

REGULAR MEETING
MARCH 9, 2015

IN CITY COUNCIL
ABSENT:

CONVENED:
ADJOURNED:

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2015 MAR -5 P 1:12

NOTE: If the regular meeting of the City Council, scheduled for MARCH 9, 2015 at 8:00 PM in the Council Chambers, 2nd Floor, City Hall, 140 Main Street, is cancelled due to inclement weather, the City Council will instead meet on Thursday, MARCH 12, 2015 at 8:00 PM in Council Chambers, 2nd Floor, City Hall, 140 Main Street, to discuss the same agenda items posted below for the MARCH 9, 2015 meeting.

1. Minutes of the City Council Meeting, FEBRUARY 23, 2015.
2. Presentation/discussion with City Councilors-Fire Department Assessment prepared by Municipal Resources, Inc. November 2014, Order No. 14/15-1006028A.
3. Communication from the Mayor re: Proposed Order Concerning Acceptance of MGL, Chapter 83, Sections 16A-16F.
4. Communication from the Mayor re: Statement of Interest for Marlborough Public Schools.
5. Communication from the Mayor re: Appointment of Richard Cygan, to the Council on Aging for a four year term to expire from date of approval.
6. Communication from Mirick O'Connell re: Petition for Zoning Ordinance Amendment by Crabtree Lake Williams, LLC.
7. Application for Renewal of Junk Dealers/Second Hand License, Mary Giorgi, d/b/a Giorgi's Boutique, 266 Main St.
8. Application for Renewal of Junk Dealers/Second Hand License, TVI, Inc., d/b/a Savers, 222A East Main St.
9. Application for Renewal of Junk Dealers/Second Hand License, Roman Kimyagarov, d/b/a Arthur & Sons Shoe Repair, 107 Main St.
10. Minutes, Board of Health, February 3, 2015.
11. Minutes, Conservation Commission, February 5, 2015.
12. Minutes, Planning Board, February 12, 2015.
13. Minutes, Traffic Commission, December 17, 2014.
14. Minutes, Other Post-Employment Benefits, (OPEB) Trust Board Meeting, January 14 & February 18, 2015.
15. Communication from Amica, on behalf of Frank Peace, 72 Reynolds Ct., Joseph Barone, 251 Raymond Rd., John Iannone, 9 Boivin Dr., Nancy Messina, 51 Lafayette Dr., Fred Brewitt, 299 Sudbury St., & Christiane Nelson, 21 Canterbury Way.
16. Communication from Hanover Insurance Group, on behalf of Kathryn Webster, 31A Church St., Philip Garcia, 63 Sandini Rd., & Katherine Kerr, 15 Bowstring Way.
17. Communication from Union Mutual of Vermont Companies, on behalf of Heather Bell, 67 Crystal Brook Way, Unit F.
18. CLAIMS:
 - a. Jackeline Jaguande, 688 Boston Post Rd., pothole or other road defect claim.
 - b. George Cook, 94 Framingham Rd., other property damage.
 - c. Robert Cabral, 32 Park St., other property damage.
 - d. Eric & Deborah Richard, 4 Belleview Ave., other property damage.
 - e. John Nicholson, 302 Sudbury St., residential mailbox claim 2(a).
 - f. Phil Cospier, Wheel Pros, 44 Park St., other property damage.

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.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Finance Committee

19. **Order No. 14-1006054 – Transfer \$150,000.00 from Undesignated Funds to fund Sewer Maintenance.** The Finance Committee reviewed the Mayor’s letter dated December 11, 2014 requesting the transfer of \$150,000.00 from the Undesignated Funds account to the Sewer Maintenance account. The payment results from mutually agreed upon mitigation payments from Atlantic Management to fund needed sewer upgrades in the Forrest Street area. **The Finance Committee voted 5 - 0 to approve the transfer.**
20. **Order No.14-1006055 – Transfer \$53,214.30 to Fund Fire Department Retirement.** The Finance Committee reviewed the Mayor’s letter dated December 11, 2014 requesting the transfer of \$53,214.30 to fund sick leave buy back for a retiring member of the Fire Department. **The Finance Committee voted 5 - 0 to approve the transfer.**
21. **Order No. 14-1005997A – Turf Field Bond for \$3,855,059.00.** The Finance Committee continued the review of the Mayor’s letter dated October 30, 2014 for bond request in the amount of \$3,855,059.00 to fund the city’s first synthetic turf athletic field at the Whitcomb Middle School. Funding for this bond will be from the local option meals tax that is dedicated to the city parks and recreation facilities. The Finance Committee voted 4-0-1 (Councilor Elder abstained from participating) to approve the bond for 3,855,059.00 and to advertise the bond. The Finance Committee requested that process be obtained for both the rubber and organic filler material for the fields. **Councilor Elder recused. Bond was advertised on February 28, 2015. Note: The ten day period after advertisement is March 10, 2015.**
22. **Order No.’s 14-1006005B, and 15-1006068A – Non Union Compensation Proposal and Proposed Job Title Changes.** The Finance Committee reviewed the Mayor’s letters dated October 30, 2014, November 13, 2014 and December 31, 2014 involving the updating of the salaries and compensation of several Department heads and non union positions. The Finance Committee took the following actions:
 - The Finance Committee voted 5 – 0 to approve the Fire Chief salary up to \$160,000.00 and advertise the change to the salary ordinance.
 - The Finance Committee voted 4-0-1 (Councilor Irish abstained from participating) to approve the Building Commissioner salary (starting at \$87,021.00 to a maximum step increase of \$98,000.00) and advertise the change to the salary ordinance.
 - The Finance Committee voted 5 – 0 to approve the title change of “Sanitarian” to “Director of Public Health”, approve the Director of Public Health salary (starting at \$78,142.00 to a maximum step increase of \$88,000.00), and advertise the change to the salary ordinance.
 - The Finance Committee voted 5 – 0 to table the balance of the three orders.

Proposed Amendment to Salary Ordinance of Fire Chief and Building Commissioner and Proposed Amendment to Salary Ordinance and Title Name Change from Sanitarian to Director of Public Health was advertised on February 28, 2015. Note: The ten day period after advertisement is March 10, 2015.

From City Council

23. **Order No. 14-1005961 - An Amendment to the City Code Relative to the Chief Procurement Officer. Proposed Amendment was advertised on February 28, 2015. Note: The ten day period after advertisement is March 10, 2015.**



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

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

FEBRUARY 23, 2015

Regular meeting of the City Council held on Monday, FEBRUARY 23, 2015 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Pope, Oram, Ossing, Robey, Delano, Page, Elder, Tunnera, Irish, Clancy and Landers. Meeting adjourned at 9:18 PM.

Council President Pope invited the Mayor, Fire Chief and the new Deputy Fire Chief Jeffrey Gogan to come forward so Deputy Chief Gogan could be sworn in at this time.

Council President Pope called on Councilor Robey to explain the essay contest and to recognize the winners. The winners were: 3rd place Alexander Moe, 2nd place Brittany Garcia and 1st place Katherine White.

ORDERED: That the minutes of the City Council meeting FEBRUARY 9, 2015, **FILE**; adopted.

ORDERED: That the **RESCHEDULED PUBLIC HEARINGS** On the Application for Special Permit to modify existing Special Permit issued to Digital Federal Credit Union, 853-865 and 905 Donald Lynch Blvd. on June 16, 2003, to remove Condition #7 prohibiting LCD signs on the property, Order No. 14-1006011B, X03-10047B **and** On the Application for Sign Ordinance Special Permit, Digital Federal Credit Union, 865 Donald Lynch Blvd., to operate an electronic message center sign at its bank branch located at 865 Donald Lynch Blvd., Order No. 14-1006053A, X14-1006011B, X03-10047B, all were heard who wish to be heard, hearing recessed at 8:20 PM; adopted.

Councilors Present: Pope, Ossing, Oram, Robey, Page, Elder, Tunnera, Irish, Clancy & Landers.

Councilor Delano recused.

ORDERED: That the **RESCHEDULED PUBLIC HEARING** On the Application for Special Permit from Attorney Bergeron on behalf of NGP Management LLC, to install two drive-through service windows which will be part of the new Dunkin Donuts building located at 525 Maple St., Order No. 15-1006070A, all were heard who wish to be heard, hearing recessed at 8:55 PM; adopted.

Councilors Present: Pope, Ossing, Oram, Robey, Delano, Page, Elder, Tunnera, Irish, Clancy & Landers.

ORDERED: That pursuant to Chapter 44, section 31D of the General Laws of the Commonwealth of Massachusetts, which authorizes the City to incur liability and make expenditures for any fiscal year in excess of appropriation for snow and ice removal, the City Council of the City of Marlborough, upon the recommendation of the Mayor, approves expenditures in excess of available appropriation up to \$2,000,000 for snow and ice removal for fiscal year 2015, **APPROVED**; adopted.

ORDERED: That the Veteran's Services transfer request in the amount of \$30,000.00 which moves funds from Interest Expense-Sewer to Veteran's Benefits to fund the increase in the number of clients who qualify for Veteran's benefits, **APPROVED**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS -										
	DEPT:	Veterans					FISCAL YEAR:	2015		
		FROM ACCOUNT:					TO ACCOUNT:			
Available	Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$350,783.13	\$30,000.00	60075206	59050	Interest Expense-Sewer	\$30,000.00	15430006	57710	Veteran's Benefits	\$56,625.48	
	Reason:	Surplus					To cover increase in the number of clients			
	\$30,000.00	Total			\$30,000.00	Total				

ORDERED: That the following mid-year transfer requests from Comptroller's Office, Police Department, DPW, Public Facilities, Legal Department, & Fire Department refer to **FINANCE COMMITTEE**; adopted with explanations noted within the following spreadsheets.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS -										
	DEPT:	Comptroller					FISCAL YEAR:	2015		
		FROM ACCOUNT:					TO ACCOUNT:			
Available	Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$35,400.00	\$7,000.00	11330002	50770	Senior Clerk	\$520.00	11610002	50770	Senior Clerk	\$16,014.41	
	Reason:	Surplus					Treasurer Payroll Calculation Error			
\$32,667.86	\$16,000.00	11940006	51860	Widows Pensions	\$23,900.00	11410004	57038	Pers Prop Valuation Serv	\$33,000.00	
	Reason:	Surplus					Contractual Support on Personal Property Values			
\$350,783.13	\$55,900.00	60075206	59050	Interest Expense - Sewer	\$20,000.00	11930006	57410	Property Liability Insurance	\$20,833.25	
	Reason:	Surplus					Additional Coverage & Rate Increase			
					\$1,480.00	11550001	50213	Network Engineer	\$29,008.33	
	Reason:						Recalculate for step increase			
					\$33,000.00	11980006	51752	Medicare Insurance	\$74,244.29	
	Reason:						Recalculate for payroll costs			
	\$78,900.00	Total			\$78,900.00	Total				

CITY OF MARLBOROUGH BUDGET TRANSFERS -										
DEPT:	Police								FY:	2015
FROM ACCOUNT:					TO ACCOUNT:					
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$1,127,393	\$85,000.00	12100001	50420	Police Officers	\$85,000.00	12100003	51310	OT - Regular	\$87,905	
	Reason:	Surplus due to vacancies and injuries				Deficit due to high number of injuries and other leave				
\$174,684	\$1,000.00	12100001	50510	Police Lieutenants	\$1,000	12100006	55882	Meals for Prisoners	\$1,384	
	Reason:	Surplus due to injury				Higher than expected number of long term prisoners				
\$174,684	\$12,000.00	12100001	50510	Police Lieutenants	\$12,000	12100003	51490	Holiday	\$74,418	
	Reason:	Surplus due to injury				Deficit due to pay increases and weekday holidays				
\$174,684	\$1,000.00	12100001	50510	Police Lieutenants	\$1,000.00	12100006	57340	Dues and Subscriptions	\$2,300	
	Reason:	Surplus due to injury				Increased dues rates				
\$174,684	\$1,000.00	12100001	50510	Police Lieutenants	\$1,000	12100006	52010	Translation Service	\$1,300	
	Reason:	surplus due to injury				High translator usage				
	\$100,000.00	Total			\$100,000.00	Total				

CITY OF MARLBOROUGH BUDGET TRANSFERS -										
DEPT:	Police								FY:	2015
FROM ACCOUNT:					TO ACCOUNT:					
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$16,130	\$1,300.00	12100001	50435	Police Specialists	\$1,300.00	12100008	53816	ACO Callout	\$192	
	Reason:	Surplus due to unfilled positions				Deficit due to higher call out frequency				
\$16,130	\$1,000.00	12100001	50435	Police Specialists	\$1,000	12100004	53817	Kennel Services	\$1,188	
	Reason:	Surplus due to unfilled positions				Higher than expected kenneling services				
	\$2,300.00	Total			\$2,300.00	Total				

CITY OF MARLBOROUGH BUDGET TRANSFERS -										
	DEPT:	Department of Public Works					FISCAL YEAR:	2015		
		FROM ACCOUNT:					TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$25,000	\$25,000	14001106	59570	Chapter 90 Construction	\$1,895	14001103	51240	Temporary Part-time (Eng)	\$3,865	
	Reason:	Anticipated surplus				Anticipated funds for season help program				
\$329,399	\$8,040	14001303	50740	Equipment Operators	\$500	14001103	51310	Overtime-regular (Eng)	\$729	
	Reason:	Money available due to previous vacancy				Anticipated cost to cover remainder of FY15				
					\$22,605.00	61090006	54620	Maintenance-trenches	\$9,756	
						Anticipated cost to permanently repair water trenches				
					\$6,500	14001301	50690	Foreman (Sts)	\$97,042	
						Anticipated cost to cover remainder of FY15				
					\$1,040	14001303	51240	Temporary Part-time (Sts)	\$1,760	
						Anticipated funds for seasonal help program				
					\$500	14001303	51310	Overtime-regular (Sts)	\$814	
						Anticipated cost to cover remainder of FY15				
	\$33,040	Total			\$33,040	Total				

CITY OF MARLBOROUGH BUDGET TRANSFERS -									
DEPT:					FISCAL YEAR:				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$329,399	\$36,610	14001303	50740	Equipment Operators	\$8,000	14001304	53140	Contract Services	\$0
				Reason: Money available due to previous vacancy				Anticipated cost to cover remainder of FY15	
\$29,492	\$4,700	14001401	50690	Foreman	\$10,000	14001305	55310	Highway Construction Mat.	\$21,343
				Reason: Money available due to previous vacancy				Anticipated cost to cover remainder of FY15	
					\$1,650	14001306	55400	Sidewalk Maintenance	\$108
								Anticipated cost to cover remainder of FY15	
					\$16,960	61090006	54620	Maintenance-trenches	\$9,756
								Anticipated cost to permanently repair water trenches	
					\$1,450	14001403	51240	Summer Part-time (FI)	\$3,560
								Anticipated funds for season help program	
					\$900	14001403	51470	Interim Foreman (FI)	\$664
								Anticipated cost to cover remainder of FY15	
					\$2,350.00	61090006	54620	Maintenance-trenches	\$9,756
								Anticipated cost to permanently repair water trenches	
	\$41,310	Total			\$41,310	Total			

