation Commission, January 21, 2016, **FILE**; adopted.

ORDERED: That the Minutes, Board of Assessor's, February 17, 2016, **FILE**; adopted.

ORDERED: That the Minutes, Library Board of Trustees, February 2, 2016, **FILE**; adopted.

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

- a. Steven Delory, 543 Bigelow St., residential mailbox claim 2(a).
- b. Eileen Tupper, 159 Stearns Rd., residential mailbox claim 2(a).
- c. Robert Levine, 32 Queensview Rd., residential mailbox claim 2(a).
- d. Mariyn Glickman, 136 Taylor Rd., residential mailbox claim 2(b).

Reports of Committees:

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

Meeting Name: City Council Public Services Committee

Date: March 2, 2016

Time: 6:15 PM

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

Convened: 6:19 PM

Adjourned: 6:26 PM

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

Order No. 16-1006444: Application for Junk Dealer's License, Gercieile Costa, Brazcom Wireless Inc., 223b Main Street. Gercieile Costa of Brazcom Wireless Inc. is an authorized dealer for Metro PCS which is now part of T-Mobile. T-Mobile offers customers the opportunity to bring in their old devices, which are returned to T-Mobile, for a discount on the purchase of a new wireless device. She does not currently sell refurbished devices but that may change in the future. **Motion made by Councilor Irish, seconded by Chair, to approve Order No. 16-1006444. The motion carried 3-0.**

Motion made by Councilor Doucette, seconded by Councilor Irish, to adjourn. The motion carried 3-0. The meeting adjourned at 6:26 PM.

Suspension of the Rules requested-granted

ORDERED: At a regular meeting of the Marlborough City Council held on Monday, MARCH 7, 2016 at 8:00 PM in the City Council Chambers, City Hall, the following proposed amendment to the Code of the City of Marlborough, be further amended by amending Chapter 125 entitled "PERSONNEL", Section 6 entitled "COMPENSATION SCHEDULE" having been read was **ORDERED ADVERTISED**; adopted as follows:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, ACTING UPON A RECOMMENDATION OF THE MAYOR, THAT THE CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED AS FOLLOWS:

- A. Section 6 is hereby retitled "Salary Schedule"
- B. This salary schedule shall take effect July 1, 2016.
- C. Any new hires to the positions listed below who are appointed to their position will begin at Step 1.
- D. The Mayor shall have the authority and discretion to waive any two steps of the salary schedule for all positions, subject to available appropriation.
- E. The positions of City Solicitor, Executive Aide to the Mayor, Executive Secretary to the Mayor, and Secretary/Research Assistant to the City Council, as at-will employees, shall be compensated reasonably in any amount up to but not to exceed their Step 7 Maximum.

F. As allowed under Massachusetts General Law Chapter 41, Section 108O, the positions of Police Chief and Fire Chief are eligible to receive employment contracts provided that their total compensation, including but not limited to salary, stipends and educational incentives does not exceed their Step 7 Maximum.

Position	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7 / Max
	<i>Start</i>	<i>6 months of service</i>	<i>1 year of service</i>	<i>2 yrs. of service</i>	<i>3 yrs. of service</i>	<i>4 yrs. of service</i>	<i>5 yrs. of service</i>
Comptroller - Treasurer	\$109,014	\$111,194	\$113,418	\$115,686	\$118,000	\$120,360	\$122,767
Police Chief	-	-	-	-	-	-	\$166,464
Human Resources Director	\$87,765	\$89,521	\$91,311	\$93,137	\$95,000	\$96,900	\$98,838
City Auditor	\$89,613	\$91,405	\$93,234	\$95,098	\$97,000	\$98,940	\$100,919
City Solicitor	-	-	-	-	-	-	\$117,565
City Clerk	\$81,298	\$82,924	\$84,583	\$86,274	\$88,000	\$89,760	\$91,555
Executive Aide to the Mayor and Secretary/Research Assistant to the City Council	-	-	-	-	-	-	\$68,666
Executive Secretary to the Mayor	-	-	-	-	-	-	\$53,009
Assistant City Solicitor	\$82,125	\$83,767	\$85,443	\$87,152	\$88,895	\$90,673	\$92,486
Chief Procurement Officer	\$76,679	\$78,213	\$79,777	\$81,372	\$83,000	\$84,660	\$86,353
Library Director	\$91,461	\$93,290	\$95,156	\$97,059	\$99,000	\$100,980	\$103,000
Paralegal	\$40,335	\$41,142	\$41,965	\$42,804	\$43,660	\$44,533	\$45,424
Assistant Recreation Director	\$57,279	\$58,424	\$59,593	\$60,785	\$62,000	\$63,240	\$64,505
Senior Clerk (nonunion)	\$40,335	\$41,142	\$41,965	\$42,804	\$43,660	\$44,533	\$45,424

G. Any changes to the salary of the Mayor and City Council shall not take effect until January 1, 2018.

Position	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7 / Max
	<i>Start</i>	<i>6 months of service</i>	<i>1 year of service</i>	<i>2 yrs. of service</i>	<i>3 yrs. of service</i>	<i>4 yrs. of service</i>	<i>5 yrs. of service</i>
Mayor							\$100,000
City Council							\$10,000

ORDERED: At a regular meeting of the Marlborough City Council held on Monday, FEBRUARY 22, 2016 at 8:00 PM in the City Council Chambers, City Hall, the following proposed amendment to the Code of the City of Marlborough, "USE OF SICK LEAVE ORDINANCE" having been read was **ORDERED ADVERTISED**.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, ACTING UPON A RECOMMENDATION OF THE MAYOR, THAT THE CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED AS FOLLOWS:

Section 125-27, entitled "Use of sick leave" is hereby amended by deleting paragraph C in its entirety and inserting in place thereof the following new paragraph C:

- C. Upon the termination of employment of a non-union employee, except where the termination is by the City for cause, or upon the death of a non-union employee, the City shall pay to said employee or said employee's beneficiary or estate, whichever is applicable, the value of the employee's accumulated and unused sick leave, not to exceed the amount of \$5,000.00.

TABLED UNTIL THE MARCH 21, 2016 CITY COUNCIL MEETING AS THE LEGAL ADS WERE ADVERTISED ON SATURDAY, FEBRUARY 27, 2016 THEREFORE CAN NOT BE BEEN FURTHER ADDRESSED UNTIL THE MARCH 21, 2016 CITY COUNCIL MEETING TO COMPLY WITH THE TEN DAY PERIOD; adopted

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:53 PM.



City of Marlborough
Office of the Mayor

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140 Main Street
Marlborough, Massachusetts 01752
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2016 MAR 17 A 4 59 www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Nicholas J. Milano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

March 17, 2016

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

Re: Fire Department Promotion

Honorable President Clancy and Councilors:

I am pleased to inform you that Eric Christensen was recently promoted to Lieutenant in the Marlborough Fire Department upon the recommendation of Chief Kevin Breen.

Lieutenant Christensen served as a Firefighter in the United States Air Force from 1997-2001 and he was appointed to the Marlborough Fire Department on November 5, 2001. Lieutenant Christensen is a member of the State Hazmat Team and has completed numerous training and certifications including Confined Space Rescue and Rapid Intervention. As you may recall, he also recently organized and led a blood drive for Boston Children's Hospital.

The Marlborough Fire Department and the residents of Marlborough have been well served by Lieutenant Christensen throughout his career. Please join me in congratulating this highly qualified firefighter on his promotion to Lieutenant.

Sincerely,


Arthur G. Vigeant
Mayor



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Arthur G. Vigeant
MAYOR

Nicholas J. Milano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

March 17, 2016

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

Re: Richer Elementary School Feasibility Study Appropriation and Transfer

Honorable President Clancy and Councilors:

Please find enclosed for your approval, an order to appropriate \$1 million to be spent for the Feasibility Study phase of the Massachusetts School Building Authority ("MSBA") process for the Richer Elementary School project. To fund the appropriation, the draft language I have attached includes a transfer request in the amount of \$1 million from Free Cash. The MSBA will reimburse the City for more than 50% of all eligible costs incurred during the Feasibility Study.

This vote is required by the MSBA as part of the Eligibility Period and is a prerequisite to moving forward in the MSBA process. If the City does not appropriate funds for the Feasibility Study, it will no longer remain in the MSBA pipeline for a project at the Richer Elementary School.

For background, the MSBA process is made of multiple phases. In January, the MSBA Board approved the City's Statement of Interest and invited the City of Marlborough into the Eligibility Period to explore the District's readiness for a project. After the City and school department complete a number of deliverables, which are outlined in the attached schedule, the City will return to the MSBA Board for approval to move into the Feasibility Study.

During the Feasibility Study, the City will conduct procurements to hire an Owner's Project Manager and a Designer. Once the professional team has been formed, they will begin to study the various options for the Richer Elementary School. This includes: analyzing a major repair of and addition to the existing building, identifying potential sites, testing those sites for suitability for construction, and designing the school project to the Schematic Design level of detail.

At the conclusion of the Feasibility Study phase, the City will return to the MSBA Board for approval of the entire project and to the City Council for approval to fund the full cost of the project.

To cover the cost of this phase, I recommend that the City transfer \$1 million from Free Cash based on a review my office conducted of Feasibility Study costs for other Districts with projects of similar size and scope. As I noted, the MSBA will reimburse the City for all eligible costs

incurred during the Feasibility Study – our reimbursement rate is currently projected to be 54.16 percent.

As you know, the City had more than \$6 million in Free Cash available after the close of Fiscal Year 2015. Thanks to economic growth and prudent spending, the City remains in strong financial condition. In addition, the mild winter means our snow and ice costs have come in below projections. I propose funding this appropriation with \$1 million from Free Cash that is available due to these lower snow and ice costs.

The City may earn up to two additional points on the reimbursement rate based on the MSBA review of our maintenance plan for our school facilities. Depending on the type of project the City designs, there will be further opportunities to achieve incentive points and increase the City's reimbursement rate.

I am in the process of forming the School Building Committee that will oversee the project and will inform you of its members prior to the Finance Committee meeting to discuss this transfer.

The City's Legal Department and the MSBA have reviewed the attached vote language to ensure that it conforms to all requirements. Any changes to the vote language must be approved by the MSBA's Legal Department.

If you have any questions or comments, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Arthur G. Vigeant', written over a large, stylized circular flourish.

