

*Presentation of City Scholarships 2016*

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CITY OF MARLBOROUGH

2016 JUN 16 P 1:30

1. Minutes, City Council Meeting, June 6, 2016.
2. PUBLIC HEARING On the Petition of NGrid to install three phase underground primary cable across Donald Lynch Blvd., from existing MH 3-5 to proposed MH 3-51. This work is required to provide service for the expansion of the NE Sports Center, Order No. 16-1006592.
3. PUBLIC HEARING On the Petition of Verizon New England, Inc. to place 1 four-inch conduit on the easterly side of D'Angelo Dr. beginning at existing pole T.5, which is located on the easterly side of D'Angelo Dr., thence running in a southwesterly direction approximately sixty-three feet to private property at #84 D'Angelo Dr. to relocate the existing aerial lines from overhead to underground to provide distribution of intelligence and telecommunications, Order No. 16-1006593.
4. PUBLIC HEARING On the Application for Sign Special Permit, Back Bay Sign on behalf of Carewell Urgent Care, 757 Boston Post Rd. East, to place a free-standing LED sign, Order No. 16-1006579.
5. PUBLIC HEARING On the Proposed Zoning Amendment-Lawful Pre-Existing Single and Two-Family Residential Structures, Order No. 16-1006578.
6. Communication from the Mayor re: Stabilization transfer request in the amount of \$1,000,000.00 which moves funds from Undesignated to Undesignated Stabilization to ensure the City's fiscal stability.
7. Communication from the Mayor re: Other Post-Employment Benefits (OPEB) transfer request in the amount of \$1,000,000.00 which moves funds from Undesignated to City's OPEB Trust account to fully fund its retirement benefit liability by 2027.
8. Communication from the Mayor re: Traffic Enforcement and Equipment grant from the Executive Office of Public Safety Highway, Safety Division, in the amount of \$12,000.00 to address high visibility traffic enforcement patrols for the Police Department.
9. Communication from the Mayor re: FY16 MA Decontamination Unit grant from the Commonwealth of MA in the amount of \$2,000.00 to facilitate the field deployment, training and operational readiness of the mass decontamination unit to enhance protection of local hospitals during public health emergency situations for the Fire Department.
10. Communication from the Mayor re: Appointment of Karen Bento to the Library Board of Trustees for a term to expire three years from date of City Council approval.
11. Communication from the Mayor re: Vacancy Report conducted by Regional Resource Group, Inc. which is currently contracted to work as the City's Assessor.
12. Communication from Assistant City Solicitor Panagore Griffin re: Hospitality and Recreation Mixed Use Overlay District (HRMUOD), Delegation of Site Plan Review, Waivers for Particular Matters and Limited Site Plan Approvals, in proper legal form, Order No. 16-1006443F.
13. Petition of Comcast to evacuate and place 1-3" Schedule 40 PVC conduit across the alley-way that connects Main St. and Weed St. between buildings #200 Main St. and #194 Main St. Starting at the existing Comcast hand hole, excavate and place conduit in a westerly direction toward the rear of #200 Main St. for a distance of 21"+/-.
14. Communication from Attorney Bergeron on behalf of Hancock Associates, acting on behalf of Walker Realty, LLC re: Apex Center-Proposed Entrance, Order No. 16-1006443G.
15. Communication from Berlin Earthwork Board re: Public Hearing on Monday, June 27, 2016 to consider the permit renewal/modification application of Riverbridge North, LLC for its Earthwork Permit, dated September 3, 2013, for the importation of up to 75,000 cubic yards of material on the land it owns

**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.**

known as Riverbridge mixed use village.

16. Minutes, Traffic Commission, April 26, 2016.
17. Minutes, Planning Board, April 25, May 9 & 23, 2016.
18. Minutes, Library Board of Trustees, April 5 and May 3, 2016.
19. Minutes, Council on Aging, April 12 and May 10, 2016.
20. Communication from Amica on behalf of Philip Lioio, 19 Preston St. re: claim.
21. CLAIMS:
  - a. John Sahagian, 146 Hildreth St., pothole or other road defect.

#### REPORTS OF COMMITTEES:

#### UNFINISHED BUSINESS:

#### From Finance Committee

22. **Order No. 16-1006567 – Year End Transfers for \$395,410.00.** - The Finance Committee reviewed the Mayor's letter dated May 19, 2016 requesting various year end transfers totaling \$395,410.00 in the Board of Health, DPW, Fire Department and Comptroller departments. **The Finance Committee took the following actions:**
  - **Board of Health transfers for \$1,050.00 – Approved 4 – 0**
  - **DPW - reduce the Electricity transfer (account number 11920006-52120) by \$50,000.00 – Approved reduction 4 – 0**
  - **Approved the balance of the DPW transfers of \$199,360.00 – Approved 4 – 0**
  - **Fire Department transfers for \$30,000.00 – Approved 4 – 0**
  - **Comptroller transfers for \$115,000.00 - Approved 4 - 0**
23. **Order No. 16-1006568 – Transfer \$675,745.00 from Undesignated to Snow and Ice Accounts.** The Finance Committee reviewed the Mayor's letter dated May 19, 2016 requesting the transfer in the amount of \$675,745.00 from Undesignated Funds to cover the FY16 Snow and Ice deficit in the Overtime Snow and Ice, Snow Removal and Operating Expenses account. **The Finance Committee voted 4 – 0 to approve the transfers.**
24. **Order No. 16-1006569 – Transfer \$647,580.00 from the Economic Development Account to Fund MEDC for FY17 and \$75,000.00 from Economic Development to Walker Building Feasibility Study.** The Finance Committee reviewed the Mayor's letter dated May 19, 2016 requesting the transfer of \$647,580.00 from the Economic Development account to fund MEDC for FY17 and a \$75,000.00 transfer from the Economic Development account to fund the Walker Building Feasibility Study. The funds are from the local options hotel tax that has a projected year-end balance after the transfers of \$444,340.00. **The Finance Committee took the following actions:**
  1. **MEDC FY17 funding for \$647,580.00 – Approved 3 – 1 (Councilor Oram opposed)**
  2. **Walker Building Feasibility Study for \$75,000.00 – Approved 4 - 0**

25. **Order No. 16-1006570 – Transfer \$62,400.00 from Parks and Field Capital Account to Interest on BAN Account.** The Finance Committee reviewed the Mayor’s letter dated May 19, 2016 requesting the transfer of \$62,400.00 from the Parks and Fields Capital account to the Interest on BAN account to fund short term interest associated with the Ward Park, Baldelli Field, the high school tennis courts and Memorial Beach projects. **The Finance Committee voted 4 – 0 to approve the transfer.**
26. **Order No. 16-1006574 – Reauthorize the Public Safety Revolving Fund for FY17.** The Finance Committee reviewed the Mayor’s letter dated May 19, 2016 requesting the reauthorization of the Public Safety Revolving Fund for FY17. **The Finance Committee took the following actions:**
- **Revise item “d” in the order from \$75,000.00 to \$50,000.00 for the amount of money that can be expended in FY17 – Approved 3 – 1 (Councilor Oram opposed)**
  - **Reauthorize the Public Safety Revolving Fund with the adjustment to item “d” in the order – Approved 4 - 0.**
27. **Order No. 16-1006575 – Reauthorize the Council on Aging Revolving Fund for FY17.** The Finance Committee reviewed the Mayor’s letter dated May 19, 2016 requesting the reauthorization of the Council on Aging Revolving Fund for FY17. **The Finance Committee voted 4 - 0 to approve the reauthorization of the Council on Aging Revolving Fund.**
28. **Order No. 16-1006576 – Reauthorize the Parks and Recreation Revolving Fund for FY17.** The Finance Committee reviewed the Mayor’s letter dated May 19, 2016 requesting the reauthorization of the Parks and Recreation Revolving Fund for FY17. Commissioner Ghiloni indicated that the DPW would be spending close to \$1,000,000.00 on park upgrades by the end of June 2016. The Mayor indicated that all 3 revolving funds (Public Safety, Council on Aging and Parks) will have balance sheets provided the Council with the actual funds received and expended for FY16 in July 2016. **The Finance Committee voted 4 - 0 to approve the reauthorization of the Parks and Recreation Revolving Fund.**



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2016 JUN 13 A 10:58

**CITY OF MARLBOROUGH  
OFFICE OF CITY CLERK**

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

**JUNE 6, 2016**

Regular meeting of the City Council held on Monday, JUNE 6, 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 9:25 PM.

Council President Clancy called for a moment of silence in honor of former City Clerk Jo-Ann Reynolds who passed away recently.

**ORDERED:** That the Minutes of the City Council meeting MAY 23, 2016, **FILE**; adopted.

**Suspension of the Rules requested – granted to allow DPW Commissioner Ghiloni to speak.**

**ORDERED:** That the Update from DPW Commissioner re: New Water Ban, **FILE**; adopted.

**ORDERED:** That the **PUBLIC HEARING** On the Petition of NGrid to install 4" conduit and new #2 AL cable in multiple areas on the opposite side of Sudbury St. at Farrington Lane, Order No. 16-1006582, all were heard who wish to be heard, hearing recessed at 8:11 PM.

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

**Councilor Delano recused.**

**ORDERED:** That the Standard and Poors Report, **FILE**; adopted.

**ORDERED:** That the Communication from City Solicitor Rider re: Application to further amend Special Permit, New England Sports Center, 121 Donald Lynch Blvd., in proper legal form, Order No. 16-1006516A, X11-1002790B, X10-1002448B, X04-100359B, X94-5460B, **MOVED TO REPORTS OF COMMITTEE**; adopted.

**ORDERED:** That the Communication from Assistant City Solicitor Panagore Griffin re: Development Agreement between City of Marlborough and Walker Realty LLC in proper legal form, X16-1006443D, **MOVED TO REPORTS OF COMMITTEE**; adopted.

- ORDERED: That the Site-Plan Approval Application, Walker Realty LLC for Apex Center, 180 Boston Post Rd. West, Order No. 16-1006443E, refer to **URBAN AFFAIRS COMMITTEE AND PROFESSIONAL SITE PLAN REVIEW COMMITTEE**; adopted.
- ORDERED: That there being no objection thereto set **MONDAY, JUNE 20, 2016** as **DATE FOR PUBLIC HEARING** On the Petition of NGrid to install three phase underground primary cable across Donald Lynch Blvd., from existing MH 3-5 to proposed MH 3-51, by which this work is required to provide service for the expansion of the NE Sports Center, refer to **PUBLIC SERVICES COMMITTEE**; adopted.
- ORDERED: That there being no objection thereto set **MONDAY, JUNE 20, 2016** as **DATE FOR PUBLIC HEARING** On the Petition of Verizon New England, Inc. to place 1 four-inch conduit on the easterly side of D'Angelo Dr. beginning at existing pole T.5, which is located on the easterly side of D'Angelo Dr., thence running in a southwesterly direction approximately sixty-three feet to private property at #84 D'Angelo Dr. to relocate the existing aerial lines from overhead to underground to provide distribution of intelligence and telecommunications, refer to **PUBLIC SERVICES COMMITTEE**; adopted.
- ORDERED: That the Communication from the Executive Director of Mosquito Control Project re: Investigating resident's complaints about mosquitoes on the following dates: June 2, 8, 15, 22 & 29, **FILE**; adopted.
- ORDERED: That the Minutes, Conservation Commission, April 7, 2016, **FILE**; adopted.
- ORDERED: That the Minutes, School Committee, May 10, 2016, **FILE**; adopted.
- ORDERED: That the following **CLAIMS**, refer to the **LEGAL DEPARTMENT**; adopted.
- a. Michael Grasso, 10 Greenwood St., other property damage.

Councilor Ossing reported the following out of the Finance Committee:

**Marlboro City Council Finance Committee  
Wednesday June 1, 2016  
In Council Chambers**

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

1. **Order No. 16-1006567 – Year End Transfers for \$395,410.00.** - The Finance Committee reviewed the Mayor's letter dated May 19, 2016 requesting various year end transfers totaling \$395,410.00 in the Board of Health, DPW, Fire Department and Comptroller departments. **The Finance Committee took the following actions:**
  - **Board of Health transfers for \$1,050.00 – Approved 4 – 0**
  - **DPW - reduce the Electricity transfer (account number 11920006-52120) by \$50,000.00 – Approved reduction 4 – 0**
  - **Approved the balance of the DPW transfers of \$199,360.00 – Approved 4 – 0**
  - **Fire Department transfers for \$30,000.00 – Approved 4 – 0**
  - **Comptroller transfers for \$115,000.00 - Approved 4 – 0**
2. **Order No. 16-1006568 – Transfer \$675,745.00 from Undesignated to Snow and Ice Accounts.** The Finance Committee reviewed the Mayor's letter dated May 19, 2016 requesting the transfer in the amount of \$675,745.00 from Undesignated Funds to cover the FY16 Snow and Ice deficit in the Overtime Snow and Ice, Snow Removal and Operating Expenses account. **The Finance Committee voted 4 – 0 to approve the transfers.**
3. **Order No. 16-1006569 – Transfer \$647,580.00 from the Economic Development Account to Fund MEDC for FY17 and \$75,000.00 from Economic Development to Walker Building Feasibility Study.** The Finance Committee reviewed the Mayor's letter dated May 19, 2016 requesting the transfer of \$647,580.00 from the Economic Development account to fund MEDC for FY17 and a \$75,000.00 transfer from the Economic Development account to fund the Walker Building Feasibility Study. The funds are from the local options hotel tax that has a projected year-end balance after the transfers of \$444,340.00. **The Finance Committee took the following actions:**
  - **MEDC FY17 funding for \$647,580.00 – Approved 3 – 1 (Councilor Oram opposed)**
  - **Walker Building Feasibility Study for \$75,000.00 – Approved 4 – 0**

## Reports of Committees Cont'd:

4. **Order No. 16-1006570 – Transfer \$62,400.00 from Parks and Field Capital Account to Interest on BAN Account.** The Finance Committee reviewed the Mayor's letter dated May 19, 2016 requesting the transfer of \$62,400.00 from the Parks and Fields Capital account to the Interest on BAN account to fund short term interest associated with the Ward Park, Baldelli Field, the high school tennis courts and Memorial Beach projects. **The Finance Committee voted 4 – 0 to approve the transfer.**
5. **Order No. 16-1006574 – Reauthorize the Public Safety Revolving Fund for FY17.** The Finance Committee reviewed the Mayor's letter dated May 19, 2016 requesting the reauthorization of the Public Safety Revolving Fund for FY17. **The Finance Committee took the following actions:**
  - **Revise item "d" in the order from \$75,000.00 to \$50,000.00 for the amount of money that can be expended in FY17 – Approved 3 – 1 (Councilor Oram opposed).**
  - **Reauthorize the Public Safety Revolving Fund with the adjustment to item "d" in the order – Approved 4 - 0.**
6. **Order No. 16-1006575 – Reauthorize the Council on Aging Revolving Fund for FY17.** The Finance Committee reviewed the Mayor's letter dated May 19, 2016 requesting the reauthorization of the Council on Aging Revolving Fund for FY17. **The Finance Committee voted 4 - 0 to approve the reauthorization of the Council on Aging Revolving Fund.**
7. **Order No. 16-1006576 – Reauthorize the Parks and Recreation Revolving Fund for FY17.** The Finance Committee reviewed the Mayor's letter dated May 19, 2016 requesting the reauthorization of the Parks and Recreation Revolving Fund for FY17. Commissioner Ghiloni indicated that the DPW would be spending close to \$1,000,000.00 on park upgrades by the end of June 2016. The Mayor indicated that all 3 revolving funds (Public Safety, Council on Aging and Parks) will have balance sheets provided the Council with the actual funds received and expended for FY16 in July 2016. **The Finance Committee voted 4 - 0 to approve the reauthorization of the Parks and Recreation Revolving Fund.**

The Finance Committee meeting adjourned at 8:54 PM.

## Reports of Committees Cont'd:

Councilor Delano reported the following out of the Urban Affairs Committee:

Meeting Name: City Council Urban Affairs Committee

Date: May 31, 2016

Time: 5:00 PM

Location: City Council Chamber, 2<sup>nd</sup> Floor, City Hall, 140 Main Street

Convened: 5:00 PM

Adjourned: 7:20 PM

Present: Chairman Delano; Urban Affairs Committee Members Councilors Elder, Juaira, Tunnera and Landers; and Councilors Clancy, Oram, and Robey

Also Present:

For Order No. 16-1006516: David McCay (Attorney, Mirick O'Connell); Wes Tuttle (General Manager, New England Sports Center); Chip Orcutt (Project Manager, New England Sports Management Corporation); Donald Rider (City Solicitor, City of Marlborough);

For Order No: 16-1006443: Arthur Bergeron (Attorney, Mirick O'Connell); Thomas DiPersio, Jr., P.E. (City Engineer, City of Marlborough); Kevin Eriksen (General Counsel, Ryan Development LLC); Joseph Peznola, PE (Director of Engineering, Hancock Associates); Cynthia Panagore Griffin (Assistant City Solicitor, City of Marlborough); Priscilla Ryder (Conservation Officer, City of Marlborough); Josh Fiala (Certified Land Use Planner & Registered Architect, MAPC)

**Order No.16-1006516 - Application for Special Permit Modification, Quad Rink Limited Partnership, New England Sports Management Corp., to amend existing special permits to add Rinks 7 and 8 and Restaurants, 121 Donald Lynch Blvd., X11-1002790B, 10-1002448B, 04-100359B and 94-5460B.** The Urban Affairs Committee met with representatives from New England Sports Management Corporation for review of their application to amend existing special permits to add Rinks 7 and 8, as well as restaurant(s) to the current facility at 121 Donald Lynch Boulevard. They reviewed the document, "Decision of an Application to Further Amend Special Permit Nu. 94-5460B, as Previously Amended by City Council Order No. 04-100359B, City Council Order No. 10-1002448B, and City Council Order No. 11-1002790B," dated May 31, 2016. Minor changes were made to the conditions for Construction of the Project, Granite Curbing, Exterior Camera and Signage, Cross-Walk Markings and Traffic Commission. The committee agreed to request a suspension of the rules at the next regular City Council meeting to vote on the application. **Motion made by Councilor Elder, seconded by Chair, to approve the amended Special Permit as amended. The motion carried 5-0.**

## Reports of Committees Cont'd:

**Order No.16-1006443 - DRAFT DEVELOPMENT AGREEMENT AND MASTER CONCEPT PLAN – Hospitality and Recreation Mixed Use Overlay District Zoning Amendment on behalf of Ryan Development LLC.** The Urban Affairs Committee met with Attorneys Arthur Bergeron and Kevin Eriksen, who appeared on behalf of the applicant, Ryan Development, LLC. They and the project engineer, Joseph Peznola of Hancock Associates, were available for a discussion regarding the Development Agreement and Master Concept Plan submitted to the City Council. Revisions were made to the sections for Project Entrance, Maintenance of Walking Trails, Marriott Occupancy, Job Fair, and Non-Disturbance Area in the Development Agreement. The Urban Affairs Committee agreed with the applicant's representative to the revisions and approved both the Master Concept Plan and Development Agreement as amended. **Motion made by Councilor Tunnera, seconded by Chair, to approve the Master Concept Plan as presented. The motion carried 5-0. Motion made by Councilor Elder, seconded by Chair, to approve the Development Agreement as amended. The motion carried 5-0.**

**Motion made by Councilor Elder, seconded by Chair, to adjourn. The motion carried 5-0. The meeting adjourned at 7:20 PM.**

## Suspension of the Rules requested-granted

ORDERED:

**Order No. 16-1006516B**

**DECISION ON AN APPLICATION TO FURTHER AMEND**  
**SPECIAL PERMIT NO. 94-5460B,**  
**AS PREVIOUSLY AMENDED BY CITY COUNCIL ORDER NO. 04-100359B,**  
**CITY COUNCIL ORDER NO. 10-1002448B,**  
**AND CITY COUNCIL ORDER NO. 11-1002790B**

The City Council of the City of Marlborough hereby Grants the Application for Amendment to Special Permit # 94-5460B, as amended by Council Order # 04-100359 filed on May 12, 2004, City Council Order # 10-1002448B filed on April 12, 2010, and by City Council Order # 11-1002790B filed on January 31, 2011, to Quad Rink Limited Partnership/New England Sports Management Corporation, General Partner, 84 South Street, Carlisle, Massachusetts 01741, and H. Larue Renfroe, Trustee of Donald Lynch Boulevard Realty Trust u/d/t dated December 23, 1994 and recorded in the Middlesex South District Registry of Deeds (the "Registry") in Book 25093, Page 467, both having a place of business at 84 South Street, Carlisle, Massachusetts 01741, as provided in the Decision and subject to the following Procedural Findings, Findings of Facts and Conditions:

**PROCEDURAL FINDINGS**

1. New England Sports Management Corporation, General Partner of Quad Rink Limited Partnership, and H. Larue Renfroe, Trustee of Donald Lynch Boulevard Realty Trust u/d/t dated December 23, 1994, each having a place of business at 84 South Street, Carlisle, Massachusetts 01741, are hereinafter collectively referred to as the "Applicant."
2. H. Larue Renfroe, Trustee of Donald Lynch Boulevard Realty Trust, is the owner of property located at 121 Donald Lynch Boulevard, further described on the Marlborough Assessors Maps as Map 26, Parcel 32, as well as certain contiguous land in the Town of Hudson, for a total of 23.10± acres. This property is shown as Parcel B on a plan recorded with the Registry in Plan Book 18967, Page 279; is further described in the deed recorded with the Registry in Book 25093, Page 474; and is hereinafter referred to as "Parcel B".
3. New England Sports Management Corporation, General Partner of Quad Rink Limited Partnership, is the owner of property located adjacent to 121 Donald Lynch Boulevard, and further described on the Marlborough Assessors Maps as Map 26, Parcel 31, from which a Lot 13A, containing 4.02 acres, has been endorsed by the Marlborough Planning Board in 2016 as a separate Approval Not Required parcel, hereinafter referred to as "Lot 13A." Lot 13A will be combined with Parcel B at 121 Donald Lynch Boulevard, hereinafter referred to as the "Site," to create a single 27.12± acre lot for the New England Sports Center facility. The Site is located in the Limited Industrial (LI) zoning district.
4. The Applicant, on March 31, 2016, filed with the City Clerk of the City of Marlborough an Application for Amendment to Special Permit # 94-5460B, as amended, herein referred to as the "Application."
5. On May 10, 1994, the City Council had granted the Applicant a Special Permit to construct a multi-sport facility consisting of up to four major activity areas (the "Special Permit"). The activity areas are known as "rinks." Notice of Grant of Special Permit # 94-5460B is recorded in the Registry in Book 25042, Page 572.
6. The Special Permit was first amended on May 10, 2004, by City Council Order No. 04-100359B, notice of which was recorded in the Registry in Book 43009, Page 25. The Special Permit was amended a second time on April 5, 2010, by City Council Order # 10-1002448B, notice of which was recorded in the Registry in Book 54646, Page 143. The Special Permit was amended a third time on January 24, 2011, by City Council Order # 11-1002790B, notice of which was recorded in the Registry in Book 62316, Page 325. The Special Permit, as so amended, is hereinafter referred to as the "Amended Special Permit."