CITY OF MARLBOROUGH									
BUDGET TRANSFERS -									
DEPT:					FISCAL YEAR:				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$138,599	\$25,000	14001501	50690	Foreman	\$15,000	14001503	51240	Temporary Part-time (FPC)	\$13,675
Reason: Money Available due to W.C.					Anticipated funds for season help program				
\$310,185	\$7,900	14001503	50740	Equipment Operator	\$2,000	14001503	51310	Overtime-Regular (FPC)	\$5,005
Reason: Money Available due to W.C.					Emergency response as well as weekend burials				
					\$2,000	14001503	51470	Interim Foreman (FPC)	\$2,281
					Anticipated cost to cover remainder of FY15				
					\$6,000	14001504	53140	Contract Services	\$17,616
					Anticipated cost to cover remainder of FY15				
					\$200	14001503	51990	Meal Allowance	\$108
					Anticipated cost to cover remainder of FY15				
					\$1,700	14001504	53810	Insect & Pest Control	\$72
					Anticipated cost to cover remainder of FY15				
					\$6,000	14001505	54610	General Material (FPC)	\$1,156
					Anticipated cost to cover remainder of FY15				
	\$32,900	Total			\$32,900	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS -									
DEPT:					FISCAL YEAR:				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$310,185	\$21,100	14001503	50740	Equipment Operator	\$8,000	14001506	58420	Guardrail & Fencing (FPC)	\$934
				Reason: Money Available due to W.C.				Anticipated cost to cover remainder of FY15	
\$6,160	\$6,000	60081004	52570	Service Contract	\$13,100.00	61090006	54620	Maintenance-trenches	\$9,756
				Reason: Anticipated surplus				Anticipated cost to permanently repair water trenches	
\$116,197	\$12,900	60081006	55950	East Waste Water Treat Pit.	\$6,000	60080003	51380	Overtime-Water/Sewer (SS)	\$1,804
				Reason: Anticipated surplus				Police	
\$30,338	\$720	60085006	55980	West Wastes Water Treat. Pit.	\$2,000	60081003	51310	Overtime-Regular (EWTP)	\$8,234
				Reason: Anticipated surplus				Higher than anticipated system repairs	
					\$900	60081003	51470	Interim Foreman (EWTP)	\$41
								Anticipated cost to cover remainder of FY15	
					\$10,000.00	61090006	54620	Maintenance-trenches	\$9,756
								Anticipated cost to permanently repair water trenches	
					\$720	60085003	51470	Interim Foreman (WWTP)	\$33
								Anticipated cost to cover remainder of FY15	
	\$40,720	Total			\$40,720	Total			

CITY OF MARLBOROUGH										
BUDGET TRANSFERS -										
DEPT:						FISCAL YEAR:				
FROM ACCOUNT:						TO ACCOUNT:				
Available	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available	Balance
\$56,293	\$50,000.00	60086006	52935	Solid Waste Disposal	\$20,000.00	60086006	53142	Protection Services	\$0	
	Reason:	Anticipated surplus				Anticipated cost to cover remainder of FY15				
\$109,621	\$105,600.00	61090006	52322	Water-Marlboro Plant	\$30,000.00	61090006	54620	Maintenance-trenches	\$9,756	
	Reason:	Anticipated surplus				Anticipated cost to permanently repair water trenches				
\$82,017	\$12,000.00	61090001	50690	Foreman	\$30,000.00	61090003	51310	Overtime-Regular	\$19,733	
	Reason:	Money available due to retirement				Higher than anticipated system repairs				
					\$5,600.00	61090006	54620	Maintenance-trenches	\$9,756	
						Anticipated cost to permanently repair water trenches				
					\$70,000.00	61090006	55740	Water Meters	\$5,001	
						Replacement for stopped residential meters.				
					\$5,000.00	61090003	51240	Summer Part-time	\$3,062	
						Adding additional temporary help for hydrant painting program				
					\$7,000.00	61090003	51380	Overtime-Water/Sewer Police	\$615	
						Higher than anticipated system repairs				
	\$167,600	Total			\$167,600	Total				

CITY OF MARLBOROUGH									
BUDGET TRANSFERS --									
DEPT:					FISCAL YEAR:				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$82,017	\$9,000.00	61090001	50690	Foreman	\$4,000.00	61090003	51470	Interim Foreman	\$1,467
				Reason: Money available due to retirement				Anticipated cost to cover remainder of FY15	
					\$5,000.00	61090003	51990	Meal Allowance	\$42
								Anticipated cost to cover remainder of FY15	
\$50,000	\$50,000	60080004	53110	Legal Service	\$50,000.00	61090006	54620	Maintenance-trenches	\$9,756
				Reason: Anticipated surplus				Anticipated cost to permanently repair water trenches	
\$10,000	\$10,000.00	60086006	58654	Hazmat Collection Day	\$10,000.00	61090006	54620	Maintenance-trenches	\$9,756
				Reason: Anticipated surplus				Anticipated cost to permanently repair water trenches	
\$12,000	\$6,000.00	60086006	52940	Transfer Station	\$6,000.00	61090006	54620	Maintenance-trenches	\$9,756
				Reason: Anticipated surplus				Anticipated cost to permanently repair water trenches	
\$20,000	\$20,000.00	14001004	53140	Contract Services	\$20,000.00	61090006	54620	Maintenance-trenches	\$9,756
				Reason: Anticipated surplus				Anticipated cost to permanently repair water trenches	
\$40,096	\$3,500.00	14001001	50600	DPW Commissioner	\$3,500.00	61090006	54620	Maintenance-trenches	\$9,756
				Reason: Money available due to step increases				Anticipated cost to permanently repair water trenches	
	\$98,500	Total			\$98,500	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:					FISCAL YEAR:				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$39,525	\$6,000.00	14001101	50640	City Engineer	\$62,500.00	61090006	54620	Maintenance-trenches	\$9,756
		Reason: Money available due to step increases				Anticipated cost to permanently repair water trenches			
\$21,835	\$3,300.00	60080001	50580	Assistant Chemist					
		Reason: Money available due to previous vacancy							
\$34,475	\$800.00	60080001	50630	Assistant Commissioner					
		Reason: Money available due to step increases							
\$125,027	\$8,700.00	60081001	50850	Sewer Tr. Pit Operator					
		Reason: Money available due to previous vacancy							
\$104,633	\$8,700.00	60085001	50850	Sewer Tr. Pit Operator					
		Reason: Money available due to previous vacancy							
\$151,411	\$35,000.00	14001406	54830	Fuel & Lubricant					
		Reason: Anticipated surplus due to fluctuation in fuel cost							
	\$62,500	Total			\$62,500	Total			

BUDGET TRANSFERS -									
DEPT:					FISCAL YEAR:				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$473	\$473.49	60081003	51430	Longevity	\$25,437.16	61090006	55740	Water Meters	\$5,001
		Reason: Money available due to previous vacancy			Replacement for stopped residential meters.				
\$2,500	\$2,500.00	60081003	51440	Education Incentive					
		Reason: Money available due to previous vacancy							
\$1,196	\$1,195.54	60085003	51920	Sick Leave Buy Back					
		Reason: Money available due to vacancy							
\$14,000	\$14,000.00	60081004	53174	Contract Services/Lab Testing					
		Reason: Anticipated surplus							
\$4,500	\$4,500.00	60081004	53180	Prof. & Tech Services					
		Reason: Anticipated surplus							
\$2,500	\$2,200.00	60081003	51440	Educational Incentives					
		Reason: Money available due to previous vacancy							
\$568	\$568.13	61090003	51430	Longevity					
		Reason: Money available due to previous vacancy							
	\$25,437	Total			\$25,437	Total			

CITY OF MARLBOROUGH									
BUDGET TRANSFERS -									
DEPT:					FISCAL YEAR:				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$3,330	\$3,330.00	61090003	51440	Education Incentive	\$7,639.86	61090006	55740	Water Meters	\$5,001
		Reason: Money available due to previous vacancy				Replacement for stopped residential meters.			
\$310	\$309.86	60080003	51920	Sick Leave BuyBack					
		Reason: Anticipated surplus							
\$4,226	\$4,000.00	61090006	54280	Water Billing					
		Reason: Anticipated surplus							
	\$7,640	Total			\$7,640	Total			

CITY OF MARLBOROUGH									
BUDGET TRANSFERS -									
DEPT:					FISCAL YEAR:				
PUBLIC FACILITES					2015				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$44,148.00	\$2,000.00	11920001	50690	Foreman	\$500.00	11920002	50520	Principle Clerk	\$8,406.00
		Reason: Suprius due to vacancy				Anticipated funds to cover remainder of fiscal year			
					\$1,500.00	11920001	50385	Electrician	\$19,648.00
		Reason: Anticipated surplus				Anticipated funds to cover remainder of fiscal year			
	\$2,000.00	Total			\$2,000.00	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS -										
	DEPT:	Legal					FISCAL YEAR:	2015		
		FROM ACCOUNT:					TO ACCOUNT:			
Available										Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$350,783.13	\$156,000.00	60075206	59050	Interest Expense-Sewer	\$136,000.00	11510004	53110	Legal Services	\$15,481.55	
	Reason:	Surplus					Anticipated costs to cover thru year end			
\$11,422.30	\$500.00	11510006	57600	Claims & Judgements	\$20,000.00	11510006	53880	Registry of Deeds	\$175.00	
	Reason:	Anticipated surplus					Anticipated costs to cover thru year end			
					\$500.00	11510006	57100	Instate Travel	\$52.26	
	Reason:						Anticipated costs to cover thru year end			
	\$156,500.00	Total			\$156,500.00	Total				

CITY OF MARLBOROUGH BUDGET TRANSFERS -										
	DEPT:	Fire Department					FISCAL YEAR:	2015		
		FROM ACCOUNT:					TO ACCOUNT:			
Available									Available	
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$1,339,078.66	\$44,380.99	12200001	50450	Firefighter	\$32,389.25	12200001	50130	Fire Chief	\$22,588.51	
	Reason:	Funds available due to vacant new hire position					To fund Fire Chief thru 6/30/15			
					\$11,991.74	12200001	50335	Deputy Chiefs	\$123,113.56	
	Reason:						To fund Deputy Chief thru 6/30/15			
	\$44,380.99	Total			\$44,380.99	Total				

ORDERED: That the Fire Department transfer request in the amount of \$106,270.33 which moves funds from Firefighter to Overtime to fund overtime costs in the Fire Department, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS -										
DEPT:		FIRE				FISCAL YEAR:		15		
FROM ACCOUNT:					TO ACCOUNT:					
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$1,339,078.66	\$64,183.57	12200001	50450	FIREFIGHTER	\$64,183.57	12200003	51300	OVERTIME	\$12,065.41	
Reason:		Transfer is available due to 111F payments								
\$1,339,078.66	\$42,086.76	12200001	50450	FIREFIGHTER	\$42,086.76	12200003	51300	OVERTIME	\$12,065.41	
Reason:		Transfer is available due to a retirement								
	\$106,270.33	Total			\$106,270.33	Total				

ORDERED: That the Employee Retirements transfer request in the amount of \$58,170.18 which moves funds from and to various accounts as noted in the attached spreadsheets to fund sick leave buyback and unused vacation payouts for retiring employees, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS -										
DEPT:		Police				FISCAL YEAR:		2015		
FROM ACCOUNT:					TO ACCOUNT:					
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$240,730.90	\$20,165.18	11990006	51500	Fringes	\$20,165.18	12100003	51920	Sick Leave Buy Back	\$8,886.30	
		Sick leave buy back				Retirement				
	\$20,165.18	Total			\$20,165.18	Total				

CITY OF MARLBOROUGH BUDGET TRANSFERS -										
DEPT:		Board of Health				FISCAL YEAR:		2015		
FROM ACCOUNT:					TO ACCOUNT:					
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$240,730.90	\$13,375.00	11990006	51500	Fringes	\$12,375.00	15120001	50605	Sanitarian/Admin	\$12,954.06	
		Vacation and sick leave buy back				Retirement				
						\$1,000.00	15120003	51920	Sick Leave Buy Back	\$3.82
						Retirement				
	\$13,375.00	Total			\$13,375.00	Total				

CITY OF MARLBOROUGH										
BUDGET TRANSFERS -										
DEPT:		DPW - Streets Division				FISCAL YEAR:		2015		
FROM ACCOUNT:						TO ACCOUNT:				
Available										Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		Balance
\$240,730.90	\$24,630.00	11990006	51500	Fringes	\$24,630.00	14001303	51920	Sick Leave Buy Back		\$0.00
	Reason:	Sick Leave Buy Back					Retirement			
	\$24,630.00	Total			\$24,630.00	Total				

ORDERED: That the Assistant Sanitarian’s starting step commence at Step 1, refer to **FINANCE COMMITTEE**; adopted.

ORDERED: That the Appointment of Paul Sliney as the tenant’s representative on the Community Development Authority (CDA) for a three year term to commence at the expiration of Ms. Swartz’s term which is March 12, 2015, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the Appointment of Police Chief Mark Leonard as the Keeper of the Lockup, **APPROVED**; adopted.

ORDERED: That the Appointment of David Manzello as Principal Assessor for a term to expire three years from date of confirmation. He is replacing Bradford Dunn, refer to **PERSONAL COMMITTEE**; adopted.

ORDERED: That the Notification designating Personnel Director David Brumby as the ADA Compliance Officer, **APPROVED**; adopted.

ORDERED: That the City of Marlborough grant a permanent utility easement, to be executed by the Mayor on behalf of the City, to the Massachusetts Electric Company (a/k/a “NGrid”), as described in the attached Grant Of Easement and as shown on the sketch attached to said Grant as “Exhibit A,” entitled “Massachusetts Electric Southeast District, Hopedale; Feeder: 311W4; District Engineer: Bruce Kut; Work Location: 32 New Street, Marlboro, Ma; DATE: 02/09/15; EASEMENT DRAWING: 17321479,” for the purposes of installing, constructing, reconstructing, repairing, replacing, adding to, maintaining and operating the transmission of high and low voltage electric current and for the transmission of intelligence by means of overhead and underground systems, consisting of, but not limited to, approximately three (3) poles with wires and cables strung upon and all necessary anchors, guys and appurtenances, consisting of buried wires and cables and lines of wires and cables installed in underground conduits, manholes, transformers, and vaults, said overhead and underground systems being further described in the attached Grant Of Easement which shall be recorded at the Middlesex South District Registry of Deeds, and as located in, through, over and across and upon certain parcels of land situated on the southerly end of New Street, the southerly side of Orchard Street, and the northerly side of South Street, being more particularly shown on Assessor’s Map 69, Parcel 394 and on Assessor’s Map 81, Parcel 190A.