Arthur G. Vigeant
Mayor

Enclosures

ORDERED:

That the City of Marlborough appropriate the amount of One Million Dollars (\$1,000,000) for the purpose of paying costs of a Feasibility Study/Schematic Design for new construction, or an addition to and renovation, of the Richer Elementary School at 80 Foley Rd, Marlborough, MA 01752, including the payment of all costs incidental or related thereto, and for which the City may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the School Building Committee. To meet this appropriation, the Marlborough City Council approves the transfer of said amount from the Undesignated Fund Account into the Feasibility Study – Richer Account. The City acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the City incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City.

ADOPTED
In City Council
Order No 16-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

CITY OF MARLBOROUGH
BUDGET TRANSFERS –

DEPT: Mayor

FISCAL YEAR: 2016

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$4,896,252.00</u>	<u>\$1,000,000.00</u>	<u>10000</u>	<u>35900</u>	<u>Undesignated Fund</u>	<u>\$1,000,000.00</u>	<u>19300006</u>	<u>52690</u>	<u>Feasibility Study-Richer</u>	<u>\$0.00</u>
	Reason:	_____				To fund a feasibility study for the Richer School			
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
	Reason:	_____				_____			
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
	Reason:	_____				_____			
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
	Reason:	_____				_____			
	\$1,000,000.00	Total			\$1,000,000.00	Total			

Department Head signature: _____

Auditor signature: _____

Comptroller signature: _____

[Handwritten Signature]
[Handwritten Signature]

**Eligibility Period
 Schedule of Deliverables**

**City of Marlborough
 Richer Elementary School**

MSBA Board of Director Meeting – January 27, 2016

Eligibility Period Commences – February 10, 2016		
MODULE ONE - Eligibility Period		
Deliverable	Days	Due Date and Status
Initial Compliance Certification	30	March 11, 2016 Required
School Building Committee	60	April 19, 2016 Required
Educational Profile Questionnaire	90	May 10, 2016 Required
Online Enrollment Projection	90	May 10, 2016 Required
Enrollment/Certification Executed	180	August 8, 2016 Required
Maintenance and Capital Planning Information	180	August 8, 2016 Required
Local Vote Authorization	270	November 7, 2016 Required
Feasibility Study Agreement	270	November 7, 2016 Required
Eligibility Period Concludes – November 7, 2016		

Note: If the District has concerns about meeting any of the following deadlines, please let the MSBA know by February 10, 2016. The MSBA will require Districts that are unable to complete the preliminary requirements within the timeframes noted for each to withdraw its SOI and reapply when the District has the financial and community support required.



City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Office of the Mayor

2016 MAR 17 A 9:59 140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Nicholas J. Allano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

March 17, 2016

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

Re: Grant Acceptance – Council on Aging

Honorable President Clancy and Councilors:

Please find enclosed for your acceptance a grant award in the amount of \$829.77 for the Council on Aging. The grant was awarded by the MArtap Advisory Committee.

As the letter from Council on Aging Executive Director Patricia Pope indicates, the grant award will be used to fund the purchase of GPS equipment, First Aid Kits, Severe Weather Kits, and other transportation equipment for the Council on Aging passenger van.

I have also included for your review a notice of grant award form and the grant award letter.

If you have any questions, please do not hesitate to contact me or Trish Pope.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures

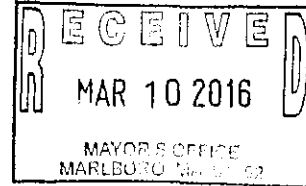


City of Marlborough
Council on Aging and Senior Center

40 New Street
Marlborough, Massachusetts 01752
Telephone (508) 485-6492 Facsimile (508) 460-3726

Patricia A. Pope
EXECUTIVE DIRECTOR

March 10, 2016



Mayor Arthur Vigeant
140 Main Street
Marlborough, MA 01752

Re: Helping Hand Mini Grant

Dear Mayor Vigeant;

I am submitting to you a grant award of \$829.77 from the MArtap Advisory Committee. The grant money will be used to purchase a voice activated GPS for the COA Bus along with a few miscellaneous items which will enhance the safety our passengers and drivers. I ask that you forward this grant to the City Council for their action.

I would like to take this opportunity to thank our friends at MArtap for assisting us with our transportation program. Our program continues to grow and is proving to be a great support to our seniors in Marlborough.

As always, I am available should you or the City Council have any questions.

Sincerely,

Patricia A. Pope
Executive Director

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: Council on Aging DATE: March 10, 2016

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Patricia A. Pope

NAME OF GRANT: Helping Hand Mini Grant

GRANTOR: MArtap Advisory Committee

GRANT AMOUNT: \$829.77

GRANT PERIOD: expenditure deadline 4/22/16

SCOPE OF GRANT/
ITEMS FUNDED Equipment for the Van/Mini Bus
GPS equipment, collapsable bins, First Aid Kit, Severe Weather Kit, removable step.

IS A POSITION BEING
CREATED: No

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

ARE MATCHING CITY
FUNDS REQUIRED? Yes

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:
10% match (\$92.20) Transportation: 15410006-57075

ANY OTHER EXPOSURE TO CITY?
No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: As soon as possible due to the short timeline to
expend the funds.

**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**

Patricia Pope

From: Abril Novoa Camino <info@martap.org>
Sent: Monday, March 7, 2016 3:54 PM
To: Patricia Pope
Subject: MArtap Mini Grant Application - Decision

The MArtap Advisory Committee is pleased to inform you that the Marlborough COA has been awarded a Helping Hand Mini Grant of up to **\$829.77** for the purposes stated in your application.

The expenditure deadline is Friday, April 22, 2016. The reimbursement request deadline is Friday, May 17, 2016. No late reimbursement requests will be honored. Please submit your reimbursement requests accompanied by your receipts to this email address or the mailing address below.

Best,

Abril Novoa Camino

MArtap c/o VTA,

11 A Street – Business Park,

Edgartown, MA 02539

Phone. 877 MArtap1 (627-8271)

Fax. (857) 368-0617



City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Office of the Mayor

2016 MAR 17 A 9:59 140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Nicholas J. Milano
EXECUTIVE AIDE

Patrieta Bernard
EXECUTIVE SECRETARY

March 17, 2016

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

Re: Recreation Department

Honorable President Clancy and Councilors:

I am writing to inform you that Recreation Director David Grasso has notified me of his intention to retire. Upon his effective date of retirement, I will recommend to the Recreation Commission that Program Manager Charles Thebado be named Recreation Director. In the meantime, we will conduct an assessment of the Recreation Department for potential improvements to the structure and operation.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Arthur G. Vigeant
Mayor



RECEIVED
CLERK'S OFFICE
MARLBOROUGH

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

DONALD V. RIDER, JR.
CITY SOLICITOR

CYNTHIA M. PANAGORE GRIFFIN
ASSISTANT CITY SOLICITOR

ELLEN M. STAVROPOULOS
PARALEGAL

March 17, 2016

Edward Clancy, President and Members
Marlborough City Council

RE: Proposed Order Of Amendment To § 7-76 Of The Ordinances of the City of
Marlborough
Order No. 16-1006466

Dear President Clancy and Members:

Please find the enclosed proposed order of amendment to § 7-76 of the Ordinances of the City of Marlborough regarding the creation of a position to be known as the Assistant Building Commissioner. At the request of the Legal & Legislative Committee, we have edited paragraph A. of said proposed order to correlate with the qualifications for the position as provided in the Job Description. Said order is in proper legal form for consideration by the body.

For your information, also enclosed is a revised Job Description for the position of Assistant Building Commissioner. At the request of the Legal & Legislative Committee, we have edited it by inserting the word "excellent" before the words "customer service" under the heading entitled "Related Experience and Qualifications."

Very Truly Yours,

Cynthia Panagore Griffin

Enclosures

Cc: Arthur G. Vigeant, Mayor
David Brumby, Director, Human Resources

ORDERED:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING CHAPTER 7, ENTITLED "BUILDING DEPARTMENT," OF ARTICLE XIV, AS FOLLOWS:

- A. Chapter 7 is hereby amended by deleting section 7-76 in its entirety and replacing it with the following:

§ 7-76 Assistant Building Commissioner; Appointment of Local Inspectors.

A. The Mayor may employ an Assistant Building Commissioner who shall assist in the performance of the duties of the Building Commissioner. At the time of appointment, the Assistant Building Commissioner shall be certified as a Building Commissioner or shall be certified and working as a Local Inspector for at least two years prior to appointment and become a certified Building Commissioner within 18 months of appointment, the requirements and qualifications of said certifications being governed by the Massachusetts Board of Building Regulations and Standards as provided by Section 3 of Chapter 143 of the Massachusetts General Laws.

B. The Mayor shall employ local inspectors, as necessary, to support the mission and duties of the Building Department. Local inspectors shall be under the direction of the Building Commissioner and the Assistant Building Commissioner. Local inspectors shall meet the requirements and qualifications of the Massachusetts Board of Building Regulations and Standards as provided by Section 3 of Chapter 143 of the Massachusetts General Laws.

ADOPTED
In City Council
Order No. 16-1006466

Adopted:

Approved by Mayor
Arthur G. Vigeant
Date:

City of Marlborough Assistant Building Commissioner Job Description

DEPARTMENT: Building Department/Inspectional Services

JOB TITLE: Assistant Building Commissioner

SALARY: TBD

SUPERVISION RECEIVED: Reports directly to the Building Commissioner

DESCRIPTION DATE: February 3, 2016

SUMMARY OF POSITION: Under the Direction of the Building Commissioner this position assumes all the responsibilities of a “Local Inspector” enforcing the provisions of the Massachusetts State Building Code (780 CMR), the Massachusetts Architectural Access Board (521CMR), the Massachusetts State Sanitary Code, 105 CMR 410, other applicable codes adopted by the State, Chapter 40A as well as the City of Marlborough’s Zoning Regulations and Ordinances for the safety and protection of the general public. Works under the administrative direction of the Building Commissioner to assist with the day-to-day activities of the department.

SUPERVISORY DUTIES: This position reports all activities directly to the Building Commissioner in accordance with applicable provisions of the Massachusetts State Building Code, General Laws and Local Ordinances. Professionally coordinates enforcement with the Building Department staff and other appropriate Municipal Departments in the extended absence or unavailability of the Building Commissioner following established Departmental Policy & Procedures. Performs highly responsible functions of a technical nature requiring considerable judgment in the application, interpretations and enforcement of the Massachusetts State Building and related codes, zoning ordinances and other applicable regulations. This is a confidential, managerial position.

