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CITY OF MARLBOROUGH

2015 FEB 19 P 1:02

**NOTE:** If the regular meeting of the City Council, scheduled for February 23, 2015 at 8:00 PM in the Council Chambers, 2<sup>nd</sup> Floor, City Hall, 140 Main Street, is cancelled due to inclement weather, the City Council will instead meet on Thursday, February 26, 2015 at 8:00 PM in Council Chambers, 2<sup>nd</sup> Floor, City Hall, 140 Main Street, to discuss the same agenda items posted below for the February 23, 2015 meeting.

1. Minutes of the City Council Meeting, FEBRUARY 9, 2015.
2. RESCHEDULED PUBLIC HEARING On the Application for Special Permit to modify existing Special Permit issued to Digital Federal Credit Union, 853-865 and 905 Donald Lynch Blvd. on June 16, 2003, to remove Condition #7 prohibiting LCD signs on the property, Order No. 14-1006011B, X03-10047B.
3. RESCHEDULED PUBLIC HEARING On the Application for Sign Ordinance Special Permit, Digital Federal Credit Union, 865 Donald Lynch Blvd., to operate an electronic message center sign at its bank branch located at 865 Donald Lynch Blvd., Order No. 14-1006053A, X14-1006011B, X03-10047B.
4. RESCHEDULED PUBLIC HEARING On the Application for Special Permit from Attorney Bergeron on behalf of NPG Management LLC, to install two drive-through service windows which will be part of the new Dunkin Donuts building located at 525 Maple St., Order No. 15-1006070A.
5. Communication from the Mayor re: Deficit Spending for Snow & Ice Account, X14-1005845A.
6. Communication from the Mayor re: Mid-Year transfer requests from various Departments as noted in the attached documents.
7. Communication from the Mayor re: Fire Department transfer request in the amount of \$106,270.33 which moves funds from Firefighter to Overtime to fund overtime costs in the Fire Department.
8. Communication from the Mayor re: Employee Retirements transfer request in the amount of \$58,170.18 which moves funds from and to various accounts as noted in the attached spreadsheets to fund sick leave buyback and unused vacation payouts for retiring employees.
9. Communication from the Mayor re: Approval of Step Increase for Assistant Sanitarian.
10. Communication from the Mayor re: Appointment of Paul Sliney as the tenant's representative on the Community Development Authority (CDA) for a three year term to commence at the expiration of Ms. Swartz's term which is March 12, 2015.
11. Communication from the Mayor re: Appointment of Police Chief Mark Leonard as the Keeper of the Lockup.
12. Communication from the Mayor re: Appointment of David Manzello as Principal Assessor for a term to expire three years from date of confirmation. He is replacing Bradford Dunn.
13. Communication from the Mayor re: Notification designating Personnel Director David Brumby as the ADA Compliance Officer.
14. Communication from Assistant City Solicitor Panagore-Griffin re: Proposed New Order to Grant an Easement to the Massachusetts Electric Company, which would supersede Order No. 14-1006009B.

**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.**

15. Minutes, Conservation Commission December 18, 2014 & January 8, 2015.
16. Minutes, Youth Commission, August 7, September 30, October 21 & December 16, 2014.
17. Minutes, Board of Assessors, November 25, 2014.
18. Minutes, Planning Board, January 5, 2015.
19. Minutes, Board of Health, June 3, July 15, October 7, November 5, December 2, 2014 & January 6, 2015.
20. Communication from Amica, on behalf of Ketan Shah, 33 Peltier St.
21. Communication from Hanover Insurance Group, on behalf of Samuel Lombardo, 23 Shelly Lane.
22. CLAIMS:
  - a. Reginaldo Rabello, 656 Farm Rd., residential mailbox claim (2(a)).
  - b. Lakeside Hair Boutique, 25 Lakeside Ave., residential mailbox claim (2(b)).

## REPORTS OF COMMITTEES:

## UNFINISHED BUSINESS:

**From Legislative and Legal Affairs Committee**

23. **Order No. 14-1005961 - An Amendment to the City Code Relative to the Chief Procurement Officer. Motion made by Councilor Delano, seconded by the Chair, to approve as amended in Section 7-35, entitled "Duties", by deleting the words "City Solicitor" wherever it appears and inserting in place thereof the words "City Auditor" and removal of section B. (4). The motion carries 3-0 and is approved.**
24. **Order No. 14-1006058 - Order of Taking by Eminent Domain and Order of Acceptance of Public Way regarding Cul-De-Sac on D'Angelo Drive. Motion made by Councilor Delano, seconded by the Chair, to approve the Order of Taking by Eminent Domain and Order of Acceptance of Public Way regarding Cul-De-Sac on D'Angelo Drive. The motion carries 3-0 and is approved.**
25. **Order No. 14-1006043 - Home Rule Petition Exempting Certain Marlborough Public School Positions from Civil Service. Motion made by Councilor Robey, seconded by the Chair, to approve the Home Rule Petition Exempting Certain Marlborough Public School Positions from Civil Service. The motion carries 2-0 and is approved.**

**From Public Services Committee**

26. **Order No. 14-1006032 - Plowing of Private Way – Reagin Lane. Motion made by Councilor Clancy, seconded by Chair, to recommend that the private way, REAGIN LANE, be approved for snow and ice removal (MGL Chapter 40, Section 6-C). The motion carries 3-0 and is approved.**

27. **Order No. 14-1006034A - Petition of National Grid and Verizon New England, Inc. to install new primary riser P20-50 to be located 23' off roadway in between existing P20 and P21 Ames Street. Also to install 2-4" conduits encased in concrete, one primary pull box and underground cable along Ames Street. Conduit system will be installed 3' back of curb on the north side of the roadway. This installation is required to provide electrical service to new multifamily residential development – The Preserve at Ames. Motion made by Councilor Clancy, seconded by Chair, to approve the installation of new primary riser Pole 20-50 to be located 23' off roadway in between existing P20 and P21 Ames Street and to install 2-4" conduits encased in concrete, one primary pull box and underground cable along Ames Street. Conduit system will be installed 3' back of curb on the north side of the roadway. The motion carries 3-0 and is approved.**
  
28. **Order No. 14-1006012A - Petition of National Grid and Verizon New England, Inc. to relocate joint owned P5 on Norwood Street 4' north and install sidewalk guy. Existing pole is deteriorated and will be relocated further away from customer's driveway entrance. Motion made by Councilor Clancy, seconded by Councilor Irish, to approve the relocation of joint owned P5 on Norwood Street 4' north and install sidewalk guy. The motion carries 3-0 and is approved.**



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

**FEBRUARY 9, 2015**

Regular meeting of the City Council held on Monday, FEBRUARY 9, 2015 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Pope, Oram, Ossing, Robey, Delano, Page, Elder, Tunnera, Irish, and Clancy and Landers. Meeting adjourned at 8:59 PM.

**ORDERED:** That the minutes of the City Council meeting JANUARY 5, 2015, **FILE**; adopted.

**ORDERED:** That there being no objection thereto set **MONDAY, FEBRUARY 23, 2015**, as the date for a **RESCHEDULED PUBLIC HEARING DUE TO INCLEMENT WEATHER** On the Application for Special Permit to modify existing Special Permit issued to Digital Federal Credit Union, 853-865 and 905 Donald Lynch Blvd. on June 16, 2003, to remove Condition #7 prohibiting LCD signs on the property, Order No. 14-1006011A, X14-1006053, X03-10047B, **ADVERTISE**; adopted.

**ORDERED:** That there being no objection thereto set **MONDAY, FEBRUARY 23, 2015**, as the date for a **RESCHEDULED PUBLIC HEARING DUE TO INCLEMENT WEATHER** On the Application for Sign Ordinance Special Permit; Digital Federal Credit Union, 865 Donald Lynch Blvd, to operate an electronic message center sign at its bank branch located at 865 Donald Lynch Blvd, Order No. 14-1006053, X14-1006011B, X03-10047B, **ADVERTISE**; adopted.

**ORDERED:** That there being no objection thereto set **MONDAY, FEBRUARY 23, 2015**, as the date for a **CONTINUED PUBLIC HEARING** On the Application for Special Permit from Attorney Bergeron on behalf of NPG Management LLC, to install two drive-through service windows which will be part of the new Dunkin Donuts building located at 525 Maple St., Order No. 15-1006070, **ADVERTISE**; adopted.

**ORDERED:** That the the Mayor's State of the City Address at the February 9, 2015 City Council meeting, **FILE**; adopted.

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

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

**Yea: 11-Nay: 0**

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

**ORDERED:** That the Legal Department transfer request in the amount of \$1,200,000.00 which moves funds from Undesignated to Claims & Judgments to cover pending litigation against the City, **TABLED;** adopted.

CITY OF MARLBOROUGH									
BUDGET TRANSFERS -									
DEPT:		Mayor's				FISCAL YEAR:		2015	
FROM ACCOUNT:					TO ACCOUNT:				
Available	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available
\$4,603,241.69	\$1,200,000.00	10000	35900	Undesignated Fund Balance	\$1,200,000.00	11510006	57600	Claims & Judgments	\$11,422.30
Reason:					US District Court Judgment 12/15/2014				
	\$1,200,000.00	Total			\$1,200,000.00	Total			

**ORDERED:** That the Police Department transfer request in the amount of \$50,000.00 which moves funds from Police Officers to OT-Regular for the purposes detailed in the Police Chief's correspondence, **APPROVED;** adopted.

**FROM:**

Acct. # 12100001-50420 \$50,000.00  
 Police Officers

**TO:**

Acct. # 12100003-51310 \$50,000.00  
 Overtime-Regular

**ORDERED:** That the Fire Department transfer request in the amount of \$30,000.00 which moves funds from and to various accounts as noted in the attached spreadsheet to contract with a search firm to assist in the hiring of a new Fire Chief, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS -										
	DEPT:	Fire Department					FISCAL YEAR:	2015		
		FROM ACCOUNT:					TO ACCOUNT:			
Available										Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		Balance
\$52,950.00	\$15,000.00	14001002	50062	DPW-Finance Assistant	\$30,000.00	12200003	53140	Fire-Contract Services		\$0.00
	Reason:	Position vacant until recently					To fund a consultant for a Fire Chief search			
\$7,362.50	\$3,100.00	11520004	53150	Personnel-Advertising						
	Reason:	Advertising costs lower than anticipated								
\$1,900.00	\$1,900.00	15270004	53140	HS-Contract Services						
	Reason:	Funds available								
\$50,000.00	\$10,000.00	61075206	59080	Water-Interet Expense						
	Reason:	Interest expense will be lower than anticipated								
	\$30,000.00	Total			\$30,000.00	Total				

**ORDERED:** That the Health Department transfer request in the amount of \$25,500.00 which moves funds from and to various accounts as noted in the attached spreadsheet to fund the final transition of the Health Department reorganization, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS -										
	DEPT:	Board of Health					FISCAL YEAR:	2015		
		FROM ACCOUNT:					TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$13,891.65	\$5,000.00	15120001	50391	Part-Time Nurse	\$24,000.00	15120001	50605	Sanitarian/Admin	\$16,503.83	
		Funds available due to prior vacancy					To fund new director at proposed salary thru 6/30/15			
\$22,166.55	\$4,500.00	16100001	50470	Childrens Librarian	\$1,500.00	15120001	50611	Assistan Sanitarian	\$29,755.01	
		Funds available due to prior vacancy					To fund two Asst Sanitarions thru 6/30/15			
\$26,115.75	\$2,000.00	16100003	51259	Reference Librarian Part-Time						
	Reason:	Funds available due to prior vacancy								
\$72,704.69	\$4,000.00	16100003	51261	Part-Time Library Clerks						
	Reason:	Funds available due to prior vacancy								
\$35,400.00	\$10,000.00	11330002	50770	Comptroller-Sr Clerk						
	Reason:	Funds available due to prior vacancy								
	\$25,500.00	Total			\$25,500.00	Total				

**ORDERED:** That the Building Department transfer request in the amount of \$10,000.00 which moves funds from Contract Services to Assistant Building Inspector for the hiring of a temporary, full-time Local Inspector in the Building Department, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS -										
	DEPT:	Building Department					FISCAL YEAR:	2015		
		FROM ACCOUNT:					TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$13,225.44	\$10,000.00	12410004	53140	Contract Services	\$10,000.00	12410001	50260	Asst Bldg inspector	\$55,148.08	
	Reason:	Available funds					To fund a temporary asst building inspector thru 6/30/15			
	\$10,000.00	Total			\$10,000.00	Total				

ORDERED: That the City Clerk’s transfer request in the amount of \$1,600.00 which moves funds from Constables to Office Supply/Expenses and Printing to cover costs associated with the annual Street List mailing and to purchase new security paper to print professional certified vital records, **APPROVED**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS -										
DEPT:		City Clerk/Election					FISCAL YEAR:		2015	
FROM ACCOUNT:							TO ACCOUNT:			
Available	Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available
\$1,609.95	\$1,300.00		11620003	51460	Constables	\$1,300.00	11620005	54220	Office Supply/Expenses	\$952.67
Reason:		Fund Costs associated with Annual Street List mailing								
	\$300.00		11620003	51460	Constables	\$300.00	11610004	53930	Printing	\$319.38
Reason:		Purchase new security paper for vital record certificates								
	\$1,600.00	Total				\$1,600.00	Total			

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Fire Department Grant Acceptances as follows:

- a. \$2,000.00 from Commonwealth of Massachusetts Executive Office of Health & Human Services (EOHHS) Department of Public Health to further train and enhance the department’s readiness as a contributing member of the MA Decontamination Unit during public health emergencies.
- b. \$6,123.00 from Commonwealth of Massachusetts Executive Office of Public Safety and Security to provide student awareness of fire education programs.
- c. \$3,195.00 from Commonwealth of Massachusetts FY15 Senior Safe to provide senior fire prevention training; adopted.

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Stanton Foundation Grant in the amount of \$4,000.00 and a Digital Federal Credit Union (DCU) grant in the amount of \$2,000.00 awarded to the Police Department. The first grant will be utilized for our K-9 narcotics program and associated training. The second grant will be utilized in support of existing Police Department youth initiatives; adopted.

ORDERED: That pursuant to the provisions of § 53E1/2 of Chapter 44 of the General Laws of the Commonwealth of Massachusetts, the City Council of the City of Marlborough, upon the recommendation and approval of the Mayor, does authorize an increase in expenditures in the Public Safety Revolving Fund from fifty thousand dollars (\$50,000) to no more than seventy-five thousand dollars (\$75,000) during Fiscal Year 2015, **APPROVED**; adopted.