APPROVED; adopted.

ORDERED: That the Minutes, Conservation Commission, December 18, 2014 & January 8, 2015, **FILE**; adopted.

ORDERED: That the Minutes, Youth Commission, August 7, September 30, October 21 & December 16, 2014, **FILE**; adopted.

ORDERED: That the Minutes, Board of Assessors, November 25, 2014, **FILE**; adopted.

ORDERED: That the Minutes, Planning Board, January 5, 2015, **FILE**; adopted.

ORDERED: That the Minutes, Board of Health, June 3, July 15, October 7, November 5, December 2, 2014 & January 6, 2015, **FILE**; adopted.

ORDERED: That the Communication from Amica, on behalf of Ketan Shah, 33 Peltier St., refer to **LEGAL DEPARTMENT**; adopted.

ORDERED: That the Communication from Hanover Insurance Group, on behalf of Samuel Lombardo, 23 Shelly Lane, refer to **LEGAL DEPARTMENT**; adopted.

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

- a. Reginaldo Rabello, 656 Farm Rd., residential mailbox claim (2(a)).
- b. Lakeside Hair Boutique, 25 Lakeside Ave., residential mailbox claim (2(b)).

Reports of Committees:

Councilor Ossing reported the following out of the Finance Committee:

**Marlboro City Council Finance Committee
Monday February 10, 2015
In Council Chambers**

Present: Chairman Ossing; Finance Committee members Councilors Robey, Elder, Oram and Irish. Councilors Pope, Landers, and Delano were also in attendance. The meeting convened at 7:03 PM.

- 1. Order #14-1006054 – Transfer \$150,000.00 from Undesignated Funds to fund Sewer Maintenance:** The FINCOM reviewed the Mayor's letter dated December 11, 2014 requesting the transfer of \$150,000.00 from the Undesignated Funds account to the Sewer Maintenance account. The payment results from mutually agreed upon mitigation payments from Atlantic Management to fund needed sewer upgrades in the Forrest Street area. The Finance Committee voted 5 - 0 to approve the transfer.
- 2. Order #14-1006055 – Transfer \$53,214.30 to Fund Fire Department Retirement:** The Finance Committee reviewed the Mayor's letter dated December 11, 2014 requesting the transfer of \$53,214.30 to fund sick leave buy back for a retiring member of the Fire Department. The Finance Committee voted 5 - 0 to approve the transfer.
- 3. Order #14-1005997 – Turf Field Bond for \$3,855,059.00:** The Finance Committee continued the review of the Mayor's letter dated October 30, 2014 for bond request in the amount of \$3,855,059.00 to fund the city's first synthetic turf athletic field at the Whitcomb Middle School. Funding for this bond will be from the local option meals tax that is dedicated to the city parks and recreation facilities. The Finance Committee voted 4-0-1 (Councilor Elder abstained from participating) to approve the bond for 3,855,059.00 and to advertise the bond. The Finance Committee requested that process be obtained for both the rubber and organic filler material for the fields.

Reports of Committees cont'd:

4. Order #14-1006005A, 14-1006005B and 15-1006068 – Non Union Compensation Proposal and Proposed Job Title Changes: The Finance Committee reviewed the Mayor's letters dated October 30, 2014, November 13, 2014 and December 31, 2014 involving the updating of the salaries and compensation of several Department heads and non union positions. The Finance Committee took the following actions:

- The Finance Committee voted 5 – 0 to approve the Fire Chief salary up to \$160,000.00 and advertise the change to the salary ordinance.
- The Finance Committee voted 4-0-1 (Councilor Irish abstained from participating) to approve the Building Commissioner salary (starting at \$87,021.00 to a maximum step increase of \$98,000.00) and advertise the change to the salary ordinance.
- The Finance Committee voted 5 – 0 to approve the title change of “Sanitarian” to “Director of Public Health”, approve the Director of Public Health salary (starting at \$78,142.00 to a maximum step increase of \$88,000.00), and advertise the change to the salary ordinance.
- The Finance Committee voted 5 – 0 to table the balance of the three orders.

The Finance Committee adjourned at 9:29 PM.

Suspension of the Rules requested – granted

ORDERED:

TURF FIELD BOND

At the Regular Meeting of the Marlborough City Council on February 23, 2015, the following bond was ordered **ADVERTISED**; adopted.

That the sum of \$3,855,059.00 (three million eight-hundred fifty-five thousand and fifty-nine) dollars be and is hereby appropriated for the construction of a synthetic turf athletic field, new track and concession stand at the Whitcomb Middle School Field and that to meet said appropriations, the Comptroller-Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$3,855,059.00.

Pursuant to the provisions of Chapter 44, Section 7 (3) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than fifteen (15) years from its date of issue.

Councilor Elder recused.

Suspension of the Rules requested – granted

ORDERED: At a regular meeting of the Marlborough City Council held on Monday, February 23, 2015 at 8:00 PM in the City Council Chambers, City Hall, the following proposed salary ordinance to the Code of the City of Marlborough having been read was ordered **ADVERTISED**; adopted.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING CHAPTER 125, ENTITLED “PERSONNEL, SECTION 6, ENTITLED COMPENSATION SCHEDULE,” AS FOLLOWS:

Position	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7 / Max
	<i>Start</i>	<i>6 months of service</i>	<i>1 year of service</i>	<i>2 yrs. of service</i>	<i>3 yrs. of service</i>	<i>4 yrs. of service</i>	<i>5 yrs. of service</i>
Fire Chief	-	-	-	-	-	-	\$160,000.00
Building Commissioner	\$87,021.00	\$88,761.42	\$90,536.65	\$92,347.38	\$94,194.33	\$96,078.21	98,000.00

Councilor Irish recused.

Suspension of the Rules requested – granted

ORDERED: At a regular meeting of the Marlborough City Council held on Monday, February 23, 2015 at 8:00 PM in the City Council Chambers, City Hall, the following proposed salary ordinance to the Code of the City of Marlborough having been read was ordered **ADVERTISED**; adopted.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING CHAPTER 125, ENTITLED “PERSONNEL, SECTION 6, ENTITLED COMPENSATION SCHEDULE,” AS FOLLOWS:

- A. The title of "Sanitarian" shall be replaced with "Director of Public Health."
- B. This salary schedule shall take effect upon passage.

Position	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7/Max
	<i>Start</i>	<i>6 months of service</i>	<i>1 year of service</i>	<i>2 years. of service</i>	<i>3 years. of service</i>	<i>4 years. of service</i>	<i>5 years. of service</i>
Director of Public Health	\$78,142.00	79,704.84	\$81,298.94	\$82,924.91	\$84,583.41	\$86,275.08	\$88,000.00

ORDERED: At a regular meeting of the Marlborough City Council held on Monday, February 23, 2015 at 8:00 PM in the City Council Chambers, City Hall, the following proposed ordinance to the Code of the City of Marlborough having been read was ordered **ADVERTISED**; adopted.

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

- A. Section 7-35, entitled "Duties", is hereby amended by deleting the words "City Solicitor" wherever it appears and inserting in place thereof the words "City Auditor."

ORDERED:

EMINENT DOMAIN ORDER OF TAKING

WHEREAS, the City Council of the City of Marlborough has determined that the public welfare and safety necessitates that the City acquire the legal interest in certain portion of D'Angelo Drive, being a cul-de-sac located at the westerly terminus thereof, by which the City accesses the Cedar Hill Pumping Station, and that said access requires the taking by eminent domain of the fee simple interest in said certain parcel of land located on D'Angelo Drive, as more particularly described herein; and,

WHEREAS, in order to promote the public welfare, safety and necessity, it is necessary to take by Eminent Domain the fee simple interest in the herein described land; and,

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

DESCRIPTION OF LAND TAKEN

A certain parcel of land located at the westerly terminus of D'Angelo Drive in Marlborough, Middlesex County, Massachusetts and being shown as Lot 1B on a plan entitled "Plan of Land In Marlborough, Mass. Property of the Johnson Trust, Scale 1:40', dated Sept. 25, 1983, Surveyed by Drake Associates, Inc. Civil Engineers, Land Surveyors, 770 Grove Street, Framingham, Mass." and recorded with the Middlesex South Registry of Deeds as Plan 1074 of 1984.

Meaning and intending to take and taking by Eminent Domain the fee simple interest in the land shown as Lot 1B as described on the aforementioned plan, which land is a portion of the land described in the deed recorded at the Middlesex South Registry of Deeds in Book 11533, Page 556.

OWNER: Johnson Trust

The land consisting of Lot 1B, as referred to in the description above is also shown on the City of Marlborough Assessors Map as a portion of D'Angelo Drive on Map 118. The total land area being taken consists of 8,761 +/- square feet.

AWARD

The City Council hereby makes the following award of damages for the owner of record:

<u>Owner:</u>	Johnson Trust
<u>Assessors' Map/Parcel:</u>	D'Angelo Drive, shown on Map 118
<u>Area:</u>	8,761+SF
<u>Award:</u>	\$1.00

ORDER TO ACCEPT AS A PUBLIC WAY THE CUL-DE-SAC AT THE WESTERLY TERMINUS OF D'ANGELO DRIVE

WHEREAS, in the opinion of the City Council of the City of Marlborough, the common convenience and necessity require that the CUL-DE-SAC AT THE WESTERLY TERMINUS OF D'ANGELO DRIVE be accepted as a public way, the roadway of said D'ANGELO DRIVE having been accepted by the City of Marlborough as a public way by Order No. 23073, dated July 11, 1983.

DESCRIPTION

Being the cul-de-sac located at the westerly terminus of D'Angelo Drive in Marlborough, Middlesex County, Massachusetts and shown as Lot 1B on a plan entitled "Plan of Land In Marlborough, Mass. Property of the Johnson Trust, Scale 1:40", dated Sept. 25, 1983, Surveyed by Drake Associates, Inc. Civil Engineers, Land Surveyors, 770 Grove Street, Framingham, Mass.", recorded with the Middlesex South Registry of Deeds as Plan 1074 of 1984, described in the deed recorded with the Middlesex South Registry of Deeds in Book 11533, Page 556 and an Order of Taking By Eminent Domain by the City of Marlborough, said order to be recorded herewith at the Middlesex County South Registry of Deeds.

OWNER (prior to Taking By Eminent Domain): Johnson Trust

The land consisting of said Lot 1B, as provided in the description above, is also shown on the City of Marlborough Assessors Map as a portion of D'Angelo Drive on Map 118. The total land area being accepted as a public way consists of 8,761 +/- square feet.

IT IS THEREFORE ORDERED THAT:

the CUL-DE-SAC AT THE WESTERLY TERMINUS OF D'ANGELO DRIVE be accepted as a public way in the City of Marlborough.

APPROVED; adopted.

ORDERED:

That a petition to the General Court, accompanied by a bill for a special law relating to the city of Marlborough to be filed with an attested copy of this order, be, and hereby is, approved under Clause (1) of Section 8 of Article 2, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:-

**AN ACT EXEMPTING CERTAIN POSITIONS
IN THE MARLBOROUGH SCHOOL DEPARTMENT
FROM THE PROVISIONS OF CIVIL SERVICE**

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, all positions in the School Department of the City of Marlborough, classified in the Municlass Manual within the General Administrative, Clerical, and Office Services Group, identified as Occupational Group 0300; within the Manual Labor Group, identified as Occupational Group 3500; within the Food Preparation and Service Group, identified as Occupational Group 7400; and within the Equipment, Facilities and Services Group, identified as Occupational Group 1600, shall be exempt from the provisions of chapter thirty-one of the General Laws and from any civil service rules promulgated by the Human Resources Division of the Executive Office for Administration and Finance of the Commonwealth of Massachusetts.

SECTION 2. The provisions of section 1 of this act shall not affect the rights or status under chapter thirty-one of the General Laws of any person who was hired by the School Department of the City of Marlborough prior to July 1, 2014.

SECTION 3. This act shall take effect upon its passage.

APPROVED; adopted.

Councilor Delano recused and President Pope requested to be recorded in opposition.

ORDERED: That the Department of Public Works be **AUTHORIZED** to plow and remove snow from the following way, in accordance with the provisions of Massachusetts General Law Chapter 40, Section 6-C, provided, that said way be of such construction and condition that, in the opinion of the Commissioner of Public Works, said plowing can be safely and conveniently accomplished; adopted.

Reagin Lane-Mauro Farms Subdivision, off Cook Lane

ORDERED: That the Petition of NGrid and Verizon New England, Inc. to install new primary riser P20-50 to be located 23' off roadway in between existing P20 and P21 Ames St., **APPROVED;** adopted. Also to install 2-4" conduits encased in concrete, one primary pull box and underground cable along Ames St. Conduit system will be installed 3' back of curb on the north side of the roadway. This installation is required to provide electrical service to new multifamily residential development – The Preserve at Ames.

ORDERED: That the Petition of National Grid and Verizon New England, Inc. to relocate joint owned P.5 on Norwood St. 4' north and install sidewalk guy, **APPROVED**; adopted. Existing pole is deteriorated and will be relocated further away from customer's driveway entrance.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:18 PM.

MARLBOROUGH, MA
ASSESSMENT OF THE ORGANIZATION
AND
MANAGEMENT OF THE
MARLBOROUGH FIRE DEPARTMENT

NOVEMBER 2014

CHAPTER 1

EXECUTIVE SUMMARY

OVERVIEW

The purpose of the executive summary is to offer a brief synopsis of the key issues and recommendations found in the study as an overview of the complete report. It is not intended to provide the reader with a detailed analysis of the results in a few pages; nor is it intended to direct attention to certain issues, or suggest that others, developed in more detail in the main body of the report, are less important. The complete report should be read, in all of its detail, to gain a full understanding of the issues facing the Marlborough Fire Department as evaluated by Municipal Resources, Inc. (MRI).

The department has the potential to resolve the internal conflicts and cultural attitudes, many of which are self-imposed, that have seriously affected its standing in the community and in the region. The MRI study team believes that the Marlborough Fire Department has the skills and capabilities to become an effective, highly trained, and motivated organization that meets or exceeds nationally recognized standards for operational readiness. However, there will need to be an infusion of strong leadership at the top of the department and a simultaneous change in

attitude and loyalty by the members of the department. The challenges are many, but as will be seen, many of the recommendations can be accomplished within existing budgetary restrictions.

MRI has identified a number of areas that require improvement within the Marlborough Fire Department. Although many practices do meet contemporary standards for municipal fire and EMS agencies, there are numerous ones that need improvement. Many of the issues in the fire department are the result of a lack of consistent, strong leadership within the department, caused primarily by the frequency with which the city's fire chief has changed. The lack of a fire chief with an extended tenure has resulted in no sense of vision or long-term direction for the department. This situation has also provided an opportunity for the union to step in and fill the leadership void, resulting in a significant percentage of the department's members being more loyal to the union than they are to the department or the city. The fire chief has also been an island with absolutely no support staff or team, which severely hampers his ability to lead and manage the department. In addition, the line between management rights and union authority has become blurred over the years. As a result, the fire chief must consult or negotiate with the collective bargaining unit before making operational changes that benefit the department and the community. On a positive note, there is a solid foundation of members of the department who are hungry for change and want the department to move forward.