7. The Application is authorized under the provisions of Chapter 650 (Zoning) of the Code of the City of Marlborough, Article V, Section 650-17 "Table of Uses," and Section 650-18 "Conditions for Uses," subsection A(23) "Recreation Centers." The reason for the Application is to further amend the Amended Special Permit to allow the construction and use of an additional seventh and eighth rink and to allow for service of alcoholic beverages at designated food service areas at the Site (the "Project"), subject to the provisions of the Amended Special Permit as further amended hereby and as allowed in the LI zoning district by special permit.
8. The Application filed with the City Clerk on March 31, 2016, consisted of the following: (a) Application Fee in the amount of \$500.00; (b) three (3) original copies of the Application; (c) Certification of Delivery of copies of the Application to City of Marlborough Departments and Office of the City Council; (d) Certification of Payment of Municipal Taxes; (e) Preliminary Site Plans in accordance with Chapter 650 Article VIII Section 650-59 Paragraph C. (5); (f) an outline of the Project; (g) Special Permit Application Certification by Planning Department; (h) Certified copies of Abutters' Lists for the City of Marlborough and the Town of Hudson; (i) Special Permit-Summary Impact Statement; as well as site plans entitled "New England Sports Center, 'Recreation Facility Expansion,' Donald Lynch Boulevard, Marlborough, Massachusetts, Prepared for: New England Sports Management Corporation, 80 South Street, Carlisle, Massachusetts 01741, Prepared by: GLM Engineering Consultants, Inc., 19 Exchange Street, Holliston, MA 01746, Dated March 23, 2016" (the "Site Plans") (collectively, the "Documents"). Twelve sets of the Documents were delivered to the City Council and one set each to the Police Chief, the Fire Chief, the City Planner, the Building Inspector, the City Engineer and the Conservation Officer, all in accordance with Chapter 650, Article VII, Section 650-59 of the Zoning Code of the City of Marlborough. The Documents are incorporated herein and become part of this Decision.
9. The Applicant filed with the Application a Certificate of Completeness of Application on a form signed by the Building Commissioner, on behalf of the City Planner for the City of Marlborough, as having complied with the provisions of Chapter 650 (Zoning Code) Article VII, Section 650-59, C. (7) (a), (b), and (c).
10. In accordance with the Rules and Regulations of the City Council and Massachusetts General Laws Chapter 40A, Sections 9 and 11, the City Council established April 25, 2016, at 8:00 PM as a date and time for a public hearing on the Application; caused a notice of said hearing and the date thereof to be advertised on April 9, 2016 and April 16, 2016 in the Main Street Journal; and caused said notice to be mailed to those entitled thereto. Proof of advertisement and mailing has been submitted to the City Clerk to be placed with the Application Documents.
11. The Marlborough City Council held a public hearing on the Application on April 25, 2016, at 8:00 PM in accordance with the published notice (the "Public Hearing"). The hearing was opened and closed on said date.

12. The Applicant presented testimony at the Public Hearing detailing the construction and use of the Project, its impact upon municipal services, the neighborhood traffic, parking, drainage and such issues as the City Council and members of the public deemed appropriate. Members of the public had the opportunity to testify at the Public Hearing. Some members of the public spoke in favor of the project, one spoke against, and some members of the City Council asked questions.
13. The Applicant provided written and oral documentation and testimony to the City Council and the City Council's Urban Affairs Committee regarding the development of the Site, the drainage, traffic, parking, safety considerations during and after construction, effect on nearby wetlands water and sewer use, the design and construction of the seventh and eighth rinks, including operational considerations during and after construction, handicap accessible issues, issues related to the service of alcoholic beverages, the economic impact on the community, impacts on the abutter to the east of the project, and mitigation of impacts.

**BASED UPON THE ABOVE, THE CITY COUNCIL OF THE CITY OF MARLBOROUGH MAKES THE FOLLOWING FINDINGS OF FACT:**

- A. The City Council finds that it may amend the Amended Special Permit, subject to terms and conditions as it deems necessary and reasonable to protect the health, safety and welfare of the citizens of the City of Marlborough.
- B. The City Council finds the Application does not derogate from the intent or purpose of the Zoning Ordinance of the City of Marlborough or Massachusetts General Laws Chapter 40A.
- C. The City Council finds that the proposed use of the Site for the Project is an appropriate use and is in harmony with the general purpose and intent of the Zoning Ordinance of the City of Marlborough. The construction of the Project will complement the existing business uses in the City of Marlborough and surrounding communities, and will enhance the development goals of the City and the region by providing additional services, increased employment opportunities, increased recreational opportunities, positive impact on the hospitality resources of the City, and a continuation and expansion of a positive asset to the City of Marlborough.
- D. The Site Plans, as submitted and as may be amended by the Site Plan Review Committee during the site plan review process, provide for improvements that will protect the environment and not have adverse impacts to the community. The City Council makes this determination subject to the completion and adherence by the Applicant to the approved site plan by the Site Plan Review Committee, to an order of conditions as may be issued by the City of Marlborough Conservation Commission, to any conditions imposed by the Marlborough Licensing Board and the Marlborough Board of Health, and to the conditions more fully set forth herein.
- E. The Applicant has complied with all the procedural rules and regulations of the City Council of the City of Marlborough, Chapter 650 (Zoning Code) of the City of Marlborough and Massachusetts General Laws Chapter 40A, §§ 9 and 11.

**GRANT OF FURTHER AMENDMENT TO AMENDED SPECIAL PERMIT**

- F. The City Council of the City of Marlborough pursuant to its authority under Chapter 650 (Zoning Code) of the Code of the City of Marlborough and Massachusetts General Laws Chapter 40A, GRANTS to the Applicant an amendment to the Amended Special Permit to construct a seventh and eighth rink to be used as a multi-sport facility as set forth in the Amended Special Permit, in the Application, and as per the Documents submitted to the City Council, and to allow the service of alcoholic beverages at designated food service areas at the Site (hereinafter the "Further Amended Special Permit"), all subject to the following conditions:

**CONDITIONS**

1. The Amended Special Permit is hereby affirmed, and is deemed to be in full force and effect and applies to the Project without change or modification, except as provided for in the Application, the Site Plans and other conditions herein stated.
2. Unless modified by the provisions hereof, all conditions outlined in Paragraph 4. (a) through (z) of the Special Permit and all conditions outlined in the amendments to the Special Permit shall apply to the Project. Where reference is made to the issuance of the Special Permit, it shall also refer to the issuance of this Further Amended Special Permit.
3. **Construction of the Project:** (a) Construction of the Project is subject to the same conditions and limitations as provided in Condition 4. (a) of the Special Permit, except that reference is made to the Site Plans. (b) The construction site will be fenced as approved by Site Plan Review. (c) To ensure the safety of patrons, employees and the general public during all phases of the construction of the Project, the Applicant will develop a modified emergency exit plan during site plan review and implement the same as a condition hereof. (d) Applicant shall, prior to issuance of the building permit for the project, provide a payment to the City of Marlborough Inspectional Services Fund in the amount of five thousand (\$5,000.00) dollars to offset the increases in costs associated with the Project. The City shall expend said funds as needed to contract for temporary staff, materials, supplies and equipment so as to enable the Inspectional Services Staff to provide adequate, timely supervision to the Project. Prior to issuance of a Building Permit, Applicant shall also provide a payment to the City in the amount of eighty thousand dollars (\$80,000.00) to mitigate the costs of future upgrades to the sewer pump station at the eastern end of Donald Lynch Boulevard, which amount shall be deposited into a suitable municipal account as directed by the City Council.
4. **Parking Areas:** Six hundred (600) parking spaces shall be provided as shown on the Site Plans.

5. **Lighting for Parking Lots:** (a) Exterior parking lot lighting shall not spill onto abutting residential property. (b) Reflectors shall be utilized and configured to mitigate light from entering abutting residential property. (c) Exterior parking lot lighting shall be extinguished each day no later than 1:00 A.M. local time, except for any security lighting required by the Marlborough Police Department.
6. **Project Plans and Specifications:** (a) The Project shall be constructed, maintained and operated according to the specifications, terms and conditions of the Application, as amended during the application/hearing process before the City Council and/or the Urban Affairs Committee, and in compliance with the Conditions of the Grant of Special Permit and Amended Special Permit. (b) All plans, photo renderings, site evaluations, briefs and other documentation provided by the Applicant as part of this Application are herein incorporated into and become a part of this Further Amended Special Permit and become conditions and requirements of the same, unless otherwise altered by the City Council. (c) Notwithstanding condition (a) and (b) hereof, engineering changes may be made to the Site plans by the Site Plan Review Committee so long as said changes do not change the use of the Site as approved herein, increase the impervious area of the Site, reduce the green area, or increase the size of the building shown on the Site Plans.
7. **Granite Curbing:** In order to provide a stop for vehicles parking in the east parking lot, Applicant will maintain the vertical granite curbing, with no less than a 6 inch reveal, along the east side of the Site.
8. **Formal Parking and Pedestrian Movement Plan:** (a) Applicant will submit to the Site Plan Review Committee for its review and approval a formal Parking and Pedestrian Movement Plan to be used during major events when off-site parking is utilized. Said Plan shall be updated as conditions warrant such an update. (b) Applicant will provide off-site parking sufficient to accommodate overflow parking.
9. **Handicap Accessibility:** In addition to fulfilling its obligations to provide handicapped accessibility as required under state and federal law, the Applicant will also provide handicapped accessibility to and within facilities and spaces associated with Rinks 7 and 8, which will be accessed by the public, including its locker rooms.
10. **Exterior Camera and Signage:** Applicant will install a security camera with recording capabilities on the south side of Rinks 7 and 8 for the purpose of observing and recording activities that take place in the south parking lot. Applicant will also install signage at the south parking lot that prohibits loitering.

11. **Radar Speed Signs:** Within thirty (30) days of the issuance of this Further Amended Special Permit, the Applicant shall provide a payment to the City in the amount eight thousand dollars (\$8,000.00) for the installation of two radar speed signs, the exact placement of which shall be determined by the Police Chief. If the Police Chief determines that additional radar speed signs are necessary and so notifies the Applicant, the Applicant shall provide payment of an additional eight thousand dollars (\$8,000.00) and the additional signs shall be placed at the Police Chief's discretion in the vicinity of the New England Sports Center property.
12. **Cross-Walk Markings:** The Applicant will install cross-walk lighting, signage and markings at the southwest entrance of the sports facility acceptable to the City Traffic Commission.
13. **Catch Basin:** Subject to the approval of the City Engineer, the Applicant will install an additional catch basin on the far edge of the north-by-northeast parking lot by the property now owned by Albert Bombard, and the Applicant will adjust the curb height to the extent necessary along the far edge of said parking lot to a height of six (6) inches.
14. **Serving Alcoholic Beverages:** Paragraph 4. (p) of the Special Permit is hereby modified by striking the first full sentence, including the condition enumerated as (i), and replacing it with the following: "Alcoholic beverages may be served by the Applicant to be consumed only in designated food service areas under the following conditions: (i) There shall be no bar facilities for patron seating, and all seating shall be at tables in, or immediately adjacent to, the designated food service areas." The issuance of this Further Amended Special Permit is further subject to review by the Marlborough Licensing Board as to all matters within the scope of the Applicant's common victualer all-alcoholic beverages license as may be amended, and within the scope of the Applicant's entertainment license as may be amended and automatic amusement license as may be amended. All further reviews, additions and/or amendments for the purposes of the Licensing Board shall become conditions of this Further Amended Special Permit, and any violations of such Licensing Board conditions may lead to possible revocation of the Further Amended Special Permit by the City Council.

15. **Site Plan Review:** The issuance of this Further Amended Special Permit is further subject to detailed technical Site Plan Review in accordance with Chapter 270 of the City of Marlborough Ordinance prior to the issuance of the building permit. Any additional changes, alterations, modifications or amendments, as required during the process of Site Plan Review, shall be further conditions attached to the building permit and no Occupancy Permit shall be issued until Applicant has complied with all conditions. Any additional changes, alterations, modifications or amendments, as required during the process of Site Plan Review shall be further conditions attached to this Further Amended Special Permit, and any violations of such Site Plan Review conditions may lead to possible revocation of the Further Amended Special Permit by the City Council. Subsequent Site Plan Review shall be consistent with the conditions of this Further Amended Special Permit and the Plan submitted, reviewed and approved by the City Council as the special permit granting authority. Any changes to the Site Plans which alter the traffic patterns or landscaping, or reduce the overall green space of the Project, will require subsequent approval by the City Council.
16. **Board of Health:** The issuance of this Further Amended Special Permit is further subject to review by the Marlborough Board of Health as to all matters governed by the Applicant's food establishment permit as may be amended. All conditions issued by the Board of Health shall become conditions of this Further Amended Special Permit, and any violations of such Board of Health conditions may lead to possible revocation of the Further Amended Special Permit by the City Council.
17. **Conservation Commission:** The issuance of this Further Amended Special Permit is subject to an order of conditions, DEP 212-1144, issued by the Marlborough Conservation Commission; and will be further subject to an order of conditions anticipated to be issued by the Conservation Commission relative to Site drainage which is and/or will be discharging into the riverfront area. All conditions issued by the Conservation Commission shall become conditions of this Further Amended Special Permit, and any violations of such Conservation Commission conditions may lead to possible revocation of the Further Amended Special Permit by the City Council.
18. **Traffic Commission:** The issuance of this Further Amended Special Permit is further subject to review by the Marlborough Traffic Commission as to all matters within its jurisdiction.

19. **Recording:** In accordance with the provisions of Mass. Gen. Laws c. 40A, § 11, the Applicant at its expense shall record this Further Amended Special Permit in the Middlesex South Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Further Amended Special Permit has elapsed with no appeal having been filed, and said recording shall be made before a Building Permit is issued. Upon said recording, Applicant shall forthwith provide a copy of the recorded Further Amended Special Permit to the City Council's office, the City Solicitor's office and the Building Department's office.

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

### **Suspension of the Rules requested-granted**

**ORDERED:** That the City Council of the City of Marlborough hereby approves the following:

- 1) By a super majority (2/3) vote pursuant to Chapter 650-35.C(1) of the City's Zoning Ordinance, the City Council hereby approves the Master Concept Plan presented by Walker Realty LLC entitled "Master Concept Plan" prepared by Hancock Associates and dated 5/9/16 with revisions through 5/25/16, containing twelve (12) sheets; and
- 2) By a separate super majority (2/3) vote pursuant to Chapter 650-35.C(2) of the City's Zoning Ordinance, the City Council hereby approves the Development Agreement by and between Walker Realty LLC and the City of Marlborough, which Development Agreement is attached herewith.

Order No. 16-1006443G-1

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

Order No. 16-1006443G-2

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

**ORDERED:** That within 60 days of the date of this Order, the Mayor, in conjunction with the CDA as may be needed, enact parking regulations for downtown parking to better utilize the ample parking spaces available. Said parking regulations shall include, but shall not be limited to, the following restrictions:

1. Two (2) hour parking limit on Main Street and in the public parking lots located thereon;
2. Monday through Friday between the hours of 8 a.m. and 5 p.m., a three (3) hour parking limit on the bottom third of the parking garage located behind City Hall, and in the bottom half of the parking deck located behind Masonic Hall; and
3. Monday through Friday between the hours of 8 a.m. and 5 p.m., a three (3) hour parking limit for the parking lot located at the intersection of Main Street, Bolton Street, and Granger Boulevard.

Refer to the **MAYOR**; adopted.

ORDERED: That the Mayor work with the Veteran's Agent and the Public Facilities Department to come up with a weather related back-up plan for every parade related to veterans, so that the city can still honor its veterans in the event of rain the day of the parade, refer to **VETERANS' AFFAIRS COMMITTEE**; adopted.

ORDERED: That the Application for Renewal of Junk Dealer's License, Best Buy Stores, LP #820, 769 Donald Lynch Boulevard, **APPROVED**; adopted.

ORDERED: That the Application for Renewal of Junk Dealer's License, Post Road Used Auto Parts of Marlboro, Inc., 785 Boston Post Road East, **APPROVED**; adopted.

ORDERED: That the Petition from National Grid and Verizon New England, Inc. to relocate P5, P6-50, P7, P8, P10, P10-80, P11, P11-50 along East Main Street between Main Street and Francis Street and the City of Marlborough requests pole relocations to accommodate road improvement project, 785 Boston Post Road East, **APPROVED WITH THE FOLLOWING STANDARD LIST OF CONDITIONS**:

1. A street opening permit must be applied for by the proposed contractor performing the work.
2. A proper staging area is to be located/acquired before work commences – material and equipment is not to be parked/stockpiled within the city right of way and or private property unless permission is granted in writing by the property owner.
3. The contractor is to ensure residents are always able to enter and exit their driveways.
4. Ensure construction safety controls are established (signage, drums, police details, etc....) and are in accordance with the latest MUTCD standards.
5. Trenches are to be paved or completely backfilled and compacted at the end of each work day. Trenches are never to be left unattended.
6. Post construction loaming and seeding are to be done in accordance with the 1995 MHD Standard Specifications sections 751 and 765.
7. National Grid shall coordinate all utility pole relocations with the City of Marlborough in accordance with the approved reconstruction plans and meet with the Project Manager to ensure that proposed/existing utility poles are not left within the travel way unprotected.
8. National Grid shall coordinate with each homeowner and be sure to obtain any private easements as necessary prior to work commencing.
9. National Grid to work closely with other private utility companies to expedite the transfer of overhead wires from old to new poles.
10. Prior to the end of construction, it is understood that there shall not be any double pole situations left along the street.

**ORDERED:** That the Petition from National Grid and Verizon New England, Inc. to install new intermediate pole P4-150 between existing P4-1 and P4-2 St. Martin Drive, so therefore a capacitor bank will be installed P4-150 to provide voltage support for customers located on St. Martin Drive, **APPROVED WITH THE FOLLOWING STANDARD LIST OF CONDITIONS:**

1. A street opening permit must be applied for by the proposed contractor performing the work.
2. A proper staging area is to be located/acquired before work commences – material and equipment is not to be parked/stockpiled within the city right of way and or private property unless permission is granted in writing by the property owner.
3. The contractor is to ensure residents are always able to enter and exit their driveways.
4. Ensure construction safety controls are established (signage, drums, police details, etc....) and are in accordance with the latest MUTCD standards.
5. Trenches are to be paved or completely backfilled and compacted at the end of each work day. Trenches are never to be left unattended.
6. Post construction loaming and seeding are to be done in accordance with the 1995 MHD Standard Specifications sections 751 and 765.
7. National Grid shall coordinate with each homeowner and be sure to obtain any private easements as necessary prior to work commencing.
8. National Grid to work closely with other private utility companies to expedite the transfer of overhead wires from old to new poles.
9. Prior to the end of construction, it is understood that there shall not be any double pole situations left along the street.

**ORDERED:** That the City Council review with the Mayor and City Auditor the Year to Date Budget Report for all gifts, grants, donations and capital accounts for City and Schools for fiscal year 2015, **FILE**; adopted.

**ORDERED:** There being no further business, the regular meeting of the City Council is herewith adjourned at 9:25 PM.



# IN CITY COUNCIL

Marlborough, Mass., JUNE 6, 2016

**ORDERED:**

That there being no objection thereto set **MONDAY, JUNE 20, 2016** as **DATE FOR PUBLIC HEARING** On the Petition of NGrid to install three phase underground primary cable across Donald Lynch Blvd., from existing MH 3-5 to proposed MH 3-51, by which this work is required to provide service for the expansion of the NE Sports Center, be and is herewith refer to **PUBLIC SERVICES COMMITTEE**.

**ADOPTED**

ORDER NO. 16-1006592



# IN CITY COUNCIL

JUNE 6, 2016

Marlborough, Mass., \_\_\_\_\_

**ORDERED:**

That there being no objection thereto set **MONDAY, JUNE 20, 2016** as **DATE FOR PUBLIC HEARING** On the Petition of Verizon New England, Inc. to place 1 four-inch conduit on the easterly side of D'Angelo Dr. beginning at existing pole T.5, which is located on the easterly side of D'Angelo Dr., thence running in a southwesterly direction approximately sixty-three feet to private property at #84 D'Angelo Dr. to relocate the existing aerial lines from overhead to underground to provide distribution of intelligence and telecommunications, be and is herewith refer to **PUBLIC SERVICES COMMITTEE**.