MAJOR RESPONSIBILITIES: The Assistant Commissioner shall: enforce all of the provisions of 780 CMR, 521 and any other state and or local statutes, rules, regulations, ordinances or bylaws which empower a building official; act on any question relative to the mode or manner of construction and materials to be used in the construction, reconstruction, alterations, repair, demolition, removal, installation of equipment and the location, use, occupancy and maintenance of all building and structures, except as otherwise specifically, provided for by statutory requirements or as provided for in 780 CMR; receive and process applications, issue permits for the construction, reconstruction, alteration, repair, demolition, removal or change in use or occupancy of buildings and structures and inspect the premises for which such permits have been issued and enforce compliance with the provisions of 780 CMR & 105 CMR 410 as applicable; issue all necessary notices or orders to ensure compliance with 780 CMR, 105 CMR 410 and ordinances, bylaws and regulations that empower a Building Official; shall coordinate enforcement & compliance with office staff, outside agencies and all municipal

departments; permit Granting Authorities or Boards and conduct such inspections as deemed necessary to ensure compliance with said regulations; inspect and investigate and or appropriately assign in the absence or unavailability of the Building Commissioner all zoning issues and locally adopted codes or ordinances as dictated by office policy and procedures as established by the Building Commissioner and Department Staff.

SPECIFIC DUTIES: As assigned by the Building Commissioner

1. Whenever, by reason of absence, illness, unavailability etc. of the Building Commissioner, the Assistant Commissioner shall continue to perform such duties and in doing so shall exercise all powers and assume all responsibilities of the Building Commissioner, including reporting to the Mayor. The Assistant Commissioner shall not deviate from office Policy & Procedures but maintain said Procedures as dictated and pre-determined by the Building Commissioner and staff; provide responsible administrative supervision over all functions of the Building Department involving the planning, organizing, staffing coordination and management of the Building Department.
2. May attend meetings of the City Council or other city committees and departments as directed by the Building Commissioner concerning the operation of the Building Department and enforcement of all codes and regulations under his/her authority as Assistant Building Commissioner.
3. Meets with staff and other municipal departments as needed to provide advice, assistance and direction on administrative issues, Processing Building Permit applications and construction projects.
4. Confers as needed with the Mayor, City Council, Board of Health, Community Development, Fire & Law Departments, Planning Board or any other municipal department within the City.
5. Confers as needed with regional and/or state agencies and various organizations to advance public safety and the departments' mission of addressing Public Safety by way of enforcement of all related codes.
6. Respond to after-hour calls and inspections requests from Police Department, Fire Department and Building Commissioner.
7. At all times must wear proper attire and carry identification that immediately identifies him/her as a Building Official.

MINIMUM QUALIFICATIONS FOR THE POSITION: Prior to appointment, Applicants shall be certified as a Local Inspector in accordance with the provisions of M.G.L. c.143: Section 3, and working in the capacity as a "Local Inspector" for at least two years prior to the appointment. Assistant Building Commissioner shall also become certified as a Building Commissioner by the Board of Building Regulations and Standards under the provisions of 780 CMR R7: Rules and Regulations for the Certification of Building Commissioners, within eighteen (18) months of being appointed.

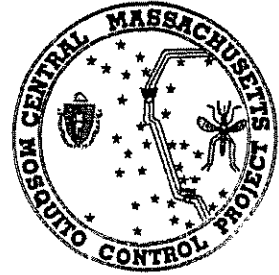
RELATED EXPERIENCE & QUALIFICATIONS: Working knowledge of personal computers and Microsoft Office, basic filing skills, blueprint reading, excellent customer service skills, appropriate math and writing skills. Must also have a reliable vehicle and valid Massachusetts Driver's License. Have the ability to effectively present information and respond to questions, write violation notices, reports and business correspondence. Be prepared to follow through with all complaints and violations until resolved. Shall possess management and conflict resolution skills appropriate to assisting staff and Inspectors as needed on a daily basis.

PHYSICAL REQUIREMENTS: Inspecting construction projects that require close visual attention and concentration. The job may also require climbing ladders and accessing areas in limited spaces.

MEMO

**Central Mass.
Mosquito Control
Project**

www.cmmcp.org



TO: CMMCP Member Town Clerks
FROM: Timothy Deschamps, Executive Director
RE: 2015 CMMCP annual reports
DATE: March 1, 2016

RECEIVED
CITY CLERK'S OFFICE
CITY OF BOSTON
2016 MAR -4 P 12: 22

CMMCP ANNUAL REPORTS NOW ONLINE

--please distribute in town hall --

The 2015 CMMCP annual reports for all member cities and towns are online on the CMMCP website at this link: <http://www.cmmcp.org/15report.htm>. We ask that you please distribute this memo amongst all offices in town hall.

Hard copies can be printed and delivered upon request – please send an e-mail with the requested number of copies to cmmcp@cmmcp.org. Thank you for cooperation.

 Find us on
Facebook



<http://www.facebook.com/Central.Mass.Mosquito>

follow us on
twitter



<http://www.twitter.com/CMassMosquito>

Town Copy

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

February 20, 2013 RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2016 MAR -7 A 9:51

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

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:

St Martin Drive Pole 4-150

NGRID request to install new intermediate pole 4-150 between existing Pole 4-1 and Pole 4-2 St Martin Drive. A capacitor bank will be installed P4-150 to provide voltage support for customers located on St Martin Drive.

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. 21252775 Dated: 02/10/2016

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 Waldman AB
Manager of Distribution Design

VERIZON NEW ENGLAND, INC.

By: Ally E. Donnell
Manager, R.O.W.

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

February 20, 2013

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 **16th day of February, 2016**

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. **21252775** Dated: **02/10/2016** 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:--

St Martin Drive Pole 4-150

NGRID request to install new intermediate pole 4-150 between existing Pole 4-1 and Pole 4-2 St Martin Drive. A capacitor bank will be installed P4-150 to provide voltage support for customers located on St Martin Drive.

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 _____ 2013

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 _____ 2013 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 _____ 2013 recorded with the records of location orders of said City, Book _____, Page _____.

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

Attest: _____
City Clerk

Pole & UG Petition/Permit Request Form

City
Town of Marlboro WR # 21252775
(circle one)

Install One ^{SO}
(quantity) JO Poles on St Martin Drive
(circle one) (street name)

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

Relocate _____ ^{SO}
(quantity) JO Poles on _____
(circle one) (street name)

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

of the intersection of D'Angelo Drive
(street name)

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

Install underground facilities:

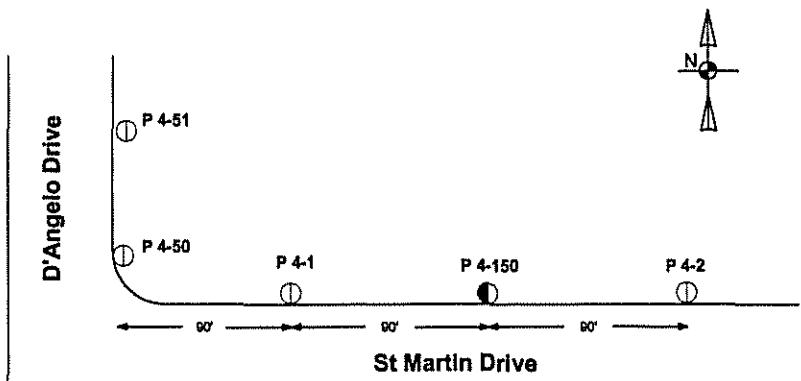
Street(s) _____

Description of Work:

Install new intermediate pole P4-150 between existing P4-1 and P4-2 St Martin Drive. A capacitor bank will be installed P4-150 to provide voltage support for customers located on St martin Drive

ENGINEER Bruce Kut

DATE 02/10/16



Install new JO intermediate pole P4-150 between existing P4-1 & P4-2 St Martin Drive. This pole is required for the installation of a capacitor bank which will boost the primary voltage to support the increase in load at Tierpoint.

JOINT OWNED POLE PETITION		nationalgrid And Verizon New England, Inc.	
<input checked="" type="checkbox"/> Proposed NGRID Pole Locations		Date: 2/11/16	
<input type="checkbox"/> Existing NGRID Pole Locations		Plan Number: 21252775	
<input checked="" type="checkbox"/> Proposed J.O. Pole Locations		To Accompany Petition Dated: 2/11/16	
<input type="checkbox"/> Existing J.O. Pole Locations		To The: City <input type="checkbox"/> Of Marlboro	
<input checked="" type="checkbox"/> Existing Telephone Co. Pole Locations		For Proposed: Install Pole: P4-150 Location: St Martin Dr	
<input type="checkbox"/> Existing NGRID Pole Location To Be Made J.O.		Date Of Original Grant:	
<input checked="" type="checkbox"/> Existing Pole Locations To Be Removed			
DISTANCES ARE APPROXIMATE			

**ABUTTERS LISTING for St Martin Dr Pole Install P4-150
MARLBOROUGH, MA**

Map	Block	Lot	Unit	Owner-s Name	Co Owner-s Name	Address	City	ST Zip	Parcel Location
116	B			CROWLEY FRANK A III TR	JOSEPH F SHAY TR NIP REALTY TRUST	1 DANGELO DR PO BOX 849	MARLBOROUGH	MA 01752	1A DANGELO DR
118	2			CCHS LLC		1 DANGELO DR	MARLBOROUGH	MA 01752	50 DANGELO DR
118	3			CITY OF MARLBOROUGH	CEDAR HILL PUMPING STATION	140 MAIN ST	MARLBOROUGH	MA 01752	86 DANGELO DR
118	2A			24 ST MARTIN DRIVE LLC	C/O MILLER & BISSON	1 DUNDEE FARR STE J	ANDOVER	MA 01810	24 ST MARTIN DR
118	2B			SDCO ST MARTIN INC	C/O ONESOURCE	PO BOX 4900 #207	SCOTTSDALE	AZ 85261-4900	34 ST MARTIN DR

MARLBOROUGH ASSESSORS

*Anthony C. Giamante
William J. Giamante
John W. Giamante*



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2016 MAR -7 P 4: 37

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

Traffic Commission Minutes

The Regular Meeting of the Traffic Commission was held on Tuesday, January 26, 2016 at 10:00 a.m. in the City Council Committee Room, City Hall. Members present: Chairman - Police Chief Mark Leonard, DPW Commissioner John Ghiloni, Fire Chief Kevin Breen and City Clerk Lisa Thomas. Also present: City Engineer Evan Pilachowski and Assistant City Engineer Tim Collins, City Councilor Joe Delano, City Councilor Dave Doucette, City Councilor Ed Clancy (2nd half meeting), City Councilor Don Landers (1st half of meeting), local residents Mr. & Mrs. Verrico, Mr. Alan Fleishman and Mr. James Joubert. Minutes taken by: Karen Lambert, MPD Records Clerk.