The mission performed by the fire department is one of the fundamental functions of government: to ensure the safety and protection of its residents and visitors. The expectations for the quality and quantity of fire and emergency services must come from its residents and other taxpayers. There is no "right" amount of fire protection and EMS delivery. It is a constantly changing level based on the expressed needs of the community. It is the responsibility of elected officials to translate community needs into reality through direction, oversight, and the budgetary process. It is their unenviable task to maximize fire, EMS, and other services within the reality of the community's ability and willingness to pay, particularly in today's economic environment.

KEY AREAS OF MAJOR CONCERN

1. Lack of consistent leadership and an inadequate organizational/management oversight structure
2. Incomplete and inadequate department policies, procedures, and rules resulting in a lack of discipline
3. Obsolete and seriously code deficient Fire Station 2
4. Service gaps and response time/distance concerns in west end of city



5. Lack of a formal training program and performance improvement system
6. Inadequate fire prevention program

A brief narrative on each concern can be found in the following pages.

LACK OF CONSISTENT LEADERSHIP AND AN INADEQUATE ORGANIZATIONAL/MANAGEMENT OVERSIGHT STRUCTURE

Effective management and oversight of the fire department is essential to ensure that the department maintains a strong and progressive vision, attains its goals, and delivers high quality services to the citizens of Marlborough. The current management team of the fire department is solely comprised of the fire chief, who is the only non-union member of the department. In essence, this makes the chief an island who has no support staff or "team". He/she needs assistance and a team to support them. Complicating this critical issue is the fact that the frequent turnover of fire chiefs has caused a lack of leadership consistency with a corresponding absence of vision and long-term direction for the department. The union has managed to fill this leadership vacuum and exerts undue influence in the department and its operations. As a result, a number of the department's officers are more loyal to the union than they are to the department and the city.

The deputy fire chiefs, who are nominally the shift commanders, do not work the same rotation/shift as the other personnel. In addition, when there is no deputy chief on duty, the shift commander vehicle is not staffed 24/7. The department has not fully embraced the implementation of a strong incident command system (ICS) as required under the National Incident Management System (NIMS). This creates issues with incident command, management, and control. There is also a lack of consistency and accountability in the management of the department in areas such as training, performance improvement, and employee accountability.

A mission critical related issue is the establishment of the role of safety officer to monitor conditions at incident scenes to ensure the appropriate safety procedures are being followed. The Marlborough Fire Department has not instituted a formal safety officer program as of the time this report was developed. Written procedures concerning operational safety are either outdated or non-existent.

All ranks, firefighter to deputy chief, are in the same union/bargaining unit which creates the potential for split loyalties and conflicts of interest related to supervision, management, and discipline. Some officers informed the study team that they were concerned that if they raise an issue or implement discipline, that they might not be supported by administration. MRI believes strongly that the next fire chief must come from outside the department, be carefully chosen, and be a proven leader with a record of success as a change agent.

Concurrently, the City of Marlborough should reorganize the fire department's management structure. The position of deputy chief should be eliminated through attrition and retirements. The captains should be reclassified as shift commanders. MRI recommends that the City of Marlborough fill the existing assistant fire chief positions, and, if necessary, increase the number of authorized positions to three for the Marlborough Fire Department. They should ensure that these positions are executive management positions that are exempt from civil service and the firefighters collective bargaining unit. The fire chief should delegate significant management responsibility and authority to the three assistant fire chiefs commensurate with their demonstrated knowledge, skills, and abilities. MRI has identified the following assignments as one possible approach, but it is not our intent to limit the flexibility of the fire chief to develop a management structure that is most appropriate for the needs of the department. From MRI's perspective, the responsibilities of the three assistant fire chiefs *could* be divided as follows:

1. **Assistant Chief for Operations:** Second-in-command of the department ("executive officer"), responsible for the direct supervision of the fire captains, daily operational activities, personnel management, facilities, apparatus, and equipment. He/she will directly supervise the four platoon commanders.
2. **Assistant Chief for Support Services:** Third-in-command of the department, responsible for administration, training (fire & EMS), and safety.
3. **Assistant Chief for Fire Prevention:** Fourth-in-command of the department, responsible for all fire prevention and code enforcement activities.

In order to assure that the important position of overall incident commander is filled, and that there is mission critical command continuity and consistency on the emergency scene, the Marlborough Fire Department should take whatever steps are necessary to staff the department's command vehicle on a 24/7 basis. The department should develop formal procedures for implementing an ICS system that is compliant with the National Incident Management System (NIMS). ICS procedures should be aggressively enforced so that they become a routine component of any emergency response. The department should also establish a fireground/incident safety officer program that includes mandating that all department officers receive safety officer training and obtain safety officer certification. Safety should be the highest priority for all operational policies, procedures, and training activities.

The department has sufficient overall staffing to operate and staff per recommended standards. However, an overly generous labor contract allows 50% of scheduled staff off at any time, making it difficult to maintain adequate on duty staffing. On duty staffing should be increased to fifteen from the current thirteen. A lieutenant should be assigned to Engine 1

when the captain goes into the car as the shift commander. A lieutenant should be assigned to Ladder 1 to provide supervision. This will increase staffing on this unit to three.

**INCOMPLETE AND INADEQUATE DEPARTMENT POLICIES, PROCEDURES, AND RULES,
RESULTING IN A LACK OF DISCIPLINE**

The use of rules and regulations, operational procedures, guidelines, and various other forms of written communications are vital parts of a fire department's overall operations. Rules and regulations establish expected levels of conduct and general obligations of department members, identify prohibited activities, and provide for the good order and discipline necessary for the credible operation of a modern emergency services organization. Operational procedures and guidelines ensure the consistent, effective, efficient, and safe operation of various aspects of the department's operations, both emergency and routine.

The Marlborough Fire Department does not have a stand-alone rules and regulations document. It has adopted a limited number of standard operating procedures (SOPs) that cover certain areas concerning field operations and safety. This includes some rules and regulations interspersed throughout. The SOP manual is by no means complete, as many important procedures are missing. Many of the existing procedures are outdated. None of them appear to have been reviewed, revised, or updated. The lack of rules, regulations, and comprehensive SOPs has contributed to an overall lack of discipline within the department.

The Marlborough Fire Department should form a committee to develop a stand-alone rules and regulations document, which sets accepted standards of behavior and conduct and also identifies prohibited behaviors. The rules and regulations should then be formally adopted by the city.

A complete revision of the department's SOPs will improve operational efficiency, establish measurable performance and evaluation criterion, and will improve employee performance and morale by establishing defined expectations. An internal committee or process should be developed that includes input and participation from all levels of the department, the documented receipt by each employee, a process for regular review and updating, and training for all personnel on policies and procedures. It is important to note that it is fully appropriate to use policies and procedures from other fire departments or fire organizations as a template for Marlborough's efforts. A disciplinary policy/procedure should also be developed in conjunction with the city's personnel and legal departments. The required mandatory plans should be developed as soon as possible.

OBSOLETE AND CODE DEFICIENT FIRE STATION 2
SERVICE GAPS AND RESPONSE TIME/DISTANCE CONCERNS IN WEST END OF CITY

The adequacy, quality, and appearance of fire station facilities have a great impact on the performance of the department as a whole. Attractive, functional, clean, and well-designed quarters contribute substantially to the morale, productivity, and operational effectiveness of the agency, as well as to its public image, dignity, and prestige. Well-designed fire and EMS facilities enable staff to perform their duties efficiently and effectively. As a facility ages, it may no longer meet the needs of an evolving department, thus negatively affecting morale, efficiency, safety, security, technology, and overall efforts to provide quality fire, rescue, and emergency medical services. Old and obsolete facilities are also expensive to maintain due to inefficient energy systems.

In MRI's opinion, there are two issues that while different, are somewhat related, and share a common recommended solution. First, the current Fire Station 2 is old, and while still marginally adequate, has really outlived its usefulness. Apparatus floor space, door dimensions, and the property upon which it is situated are all barely adequate for modern-day fire apparatus and operations. Crew quarters are deficient and do not meet current fire safety codes.

The second issue is the continued significant growth in the west end of the city, which has been unmatched by the city's fire protection system. At the present time, there is no fire station located west of I-495 where there is major growth still occurring. This situation creates longer travel distances, which results in longer response times, and a corresponding lower level of service to customers in that area. Although certain response statistics were difficult to obtain, and appeared to be inconsistent, resulting in questionable accuracy, Marlborough achieves the recommended five minute response time benchmark (which includes one minute for personnel to turnout) from incident dispatch to first unit on location just 70.4% of the time, well below the NFPA recommended standard of 90%.

Short-term, the city should immediately address the most serious fire code and life safety issues in all the stations, particularly Fire Station 2. Beyond that, we strongly recommend that the city begin the process of designing and constructing a new Fire Station 2. The station should be relocated west of I-495 to provide coverage that is more effective, reduce travel distances, and improve response times. The facility should also be constructed with capabilities to serve as a training facility for the department. MRI believes the city should consider the feasibility of this being a joint police/fire facility. Patriot Ambulance would also be interested in deploying an ambulance from this location for all the same service improvement reasons that support this move for the fire department. The city should explore the possibility that developing this facility could be an excellent joint public/private partnership opportunity.

LACK OF A FORMAL TRAINING PROGRAM AND PERFORMANCE IMPROVEMENT SYSTEM

Training is, without question, one of the most important functions that a fire department should be performing on a regular basis. A department that is not well trained, prepared, and operationally ready, will be unable to effectively, efficiently, and safely fulfill its emergency response obligations and mission. A comprehensive, diverse, and on-going training program is absolutely critical to the fire department's level of success.

At the present time, the Marlborough Fire Department has no real formal training program. Other than required EMS training, very little training gets done. The chief does issue a monthly training schedule, but it was reported that compliance with it is very limited, at best. Training is nominally coordinated on a part-time basis by a fire captain who serves as the training officer as an ancillary duty. There is little overall coordination between platoons, and training is often interrupted by emergency calls. There appears to be little consistency between platoons concerning the frequency and types of training that is offered. The department has no requirement for additional training/certification beyond Firefighter I. There are currently no annual proficiency evaluations. There is clearly a need for daily, documented, training that is based on formal lesson plans.

Training needs to be designated as a high priority for the department. MRI has made a series of recommendations concerning the establishment of a comprehensive, formal training program, and a formal performance improvement program for all department operations. Training should occur every day and all training should be documented. Annual proficiency evaluations should be implemented. All officers should be required to obtain fire instructor and fire officer certifications. The proposed assistant fire chief for support services would be responsible for overseeing and coordinating these activities.

INADEQUATE FIRE PREVENTION AND PRE-FIRE PLANNING PROGRAMS

Fire prevention should be promoted as a key component of the vision of the Marlborough Fire Department and should be a major aspect of its primary mission. Aggressive fire prevention programs are the most cost efficient and cost effective way to reduce fire risks, fire loss, and fire deaths and injuries in the community. Every member of the department should have a responsibility for fire prevention.

Despite the size of the City of Marlborough, and amount of continued commercial growth and development, at the time of this assessment there is no one dedicated full-time to fire prevention activities. Deputy chiefs perform fire prevention duties in addition to their shift/operations duties. The in-service companies assist in a limited manner. However, the system seems to be primarily reactive rather than proactive. This creates a high probability of issues falling through the cracks.

One of the most effective tools the fire department has to assist them with handling fires and other emergencies in commercial and industrial facilities are pre-fire plans. The purpose of a fire pre-planning program is to allow firefighters to become familiar with buildings and/or facilities within their response area prior to an emergency, alert them to on site hazards and risks, and develop a detailed fire response plan for them that includes specific tactics that will be required to mitigate fires or other emergencies. A comprehensive pre-fire plan includes as much data about the building as possible. It was reported to the MRI study team that the Marlborough Fire Department has done some limited pre-planning on some of the major target hazards in the city. This data is accessible by use of the mobile data terminals, but the fire department does not use the ones they have to access this information on scene. Lack of a pre-fire plan was one of the contributing factors in the six alarm fire in April 2012 at the Lake Williams Condos.

Fire prevention should be a high priority for the Marlborough Fire Department especially with the current commercial and industrial base and continued development. One of the new assistant chiefs should be dedicated to fire prevention full-time. There should be at least one full-time fire inspector to assist the chief with the multitude of fire prevention activities that need to be performed. An expanded and robust fire prevention program may provide opportunities for revenue enhancements, as well as the formation of public/private partnerships.

The Marlborough Fire Department should establish a formal in-service inspection program. On duty and in-service companies should conduct regular fire safety inspections of buildings within their respective response districts. The purpose of these inspections is to: a) identify and mitigate fire hazards and fire code violations; b) enable firefighters to become thoroughly familiar with buildings, including the design, layout, structural conditions, building systems, hazards, and challenges to firefighting operations; c) educate property owners and occupants on good fire safety practices; and d) establish a positive relationship with property owners and occupants.

The department should also enhance its existing limited pre-fire planning program into a comprehensive one for all structures other than one and two family dwellings. Pre-fire plans should be reviewed, and updated, regularly. They should be tested and validated by tabletop exercises and on-site drills. Appropriate pre-planning software should be obtained and installed in mobile data terminals (MDTs) in all apparatus and command/staff vehicles.

ADDITIONAL CONCERNS

The MRI study team identified several other issues that have a significant impact on the Marlborough Fire Department and its operations, and ultimately, the city and its taxpayers. First, is a labor contract that is overly generous in certain benefits and has ceded too many management rights. The fire chief has very limited flexibility to assign personnel based upon

the needs of the department and best interests of the city. In addition to 50% of on duty staffing being permitted off on scheduled leave at any time, there is no requirement that supervisors or management approve leave requests.

The Massachusetts collective bargaining environment appears to be tilted to heavily (and unfairly) in favor of labor. As a result, chiefs and municipalities are forced to impact bargain virtually every change in policy, procedure, the way things are done, etc. The arbitration process is tilted far too heavily toward labor, rather than the stewards of public funds, management. There is too much emphasis on past practice.

The City of Marlborough needs to exercise the management rights that are already in place. They need to negotiate to regain other rights through the collective bargaining process. The city also needs to actively work with the Massachusetts Municipal Association (MMA) to lobby the state legislature to modify the arbitration process so the playing field is more level for the cities and towns. They should also work with MMA to enact legislation to eliminate or at least minimize the importance of past practice.

