

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2015 JUL -9 P 1:06

1. Minutes, City Council Meeting, June 15, 2015.
2. PUBLIC HEARING On the Petition of NGrid and Verizon New England, Inc. to relocate/upgrade electric facilities along Farm Road due to road improvements, Order No. 15-1006246.
3. Communication from the Mayor re: LFB's Economic Development Incentive Program (EDIP) Application constructing a pharmaceutical upstream commercial clarification facility.
4. Communication from the Mayor re: Appointment of Kevin Breen as the new Fire Chief.
5. Communication from the Mayor re: Reappointment of Ron Saloman to the Board of Registrars for a term to expire three years from date of City Council approval.
6. Communication from the Mayor re: Reappointments of Kim Beauchemin, James David Elmore and Sandra Pirie-St. Amour to the Arts Lottery Council for terms to expire three years from effective date of August 24, 2015.
7. Communication from the Mayor re: Appointment of Stephanie Ferrecchia to the Community Development Authority (CDA) for a term to expire three years from date of City Council approval.
8. Communication from the Mayor re: Conservation Grant Acceptance in the amount of \$1,000.00 from Dow Chemical Co. to be utilized for general purposes associated with maintaining and beautifying our community.
9. Communication from the Mayor re: Acceptance of Gift of Land located at 704 Robin Hill Rd. and Transference to the Conservation Commission.
10. Communication from Attorney Bergeron of Mirick O'Connell re: Overlook at Lake Williams: Application for Payment in Lieu of Affordable Housing.
11. Communication from Alan Micale, Vice-President, Ayoub Engineering, Inc. re: Application for Sign Ordinance Special Permit; Nouria/Shell Station, 413 Lakeside Ave.
12. Petition of NGrid to install 3" conduit and install new #2 AL cable throughout Miles Standish residential development along the route of the existing cable due to numerous cable failures.
13. Petition of Eversource Energy to install 1200' of 6" IP plastic gas main as a system improvement on Ames St. from Nickerson Rd. running Northwesterly to Reilly Way.
14. Application for Renewal of Junk Dealer's License, Yeghiyan Sergey, CTC Gold and Diamond Refinery, 149 Main St.
15. Communication from Mosquito Control Project re: investigating resident's complaints about mosquitos on following dates: July 1, 9, 15, 22 & 29.
16. Minutes, School Committee, May 12 & 26, & June 9, 2015.
17. Minutes, Panning Board, May 4 & June 1, 2015.
18. Minutes, Zoning Board of Appeals, June 2, 2015.
19. Minutes, Traffic Commission, May 26, 2015.
20. Minutes, Cultural Council, October 29, 2013 & November 3, 2014.
21. Minutes, Conservation Commission, May 21, 2015.
22. Minutes, Council on Aging, June 9, 2015.
23. CLAIMS:
  - a. George Moran, 829 Elm St., pothole or other road defect
  - b. Anna Rumsey, 17 Ellis Ave., other property damage.
  - c. Academy Knoll Apartments, 22 Broad 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 Public Services Committee**

24. **Order No. 15-1006188 - The Application for renewal of Junk Dealers/Second Hand License, Best Buy Stores, LP, d/b/a Best Buy Stores, LP #820, 769 Donald Lynch Boulevard.**

**Motion made by Councilor Clancy, seconded by Councilor Irish, to approve the renewal of Junk Dealers/Second Hand License for Best Buy Stores, LP #820 located at 769 Donald Lynch Boulevard. The motion carried 3-0.**

25. **Order No. 15-1006165 - The Application for renewal of Junk Dealers/Second Hand License, Theresa Denoncourt Smith, d/b/a Hint of Class Consignment Inc., 72B Hosmer Street.**

**Motion made by Councilor Clancy, seconded by Councilor Irish, to approval the renewal of Junk Dealers/Second Hand License for Theresa Denoncourt Smith, d/b/a Hint of Class Consignment Inc., 72B Hosmer Street. The motion carried 3-0.**

26. **Order No. 15-1006201 - The Application for Renewal of Junk Dealers/Second Hand License, Gerald Dumais, d/b/a, Dumais and Sons Second Hand Store, 67 Mechanic Street.**

**Motion made by Councilor Clancy, seconded by Councilor Irish, to approve the renewal of Junk Dealers/Second Hand License for Gerald Dumais of Dumais and Sons Second Hand Store. The motion carried 3-0.**



**CITY OF MARLBOROUGH  
OFFICE OF CITY CLERK**

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

**JUNE 15, 2015**

Regular meeting of the City Council held on Monday, JUNE 15, 2015 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Clancy, Oram, Ossing, Delano, Page, Elder, Tunnera, Irish, and Landers. Absent: Robey. Meeting adjourned at 9:04 PM.

**ORDERED:** That the Mayor and City Council President presented City Scholarships certificates to the following students, **FILE**; adopted.

Santiago Vargas  
72 West Hill Road  
Advanced Math and Science Academy

Ryan Keane  
522 Bigelow Street  
Marlborough High School

Vincent Pascal  
1 D'Amico Drive  
Assabet Valley Regional Tech High School

Julia Marshall  
29 Wellington Street  
Marlborough High School

Alysha McGovern  
78 Farmington Circle  
Marlborough High School

**ORDERED:** Council President Clancy called for the Election of the City Council Vice-President of the Marlborough City Council for the remainder of 2015. Councilor Landers nominated Councilor Delano as Vice-President. Councilor Page seconded the motion for nomination of Councilor Delano as Vice-President. Councilor Delano received nine votes for Vice-President. Yea – Delano, Page, Elder, Tunnera, Irish, Clancy, Landers, Oram, & Ossing.

**Yea: 9-Nay: 0-Absent: 1**

**Yea: Delano, Page, Elder, Tunnera, Irish, Clancy, Landers, Ossing, & Oram**

**Absent: Robey**

**ORDERED:** That the Minutes of the City Council meeting JUNE 1, 2015, **FILE**; adopted.

ORDERED: That the **PUBLIC HEARING** On the Petition of Eversource to install 160' of 2" IP plastic gas main as a system improvement to 7 Corey Road, Order No. 15-1006237, all were heard who wish to be heard, hearing recessed at 8:14 PM.

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

ORDERED: That pursuant to Section 14 of Chapter 40 of the General Laws of Massachusetts, the City does hereby accept for conservation purposes title, by gift of deed of conveyance from Francine P. Martel, as Personal Representative of the Estate of Natalie A. Faddoul, to a certain parcel of vacant land, located off of Stearns Road and contiguous with the Jericho Hill Recreation Area, also known and numbered as Map 114, Parcel 13A on the Assessors' Map of the City of Marlborough, said parcel containing .09 acres or 4,012 square feet, more or less, said deed to be recorded at the Middlesex County South Registry of Deeds, **APPROVED**; adopted.

ORDERED: That the City Council of the City of Marlborough, by two-thirds vote pursuant to Mass. Gen. Laws c. 40, § 15A, hereby transfers to the Conservation Commission of the City of Marlborough for conservation purposes, including increasing open space, preserving vistas, providing wildlife habitat, and enabling future passive and active recreational opportunities, the care, custody, management, and control of a certain parcel of vacant land, located off of Stearns Road and contiguous with the Jericho Hill Recreation Area, also known and numbered as Map 114, Parcel 13A on the Assessors' Map of the City of Marlborough, said parcel containing .09 acres or 4,012 square feet, more or less, pursuant to Mass. Gen. Laws c. 40, § 8C, **APPROVED**; adopted.

ORDERED: That the Communication from City Solicitor Donald Rider re: Proposed Order for Proposed Changes in Polling Locations, Order No. 15-1006034, **MOVED TO REPORTS OF COMMITTEE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, JULY 13, 2015** as date for a **PUBLIC HEARING** Petition of NGrid and Verizon New England, Inc. to relocate/upgrade electric facilities along Farm Road due to road improvements, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Minutes, Conservation Commission, April 16 and May 7, 2015, **FILE**; adopted.

ORDERED: That the Minutes, Council on Aging, May 12, 2015, **FILE.**; adopted.

ORDERED: That the Minutes, Zoning Board of Appeals, April 21, 2015, **FILE**; adopted.

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

- a. Sanjay Ahuja, 30 Danjou Drive, residential mailbox claim 2(a).
- b. Tatiana Cardoso, 99 Francis Street, other property damage.
- c. Mary Kish, 112 Stearns Road, residential mailbox claim (2(b)).

## Reports of Committees:

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

City Council Legislative and Legal Affairs Committee  
Monday, June 8, 2015 – In Council Chambers  
Minutes and Report

Present: Chairman Katie Robey, Councilor Delano, and Councilor Clancy  
Also present was Assistant Solicitor Panagore Griffin. The meeting was called to order at 6:15 PM.

The Committee met to continue discussion of:

**Council Order 15-1006182, Communication from the Mayor with a proposed Grant of Easement, as requested by the MA Water Resources Authority (MWRA) for the purposes of constructing a new security gate for the John J. Carroll Water Treatment Plant.**

The committee had asked for there to be a formal agreement between MWRA and the City of Marlborough allowing authorized city employees and its contractors and suppliers being escorted by those authorized employees access through the security gate 24 hours day, 365 days per year. Assistant Solicitor Panagore Griffin reviewed the draft agreement informing the committee that although it went with the Grant of Easement, the Council did not need to approve the License Agreement for Access.

**Councilor Delano moved to approve the Grant of Easements on behalf of the City to MWRA for John J. Carroll Water Treatment Plant located at 86 D'Angelo Drive, Marlborough, and described as Parcels 1, 2, and 3; seconded by chair. Motion carried 3-0.**

**Councilor Delano moved to ask for a Suspension of Rules to add this item to the agenda for Monday, June 15 City Council regular meeting for a vote of full Council pending notification from our legal counsel that they received a signed copy of the License Agreement by MWRA and Commissioner Ghiloni; seconded by chair. Motion carried 3-0.**

**(If there is no signed copy, this will lay on the table.)**

Motion made and seconded to adjourn, carried 3-0.

Meeting adjourned at 6:30 PM.

Councilor Elder reported the following out of the Operations and Oversight Committee:

Meeting Name: City Council Operations & Oversight Committee

Date: June 8, 2015

Time: 7:00 PM

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

## Reports of Committees cont'd:

Convened: 7:15 PM

Adjourned: 7:42 PM

Present: Chairman Elder; Operations & Oversight Committee Members Councilors Delano and Landers; Councilors Irish, Clancy and Robey

Also Present: Mayor Arthur Vigeant; City Clerk Lisa Thomas

**Order No. 15-1006234: Proposed Changes to Polling Locations – The relocation of several polling locations to one central polling location at the new Senior Center located at 40 New Street.**

The Operations and Oversight Committee met with Mayor Arthur Vigeant and City Clerk Lisa Thomas for a discussion regarding the relocation of several polling locations including some on properties not owned by the City to the new Senior Center. The proposed polling locations slated for relocation are the one precinct from the previous Senior Center (Ward 5, Precinct 1), two precincts from the Masonic Lodge (Ward 3, Precinct 1 and Ward 5, Precinct 2), and two precincts from the Boys and Girls Club (Ward 4, Precincts 1 and 2). The Mayor further explained it is a double step process as it first needs approval by Marlborough City Council and then by the Massachusetts State Legislature.

**Motion made by Councilor Delano, seconded by Councilor Landers, to approve the change in polling locations as proposed. The motion carried 3-0.**

**Motion made by Councilor Delano, seconded by Councilor Landers, to ask for a suspension of the rules to have this voted on at the next full City Council meeting and request the Mayor to place in proper legal form and place on the agenda. The motion carried 3-0.**

**Motion made by Councilor Delano, seconded by Chair, to adjourn. The motion carried 3-0. The meeting adjourned at 7:42 PM.**

Councilor Tunnera reported the following out of the Personnel Committee:

Meeting Name: City Council Personnel Committee

Date: June 8, 2015

Time: 7:30 PM

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

Convened: 7:45PM

Adjourned: 8:15PM

Present: Chairman Tunnera; Personnel Committee Members Councilors Elder and Irish; Councilors Delano, Clancy, Landers, and Robey

Also Present: Mayor Arthur Vigeant; Patricia Pope

**Order No. 15-1006235: The Appointment of Patricia Pope as the Executive Director of the Council on Aging.** Recommendation of the Personnel Committee is to approve the Appointment of Patricia Pope as the Executive Director of the Council on Aging. **Motion made by Councilor Elder, seconded by Councilor Irish, to approve the appointment. The motion carried 3-0.**

**Motion made by Councilor Elder, seconded by Councilor Irish, to adjourn. The motion carried 3-0.**

**The meeting adjourned at 8:15 PM.**

## Reports of Committees cont'd:

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

Meeting Name: City Council Public Services Committee

Date: June 2, 2015

Time: 5:30 PM

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

Convened: 5:40 PM

Adjourned: 6:08 PM

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

Also Present: Councilor Pope

**Order No. 15-1006168A: The Petition of Mass Electric Company and Verizon New England Inc. to install new p22-50 to be set approximately 52' from existing p23 and 175' from existing p22; p22-p50 will be used to feed new 3ph xfmr bank and oh quadruplex service to construction trailer at 200 Forest Street where proposed p22-50 will later be used for permanent service to feed pad mount for new Hotel.**

The Public Services committee met with representatives from the general and electrical contractors for the site. The committee approved the request by National Grid and Verizon to install a new utility pole to provide service to the construction trailer at 200 Forest Street contingent upon a list of standard conditions submitted on May 22, 2015 by City Engineer Evan Pilachowski.

The standard conditions are as follows:

- 1) A street opening permit must be applied for by the proposed contractor performing the work.
- 2) A proper staging area is to be located/acquired before work commences – material and equipment is not to be parked/stockpiled within the city right of way.
- 3) The contractor is to ensure property owners are always able to access their driveways (have necessary steel plating on site and accessible).
- 4) Ensure construction safety controls are established (signage, drums, police details, etc...) and are in accordance with the latest MUTCD standards.
- 5) Trench backfilling, compacting, temporary, and final paving are to be done in accordance with the City of Marlborough standard trenching details.
- 6) Trenches are to be paved or completely backfilled and compacted at the end of each work day. Trenches are never to be left unattended.
- 7) Post construction loaming and seeding are to be done in accordance with the 1995 MHD Standard Specifications sections 751 & 765.
- 8) Proposed utility pole(s) shall not put any sidewalks or sidewalk ramps into non-compliance with current ADA standards.

**Motion made by Councilor Clancy, seconded by Councilor Irish, to approve the petition of National Grid and Verizon for the installation of a new pole for service to the construction trailer at 200 Forest Street and later permanent service to the new hotel. The motion carried 3-0.**

## Reports of Committees cont'd:

**Motion made by Councilor Clancy, seconded by Councilor Irish, to request a suspension of the rules at the next regular City Council meeting on June 15, 2015 so it can be acted upon in the same evening. The motion carried 3-0.**

**Order No. 15-1006188: The Application for renewal of Junk Dealers/Second Hand License, Best Buy Stores, LP, d/b/a Best Buy Stores, LP #820, 769 Donald Lynch Boulevard.**

Police Chief Leonard had approved the CORI report for Brian Novak of Best Buy Store, LP #820 and has no objection to the renewal of his Junk Dealers/Second Hand License. Brian Novak, General Manager of Best Buy Stores, LP #820 located at 769 Donald Lynch Boulevard, explained to the committee their process for the trade-in of used electronics. Also, during his time as general manager, he has not seen any stolen items presented for trade-in.

**Motion made by Councilor Clancy, seconded by Councilor Irish, to approve the renewal of Junk Dealers/Second Hand License for Best Buy Stores, LP #820 located at 769 Donald Lynch Boulevard. The motion carried 3-0.**

**Order No. 15-1006165: The Application for renewal of Junk Dealers/Second Hand License, Theresa Denoncourt Smith, d/b/a Hint of Class Consignment Inc., 72B Hosmer Street.**

Police Chief Leonard has approved the CORI report for Theresa Denoncourt Smith and has no objection to the renewal of her Junk Dealers/Second Hand License. Ms. Denoncourt Smith has seen a significant increase in the number of consigners she works with during the past year. She explained her consignment process to the committee including the types of items she will accept and not accept into her business. For example, Ms. Denoncourt Smith only takes costume jewelry, not gold jewelry because she is not in the business of selling gold and cannot appraise a value to the pieces and recommends those customers go to a business that specializes in gold jewelry.

**Motion made by Councilor Clancy, seconded by Councilor Irish, to approval the renewal of Junk Dealers/Second Hand License for Theresa Denoncourt Smith, d/b/a Hint of Class Consignment Inc., 72B Hosmer Street. The motion carried 3-0.**

**Motion made by Councilor Clancy, seconded by Councilor Irish, to adjourn. The motion carried 3-0. The meeting adjourned at 6:08 PM.**

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

Meeting Name: City Council Public Services Committee

Date: June 8, 2015

Time: 6:45 PM

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

## Reports of Committees cont'd:

Convened: 6:48 PM

Adjourned: 7:08 PM

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

**Order No. 15-1006201: The Application for Renewal of Junk Dealers/Second Hand License, Gerald Dumais, d/b/a, Dumais and Sons Second Hand Store, 67 Mechanic Street.**

Police Chief Leonard has approved the CORI report for Gerald Dumais of Dumais and Sons Second Hand Store and has no objection to the renewal of his Junk Dealers/Second Hand License. Mr. Dumais provided a summary of his business over the past year and indicated to the committee he has opened his store around thirty times as he does not have the time to run the store because he is taking care of his rental properties throughout the City.

**Motion made by Councilor Clancy, seconded by Councilor Irish, to approve the renewal of Junk Dealers/Second Hand License for Gerald Dumais of Dumais and Sons Second Hand Store. The motion carried 3-0.**

**Order No. 15-1006186A: The Petition of Comcast to construct a line for such telecommunications on Newton St. starting at the utility pole opposite the intersection of Weed Street, excavate and place 3" schedule 40 PVC conduit system continuing in an easterly direction toward Weed Street, continue within Weed Street and turn in a northerly direction towards Main Street within the paved foot path between 194 & 200 Main Street, turning in a easterly direction to the rear of 178-194 Main Street.**

The Public Services Committee met with the petitioner, Jody Gaudet of Comcast, and asked several questions regarding the project including the exact path of the installation, trenching depth, patching requirements, and required rights of way. Mr. Gaudet explained he has been in contact with the Engineering Department of the City of Marlborough Department of Public Works, and they will inform him of trench depth and patching requirements as well as any required adjustments to exactly where street cuts should be made for conduit installation.

Chairman Landers read the conditions for the project and they are as follows:

1. The conduits and manholes shall be of such materials and construction and all work done in such manner as to be satisfactory to the City Council or to such officers as it may appoint to the supervision of the work, and a plan showing the location of conduits constructed shall be filed with the City when the work is completed.
2. Said Company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.

## Reports of Committees cont'd:

3. In addition said Company shall, before a public way is disturbed for the laying of its wire or conduits, execute its bond in a penal sum of One Hundred Thousand Dollars (\$100,000) (reference being had to the bond already on file with said City) conditioned for the faithful performance of its duties under this permit.
4. Said Company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and wires, so far as the same are not inconsistent with the laws of the Commonwealth.

