

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2016 AUG 25 P 2: 16

1. Minutes, City Council Meeting, July 25, 2016.
2. PUBLIC HEARING On the Application for Wireless Special Permit from New Cingular Wireless PCS, LLC-AT & T Mobility to remove Condition 7 of Special Permit, Order No. 11-1003004C which requires that AT & T fly an American Flag from the stealth antenna canister on the water tower, 175 Maple St. Order No. 16-1006637.
3. PUBLIC HEARING On the Application for Special Permit from Mirick O'Connell on behalf of Crabtree Lake Williams LLC to amend Condition 2 of Special Permit, 215 Lakeside Ave., Order No. 16-1006636, X08/09-1002051E.
4. PUBLIC HEARING On the Application for Special Permit from Ryan Development LLC on behalf of Apex WR 1031 LLC and Walker Realty LLC for Proposed Car Wash, specifically to allow for a car wash in Zone B of Water Supply Protection District, 22 Apex Dr., Order No. 16-1006635.
 - a. Communication from Attorney Bergeron on behalf of its client assenting to this public hearing being held on August 29, 2016.
5. Communication from the Mayor re: DPW transfer request in the amount of \$84,827.75 which moves funds from Contractual Obligations to various accounts as noted on the attached spreadsheets to fund the recently ratified collective bargaining contract between the City and the DPW Engineers, MA Laborers District Council of the Laborers International Union of North America, Local 176 for FY16-18 which is in effective as of July 1, 2015.
6. Communication from the Mayor re: Transportation Program and Multicultural Outreach Program Grants from BayPath Elder Services in the amounts of \$4,500.00 and \$5,000.00 respectively for purposes depicted in the attached communication.
7. Communication from the Mayor re: Marlborough's Hazard Mitigation Plan 2016 Update. (This report is available for viewing in the City Clerk's Office).
8. Communication from the Mayor re: Appointment of Nicholas Charbonneau as the new Director of Veterans Services for a term to expire three years from date of City Council approval.
9. Communication from the Mayor re: Reappointments of the following individuals to the Council on Aging with staggered terms; Jim Confrey and Richard Collins with four year terms expiring in May 2020, Brenda Costa and Leslie Biggar to three year terms expiring in May 2019, & Rose Marie Elwood and Jeanne McGeough and Pat Gallier to two year terms expiring May 2018.
10. Communication from City Clerk, Lisa Thomas, re: September 8, 2016 State Primary Election Call.
11. Communication from the City Solicitor, Donald Rider re: Application for LED Sign Special Permit, V & G Realty Trust, Vrej Askanian and Grace Kanoon, Trustees, 50 Main St., in proper legal form, Order No. 16-1006517A.
12. Communication from City Solicitor, Donald Rider re: Application for LED Sign Special Permit, CareWell Urgent Care Centers of MA, P.C., in proper legal form, Order No. 16-1006579A.
13. Communication from the Planning Board re: Favorable Recommendation to the City Council for Proposed Zoning Amendment-Lawful Pre-Existing Single and Two-Family Residential Structures, Chapter 650, Sections 12 & 58, Order No. 16-1006578A.

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.

14. Communication from Attorney Bergeron on behalf of Ryan Development LLC on behalf of Apex WR 1031 LLC and Walker Realty LLC for Proposed Car Wash, specifically to allow for a use of a car wash at Apex Center in the Hospitality and Recreation Mixed Use Overlay District, 22 Apex Dr., 16-1006634, assenting to the public hearing being held on September 12, 2016.
15. Communication from Attorney Bergeron on behalf of Ryan Development LLC on behalf of Apex WR 1031 LLC and Walker Realty LLC for Proposed Restaurant with a Drive-thru, 157 Apex Dr., 16-1006634 & for Proposed Veterinary Hospital, 58 Apex Dr, Order No. 16-1006633, assenting to the public hearing being held on September 26, 2016.
16. Petition from NGrid and Verizon New England, Inc. to install 2 Stub Poles P62-84 & P68-84 for reconducturing on Stevens St.
17. Communication from Attorney Austin re: Request to Change Location of Easement at 85 Ames St.
18. Minutes, Planning Board, June 6 & June 20, 2016.
19. Minutes, School Committee, June 28 & July 11, 2016.
20. Minutes, Traffic Commission, June 29 & July 26, 2016.
21. Minutes, Conservation Commission, May 19, 2016.
22. CLAIMS:
 - a. Ronald Teran, 1 Dibuono Dr., other property damage

REPORTS OF COMMITTEES:

23. ORDERED: That the Mayor be requested to submit a transfer to the City Council from the City's Economic Development Fund to the MEDC for a performance center facility study and temporary operational funds through June 30, 2017. The funds will be used to complete a performance center study hopefully leading to outside financial grants, to host a number of performances throughout the community; and to gauge interest from the citizenry and business community regarding the merits of a downtown performance center and its importance to the economic vitality of the downtown and city at large.
The MEDC shall act as financial fiduciary, while the studies, performance organization and management, and outreach will be the responsibility of the Performing Arts ad hoc committee appointed by Mayor Vigeant. Submitted by Councilor Delano
24. ORDERED: That the Marlborough Economic Development Corporation work with WMCT-TV to record their meetings to be publicly broadcast for the entire city to watch. Submitted by Councilor Elder

UNFINISHED BUSINESS:

From Personnel Committee

25. **Order No. 16-1006607 - Appointment of Karen Bento to the Library Board of Trustees for a term to expire three years from the date of City Council approval.** Recommendation of the Personnel Committee is to approve the appointment of Karen Bento to the Library Board of Trustees. **Motion made by Councilor Elder, seconded by the Chair, to approve the appointment. The motion carried 2-0 (Councilor Irish absent).**
26. **Order No. 16-1006577 - Appointments of David Doucette, Derek Chaves and Laura Kyle to the Commission on Disabilities for terms of three years from the date of City Council confirmation.** Recommendation of the Personnel Committee is to approve the appointments of Derek Chaves, Laura Kyle, and David Doucette to the Commission on Disabilities. **Motion made by Councilor Elder, seconded by the Chair, to approve the three appointments to the Commission on Disabilities. The motion carried 2-0 (Councilor Irish absent).**

From Urban Affairs Committee

27. **Order No.16-1006579A - Application by Back Bay Sign, 65 Industrial Way, Wilmington, MA on behalf of CareWell Urgent Care for a Special Permit to place a 29" x 99" LED illuminated Message Board Sign on a freestanding sign at 757 Boston Post Road East for the UMass Memorial Walk-In Urgent Care Center.** The Urban Affairs Committee met with Jason Parillo of Back Bay Sign Company representing CareWell Urgent Care for a discussion of sign that includes an electronic message center (EMC) for their new location at 757 Boston Post Road East. The entirety of the sign (top portion and EMC) can be no more than sixty square feet and the City regulations require the EMC to not be more than twenty-five percent of the allowable sign face, fifteen square feet for this particular sign. They agreed to the standard conditions plus the addition of a condition that required the EMC be no more than fifteen square feet. **Motion made by Councilor Elder, seconded by Chair, to approve as amended. The motion carried 5-0.**

28. **Order No.16-1006517A - Application by Vrej Askanian to operate an LED illuminated changeable gas pricing sign at Discount Gas Station located at 50 Main Street.** The Urban Affairs Committee met with Vrej Askanian of the Discount Gas Station for a discussion of an LED illuminated sign for gas pricing only. The applicant had outstanding site work which required completion per the Site Plan Review Committee. The Urban Affairs Committee agreed to recommend approval of the application pending completion of the site requirements once they received confirmation of completion from the City Engineer. The standard conditions for the sign would apply to its operation. **Motion made by Councilor Juare, seconded by Chair, to approve the application. The motion carried 5-0.**

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2016 AUG -4 A 11:07



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

JULY 25, 2016

Regular meeting of the City Council held on Monday, JULY 25, 2016 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Clancy, Juairé, Ossing, Robey, Delano, Doucette, Elder, Tunnera, Irish and Landers. Absent: Oram. Meeting adjourned at 9:24 PM.

ORDERED: That the Recognition of the Principal, Staff, and Students of the Cultural Exchange Program, presented with Proclamations, **FILE**; adopted.

ORDERED: That the Minutes of the City Council meeting JUNE 20, 2016, **FILE**; adopted.

ORDERED: That the PUBLIC HEARING On the 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"+/-, Order No. 16-1006609, all were heard who wish to be heard, hearing recessed at 8:23 PM.

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

Absent: Oram.

ORDERED: That the City Council of the City of Marlborough hereby elects to engage in the process to change health insurance benefits under Massachusetts General Laws, Chapter 32B, Sections 21 through 23, as amended, **APPROVED**; adopted.

Note: Although there are six Councilors as follows who are in direct conflict with this Order, the **Rule of Necessity**, allows these City Councilors to participate in the vote.

*Councilor Delano
Councilor Elder
Councilor Juairé
Councilor Tunnera
Councilor Landers
Councilor Clancy*

ORDERED: That the Communication from the Mayor regarding submission of applications to the Massachusetts Permit Regulatory Office to designate several Marlborough properties as 43D Priority Development Sites to now include the following sites:

44-298 Boston Post Rd. West
397 Williams St.

APPROVED; adopted.

ORDERED: That the Order of Acceptance of Permanent Easement from Bell Fund V Marlborough LLC, refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE**; adopted.

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Green Communities Competitive Grant from the MA Department of Energy Resources in the amount of \$194,336.00 to fund the installation of an Energy Management System for City Hall and fund the replacement of heat pumps which are located in each office in City Hall; adopted.

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Community Compact Information Technology Grant from the Commonwealth of MA in the amount of \$15,000.00 to continue moving City Departments to Accela's Civic Platform to improve operations, streamline processes, and ease administration of Department workloads; adopted.

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Gift Award from Alexandria Szwarc, Marlborough Country Club in the amount of \$4,656.00 for the Police Department's K-9 Unit to offset cost of future training and equipment needs; adopted.

ORDERED: That the Appointment of Douglas Scott as Building Commissioner for a term to expire three years from date of City Council approval, **TABLED**; adopted.

ORDERED: That the Appointment of Dr. Joseph Tennyson to the Board of Health for a term to expire three years from the first Monday in February 2017 and to thank Dr. John Curran as his term expired, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the Reappointments of Robin Williams and James Griffin to the Board of Health for a term of two years expiring on the first Monday in February 2018, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the Reappointment of Elizabeth Evangelous to the Board of Registrars for a term of three years to expire April 1, 2019, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the Appointment of Thomas Pope to the Zoning Board of Appeals for a term expiring five years from date of City Council approval, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED:

Be it ordained by the City Council of the City of Marlborough that the Code of the City of Marlborough, as most recently amended, be further amended as follows:

1. In Section 650-5.B, amending the definition of "Boardinghouse or Lodging House" to read as follows (new text underlined):

BOARDING HOUSE or LODGING HOUSE

A building or a portion thereof in which rooms or suites of rooms are let for fee as places of human habitation, either permanently or transiently, to four or more persons or which requires a license as required by MGL c. 140, § 22 et seq., as amended. The term "boardinghouse or lodging house" shall exclude convalescent homes, nursing homes, assisted living facilities, shelters, hotels and motels which are licensed as such pursuant to applicable state law.

2. Adding to the Table of Use Regulations, Section 650-17, a category for "Assisted Living Facilities" under "Residential Uses", as follows:

		Zoning District Abbreviations											
		RR	A-1	A-2	A-3	RB	RC	RCR	B	CA	LI	I	MV
Residential Use													
Assisted Living Facilities	SP	SP	SP	SP	SP	N	N	N	N	N	N	N	N

3. Adding to Section 650-18, Conditions for Use, new subsection 650-18.A(44) as follows:

(44) Assisted living facilities shall only be located on lots with an area of at least 10 acres and with at least 250 feet of frontage along Route 85.

4. Adding to Section 650-48.A a new item (16) as follows:

(16) Assisted living facility: half a space for each bed.

Refer to **URBAN AFFAIRS COMMITTEE, PLANNING BOARD, AND ADVERTISE PUBLIC HEARING FOR MONDAY, SEPTEMBER 12, 2016**; adopted.

- ORDERED: That there being no objection thereto set **MONDAY, SEPTEMBER 26, 2016** as **DATE FOR PUBLIC HEARING** on the Application for Special Permit from Ryan Development LLC on behalf of Apex WR 1031 LLC and Walker Realty LLC for Proposed Restaurant with a Drive-thru, 157 Apex Dr., refer to **URBAN AFFAIRS COMMITTEE, ADVERTISE**; adopted.
- ORDERED: That there being no objection thereto set **MONDAY, SEPTEMBER 26, 2016** as **DATE FOR PUBLIC HEARING** on the Application for Special Permit from Ryan Development LLC on behalf of Apex WR 1031 LLC and Walker Realty LLC for Proposed Veterinary Hospital use in the Hospitality and Recreation Mixed Use Overlay District (HRMUOD), 58 Apex Dr., refer to **URBAN AFFAIRS COMMITTEE, ADVERTISE**; adopted.
- ORDERED: That there being no objection thereto set **MONDAY, SEPTEMBER 12, 2016** as **DATE FOR PUBLIC HEARING** on the Application for Special Permit from Ryan Development LLC on behalf of Apex WR 1031 LLC and Walker Realty LLC for Proposed Car Wash, specifically to allow for the use of a car wash at Apex Center in the Hospitality and Recreation Mixed Use Overlay District., 22 Apex Dr., refer to **URBAN AFFAIRS COMMITTEE, ADVERTISE**; adopted.
- ORDERED: That there being no objection thereto set **MONDAY, AUGUST 29, 2016** as **DATE FOR PUBLIC HEARING** on the Application for Special Permit from Ryan Development LLC on behalf of Apex WR 1031 LLC and Walker Realty LLC for Proposed Car Wash, for Proposed Car Wash, specifically to allow for a car wash in Zone B of Water Supply Protection District, 22 Apex Dr., refer to **URBAN AFFAIRS COMMITTEE, ADVERTISE**; adopted.
- ORDERED: That there being no objection thereto set **MONDAY, AUGUST 29, 2016** as **DATE FOR PUBLIC HEARING** on the Application for Special Permit On the Application for Special Permit from Crabtree Lake Williams LLC to amend Condition 2 of Special Permit, Order No. 08/09-1002051E in order to vary the method of securing completion of the Special Permit conditions and issuance of occupancy permits for individual condominium units as shown on Exhibit A, refer to **URBAN AFFAIRS COMMITTEE, ADVERTISE**; adopted.
- ORDERED: That there being no objection thereto set **MONDAY, AUGUST 29, 2016** as **DATE FOR PUBLIC HEARING** on the Application for Wireless Special Permit from New Cingular Wireless PCS, LLC-AT & T Mobility to remove Condition 7 of Special Permit, Order No. 11-1003004C which requires that AT & T fly an American Flag from the stealth antenna canister on the water tower, 175 Maple St., refer to **WIRELESS COMMUNICATION COMMITTEE, ADVERTISE**; adopted.
- ORDERED: That the Communication from Central MA Mosquito Control Project re: Investigating resident's complaints about mosquitos on July 7, 13, 20, 27 and August 3, 10, 17, 24 & 31, **FILE**; adopted.
- ORDERED: That the Minutes, Board of Assessors, May 18, 2016, **FILE**; adopted.
- ORDERED: That the Minutes, School Committee, May 24 & June 14, 2016, **FILE**; adopted.

ORDERED: That the Minutes, Conservation Commission, May 5, 2016, **FILE**; adopted.

ORDERED: That the Minutes, Traffic Commission, May 31, 2016, **FILE**; adopted.

ORDERED: That the Minutes, License Board, March 30, April 27, May 25, & June 15, 2016, **FILE**; adopted.

ORDERED: That the Minutes, Board of Health, March 8, 2016, **FILE**; adopted.

Reports of Committees:

Councilor Tunnera reported the following out of the Personnel Committee:

Meeting Name: City Council Personnel Committee

Date: July 19, 2016

Time: 6:30 PM

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

Convened: 6:30 PM – Adjourned: 6:38 PM

Present: Chairman Tunnera; Personnel Committee Member Councilor Elder; Councilor Irish (absent).

Also Present: Karen Bento; Derek Chaves; Laura Kyle; Councilor David Doucette; Mayor Arthur Vigeant.