IN CONCLUSION

The full body of this report contains 173 recommendations in 18 chapters. The report should be studied in its entirety to gain a complete picture of MRI's recommendations. There are a large number of very significant (and some serious) issues that are confronting the Marlborough Fire Department. These areas that require attention and improvement are by no means insurmountable or beyond the city administration's ability to deal with them. However, it will require a strong commitment to changing the status quo and making necessary changes for the common good...that of the citizens of Marlborough... rather than narrowly focused special interests.

In spite of the issues identified in this report, the citizens of Marlborough should feel confident that the Marlborough Fire Department is a professional public safety organization that is capable of satisfactorily handling the majority of incidents that it is called upon to mitigate. We appreciate the high level of support and cooperation that we received from all of the department's stakeholders during our evaluation of the department. We encourage them to work cooperatively to implement the recommendations in this report. We commend Mayor Vigeant, his staff, and the city council for their willingness to address these very complex issues in an open and positive manner.





RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2015 MAR -5 A 11:52

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

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

March 5, 2015

City Council President Patricia Pope
Marlborough City Council
140 Main Street
Marlborough, MA 01752

RE: Proposed Order Concerning Acceptance of M.G.L. Chapter 83, Sections 16A – 16F

Dear President Pope and Council Members:

Enclosed is a proposed order concerning acceptance of sections 1A through 16F, inclusive, of chapter 83 of the General Laws, which will facilitate collection of unpaid sewer charges.

I am available at your convenience to discuss this matter more fully with you. Thank you for your attention to this matter.

Very truly yours,

Arthur G. Vigeant
Mayor

Enclosure

ORDERED:

That the City of Marlborough accept Sections 16A. through 16F., inclusive, of Chapter 83 of the Massachusetts General Laws, as amended, as follows:

§ 16A. Certificate of acceptance; effect; recordation:

If the rates and charges due to a city, town, municipality, or sewer district, which accepts this section and sections sixteen B to sixteen F, inclusive, and by its clerk, files a certificate of such acceptance in the proper registry of deeds, for supplying or providing for a sewer system or rendering service or furnishing materials in connection therewith to or for any real estate at the request of the owner or tenant are not paid on or before their due date as established by local regulations, ordinances or by-laws, which due date shall be so established as to require payments at least as often as annually, such rates and charges, together with interest thereon and costs relative thereto, shall be a lien upon such real estate as provided in section sixteen B. The register of deeds shall record such certificate of acceptance in a book to be kept for the purpose, which shall be kept in an accessible location in the registry. Sections sixteen B to sixteen F, inclusive, shall also apply to a sewer district which has accepted sections sixteen A to sixteen F, inclusive, and whose clerk has so filed the certificate of acceptance. Wherever in said sections the words "board or officer in charge of the sewer department" or their equivalent appear, they shall also mean and include the officers exercising similar duties in any city, town or district. A fire or water district authorized to provide a sewer system shall, for the purposes of sections sixteen A to sixteen F, inclusive, be deemed to be a sewer district.

§ 16B. Effective date of sewer charge lien; termination; methods of collection and enforcement of rate or charge:

Such lien shall take effect by operation of law on the day immediately following the due date of such rate or charge, and, unless dissolved by payment or abatement, shall continue until such rate or charge has been added to or committed as a tax under section sixteen C, and thereafter, unless so dissolved, shall continue as provided in section thirty-seven of chapter sixty; provided, however, that if any such rate or charge is not added to or committed as a tax under section sixteen C for the next fiscal year commencing after the inception of the lien under this section, then said lien shall terminate on October first of the third year following the year in which such charge becomes due.

Notwithstanding such lien any such overdue rate or charge may be collected through any legal means, including the shutting off of a sewer connection, which may be deemed advisable; provided, that after the termination of such a lien, no city, town or sewer district shall attempt to enforce, by shutting off the sewer connection, collection of such rate or charge from any person, not liable therefor, who has succeeded to the title or interest of the person incurring such rate or charge. All such rates and charges excluded by court decree under section seventy-six B of chapter sixty shall, to the extent that they were properly chargeable to the person owning, or to the tenant occupying, the premises for which such rates and charges were incurred, be recoverable from such person or tenant, as the case may be, in an action of contract or otherwise. If at the time of the entry of such decree such person or tenant is still the owner or tenant of the premises, whether through redemption or otherwise, such rates and charges to the extent that

they were properly chargeable to him, may be enforced in any other manner provided or available for collection and enforcement of sewer connection rates and charges.

§ 16C. Certification of rate or charge to assessors; commitment as tax:

If a rate or charge for which a lien is in effect under section sixteen B has not been added to or committed as a tax and remains unpaid when the assessors are preparing a real estate tax list and warrant to be committed by them under section fifty-three of chapter fifty-nine, the board or officer in charge of the sewer department, or the town collector of taxes, if applicable under section thirty-eight A of chapter forty-one, shall certify such rate or charge to the assessors, who shall forthwith add such rate or charge to the tax on the property to which it relates and commit it with their warrant to the collector of taxes as a part of such tax. If the property to which such rate or charge relates is tax exempt, such rate or charge shall be committed as the tax.

§ 16D. Application of other law; powers of tax collectors:

Except as otherwise provided, the provisions of chapters fifty-nine and sixty shall apply, so far as pertinent, to all rates and charges certified to the assessors under section sixteen C. Without limiting the generality of the foregoing, upon commitment as a tax or part of a tax under said section sixteen C, all such rates and charges shall be subject to the provisions of law relative to interest on the taxes of which they become, or, if the property were not tax exempt would become, a part; and the collector of taxes shall have the same powers and be subject to the same duties with respect to such rates and charges as in the case of annual taxes upon real estate, and the provisions of law relative to the collection of such annual taxes, the sale or taking of land for the nonpayment thereof and the redemption of land so sold or taken shall, except as otherwise provided, apply to such rates and charges.

§ 16E. Remedies of aggrieved real estate owners:

An owner of real estate aggrieved by a charge imposed thereon under sections sixteen A to sixteen F, inclusive, in addition to such remedy as he may have under section ten of chapter one hundred and sixty-five, may apply for an abatement thereof by filing a petition with the board or officer having control of the sewer department within the time allowed by law for filing an application for abatement of the tax of which such charge is, or, if the property were not tax exempt, would have been, a part, and if such board or officer finds that such charge is more than is properly due, a reasonable abatement shall be made; and except as otherwise provided herein, the provisions of chapter fifty-nine relative to the abatement of taxes by assessors shall apply, so far as applicable, to abatements hereunder. If such petition is denied in whole or in part, the petitioner may appeal to the appellate tax board upon the same terms and conditions as a person aggrieved by the refusal of the assessors of a city or town to abate a tax.

§ 16F. Recovery of real estate owner against tenants:

An owner of real estate who, in order to prevent the imposition of a lien thereon or to discharge the same, has paid charges for sewer connections furnished to a tenant or other person who was bound to pay the same, may recover from such tenant or other person in an action of contract the amount of the charges so paid with all incidental costs and expenses.

ADOPTED
In City Council
Order No 15-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:



City of Marlborough
Office of the Mayor

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

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

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

March 5, 2015

City Council President Patricia Pope
Marlborough City Council
140 Main Street
Marlborough, MA 01752

RE: Statement of Interest for Marlborough Public Schools

Honorable President Pope and Councilors:

As you know the Marlborough Public Schools Administration and the School Committee have been in discussions regarding the future facility needs of our school system at the elementary level. Included in these conversations, have been a review of our existing and projected needs based on compliance with applicable state and federal regulations concerning, as well as the procedures for applying for reimbursement through the Massachusetts School Building Authority (MSBA).

In order to continue this process and further evaluate our facility needs, I am seeking your approval to authorize the City of Marlborough to file a Statement of Interest (SOI) with the MSBA. This action is the first of many steps necessary in order to ensure our district is eligible for funding. Below is a brief synopsis of the SOI provided by the MSBA:

Submitting an SOI is the first step in the Massachusetts School Building Authority ("MSBA") program for school building construction, addition/renovation, and repair grants. The SOI asks the District to state what it believes are the deficiencies in a school building and how those deficiencies fit the statutory priorities established in MGL c.70B.

The filing of an SOI is the formal way of declaring a communities interest in a potential school building construction or renovation project. An SOI in no way obligates the city to commit to any project or funding of any kind. The City has filed similar SOI's in years past that were approved for smaller projects that ultimately benefitted the Marlborough High School and Kane Elementary as well as larger projects for Whitcomb Middle School and Jaworek Elementary Schools.

As in past requests, I respectfully seek the Council's support to take this matter up this evening. Superintendent of Schools Richard Langlois and Finance Director Mike Bergeron will be in attendance should you have any questions. Thank you for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor

ENCLOSURES

ORDERED:

WHEREAS having convened in an open meeting on March 9, 2015 the CITY COUNCIL of the CITY OF MARLBOROUGH, MA in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form BY NO LATER THAN APRIL 10, 2015 for the RICHER ELEMENTARY SCHOOL LOCATED AT 80 FOLEY ROAD , MARLBOROUGH, MA which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future to include PRIORITY 7: REPLACEMENT OF OR ADDITION TO OBSOLETE BUILDINGS IN ORDER TO PROVIDE FOR A FULL RANGE OF PROGRAMS CONSISTENT WITH STATE AND APPROVED LOCAL REQUIREMENTS AS DETERMINED IN THE JUDGMENT OF THE AUTHORITY; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City of Marlborough to filing an application for funding with the Massachusetts School Building Authority, NOW THEREFORE the City Council of the City of Marlborough hereby authorizes the Superintendent to submit a Statement of Interest to the Massachusetts School Building Authority for the above-specified project, be and is herewith APPROVED.

ADOPTED
In City Council
Order No 15-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

**MARLBOROUGH SCHOOL COMMITTEE
MARLBOROUGH, MA 01752**

Call to Order

February 24, 2015

1. Chairman Vigeant called the Special Meeting of the Marlborough School Committee to order at 6:25 pm at the District Education Center, 17 Washington St., Marlborough, MA. Members present included, Mr. Earl Geary, Mrs. Denise Ryan, Mrs. Michelle Bodin-Hettinger, Mrs. Heidi Matthews & Mr. Mark Walter.

Also present was Superintendent Richard Langlois.

Mrs. Katherine Hennessy was absent.

2. Presentation:

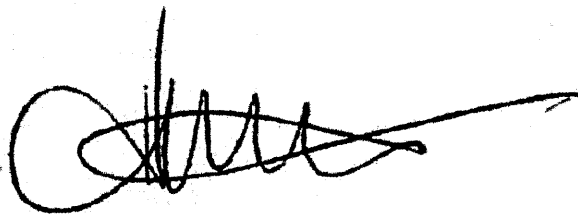
A. MPS Statement of Interest to MSBA

Mr. Richard Langlois, Superintendent of the Marlborough Public Schools addressed the committee on the agenda item.

Motion made by Mrs. Matthews seconded by Chairman Vigeant to authorize Superintendent Langlois to submit the required Statement of Interest to the Massachusetts School Building Authority (MSBA) for the purpose of upgrades /repairs to the Richer Elementary School, 80 Foley Road, Marlborough, specifically to address overcrowding in classrooms and facilities not equal for eligible students and regular education students. Motion passed 6-0-0. Yes votes were cast by Mr. Earl Geary, Mrs. Denise Ryan, Mrs. Michelle Bodin-Hettinger, Mrs. Heidi Matthews, Mr. Mark Walter & Chairman Arthur Vigeant.

12. Adjournment: Motion made by Mrs. Matthews, seconded by Vice Chair Bodin-Hettinger to adjourn at 6:45 p.m. the motion passed unanimously.

Respectfully submitted,



Heidi Matthews
Marlborough School Committee

HM/



SCHOOL COMMITTEE

Agenda Item #3A

AGENDA ITEM SUMMARY

**For School Committee Meeting
of February 24, 2015**

SUBJECT: MSBA Statement of Interest

Person(s) preparing Agenda Item: Richard Langlois, Superintendent

Listing of Attachments: MSBA Statement of Interest

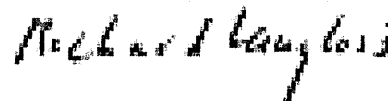
BACKGROUND: Richer Elementary School is overcrowded and is in need of renovations and upgrades. A committee came together to write a Statement of Interest to be submitted to the Massachusetts School Board Authority.

STATUS:

RECOMMENDATION: Having convened in an open meeting on February 24, 2015, prior to the closing date, the Marlborough School Committee vote to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest form dated February 19, 2015 for the Richer Elementary School, 80 Foley Road, Marlborough, MA which describes and explains the following deficiencies and the priority category for which an application may be submitted to the Massachusetts School Building Authority in the future.

The district is submitting the Statement of Interest under Priority 7: Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements.

Brief Description: The 2014 Massachusetts Department of Elementary and Secondary Education Coordinated Program Review found the district to be noncompliant with regard to facilities in Special Education and ELL. These civil rights violations are as listed: the classrooms and facilities are not equal for eligible students and regular education students; student assessments are conducted in a space occupied concurrently with special education assistants which violates the confidentiality of the assessments; special education speech and language and reading groups are conducted concurrently in regular education classrooms which creates auditory distractions; instruction for ELL students is provided in shared classrooms with students not in an ELL setting; some classrooms are occupied by up to 25 students at one time for ELL services due to lack of space for programs with more than 1 teacher at a time for different subgroups; prior to 2014 some small group special education and ELL instruction took place in hallways through which students and staff regularly pass by. Facilities and services at Richer Elementary are not comparable to those provided to the districts overall student population. According to the Coordinated Program Review, these findings clearly identify civil rights violations of students due to lack of programming space at Richer Elementary. The two remaining elementary schools are confronted with similar challenges due to space and programming and provide limited or no outlet for the Richer School. The Whitcomb Middle School has already taken Grade 5 from the elementary school as a result of overcrowding at the elementary level; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Marlborough School District to filing an application for funding with the Massachusetts School Building Authority.



Recommended by the Superintendent: _____



City of Marlborough
RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
Office of the Mayor

2015 MAR -5 A 11: 52 140 Main Street

Marlborough, Massachusetts 01752

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

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

March 5, 2015

City Council President Patricia Pope
Marlborough City Council
140 Main Street
Marlborough, MA 01752

RE: COA Appointment

Honorable President Pope and Councilors:

I am pleased to submit for your approval the appointment of Mr. Richard Cygan to the Council on Aging for a four year term to expire from the date of his approval.

Mr. Cygan is a 35 year resident of our city and is an active volunteer in our senior community. He has lent his time to both the FISH and Senior Mobile Market programs. He also has an immense passion for photography and has even developed a catalog of photos that chronicles the construction of our new senior center from start to finish. I look forward to adding Richard's voice to the Council as we embark on this exciting new chapter for our seniors.