**Motion made by Councilor Clancy, seconded by Councilor Irish, to approve the petition of Comcast. The motion carried 3-0.**

**Motion made by Councilor Clancy, seconded by Councilor Irish, to adjourn. The motion carried 3-0. The meeting adjourned at 7:08 PM.**

**Suspension of the Rules requested – granted**

ORDERED: That the City of Marlborough grant a permanent easement, to be executed by the Mayor on behalf of the City, to the MASSACHUSETTS WATER RESOURCES AUTHORITY, a Massachusetts public authority having its principal place of business at the Charlestown Navy Yard, 100 First Avenue, Building 39, Boston, Massachusetts 02129, and a facility known as the John J. Carroll Water Treatment Plant located at 86 D'Angelo Drive, Marlborough, MA, described as PARCEL 1, PARCEL 2, and PARCEL 3 in the attached Grant of Permanent Easements and as shown on the plan attached to said Grant as Exhibit "A", entitled "Easement Plan of Land In Marlborough, Massachusetts, Prepared For Massachusetts Water Resources Authority, March 26, 2014, By Bryant Associates, Inc., 90 Canal Street, Suite 301, Boston, MA 02114, Scale 1" = 20 FT." for the purposes of entering upon, passing and repassing, and excavating, locating, relocating, erecting, constructing, reconstructing, adding to, extending, repairing, replacing, maintaining, operating, inspecting or removing structures, utilities, equipment, appurtenances and fixtures on, over, under and across those certain parcels of land of the City of Marlborough described and shown on Exhibit "A", which shall be recorded at the Middlesex South District Registry of Deeds.

**GRANT OF PERMANENT EASEMENTS**

The CITY OF MARLBOROUGH, a municipal corporation duly organized and existing under the laws of the Commonwealth of Massachusetts having an address of 140 Main Street, Marlborough, Massachusetts (hereinafter called the Grantor), in consideration of the mutual covenants contained herein, grant(s) to the MASSACHUSETTS WATER RESOURCES AUTHORITY, a Massachusetts public authority having its principal place of business at the Charlestown Navy Yard, 100 First Avenue, Building 39, Boston, Massachusetts 02129, and a facility known as the John J. Carroll Water Treatment Plant located at 86 D'Angelo Drive, Marlborough, MA, its successors and assigns (hereinafter called the Grantee), with quitclaim covenants, the right and easement to enter upon, pass and repass, excavate, locate, relocate, erect, construct, reconstruct, add to, extend, repair, replace, maintain, operate, inspect or remove structures, utilities, equipment, appurtenances and fixtures on, over, under and across those certain parcels of Grantor's land described and shown as PARCEL 1, PARCEL 2, and PARCEL 3 on the plan entitled "Easement Plan of Land In Marlborough, Massachusetts, Prepared For Massachusetts Water Resources Authority, March 26, 2014, By Bryant Associates, Inc., 90 Canal Street, Suite 301, Boston, MA 02114, Scale 1" = 20 FT." , a reduced copy of said plan being attached hereto as "Exhibit A".

Grantor shall have no right to relocate said easements without the express written consent of the Grantee, which may be withheld in Grantee's sole discretion. The Grantee shall have all other rights and benefits that it deems necessary for the full implementation and use of the rights herein granted, including, but not limited to, the right to remove and clear all rocks, trees, brush, limbs, structures and other obstructions which in the opinion of the Grantee might interfere with the rights herein granted, and the right of vehicular and pedestrian access across the Grantor's land for all the above purposes.

It is agreed that such structures, utilities, equipment, appurtenances and fixtures and each and every part thereof, whether fixed to the realty or not, shall be and remain the property of the Grantee, its successors and assigns, as their interests may appear.

Executed as a sealed instrument by an authorized signatory this \_\_\_\_ day of \_\_\_\_\_, 2015.

City of Marlborough  
By Its Mayor,

\_\_\_\_\_  
Arthur G. Vigeant

## COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss

On this \_\_\_\_ day of \_\_\_\_\_, 2015, before me, the undersigned notary public, personally appeared Arthur G. Vigeant proved to me through satisfactory evidence of identification which was personal knowledge, to be the person whose name is signed on the preceding document and acknowledged to me that he, in his capacity as the Mayor of the City of Marlborough, signed it voluntarily for its stated purpose as the free act and deed of the City of Marlborough.

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Notary Public

My commission expires:

**APPROVED;** adopted.

**Suspension of the Rules requested – granted**

**ORDERED:** That, due to the availability and suitability of the new senior center at 40 New Street, located in Ward Three, Precinct One, to serve as an appropriate polling location for Ward Three, Precinct One, as well as for various adjacent voting precincts within the city of Marlborough, the City Council hereby determines, pursuant to M.G.L. c. 54, § 24, that the public convenience would be better served by relocating to the new senior center the polling places for the following precincts:

- **Ward Three, Precinct One**, the polling place for which is currently located in the Masonic Hall at 8 Newton Street;
- **Ward Four, Precinct One**, the polling place for which is currently located in the Boys and Girls Club at 169 Pleasant Street; and
- **Ward Five, Precinct One**, the polling place for which is currently located in the former senior center at 250 Main Street.

And it is further ordered, for various other existing polling places currently located in voting precincts not adjacent to Ward Three, Precinct One in which the new senior center is located, namely:

- **Ward Four, Precinct Two**, the polling place for which is the Boys and Girls Club at 169 Pleasant Street; and
- **Ward Five, Precinct Two**, the polling place for which is currently located in the Masonic Hall at 8 Newton Street,

that the public convenience would be better served by relocating to the new senior center the polling places for those precincts, and that a home rule petition be filed in the form set forth in the accompanying order.

**The Order was Approved by a HAND VOTE of 6-3. In favor were: Councilors Ossing, Delano, Elder, Irish, Clancy and Landers. Opposed were: Councilors Page, Tunnera and Oram. Councilor Robey was absent.**

**APPROVED;** adopted.

**Suspension of the Rules requested – granted****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 RELATIVE TO POLLING PLACES  
IN THE CITY OF MARLBOROUGH**

**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 section 24 of chapter 54 of the General Laws or any other general or special law to the contrary, the city council of the city of Marlborough shall designate the polling place for each voting precinct in the city of Marlborough and shall authorize the mayor of the said city to cause each polling place to be suitably fitted up and prepared. The city council shall locate the polling place in a public, orderly and convenient portion of the precinct; provided, however, that if the city council determines that the public convenience would be better served, it may designate a polling place in any adjacent or non-adjacent precinct of the city.

**SECTION 2.** This act shall take effect upon its passage.

**The Order was Approved by a HAND VOTE of 6-3. In favor were: Councilors Ossing, Delano, Elder, Irish, Clancy and Landers. Opposed were: Councilors Page, Tunnera and Oram. Councilor Robey was absent.**

**APPROVED;** adopted.

**Suspension of the Rules requested – granted**

**ORDERED:** That the Appointment of Patricia Pope as the Executive Director of the Council on Aging effective July 6, 2015, **APPROVED;** adopted.

**The City Clerk read into the record, a statement from Councilor Robey in support of Mrs. Pope's appointment to the Council on Aging as she was not present at this meeting.**

**Yea: 8-Nay: 1-Absent: 1**

**Yea: Delano, Page, Elder, Tunnera, Irish, Clancy, Landers & Ossing.**

**Nay: Oram**

**Absent: Robey**

**Suspension of the Rules requested – granted**

**ORDERED:** That the Petition of Mass Electric Company and Verizon New England Inc. to install new p22-50 to be set approximately 52' from existing p23 and 175' from existing p22; p22-p50 will be used to feed new 3ph xfmr bank and oh quadruplex service to construction trailer at 200 Forest St. where proposed p22-50 will later be used for permanent service to feed pad mount for new Hotel, **APPROVED WITH THE FOLLOWING CONDITIONS;** adopted.

- 1) A street opening permit must be applied for by the proposed contractor performing the work.
- 2) A proper staging area is to be located/acquired before work commences – material and equipment is not to be parked/stockpiled within the city right of way.
- 3) The contractor is to ensure property owners are always able to access their driveways (have necessary steel plating on site and accessible).
- 4) Ensure construction safety controls are established (signage, drums, police details, etc...) and are in accordance with the latest MUTCD standards.
- 5) Trench backfilling, compacting, temporary, and final paving are to be done in accordance with the City of Marlborough standard trenching details.
- 6) Trenches are to be paved or completely backfilled and compacted at the end of each work day. Trenches are never to be left unattended.
- 7) Post construction loaming and seeding are to be done in accordance with the 1995 MHD Standard Specifications sections 751 & 765.
- 8) Proposed utility pole(s) shall not put any sidewalks or sidewalk ramps into non-compliance with current ADA standards.

**Suspension of the Rules requested – granted**

**ORDERED:** That the Petition of Comcast to construct a line for such telecommunications on Newton St. starting at the utility pole opposite the intersection of Weed St., excavate and place 3" schedule 40 PVC conduit system continuing in an easterly direction toward Weed St., continue within Weed St. and turn in a northerly direction towards Main St. within the paved foot path between 194 & 200 Main St., turning in a Easterly direction to the rear of 178-194 Main St, be and is herewith **APPROVED WITH THE FOLLOWING CONDITIONS;** adopted.

1. The conduits and manholes shall be of such materials and construction and all work done in such manner as to be satisfactory to the City Council or to such officers as it may appoint to the supervision of the work, and a plan showing the location of conduits constructed shall be filed with the City when the work is completed.
2. Said Company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
3. In addition said Company shall, before a public way is disturbed for the laying of its wire or conduits, execute its bond in a penal sum of One Hundred Thousand Dollars (\$100,000) (reference being had to the bond already on file with said City) conditioned for the faithful performance of its duties under this permit.

4. Said Company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and wires, so far as the same are not inconsistent with the laws of the Commonwealth.

**ORDERED:** That the City Council obtain a decision from the City Solicitor, as the best way to legally proceed, as to the vacated City Council seat caused by the June 5<sup>th</sup> resignation of Councilor-at-Large Trish Pope.

Some of the suggested recommendations that the Council might wish to explore are as follows:

- 1) To continue with the seat vacant for the remainder of the legislative session that would expire on December 31, 2015.
- 2) To fill the vacant seat, by majority vote of the present City Council, with a former City Councilor or Marlborough resident, who has expressed a desire to assist the Council for the interim period and is not a candidate for election to any position in the upcoming Biennial City Election to be held on November 3, 2015.
- 3) To wait until after the completion of the November 3, 2015, election and fill the seat with a newly elected Councilor-at-Large, who is not a present City Councilor.

If another solution is available the Council would appreciate suggestions for the “best way” so they may legally proceed.

Refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE**; adopted.

ORDERED: THAT, PURSUANT TO § 5 OF CHAPTER 40A OF THE GENERAL LAWS, THE CITY COUNCIL OF THE CITY OF MARLBOROUGH NOW ORDAINS THAT §650-26 OF THE ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED AS FOLLOWS:

By deleting the terms of §650-26 A.(1)(a) in their entirety and inserting in place thereof the following new terms:

§650-26 A.(1)

(a) Number of affordable units. The development shall (i) provide that at least 15% of the dwelling units to be constructed for homeownership or rental purposes will be made available at affordable prices to home buyers or renters, or (ii) if authorized by a majority of the City Council, provide a sum not less than \$50,000 per affordable dwelling unit that would have been required in (i) hereunder to be deposited as directed by the City Council into the fund for economic development created by Chapter 126 of the Acts of 2011 or into another fund designated by the City Council.

**APPROVED;** adopted.

**June 1, 2015**

**First Reading, suspended; Second Reading, adopted; Passage to Enroll, adopted; Passage to Ordain; objection.**

**Councilor Oram opposed to passage in one evening. This item will be placed on the agenda for the next City Council meeting on June 15, 2015.**

**June 15, 2015**

**Passage to Ordain – Roll Call Vote**

**Yea: 8-Nay: 1-Absent: 1**

**Yea: Delano, Page, Elder, Tunnera, Irish, Clancy, Landers & Ossing.**

**Nay: Oram**

**Absent: Robey**

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:04 PM.



# IN CITY COUNCIL

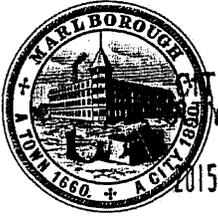
Marlborough, Mass., JUNE 15, 2015

## ORDERED:

That there being no objection thereto set **MONDAY, JULY 13, 2015** as date for a **PUBLIC HEARING** Petition of NGrid and Verizon New England, Inc. to relocate/upgrade electric facilities along Farm Road due to road improvements, be and is herewith refer to **PUBLIC SERVICES COMMITTEE**.

ADOPTED

ORDER NO. 15-1006246



RECEIVED  
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CITY OF MARLBOROUGH

2015 JUL -9 A 11:44

*City of Marlborough*

*Office of the Mayor*

140 Main Street

Marlborough, Massachusetts 01752

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

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

*Arthur G. Vigeant*  
MAYOR

*Nicholas Milano*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

July 9, 2015

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

**Re: LFB's EDIP Application Constructing a Pharmaceutical Upstream Commercial Clarification Facility**

Honorable President Clancy & Councilors:

I am pleased to submit for your approval LFB Corporation's ("LFB") Economic Development Incentive Program ("EDIP") Local Incentive-Only Application for a Tax Increment Financing ("TIF") agreement with the City of Marlborough.

The EDIP application is enclosed, along with:

- the proposed TIF agreement;
- the proposed City Council resolution; and
- the local incentive valuation.

LFB is planning to expand their current operations here in Marlborough into an approximately 65,000 sq./ft. state of the art pharmaceutical upstream commercial clarification facility located on Crowley Drive. This will result in an approximately \$50 million dollar investment into the construction of a new 65,000 square foot facility on what is currently vacant land on Crowley Drive.

LFB is applying for a Local-Only Certified Project status from the Economic Assistance Coordinating Council and will be seeking a Life Science Investment Tax Credit from the Massachusetts Life Science Center due to the number of new jobs they project to create over the next seven years. LFB is asking us to partner with them to help bring high-quality jobs to Marlborough.

As you know, Marlborough's commercial activity has rebounded because we are a business-friendly community. In addition to creating 50 new jobs in Marlborough, the project also projects to generate \$711,360 in tax revenue. If the site were to remain vacant land, it would generate only \$105,000 in tax revenue over the same time period.

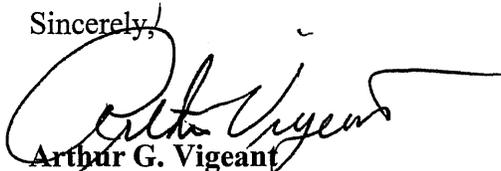
LFB chose to expand in Marlborough due to our access to a well-educated workforce with a high degree of knowledge within the life science sector and our transportation access. It is an

affirmation of Marlborough and a credit to you that companies like LFB continue to move to and expand in Marlborough. .

With your assistance, we can do our part in fostering the economic growth of a life science company, bringing tax revenue and new jobs to the Commonwealth of Massachusetts and the City of Marlborough. I ask that you work with me in expeditiously approving this EDIP application.

Thank you for your kind attention to this request.

Sincerely,



Arthur G. Vigeant  
Mayor

**Enclosures:** EDIP Local Incentive-Only Application  
Proposed TIF Agreement  
Proposed City Council Resolution  
Local Evaluation Form



COMMONWEALTH OF MASSACHUSETTS  
 ECONOMIC ASSISTANCE COORDINATING COUNCIL  
 MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

**Economic Development Incentive Program (EDIP)  
 LOCAL INCENTIVE-ONLY APPLICATION**

A complete application with all required attachments must be submitted in electronic form to your MOBD Regional Director by 5:00 P.M. on the application deadline date. A hardcopy with original signatures and attachments must be postmarked no later than 1 day after the submission deadline and mailed to: EDIP Manager, MOBD, 10 Park Plaza, Suite 3730, Boston, MA 02116. **Applications that are incomplete or submitted after the deadline will not be considered at the scheduled EACC meeting, without exception.**

For assistance with this application please work with your MOBD Regional Director, local municipal officials and refer to the EDIP Guidelines and 402 CMR 2.00.

PART I. COMPANY OVERVIEW					
1. COMPANY INFORMATION					
Company Name:	LFB USA, Inc.				
Project Location Address:	Street Address:	Crowley Drive			
	City:	Marlborough	MA	Zip Code:	01752
FEIN # (Federal Employer Identification Number):	#46-4974456				
DUA # (Dept. of Unemployment Assistance Number):	#22006705				
2. COMPANY CONTACT					
Executive Officer/ Company Designee:	Full Name:	William Gavin	Title:	President	
Contact (if different from above)	Full Name:	Michael Megna	Title:	V.P. Finance & Accounting	
Contact Address:	Street Address:	175 Crossing Blvd			
	City:	Framingham	State:	MA	Zip Code: 01702
Telephone Number:	508-370-5100				
Email Address:	mike.megna@lfb-usa.com				

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ECONOMIC ASSISTANCE COORDINATING COUNCIL  
MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

**3. COMPANY DESCRIPTION & HISTORY**

Please provide a brief description and history of the company.

LFB USA is a company within the LFB Group, a leading European biopharmaceutical company specializing in innovative biotherapies, marketing its medicinal products in more than 30 countries around the world. Within the LFB Group, LFB USA is a development, manufacturing and services provider to LFB S.A. in France and rEVO Biologics in the United States. LFB USA is a catalyst for the advancement of revolutionary medicine. The company is committed to overcoming barriers to advancing medical care by utilizing its own innovative technology to develop programs, and through establishing and fostering dynamic relationships with its partners with a full range of services offered. LFB USA is rooted in science, and driven to answer unmet medical needs. A deep understanding of disease states and complex medical conditions, and a determination not to be confined by science, but empowered by it, fuels the company's ultimate purpose – commercialization of life-changing therapeutics.

**PART II. ECONOMIC DEVELOPMENT PROJECT**

**1. NATURE & PURPOSE OF PROPOSED PROJECT**

Please provide a description of the proposed expansion project. Additionally, please explain why the local incentives are necessary for this project to move forward.

LFB USA is planning to establish a biomanufacturing center at an owned facility on Crowley Drive, Marlborough. The proposed project will involve new construction creating a site that will be a state of the art manufacturing facility also containing lab and office space. The project is estimated to result in an initial capital investment of approximately \$37 million.

**2. PROJECT TIMELINE**

(a) Please indicate the date a Letter of Intent was sent to the municipality and cc: MOBD Regional Director:	(b) Date the applicant expects to begin the project:	(c) Date the applicant expects to complete the project:	(d) Date the applicant expects to open the facility:
6/18/2015	11/1/2015	1/1/2017	3/1/2017

**Additional Information (if necessary) on Project Timeline:** This will be construction of a new facility and if site work can happen in the fall then the above schedule will be fast-tracked.

**3. PRIVATE INVESTMENT**

Total Projected Private Investment:	\$37M
-------------------------------------	-------

**Additional Information (if necessary) on Investment:** Phase 2 will require another \$13M investment

**4. MASSACHUSETTS EMPLOYMENT**

(a) Is the applicant new to Massachusetts?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
(i) If no, where are the existing Massachusetts facilities?	175 Crossings Blvd, Framingham; 87 New Spencer Road, Charlton	N/A <input type="checkbox"/>
(b) Will the proposed economic development project require and/or trigger the closing or consolidation of any Massachusetts facilities or the elimination of any other jobs currently in Massachusetts? If yes, please give location of facility and explain.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>  If yes, please explain:	

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ECONOMIC ASSISTANCE COORDINATING COUNCIL  
MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

**5. EMPLOYMENT & JOB CREATION**

**(a) LFB USA EXISTING EMPLOYMENT AT PROJECT LOCATION**

Please indicate the number of Permanent Full-Time Jobs to be created in total and by year. If job creation timeline exceeds five years, please complete the "Extended Job Creation Schedule" and attach as an addendum.