**ORDERED:** That a portion (Lot 2) containing 11.31 acres of the Hudson Street Landfill property located at Hudson Street and shown on the Marlborough Assessor's Maps as Map 30, Parcel 4, as taken by the City of Marlborough in October 5, 1959 for purposes of a public dump and other municipal purposes, is hereby permanently dedicated to park and recreation purposes under the provisions of M.G.L. c. 45, § 3; and further, that, as so dedicated, said property is hereby placed under the care, custody, management and control of the City of Marlborough Recreation Commission, refer to **FINANCE COMMITTEE**; adopted.

**Councilor Elder recused.**

**ORDERED:** That the sum of \$3,095,000 (three million ninety-five thousand) dollars be and is hereby appropriated for the construction of municipal outdoor recreational facilities.

That to meet said appropriation, the Comptroller-Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$3,095,000.

Pursuant to the provisions of Chapter 44, section 7 (25) of the Massachusetts General Laws, as amended, each issue of such bonds or notes shall be payable in not more than fifteen (15) years from its date of issue, refer to **FINANCE COMMITTEE**; adopted.

**Councilor Elder recused.**

**ORDERED:**

**A RESOLUTION  
TO APPLY FOR AND ACCEPT A GRANT FROM  
THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS,  
FOR THE HUDSON STREET LANDFILL RECREATION FACILITY**

WHEREAS, by vote of the City Council on \_\_\_\_\_, 2015, the care, custody, management and control of a portion (Lot 2) containing 11.31 acres of the Hudson Street Landfill property located at Hudson Street and shown on the Marlborough Assessor's Maps as Map 30, Parcel 4, as taken by the City of Marlborough in October 5, 1959 for purposes of a public dump and other municipal purposes, has been dedicated to park and recreation purposes under M.G.L. c. 45, § 3, and has been placed under the care, custody, management and control of the Recreation Commission of the City of Marlborough; and

WHEREAS, the Hudson Street landfill is an under-used parcel of land, and the development of this land into a large recreation center is a priority of the city of Marlborough, as evidenced by the most recent Open Space and Recreation Plan; and

WHEREAS, the main focus of a conceptual Master Plan prepared for the Hudson Street landfill's reuse is to build a new multi-purpose recreation center for the City; and

WHEREAS, the Hudson Street landfill's reuse is to be guided by the said Master Plan and will include a softball/baseball field, two multi-use fields, playground area, parking lot for 100+ parking spaces, a concession stand with restroom facilities, a water bubbler, bike racks, exercise center, picnic tables, and landscaping with the addition of 60+ trees and shrubs. In addition, a 0.25 mile walking path loop is to be developed for this project and lights will be added to extend play time on the fields; and

WHEREAS, the Commonwealth of Massachusetts' Executive Office of Energy and Environmental Affairs ("EOEEA") is offering reimbursable grants to cities and towns to support the preservation and restoration of urban parks through the Parkland Acquisitions and Renovations for Communities ("PARC") grant program (301 CMR 5.00); and

WHEREAS, the project cost as outlined in the Master Plan totals \$3,095,000 (three million ninety-five thousand), and the City Council has voted on \_\_\_\_\_, 2015 to authorize the bond funding in the amount of \$3,095,000 (three million ninety-five thousand);

NOW, THEREFORE, be it resolved, as follows:

1. That the Mayor be, and hereby is, authorized to apply for and accept a PARC grant from EOEEA; and
2. That the Mayor be, and hereby is, authorized to take such other actions as are necessary to carry out the terms, purposes, and conditions of the PARC grant to be administered by the Recreation Commission of the City of Marlborough; and
3. That this Resolution shall take effect upon its passage.

Refer to **FINANCE COMMITTEE**; adopted.

**Councilor Elder recused.**

**ORDERED:** Pursuant to MGL c. 30B, § 16(e)(2), the City Council of the City of Marlborough hereby determines that advertising for the proposed purchase of a certain parcel of land containing 1,750 s.f., more or less, on New Street, Marlborough, MA 01752, will not benefit the City's interest because of the unique qualities and location of the property as hereinafter defined.

The parcel is identified as Map 69, Parcel 194 of the Assessors Map of the City of Marlborough.

The parcel is further identified in a deed recorded in the Middlesex South District Registry of Deeds at Book 59049, Page 525.

The property satisfies the requirements of said MGL c. 30B, § 16(e)(2), because the property: (a) is directly adjacent to the new Marlborough Senior Center; (b) provides a small structure that can house maintenance equipment needed at the adjacent Artemus Ward Park; and (c) is located in a residential neighborhood in which the City wishes to eliminate this parcel's future use as a commercial property.

It is further ordered that the Mayor is authorized to enter into negotiations for the purchase of the property so identified, subject to the availability of sufficient funds or an appropriation as required, and an affirmative two-thirds vote of the City Council prior to a binding agreement of sale.

The price of any purchase that may ensue from this Order shall not exceed Thirty-Five Thousand Dollars (\$35,000.00).

Pursuant to MGL c. 7C, § 38, the persons having a beneficial interest in this parcel, as set forth in said Book 59049, Page 525, are Joseph P. McMahon, Sr. and Cindy A. McStay, Trustees of the Joseph P. McMahon Revocable Living Trust dated November 6, 2003 and any amendments thereto, of 34 Ocean Boulevard, Hampton, NH 03842. The maximum proposed purchase price is \$35,000.00, subject to such conditions as may be negotiated.

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

**ORDERED:** That the Reappointment of Mark Gibbs as IT Department Head and Reappointment of Cynthia Panagore-Griffin as Assistant City Solicitor for a term to expire three years from date of approval, refer to **PERSONNEL COMMITTEE**; adopted.

**ORDERED:** That the Appointment of Robert Camacho as Building Commissioner for a term to expire three years from date of appointment, refer to **PERSONNEL COMMITTEE**; adopted.

**Councilor Irish recused.**

**ORDERED:** That the Reappointment of Greg Mitrakas and Appointment of David Bouvier to the License Board for terms to expire six years from date of approval, refer to **PERSONNEL COMMITTEE**; adopted. Mr. Bouvier replaces longtime member James Riessle who resigned in December.

**ORDERED:** That the Appointment of Dennis Cavanaugh and Renee Perdicaro to the Community Development Authority for terms to expire three years from date of approval, refer to **PERSONNEL COMMITTEE**; adopted. Mr. Cavanaugh will replace Stephen Leduc who resigned in November and Ms. Perdicaro will replace Lynn Faust whose term has expired.

**ORDERED:** That the Appointment of Pat Gallier to the Council on Aging to fill the balance of the term of Lynn Anderson which is due to expire on May 2, 2017, refer to **PERSONNEL COMMITTEE**; adopted.

**ORDERED:** That the Communication from the Planning Board re: Acceptance of Bouffard Dr. as a Public Way, refer to **PUBLIC SERVICES**; adopted.

**ORDERED:** That the Communication from NSTAR re: Request filed with MA Department of Public Utilities (MDPU) to Increase Gas Distribution Rates, **FILE**; adopted.

**ORDERED:** That the Communication from Central MA Mosquito Control Project District re: Pesticide Exclusion Steps, **FILE**; adopted.

**ORDERED:** That the Minutes, Planning Board, December 15, 2014, **FILE**; adopted.

**ORDERED:** That the Minutes, Zoning Board of Appeals, December 2, 2014, **FILE**; adopted.

**ORDERED:** That the Minutes, Conservation Commission, November 20 & December 4, 2014, **FILE**; adopted.

ORDERED: That the Minutes, Recreation Commission, November 12, 2014, **FILE**; adopted.

ORDERED: High School Council, January 7, 2015, **FILE**; adopted.

ORDERED: That the Communication from Amica, on behalf of Edith Sussman, 25 Canterbury Way, refer to **LEGAL DEPARTMENT**; adopted.

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

- a. William Williams, 115 Cochituate Rd., Apt 101, Framingham, MA, pothole or other road defect.
- b. George VanDeman, 15 Mill St., Blackstone, MA, pothole or other road defect & other property damage and/or personal injury.
- c. Alexander D'Angelo, 183 Stevens St., residential mailbox claim 2(a).
- d. Michael Urato, 66A Main St., Blackstone, MA, pothole or other road defect & other property damage and/or personal injury.

#### Reports of Committees:

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

Meeting Name: City Council Legislative & Legal Affairs Committee

Date: January 20, 2015

Time: 5:30 PM

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

Agenda Item(s) addressed:

Convened: 5:30 PM

Adjourned: 6:08 PM

Present: Chairman Clancy; Legislative & Legal Affairs Committee Members Councilors Robey and Delano (Councilor Delano recused from Order No. 14-1006043.)

Also Present: Michael Berry, Executive Aide (Office of the Mayor); Cynthia Panagore Griffin, Assistant City Solicitor; Michael Bergeron, Executive Director of Finance & Operations (Marlborough Public Schools); Richard Langlois, Superintendent (Marlborough Public Schools)

#### **Order No. 14-1005961: An Amendment to the City Code Relative to the Chief Procurement Officer.**

The committee discussed removal of the following section "B. (4) Function as the coordinator for the Americans with Disabilities Act (ADA), especially as it relates to those responsibilities under Title II of the Act; and" from under Article V. Chief Procurement Officer, §7-35 Duties and placing the Chief Procurement Officer duties under the direction of the City Auditor.

**Motion made by Councilor Delano, seconded by the Chair, to approve as amended in Section 7-35, entitled "Duties", by deleting the words "City Solicitor" wherever it appears and inserting in place thereof the words "City Auditor" and removal of section B. (4). The motion carries 3-0 and is approved.**

#### **Order No. 14-1006058: Order of Taking by Eminent Domain and Order of Acceptance of Public Way regarding Cul-De-Sac on D'Angelo Drive.**

The committee discussed an eminent domain order of taking and order of acceptance of a public way regarding the cul-de-sac at the westerly terminus of D'Angelo Drive. This area was to be transferred to the City of Marlborough by the Johnson Trust as noted on the plan, but that conveyance never occurred.

Reports of Committees cont'd:

**Motion made by Councilor Delano, seconded by the Chair, to approve the Order of Taking by Eminent Domain and Order of Acceptance of Public Way regarding Cul-De-Sac on D'Angelo Drive. The motion carries 3-0 and is approved.**

**Order No. 14-1006043: Home Rule Petition Exempting Certain Marlborough Public School Positions from Civil Service.**

Councilor Delano recused himself from the discussion of Order No. 14-1006043 and left the meeting. The committee discussed a home rule petition of the Marlborough School Committee to exempt certain employees within the School Department from civil service requirements. This exemption applies to custodial, cafeteria, and clerical workers throughout the school system.

**Motion made by Councilor Robey, seconded by the Chair, to approve the Home Rule Petition Exempting Certain Marlborough Public School Positions from Civil Service. The motion carries 2-0 and is approved.**

**Motion made by Councilor Robey, seconded by the Chair, to adjourn.  
Motion Passed: 2-0**

**Meeting Adjourned: 6:08 PM.**

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

Meeting Name: City Council Public Services Committee

Date: January 20, 2015

Time: 6:00 PM

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

Agenda Item(s) addressed:

Convened: 6:15 PM

Adjourned: 7:20 PM

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

Also Present: Evan Pilachowski, City Engineer (City of Marlborough); Crystal Tognazzi, National Grid Representative

**Order No. 14-1006032: Plowing of Private Way – Reagin Lane.** Evan Pilachowski, City Engineer, stated to the committee that the Department of Public Works is satisfied with the conditions on Reagin Lane for plowing and sanding purposes. The road went through the subdivision approval process and has been built to City standards. **Motion made by Councilor Clancy, seconded by Chair, to recommend that the private way, REAGIN LANE, be approved for snow and ice removal (MGL Chapter 40, Section 6-C). The motion carries 3-0 and is approved.**

Reports of Committees cont'd:

**Order No. 14-1006034: Petition of National Grid and Verizon New England, Inc. to install new primary riser P20-50 to be located 23' off roadway in between existing P20 and P21 Ames Street. Also to install 2-4" conduits encased in concrete, one primary pull box and underground cable along Ames Street. Conduit system will be installed 3' back of curb on the north side of the roadway. This installation is required to provide electrical service to new multifamily residential development – The Preserve at Ames.** Crystal Tognazzi, National Grid Representative, explained to the committee that National Grid requires the installation of intermediate Pole 20-50 because they cannot place additional equipment on Pole 20 as it does not allow them the space to work on the pole safely. **Motion made by Councilor Clancy, seconded by Chair, to approve the installation of new primary riser Pole 20-50 to be located 23' off roadway in between existing P20 and P21 Ames Street and to install 2-4" conduits encased in concrete, one primary pull box and underground cable along Ames Street. Conduit system will be installed 3' back of curb on the north side of the roadway. The motion carries 3-0 and is approved.**

**Order No. 14-1006012: Petition of National Grid and Verizon New England, Inc. to relocate joint owned P5 on Norwood Street 4' north and install sidewalk guy. Existing pole is deteriorated and will be relocated further away from customer's driveway entrance.** Crystal Tognazzi, National Grid Representative, stated National Grid has an inspection program for their poles and they are replaced as necessary depending upon the extent of damage to the poles. **Motion made by Councilor Clancy, seconded by Councilor Irish, to approve the relocation of joint owned P5 on Norwood Street 4' north and install sidewalk guy. The motion carries 3-0 and is approved.**

Motion made by Councilor Clancy, seconded by Chair, to adjourn. The motion carries 3-0 and is approved. The meeting adjourned at 7:20 PM.

**ORDERED:** There being no further business, the regular meeting of the City Council is herewith adjourned at 8:59 PM.



# IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 9, 2015

## ORDERED:

That there being no objection thereto set **MONDAY, FEBRUARY 23, 2015**, as the date for a **RESCHEDULED PUBLIC HEARING DUE TO INCLEMENT WEATHER** On the Application for Special Permit to modify existing Special Permit issued to Digital Federal Credit Union, 853-865 and 905 Donald Lynch Blvd. on June 16, 2003, to remove Condition #7 prohibiting LCD signs on the property, Order No. 14-1006011A, X14-1006053, X03-10047B, be and is herewith **ADVERTISE**.

**Ninety days after public hearing is 05/24/15 which falls on a Sunday, therefore 05/25/15 would be considered the 90<sup>th</sup> day.**

ADOPTED

ORDER NO. 14/15-1006011B

X14-1006053

X03-10047B



## IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 9, 2015

### ORDERED:

That there being no objection thereto set **MONDAY, FEBRUARY 23, 2015**, as the date for a **RESCHEDULED PUBLIC HEARING DUE TO INCLEMENT WEATHER** On the Application for Sign Ordinance Special Permit; Digital Federal Credit Union, 865 Donald Lynch Blvd, to operate an electronic message center sign at its bank branch located at 865 Donald Lynch Blvd, Order No. 14-1006053, X14-1006011B, X03-10047B, be and is herewith **ADVERTISE**.