**ADOPTED**

ORDER NO. 16-1006593



## IN CITY COUNCIL

Marlborough, Mass., MAY 23, 2016

### ORDERED:

That there being no objection thereto set **MONDAY, JUNE 20, 2016** as **DATE FOR PUBLIC HEARING** On the Application for LED Sign Special Permit, Back Bay Sign on behalf of Carewell Urgent Care, 757 Boston Post Rd. East, to place a free-standing LED sign, be and is herewith refer to **URBAN AFFAIRS COMMITTEE, ADVERTISE.**

**Ninety days after public hearing is 09/18/16 which falls on a Sunday, therefore 07/19/16 would be considered the 90<sup>th</sup> day.**

ADOPTED

ORDER NO. 16-1006579



# IN CITY COUNCIL

Marlborough, Mass.,

MAY 23, 2016

PAGE 1

## ORDERED:

THAT, PURSUANT TO § 5 OF CHAPTER 40A OF THE GENERAL LAWS, THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, HAVING SUBMITTED FOR ITS OWN CONSIDERATION CHANGES IN THE ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, AS AMENDED, TO FURTHER AMEND CHAPTER 650, NOW ORDAINS THAT THE ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY ADDING THERETO AS FOLLOWS:

1. Section 650-12, entitled "Nonconforming uses," is hereby amended by deleting the words  
"except that no special permit is needed if the alteration or expansion is to a nonconforming single- or two-family dwelling and said alteration or expansion does not increase the nonconforming nature of the dwelling," and inserting in place thereof the following words:-- except that an alteration, reconstruction, extension or structural change of or to a lawful pre-existing nonconforming single-family dwelling or two-family house shall be governed by Section 650-58B(3).
2. Section 650-58, entitled "Provisions for Board of Appeals," is hereby amended by adding to subsection B thereof, entitled "Powers and duties," after sub-subsection (2), entitled "Variances," the following new sub-subsection (3), entitled "Lawful pre-existing nonconforming single-family dwellings and two-family houses":
  - (3) Lawful pre-existing nonconforming single-family dwellings and two-family houses.
    - (a) As of right. Lawful pre-existing nonconforming single-family dwellings and two-family houses may be altered, reconstructed, extended or structurally changed as a matter of right upon a determination by the Building Commissioner that a proposed alteration, reconstruction, extension or change would not increase or intensify the existing nonconforming nature of the dwelling or house in question. Upon such a determination, an application to the Board of Appeals for a special permit need not be made, and the owner may apply to the Building Commissioner for a building permit.



# IN CITY COUNCIL

Marlborough, Mass.,

MAY 23, 2016

PAGE 2

ORDERED:

- (b) By special permit. Upon a determination by the Building Commissioner that a proposed alteration, reconstruction, extension or structural change to a lawful pre-existing nonconforming single-family dwelling or two-family house would increase or intensify the existing nonconforming nature thereof, a special permit granted by the Board shall be required to allow such alteration, reconstruction, extension or structural change. The Board may grant a special permit to allow such alteration, reconstruction, extension or structural change; provided, however, that the Board determines, by a finding under M.G.L. c. 40A, § 6, that the proposed alteration, reconstruction, extension or structural change shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure or use; and provided, further, that any such special permit shall comply with the requirements of the Zoning Ordinance of the City of Marlborough, including but not limited to Section 650-12, entitled "Nonconforming uses," as amended. Application for a special permit in such a case shall be made to the Board pursuant to procedures set forth in Subsection C(5) of this Section 650-58.
- (c) By variance. Upon the determination by the Building Commissioner that a proposed alteration, reconstruction, extension or structural change to a lawful pre-existing nonconforming single-family dwelling or two-family house would create a new nonconformity(ies), a variance granted by the Board shall be required to allow such alteration, reconstruction, extension or structural change. Application for a variance in such a case shall be made to the Board pursuant to the procedures set forth in Subsection C(1)-(4) of this Section 650-58.
3. Section 650-58, entitled "Provisions for Board of Appeals," is hereby amended by adding to subsection C thereof, entitled "Procedure," after sub-subsection (4), the following new sub-subsection (5), entitled "Special permit procedure":





# IN CITY COUNCIL

Marlborough, Mass.,

MAY 23, 2016

PAGE 4

**ORDERED:**

Be and is herewith refer to **URBAN AFFAIRS COMMITTEE, PLANNING BOARD,  
AND ADVERTISE PUBLIC HEARING FOR MONDAY, JUNE 20, 2016**

**Councilor Oram recused.**

**ADOPTED**

**ORDER NO. 16-1006578**



# City of Marlborough

## Office of the Mayor

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

*Arthur G. Vigeant*  
MAYOR

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

*Nicholas J. Milano*  
EXECUTIVE AIDE

2016 JUN 16 A 10:54

*Patrieta Bernard*  
EXECUTIVE SECRETARY

June 16, 2016

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

### Re: Transfer Request – Undesignated Stabilization

Honorable President Clancy and Councilors:

Enclosed for your approval is a transfer request in the amount of \$1,000,000.00 from the Undesignated Fund into the City's Undesignated Stabilization Account to ensure the City's fiscal stability.

This transfer will come from our free cash account as we continue to focus on using our free cash account to make capital investments, fund OPEB, and place funds in stabilization.

As discussed in the most recent Finance Committee meeting, I request that this transfer be approved in City Council on June 20 in order for it to be completed before the end of the Fiscal Year on June 30, 2016.

I will be available during the City Council meeting to discuss this transfer in greater detail and to answer any questions.

Thank you in advance for your consideration.

Sincerely,

Arthur G. Vigeant  
Mayor

Enclosure





# City of Marlborough

## Office of the Mayor

140 Main Street

Marlborough, Massachusetts 01752

Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610

[www.marlborough-ma.gov](http://www.marlborough-ma.gov)

*Arthur G. Vigeant*  
MAYOR

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2016 JUN 16 A 10:55

*Nicholas J. Milano*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

June 16, 2016

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

### Re: Transfer Request – Other Post-Employment Benefits (OPEB)

Honorable President Clancy and Councilors:

Enclosed for your approval is a transfer request in the amount of \$1,000,000.00 from the Undesignated Fund into the City's OPEB Trust Account. The City remains on target to fully fund its retirement benefit liability by 2027 and it is crucial for us to continue making payments towards our unfunded liability for other post-employment benefits.

This transfer will come from our free cash account as we continue to focus on using our free cash account to make capital investments, fund OPEB, and move funds to stabilization. By paying down our unfunded liability, we are strengthening our financial stability.

As discussed in the most recent Finance Committee meeting, I request that this transfer be approved in City Council on June 20 in order for it to be completed before the end of the Fiscal Year on June 30, 2016.

I will be available during the City Council meeting to discuss this transfer in greater detail and to answer any questions.

Thank you for your consideration.

Sincerely,

Arthur G. Vigeant  
Mayor

Enclosure

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>\$3,202,752.00</u>	<u>\$1,000,000.00</u>	<u>10000</u>	<u>35900</u>	<u>Undesignated Fund</u>	<u>\$1,000,000.00</u>	<u>87500</u>	<u>35900</u>	<u>OPEB Trust</u>	<u>\$5,111,688.78</u>
	Reason:	<u>Transfer funds to OPEB trust</u>							
	Reason:								
	Reason:								
	Reason:								
	<u>\$1,000,000.00</u>	<u>Total</u>			<u>\$1,000,000.00</u>	<u>Total</u>			

Department Head signature: \_\_\_\_\_

Auditor signature: \_\_\_\_\_

Comptroller signature: \_\_\_\_\_

*(Handwritten signature)*  
 \_\_\_\_\_  
*(Handwritten signature)*  
 \_\_\_\_\_



*City of Marlborough*

*Office of the Mayor*

140 Main Street

Marlborough, Massachusetts 01752

Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610

[www.marlborough-ma.gov](http://www.marlborough-ma.gov)

*Arthur G. Vigeant*  
MAYOR

*Nicholas J. Milano*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2016 JUN 16 A 10:55

June 16, 2016

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

**Re: Grant Acceptance – Marlborough Police Department**

Honorable President Clancy and Councilors:

Please find enclosed for your acceptance a grant for the Marlborough Police Department in the amount of \$12,000.00 from the Commonwealth of Massachusetts Executive Office of Public Safety and Security.

As the attached information from Chief Leonard indicates, this reimbursement grant will be used for high visibility traffic enforcement patrols.

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

Sincerely,

Arthur G. Vigeant  
Mayor

Enclosures



# City of Marlborough POLICE DEPARTMENT

508-485-1212 • FAX 508-624-6949  
355 BOLTON STREET • MARLBOROUGH, MA • 01752

MARK F. LEONARD  
Chief of Police

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

06/15/2016

Dear Mayor Vigeant,

The Marlborough Police Department has been awarded a grant in the amount of \$12,000 from the Commonwealth of Massachusetts, Executive Office of Public Safety and Security. The grant is a reimbursement grant and will be used for high visibility traffic enforcement patrols.

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

Sincerely,

Mark F. Leonard  
Chief of Police

**CITY OF MARLBOROUGH  
NOTICE OF GRANT AWARD**

DEPARTMENT: Police Department DATE: 6/15/2016

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Captain Timothy Naze

NAME OF GRANT: Traffic Enforcement and Equipment Grant

GRANTOR: Executive Office of Public Safety Highway Safety Div

GRANT AMOUNT: \$12,000.00

GRANT PERIOD: 12/01/2015-10/01/2016

SCOPE OF GRANT/ High visibility Traffic Enforcement

ITEMS FUNDED Traffic enforcement patrols

IS A POSITION BEING  
CREATED: No

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? \_\_\_\_\_

ARE MATCHING CITY  
FUNDS REQUIRED? N/A

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

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

ANY OTHER EXPOSURE TO CITY?  
No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: ASAP

**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**

## Timothy Naze

---

**From:** Phelan, Lindsey (OGR) <lindsey.phelan@MassMail.State.MA.US>  
**Sent:** Tuesday, March 15, 2016 9:11 AM  
**To:** Phelan, Lindsey (OGR)  
**Subject:** RE: Important Updates - FFY 2016 TE  
**Attachments:** 2016 TE Eligibility List Rev. 3.14.16.pdf

Good morning,

I've been getting a lot of questions in response to the Distracted Driving mobilization announcement yesterday. I apologize for failing to include a revised eligibility list to reflect updated total award amounts for 4 mobilizations. That list is attached here and has been posted [online](#). Reporting forms and sample news release will soon follow.

Clarifications:

- Your department does not need to submit an additional application in order to participate in the Distracted Driving mobilization
- Total award amounts for FFY 2016 will be increased (see revised eligibility list, attached)

Please contact me with any additional questions.

Thanks!

Lindsey Phelan, Program Coordinator  
Highway Safety Division  
Office of Grants and Research  
Executive Office of Public Safety and Security  
10 Park Plaza, Suite 3720  
Boston, MA 02116  
p. (617) 725-3337 f. (617) 725-0260

**From:** Phelan, Lindsey (OGR)  
**Sent:** Monday, March 14, 2016 1:52 PM  
**To:** Phelan, Lindsey (OGR)  
**Subject:** Important Updates - FFY 2016 TE  
**Importance:** High

Good afternoon,

Lots of FFY 2016 Traffic Enforcement updates...

1. Our funding for all FFY 2016 mobilizations has been approved. Your department is now authorized to participate in all remaining FFY 2016 mobilizations
  - A formal award letter from Governor Baker's office will follow by separate email
2. The date of the upcoming August DSOGPO has been extended to cover Labor Day weekend (now ends 9/5/16)
3. We will be adding a Distracted Driving mobilization again this year
  - **April 8, 2016 - April 29, 2016** with reports due to me by May 20, 2016

- Reporting forms and a sample news release will be posted on our [website](#) within the coming weeks
- HSD will allow two officers per cruiser for this mobilization for your own safety and to increase your ability to spot violations
  - Feel free to get creative with enforcement techniques
  - 3 stops/hour requirement will be difficult to meet
    - Please make a note on the Activity Report(s) where officers are unable to fulfill the 3 stops/hour by writing “2 officers per vehicle” in the box at the bottom of the page
    - When reporting data on the Activity Report pages, please ensure there is no duplication if two officers were in one vehicle
- Attachments
  - 2016 TE Eligibility List - Remember that your department may not exceed the maximum eligibility amount per mobilization
  - MSP results & recommendations from 2013-2014 demonstration project
  - Results of 2015 Distracted Driving mobilization
  - List of resources on Distracted Driving for media efforts

As always, please contact me with any questions or concerns.

Thank you,

Lindsey Phelan, Program Coordinator  
Highway Safety Division  
Office of Grants and Research  
Executive Office of Public Safety and Security  
10 Park Plaza, Suite 3720  
Boston, MA 02116  
p. (617) 725-3337 f. (617) 725-0260

**FFY 2016 Traffic Enforcement Grant Program  
List of Eligible Departments**

Department	Population 2010	Award Amount per Mobilization	Total Award Amount for 4 Mobilizations	Department	Population 2010	Award Amount per Mobilization	Total Award Amount for 4 Mobilizations
Abington	15,985	\$2,500	\$10,000	Dudley	11,390	\$2,500	\$10,000
Acton	21,924	\$2,500	\$10,000	Duxbury	15,059	\$2,500	\$10,000
Acushnet	10,303	\$2,500	\$10,000	East Bridgewater	13,794	\$2,500	\$10,000
Adams	8,485	\$2,500	\$10,000	East Longmeadow	15,720	\$2,500	\$10,000
Agawam	28,438	\$2,500	\$10,000	Eastham	4,956	\$2,500	\$10,000
Amesbury	16,283	\$2,500	\$10,000	Easthampton	16,053	\$2,500	\$10,000
Amherst	37,819	\$3,000	\$12,000	Easton	23,112	\$2,500	\$10,000
Andover	33,201	\$3,000	\$12,000	Everett	41,667	\$3,000	\$12,000
Arlington	42,844	\$3,000	\$12,000	Fairhaven	15,873	\$2,500	\$10,000
Ashland	16,593	\$2,500	\$10,000	Fall River	88,857	\$4,000	\$16,000
Athol	11,584	\$2,500	\$10,000	Falmouth	31,531	\$3,000	\$12,000
Attleboro	43,593	\$3,000	\$12,000	Fitchburg	40,318	\$3,000	\$12,000
Auburn	16,188	\$2,500	\$10,000	Foxboro	16,865	\$2,500	\$10,000
Avon	4,356	\$2,500	\$10,000	Frammingham	68,318	\$3,000	\$12,000
Ayer	7,427	\$2,500	\$10,000	Franklin	31,635	\$3,000	\$12,000
Barnstable	45,193	\$3,000	\$12,000	Freetown	8,870	\$2,500	\$10,000
Bedford	13,320	\$2,500	\$10,000	Gardner	20,228	\$2,500	\$10,000
Belchertown	14,649	\$2,500	\$10,000	Georgetown	8,183	\$2,500	\$10,000
Bellingham	16,332	\$2,500	\$10,000	Grafton	17,765	\$2,500	\$10,000
Belmont	24,729	\$2,500	\$10,000	Granby	6,240	\$2,500	\$10,000
Beverly	39,502	\$3,000	\$12,000	Great Barrington	7,104	\$2,500	\$10,000
Billerica	40,243	\$3,000	\$12,000	Greenfield	17,456	\$2,500	\$10,000
Bolton	4,897	\$2,500	\$10,000	Groton	10,646	\$2,500	\$10,000
Boston	617,594	\$28,000	\$112,000	Hadley	5,250	\$2,500	\$10,000
Bourne	19,754	\$2,500	\$10,000	Halifax	7,518	\$2,500	\$10,000
Braintree	35,744	\$3,000	\$12,000	Hanover	13,879	\$2,500	\$10,000
Brewster	9,820	\$2,500	\$10,000	Harwich	12,243	\$2,500	\$10,000
Bridgewater	26,563	\$2,500	\$10,000	Haverhill	60,879	\$3,000	\$12,000
Brockton	93,810	\$4,000	\$16,000	Hingham	22,157	\$2,500	\$10,000
Brookline	58,732	\$3,000	\$12,000	Holbrook	10,791	\$2,500	\$10,000
Burlington	24,498	\$2,500	\$10,000	Holden	17,346	\$2,500	\$10,000
Cambridge	105,162	\$7,000	\$28,000	Holliston	13,547	\$2,500	\$10,000
Canton	21,561	\$2,500	\$10,000	Holyoke	39,880	\$3,000	\$12,000
Carver	11,509	\$2,500	\$10,000	Hopkinton	14,925	\$2,500	\$10,000
Charlton	12,981	\$2,500	\$10,000	Hudson	19,063	\$2,500	\$10,000
Chelmsford	33,802	\$3,000	\$12,000	Ipswich	13,175	\$2,500	\$10,000
Chelsea	35,177	\$3,000	\$12,000	Kingston	12,629	\$2,500	\$10,000
Chicopee	55,298	\$3,000	\$12,000	Lakeville	10,602	\$2,500	\$10,000
Cohasset	7,542	\$2,500	\$10,000	Lancaster	8,055	\$2,500	\$10,000
Concord	17,668	\$2,500	\$10,000	Lawrence	76,377	\$4,000	\$16,000
Danvers	26,493	\$2,500	\$10,000	Leicester	10,970	\$2,500	\$10,000
Dartmouth	34,032	\$3,000	\$12,000	Lenox	5,025	\$2,500	\$10,000
Dedham	24,729	\$2,500	\$10,000	Leominster	40,759	\$3,000	\$12,000
Dennis	14,207	\$2,500	\$10,000	Lexington	31,394	\$3,000	\$12,000
Douglas	8,471	\$2,500	\$10,000	Longmeadow	15,784	\$2,500	\$10,000
Dracut	29,457	\$2,500	\$10,000	Lowell	106,519	\$7,000	\$28,000

**FFY 2016 Traffic Enforcement Grant Program  
List of Eligible Departments**

Department	Population 2010	Award Amount per Mobilization	Total Award Amount for 4 Mobilizations	Department	Population 2010	Award Amount per Mobilization	Total Award Amount for 4 Mobilizations
Ludlow	21,103	\$2,500	\$10,000	Raynham	13,383	\$2,500	\$10,000
Lunenburg	10,086	\$2,500	\$10,000	Reading	24,747	\$2,500	\$10,000
Lynn	90,329	\$4,000	\$16,000	Rehoboth	11,608	\$2,500	\$10,000
Malden	59,450	\$3,000	\$12,000	Revere	51,755	\$3,000	\$12,000
Mansfield	23,184	\$2,500	\$10,000	Rockland	17,489	\$2,500	\$10,000
Marion	4,907	\$2,500	\$10,000	Salem	41,340	\$3,000	\$12,000
Marlborough	38,499	\$3,000	\$12,000	Salisbury	8,283	\$2,500	\$10,000
Marshfield	25,132	\$2,500	\$10,000	Sandwich	20,675	\$2,500	\$10,000
Mashpee	16,506	\$2,500	\$10,000	Saugus	26,628	\$2,500	\$10,000
Medfield	12,024	\$2,500	\$10,000	Scituate	18,133	\$2,500	\$10,000
Medford	56,173	\$3,000	\$12,000	Seekonk	13,722	\$2,500	\$10,000
Medway	12,752	\$2,500	\$10,000	Sharon	17,612	\$2,500	\$10,000
Melrose	26,983	\$2,500	\$10,000	Sherborn	4,119	\$2,500	\$10,000
Mendon	5,839	\$2,500	\$10,000	Shrewsbury	35,608	\$3,000	\$12,000
Methuen	47,255	\$3,000	\$12,000	Somerset	18,165	\$2,500	\$10,000
Middleborough	23,116	\$2,500	\$10,000	Somerville	75,754	\$4,000	\$16,000
Middleton	8,987	\$2,500	\$10,000	South Hadley	17,514	\$2,500	\$10,000
Milford	27,999	\$2,500	\$10,000	Southborough	9,767	\$2,500	\$10,000
Millbury	13,261	\$2,500	\$10,000	Southbridge	16,719	\$2,500	\$10,000
Milton	27,003	\$2,500	\$10,000	Southwick	9,502	\$2,500	\$10,000
Natick	33,006	\$3,000	\$12,000	Spencer	11,688	\$2,500	\$10,000
Needham	28,886	\$2,500	\$10,000	Springfield	153,060	\$28,000	\$112,000
New Bedford	95,072	\$4,000	\$16,000	Stoneham	21,437	\$2,500	\$10,000
Newburyport	17,416	\$2,500	\$10,000	Stoughton	26,962	\$2,500	\$10,000
Newton	85,146	\$4,000	\$16,000	Sturbridge	9,268	\$2,500	\$10,000
North Adams	13,708	\$2,500	\$10,000	Sudbury	17,659	\$2,500	\$10,000
North Andover	28,352	\$2,500	\$10,000	Swampscott	13,787	\$2,500	\$10,000
North Attleboro	28,712	\$2,500	\$10,000	Swansea	15,865	\$2,500	\$10,000
North Reading	14,892	\$2,500	\$10,000	Taunton	55,874	\$3,000	\$12,000
Northampton	28,549	\$2,500	\$10,000	Tewksbury	28,961	\$2,500	\$10,000
Northborough	14,155	\$2,500	\$10,000	Topsfield	6,085	\$2,500	\$10,000
Northbridge	15,707	\$2,500	\$10,000	Townsend	8,926	\$2,500	\$10,000
Norton	19,031	\$2,500	\$10,000	Tyngsboro	11,292	\$2,500	\$10,000
Norwell	10,506	\$2,500	\$10,000	Upton	7,542	\$2,500	\$10,000
Norwood	28,602	\$2,500	\$10,000	Uxbridge	13,457	\$2,500	\$10,000
Orleans	5,890	\$2,500	\$10,000	Wakefield	24,932	\$2,500	\$10,000
Oxford	13,709	\$2,500	\$10,000	Walpole	24,070	\$2,500	\$10,000
Palmer	12,140	\$2,500	\$10,000	Waltham	60,632	\$3,000	\$12,000
Peabody	51,251	\$3,000	\$12,000	Ware	9,872	\$2,500	\$10,000
Pembroke	17,837	\$2,500	\$10,000	Wareham	21,822	\$2,500	\$10,000
Pepperell	11,497	\$2,500	\$10,000	Watertown	31,915	\$3,000	\$12,000
Pittsfield	44,737	\$3,000	\$12,000	Wayland	12,994	\$2,500	\$10,000
Plainville	8,264	\$2,500	\$10,000	Webster	16,767	\$2,500	\$10,000
Plymouth	56,468	\$3,000	\$12,000	Wellesley	27,982	\$2,500	\$10,000
Quincy	92,271	\$4,000	\$16,000	West Boylston	7,669	\$2,500	\$10,000
Randolph	32,112	\$3,000	\$12,000	West Bridgewater	6,916	\$2,500	\$10,000

**FFY 2016 Traffic Enforcement Grant Program  
List of Eligible Departments**

<b>Department</b>	<b>Population 2010</b>	<b>Award Amount per Mobilization</b>	<b>Total Award Amount for 4 Mobilizations</b>	<b>Department</b>	<b>Population 2010</b>	<b>Award Amount per Mobilization</b>	<b>Total Award Amount for 4 Mobilizations</b>
West Springfield	28,391	\$2,500	\$10,000	Whitman	14,489	\$2,500	\$10,000
Westborough	18,272	\$2,500	\$10,000	Wilbraham	14,219	\$2,500	\$10,000
Westfield	41,094	\$3,000	\$12,000	Wilmington	22,325	\$2,500	\$10,000
Westford	21,951	\$2,500	\$10,000	Winchendon	10,300	\$2,500	\$10,000
Westminster	7,277	\$2,500	\$10,000	Winchester	21,374	\$2,500	\$10,000
Weston	11,261	\$2,500	\$10,000	Woburn	38,120	\$3,000	\$12,000
Westport	15,532	\$2,500	\$10,000	Worcester	181,045	\$28,000	\$112,000
Westwood	14,618	\$2,500	\$10,000	Wrentham	10,955	\$2,500	\$10,000
Weymouth	53,743	\$3,000	\$12,000	Yarmouth	23,793	\$2,500	\$10,000



*City of Marlborough*

*Office of the Mayor*

*Arthur G. Vigeant*  
MAYOR

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

*Thomas J. Milano*  
EXECUTIVE AIDE

140 Main Street

Marlborough, Massachusetts 01752

Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610

[www.marlborough-ma.gov](http://www.marlborough-ma.gov)

2016 JUN 16 A 10:55

*Patricia Bernard*  
EXECUTIVE SECRETARY

June 16, 2016

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

**Re: Grant Acceptance – Marlborough Fire Department**

Honorable President Clancy and Councilors:

Enclosed for your acceptance is a grant in the amount of \$2,000.00 which has been awarded to the Fire Department through the Commonwealth of Massachusetts Department of Public Health.