(i) Permanent Full-Time Employment at Project Location at Date of Application:	(ii) Permanent Full-Time Employees to be Transferred from other Massachusetts Site to Project Location:	(iii) Total Permanent Full-Time Existing Jobs to be Retained at Project Location (sum of questions 5 (a) i. & ii.):
0	0	0

Notes (if necessary) on Current Project Location Employment: N/A

**(b) LFB USA JOB CREATION SCHEDULE AT PROJECT LOCATION**

Permanent Full-Time Jobs to be Created (net new to facility and Massachusetts):	2019	2020	2021	2022	2023
50	20	15	5	5	5

Notes (if necessary) on Job Creation:

**6. FACILITY**

(a) Will the applicant own or lease/rent the facility where the business expansion/relocation will occur?	Lease <input type="checkbox"/> Own <input checked="" type="checkbox"/>	
(i) If leasing/renting, identify the developer/landlord and state who will be the taxpayer of record for purpose of paying local real estate taxes?		N/A <input checked="" type="checkbox"/>
(b) Is the site of the facility a 43D Preferred Development Site?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, name site: Crowley Drive - Marlborough	N/A <input type="checkbox"/>
(c) Does the applicant intend to utilize the Commonwealth's Abandoned Building Deduction? Please note: To be eligible for the deduction the applicant the building the applicant plans to inhabit must have been at least 75% vacant or unused for 24 months or more.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, name vacancy percentage and duration: % Vacant for                      months	N/A <input type="checkbox"/>

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ECONOMIC ASSISTANCE COORDINATING COUNCIL  
MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

**PART III. LOCAL INCENTIVE AGREEMENT INFORMATION**

Please work with the local municipality and your MOBD Regional Director in completing the below section.

**1. MUNICIPAL CONTACT**

Municipal Contact:	Full Name:	Tim Cummings	Title:	Executive Director
Contact Address:	Street Address:	91 Main Street #204		
	City:	Marlborough	MA	Zip Code: 01752
Telephone Number:	508-229-2010			
Email Address:	tcummings@marlboroughedc.com			

**2. LOCAL INCENTIVE AGREEMENT**

(a) Name of Economic Target Area (ETA) Project is Located in:	Framingham-Marlboro ETA		
(b) Economic Opportunity Area (EOA):	Name of EOA:		
	Is this a newly designated EOA? Yes <input type="checkbox"/> No <input type="checkbox"/>		
	(i) If yes, what is the duration of the designation? Years	N/A <input checked="" type="checkbox"/>	
	(ii) If no, how many years are remaining on the designation? Years	N/A <input checked="" type="checkbox"/>	
(c) Type of Local Incentive:	<input checked="" type="checkbox"/> Tax Increment Financing (TIF) Agreement <input type="checkbox"/> Special Tax Assessment (STA)		
i) Duration of Local Incentive:	7 Year Local Incentive		
ii) Exemption Schedule of Local Incentive:	100%, 100%, 75%, 65%, 55%, 35%, 25%		
iii) Start & Expiration Date of Local Incentive:  If Agreement commences upon certificate of occupancy please check box:	<b>Start Date:</b> 7/1/2016  <b>Expiration Date:</b> 6/30/2023  <input checked="" type="checkbox"/> Local Incentive Agreement commences upon certificate of occupancy and the dates represent best projections of the start & expiration of the local incentive based on the project timeline.		
iv) Date Municipality Approved Local Tax Incentive or Date of Scheduled Vote:	8/24/2015		
(d) Attachment A: Economic Opportunity Area (EOA) Designation Application (for newly designated EOA's only) Please attached a signed copy of the EOA Designation Application.	Attached <input type="checkbox"/>		
	N/A <input checked="" type="checkbox"/>		
(e) Attachment B: Local Incentive Agreement Please attach a signed copy of the TIF or STA Agreement.	Attached <input checked="" type="checkbox"/>		

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ECONOMIC ASSISTANCE COORDINATING COUNCIL  
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<b>(f) Attachment C: Local Incentive Zone &amp; Plan</b> Please attach the municipal TIF/STA Zone & Plan.	Attached <input type="checkbox"/>
<b>(g) Attachment D: Municipal Vote by Authoritative Body Approving Incentive</b> Please attach a copy of the vote approving the local incentive.	Attached <input checked="" type="checkbox"/>
<b>(h) Attachment E: Municipal Vote by Authoritative Body Approving submission of application of the Economic Assistance Coordinating Council (EACC)</b>	Attached <input checked="" type="checkbox"/>
<b>(i) Exhibit 1: Local Incentive Valuation</b> Please complete the attached exhibit detailing the estimated property tax exemption over the life of the agreement.	Complete <input checked="" type="checkbox"/>

**PART IV. LABOR AFFIRMATION & DISCLOSURES**

**1. CERTIFICATION OF STATE & FEDERAL EMPLOYMENT LAWS**

- As an applicant requesting Certified Project approval, William Gavin, affirms (**check box**) that this business will not unlawfully misclassify workers as self-employed or as independent contractors, and certifies compliance with applicable state and federal employment laws and regulations, including but not limited to minimum wages, unemployment insurance, workers' compensation, child labor, and the Massachusetts Health Care Reform Law, Chapter 58 of the Acts of 2006, as amended.
- As an applicant requesting Certified Project approval, William Gavin, affirms (**check box**) that this business will not knowingly employ developers, subcontractors, or other third parties that unlawfully misclassify workers as self-employed or as independent contractors, or that fail to comply with applicable state and federal employment laws and regulations, including but not limited to minimum wages, unemployment insurance, workers' compensation, child labor, and the Massachusetts Health Care Reform Law, Chapter 58 of the Acts of 2006, as amended.

**2. COMPANY DISCLOSURE**

**Within the past five years, has the applicant or any of its officers, directors, employees, agents, or subcontractors of which the applicant has knowledge, been the subject of (if yes, please provide details):**

<b>(a)</b> an indictment, judgment, conviction, or grant of immunity, including pending actions, for any business-related conduct constituting a crime under state or federal law;	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>Details:</b>
<b>(b)</b> a government suspension or debarment, rejection of any bid or disapproval of any proposed contract subcontract, including pending actions, for lack of responsibility, denial or revocation of prequalification or a voluntary exclusion agreement; or	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>Details:</b>
<b>(c)</b> any governmental determination of a violation of any public works law or regulation, or labor law or regulation or any OSHA violation deemed "serious or willful?"	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>Details:</b>

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 ECONOMIC ASSISTANCE COORDINATING COUNCIL  
 MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

**V. AUTHORIZATION & CERTIFICATIONS**

**1. CERTIFICATE OF GOOD STANDING**

Provide proof of good tax standing in the Commonwealth of Massachusetts via a Massachusetts Department of Revenue Certificate of Good Standing for each of the businesses intending to take advantage of the state tax incentives.

\*Applications will not be reviewed by the Economic Assistance Coordinating Council until a Certificate of Good Standing has been received.

To obtain a Certificate of Good Standing visit:

<https://wfb.dor.state.ma.us/webfile/Certificate/Public/WebForms/Welcome.aspx>

Attached

Date of DOR Application for Certificate of Good Standing: 5/20/2014

Notes:

**2. APPLICATION AUTHORIZATION, CERTIFICATION & ACKNOWLEDGEMENT**

*I/We, William Gavin, President (names and titles) of the applicant business applying for "Certified Local Incentive Only Project" status from the Commonwealth of Massachusetts, Economic Assistance Coordinating Council hereby certify that I/we have been authorized to file this application and to provide the information within and accompanying this application and that the information provided herein is true and complete and that it reflects the applicant's intentions for investment, job creation and sales to the best of my/our knowledge after having conducted reasonable inquiry. I/We understand that the information provided with this application will be relied upon by the Commonwealth in deciding whether to approve "Certified Local Incentive Only Project" status and that the Commonwealth reserves the right to take action against the applicant or any other beneficiary of the Certified Local Incentive Only Project is the Commonwealth discovers that the applicant intentionally provided misleading, inaccurate, or false information I/We make this certification under the pains and penalties of perjury. I/we agree to submit a Calendar Year Annual Report to the Massachusetts Office of Business Development to give updates on the progress of the project.*

*The signatories also hereby acknowledge that, under the Public Records law of the Commonwealth of Massachusetts, this application and all documents submitted in support thereof are public records under the provisions of Massachusetts G. L., Ch. 4, sec. 7 (26).*

**Signed:**

	President	August 24, 2015
Name	Title	Date

	<i>Select mm/dd/yyyy</i>	
Name	Title	Date

COMMONWEALTH OF MASSACHUSETTS  
ECONOMIC ASSISTANCE COORDINATING COUNCIL  
MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

**3. DEPARTMENT OF UNEMPLOYMENT ASSISTANCE CONSENT FOR DISCLOSURE OF WAGE REPORTING INFORMATION**

**Consent for the Disclosure of Wage Reporting Information for Federal Employment Identification Number (FEIN): # 46-4974456**

**Division of Unemployment Assistance (DUA) Number: # 22006705**

*I/We, William Gavin , a duly authorized representative of LFB USA, Inc., and of all the other businesses listed in this Local Incentive Only Application (hereinafter "Employer"), hereby releases and gives authority to the Massachusetts Department of Unemployment Assistance, pursuant to G.L. c. 151A, §46(1), to provide the Economic Assistance Coordinating Council, upon its request, with the Employer's information, including but not limited to, wage reporting information, that is (a) necessary to verify the amount and tax year in which the Employer claims any of the Tax Incentives awarded in the Economic Development Incentive Program or Employer's fulfillment of job creation and job retention commitments as indicated in the supplemental application and job chart, or (b) otherwise necessary to ensure the proper operation or enforcement of this Agreement or the Program. This authorization is effective upon date of signature and will be valid until superseded by a subsequent application or revoked in writing.*

**Signed:**

_____	President	August 24, 2015
Name	Title	Date
_____		<i>Select mm/dd/yyyy</i>
Name	Title	Date



*The Commonwealth of Massachusetts*  
*Secretary of the Commonwealth*  
*State House, Boston, Massachusetts 02133*

William Francis Galvin  
Secretary of the  
Commonwealth

Date: June 18, 2015

To Whom It May Concern :

I hereby certify that according to the records of this office,

**LFB USA, INC.**

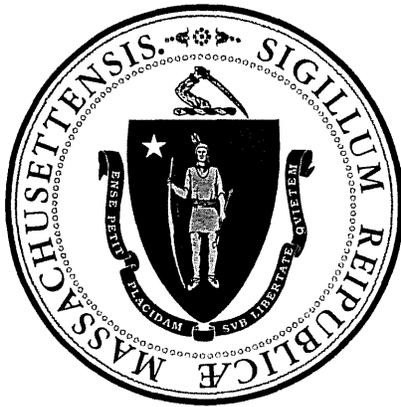
a corporation organized under the laws of

**DELAWARE**

on **February 28, 2014** was qualified to do business in this Commonwealth on

**March 03, 2014** under the provisions of the General Laws, and I further certify that said corporation is still qualified to do business in this Commonwealth.

I also certify that said corporation is not delinquent in the filing of any annual reports required to date.



In testimony of which,  
I have hereunto affixed the  
Great Seal of the Commonwealth  
on the date first above written.

*William Francis Galvin*

Secretary of the Commonwealth

Certificate Number: 15063855160

Verify this Certificate at: <http://corp.sec.state.ma.us/CorpWeb/Certificates/Verify.aspx>

Processed by: nmc

**TAX INCREMENT FINANCING AGREEMENT BETWEEN  
THE CITY OF MARLBOROUGH AND LFB USA, INC.**

This **TAX INCREMENT FINANCING AGREEMENT** (the "**TIF Agreement**" or the "**Agreement**") is made this \_\_\_\_\_ day of \_\_\_\_\_, 2015 by and between the City of Marlborough (the "**City**") and LFB USA, Inc. (the "**Company**").

**WHEREAS**, the City is a duly organized Massachusetts municipal corporation acting through its City Council and Mayor, having its principal office located at Marlborough City Hall, 140 Main Street, Marlborough, MA 01752; and

**WHEREAS**, the Company is a for-profit corporation organized under the laws of Delaware, has its principal United States Headquarters located at 175 Crossing Blvd, Framingham, MA 01702, and is authorized to do business in Massachusetts; and

**WHEREAS**, First Colony Crowley Drive One, LLC ("the Owner") is the current fee owner of a 11.38 acre parcel of vacant land on Crowley Drive, Marlborough, Massachusetts 01752, as further depicted on Marlborough City Assessor's Map 15, Parcel 22 (the "Property"); and

**WHEREAS**, the Company intends to purchase approximately 8.5 acres of commercially buildable land from the Owner to be subdivided out of the Property's 11.38 acres, and plans to invest approximately \$50 million dollars over two separate phases with a private investment of approximately \$37 million to occur in the first phase for the construction of approximately 65,000 square feet building to be an upstream commercial clarification facility located at Crowley Drive, Marlborough, together with parking facilities and other improvements located thereon (hereinafter, the subdivided space is defined as the "Project Area"); and

**WHEREAS**, the Project Area is to be located within the boundaries of the Framingham-Marlborough Regional Economic Target Area (ETA) as designated by the Massachusetts Economic Assistance Coordinating Council pursuant to Massachusetts General Laws Chapter 23A, Section 3D; and

**WHEREAS**, through this certified project the Company commits to creating and retaining fifty (50) new permanent full-time jobs over a period of seven (7) years at the Project Area (once improvements are completed) open to qualified residents of Marlborough and the ETA; and

**WHEREAS**, the improvements to the Project Area are estimated to result in an initial capital investment by the Company of approximately \$37 million in combined soft, construction, real property and personal property costs (the "Project"); and

**WHEREAS**, the Owner shall make additional improvements to the Project Area in accordance with the terms of the purchase and sale agreement; and

**WHEREAS**, the parties to the Agreement are desirous of entering into a TIF Agreement which shall pertain solely to the Project Area and not to any other portion of the Property, and which shall be in accordance with the Massachusetts Economic Development Incentive Program (EDIP) and Chapter 23A of the Massachusetts General Laws; and

**WHEREAS**, the Company intends to apply for “Certified Project” status under the Massachusetts Economic Development Incentive Program as outlined in their Letter of Intent to the City of Marlborough on June 18, 2015; and

**WHEREAS**, the City strongly supports increased economic development to provide additional jobs for residents of Marlborough and the ETA, to expand business within the City, and to develop a healthy robust economy and stronger tax base; and

**WHEREAS**, the Project and its related job creation will further the economic development goals and criteria established for the Framingham-Marlborough ETA; and

**WHEREAS**, by a letter dated July 9, 2015, the Mayor recommended the TIF Agreement to the Marlborough City Council;

**NOW, THEREFORE**, in consideration of the mutual promises of the parties contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and contingent upon receipt of authorization from the City Council and in accordance with applicable law, the parties hereby agree as follows:

**A. THE CITY’S OBLIGATIONS:**

1. The City Council approved the provisions of this TIF Agreement on \_\_\_\_\_, 2015 pursuant to the Resolution attached hereto. The City Council hereby authorizes the Mayor to execute this TIF Agreement on the City's behalf, and to monitor and enforce compliance by the Company with this TIF Agreement's terms. The Mayor is authorized to act for and on behalf of the City in proceedings relating to the approval of this Agreement by the Massachusetts Economic Assistance Coordinating Council (the "EACC").
2. A Tax Increment Financing exemption (the "Exemption") for the Project Area is hereby granted to the Company by the City in accordance with Chapter 23A, Section 3E; Chapter 40, Section 59; and Chapter 59, Section 5, Cl. Fifty-first, of the Massachusetts General Laws. The Exemption shall be for a period of seven (7) years (the "Exemption Term"), commencing on July 1, 2016 (the beginning of fiscal year 2017) and ending on June 30, 2023 (the end of fiscal year 2023). The Exemption shall pertain to real property taxes for the Project Area, according to the following schedule:

**PROJECT AREA'S REAL PROPERTY  
TAX EXEMPTION SCHEDULE**

<b>REAL PROPERTY EXEMPTION</b>	
<b>Fiscal Year</b>	<b>Exemption Percentage</b>
2017	100%
2018	100%
2019	75%
2020	65%
2021	55%
2022	35%
2023	25%

3. The base valuation for the Project Area shall be the assessed valuation of the Project Area in the base year. The base year is the most recent fiscal year immediately preceding the fiscal year in which the property becomes eligible for the TIF exemption. As provided in 760 C.M.R. 22.05(4)(d), see 402 C.M.R. 2.22, the Project shall become eligible for the Exemption on the July 1st following the date on which the EACC approves the TIF Agreement, which is expected to be September 23, 2015. Therefore, the exemption is expected to commence on July 1, 2016, which is the beginning of fiscal year 2017. Accordingly, the base year for this TIF Agreement is fiscal year 2016, and the base valuation for the real property pertinent to the Project Area will be determined as of January 1, 2015.
  
4. The base valuation shall be adjusted annually by an adjustment factor, which reflects increased commercial and industrial property values within the community, as provided in Chapter 40, Section 59 of the Massachusetts General Laws and in 760 C.M.R. 22.05(4)(b), see 402 C.M.R. 2.22. This adjusted base valuation will remain fully taxable (i.e., the Tax Increment Financing Exemption shall not apply to or be calculated with respect to the adjusted base valuation and no portion of the adjusted base valuation shall be eligible for exemption from Chapter 59 property taxation) throughout the term of this TIF Agreement. Only the increased value or "increment" created by improvements will be the amount eligible for exemption from taxation.

**B. THE COMPANY'S OBLIGATIONS.**

1. The City is granting the Tax Increment Financing Exemption for the Project Area in consideration of the following commitments:
  - (a) In anticipation of the receipt of the TIF benefits described in this Agreement, the Company agrees that receipt of such TIF benefits is conditioned upon the Company's purchase of the Project Area from the Owner and development of the site into an upstream commercial clarification facility;
  
  - (b) As part of purchasing the Project Area, the Company agrees that it will make initial capital improvements, which are currently estimated to be approximately \$37 million in combined soft, construction, real property and personal property costs, and that it will timely pay all municipal permit fees required in connection with such improvement and investment;

- (c) Upon acquisition of the Project Area, the Company agrees to timely pay all of the taxes owed to the City by the Company over the term of this TIF Agreement; and
- (d) The Company agrees to create and to maintain over the term of the Agreement a minimum cumulative of 50 permanent full-time employees (as "permanent full-time employee" is defined in 402 C.M.R. 2.03), to be employed at the Project Area ("New Permanent Full-Time Employees"). The following schedule details the Company's schedule of job creation at the Project Area:

**SCHEDULE OF JOB CREATION**

End of Fiscal Year(s)	Permanent Full-Time Employee Retained	Permanent Full-Time Employee New	Minimum Cumulative Total
June 30, 2017	0	0	0
June 30, 2018	0	0	0
June 30, 2019	0	20	20
June 30, 2020	20	15	35
June 30, 2021	35	5	40
June 30, 2022	40	5	45
June 30, 2023	45	5	50

The Company shall work in good faith in accordance with Section B.1(e) below and, during the life of the Agreement, shall maintain the appropriate employment figure of permanent full-time jobs in accordance with the Schedule of Job Creation referenced above.