**Ninety days after public hearing is 05/24/15 which falls on a Sunday, therefore 05/25/15 would be considered the 90<sup>th</sup> day.**

**Councilor Robey filed a disclosure statement.**

ADOPTED

ORDER NO. 14/15-1006053A  
X14-1006011B  
X03-10047B



## IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 9, 2015

### ORDERED:

That there being no objection thereto set **MONDAY, FEBRUARY 23, 2015**, as the date for a **CONTINUED PUBLIC HEARING** On the Application for Special Permit from Attorney Bergeron on behalf of NPG Management LLC, to install two drive-through service windows which will be part of the new Dunkin Donuts building located at 525 Maple St., Order No. 15-1006070, be and is herewith **ADVERTISE**.

**Ninety days after public hearing is 05/24/15 which falls on a Sunday, therefore 05/25/15 would be considered the 90<sup>th</sup> day.**

ADOPTED

ORDER NO. 15-1006070A



RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2015 FEB 19 A 11: 58

*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

*Michael C. Berry*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

February 19, 2015

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

**Re: Deficit Spending for Snow and Ice Account**

Honorable President Pope and Councilors:

Pursuant to Order No. 14-1005845A, I have attached for your approval a proposed order authorizing the city to incur additional liability and make expenditures for FY15 in excess of the original approved appropriation for the purposes of snow and ice removal.

This is done annually in many municipalities as allowed by M.G.L. Chapter 44, section 31D.

Enclosed for your information is a letter from Public Works Commissioner John Ghiloni further detailing this request. Thank you in advance for your consideration.

Sincerely,

**Arthur G. Vigeant**  
Mayor



**CITY OF MARLBOROUGH**  
*Department of Public Works*  
**Office of the Commissioner**  
135 Neil Street  
Marlborough, Massachusetts 01752  
(508) 624-6910 Ext. 7200  
Facsimile (508) 624-7699 TDD (508) 460-3610

February 18, 2015

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

**RE: SNOW & ICE; ACCOUNT DEFICIT AUTHORIZATION**

Dear Mayor Vigeant,

I hereby request further authorization to incur deficit costs in the department's Snow & Ice account. To date, we have received authorization to spend \$1,000,000 in deficit in our snow and ice accounts.

We anticipate \$500,000 will be needed to cover the recent emergency storm related events. We would also like to believe that we have seen the last storm of this record breaking winter, however; recent weather forecasts suggest otherwise. Thus, I am recommending an additional \$500,000 be authorized for same. It is the department's intent to only utilize these funds in the event such storms arise.

Given the above, I hereby request an additional \$1,000,000 be authorized to address our short-term funding needs.

Should you have any questions regarding the above, please do not hesitate to contact me.

Sincerely,

John L. Ghiloni  
Commissioner of Public Works



## IN CITY COUNCIL

Marlborough, Mass., JUNE 16, 2014

**ORDERED:**

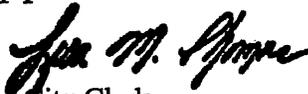
### **Suspension of the Rules requested – granted**

That pursuant to Chapter 44, section 31D of the General Laws of the Commonwealth of Massachusetts, which authorizes the City to incur liability and make expenditures for any fiscal year in excess of appropriation for snow and ice removal, the City Council of the City of Marlborough, upon the recommendation of the Mayor, approves expenditures up to \$1,000,000 in excess of available appropriation for snow and ice removal for fiscal year 2015, be and is herewith **APPROVED**.

ADOPTED  
In City Council  
Order No. 14-1005845A

Approved by Mayor  
Arthur G. Vigeant  
Date: June 20, 2014

A TRUE COPY  
ATTEST:

  
City Clerk

ORDERED:

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

ADOPTED

In City Council  
Order No. 15 -

Adopted

Approved by Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY  
ATTEST:



RECEIVED  
CITY CLERK'S OFFICE  
OF MARLBOROUGH

FEB 19 A 11:38

*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

*Arthur G. Vigeant*  
MAYOR

*Michael C. Berry*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

February 19, 2015

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

**RE: Mid-year Transfer Requests**

Honorable President Pope and Councilors:

Enclosed for your approval are various mid-year transfer requests from the Legal Department, Department of Public Works (DPW), Public Facilities Office, Veterans Services Office, Fire Department and the Police Department.

The enclosed request for the Fire Department provides funding to the salary line items for the new Fire Chief and the new Deputy Chief which were depleted due to contractual retirement payouts. The remaining requests come with a cover letter from the respective department head providing you with further details.

As always, department heads will be in attendance at a future Finance Committee meeting to discuss these requests with you in greater detail. Thank you in advance for your consideration and please do not hesitate to let me know if you have any questions.

Sincerely,



Arthur G. Vigeant  
Mayor



**CITY OF MARLBOROUGH**  
**Department of Veterans' Services**  
255 Main St.  
Marlborough, MA 01752  
508.460.3782

13 February, 2015

To: Mayor Vigeant  
From: Gary Brown Veterans' Agent  
Subject: Need for Additional Funds

Dear Sir:

Due to an increase in the number of clients who qualify for Veterans' Benefits, I calculate that I will need an additional \$30,000 in the Veterans' Benefits line item.

I have spent \$143,101 through the past 8 months. My monthly expenditure is, on average, \$20,000 (+/-) and with 4 months remaining in the fiscal year, the \$56,920 that remains, will not cover the need.

Therefore, I am requesting a transfer of \$30,000 into line item 15430006 57710, Veterans' Benefits.

Truly Yours,

Gary Brown  
Veterans' Agent  
City of Marlborough, MA

## Calculations as of February 13, 2015

143,101 divided by 8 = 17,888

Feb. 20,309 \*\* (not completed)

Jan. 16,778 (not closed)

Dec. 17,331

Nov. 16,897

Oct. 15,830

\*\* 4 cases are currently at \$00.00 for month because of missing documents required by the state that are included in the February figure and 2 cases who came after initial request.

There is \$56,920 left in budget for Veterans' Benefits.

At an average of \$20,000 per month there is less than 3 months available for benefits.

I will need an additional \$30,000 to ensure benefits are paid through June.

CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT: Veterans

FISCAL YEAR: 2015

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$350,783.13</u>	<u>\$30,000.00</u>	<u>60075206</u>	<u>59050</u>	<u>Interest Expense-Sewer</u>	<u>\$30,000.00</u>	<u>15430006</u>	<u>57710</u>	<u>Veteran's Benefits</u>	<u>\$56,625.48</u>
	Reason:	<u>Surplus</u>				Reason: <u>To cover increase in the number of clients</u>			
_____	Reason:	_____	_____	_____	_____	_____	_____	_____	_____
_____	Reason:	_____	_____	_____	_____	_____	_____	_____	_____
_____	Reason:	_____	_____	_____	_____	_____	_____	_____	_____
_____	Reason:	_____	_____	_____	_____	_____	_____	_____	_____
_____	Reason:	_____	_____	_____	_____	_____	_____	_____	_____
	\$30,000.00	Total			\$30,000.00	Total			

Department Head signature:

Auditor signature:

Comptroller signature:

Three handwritten signatures are present. The first is the Department Head signature, the second is the Auditor signature, and the third is the Comptroller signature. The Comptroller signature includes a circled 'M' and the initials 'ca'.



*City of Marlborough*  
*Office of the Comptroller*

140 Main Street  
Marlborough, Massachusetts 01752  
Tel. (508) 460-3731 Facsimile (508) 481-5180

February 19, 2015

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

**RE: TRANSFER REQUESTS**

Dear Mayor Vigeant,

Enclosed herewith are the Comptroller's Department transfer requests for FY 2015. These requests are being funded by surpluses from accounts within the operating budget. Explanations for the transfers have been included with each line item.

Please contact me if you require any additional information.

Sincerely,

Brian Doheny  
Comptroller





# City of Marlborough POLICE DEPARTMENT

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

MARK F. LEONARD  
Chief of Police

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

February 17, 2015

Dear Mayor Vigeant:

Per the attached transfer request forms, I am requesting seven internal transfers to allow for sufficient funds to be properly allocated to the appropriate line items within the police department budget. One request is to transfer funds to the Regular Overtime account, which will be in deficit without the transfer due to the large number of injuries and vacancies due to retirements we have experienced since July. There are also requests to transfer funds into the Meals for Prisoners, Holiday, Dues and Subscriptions, Translation Services, ACO Callout, and Kenneling accounts to allow for sufficient funds to fully cover these accounts for the remainder of the fiscal year.

Please let me know if you have any questions.

Sincerely,

Mark F. Leonard  
Chief of Police

Cc: D. Smith; B. Doheny

CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT: Police

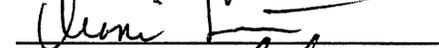
FY: 2015

Available Balance	Amount	FROM ACCOUNT:			Amount	TO ACCOUNT:			Available Balance
		Org Code	Object	Account Description:		Org Code	Object	Account Description:	
<u>\$1,127,393</u>	<u>\$85,000.00</u>	<u>12100001</u>	<u>50420</u>	<u>Police Officers</u>	<u>\$85,000.00</u>	<u>12100003</u>	<u>51310</u>	<u>OT - Regular</u>	<u>\$87,905</u>
	Reason:	<u>Surplus due to vacancies and injuries</u>				<u>Deficit due to high number of injuries and other leave</u>			
<u>\$174,684</u>	<u>\$1,000.00</u>	<u>12100001</u>	<u>50510</u>	<u>Police Lieutenants</u>	<u>\$1,000</u>	<u>12100006</u>	<u>55882</u>	<u>Meals for Prisoners</u>	<u>\$1,364</u>
	Reason:	<u>Surplus due to injury</u>				<u>Higher than expected number of long term prisoners</u>			
<u>\$174,684</u>	<u>\$12,000.00</u>	<u>12100001</u>	<u>50510</u>	<u>Police Lieutenants</u>	<u>\$12,000</u>	<u>12100003</u>	<u>51490</u>	<u>Holiday</u>	<u>\$74,418</u>
	Reason:	<u>Surplus due to injury</u>				<u>Deficit due to pay increases and weekday holidays</u>			
<u>\$174,684</u>	<u>\$1,000.00</u>	<u>12100001</u>	<u>50510</u>	<u>Police Lieutenants</u>	<u>\$1,000.00</u>	<u>12100006</u>	<u>57340</u>	<u>Dues and Subscriptions</u>	<u>\$2,300</u>
	Reason:	<u>Surplus due to injury</u>				<u>Increased dues rates</u>			
<u>\$174,684</u>	<u>\$1,000.00</u>	<u>12100001</u>	<u>50510</u>	<u>Police Lieutenants</u>	<u>\$1,000</u>	<u>12100006</u>	<u>52010</u>	<u>Translation Service</u>	<u>\$1,300</u>
	Reason:	<u>surplus due to injury</u>				<u>High translator usage</u>			
	<u>\$100,000.00</u>	Total			<u>\$100,000.00</u>	Total			

Department Head signature:



Auditor signature:



Comptroller signature:







**CITY OF MARLBOROUGH**  
*Department of Public Works*  
*Office of the Commissioner*  
135 Neil Street  
Marlborough, Massachusetts 01752  
(508) 624-6910 Ext. 7200  
Facsimile (508) 624-7699 TDD (508) 460-3610

February 18, 2015

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

**RE: TRANSFER REQUESTS**

Dear Mayor Vigeant,

Enclosed herewith are the Department of Public Works and Public Facilities Department inter-departmental transfer requests for FY 2015. These requests are being funded from surpluses within our operating budget. Explanations for the transfers have been included with each line item.

Please contact me if you require any additional information.

Sincerely,

John L. Ghiloni  
Commissioner

CITY OF MARLBOROUGH  
BUDGET TRANSFERS –

DEPT: Department of Public Works

FISCAL YEAR: 2015

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

Department Head signature:

Auditor signature:

Comptroller signature:

*[Handwritten signatures]*

CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT:

FISCAL YEAR:

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

Department Head signature:

Auditor signature:

Comptroller signature:

*[Handwritten signatures]*

CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT:

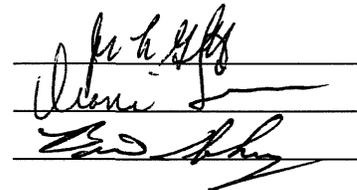
FISCAL YEAR:

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

Department Head signature:

Auditor signature:

Comptroller signature:



CITY OF MARLBOROUGH  
BUDGET TRANSFERS –

DEPT:

FISCAL YEAR:

FROM ACCOUNT:

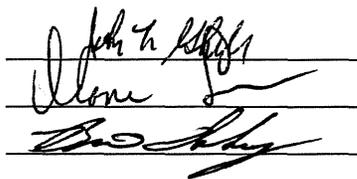
TO ACCOUNT:

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

Department Head signature:

Auditor signature:

Comptroller signature:



CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT:

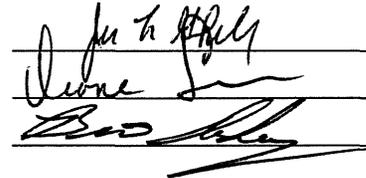
FISCAL YEAR:

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

Department Head signature:

Auditor signature:

Comptroller signature:



CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT:

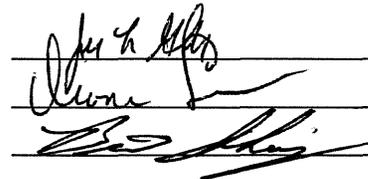
FISCAL YEAR:

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

Department Head signature:

Auditor signature:

Comptroller signature:



CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT:

FISCAL YEAR:

FROM ACCOUNT:

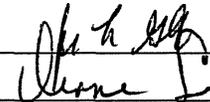
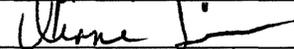
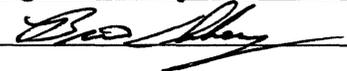
TO ACCOUNT:

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

Department Head signature:

Auditor signature:

Comptroller signature:

CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT:

FISCAL YEAR:

FROM ACCOUNT:

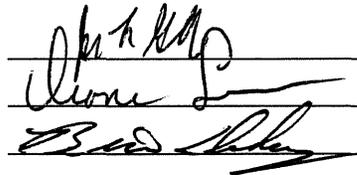
TO ACCOUNT:

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

Department Head signature:

Auditor signature:

Comptroller signature:



CITY OF MARLBOROUGH  
BUDGET TRANSFERS –

DEPT:

FISCAL YEAR:

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$3,330</u>	<u>\$3,330.00</u>	<u>61090003</u>	<u>51440</u>	<u>Education Incentive</u>	<u>\$7,639.86</u>	<u>61090006</u>	<u>55740</u>	<u>Water Meters</u>	<u>\$5,001</u>
	Reason:	<u>Money available due to previous vacancy</u>				<u>Replacement for stopped residential meters.</u>			
<u>\$310</u>	<u>\$309.86</u>	<u>60080003</u>	<u>51920</u>	<u>Sick Leave Buy Back</u>					
	Reason:	<u>Anticipated surplus</u>							
<u>\$4,226</u>	<u>\$4,000.00</u>	<u>61090006</u>	<u>54280</u>	<u>Water Billing</u>					
	Reason:	<u>Anticipated surplus</u>							
	<b>\$7,640</b>	<b>Total</b>			<b>\$7,640</b>	<b>Total</b>			

Department Head signature:

Auditor signature:

Comptroller signature:


CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT: PUBLIC FACILITES

FISCAL YEAR: 2015

FROM ACCOUNT:

TO ACCOUNT:

Available  
Balance

Amount

Org Code

Object

Account Description:

Amount

Org Code

Object

Account Description:

Available  
Balance

\$44,148.00

\$2,000.00

11920001

50690

Foreman

\$500.00

11920002

50520

Principle Clerk

\$8,406.00

Reason: Suprlus due to vacancy

Anticipated funds to cover remainder of fiscal year

\$1,500.00

11920001

50385

Electrician

\$19,648.00

Anticipated funds to cover remainder of fiscal year

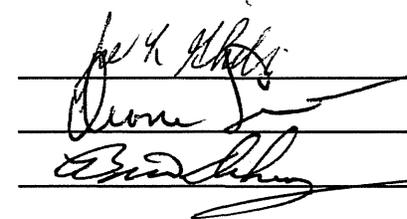
\$2,000.00 Total

\$2,000.00 Total

Department Head signature:

Auditor signature:

Comptroller signature:





*City of Marlborough*  
**Legal Department**

140 MAIN STREET  
MARBOROUGH, MASSACHUSETTS 01752  
TEL. (508) 460-3771 FACSIMILE (508) 460-3698 TDD (508) 460-3610  
[LEGAL@MARBOROUGH-MA.GOV](mailto:LEGAL@MARBOROUGH-MA.GOV)

*DONALD V. RIDER, JR.*  
CITY SOLICITOR

*CYNTHIA M. PANAGORE GRIFFIN*  
ASSISTANT CITY SOLICITOR

*ELLEN M. STAVROPOULOS*  
PARALEGAL

**MEMORANDUM**

TO: Arthur Vigeant, Mayor  
FROM: Don Rider, Solicitor   
DATE: February 19, 2015  
RE: Requested Transfers

This memo is provided in support of the Legal Department's request for several transfers:

- 1) It is anticipated that the Legal Services account (#115100004 53110) will be short of funds for the balance of this fiscal year, due to projected expenses for services being rendered by labor counsel and other outside counsel, as well deductibles for insurance defense litigation. A transfer of \$136,000 from Interest Expense-Sewer to Legal Services is requested.
- 2) It is anticipated that the Registry of Deeds account (#11510006 53880) will be short of funds for the balance of this fiscal year, due to projected expenses for a title search, recordings, and a land registration process. A transfer of \$20,000 from Interest Expense-Sewer to Registry of Deeds is requested.
- 3) It is anticipated that the In-State Travel account (#11510006 57100) will be short of funds for the balance of this fiscal year, due to projected expenses for travel to and from court-scheduled events and professional development events. A transfer of \$500.00 from Claims & Judgments to In-State Travel is requested.



CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT: Fire Department

FISCAL YEAR: 2015

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$1,339,078.66	\$44,380.99	12200001	50450	Firefighter	\$32,389.25	12200001	50130	Fire Chief	\$22,588.51
	Reason:	Funds available due to vacant new hire position				To fund Fire Chief thru 6/30/15			
					\$11,991.74	12200001	50335	Deputy Chiefs	\$123,113.56
	Reason:					To fund Deputy Chief thru 6/30/15			
	Reason:								
	Reason:								
	Reason:								
	Reason:								
	\$44,380.99	Total			\$44,380.99	Total			

Department Head signature:

*Geoffrey Herald*

Auditor signature:

*Doni*

Comptroller signature:

*Ben*



RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2015 FEB 19 A 11:38

*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

*Arthur G. Vigeant*  
MAYOR

*Michael C. Berry*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

February 19, 2015

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

**RE: Transfer Request – Fire Department**

Honorable President Pope and Councilors:

Enclosed for your approval is a transfer request in the amount of \$106,270.33 to fund overtime costs in the Marlborough Fire Department. I have attached with this request correspondence from Interim Fire Chief Geoff Herald.

The funds for this request are available due to 111F payments and a vacancy in the firefighter line item. Chief Herald will be available to attend your next Finance Committee meeting to further discuss this request. Thank you in advance for your consideration.

Sincerely,

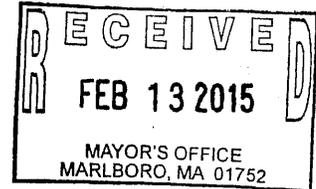
**Arthur G. Vigeant**  
Mayor



**City of Marlborough**  
**FIRE DEPARTMENT**  
**215 MAPLE STREET**  
**MARLBOROUGH, MASSACHUSETTS 01752**

February 13, 2015

Arthur G. Vigeant, Mayor  
City Hall  
140 Main Street  
Marlborough, Ma. 01752



Re: Transfer Request

Dear Mayor Vigeant,

I am submitting for your approval an overtime transfer request totaling \$106,270.33.

The first portion of this request is from 111F payments in the amount of \$64,183.57. The second portion of the request is \$42,086.76; this is available due to a Firefighter retirement which left a vacant position.

\$106,270.33 from 12200001-50450 (Firefighter) to 12200003-51300 (overtime)

This transfer is necessary due to the severe winter weather we have been experiencing combined with injuries, retirements, vacant positions and personal medical reasons.

Please feel free to contact me if you have any questions.

Sincerely,

Geoff Herald  
Fire Chief





RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2015 FEB 19 A 11:38

*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

*Arthur G. Vigeant*  
MAYOR

*Michael C. Berry*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

February 19, 2015

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

**RE: Transfer Request – Employee Retirements**

Honorable President Pope and Councilors:

Enclosed for your approval are three transfer requests to fund the benefits due to retiring employees from the Police Department, Board of Health, and Department of Public Works (DPW). The requests total \$58,170.18 in sick leave buyback and unused vacation payouts.

The employees involved in these requests are both union and nonunion. Benefits afforded to these employees are either collectively bargained or are contained within the city's General Code.

Please do not hesitate to contact my office with any questions or concerns.

Sincerely,

**Arthur G. Vigeant**  
Mayor

CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT: Police

FISCAL YEAR: 2015

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$240,730.90</u>	<u>\$20,165.18</u>	<u>11990006</u>	<u>51500</u>	<u>Fringes</u>	<u>\$20,165.18</u>	<u>12100003</u>	<u>51920</u>	<u>Sick Leave Buy Back</u>	<u>\$8,886.30</u>
				<u>Sick leave buy back</u>				<u>Retirement</u>	
	\$20,165.18	Total			\$20,165.18	Total			

*Retirements  
3*

Department Head signature: *[Signature]*  
Auditor signature: *[Signature]*  
Comptroller signature: *[Signature]*







RECEIVED  
CLERK'S OFFICE  
OF MARLBOROUGH

FEB 19 A 11:39

*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

*Arthur G. Vigeant*  
MAYOR

*Michael C. Berry*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

February 19, 2015

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

**RE: Approval of Step Increase for Assistant Sanitarian**

Honorable President Pope and Councilors:

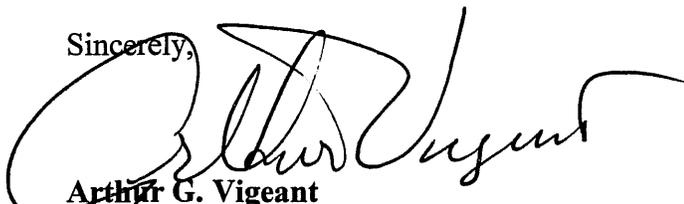
I am pleased to inform you that the Board of Health recently appointed Mr. John Garside as an Assistant Sanitarian. As you will see from Mr. Garside's resume, we are fortunate to have attracted such an experienced professional for this position.

Although Mr. Garside is returning to the public health field after pursuing a career in construction management, he carries nearly ten years of experience as a Health Agent and Health Director in several different communities. Furthermore, Mr. Garside is current on all of his necessary certifications to hit the ground running.

Due to his substantial experience and the value his experience will mean in the Board of Health Office, I respectfully seek your approval to start Mr. Garside at "Step 1" of the salary schedule for Assistant Sanitarian, which is \$47,096.59. Pending your final approval of the Board of Health transfer request previously submitted to you, there are sufficient funds for this adjustment.

Thank you in advance for your consideration. Please do not hesitate to contact my office with any questions or concerns.

Sincerely,



Arthur G. Vigeant  
Mayor

**John R. Garside**  
**566 Old Dunstable Road**  
**Groton, MA 01450**

**(978) 448-8245 johngarside@verizon.net**

**OBJECTIVE:** A progressively challenging public health opportunity that utilizes my public and private sector experience, motivation, and management skills.

**EDUCATION:** UNIVERSITY OF MASSACHUSETTS at LOWELL.  
**Masters in Environmental Studies**, 15/30 required credits completed  
**Masters of Management Science in Manufacturing Engineering**  
**Bachelor of Science in Industrial Technology**

**EXPERIENCE:**  
7/03 - Present

**Wescon Inc.**, Westford, MA.

Project Manager. Duties: manage all aspects of residential/commercial development and construction; estimating; budgeting; cost analysis; scheduling; procurement of materials and contractors; quality control; supervising staff and subcontractors; inspections for code compliance and architectural detail; and serving as liaison to clients and sales associates.

11/99 - 7/03

**Westford Board of Health**, Westford, MA

Director of Environmental Services. Duties: review and permitting of title 5 disposal systems; inspection of recreational camps, pools, beaches, wells, food establishments, housing; responding to nuisance complaints; processing beaver management applications; working with the mosquito control program regarding program implementation and public education; organizing and maintaining the permitting database; participating in Health Fair; reviewing subdivisions, site plans, and special permit requests; and overall health program development.

5/98 - 11/99

**Ipswich Board of Health**, Ipswich, MA.

Health Agent. Duties: review and approval of all conventional and innovative/alternative title 5 sewage disposal systems; inspection of recreational camps, bathing beaches, swimming pools, food establishments and housing; managing vaccine distribution to local providers; Tobacco Control Collaborative member; American with Disabilities Act Coordinator; administering contracts for community health nursing and counseling services, hazardous waste collection, and inspectional services; program and policy development.

5/96 - 5/98

**Gardner Board of Health**, Gardner, MA

Health Director. Duties and responsibilities: supervising all health department staff; preparing and managing \$1.7 million budget; administering all contracted solid waste and public health/school nursing contracts; enforcement of state sanitary and environmental codes; Tobacco Control Alliance Steering Committee member; Community Development Block Grant Steering Committee member; overall development and promotion of all public health programs.

9/94 - 5/96

**Inspectional Services Department**, Town of Lexington, MA

Health Agent for the Inspectional Services Department. Duties: investigate communicable disease and food-borne illness complaints; resolving miscellaneous public health complaints; management of vaccine distribution program; participate in flu clinics and hazardous waste collection events; title 5 enforcement and plan review; maintenance of permit and inspectional databases; member of Computer Network Administrators Group; inspection of camps, pools, beaches, tanning facilities, residential dwellings, asbestos removals, and food establishments.

**REGISTRATIONS:** Environmental Health Specialist, Mass. Registered Sanitarian, Mass. Certified Health Officer, Mass. Licensed Construction Supervisor, Mass. Licensed Lead Determinator, Mass. Licensed Soil Evaluator and Septic System Inspector, Grade 2B hoisting license, Certified Green Professional.

**INTERESTS:** Antique automobiles, biking and alpine skiing.



RECEIVED  
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CITY OF MARLBOROUGH

2015 FEB 19 A 11:38

*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

*Arthur G. Vigeant*  
MAYOR

*Michael C. Berry*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

February 19, 2015

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

**RE: CDA Appointment**

Honorable President Pope and Councilors:

I am pleased to submit for your approval the appointment of Mr. Paul Sliney as the tenant's representative on the Community Development Authority (CDA) for a three year term to commence at the expiration of Ms. Swartz's term which is 3/12/15.

Mr. Sliney will be replacing Ms. Sally Swartz who plans to move out of the city in the very near future. I wish Ms. Swartz well and thank her for her dedicated service to the city and her fellow tenants.

Mr. Sliney is a longtime city resident and active participant in tenant meetings and events. Last year he was the recipient of the "Good Neighbor Award" for his kindness and efforts to enhance the quality of life for our senior community. He will add to the CDA a wealth of management experience gained from his years working in the high-tech industry and an eagerness to serve and represent the best interests of our tenants.

Please do not hesitate to contact my office with any questions or concerns.

Sincerely,

**Arthur G. Vigeant**  
Mayor



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CLERK'S OFFICE  
OF MARLBOROUGH

FEB 19 A 11:39

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*Office of the Mayor*

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*Patricia Bernard*  
EXECUTIVE SECRETARY

February 19, 2015

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

**RE: Appointment of the Keeper of the Lockup**

Honorable President Pope and Councilors:

Massachusetts General Laws, Chapter 40, Section 35 requires that "The mayor of each city ... required to maintain a lockup shall annually, by a writing recorded with the town clerk, appoint a keeper of the lockup, who shall have the care and custody thereof and of persons committed thereto."

Therefore I am submitting for your approval the reappointment of Police Chief Mark Leonard as Keeper of the Lockup for a period of one year from his date of confirmation.

Please do not hesitate to contact my office with any questions or concerns.

Sincerely,

**Arthur G. Vigeant**  
Mayor



# City of Marlborough

RECEIVED  
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CITY OF MARLBOROUGH

## Office of the Mayor

2015 FEB 19 A 11:38  
140 Main Street  
Marlborough, Massachusetts 01752  
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610

*Arthur G. Vigeant*  
MAYOR

*Michael C. Berry*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

February 19, 2015

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

**RE: Appointment of Principal Assessor**

Honorable President Pope and Councilors:

I am pleased to submit for your approval the appointment of Mr. David Manzello as Principal Assessor for a term of three years to expire from his date of confirmation. By virtue of his appointment as Principal Assessor, Mr. Manzello will also serve on the Board of Assessors per a revised ordinance change enacted last spring.