1- Minutes

The minutes of the Traffic Commission meeting of Wednesday, December 16, 2016.

MOTION was made, seconded, duly VOTED:
TO APPROVE

2 – New Business

2a) Sandani Rd. do not enter signage.

Officer Larose was on a directed patrol here and noted problems with the Do Not Enter sign. He sent an e-mail to Chief Leonard stating the signs are difficult to see, especially coming westbound. He believes it would be helpful to install a No Right Turn sign (westbound) and a No Left Turn sign (eastbound) on the south side of Forest Street.

MOTION was made, seconded, duly VOTED to REFER to the DPW to take a look at this. All in Favor.

2b) Request for “Disabled Child” sign at 133 Goodale Rd.

Councilor Delano was in attendance for this issue. Chief Leonard received an email from the child's parents requesting a sign of this nature prompted by a new development going in nearby. They had a similar sign when they lived in their previous neighborhood.

Chief Leonard advised that the Traffic Commission does not need to regulate this type of sign as it is advisory only and does not have any fines or penalties attached. He knows that we have done something like this in the past. It was discussed that there is a history of these types of signs not being taken down when they are no longer needed. Commissioner Ghiloni would like to get a formal "permit process" in place which would include an annual review so the City would know when these signs were to be removed. Councilor Delano noted that the annual review would be a good project for a summer intern. Tim Collins advised that there is new software that comes with the signs that indicates when they were installed. The formal permit process would also include an application so that the City would have current contact information for the requestor. There would also be a formal schedule for this type of sign. Commissioner Ghiloni advised that they would make a request form and forward it to the residents at this address.

MOTION was made, seconded, duly VOTED to REFER to the DPW to handle this request.

2c) Traffic concerns at Wilson & Hemenway Sts.

Chief Leonard's office received a call from Mr. Verrico, a resident of Wilson Street, to place this item on the agenda. Mr. and Mrs. Verrico were in attendance. Chief Leonard explained that the Traffic Commission has looked into concerns here in the past and reviewed signage and accident history in the area. Tim Collins advised that a new sign was installed. A yellow triangle advisory sign noting the geometrics of the road, i.e. a Y connection.

Mr. Verrico said that he appreciates what the Traffic Commission has tried to do, however, it is not helping. The new sign is already masked by bushes, even without leaves on them and that it will be "invisible" with foliage. He said that 70% of vehicles traveling north on Wilson Street do not stop at the stop sign and that he can no longer even access his mailbox from the street and said they have problems with accessing their driveway too due to vehicles coming so quickly around the turn. Cars "toot" at them when they are trying to back out. He said that most people don't even realize it is a turn onto another road. He also noted that the sidewalk on Wilson Street ends at their driveway and that people have to cross the street here to get to the sidewalk on the opposite side. They never allow guests to park in front of their home for fear of being hit. Mr. Verrico said, "the stop sign is meaningless" and that drivers show a "total disrespect" for it and that it is a real safety issue and that something needs to be done. He mentioned the new flashing speed signs on Farm Road.

Councilor Delano said that he also got a call from Mr. Verrico and that he has taken a closer look and agrees that "no one stops" at the stop sign. Chief Leonard explained the history on stop signs and how they have to meet very specific warrants established by the MUTCD. This is why we are in the process of taking stop signs down on Bigelow. These signs do not meet the required warrants.

Chief Leonard advised that the only real answer here is “continued sustained enforcement”. Unfortunately, the Police Department “doesn’t have the luxury” to do this as much as he would like. The purpose of the new sign that was installed is to alert drivers to the unusual shape of the turn. He advised that the foliage that is blocking the sign can be cut back. The number of accidents here that were actually reported to the police department is low.

The Verrico’s said that the last time they saw an officer here he was parked at #274 Hemenway and that cars could see him when they approached the turn and slowed down. They said that if the officer parked elsewhere he would definitely see cars going through the stop sign. They said that officers are “more than welcome to put their cruisers in their driveway”. Mr. Verrico said that no matter what the weather he opens his car window here so that he can hear approaching vehicles.

Upon discussion it appears that the biggest concern is the turn onto Hemenway Street from Wilson Street. It is not a typical intersection and looks more like a curve. Chief Leonard is thinking that maybe a raised island at the turn would make people slow down. Most people who don’t stop realize there is very little traffic coming from the left and do a rolling stop or “fly through the merge”.

MOTION was made, seconded, duly VOTED to REFER to the ENGINEERING to look into this again.

MOTION was made, seconded, duly VOTED to REFER to the DPW to take care of the foliage issue.

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

2d) Communication from Alan Fleishman, re: Broadmeadow Rd. /Farm Rd.

Mr. Fleishman was in attendance for this issue. He does not feel that a traffic light, with a set red/green pattern, is needed at this intersection 24/7. He said that, “if it is needed, it is only needed for the westbound Broadmeadow traffic a few hours per day”. He was asking if the light could be monitored and reprogramed to a “failsafe (blinking red/yellow) for the non-rush hour traffic” or “to install a traffic monitor to detect if cars are backed up to activate a green light”.

Tim Collins advised that they are actually currently working on the timing of the lights. He advised that the first couple of weeks the lights were left flashing and then recently activated. The timing of the lights will also be connected to the new speed feedback signs and the school zone sign. Once these signs were up and running properly (which just happened yesterday) the timing would then be adjusted. He explained that for the majority of the time the lights on Farm Road will stay green. They will be triggered by oncoming vehicles. It should all be fully activated in the next couple of weeks.

Tim Collins said that he lives in the area and realizes that it has been frustrating but will be all set soon.

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

2e) Communication from councilor Tunnera, re: Buses on Ferrechia Dr. and Bigelow St.

Wes Tuttle from NESC was in attendance for this issue. Chief Leonard advised that there was a very large hockey tournament at the rink on the specific weekend mentioned by Councilor Tunnera in his email. Wes Tuttle had sent an e-mail out to all the teams prior to the tournament asking that they please use the main roads for bus travel rather than cutting through residential neighborhoods. The Traffic Commission has discussed this issue on numerous occasions. It was noted in the past that there is a gate in the back parking lot of Embassy Suites that opens onto Northboro Road. If the gate were to remain closed traffic would be forced to exit by way of Route 20 rather than through the neighborhoods, however, the Traffic Commission could not find any requirements for this gate to stay closed. It was noted that the Nursing Home across the street also uses this lot for employee parking.

Tim Collins said that the hotel could put up signs advising buses not to take a right out of the back parking lot. Chief Leonard noted that this might help with traffic on Ferrechia but not on Biglow. Chief Leonard asked if we could regulate any of this, however, Tim Collins advised that it is all private property. They would first have to give a grant of authority to the Traffic Commission.

Wes Tuttle said that many of the same teams have been coming to the NESC for 15 years. He has personally spoken to many of the drivers themselves and asked them to avoid the neighborhoods. He feels that his e-mail to the teams may have been "60% effective". He also called all the area hotels and asked them to talk to the teams about this when they checked in. He noted that it's not just Embassy Suites. He knows that some teams are coming from off of Rte. 9 in Framingham and just find the local routes. Sixty to seventy of the eighty teams involved probably had buses and stayed in local hotels.

Mr. Joubert, resident of Bigelow Street, commented that most of the drivers are actually very cautious. It's just the volume that is the problem. Chief Leonard mentioned that there is a meeting on Friday to discuss a similar issue on Bigelow Street. Wes Tuttle mentioned that he could ask each of the local hotels to send someone to the meeting. Councilor Doucette suggested that if it were a planned event, maybe we need to direct traffic. Chief Leonard said that he is not sure how we could do this. Wes Tuttle said that at these big tournaments they "literally put an employee out front to talk to the buses". Some drivers are receptive and cooperative, while others are not. Chief Leonard also noted that there are often detail officers onsite. Wes Tuttle said he gets call all the time with complaints on bus traffic. He really is trying to address it.

MOTION was made, seconded, duly VOTED to TABLE for further discussion after the meeting on Friday.

2f) 2016 meeting schedule.

MOTION was made, seconded, duly VOTED to ACCEPT and PLACE ON FILE. Lisa Thomas also asked Chief Leonard to send the schedule electronically sand she will put it on the electronic calendar.

2g) Discussion of stop sign on Broadmeadow Rd. – Panther Trail

Tim Collins passed out a map and photo with a red line indicating the area in question. He explained that the City has created a 26.2 mile walking trail system known as “Panther Trail” that will make a connection here at Broadmeadow Rd. This will allow the “Panther Trail” to connect to the existing “Boroughs Trail (a 30 mile trail systems in Southborough, Westborough and Northborough). He also said that there is a good indication that there will be a high level of pedestrian traffic from people using this trail system. The proposal for a stop sign here on Broadmeadow at the intersection of the trailhead would create a multi-way stop intersection.

Chief Leonard asked if this would meet the warrants for a multi-way stop condition. Tim Collins said that it would due to the anticipated pedestrian crossing here when the trail opens. The Chief also noted that often drivers don’t realize that people sometimes continue going straight here. They expect them to turn onto Parmenter Road. This may help with that situation as well. All agreed that the multi-way stop condition here makes sense as it would make all cars actually stop before making the turn.

Tim Collins was hoping to get the regulation approved now so that he can put in the stop sign and crosswalk soon. He advised that he would forward the specific wording to the Chief so he can prepare the regulation for a vote at the next meeting.

MOTION was made, seconded, duly VOTED to REFER to Chief Leonard to prepare the regulation.

3-Old Business**3b) High School parking regulations.**

There were a few things to finalize from the last meeting, mainly regarding stop signs vs. yield to pedestrians at the crosswalks. Tim Collins advised that the State of MA does not allow “Stop for Pedestrian” signs. These signs should be “Yield to Pedestrian” signs. He had a revised diagram with the proper signage included. He also revised Schedule IV – Stop Intersections. Now there are 3 in total – all of which are located at the exits to the lots. Tim Collins will forward the proper wording to Chief Leonard so he can prepare the regulation for a vote at the next meeting.

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

3c) Stop signs on Bigelow St.