- (e) In maintaining its minimum cumulative New Permanent Full-Time Employee commitment outlined above, and consistent with all federal, state and local laws and regulations, the Company may use reasonable efforts to make available application opportunities for the New Permanent Full-Time Employee positions to qualified residents of Marlborough and then the regional ETA through advertisements in local newspapers and online job sites encouraging such qualified residents to apply for employment with the Company. Determination of whether any individual is qualified for any specific job or position opening shall be in the Company's sole discretion, and nothing herein shall be deemed to create any obligation of the Company to hire any of said residents. The Company will meet its obligation to make such application opportunities available to such residents if, in conjunction with the Mayor's office and the Marlborough Economic Development Corporation, the Company participates in a job fair in Marlborough that is sponsored by the Marlborough Economic Development Corporation for staffing open positions at its Project Area.
2. The Company shall submit annual written reports on job creation and maintenance at, job relocation to, and new investments at, the Project Area to the City of Marlborough Board of Assessors and Mayor and to the EACC by the end of December of each calendar year with respect to the immediately preceding fiscal year during which this TIF Agreement is in effect. Reports shall be submitted for fiscal year 2017 and for every fiscal year thereafter falling within the term of this TIF Agreement; thus, the report for fiscal year 2017, ending on June 30, 2017, shall be submitted by the end of December 2017. In addition to information that may be required by the EACC pursuant to 402 C.M.R. 2.14, the annual report shall be comprised of the following information:
- (a) Employment levels at the Project Area at the beginning and end of the reporting period, with a designation of the number of employees that are employees at the Project Area as of

the effective date of this Agreement and the number of employees that were employed by the Company in Marlborough and the ETA prior to the effective date of this Agreement;

- (b) The specific number of ETA and Marlborough residents respectively employed at the Project Area at the beginning and at the end of the reporting period;
- (c) An accounting of the efforts made by the Company to make New Permanent Full-Time Employee positions available to qualified residents of Marlborough and then to the regional ETA as needed to maintain the minimum cumulative Permanent Full-Time Employee requirement;
- (d) A narrative of the reasonable efforts made by the Company to solicit Marlborough businesses, vendors and suppliers to participate in requests for quotations for goods and services to be purchased by the Company as part of the Project, including but not limited to the improvements to the Project Area, as well as the purchase of new machinery and equipment as part of the Project (collectively, "Engage Local Businesses"), if applicable for a particular fiscal year;
- (e) The Company's financial contribution to the City (including property taxes, motor vehicle excise taxes, and water and sewer fees) for the fiscal year; and
- (f) A description of any private investment, including but not limited to donations and/or perpetual maintenance of land for recreational purposes, made by the Company for the benefit of the community during the reporting period.

During the term of this TIF Agreement, the Company shall provide the City with any and all information related to the Project Area, including the Company's improvements to the Project Area, which the parties mutually agree should be provided.

3. The Tax Increment Financing Exemption percentage applicable to the tax exemption schedule above will automatically be adjusted downward in any particular fiscal year that the Company does not meet its minimum cumulative permanent full-time employee requirements described in the Schedule of Job Creation above. Under this Paragraph 3, the exemption percentage applicable to the exemption schedule above will be adjusted for the fiscal year beginning after the job requirement date, utilizing the following formula:

(Actual Cumulative New Permanent Full-Time Employee Level / Minimum Cumulative New Permanent Full-Time Employee Requirement) x Scheduled Exemption Percentage = Actual Exemption Percentage.

For example, if the actual cumulative New Permanent Full-Time Employee level at the end of FY 2019 is 10 instead of 20, then the real property tax exemption percentage otherwise applicable for FY 2020 would actually be  $(10/20) \times 65\%$ , or 32.5%.

The exemption percentages applicable to the tax exemption schedule above will, for later fiscal years, revert back to the original exemption schedule if the Company restores the job level based on the minimum cumulative permanent full-time employee requirement for that later year. If the Company meets or exceeds its minimum cumulative new permanent full-time employee requirements, the exemption schedule will not be adjusted.

4. The Company will be in default of its respective obligations under this TIF Agreement if the City determines that the Company materially fails to meet or comply with any of the requirements specified in Paragraphs 1 or 2 of this Section B or Paragraph 5 or 6 of this Section B below, and the City further determines that such failure continues or remains uncured for sixty (60) days (or such longer time as the City may deem appropriate under the circumstances) after the date of written notice, provided by the City to the Company, explaining in reasonable detail the grounds for or nature of such failure. Upon the City's determination that any default by the Company has continued or remained uncured for such period after the date of such written notice, the City may request that EACC revoke its certification of the Project for eligibility for a Tax Increment Financing Exemption; any such request would be in addition to the automatic downward adjustment of the exemption schedules, as described in Section B.3 above, and in addition to the City's rights to take actions to collect any amounts owed by the Company under Section B.5. below. Upon any such decertification, the City shall have the right, upon written notice to the Company, to terminate the Tax Incremental Financing Exemption benefits described in Paragraph 2 of Section A, commencing as of the fiscal year in which the City has determined the Company to be in default or, if such benefits have already been received by the Company, for the fiscal year in which the City has determined the Company to be in default, commencing as of the fiscal year immediately following that fiscal year. Any notice required hereunder shall be sent, certified mail, return receipt requested, or delivered in hand, to the Company as provided in Paragraph 5 of Section C below. Said notice shall be effective upon receipt.
  
5. If, at any time prior to the expiration of the term on this Agreement, the Company moves from, vacates, abandons, or otherwise fails to maintain operations in the Project Area, and the Company's successor or assign, if any, does not agree to assume this TIF agreement, then the City shall be entitled to be paid back forthwith by the Company a sum equal to a proportionate share of the amount of tax savings that had been received by the Company under this Agreement in the fiscal year when the Company moves from, vacates, abandons, or otherwise fails to maintain operations at the Project Area, according to the following schedule:

**COMPANY'S PAY-BACK SCHEDULE**

FY that the Company Moves From, Vacates, Abandons, or Otherwise Fails to Maintain Operations at Project Area	Percentage of Tax Savings from Prior Fiscal Year to be Paid Back to City
2017	N/A
2018	N/A
2019	75%
2020	50%
2021	30%
2022	15%
2023	5%

Such pay-back amounts shall be paid back by the Company in full within sixty (60) days of a written demand by the City. If payment is not timely made, interest shall accrue at the rate of one percent (1%) per month until such time as full repayment has been made.

The City shall be given thirty (30) days' written notice prior to any Company announcement to the general public (specifically excluding any communications to the Company's employees) of a proposed move from, vacation of, abandonment of, or other termination of operations at, the Project Area during the term of this Agreement, unless such notice (and/or notice period) would be in violation of any law, regulation or contractual obligation of the Company. Said notice shall identify the prospective new owner or tenant, if any; may include information about such prospective new owner or tenant which is not otherwise subject to a confidentiality agreement; and shall be given to: Mayor's Office and to the Board of Assessor's Office, City Hall, 140 Main Street, Marlborough, MA 01752. Said notice will be the confidential information of the Company and the City shall not, except as required by law, disclose any information provided by the Company regarding any proposed disposition of the Project Area or any portion thereof by the Company.

6. The Company shall use reasonable efforts to engage local businesses to participate in requests for quotations for goods and services to be purchased by the Company as part of the Project, including but not limited to the improvements to the Project Area, as well as the purchase of new machinery and equipment as part of the Project. So long as the Company contacts the Marlborough Economic Development Corporation at the later of (i) the beginning of the Project, or (ii) within a reasonable amount of time after the Agreement has been executed by all parties, with a description of the qualifications of the local businesses, vendors and suppliers from whom, at that time, the Company is seeking requests for quotations, the Company shall be deemed to have made reasonable efforts to engage local businesses under this Section 6. However, the extent to which the Company shall hire or purchase from local businesses, vendors and suppliers under this Section 6 shall be in Company's sole discretion, and nothing herein shall be deemed to require the Company to hire or purchase from local businesses, vendors and suppliers.

**C. OTHER CONSIDERATIONS.**

1. Pursuant to 760 C.M.R. 22.05(8)(d), *see* 402 C.M.R. 2.22, this Agreement shall be binding upon the Company and its successors and assigns, so long as the Project's certification has not been revoked by EACC.
2. This Agreement is subject to M.G.L. Chapter 23A, Sections 3A-3F inclusive; M.G.L. Chapter 40, Section 59; and M.G.L. Chapter 59, Section 5, Cl. Fifty-first.
3. Should any part, term or provision of this Agreement be determined by any court of competent jurisdiction to be illegal or invalid, the validity of the remaining parts, terms, and provisions shall not be affected thereby and said illegal or invalid part, term or provision shall be deemed not to be a part of this agreement.
4. The effective date of this Agreement shall be September 23, 2015 the (presumptive) date of the Economic Assistance Coordinating Council's approval of the TIF Agreement.
5. All notices, reports or other communications require or permitted under this TIF Agreement must be in writing signed by a duly authorized representative of the City and the Company as the case may be, and shall be (i) hand delivered, (ii) delivered by a nationally recognized overnight delivery service, or (iii) mailed by certified or registered mail, return receipt requested, postage prepaid, to the other party at the following addresses or such other addresses as each may have specified to the other by such a notice:

CITY: City of Marlborough  
City Hall  
Attention: Mayor's Office  
140 Main Street  
Marlborough, MA 01752

COMPANY: LFB USA, Inc.  
Attention: William Gavin, President  
175 Crossing Blvd  
Framingham, MA 01702

cc: Michael Megna, Comptroller  
LFB USA, Inc.  
175 Crossing Blvd  
Framingham, MA 01702

WITNESSETH, the execution and delivery of this Agreement by the Company and the City as an instrument under seal as of the date last written below by the signatories hereto.

AGREED TO:

**LFB USA, INC.**

By: \_\_\_\_\_

WILLIAM GAVIN  
President  
LFB USA Inc.

Dated: \_\_\_\_\_, 2015

**COMMONWEALTH OF MASSACHUSETTS**

\_\_\_\_\_, ss.

On \_\_\_\_\_, 2015, before me, the undersigned notary public, personally appeared \_\_\_\_\_, as President of LFB USA, Inc., and proved to me through satisfactory evidence of identification, which was \_\_\_\_\_, that he is the person whose name is signed on the preceding or attached document.

\_\_\_\_\_  
Notary Public  
Printed Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**CITY OF MARLBOROUGH**

By: \_\_\_\_\_

Arthur G. Vigeant  
Mayor  
City of Marlborough

Dated: \_\_\_\_\_, 2015

**COMMONWEALTH OF MASSACHUSETTS**

\_\_\_\_\_, ss.

On \_\_\_\_\_, 2015, before me, the undersigned notary public, personally appeared Arthur G. Vigeant, as Mayor of the City of Marlborough, and proved to me through satisfactory evidence of identification, which was \_\_\_\_\_, that he is the person whose name is signed on the preceding or attached document.

\_\_\_\_\_  
Notary Public  
Printed Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**CERTIFICATE OF AUTHORIZATION**

I, Michael R. Megna, the duly elected Treasurer of LFB USA, Inc. (“the Company”), a Delaware corporation, do hereby certify that William Gavin is President of the Company; that William Gavin, in his capacity as President of the Company, is authorized and empowered to sign, seal, execute, acknowledge and deliver the Tax Increment Financing Agreement between the City of Marlborough and the Company; and that the signature of said William Gavin, in his capacity as President of the Company, shall be and is valid and binding upon the Company, and its successors and assigns, for all purposes.

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_, 2015

Michael R. Megna  
Treasurer  
LFB USA, Inc.

Place of Business: 175 Crossing Blvd, Framingham, MA 01702

AFFIX SEAL

**RESOLUTION:**

**WHEREAS**, the City Council of the City of Marlborough desires a beneficial economic use creating jobs for local residents, expanding business within the City, and developing a healthy robust economy and stronger tax base for a portion of Map 15, Parcel 22 on the Marlborough Assessor's Map; and

**WHEREAS**, the City Council of the City of Marlborough intends to use tax increment financing as an economic development tool created by the Massachusetts Economic Development Incentive Program based on the ability of the City of Marlborough, in accordance with needs and community benefits of a specific project, that are reasonably proportional to the economic development incentives from State and local government and the resulting economic development benefits;

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Marlborough that the following activities which are necessary to pursue a Certified Project designation be authorized:

1. The City Council of the City of Marlborough hereby requests that the Massachusetts Economic Assistance Coordinating Council approve LFB USA, Inc.'s local incentive-only application for an EDIP Certified Project (attached hereto); and further, that:
  - a. The project will not overburden the City of Marlborough's infrastructure and utilities;
  - b. The project as described in the proposal will have a reasonable chance of increasing employment opportunities for residents of Marlborough; and
  - c. The City Council approves LFB USA, Inc.'s request that the project be designated by the Massachusetts Economic Assistance Coordinating Council as an EDIP Certified Project for seven (7) years.
2. The City Council of the City of Marlborough agrees to authorize the use of tax increment financing and the submission of the tax increment financing agreement to the Massachusetts Economic Assistance Coordinating Council.

ADOPTED  
In City Council  
Order No 15-100 \_\_\_\_  
Adopted

Approved by Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY  
ATTEST:





RECEIVED  
CLERK'S OFFICE  
MARLBOROUGH

9 A 11:44

# *City of Marlborough*

## *Office of the Mayor*

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

*Arthur G. Vigeant*  
MAYOR

*Nicholas Milano*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

July 9, 2015

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

**Re: Appointment of Kevin J. Breen**

Honorable President Clancy and Councilors:

I am pleased to inform you that I have appointed Kevin J. Breen as the new Fire Chief of the Marlborough Fire Department. I am sure you will agree that the selection of a strong leader to oversee our City's safety is a very critical and exciting new time for our community. It is my hope that you will join me in recognizing Chief Breen's abilities and will approve his appointment as Chief.

After careful deliberation, I feel strongly that Chief Breen is a great fit for this position. He has nearly 30 years as a firefighter under his belt, including 9 years as Fire Chief for the town of Salem, New Hampshire. Chief Breen brings strong managerial credentials due to his 9 years as Fire Chief in Salem, but he also served as Salem's Acting Town Manager while the permanent manager was on medical leave and vacations. Chief Breen's many years of distinguished service for the town of Salem as a dedicated firefighter, Fire Chief, and Town Manager will provide our City with the leadership and stability that we need.

The City enlisted the services of Municipal Resources, Inc. (MRI) of Meredith, N.H. to conduct a nationwide search for Marlborough's new Fire Chief. MRI screened multiple candidates and presented us with 5 finalists who were interviewed by a panel comprised of Interim Chief Geoffrey Herald, Commissioner of Public Safety Thomas G. Gatzunis, Paul Buckley who recently retired as the Chief of the Needham Fire Department, Medway Town Administrator Michael Boynton, and Marlborough resident and retired Boston Firefighter Steve Creamer.

In addition to the panel interview, each finalist participated in an Assessment Center, where they demonstrated their fire scene command capabilities, budget management skills,

communication/presentation skills, problem-solving capabilities and capacity for teamwork. Chief Breen stood out among the rest for his strong leadership qualities and his ability to work in a team environment.

Due to Chief Breen's long-term relationship with the town of Salem, we have agreed to a six month transition period before Chief Breen will be required to live in Marlborough, or within 10 miles of the City.

As Mayor and Chief Executive of the City of Marlborough, it is my responsibility to acquire the finest people I can in order to run our departments. Kevin Breen has the firefighting and managerial experience to effectively lead the Marlborough Fire Department.

Sincerely,

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

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



RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2015 JUL -9 A 11:44

*City of Marlborough*

*Office of the Mayor*

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Marlborough, Massachusetts 01752

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July 9, 2015

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

**Re: Board of Registrars Reappointment**

Honorable President Clancy and Councilors:

I am submitting for your approval the reappointment of Ron Saloman to the Board of Registrars for a three year term to expire from the date of approval by the City Council.

Ron has done an exemplary job on the board and his experience will continue to be an asset during his new term.

Thank you in advance for your consideration.

Sincerely,

**Arthur G. Vigeant**  
Mayor



# City of Marlborough

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CITY OF MARLBOROUGH

## Office of the Mayor

140 Main Street

2015 JUL -9 A 11: 04  
Marlborough, Massachusetts 01752  
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EXECUTIVE SECRETARY

July 9, 2015

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

### **Re: Cultural Council Reappointments**

Honorable President Clancy and Councilors:

I am submitting for your approval the reappointment of the following individuals to the Arts Lottery Council, each for a term of three years: Kim Beauchemin, James David Elmore, and Sandra Pirie-St.Amour. Each member has performed well in volunteering their time to encourage and promote the arts in our community. Upon your approval, their reappointments will be effective as of August 24, 2015.

The Arts Lottery Council acts as the Local Cultural Council for the City of Marlborough. The terms of each appointment is regulated my M.G.L. Chapter 10, Section 58 which states that members "shall not be appointed to more than two consecutive terms." These individuals have each served one term and this appointment would be their final term.

Thank you in advance for your consideration.

Sincerely,

**Arthur G. Vigeant**  
Mayor



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July 9, 2015

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

**Re: Community Development Authority Board Appointment**

Honorable President Clancy and Councilors:

I am pleased to submit for your approval the appointment of Stefanie Ferrecchia to the Community Development Authority Board ("CDA") for a three year term to expire from the date of approval by the City Council. This appointment will fill one of the two vacant positions on the CDA Board.

Ms. Ferrecchia is a lifelong Marlborough resident, small business owner, and works as a real estate agent with Dora Naves & Associates, Inc. She has been with Dora Naves & Associates since 1992 working on all aspects of residential, commercial, and rental real estate. As a real estate agent with over 25 years of experience, as a lifelong Marlborough resident, and as a parent of five, she will bring a valuable perspective to the Marlborough Community Development Authority Board.

As you may know, the CDA's enabling act, as amended by Chapter 395 of the Acts of 2008, requires that one board member be a realtor who is a resident of the City of Marlborough. The enabling act also requires that the realtor be appointed for an initial term of three years; Ms. Ferrecchia's appointment to a three year term will satisfy these two requirements.

Thank you in advance for your consideration.

Sincerely,

Arthur G. Vigeant  
Mayor



# City of Marlborough

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CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

## Office of the Mayor

140 Main Street

2015 JUL -9 A 11: 45 Marlborough, Massachusetts 01752  
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July 9, 2015

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

### **Re: Conservation Grant Acceptance**

Honorable President Clancy and Councilors:

Enclosed for your acceptance is a grant in the amount of \$1,000.00 from Dow Chemical Company to be utilized for general purposes associated with maintaining and beautifying our community. I am grateful for this generous donation, which was made last month during the city-wide Project Clean Sweep.

The relevant paperwork, including the grant cover sheet, cover letter from Conservation Officer Priscilla Ryder, and the letter and check from Dow Chemical are included with this correspondence.

Sincerely,

**Arthur G. Vigeant**  
Mayor

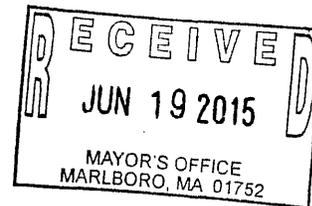


# City of Marlborough Conservation Commission

140 Main Street  
Marlborough, Massachusetts 01752  
Tel. (508) 460-3768 Facsimile (508) 460-3747

June 19, 2015

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



RE: Acceptance of Gift of \$1,000 to Conservation Maintenance Fund  
Dow Chemical Co.

Dear Mayor Vigeant,

Once again the City of Marlborough has been given a gift of \$1,000 from Dow Chemical Company to help with the maintenance and beautification of the city. The Dow Chemical Company participated in the city wide Project Clean Sweep and offered this gift to help offset the costs of any city wide beautification project. The letter from the Dow Chemical Co. is attached. We are grateful for this support.

As required by MGL Ch. 44 Section 53A the acceptance and expenditure of this gift requires your approval as well as the approval of City Council. We request that these funds be accepted and placed in the Conservation Maintenance Fund account #845- 00005-54000 to be used for conservation land maintenance and city wide beautification projects.

If you have any questions on the above, please let me know.