Mr. Manzello is an employee of Regional Resource Group Inc. (RRG), the firm responsible for the administration of the Assessor's Office. Mr. Manzello is replacing Bradford Dunn who is no longer with RRG.

Our Assessor's Office continues to operate smoothly thanks in no small part to your continued support of this innovative arrangement. I also wish to recognize Assessor's Office employees Paula Murphy and Cindy Healey for their continued excellence in customer service.

Thank you in advance for your consideration and please let me know if you have any questions.

Sincerely,

Arthur G. Vigeant  
Mayor



RECEIVED  
CLERK'S OFFICE  
MARLBOROUGH

2015 FEB 19 A 11:39

*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

*Arthur G. Vigeant*  
MAYOR

*Michael C. Berry*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

February 19, 2015

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

**RE: Notification of ADA Compliance Officer**

Honorable President Pope and Councilors:

I wish to inform you that I have designated Personnel Director David Brumby as the city's Compliance Officer in conjunction with the Americans with Disabilities Act (ADA). Mr. Brumby will ensure the accessibility of the information to individuals with disabilities should the need arise and will be our initial point person on all ADA related issues.

Should the need arise, we also have our Building Commissioner and Legal Department at our disposal to address any future facility or regulatory compliance. I am confident our team will swiftly manage any issues that may come our way and further ensure our full compliance with all applicable laws and regulations.

Please do not hesitate to contact my office with any questions or concerns.

Sincerely,

  
Arthur G. Vigeant  
Mayor



*City of Marlborough*  
**Legal Department**

140 MAIN STREET

MARLBOROUGH, MASSACHUSETTS 01752

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

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

*DONALD V. RIDER, JR.*  
CITY SOLICITOR

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
*CYNTHIA M. PANAGORE GRIFFIN*  
ASSISTANT CITY SOLICITOR

*ELLEN M. STAVROPOULOS*  
PARALEGAL

February 19, 2015

Patricia Pope, President and Members  
Marlborough City Council

RE: Proposed New Order To Grant An Easement To The Massachusetts Electric Company,  
Which Order Would Supersede Order No. 14-1006009B

Dear President Pope and Members:

On December 15, 2014, the Council voted to approve Order No. 14-1006009B by which the City granted an easement to the Massachusetts Electric Company for the purposes of providing new and updated service for Ward Park. On or about February 9, 2015, however, Massachusetts Electric (NGrid) revised the plan and the deed of grant of easement associated with Order No. 14-1006009B. For that reason, Order No. 14-1006009B must be superseded by a new order pertinent to the revised plan and deed of grant of easement.

Accordingly, attached for your consideration are a copy of the proposed new order, the revised plan, and the revised deed of grant of easement. The proposed revisions simplify the layout of poles and wires.

The City Engineer, Evan Pilachowski, will be available to answer any technical questions you may have.

Very Truly Yours,

/s/ Cynthia Panagore Griffin

Cynthia Panagore Griffin

Enclosures

Cc: John Ghiloni, Commissioner, DPW  
Evan Pilachowski, City Engineer

ORDERED:

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

ADOPTED  
In City Council  
Order No 15-  
Adopted

Approved by Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY  
ATTEST:



**Massachusetts Electric**  
Southeast District, Hopedale

Feeder: 311W4

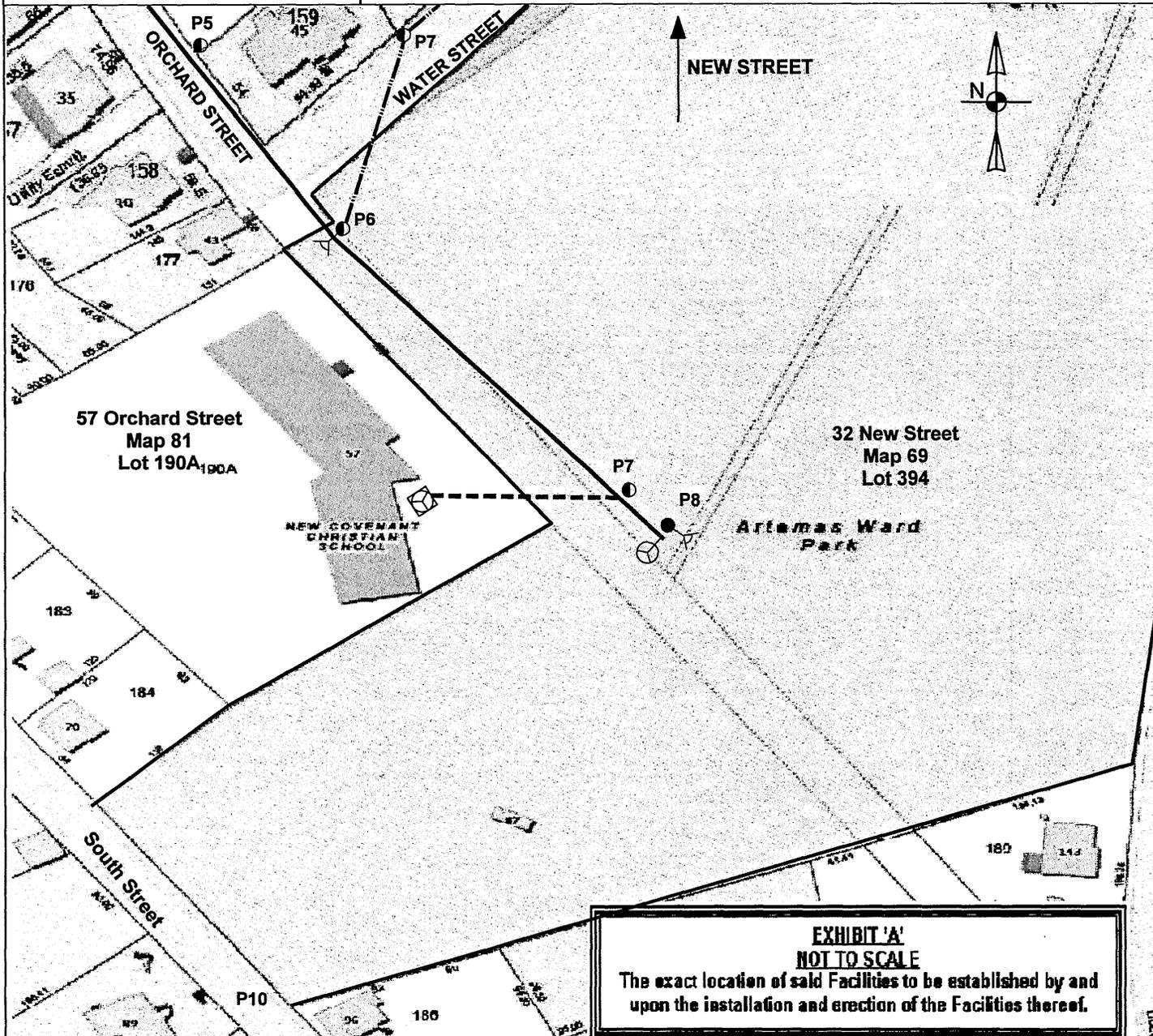
District Engineer: Bruce Kut

Work Location: 32 New Street, Marlboro Ma

DATE: 02/09/15

EASEMENT DRAWING :

17321479



**LEGEND**

- JOINTLY OWNED POLE
- SOLELY OWNED POLE
- DOWN GUY
- 3 PH OVERHEAD TRANSFORMER BANK
- 3 PH PADMOUNTED TRANSFORMER
- OVERHEAD PRIMARY AND SECONDARY CABLE
- OVERHEAD SECONDARY CABLE
- 15 KV UG PRIMARY CABLE

**EXHIBIT 'A'**  
**NOT TO SCALE**  
The exact location of said Facilities to be established by and upon the installation and erection of the Facilities thereof.

Property Address: 32 New Street, Marlborough, MA (MIDDLESEX SOUTH)  
57 Orchard Street, Marlborough, MA

## GRANT OF EASEMENT

CITY OF MARLBOROUGH, a Massachusetts municipality having a mailing address of 255 Main Street, Room 105, Marlborough, Massachusetts 01752 (hereinafter referred to as the Grantor), for consideration of One (\$1.00) dollar, grants to MASSACHUSETTS ELECTRIC COMPANY, a Massachusetts corporation with its usual place of business at 40 Sylvan Road, Waltham, Massachusetts 02451 (hereinafter referred to as the Grantee) with quitclaim covenants, the perpetual right and easement to install, construct, reconstruct, repair, replace, add to, maintain and operate for the transmission of high and low voltage electric current and for the transmission of intelligence, lines to consist of, but not limited to, a line of poles, (which may be erected at different times) with wires and cables strung upon and from the same and all necessary anchors, guys, and appurtenances (hereinafter referred to as the "OVERHEAD SYSTEM") and "UNDERGROUND ELECTRIC DISTRIBUTION SYSTEM" (hereinafter referred to as the "UNDERGROUND SYSTEM") located in Marlborough, Middlesex County, Massachusetts, consisting of lines of buried wires and cables and lines of wires and cables installed in underground conduits, together with all equipment and appurtenances thereto for the transmission of intelligence and for the furnishing of electric service to the herein described premises and others, and without limiting the generality of the foregoing, but specifically including the following equipment, namely: manholes, manhole openings, bollards, handholes, junction boxes, transformers, transformer vaults, padmounts, padmount transformers and all housings, connectors, switches, conduits, cables and wires all located within the easement area of the hereinafter described property.

Said "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM" are located in, through, under, over, across and upon those certain parcels of land situated on the southerly end of New Street, the southerly side of Orchard Street, and the northerly side of South Street, being more particularly shown as City of Marlborough Assessor Map 69, Lot 394 and Assessor Map 81, Lot 190A. No new boundaries were created by this document.

Said "OVERHEAD SYSTEM" is to originate from existing Pole P7, which is located on the northerly side of Water Street, then proceed in a southwesterly direction from said Pole crossing Water Street, over, upon and across land of the Grantor to a line of Poles.

WR # 17321479

Address of Grantees:  
Mass El. - 40 Sylvan Road, Waltham, Massachusetts 02451

After recording return to:  
Elizabeth A. Fresolone  
National Grid  
Service Company, Inc.  
280 Melrose Street  
Providence, RI 02907

05 MARL MA GEN

And further, said "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM" (locations of the electrical equipment and other facilities on the hereinbefore referred to premises of the Grantor) are approximately shown on a sketch entitled: "Massachusetts Electric Southeast District, Hopedale; Feeder: 311W4; District Engineer: Bruce Kut; Work Location: 32 New Street, Marlboro Ma; DATE: 02/09/15; EASEMENT DRAWING: 17321479," a reduced copy of said sketch is attached hereto as "Exhibit A", copies of which are in the possession of the Grantor and Grantee herein, but the final definitive locations of said "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM" shall become established by and upon the installation and erection thereof by the Grantee.

Also with the further perpetual right and easement from time to time without further payment therefore to pass and repass over, across and upon said land of the Grantor as is reasonable and necessary in order to renew, replace, repair, remove, add to, maintain, operate, patrol and otherwise change said "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM" and each and every part thereof and to make such other excavation or excavations as may be reasonably necessary in the opinion and judgment of the Grantee, its successors and assigns, and to clear and keep cleared the portions and areas of the premises wherein the "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM" are specifically located, as shown on the sketch herein referred to, of such trees, shrubs, bushes, above ground and below ground structures, objects and surfaces, as may, in the opinion and judgment of the Grantee, interfere with the efficient and safe operation and maintenance of the "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM" and other related electrical equipment. However, said Grantee, its successors and assigns, will properly backfill said excavation or excavations and restore the surface of the land to as reasonably good condition as said surface was in immediately prior to the excavation or excavations thereof.

If said herein referred to locations as approximately shown on the sketch herein also referred to are unsuitable for the purposes of the Grantee, its successors and assigns, then said locations may be changed to areas mutually satisfactory to both the Grantor and the Grantee herein; and further, said newly agreed to locations shall be indicated and shown on the sketch above referred to by proper amendment or amendments thereto. The Grantor, for itself, its successors and assigns, covenant and agrees with the Grantee, for itself, its successors and assigns, that this Grant of Easement and the location of the Overhead System and Underground System may not be changed or modified without the written consent of the Grantee, its successors and assigns, which consent may be withheld by the Grantee in its sole discretion.

It is the intention of the Grantor to grant to the Grantee, its successors and assigns, all the rights and easements aforesaid and any and all additional and/or incidental rights needed to install, erect, maintain and operate within the Grantor's land an "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM" for the transmission of intelligence and for the purpose of supplying electric service for the building, buildings or proposed buildings shown on the last herein referred to sketch or amended sketch and the right to service others from said "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM".

It is agreed that the "OVERHEAD SYSTEM and "UNDERGROUND SYSTEM" shall remain the property of the Grantee, its successors and assigns, and that the Grantee, its successors and assigns, shall pay all taxes assessed thereon. Grantor agrees that the rights and easement herein granted are for the purpose of providing service to Grantor's property and the further right to service others from said "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM".

For Grantor's title, see Eminent Domain Taking of Land dated June 18, 1979, recorded with the Middlesex South District Registry of Deeds in Book 13722, Page 421, Confirmatory Eminent Domain Taking of Land dated August 20, 1979, recorded with said Registry of Deeds in Book 13775, Page 228, and Order of Taking dated September 12, 1923, recorded with said Registry of Deeds in Book 4654, Page 553.

**Executed** as a sealed instrument as of this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

CITY OF MARLBOROUGH

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

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

Commonwealth of Massachusetts

County of \_\_\_\_\_ } ss.