As the attached information from Chief Breen indicates, the grant will be used to facilitate the field deployment, training and operational readiness of the mass decontamination unit to enhance protection of local hospitals during any public health emergency situations.

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

Sincerely,

Arthur G. Vigeant  
Mayor

Enclosures



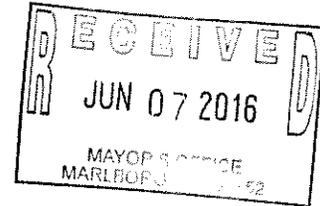
# CITY OF MARLBOROUGH

## FIRE DEPARTMENT

215 Maple Street, Marlborough, MA 01752  
Business (508) 624-6986 Facsimile (508) 460-3795

June 6, 2016

The Honorable Arthur G. Vigeant, Mayor  
City of Marlborough  
140 Main Street  
Marlborough, Ma. 01752



Re: FY16 Mass Decontamination Unit

Dear Mayor Vigeant,

Attached please find documentation in support of the grant in the amount of \$2,000.00 which has been awarded to the Fire Department through the Commonwealth of Massachusetts Executive Office of Health and Human Services Department of Public Health. In accordance with Massachusetts General Laws, Chapter 44 Section 53A, this grant was applied for and accepted by the Fire Department.

The intent of the grant is to facilitate the field deployment, training and operational readiness of the MDU to enhance protection of local hospitals during any public health emergency situations.

I would ask that this information be placed on the next available agenda, and that you recommend and ask the City Council to approve the expenditure of these funds for the purposes of the grant by the Fire Department.

Sincerely,

A handwritten signature in black ink that reads "Kevin J. Breen".

Kevin J. Breen  
Fire Chief

**CITY OF MARLBOROUGH  
NOTICE OF GRANT AWARD**

DEPARTMENT: FIRE DATE: 6/6/2016

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Kevin J. Breen, Fire Chief

NAME OF GRANT: FY16 MASS DECONTAMINATION UNIT GRANT

GRANTOR: Commonwealth of Massachusetts

GRANT AMOUNT: \$2,000.00

GRANT PERIOD: 12 months

SCOPE OF GRANT/ To ensure effective deployment & implementation of Mass Decontamination Unit  
to an area hospital & elsewhere in a community in the event of an emergency

ITEMS FUNDED Maintenance, repair, restocking of equipment & joint exercises with hospital  
personnel throughout the year

IS A POSITION BEING  
CREATED: No

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? \_\_\_\_\_

ARE MATCHING CITY  
FUNDS REQUIRED? No

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

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

ANY OTHER EXPOSURE TO CITY?  
NO

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: 6/30/2016

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



# City of Marlborough

## Office of the Mayor

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2016 JUN 16 A 10:55  
140 Main Street  
Marlborough, Massachusetts 01752  
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610  
[www.marlborough-ma.gov](http://www.marlborough-ma.gov)

*Arthur G. Vigeant*  
MAYOR

*Nicholas J. Milano*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

June 16, 2016

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

### **Re: Appointment of Karen Bento to the Library Board of Trustees**

Honorable President Clancy and Councilors:

I am pleased to submit for your review and approval the appointment of Karen Bento to the Library Board of Trustees for a term to expire three years from the date of approval by the City Council.

I have enclosed a copy of her letter explaining her interest in the Board of Trustees and her resume. Karen is currently a teacher at Marlborough High School. Her enthusiasm and love for the Marlborough Public Library is clear and infectious. I believe she will be an asset to the Marlborough Public Library and the Marlborough community.

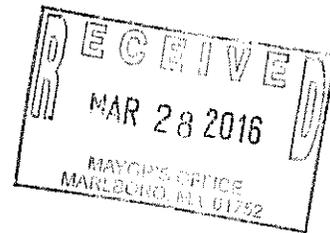
If you have any questions, please do not hesitate to contact me.

Sincerely,

Arthur G. Vigeant  
Mayor

Enclosures

117 Wayside Inn Road  
Marlborough, MA 01752  
March 22, 2016



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

Dear Mayor Vigeant,

I am interested in applying for the Marlborough Public Library Board of Trustees position. I understand there is a vacancy, and that this volunteer position is a three year commitment if appointed.

I have been a Marlborough resident since 2009, and have been an active patron of the Marlborough Public Library since I moved here from New York. I grew up surrounded by books, and always gravitated to public libraries as they are such valuable assets to the communities they serve. The programs, activities, and resources the Marlborough Public Library offers to its ever growing community are to be commended. It is an exciting time to be a member of the Board of Trustees, especially as the library is in the beginning stages of expanding to better meet the needs of its diverse population.

Not only do I love books, but I also teach English at Marlborough High School, where I have been employed for the past seven years. I had been an educator in the Newburgh Enlarged City School District in New York for eleven years before obtaining my Massachusetts teaching licensure. I currently teach Freshman English, American Literature, and Structured English Immersion (SEI) American Literature. I work closely with adolescents on a daily basis, and try and impart my love of books with my students. I embed a variety of teaching pedagogies into my lessons and foster a safe classroom environment where 21st century skills, such as critical thinking, problem solving and synthesis, are incorporated.

Outside of the classroom, I am the Newspaper Club Advisor to a small group of dedicated students who enjoy interviewing, writing, and creating. In an effort to "go green" we began posting student work on the Panther Tracks Blog, rather than printing hard copies.

I hope you consider appointing me to be a member of the Board of Trustees. I feel my ties to Marlborough, my experience working as teacher, and my dedication to ensuring the Marlborough Public Library continues to meet the needs of its community, make me a strong candidate for this position.

Please contact me at [karenbento07@gmail.com](mailto:karenbento07@gmail.com) or at 508-460-1592. I look forward to hearing from you at your earliest convenience.

Sincerely,

A handwritten signature in black ink that reads "Karen B. Bento".

Karen B. Bento

## **KAREN B. BENTO**

117 Wayside Inn Road • Marlborough, MA 01752

(508) 460-1592 • karenbento07@gmail.com

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**CAREER OBJECTIVE:** Dedicated and creative educator who seeks a position teaching secondary English

### **SUMMARY OF QUALIFICATIONS**

- Over 18 years teaching experience
- Committed team player able to adapt to new teaching environments
- Excellent organizational and communication skills
- Hands on experience creating lesson plans and developing curriculum

### **EDUCATION & CREDENTIALS**

**Master of Science in Education** GPA 3.72

Mount Saint Mary College Newburgh, NY (1993)

International Honor Society in Education: Kappa Delta Pi (1993)

**Bachelor of Arts in Communications** GPA 3.59

Marist College Poughkeepsie, NY (1990)

Minor: English

Study Abroad Program:

Oxford University Manchester College Oxford, England (1988-1989)

Studies included concentrations in Victorian Era Literature, Shakespeare, 20<sup>th</sup> Century Drama

Massachusetts: English (8-12) Academic Professional Certification (2013)

SEI Teacher Academic Endorsement (2014)

New York: Permanent Certification: English 7-12 (2001)

Permanent Certification: Nursery, Kindergarten & Grades 1-6 (1996)

New Jersey: Standard Certification: Teacher of English (1997)

Standard Certification: Elementary School Teacher (1997)

### **PROFESSIONAL TEACHING EXPERIENCE**

**Marlborough High School Marlborough, MA (2009 – Present)**

English Teacher (9-12)

- Create and implement rigorous Common Core aligned lessons integrating various teaching pedagogies, learning strategies, and backward design to ensure student success
- Collaborate with fellow teachers to create differentiated instruction for all students including how to write literary research papers, synthesis essays, and rhetorical analysis

- Revise curriculum and teaching methods based on measurable data and create meaningful formative and summative assessments that accurately measure academic progress
- Offer after school support to struggling students and maintain frequent communication with parents and guardians
- Integrate 21<sup>st</sup> Century skills into daily lessons by utilizing Google Classroom, TED Talk, Podcasts, audiobooks, and eBooks

**NEWSPAPER CLUB ADVISOR****The Panther Tracks (2009-Present)**

- Offer sound advice regarding various aspects of a publishing a student centered blog (thepanthertracksmhs.weebly.com)
- Advise students how to properly research facts, get validation, give proper credit, and to reference material correctly before posting
- Engage students to discuss various sides of an issue while providing a platform for learning

**RELATED WORK HISTORY****Newburgh Free Academy Newburgh, NY (2002-2009)**

English Teacher (9-12)

**North Junior High School Newburgh, NY (1996-1997)**

English Teacher (8<sup>th</sup> grade)

**Horizons-on-the-Hudson Magnet School Newburgh, NY (1993-1996)**

Elementary school teacher (3<sup>rd</sup> grade)

**Empire Blue Cross Blue Shield (1990-1992)**

Management Trainee New York, NY

Supervisor/Management Information Analyst Middletown, NY

Supervised 75 employees in the Microfiche Retrieval Department

**PROFESSIONAL DEVELOPMENT**

Cambridge College: Laying the Foundation Pre-AP High School English Part II (2014)

Laying the Foundation Pre-AP High School English Part I (2010)

College of New Rochelle: Hudson Valley Shakespeare Festival (2007)

Drake University: Teaching Responsible Behavior (2006)

SUNY New Paltz: Hudson Valley Writing Project: Digital Storytelling (2006)

SUNY New Paltz: Hudson Valley Writing Project Summer Invitational Institute (2005)



*City of Marlborough*

*Office of the Mayor*

140 Main Street

Marlborough, Massachusetts 01752

Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610

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*Arthur G. Vigeant*  
MAYOR

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

*Nicholas J. Milano*  
EXECUTIVE AIDE

2016 JUN 16 A 11:28

*Patricia Bernard*  
EXECUTIVE SECRETARY

June 16, 2016

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

**Re: Vacancy Report**

Honorable President Clancy and Councilors:

Please find enclosed for your information a vacancy report conducted by Regional Resource Group, Inc., which is currently contracted to work as our Assessor. This detailed review of rental space available throughout Marlborough contains much good news with vacancy rates falling as the City's economy continues to grow.

Regional Resource Group, Inc. compiled the study using the Assessor's annual Income and Expense ("I&E") survey completed by property owners in Marlborough. The I&E data was supplemented by onsite inspections of 249 properties and internet research.

I am pleased to report that the vacancy rates for retail, office, and industrial spaces remain low or continue to fall. Overall, Marlborough's vacancy rate has fallen to 11 percent from 22 percent in 2012. Office space and, particularly industrial space, saw increased demand over the past year and are at 18.47 percent and 9.73 percent, respectively. Retail space is also in high demand and its vacancy rate remains a low 4.6 percent.

The hard work we have done together and the efforts of the Marlborough Economic Development Corporation are paying off. We were named a Game Changer by *Boston Globe Magazine*. On June 23, GE Healthcare Life Sciences will have their official grand opening to celebrate their new facility on Forest Street. Last week, Boston.com reported on how Marlborough's residential real estate market is accelerating with home values 16 percent higher than last year.

We will continue to keep economic development a priority and benefit from our team approach to strengthening Marlborough's economy. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Arthur G. Vigeant", followed by a horizontal line.

**Arthur G. Vigeant**  
**Mayor**

Enclosures

VACANCY STUDY  
FOR  
MARLBOROUGH, MASSACHUSETTS

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2016

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*Regional Resource Group, Inc.  
14 Monument Square, Suite 204  
Leominster, MA 01453*

## INTRODUCTION

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This vacancy report, and the accompanying compendium detailing rental space available within the City, serves as a resource for city officials seeking to improve the community's standing as a vibrant community in which to live and work.

Under the direction of the Mayor's office, city officials and the Marlboro Economic Development Corporation are working diligently to attract new businesses and expand existing companies. The vacancy statistics presented in this report serve as a metric for the demonstrated success of the City's many economic development initiatives. Declining vacancy rates, along with improving employment and revenue statistics, point to significant economic growth. Lower vacancy rates are also the precursor to increasing commercial and industrial property valuations which benefit all property owners.



## DATA COLLECTION AND VERIFICATION

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The vacancy study began with the development of a control database used to collect and verify vacancy data as it was collected. Source information was extracted from the Marlborough Assessors' tax assessment system which identified 403 commercial and industrial properties - 7 more than had been identified the prior year. The additional accounts had been coded as mixed-use residential/commercial properties, but deemed upon closer examination to be predominantly commercial, therefore qualifying for inclusion in the study. It should be pointed out that commercial and industrial condominiums were not included in the study as these are typically owner occupied properties.

The first step in collecting vacancy data was to utilize information from the Assessors' annual Income and Expense (I&E) survey completed by property owners. I&E reports are mailed every January by the Assessors' department to owners of commercial, industrial and residential apartment properties. The completed I&E reports contain data on occupied and vacant space. The I&E reports used in this vacancy study contained information about vacancies as of January 1, 2016.

New this year is an income, vacancy, and expense database developed by RRG, Inc. to help manage the mountains of data provided by commercial and industrial landlords. This database will improve the quality of source data used in future vacancy studies and help speed the mailing of questionnaires.

Personnel assigned to the project conducted onsite inspections of those properties in which no I&E reports were submitted. A total of 249 properties were visited between the months of January and May 2016. Each inspection included verification of each building's exterior and interior, to update the office's property records and confirm square footages. Inspections were conducted during normal business hours to determine if the property was occupied or vacant, based on levels of activity such as customers, employees, cars in parking lot, signs, etc. If part of a building was vacant, leasing information was collected from signs on the property. Brokers, realtors and landlords were contacted to determine the amount of vacant space.

Two websites (showcase.com and loopnet.com) which list spaces for lease in commercial and industrial buildings were also used to collect vacancy data for some properties. A summary of the data collection methods follows:

Income and Expense Reports: 140  
Visits to properties: 249  
Internet research: 14  
Total: 403



**PROPERTY ABSTRACT BY CLASS**

Type	Classification Code	Number of Properties	Rentable SF	Vacant SF
Other Storage, Warehouse & Distribution	3160	15	362,714	57,003
Mixed Use Retail (Large)	322	2	46,640	1,200
Mixed Use Retail (Small)	325	18	163,149	11,965
Mixed Use Restaurants & Bars	326	5	25,159	0
Mixed Use Office	340	1	9,028	0
Mixed Use Bank Building	341	1	15,543	0
Hotels	3000	8	988,295	0
Nursing Homes	3040	2	111,118	0
Buildings with Tanks Holding Fuel	3100	1	5,033	0
Trucking Terminals	3140	1	11,519	0
Facilities Housing Building Materials	3210	1	19,784	0
Discount Stores	3220	21	901,180	24,666
Other Retail	3222	3	24,620	3,234
Shopping Centers/Malls	3230	20	1,134,084	67,892
Supermarkets (over 10,000 SF)	3240	1	63,127	0
Small Retail & Services Stores	3250	30	158,741	11,184
Restaurant	3260	29	153,821	2,532
Auto Sales and Service	3300	5	42,486	0
Auto Supply	3310	1	6,451	0
Auto Repair	3320	34	262,550	4,472
Gasoline Service Stations	3340	14	37,071	0
Car Wash Facilities	3350	2	10,259	0
General Office	3400	62	4,551,787	892,302
Bank Buildings	3410	16	263,733	0
Medical Office Buildings	3420	6	28,257	2,477
Educational Properties	3510	1	238,303	0
Fraternal Organizations	3530	1	3,837	0
Ice Skating Facility	3710	1	212,372	0
Tennis and/or Racquetball Clubs	3750	1	54,378	0
Other Indoor Facilities	3770	1	126,660	0
Golf Courses	3801	1	20,057	0
<b>Subtotal for Commercial</b>		<b>305</b>	<b>10,051,756</b>	<b>1,078,927</b>
Manufacturing	4000	40	2,497,988	93,298
Warehouses	4010	24	774,150	73,151
Manufacturing/Office	4020	8	699,075	22,387
Industrial	4022	5	160,839	78,600
Research & Development	4040	21	2,817,861	408,493
<b>Subtotal for Industrial</b>		<b>98</b>	<b>6,949,913</b>	<b>675,929</b>
<b>Overall Commercial &amp; Industrial</b>		<b>403</b>	<b>17,001,669</b>	<b>1,754,856</b>

**VACANCY STATISTICS**

Type	Classification Code	Number of Properties	Rentable SF	Vacant SF	Vacancy Rate
Mixed Use	322, 325, 326, 340,341	27	259,519	13,165	5.07%
Other					
Storage/Warehouse/Distribution	3160	15	362,714	57,003	15.72%
Discount Stores	3220	21	901,180	24,666	2.74%
Shopping Centers/Malls	3230	20	1,134,084	67,892	5.99%
Supermarkets (over 10,000 SF)	3240	1	63,127	0	0.00%
Small Retail & Services Stores	3250	30	158,741	11,184	7.05%
Restaurant	3260	29	153,821	2,532	1.65%
Auto Supply	3310	1	6,451	0	0.00%
Auto Repair	3320	34	262,550	4,472	1.70%
General Office	3400	62	4,551,787	892,302	19.60%
Bank Buildings	3410	16	263,733	0	0.00%
Medical Office Buildings	3420	6	28,257	2,477	8.77%
Miscellaneous Commercial	3222, 3510, 3530, 3710, 3750, 3770, 3801	9	680,227	3,234	0.48%
<b>Subtotal for Commercial*</b>		<b>271</b>	<b>8,826,191</b>	<b>1,078,927</b>	<b>12.22%</b>
Manufacturing	4000	40	2,497,988	93,298	3.73%
Warehouses	4010	24	774,150	73,151	9.45%
Manufacturing/Office	4020	8	699,075	22,387	3.20%
Industrial	4022	5	160,839	78,600	48.87%
Research & Development	4040	21	2,817,861	408,493	14.50%
<b>Subtotal for Industrial</b>		<b>98</b>	<b>6,949,913</b>	<b>675,929</b>	<b>9.73%</b>
<b>Overall Commercial &amp; Industrial</b>		<b>369</b>	<b>15,776,104</b>	<b>1,754,856</b>	<b>11.12%</b>

\*Note: The following 34 commercial properties were not included in calculating the commercial vacancy rate:

Type of Property	Classification Code	No. of Properties
Hotels	3000	8
Nursing Homes	3040	2
Buildings with Tanks Holding Fuel	3100	1
Trucking Terminals	3140	1
Facilities Housing Building Materials	3210	1
Auto Sales and Service	3300	5
Gasoline Service Stations	3340	14
Car Wash Facilities	3350	2
	Total	34

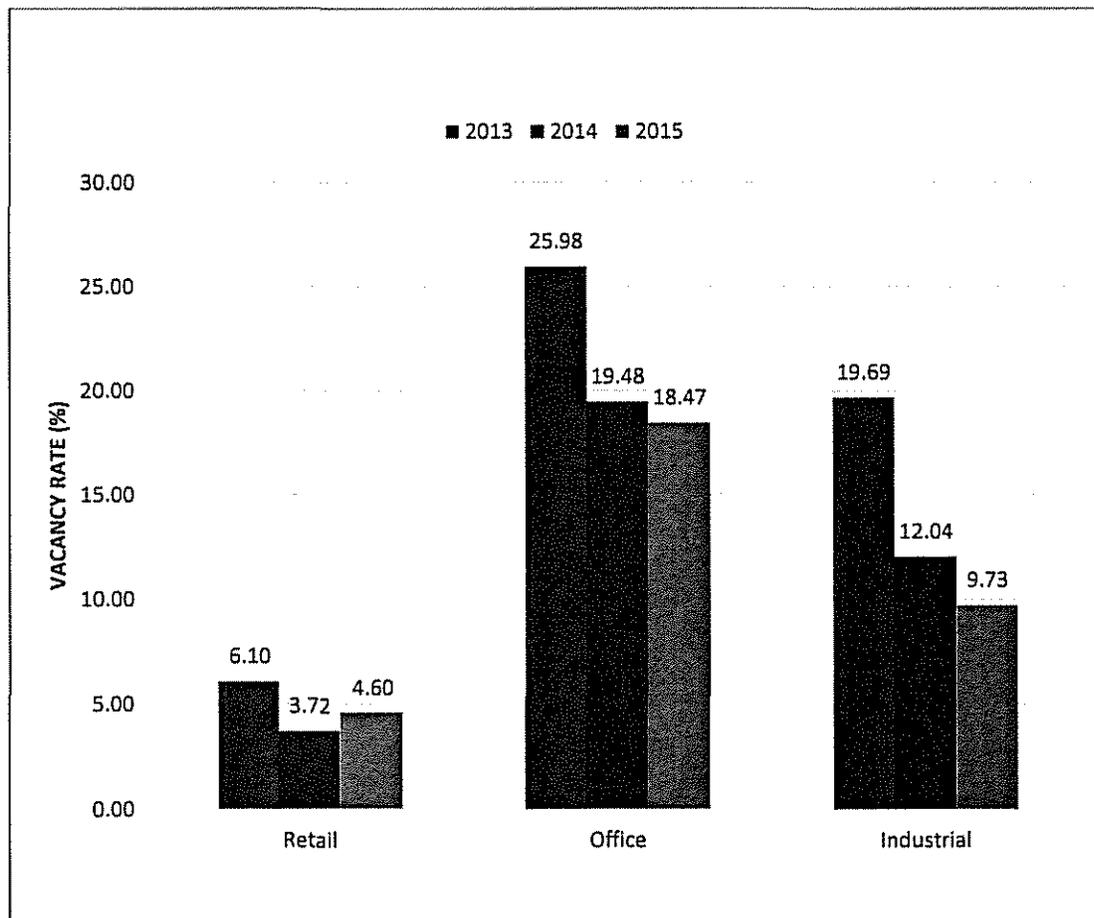
## VACANCY TRENDS

Note that the vacancy rates shown for 2014 are the revised rates based on updated lease information provided by the Marlborough Economic Development Corporation in August 2015.