Sincerely,

Priscilla Ryder  
Conservation Officer

Cc: Con. Com.  
Diane Smith

**CITY OF MARLBOROUGH  
NOTICE OF GRANT AWARD**

DEPARTMENT: Conservation DATE: 6/19/2015

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Priscilla Ryder

NAME OF GRANT: Gift

GRANTOR: Dow Chemical Company

GRANT AMOUNT: \$1,000

GRANT PERIOD: N/A

SCOPE OF GRANT/  
ITEMS FUNDED Funds to be used for the Project Clean Sweep (2015) and city  
beautification

IS A POSITION BEING  
CREATED: no

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? N/A

ARE MATCHING CITY  
FUNDS REQUIRED? No

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

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

ANY OTHER EXPOSURE TO CITY?  
No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: None

**DEPARTMENT HEAD MUST SUBMIT THIS FORM, A COPY OF THE GRANT APPROVAL, AND A COVER  
LETTER TO THE MAYOR'S OFFICE REQUESTING THAT THIS BE SUBMITTED TO CITY COUNCIL  
FOR APPROVAL OF DEPARTMENT TO EXPEND THE FUNDS RECEIVED FOR THE PURPOSE OF THE GRANT**



The Dow Chemical Company  
Midland, Michigan 48674  
USA

RECEIVED JUN 16 2015

June 1, 2015

Ms. Priscilla Ryder  
City of Marlborough  
140 Main Street, City Hall  
Marlborough, MA 01752

Dear Ms. Ryder:

On behalf of The Dow Chemical Company, I am pleased to enclose a check in the amount of \$1000 for the GAC: Project Clean Sweep.

As a condition of accepting this check, we require an IRS tax form to be completed and submitted within fifteen days of receiving payment. You will receive an email notification regarding this online tax form.

If you have any questions regarding this payment or the tax form, please feel free to contact me at [jbellaver@dow.com](mailto:jbellaver@dow.com) or 989-633-5675. We are delighted to have the opportunity to help you achieve goals in which we have a mutual interest and wish you much continued success.

Sincerely,

Jeanette Bellaver  
Global Contributions Administrator

Enclosure:  
Check

Dow International Finance S.a.r.l.  
Attn: Accounts Payable  
2511 E Patrick Road  
Midland, MI 48641-1286



PAGE 1 OF 1  
06/08/15

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CITY OF MARLBOROUGH  
140 MAIN ST  
MARLBOROUGH MA 01752-381



YOUR INVOICE NO	INVOICE AMOUNT	DISCOUNT / DEDUCTION	NET AMOUNT	INVOICE DATE	OUR DOCUMENT NO.	PAYMENT ON BEHALF OF
000100253049	\$1,000.00	\$0.00	\$1,000.00	06/01/2015	2200201331	THE DOW CHEMICAL COMPANY

VOUCHER # \_\_\_\_\_  
 PO \_\_\_\_\_  
 VENDOR # \_\_\_\_\_  
 ACCT # 845-00005 54000  
 AMOUNT \$ 1,000.00  
 PRICE EXT \_\_\_\_\_  
 APPROVED: *[Signature]*  
 (DEPT HEAD)

TOTAL: \$1,000.00

DETACH AND RETAIN THIS STUB FOR YOUR RECORDS

CHECK # 2200201331 ATTACHED



Dow International Finance S.a.r.l.  
Attn: Accounts Payable  
2511 E Patrick Road  
Midland, MI 48641-1286

62-20  
311

No. 2200201331

06/08/15

PAYMENT ON BEHALF OF: SEE ATTACHED REMITTANCE ADVICE

PAY TO THE ORDER OF  
CITY OF MARLBOROUGH  
140 MAIN ST  
MARLBOROUGH MA 01752-381

\$\$\$\$\$\$\$\$\$\$\$1,000.00

NOT VALID AFTER 1 YEAR

*Ronald C. Edmonds*  
AUTHORIZED SIGNATURE

One Thousand and 00/100 Dollars

CITIBANK N.A.  
ONE PENN'S WAY, NEW CASTLE, DE 19720

⑈ 2 200 20 1331 ⑈ ⑆ 031100209⑆ 38859814⑈



RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2015 JUL -9 A 11:45

*City of Marlborough*  
*Office of the Mayor*

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

*Arthur G. Vigeant*  
MAYOR

*Nicholas Milano*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

July 9, 2015

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

**Re: Acceptance of Gift of Land and Transference to the Conservation Commission**

Honorable President Clancy and Councilors:

I am pleased to inform you that the City of Marlborough has received a gift of land from Anne P. Mercer; I propose it be transferred to the Conservation Commission. City Council approval is needed to first accept the land, and subsequently transfer it to the Conservation Commission.

The parcel, located at 704 Robin Hill Street and known and numbered as Map 39, Parcel 30 on the Assessor's Map, is approximately 28,883 square feet of vacant land.

Enclosed please find two proposed orders. The first is an Order of Acceptance of Deed. The second is an Order Transferring Care, Management and Control of the parcel to the Conservation Commission for the purposes of increasing open space, preserving vistas, providing wildlife habitat, and enabling future passive and active recreational opportunities.

The Conservation Commissioner, Priscilla Ryder, and the Legal Department will be available to answer any specific questions you may have. In the meantime, if you have any immediate questions, please do not hesitate to contact me.

Sincerely,

**Arthur G. Vigeant**  
Mayor

Enclosures

Cc: Priscilla Ryder, Conservation Commissioner  
Donald V. Rider, Jr., City Solicitor  
Cynthia Panagore Griffin, Assistant City Solicitor  
Deborah Fox, Tax Collector  
David Manzello, Assessors' Office

**ORDERED:**

That pursuant to Section 14 of Chapter 40 of the General Laws of Massachusetts, the City does hereby accept title, by gift of deed of conveyance from Anne P. Mercer to a certain parcel of vacant land, located at 704 Robin Hill Street, also known and numbered as Map 39, Parcel 30 on the Assessors' Map of the City of Marlborough, said parcel containing .663 acres or 28,883 square feet, more or less, said deed to be recorded at the Middlesex County South Registry of Deeds.

ADOPTED

In City Council  
Order No. 15-  
Adopted

Approved By Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY

ATTEST:

## QUITCLAIM DEED

I, Anne P. Mercer, of Rutherfordton, NC, for consideration less than \$100 (One Hundred Dollars) paid, the receipt and sufficiency which is hereby acknowledged,

hereby grant to the City of Marlborough, a municipal corporation having a principal address of City Hall, 140 Main Street, Marlborough, MA, ("Grantee") with

**Quitclaim Covenants**, the property described as follows:

all of the right, title and interest in and to the fee in a lot located at 704 Robin Hill Street, which lot is also known and numbered as Map 39, Parcel 30 on the Assessors' Map of the City of Marlborough, and being shown as Lot No. 3 on a "Plan of Land in Marlborough, Mass. (Middlesex County); For: Richard; Scale: 1"=40'; July 14, 1978; Joseph W. Moore Co., Land Surveyors, Civil Engineers, 16 Railroad Ave., Bedford, Mass." said plan being recorded in the Middlesex South Registry of Deeds at Book 13547, 552 (Plan No. 1107 of 1978).

Being the same premises conveyed to the Grantor herein by deed with the Middlesex District Registry of Deeds in Book 14412, Page 233.

I, the Grantor named herein, do hereby voluntarily release all my rights of Homestead, if any, as set forth in M.G.L. Chapter 188 and state there are no other persons entitled to any homestead rights.

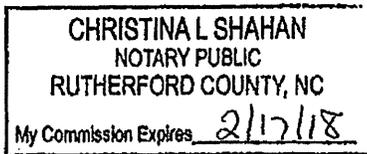
Witness my hand and seal on this 30<sup>th</sup> day of June, 2015.

  
Anne P. Mercer

(Cont. Quitclaim Deed)

Rutherford County, North Carolina

On this 30<sup>th</sup> day of June, 2015, before me, the undersigned notary public, personally appeared Anne P. Mercer, proved to me through satisfactory evidence of identification, which was a Nc Driver License to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.



Christina L. Shahan  
Notary Public:  
My Commission Expires:

**ORDERED:**

That the City Council of the City of Marlborough, by two-thirds vote pursuant to Mass. Gen. Laws c. 40, § 15A, hereby transfers to the Conservation Commission of the City of Marlborough for conservation purposes, including increasing open space, preserving vistas, providing wildlife habitat, and enabling future passive and active recreational opportunities, the care, custody, management, and control of to a certain parcel of vacant land, located at 704 Robin Hill Street, also known and numbered as Map 39, Parcel 30 on the Assessors' Map of the City of Marlborough, said parcel containing .663 acres or 28,883 square feet, more or less, pursuant to Mass. Gen. Laws c. 40, § 8C.

**ADOPTED**

In City Council  
Order No. 15-  
Adopted

Approved By Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY

ATTEST:

2015 JUL -9 A 11: 23

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

July 9, 2015

**VIA HAND DELIVERY**

Marlborough City Council  
City Hall  
140 Main Street  
Marlborough, MA 01752

Re: Overlook at Lake Williams;  
Application for Payment in Lieu of Affordable Housing

Dear Councilors

Please accept this letter as an application pursuant to Section 650-26.A(1)(a) of the Zoning Ordinance (the "Affordable Housing Ordinance"), for a payment in lieu of affordable housing by Crabtree Lake Williams, LLC ("Crabtree") submitted by its attorney Arthur P. Bergeron.

Crabtree seeks to construct a 60-unit condominium community along Lakeside Avenue, to be known as Overlook at Lake Williams. Pursuant to the Affordable Housing Ordinance, Overlook at Lake Williams must include 9 affordable units (15%).

As you know, the Affordable Housing Ordinance was amended earlier this year so that the City Council may, by majority vote, authorize a developer to contribute an amount equal to not less than \$50,000 per affordable dwelling unit required in a multi-family project, in lieu of constructing those units. Upon approval, the payment is to be deposited as directed by the City Council into the fund for economic development created by Chapter 126 of the Acts of 2011, or another fund designated by the City Council. Crabtree respectfully requests such a vote, authorizing a payment in lieu of providing 9 affordable units at Overlook at Lake Williams.

Crabtree proposes a total payment to the City of \$450,000, equal to \$50,000 for each of the 9 affordable units required to be constructed at Overlook at Lake Williams under the Affordable Housing Ordinance, provided that:

**MIRICK O'CONNELL**

Marlborough City Council  
July 10, 2015  
Page 2

1. The payment will be made in three (3) installments of \$150,000 each;
2. The first installment will be paid within thirty (30) days of the date of the vote by the City Council, with all appeal periods having run and no appeals having been filed (the "Approval Date");
3. The second installment will be paid within six (6) months after the Approval Date;
4. The third installment will be paid within twelve (12) months after the Approval Date; and
5. No payments will be made in the event the City Council's vote is subject to appeal.

Crabtree will file or make available to the City Council addition information and materials that the City Council may request in order to consider this application.

Thank you for your time and attention to this matter.

Very truly yours,



Arthur P. Bergeron

Encl.

cc: Client  
Brian R. Falk. Esq.

# AYOUB ENGINEERING, INC.

ENGINEERING AND ARCHITECTURAL CONSULTANTS

RECEIVED  
CITY ENGINEER'S OFFICE  
CITY OF MARLBOROUGH

2015 JUL -8 P 12: 00

**CORPORATE OFFICE:**

414 BENEFIT STREET  
PAWTUCKET, RHODE ISLAND 02861  
401-728-5533/FAX 401-724-1110

**NEW HAMPSHIRE OFFICE:**

P.O. BOX 514  
EXETER, NEW HAMPSHIRE 03833  
603-765-1001

July 7, 2015

Mr. Edward Clancy, President  
Marlborough City Council  
City Hall, 2<sup>nd</sup> Floor  
140 Main Street  
Marlborough, MA 01752

**RE: Nouria/Shell Station  
413 Lakeside Avenue  
Map 79 Lot 10A  
Zone B**

On behalf of Nouria Energy/GTY MA/NH Leasing, Inc., Ayoub Engineering, Inc. of 414 Benefit Street, Pawtucket, RI, requests a Special Permit to include an LED price panel, for the subject location.

This request pertains to City Code Chapter 526 -13, which states "Digital Display Sign/Electronic Message Center requires a Special Permit to allow a new red LED price panel (per the attached plan). We have included the necessary number of copies.

We appreciate all the assistance the City of Marlborough has provided. Should you have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,



Alan J. Micale, P.E.  
Vice President

City Clerks Copy

**PETITION FOR MANHOLE AND DUCT LOCATIONS**

June 3, 2015 RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2015 JUN 15 P 1:49

To the City Council  
of the City of Marlborough, Massachusetts

**MASSACHUSETTS ELECTRIC COMPANY** requests permission to locate manholes, wires, and ducts, including the necessary sustaining and protecting fixtures, along and across the following public way:

**Miles Standish residential development**

**NGRID request due to numerous cable failures, will be installing 3" conduit and install new #2 AL cable throughout the Miles Standish residential development along the route of the existing cable.**

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to install and maintain manholes, ducts and wires, together with such sustaining and protecting fixtures as it may find necessary, said manholes and ducts to be installed substantially in accordance with the plan filed herewith marked--

**MASSACHUSETTS ELECTRIC COMPANY**

Plan No. **16508872** Dated: **06/01/2015**

**MASSACHUSETTS ELECTRIC COMPANY**

By: Eric Widman  
Manager of Distribution Design *EW*

**ORDER FOR MANHOLE AND DUCT LOCATIONS**

June 3, 2015

By the City Council  
of the City of Marlborough, Massachusetts

Notice having been given and a public hearing held, as provided by law,  
IT IS HEREBY ORDERED:

that **MASSACHUSETTS ELECTRIC COMPANY** be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the **3rd day of June, 2015**

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

Manholes and ducts shall be set substantially at the points indicated upon the plan marked--

**MASSACHUSETTS ELECTRIC COMPANY**

Plan No. **16508872**

Dated: **06/01/2015**

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

**Miles Standish residential development**

**NGRID request due to numerous cable failures,  
will be installing 3" conduit and install new #2 AL  
cable throughtout the Miles Standish residential  
development along the route of the existing cable.**

I hereby certify that the foregoing order was adopted at a meeting of the City Council  
of the City of Marlborough, Massachusetts  
held on the \_\_\_\_\_ day of \_\_\_\_\_ 2015

\_\_\_\_\_  
Clerk of Council

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

Book: \_\_\_\_\_ Page: \_\_\_\_\_

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

We hereby certify that on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_ M

at \_\_\_\_\_ a public hearing was held on the petition of

**MASSACHUSETTS ELECTRIC COMPANY** for permission to construct the underground electric conduits described in the order herewith recorded, and that I mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to construct the underground electric conduits under said order. And that thereupon said order was duly adopted.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Marlborough, Massachusetts

Council of the City of

**CERTIFICATE**

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the City Council of the City of Marlborough, Massachusetts, on the \_\_\_\_\_ day of \_\_\_\_\_ 2015 and recorded with the records of location orders of said City, Book \_\_\_\_\_, Page \_\_\_\_\_.

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

Attest: \_\_\_\_\_  
City Clerk



Richard Rd  
MARLBOROUGH, MA

Map	Block	Lot	Unit	Owner's Name	Co Owner's Name	Address	City	ST Zip	Parcel Location
7	66			STEVENSON HENRY W	SUSAN L STEVENSON	38 RICHARD RD	MARLBOROUGH	MA 01752	38 RICHARD RD
7	76			TUNNERA JOSEPH A TR	ANNA M TUNNERA TR	46 RICHARD RD	MARLBOROUGH	MA 01752	46 RICHARD RD
7	77			FOLEY JANET L		45 RICHARD RD	MARLBOROUGH	MA 01752	45 RICHARD RD
7	78			CASTELLINO JOSEPH S	SUSAN M CASTELLINO	53 RICHARD RD	MARLBOROUGH	MA 01752	53 RICHARD RD
7	79			LEONE JOHN L	ANN LEONE	57 RICHARD RD	MARLBOROUGH	MA 01752	57 RICHARD RD
7	81			GARVEY DAVID A	CHRISTINE MARTINELLI	62 RICHARD RD	MARLBOROUGH	MA 01752	62 RICHARD RD
19	263			ZYDLEWSKI WALTER R	ROSE M ZYDLEWSKI	12 RICHARD RD	MARLBOROUGH	MA 01752	12 RICHARD RD
19	264			GUZZI RICHARD G	LINDA OCONNELL GUZZI	20 RICHARD RD	MARLBOROUGH	MA 01752	20 RICHARD RD
19	265			HEEMON IRENE A	PETER KEEPING	28 RICHARD RD	MARLBOROUGH	MA 01752	28 RICHARD RD
19	273			ONEILL MICHAEL T	VIRGINIA M ONEILL	23 RICHARD RD	MARLBOROUGH	MA 01752	23 RICHARD RD
19	274			DIBUONO ANTHONY J JR		15 RICHARD RD	MARLBOROUGH	MA 01752	15 RICHARD RD
19	275			FURBUSH LINDA C		7 RICHARD RD	MARLBOROUGH	MA 01752	7 RICHARD RD

**MARLBOROUGH ASSESSORS**

*Anthony C. Amadio  
William J. Silverstein  
David May Jr*

**EVERSOURCE**  
Energy

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

157 Cordaville Road  
Southborough, MA 01772

2015 JUN 19 A 10: 01

June 18, 2015

Ms. Lisa M. Thomas  
City Clerk  
City Hall  
140 Main Street  
Marlborough, MA 01752

Marlborough City Council:

Please approve for Grant purposes the following plan:

**To install 1200' of 6" IP plastic gas main as a system improvement on Ames St from  
Nickerson Rd running NW'rly to Reilly Way**

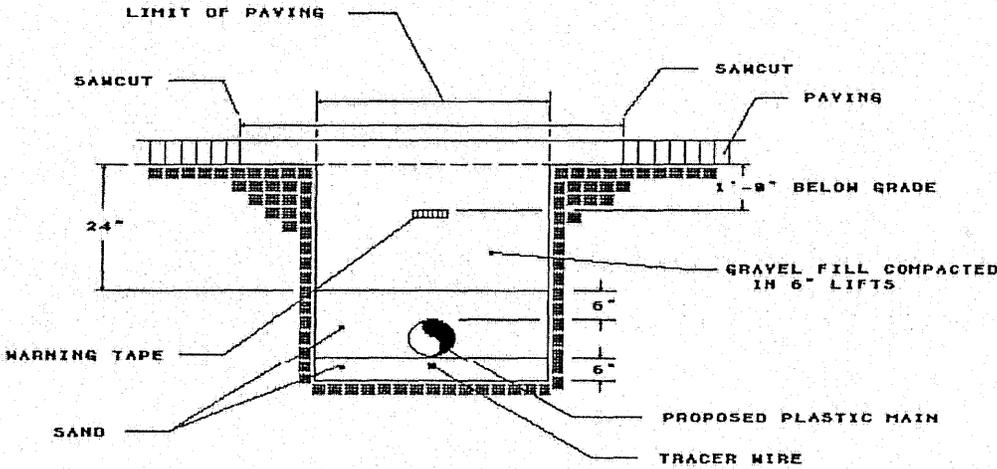
Respectfully,



Christopher Howard  
Planning & Scheduling Supervisor

TYPICAL TRENCH DETAIL

NOT TO SCALE





157 Cordaville Road  
Southborough, MA 01772

May 15, 2015

Assessors Department  
City of Marlborough  
140 Main Street  
Marlborough, MA 01752

Dear Paula:

Eversource Gas is planning a system improvement to our gas distribution system for Ames Street, Marlborough.

We have been informed by the city clerk's office that we need to provide them with a certified list of abutters (direct and across) that can be used to notify the abutters of the proposed work to be done, and to notify the abutters of the City Council meeting.

The work is going to take place on the following street:

**Ames Street – from and including the intersection with Reilly Way easterly to and including the intersection with Nickerson Street**

I will stop by some time next week with a check for \$20.

Please contact me at 508-305-6906 if you have any questions or concerns.

Thank you for your assistance.