Order No. 16-1006607 - Appointment of Karen Bento to the Library Board of Trustees for a term to expire three years from the date of City Council approval. Recommendation of the Personnel Committee is to approve the appointment of Karen Bento to the Library Board of Trustees. Motion made by Councilor Elder, seconded by the Chair, to approve the appointment. The motion carried 2-0 (Councilor Irish absent).

Order No. 16-1006577 - Appointments of David Doucette, Derek Chaves and Laura Kyle to the Commission on Disabilities for terms of three years from the date of City Council confirmation. Recommendation of the Personnel Committee is to approve the appointments of Derek Chaves, Laura Kyle, and David Doucette to the Commission on Disabilities. Motion made by Councilor Elder, seconded by the Chair, to approve the three appointments to the Commission on Disabilities. The motion carried 2-0 (Councilor Irish absent).

Motion made by Councilor Elder, seconded by the Chair, to adjourn. The motion carried 2-0 (Councilor Irish absent). The meeting adjourned at 6:38 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: July 19, 2016

Time: 5:30 PM

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

Convened: 5:30 PM – Adjourned: 5:43 PM

Present: Chairman Delano; Urban Affairs Committee Members Councilors Elder, Juaire, Tunnera and Landers; and Councilors Clancy and Doucette.

Also Present: Jason Parillo (Back Bay Sign Company); Vrej Askanian (Discount Gas Station).

Order No.16-1006579 - Application by Back Bay Sign, 65 Industrial Way, Wilmington, MA on behalf of CareWell Urgent Care for a Special Permit to place a 29" x 99" LED illuminated Message Board Sign on a freestanding sign at 757 Boston Post Road East for the UMass Memorial Walk-In Urgent Care Center. The Urban Affairs Committee met with Jason Parillo of Back Bay Sign Company representing CareWell Urgent Care for a discussion of sign that includes an electronic message center (EMC) for their new location at 757 Boston Post Road East. The entirety of the sign (top portion and EMC) can be no more than sixty square feet and the City regulations require the EMC to not be more than twenty-five percent of the allowable sign face, fifteen square feet for this particular sign. They agreed to the standard conditions plus the addition of a condition that required the EMC be no more than fifteen square feet. **Motion made by Councilor Elder, seconded by Chair, to approve as amended. The motion carried 5-0.**

Order No.16-1006517 - Application by Vrej Askanian to operate an LED illuminated changeable gas pricing sign at Discount Gas Station located at 50 Main Street. The Urban Affairs Committee met with Vrej Askanian of the Discount Gas Station for a discussion of an LED illuminated sign for gas pricing only. The applicant had outstanding site work which required completion per the Site Plan Review Committee. The Urban Affairs Committee agreed to recommend approval of the application pending completion of the site requirements once they received confirmation of completion from the City Engineer. The standard conditions for the sign would apply to its operation. **Motion made by Councilor Juaire, seconded by Chair, to approve the application. The motion carried 5-0.**

Motion made by Councilor Juaire, seconded by Chair, to adjourn. The motion carried 5-0. The meeting adjourned at 5:43 PM.

ORDERED: That the Mayor meet with the Operations and Oversight Committee to discuss ancillary uses of the Senior Center, in direct opposition to what was discussed with the City Council. The Council was assured that the Center would only be used for activities for seniors, but the Veterans Agent was recently moved there, refer to **OPERATIONS AND OVERSIGHT COMMITTEE AND CITY SOLICITOR TO OFFER HIS LEGAL OPINION AS TO WHO HAS CARE, CUSTODY AND CONTROL OF THE SENIOR CENTER**; adopted.

ORDERED: That all City Councilors be given the choice to opt out of all paper communications and be allowed to bring a tablet or laptop to council meetings for informational purposes, refer to **RULES COMMITTEE**; adopted.

ORDERED: That the Mayor and City Council President establish a special committee to consider sites for a new fire station in the west side of the City and notify the City Council of said appointments on or before the August 29, 2016 City Council meeting, refer to **MAYOR & COUNCIL PRESIDENT**; adopted.

ORDERED: That the Application for Renewal of Junk Dealer's License, Gerald Dumais, Inc. d/b/a Dumais and Sons Second Hand Store, 6 High St., **APPROVED**; adopted.

ORDERED: That the Application for Renewal of Junk Dealer's License, EcoATM, Inc., 601 Donald Lynch Boulevard, **APPROVED**; adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:24 PM.



IN CITY COUNCIL

JULY 25, 2016

Marlborough, Mass.,

ORDERED:

That there being no objection thereto set **MONDAY, AUGUST 29, 2016** as **DATE FOR PUBLIC HEARING** on the Application for Wireless Special Permit from New Cingular Wireless PCS, LLC-AT & T Mobility to remove Condition 7 of Special Permit, Order No. 11-1003004C which requires that AT & T fly an American Flag from the stealth antenna canister on the water tower, 175 Maple St., be and is herewith refer to **WIRELESS COMMUNICATION COMMITTEE, ADVERTISE.**

Ninety days after public hearing is 11/27/16 which falls on a Sunday, therefore Monday, 11/28/16 would be considered the 90th day.

ADOPTED

ORDER NO. 16-1006637



IN CITY COUNCIL

Marlborough, Mass., JULY 25, 2016

ORDERED:

That there being no objection thereto set **MONDAY, AUGUST 29, 2016** as **DATE FOR PUBLIC HEARING** on the Application for Special Permit On the Application for Special Permit from Crabtree Lake Williams LLC to amend Condition 2 of Special Permit, Order No. 08/09-1002051E in order to vary the method of securing completion of the Special Permit conditions and issuance of occupancy permits for individual condominium units as shown on Exhibit A, be and is herewith refer to **URBAN AFFAIRS COMMITTEE, ADVERTISE.**

Ninety days after public hearing is 11/27/16 which falls on a Sunday, therefore Monday, 11/28/16 would be considered the 90th day.

ADOPTED

ORDER NO. 16-1006636



IN CITY COUNCIL

JULY 25, 2016

Marlborough, Mass., _____

ORDERED:

That there being no objection thereto set **MONDAY, AUGUST 29, 2016** as **DATE FOR PUBLIC HEARING** on the Application for Special Permit from Ryan Development LLC on behalf of Apex WR 1031 LLC and Walker Realty LLC for for Proposed Car Wash, for Proposed Car Wash, specifically to allow for a car wash in Zone B of Water Supply Protection District, 22 Apex Dr., be and is herewith refer to **URBAN AFFAIRS COMMITTEE, ADVERTISE.**

Ninety days after public hearing is 11/27/16 which falls on a Sunday, therefore Monday, 11/28/16 would be considered the 90th day.

ADOPTED

ORDER NO. 16-1006635



MIRICK O'CONNELL
ATTORNEYS AT LAW

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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2016 AUG -1 A 10:47

Arthur P. Bergeron
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1800 West Park Drive, Suite 400
Westborough, MA 01581-3926
abergeron@mirickoconnell.com
t 508.860.1470
f 508.463.1385

July 28, 2016

VIA FIRST CLASS MAIL AND EMAIL

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

Re: Application for Special Permit;
Apex Center Car Wash – Zone B

Dear Councilor Clancy:

This is to confirm that my client assents to the public hearing on this application being held on August 29, 2016.

Very truly yours,

Arthur P. Bergeron

APB/

cc: Client
Brian R. Falk, Esq.



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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2016 AUG 25 A 11: 24

City of Marlborough
Office of the Mayor

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www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Nicholas J. Milano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

August 25, 2016

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

Re: Transfer Request – DPW Engineers Contract

Honorable President Clancy and Councilors:

Enclosed for your approval is a transfer request to fund the recently ratified collective bargaining contract between the City of Marlborough and the DPW Engineers, Massachusetts Laborers District Council of the Laborers International Union of North America, Local 176 for Fiscal Years 2016, 2017 and 2018 which is effective as of July 1, 2015.

The contract represents months of negotiations between myself, Dave Brumby, the DPW Engineers leadership, and our labor attorneys. As with the MMEA and Police Command Unions, the City and DPW Engineers successfully negotiated to revoke the bargaining unit from Civil Service.

I have also enclosed the Memorandum of Agreement for your review.

I wish to recognize and thank the DPW Engineers leadership team for their professionalism and patience over the last several months as we worked on a mutually beneficial contract.

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

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT:

FISCAL YEAR:

2017

Available Balance	FROM ACCOUNT:				Amount	TO ACCOUNT:			Available Balance
	Amount	Org Code	Object	Account Description:		Org Code	Object	Account Description:	
<u>\$756,000.00</u>	<u>\$84,827.75</u>	<u>11990006</u>	<u>57820</u>	<u>Reserve for Salaries</u>	<u>\$3,317.60</u>	<u>14001101</u>	<u>5108</u>	<u>GIS Administrator</u>	<u>\$61,718.93</u>
	Reason:	<u>Contractual Obligation</u>			Reason:	<u>Contractual Obligation</u>			
					<u>\$7,540.40</u>	<u>14001101</u>	<u>50660</u>	<u>Asst. City Engineer</u>	<u>\$142,875.47</u>
	Reason:				Reason:	<u>Contractual Obligation</u>			
					<u>\$3,000.00</u>	<u>14001101</u>	<u>50700</u>	<u>Grade II Engineering Aide</u>	<u>\$38,096.30</u>
	Reason:				Reason:	<u>Contractual Obligation</u>			
					<u>\$11,836.00</u>	<u>14001101</u>	<u>50710</u>	<u>Junior Civil Engineer</u>	<u>\$234,499.83</u>
	Reason:				Reason:	<u>Contractual Obligation</u>			
					<u>\$400.20</u>	<u>14001103</u>	<u>51430</u>	<u>Longevity</u>	<u>\$10,055.00</u>
	Reason:				Reason:	<u>Contractual Obligation</u>			
					<u>\$514.48</u>	<u>14001103</u>	<u>51920</u>	<u>Sick Leave Buy Back</u>	<u>\$12,900.00</u>
	Reason:				Reason:	<u>Contractual Obligation</u>			
					<u>\$3,869.60</u>	<u>14001301</u>	<u>50660</u>	<u>General Foreman</u>	<u>\$73,398.15</u>
	Reason:				Reason:	<u>Contractual Obligation</u>			
					<u>\$205.44</u>	<u>14001303</u>	<u>51430</u>	<u>Longevity</u>	<u>\$37,840.00</u>
	Reason:				Reason:	<u>Contractual Obligation</u>			
					<u>\$133.42</u>	<u>14001303</u>	<u>51920</u>	<u>Sick Leave Buy Back</u>	<u>\$28,760.00</u>
	Reason:				Reason:	<u>Contractual Obligation</u>			
					<u>\$3,869.00</u>	<u>14001401</u>	<u>50692</u>	<u>Automotive Maintenance</u>	<u>\$73,383.13</u>
	Reason:				Reason:	<u>Contractual Obligation</u>			

CITY OF MARLBOROUGH
BUDGET TRANSFERS –

FISCAL YEAR: 2017

DEPT:	FROM ACCOUNT:		TO ACCOUNT:	
		<u>\$104.07</u>	14001403 51430 Longevity	<u>\$3,870.00</u>
Reason:			Contractual Obligation	
		<u>\$133.42</u>	14001403 51920 Sick Leave Buy Back	<u>\$5,430.00</u>
Reason:			Contractual Obligation	
		<u>\$3,868.87</u>	14001501 50680 General Foreman	<u>\$73,383.15</u>
Reason:			Contractual Obligation	
		<u>\$205.44</u>	14001503 51430 Longevity	<u>\$27,726.74</u>
Reason:			Contractual Obligation	
		<u>\$133.42</u>	14001503 51920 Sick Leave Buy Back	<u>\$19,511.09</u>
Reason:			Contractual Obligation	
		<u>\$3,240.50</u>	60080001 50570 Chemist	<u>\$60,089.93</u>
Reason:			Contractual Obligation	
		<u>\$2,465.40</u>	60080001 50580 Asst. Chemist	<u>\$44,090.27</u>
Reason:			Contractual Obligation	
		<u>\$28.41</u>	60080003 51430 Longevity	<u>\$710.00</u>
Reason:			Contractual Obligation	
		<u>\$109.25</u>	60080003 51920 Sick Leave Buy Back	<u>\$2,735.00</u>
Reason:			Contractual Obligation	
		<u>\$15,012.20</u>	60081001 50850 Treatment Plant Operator	<u>\$275,527.97</u>
Reason:			Contractual Obligation	
		<u>\$3,868.87</u>	60081001 50910 Chief Treatment Plant Oper.	<u>\$73,383.14</u>
Reason:			Contractual Obligation	

**MEMORANDUM OF AGREEMENT
BETWEEN THE
CITY OF MARLBOROUGH
AND
THE DPW ENGINEERS, MASSACHUSETTS LABORERS DISTRICT COUNCIL
OF THE LABORS INTERNATIONAL UNION OF NORTH AMERICA,
AFL-CIO, LOCAL 176**

The Negotiating Subcommittee of the City of Marlborough (“the City”), acting subject to the ratification of this Memorandum of Agreement by the Mayor of the City of Marlborough to whom the Subcommittee agrees to recommend acceptance, and the Negotiating Team of the DPW Engineers, Massachusetts Laborers District Council of the Laborers International Union of North American, Local 176 (the “Union”), acting subject to the ratification of this Memorandum of Agreement by the membership of the Union to whom the Negotiating Team agrees to recommend acceptance, hereby mutually agree to the following terms and conditions of settlement of a Collective Bargaining Agreement that will be in effect for the three (3) year period from July 1, 2015 – June 30, 2018.

1. Provisions of New Contract

Except as provided for in this Memorandum of Agreement and, except for technical matters such as date changes, all other provisions of the July 1, 2012 – June 30, 2015 Contract shall be carried over intact into the successor Contract.

2. Civil Service

The Union understands that the City will remove the positions covered by the bargaining unit from Civil Service, in accordance with applicable law. The Parties acknowledge that the revocation of Civil Service shall not affect Civil Service rights which have come into existence between the City and any employee prior to the date of revocation. The following amendments to the CBA will also be made:

a. ARTICLE 8, Section 2, Permanent Appointments

Delete Section 2 and 3 and replace with the following text:

“Section 2 Promotions and Vacancies

For all promotions and vacancies that the City determines to fill, the City will administer an appointment process that will include the following steps and criteria:

1. All vacancies will post posted internally. The City may choose to also advertise the position outside of the Union.

2. All internal candidates will receive an interview and if qualified, preferential consideration will be given over non bargaining Union applicants. The City may choose to utilize an interview panel or assessment center.
3. Education, certifications, training, experience, knowledge, skill, leadership ability, efficiency, past job performance and references, or any combination thereof, will be reviewed and evaluated.
4. All finalists will undergo a background check.
5. A written examination, agreed by the Union, may be utilized.

Based upon the above process, the City will hire the most qualified candidate. Where qualifications are relatively equal, seniority with the City will be used as the tiebreaker. Any conditional offers of employment will be subject to a successful fitness for duty examination and/or CORI check.”

An employee appointed pursuant to this Section shall serve a probationary period of six (6) calendar months, unless extended by agreement between the City and the Union. At any time during the probationary period, the City may, if the employee was appointed from outside the employ of the City, discharge the employee or may, if the employee was appointed from within, reduce the employee to his or her prior position if the City judges the employee's performance to be unsatisfactory.

For clarity, notwithstanding the above modifications, the Parties agree to remove from the Agreement, including from any addendum or attachment, any and all additional references, if any, to Civil Service or M.G.L. Chapter 31.

3. ARTICLE 3, Section 1 – Job Security/Subcontracting.

Change the expiration date to June 30, 2018.

4. ARTICLE 9 – Compensation.

Section 1 – Wage increase:

Effective July 1, 2015, there will be a 0% increase in base wages.

Effective July 1, 2016, there will be a 4% increase in base wages.

Effective July 1, 2017, there will be a 2% increase in base wages.

Section 2(c), paragraph 2.

Delete paragraph 2 of Section 2(c)

Section 2(c) paragraph 3.

Amend Paragraph 3 of Section 2(c) by adding the following italicized language:

In each case, the license, certificate, registration or degree must be related to an employee's regular assignment, as determined by the Commissioner. *The Commissioner's decision may be appealed to a board consisting of Commissioner of Public Works, HR Director and Steward of the union. The decision is final and non-grievable.*

Add New Section 5 – Direct Deposit.