The rates for "Retail" category include discount stores, shopping centers/malls, supermarkets, and small retail and services stores.

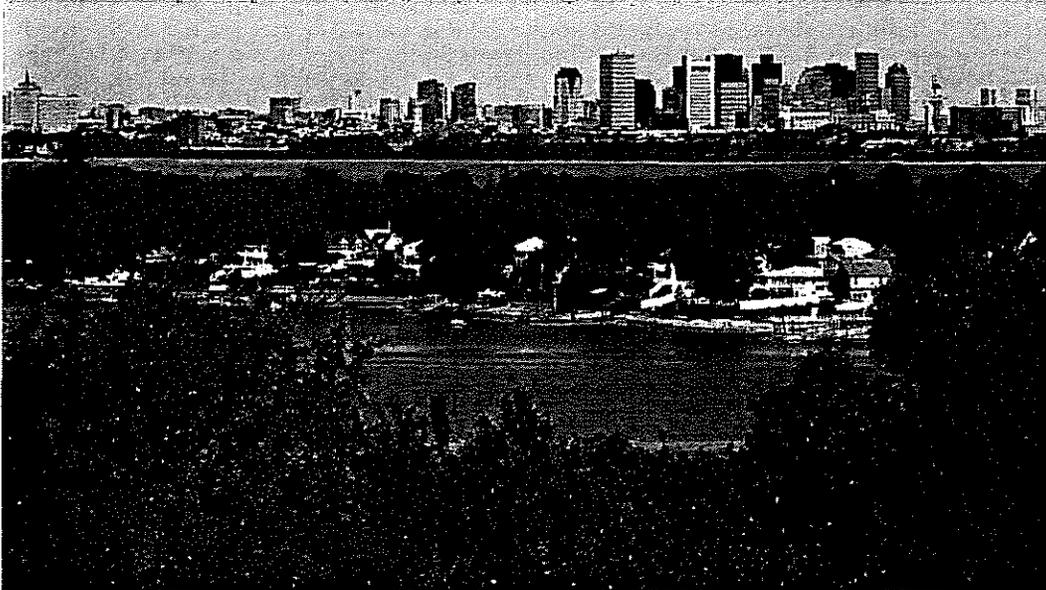
The rates for "Office" category include general office buildings, bank buildings, and medical office buildings.

The rates for "Industrial" category include manufacturing, warehouses, manufacturing/office, industrial, and research and development buildings.



# Homes in these modestly priced towns are getting expensive fast

BUYING BRAINTREE CHARLESTOWN MEDFORD MELROSE WEYMOUTH



The view from Great Hill in Weymouth, where home prices rose 12 percent in the past year, bursting through the \$300,000 barrier. *Pat Greenhouse/Globe Staff*



**Scott Van Voorhis**

Boston.com Correspondent

June 14, 2016 5:00 am

Home prices are on the rise in a broad swath of modestly-priced towns across Greater Boston, even as values are cooling in some of the most expensive suburbs.

A number of towns and small cities with strong blue-collar roots, including Marlborough, Revere and Weymouth, are leaving the \$200,000s behind as their median home prices rise into the \$300,000s.

Several other suburbs that have traditionally been affordable alternatives are seeing their median prices push deeper into the \$300,000s or cross into the \$400,000s, such as Woburn and Braintree, according to stats from The Warren Group, publisher of Banker & Tradesman.

The upsurge in pricing may not be all that welcome for middle-class buyers struggling to keep up with an ever more expensive housing market.

But it is good news for homeowners with plans to sell in these towns.

While home prices have been rising for years now in the most expensive suburbs, with barely a pause during the Great Recession, that dynamic appears to be shifting. Prices in some high-end communities are peaking, even as their more moderately priced neighbors take off.

"This is a classic case of a rising tide lifting all boats," said David Crowley, strategic real estate advisor at One Boston Real Estate.

After years of being bargain choices, a growing number of moderately priced suburbs are now catching up with rest of the Boston area.

Marlborough has enjoyed one of the bigger run-ups in home values over the past year, rising 16 percent. Last April, the median price of a home in the blue-collar city out on I-495 was \$286,500. It ended this April at \$331,000, Warren Group stats show. Sales have jumped by nearly half during the same period.

Just off Route 2, Shirley and Ayer, two of the three towns that border Devens, are also poised to leave the \$300,000s behind. Long in the shadow of their wealthy neighbor, the town of Harvard, Ayer's median price is now \$300,000 after a 2 percent bump, while in Shirley's is now \$286,000 after a 19 percent rise, according to The Warren Group.

Just to the south of Boston and closer in, Weymouth has made a similar transition, going from \$299,000 to \$333,625, or a 12 percent rise.

On the north side of Boston in the inner suburbs, Revere's median home price leaped from \$285,000 to \$335,000, an 18 percent increase.

Increasing demand recently pushed Everett into the \$300,000s, rising 10 percent to \$337,000, Warren Group stats show.

Prices are on the rise in these towns as buyers, priced out of more expensive zip codes, look for more affordable alternatives.

"Buyers who previously looked to Medford or Malden or even Charlestown as lower cost options are now migrating to Everett as prices in those other towns rise out of reach," Crowley said.

A step up on the price scale, several other suburbs long considered solidly affordable, middle market options are also seeing big changes.

Framingham, Malden and Tewksbury are all now in the \$350,000 to \$370,000 price range, while Woburn, Braintree

and Franklin have both crossed into the \$400,000s, according to The Warren Group.

Meanwhile, Melrose and Medford are headed towards the \$500,000 mark, while Natick and Waltham have crossed that price mark.

Re Gibson, an agent with Real Living Realty Group in Franklin, is seeing buyers now compete for homes in the suburbs along the I-95 Boston-to-Providence corridor.

She recently worked with a buyer who lost three bids for Capes and other modest single-family homes in the \$300,000 to \$400,000 range in Franklin, Mendon and Bellingham.

"We are seeing multiple offers – we have buyers on a waiting list for homes to come on the market," Gibson said.



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2016 JUN 16 A 11:45

*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](mailto:LEGAL@MARLBOROUGH-MA.GOV)

*DONALD V. RIDER, JR.*  
CITY SOLICITOR

*CYNTHIA M. PANAGORE GRIFFIN*  
ASSISTANT CITY SOLICITOR

*ELLEN M. STAVROPOULOS*  
PARALEGAL

June 16, 2016

Edward Clancy, President and Members  
Marlborough City Council

RE: Order No. 16-1006443F-1, Concerning Delegation of Site Plan Review  
Order No. 16-1006443F-2, Concerning Waivers for Particular Matters  
Order No. 16-1006443F-3, Concerning Limited Site Plan Approvals

Dear President Clancy and Members:

Attached for your consideration are the three (3) above captioned orders. Said Orders are in proper form for consideration by the body.

I am available to answer your questions. Thank you for your attention to this matter.

Very Truly Yours,

Cynthia Panagore Griffin  
Assistant City Solicitor

Enclosures (3 Orders)

Cc: Site Plan Review Committee  
Arthur Bergeron, Esq.  
Brian Falk, Esq.

**ORDERED:**

Be it ordained by the City Council that notwithstanding the authority granted to the City Council under paragraph B. 1. of §650-35, Hospitality And Recreation Mixed Use Overlay District (HRMUOD), of the City Code:

1. The City Council hereby delegates its authority for Site Plan Approval to the Site Plan Review Committee concerning the technical aspects of site plan review, for which the Site Plan Review Committee possesses professional expertise, for the application for Site Plan Approval by Walker Realty LLC for a mixed use development filed with the City Council on June 2, 2016 (the "Project"), for which site plan review shall proceed in accordance with §270-2 of the City Code;
2. The City Council shall retain authority over those aspects of Site Plan Approval for the Project which concern (i) the appearance of buildings and structures, (ii) signage, (iii) final landscaping design, and (iv) the appearance of retaining walls facing public ways;
3. That the Site Plan Review Committee is authorized to issue Site Plan Approvals for the Project in phases without requiring new applications from the developer of the Project and without postponing further site plan review of additional phases of the Project;
4. That upon request by the developer of the Project to the City Council, site plan review of the Project may be returned to the City Council's Urban Affairs Committee for further consideration and recommended orders to the City Council; and
5. The City Council shall retain its authority to vary dimensions and parking requirements for the Project as provided in paragraph B. 2. of said §650-35.

ADOPTED

In City Council

Order No. 16-1006443F-1

Adopted

Approved by Mayor

Arthur G. Vigeant

Date:

A TRUE COPY

ATTEST:

## **ORDERED:**

Be it ordained by the City Council that in accordance with § 650-35, Hospitality And Recreation Mixed Use Overlay District (HRMUOD), of the City Code and in accordance with Order No. 16-1006443, the City Council hereby approves of the following waivers for the application for Site Plan Approval by Walker Realty LLC (the "Application" by the "Applicant") for a mixed use development filed with the City Council on June 2, 2016 (the "Project") as shown on the plans entitled "Permit Site Plan" prepared by Hancock Associates, dated June 2, 2016 (the "Plans"), with said waivers to be incorporated into any phased or final Site Plan Approvals for the Project:

1. In accordance with § 650-35.G(7), a waiver of the requirement set forth in § 650-48.C(1) of the City Code that off-street parking facilities be provided on the same lot as the principal use they are required to serve, having found that based upon the Plans and other information submitted by the Applicant such waiver will enhance the overall design of the HRMUOD;
2. In accordance with § 650-35.G(7), a waiver of the requirement set forth in § 650-49.F(4) of the City Code that all proposed building lots must have frontage on an acceptable way as defined in M.G.L. c. 40 Section 81L, and each lot's frontage must also provide the possibility of independent practical access from the proposed structure or use to the way without using a common driveway, having found that based upon the Plans and other information submitted by the Applicant such waiver will enhance the overall design of the HRMUOD; and
3. In accordance with § 650-35.K(3), a waiver of the requirement set forth in § 650-24.F(8) of the City Code that requiring a fifty-foot no disturbance/buffer zone to a wetland within the Water Supply Protection District having found that based upon the Plans, information submitted by the Applicant, and the on-site and off-site protection measures near the water supply required by the Development Agreement between the Applicant and the City dated June \_\_\_\_, 2016, a similar or greater protection is provided to the water supply with a buffer less than fifty feet, provided that the Applicant (i) may not cause a temporary disturbance of more than 20% of the total area of the fifty-foot no disturbance/buffer zone located within the HRMUOD and (ii) may not create a permanent encroachment of impervious surface of more than 4.7% of the total area of the fifty-foot no disturbance/buffer zone located within the HRMUOD without a further modification from the City Council for any such increase in permanent encroachment of impervious area within the fifty-foot no disturbance/buffer zone above 4.7%. The issuance of this waiver does not obviate the need for further technical review of the Plans by the Site Plan Review Committee pursuant to the HRMUOD nor does it obviate the need for the issuance of an Order of Conditions from the City of Marlborough Conservation Commission for any proposed work within the wetland buffer area or riverfront.

ADOPTED  
In City Council  
Order No. 16- 1006443F-2

Adopted

Approved by Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY  
ATTEST:

**ORDERED:**

Be it ordained by the City Council that in accordance with § 650-35, Hospitality And Recreation Mixed Use Overlay District (HRMUOD), of the City Code and in accordance with Order No. 16-1006443, the City Council hereby approves of the following aspects of the application for Site Plan Approval by Walker Realty LLC (the "Application" by the "Applicant") for a mixed use development filed with the City Council on June 2, 2016 (the "Project") as shown on the plans entitled "Permit Site Plan" prepared by Hancock Associates, dated June 2, 2016 (the "Plans"), with said approvals to be incorporated into any phased or final Site Plan Approvals for the Project:

1. General Building design, as shown on renderings submitted with the Application prepared by LK Architecture and dated March 22, 2016 (the "Renderings"), is approved subject to submission to the City Council of final elevations for architectural review of any building or group of buildings prior to issuance of a building permit so that in accordance with paragraph eight (8) of the Development Agreement, the City Council may ensure substantial conformity with the Renderings in all material respects and may verify that the proposed final elevations are consistent with the design scheme reflected in the Renderings;
2. Monument signage, as shown on the renderings submitted by the Applicant as part of the Master Concept Plan for the Project approved on June 6, 2016; and
3. General Design of the retaining wall to be located along Glen Street, as shown on the renderings submitted by the Applicant as part of the Master Concept Plan for the Project approved on June 6, 2016.

Further, the herein approvals by the City Council do not constitute modifications to, or waivers of, any and all terms or rights and duties of or under the Development Agreement.

ADOPTED

In City Council

Order No. 16-1006443F-3

Adopted

Approved by Mayor

Arthur G. Vigeant

Date:

A TRUE COPY

ATTEST:

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

ORDER FOR CONDUIT LOCATION

2016 JUN -6 P 12:49

In the City Council for the City of Marlborough, Massachusetts.

ORDERED:

That permission be and hereby is granted to Comcast of Massachusetts I, Inc., to lay and maintain underground conduits and manholes, with the wires and cables to be placed therein, under the surface of the following public way or ways as requested in petition of said Company dated June 6<sup>th</sup>, 2016

**Excavate and place 1-3" Schedule 40 PVC conduit across the alley-way that connects Main St. and Weed St. This alley-way is located between buildings #200 Main St. and #194 Main St. Starting at the existing Comcast hand hole in the alley-way, excavate and place conduit in a westerly direction toward the rear of #200 Main St. for a distance of 21'+/-.**

**Placement of this conduit is allow for Comcast service to be offered to the current and future occupants of 200 Main St.**

Substantially as shown on plan marked - Comcast Conduit Petition, dated May 13, 2016, filed with said petition.

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

The foregoing permission is subject to the following conditions:

1. The conduits and manholes shall be of such materials and construction and all work done in such manner as to be satisfactory to the City Council or to such officers as it may appoint to the supervision of the work, and a plan showing the location of conduits constructed shall be filed with the City when the work is completed.
2. Said Company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
3. In addition said Company shall, before a public way is disturbed for the laying of its wire or conduits, execute its bond in a penal sum of One Hundred Thousand Dollars (\$100,000) (reference being had to the bond already on file with said City) conditioned for the faithful performance of its duties under this permit.
4. Said Company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and wires, so far as the same are not inconsistent with the laws of the Commonwealth.

I hereby certify that the foregoing order was adopted at a meeting of the City Council for the City of Marlborough, Massachusetts, held on the \_\_\_\_\_ day of \_\_\_\_\_ 2016.

(over)

\_\_\_\_\_  
City Clerk

We hereby certify that on \_\_\_\_\_, 2016, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., at Marlborough, Massachusetts a public hearing was held on the petition of the Comcast for permission to lay and maintain underground conduits, manholes and connections, with the wires and cables to be placed therein, described in the order herewith recorded, that we mailed at least seven days before said hearing a written notice the time and place of said hearing to each of the owners of real estate determined by the last preceding assessment for taxation along the ways parts of ways upon which the Company is permitted to construct the lines said Company under said order. And that thereupon said order was duly adopted.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Marlborough City Council; Marlborough, Massachusetts

**CERTIFICATE**

I hereby certify that the foregoing is a true copy of a location order, and certificate of hearing with the notice adopted by the City Council for the City of Marlborough, Massachusetts, on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, recorded with the records of location orders of said City, Book \_\_\_\_\_, Page \_\_\_\_\_. This certified copy is made under the provision of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

\_\_\_\_\_  
City Clerk

PETITION OF COMCAST FOR LOCATION FOR CONDUITS AND MANHOLES

To the City Council for the City of Marlborough, Massachusetts:

Respectfully represents Comcast of Massachusetts I, Inc., a company incorporated for the distribution of telecommunications services, that it desires to construct a line for such telecommunications under the public way or ways hereinafter specified.

**Excavate and place 1-3" Schedule 40 PVC conduit across the alley-way that connects Main St. and Weed St. This alley-way is located between buildings #200 Main St. and #194 Main St. Starting at the existing Comcast hand hole in the alley-way, excavate and place conduit in a westerly direction toward the rear of #200 Main St. for a distance of 21' +/-.**

**Placement of this conduit is allow for Comcast service to be offered to the current and future occupants of 200 Main St.**

Wherefore, your petition prays that, after due notice and hearing as provided by law, the City Council may by Order grant your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by Comcast Communications, dated May 13<sup>th</sup>, 2016, and filed here with, under the following public way or ways of said City of Marlborough:

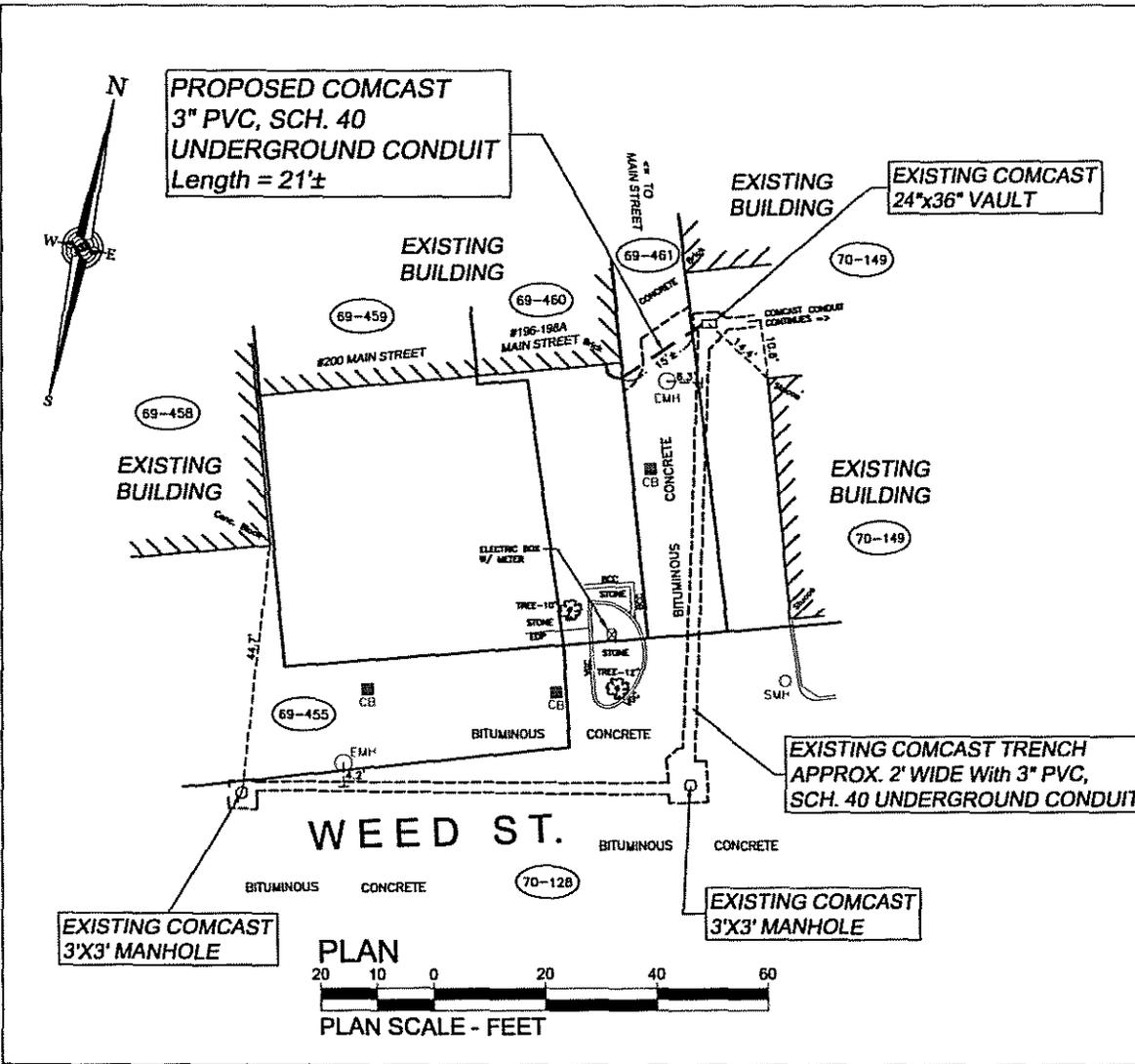
Comcast

By: \_\_\_\_\_  
Jody Gaudet  
Project Coordinator

Dated this May 13, 2016

City of Marlborough \_\_\_\_\_ Massachusetts

Received and filed \_\_\_\_\_, 2016



- NOTES:**
1. This plan was prepared from an As-Built Plan prepared from a field location survey performed by Dewsnap Engineering Associates LLP on September 3, 2015 to depict the existing Comcast underground conduit trench (approx. 2' wide) with associated manholes and handholes.
  2. The property lines depicted on this plan were obtained from plans received from the City of Marlborough Engineering Department and is not the result from a field survey. All property lines are approximate.
  3. Easements of record are not depicted upon this plan.
  4. This plan was prepared to show a proposed 3" PVC, Sch.40 underground conduit, Approx. 21' Lf., to provide service to #200 Main Street.
  5. Denotes Assessors Map and Lot Number

ASSESSORS MAP / LOT	PROPERTY OWNER / ADDRESS
69-455	City of Marlborough Redevelopment Authority 0 Main Street
69-458	Evangelical Brazilian Church of Marlborough 204 Main Street
69-459	D Francis Murphy Insurance Agency, Inc. 200 Main Street
69-460	D Francis Murphy Insurance Agency, Inc. 196-198A Main Street
69-461	City of Marlborough Redevelopment Authority 0 Main Street
70-128	City of Marlborough Redevelopment Authority Florence Street
70-149	James Golden III, Trs.-Merchants Realty Trust 186 Main Street

**PROPOSED UNDERGROUND CONDUIT**

**COMCAST**

**PLAN OF LAND**

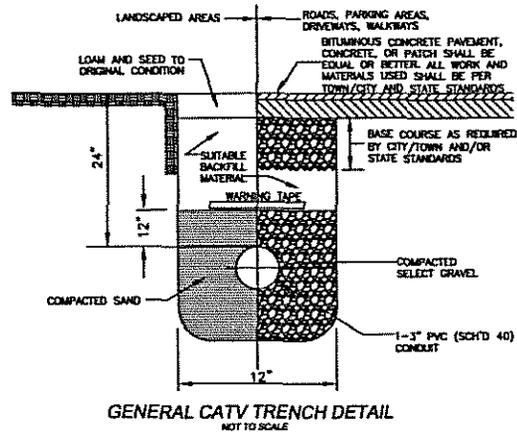
**IN**

**MARLBOROUGH, MA**

PROJECT LOCATION: <b>200 MAIN STREET</b>	Prepared BY: <b>COMCAST</b> 4 LIBERTY STREET WESTFORD, MA 01886
Date: May 13, 2016	Scale: 1" = 20'
Checked By: F.D.D. & P.A.D.	FILE No:
Drawn By: P.A.D.	
Field By: N/A	
Sheet No. 1 of 2	

**NOTE:**

1. The details depicted are for general reference only. The final product used shall be the responsibility of the general contractor and shall be of equal or greater material than that depicted and shall conform to the Engineering/DPW Standards for the State, City/Town where the project is located.