On this the \_\_\_\_\_ day of \_\_\_\_\_, 2015, before me,

\_\_\_\_\_  
Name of Notary Public the undersigned Notary Public,

personally appeared \_\_\_\_\_,  
Name(s) of Signer(s)

proved to me through satisfactory evidence of identity, which was/were  
\_\_\_\_\_  
Description of Evidence of Identity

to be the persons whose names are signed on the preceding Grant of Easement, and  
acknowledged to me that he/she/they signed it voluntarily for its stated purpose(.)

as partner(s) for \_\_\_\_\_  
Name of Partnership

\_\_\_\_\_, a partnership.

as \_\_\_\_\_ for  
Title of Office

\_\_\_\_\_, a corporation.  
Name of Corporation

as attorney in fact for \_\_\_\_\_

\_\_\_\_\_, the principal.  
Name of Principal Signer

as \_\_\_\_\_ for \_\_\_\_\_  
Type of Capacity

\_\_\_\_\_, a/the \_\_\_\_\_  
Name of Person/Entity Type of Entity

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Printed Name of Notary

My Commission Expires \_\_\_\_\_

Place Notary Seal and/or Any Stamp Above

**CITY OF MARLBOROUGH  
CONSERVATION COMMISSION  
MINUTES**

**December 18, 2014 (Thursday)  
Marlborough City Hall – 3<sup>rd</sup> Floor, Memorial Hall  
7:00 PM**

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CITY OF MARLBOROUGH  
2015 FEB 11 P 12:55

**Members Present:** Edward Clancy-Chairman, Allan White, John Skarin, and David Williams. Also present was: Priscilla Ryder-Conservation Officer:

**Absent:** Lawrence Roy, Dennis Demers, and Karin Paquin

**Minutes:** The minutes of November 20, 2014 were reviewed and unanimously approved 4-0.

**Public Hearings:**

**Notice of Intent (Continuation)**

93 Framingham Rd. (Lot 7) - Melanson Development Corp. Inc.

Scott Smyers from Oxbow Associates was present. He explained that at the last meeting the Commission had discussed the need for a deed restriction on the Riverfront Area. Mr. Smyers had a letter dated 12-18-14 explaining some restriction language that could be used. The Commission reviewed this language and also discussed the permanent markers to be used to demarcate the Riverfront Area boundary that is to be left undisturbed. The Commission noted that this lot will essentially have no useable yard except the small area that will be cleared as part of this plan. A new plan dated Nov. 18, 2014 was also provided which shows the foundation drain as requested at the last meeting. After further discussion the Commission closed the hearing and reviewed the draft Order of Conditions (after discussions on Lot 8 below) and voted unanimously 4-0 to approve the draft conditions as written and amended.

**Notice of Intent (Continuation)**

93 Framingham Rd. (Lot 8) - Melanson Development Corp. Inc.

Scott Smyers from Oxbow Associates was present representing the owner. Lot 8 has less Riverfront Area than Lot 7. No work is proposed in the Riverfront Area. Some clearing is proposed in the 100' buffer zone which includes the house and the grading. They will use similar permanent markers as will be used on Lot 7. The Commission asked that the markers be approved by the Conservation Officer. They also noted that it may be best to install permanent fencing i.e. split rail fence or other demarcation to mark the boundary between the lawn and the area that is to be left natural. After further discussion about the deed language which will be similar to that of Lot 7, the Commission voted to close the hearing. They reviewed a set of draft conditions which they unanimously approved 4-0 as written and amended. These plans were also revised with a date of Nov. 18, 2014.

93 Framingham Rd. (Lot 6) - Scott Smyers asked how they should deal with Lot 6. No work is proposed in the Riverfront or Buffer Zone area, all work is outside of jurisdiction. However, half of Lot 6 does remain in the Riverfront area and should receive similar deed restriction language. After some discussion the Commission determined that the applicant should file a Request for Determination of Applicability for Lot 6, so this condition can be added and tracked.

## Notice of Intent

### Lot 13 Donald Lynch Blvd. – Quad Rink Limited Partnership

Chip Orcutt and Wes Tuttle from the New England Sports Center and Robert Truax P.E. from GLM engineering were present. Mr. Orcutt explained that the big plan for the lot next to the existing skating rink is to expand the rink and add some other building, yet to be determined. A few months ago they cleared the lot outside any wetland resource areas and did some soil exploration to determine what had been buried there over the years. Most of the materials can be reused on the site. While they are working on the design for the site, they would like to get a jump start on leveling off the property in preparation for future development. Tonight they are just seeking permission to table the lot and add some temporary drainage basins. This tabled situation would be stabilized once grading is complete. Mr. Truax explained the plan and noted the 200' Riverfront area, the mean annual high water line locations, the Bordering Vegetated wetland location and the bank. The site is 21 acres in size. 400,000 s.f. of which are within the Riverfront area. The regulations allow the Commission to approve up to 10% of the Riverfront area for alteration which would be 40,000 s.f. They have designed this filling and tabling operation to meet this requirement. No work is proposed in the first 100' of the riverfront area. 5 acres of the site is fill material which is not good for structural fill, but can be used to create the slope. The tabled area will have a 5% slope. They are proposing to install temporary drainage basins what will remain on site until another plan is presented with a building. The detention basins have been designed for 9 acres of runoff and have been designed to be 3 xs larger than that required under the EPA storm water standards. They anticipate that the bottom of the basins will be gravel and will infiltrate, but the design at this point isn't taking credit for that. Both basins are designed with emergency outlets in case they get significant storm events. They also provided a planting plan for the back slope which will mimic the slope behind the existing skating rink.

Mr. Truax provided a copy of the EPA Storm Water Pollution Prevention Plan as required. He indicated that the test pits which were 24' deep revealed that below the fill are all gravel and some boulders. They provided an erosion control plan with hay bales and silt socks and stump grindings. They will be installing jute matting along the slope and proposed a temporary swale to direct runoff to the basins. Mr. Tuttle, the rink manager, explained that he wants to get the site prepared in anticipation of future expansion, so that if they do move forward a new rink would be available within a year. There was some discussion about having a construction sequencing plan and phasing plan and the need for a pre-construction meeting. The Commission determined that these items are still required and a DEP # is still needed, so the hearing was continued to the January 8, 2015 meeting.

## Notice of Intent (Continuation)

### 424 South St. - South Street Realty Trust

Jonathan Novak from Coneco Engineers and Scientist and Andrea Kendall of LEC Environmental were both present. Also present were Mr. Fossile and Ms. Linda DiLiddo (Linda Fossile) of South Street Realty Trust. Mr. Novak explained that after the last meeting, they had made some plan changes and submitted them to DEP and the City Engineer. They received a response from both indicating the changes were satisfactory. He provided a memo which provided their responses to the list of items outlined by Evan Pilachowski, city engineer (check

file for date of memo). Ms. Ryder also received an e-mail from Mr. Pilachowski indicating that the plans were all set with him. The Commission asked what the purpose of the bridge was. Mr. Fossile indicated it was just to provide access to the back side of the property. They are hoping to get access for utilities from the other side of the brook, so will not be including utilities under the bridge. One comment from the engineering department was to replace the ash trees with red or sugar maple or other native plant that is not known to have a persistent pest like the Ash tree. After some discussion, the Commission closed the hearing and asked Ms. Ryder to draft a set of conditions for the next meeting.

**Notice of Intent (Continuation)**

358 Berlin Rd. - Marlborough Brazilian SDA Church

At the applicants request by e-mail, this item was continued to the January 22, 2015 meeting.

**Draft Order of Conditions:**

- DEP 212-1136 Hudson St. - Howe's Landing - The Commission reviewed the draft Order of Conditions provided and voted unanimously 4-0 to issue the Order as drafted.

**Certificate of Compliance:**

- DEP 212-1131 330 Berlin Rd. - Ms. Ryder indicated she is waiting for the deed language which is required. This was continued to the next meeting.

**Project Updates/Discussion:**

- Community Garden - Ms. Ryder showed the choices of location for a new community garden to be located at the Felton Conservation Land. The Commission agreed and asked Ms. Ryder to discuss with the farmer Mr. Wright to discuss the location and feasibility. Ms. Ryder will also look at the raised beds in Hudson to see if that would work.
- Changes made to DEP regulations - Ms. Ryder noted that there are some regulation changes that are now in effect. She went to a workshop that explained the changes and will provide a summary for review and discussion at the next meeting.
- Yearly Operation Plan 2015 – Review and provide approval - The Commission reviewed the YOP and voted unanimously 4-0 to approve the plan.

**Correspondence/Other Business:**

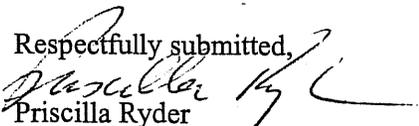
- Residents at Assabet Ridge- DEP 212-997 Ms. Ryder explained that Toll Brothers has indicated they are almost done and have stabilized the site. They don't anticipate any further muddy water discharges. The Commission said they'd take a look after the next few storm events to confirm before giving any signoff's on the project.

**Meetings:**

- Next Conservation Commission meetings: January 8<sup>th</sup> and 22<sup>nd</sup>, 2015 (Thursdays)

**Adjournment:** There being no further business, the meeting was adjourned at 8:35 PM.

Respectfully submitted,

  
Priscilla Ryder  
Conservation Officer

**CITY OF MARLBOROUGH  
CONSERVATION COMMISSION**

**Minutes**

**January 8, 2015 (Thursday)**

**Marlborough City Hall – 3<sup>rd</sup> Floor, Memorial Hall  
7:00 PM**

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CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2015 FEB 11 P 12:55

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

**Absent:** Allan White

**Minutes:** The minutes of December 4, 2014 were reviewed and the Commission unanimously voted to approve with a vote of 6-0.

**Public Hearings:**

**Notice of Intent**

9A Lakeshore Dr. – James Hannoosh

Mr. Hannoosh was present and explained that he had purchased this cottage a while ago and it is small, so he wants to add an addition and a new deck. The plan meets all the setback requirements from the side lot lines and is more than 30' from the lake. The new addition will have a full foundation which is a walkout basement. They will not encroach upon the sewer lift station which is next to the house. No work is proposed on the beach area. All excess material not used for backfill will be removed from the site. No paving or other work besides the addition and the deck are proposed. Equipment will likely access from the side driveway on the adjacent lot as well as from his parking area. He is working out permission with his neighbors. The Commission asked some additional questions and although there were quite a few neighbors who attended, no one spoke. The hearing was closed and the Commission asked Ms. Ryder to draft a set of conditions for the next meeting.

**Notice of Intent - (Continuation)**

Lot 13 Donald Lynch Blvd. – Quad Rink Limited Partnership

Robert Truax of GLM Engineering; Chip Orcutt from Quad Rink Limited Partnership and Wes Tuttle from New England Sports Center were all present. Mr. Truax explained that based on the last meeting, he had revised the plan and split it into two sheets; one showing the landscape plan and the other the grading and detention facilities. The new plan is dated 1-8-15. He also provided a memo which outlined the "New England Sports Center: Slope Construction" protocol which was reviewed and approved by the Commission and will need to be followed during construction. He also reviewed the alternatives analysis, dated Dec. 30, 2015 which is required in the Riverfront area which the Commission reviewed and accepted.

The construction sequencing and slope stabilization was discussed. The contractor will be instructed to create the slope and embankment in controlled lifts and will use slope fabric to stabilize the slope which in the end will be 20' high. They will use stump grindings as shown on the plans.

They explained that their rink expansion plan is still in progress and they hope to have something soon to file with the City Council, however they wanted to table this site now in anticipation of doing something with the lot in the future. Given the amount of earth moving required, they are anticipating between 3-6 weeks of work. Mr. Demers asked some questions about construction, materials, sequencing and was given a summary of the items provided at the previous meeting since he and Ms. Paquin had not attended. After further discussion, the Commission closed the hearing and reviewed a draft Order of Conditions. The Commission voted unanimously 6-0 to approve the draft conditions as written and amended.

**Note:** The Commission members forgot to sign the signature sheet at the night of the meeting. David Williams and Lawrence Roy did not come into the office to sign the signature sheet. David and Larry said it was o.k. to release without their signatures, considering we already had 4 signatures.

#### **Certificate of Compliance**

- DEP 212-1131 330 Berlin Rd. - Ms. Ryder noted that she is still waiting for deed language as required, once this is submitted this will be added again to the agenda.

#### **Draft Order of Conditions**

- 424 South St. – South Street Realty Trust - The Commission reviewed the draft Order of Conditions and voted unanimously 6-0 to approve the conditions as written and as amended to allow the applicant to add a sleeve under the bridge for utilities if that proves necessary.

**Note:** The Commission members forgot to sign the signature sheet at the night of the meeting. David Williams and Lawrence Roy did not come into the office to sign the signature sheet. David and Larry said it was o.k. to release without their signatures, considering we already had 4 signatures.

#### **Discussion/Other Business**

- Summary of revised Wetland Regulations - Ms. Ryder provided a memo dated Jan 8, 2015 summarizing the Wetland Regulations that have recently gone into effect. The most significant being that the utilities including water, sewer, gas, electric etc. are now exempt from having to file with the Commission if work is within the roadway and not in a wetland resource area. This will mean the DPW will not need to file for the utility replacements in the roadway in the future. The new regulations also address stream crossings and abutter notice requirements for large linear projects. The Commission accepted the memo and asked Ms. Ryder to send something similar to the DPW and ask that they provide a letter to the Commission when work on utility lines in roadways near wetlands are to be done, so the Commission is aware and can respond if there are any issues prior to construction. They also suggested that a protocol be put in place with the DPW re: erosion controls, what to do during warm “non-freezing” weather and what to do during freezing conditions when dewatering is more difficult. Ms. Ryder will send a letter to DPW with this information.
- Road Salt issue - Mr. Demers and Mr. Skarin expressed concerns that the city is using straight salt on the roadways. Based on this discussion at the previous meeting, Ms. Ryder had provided information to the Commission about road salt and environmental issues. The Commission had read the information from the State of NH that is concerned with road salt and lake health. They wanted to know if the city has any data on salt contents in our drinking water supply, Lake Williams and

Millham Reservoirs. Wondered if they have data in summer and when road salt is in use. Major concern is the impact the salt may have on drainage structures i.e. catch basins both the metal and concrete which are both corroded by salt. They also wanted to be sure the public safety balance is “balanced” with the environmental health issues. After some discussion, it was agreed that Ms. Ryder will draft a letter to the DPW for Mr. Clancy’s signature to ask questions about the current road salt operation as it relates to 1) human health and safety - what is salt level in water currently, has trend changed over time? 2) Ecological impact – on streams, lakes, has it accumulated, does it flush out? 3) Share NH DES report with DPW and discuss issues raised in that document too. After some further discussion, the Commission agreed that a letter expressing the Commission’s concerns about straight salt and asking for information was warranted. Ms. Ryder and Mr. Clancy will work on this and set up a meeting with the DPW.

**Meetings** – Next Conservation meetings – Jan. 22, 2015 and Feb. 5, 2015 (Thursdays). A special joint meeting with Hudson Conservation Commission and Ft. Meadow Commission will be held on January 29, 2015 in Hudson.

**Adjournment**

As there was no further business, the meeting was adjourned at 8:45 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Priscilla Ryder", with a long horizontal flourish extending to the right.