“All employees may be paid by way of electronic direct deposit on a weekly basis.”

5. ARTICLE 10 – Overtime.

Delete the second paragraph and replace with the following language:

“In those situations where a need is created requiring personnel for an overtime situation, the Commissioner of Public Works or his or her designee shall have the discretion to offer said overtime to an individual within the bargaining unit before going outside the unit to fill the overtime. In no event shall the Commissioner or his or her designee be required to offer the overtime to an individual who is deemed not qualified by virtue of his or her job title or job description to work in the area necessitating said overtime.”

6. ARTICLE 13 - Health and Life Insurance. Change to; “Health and Dental Insurance”
Delete and replace as follows;

The City will provide health and dental insurance for bargaining unit employees. The City agrees to contribute 70% of the cost for the EPO Plan and 60% of the cost for the PPO Plan. The City will maintain the 50% contribution for dental insurance. Nothing contained herein shall limit the City's right to implement a change in group insurance benefits under the provisions of M.G. L. c. 32B, sections 21-23, which the City has recently adopted.

7. ARTICLE 15 – Holidays

Add new Section 5:

“An employee who is absent due to sick leave on the workday immediately preceding or following a holiday, or on the holiday itself, if scheduled to work, the employee may be required to submit a physician's certification prior to receiving any holiday pay.”

8. ARTICLE 23- Duration of Agreement.

Amend dates of agreement to July 1, 2015 – June 30, 2018.

9. New ARTICLE 24 – GPS.

Add the following new Article:

“ARTICLE 24 – GPS.

The City will use vehicle GPS devices to determine where vehicles are working.”

10. APPENDIX A. – Past Practices.

Delete past practices # 30.

Delete past practices #'s 1, 2, 6, 9, and 29. In consideration of deleting Practices 1, 2, 6, 9, and 29 each employee will receive a one-time 9 hours' base pay increase at their hourly rate.

Amend practice #24 to read:

“Employees will be released three hours early, in a pay status on December 31.”

11. One-Time Stipend

The City agrees to pay, as of the MOA signature date, current members a one- time stipend of \$400.00 upon the acceptance of this MOA.

Agreed on this 25th day of August, 2016:

MASSACHUSETTS LABORERS
DISTRICT COUNCIL – LOCAL 176

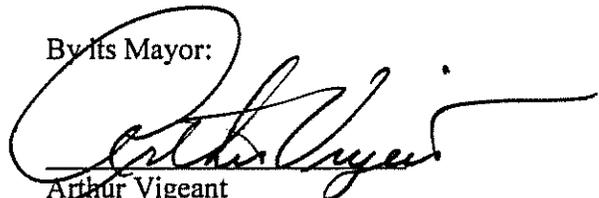
By its Executive Board:



Steve Senato
Steward

CITY OF MARLBOROUGH

By its Mayor:



Arthur Vigeant
Mayor



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CITY'S OFFICE
MARLBOROUGH
25 A 11: 15

City of Marlborough Office of the Mayor

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

Arthur G. Vigeant
MAYOR

Nicholas J. Milano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

August 25, 2016

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

Re: Grant Acceptance – Council on Aging

Honorable President Clancy and Councilors:

I am pleased to submit for your acceptance two grants from BayPath Elder Services for the Marlborough Council on Aging. The first is in the amount of \$4,500.00 for transportation and the second is in the amount of \$5,000.00 for multicultural outreach.

As always, I appreciate Bay Path's partnership with the City and know that Executive Director Trish Pope and her staff will put these grants to great use. I have included as attachments a letter from Ms. Pope, notice of grant award forms, and the award letters from BayPath.

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

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure



City of Marlborough
Council on Aging and Senior Center

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

Patricia A. Pope
EXECUTIVE DIRECTOR

August 4, 2016

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

Re: Grant Awards BayPath Elder Services

Dear Mayor Vigeant;

I am pleased to submit to you 2 grant awards in the amounts of \$4500.00 for Transportation and \$5000.000 for Multicultural Outreach from Bay Path Elder Services. These grants will allow the continuation and expansion of our highly successful Transportation program and the continuation of our Portuguese and Latino Outreach program which includes computer classes, enrichment opportunities along with fitness and wellness programs. I ask that you forward these grants to the City Council for their action.

I would like to thank BayPath Elder Services for the opportunity to build upon programs we were able to start last year with their generous support.

We look forward to utilizing these grants to continue to enhance the quality of life of our senior population here in Marlborough. I am available should you or the Council have any questions.

Sincerely,

Patricia A. Pope
Executive Director



BayPath Elder Services, Inc.

33 Boston Post Road West

Marlborough, MA 01752-1853

508-573-7200 • Fax 508-573-7222 • TTY 508-573-7282

July 28, 2016

Patricia Pope, Director
Marlborough Council on Aging
40 New Street
Marlborough, MA 01752

Dear Trish,

The BayPath Board of Directors met on July 27, 2016 and voted on the funding of the Title III programs for the Federal Fiscal Year 2017. The Marlborough COA was awarded grant funding under Title III B for the amount of \$4,500 for the Marlborough Senior Center Transportation Program. This amount represents an increase of \$500.00 to insure the hourly pay rate at the minimum wage level. As it is a different amount than the grant application request; please submit a revision of the budget to reflect the difference by August 17, 2016.

The grant period of the award is from October 1, 2016 through September 30, 2017. Because of the uncertainty of what the actual funding will be from the Executive Office of Elder Affairs, this award is tentative and subject to change.

Your notification of Grant Award documentation, along with other pertinent information regarding the grant, will be sent to you in September. The Certificate of Liability Insurance that covers the grant period will be required upon submission of the signed documentation.

If you have any questions regarding the above, please call me at (508) 573-7346.

Sincerely,

Fran Bakstran
Assistant Director, Area Agency on Aging

Cc: Christine Alessandro, Executive Director

Area Agency on Aging
Serving the Communities of

Ashland - Dover - Framingham - Holliston - Hopkinton - Hudson - Marlborough
Natick - Northborough - Sherborn - Southborough - Sudbury - Wayland - Westborough

CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD

DEPARTMENT: COA DATE: 8/4/16

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: _____

NAME OF GRANT: Transportation Program

GRANTOR: Bay Path Elder Services

GRANT AMOUNT: \$4,500.00

GRANT PERIOD: 10/1/16 - 9/30/17

SCOPE OF GRANT/
ITEMS FUNDED: Provide Dispatcher/Driver Services
for our transportation program

IS A POSITION BEING
CREATED: Yes, stipend for Driver - No benefits

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? NO

ARE MATCHING CITY
FUNDS REQUIRED? NO

IF MATCHING IS NON-MONETARY (MAN HOURS, ETC.) PLEASE SPECIFY:
In kind match Admin Oversight, office
supplies, telephone

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

ANY OTHER EXPOSURE TO CITY?
NO

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: prior to October 1, 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

BayPath Elder Services, Inc.

33 Boston Post Road West

Marlborough, MA 01752-1853

508-573-7200 • Fax 508-573-7222 • TTY 508-573-7282

July 28, 2016

Patricia Pope, Director
Marlborough Council on Aging
40 New Street
Marlborough, MA 01752

Dear Trish,

The BayPath Board of Directors met on July 27, 2016 and voted on the funding of the Title III programs for the Federal Fiscal Year 2017. The Marlborough COA was awarded grant funding under Title III B for the amount of \$5,000 for the Multicultural Outreach Program.

The grant period of the award is from October 1, 2016 through September 30, 2017. Because of the uncertainty of what the actual funding will be from the Executive Office of Elder Affairs, this award is tentative and subject to change.

Your notification of Grant Award documentation, along with other pertinent information regarding the grant, will be sent to you in September. The Certificate of Liability Insurance that covers the grant period will be required upon submission of the signed documentation.

If you have any questions regarding the above, please call me at (508) 573-7346.

Sincerely,



Fran Bakstran
Assistant Director, Area Agency on Aging

Cc: Christine Alessandro, Executive Director

Area Agency on Aging
Serving the Communities of
Ashland - Dover - Framingham - Holliston - Hopkinton - Hudson - Marlborough
Natick - Northborough - Sherborn - Southborough - Sudbury - Wayland - Westborough

CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD

DEPARTMENT: COA DATE: 8/4/16

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Patricia Pope

NAME OF GRANT: Multicultural Outreach Program

GRANTOR: BayPath Elder Services

GRANT AMOUNT: \$5000.00

GRANT PERIOD: 10/1/16 - 9/30/17

SCOPE OF GRANT/
ITEMS FUNDED Provide Computer classes, enrichment
programs, Health and Fitness

IS A POSITION BEING
CREATED: Yes, stipend for Instructors

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? NO

ARE MATCHING CITY
FUNDS REQUIRED? NO

IF MATCHING IS NON-MONETARY (MAN HOURS, ETC.) PLEASE SPECIFY:
In-kind match use of space, copier
and admin oversight

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

ANY OTHER EXPOSURE TO CITY?
No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: prior to October 1, 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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Office of the Mayor

140 Main Street

2016 AUG 25 A 11: 15
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Nicholas J. Milano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

August 25, 2016

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

Re: City of Marlborough Hazard Mitigation Plan 2016 Update

Honorable President Clancy and Councilors:

Please find enclosed for your review and acceptance an update to the City of Marlborough's Hazard Mitigation Plan. This plan updates the original Hazard Mitigation Plan which was approved by FEMA on August 7, 2008. This document is the result of the hard work of the staff of a number of City Departments, MAPC, and MEMA. Two public meetings were held, the first was with the Planning Board in April 2015 and second was with the City Council in July 2015.

I believe the document represents a strong mitigation plan to ensure we are in good position to mitigate damage from natural disasters; this submission for your review is timely in light of the recent tornado that impacted Concord. I ask that you support and approve the attached resolution in order for the final document to be submitted to FEMA. FEMA approval of this project is required for the City to apply for and receive hazard mitigation grants.

The document assesses risks throughout the City, analyzes current mitigation measures, and suggests future mitigation measures as well as a prioritization schedule. The City's emergency management coordinator, Don Cusson, is the coordinator of the Hazard Mitigation Implementation Team and will be responsible for conducting a survey in year three to identify necessary revisions, progress, accomplishments and any new hazards that have been identified.

The Hazard Mitigation Plan document is a thorough 136-page document and due to its size, I will provide City Councilors with an electronic copy.

If you have any questions or concerns, please do not hesitate to contact me or Don Cusson.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure

**CERTIFICATE OF ADOPTION
CITY COUNCIL
CITY OF MARLBOROUGH, MASSACHUSETTS**

**A RESOLUTION ADOPTING THE
*CITY OF MARLBOROUGH HAZARD MITIGATION PLAN 2016 UPDATE***

WHEREAS, the City of Marlborough established a Committee to prepare the *City of Marlborough Hazard Mitigation Plan 2016 Update*, and

WHEREAS, the *City of Marlborough Hazard Mitigation Plan 2016 Update* contains several potential future projects to mitigate potential impacts from natural hazards in the City of Marlborough, and

WHEREAS, as part of the process of updating the Hazard Mitigation Plan, duly-noticed public meetings were held by the Planning Board on April 6, 2015 and by the City Council on July 27, 2015,

NOW, THEREFORE BE IT RESOLVED that the Marlborough City Council hereby:

1. Formally approves and adopts the *City of Marlborough Hazard Mitigation Plan 2016 Update*, in accordance with the General Laws of Massachusetts and the charter and ordinances of the City of Marlborough, as an official plan of the City of Marlborough; and
2. Authorizes responsible departments and/or agencies to execute their responsibilities and implement the recommended actions demonstrated in the plan.

ADOPTED
In City Council
Order No. 16-

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:



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CLERK'S OFFICE
OF MARLBOROUGH

AUG 25 A 11: 13

City of Marlborough

Office of the Mayor

140 Main Street

Marlborough, Massachusetts 01752

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

www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Nicholas J. Milano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

August 25, 2016

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

Re: Director of Veterans Services Appointment

Honorable President Clancy and Councilors:

I am pleased to submit for your approval the appointment of Nicholas Charbonneau as the City of Marlborough's new Director of Veterans Services for a three-year term to expire from the date of City Council approval. He is eager to get to work and will begin his tenure as Marlborough's Director of Veterans Services on Monday, August 29 under my 60-day appointment powers.

Immediately after Gary Brown's retirement, my office began a thorough search for a candidate who would bring new energy to Marlborough's Veterans Services office with the assistance and input of the Director of a nearby Veterans District. We are fortunate to have found Nick who is thrilled to begin working with our veterans. A Marine and an Iraq War veteran who deployed to Al Anbar province in 2007-2008, Nick will be able to immediately connect with his fellow veterans.

Since his honorable discharge from the United States Marine Corps, Nick has dedicated himself to helping veterans and has pursued an education and a career that would put him on the front lines of delivering services to veterans. He has a bachelor's degree from University of Massachusetts Amherst, and several years of experience working with veterans.

At the Employment and Training Resources Centers in Framingham and Norwood, Nick worked one on one with veterans to help them access assistance programs and to help them find employment. His goal was not just to get a veteran any job he could, but to find meaningful work that would result in long term employment and improved lives. I'm excited for Nick to bring these skills to Marlborough. He is especially well suited to connect with young veterans returning to civilian life.

As noted previously, Nick is eager to begin assisting Marlborough veterans and he will be starting in Marlborough on Monday, August 29. I ask that you review and confirm this

appointment in the coming weeks. He plans to meet with the Marlborough Veterans Council and looks forward to meeting with the Personnel Committee and the full City Council.

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

Sincerely,

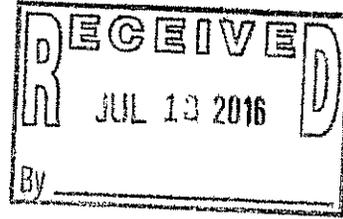
A handwritten signature in black ink, appearing to read "Arthur G. Vigeant". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Arthur G. Vigeant
Mayor

Enclosure

Mary Ward

From: nick <ncharbusmc@gmail.com>
Sent: Wednesday, July 13, 2016 12:06 AM
To: HR Dept
Subject: Director of Veterans' Services position application
Attachments: Nick Marlborough VSO.docx



Dear Hiring Manager,

Enclosed is my resume and cover letter for the Director of Veterans' Services position posted on the City of Marlborough website. I am an energetic and passionate Veteran Representative who has dedicated his life to serving his brothers and sisters, and I'm excited to see this opportunity! If you have any questions, please feel free to contact me at your earliest convenience. Thank you very much, and have a wonderful day.

Nick Charbonneau

Nicholas Paul Charbonneau

229 Hampton St.
Auburn, MA 01760
413.977.3085
ncharbusmc@gmail.com

July 11, 2016

Dear Hiring Manager,

I am delighted to submit to you my resume and cover letter for the Director of Veteran Services position with the City of Marlborough! As a Service Connected, Marine Corps Veteran, I have been both a service consumer and a service provider, which allowed me to see Veterans services through a unique lens.

Serving in the Marine Corps was a true honor, and I once again was called to duty when I became an intern with the Natick Town of Veteran Services. Working and learning with Paul Carew, I began providing Veterans and their families with much deserved assistance. In the past few years, as a State Disabled Veteran Outreach Program Specialist, I have volunteered on numerous occasions, to speak to Natick town residents. The primary topic of conversation being about how their Veterans services department partners with Career Centers, to combat Veteran unemployment and to save the town valuable tax dollars, as we put Veterans back to work.

In my role as Disabled Veteran Outreach Program specialist with the Framingham Career Center, I was instrumental in developing relationships with other Veteran agencies, including the Veterans Northeast Outreach Center at the Walker Building in Marlborough. While working as a Veteran Employment Representative, I also provided Veterans with information on their health care benefits, education benefits, prevention and care of the homelessness etc. I frequently improved processes I developed to maintain adherence to Federal regulations, and often was sought out by managers to provide guidance to their new DVOPs on duty. I was always autonomous, trusted, and effective in my pursuit to provide the best possible service to our Veterans. These services often included one on one comprehensive assessments, case management, group and individual employment counseling, as well as referrals to other supportive services.