Jayne Bedigian  
Gas Distribution Planner  
Eversource Gas  
Jayne.bedigian@eversource.com  
PHONE: 508-305-6906

5/8/2015

Google Maps

Traffic, Bicycling, Terrain, Directions  
g Center

Boston Post Rd W

guine's Italian Eatery

to Rd Central

avium Networks

I Quum

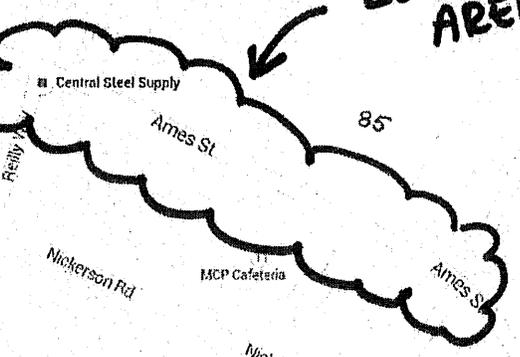
Nickerson Rd

Nickerson Rct

Meikle

Nickerson Rd

Cardiofocus



LOCUS AREA

85

Dow Chemical

Mentor Graphics Corporation

Hockwell Automation

Electronic Environments Corporation

Google

Map data ©2015 Google 200 ft

Ames Street, Marlborough

89-3B

100-11

4

6

78

3

98

ABUTTERS Ames St from Reilly to Nickers  
MARLBOROUGH, MA

Map	Block	Lot	Unit	Owner~s Name	Co Owner~s Name	Address
89	3			320-330 MIDDLESEX AVENUE LLC	C/O JOHN DEVRIES	85 AM
89	4			NORMANDY NICKERSON ROAD LLC	C/O NORMANDY REAL ESTATE PARTNERS	53 MA
89	6			NORMANDY NICKERSON ROAD LLC	C/O NORMANDY REAL ESTATE PARTNERS	PO BC
89	3B			FAIRFIELD MARLBOROUGH LIMITED PTP		7301
89	78			320-330 MIDDLESEX AVENUE LLC		85 AM
89	98			GUTIERREZ ARTURO J TR	JOHN A CATALDO TR	1 WAI
100	11			NORMANDY NICKERSON ROAD LLC	C/O NORMANDY REAL ESTATE PARTNERS	ATT J

\$25 (cash)  
6/14/15



RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

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

2015 JUN 19 A 10:24

**Lisa M. Thomas**  
**City Clerk**

MARLBOROUGH, MA

DATE: 5-14-15

**To the City Council:**

Owner Name: Yeghayan Sergey

Residential Address: 67 Spring st #2 Watertown MA 02472

Telephone Number: 857-214-9711

Business Name: CTC Gold and Diamond Refinery

Business Address: 149 Main st Marlborough MA 01752

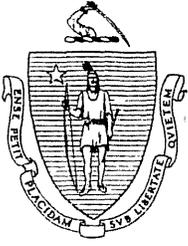
Business Telephone Number: 508-251-1051

Owner Signature: [Signature]

The above-signed Yeghayan Sergey respectfully requests that he/she be granted a Gold Dealer's License license.

July 13, 2015

**In City Council**



*The Commonwealth of Massachusetts*  
 STATE RECLAMATION & MOSQUITO CONTROL BOARD  
 RECEIVED  
 CENTRAL MASSACHUSETTS OFFICE  
 CITY OF MARLBOROUGH  
**MOSQUITO CONTROL PROJECT**  
 111 Otis Street, Northborough, MA 01532-2124 A 9 32  
 Telephone (508) 393-3055 • Fax (508) 393-8492  
 www.cmmcp.org



COMMISSION CHAIRMAN  
 RICHARD J. DAY

EXECUTIVE DIRECTOR  
 TIMOTHY D. DESCHAMPS

June 19, 2015

City of Marlboro  
 Health Department  
 Marlboro, MA 01752

Central Massachusetts Mosquito Control Project personnel will be in your community to investigate resident's complaints about mosquitoes on the following dates in July:

**July 1, 9, 15, 22, 29**

The above dates are subject to change due to weather conditions, mosquito populations, mosquito virus activity and/or special event spraying. This program will shut down when cool night time temperature becomes predominant in this area. A detailed notice about our spray schedule is posted on the CMMCP phone system after 3:30 p.m. each day, and it is also listed on our website.

Complaints about mosquitoes may be registered by calling the CMMCP office at 508-393-3055 between 7:00 AM - 3:30 PM, Monday through Friday. The results of an investigation may warrant the use of a mosquito insecticide to defined, site-specific areas of the town. Such an application may be accomplished by using hand or truck mounted equipment, depending on the extent of the application.

Per 333CMR13.04: "No intentional application of pesticides shall be made to private property which has been designated for exclusion from such application by a person living on or legally in control of said property." Notices were sent to all City and Town Clerks in February to alert them of the pesticide exclusion process; CMMCP will continue to accept exemptions during the spray season. Residents should contact their Town or City clerk for more information on the exclusion process, or may contact the CMMCP office during business hours or apply for an exclusion through our website.

Please list this information in the local newspapers and on the local cable access station. Additional information on CMMCP may be found on the Internet at: <http://www.cmmcp.org>

Sincerely,

*Timothy D. Deschamps*

Executive Director

cc: City/Town Clerk  
 Police Department

**MARLBOROUGH SCHOOL COMMITTEE**  
**MARLBOROUGH, MA 01752**

2015 JUN 12 P 2:44

**Call to Order**

**May 12, 2015**

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

Also present were Superintendent Langlois, Clerk Melissa Irish & Student Representative Ryan Wambolt & MEA Representative Paula DiPierri.

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

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

**3. Presentation:**

**A. MHS Student Advisory Committee Presentation**

Ms. Kimberly Baker Representative of the Junior Class updated the Committee regarding the Music Department Trip to Washington D.C and the STEM Program.

Ms. Karine Oliveira Representative of the Senior Class updated the Committee regarding Senior Year activities

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

5. **Communications:** None

**6. Superintendents Report:**

Mr. Langlois gave his report covering a range of topics including: FY16 School Budget, Massachusetts Education Partnership Conference, Personnel Actions, National Teacher Appreciation, and Global Stem Symposium.

• **Secondary Education**

Mr. Langlois introduced Ms. Maureen Greulich to give an update on the status of Secondary Education. Topics included: Math MCAS Boot Camp, Student Government Day, Youth Career Connection Grant, Pathways to Prosperity Networking Meeting, ELL Student College Day, and 7th Grade STEM Trip to FSU.

• **Primary & Elementary Education**

Mr. Langlois introduced Ms. Gabrielle Abrams to give an update on the status of Primary and Elementary Education. Topics included: ESEA and Title I Updates, Massachusetts Kindergarten Entry Assessment/Teaching Strategies Gold Update, DRAFT PK/K Social and Emotional Standards, K-4 Family Fun Learning Nights, Middlesex Partnership for Youth Cyber Safety Event, Richer Wellness Collaboration Fair.

**7. Acceptance of Minutes:**

**A. Minutes of April 28, 2015 School Committee Meeting**

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to accept the minutes of the April 28, 2015 School Committee Meeting as presented. Motion passed 6-0-1.

Motion made by Mrs. Hennessy, seconded by Mrs. Ryan to suspend the rules and add an agenda item. Motion passed 6-0-1.

Mrs. Hennessy read the following information into the record; this information was supplied by Mr. Michael J. Gilbert, Field Director, Massachusetts Association of School Committees.

**From:** "Michael J Gilbert" <[mgilbert@masc.org](mailto:mgilbert@masc.org)>  
**Date:** May 11, 2015 at 11:46:05 AM EDT  
**To:** "'Katie Robey'" <[kdrobey@robeybaur.org](mailto:kdrobey@robeybaur.org)>, <[brucejoliveira@gmail.com](mailto:brucejoliveira@gmail.com)>  
**Cc:** 'listserve MASC' <[mascinfo@lists.masc.org](mailto:mascinfo@lists.masc.org)>  
**Subject:** Re: [mascinfo] Need guidance MGL CHAP44 SEC32

Katie,

Actually the City Council can increase the school budget number per Chapter 44 section 32:

[emphasis added] ...

The city council may by majority vote make appropriations for the purposes recommended and may reduce or reject any amount recommended in the annual budget. It shall not increase any amount in or the total of the annual budget nor add thereto any amount for a purpose not included therein except on recommendation of the mayor, and except as provided in section thirty-three; **provided, however, that in the case of the school budget or in the case of a regional school district assessment, the city council, on the recommendation of the school committee or on recommendation of a regional district school committee, may by a two-thirds vote increase the total amount appropriated for the support of the schools or for the regional district schools over that requested by the mayor; and provided, further, that no such increase shall be voted if it would render the total annual budget in excess of the property tax limitations set forth in section twenty-one C of chapter fifty-nine.** Except as otherwise permitted by law, all amounts appropriated by the city council, as provided in this section, shall be for the purposes specified. In setting up an appropriation order or orders based on the annual budget, the council shall use, so far as possible, the same classifications required for the annual budget. If the council fails to take action with respect to any amount recommended in the annual budget, either by approving, reducing or rejecting the same, within forty-five days after the receipt of the budget, such amount shall without any action by the council become a part of the appropriations for the year, and be available for the purposes specified.

Mike  
Michael J Gilbert, Field Director  
Mass. Association of School Committees  
One McKinley Square Boston, MA 02109  
[www.masc.org](http://www.masc.org) [mgilbert@masc.org](mailto:mgilbert@masc.org)  
(office)1-800-392-6023 (cell)1-508-277-6011

Motion made by Mrs. Hennessy, seconded by Mrs. Matthews to send a letter to the City Council asking for reconsideration of the entire 6.27% increase as requested by the Committee. Motion passed 6-0-1.

**8. Public Participation:** None

**9. Action Items/Reports: None**

**10. Reports of School Committee Sub-Committees:**

Mrs. Matthews announced that SEIU Local 888 Marlborough Paraprofessionals are looking to open negotiations.

**11. Members Forum:**

Mrs. Hennessy noted that she, Mrs. Bodin-Hettinger, and Mrs. Matthews attended the Day on the Hill April 29, 2015, It was an opportunity to speak with our legislatures. There was support for a multitude of things including, Early Education, Special Education and Charter School funding reform.

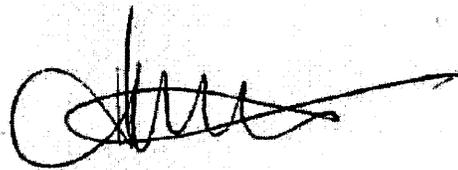
Mrs. Bodin-Hettinger noted that school improvement plans used to be approved by School Committees however that is no longer the case. Thank you to Assabet Valley Culinary Arts students and Instructor Lou Trudeau for the luncheon during the Day on the Hill. Chef Trudeau coordinates the service with the other vocational schools from across the State.

Mrs. Bodin-Hettinger and Mrs. Ryan questioned the enforcement/interpretation of the new districtwide Animal and Food Policies. In their opinion neither of those policies should have been applied to the elementary studies of butterflies and chicks. These long standing programs were not allowed to take place due to the interpretation of the new policies. That was never the intent of the Committee.

Superintendent Langlois questioned what role in the curriculum the butterflies and chicks played and why they were even there? It is his intention to ask for a ruling from the Board of Health.

**12. Adjournment:** Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to adjourn at 8:58pm the motion passed unanimously.

Respectfully submitted,

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

Heidi Matthews  
Marlborough School Committee

HM/mai

**MARLBOROUGH SCHOOL COMMITTEE  
MARLBOROUGH, MA 01752**

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

**Call to Order**

May 26, 2015 2:44  
2015 JUN 1 2015

1. Vice Chair Bodin-Hettinger called the Regular Meeting of the Marlborough School Committee to order at 7:35pm at the District Education Center, 17 Washington St., Marlborough, MA. Members present included, Mr. Geary Mrs. Hennessy, Mrs. Ryan, Mrs. Matthews & Mr. Walter.

Also present were Superintendent Langlois, Finance Officer Michael Bergeron, Clerk Melissa Irish, MEA Representative Jen Collins & Student Representative Ryan Wambolt.

Chairman Vigeant was absent.

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

2. **Pledge of Allegiance:** Was led by Vice Chair Bodin-Hettinger.

3. **Presentation:**

**A. Bridges to Malawi**

Ms. Jazmin Murillo, Ms. Ruth Schade, Ms. Samantha Vaccaro and Ms. Nicole Wynne presented the experiences of their trip to Malawi to the Committee.

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

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

5. **Communications:** None

6. **Superintendents Report:**

Mr. Langlois gave his report covering a range of topics including: FY'16 Budget Update, National Honor Society, Principal Searches (3), Superintendent Evaluation, 2015 Festival of Music, Animals in School Policy, Business Professionals of America & National Language Exam Award Recipients.

The FY'16 Budget Update included the following proposed modifications to meet the anticipated City Council approved FY'16 MPS Districtwide allotment of \$60,100,000.00 from the Citywide Operating Budget:

Staff Retirements (10), Prepay Special Education tuitions, transportation savings, Elimination of Freshman Sports Teams, Reduction of Districtwide ParaEducators, Reduce 2.0 Staff at High School, Reduce Library Assistants at Elementary Schools, Move Acct Payable Clerk to Part Time, Reduce STEM Supplies, Reduce Professional Development by 50%, Reduce Maintenance Utilities and Service by \$50,000.00. Increase in Title 1 Funds by +\$75,000.00.

A Special School Committee Meeting to address the Final Budget is scheduled for June 2, 2015 at 6:00pm in the Superintendents Conference Room.

• **Executive Director of Finance & Operations**

Mr. Langlois introduced Mr. Bergeron to give an update on the status of Finance and Operations. Topics included: FY'15 transfers, Aramark Food Service Contract Yearly Renewal, DESE Low Income Reporting Change, MASBO Conference.

7. **Acceptance of Minutes:** None

8. **Public Participation:** None

**9. Action Items/Reports:**

**A. FY'15 Operating Budget Transfers**

Motion made by Mrs. Matthews, seconded by Vice Chair Bodin-Hettinger to approve the requested transfers in the amount of \$272,443.91 as presented. Motion passed 6-0-0.

**B. Aramark Contract**

Motion made by Mrs. Hennessy, seconded by Vice Chair Bodin-Hettinger to allow Mr. Bergeron to move forward with the Food Service Contract Yearly Review. Motion passed 6-0-0.

**C. 6-12 Supervisor of Guidance Job Description**

Motion made by Mrs. Hennessy, seconded by Vice Chair Bodin-Hettinger to approve the job description. Motion passed 4-2 (Hennessy, Ryan)-0.

During the discussion there was disagreement involving the grade allotment of 6-12. The feeling of several members was the grade allotment should be at the least 5-12 or more over fully encompassing PreK-12, due to multiple references in the description.

**D. Acceptance of Donations and Gifts**

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

Motion made by Mrs. Hennessy, seconded by Vice Chair Bodin-Hettinger to accept the donation of \$500.00 from the Middlesex District Attorney's Office to the MHS Senior All Nighter Committee. Motion passed 6-0-0.

**10. Reports of School Committee Sub-Committees:**

Mrs. Matthews noted that there are upcoming negotiations with The Administrators Unit (B) on Friday May 29 and Monday and Tuesday, June 1 and 2 for MEA.

**11. Members Forum:**

Mrs. Hennessy wanted to acknowledge Mrs. Piccirelli and note that she is very sad to see her leave the district.

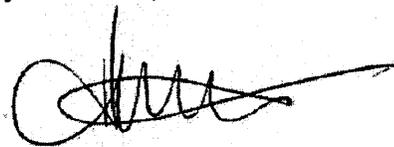
Mrs. Hennessy also noted that she was impressed with the first ever Junior National Honor Society Induction ceremony that was held.

Mrs. Matthews wanted to acknowledge and thank Ryan Wambolt for his involvement and dedication to the Committee.

Mr. Wambolt thanked the Committee for the opportunity and noted that he would be going to Liberty University and studying zoology.

**12. Adjournment:** Motion made by Mrs. Matthews, seconded by Vice Chair Bodin-Hettinger to adjourn at 10:18pm the motion passed unanimously.

Respectfully submitted,



Heidi Matthews  
Marlborough School Committee

HM/mai

**MARLBOROUGH SCHOOL COMMITTEE  
MARLBOROUGH, MA 01752**

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**Call to Order**

2015 JUN 9 12:40

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

Also present were Superintendent Langlois, Clerk Melissa Irish & MEA Representative Jessica Hey.

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

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

**3. Presentation:**

**A. Preschool Reading Award – 1,000 Books Before Kindergarten**

Ms. Alyssa Tully presented medals of achievement to the following 8 young students:

*Aidan Byrne, Alfred Hass, Alexander Kristie, Karina Alcoba, Ernesto Ballesteros, Mason Williamson, Aimee Wyskoczka and Victoria Mackenzie.*

Congratulations to all the students for such a grand achievement.

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

5. **Communications:** None

**6. Superintendents Report:**

Mr. Langlois gave his report covering a range of topics including: FY'16 Budget Approved, Principal Searches (3), Pathways to Prosperity, Superintendent Performance Evaluation, Special Thanks to: Dr. Wendy Jack, Dr. Marc Kerble, Ms. Gabby Abrams, Ms. Cheryl Piccirelli, and Maria Silletti, they will all be missed by the District.

• **Secondary Education**

Mr. Langlois introduced Ms. Maureen Greulich to give an update on the status of Secondary Education. Topics included: PTC Fellow, Screening of *Most Likely to Succeed*, National Grid Engineering Pipeline Program, TeachPoint User Conference, 2014-15 New Teacher Class, DESE Spring Convening, & 6-12 Summer Reading.

• **Primary & Elementary Education**

Mr. Langlois introduced Ms. Gabrielle Abrams to give an update on the status of Primary and Elementary Education. Topics included: Title I and IIA Update, Kindergarten Grant Funding Update, Welcome to Kindergarten Class of 2028, One City One Book, K-4 Spring into Summer Event, K-5 Summer Reading.

Ms. Abrams also thanked the Committee and the District as a whole for the amazing time she has had with the Marlborough Public Schools District.

**7. Acceptance of Minutes:**

**A. Minutes of May 12, 2015 School Committee Meeting**

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to accept the minutes of the May 12, 2015 School Committee Meeting as presented. Motion passed 6-0-1.

**B. Minutes of May 26, 2015 School Committee Meeting**

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to accept the minutes of the May 26, 2015 School Committee Meeting as presented. Motion passed 6-0-1.

**8. Public Participation: None**

**9. Action Items/Reports:**

**A. Aramark Food Services Contract**

Mr. Bergeron presented to the Committee the results of the renegotiated Aramark Food Service Contract. It is his recommendation that the contract be accepted as negotiated.

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to approve the contract as negotiated. Motion passed 6-0-1.

**B. Acceptance of Donations and Gifts**

Adopt A Classroom has donated to Jaworek School Tina Adamson's Kindergarten class the amount of \$500.00

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to accept with gratitude the donation of \$500.00 from Adopt A Classroom to Tina Adamson's Kindergarten Class. Motion passed 6-0-1.

2<sup>nd</sup> Grade Classroom Parents have donated to Jaworek School Donna Cunningham's 2<sup>nd</sup> Grade Classroom the amount of \$80.00.

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to accept with gratitude the donation of \$80.00 from the 2<sup>nd</sup> Grade Classroom Parents to Donna Cunningham's 2<sup>nd</sup> Grade Classroom. Motion passed 6-0-1.

Jaworek PTO has donated to the Jaworek School before and after school enrichment programs the amount of \$1,825.00.

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to accept with gratitude the donation of \$1,825.00 from the Jaworek School PTO to the Jaworek School before and after school enrichment programs. Motion passed 6-0-1.

Target Take Charge of Education has donated to the Jaworek School the amount of \$259.19.

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to accept the donation of \$259.19 from Target Take Charge of Education to the Jaworek School. Motion passed 6-0-1.

American Legion has donated to the Whitcomb 8<sup>th</sup> Grade Washington D.C. trip the amount of \$300.00.