Chief Leonard gave a brief overview of this issue to others in the room as it has been an agenda items for a very long time. He explained how the stop signs were installed to help slow traffic, however, they do not meet the required warrants for stop signs. The Traffic Commission held a community meeting at Hillside School on April 13, 2011 to discuss the possibility of taking them down. Of those in attendance, there was basically a 50/50 split between those in favor of keeping the stop signs and those who wanted them taken

down. Engineering came up with a way to justify keeping a few of the stop signs centered around the potential for future sidewalks that would join specific neighborhoods creating increased pedestrian traffic. As a mitigating factor for taking some of the signs down, the City had hoped to install solar powered speed signs in the area. The City then had to wait until they could find a source of funding. Eventually, a funding source was found and two speed signs were installed, one of which is solar powered. The Traffic Commission now has to determine the best way to alert the public. A blackboard message was discussed along with temporary signage to indicate a "modified traffic pattern ahead". There was also a question about site distance at Doucette due to some vegetation.

Evan Pilachowski asked if he should still pursue other mitigation money, if it comes up, for the two other speed signs. The Traffic Commission had initially talked about installing four signs but only had funding for two. Chief Leonard said yes to this, as the problems in the area mainly occur on nights and weekends when people are home. Anything that could help the residents in the neighborhood would be a good idea. Chief Leonard also said that at some point the intersection of Donald J. Lynch and Bigelow St. would need to be signalized for public safety. Fire Chief Breen remembers that historically you could only turn right off of Bigelow onto Donald J. Lynch.

The plan now is to repeal the existing regulations for the unwarranted stop signs. The call can then go out to the neighborhoods alerting residents that the signs will be coming down on a specific date and temporary warning signs can also be installed.

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

3d) Traffic Commission rules and regulations update.

Tim Collins advised that he should be all done with this by sometime in March. He is about ½ way done. Lisa Thomas said that some of the Traffic Commission issues overlap with City Council issues. Some things are approved by the City Council but fall under the Traffic Commission so these issues were not included in the re-codification of the City Code.

MOTION was made, seconded, duly VOTED to TABLE.

3g) Traffic pattern, parking deck behind City Hall.

Tim Collins had a diagram of the lower level of the parking deck. The Traffic Commission has discussed making this level one-way. Evan Pilachowski commented that this will be much better as it will become one way out, not two way like it is now. Tim Collins said that this could actually add 3-4 parking spaces on each level.

Councilor Delano brought up the fact that "within a reasonably short time", there will be permit parking allowed there overnight. The City Council has also begun talking about the possibility of alternate side street parking in the winter. They are looking to develop the downtown area and do not want to penalize the neighbors. There was further discussion about the fee for overnight parking and how this would be enforced. Chief Leonard said that the City only has one parking clerk who works 19 hours per week. He

wanted to be sure that everyone is “on the same page” and understands that the Police Department will not be responsible for enforcing the permit parking. Commissioner Ghiloni said that he actually just met with the Mayor’s Office on this issue for the first time.

The one way and do not enter signs need to be regulated. Tim Collins will forward the appropriate wording to the Chief so that he can prepare the regulation for a vote at the next meeting.

MOTION was made, seconded, duly VOTED to REFER to Chief Leonard to prepare the appropriate regulations.

3h) Request for parking restriction exemption at 71 Maplewood Ave.

MOTION was made, seconded, duly VOTED to REMOVE this item from the Agenda.

3e) Communication from Janet Vigeant Re: Brigham St. traffic concerns

Chief Leonard advised that he replied to Ms. Vigeant by e-mail. A copy of the e-mail is in the agenda packet. Tim Collins advised that any missing signs have now been replaced. The Chief said that the new solar powered speed signs on Bigelow and Farm Road seem to be “an effective speed control measure” and “Brigham St. would be a good roadway to install some of these signs”, if funding were available. Commissioner Ghiloni asked if the Traffic Commission should be looking into trying to obtain a certain number per year. The Chief said that, from a planning standpoint, some of this would need to come from City Hall. Mitigation money used to be a big factor in development but now it appears that no Special Permit is approved with a mitigation clause.

Chief Leonard also advised that directed patrols have been on Brigham Street every day this week. He is not sure what else can be done at this point. The issue of speed bumps keeps coming up as people have seen them in other towns, however, this is not something the City wants to do either.

MOTION was made, seconded, duly VOTED to REFER to ACCEPT and PLACE on FILE. The signs have been replaced and the Police Department will continue with enforcement.

3i) Traffic concerns, New St. at Granger Blvd.

Tim Collins had some turn counts done here on January 4, 2016. He passed out a GIS diagram showing the results for the Turning Movements and also included the data in graph format broken down by time between 8:00am and 3:00pm. He went down from noon to 1:00pm to check in and at no time did he see a backup. The wait time was approximately 20 seconds maximum. He did say though that if there were a special event going on, it would be an issue if many were leaving at the same time. Tjx at the end of the day was noted as an example. Tjx hires a police detail at the end of the work day to deal with this issue.

Commissioner Ghiloni asked if should be changed to right turn only from New Street to Granger. Mr. Collins said he only thought this would be necessary during a special

event. Mr. Collins' recommendation is that it does not warrant any immediate action at this point. There should, however, be a discussion with Trish Pope, the director of the Senior Center, when they know of an upcoming event. All agreed that a right turn only for special events would be the best idea. With regards to an election day, there is always an officer there anyways to assist. The Police Department had an officer at the old location to mainly assist with crossing issues. An officer at the new location, could take on more of a traffic control role.

There are Constables on site for elections but they are there to enforce election laws, i.e. keeping people with signs a certain distance back from the location, keeping people from handing out literature etc.

Chief Leonard suggested that prior to the State primary in March, maybe we could get some preprinted signs for the right turn only, something removable that could be kept at the location. Commissioner Ghiloni agreed that yes this can be done.

MOTION was made, seconded, duly VOTED to REFER to the DPW to have the preprinted signs made up for Right Turn Only.

3j) Traffic blocking intersection on East Main St. at Hosmer St.

MOTION was made, seconded, duly VOTED to REMOVE this item from the Agenda. This is a State controlled road and all of the information has been sent to the State.

3k) Parking in the downtown area – discussion.

MOTION was made, seconded, duly VOTED to REMOVE this item from the Agenda as it is currently being discussed in other circles and is not a Traffic Commission issue at this point.

3m) Mill St. parking restriction.

Tim Collins passed out a GIS diagram of Mill Street of Mill Street Central with the main problem area highlighted in red. He also had several photographs showing the existing no parking areas along with the proposed no parking areas. One also shows where jersey barriers have been placed to close off the cut through. He also had a scheduled for "No Stopping, Standing or Parking Anytime", which included "Existing Regulation, Proposed Changes in the Regulation and a New Regulation.

The biggest issue is that employees have nowhere to park during the day so they park on the street. Tim Collins said that the lot is "loaded with unregistered vehicles" but if we increase the no parking area, where do they go? The questions for Pam Wilderman are: 1) what does their permit say? 2) How many cars can they have on their lot during the day? It was discussed that this is currently Pam's issues and that the Traffic Commission needs to touch base with her first before making any changes to the regulations. Chief Leonard advised that he would send someone out to check on the unregistered vehicles and that he would check with Pam Wilderman on the zoning rules and how many unregistered vehicles they could have on the lot.

MOTION was made, seconded, duly VOTED to REFER to Chief Leonard to:

- 1) Have an Officer check on the unregistered vehicles
- 2) Discuss the zoning issue with Pam Wilderman.

3l) River St. parking restrictions.

This is almost the same issue as Mill Street Central. Unregistered cars are parked on the road during the day and it seems like they have too many vehicles on their lot. Chief Leonard advised that he has already sent an Officer to take a look but he will do it again.

MOTION was made, seconded, duly VOTED to REFER to the POLICE DEPARTMENT on the unregistered vehicles and to REFER to Pam Wilderman for Code Enforcement issues.

3n) Crosswalk in front of "The Lofts" on Lincoln Street.

Tim Collins advised that there is already an existing street light on the utility pole "just west of the crosswalk". He suggested that maybe this light could be made brighter with LED lights and then it could possibly illuminate the crosswalk. When Mr. Collins started looking into this issue he found many other crosswalks on Lincoln Street that were not formally regulated. He passed out a GIS map of Lincoln Street with all crosswalks and signalized intersections noted. He also included a schedule of crosswalk locations. Chief Leonard asked him to forward this schedule so he could make one regulation that would include all six crosswalk locations on Lincoln Street.

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

3o) November Minutes

MOTION was made, seconded, duly VOTED:
To APPROVE

3f) No parking regulation, Williams St.

MOTION was made, seconded, duly VOTED:
To TABLE.

3a) Municipal off street parking regulation.

MOTION was made, seconded, duly VOTED:
To TABLE.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 12:04 pm.

Respectfully submitted,

Karen L. Lambert
Records Clerk
Marlborough Police Department

List of documents and other exhibits used at the meeting:

- Meeting Agenda for Tuesday, January 26, 2016. (Including City of Marlborough Meeting Posting.
- Draft of Traffic Commission Minutes from 12/16/15.
- E-mail from Officer Andy Larose to Chief Leonard, dated 12/18/15, re: Sandini/Forest Street directed.
- E-mail forwarded by Karen Boule - City Council Secretary, to Chief Leonard, on 12/30/15, re: Goodale Road – Request for sign for Disabled Child.
- E-mail from Carrie Lizotte – Public Safety Administrative Assistant, dated 1/7/16 – placing an item on the Traffic Commission Agenda on behalf of Mr. Verrico, Re: Safety on corner of Wilson & Hemenway.
- E-mail from Allen Fleishman to Chief Leonard, dated 1/8/16, re: Broadmeadow Street and Farm Road.
- E-mail from Councilor Tunnera to Chief Leonard, dated 1/12/16, re: Buses on Ferrechia.
- E-mail from Wes Tuttle to Lt. Bryant and Chief Leonard, dated 1/8/16, re: New England Sports Center & Bus Traffic.
- Traffic Commission Meeting Schedule for 2016.
- E-mail from Tim Collins, dated 12/16/15, re: Renaissance Lofts Condo – Special Permit Site Plan
- E-mail from Kevin Daily to Chief Leonard, dated 12/24/15, re: Reporting a Lincoln Street Crosswalk Incident.
- E-mail from Chief Leonard to Janet Vigeant, dated 1/21/16, re: Brigham St. safety concerns continue.

Additional Handouts:

- GIS Map of Lincoln Street with crosswalk locations indicated along with wording for the regulation.
- GIS Map of Mill Street Central with parking restriction indicated. Along with wording for the regulation and various photos.
- GIS Map of River Street Area
- Photo of area of Broadmeadow and Parmenter Road with new crosswalk location indicated and a schedule of stop intersections with corresponding criteria for Multi-Way Stop Applications.
- Schedule of Stop Intersections at the High School
- Map of Open Space Place for Intercommunity Trail Links.
- GIS phot of intersection of Granger Blvd. and New Street, with % of turning movements indicated.

**MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752**

2016 MAR -8 A 10:19

Call to Order

February 22, 2016

The Meeting of the Marlborough Planning Board was called to order at 7:00pm in Memorial Hall, 3rd Floor City Hall 140 Main Street, Marlborough, MA. Members present included: Barbara Fenby, Colleen Hughes, Brian DuPont, Philip Hodge & Edward Coveney.

Sean Fay and Shawn McCarthy were absent

Also in attendance were Board Secretary Melissa Peltier & City Engineer Evan Pilachowski.

1. Meeting Minutes:

A. Regular Meeting February 8, 2016

On a motion made by Mr. DuPont, seconded by Mr. Coveney it was voted to accept and place on file the minutes of the February 8, 2016 Regular Meeting as amended. Motion carried with Mr. Hodge and Ms. Hughes abstaining.

2. Chair's Business:

A. Proposed Correspondence from City Engineer/Planning Board to MPO

Ms. Hughes read the request from the City Engineer into the record.

On a motion made by Mr. DuPont seconded by Ms. Hughes it was voted to accept the correspondence and place it on file as well as send the correspondence as requested. Motion carried.

3. Approval Not Required: None

4. Public Hearings:

The JOINT Public Hearing with the Tree Warden regarding West Hill Road was left open to Written Testimony only until February 16, 2016.

Ms. Hughes read into the record the written opposition from Ms. Renee Popek, 41 West Hill Road, a second correspondence (Petition) was read into the record as well. The entire Public Hearing Process was then closed.

It is noted that there is a neighborhood meeting scheduled to be moderated by City Council President Clancy in Memorial Hall on March 2, 2016 regarding this proposed roadway improvement plan.

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

The Board will be rendering its decision at the next regularly scheduled meeting March 7, 2016 after the neighborhood meeting takes place.

5. Pending Sub Division Plans: Updates and Discussion:

A. Engineers Report

City Engineer Pilachowski handed out an updated subdivision status report and noted that the Mauro Farms Subdivision expiration is imminent the request must be received for the next meeting. Regarding the Waters Edge Bond the amount available in the bond is still being researched.

6. Preliminary/Open Space Submissions/Limited Development Subdivisions:

A. Open Space Concept Plan Goodale Street Submission. (June 19, 2016)

Attorney Sandra Austin presented the Open Space Plan to the Board. The project consists of approximately 11.75 acres which will yield six (6) house lots as well as one (1) ANR lot for a total of seven (7). The property abuts the Charter Oaks Golf Course.

On a motion made by Mr. Coveney, seconded by Ms. Hughes it was voted to set the Public Hearing for March 21, 2016.

7. Definitive Subdivision Submission: None

8. Signs:

It was again noted that a joint committee consisting of members from the City Council and the Planning Board is in the works but has not been fully established yet. The committee will review the current sign ordinance and the variance mechanism to see if changes to either are appropriate at this time.

9. Unfinished Business:

A. Blackhorse Farms Update

City Engineer Pilachowski had no update for the Board regarding Blackhorse Farms this evening.

B. Mauro Farms Update

City Engineer Pilachowski had no update for the Board regarding Mauro Farms this evening, other than what was reported in the Engineers Report (Item 5A)

10. Informal Discussions:

A. Detention Basin Continued Discussion

City Engineer Pilachowski reviewed with the Board the proposed changes to Future deeds in which one or more subdivision lots have a detention basin located within their bounds.

Mr. John Besslough the developer of the Graves Lane Subdivision was in attendance specifically for this item. After discussion it was noted that Mr. Besslough's issue is not an issue for the Board and is to be addressed through the Code Enforcement, Legal and Engineering Departments.

On a motion made by Ms. Hughes, seconded by Mr. Coveney it was voted to approve the new Deed Language as presented. Motion carried.

11. Correspondence: None

12. Public Notices of other Cities and Towns:

- A. City of Marlborough Public Hearing Notice (March 7, 2016)
- B. Town of Framingham Planning Board, Notices (2)
- C. Town of Sudbury Planning Board, Public Hearings (2)

On a motion made by Ms. Hughes, seconded by Mr. Coveney it was voted to accept notices A-B and place them on file. Motion carried.

Adjournment: On a motion made by Mr. DuPont, seconded by Mr. Coveney it was voted to adjourn at 7:36pm. Motion carried.

Respectfully submitted,

Colleen Hughes
Clerk

/mai



Marlborough Public Schools

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School Committee 9 P 12: 08

17 Washington Street, Marlborough, MA 01752
2016 MAR -9 P 12: 08 Phone (508) 460-3509
• Fax (508) 460-3586

Call to Order

February 23, 2016

1. Chairman Vigeant called the Regular Meeting of the Marlborough School Committee to order at 7:30 pm at the District Education Center, 17 Washington St., Marlborough, MA. Members present included Mr. Geary, Mrs. Hennessy, Mrs. Bodin-Hettinger, Mrs. Matthews & Mr. Walter. Mrs. Ryan was absent.

Also present were Superintendent Langlois, MEA Representative Rupal Patel, Student Representative Kimberly Baker & Clerk Melissa Peltier.

This meeting is being recorded by local cable WMCT-tv, and is available for review.

2. **Pledge of Allegiance:** Was led by Chairman Vigeant.

3. **Presentation:** None

4. **Committee Discussion/Directives:** None

5. **Communications:** None

6. Superintendents Report:

Mr. Langlois gave his report covering a range of topics including: Zika Virus, Administrator Mid-Cycle Performance Reviews, MTSS FY '16 Goals and Implementation Guidelines, PARCC Readiness, MSBA Request for Educational Profile Report and Date of Budget Hearing #1 - February 24, 2016.

A. Executive Director of Finance & Operations Report

Mr. Bergeron gave his report covering a range of topics including: Update on Cafeteria Accounts, Online Payment Portal Reporting, FY '17 Level Service Budget Increase of \$494,414.00 proposed and Transfers.

7. Acceptance of Minutes:

A. Minutes of February 9, 2016 School Committee Meeting

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to approve the minutes of the February 9, 2016 regular School Committee Meeting as presented. Motion passed 5-0-1.

8. **Public Participation:** None

9. Action Items/Reports

A. FY '16 Operating Budget Transfers

Mr. Bergeron presented the requested FY '16 Operating Budget Transfers.

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to approve the FY '16 Transfers as requested. Motion passed 5-0-1.

B. FY '17 MHS Updated Program of Studies (Tabled at the February 9, 2016 meeting)

This item was left on the table.

Marlborough Public Schools • 17 Washington Street • Marlborough, MA 01752 • Richard P. Langlois, Superintendent
www.mps-edu.org

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Marlborough Public Schools

School Committee

17 Washington Street, Marlborough, MA 01752

Phone (508) 460-3509

• Fax (508) 460-3586

Mrs. Hennessy requested a Suspension of the rules to add an agenda item to this evening's agenda. Motion made by Mrs. Hennessy, seconded by Chairman Vigeant to Suspend the Rules to allow for an additional agenda item to be presented. Motion passed 5-0-1.

Mrs. Hennessy introduced a motion to send a communication to the Governor, House and Senate imploring the governmental bodies to NOT raise the Cap on allowed Charter Schools.

After much discussion among the Committee, it was rationalized that, the majority of the issues stem from the funding mechanism in place, not necessarily the allowance of the schools themselves.

Motion made by Mrs. Hennessy, seconded by Mrs. Bodin-Hettinger to send a communication to the Governor, House and Senate requesting the bodies do not raise the Cap on Charter Schools.

Motion passed 4-2 (Vigeant, Walter)-0.

10. Reports of School Committee Sub-Committees:

Mrs. Hennessy reported that the Policy Sub Committee had met yesterday and took up a number of policies including Travel and Field Trips. The Sub Committee is also working on Attendance, Personnel Records, Substitute Teachers and Dress Code. The next meeting is scheduled for early March.

11. Members Forum:

Mrs. Hennessy brought to the forefront the information that was just received about the lack of fundraising for the 8th grade Washington D.C. Trip. Why is this just coming out now at the end of February when the trip is supposed to take place in April? Mrs. Matthews and Mrs. Bodin-Hettinger were in agreement with Mrs. Hennessy that is unacceptable to find out this late there has been no fundraising opportunities presented.

Superintendent Langlois defended that decision, as he does not believe the fundraising options utilized in the past are appropriate. He also feels that the coordination of the trip has become a full time job for the building administrators. Due to the socioeconomic position of the District with 40-53% of the District population receiving free or reduced lunch, if this trip is going to stay, it may require a line item in the budget to fund it.

Mrs. Hennessy has requested an additional update at the next meeting.

Mrs. Hennessy asked that the Committee be updated on the timeline for the MSBA, what are the next steps as we are new to this process.

Mr. Bergeron responded that the scheduled timeline for this next step is 270 days with timeline benchmarks throughout. The District does not anticipate utilizing the full 270 days and is trying to get all of the required documentation to the MSBA much sooner than that. Mayor Vigeant asked Mr. Bergeron forward the information from the MSBA to the entire Committee.

Mrs. Hennessy continued by announcing that the Grace Baptist Church will be screening a film about addiction and urges people to attend. There is limited seating so contact City Councilor Juaire if you are interested in attending.

Chairman Vigeant noted that there has been a meeting with the Sheriff's office. There is a program the Sheriff delivers to students and Chairman Vigeant is trying to schedule that presentation for the Middle School.

Mrs. Hennessy noted that the All City Chorus Concert is tomorrow night. The concert is free and open to the public.