Thank you in advance for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor

CANDIDATE FOR COUNCIL ON AGING (Nominating/Board Development Committee)

Name: RICHARD A. CYGAN Email: RCYGAN@ICLOUD.COM

Address: 240 MAIN ST, #316 MARLBOROUGH

Home Phone: 508 481 3709 Cell Phone: 978-760-6804

How did/do you hear about the COA? MICHAEL BERRY

Have you given your time previously as a volunteer? Yes No

If Yes, in what capacity/ies? 37+ YEARS VOLUNTEERING WITH WORCESTER NON-PROFIT GROUP, 2 YRS AS FISH DRIVER, SENIOR MOBILE MARKET, MCDA TENANT BOARD MEMBER

Why do you want to become a board member/volunteer? What would you like to get out of this experience?

VERY INTERESTED IN SHARING MY EXPERIENCES WITH COA BOARD SO MARLBORO SENIORS HAVE STATE OF THE ART REPRESENTATION

What interests, activities or hobbies do you enjoy? PHOTOGRAPHY (2007 PHOTOS OF NEW SENIOR CENTER), COMPUTERS, HUMORIST

Previous/current occupation/s, position: REFER TO MY RESUME (ATTACHED)

Education/training, hobbies or other skills: " TO MY RESUME

Other organizations to which you belong: W.H.V. MESSIAH, WORCESTER, N.Y. PHOTOGRAPHERS GUILD, MCDA HOUSING TENANTS BOARD

How long do you think you'd like to be involved with the COA? 5-10 YRS

Are you prepared to attend a training/information session/board meeting? YES

Are you willing to undergo a CORI background check? Yes No

What are your current interests in the COA? ENSURING ALL SOCIO-ECONOMIC SENIORS ARE GIVEN OPPORTUNITIES TO ENJOY LIFE, LIBERTY etc

Any additional information: I'VE BEEN A MARLBORO RESIDENT FOR OVER 35 YEARS, HAVE MADE MANY EFFORTS TO IMPROVE COMMUNITY CLEAN UP PROGRAMS, etc.

Sponsor: Jennifer Plawo Date: MARCH 3, 2015 CORI: _____

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2015 MAR -5 A 10:20

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

March 5, 2015

VIA HAND DELIVERYCouncilor Patricia Pope, President
Marlborough City Council
City Hall
Marlborough, MA 01752Re: Petition for Zoning Ordinance Amendment by Crabtree Lake Williams, LLC

Dear Councilor Pope:

On behalf of my client Crabtree Lake Williams, LLC, I submit this petition for a Zoning Ordinance Amendment, seeking to amend Section 650-26, Affordable Housing, of the Zoning Ordinance. Pursuant to M.G.L. c. 40A, § 5, Crabtree Lake Williams, LLC brings this petition in its capacity as the owner of land to be affected by the zoning amendment, specifically land located at Lakeside Avenue and Bond Street identified on Assessors Map 67 as Parcel 45 and Assessors Map 68 as Parcel 30A.

Enclosed is (i) a proposed Order of the City Council amending Section 650-26 of the Zoning Ordinance, and (ii) a redline of Section 650-26 showing the proposed amendment.

Please refer this matter to the Planning Board and take the appropriate steps for review by the City Council. Thank you for your consideration.

Sincerely,



Arthur P. Bergeron

Encl.

PROPOSED CITY COUNCIL ORDER

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

1. Replacing Section 650-26.A(1)(a) in its entirety with the following:
 - (a) Number of affordable units. The development shall (i) provide that at least 15% of the dwelling units to be constructed for home ownership or rental purposes will be made available at affordable prices to home buyers or renters, or (ii) if authorized by a majority vote of the City Council, provide a sum equal to \$50,000 per affordable dwelling unit that would have been required hereunder, to be deposited in the fund for economic development created by Chapter 126 of the Acts of 2011, or another fund designated by the City Council.

Pd
\$25
(Clerk # 8496)



City of Marlborough, Massachusetts
CITY CLERK DEPARTMENT
RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2015 FEB 23 A 10: 56

Lisa M. Thomas
City Clerk

MARLBOROUGH, MA

DATE: FEBRUARY 23, 2015

To the City Council:

Owner Name: Mary Giorgi

Residential Address: 270 Mechanic St., Marlboro

Telephone Number: 508-485-2660

Business Name: Giorgi's Boutique

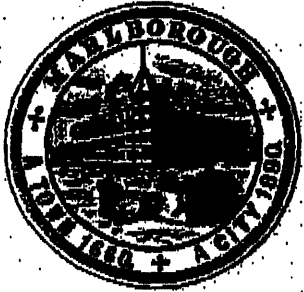
Business Address: 266 Main St., Marlboro

Business Telephone Number: 508-485-2660

Owner Signature: M Giorgi

The above-signed Mary Giorgi (Giorgi's Boutique) respectfully requests that he/she be granted a Junk Dealer / Second Hand Dealer's license.

In City Council



RECEIVED
CITY CLERK'S **City of Marlborough, Massachusetts**
CITY OF MARLBOROUGH **CITY CLERK DEPARTMENT**

2015 MAR -2 P 12:02

Lisa M. Thomas
City Clerk

MARLBOROUGH, MA

DATE: 2-27-2015

To the City Council:

Owner Name: TVI, Inc. dba SAVERS

Residential Address: 1400 3rd St., Suite 220, BELLEVUE, WA 98004

Telephone Number: 425-462-1515

Business Name: SAVERS

Business Address: 222A EAST MAIN STREET, MARLBOROUGH, MA

Business Telephone Number: 508-485-5191

Owner Signature: By: Robert C. Hoiland
Robert Hoiland, Secretary/Treasurer

The above signed TVI, INC respectfully requests that ^{it} be

granted a junk & secondhand dealer license, with the waivers
and modifications set forth in Exhibit A attached hereto

In City Council

pd #2500
3/5/15



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

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

2015 MAR -5 A 10:49

**Lisa M. Thomas
City Clerk**

MARLBOROUGH, MA

DATE: MARCH, 5, 2015

To the City Council:

Owner Name: Roman KimyAGAROV

Residential Address: 15 Edmands RD Framingham MA.

Telephone Number: (508) 624 7066, 508 877-0207

Business Name: ARTHUR & SONS SHOE REPAIR

Business Address: 107 MAIN ST MARLBOROUGH MA

Business Telephone Number: (508) 624 70 66

Owner Signature: Roman Kimy

The above-signed Roman KimyAGAROV respectfully requests that he/she be granted a JUNK DEALERS. license.

In City Council



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2015 FEB 20 P 2:17

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

Regular meeting of the Board of Health held on Tuesday, February 3, 2015. Called to order by James Griffin, Chairman at 6:44 in Memorial Hall, City Hall, 3rd Floor.

PRESENT: James Griffin, Chairman (JG); John Curran, M.D., Vice Chair (JC); Robin Williams, Member (RW); Steven Ward Interim Public Health Director; Tina Nolin, Senior Clerk.

Administrative:

- 1: Minutes Review: The board reviewed the minutes of the January 6, 2015 meeting.**
RW made a motion to approve the minutes of the January 6 meeting and place on file. JC seconded. Motion carried 3-0

New Business:

- 2: Public Testimony related to proposed Tobacco Regulations**
JG read aloud meeting protocol
15 were in the attendance / 9 gave oral testimony

Craig Hunt, Hunt's Mobil (100 Crosby Road) – Doing business in Marlborough for 31 years. Raised opposition to the proposed regulations as it will hurt business/profits by causing customers to go to other towns to buy the products and they will buy their other products at the other stores as well. These products are legal and we should be able to sell them. If the current rules and regulations are enforced and education is expanded both businesses and public will be better served. Please consider the economic impact of the regulations including jobs.

Ken Forbstein – on behalf of Drs. Hartman and Winickoff

Submitted MGH letter along with samples of Kid friendly tobacco products (flavors and e-cig) Pro adopting the regulations. AMA, American pediatric, American Lung Assoc. favor adopting the regulations. Well within the mission of the BQH! No evidence of convenience stores going out of business due to these new 21 age laws, other towns already adopting so won't lose business this way. Listed variety of other things we do not allow 18 year olds to do: drink, gamble etc.).

Public Testimony related to proposed Tobacco Regulations cont'd**Anna Bettencourt – Verc Enterprises/Gulf Station**

Opposed to regulations. Retailers know it is most important not to sell to minors – whether the law says they are under 18 or under 21. However, we graduate kids at 18 and we consider them adults. The Federal age is 18 – ask you to leave it there. More regulations are not needed. Education is more important than more regulations. If you take away single cigars at \$2.50 they will then buy a pack. Single cigars are for occasional smokers.

DJ Wilson – Mass. Municipal Association Tobacco Control Director

Pro regulations. Kids are attracted to the flavored products and have been shown to smoke more of the flavored cigars than cigarettes. These products are shown to be highly addictive and geared toward youth. No data of retail stores going out of business in towns that have adopted these policies. Submitted policies showing 148 municipalities have banned e-cigarette usage. Worcester is entertaining same “draft” minimizing pricing for cigars.

Sue Reno – Compliance Officer for Honey Farms

Opposed to regulations. Responsible retailers purchase licenses that say we will only sell to legal adults. We have had no compliance issues in years. Rather than restricting an age group, you need to put the onus on retailers to do their job. These are legal products, the government says they're legal and retailers should be able to sell them.

Matt Le Lacheur – NESSARA – New England Service Station & Auto Repair Association

Opposed to Regulations. NESSARA and local sellers take seriously the age restriction of the current regulations and laws seriously – they live in the community, their kids go to school with the local kids. To institute the proposed age related regulations suggest we don't trust them to do their jobs and accept their responsibilities. Sellers are losing business when you take away the single cigar purchases @ the ~\$2 rate and leave only the packs which may go for as high as \$10. People will go to other retailers in other towns to buy singles – and other products they buy at the same time.

Steve Ryan – NECSA, Executive at New England Convenience Store Association

Expressed opposition to proposed age regulation. Real issue is no one wants kids to be buying these products, but this is an unregulated matter, rest of regulations are not about product, but about responsible retailing – thus an issue of compliance. Make consequences very serious for those who break the current age regulations and are not compliant, don't change the regulation itself. Adopting them opens the opportunity for current customers to go to other towns to buy the products and ancillary purchases. The latter of which are important income to retailers.

Peter Frattarda – Alliance Energy

Expressed opposition to proposed regulation related to raising retail prices on cigars, by getting rid of single sales of cigars, raising the legal age to 21. 25% - 50% of sales are from tobacco products. Adopting these regulations will lead to double digit declines in sales – especially since there are towns nearby who do not have these same restriction. This loss of income ultimately effects jobs, store upkeep, etc. Suggested we need more education re: responsible leadership among retailers, not more or stricter regulation.

Public Testimony related to proposed Tobacco Regulations cont'd

Matt Elder – Marlborough City Councilor (Ward 3)

Told about his Mom currently dying of lung cancer related to smoking – but expressed opposition to the proposed legislation. Pointed out we allow 18 year olds to vote, go to war, etc... Suggested that these regulations may not actually lead to the desired results – ending smoking among those 18-21, end use and popularity of flavored smokes. Expressed that these regulations will serve to hurt the retailers via loss of sales and profits. Reported overall not a fan of regulation.

3: Assistant Sanitarian Monthly Report – January, 2015

Motion made to accept and place on file. Motion carried 3-0

4: Public Health Nurse Monthly Report – January, 2015

Motion made to accept and place on file. Motion carried 3-0

OLD BUSINESS

5: Update on Sully's First Edition Pub

SW gave update on Sully's First Edition Pub's Richard Sullivan of First Edition Pub – a consultant, Eric Nusbaum of Wheelright Consultants, has been hired to help with getting to compliance. The 3-bay sink is in with hot and cold running water. Walk-in is not yet up to compliance. Consultant is looking at reducing the menu to be in line with the physical limitations of the kitchen. Mr. Ward (SW) and Ms. Lee will be meeting again with Mr. Nusbaum and Mr. Sullivan on Friday (2/6). RW asked about the progress of the education piece. SW reported that did not appear to be completed. SW suggested, based on findings in next Fridays meeting, that a suspension letter be drafted that requires Mr. Sullivan to appear before the board to defend what has and has not been done regarding the issues of compliance and determine if suspension is warranted due to a failure to meet expectations.

6: Prospector (Status Update)

Hand sink has been installed.

Next BOH meeting will be held on Tuesday, February 17th at 6:30 pm.

RW motioned to adjourn; seconded by JG at 8:40 pm (Motion carried 3-0)

Respectfully submitted,

James Griffin, Chairman

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

Minutes

**February 5, 2015 (Thursday)
Marlborough City Hall – 3rd Floor, Memorial Hall
7:00 PM**

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2015 FEB 24 P 2:54

Members Present: Edward Clancy-Chairman, David Williams, Lawrence Roy, and Dennis Demers. Also present was Priscilla Ryder-Conservation Officer.

Absent: Allan White, John Skarin, and Karin Paquin.

Minutes: The minutes of December 18, 2014 and January 8, 2015 were reviewed and unanimously voted 4-0 to approve.

Public Hearings:

Request for Determination of Applicability
245 Stow Rd. - Markian Stecyk

Dr. Stecyk, the owner, explained that he wanted to install a 2 car carport on a stone pad behind the existing garage. It will be placed outside the 20' buffer zone, but within the 100' buffer zone to the adjacent wetland. Ms. Ryder pulled out an old file showing the wetland flags done several years ago. The new carport location appears to be outside the 20' buffer zone based on that survey and the location proposed. The Commission agreed. Ms. Ryder said that with the snow on the ground, she was not able to verify this in the field, but felt confident based on the past survey. The Commission asked about the carport construction and whether the building department would require a cement slab instead and anchors for the roof. Dr. Stecyk was not sure since the building department asked him to get the wetland permit first. The Commission decided it didn't matter if it was a stone pad or concrete pad, all excess soil would need to be removed from the site. After further discussion, the Commission closed the hearing and voted unanimously 4-0 to issue a negative Determination of Applicability with standard conditions and the requirement to remove any excess soil from the area to protect the wetland.

Request for Determination of Applicability
Hayes Memorial Drive - The City of Marlborough DPW

Evan Pilachowski, city engineer, was present and explained that the DPW would like to do a full reconstruction of Hayes Memorial Dr. and replace the water main which has had failure problems for some time. The roadway will be designed to have 13' lanes and 5' shoulders. A sidewalk on one side will be added. Drainage will be replaced, a few catch basins added. All work is outside any wetland, a few spots have new guardrail replacement within the 20' buffer zone. All drainage has been inspected and the culverts are in good shape. Mr. Demers noted that the waterline in this area was originally laid on ledge which is one of the causes for the water main breaks- the pipe was installed in the 1960s, before some of the current standards were in place. All the guardrail will be replaced with the new standard steel guardrail. After some discussion, the Commission

closed the hearing and voted unanimously 4-0 to issue a negative Determination of Applicability with standard conditions for roadway work.

Notice of Intent DEP 212-1120 (Continued to Feb. 19, 2015)

358 Berlin Rd. - Marlborough Brazilian SDA Church

Proposes to repair and replace their existing parking lot, reinforce some walls, and clean the accumulated debris from the brook, add some landscaping and install a wooden fence near wetlands.