**"DETAILS"**

**PROPOSED UNDERGROUND CONDUIT**

**COMCAST**

**PLAN OF LAND**

**IN  
MARLBOROUGH, MA**

PROJECT LOCATION:

**200 MAIN STREET**

Prepared BY:

**COMCAST  
41 LIBERTY STREET  
WESTFORD, MA 01886**

Date: May 13, 2016

Scale: 1" = 20'

Checked By: F.D.D. & P.A.D.

Drawn By: P.A.D.

Field By: N/A

FILE No:

Sheet No. 2 of 2

# HANCOCK ASSOCIATES

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2016 JUN 16 A 10:46

June 15, 2016

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

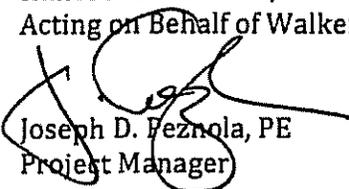
**Re: Apex Center- Proposed Entrance**

Dear Councilor Clancy and Councilors:

We are pleased to inform the Council and interested parties that negotiations with the owner of the Wendy's site have resulted in an agreement in principal that will allow the relocation of the entrance from the current problematic location to within the Apex Site. We are moving forward with the preferred option with regard to the Wendy's entrance.

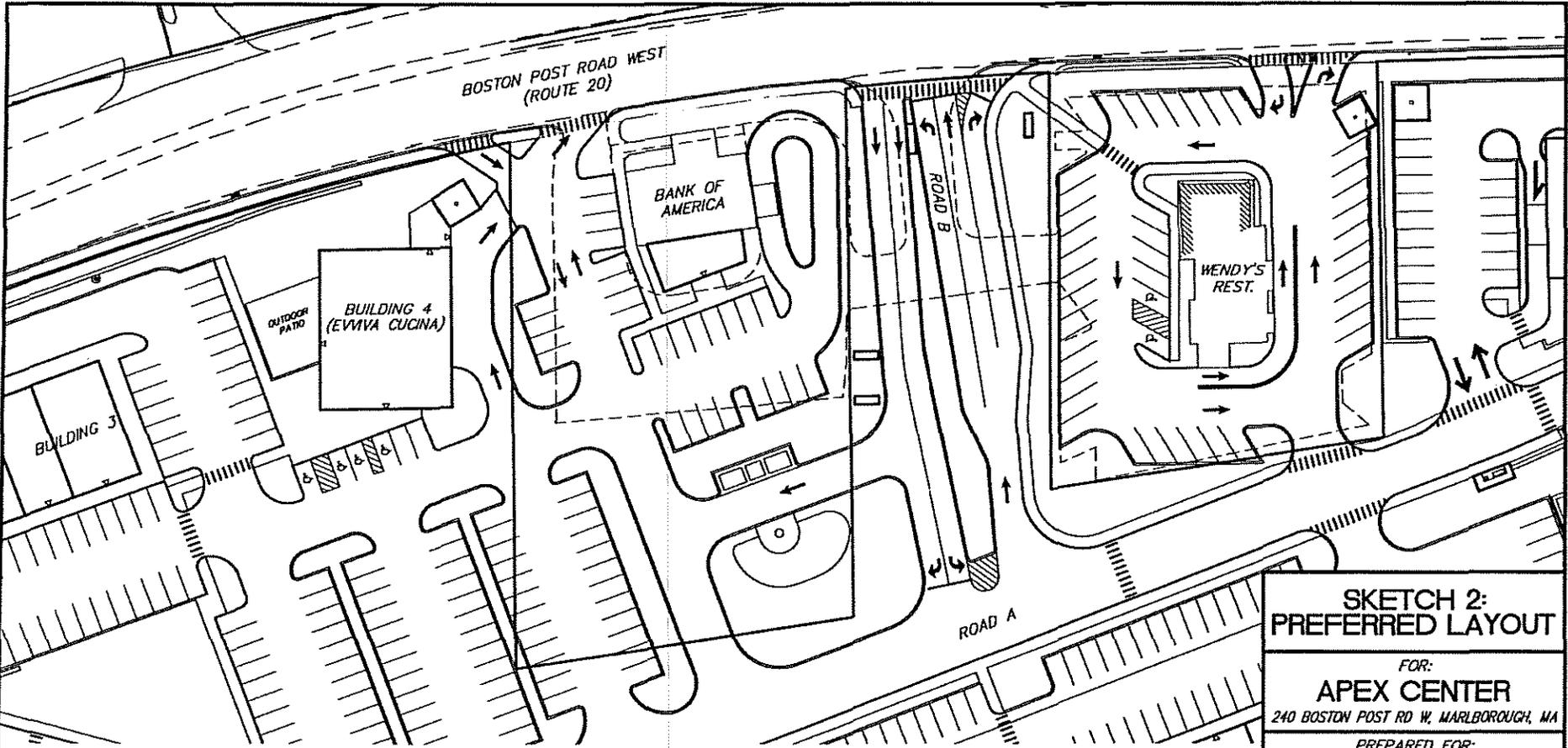
We have informed the Massachusetts Environmental Protection Agency (MEPA) of this positive change as this issues impacts their review of the pending Notice of Project Change. We will be presenting revised plans showing the details of these improvements to the Site Plan Review Committee in the near future to facilitate a complete review.

Sincerely,  
Hancock Associates,  
Acting on Behalf of Walker Realty, LLC

  
Joseph D. Feznola, PE  
Project Manager

Cc: Attorney Arthur Bergeron  
Walker Realty, LLC  
Marlborough Site Plan Review Committee

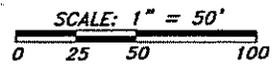
Attachment: Preferred Layout



**NOTES:**

1. THE PURPOSE OF THIS SKETCH IS TO SHOW THE PROPOSED LAYOUT OF APEX CENTER WITH RESPECT TO THE EXISTING BANK OF AMERICA AND WENDY'S RESTAURANT PROPERTIES.
2. THE ENTRANCE FROM ROUTE 20 TO BANK OF AMERICA IS REDESIGNED TO PROVIDE IMPROVED INGRESS/EGRESS TO THE BANK AND PROPOSED EVVIVA CUCINA.

<b>SKETCH 2: PREFERRED LAYOUT</b>			
<i>FOR:</i> <b>APEX CENTER</b> 240 BOSTON POST RD W, MARLBOROUGH, MA			
<i>PREPARED FOR:</i> <b>RYAN DEVELOPMENT, LLC</b> 4 LAN DRIVE, WESTFORD, MA			
<b>HANCOCK</b> Associates 315 Elm Street, Marlborough, MA 01752 VOICE (508) 460-1111, FAX (508) 460-1121			
<i>JOB NO:</i> 19576	<i>DATE:</i> 5/17/16	<i>DRWN BY:</i> RD	<i>CHK BY:</i> JP



REVISED 5/25/16

PATH: W:\16276-Ryan-Boston Post Rd-Marlboro\Producer Drawing\WDR1

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CITY OF MARLBOROUGH

2016 JUN 16 A 10:28

# TOWN OF BERLIN



## EARTHWORK BOARD

Earthwork Board  
Berlin, MA

The Board of Selectmen, acting in its capacity as Berlin Earthwork Board, will hold a Public Hearing on Monday, June 27, 2016, at 7:45 p.m. in the Town Offices Building, Room 206, 23 Linden Street, Berlin, MA to consider the permit renewal/modification application of Riverbridge North, LLC for its Earthwork Permit, dated September 3, 2013, for the importation of up to 75,000 cubic yards of material on the land it owns known as the Riverbridge mixed use village at the "Risi Circle" rotary, River Road West in South Berlin (parcels receiving fill are Map 3, Lots 1, 12, 13 and 13-1. Any persons wishing to be heard on this matter may appear at the above stated time and place.

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Judith Booman  
Chairman



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CITY OF MARLBOROUGH

2016 JUN -2 P 1:11

**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, April 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: Assistant City Engineer Tim Collins, Executive Director of Counsel on Aging Trish Pope, City Counselor Don Landers, Sue Fahey of Northboro Property Management and a few residents from the area of Pleasant St. @ Ash Street. Minutes taken by: Karen Lambert, MPD Records Clerk.

**1- Minutes**

The minutes of the Traffic Commission meeting of Tuesday, February 23, 2016.  
(No meeting held on 3/29/16 – No Quorum Present)

MOTION was made, seconded, duly VOTED:  
TO APPROVE

**2 – New Business**

**2a) Communication from Councilor Irish, re: Pleasant St. traffic concerns.**

Sue Fahey, of Northboro Property Management, and a few residents from the area were in attendance for this issue. Ms. Fahey said that there have been several accidents here over the past year. She mentioned specifically, one on Thanksgiving where their stone wall was hit and demolished and a similar incident on Christmas. One involved a driver coming down the hill while the other was a driver coming up the hill. These two accidents have cost the association money. She said that she has also been informed of other accidents in the area. Residents of Karopolios Drive have said that there have been 4 to 5 accidents here in the last year.

Chief Leonard agreed that there are a relatively high number of accidents in the area. They are usually rear end accidents involving drivers turning into Ash Street. There is also a speed issue with cars coming down the hill. He also noted that the geometry of the

intersection is difficult and there are sight distance issues. He said that merging is not usually a problem. There was definitely a concern raised when the condos went in because the driveways are so close to the roadway. The Chief advised that he would try to get the speed trailer in the area. He also mentioned that there has been some success with the speed signs on Farm Road and he thinks that they are working, however, they are very expensive.

Tim Collins said that the section of Pleasant Street from Berlin Rd. to Fitchburg Street is a State controlled highway. There is no posted speed sign, however, it would default to a thickly settled area with a speed limit of 30 mph. In order to set a specific speed limit Mass Highway would have to conduct a speed study. The State would then set a speed limit at whatever 80% of the cars were traveling. The risk of the study is that the speed limit could actually go up.

Chief Leonard advised that he would have his Officers target the area as much as they can, however, he has limited resources. He will also have the speed board put up here. If nothing else, it at least makes drivers aware of their speed. The City would not install a "No Texting and Driving" sign as it is difficult to enforce and is an issue in all areas of the City. Trish Pope said that the State is working on legislation to make the whole state "text free". Chief Leonard also asked residents to monitor the times of day that seem to be the worst problem and to let him know. His Officers can then target those timeframes.

MOTION was made, seconded, duly VOTED to REFER to the POLICE DEPARTMENT for enforcement through directed patrols and placement of the speed board.

*Chief Leonard made a motion to suspend the rules and take the agenda items out of order. All in Favor*

**2c) Request for a crosswalk on Maple St. near Dunkin Donuts.**

Local resident, David LeBlanc, stopped into the City Council office to make this request. It was then forwarded to the Traffic Commission. Chief Leonard advised that this issue actually came up before with Family House of Pizza and lunch time traffic. Tim Collins advised that a road safety study was completed and discussed with former City Engineer Evan Pilachowski.

This roadway is scheduled for reconstruction in 2017. There is a proposed crosswalk at this specific location. The new crosswalk will be handicap accessible. The roadway width will be increased and the sidewalks will be improved. Mr. Collins passed out a diagram of the proposal and advised that it is all in the works now.

MOTION was made, seconded, duly VOTED to TABLE until the project is underway in 2017.

*Local resident in attendance questioned the timing on the lights at certain crosswalks (not an agenda item).*

He said that at certain crosswalks in the City there needs to be more time allotted for crossing. He explained that he often gets ½ way across and the buzzer sounds and he is caught on the island in the middle. He specifically mentioned the crosswalk at Main Street and Granger Blvd. Tim Collins advised that the DPW can check on the timing. If it is not where it should be it can be changed. He knows that they have recently checked the lights at the crosswalk at Newton Street because of the new Senior Center.

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

**2g) Parking concerns at Senior Center.**

Commissioner Ghiloni requested that this item be added to the Agenda. Trish Pope was in attendance for this issue. Tim Collins passed out a large diagram of the area, in which you can see all of the available parking spaces. There are certain areas that are for residents only and other areas that are for the Senior Center. Ms. Pope is requesting that certain areas have a restriction on parking. She would like to see it posted "Senior Center Parking Only – 7:00am to 5:00pm, Monday through Friday." She also requested that the neighbors be notified before any restrictions were put into place as they would like to maintain a good relationship with their neighbors. This can be done with a Blackboard Connect message to the specific area. Trish Pope also said that she would be happy to make flyers. She wants to be sure that all the neighbors understand any changes.

Chief Leonard explained that the issue would be carried over to the next meeting as he would need to prepare the regulation and have it voted on. Trish Pope advised that this would also give her time to put a notice in the next newsletter. It was also noted that many people think that New Street is one way. If it were lined it would be clear that it is a two way street. Tim Collins said that it depends on the width of the roadway. He will need to check on this.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to check on the width of New Street and prepare specifics for the restriction. Flyers and the Blackboard message will be sent out after the specific restriction is finalized.

**2b) Communication from Nelson Rivas, re: Short St. traffic concerns.**

Councilor Landers was in attendance for this issue. In his correspondence, Mr. Rivas described issues with the number of cars parked at his neighbor's property (#13). He said that he is supposed to have spaces available for him to park in front of his house. He also asked about making this section of Short St. one way, creating a parking restriction and other safety issues. Chief Leonard advised that he has not yet spoken to Mr. Rivas and is not exactly sure what Mr. Rivas is referring to in his correspondence. The Chief said that there is so assigned parking outside of a person's residence on a public road.

Tim Collins advised that Mr. Rivas lives at #9 in a single family house, basically in the middle section of Short Street, when coming up Lincoln from Bolton to Short Street on the left. Commissioner Ghiloni went by the area last night and found vehicles parked on the sidewalk causing an obstruction. Chief Leonard advised that he can have an officer sent there to check if anyone is blocking the sidewalk.

It was noted there are about 6 houses, at most, on this street. Chief Leonard noted that the issue could be related to an illegal apt. He has not received any other complaints from the area. The resident may just be upset that someone is parking in front of his house.

MOTION was made, seconded, duly VOTED to REFER to the POLICE DEPARTMENT and see if that has any effect on getting cars to park in their driveways. It was decided that this issue would be addressed first and see what happens from there.

**2d) Crossing Guard safety report from Mass. Dept. of Labor Standards.**

The Department of Labor Standards (DLS) conducted “an inspection of the crosswalks where Crossing Guards are stationed for the City of Marlborough Public and Private Schools to evaluate Crossing Guard safety”. They also reviewed the training provided to the Crossing Guards. They specifically reviewed crosswalks and signage at each of the manned and unmanned crosswalks for Marlborough High School, Whitcomb Middle School, Richer Elementary School and IC School. DLS then made specific recommendations relative to “Conditions Requiring Corrective Actions” and outlined them in a report to Captain Valianti, dated April 7, 2016, and included a “Corrective Due Date”. See complete report for specifics, copy attached.

MOTION was made, seconded, duly VOTED to REFER to the DPW to address the specific concerns by the due date indicated, May 30, 2016. The DPW sign crew can take care of all the signage.

MOTION was made, seconded, duly VOTED to REFER to Capt. Valianti and the POLICE DEPARTMENT to handle any equipment issues, i.e. Stop Paddles.

**2e) Communication from Andrew Tivnan, re: Wilson St. @ Hemenway St.**

Mr. Tivnan explained that he has lived at this location for the past 33 years and his property (lawn, stone walk and mailbox) has been damaged numerous times by motor vehicles. He also found that the fire hydrant there has been struck 5 times over the past 19 years and said about 10 years ago he was nearly hit while shoveling snow from around his mailbox. He is proposing that an additional stop sign be added on Hemenway Street across from the corner of Wilson Street. He feels that by forcing cars to stop here, they will then be slower on the turn which should eliminate future property damage.

Chief Leonard advised that this is the same area the Traffic Commission was discussing recently. Fire Chief Breen said that Mr. Tivnan also came to the Fire Station regarding the damage to the hydrants. Tim Collins advised that he had tried to find a history on the damage to fire hydrants in the past but the Police Department didn't have anything and Dave LaVelle from the DPW could not locate specifics.

Tim Collins outlined some of the previous suggestions again. He had proposed a rumble strip at the intersection to slow traffic, however, none of the Traffic Commission members liked the idea. A second option, was to adjust the roadway and make it more of a T-intersection which would cause traffic to slow to make the turn. This would require removing pavement, adding pavement and greenery to square it off. Tim Collins passed

out a diagram showing the proposal. Chief Leonard was concerned that this would actually widen the turn and possibly make it worse.

It was further discussed that this area would not meet the Warrants for a four way stop. Mr. Collins said that maybe it would if the accident history with the fire hydrants were taken into account. He suggested moving one of the stop signs rather than adding another one as a T-stop at the intersection is Warranted. If the stop sign on Hemenway was moved from the southeast corner to the northwest corner it could actually be a possible "real solution". The traffic traveling westbound on Hemenway doesn't have to stop. The traffic traveling eastbound would then stop before making the turn onto Wilson Street.

MOTION was made, seconded, duly VOTED to REFER to the DPW and ENGINEERING to move the existing sign.

**2f) Traffic Issues on Forest St. at AMSA at beginning and end of school day.**

Commissioner Ghiloni asked about this issue again. He was in the area recently in the afternoon and found the traffic backed up to Williams Street. Tim Collins passed out an aerial photo of the school and surrounding area. He went out yesterday at dismissal time to take a look. He said that buses stage in the lower lot and there is a crossing guard who puts up cones for "No left Turn". He said that "at 3:30 the flood gates open". There are approximately 1,000 students there and most of them get picked up. First buses load and go and then students load and go and lastly, parent pick-up. Parents are allowed on the property at 3:20. The first 2 weeks of school, AMSA had detail officers there to control traffic. Cars come onto the property and go around the building for pick-up. The back-up is caused by the volume of cars. The school initially had us make a School Zone in the area and install crosswalks, however, no one uses them as there are no walkers at the school.

Chief Leonard said that he has recommended a staggered dismissal time. Initially Fore Kicks said that the school could use their property as a waiting area, however, this lasted one day as every spot in their lot was full at pick up time. The problem is really only a ten minute issue with cars waiting to get onto the property. The Chief said that the bottom line is that we need to make Forest Street a restricted zone and sign it as "No Parking, No Stopping, and No Standing" and try to enforce it as such. This has been an issue for a very long time, however, it is actually better than it was before. He said that the crossing guard actually does a great job and that it is crazy when he is not there. Parents have been told not to queue up on Forest Street but they do it anyways. The biggest issue is on the bridge where the road is the narrowest. This was never a good location for a school and the building was initially shared with businesses. However, AMSA is locked into a long term lease.

Chief Leonard would like to see it marked as No Parking, No Stopping, and No Standing on Forest Street all the way down to Williams Street. He can also bring up the issue again to the new director.

MOTION was made, seconded, duly VOTED to REFER to Chief Leonard to prepare the regulation for a vote at the next meeting. He will also speak with AMSA's new director.

**3-Old Business****3b) Traffic pattern, parking deck behind City Hall.**

Tim Collins went over with the sign crew and everything is all set. He has reviewed all the signage and everything matches on all decks.

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

**3c) Mill St. parking restriction.**

This is basically an enforcement issue. It was discussed that this area has “morphed” into Brodeur’s parking lot. The Police Department is trying to enforce what is there. Chief Leonard knows that a few cars that have been there for a long time have now been moved.