This attention to detail, drive, and deep passion for Veterans led me to a promotion to Operations Manager of the Career Center in Norwood, where I lead the team of 2 DVOPs. My work as Operations Manager has allowed me to oversee our Veterans Program and ensure that administratively, our program flourishes.

As Marlborough continues to be the site of tremendous economic growth, I firmly believe my skills and background would greatly assist me as I work hand in hand with City Officials to integrate Veterans into the work force. I also believe my knowledge of Veterans benefits would provide our Veterans with a deeper understanding of what they are entitled to, and my dedication to our fallen heroes would lend itself to very honorable City events. Please feel free to contact me at your convenience. I look forward to hearing from you, thank you very much for your consideration.

Sincerely,

Nick Charbonneau

Nicholas Paul Charbonneau

229 Hampton St.
Auburn, MA 01760
413.977.3085
ncharbusmc@gmail.com

SUMMARY

Passionate, innovative, strategic thinking Veterans' Services Representative whose diligent work with Career Center staff and management led to the development of strong relationships with partner agencies. Demonstrated strong ability to assist and advise Veterans on their best course of action regarding employment and best use of their entitled benefits with sound knowledge and attention to validity. Very successful at developing efficient processes that provide expert service to Veterans, but also streamline the reporting process to management. Honorably Discharged, Service Connected, United States Marine Corps Veteran with service both in Iraq and at home.

SUMMARY OF QUALIFICATIONS

- Developed strategic partnerships with several outside agencies to collaborate with and provide better service to Veterans resulting in invitations to speak at State Representative Carolyn Dykema's Veteran's Consortium and guest panel speaker at the Work Without Limits Job Fair.
- Routinely brought these partnerships into my comprehensive assessments and case management meetings to provide the Veteran with a true one stop experience.
- Proven ability to affect performance metrics by exceeding Statewide goals within the first three months of employment as a Disabled Veteran Outreach Program specialist
- Effectively tracked Veteran customers through proprietary State-wide database and uniquely utilized reports to identify Veterans who could have been missed.
- Critical to the development of Employment and Training Resources' Career Center best practices regarding staff interactions with Veterans and how to best serve that population prior to a very successful Department of Labor audit of Framingham's Veteran Program.
- Chairman of the Framingham Veterans' Council, alongside partners such as the VA Boston system, Veterans Northeast Outreach Center, Department of Labor and Revenue, as well as many other agencies who provide outstanding service.

EXPERIENCE

Operations Manager

2016- Present

Employment and Training Resources

Norwood, MA

- Veterans' program lead for both Norwood and Framingham, providing employment services to 43 cities and towns in Metro Southwest.
- Assisted with the development of a Memorandum of Agreement between partner agencies and the Career Centers
- Actively monitor daily reports and operations of 19 staff who are both State and Non State employees ensuring that staff maintain a high level of morale.

Disabled Veteran Outreach Program Specialist
Employment and Training Resources

2013-2016
Framingham, MA

- Provided intensive services to Veterans with Significant Barriers to Employment resulting in significant back to work successes and Veteran job trainings.
- Frequently assisted in educating staff on the Veteran Program best practices.
- Planned and developed the Framingham branch's Veteran Career Boot Camp, resulting in 40% back to works by the end of the first 90 days.
- Workshop facilitator providing employment guidance to customers in the Federal Jobs market as well as Career Center Seminar.

Director of Veterans' Services Intern
Town of Natick Veteran Services

2013
Natick, MA

- Assisted the Director of Veterans' Services in daily activities including intake, documentation, filing, and benefit processing.
- Critical to the development of Natick's first Veteran News Letter that was distributed to the 1400 Veterans of the town of Natick.
- Frequently met with Legislators, Selectmen, and other community leadership to promote Veteran Services.

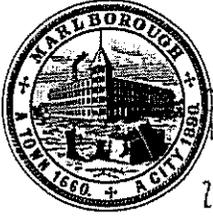
United States Marine Corps Infantry / Marksmanship Instructor
1st Battalion, 8th Marine Regiment

2004-2008
Camp Lejeune, NC

- Led the instruction and time management of 400 Marines during their annual rifle and pistol requalification, adhering to strict Marine Corps safe weapons handling standards as well as marksmanship fundamentals instruction resulting in zero weapon system mishaps.
- Responsible for millions of dollars' worth of equipment and weapon systems, as well as Marines and VIP lives while conducting personal security operations within Al Anbar Province, Iraq.
- Assisted in formulating Standard Operating Procedures for convoy operations to ensure higher probability of success while circulating the battle space.
- Demonstrated a high level of professionalism and flexibility in an always changing, politically sensitive environment.

EDUCATION

B.S. Kinesiology-University of Massachusetts Amherst, MA
Certified Professional Résumé Writer- Framingham, MA
Effective Leadership: Leading People, Teams and Projects Program- Bentley University



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CITY OF MARLBOROUGH

2016 AUG 25 A 11:15

City of Marlborough
Office of the Mayor

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

Arthur G. Vigeant
MAYOR

Nicholas J. Milano
EXECUTIVE AIDE

Patrieta Bernard
EXECUTIVE SECRETARY

August 25, 2016

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

Re: Council on Aging Reappointments

Honorable President Clancy and Councilors:

Please find enclosed for your review and approval the reappointments of several members of the Council on Aging. The terms of five members of the Council on Aging all expired earlier this year in May. I am recommending that each of the members of the Council on Aging with an expired term be reappointed, but that we stagger the terms so that they do not all expire at the same time.

I recommend reappointing Jim Confrey and Richard Collins to four year terms to expire in May 2020.

I recommend reappointing Brenda Costa and Leslie Biggar to three year terms to expire in May 2019.

I recommend reappointing Rose Marie Elwood, Jeanne McGeough, and Pat Gallier to two year terms to expire May 2018.

With these reappointments, the Council on Aging members will have staggered terms to avoid simultaneous expirations.

I hope that you will approve these reappointments because I believe the Council on Aging has continued to work hard making Marlborough a great place for seniors and has kept the Senior Center buzzing with activity. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure



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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2016 AUG -8 P 3: 38

**Lisa M. Thomas
City Clerk**

The City Clerk be and is hereby authorized and directed to warn and notify the voters of each of the seven (7) Wards and fourteen (14) Precincts of the City of Marlborough, duly qualified to vote in Primaries, to assemble in their respective polling places, as designated by the City Council as follows:

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

On Thursday, September 8, 2016 then and there, for the purpose of casting their votes in the State Primary for the candidates of political parties for the following offices:

**REPRESENTATIVE IN CONGRESS
COUNCILLOR
SENATOR IN GENERAL COURT
REPRESENTATIVE IN GENERAL COURT

SHERIFF**

**THIRD DISTRICT
THIRD DISTRICT
MIDDLESEX & WORCESTER DISTRICT
FOURTH MIDDLESEX & THIRTEENTH
MIDDLESEX DISTRICT
MIDDLESEX COUNTY**

It is further ordered that the polling places legally designated by the City Council be opened at 7:00 o'clock in the forenoon and be closed at 8:00 o'clock in the evening. The City Clerk be and hereby is authorized to cause notice to be given by publication of this Order in a local newspaper and by posting a copy of the same in a conspicuous place in the office of the City Clerk and in each Ward and Precinct of the City.

Edward J. Clancy
City Council President



City of Marlborough
Legal Department

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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

DONALD V. RIDER, JR.
CITY SOLICITOR

140 MAIN STREET

2016 AUG 19 P 4:50

CYNTHIA M. PANAGORE GRIFFIN
ASSISTANT CITY SOLICITOR

MARLBOROUGH, MASSACHUSETTS 01752

TEL. (508) 460-3771 FACSIMILE (508) 460-3698 TDD (508) 460-3610

ELLEN M. STAVROPOULOS
PARALEGAL

LEGAL@MARLBOROUGH-MA.GOV

August 19, 2016

Edward Clancy
President
Marlborough City Council

RE: Order No. 16-1006517B
Application for LED Sign Special Permit
V&G Realty Trust, Vrej Askanian and Grace Kanoon, Trustees
50 East Main Street, Marlborough

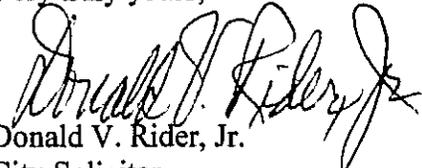
Dear President Clancy and Members:

I provide this letter as to the legal form of the City Council's proposed decision on the LED sign special permit application submitted by V&G Realty Trust, Vrej Askanian and Grace Kanoon, Trustees, for Discount Gas at 50 East Main Street. The application is for an LED sign showing current gas prices at the site.

Though I am told the Urban Affairs Committee did not refer this matter to Legal, I have taken the liberty of enclosing a copy of the proposed decision, and certify it is in proper legal form.

I would recommend, however, that the Council hold its vote on this matter, as I am informed that the applicant has not yet completed the site modifications required by the City but continues to work cooperatively with the City Engineer.

Very truly yours,


Donald V. Rider, Jr.
City Solicitor

Enclosure
cc: Thomas DiPersio, City Engineer

**DECISION ON AN LED SIGN SPECIAL PERMIT
IN CITY COUNCIL**

LED Sign Special Permit

Discount Gas

50 Main Street

Order No. 16-1006517B

**DECISION ON AN LED SIGN SPECIAL PERMIT
CITY COUNCIL ORDER NO. 16-1006517B**

The City Council of the City of Marlborough hereby GRANTS the application for an LED Sign Special Permit to V&G Realty Trust, Vrej Askanian and Grace Kanoon, Trustees (the "Applicant") for the property located at 50 Main Street in Marlborough, Massachusetts, as provided in this Decision and subject to the following Procedural Findings, Findings of Facts and Conditions.

PROCEDURAL FINDINGS

1. The owner of the property located at 50 Main Street in Marlborough, Massachusetts, as shown on the Marlborough Assessors Maps as Map 70, Parcel 226 (the "Site") is V&G Realty Trust, Vrej Askanian and Grace Kanoon, Trustees, 231 Oxford Street North, Auburn, MA 01501.
2. On March 1, 2016, the City of Marlborough issued Building Permit No. BP-2016-000198 for a "Free Standing Sign 'Discount Gas' Length 3", Width 8", Height 14".
3. On March 1, 2016, the City of Marlborough Code Officer notified the Applicant in writing that, in order for the Applicant to use an LED (light emitting diode) sign showing current gas prices at the Site, the Applicant would need to obtain from the Marlborough Planning Board a variance from Section 526-9, entitled "Downtown Business District," of the Sign Ordinance set forth as Chapter 526 of the City Code of the City of Marlborough, which otherwise prohibits all interior illuminated signs in the Downtown Business District as defined in Section 526-9; and would also need to obtain from the Marlborough City Council an LED sign special permit under Section 526-13, entitled "Electronic Message Center Signs and Digital Display Signs," of the Sign Ordinance.
4. By application dated March 8, 2016, the Applicant submitted to the Planning Board a request for a variance from Section 526-9 of the Sign Ordinance.
5. At its meeting held on March 21, 2016, the Planning Board granted the Applicant a variance from Section 526-9, except for any LED usage, and with the conditions a) that the sign be turned off when the service station is not open for business and b) that all other extraneous signage be removed from the Site.

6. By application dated March 29, 2016, the Applicant submitted to the City Clerk for the City of Marlborough an LED Sign Permit Application (the "Application"). The Applicant seeks an LED sign special permit pursuant to Section 526-13, in order for the Applicant to use an LED sign showing current gas prices at the Site.
7. In connection with the Application, the Applicant submitted a picture of the Site and the sign as presently installed on the Site.
8. The Marlborough City Council held a public hearing on the Application on Monday, April 25, 2016. The public hearing was closed on April 25, 2016.
9. The Applicant presented testimony at the public hearing that the changeable portion of the Sign would be used to advertise gas prices which the Applicant stated is crucial to the success of its business. John Rowe, Rowe Funeral Home, 57 Main Street, testified that although he was not opposed to the Proposed LED Sign, it should not be operational until the Applicant had completed site work required by the Site Plan Review Committee. Applicant testified that he continues to work with the Site Plan Review Committee on all items.
10. The Applicant further presented its Application at the Urban Affairs Committee meeting held on July 19, 2016. The Committee agreed to recommend approval of the Application pending confirmation from the City Engineer that the Applicant completed site work required by the Site Plan Review Committee.

**BASED ON THE ABOVE, THE CITY COUNCIL MAKES THE FOLLOWING
FINDINGS OF FACT AND TAKES THE FOLLOWING ACTIONS**

- A. The Applicant has complied with all the rules and regulations promulgated by the Marlborough City Council as they pertain to an application for an LED sign special permit under Section 526-13 of the Sign Ordinance.
- B. The City Council finds that the Sign complies with the standards set forth in Section 526-13.B of the Sign Ordinance.
- C. The City Council finds, pursuant to Section 526-13.B(16) of the Sign Ordinance, that: all other signage on the Site is in compliance with zoning requirements; the Sign does not create unnecessary visual clutter or constitute signage overload for the lot or surrounding neighborhood or street; the Sign does not substantially block visibility of signs on abutting lots; the Sign does not substantially block solar access of, or view from, windows of residential dwellings on abutting lots; the proposed illumination is appropriate to the Site and is appropriately located with respect to the character of the surrounding neighborhood; the scale and/or location of the Sign is appropriate; and the dimensions of the Sign comply with the area limitations of the Sign Ordinance.

- D. The City Council, pursuant to its authority under Section 526-13 of the Sign Ordinance, hereby GRANTS the Applicant an LED Sign Special Permit for the Sign, SUBJECT TO THE FOLLOWING CONDITIONS, which conditions shall be binding on the Applicant, its successors and/or assigns:

CONDITIONS

1. The Sign shall be operated in accordance with the Sign Ordinance of the City of Marlborough, and in compliance with the variance issued by the Planning Board which includes the conditions a) that the Sign be turned off when the service station is not open for business and b) that all other extraneous signage be removed from the Site

2. All plans and/or other documentation provided by the Applicant as part of the Application, and as amended during the Application/hearing process before the City Council and/or the Urban Affairs Committee, are incorporated into and become part of this LED Sign Special Permit, and become conditions and requirements of the same, unless otherwise altered by the City Council.

ADOPTED
In City Council
Order No. 16-1006517B
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:



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

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CITY OF MARLBOROUGH

2016 AUG 19 P 4:54

DONALD V. RIDER, JR.
CITY SOLICITOR

CYNTHIA M. PANAGORE GRIFFIN
ASSISTANT CITY SOLICITOR

ELLEN M. STAVROPOULOS
PARALEGAL

August 19, 2016

Edward Clancy
President
Marlborough City Council

RE: Order No. 16-1006579B
Application for LED Sign Special Permit
CareWell Urgent Care Centers of MA, P.C.
757 Boston Post Road East, Marlborough

Dear President Clancy and Members:

I provide this letter as to the legal form of the City Council's proposed decision on the LED sign special permit application submitted by CareWell Urgent Care Centers of MA, P.C. for 757 Boston Post Road East. The application, as amended in committee, seeks permission for a sign approximately 14.7 square feet (73" wide by 29" high) with a double-faced color emitting diode message sign, which would be located below an internally illuminated sign on a free-standing pylon sign approximately 25 high.

Though I am told the Urban Affairs Committee did not refer this matter to Legal, I have taken the liberty of enclosing a copy of the proposed decision, and certify it is in proper legal form.

Very truly yours,

Donald V. Rider, Jr.
City Solicitor

Enclosure

DECISION ON AN LED SIGN SPECIAL PERMIT

IN CITY COUNCIL

LED Sign Special Permit

CareWell Urgent Care

757 Boston Post Road East

Order No. 16-1006579B

**DECISION ON AN LED SIGN SPECIAL PERMIT
CITY COUNCIL ORDER NO. 16-1006579B**

The City Council of the City of Marlborough hereby GRANTS the application for an LED Sign Special Permit to CareWell Urgent Care Centers of MA, P.C. (the "Applicant") for the property located at 757 Boston Post Road East in Marlborough Massachusetts, as provided in this Decision and subject to the following Procedural Findings, Findings of Fact and Conditions.