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Marlborough Public Schools

School Committee

17 Washington Street, Marlborough, MA 01752

Phone (508) 460-3509

• Fax (508) 460-3586

Mrs. Bodin-Hettinger noted that the High School Science Fair was held today and had Mrs. Wagner read out the winners:

1st Place Awards

Matthew Pearl & Benjamin Simmons

Testing Sound: From the Practice Room to the Lab

Sydney Rainer

Effects of Approach Velocity on Vertical Jump and Maximum Height Capacity

Nicholas Buckley

The Power of the Ion Engine

2nd Place Awards

Emma Lincoln

The Effect of Temperature on Magnetism

Kimberly Konar

Water the Odds: The Effect of Asphalt Runoff on Pisum sativum

Shayna Fine & Jeffrey Slocomb

Preventing C-Spine Injuries in High Impact Collisions

Kylie Craig, Sarah Popivchak, & Katelyn Silva

Repair Care Medical App

Michael MacCormac

Delayed Ripening in Bananas

3rd Place Awards

Leeor Harel & Kalah Karloff

Phone Book Friction

Kenny Le

The Case of Vertical Axis Wind Turbines

Jessica Tabachnik

Save your Teeth

Daniel Bermudes & Jacob Cardona

Sound Insulation

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4th Place Awards

Bryanna Noronha & Julianna Cognaetta
Revolutionizing the Library

Nicole Wynne & Maegan Moynahan
Echolocation via Piezoelectric Transducers for the Visually Impaired

Tino Pizzarella & Raj Khanderia
The Physics Behind Hockey

Danielle DaSilva & Brenda Neves
Tempolin

Mrs. Bodin-Hettinger formally recognized that the School Committee had received official notice from Superintendent Langlois of this intent to retire from the District effective June 30, 2016.

The question is what next?

Discussion among the Committee members ranged from the shortened timeline for replacement as well as the potential for an Interim vs. Permanent replacement & the potential of utilizing the same search firm from the last search 3 years ago or utilizing the MASC.

After much discussion involving all of the members, Chairman Vigeant is going to reach out to the prior search consultant even though he has since retired. Mrs. Hennessy is going to reach out to the MASC in hopes of securing a list of possible qualified Interim Superintendents and Mr. Bergeron is going to solicit additional quotes from other search firms.

Chairman Vigeant has also requested investigation into a consulting firm to look at where the District is now and where it is headed to determine if the path is appropriate for a District of our size and demographic.

12. Adjournment: Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to adjourn at 8:57 pm. Motion Passed unanimously.

Respectfully submitted,

Heidi Matthews
Marlborough School Committee

HM/mai

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2016 MAR 11 P 1:17

BOH MEETING MINUTES – 02/02/16

Attending

James Griffin, Chairman
John Curran, Vice Chairman
Robin Williams, Member

Also in attendance: Cathleen Liberty, Director of Public Health, Tina Nolin, Senior Clerk

Meeting called to order 6:30 pm

REVIEW OF MEETING MINUTES

Meeting minutes of January 5, 2016

Motion to accept and place on file the minutes of January 5, 2016 – Member R Williams

Second – Vice Chairman J Curran, MD

3-0 Vote to accept and place on file the minutes of January 5, 2016

PUBLIC HEALTH ISSUES

Sheltering Regulations

Introduced by Director Liberty who explained that the Mayor expressed interest in adoption of such regulations and that these actually were adapted from another city/town. Tonight Director Liberty simply introduced the idea and the document, asking the Board to look it over for next month's meeting at which they could ask questions, discuss issues and decide if and when they would hold a public meeting. All Board members agreed.

Chairman JG requested for the next meeting to have a list of places in the city that the regulations would pertain to. Director Liberty agreed to put together a list for the Board.

Coat Drive with Holy Trinity Anglican Church

The Health Department in partnership with Holy Trinity Anglican church on Lincoln St conducted a coat drive in December to gather winter coats for needy parishioners. Champion Cleaners also partnered to wash all of the coats that came in free of charge. For our first event of this kind it was a successful venture that we hope to participate in next year.

Red Spring Road

Director Liberty updated the Board on the process of having Red Spring Road get up to date with the pumping of their septic systems due to the proximity to the lake. There are 10 remaining dwellings needing to forward a current pumping record. All have been sent certified letters to this effect we have had five of the letters signed.

Chairman JG asked what the next step would be for non-responders. Director Liberty suggested a letter with a summons before the board if not done by a specific day.

Tobacco Compliance Checks

Director Liberty updated the Board on the compliance and fines outstanding. One store has requested a hearing which will be next week and Cathleen will be attending.

Member JC, MD asked if we had alerted the Tobacco Permit holders of the new regulations, signage etc.

Director Liberty responded that they had all received letters, copies of the regulations and opportunities to contact the Department with any questions. Reported that the Assistant Sanitarians handed out the tickets.

MONTHLY REPORTS

Nurses Report

Presented by Director Liberty – report was accepted and approved to be place placed on file.

Reported to Board that the Department had received a potential Food Born Illness complaint from the state, but it had not been confirmed at this time. However, an inspector was sent out to the establishment today and there were no serious violations reported. The restaurant did report that an employee was sent home sick after vomiting, but they also said she may be pregnant – as of now the employees condition is not confirmed. They are keeping this in process and will notify the Board of any outcomes.

Sanitarians' report

Presented by Director Liberty who reported inspectors were on target with all restaurant inspections. Reports were accepted and approved to be place placed on file.

UNKNOWN BUSINESS AT TIME OF MEETING

Director Liberty reported on 2 vape establishments that had made serious requests and applications to the department for Tobacco permits. Director Liberty expressed her concern with the influx of such establishments and requested that the Board revisit their no cap policy on retail tobacco stores – which do not fall under the flavor regulations of other tobacco permitted sellers.

Vice Chairman Dr. Curran expressed concerns on a variety of incidences regarding the Part-time Public Health Nurse and Nursing Duties and the Department Director. After some discussion Vice Chairman Curran requested a special meeting to vote on an executive session to discuss such concerns in depth. Meeting is to be Tuesday, February 16th at 6:30. Meeting will be posted with an agenda and all parties notified.

ADJOURN

Motion – to adjourn meeting at 7:40 pm-Chairman Griffin
Second – Member Williams
3-0 vote to adjourn Board of Health Meeting at 7:40 pm

Next Board of Health meeting is set for February 16th, 2016 at 6:30 pm in the Council Committee Room

Respectfully submitted,



Chairman

Dated: 3/8/16

Cc: Board of Health Members
City Council
City Clerk
City of Marlborough Website



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2016 MAR 11 P 1:17

BOH MEETING MINUTES – 02/16/16

Attending

James Griffin, Chairman
John Curran, Vice Chairman
Robin Williams, Member

Also in attendance: Cathleen Liberty, Director of Public Health, Tina Nolin, Senior Clerk, Nancy Cleary, Part-time Public Health Nurse, Mayor Arthur G. Vigeant

Meeting called to order 6:30 pm

DEPARTMENT PROCEDURES AND OPERATIONS

After much discussion about department procedures and operations a call for motion was made by Chairman Griffin.

Member Williams motioned that the Board request Mayor Vigeant to research with Human Resource Director David Brumby the appeal process regarding nonunion employee-departmental business. Vice Chair Curran seconded the motion.

Vote: motion approved 3 – 0; Chairman Griffin – yes, Vice Chair Curran – yes, Member Williams – yes.

Member Williams motioned that for the next six months, the Chairman of the Board of Health will meet with the Director of the Health Department once a month, prior to the monthly Board Meeting to set the Agenda and review department activities. Vice Chair Curran seconded the motion.

Vote: motion approved 3 – 0; Chairman Griffin – yes, Vice Chair Curran – yes, Member Williams – yes.

VACCINATION PROGRAM

After a brief discussion of the City's proposed new vaccination program, Member Williams motioned to table discussion until the next Board Meeting to be held on March 8, 2016 at 6:30 PM. Chairman Griffin seconded the motion.

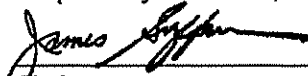
Vote: motion approved 3 – 0; Chairman Griffin – yes, Vice Chair Curran – yes, Member Williams – yes

ADJOURN

Motion – to adjourn meeting at 8:15 pm-Chairman Griffin, Second – Member Williams, 3-0 vote to adjourn Board of Health Meeting at 8:15 pm.

Next Board of Health meeting is set for March 8th, 2016 at 6:30 pm in the Council Committee Room

Respectfully submitted,



Chairman

Dated: 3/8/16

Cc: Board of Health Members
City Council
City Clerk
City of Marlborough Website



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2016 MAR 11 P 1:18

**City of Marlborough
License Board**

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

**Minutes of the License Board Special Meeting Held January 8, 2016
City Hall, 1st floor, Council Committee Room**

Attending: Walter Bonin, Chairman; Gregory Mitrakas, Member; David Bouvier, Member (absent); and Tina Nolin, Clerk

Meeting called to order by Chairman Bonin at 12:02 PM

New Business

1. **One Day Permits** – the following organizations applied for One-Day Permits.
- Tasty Home Cookin' – Ed Walsh

Member Mitrakas motioned for approval, Chairman Bonin seconded Approved 2-0

2. **Correspondence from Trial Court of the Commonwealth**

Member Mitrakas motioned to accept and place on file, Chairman Bonin seconded Approved 2-0

Motion made to adjourn: 12:10 pm vote: 2-0 for adjournment.

Respectfully submitted,

A handwritten signature in black ink that reads "Walter Bonin".

Walter Bonin, Chairman

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2016 MAR 11 P 1:18

**City of Marlborough
License Board**

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

**Minutes of the License Board Regular Meeting Held Wednesday, January 27, 2016
at 7:30 pm, City Hall, 1st floor, Council Committee Room.**

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

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

New Business

1. ONE DAY PERMITS

Tasty Home Cookin'

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

Immaculate Conception School Parents Association

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

2. Fish & Game Change of Manager and New Officers Application

Janet Chase, new manager applicant present

Member Mitrakas motioned to approve the new manager and new officers Member
Bouvier seconded, Board vote: 3-0 approved

3. Commrad Ventures – Class II Car Dealership Application Ilya & Kritian Kotov

Ilya Kostov present – explained the “dealership” would consist of an office only,
operation will be auction to auction only – cars would not be stored there at any time.

Chairman Bonin confirmed Cedar Hill is the Dealerships Business address and told Mr.
Kostov he would need a business entrance identified so Police and DMV would know.
Mr. Kostov agreed. UCC Rules relating to these matters were issued by the Chairman.
Member Mitrakas motioned for approval, Member Bouvier seconded
Board vote: 3-0 approved

4. **Funky Murphy's – Discussion of Neighborhood Issues raised at December Meeting**
Desmond McKane present for Funky Murphy's Restaurant, Mary Rowe present for the neighbors.

After discussion regarding noise and trash complaints from neighbors near the establishment Mr. McKane said he has done and will continue to do what he can to work with neighbors to keep the noise down. Based on suggestions from the Board it was agreed that the establishment would encourage (via signage and benches etc.) people outside for a smoke to do so on the Main Street side of the establishment, control the times that establishment doors are propped open and to keep a dialogue open with the neighbors. Additionally, Mr. McKane agreed to continue to have police monitor and when needed be present on the property as a means to control the noise.