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

**3d) Traffic concerns at Wilson & Hemenway Sts.**

This issue was addressed above under New Business 2e.

MOTION was made, seconded, duly VOTED to REFER to the DPW and ENGINEERING to move the existing sign.

**3e) Farm Rd. @ Broadmeadow Rd. right turning traffic concerns.**

It was discussed that the turn here is so wide that drivers assume it is a “rolling right on red” but it is not. There can be a conflict with others taking a left onto Broadmeadow from Farm Road where there is an exclusive left turn. There needs to be some sort of advisory sign to the effect of “Stop before taking Right on Red”.

MOTION was made, seconded, duly VOTED to REFER to the DPW for appropriate signage.

**3f) Communication from Councilor Tunnera, re: parking restriction near 123 Chestnut St.**

Tim Collins advised that the missing sign has been replaced and there is no longer an issue.

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

**3c) Traffic Commission rules and regulations update.**

Lisa Thomas asked if we can use the next meeting to work on this issue. Tim Collins advised that he is extremely busy right now with no City Engineer at the moment. He will do what he can.

Ms., Thomas also advised that the Traffic Commission website is up-to-date with the Rules and Regulations and that all Agendas and Minutes are available.

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 11:16 am.

Respectfully submitted,

Karen L. Lambert  
Records Clerk  
Marlborough Police Department

**List of documents and other exhibits used at the meeting:**

-Meeting Agenda for Tuesday, April 26, 2016. (Including City of Marlborough Meeting Posting).

-Email from Councilor Irish to Chief Leonard, dated 3/13/16, re: Pleasant Street.

-Email from Nelson Rivas to Mark Leonard, dated 3/25/16, re: Short St. + Rice and Lincoln.

-Email from City Council to Chief Leonard, dated 4/12/16, re: request from David LeBlanc for a crosswalk at Dunkin Donuts on Maple Street.

-Copy of Crossing Guard Safety Report from Mass. Dept. of Labor Standards, dated April 7, 2016.

-Copy of a letter from Andrew Tivnan to the Mayor's Office, dated 4/19/16, re: request for a stop sign on Hemenway St. across from corner of Wilson Street.

**Additional Handouts:**

-Diagram of Maple Street with proposed five new crosswalk locations indicated.

-Diagram of intersection of Wilson Street and Hemenway Street with proposed changes noted.

-GIS photo of Forest Street and the AMSA driveway.

-Engineering plan for "Ward Park" area and Senior Center on New Street.

MARLBOROUGH PLANNING BOARD 2016 JUN -7 A 10:37  
MARLBOROUGH, MA 01752

**Call to Order**

**April 25, 2016**

The Meeting of the Marlborough Planning Board was called to order at 7:00pm in Memorial Hall, 3<sup>rd</sup> Floor City Hall 140 Main Street, Marlborough, MA. Members present included: Barbara Fenby, Sean Fay, Colleen Hughes, Shawn McCarthy & Philip Hodge.

Also in attendance were Board Secretary Melissa Peltier & Assistant City Engineer Timothy Collins.

Edward Coveney & Brian DuPont were absent

**1. Meeting Minutes:**

**A. Regular Meeting April 4, 2016**

On a motion made by Mr. Fay, seconded by Mr. Hodge it was voted to accept and place on file the minutes of the April 4, 2016 Regular Meeting with Ms. Hughes abstaining. Motion carried.

**2. Chair's Business:**

**A. Internet Access Forms**

Chairperson Fenby presented the access forms. She has asked the City to work with Mr. DuPont on the creation of the sub division calendar to ensure that this version has all the information in a format that the Board would like to see.

On a motion made by Mr. Fay, seconded by Mr. Hodge it was voted to move up Item 9B. Motion carried.

**9. Unfinished Business:**

**B. Decision from Public Hearing Zone Change (Overlay District HRMUOD)**

Attorney Bergeron and Joseph Pezzola of Hancock Engineering were in attendance to discuss the proposal.

The changes involved regarding this overlay district include but are not limited to: Master Landscape Plan, Master Sign Plan, Additional Trees along Rte. 20, Three entrances to the project 2 to be right turn in and right turn out only. Distance to parking lot island up to 90', Water Supply District disturbance changes from 50' to 20'.

After a significant discussion between the Board members and the Attorney/Engineer the Board came to the following decision:

On a motion made by Mr. Fay, seconded by Mr. Hodge it was voted to:

Submit to the City Council a favorable recommendation regarding the proposed Hospitality and Recreation Mixed Use Overlay District (HRMUOD) with the following suggestions:

- The addition of mature trees installed to create additional buffer for the Glenn Street neighborhood.
- Creation of separate gateway signage

- Prohibit wire-framed or A-frame style signs on the property at any time
- Require strict adherence to the Sign Ordinance is requested
- Remove inclusion of the by right use for a car wash

Generally, the Planning Board is in favor of the Overlay District specifically pertaining to the Landscaping, Building Height, and Water Supply District with the exceptions of the placement of Buildings 10A & 10B.

The Board suggests a Site Plan be created showing the “by right” development with full compliance to the current zoning in place for the existing parcels(s).

The motion carried.

**3. Approval Not Required: None**

**4. Public Hearings: None**

**5. Pending Sub Division Plans: Updates and Discussion:**

**A. Engineers Report**

Assistant City Engineer Collins reported that there was no work of note happening at the following sub divisions: Cider Mill Estates, Walker Brook Estates, Back Horse Farms or Hoes Landing. The Mauro Farms Subdivision was working it appears on the punch list items they were given. The Commonwealth Heights sub division still has not started and is continuing to miss its own imposed benchmark dates. Regarding the Graves Lane detention basin issue Commissioner Ghiloni is not willing to expend City funds to relocate the access gate in question. The developer may do that work on their own should they choose to.

**B. Goodale Farms (June 19, 2016) DRAFT Certificate of Vote**

Attorney Austin and Thomas DiPersio Engineer of record for the project were in attendance to present the Draft Certificate of Vote to the Board.

Mr. Fay questioned if 2 of the proposed lots were reconfigured if there could be additional land available for the Open Space Parcel?

Mr. DiPersio noted that he would look at the possibilities prior to the submission of the Definitive subdivision plan.

Mr. Fay requested that Paragraph 2 be changed to state that dedicated open space shall be no less than 5.02 acres.

Attorney Austin noted that the provision for \$5,000.00 for landscaping improvements to screen the existing sewer pump station was included.

The Board asked Assistant City Engineer Collins to come back to the Board with recommendations as to what would be acceptable to screen the enclosure.

Mr. Hodge questioned if there was a name associated with this subdivision yet?

Attorney Austin questioned the need for the 21E Assessment.

On a motion made by Ms. Hughes, seconded by Mr. McCarthy it was voted to request from the Engineering Department the feasibility and estimated cost to install sidewalks from Goodale

Street to gain access into the dedicated open space parcel. Motion carried.

This item is to appear on the next regularly scheduled agenda May 9, 2016.

**C. Correspondence from Conservation Officer to Mauro Farms (May 10, 2016)  
Developer**

Colleen read the correspondence from Conservation Officer Ryder in the record.

On a motion made by Mr. McCarthy, seconded by Mr. Fay the correspondence was accepted and placed on file.

Assistant City Engineer Collins presented to the Board an excerpt for a letter sent to then City Council President Vigeant from Attorney Pezzoni regarding the zone change and the dedicated opens space parcel.

Assistant City Engineer noted that there is no reason the developer should not finish the subdivision in the remaining time allotted.

On a motion made by Ms. Hughes, seconded by Mr. Fay it was voted to send a letter to the developer reminding the developer of the impending deadline (May 10) as well as a reminder of the promise to install park benches in the open space parcel. Motion carried.

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

**7. Definitive Subdivision Submission: None**

**8. Signs: None**

**9. Unfinished Business:**

**A. Discussion Black Horse Farms (April 29, 2016) (Attorney Beattie)**

Attorney Paul Beattie was in attendance to represent the developer.

Colleen read the communication into the record that Attorney Beattie passed out to all the members present.

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

Attorney Beattie noted that the development has multiple house lots in various departments for review and or determinations (ie: conservation) With that being so the developer is requesting an extension of the subdivision until April 28, 2017.

Mr. Fay stated that the developer and the Board have very different views concerning what it means to have a completed subdivision. He stated that the Board is only concerned with roadways, sidewalks, and infrastructure, not the status of building permits or the construction of homes. Mr. Fay stated that the developer has been put on notice several times that the Board would be requiring the developer to complete the roadways and infrastructure, and that there was no room for misunderstanding on the part of the developer when their last extension was granted. The Board consensus was that developer has been given much latitude, that the developer had not adhered to the commitments that they had made in the past, and that the subdivision should

have been finished already.

Neither Ms. Hughes, Mr. McCarthy or Mr. Fay will be supporting the request of the developer for an extension until anytime in 2017.

Mr. Hodge questioned if there was enough funding left in the remaining bond to complete the work that the developer has not?

On a motion made by Mr. Fay, seconded by Ms. Hughes it was voted to allow for a 2week extension until May 10, 2016 only, for the City Engineer to give the Board perspective and an estimate on the cost to complete the subdivision. To make sure there is enough in the remaining bond to cover the work. Motion carried.

**D. Decision from Public Hearing Zone Change**

This item was moved up in the agenda.

**10. Informal Discussions: None**

**11. Correspondence:**

**A. Citation sent from Code Enforcement Officer to 8 Graves Lane Continued Use of Detention Basin**

Ms. Hughes read the correspondence from Code Enforcement Officer Wilderman into the record. On a motion made by Mr. McCarthy, seconded by Mr. Hodge the correspondence was accepted and placed on file. Motion carried.

**12. Public Notices of other Cities and Towns:**

**A. Town of Framingham Planning Board, Notices (3)**

**B. Town of Hudson Planning Department Public Hearing April 19, 2016**

**C. Town of Sudbury Planning Board Special Town Meeting April 27, 2016**

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

**Adjournment:** On a motion made by Mr. McCarthy, seconded by Mr. Fay it was voted to adjourn at 8:40pm. Motion carried.

Respectfully submitted,

Brian DuPont  
Acting Clerk

/mai

MARLBOROUGH PLANNING BOARD 2016 JUN -7 A 10: 37  
MARLBOROUGH, MA 01752

**Call to Order**

May 9, 2016

The Meeting of the Marlborough Planning Board was called to order at 7:00pm in Memorial Hall, 3<sup>rd</sup> Floor City Hall 140 Main Street, Marlborough, MA. Members present included: Barbara Fenby, Sean Fay, Brian DuPont, Shawn McCarthy & Philip Hodge.

Also in attendance were Board Secretary Melissa Peltier & Assistant City Engineer Timothy Collins.

Edward Coveney and Colleen Hughes were absent

Mr. DuPont was appointed Acting Clerk for the meeting.

**1. Meeting Minutes:**

**A. Regular Meeting April 25, 2016**

On a motion made by Mr. Fay, seconded by Mr. Hodge it was voted to table the minutes of the April 25, 2016 Regular Meeting. Motion carried.

**2. Chair's Business:**

**A. Discussion with Information Technology Director Mark Gibbs**

Mr. Gibbs presented a few options to the Board regarding the new SharePoint Office 365 site for the Planning Board. The website will have a calendar attached to it that all members will be able to look at. One person will be tasked with updating the calendar routinely after each meeting. A working sub-committee of Chairperson Fenby and Mr. DuPont will meet with Mr. Gibbs to iron out any and all necessary details to launch this new tool.

**3. Approval Not Required: None**

**4. Public Hearings (7:15): None**

**5. Pending Sub Division Plans: Updates and Discussion:**

**A. Engineers Report**

Assistant City Engineer Collins noted that no work has taken place on any of the active subdivisions. He will discuss the Mauro Farms Subdivision later in the agenda.

**B. Goodale Farms (June 19, 2016) DRAFT Certificate of vote continued discussion**

Mr. DuPont read the correspondence from Assistant City Engineer Collins into the record.

Outlining options per the Boards prior request for the perceived costs to install sidewalks in the area of the proposed development.

The three options outlined were (1) Subdivision Road (Jenks) to Taylor Road, (2) Cameron Drive to Taylor Road, (3) Woodland Drive to Hutchinson Drive (Opposite the subdivision roadway).

After much discussion the Board took the following action pertaining to condition Numbers 7 & 8 in the Open Space Development Special Permit:

On a motion made by Mr. Fay, seconded by Mr. Hodge it was voted to recess for 5 minutes at 8:21pm to allow for the attorneys to confer on the actual wording of conditions 7 & 8. Motion passed

On a motion made by Mr. Fay, seconded by Mr. DuPont it was voted to reconvene the meeting at 8:30pm. Motion passed.

On a motion made by Mr. Fay, seconded by Mr. DuPont it was voted to amend condition numbers 7&8 to the following:

7. The Applicant shall construct a sidewalk on the westerly side of Goodale Street between Hutchinson Drive and Woodland Drive, provided the City owns, or is able to acquire, sufficient width in the roadway right of way for the Applicant to construct the sidewalk. In the event that the City, as determined by the City Engineer or his designee, is unable or unwilling to provide sufficient roadway right of way width for the Applicant to construct the sidewalk, the Applicant shall construct an unpaved gravel path on the easterly side of Goodale Street in the existing roadway right of way owned by the City between Taylor Road and the proposed Jenks Road.

8. At the pump station abutting the Proposed Development on Goodale Street, the Applicant shall construct, to the satisfaction of the City Engineer or his designee, parking improvements not to exceed 400 square feet and not to exceed a cost of five thousand dollars (\$5,000).

Motion passed.

On a motion made by Mr. Fay, seconded by Mr. DuPont it was voted to, based on project findings and conditions as negotiated it is voted to approve the Special Permit for the Concept Plan Open Space Development off of Goodale Street with a proposed Subdivision Roadway named Jenks Road, as amended. Motion passed unanimously.

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

**7. Definitive Subdivision Submission: None**

**8. Signs: None**

**9. Unfinished Business:**

**A. Discussion Black Horse Farms (May 10, 2016)**

Mr. DuPont read the letter Attorney Beattie handed out from the developer into the record.

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

City Solicitor Rider had previously conferred with Attorney Beattie regarding the possible adherence to the newly accepted regulations specifically the added requirement outlined in chapter 676 section 10 H1/4. See attached:

H1/4. Deeding of developers legal interests to City. Immediately upon providing a bond or

other security to construct an approved definitive subdivision plan, the developer shall deed to the City the subdivision road(s) as well as all municipal utility easements, if any. If any modifications to the approved definitive subdivision plan result in a re-location of any municipal utility, the developer shall, immediately upon installation of the re-located municipal utility, deed to the City the easement corresponding to the re-located municipal utility. The developer is also required to provide the City with a certificate of liability insurance, naming the City as an additional insured relative to the subdivision road(s) as well as all municipal utility easements, if any, to be deeded to the City.

Attorney Beattie noted that the developer is willing to adhere to the new regulation. It is Attorney Beattie's understanding that the As-Built Plans for the subdivision can be completed once the Conservation Commission makes its determination regarding the 4 lots currently under their review. There is the possibility that the existing curb cuts for the driveways may need to be relocated.

Mr. Fay noted that he is not in favor of the requested extension as outlined by Attorney Beattie for his client. Mr. Fay as well as other members in attendance were willing to entertain a short extension as long as there is significant progress made on the infrastructure as required.

On a motion made by Mr. Fay, seconded by Mr. DuPont it was voted to approve an extension of the subdivision approval until May 24, 2016, with the requirement that significant progress be completed as well as all proper documentation to request an extension must be submitted and a project engineer from the developer must be assigned and be in at least weekly contact with Assistant City Engineer Collins. Motion passed.

This matter was also referred to Engineering.

#### **B. Discussion Mauro Farms (May 10, 2016)**

Mr. Fay noted his perceived conflict for the record.

Mr. DuPont read the request from the developer into the record.

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

Mr. Daniel Ruiz was in attendance from Capital Group to answer any questions the Board may have.

The Board requested proof that the Bond securing the work at the subdivision is still active and in place. It was requested that said proof be supplied at the next regularly scheduled meeting (May 23, 2016)

On a motion made by Mr. Fay, seconded by Mr. Hodge it was voted to approve the extension as requested until May 24, 2016. Motion carried.

**10. Informal Discussions: None**

**11. Correspondence:**

**A. Community Access Monitor**

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

**12. Public Notices of other Cities and Towns:**

**A. Town of Framingham Planning Board, Notices (6)**

**B. Town of Hudson Zoning Board of Appeals Notices (4)**

On a motion made by Mr. DuPont, seconded by Mr. McCarthy 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. Fay it was voted to adjourn at 9:05pm. Motion carried.

Respectfully submitted,

Brian DuPont  
Acting Clerk

/mai

**MARLBOROUGH PLANNING BOARD  
MARLBOROUGH, MA 01752**

2016 JUN -7 A 10:37

May 23, 2016

**Call to Order**

The Meeting of the Marlborough Planning Board was called to order at 7:00pm in Memorial Hall, 3<sup>rd</sup> Floor City Hall 140 Main Street, Marlborough, MA. Members present included: Barbara Fenby, Colleen Hughes, Sean Fay, Brian DuPont, Shawn McCarthy & Philip Hodge. Also in attendance were Board Secretary Melissa Peltier & City Engineer Thomas DiPersio. Edward Coveney was absent

**1. Meeting Minutes:**

**A. Regular Meeting April 25, 2016**

On a motion made by Ms. Hughes, seconded by Mr. Hodge it was voted to table the minutes of the April 25, 2016 Regular Meeting. Motion carried.

**B. Regular Meeting May 9, 2016**

On a motion made by Ms. Hughes, seconded by Mr. Hodge it was voted to table the minutes of the May 9, 2016 Regular Meeting. Motion carried.

**2. Chair's Business:**

**A. Signs on Display Beyond Approvals**

Chairperson Fenby requested that the following sign locations be relayed to the Code Enforcement Office due to the signs are no longer allowed they have been up longer than the variances allowed.

1. Signage for the Rivers Edge development at the intersection of Donald Lynch Boulevard and River Road in Berlin.
2. Sign at the Gulf Gas station on East Main Street advertising coffee and pastry.

**B. Discussion Regarding Indian Hill Subdivision**

Ms. Hughes read City Solicitor Riders communication into the record.

On a motion made by Ms. Hughes, seconded by Mr. Hodge it was voted to refer the request to the Engineering Department, and place the request on the next agenda (June 6, 2016). Motion carried.

**3. Approval Not Required:**

**A: Apex Center 180 Boston Post Rd West (June 13, 2016)**

Mr. Joseph Pezznola of Hancock Associates was in attendance to present the requested ANR plan to the Board.

The request for the ANR endorsement is in regards to the financing required to create lots to place the hotels (2) and the office building on.

As the plan is drawn, lots 11 & 12 will each have one hotel per lot, lot 14 will have a five (5) story office building on it and lot 13 will have 9 individual buildings on it. The total acreage of the site is 43 acres, there will be 12 buildings consisting of 450,000 square feet. The entire project including all individual lots will be owned by the developer, Walker Realty LLC.

On a motion made by Mr. Fay, seconded by Mr. Hodge it was voted to refer the Plan to the Engineering Department for Review. Motion carried

**4. Public Hearings (7:15): None**

**5. Pending Sub Division Plans: Updates and Discussion:**

**A. Engineers Report**

City Engineer Thomas DiPersio reported that the information he has pertains to items further along in the agenda, specifically Black Horse Farms and Mauro Farms.

Mr. DuPont noted that both the Cider Mill Estates and the Walker Brook Estates subdivisions have impending expiration dates. City Engineer DiPersio noted that his office would be in contact with both developers.

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

**7. Definitive Subdivision Submission: None**

**8. Signs: None**

**9. Unfinished Business:**

**A. Discussion Black Horse Farms (May 10, 2016)**

Ms. Hughes read the communication from the Code Enforcement Officer into the record.

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

Mr. Fay expressed his extreme displeasure at the lack of progress this subdivision has displayed since the last meeting on May 9, 2016. The last directive that Attorney Beattie was given to relay to his client was the following; "...requirement that significant progress be completed as well as all proper documentation to request an extension must be submitted and a project engineer from the developer must be assigned and be in at least weekly contact with Assistant City Engineer Collins." As it happens the project engineer to be assigned has NOT yet made contact with Assistant City Engineer Collins as directed as well as no notable progress has been made on the subdivision.

Mr. Fay continued that since the developer has not seen fit to supply the Board with an updated completion schedule as required and with the expiration date imminent the Board will assign the dates for the completion schedule and the developer will be bound by those dates effective this evening.

On a motion made by Mr. DuPont, seconded by Ms. Hughes it was voted to recess for 5 minutes (7:26pm) to copy and distribute the most recent completion schedule received (June 19, 2015). Motion carried

Meeting reconvened at 7:37pm

On a motion made by Mr. Fay, seconded by Ms. Hughes, it was voted to institute the following completion deadlines as noted below, as well as to grant an extension for the completion of the subdivision until September 13, 2016:

On or before June 20, 2016, all street lighting must be in place.

On or before June 20, 2016, the executed deed associated with the roadway and appurtenant municipal easements, if any, must be received.

On or before July 25, 2016, the drain pipes shall be inspected by video camera, and any pipes found to be broken shall be properly repaired.

On or before July 25, 2016, any utilities (i.e., electricity, water, sewer, telephone and cable) that need to be relocated based upon approved house site plans shall be properly relocated.

On or before July 25, 2016, any driveway openings that need to be relocated based upon approved house site plans shall be relocated by removing and resetting granite curbing, and reconstructing sidewalks and aprons in accordance with City specifications.

On or before August 29, 2016, all trees must be installed or replaced if they failed to thrive after initial planting.

On or before August 29, 2016, all final paving of Slocumb Lane and adjacent sidewalk must be completed.

On or before August 29, 2016, all miscellaneous clean-up must be completed.

On or before September 12, 2016, the final as-built plans for the subdivision must be received.

As noted in the above timeline, all items are completion deadlines that must be met in order to continue the project. Failure to timely meet such completion deadlines will result in the Board taking action against the security bond in place. Motion carried.