Priscilla Ryder  
Conservation Officer



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2015 FEB 11 A 8:42

**CITY OF MARLBOROUGH  
YOUTH COMMISSION MEETING**

**MEETING MINUTES: 7 AUGUST 2014**

**ROLL CALL OF YOUTH COMMISSIONERS:**

**Kelley French (Chair) – Present**  
**Michael Gibson (Secretary) – Present**  
**Steve Zepf – Present**  
**Pascal Chesnais – Present**  
**Connie Mish- Present**

**Invited Guests:**

**Mike Berry – (Executive Aide to the Mayor) -Present**  
**Ryan Wambolt (future appointed Youth Commissioner) -Absent**  
**Santiago Vargas (future appointed Youth Commissioner) -Absent**  
**Officer Louie Turieu, Marlborough Police Department -Present**

**-Meeting start: 6:00pm**  
**-Meeting adjourned: 6:58pm**  
**-Location: Marlborough City Hall, Mayor's Conference Room**

**Motion to Approve the June, 2014 Meeting Minutes made by Kelley French- Approved as read. Motion was seconded by Connie, and motion carried.**

**Minutes:**

- **Discussed the current work plan**
- **Pascal announced his resignation from the Youth Commission. Will not seek reappointment.**
- **Discussed the Drug and Alcohol Awareness Video/Logo contest**
- **Discussed the Youth Commission Resource Guide**
- **LOGO contest- Voted upon only focusing on the LOGO contest this year. Motion made by Connie Mish. All in agreement. Vote passed. –The video contest would resume talks next year.**
- **Further discussed how to promote the LOGO contest to the public.**
- **Agreed upon using "A healthy me is drug free". To be used in our LOGO contest.**
- **Next meeting scheduled for: September 16<sup>th</sup> at 6:00pm (Location to be announced)**
- **Meeting adjourned: 6:58pm**



**Michael Gibson**

**Secretary/Marlborough Youth Commissioner**



**Date**



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2015 FEB 17 P 2: 58

**CITY OF MARLBOROUGH  
YOUTH COMMISSION MEETING**

**MEETING MINUTES: 30 SEPTEMBER 2014**

**ROLL CALL OF YOUTH COMMISSIONERS:**

Kelley French (Chair) – Present  
Michael Gibson (Secretary) – Present  
Steve Zepf – Present  
Connie Mish- Absent

**Invited Guests:**

Mike Berry – (Executive Aide to the Mayor) -Absent  
Ryan Wambolt (Approved Youth Commissioner- Not sworn in yet) -Present  
Santiago Vargas (Approved Youth Commissioner- Not sworn in yet) -Present  
Officer Louie Turieu, Marlborough Police Department -Present

-Meeting called to order: 6:00pm  
-Meeting adjourned: 6:50pm  
-Location: Marlborough City Hall, Mayor's Conference Room

Motion to Approve the 11 August 2014 Meeting Minutes made by Steve Zepf- Approved as read. Motion was seconded by Kelley French, and motion carried.

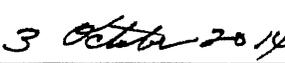
**Minutes:**

- Discussed Logo contest – Entries are due on 30 January 2015
- Need to keep to Marlborough residents only
- "A healthy me is drug free" – must be included within the logo submission
- \$1,500.00 of the \$15,000.00 received from the state will be used toward winner prize awards
- Main Street Journal, The Patch, Community Advocate- to be contacted about the contest
- Discussed the Youth Resource Guide (the spreadsheet with the demographic data collected)
- Discussion on Connie Mish's idea on communication platforms- tabled until next meeting
- Action Items:
  - Ryan and Santiago to talk with their art directors at school about the contest
  - Ryan and Santiago to send teacher info and e-mail addresses to Kelley that are missing
  - Kelley to distribute logo contest using Marlborough Youth Commission (MYC) e-mail
  - Kelley to create a draft press release to send out by the end of next week to Mike Berry
  - Kelley to put logo contest document on city and MYC website
- Next meeting scheduled for: October 21<sup>st</sup> at 6:00pm (Mayor's Conference Room –to be confirmed)
- Meeting adjourned: 6:50pm

  
\_\_\_\_\_

Michael Gibson

Secretary/Marlborough Youth Commissioner

  
\_\_\_\_\_

Date



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**CITY OF MARLBOROUGH  
YOUTH COMMISSION MEETING**

**MEETING MINUTES: 21 OCTOBER 2014**

**ROLL CALL OF YOUTH COMMISSIONERS:**

**Kelley French (Chair) – Present**

**Michael Gibson (Secretary) – Absent**

**Steve Zepf – Present**

**Connie Mish- Present**

**Ryan Wambolt - Absent**

**Guests:**

**Mike Berry – (Executive Aide to the Mayor)**

**Santiago Vargas (future appointed Youth Commissioner)**

**Sharon Buckley**

**-Meeting start: 6:00pm**

**-Meeting adjourned: 7:00pm**

**-Location: Marlborough City Hall, Mayor's Conference Room**

**September minutes were held for approval for November Meeting.**

**Minutes:**

- **Introduction of current members to guest, Sharon Buckley.**
- **Discussion for follow up on the logo contest was completed. Follow-up will be done with art directors, youth activity directors and a flyer will be created to distribute around the schools and city.**
- **A discussion was held on creating awareness around the parent resource guide. The idea of using post cards to announce the resource guide was suggested. Postcards could be left at major locations and possibly with welcome packets. Additional research and a draft template will be completed for the next meeting.**
- **Connie led a discussion on her ideas of an app to create awareness and get the community involved with the drug and alcohol campaign. More research and follow-up needs to be completed.**
- **Next meeting scheduled for: Wednesday November 12th at 6:00pm (Location to be announced)**
- **Meeting adjourned: 7:00pm**

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**Kelley French,**

**Chair/Marlborough Youth Commissioner**



CITY OF MARLBOROUGH  
YOUTH COMMISSION MEETING

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2015 FEB 17 P 2:58

MEETING MINUTES: 16 DECEMBER 2014

ROLL CALL OF YOUTH COMMISSIONERS:

Kelley French (Chair) – Present  
Michael Gibson (Secretary) – Present  
Steve Zepf – Present  
Ryan Wambolt – Present  
Santiago Vargas - Absent  
Connie Mish- Present

Invited Guests:

Mike Berry – (Executive Aide to the Mayor) -Absent  
Sharon Buckley (Future Appointed Youth Commissioner- to be sworn in) - Present  
Officer Louie Turleu, Marlborough Police Department –Present

-Meeting called to order: 6:00pm - Meeting adjourned: 6:40pm

-Location: Marlborough City Hall, Mayor's Conference Room

-Motion to Approve the 21 October 2014 Meeting Minutes made by Connie Mish- Approved as read. Motion was seconded by Steve Zepf, and motion carried.

Minutes:

- Discussed the Logo contest and information sent out
- Discussed the Youth Community Resource Guide
  - Identified locations where it could be placed
  - Proposed sending out to all residents, or to a select group/schools, clinics, library, hospitals, etc.
  - Reviewed the need of a backing to the guide – resolved with no additional need for a back side
  - Discussed the cost of the guides VS the effectiveness of sending out in larger quantities
  - Would like to have 2,000 printed, with approximately 30 acrylic stands
  - Will require permission when placement is made (depending on the organization/location)
- Discussed the possibility of a Y.C. Facebook page for further awareness
- Discussed the upcoming Service Award Applications- reviewed the current format and questions
  - Need more emphasis on “beyond school-based criteria” and more “community-based” and what action promoted/inspired you to perform this community work.
- Action Items:
  - Kelly to speak with Mike Berry to have 2,000 printed
  - All Youth Commissioners to identify at least 5 locations for the guides to be placed
  - All Youth Commissioners to identify 5 contacts for the Service Award Applications
  - Invite George Larassa to the January 2015 meeting
- Next meeting scheduled for: January 20<sup>th</sup> 2015, at 6:00pm (Mayor's Conference Room –to be confirmed)

Michael Gibson

Secretary/Marlborough Youth Commissioner

6 January 2015

Date

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BOARD OF ASSESSORS

2015 FEB 11 A 11: 21  
MEETING MINUTES: NOVEMBER 25, 2014

1. Call To Order: 1:00 pm  
Members Present: Anthony Arruda, Ellen Silverstein, Bradford Dunn
2. Motion to Accept minutes of June 3rd 2014 meeting: Mr. Arruda, second Ms. Silverstein  
Vote: 3-0
3. Motor Vehicle Excise Tax Abatement list signed by board
4. Senior Citizen Tax Work-Off Program 2014 Abatement list signed by board
5. Approve and Sign Chapter Land Applications
6. Discussion and Vote: Clause Exemption Applications
  - (2) clause 22, (2) clause 17D, (2) clause 41C  
Motion to Deny: Mr. Arruda, second Ms. Silverstein  
Vote: 3-0
7. Discussion and Vote: Real Estate Administrative Abatements:
  - Belleview Ave, 147 Cullinane Dr, 28 Nolan Way, 47 Nolan Way  
Motion to grant: Mr. Arruda, second Ms. Silverstein  
Vote: 3-0
8. Discussion and Vote: Chapter Land status
  - 655 Farm Rd  
Motion to Deny: Mr. Arruda, second Ms. Silverstein  
Vote: 3-0
9. Approve and Sign Recapitulation Documents:
  - LA 4, LA13, LA15 and Release of \$3,680,000 from Overlay to General Fund
10. Motion to Conclude : Mr. Arruda, second Ms. Silverstein  
Meeting Adjourned: 2:02 pm


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**MARLBOROUGH PLANNING BOARD  
MARLBOROUGH, MA 01752**

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January 5, 2015 11:48

**Call to Order**

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

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

**Organizational Set Up, Election of Chairperson and Clerk**

Mr. McCarthy acting as President Pro tem opened the nominations for Chairperson.

Ms. Hughes nominated Dr. Barbara Fenby as Chairperson, seconded by Mr. Hodge. Dr. Fenby accepted the nomination.

Nominations were closed and Dr. Fenby was elected by unanimous vote.

Chairperson Fenby opened nominations for Clerk.

Mr. Coveney nominated Ms. Hughes as Clerk, seconded by Mr. Fay.

Ms. Hughes accepted the nomination.

Nominations were closed and Ms. Hughes was elected by unanimous vote.

**1. Meeting Minutes:**

**A. Regular Meeting December 15, 2014**

On a motion made by Ms. Hughes, seconded by Mr. Fay, it was voted to approve the minutes of the December 15, 2014 regular meeting. Motion carried.

**2. Chair's Business:**

**A. From City Council Referral of DCU Electronic Sign Special Permit Application.**

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

**3. Approval Not Required: None**

**4. Public Hearings: None**

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

**A. Engineers Report:**

Assistant City Engineer Collins noted that after a cursory inspection of all hydrants in currently active subdivisions he can report they have all been properly flagged.

Cider Mill Estates (Fafard) have put in a request for street lighting on McDermot Way.

Blackhorse Farms have taken care of the sidewalk in front of house #29 and it looks beautiful.

Walker Brook Estates looks as though it has stopped work for the winter months however it did

appear they were attempting to install utilities. There is no Bond in place, nor a construction schedule. This subdivision is going to have to be monitored closely.

**B. Bouffard Drive request from Attorney Bergeron-Decision from Engineering**

Ms. Hughes read the request of Attorney Bergeron into the record.

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

Assistant City Engineer Collins updated the Board on the timeline for this project. The project was completed in 2003 with revisions made to the Road Layout in 2005. The City Engineer at the time refused to sign off on the project due to there being a new stonewall that was encroaching on said roadway layout with the layout modified the encroachment was negated.

Current City Engineer Pilachowski believes the project should have been approved and closed out years ago.

It is the request of the Board to have the City Solicitor look into the matter to make sure that no currently in place design standard rules are going to be negatively impacted. The design standards are rules which are currently in the process of being realigned and updated.

On a motion made by Mr. Fay, seconded by Mr. Hodge it was voted to reduce the current bond to zero and send a favorable recommendation to the City Council to accept Bouffard Dr as a City Way. Motion carried

**C. Columbia Construction request for bond release (Addition Hill Modification)**

On a motion made by Mr. Fay, seconded by Mr. Coveney this item was removed from the table. Motion carried.

Ms. Hughes read the request into the record.

On a motion made by Mr. Fay, seconded by Mr. Coveney the request was forwarded to the Engineering Department. Motion carried.

**D. Capital Group Properties Request for Bond Reduction (Mauro Farms Subdivision)(Requested Research attached)**

Mr. Fay noted his conflict for the record.

Ms. Hughes and Mr. Fay noted that it appeared there were properties missed in the mitigation offering.

On a motion made by Ms. Hughes, seconded by Mr. Fay it was voted to send correspondence to Capital Group asking for proof that the obligation of the mitigation has been met by Capital Group. The request will also note which properties accepted the landscaping and which properties accepted the \$5,000.00 payment in lieu of the landscaping and when it was paid by Capital Group. As well as table the bond reduction request until the correspondence is received. Motion carried.

**E. Mylar Set to be signed Howe's Landing Subdivision**

The Twenty Day appeal period has expired and the City Clerk has signed the plans. All is in order for the Planning Board endorsement at the end of the meeting.

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

**7. Definitive Subdivision Submission: None**

**8. Signs:**

**A. Denial regarding Off Premise sign application Donald J. Lynch Boulevard**

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

**9. Unfinished Business:**

**A. Blackhorse Farms Update**

Assistant City Engineer Collins noted this update was part of his earlier report (Item 5A)

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

**B. Mauro Farms Update**

Assistant City Engineer Collins had no update on this subdivision for the Board.

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

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

Item was tabled due to neither Solicitor Rider, nor City Engineer Pilachowski were in attendance.

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

**10. Informal Discussions:**

It is the request of the Board to recommence the creation of the Subdivision Master Calendar. The Engineering Department has done a fine job with the currently in place schedule but is the request of the Board to have additional information incorporated into it. Assistant City Engineer Collins as well as the current Engineering intern and the Board Secretary will work together and report back to the full Board at the next regularly scheduled meeting. (January 26, 2015)

**11. Correspondence:**

**A. MassDevelopmet consideration of revenue bond for Partners Healthcare.**

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

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

**A. Town of Southborough, Planning Board Public Hearing January 12, 2015**

**B. Town of Framingham, Planning Board Public Hearing 1/8/15 (4) Notice of Decision (1)**

**C. Town of Sudbury, Board of Appeals, Notice of Decision (2)**

**D. Town of Sudbury, Zoning Board of Appeals Public Hearing 1/5/15**

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. Coveney it was voted to adjourn at 8:05pm. Motion carried.

Respectfully submitted,

Collen Hughes  
Clerk

/mai

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MARLBOROUGH BOARD OF HEALTH MEETING JUNE 3, 2014

There was a meeting of the Marlborough Board of Health on Tuesday, June 3, 2014, City Hall, 1st floor, Committee Room.

Attending were: John Rowe, Chairman; John Curran, M.D., Member; James Griffin, Member; Deirdre O'Connor, Assistant Sanitarian; Nancy Cleary, Public Health Nurse; Linda Goodwin, Secretary.