PROCEDURAL FINDINGS

1. The owner of the property located at 757 Boston Post Road East in Marlborough, Massachusetts, as shown on the Marlborough Assessors Maps as Map 61, Parcel 30 (the "Site") is Route 20 Marlboro Properties LLC.
2. On May 12, 2016, the Applicant submitted to the City Clerk for the City of Marlborough an LED Sign Permit Application (the "Application"). The Applicant seeks an LED Sign Special Permit pursuant to Section 526-13, entitled "Electronic Message Center Signs and Digital Display Signs," of Chapter 526 of the City Code of the City of Marlborough (the "Sign Ordinance") to operate a free-standing sign to include a light emitting diode message sign (the "Sign") at the Site.
3. The Sign overall is approximately 14.7 square feet (73" wide by 29" high) with a double-faced color emitting diode message sign located below an internally illuminated sign on a free-standing pylon sign approximately 25 high. The Sign installer is Back Bay Sign, 65 Industrial Way, Unit I, Wilmington, MA 01887.
4. In connection with the Application, the Applicant has submitted schematic design plans of the Site and signage, which plans show the Sign and location of the Sign on the Site.
5. The Marlborough City Council held a public hearing on the Application on Monday, June 20, 2016.
6. The Applicant, through its representatives, presented testimony at the public hearing detailing the Sign. No individual in attendance at the public hearing spoke in opposition to the Sign.

7. The Applicant further presented its Application at the Urban Affairs Committee meeting held on July 19, 2016. As a result of that meeting, the Sign's size has been reduced in size to the dimensions referenced in paragraph 3 above, and as per the 2-page plan submitted by Back Bay Sign on July 27, 2016 and referenced in condition 2 below.

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

- A. The Applicant has complied with all the rules and regulations promulgated by the Marlborough City Council as they pertain to an application for a special permit under the Sign Ordinance.
- B. The City Council finds that the sign complies with the standards set forth in Section 526-13.B of the Sign Ordinance.
- C. The City Council finds, pursuant to Section 526-13.B(16) of the Sign Ordinance, that: all other signage on the Site is in compliance with zoning requirements; the Sign does not create unnecessary visual clutter or constitute signage overload for the lot or surrounding neighborhood or street; the Sign does not substantially block visibility of signs on abutting lots; the Sign does not substantially block solar access of, or view from, windows of residential dwellings on abutting lots; the proposed illumination is appropriate to the Site and is appropriately located with respect to the character of the surrounding neighborhood; the scale and/or location of the Sign is appropriate; and the dimensions of the Sign comply with the area limitations of the Sign Ordinance.
- D. The City Council, pursuant to its authority under the Sign Ordinance, hereby GRANTS the Applicant an LED Sign Special Permit for the Sign, SUBJECT TO THE FOLLOWING CONDITIONS, which conditions shall be binding on the Applicant, its successors and/or assigns:

CONDITIONS

1. The Sign shall be operated in accordance with the Sign Ordinance of the City of Marlborough. The Sign shall conform to the Sign Ordinance of the City of Marlborough without a request, or need, for a variance.
2. All plans and/or other documentation provided by the Applicant as part of the Application, and as amended during the Application/hearing process before the City Council and/or the City Council's Urban Affairs Committee, including the 2-page plan entitled "CareWell Urgent Care, 757 Boston Post Road, Marlborough, MA," prepared by Back Bay Sign, 65 Industrial Way, Unit I, Wilmington, MA, Job# 1224822, dated 1/21/2016, are incorporated into and become part of this LED Sign Special Permit, and become conditions and requirements of the same, unless otherwise altered by the City Council.

ADOPTED
In City Council
Order No. 16-1006579B
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

City of Marlborough
Commonwealth of Massachusetts

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2016 AUG 25 A 11: 55



PLANNING BOARD

Barbara L. Fenby, Chair
Colleen M. Hughes
Philip J. Hodge
Edward F. Coveney
Sean N. Fay
Shawn McCarthy
Brian DuPont

Melissa Peltier - Secretary
Phone: (508) 460-3769
Fax: (508) 460-3736
Email: MPeltier@marlborough-ma.gov

August 1, 2016

City Council President Clancy & Members
140 Main Street
Marlborough, MA 01752

City Council Order #16-1006578

President Clancy & Members,

At the regular meeting of the Marlborough Planning Board on July 25, 2016 the Board took the following action:

At the conclusion of the Public Hearing for City Council Order #16-1006578 the following motion and vote took place.

On a motion made by Mr. Fay, seconded by Mr. DuPont it was voted to forward a favorable recommendation to the City Council regarding the Proposed Zoning Amendment to Section 650-12 & 58 with no additional comments. Motion carried.

Should you have any questions or concerns regarding this communication please do not hesitate to contact the Board Secretary above.

Sincerely,


Barbara L. Fenby
Chairperson



MIRICK O'CONNELL
ATTORNEYS AT LAW

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2016 AUG -1 A 10: 47

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

July 28, 2016

VIA FIRST CLASS MAIL AND EMAIL

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

Re: Application for Special Permit; Apex Center Car Wash

Dear Councilor Clancy:

This is to confirm that my client assents to the public hearing on this application being held on September 12, 2016.

Very truly yours,

Arthur P. Bergeron

APB/

cc: Client
Brian R. Falk, Esq.



MIRICK O'CONNELL
ATTORNEYS AT LAW

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2016 AUG -1 A 10:47

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

July 28, 2016

VIA FIRST CLASS MAIL AND EMAIL

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

Re: Applications for Special Permit;
Apex Center Drive Through
Apex Center Veterinary Hospital

Dear Councilor Clancy:

This is to confirm that my client assents to the public hearings on these applications being held on September 26, 2016.

Very truly yours,

Arthur P. Bergeron

APB/

cc: Client
Brian R. Falk, Esq.

nationalgrid

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2016 AUG -3 A 8:54

July 12, 2016

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

To Whom It May Concern:

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

If you have any questions regarding this permit please contact:

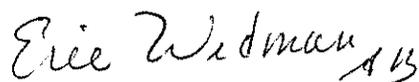
Angela Birch 401-784-7726

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

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

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

Very truly yours,



Eric Widman, Engineering
Supervisor, Distribution Design

Enclosures

City Clerks Copy

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

RECEIVED
February 20, 2016
CLERK'S OFFICE
CITY OF MARLBOROUGH

2016 AUG -3 A 8:54

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

MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.

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

Stevens Street

National Grid request to install 2 Stub Poles P62-84 and P68-84 for reconductoring

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

Plan No. **21698528** Dated: **07/07/2016**

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

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

MASSACHUSETTS ELECTRIC COMPANY

By: Eric Widman AB
Manager of Distribution Design

VERIZON NEW ENGLAND, INC.

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

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

February 20, 2013

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

Notice having been given and public hearing held, as provided by law, **IT IS HEREBY ORDERED:**
that MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC. be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the **12th day of July, 2016**

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

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

Plan No. **21698528** Dated: **07/07/2016** filed with this order.

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

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

Stevens Street
National Grid request to install 2 Stub Poles P62-84 and P68-84 for reconductoring

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

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

Clerk of Council

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

Book: _____ Page: _____

City Clerk

We hereby certify that on _____ 2013 at _____ o'clock, _____ M.
at _____ a public hearing was held on the petition of the
MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.

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

Council of the City of

Marlborough, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a joint location order and certificate of hearing with notice
adopted by the City Council of the City of Marlborough, Massachusetts, on the _____ day of
_____ 2013 recorded with the records of location orders of said City,
Book _____, Page _____.

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

Attest: _____
City Clerk

Pole & UG Petition/Permit Request Form

City Town of Marlborough WR # 21698528

Install 2 SO JO Poles on Stevens St.

Remove SO JO Poles on

Relocate SO JO Poles on

Beginning at a point approximately 67 feet West of the centerline

of the intersection of Hosmer St.

and continuing approximately feet in a direction.

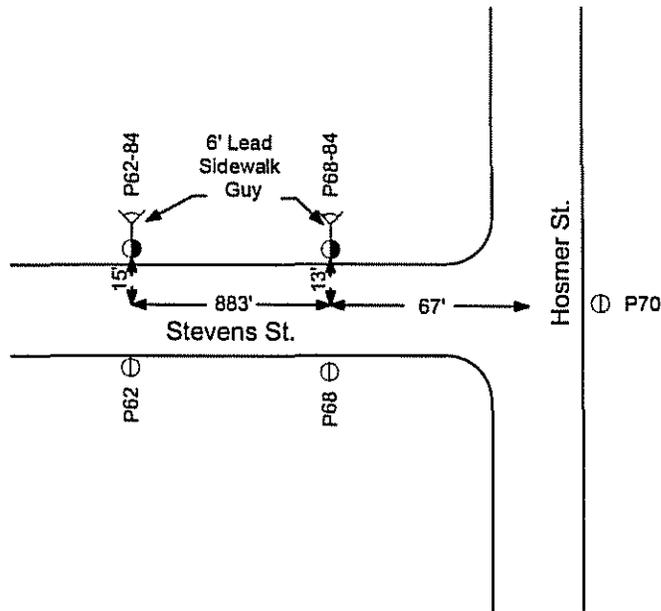
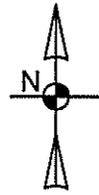
Install underground facilities:

Street(s)

Description of Work

ENGINEER Brandon Bravetti

DATE 7/11/2016



JOINT OWNED POLE PETITION	nationalgrid And Verizon New England, Inc.
<input checked="" type="radio"/> Proposed NGRID Pole Locations	Date: 7/7/2016
<input type="radio"/> Existing NGRID Pole Locations	Plan Number: 21698528
<input checked="" type="radio"/> Proposed J.O. Pole Locations	To Accompany Petition Dated:
<input type="radio"/> Existing J.O. Pole Locations	To The: City _____ Of Marlboro
<input checked="" type="radio"/> Existing Telephone Co. Pole Locations	For Proposed: Pole: _____ Location: Stevens St.
<input type="radio"/> Existing NGRID Pole Location To Be Made J.O.	Date Of Original Grant:
<input checked="" type="checkbox"/> Existing Pole Locations To Be Removed	
DISTANCES ARE APPROXIMATE	

7
BANACH ALBERT T
CAROLYN A BANACH
600 HOSMER ST
MARLBOROUGH, MA 01752

7
HARRIS SCOTT E
CAROL F HARRIS
616 HOSMER ST
MARLBOROUGH, MA 01752

7
VIDAL ALFREDO
GRETELL C VIDAL
611 HOSMER ST
MARLBOROUGH, MA 01752

7
MARSHALL DAVID P
603 HOSMER ST
MARLBOROUGH, MA 01752

19
MATTIOLI ROBERT P
PATRICIA A MATIOLI
5 AMORY RD
MARLBOROUGH, MA 01752

19
NELSON ROGER H
N/O BARBARA NELSON
760 STEVENS ST
MARLBOROUGH, MA 01752

19
HAYNES WILBUR
15 BALDWIN AVE
MARLBOROUGH, MA 01752

19
FRASER RANDALL A
CHERYL A FRASER
763 STEVENS ST
MARLBOROUGH, MA 01752

Sandra Rennie Austin

Attorney-at-Law

sandra@attyaustin.com
www.attyaustin.com

40 Mechanic Street, Suite 305
Marlborough, Massachusetts 01752

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Phone: 508-281-2299
Fax: 508-630-1267

2016 AUG 19 P 3: 54

August 19, 2016

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

Re: Request to change location of Easement at 85 Ames Street

Dear Councilor Clancy:

I represent Central Steel and 320-340 Middlesex Avenue, LLC, located at 85 Ames Street. The City owns an easement over 85 Ames Street property, owned by entity 320-340 Middlesex Avenue, LLC, to a parcel located in the rear of 85 Ames Street which was granted to the City for the purpose of the construction of a fire station on September 23, 2002 by Arturo J. Gutierrez, Trustee of Marlborough/Northborough Land Realty Trust and the easement over 85 Ames Street was part of that conveyance.

Central Steel and 320-340 Middlesex Avenue, LLC seek to construct an addition to the existing building on site, which would require a slight adjustment in the location of the easement as shown on the attached plan. Therefore, on behalf of both Central Steel and 320-340 Middlesex Avenue, LLC I respectfully request that the City Council grant the relocation of the easement as identified on the attached plan.

Sincerely,



Sandra R. Austin

**MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752**

2016 JUL 29 P 3:49

Call to Order

June 6, 2016

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

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

Barbara Fenby & Edward Coveney were absent

1. Meeting Minutes:

A. Regular Meeting April 25, 2016 (Tabled at May 9, 2016 meeting)

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

B. Regular Meeting May 9, 2016 (Tabled at May 23, 2016 meeting)

On a motion made by Mr. Fay, seconded by Mr. DuPont it was voted to approve the minutes of the May 9, 2016 Regular Meeting. Motion carried.

C. Regular Meeting May 23, 2016

On a motion made by Mr. Fay, seconded by Mr. DuPont it was voted to approve the minutes of the May 23, 2016 Regular Meeting. Motion carried.

On a motion made by Mr. McCarthy, seconded by Ms. Hughes it was voted to move up Agenda Item 10B. Motion carried.

10. Informal Discussions

B. Mirick O'Connell proposed Senior Living Facility Bolton St

Attorney David McCay from Mirick O'Connell and Mr. Eric Gardner from Benchmark Senior Living were in attendance to present the proposed project.

The project is still in the development stages however it is intended to have 52, 2 bedroom units consisting of Assisted Living and Memory care units. The entire parcel consists of 15 acres this development will utilize approximately 4-5 acres only. The remainder of the land may be deeded to the City as open space.

The Zoning amendment is being proposed due to the use of Assisted Living Facility is not spelled out anywhere in the current zoning.

The procedural filing should take place next week the proponent will be requesting a Public Hearing Date of July 25 from the City Council and requests the same date from the Planning Board once the filing is complete.

2. Chair's Business:

A. Update regarding Planning Board Page – Calendar

Mr. DuPont noted that there is no update at this time. He will strive to have an update for the Board at the next regularly scheduled meeting (June 20, 2016).

B. Communication from City Council Proposed Zoning Amendment

Solicitor Rider gave a quick overview of the proposed change concerning the special permit/variance granting authority regarding preexisting one and two family dwellings alteration and expansion.

On a motion made by Mr. DuPont, seconded by Ms. Hughes it was voted to set a Public Hearing date of July 25, 2016 and to advertise said Hearing. Motion carried with Mr. McCarthy abstaining.

3. Approval Not Required:

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

Ms. Hughes read the favorable recommendation from the Engineering Department 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 as well as endorse the ANR Plan Titled:

Subdivision Plan of Land in Marlborough, Massachusetts
Prepared for: Marlborough Northborough Realty Trust
Prepared by: Vanasse Hangen Brustlin, Inc.
101 Walnut Street, PO Box 9151, Watertown, MA 02474-9151
Map 78, Parcels 12, 14, 38 & 39 and Map 89 Parcel 77.

Motion carried.

4. Public Hearings (7:15): None

5. Pending Sub Division Plans: Updates and Discussion:

A. Engineers Report

Assistant City Engineer Collins reported out to the Board several items including: updates on all working subdivisions, Mauro Farms Detention Basin Issue, Black Horse Farms Stockpiling, Cider Mill, Walker Brook Estates and Howe’s Landing are all being held to the minimum standard for Occupancy is the sidewalk at binder course and all curbing in place.

In regards to the Fossile Subdivisions (old) of Trump Estates and Orchard Estates III, It is the recommendation of the Engineering Department that both subdivisions have the respective bonds reduced to zero (0.00). The Trump Estates Subdivision was essentially completed in 1998 and the Orchard Estates Subdivision was essentially completed in 2009.

Both Subdivisions have outstanding issues that pertain to the formal acceptance as required by the Subdivision Rules and Regulations and are outlined in the communication from City Engineer DiPersio.

On a motion made by Ms. Hughes, seconded by Mr. DuPont it was voted to accept City Engineer DiPersio's correspondence and place it on file; as well as send correspondence to the developer communicating what information is still required as outlined in the City Engineers correspondence. Motion carried.

B. Request for Extension Walker Brook Estates (Melanson)

Ms. Hughes read the request for extension into the record.

Mr. Edward Melanson was in attendance to answer any questions pertaining to the request for extension.