Certificate of Compliance

- DEP 212-1131 330 Berlin Rd.

Draft Order of Conditions

- DEP 212-1143 9A Lakeshore Dr. The Commission reviewed the draft Order of Conditions and voted unanimously 4-0 to issue the Order as drafted.
- DEP 212-1146 Ft. Meadow Weed Control - The Commission reviewed a set of draft conditions for the Ft. Meadow Weed Control project. The joint hearing held on January 29th was closed that evening. The Commission discussed the use of Alum and decided the applicant would need to return to the Commission to discuss the use of Alum before being allowed to use it. They also decided to add Condition #37; to post the lake in the area of booster treatments, should that be necessary. After some discussion, the Commission voted 4-0 unanimously to issue the Order of Conditions as drafted and amended.

Correspondence: The Commission reviewed and accepted the following correspondence:

- Letter to John Ghiloni, Commissioner, dated Jan. 14, 2015 RE: Snow and ice operations and the use of only salt.

Discussion/Other Business

- Snow and ice operation – salt use - Summary of meeting with Dept. of Public Works Chairman Clancy explained that he and Ms. Ryder had met with John Ghiloni and Tom Temple of the DPW on 2-3-15 to discuss the road salt issue as outlined in the letter noted above. The conclusion, per Mr. Temple, is that historically prior to 2009 the department was applying salt and sand with salt (sodium chloride) being 1,200 to 1,600 lbs./ lane mile and now they are doing an applications at a rate of 300 lbs./ lane mile with a pretreatment of 500 lbs./ lane mile. Therefore, they are using much less salt than they used to and are in fact doing the “low salt” treatment throughout the city that had been proposed for the Water Supply Protection District originally. Mr. Temple had provided a draft summary of his responses to Mr. Clancy’s letter of January 14, 2015. Mr. Clancy explained that Mr. Temple had discussed the “pretreatment” of the salt with a chemical called Caliber M2000 which is a de-cider that is sprayed onto the salt, before it gets to the ground, so it acts more effectively and is a combination of MgCl₂ which also has some animal protein in it. Mr. Temple will provide the Commission with the MSDS sheet on this product. The advertisement for the product states: *Caliber™ M2000 allows the use of salt for deicing at temperatures not previously possible. This blend of Caliber deicer with 30 percent magnesium chloride enhances performance of salt/sand deicers. Combined with the reduced bounce and scatter of a wetted solid, the increased performance translates into reduced granular material use.*

Mr. Demers explained that he still thinks they are applying lots of salt and some testing should be done. Mr. Clancy agreed and noted that Mr. Ghiloni has agreed to do regular testing of Lake Williams and Millham Reservoir. He suggested that Ft. Meadow and Sudbury Reservoir may also be places to test. Mr. Clancy noted that when he was a biology teacher, they tested the tap water and the salt content during the winter and spring snow melt increased steadily, then declined again during the summer. The Commission continued to be concerned about salt accumulation since it doesn't disappear or bind, once in the water it is dissolved and doesn't come out of solution, no treatment removes salt, so testing of the water and getting a handle on the salt content and contributing salt areas will be necessary. The corrosiveness of salt was also discussed. Mr. Temple's letter explained that the addition of the additive, "Caliber M2000", reduces the corrosiveness of salt on structures and concrete. The Commission will review the draft information provided and will determine if there are any further questions for the DPW. In the meantime, the Commission will work with the DPW to confirm sampling locations and collect past data for salt in the water and also check the MWRA data as well. Ms. Ryder will get in touch with Michele Higgins at the DPW to determine what the EPA safe levels for salt are. The Commission will discuss this again at the next meeting.

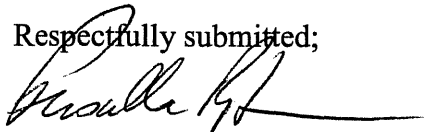
- Snow Dump - Ms. Ryder was informed today that with all the snow this year the snow pile behind the DPW is close to covering the brook. Mr. Calder at the DPW called this afternoon to let her know. Mr. Temple and Mr. Ghiloni had asked Ms. Ryder if they could use the landfill on Bolton/Hudson St. for a snow dump. Ms. Ryder indicated there aren't any wetlands in the area and there is a swale which directs all water to the detention basin at the base of the landfill to be filtered, before discharging into the lake. The Commission concurred with this conclusion and had no objections, but noted that if this becomes the snow dump the haul route should not include Hudson St. neighborhood only Rte. 85.
- VHB- Avalon – DEP 212-1115 - The applicant has requested via e-mail permission to stop winter storm water inspections while there is snow cover until the snow begins to melt and the ground thaws. The Commission agreed that there isn't much use in these inspections when nothing is going to drain. They will resume inspections once weather conditions change and the snow begins to melt. Ms. Ryder will convey this decision.

Meetings – Next Conservation meetings – February 19, 2015 and March 5, 2015 (Thursdays)

Adjournment

There being no further business, the Commission voted unanimously to adjourn at 8:23 PM.

Respectfully submitted;



Priscilla Ryder
Conservation Officer

**MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752**

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Call to Order

February 12, 2015
2015 FEB 25 P 4: 02

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; Sean Fay, Colleen Hughes, Barbara Fenby, Philip Hodge, Edward Coveney, Shawn McCarthy. Brian DuPont was absent.

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

1. Meeting Minutes:

A. Regular Meeting January 5, 2015

On a motion made by Ms. Hughes, seconded by Mr. Fay, it was voted to approve the minutes of the January 5, 2015 regular meeting. Motion carried.

2. Chair's Business:

A. From City Council Referral of Special Permit Application 2 Drive Through Windows at 525 Maple Street.

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

B. Proposed Regular Meeting Schedule for Calendar 2015

On a motion made by Ms. Hughes, seconded by Mr. Fay the proposed meeting calendar was accepted for the calendar year 2015. Motion carried.

3. Approval Not Required:

A. Boston Post Rd West at Ames Street (Fairfield) VHB inc.

Ms. Hughes read the request into the record.

Attorney Arthur Bergeron of Mirick O'Connell presented to the Board an amended plan.

On a motion made by Mr. Fay, seconded by Ms. Hughes the request was accepted and placed on file and the plan was referred to the City Engineer. Motion carried

4. Public Hearings: None

5. Pending Sub Division Plans: Updates and Discussion:

A. Engineers Report:

City Engineer Pilachowski presented to the Board the new and enhanced Subdivision Status Report. It was also noted that this report is a work in progress and subject to changes and amendments. The Board was very pleased with the monumental effort put forth in the project.

B. Capital Group Properties request for bond reduction correspondence from Attorney Catanzaro.

On a motion made by Mr. Fay, seconded by Mr. Coveney it was voted to waive the reading into the record of the correspondence. Motion carried.

On a motion made by Mr. Fay, seconded by Mr. Coveney, it was voted to craft a response from the Board to Attorney Catanzaro expressing the Board's opinion regarding the tone of his letter and the developer's responsibilities and obligations.

The Board will review the correspondence prior to its mailing at the next regularly scheduled meeting (February 23, 2015). Motion carried.

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

7. Definitive Subdivision Submission: None

8. Signs:

A. Letter to Professional Automotive, 19 Mechanic St (Informational)

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

B. Denial/Appeal from Digital Credit Union, 865 Donald J. Lynch Boulevard

Ms. Hughes read the request into the record.

Attorney Arthur Bergeron of Mirick O'Connell as well as Attorney David McCay also of Mirick O'Connell and Mr. John LaHair Public Relations Manager for Digital Federal Credit Union presented to the Board the details of the requested Sign variance.

According to the denial letter received the variances requested were for:

Excess signage percentage for the total sign (33% vs. 25%)

Excess signage for the EMC portion (24.77 sq ft vs. 24 sq ft.)

It was also noted that the proponent must agree to maintain only the levels allowed for the maximum daytime brightness as well as brightness levels from sunset to sunrise as allowed by the ordinance. Secondly is agreed that the proponent shall utilize static messages only as allowed by the ordinance.

The Board agrees that the location of the sign (Donald J Lynch) in a unique part of the City and the excess for the EMC portion of the sign is minimal.

The sign was created and installed with a properly approved sign permit that was later revoked due to an error on the prior issuing authorities' part.

Upon further discussion and taking the above 2 points into consideration the Board took the following action:

On a motion made by Mr. Hodge seconded by Mr. Fay it was voted to grant the requested variance as it relates to both the EMC portion and signage percentage as outlined above. Motion carried.

C. MEDC Available to discuss changes to event signage possibilities

It was requested by the MEDC Director to move this to the next regularly scheduled meeting due to a conflict. (February 23, 2015)

D. Letter to Houde Real Estate, 127 Lakeside Ave (Informational)

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

E. Letter to Sunshine Sign, Re: 46 Lizotte Drive Denial (No appeal paperwork received yet.)

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

9. Unfinished Business:

A. Blackhorse Farms Update

City Engineer Pilachowski noted that he had been in touch with the Construction Super just prior to the unrelenting snow events of the month (February 2015) he will follow up as soon as the weather clears.

It was noted to keep this on the next regularly scheduled meeting agenda for updates.

B. Mauro Farms Update

This item was taken up earlier in the agenda item 5B.

It was noted to keep this on the next regularly scheduled meeting agenda for updates.

C. Proposed changes to Subdivision Rules and Regulations Submitted by City Engineer. (Information from Legal Department)

Item was tabled to allow Board members to evaluate the information that was submitted by the City Solicitor.

This item is to appear on the next regularly scheduled agenda (February 23, 2015) for discussion/debate. With the intention of moving this forward to the Public Hearing Stage in the near future.

10. Informal Discussions: None

11. Correspondence:

A. Dcr Downstream Number 32, Fall 2014

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

12. Public Notices of other Cities and Towns:

A. Town of Southborough, Planning Board Public Hearing January 26, 2015

B. Town of Framingham, Planning Board Public Hearing January 22, 2015

C. Town of Hudson Zoning Board of Appeals, Notice of Decision January 8, 2015

D. Town of Framingham, Planning Board Notice of Decision (4)

E. Town of Southborough, Planning Board Public Hearing February 23, 2015 (2)

F. Town of Hudson, Zoning Board of Appeals Public Hearing February 12, 2015

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

Adjournment: On a motion made by Mr. McCarthy, seconded by Mr. Coveney it was voted to adjourn at 7:50pm. Motion carried.

Respectfully submitted,

Collen Hughes
Clerk

/mai

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2015 FEB 27 P 4:25



**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, December 17, 2014 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 James Fortin. Also present: City Engineer Evan Pilachowski, Assistant City Engineer Tim Collins and Councilor Rob Tunnera. Minutes taken by: Karen Lambert, MPD Records Clerk.

1- Minutes

The minutes of the Traffic Commission meeting of November 24, 2015.

Karen Lambert brought a revised draft to the meeting as Mr. Pilachowski had made a clarification on two items.

MOTION was made, seconded, duly VOTED:
TO APPROVE the minutes as amended.

Chief Leonard requested a Suspension of Rules to begin the meeting with a New Business Item not on the Agenda.

2 – New Business

1a) Main Street Municipal Lots, west of Bolton St. and across from City Hall – Proposed One Way.

Tim Collins sent an e-mail to Chief Leonard and asked if this item could be included in the discussion. He is requesting that both of these parking lots officially be made "one-way" and that they be added to the regulations under the schedule for One-Way Traffic. Currently, cars can enter both lots from either direction. The DPW wants to make them one way with arrows. The Street Division would like to do line painting this Wednesday.

Chief Leonard had already prepared the regulations and included an Emergency Preamble so that the regulations would take effect “immediately upon adoption by the Traffic Commission.

Main Street Municipal Parking Lot - West of Bolton Street

MOTION was made, seconded, duly VOTED to APPROVE the Emergency Preamble. ALL IN FAVOR.

MOTION was made, seconded, duly VOTED to APPROVE the amended regulation to add this lot under the schedule for “One-Way Streets”. ALL IN FAVOR.

Main Street Municipal Parking Lot – Across from City Hall

MOTION was made, seconded, duly VOTED to APPROVE the Emergency Preamble. ALL IN FAVOR.

MOTION was made, seconded, duly VOTED to APPROVE the amended regulation to add this lot under the schedule for “One-Way Streets”. ALL IN FAVOR.

3-Old Business

3k) Communication from Councilor Tunnera, Re: parking concerns on Northboro Road West @ Elm Ridge Condominiums.

Councilor Tunnera was present at the meeting on behalf of Mr. Beyersdorfer. He said that there appear to be more vehicles parking here. Tim Collins advised that he has sent an e-mail to Joe Frawley, our contact at MassDOT, advising of the issue and asking if MassDOT approval is required to regulate this area as No Parking.

Mr. Frawley’s reply was “There is no parking allowed on State Highway, so MassDOT does not need to approve the posting of “No Parking” signs on the portion of Northboro Road – West within state highway layout.”

Chief Leonard said that based on their response it sounds like they want us to put up the signs. Tim Collins will clarify with MassDOT on the sign location with a graphic. If they are OK with it but don’t want to put up the signs, the DPW will install them.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to clarify the specifics with MassDOT and follow with installation of “No Parking” signs if all is in order. Also to REFER to Chief Leonard to relay this information to Mr. Beyersdorfer.

3c) Stop signs on Bigelow Street.

Councilor Tunnera was also interested in an update on this issue. Chief Leonard advised that we have a vender for the solar powered signs and that he was hoping that we could get two. The vender completed a solar study, however only found a good location for one of the signs. We are now trying to figure out how to address this issue. The second sign would require another source of power.

Councilor Tunnera asked if the trees blocking the sun are on personal property. Mr. Pilachowski advised that it is a mix. There is a canopy of trees in the entire layout, some are on personal property while others are on City property. The signs need strong sunlight in the morning to recharge.

Chief Leonard reviewed how the Traffic Commission had proposed eliminating three of the five stop signs on Bigelow St. They would keep the one at Flagg Rd. and the one at Evelina Dr. They were hoping to have 4 speed signs, with 2 in each direction. Funding became available for two solar powered signs. Now we have a problem with the second sign.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to research alternate signage.

3e) Parking concerns in the vicinity of 131 Pleasant Street.

Tim Collins advised that he has reviewed the entire length of Pleasant Street to determine exactly what the issues are. He passed out four diagrams with regulations attached. They include areas with:

- 1) 30 Minute Parking
- 2) 30 Minute Parking (exc. Sun & Hol.)
- 3) No Stopping No Standing No Parking
- 4) No Parking Anytime

He also found five locations with regulations but no signs. Chief Leonard advised that he would like to make the entire street consistent. The group discussed the best way to do this. The "cleanest" way is to repeal four of the existing regulations and amend one. This would eliminate all 30 minute parking. There should be no parking allowed on both sides of Pleasant Street from Chestnut to Berlin Road.