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to accept with gratitude the amount of \$300.00 from American Legion to the Whitcomb 8<sup>th</sup> Grade Washington D.C. trip. Motion passed. 6-0-1.

**10. Reports of School Committee Sub-Committees: None**

**11. Members Forum:**

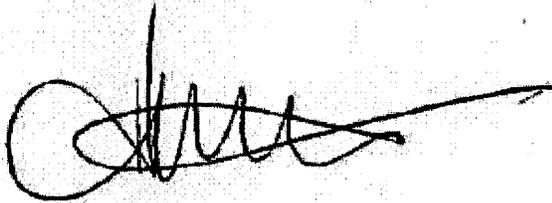
Mrs. Hennessy wanted to publically acknowledge Mrs. Murphy and all the chaperones from the 8<sup>th</sup> Grade Washington D.C. trip it was a great trip for all involved.

Congratulations to the Richer School 4<sup>th</sup> grade chorus for a great program, as well as the Arts show participants.

Congratulations to all the graduates of Marlborough High School Class of 2015 the graduation ceremony was wonderful.

**12. Adjournment:** Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to adjourn at 8:23pm the motion passed unanimously.

Respectfully submitted,

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

Heidi Matthews  
Marlborough School Committee

HM/mai

**MARLBOROUGH PLANNING BOARD  
MARLBOROUGH, MA 01752**

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**Call to Order**

May 27 2015 16 A 9 52

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

Shawn McCarthy was absent.

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

**1. Meeting Minutes:**

**A. Regular Meeting April 27, 2015**

On a motion made by Ms. Hughes, seconded by Mr. Coveney it was voted to table the minutes of the April 27, 2015 regular meeting. Motion carried.

**2. Chair's Business:**

**A. MEDC Signage Update – Timothy Cummings Presenting**

Mr. Cummings presented the preliminary findings of the signage studies he was conducting. He is currently looking for direction-guidance from the Board.

On a motion made by Ms. Hughes, seconded by Mr. Coveney it was voted to move up item 8A in the agenda to discuss the letter from Code Enforcement. Motion carried.

Ms. Hughes read the letter into the record.

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

On a motion made by Ms. Hughes, seconded by Mr. Coveney it was voted to accept the reports presented by MEDC place them on file and continue this item to the next regularly scheduled meeting (May 18, 2015) for further discussion regarding both 501(3)(c) groups and gateway signage. Motion carried

**B. Introduction of new Building Commissioner – Robert Camacho**

Commissioner Camacho introduced himself to the Board and expressed his willingness to work in cooperation with the Board on any items that may come up requiring his input.

The Board welcomed him and noted that they as a group were looking forward to working with him collaboratively.

**3. Approval Not Required: None**

**4. Public Hearings: None**

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

**A. Engineers Report:**

City Engineer Pilachowski reported out to the Board the there was nothing new that needed to be specifically discussed, the Engineering Department is working with the Appraiser for the LaCombe Street property and everything is moving along.

**B. Jelico Homes Stow Road Update from Legal Department**

Solicitor Rider was in attendance to discuss the update.

Ms. Hughes read the correspondence from the Legal Department into the record.

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

After discussion revolving around the points raised by the Legal Department it was denoted that the Proponent is looking for 2 waivers from the Planning Board then Variances from the Zoning Board of Appeals. The Public Hearing is scheduled for the next regularly scheduled meeting (May 18, 2015) at 7:15pm.

**C. Commonwealth Heights Subdivision Update/Request for Extension**

Ms. Hughes read the correspondence from City Engineer Pilachowski into the record.

On a motion made by Mr. Fay, seconded by Mr. DuPont it was voted to approve the extension request and allow for the 2 year extension with the new required completion date to be May 5, 2017 as well as require an update from the developer at the first meeting in October 2015. Motion carried.

**D. Waters Edge Worster Drive Complaint Update from Legal Department**

Mr. Farooq Ansari was in attendance. Chairperson Fenby outlined the complaint as received by the Board to Mr. Ansari.

Mr. Ansari agreed to deed over the Open Space Parcels to the City, there is a minimal amount of taxes due that need to be cleared. Mr. Ansari has agreed to take care of that obligation as early as tomorrow. Once the three open space parcels are in the control; of the City the enforcing agency becomes the Conservation Commission. Solicitor Rider has offered to be the point person with the complainant.

On a motion made by Mr. DuPont seconded by Mr. Coveney it was voted to ask the Legal Department to expedite through the City Council the care, custody, and control of the three open space parcels and act as the liaison of the Board with the Complainant. Motion carried.

**E. ANR Decision Simarano Drive (Lot 1D-1)(May 18, 2015)**

Ms. Hughes read the favorable recommendation from the Engineering Department into the record. It was noted that the appropriate approvals have been received from the following required individuals: The Fire Chief, The City Engineer, The Building Commissioner and the Mayor. It was noted that the only missing approval form is from the Police Chief.

Approval of this ANR will be subject to receipt of all five (5) required approvals.

On a motion made by Mr. Coveney seconded by Mr. DuPont it was voted to table this item until the next regularly scheduled meeting (May 18, 2015). Motion carried.

**F. ANR Decision 130 Dean Road**

Ms. Hughes read the favorable recommendation from the Engineering Department into the record.

On a motion made by Mr. Fay, seconded by Mr. DuPont it was voted to approve the recommendation of the City Engineer as well as endorse the plan. Motion carried.

**G. Walker Brook Estates Recalculation**

Ms. Hughes read the recommendation from the Engineering Department into the record. On a motion made by Mr. Fay seconded by Mr. DuPont it was voted to approve the recommendation of the Engineer and allow for the recalculation of the bond amount to three hundred twenty thousand dollars. (\$320,000.00) Motion carried.

**H. Boston Scientific Addition Hill Bond Reduction**

Ms. Hughes read the recommendation from the Engineering Department into the record. On a motion made by Mr. DuPont seconded by Mr. Coveney it was voted to approve the recommendation of the Engineering Department and reduce the bond amount to Zero. (\$0.00)

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

**7. Definitive Subdivision Submission: None**

**8. Signs:**

**A. Letter from Code Enforcement Office regarding request from Masonic Temple For Auto Show June 7, 2015.**

On a motion made by Mr. Fay, seconded by Ms. Hughes it was voted to approve the request from the Masonic Temple for placement of signs at the requested locations for the duration of May 31, 2015 through June 7, 2015. With the complete removal of all signage after the event on June 7, 2015, Condition of the approval is all signs MUST have a notation on them that states "Non Profit". Motion carried.

**9. Unfinished Business:**

**A. Blackhorse Farms Update**

City Engineer Pilachowski noted there is no noteworthy update. It was noted to keep this on the next regularly scheduled meeting agenda for updates.

**B. Mauro Farms Update**

City Engineer Pilachowski noted that currently the only outstanding issue is the final street light installation.

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

**C. Zoning Amendment Affordable Housing (June 13)**

Discussion continued among the Board members about whether payment in lieu of affordable housing requirements is appropriate, whether the modest sum suggested by the proponent, a small fraction of the cost of an affordable unit, is an appropriate figure, whether unfettered City Council discretion is in keeping with affordable housing goals given changes to the Council that happen over time, and whether payments in lieu should be allocated to economic development instead of affordable housing objectives. Board members questioned whether their views on the issues would have any impact on the City Council's ultimate decision.

This item will be followed up at the next regularly scheduled meeting (May 18, 2015).

**10. Informal Discussions:** None

**11. Correspondence:**

**A. Directions, Spring 2015 Issue**

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. City of Marlborough City Council Public Hearing May 18, 2015**

**B. Town of Sudbury, Notice of Decision(s) (3)**

**C. Town of Sudbury, Zoning Board of Appeals Public Hearing(s) (4) May 18, 2015**

**D. Town of Framingham, Public Hearing May 18, 2015**

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

**Adjournment:** On a motion made by Mr. Coveney, seconded by Mr. DuPont it was voted to adjourn at 8:22pm. Motion carried.

Respectfully submitted,

Colleen Hughes  
Clerk

/mai

**MARLBOROUGH PLANNING BOARD  
MARLBOROUGH, MA 01752**

RECEIVED  
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CITY OF MARLBOROUGH

**Call to Order**

June 16, 2015 6 A 9 52

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

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

**1. Meeting Minutes: None**

**2. Chair's Business:**

**A. Withdrawal of Petition for Amendment to Zoning Ordinance. (Attorney Gadbois)**

Ms. Hughes read the correspondence into the record.

On a motion made by Mr. Fay, seconded by Ms. Hughes the request to withdraw without prejudice was accepted and placed on file. Motion carried.

**B. Zoning Amendment Affordable Housing decision presented to City Council.**

Ms. Hughes read the decision as it was presented to the City Council into the record.

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

**3. Approval Not Required: None**

**4. Public Hearings: 7:15pm**

**A. Proposed changes to Subdivision Rules and Regulations**

The Public Hearing was opened at 7:32pm Ms. Hughes read the notice into the record. The hearing was taken in the traditional 4 stages:

Presentation

Those speaking in favor

Those speaking in opposition

Questions from Board Members

Presentation: No one formally presented

Those speaking in favor: None

Those speaking in opposition: None

Questions from the Board Members:

Mr. Hodge brought to the Members attention a Scribner's error on page 13 in the changes regarding Grass Plots, Section A676-27.A. The advertisement for the change is correct the Scribner's error is in the body of the wording on page 13. The change needs to be made from...may not be permitted to ...may be permitted.

The public hearing was closed at 7:39pm.

On a motion made by Mr. Fay, seconded by Mr. DuPont it was voted to adopt all changes as they appeared in the advertisement with the Scribner's error noted to be changed within the body of the Subdivision Rules and Regulations. Motion carried.

Next step is to have the changes recorded at the Cambridge Registry of Deeds as well as the modified rules placed on the City website for Public Consumption.

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

### **A. Engineers Report:**

Ms. Hughes read the letter from City Engineer Pilachowski to FRE Building Co., Inc regarding the Blackhorse Farm Subdivision Expiration of Approval.

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

City Engineer Pilachowski noted that there has been no contact from the developer since this correspondence has been sent. This is the third letter sent from the Engineering Department since April 27, 2015.

On a motion made by Mr. Fay, seconded by Mr. DuPont it was voted to send correspondence to the developer "Certified & Return Receipt Requested". The intent of the letter is to inform the developer that due to their inaction and lack of response to the City Engineering department's communication the subdivision is in danger of lapsing in its approval and in turn the Planning Board will rescind the approval of said subdivision. This action will include the remaining funds in the security instrument (bond) supplied by the developer on June 20, 2015 unless the developer submits to the Planning Board through its Secretary Melissa Irish the following documentation PRIOR to the close of Business on June 19, 2015;

1. A formal written request for extension.
2. Verification from the Code Enforcement Officer that the site is free from blight.
3. Verification from the Tax Collectors Office that all taxes are paid up to date.
4. A formal construction completion schedule.

Motion carried.

City Engineer Pilachowski reported out to the Board the Howe's Landing Subdivision have cleared the trees from the lot. The Walker Brook Estates Subdivision seems to be gearing up for the construction season, a request for lot releases will be coming forward soon. LaCombe Street is continuing with the appraisal process and the Building Commissioner Robert Camacho has been brought into the conversation. The Subdivision calendar online has been modified to try to show as more streamlined and not so cluttered in appearance.

### **B. Jelico Homes 626 Stow Rd (August 19, 2015)**

Mr. Fay referred to Solicitor Rider's May 1, 2015, correspondence to the Board and questioned whether the developer had met the burden establishing the basis for the Board to approve the requested waivers at the public

hearing: that the requested waivers were in the public interest, and not inconsistent with Subdivision Control Law. Mr. Fay's opinion was that the developer had not met this burden.

Mr. Fay also provided the Board members with a photo that he took of the proposed development site depicting the proximity of the house immediately behind the existing structure on the site. Mr. Fay's impression from the developer's presentation that the requested waivers would have minimal impact on abutters. Mr. Fay stated that in his opinion, this was not the case based on his visit to the property.

Mr. Fay raised the question of whether controlling density was part of the "not inconsistent with Subdivision Control Law" test for waivers. Solicitor Rider noted that this issue was more appropriately within the scope of the Zoning Board of Appeals. Solicitor Rider also noted that the developer could not apply to the Zoning Board of Appeals for relief if the Planning Board did not approve the waivers.

The Board also discussed an obvious tree scar resulting from a traffic incident on or adjacent to the property, as well as their observations that creating two lots on the site would be atypical for the neighborhood.

Mr. DuPont asked for clarification regarding the next steps to be taken.

Chairperson Fenby requested that the Board members take the time to go out and view the site so they could be in a better position to form their own opinions regarding the waive requests. The Engineering Department is currently reviewing the plans and their findings will be reported soon.

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

**7. Definitive Subdivision Submission: None**

**8. Signs: None**

**9. Unfinished Business:**

**A. Blackhorse Farms Update**

This information was covered in the Engineers Report item 5A.

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

**B. Mauro Farms Update**

City Engineer Pilachowski noted that currently the only outstanding issue is the final street light installation. No progress has been made.

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

**C. Jelico Homes 626 Stow Rd (August 19, 2015)**

This item was covered under item 5B.

**D. 116 Worster Dr. additional email received May 11**

Ms. Hughes read the newest correspondence into the record.

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

Solicitor Rider noted that he has not made contact with the homeowner yet however he is aware that Mr. Ansari has paid all outstanding taxes and Mr. Ansari has requested that Solicitor Rider Contact his representing attorney Mr. Christopher Flood.

**E. MEDC Signage Suggestions/Discussion**

It was noted to keep this item on the next regularly scheduled meeting agenda for continued discussion as well as reach out the MEDC for an update specifically regarding the Anti-Aid Amendment.

**10. Informal Discussions:** None

**11. Correspondence:** None

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

**A. Town of Framingham, Planning Board Notice of Decision**

**B. Town of Hudson, Zoning Board of Appeals Notice of Decision**

**C. Town of Hudson, Zoning Board of Appeals Public Hearing(s) (3) June 11, 2015**

**D. Town of Sudbury, Board of Appeals Notice of Decision (5)**

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

**Adjournment:** On a motion made by Mr. McCarthy, seconded by Mr. DuPont it was voted to adjourn at 8:10pm. Motion carried.

Respectfully submitted,

Colleen Hughes  
Clerk

/mai

Zoning Board of Appeals  
Marlborough, MA  
Minutes  
June 2, 2015

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CITY OF MARLBOROUGH

2015 JUN 16 P 3:31

**Approval of Minutes:** The Board approved the April 16, 2015 minutes as written.

**Public Hearing:**

- 12 Gates Ave. – Glaucia V. Reis (Continuation)

**Petition:** To install a driveway which will exceed the maximum 30% (724 sq. ft.) Lot Coverage (Chapter 650 §41 – Table of Lot Area, yards and Height Structures) for Zoning District Residence B. Proposed Lot Coverage is 842 sq. ft. with a deviation of 118 sq. ft. Also the proposal violates the 30% driveway grade (Chapter 650 §49B(3)). Being Map 57, Parcel 151.

**Members Present:** Paul Giunta-Chairman, Theodore Scott, Thomas Golden and Robert Levine.

**Absent:** Ralph Loftin

**History:** This is a continuation meeting from December 2, 2014 and January 6, 2015.

Present this evening was the applicant Glaucia V. Reis. Also present was Alda Morans, a friend.

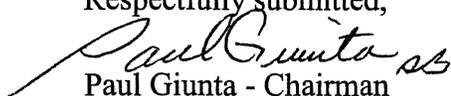
Ms. Reis requested to “Withdraw Without Prejudice” her petition before the Board. She stated that she had difficulty trying to find an engineer to draw up the plans that was requested of the Board from the January 6<sup>th</sup> meeting. She also stated she has contracted Bruce Saluk to do the engineering plans, but he needed more time to finish the plans, so no plans were presented this evening.

After some discussion about why the Board wanted to see a survey plan of her lot, Paul Giunta made a motion to allow the applicant to “Withdraw Without Prejudice”. Motion seconded by Ted Scott. The Board voted 4-0 to allow the applicant to Withdraw Without Prejudice”

A motion was made by Paul Giunta to close the public hearing, seconded by Robert Levine. A vote of 4-0 to close the public hearing.

A motion was made by Paul Giunta to adjourn the meeting, seconded by Thomas Golden. A vote of 4-0 to adjourned the meeting.

Respectfully submitted,

  
Paul Giunta - Chairman

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2015 JUN 23 P 2: 21



**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, May 26, 2015 at 10:00 a.m. in the City Council Committee Room, City Hall. Members present: Chairman - Police Chief Mark Leonard, DPW Commissioner John Ghiloni, Fire Chief Geoff Herald and City Clerk Lisa Thomas. Also present: Assistant City Engineer Tim Collins and local resident James Joubert. Minutes taken by: Karen Lambert, MPD Records Clerk.

**1- Minutes**

The minutes of the Traffic Commission meeting of Wednesday, April 29, 2015.

MOTION was made, seconded, duly VOTED:  
TO APPROVE.

The minutes of the Traffic Commission meeting of Tuesday, March 31, 2015.

MOTION was made, seconded, duly VOTED:  
TO APPROVE. (Lisa Thomas abstained as she was not present at this meeting)

**2 – New Business**

**2a) Communication from Farm Road residents, re: Farm Rd. construction project.**

Residents sent a letter to Councilor Page, outlining numerous concerns on this project. Their three main concerns are 1) the addition of a stop light at the intersection of Broad Meadow Rd. and Farm Rd. 2) The likelihood of significant increases in overall speed and 3) flooding problems at the intersection of Farm Road and County Lane.

Chief Leonard advised that Evan Pilachowski (Engineering) has already addressed most of the concerns brought up by the residents. He noted that he was copied on an e-mail with the responses.

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

**2b) Communication from Maureen Matott, re: Request for yield sign for traffic on East Main St. @ Stevens St.**

In her correspondence, Ms., Matott outlined a “very dangerous issue that has been happening for years”. Cars traveling straight through this intersection onto Stevens Street have the right of way, however, cars coming in the opposite direction and taking a left onto Route 20 often do not yield to vehicles going straight. She notes, “I can’t tell you how many times other times I have almost been hit by a car/truck/bus...you name it...turning left onto Rt. 20 East as I am going straight onto Stevens, or how many times I have seen others almost get hit too”. Ms. Matott is at least looking for a sign indicating who has the right of way.

Chief Leonard agrees that this can be a “tricky” intersection. Traffic on East main has the right of way. The rule is that turning traffic is to yield to straight traffic. He is not sure as to the exact MUTCD wording. Tim Collins confirmed that there is no exclusive left turn here and that there are two lanes on Lincoln Street coming east. He noted that the stop sign is far from the intersection. The first car make a quick turn and scoot across and then the second car tries to do the same as the straight traffic is moving forward. According to Tim Collins, “those tuning left must yield on the green ball”. A sign here does make sense.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to determine the proper yield sign for this location.

**2c) Communication from Ruben Rassi, re: Lakeside Ave. at Lincoln St. /Bond St. intersection concerns.**

Mr. Rassi noted his concerns with this intersection on SeeClickFix. His main concern is with cars speeding the wrong way up onto Lincoln Street from Route 20. There are currently Do Not Enter signs but also a double yellow lane that extends to Route 20. He also goes on to provide a few suggestions on how to correct this problem.

Tim Collins passed out a photo of the intersection with a graphic of “proposed line painting will deter Lakeside Avenue traffic from using Lincoln Street.” (Prepared by Evan Pilachowski). Tim Collins explained that the hash marks would be another visual that this area is one-way and help to deter Lakeside Ave. traffic from entering Lincoln Street. The lines would be white as white typically indicates one-way. Yellow is used for two way traffic.