On a motion made by Ms. Hughes, seconded by Mr. Fay it was voted to keep this on the next regularly scheduled meeting agenda (June 20, 2016) in order to receive the missing piece of correspondence from the Code Enforcement Officer.

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 (September 13, 2016)

Attorney Beattie was in attendance to answer any questions the Board may have.

Solicitor Rider noted that the deed required to be in hand on or before June 20, 2016 per the completion deadlines imposed by the Board has been received and is in possession of the Legal Department.

Attorney Beattie noted that the street lighting is all in place required on or before June 20, 2016 as well.

Assistant City Engineer Collins noted that he will have to drive through the subdivision to confirm that the lights are in face operational.

Assistant City Engineer Collins also noted that he has yet to be contacted by the Project Manager that developer has claims to have hired.

Attorney Beattie noted that he will be meeting with Mr. Lavoie the Project Manager hired for this job and will have him contact Assistant City Engineer Collins.

Mr. Fay questioned the vast amount of stockpiling that is taking place in the area.

B. Discussion Mauro Farms (June 7, 2016)

Mr. Fay noted his perceived conflict for the record.

Mr. Daniel Ruiz was in attendance to answer any questions the Board may have. Mr. Ruiz noted that the asphalt is done, the fencing around the detention Basins is done. Assistant City Engineer Collins outlined to the Board and to Mr. Ruiz the issues that present with the detention basins is a matter of cleaning and resetting the properly.

Assistant City Engineer Collins recommended meeting out at the site with Mr. Ruiz and Conservation Officer Ryder to discuss the requirements for resetting the detention basins so they work properly as well as clear up any outstanding conservation issues on the property.

On a motion made by Ms. Hughes, seconded by Mr. DuPont it was voted to refer the matter to the Engineering Department for review as well as extend the Subdivision Approval until June 21, 2016 in anticipation of final completion. Motion carried.

C. Discussion Indian Hill Bond Reduction

Attorney Beattie was in attendance to answer any questions the Board may have.

Assistant City Engineer Collins reported out that since this subdivision has been accepted by the City Council there is no need to continue holding this bond.

On a motion made by Mr. Fay, seconded by Mr. DuPont it was voted to reduce the bond securing the Indian Hill Subdivision to zero (0.00). Motion carried.

10. Informal Discussions:

A. Joe May Public Way off of Concord Rd

Mr. Joseph May owner of 297 Concord Rd wanted to discuss with the Board his intention of carving out an additional house lot between his property at 297 Concord Rd and his Fathers property at 285 Concord Rd.

The intended lot would have frontage on Hemenway St which at this time is not a paved way, as well as a small amount of frontage on Concord Rd.

Assistant City Engineer Collins noted that it is believed that the City accepted Hemenway St as a Public Way in its current form in 1898.

Mr. May noted that there is no intention to have access to the proposed home from Hemenway Street the intended access is from Concord Rd.

After much discussion revolving around the potential determination of Present and Adequate Access the Board took the following action.

On a motion made by Mr. DuPont, seconded by Mr. McCarthy it was voted to refer the matter to the Legal Department and the Engineering Department for the determination if Hemenway St in its present form can be considered as a Public Way with Present and Adequate Access for the potential for an Approval Not Required (ANR) plan. Motion carried.

B. Mirick O'Connell proposed Senior Living Facility Bolton St.

This item was moved up in the agenda.

C. Interpretation of “Lane” (Saluk)

Mr. Saluk questioned the Board on the definition of a “Lane” as it pertains to the proposed Jenks Road.

The question has arisen during the creation of the definitive subdivision plans. It is the intent to work from the plans that were approved at the Special Permit stage of the Open Space Subdivision. In working from those plans potential discrepancies were noted between the plan and the length of the proposed roadway.

On a motion made by Mr. Fay, seconded by Ms. Hughes it was voted to refer the question of the definition of a Lane as well as potential discrepancies between the Open Space Subdivision process and the Subdivision Rules and Regulations to the Legal Department as well as the Engineering Department. Motion carried.

11. Correspondence: None

12. Public Notices of other Cities and Towns:

A. City of Marlborough, City Council Public Hearing (June 20, 2016)

B. Town of Southborough, Planning Board Public Hearing (June 20, 2016)

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 Mr. Fay it was voted to adjourn at 9:20pm. Motion carried.

Respectfully submitted,

Colleen Hughes
Clerk

/mai

**MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752**

2016 JUL 29 A 9 29

Call to Order

June 20, 2016

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

Also in attendance were Board Secretary Melissa Peltier & City Engineer Thomas DiPersio
Sean Fay, Brian DuPont & Edward Coveney were absent

1. Meeting Minutes:

A. Regular Meeting June 6, 2016

On a motion made by Ms. Hughes, seconded by Mr. Hodge it was voted to approve the minutes of the June 6, 2016 Regular Meeting. Motion carried with Chairperson Fenby Abstaining.

2. Chair's Business:

A. Update regarding Planning Board Page – Calendar

Chairperson Fenby noted that there is no update at this time.

B. Planning Board Member Term Expirations

Chairperson Fenby noted that she will be speaking with the Mayor regarding reappointments of sitting members as necessary.

3. Approval Not Required: None

4. Public Hearings (7:15): None

5. Pending Sub Division Plans: Updates and Discussion:

A. Engineers Report

City Engineer DiPersio reported out to the Board that he had met with the developer of Walker Brook Estates. The Howe's Landing subdivision is progressing on houses but not on the roadway currently. Blackhorse Farms is still stockpiling fill material including large rocks. Attorney Beattie noted the fill material is for grading issues that need to be corrected due to the orders of conditions that have been received. Also of note the camera work for the underground pipes is scheduled to be done tomorrow.

B. Request for Extension Walker Brook Estates (Melanson)

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

Mr. Edward Melanson was in attendance to answer any questions pertaining to the request for extension.

On a motion made by Ms. Hughes, seconded by Mr. Hodge it was voted to approve the request of the developer to extend the Approval of the Walker Brook Estates Subdivision until November 1, 2016. Motion carried.

C. Request for Extension Cider Mill (FRE Builders)

Attorney Beattie handed out to all members present the current construction schedule that was left out of the request for extension packet.

On a motion made by Ms. Hughes, seconded by Mr. Hodge it was voted to refer the construction schedule to the Engineering Department as well as extend the subdivision approval until July 26, 2016 to allow the City Engineer time to review the submitted construction schedule. Motion carried.

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

7. Definitive Subdivision Submission: None

8. Signs: None

9. Unfinished Business:

A. Discussion Mauro Farms

City Engineer DiPersio noted that the requested meeting between the developer, Engineering Department and Conservation Officer has not taken place yet.

There is some confusion regarding the intended ownership of the Open Space Parcels. Clarification is being sought out.

On a motion made by Ms. Hughes, seconded by Mr. McCarthy it was voted extend the Subdivision Approval until July 26, 2016 in anticipation of final completion. Motion carried.

10. Informal Discussions: None

11. Correspondence:

A. Directions Spring 2016

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

12. Public Notices of other Cities and Towns:

A. Town of Framingham, Planning Board Notices (5)

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

Adjournment: On a motion made by Mr. McCarthy, seconded by Mr. Hodge it was voted to adjourn at 7:27pm. Motion carried.

Respectfully submitted,

Colleen Hughes
Clerk

/mai



Marlborough Public Schools

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CITY OF MARLBOROUGH

School Committee

2016 AUG 17 A 9:21

17 Washington Street, Marlborough, MA 01752

Phone (508) 460-3509

• Fax (508) 460-3586

Call to Order

June 28, 2016

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

Absent were Mrs. Hennessy & Mrs. Ryan.

Also present were MEA Representative Rupal Patel & Clerk Melissa Peltier.

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

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

3. Presentation:

A. Whitcomb STEAM Presentation

Mrs. Murphy presented a Power Point Slide show regarding the changes to the Whitcomb School to integrate the STEAM style into the entire school.

****An electronic version of the presentation is available****

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

5. **Communications:** None

6. Superintendent's Report:

Mr. Bergeron gave this report covering a range of topics including: Personnel Update, Dedication of Whitcomb School Sculpture, Whitcomb Moving On Ceremony, ESE Review Report of Teacher Quality and English Language Acquisition, DSAC Transitions to Regional Networks and farewell remarks from Superintendent Langlois.

7. Acceptance of Minutes:

A. Minutes of the June 14, 2016 School Committee Meeting

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to approve the minutes of the June 14, 2016 School Committee Meeting as submitted. Motion passed 4-0-1.

8. Public Participation:

The following Community Members all spoke regarding the impending changes to the educational format at the Whitcomb School. The public is concerned regarding the scheduling changes that will affect the students time spent in the music programs. All community members urged the Committee to rethink the change to the entire school STEAM Model.

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Marlborough Public Schools

School Committee

17 Washington Street, Marlborough, MA 01752

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Community members present included:

Sue Pearl, 10 Gaucher Circle
Matt Pearl, 10 Gaucher Circle
Ryan Pearl, 10 Gaucher Circle
Zeena Acharya, 58 Azalea Lane
Kimberly Dillon, 23 Cetrina Drive
Jennifer Hunt, 110 Crosby Road

9. Action Items/Reports

A. FY '16 Operating Budget Transfers

Mr. Bergeron presented the requested Transfers to the Committee.

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to approve the transfers as requested. Motion passed 4-0-1.

B. FY '17 Food Services Contract Extension

Mr. Bergeron presented the recommendation to approve FY '17 contract extension with Aramark for food services to the district.

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to approve the transfers as requested. Motion passed 4-0-1.

C. Cafeteria Surplus Equipment

Mr. Bergeron presented the request for permission to dispose of surplus cafeteria equipment by either sale, or donation to a worthy use.

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to approve the disposal of surplus cafeteria equipment as discussed. Motion passed 4-0-1.

D. Additional AMSA Bus

Mr. Bergeron presented to the Committee the need for an additional bus for the AMSA Charter School.

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to accept the information and place it on file. Motion passed 4-0-1.

E. Policy Acceptance:

Policy 6.140 Resignation

Policy 6.400 Administrative and Supervisory Positions

Policy 6.425 Employment of Principals

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to table the Policies for further review. Motion passed 4-0-1.

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to add an action item to this agenda. Motion passed.

Mrs. Bodin-Hettinger presented to the committee Policy 1.100 Non Discrimination as amended.

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to approve Policy 1.100 Non Discrimination as presented. Motion carried 4-0-1.

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F. Superintendent End of Cycle Summative Evaluation

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to table this item. Motion passed 4-0-1.

G. Athletic Trainer Job Description

Mr. Bergeron presented to the Committee the Athletic Trainer Job Description. This position is a full time position and does not carry a teaching load.

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to approve the Athletic Trainer Job Description. Motion passed 4-0-1.

H. Festival Disney

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to approve the trip to Festival Disney in 2017. Motion passed 4-0-1.

I. Acceptance of Donations and Gifts

College of the Holy Cross has donated the amount \$1,000.00 to the Whitcomb School.

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to accept the donation of \$1,000.00 to the Whitcomb School with gratitude. Motion passed 4-0-1.

Middlesex District Attorney's Office has donated the amount \$500.00 to the MHS Senior All Nighter.

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to accept the donation of \$500.00 to the MHS All Nighter with gratitude. Motion passed 4-0-1.

10. Reports of School Committee Sub-Committees:

Mrs. Bodin-Hettinger reported that the Policy Subcommittee will be meeting over the summer.

11. Members Forum:

Mrs. Matthews and Mrs. Bodin-Hettinger thanked all the staff for the hard work in SY '15/'16. As well as wishing continued success to outgoing Superintendent Langlois. Both wished the Community a Great Summer.

12. Adjournment:

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to adjourn at 8:34 pm. Motion Passed unanimously.

Respectfully submitted,

Heidi Matthews
Marlborough School Committee

HM/map

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Marlborough Public Schools

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School Committee

2016 AUG 17 A 9:12 Washington Street, Marlborough, MA 01752

Phone (508) 460-3509

• Fax (508) 460-3586

Call to Order

July 11, 2016

1. Chairman Vigeant called the Special Meeting of the Marlborough School Committee to order at 7:11 pm at the District Education Center, 17 Washington St., Marlborough, MA. Members present included Mrs. Hennessy, Mrs. Ryan, Mrs. Bodin-Hettinger, Mrs. Matthews & Mr. Walter.

Absent was Mr. Geary

Also present was Clerk Melissa Peltier.

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

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

3. Action Items/Reports

A. Personnel Update

Mr. Bergeron presented to the Committee the status of personnel postings for the upcoming school year. Approximately 30 new hires have been secured as well as the Director of Guidance with more to follow.

B. Human Resources Director Posting

Mrs. Greulich presented to the Committee the rationale behind the job title change from "Manager to Director". Motion made by Mrs. Matthews, seconded by Chairman Vigeant to approve the posting as amended. Motion passed 5-0-1.

C. School Committee Workshop

Mrs. Greulich presented the information to the Committee that the facilitator for the upcoming School Committee Workshop will be Tony Bent, and that Mr. Bergeron will be in attendance at the Workshop as well.

D. Policy 6.320 Coaches

Mrs. Hennessy presented the policy to the Committee with the information that this particular policy was just amended and adopted on February 9, 2016. After much discussion regarding the intention of the policy as it exists, the Committee took the following action.

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to accept the information and place it on file. Motion passed 5-0-1.

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E. Potential Summer Meeting Dates

Mrs. Hennessy presented tentative committee summer meeting dates to all members. The dates as presented were committed to have the required number of members available to hold a meeting (Quorum = 4 members). The date of August 15, 2016 in the evening was chosen to be booked as a potential meeting date should the need arise. The next formal regularly scheduled meeting for the upcoming school year is August 30, 2016.

Prior to adjournment Mrs. Bodin-Hettinger reminded all Committee members that she needs the evaluations for former Superintendent Langlois as soon as possible but no later than July 22, 2016 for submission to the State.

4. Adjournment:

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to adjourn at 8:04pm. Motion Passed unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Heidi Matthews', with a long horizontal stroke extending to the right.

Heidi Matthews
Marlborough School Committee

HM/map



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2016 JUL 29 A 9 35

**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 Wednesday, June 29, 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 and Fire Chief Kevin Breen. Also present: City Engineer Thomas DiPersio, Jr., Assistant City Engineer Tim Collins and local resident Charles Davis. Minutes taken by: Karen Lambert, MPD Records Clerk.

1- Minutes

The minutes of the Traffic Commission meeting of Tuesday, May 31, 2016.

MOTION was made, seconded, duly VOTED:
TO APPROVE

2 – New Business

2a) Request to restrict parking on one side of Howland St.

Chief Leonard advised that there is nothing in the agenda packet on this issue, however, a woman came into the station to see him about it. The road is newly paved with new curbing also. There are currently no parking restrictions and he said that it does get tight when cars are parked on both sides of the road. He advised the woman that normally this type of issue would be referred to Engineering to see what makes sense. Usually, if there is a restriction, the side that has the most parking spots available would be the side left open.

Commissioner Ghiloni asked if we already did a study here. Tim Collins advised that yes, it was already done as they anticipated that a parking restriction may be necessary when the paving was complete. Mr. Davis, a local resident in attendance on another issue, noted that he was in the area recently and witnessed a school bus trying to get down the road. He said it had “a terrible time” trying to get through with cars parked on both sides. He said that he would imagine the same thing would happen with a fire truck.

Tim Collins advised that it would affect more homes if parking were allowed on the West side and restricted on the East side. Chief Leonard said that he has only received one call on this issue, however, Mr. Davis has also seen the problem himself.

Chief Leonard advised that the City Ordinance calls for a width of 20 feet between the cars for parking to be allowed on both sides. There needs to be 10 feet of travel lane in each direction. Tim Collins advised that first car parked is fine. The second car is the one in violation. He noted that an actual parking space is 10 feet wide, however, a car usually takes up about 8 feet. He believes that curb to curb needs to be 28 feet.

Mr. Davis noted that most houses here have their own driveways. Tim Collins advised that are multifamily homes with narrow driveways. People park in the street so they don't have to move their cars for others who may be blocked in. He said that they are "typical old New England streets".

Fire Chief Breen said he has not been up in this area, however, if it is actually as tight as it sounds it would be a problem. Tim Collins advised that this is typical of streets near the downtown area. It is common for one vehicle to have to "tuck in" to let another car pass.