MOTION was made, seconded, duly VOTED to REFER To Chief Leonard to prepare the amended regulations for the next meeting.

3i) Request from Councilor Delano, re: signage near entrance to Villages East on Boston Post Rd.

Tim Collins advised that what Councilor Delano is asking for has already been done. He passed out photos of the area which show signs indicating "Turning Vehicles Ahead". He said that if they want to upgrade the street sign to make it stand out more they can also do that and he provided a copy of the city's "Street Sign Standards". Chief Leonard advised that he will communicate this to Councilor Delano.

MOTION was made, seconded, duly VOTED to REFER to Chief Leonard to communicate this information to Councilor Delano.

3f) Request to allow parking on Ames Place near Main Street.

This item should have been REMOVED from the Agenda.

3h) Request for crosswalk on West Main St. near Broad St.

This item should have been REMOVED from the Agenda.

3g) Pedestrians crossing Granger Blvd. near New St.

Chief Leonard was not able to prepare the amended crosswalk regulation for this meeting. Tim Collins advised that he would resend the linear feet so that Chief Leonard would have the necessary information to prepare the regulation for the next meeting.

MOTION was made, seconded, duly VOTED to TABLE until the next meeting.

3j) Hayden St. /Water St. traffic concerns.

Chief Leonard prepared the regulation to add the Stop Sign on Water Street at the T-intersection at Hayden Street.

MOTION was made, seconded, duly VOTED to APPROVE the amended regulation adding the Stop Sign on Water Street to the Schedule of "Stop Intersections". ALL IN FAVOR.

Also to REFER to the DPW to install the stop sign.

3a) Municipal off street parking regulation.

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

3b) High School parking regulations.

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

3d) 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 10:40 am.

Respectfully submitted,

Karen L. Lambert
Records Clerk
Marlborough Police Department

List of documents and other exhibits used at the meeting:

- Meeting Agenda for Tuesday, December 17, 2014 (Including City of Marlborough Meeting Posting).
- Draft copy of minutes from 11/25/14.
- E-mail from Tim Collins to Chief Leonard, dated 12/15/14, re: Main Street Municipal Lots, west of Bolton Street and across from City Hall (Including aerial photo of each lot with one way arrows indicated.
- Revised regulation, including Emergency Preamble, to add Main Street Municipal Parking lot, across from City Hall to the Schedule of "One-Way Streets".
- Revised regulation, including Emergency Preamble, to add Main Street Municipal Parking lot, west of Bolton Street to the Schedule of "One-Way Streets".
- Revised regulation to add the Stop Sign on Water Street at the Intersection of Hayden Street to the Schedule of "Stop Intersections".
- E-mail from Tim Collins to Joseph Frawley, dated 12-11/14, re: Route 20 signage, including Mr. Frawley's response.

Additional Handouts

- Diagram of Pleasant Street with regulation for No Parking Anytime
 - Diagram of Pleasant Street with regulation for No Stopping No Standing No Parking.
 - Diagram of Pleasant Street with regulation for 30 Minutes Parking (Exc. Sun. & Hol.)
 - Diagram of Pleasant Street with regulation for 30 Minutes Parking
 - Color Photo of Main Street Municipal Lot – West of Bolton Street – Proposed One Way, with one-way arrows indicated.
 - Copy of City of Marlborough, Department of Public works, Street Sign Standards.
 - Photos of the area near the entrance to The Villages East on Boston Post Road with sign indicating "Turning Vehicles Ahead".
-

CITY OF MARLBOROUGH

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

OTHER POST-EMPLOYMENT BENEFITS ("OPEB") TRUST BOARD MEETING

2015 MAR -4 A 11:42

January 14, 2015

Regular Meeting Minutes

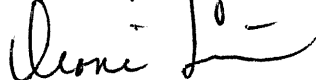
Call to order: 6:17 p.m.

Members Present: Brian Doheny, Diane Smith, Michael Bergeron, Alfred Weaver

Members Absent: Michael Ossing

- Being the first meeting of the OPEB Trust Board, members introduced themselves to one another.
- A motion was made by Alfred Weaver to nominate Brian Doheny as chair, seconded by Michael Bergeron. Approved 4-0.
- A motion was made by Brian Doheny to nominate Diane Smith as secretary, seconded by Michael Bergeron. Approved 4-0.
- Chairman Doheny provided various handouts to members to look over and discuss at the next meeting.
- The City has 5 million dollars set aside to invest in the Trust. Members are to review the investment policies included in the handouts and take a vote at the next meeting.
- There was discussion with whom the funds could be invested with. Options included an independent investing group, Public Agency Retirement Services ("PARS") and the PRIT Core Fund through the State Retiree Benefits Trust Fund.
- Member Alfred Weaver inquired if equities performance reports could be obtained for the last 5 – 10 years for PRIT, PARS and Bartholomew & Company for the next meeting.
- Board discussed holding the next meeting the week of January 26th.
- Motion to adjourn at 7:10 p.m.

Respectfully submitted



Diane Smith

CITY OF MARLBOROUGH
OTHER POST-EMPLOYMENT BENEFITS ("OPEB") TRUST BOARD MEETING

February 18, 2015

Regular Meeting Minutes

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2015 MAR -4 A 11:42

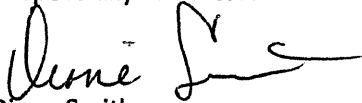
Call to order: 7:04 p.m.

Members Present: Brian Doheny, Diane Smith, Michael Bergeron, Alfred Weaver, Michael Ossing

Members Absent:

- Motion made to accept the minutes of the January 14, 2015 meeting by Michael Bergeron, seconded by Diane Smith. Approved 4-0.
- There was continued discussion with whom the funds could be invested with. Options included an independent investing group, specifically Bartholomew & Company, Public Agency Retirement Services ("PARS") and the PRIT Core Fund through the State Retiree Benefits Trust Fund.
- Performance reports were provided for PRIT, PARS and Bartholomew & Company.
- Fees, commitment terms, level of risk, etc. were discussed. It was suggested that the board creates a list of pros and cons for each entity that would later be submitted to the City Council.
- Motion was made by Michael Bergeron, seconded by Brian Doheny, to invite Bartholomew & Company to our next meeting for a presentation and to answer any of our questions. Approved 5-0.
- Board discussed holding the next meeting March 3, 2015 at 7pm.
- Motion to adjourn at 8:05 p.m.

Respectfully submitted


Diane Smith



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

Toll Free: 1-877-67-AMICA
(1-877-672-6422)
Fax: 1-866-751-4537

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2015 FEB 20 A 9 47

February 17, 2015

City Clerk's Office
140 Main Street
Marlborough, MA 01752

File Number: 60002048145
Date of Loss: 02/15/2015
Owner/ Insured: Frank T. Peace Jr.
Street: 72 Reynolds CT
Town: Marlborough, MA
Type of Loss: Ice Dam

To Whom This May Concern:

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

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

Sincerely,

Jacqueline M. Damiani

Jacqueline M. Damiani
Claims Department
877-672-6422 x21647
JDAMIANI@AMICA.COM

CC: LEGAL 2/20/15



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

Toll Free: 1-800-28-AMICA
(1-800-282-6422)
Fax: 1-866-847-1604

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2015 FEB 27 A 10:11

February 22, 2015

CITY CLERK'S OFFICE
140 MAIN ST
MARLBOROUGH, MA 01752

File Number: 60002053065
Date of Loss: 02/20/2015
Owner/ Insured: Joseph T. Barone
Street: 251 Raymond Road
Town: Marlborough
Type of Loss: Freeze

To Whom This May Concern:

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

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

Sincerely,

Jeffrey W. Jones

Jeffrey W. Jones
Claims Department
800-282-6422 x21964
JJONES@AMICA.COM

cc: legal



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

Toll Free: 1-800-67-AMICA
(1-800-672-6422)
Fax: 1-866-759-3258

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2015 MAR -2 A 10:11

February 26, 2015

Marlborough City Clerk's Office
140 Main Street
Marlborough, MA 01752

File Number: 60002046141
Date of Loss: 02/15/2015
Owner/ Insured: John G. Iannone
Street: 9 Boivin Drive
Town: Marlborough
Type of Loss: Freeze

To Whom This May Concern:

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

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

Sincerely,

Stephanie D. Brown

Stephanie D. Brown AIC
Claims Department
800-672-6422 x21933
SBROWN@AMICA.COM

Cc. legal



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

Toll Free: 1-800-67-AMICA
(1-800-672-6422)
Fax: 1-866-759-3258

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2015 MAR -2 A 10: 11

February 26, 2015

City clerk's Office
140 Main St.
Marlborough, MA 01752

File Number: 60002046146
Date of Loss: 02/15/2015
Owner/ Insured: Nancy E. Messina
Street: 51 Lafayette Dr.
Town: Marlborough, MA 017
Type of Loss: ice storm

To Whom This May Concern:

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

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

Sincerely,

Steven P. De Salvo

Steven P. De Salvo
Senior Claim Supervisor
800-672-6422 x21932
SDESALVO@AMICA.COM



cc legal



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

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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2015 MAR -4 A 9:38

March 2, 2015

Marlborough City Clerk
140 Main St.
Marlborough, MA 01752-1765

File Number: 60002062527
Date of Loss: 03/01/2015
Owner/ Insured: Fred B. Brewitt
Street: 299 Sudbury
Town: Marlborough
Type of Loss: Freeze/Water

To Whom This May Concern:

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

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

Sincerely,

Leesa K. Smith

Leesa K. Smith AIC
Claims Department
800-592-6422 x21795
LSMITH@AMICA.COM

CC: Legal 3/4/15



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

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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2015 MAR -4 A 9:38

March 2, 2015

Marlborough City Clerk
140 Main St
Marlborough, MA 01752-6084

File Number: 60002062579
Date of Loss: 01/28/2015
Owner/ Insured: Christiane Nilsson
Street: 21 Canterbury Way
Town: Marlborough
Type of Loss: Freeze/Water

To Whom This May Concern:

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

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

Sincerely,

Leesa K. Smith

Leesa K. Smith AIC
Claims Department
800-592-6422 x21795
LSMITH@AMICA.COM

cc: Legroz 3/4/15 *[Signature]*

Property Unit
PO Box 15147
Worcester MA 01615-0147
Telephone: 800-628-0250 Ext: 5400
Fax Number: 508-926-5660

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

February 19, 2015

2015 FEB 23 A 10: 33

CITY CLERK'S OFFICE
140 MAIN ST
MARLBOROUGH MA 01752

Re: Our Insured: Ms. Kathryn Webster
Policy Number: HPN 3689814
Claim Number: 15-00496799 001
Date of Loss: 02/12/2015
Property Address: 31A CHURCH ST MARLBOROUGH MA

To whom it may concern :

Claim has been made involving loss, damage or destruction of the above captioned property, which may either exceed \$1,000.00 or cause Mass. General Laws, Ch. 143, Sec. 6 to be applicable. If any notice under Mass. General Laws, Ch. 139, Sec. 3B is appropriate, please direct it to the attention of the undersigned and include a reference to the captioned insured, location, policy number, date of loss, and claim number.

On this date, I caused copies of this notice to be sent to the persons named above at the addresses indicated above by first class mail.

Sincerely,

Thomas W. Grady

Thomas W. Grady
Associate Adjuster
Citizens Insurance Company of America

Property Unit
PO Box 15147
Worcester MA 01615-0147
Telephone: 800-638-0250 Ext: 5400
Fax Number: 508-926-5660
RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

February 19, 2015

2015 FEB 23 A 10:33

CITY CLERK'S OFFICE
140 MAIN ST
MARLBOROUGH MA 01752

Re: Our Insured: Philip Garcia
Policy Number: HPN 5551181
Claim Number: 15-00495849 001
Date of Loss: 02/17/2015
Property Address: 63 SANDINI ROAD MARLBOROUGH MA

To whom it may concern :

Claim has been made involving loss, damage or destruction of the above captioned property, which may either exceed \$1,000.00 or cause Mass. General Laws, Ch. 143, Sec. 6 to be applicable. If any notice under Mass. General Laws, Ch. 139, Sec. 3B is appropriate, please direct it to the attention of the undersigned and include a reference to the captioned insured, location, policy number, date of loss, and claim number.

On this date, I caused copies of this notice to be sent to the persons named above at the addresses indicated above by first class mail.

Sincerely,

Kerry Donahue

Kerry Donahue
Associate Adjuster
Citizens Insurance Company of America

Property Unit
PO Box 15147
Worcester MA 01615-0147
Telephone: 800-628-0250 Ext: 5400
Fax Number: 508-926-5660

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

February 17, 2015

2015 FEB 23 A 10: 33

CITY CLERK'S OFFICE
140 MAIN ST
MARLBOROUGH MA 01752

Re: Our Insured: Katherine Kerr
Policy Number: HPN 8294427
Claim Number: 15-00494311 001
Date of Loss: 02/08/2015
Property Address: 15 Bowstring Way Marlborough MA

To whom it may concern :

Claim has been made involving loss, damage or destruction of the above captioned property, which may either exceed \$1,000.00 or cause Mass. General Laws, Ch. 143, Sec. 6 to be applicable. If any notice under Mass. General Laws, Ch. 139, Sec. 3B is appropriate, please direct it to the attention of the undersigned and include a reference to the captioned insured, location, policy number, date of loss, and claim number.

On this date, I caused copies of this notice to be sent to the persons named above at the addresses indicated above by first class mail.

Sincerely,

Kerry Donahue

Kerry Donahue
Associate Adjuster
Citizens Insurance Company of America



Union Mutual of Vermont Companies

Union Mutual Fire Insurance Company
New England Guaranty Insurance Company, Inc.
Eastern Mutual Insurance Company
Community Mutual Insurance Company

P.O. Box 158 • Montpelier, VT 05601-0158 • www.unionmutual.com

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2015 MAR -2 A 10: 11

February 27, 2015

**Marlborough Town Clerk
City Hall
140 Main Street
Marlborough MA 01752**

MASSACHUSETTS GENERAL LAWS, CHAPTER 139 LETTER

RE: Insured: Heather Bell
Loss Location: 67 Crystal Brook Way Unit F Marlborough MA

Policy Number: HOP0065517
Date of Loss: 02/25/15
Type of Loss: ice/water
Claim #: CLM15394

Dear Sir or Madam,

A claim has been made involving loss, damage or destruction of the property captioned above, which may either exceed \$1,000.00 or cause Massachusetts General Laws, Chapter 143, Section 6 to be applicable. If any notice under Massachusetts General Laws, Chapter 139, Section 3B is appropriate, please direct it to the attention of the writer and include a reference to the captioned insured, location, policy number date of loss, cause of loss and claim number.

On this date, I caused copies of this notice to be sent to the persons named above at the addresses indicated above by first claim mail.

Sincerely,

Joann Gosselin, AIC
Claims Representative
unionexpressmail@umfic.com

cc. legal