Mr. McCarthy left the meeting at 8:00pm.

**B. Discussion Mauro Farms (May 10, 2016)**

Mr. Fay noted his perceived conflict for the record.

Ms. Hughes read the correspondences from the developer as well as the Code Enforcement Officer into the record.

Mr. Daniel Ruiz was in attendance to answer any questions the Board may have.

Mr. Ruiz noted for the Board that the final paving was scheduled to be completed tomorrow however, due to the forecasted rain for tomorrow that may actually be postponed by a day or so. Chairperson Fenby noted that she had taken a pass through the subdivision and noted the

placement of the benches that were installed in the Open Space Parcel and wondered if the Conservation Officer had been consulted on the placement?

Mr. Ruiz noted that he was unsure where the “seating design” came from, however he would be more than willing to meet with the Conservation Officer as well as the City Engineer on the site to determine the best placement options of said seating.

Chairperson Fenby also asked that the Conservation Officer provide the Board with what was planned for the Use of the Open Space.

Mr. Ruiz also noted that the only lot presently unimproved with a residence upon it is still to be considered a buildable lot however it is not intended to be built currently. That lot in its entirety will be seeded.

On a motion made by Mr. Fay, seconded by Mr. DuPont it was voted to grant an extension until June 7, 2016 for the completion of the subdivision. Motion carried.

**10. Informal Discussions:** None

**11. Correspondence:**

**A. Marlborough Regional Chamber of Commerce City Officials Welcome Reception**

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

**12. Public Notices of other Cities and Towns:**

**A. Town of Framingham Planning Board, Notices (2)**

**B. Town of Sudbury Planning Board Special Meeting Notice**

On a motion made by Ms. Hughes, seconded by Mr. Hodge 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 Ms. Hughes it was voted to adjourn at 8:09pm. Motion carried.

Respectfully submitted,

Colleen Hughes  
Clerk

/mai

**Marlborough Public Library Board of Trustees**  
Meeting Minutes

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

April 5, 2016  
Story Time Room, Marlborough Public Library

2016 JUN -8 A 8:03

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

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

Also Present: Margaret Cardello, Library Director; Jason Homer, Assistant Director; John Irish, City Council Liaison; and Karen Bento, Marlborough High School teacher interested in joining the Board of Trustees

Absent: Janice Merk

Proceedings:

1. **Minutes:** A motion to approve the meeting minutes from the March 1<sup>st</sup> meeting was passed (Hale/Abel).
2. **Trust Fund Reports:** A motion was passed to approve the Trust Fund Reports for March (Hale/Ripley).
3. **Director's Report:** (see attached for more details)
  - Jess Bacon, the Teen Librarian, and Katherine Gurbanov, Head of Circulation and Technology have both submitted resignations.
  - Since 2010, Margaret has filled PT clerk positions 18 times. With the recent staff departures, she has been looking at increasing PT staff pay from the current range of \$12.44 - \$14.00 per hour to \$15.18 - \$17.26 per hour, as well as increasing 2 FT Clerk positions to be paid at the Senior Clerk rate. The overall increase to the FY17 budget is only 4.61% but the impact on staff retention could be tremendous.
  - A local daycare provider wishes to put on a puppet show for area children, partly as a way to promote her business and reach area parents. The trustees agreed that the puppet show had to be approved by staff, like any other performance.
  - Jason unveiled the new design for library cards, as well as a new policy that everyone must have a card or an ID to borrow anything from the library. This is a change from previous policy that allowed staff to look up card numbers or ask a few "identifying questions." For safety and security reasons it is best for everyone to present their card to check out items.
  - There was discussion regarding the cutoff age for a minor to borrow items without a parent being able to monitor or see what they've borrowed. Jason and Margaret will do more research into what other libraries are doing and report back next month.

#### 4. **Committee Reports:**

##### Foundation:

- There was a good meeting last month. The fundraising committee is coming together.
- A brochure has been developed and printed. It contains very general information about the need for expanded library space and services.
- The next Foundation meeting is April 19<sup>th</sup>.

##### Friends: (see attached for more information)

- The Ezra Cutting Fund granted \$5,000 to the Friends
- There was clarification that every Friends program does not need approval of the Board. The Board reviews the annual calendar of programming which should be sufficient.

#### 5. **Old Business:**

- Old Homestead Paintings: The Trustees reviewed the Old Homestead paintings in the basement to discuss moving some of them to other walls instead of storing them to make room for a laptop station for the teen room. It would be good to keep the collection together but it is also very crowded in the basement area. For now, a portion of the collection will be in storage and made accessible to any patrons wanting to see them.
- Building Committee Update: The committee is meeting this week to review locations. The RFQ for an architect is still being developed.
- Trustee Vacancy: Karen Bento is still interested in sitting on the board but the mayor's office has indicated that Samantha Khosla, currently on the Building Committee, has also expressed interest. It is up to the Mayor to make the appointment.
- Trustee Scholarship: A motion was approved to increase the Trustee Scholarship to \$1,500 from now on (Hale/Bloomquist). Ten eligible essays were reviewed by the trustees and there were 3 clear winners to divide the scholarship evenly.
  1. Jennie O'Leary
  2. Aman Sawhney
  3. Greta Johnson
- Library Director Salary: The City Council approved the increased salary provision for the Library Director.

#### 6. **New Business:**

- None

#### 7. **Adjournment:** A motion to adjourn passed at 9:00pm (Ripley/Abel).

Minutes submitted by Secretary, Robyn Ripley.

**Marlborough Public Library Board of Trustees**  
Meeting Minutes

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

May 3, 2016

2016 JUN -8 A 8:03

Bigelow Auditorium, Marlborough Public Library

Meeting called to order by Rustin Kyle at 7:10pm

Board Members Present: Rustin Kyle, William Brewin, Ray Hale, Raymond Johnson, and Janice Merk

Also Present: Margaret Cardello, Library Director

Absent: Nena Bloomquist, Robin Ripley, Tom Abel

Proceedings:

1. **Minutes:** A motion to approve the meeting minutes from the April 5<sup>th</sup> meeting was passed (Johnson/Hale).
2. **Trust Fund Reports:** A motion was passed to approve the Trust Fund Reports for April (Hale/Johnson).
3. **Director's Report:** (see attached for more details)
  - Margaret Cardello and Tom Abel met with the mayor on April 26 to discuss the library's FY17 budget. The mayor is supporting the library's request to hire temporary help to staff the circulation desk, as well as the \$2,600 increase in CW MARS membership. However, he did not support the \$5,000 increase for materials, which is necessary to meet state requirements given our expected FY 17 budget. The library will use state aid funds to meet that requirement.
  - Margaret submitted four capital request forms to the city, including one for a new digital microfilm scanner. Replacing this device is critical to ensuring that the microfilm collection continues to be accessible to patrons.
  - The library leadership is considering moving the Teen Space to the Reference Area on the main floor. This would require installing doors on that area. The cost and feasibility of such a move is being researched.
  - Recent work on the facility included further repairs to the elevator, and installation of a new compressor.
4. **Committee Reports:**
  - Foundation: Regular monthly meetings are continuing, and a few new faces are showing up at each meeting. Several foundation members were polling other library about how their foundations operate, and how they approached fundraising for their capital projects.
  - Friends: (see attached for more details)

## 5. Old Business:

- Building Committee
  - The Building Committee is actively discussing site options . A May 5 briefing session at the library was planned for the architectural firms that responded to the RFQ for design services.
- Trustee Vacancy
  - There has been no recommendation from the Mayor's Office for the vacant seat.
- Trustee Scholarships
  - The scholarship winners were invited to come to the library prior to the start of the trustee meeting. The board was pleased to have the opportunity to meet and congratulate the students in person. Photographs of the winners were taken and will be sent to the local media.

## 6. New Business:

- Bill Brewin noted that the Marlborough Chamber of Commerce will hold its Board of Directors Meeting at the library on May 31 at 7:30am. The meeting will include a tour of the library, and an opportunity for Margaret to brief them on the need for a new library.

7. **Adjournment:** A motion to adjourn passed at 7:52pm (Johnson/Kyle).

Minutes submitted by Trustee Janice Merk.

2016 JUN 14 A 9 32

**CITY OF MARLBOROUGH MEETING MINUTES**

**Meeting:** Council on Aging Board of Directors Meeting  
**Date:** Tuesday, April 12, 2016  
**Time:** 8:30 AM  
**Location:** Senior Center, 40 New Street, Conference Room

**ATTENDANCE:** *Leslie Biggar, Richard Collins, Jim Confrey, Brenda Costa, Richard Cygan, Marie Elwood, Pat Gallier, Judith Kane, Jeanne McGeough*

**ABSENT:** *Trish Pope*

- I. CALL TO ORDER at 8:30 a.m.
- II. APPROVAL OF March 8, 2016 MINUTES
- III. DIRECTOR'S UPDATE – Trish Pope, Director

Jim Confrey reported for Trish, who was attending the BayPath Elder Services, Council on Aging, Directors breakfast. . The Cummings Grant has been submitted. Quinsigamond is doing well with Grill Central. The cost per meal is \$5.00, if reservations are made ahead of time, otherwise the cost is \$7.00. There is a suggestion box available for comments regarding the Grill Central. Trish is working on the preliminary budget for submission to the City. A 4<sup>th</sup> full time person is needed. Senior Center bus supplies have been ordered through the DOT grant. Nomination forms are available at front desk for the Mayors Senior of the Year event. The volunteer appreciation luncheon is scheduled for 4/27. District Attorney Ryan is presenting on 4/28 at the senior center on senior safety. Trish will be attending the Massachusetts Community Transportation Coordination Conference on 5/3/16 at Holy Cross in Worcester.

IV. BOARD UPDATES

A. BAYPATH ELDER SERVICES UPDATE – Jim Confrey

Items from the BayPath March board meeting were discussed and the Board Highlights are attached.

B. MY SENIOR CENTER SYSTEM UPDATE – Trish Pope

Trish was attending the BayPath Elder Services, Council on Aging, Directors breakfast.

C. TRANSPORTATION REPORT – Jeanne McGeough

There were 105 trips in March: 40 Shopping; 60 Senior Center; 5 Other.

**V. NEW/OLD BUSINESS**

**A. DISCUSS SENIOR CENTER ISSUES AND HAPPENINGS**

Jeanne requested information about the No Show Gala fundraiser success. Board members attending the Friends meeting will make inquiry on the fundraiser results.

**B. DISCUSS MAYOR'S SENIOR OF THE YEAR EVENT**

The Senior of the Year Committee meeting to review Senior of the Year nominations will be on Friday at 10:30 a.m.

**C. COA BOARD OFFICER NOMINATIONS**

The board nominated Richard Cygan as Vice-chair and Brenda Costa as Secretary. The Mayor will choose the board's Chairperson. The Council on Aging board term renewals were discussed.

**VI. MEETING ADJOURNED AT 9:30 a.m.**

The next board meeting is Tuesday, May 10, 2016 at 8:30 a.m. in the conference room at the Senior Center, 40 New Street, Marlborough, MA.

Respectfully Submitted,

Brenda Costa, Secretary

## **BayPath Board Highlights March 2016**

### **Medicaid Home Health Costs/ EOEI**

One of Governor Baker's priorities in his administration is to reign in costs and spending in MassHealth. They have been analyzing data for home health (not state home care). In FY 2015 there was a 41% increase in home health services spending, 86% of which was driven by providers new to the Commonwealth since 2013. MassHealth has been taking a close look at their costs as part of their payment and delivery reform. The ASAP system can be of help in looking at all of the services a MassHealth consumer is receiving.

Elder Affairs has been partnering with UMass in an Innovation Lab, testing new ideas and theories. They have been able to develop a "falls predictor", utilizing data from our waiver population. They are developing a falls protocol for use in care planning, to be used by home care staff (RN and CM) when a consumer at risk is identified.

### **Collaborative Health ACO**

The Health Policy Commission has put out a request for response for Health Care Innovation Investments. This grant program will address specific areas of health care with high costs, with the aim of reducing these costs. Several of these areas would be applicable to ASAPs. Although we could not apply ourselves, we would be able to partner with physician practices and hospitals. Collaborative Health, an ACO in Natick, is interested in having us join their proposal. This ACO is also interested in contracting with BayPath to follow some of their high risk cases in the community, post-hospital discharge.

### **National Association of Area Agencies on Aging (n4a)**

The Caregiver Program at BayPath will be presenting at the National Association of Area Agencies on Aging (n4a) conference in San Diego in July, 2016. We will highlight the Caregiver Metrowest website. We have also submitted a nomination for the Aging Innovation and Achievement Awards for the website as well.

### **Consumer Programs**

The home care program continues to grow with a total of 1,301 consumers; SCO, 967 consumers; PCA, 373 consumers; ICO, 57 consumers; AFC, 27 consumers.

### **Meeting with Council on Aging/Senior Center Directors**

Ms. Alessandro sent out invitations to 14 COA/Senior Center Directors for a meeting at BayPath on April 12 at 9 a.m. This will be a great opportunity to share information.

### **BayPath in the News**

The Community Advocate recently portrayed a full page article about some of BayPath's programs and services. The article appeared in the March 10, 2016 edition. Click on the link below. <http://www.communityadvocate.com/2016/03/10/baypath-offers-support-services-for-the-elder-community>

Many thanks to Mr. Steve Zafron for arranging the interview with The Community Advocate.

**BayPath Board Highlights  
March 2016**

**Home Delivered Meals**

<b>Town</b>	<b>Feb 2016</b>
<b>Meal days</b>	<b>18</b>
Ashland	377
Dover	0
Framingham	3282
Holliston	289
Hopkinton	150
Hudson	942
Marlborough	1482
Natick	1044
Northborough	348
Sherborn	37
Southborough	291
Sudbury	385
Wayland	441
Westborough	362
<b>Total</b>	<b>9430</b>

**Town Analysis – February 2016**

Town	ECOP	Choices	Town	ECOP	Choices
Ashland	13	3	Natick	33	25
Dover	2	0	Northborough	10	3
Framingham	73	50	Sherborn	0	1
Holliston	7	6	Southborough	9	0
Hopkinton	11	0	Sudbury	8	6
Hudson	25	21	Wayland	11	4
Marlborough	27	19	Westborough	6	3

**ECOP Total = 235**  
**Choices Total = 141**

The Enhanced Community Options Program (ECOP) provides a higher level of service in the community to elders who are ineligible for Mass Health Standard and meet the requirements for nursing facility services. Individuals must be assessed by a BayPath RN and meet the eligibility criteria in order to qualify for this program.

The Choices Program is designed to provide intensive services to enrollees in the Frail Elder Waiver (FEW) who are at imminent risk of nursing home placement. Consumers must be eligible for Mass Health Standard. Individuals must be assessed by a BayPath RN and meet the eligibility criteria in order to qualify for this program.

**CITY OF MARLBOROUGH MEETING MINUTES**

2016 JUN 14 A 9:46

**Meeting:** Council on Aging Board of Directors Meeting

**Date:** Tuesday, May 10, 2016

**Time:** 8:30 AM

**Location:** Senior Center, 40 New Street, Conference Room

**ATTENDANCE:** *Leslie Biggar, Richard Collins, Jim Confrey, Brenda Costa, Richard Cygan, Marie Elwood, Pat Gallier, Judith Kane, Jeanne McGeough, Trish Pope*

**ABSENT:**

- I. CALL TO ORDER at 8:30 a.m.
- II. APPROVAL OF April 12, 2016 MINUTES
- III. DIRECTOR'S UPDATE – Trish Pope, Director

The COA Budget was submitted to the City Council. The submitted budget has Program Coordinator position increased from parttime to full time. Funding for transportation was increased by 5,000, in the submitted budget. Trish asked for board member support on these well needed budget increases.

Trish is working with John Ghiloni on using grant funding for the center's outside patio. A State grant was earmarked for Marlborough, through the efforts of Danielle Gregoire. The funds must be spent by June 30<sup>th</sup>.

The Mayor's Senior of the Year dinner was well received, with many positive comments from attendees.

The food and gifts provided at the senior center volunteer luncheon were well received.

The exercise sign up went well. Yoga registration was held on one day, with the sign up for the other exercise classes held the next day. The Tai Chi teacher wants to do some classes outside.

Planters at entrance to the senior center were made from light poles originally on main street. Flowers will be planted in them shortly.

**IV. BOARD UPDATES**

- A. BAYPATH ELDER SERVICES UPDATE – Brenda Costa

Items from the BayPath March board meeting were discussed and the Board Highlights are attached.

**B. TRANSPORTATION REPORT – Jeanne McGeough**

There were 106 trips in April: 28 Shopping; 61 Senior Center; 16 other. Fourteen new riders accessed the program. Christopher Heights' residents have been utilizing the transportation program, as the facility does not provide transportation to its residents.

**V. NEW/OLD BUSINESS**

**A. DISCUSS SENIOR CENTER ISSUES AND HAPPENINGS**

None at this time.

**B. DISCUSS BOARD SUMMER VACATION**

Board voted to suspend meetings for July and August, however, if a need arises that necessitates a meeting, Jim will put out notice to members to schedule a meeting.

**VI. MEETING ADJOURNED AT 9:30 a.m.**

The next board meeting is Tuesday, June 14, 2016 at 8:30 a.m. in the conference room at the Senior Center, 40 New Street, Marlborough, MA.

Respectfully Submitted,

Brenda Costa, Secretary

## **BayPath Board Highlights April 2016**

### **State Budget**

The final House budget was released on April 26, 2016. The net result on the home care basic and Enhanced Community Options Programs (ECOP) is (\$771, 317). Several amendments we had hoped to have passed did not, however, \$750,000 was restored to the Meals on Wheels program.

### **EOEA / Mass Home Care**

Ms. Alessandro distributed an article written by Al Norman entitled "Mass Health Releases Restructuring Plan: Tearing down Silos". This article provides concise information about what is happening at MassHealth since Governor Baker took office and examines the role community based organizations (such as BayPath) can potentially have in the restructuring. The article can be found here: <http://masshomecare.info/wp/734-2>

### **Honoring Choices**

The Executive Office of Elder Affairs, in collaboration with the Massachusetts Coalition on Serious Illness Care and other groups including Honoring Choices Massachusetts, is seeking to ensure that all individuals have information on choosing a health care agent. Mass Home care has agreed to have its member agencies share this information with their boards and staff. More information can be found at this link: <http://www.honoringchoicesmass.com/>

### **Care Transition Program**

BayPath has been notified that our federal Care Transitions program funding has been extended through January 1, 2017.

Our program is one of the top performers in the nation and we are actively working with Elder Services of Worcester Area in developing private contracts for CCTP services. These contracts would allow us a greater degree of flexibility in providing transition services, as we could go beyond what the current Coleman model provides.

### **National Association of Area Agencies on Aging (n4a)**

Ms. Alessandro announced that she has been nominated by her colleagues in the state to be an alternate for the N4A board and she has accepted the nomination.

### **Meeting with Council on Aging/Senior Center Directors**

Ms. Alessandro was pleased with the meeting breakfast held on April 12<sup>th</sup> at BayPath. Nine centers were represented and a wealth of information was shared. There were many questions and all agreed the meeting was very helpful. Ms. Alessandro will schedule more of these meetings on a regular basis.

### **Consumer Programs**

The homecare program now has 1,267 consumers enrolled; SCO, 931 consumers, One Care, 64 consumers; PCA, 369 consumers; AFC, 22 consumers

**BayPath Board Highlights  
April 2016**

**Community Statistics**

**Home Delivered Meals**

<b>Community</b>	<b>Mar-16</b>
<b>meal days</b>	<b>23</b>
Ashland	494
Dover	0
Framingham	4,286
Holliston	444
Hopkinton	187
Hudson	1,213
Marlborough	1,878
Natick	1,312
Northborough	403
Sherborn	48
Southborough	406
Sudbury	463
Wayland	562
Westborough	500
<b>Total</b>	<b>12,196</b>

**Community Analysis – March 2016**

<b>Community</b>	<b>ECOP</b>	<b>Choices</b>	<b>Community</b>	<b>ECOP</b>	<b>Choice</b>
Ashland	11	4	Natick	35	27
Dover	2	0	Northborough	11	2
Framingham	73	50	Sherborn	0	1
Holliston	8	5	Southborough	10	0
Hopkinton	12	0	Sudbury	8	6
Hudson	26	20	Wayland	12	4
Marlborough	26	20	Westborough	4	4

**ECOP Total = 238**

**Choices Total = 143**

The **Enhanced Community Options Program (ECOP)** provides a higher level of service in the community to elders who are ineligible for Mass Health Standard and meet the requirements for nursing facility services. Individuals must be assessed by a BayPath RN and meet the eligibility criteria in order to qualify for this program.

The **Choices Program** is designed to provide intensive services to enrollees in the Frail Elder Waiver (FEW) who are at imminent risk of nursing home placement. Consumers must be eligible for Mass Health Standard. Individuals must be assessed by a BayPath RN and meet the eligibility criteria in order to qualify for this program.



Claims Processing - Amica Scan Center  
PO Box 9690  
Providence, RI 02940-9690

Toll Free: 1-800-59-AMICA  
(1-800-592-6422)  
Fax: 1-866-759-3140

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2016 JUN 16 A 9:39

June 14, 2016

City of Marlborough Clerk  
140 Main St.  
Marlborough, MA 01752

File Number: 60002496814  
Date of Loss: 06/08/2016  
Owner/ Insured: Philip Lioio  
Street: 19 Preston St.  
Town: Marlborough  
Type of Loss: Water

To Whom This May Concern:

Please be advised that we insure the above named individual(s). A claim has been made for Damage to Real Property and as the insurer, we are presently in the process of adjusting the loss.

We are mandated to comply with Massachusetts General Laws, Chapter 139 and as such, if there are any present liens on the above property, please notify us within 10 days of receipt of this letter. If we do not hear from you, we will be under no obligation to pay you any portion of this claim.

Sincerely,

*Stephen R. Norsek*

Stephen R. Norsek AIC  
Claims Department  
800-592-6422 x21798  
SNORSEK@AMICA.COM



*cc legal*