Chief Leonard suggested that we table this issue for now and let the others take a look and discuss it again at the next meeting.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING and Fire Chief Breen to look into the area for further discussion at the next meeting.

2b) Intersection of Boston Post Road West and Ames St. – U-turns.

Chief Leonard received an email on this issue from an employee of 241 Boston Post Road West. He explained that the timing of the lights at this intersection appears to have changed recently. Traffic coming down Ames and turning right onto Boston Post Road gets the green light at the same time the westbound traffic on Boston Post Road gets the green to make a U-turn. He said that there have been times when he "has come close to a head on collision with traffic flying downhill on Ames to go eastbound on Rt. 20." Both directions think they have a protected turn.

Tim Collins and Chief Leonard both agreed that we have looked into this issue before. Mr. Collins said that he has notified MADOT at least four times. He said that the driver on Ames Street actually has the right of way. Chief Leonard asked if there were any other options. He asked if it was feasible to put up a sign "to give the right of way to Ames."

Mr. Collins also advised that it is posted "No Turn on Red" on Ames. He would like to see MADOT allow the right on red. This would alleviate the stack up on Ames. He also agrees that the light sequence appears to have changed.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING and the DPW to determine if the light sequence has changed and why. If the answer is yes, we should request that MADOT allow the right on red.

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

3-Old Business

3d) Parking concerns on Washington St.

Local resident, Mr. Charles Davis, was in attendance for this issue. He advised that his son goes to school at the ECC and he is there for pick up and drop off daily. He follows the rules passed out by the school. He said that he sees the problem with the neighbors as there are others who don't follow the rules. For example, turning around in people's driveways etc. With people parking on both ends of the drop off area you often have to take a right or left when you can't see clearly if anyone is coming. It appears that there should be no parking allowed in front of the ECC but there are no signs there. The school busses also stack up here. It's a real safety issue for those leaving the school driveway.

It was further discussed that since the DEC has added more employees there is nowhere to park. With the hydrant, the circle driveway and way the street is graded downhill you really can't see when pulling out. There is also a city ordinance that states there is no parking within 20 feet of a crosswalk, however, people are frequently parked on the line at both sides. People are also backing into Devens St. and parking. All of this has to do with the number of people working in the building. Mr. Davis said that he has talked to some of the teachers and they said that they have to park in the street because the DEC employees take the spots in the lot.

Tim Collins advised that he found two old regulations, one from 1986, for a parking restriction on Washington Street. Parking was restricted on both sides, between the hours of 7am and 7pm Monday to Friday, in front of the school and up to Devens Street. This was probably from when there was nothing really going on in the area.

Chief Leonard asked how many parking spots we would lose on the north side if parking were restricted. Commissioner Ghiloni advised that there are also two openings and a hydrant and that maybe 7 spots would be lost. Chief Leonard said that this has historically been an issue off and on. If parking is restricted, he is not sure where those seven spaces would go. There is parking allowed on Bolton Street, but he is not sure that we want to encourage this either.

Chief Leonard advised that he would be in favor of a parking restriction from 7:00am to 5:00pm, Monday to Friday, in front of the school (305 feet) on the north side. This is the same restriction currently in effect in front of the IC School. Any existing old regulations will be removed and a new one created. This should be able to be done before the next school year. Commissioner Ghiloni said that with the hydrant and the crosswalk there may be only 4 "legal" spaces lost. Chief Leonard asked Tim Collins for copies of the old regulations.

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

Back to New Business

2c) Curtis Ave. speeding concerns.

Chief Leonard received a letter from local residents on this issue. They are asking if a "vehicle speed survey" could be done and posting of speed limit signs on Curtis Ave. Tim Collins advised that we also dealt with this issue a few year ago. As soon as a road is newly paved, speed issues develop. Tim Collins advised that they added lines to the sides of the road to make it appear smaller, which helped for a while.

Chief Leonard advised that this is really more of a police enforcement issue. He can also get the speed board out there.

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

2d) Request to make Emmett St. one-way from South St. to Orchard St.

Chief Leonard received a letter from a resident of Emmet Street on this issue. He said that some residents are parking their cars right to the corner, "limiting that busy corner to one lane". He said that "this has been a safety hazard for years. Cars turning right from South Street end up confronting cars coming west up Emmett Street." He is suggesting:

- 1) Zoning the corner for no parking.
- 2) Making Emmett Street one-war heading toward Ward Park.

He also asked when South Street will be paved.

Tim Collins passed out a diagram of the street with the areas of concern marked in red. He also had a photo, which showed a car legally parked, however, it also shows that part of the sight problem is a large hedge on the left side. He said that a hedge is considered a fence and according to the City Ordinance, it cannot be higher than three feet.

Currently parking is restricted within 50 feet of the intersection at the corner of Emmett and Fahey. The two ends of Emmett Street, at South Street and at Orchard Street, have a parking restriction of 20 feet from the intersection. Mr. Collins thinks it may be a good idea to apply the 50 foot regulation to both ends.

It was discussed that the house at the corner of Emmett and South Street is a multi-family. They should get 11 parking spots based on the # of bedrooms in the unit. Also, the group does not want the street to be changed to one-way. Mr. Collins thinks that it will help to have the hedges cut back.

Chief Leonard summarized that the issue could be approached in stages.

- 1) 26 South Street needs to trim the hedges down to two feet in the first 25 feet of roadway. Pam Wilderman, of Code Enforcement, can notify them.
- 2) Extending the parking restriction to 50 feet at both ends of Emmett Street, to the intersection of South Street and Orchard Street. This still leaves room for a spot at the driveway at 16 Emmett Street (3 family).

MOTION was made, seconded, duly VOTED to REFER to Engineering to ask Pam Wilderman to notify the homeowner of the City Ordinance on the height of the hedges.

And

MOTION was made, seconded, duly VOTED to REFER to Chief Leonard to prepare the new regulation to extend the parking restriction on both ends of Emmett Street to 50 feet from the intersection.

2e) Speeding concerns on Simpson Rd.

Chief Leonard added this agenda item but did not include the email in the agenda packet. The requestor also asked about "Slow Children" signs. Chief Leonard advised that the speed board is currently out on Simpson Road. He said that he also explained to the requestor reasons why we do not approve "Slow Children" signs.

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

3-Old Business

3b) Traffic Concerns at Wilson & Hemenway Sts.

At the last meeting, the group discussed the possibility of a raised island at this intersection. Tim Collins looked into this and found a problem. A truck coming down Hemenway Street and trying to take a left onto Wilson Street would not meet the required turn radius if an island were installed. The group has also discussed a rumble strip, a T-Intersection and moving of the stop signs, however, each option has also had problems.

Tom DiPersio suggested a smaller island with a rumble strip in front. Chief Leonard asked if we could create one that shows the curve. One of the motorcycle officers said part of the problem could be with the change in the speed of the road. It is 30mph on Hemenway and 25mph on Wilson. If the 25mph zone started sooner maybe it would help. Chief Leonard said that it all goes back to needing some type of physical structure to slow the traffic. Tim Collins said that this is why we started with the advisory sign for the turn. It was initially installed too far down Hemenway and was not clearly visible. It has since been moved closer to the intersection. Another suggestion was made for a dashed line to define the turn. When a car is speeding through the turn they basically cut off the turn.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to diagram the line and put it in.

3c) Crosswalk on Donald Lynch Blvd. @ New England Sports Center.

Tim Collins has looked at the suggested area for the crosswalk and found there to be "loads of sight distance", about 400 feet. This is also a good location for a rapid beacon for the crosswalk, the west side of the second driveway. He is recommending that NESC go ahead and design the crosswalk as discussed at the last meeting. Chief Leonard also advised that he would also mention the flashing beacon to them, but does not know if they will agree to this.

MOTION was made, seconded, duly VOTED to REFER to Chief Leonard to relay the recommendations to NESC.

3e) Simarano Dr. speed limit.

Tim Collins advised that Engineering has done a preliminary speed study. They found that 85% of vehicles were traveling at 49mph. They found the range to be as slow as 33mph and as fast as 58mph. The design speed for the road is 40mph. The current 40 mph speed is good. It was also discussed that police details have also clocked cars at 58mph. It is a new road with no defects and people do tend to drive fast here. Mr. Collins said that an advisory speed sign would help and warning signs do not require a regulation.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to have advisory speed signs installed.

3f) Timing of traffic signals on Lincoln St. @ Bolton St.

Tim Collins advised that he went back to check on the timing of the lights. He also talked to Mark Dascoli and it appears that the loop is not working properly and it is allowing for the maximum wait time all the time. Chief Leonard said that he only just started getting calls on this recently. Mr. Collins advised that he would call Daigle Electric and have them come and take a look at it.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to try to have the loop connection fixed.

3a) Traffic Commission rules and regulations update.

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 11:05am.

Respectfully submitted,

Karen L. Lambert

Records Clerk
Marlborough Police Department

List of documents and other exhibits used at the meeting:

-Meeting Agenda for Wednesday, June 29, 2016. (Including City of Marlborough Meeting Posting).

-Draft of minutes from Tuesday, May 31, 2016.

-E-mail from Bob Levine to Chief Leonard, dated 5/31/16, re: Traffic Light Situation (including diagram).

-Letter from Robert & Susan Eaton to Chief Leonard, dated 6/10/16, re: Vehicle Speed Survey on Curtis Ave.

E-mail from Councilor Matt Elder to Chief Leonard, dated 6/10/16, re: forwarded e-mail from Clarence Forman regarding Emmett Street.

Additional Handouts:

-GIS map of Emmett Street with areas of concern marked in red.

-Photo of Emmett Street showing large hedges which cause a sight problem.

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2016 AUG 24 A 10:06



**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, July 26, 2016 at 10:00 a.m. in the City Council Committee Room, City Hall. Members present: Chairman - Police Chief Mark Leonard, DPW Commissioner John Ghiloni, Fire Chief Kevin Breen and City Clerk Lisa Thomas. Also present: City Engineer Thomas DiPersio, Jr., Assistant City Engineer Tim Collins and local residents Charles Davis and Gary Lubin. Minutes taken by: Karen Lambert, MPD Records Clerk.

1- Minutes

The minutes of the Traffic Commission meeting of Wednesday, June 29, 2016.

(Lisa Thomas was not in attendance last month and abstained from voting.)

MOTION was made, seconded, duly VOTED:
TO APPROVE

2 – New Business

2a) Parking concerns on Middle Street.

Mr. Lubin was in attendance for this issue. He explained in his email to Chief Leonard that they were having issues with the neighbor's truck being parked on the street. He said that the truck has a severely cracked windshield. It leaks oil and grease onto the street. It used to have commercial plates on it and was constantly parked on the street with equipment attached (stump grinder, tree shredder). They were changed to residential plates once Code Enforcement got involved. He also feels that the truck could prevent emergency vehicles from going up Middle Street. He is asking what it would take to have no parking anytime signs posted on Middle Street. He does not mean this as a personal attack. He lives at #1 Middle Street. His neighbor lives at #3.

Chief Leonard advised that he went up there to take a look and he does agree that it is a "tough street". Tim Collins said that it is basically a "paved sewer taking". Chief

Leonard said that the issue is that Middle Street may not actually be a public way. It is almost more of a driveway. He said that it would certainly be tough to get a fire truck there on a "good day".

Mr. Lubin said that he brings his trash barrels down to Francis Street. Mr. Collins said that he knows that a pickup truck has to do the trash pickup here. Mr. Lubin also said the City does plow Middle Street though. Mr. Collins also said that the area where the truck is parking is private property. The property owner actually lives on Francis Street. Mr. Lubin said that the woman who owns that property was supposed to be here at the meeting.

Chief Leonard said that the Traffic Commission can't regulate a private way or private property but maybe something can be done from a public safety standpoint. Commissioner Ghiloni asked if the property owner could say something if the truck is parking on her property. Mr. Lubin had a photo and there appears to be a dirt area where he is partially off the road.

Chief Leonard asked Mr. Lubin to have the property owner call him to discuss the issue. Fire Chief Breen also said that he would like to take a look at the area.

MOTION was made, seconded, duly VOTED to TABLE for now and await a call from the property owner and also see if Chief Breen sees it as a public safety issue.

2b) Request for stop signs on Weed St. at Florence St.

Chief Leonard added this item to the Agenda. He included the narrative and diagram from a recent accident where a car coming out of Weed Street did not stop and hit a car coming down Florence Street causing it to roll over onto the driver's side. There is no stop sign on Weed Street. Tim Collins said that Weed Street technically ends at City Hall. Sully's had a Florence Street address. A stop sign here would actually be on property owned by Community Development. Commissioner Ghiloni asked if we can make the whole area an actual street.

Mr. Collins said that we can put a stop sign there but technically Community Development would need to give a Grant of Authority and allow the stop sign and then we could regulate it. Chief Leonard asked the Commissioner if he speaks regularly with the CDA. This is a T-intersection and a stop sign can be used here. Commissioner Ghiloni will talk to Doug about this. He also needs to look into making Weed Street a public way to Newton Street. Mr. Collins said that it would require a "taking" from City Hall. He would need a description drawn up to submit to the City Council. Chief Leonard just wants to get the Grant of Authority quickly so the signs can go up. Commissioner Ghiloni can work on the other issue later.

MOTION was made, seconded, duly VOTED to REFER to Commissioner Ghiloni to get a Grant of Authority from the CDA and get the stop signs put up.

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

3-Old Business

3d) Parking concerns on Washington St.

Chief Leonard prepared two regulations for a vote.

The first is to delete the existing parking restriction on the South side.

MOTION was made, seconded, duly VOTED to APPROVE. All in Favor.

The second regulation is to add the amended parking restriction on the North side. The new regulation restricts parking Monday to Friday from 7am to 5pm from Bolton Street, extending westerly for 305.5 feet. This is the entire length of the driveway in front of the DEC Center.

MOTION was made, seconded, duly VOTED to APPROVE. All in Favor.

The main parking issue occurs during school hours in front of the DEC Center. We are now allowing parking on the South side from Devens St. to Bolton St. Other restrictions are already in place, they just need to be enforced. For example, no parking within 20 feet of an intersection or 20 feet of a driveway or in front of a fire hydrant.

Mr. Davis was in attendance for this issue. His biggest issue has now been addressed. His main concern was with cars parking in front of the school. He did also ask about the parking restriction on Devens Street. Tim Collins advised that there is no parking allowed on either side of Devens Street. Chief Leonard said that we can now wait and see how it all goes. Lisa Thomas asked Chief Leonard to send her an electronic copy of the regulation.

Tim Collins said that the no parking signs would go up within the next two weeks. He will also confirm if the appropriate signs are on Devens Street.

MOTION was made, seconded, duly VOTED to REFER to Tim Collins to have the proper signage installed.

Fire Chief Breen had to leave the meeting at 10:30 for a conference call with the Mayor. Meeting continued as quorum still present.

3a) Traffic Commission rules and regulations update.

Tim Collins advised that he is almost finished with this project. He anticipates that he has about 1/12 hours left. He said that he would definitely do it for the next meeting.

MOTION was made, seconded, duly VOTED to TABLE.

New item not on the agenda.

Tim Collin wanted to make a note of a change in traffic pattern at East Main Street and Granger Blvd. The straight through lane has changed. The old arrows have now been blacked out and the new markings are in place. Advance warning signs are still needed so that people know which lane to get into. There was some confusion initially but it will

be better once all the proper signage is in place. The left turn does not have the right of way. It is not an exclusive green arrow. Traffic has to yield on the green ball. A sign indicating yield to straight traffic is also needed. Chief Leonard said he thinks it will make sense once people understand the change. They did use the warning signs for "traffic pattern change".

Fire Chief Breen returned to the meeting.

3b) Traffic Concerns at Wilson & Hemenway Sts.

At the last meeting the group discussed the possibility of a dashed line that would more clearly show the turn movement at the intersection. Tim Collins passed out two photos. One is an aerial view with the new line indicated the second is a street view of the same. It was reviewed that many options have been discussed but so far none have seemed to work.

Tom DiPersio suggested that possibly the island could start back further with a hybrid of a rumble strip and an island. This elongated island would be a good visual to make the turn. Chief Leonard said that this does kind of make sense. The problem with the rumble strip is that people tend to drive over it but an island with it is a viable option. Tim Collins advised that he would draw something up for the next meeting.