It was noted that a left turn at the end of Lincoln Street onto Lakeside Ave. is allowed except between the hours of 4 to 6. Cars will have to cross this hashed area to make the turn. The hash marks are intended as a visual for those on Lakeside Ave.

Chief Leonard advised that we should try this and see how it goes. He also asked if the Do Not Enter signs could be moved closer to Lakeside Ave. and that the old double yellow lines be removed. He also advised that he would speak to the resident and see if

there was any specific time of day that was more of a problem and he could then work on enforcement.

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

**2d) Communication from Joe Duca, re; Beach St. speeding concerns.**

Mr. Duca is requesting that speed bumps be placed at the intersection of Beach Street and Clover Hill. If this is not possible, he would at least like to see police patrols there between the hours of 6:00am to 9:00am and then again from 4:00pm to 6:00pm.

Chief Leonard explained that historically has not been in favor speed bumps and has found that they actually create more problems. He noted that the road was made narrower to help with the speed issue. He has also tried to get directed patrols out there, however, it's difficult to do in that area because its hard to pull cars over without blocking the roadway. The best that can be done at this point is to work on enforcement.

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

**2e) Request for deer crossing sign near 421 Bolton St.**

This request came through Priscilla Ryder's office. It appears that there have been a number of deer sightings here and they almost caused an accident recently. The resident was hoping signage may alert motorists.

Chief Leonard advised that we have dealt with this issue before. Similar signs were recently installed on Elm Street near the conservation area. It is a tough issue because there are deer all over the city. The property near the land fill is being disturbed by developed which is probably causing the current problem. It may not continue to be a problem.

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

**2f) Request for HP spot in front of 2 Hill Rd. and sign restricting parking within 20' of Hill Rd. and Lakeshore Dr.**

Chief Leonard received a phone call on this issue. The woman stated that her parents live at this address and are 90 years old. Summer people are parking here for Fort Meadow. She need access in front of their house to be able to get them in and out. The Commission went on to discuss that this is a very dangerous place to put a HP spot as it is on a hill. The steep slope would be difficult for a wheel chair. It would not meet the requirements for an HP spot.

Chief Leonard advised that he would discuss the issue further with the caller. Fort Meadow is a neighborhood beach. Is she looking for a parking restriction in front of the house?

MOTION was made, seconded, duly VOTED to REFER to Chief Leonard to get more information.

**3-Old Business**

**3c) Stop signs on Bigelow Street.**

Mr. Joubert was in attendance for an update on this issue. Chief Leonard advised that we are looking for a hardwire location for the second sign. He reviewed how the Traffic Commission was trying to come up with a compromise

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

**3f) Request to consider making Francis St. one way.**

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

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

**3f) Towing vehicles from municipal lots for snow removal.**

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

**3g) Minutes of March meeting.**

MOTION was made, seconded, duly VOTED:

**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.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 10:52 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, May 26, 2015. (Including City of Marlborough Meeting Posting).

-Letter from Deborah Jakubowski Russ, Christopher Russ, Cathy Horman, Christopher Horman and Elizabeth Montgomery to Councilor Page, dated 4/10/15, re: Concern over Farm Road Construction Project.

-E-mail from Maureen Matott to Chief Leonard, dated 4/23/15, re: Traffic sign needed.

E-mail from Evan Pilachowski to Chief Leonard, dated 5/4/15, re: Intersection of Lincoln St. and Lakeside Ave.

-Letter from Joseph Duca to Chief Leonard, dated 5/13/15, re: speed concerns on Beach Street.

-E-mail from Priscilla Ryder to Chief Leonard, dated 5/12/15, re: Deer Crossing signs on Bolton Street.

-Draft of Traffic Commission Minutes from 3/31/15.

**Additional Handouts**

-Proposed regulation to add a new crosswalk on Williams Street at Robin Drive.

-Photo of intersection of Lincoln St. at Lakeside Ave indicating proposed line painting.

-Traffic Volume Counts for Francis Street along with corresponding diagram.

-Diagram of Hill Road and Lakeshore Drive.

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2015 JUN 24 P 1:57

## City of Marlborough Meeting Minutes

**Meeting:** Marlborough Cultural Council

**Date:** Tuesday, October 29, 2013

**Time:** 7:00 PM

**Location:** Mayors Conference Room, 4<sup>th</sup> Floor , City Hall,  
140 Main St., Marlborough, MA.

**Attendance:** Cheryl Desautels as advisor, Members: J. David  
Elmore, Mark Bartlett, Sandra Pirie-St. Amour,  
Kim Beauchemin, Mary Scott, Melissa Vera

The Meeting was called to order at 7:00 PM by Chair, J. David Elmore.

The Meeting was adjourned at 9:00 PM

Respectfully Submitted,

J. David Elmore, Chair

Sandra Pirie-St, Amour, Secretary

# Meeting Minutes

Minutes from the Marlboro Cultural Council Meeting  
Tuesday, October 29th, 2013

## AGENDA

### 1 Review of Dec 2012 meeting notes

Meeting minutes from 2012 were missing. This is totally new membership for the cultural council. We proceeded with Cheryl Desautels last year's Chair acting as an advisor.

### 2 Review of 2012 - 2013 correspondence

Correspondence was passed out and reviewed

### 3 Nominations and Voting of 2013 - 2014 Officers

Approved as follows:

Chairperson - David Elmore

Treasurer - Mark Barlett

Secretary - Sandra Pirie-St.Amour

Publicity - Kim Beauchemin

Membership - Mary Scott

Webmaster - Melissa Vera

### 4 Update of Marlborough Application Guidelines

Current guidelines were passed out for our use in our review of Grant Applications.

### 5 Review of Finances

Mark reviewed the balance sheet with a thorough accounting for all funds.

To date nothing left encumbered. All past grants have been dispersed.

Account balance is \$172.07 prior to MCC allocation of \$8590 to be granted

### 6 & 7 Review of FY2014 Grant Applications and Voting on Appropriate Allocation of Grant Money

After careful discussion of all applications it was decided that the council would fund 18 of the 26 applications received.

Criteria for denials was documented and agreed upon based on the current Marlboro Cultural Council Guidelines.

Discussion and voting followed on how to disperse the funds. See attachment for approval/denials/amounts allocated

### 8 Open Discussion

The council members agreed to set up a meeting for early 2014 to discuss the following

- potential fundraising event(s)

- proposing changes to criteria for approval/denial

- nominations for new council members

- We will invite member(s) from the Mass Cultural Council office to come to our next meeting for guidance on a few issues with regard to proposed changes to criteria ( i.e. individuals applying for grants for performances that are taking place at institutions that are also applying for grants for similar performances)

As of Friday, November 1st the Denial letters have been mailed out.

Have a great end of 2013. See you all in early 2014!

Sandra

2014

PRIOR  
TO  
6/30/14 ✓

App. #	Name	Date Rec'd	Comments	Amount Requested	Amount Granted	Date Ret'd	Date Submit For Payment
1	Blue Hill Adventures & Quarry Museum	9/6	DENIED B C & I	\$ 300.00	0		
2	Fruitlands Museum Centennial Anniversary Program	08/27	DENIED C	\$ 300.00	0		
3	Roberta Collins Teacher Clothing Marlboro H S	10/04	DENIED d & i	\$ 600.00	0		
4	Tommy Rull Musical Journey	10/2	AWARD	\$ 75.00	\$ 75.00		11/19/14
5	Tom Liszewski Walden Forum	9/30	DENIED	\$ 500.00	0		
6	Richer Elementary School	10/10	AWARD	\$2500.00	\$ 1200.00		8/11/14
7	Together We Can Family Network	10/8	AWARD	\$ 580.00	\$ 200.00	✓	6/23/14
8	Hudson Arts Alliance Synergia	10/10	AWARD	\$ 500.00	\$ 300.00		9/10/14
9	Hudson Arts Alliance Engagement With The Arts	10/10	AWARD	\$3000.00	\$ 1200.00		8/6/14
10	Francis J Kane Elementary School PTO Arts Programs	10/10	AWARD	\$2500.00	\$ 1200.00		1/9/15
11	Worcester County Horticultural Society	10/15	DENIED C & d	\$ 300.00	0		
12	Symphony Pro Musica Family Concert	10/15	AWARD	\$ 250.00	\$ 150.00		10/20/14
13	Audio Journal Inc. Worcester, MA	10/15	DENIED C	\$ 300.00	0		
14	Charles River Sinfonetta Millis, Ma Concert Marlboro Public Library	10/15	DENIED i	\$ 300.00	0		
15	Chamber Music Metrowest Marlborough Concert Marlborough Senior	10/15	AWARD	\$ 300.00	\$ 250	✓	3/13/14

FY 2014

Prior  
to 6/30/14 ✓

	Center						SUBMIT FOR PAYMENT
16	Sgt. Charles Jaworek School	10/15	AWARD	\$2500.00	\$1200 <sup>00</sup>	✓	3/13/14
17	Assabet valley Mastersingers	10/15	AWARD	\$1000.00	\$500 <sup>00</sup>	✓	6/3/14
18	Northboro Area Community Chorus	10/15	AWARD	\$350.00	\$200 <sup>00</sup>	✓	5/22/14
19	Marlborough High School Tri M Music Honor	10/15	AWARD	\$460.00	\$350 <sup>00</sup>	✓	6/2/14
20	Ghost Light Players of Metrowest	10/15	AWARD	\$1800.00	\$900 <sup>00</sup>		11/19/14
21	Marlborough Historical Society	10/15	AWARD	\$160.00	\$160		
22	The Marble Collection Lakeville Ma	10/15	DENIED d	\$200.00	0		
23	The Mood Elevator Festival of Trees	10/15	AWARD	\$300.00	\$100 <sup>00</sup>		
24	Friends Marlborough Library Celebrity Series	10/12	AWARD	\$400.00	\$200 <sup>00</sup>		9/10/14
25	Friends Marlborough Library Special Programs	10/12	AWARD	\$300.00	\$200 <sup>00</sup>		9/10/14
26	Friends Marlborough Library Yacyshyn Concert	10/12	AWARD	\$500.00	\$200 <sup>00</sup>		9/10/14
	Total			\$20325.00	\$8585 <sup>00</sup>		
			TOTAL AWARD				

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2015 JUN 24 P 1:57

## City of Marlborough Meeting Minutes

**Meeting:** Marlborough Cultural Council

**Date:** Monday, November 3, 2014

**Time:** 7:00 PM

**Location:** Mayors Conference Room, 4<sup>th</sup> Floor, City Hall, 140 Main  
St., Marlborough MA.

**Attendance:** J. David Elmore, Mark Bartlett, Sandra Pirie-St. Amour,  
Kim Beauchemin, Melissa Vera, Renee Perdicaro

The Meeting was called to order at 7:00PM by Chair, J. David Elmore.

The Meeting was Adjourned at 9:00 PM.

Respectfully Submitted,

J. David Elmore, Chair

Sandra Pirie-St. Amour, Secretary

# Meeting Minutes

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1. Reviewed of minutes from 2013 Voting Meeting
2. Disussed *Community Input Survey* results
3. Member introductions as we welcomed newest member Renee Perdicaro.  
All member term expiration dates were reviewed. New member recruitment should continue to be a priority.
4. After nominations and voting the officers remain the same for 2015.  
David Elmore, Chair  
Mark Barlett, Treasurer  
Sandra Pirie-St.Amour, Secretary

5. Review of Finances and spreadsheet presented by Mark.

6. Review of Grant applications and grant approval guidelines

7. Voting and dividing up monies for grants as follows: 10 proposals were denied and 16 approved.

Denied (criteria for denial)

- Blue Hill Adventures & Quarry Museum (c, i, b)
- The Discovery Museum (d)
- John Root (i,d)
- Northboro Community Chorus (c,d)
- Henry the Juggler (b)
- Audio Journal Inc. (c,d)
- Fruitlands Museum (c)
- New Repertory Theater Inc. (j)
- Leslie Havens (d, j)
- Bolton Access TV (c)

Approved

- Davis Bates
- Music Dance.edu
- Sgt. Chalres J. Jarworek Elementary School
- Richer Elementary School
- Assabet Valley Mastersingers
- Francis J. Kane Elementary School
- Marlboro Heritage Festival
- Whitcomb School (low percentage awarded due to lack of clear plan)
- Chamber Music Metrowest
- Ghost Light Players of Metrowest
- MHS Tri-M Music Honor Society (lower percentage awarded due to ticket sales = majority of cost)
- Friends of the Marlboro Public Library Yacyshyn Concert Series
- Friends of the Marlboro Public Library Anniversary Special Programs Series
- Friends of the Marlboro Public Library 2015 McConnell Author/Celebrity Series
- Symphony Pro Musica
- Hudson Arts Alliance

See Spreadsheet attached for distribution of awards.

Marlborough Cultural Council FY2015 awards granted - November 3, 2014

application#	applicant	amount granted	amount requested
2	Davis Bates ✓	275	350 ✓
4	MusicDance.edu ✓	275	400 ✓
6	Jaworek school ✓	1,100	2,500 ✓
8	Richer school ✓	1,100	2,500 ✓
11	Assabet Valley Mastersingers ✓	750	1,000 ✓
12	Kane school ✓	1,100	2,500 ✓
13	Heritage Festival ✓	250	5,500 ✓
14	Whitcomb School ✓	300	3,000 ✓
15	Chamber Music Metrowest ✓	275	425 ✓
16	Ghost Lisght Players ✓	1,200	1,500 ✓
19	MHS Tri-M ✓	300	1,000 ✓
20	Library - Yacyshyn	250	550 ✓
21	library - Special program	250	550 ✓
22	library - author series	200	500 ✓
23	Symphony Pro Musica	150	300 ✓
* 25	Hudson Arts Alliance	1,445 <i>1200</i>	2,500 ✓
	total	9,220	25,075

\* NEW REPERTORY  
 DEC 8 VOTING MEETING

\$295<sup>00</sup>  
\$9220<sup>00</sup>

\* Revised 12/8/14  
*Paul Elmer*

CITY OF MARLBOROUGH  
CONSERVATION COMMISSION

Minutes

May 21, 2015 (Thursday)

Marlborough City Hall – 3<sup>rd</sup> Floor, Memorial Hall

7:00 PM

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2015 JUN 29 P 3:45

**Members Present:** Edward Clancy – Chairman, John Skarin, Karin Paquin, Lawrence Roy and Allan White

**Absent:** David Williams and Dennis Demers (Priscilla Ryder Conservation Officers)

**Approval of Minutes:** The minutes of April 16<sup>th</sup> and May 7<sup>th</sup>, 2015 were approved 4-0 as written.

**Public Hearings:**

Notice of Intent (Continuation)

135 Neil St. – City of Marlborough Engineering Dept.

Evan Pilachowski city engineer was present. The changes to the plans proposed at the last meeting were provided. The Commission reviewed the revised plans. After much discussion, the Commission reviewed the draft Order of Conditions and voted 5-0 to issue the Order of Conditions as drafted and amended.

**Certificate of Compliance:**

- DEP 212-239 20 Donahue Dr. – The Commission voted 5-0 to issue a full Certificate of Compliance.

**Extension Permit:**

- DEP 212-1097 88 D'Angelo Dr. – Mass Water Resource Authority – The Commission voted 5-0 to issue a 3 yrs. extension permit.

**Discussion:**

- Environmental Impact Report – Beacon North – tabled to the June 18<sup>th</sup> meeting.
- Letter from Atty. Brewin, dated May 11, 2015 RE: Notice of Intent to sell pursuant to M.G.L. c.61 §8 for use other than forest land – **421 Bolton Street**, Marlborough, MA Assessor's Map: 30-13 and 30-14. Per the request of the legal office no action was taken on this item.
- Felton Conservation Lane – The Commission discussed the need to manage the fields for field nesting birds. After further discussion the Commission reviewed the license agreement and voted 5-0 to renew the mowing license to Mr. Wright.

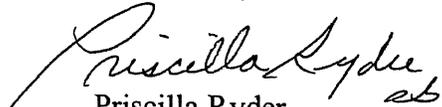
**Correspondence/Other Business**

- Letter from DCR, dated May 7, 2015 RE: Annual O & M inspection of the Tyler flood control facility - Placed on file.
- Letter from Mass. Association of Conservation Commissions, dated May 8, 2015 RE: Free training workshops on Soil Erosion and Sediment Control for conservation commission and staff - Placed on file
- Hazardous Waste Day – May 30, 2015

**Meetings** – Next Conservation Commission meetings June 4<sup>th</sup> and June 18<sup>th</sup>, 2015.

**Adjournment**

Respectfully submitted,

A handwritten signature in cursive script that reads "Priscilla Ryder" with a small flourish at the end.

Priscilla Ryder  
Conservation Officer

**CITY OF MARLBOROUGH MEETING MINUTES**

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2015 JUL -9 A 10:56

**Meeting:** Council on Aging Board Meeting

**Date:** Tuesday, June 9, 2015

**Time:** 8:30 A.M.

**Location:** Senior Center, 40 New Street, Marlborough MA

**ATTENDANCE:** Leslie Biggar; Sheila Brecken; Ana Cristina Oliveira; Richard Collins; Jim Confrey; Brenda Costa; R. Cygan; Marie Elwood; Pat Gallier; Jeanne McGeough; Barbara McGuire (Friends of the Marlboro Senior's Board)

**Excused:** Rita Connors

- I. The June board meeting was called to order at 8:30 am by Chair, Jim Confrey.
- II. Correction was made to May minutes, Rita Connors was not in attendance and was excused; Barbara McGuire was also not in attendance. The May board meeting minutes were then approved.
- III. Directors update: Ana Cristina

Ana has been notified that the anticipated start date for Marlborough's new Council on Aging director is July 6th. Susan Maki has resigned her position as Social Service Coordinator and will be leaving June 29th.

The Marlborough Public Library book program at the senior center is not working well and will be discontinued. The senior center library will be going back to prior system of accepting books from the public.

The new COA bus, originally scheduled to be delivered for use in June, has been postponed and expected to be at center in July. Currently, one volunteer driver is available to drive the bus 2 days a week. A grant application will be submitted for coverage on the other 3 days.

The senior center gift shop is making great progress.

The MySenior Center card assignment is almost done and the program is expected to be up and running on July 1st as planned.

The issue with senior center participants entering the kitchen has been resolved, with the kitchen door now being locked.

The MWRTA has a new vendor, but changes are not anticipated for Marlborough seniors at this time.

#### **IV. Board Updates**

##### **A. BayPath Elder Services: Brenda Costa**

Brenda reported on BayPath's May Board meeting. The BayPath 'Board Highlight's' are attached for review.

#### **V. Old business**

##### **A. MySenior Center - (see above Director's Update)**

**B. Transportation Report by Jeanne McGeough -** Jeanne reported that ridership has been down a little and may be down again this month due to an error in the printed schedule. There seems to be some confusion on medical appointment rides for residents of New Horizons. Jeanne plans on addressing this awareness issue at the facility.

**C. BayPath's Supportive Housing program (follow up to last month's board discussion) -** Brenda Costa reported that the training issue has been brought to the attention of Christine Alessandro, the Executive Director at BayPath Elder Services. Barbara McGuire noted that extra training is currently under way at the locations where the program is being offered.

#### **VI. New Business**

**A. The newly named Council on Aging director, Patricia Pope, will go before the City Council for approval before officially taking the position in July. Most of the items needing to be addressed, on the new senior center to do list will need to be held until that time. The board is looking forward to welcoming Patricia to her new position and offering their support and assistance to her as director of the Marlborough Council on Aging.**

The next Marlborough COA Board meeting is scheduled for **Tuesday, July 14th at 8:30 a.m.** in the Conference Room at the Senior Center, 40 New Street, Marlborough.

The board meeting adjourned at 9:25 am.

Respectfully submitted,

Brenda Costa, Secretary