Regarding trash complaints Mr. McKane said he was unaware of the issue in the Rowe's parking area, but agreed to have staff and himself pay attention to it and help keep it clean.

5. **Robert Gillis Four Hundred and One Liquor License**
Tabled due to Mr. Gillis's absence

6. **RK Plaza – Tailgaters/Fanz**
Ken Fries from RK Centers present to discuss a liquor license for the Old Tailgaters location. After a brief discussion on the status of the license Mr. Fries requested time to get some council and information and then return to the Board to revisit his options.

Board agreed to table until a future meeting at Mr. Fries' discretion.

7. **All Star Motors**
Present: Benjamin Donnarumma, Owner, Chris Bombara, General Manager present
Mr. Donnarumma and Mr. Bombara presented an initial site plan for their dealership property and again voiced request to merge their 3 licenses into one for the entire space.

The Board requested that the final site plan clearly show all of the property's side and back locations where employee and customer parking will be along with other car and other storage. In addition, the Board asked for confirmation that all car movement remains on the property and did not have to spill onto streets or any neighboring property and that emergency vehicles could maneuver through the lot.

Mr. Donnarumma and Mr. Bombara requested to come to the next meeting to further clarify the site plan and answer any additional questions.

9. Miscellaneous Correspondence and Open Issues

Annual Report for ABCC presented for approval.

Member Mitrakas motioned for approval and to send to ABCC, Member Bouvier seconded Board vote: 3-0 approve and send

10. Review minutes –

Regular meeting, December 16, 2015

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

Motion made to adjourn: 8:55 pm vote: 3-0 for adjournment. Next meeting is Wednesday, February 24, 2016

Respectfully submitted,



Walter Bonin, Chairman

2016 MAR 15 P 12:53

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

Minutes

February 18, 2016 (Thursday)

Marlborough City Hall - 3rd Floor, Memorial Hall

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

Absent: None

Minutes: The minutes of January 21, 2016 were unanimously approved as written.

Public Hearings:

Request for Determination of Applicability

17A Lakeshore Dr. - William Dunbar

Mr. Dunbar was present and explained that he proposes to add a deck to the existing house near Ft. Meadow Reservoir. The closest point to the water is 62' away. It is landscaped and terraced. Excavation will include the holes for the pillars that will support the deck, all excess materials will be removed from the site. The Commission voted unanimously 7-0 to issue a negative determination allowing the project with standard conditions.

Request for Determination of Applicability

300 Nickerson Rd. - Normandy Real Estate Partners

Patrick Connolly from Beals Associates explained that the owners are proposing to add a basketball and volley ball court at this property. The basketball court will be entirely on existing pavement however some additional green space islands will be created between the court and the parking lot. There will be a net gain of open space. The volleyball court is next to the wetland area, however it is located more than 50 feet from the wetland as required by the Water Supply Protection District. Erosion controls will be installed between the work area and wetlands. All excess materials will be removed from site. Fencing will also be installed. After some discussion and confirmation that the drainage swales would remain as they currently function, the Commission closed the hearing and voted unanimously 7-0 to issue a negative determination with standard conditions.

Request for Determination of Applicability

24 Hager St. - Lourival Santos

Mr. Santos was present and explained that he proposes to remove an existing shed and replace it with a garage within the Riverfront Area to Hop Brook. He will need to check with the building department regarding setback requirements and meet all their requirements. He will do that. The foundation will be a slab with a 4' frost wall. The area is above the existing retaining wall on the site. Erosion controls will be installed as needed. The Commission had no concerns and closed the hearing and voted unanimously 7-0 to issue a negative determination with standard conditions.

Notice of Intent

West Hill Rd. reconstruction – Marlborough Dept. of Public Works

Evan Pilachowski, City Engineer, was present and explained that the city is proposing to re-construct West Hill Rd. and add new drainage and curbing. Work is proposed near two wetlands areas, at McDonough Dr. and between 257 and 247 West Hill Rd. At McDonough Dr. the existing pipe is an old corrugated metal pipe that is longer functioning and needs to be replaced. It will be replaced with a reinforced concrete pipe 18" in diameter with a flared end. They will add a sump at the end to collect any sand. At the area next to 257 West Hill Rd. the sight distance is bad and vegetation that is between the road and the wetland will need to be removed to improve this. There is an existing drain pipe at this location that is functioning well and the new pipes will be connected to this existing pipe. The Commission asked whether this outlet needed protection. Mr. Pilachowski indicated he hadn't seen it, but it was not reported. The Commission asked what the drainage calculations revealed about the additional drainage flow and what type of riprap might be needed at the end of both pipes to prevent scour and erosion. Mr. Pilachowski indicated that full calculations had not been completed, but will be provided at the next meeting.

Mr. Clancy asked for questions from the residents:

- Stan Clements of 265 West Hill Rd. explained that most of the time the drain near him works, but on larger storms the water overflows from the road into the wetland.
- Jeff Grogan asked how wide the drain would be next to his home at 311 West Hill Rd. He also asked about what the new velocity of the water would be. Mr. Pilachowski stated the easement would be 15' wide. Ms. Ryder noted that the trees in his back yard should not be disturbed under this proposal. Drainage will be addressed as noted above.
- Dave and Cindy Demico of 102 West Hill Rd. asked if the calculations would include the added width of the road, since it is proposed to be widened which would increase the surface area. Mr. Pilachowski indicated yes it would. Mrs. Demico asked if the reconstruction does not get approved, would they do any of the drainage improvements. Mr. Pilachowski indicated only necessary items for safety would be done.

Mr. Demers, Commission Member, asked if the water line was to be replaced. Mr. Pilachowski explained that they would replace sections as needed, but were not planning to replace the entire line. The Commission and Mr. Clements expressed concern that if it is not replaced the new roadway would be torn up sooner, and encouraged the DPW to consider replacing the entire line. Mr. Demico was assured that any water line replacement or disconnection would be reconnected as part of the project and not at the expense of the home owner.

The Commission continued the hearing to the March 3rd meeting to allow for the information requested to be provided. Mr. Clancy also noted that there are additional meetings for the Planning Board re: street trees which is being held on Monday; and a neighborhood meeting to be held on March 2nd that the public is invited to attend.

Notice of Intent (Continuation)

Corner of Lizotte Dr. and Williams St. – Lake Williams Marsh LLC (212-1165)

Peter Lavoie from Guerrier and Halnon the engineer representing the owner explained that he provided a revised plan for the proposed 2 story office building next to the wetland. (Map 91, Parcel 40). The changes to the plans include: curb cut location, turning radius adjusted and catch basins moved, underground detention basin adjusted, readjusted curbing on the site to allow for better access as requested by police chief, added catch basins and 4' sumps to meet the TSS removal requirements. The detention basin areas discharge into the 50' buffer zone through a level spreader. All work is outside the no disturb zone. There is a dewatering plan on the erosion control plan sheet, including a settling pond to be used during construction and filter bags to be used. Construction sequencing is also shown. He is waiting for final comments and approval from the City Engineer. After some discussion, the Commission continued the hearing to the March 3rd meeting to receive final comments. If all is in order the Commission will plan to issue an Order of Conditions at the March 3rd meeting.

Certificates of Compliance

- DEP 212-18 Gristmill Estates I - Ms. Ryder noted this is a very old file and a certificate was issued years ago, however, it was not recorded, so a new certificate is requested that they can record. The Commission voted 7-0 to re-issue the Certificate of Compliance.
- DEP 212-45 New England Telephone - Ms. Ryder noted that this was for maintenance work along the utility line, which is now replaced with the yearly operational plan and vegetation management plan programs. This too is very old file and the company wants to clear the deeds. The Commission voted 7-0 to issue a full Certificate of Compliance for this work.
- DEP 212-1115 Avalon Marlborough - Ms. Ryder has walked the site several times. All erosion controls have been removed. The site is now stable. Ongoing conditions for maintenance are required. The Commission voted unanimously 7-0 to issue a full Certificate of Compliance with ongoing conditions as required.
- DEP 212-680 73 Dean Rd. (Lot 2) – A letter from the lawyer indicated that the 20' buffer zone markers would be installed when weather permitted. Ms. Ryder said she'd been to the site and the new owners have been doing some clearing around the house outside the 20' buffer zone to get access for repairs etc. The Commission decided to table this item until the markers are in the ground and have been inspected by Ms. Ryder.

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

- Greater Callahan Initiative Plan – sign letter – Plan sent by e-mail - Ms. Ryder summarized the plan which is for the towns surrounding Callahan State Park to work together to protect parcels in this area and enlarge the greenway corridor and open space. The Commission was in favor of the plan and voted unanimously to accept the plan. Mr. Clancy will sign a letter to be sent acknowledging same.
- Ft. Meadow – Annual Report 2015 Aquatic Vegetation Reservoir Mgt. Program – Marlborough & Hudson, MA

- Letter from Division of Fisheries & Wildlife, dated Jan. 11, 2016, RE: 2016 Mass Wildlife Habitat Mgt. Grant Program: Proposal for the Desert Natural Area Invasive Plant Removal Project.
- Felton Conservation Land – Donald Wright - Ms. Ryder noted that Mr. Wright has been clearing back some of the trees which were encroaching on the stone wall, he will continue to do work to keep the fields open and accessible.
- Chapter 61A – Right of 1st Refusal – Bolton Tree Farm - The Commission discussed the letter received which notifies the city of its right of first refusal for the 421 Bolton St. Christmas tree farm property. The Commission noted that although this parcel does fall in the open space plan as a parcel of interest, it contains about 2/3 wetland and a smaller area off Bolton St. that is dry and another small area off Stevens St. that is dry. Because, the wetlands protection act will serve to protect the majority of this property from development, the Commission determined that for the asking price of \$1,500,000 the value to open space was not worth that cost. But that they would recommend some protection on the wetland area and land on Stevens St. as part of the agreement not to exercise the right of first refusal. The Commission voted unanimously to have Ms. Ryder sends such a letter.

Project Updates:

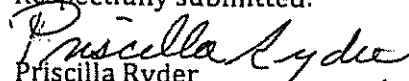
- Violation notice – DEP 212-1117 Brookview (aka Preserve at Ames) Ames St. –Fairfield Development. Ms. Ryder noted that they have come into compliance and did take action after receiving the violation notice.

Meetings – Next Conservation meetings – March 3rd and March 24th, 2016 (Thursdays)

Adjournment

There being no further business the meeting was adjourned at 8:41 PM

Respectfully submitted:


Priscilla Ryder
Conservation Officer *PR*