MOTION was made, seconded, duly VOTED to TABLE.

3c) Crosswalk on Donald Lynch Blvd. @ New England Sports Center.

Chief Leonard will make sure the NESC knows that the Traffic Commission has approved the crosswalk location they suggested.

MOTION was made, seconded, duly VOTED to REFER to Chief Leonard to discuss with NESC.

3e) Timing of traffic signals on Lincoln St. @ Bolton St.

It appears that the timing on the lights at this intersection is now working correctly. No new complaints have been received.

MOTION was made, seconded, duly VOTED to REMOVE from the agenda.

3f) Request to restrict parking on one side of Howland St.

Tim Collins advised that the number of parking spaces needed on each side depends on the number of units and the number of bedrooms. The assumption is that a one bedroom unit equals 2 spaces (i.e. husband and wife). There is a definite need for parking on Howland Street as there is an overflow. He said that the east side needs 76 spaces and the west side needs 65 spaces. There are potentially 88 spaces on the right side and 91 spaces on the left. He passed out a GIS diagram with the number of spaces indicated. The Traffic Commission needs to decide which side to allow parking and which side to restrict.

Chief Leonard said that the easiest choice is to allow parking on the side with the most spaces but the reality is that with the multifamily, even if there are sufficient spots in the driveway, they often park in the street so they don't have to move their cars to let others out. Before granite curbing, cars used to just park over the curb. Now they can't do that anymore. They were not supposed to be on the sidewalk anyways.

Chief Leonard said that if he had to choose it would make sense to allow parking on the east side between Chestnut and Elm. Commissioner Ghiloni asked the Chief if he was hesitant to make a change as the Traffic Commission has received only one complaint. The concern is that the road is too narrow for parking on both sides when cars are parked right next to each other but it's not a problem if the parked cars are spread out.

The group discussed it further and decided to monitor the issue before making any changes. Chief Leonard said that he would also like to take a look at it at night.

MOTION was made, seconded, duly VOTED to TABLE for now and continue to monitor the issue.

3g) Intersection of Boston Post Road West and Ames St. – U-turns.

Tim Collins advised that he sent an email last Wednesday to his contact at MA DOT, however, he has not yet heard back from him.

MOTION was made, seconded, duly VOTED to TABLE.

3h) Request to make Emmett St. one-way from South St. to Orchard St.

The original request was to make Emmett Street one way. Tim Collins recommended that the no parking area at the corner be extended back 50 feet. The restriction is normally for 20 feet, but by extending it back it may alleviate the issue at the corner. He also said that the homeowner would need to cut back their bushes to allow for site distance. He said that within 20 feet of an intersection the hedge cannot be more than two feet tall.

Commissioner Ghiloni said that he has been up there a few times and has actually seen cars parked within the 20 foot section. Mr. Collins said that maybe people don't know about this or don't know where 20 feet stops/starts. He also suggested that a sign needs to be put up. We would be changing it to 50 feet when people don't even know about the 20 feet. No parking within twenty feet of an intersection is a city ordinance. Realistically this can't be marked at every intersection.

Chief Leonard advised that we should hold off for now. He can try to get his officers out there to enforce the ordinance. We can try to educate the residents that they can't park within 20 feet on the intersection.

Lisa Thomas suggested putting something on the City's website. Chief Leonard also said that we could highlight some problem areas. There could be a section of Frequently Asked Questions (FAQ's) or prepare some bullet points and make it into a PDF that Lisa Thomas can upload. Chief Leonard asked if the MUTCD had anything prepared about parking distance from crosswalks.

Lisa Thomas said, however, that she would rather get the Code Book completed first. Then people would have something to refer back to when looking for regulations on specific streets.

MOTION was made, seconded, duly VOTED to REFER to Chief Leonard and the Police Department to monitor.

Mr. Davis asked one further question not on the agenda.

Can the area around the DEC Center be zoned as a School Zone?

Chief Leonard advised that specific criteria needs to be met for a School Zone., such as the number of walkers and crosswalks on the property. He did not think that any children walked to the DEC Center. Mr. Davis said that some parents walk there.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 11:08am.

Respectfully submitted,

Karen L. Lambert
Records Clerk
Marlborough Police Department

List of documents and other exhibits used at the meeting:

- Meeting Agenda for Tuesday, July 26, 2016. (Including City of Marlborough Meeting Posting).
- Draft of minutes from Wednesday, June 29, 2016.
- Email from Gary Lubin to Chief Leonard, dated 7/13/16, re: Parking on Middle Street.
- Copy of Accident Report from role over accident at intersection of Weed Street and Florence Street on June 18, 2016.
- Copy of revised regulation to delete old parking restriction on the North side of Washington Street.
- Copy of revised regulation to delete time limit restrictions to the no parking regulation on the South side of Washington Street.
- Copy of revised regulation to add time limit restrictions to the no parking regulation on the North side of Washington Street.
- Copy of revised regulation to add a parking restriction to both the North and South sides of Emmett Street.

Additional Handouts:

- GIS map of Howland Street with number of parking spots on each side indicated.
- Aerial photo of intersection of Wilson Street and Hemenway Street.
- Street view photo of rea of 268 Hemenway Street.

-Engineering diagram of "Downtown Streetscape Improvements Project"

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

Minutes

Amended - Page 4

May 19, 2016 (Thursday)

Marlborough City Hall - 3rd Floor, Memorial Hall

7:00 PM

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

Absent: none

Minutes: The minutes of April 7, 2016 were reviewed and unanimously approved.

Public Hearings:

Request for Determination of Applicability
53 Bergeron Rd. - Mr. & Ms. Farrell

Mr. Farrell was present and explained that he proposes to add a patio and above ground pool to the back of the home which abuts a small intermittent stream in his back yard. The property falls within the city's Water Supply Protection District, so the pool is located 50' away from the wetland area. The yard is gently sloping to the back. They will need to remove a small amount of material to flatten out the above ground pool area. The stone patio and hot tub will be added next which are further away from the wetland nearer to the house. The Commission discussed the need to remove excess material to the front of the house or off site. The standard conditions for notification and inspection were discussed. There being no further questions, the Commission closed the hearing and voted unanimously 7-0 to issue a Negative Determination with standard conditions.

Request for Determination of Applicability
223 Vega Rd. - Mr. & Ms. Meyers

Mike Myers was present and stated that he proposes to add fill and regrade their backyard, add a gravel foot path and remove some leaning trees near wetlands. His house abuts the pond at Cider Knoll. He discussed the trees he would like to remove. The Commission noted that the trees would need to be marked and approved by the conservation officer before they are removed. Ms. Ryder noted that the slope behind the existing shed is quite steep and erosion controls will be needed. Mr. Myers indicated he would use staked compost socks or equivalent as his erosion controls. After some discussion about the limits of work, the Commission closed the hearing and voted unanimously 7-0 to issue a Negative Determination of

Applicability with standard conditions and the need to mark trees and get approval before removal.

Request for Determination of Applicability

185 Cullinane Dr. - Shawn McCarthy

Karen Keegan from Guaranteed Builders was present and explained that the owners propose to build an attached garage and breezeway with associated grading next to Ft. Meadow Reservoir. The garage will be 67.8' away from the wetland. 5-7 trees will need to be removed to make room for the garage. The garage will be built in the already flat area so not much excavation is necessary, although they agreed to remove all excess materials from the site. It was also discussed that the tree stumps should be removed from the site. Erosion controls of straw waddles and silt fence will be used to prevent silt from washing into the lake. After some discussion, the Commission closed the hearing and voted unanimously 7-0 to issue a Negative Determination of Applicability with standard conditions and those noted above.

Request for Determination of Applicability

40 Anderson Rd. - Jeff Kavaleski

Mr. Kavaleski was present and explained that he proposes to add a detached garage near wetlands. Ms. Ryder noted that the wetlands were 30+ feet away and beyond the stone wall from the location of the proposed garage. There is quite a steep drop from the existing driveway, they will build the foundation and then fill the area which will protect the wetlands even more. There were questions about the location in relation to the property line which should be discussed with the Building Dept. After further discussion, the Commission closed the hearing and voted unanimously 7-0 to issue a Negative Determination of Applicability with standard conditions regarding notification and erosion controls.

Request for Determination of Applicability

135 Cullinane Dr. - Jeff Hedderig -

No one was present to represent the owner. Ms. Ryder noted that she had visited the site and the work proposed is to remove and replace the existing porch with a slightly larger porch next to Ft. Meadow Reservoir. The porch is in disrepair. The addition only adds a few more supports and is more than 30' away from the water. Only work is putting in the sona tubes and to remove any excess materials. Being a small project with limited impact, the Commission closed the hearing and voted unanimously 7-0 to issue a Negative Determination of Applicability with standard conditions including the removal of any excess aluminum rods on the shoreline.

Notice of Intent

Due to a conflict of interest Commissioner Dennis Demers recused himself from this discussion.

215 Cullinane Dr. - Amanda Morse

Amanda Morse was present and is the owner of the house, she proposes to remove and replace the existing boathouse on Ft. Meadow Reservoir. Ms. Ryder did an inspection of the site and noted that one of the trees is growing into the side of the building. The building is set back from the water. Ms. Morse explained that she is planning to replace in kind or a little smaller since she does not want to take down the tree. They will replace the slab and footing as required by the building code. There was discussion of the impact of excavation on the tree roots. This will be evaluated during construction and after excavation to determine if the tree can be saved. Access for construction will be from Red Spring Rd. She explained that she uses it more as a shed. After further discussion, the Commission voted unanimously 6-0 (Dennis Demers abstained) to issue a standard Order of Conditions for the project; noting the tree inspection after excavation and removal of all excess materials from the site.

Notices of Intent - (Continuation)

Slocumb Ln. – Slocumb Realty LLC - #69, 79, 78 and 90

Peter Lavoie from Guerriere and Halnon, Inc. was present representing Fafard Real Estate Developers. He has presented four separate Notices of Intent (NOIs) for each of the house lots to be discussed this evening, but it was easier to show all the lots together on one plan. The wetland surrounds this peninsula of land at the end of Slocumb Lane. All slopes will be rip rap 2:1 slopes. The toe of the slope does cross through the 100' buffer zone on a few lots as previously discussed. The revised plans showed a fence on top of the rip rap slope, the construction sequencing is also included on the plan and includes that the slopes will be monitored and certified by a geotech engineer. Mr. Lavoie acknowledged that the current fill will need to be removed, screened and then reused to build the slope. Mr. Lavoie also noted that the vernal pool certification was submitted to NHESP on April 24th, a copy will be submitted to the Commission shortly. After some discussion, the Commission reviewed the draft Order of Conditions for each lot separately

Notice of Intent – 69 Slocumb Ln. - The Commission noted that the grading for lot 69 blends into that of Lot 90 which will need to be noted on the Order of Conditions. The Commission reviewed the draft order and voted 5-yes (Clancy, Williams, Skarin, Roy, Paquin) 2 opposed (Demers and White) to approve the Order as drafted and amended.

Notice of Intent – 79 Slocumb Ln.- The Commission reviewed the draft Order of Conditions and voted 5-yes (Clancy, Williams, Skarin, Roy, Paquin) 2 opposed (Demers and White) to approve the Order as drafted and amended.

Notice of Intent – 78 Slocumb Ln. The Commission reviewed the draft order and voted 5-yes (Clancy, Williams, Skarin, Roy, Paquin) 2 opposed (Demers and White) to approve the Order as drafted and amended.

Notice of Intent – 90 Slocumb Ln. The Commission discussed the vernal pool which is on the edge of this property and required a conditions that this documentation be provided. Also to note the grading that is shared with lot 69. The Commission reviewed the draft Order of Conditions and voted (vote should read) 4-yes (Clancy, Williams, Skarin, and Roy) 3 opposed (Demers, White and Paquin) to approve the Order as drafted and amended.

Certificate of Compliance:

- DEP 212-1109 379 South St. – Patrick Mauro - Ms. Ryder has received the as-built plan and preformed a site inspection and reported that all conditions have been met. The Commission voted unanimously 7-0 to issue a full Certificate of Compliance for this project.

Discussion/Correspondence/Other Business:

- DEP 212-1117 Preserve at Ames (Brookview Village) Week 55 Inspection Report – Minor changes to wetland replication area. Mark Arnold of Goddard Consulting Inc. and Kevin Malley of Fairfield Development were present. Mr. Arnold wanted to talk about two items. The Phase 2 foundation shift and the Wetland replication area change requests:
 1. Phase 2 foundations: During construction the foundations were inadvertently shifted 6' closer to the wetland areas. However, the parking lot location and edge of work did not change. This was a mistake in the field, but overall the lot has the same lot coverage, the same greenspace etc., but in a slightly different configuration due to the foundation shift. The Commission reviewed the change and determined it was minor in nature and did not require any change to the permit.
 2. Wetland Replication Area – Mr. Arnold explained that he had walked the site with Ms. Ryder and Ms. Paquin to discuss the approved wetland replication location and a new location that will better meet the hydrology and make for a more successful replication area. As previously approved, the wetland would need to be excavated more deeply and the adjacent hydrology would not likely work. The new proposal is to adjust the wetland replication location which will be 400 sq. ft. larger than originally shown. It will allow for more gentle slopes and better hydrology and wetland connectivity. The planting plan has also been adjusted to better meet the needs of the area. In addition to the replication area below the first buildings in

phase 1, the approved plans also show plantings in the stream channel at the stream crossing. The revised plans show the plants outside the stream channel on the bank. After some discussion about the changes, the Commission voted unanimously 7-0 to approve the changes presented as minor changes, not requiring a formal amendment. Ms. Ryder will follow up with a letter stating same.

3. The Commission noted that there is quite a bit of dust generated along Ames St. because the roadway has not been swept. Mr. Malley will follow up to ensure this gets done.
- 329 Maple St. – violation follow-up - The Commission reviewed a letter dated May 18th to Benjamin Donnarumma from Priscilla Ryder indicated they will attend the meeting in June. The Commission discussed the site and noted that the Google maps do indicate that some trees used to be on the property and discussed the need to address this. If the brook walls are 4' high this would mandate some type of fence for safety reasons. Ms. Ryder will inquire about the rules from the Building Dept. The owner will attend the next meeting.
 - Tree cutting policy - The Commission reviewed a draft tree cutting policy near wetlands that Ms. Ryder drafted to clarify the process by which a tree can be removed from a wetland area if it is a hazard. The Commission voted unanimously 7-0 to approve the policy as written.
 - Felton Conservation Land – mowing/license - The annual renewal of the license to mow the Felton Conservation Land by Adda Farm- Donald Wright was reviewed by the commission. There was discussion about ground nesting birds and the ability to cut the haying from two or three cuts to one cut late in the season. The Commission determined they would need additional information before rendering this decision and would like to have a discussion with Mr. Wright before making that change. Ms. Ryder will gather information on field management for ground nesting birds to discuss this fall before renewal spring of 2017. The Commission voted unanimously 7-0 to approve the license agreement for 2016 and signed two copies of the agreement.
 - Letter to Mayor Vigeant, dated May 10, 2016 - Acceptance of gift of \$1,000 to Conservation Maintenance Fund – Dow Chemical Co.- The Commission reviewed this correspondence and placed it on file.
 - Cider Knoll – beaver dam- the trapper hired trapped three beavers. The Commission discussed the need to put in a beaver pipe. Ms. Ryder will investigate and report back.

- Panther Trail – options - Ms. Ryder noted she has a few more areas where potential trails will go that are wet and wanted some opinions from the Commission on trail options.
- Dog edicate at the Desert Natural Area -The Sudbury Valley Trustees is posting dog rules at their property at Memorial Forest to 3 dogs mas per 1 walker. Ms. Ryder asked if the Commission had any thoughts on this. She will provide information to the Commission on SVT's efforts.
- Ft. Meadow Reservoir – pre-treatment weed survey is scheduled for Friday at 9:00 AM meet at the boat house. Ms. Ryder and the new conservation agent in Hudson will attend.

Meetings – Next Conservation meetings – June 2nd and June 16th, 2016 (Thursdays)

Adjournment - There being no further business, the meeting was adjourned at 9:16 PM.

Respectfully submitted,


Priscilla Ryder *sb*
Conservation Officer