NEW BUSINESS:

1: UPDATES TO REGULATION XVII (INTERIM): MARLBOROUGH BOARD OF HEALTH RULES & REGULATIONS REGARDING FLOODPLAINS

Priscilla Ryder, Conservation Officer for the City, and Don Cusson, Emergency Management Director for the City were both present to discuss the amendments to Regulation XVII (Interim), new maps, and all new reference codes.

Priscilla Ryder: Updated flood insurance rate maps (FIRM) and regulations have been provided by the Federal Emergency Management Agency (FEMA); the 2010 version of FEMA flood maps did not give an accurate picture of our floodplains. With the 2010 version some residents were actually made to obtain flood insurance, or had to have property surveyed showing there are actually outside of the floodplains. This regulation is very important, in the event of an emergency and/or disaster the City of Marlborough through the Board of Health Regulation must accept the new plans to remain covered under Federal Emergency Management Agency (FEMA), who administer the National Federal Flood Insurance Program.

A paper copy of the new flood maps will be kept on file in the Conservation office, a copy of disc with all the new maps will be provided to Board of Health office, for reference. The City will work with putting these new maps on the city's GIS system. This will enable the residents to access and to view these maps on the City website. FEMA is online for engineers.

PAGE 2

Board reviewed and realized this is an important regulation in the event of a disaster.

Motion made to approve amendments to Marlboro Board of Health Regulation XVII (Interim) regarding Floodplain Maps. Motion made to accept by James Griffin, seconded by John Curran. Motion carried 3-0

2: DISCUSS UPGRADES & ENHANCEMENTS TO IMPROVE BOH SERVICES

Board discussed several issues: reviewing the fee schedule; discussed the possibility of charging a re-inspection fee if they have to revisit an establishment, or close for any violations. Board will review and discuss at the next monthly meeting. Motion carried 3-0

OLD BUSINESS:

- 1: MINUTES – PREVIOUS MEETING - MAY, 2014  
Board reviewed, accepted and placed on file. Motion carried 3-0
- 2: SANITARIAN MONTHLY REPORT – MAY, 2014
- 3: ASSISTANT SANITARIAN MONTHLY REPORT – MAY, 2014  
Board reviewed, accepted and placed on file. Motion carried 3-0
- 4: PUBLIC HEALTH NURSE MONTHLY REPORT – MAY, 2014  
Board reviewed, accepted and placed on file. Motion carried 3-0

Respectfully submitted,

John Rowe, Chairman

Marlborough Board of Health Meeting July 15, 2014

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There was a meeting of the Marlborough Board of Health on Tuesday, July 15, 2014, A 10:45  
City Hall, 3<sup>rd</sup> floor, Memorial Hall. Meeting convened at 6:30 PM.

Board Members Present: Chairman John Rowe; Member John Curran, M.D., & Member James Griffin.

Board of Health Staff: Assistant Sanitarian Deirdre O'Connor, Public Health Nurse Nancy Cleary, & Secretary Linda Goodwin.

Also Present: Mayor Arthur Vigeant, Executive Aide Mike Berry, Halfway Café Representative Steve Allegro, Marlboro Super Buffet Representatives Jack & Andy Zheng and Consultant Pamela Ross-Kung.

NEW BUSINESS:

1: Halfway Café – Review Recent Food Complaint & Inspection Results

Deirdre O'Connor stated this complaint emanated from a food borne illness report, a confirmed salmonella case in which a person was admitted to the hospital. The full inspection transpired on June 27th at 4.00 pm. It was extremely hot in the upstairs kitchen. The basement kitchen including the walk-in and food preparation area has had water and grease trap issues. The upstairs kitchen has little ventilation and the heat does affect the cold holding temperatures for hot food. Deirdre spoke with Manuel Sanchez, Person in Charge (PIC), he did not seem knowledgeable (may have been nervous and/or not forthcoming). The restaurant closed for several hours, allowing them to do a major cleaning, etc. They reopened that day. This is not the first time in which the restaurant was closed and is very disconcerting. The restaurant owners requested outside assistance. Deirdre asked what changes have been implemented since reopening.

Steve Allegro from Corporate agreed that the company failed at the switch. They made improvements right away so by the re-inspection, all items were corrected. They checked and logged the temperature of the refrigeration unit in the a.m. as well as p.m. They noticed the temperatures were not holding correctly, so a new unit was ordered immediately. The company implemented a new training program for all employees. All managers are ServSafe trained and certified now all employees who handle food will be ServSafe trained and certified. New training program will address temperature logs, sanitation, food handling, and personal hygiene. Temperature logs are now located on top of each unit. Foods which require cooking will no longer be stored on ice. Sanitizers with pumps will be placed at every cooking station and monitored and changed with every shift change.

Deirdre questioned the ventilation in the upstairs kitchen which needs to be addressed.

Steve Allegro: Yes, we are addressing ventilation problems right now. We have scheduled a company to come in and evaluate the kitchen and give us some ideas how we can address the ventilation issue. Right now we have two exhaust fans in place, we may need stronger motors, etc. we will know more after the evaluation.

Deirdre: You may want to consider hiring an outside auditor, sometimes a new set of eyes, new people doing the education, etc. I do have a list of auditors/trainers if you are interested.

Dr. Curran: Questioned the building infrastructure? Ventilation is a big issue in a hot kitchen; this event was very significant to have a patient in the hospital for a week. This needs to be addressed immediately.

Steve Allegro: I agree. We now have temperature logs in place; ambient temperature of the kitchen does not affect food temps. We are open to audits, engineers checking on the ambient heat in the kitchen.

Dr. Curran questioned if equipment is in place and working?

Steve Allegro: Yes, in place and working.

Deirdre: Keep checking those temperature logs; if off, address immediately do not wait. If kitchen remains so hot, going to have the same problems.

John Rowe: I would like to make a recommendation within the next 3 weeks I would like to see an outside firm check the refrigeration units; and a written report from an engineer checking the ventilation in the kitchen. Keep constant check on the temperatures on a chart that we can verify.

James Griffin: I agree 3 weeks seems to be a reasonable amount of time to have a company come in and have a written report done. Bring reports to office for Deirdre to verify.

Board agreed that a re-inspection will occur within the next 5 days. If these problems persist your license for a food establishment could be suspended or revoked.

Motion made to receive written reports within 3 weeks regarding inspection of ventilation system; and refrigeration equipment. Pass upcoming inspection which will be done within the next 5 business days. Motion made by James Griffin, seconded by John Curran. Motion carried 3-0

2: Marlboro Super Buffet – Review Recent Food Inspection Results

Deirdre O'Connor: I was called to Marlboro Super Buffet by Ms. Lee our contract food inspector regarding the conditions of this restaurant; overall uncleanliness, mouse droppings everywhere, food solution (drippings) mopped into cracks in floor, large amount of raw chicken out in the open, warm and out of temperature, no sanitizer in the whole restaurant. Very lucky no one sickened. I closed immediately. They hired a consultant Pamela Ross-Kung; at re-inspection of restaurant it was like a new place, so clean, a great job.

Pamela Ross-Kung addressed the Board. I have been hired for a minimum of 3-months, longer if necessary. I decide if necessary. Restaurant owners just need guidance, sometimes lose sight of things quickly. Knowledge needs to be reinforced.

Jack Zheng owner of restaurant. I apologize to the Board for what happened. Everything just got out of hand. We are all retrained using temperature logs, cleaning, etc. this will not happen again.

Pamela Ross-Kung: All training paper work is provided in English, Chinese and will soon be available in Spanish. Personally, I like to demonstrate, performing these tasks over and over themselves, they get it. They really appreciate it more by doing, then reading how to.

John Rowe: Who is the watch dog when you are not there?

Pamela Ross-Kung: The two owners are now in charge Andy Zheng is in charge in Hudson, and Jack Zheng is in charge in Marlborough. Holding them the owners both responsible not employees.

Board questioned how treated by our inspector Deirdre O'Connor during and after inspection?

Pamela Ross-Kung: Awesome, utmost respect, I knew she was happy at the re-inspection as I promised her she would be. The look on her face told it all. Consultant shared before and after pictures with Board. With the right cleaning products, and equipment, you can clean anything. But you only have one shot with me; you have to show me you really want to improve.

Board is very happy with the results. We want to see progress continuing especially when consultant is no longer present. Motion made to accept report by James Griffin, seconded by John Curran. Motion carried 3-0

- 3: Communication from Mayor Vigeant re: P/T Public Health Nurse – Discussion of Regional Prevention Wellness Grant with Dr. Wong

Mike Berry, Mayor's Executive Aide: Communication from Mayor was sent to Board regarding P/T Nurse Position. Once the Municipal Agreement is in place, Dr. Wong will begin his assessment. Dr. Wong should be available to come into the office by Tuesday July 22<sup>nd</sup> depending on his schedule. With Dr. Wong's guidance hopefully we can make the decision which Nursing direction is best for the City of Marlborough.

Board had several questions for Dr. Wong.

Mike Berry: Dr. Wong will discuss with Nancy Cleary the BOH nursing needs, etc. It is not appropriate to discuss at this moment until municipal agreement is in place. Dr. Wong is here tonight to meet the Board and to discuss the Prevention and Wellness Grant that Marlborough is a participant in. At this time I ask the Board to wait for future discussions until Dr. Wong's contract is in effect.

- 4: Examine Funding Source to Cover Flu Vaccine Order

Nancy Cleary: I had earlier requested additional funds from the Mayor's office to cover the increase in our order of Flu Vaccine for the upcoming flu season. A stronger vaccine is available that covers more strains of the flu, but the price had increased. This funding request was not addressed. I do have an order in place, but I may have to cancel if I do not know where the funds are coming from. There is a real concern that I may not be able to re-order. The company ran out of vaccine last year, because the demand is so high. The State provides this vaccine for seniors and people at risk. I have several clinics scheduled for residents, employees, the Convoy of Hope, etc. I may not have enough vaccine for all of these clinics.

Mike Berry: I cannot authorize a transfer without knowing where the funds are coming from; this should have been addressed at budget time.

Nancy Cleary: I worked with Bob Landry and we sent a letter addressing these concerns and asking for this increase to cover this increase in vaccine. We had not heard back, so thought it was being addressed.

Board asked Mike Berry to discuss with the Mayor to see if funds can be designated for this important issue. We do not want to cancel any flu clinics.

- 5: Appointment of Health Agents  
Communication from the Mayor regarding appoints of Dr. Sam Wong and Maureen Lee as Health Agent/Inspectors for the City of Marlborough.

Mayor Vigeant: We had hoped to have the Municipal Agreement in place by this meeting but it should be approved by full City Council at Monday's meeting. It was just approved by the Committee reviewing it. We have been in the process of reviewing the whole department, not just Nursing Services. We have hired an outside Food Consultant Maureen Lee for 60-days. She has performed at least 60 food inspections at this point. Her software is now in place allowing her to send her food inspections to us electronically. GEO TMS is now in place and Board of Health staff has been trained enabling communication with other city departments. Lisa Thomas the City Clerk, has been asked to step in and help computerize Board of Health office, working with Linda who I understand is doing a great job. All of these changes will help to ease the day to day operation of the office. I have been working with the Town Administrator of Hudson to allow Dr. Wong to help us out during this transition, until Bob Landry is back up on his feet. Our Nursing needs will be addressed with Dr. Wong once he is on board.

Nancy Cleary had several questions regarding funding that is in place for p/t nurse position?

Mayor Vigeant: Again we are now looking at the department as a whole, to see what deficiencies exist and nursing services are included in this review. Once we have Dr. Wong in place he will review and give us his professional opinion on this department as a whole.

Mike Berry: Maureen Lee was unable to attend tonight's meeting but she will be at next month's meeting to introduce herself to the Board, and will be available for all monthly meetings. This appointment gives her the authority to act on the behalf of the City in an emergency basis. A yes vote: If she is at an inspection and she feels she needs to take action, she could close immediately. A no vote: She would have to contact Ms. O'Connor before taking any action, a good example why this is really needed is last week Ms. O'Connor was attending training out of state, and would not have been available.

John Curran: I have worked with Dr. Wong and believe he would be a great asset to the City during Bob's absence and would vote yes with no hesitation.

John Rowe: What is Deirdre's roll in the office?

Mayor Vigeant: She will continue to do all miscellaneous inspections, pools, housing, etc.

Jim Griffin: I agree the City will be well served with Dr. Wong's guidance. I do not know Ms. Lee, but look forward to meeting her and working with her in the coming months.

Motion made to appoint Dr. Sam Wong and Maureen Lee as Health Agent/Inspector for the Marlborough Board of Health and to authorize them to take any action on behalf of the Board of Health to act in the best interests of the health and well-being of the community. Motion made by James Griffin, seconded by John Curran. Motion carried 3-0

6: Draft Local Legislation for Food Establishments

Mayor Vigeant: The current regulations on file do not have any teeth; I have met with MEDC who works with all the restaurants in town to discuss these new regulations that we want to implement as soon as possible. We discussed the fee structure: \$100/re-inspection; \$200-\$300/return inspection required; or close and/or fine up to \$500.

MEDC did ask for leniency the first year, realizing that most restaurants will require a re-inspection. I agreed but the second year they will go full force in effect, doubling re-inspection fees and will remain at that level. We have also enlisted the help of a consultant to provide guidance for any restaurant owners that need any issues, questions, etc. This service will be at no charge. They can call and get any guidance etc., and no written reports or lists of any owns that had any issues will be sent to the City.

Once approved and advertised a letter will be sent to all Food Establishments with a copy of the new regulations. At the end of the year, if any money is owed to the City, their permits will not be renewed until such fees are paid.

Mike Berry: We would like to get your feedback, this is a starting point. We need to advertise for 7-days before anything can go into effect. Advertising will be done by the City Clerk.

Deirdre O'Connor stated: Board of Health should be crafting the regulations, as well as the timeframe. Once regulations are crafted they should be sent to Attorney Cheryl Sabora from the State to review.

Motion made to review draft regulations with Dr. Wong once he has been officially appointed. And will be discussed at the next monthly meeting once Board has had time to review. Motion carried 3-0

Continuation of Item #3

Mike Berry: Dr. Wong and Alexandra DePalo would like to address the Board regarding the Regional Prevention and Wellness Grant that Marlborough is a part of along with several other partners.

Alexandra De Palo addressed the Board regarding this State Grant from DPH. The funds are guaranteed for 3 ½ years, this is a sizeable project which will require some level of participation from Marlborough, as well as all partners. Dr. Wong will share his time with Marlborough, there are 9 locations including Boston, Worcester and Metro West.

The Federal Government is very impressed and watching, they are very interested in this project. MA is ahead of the curve. I am really excited to be working on this grant, as well as working with Marlborough.

Work Flow regarding this grant: I can provide more or less information about this grant, where we stand, etc. depending on the Board's wishes. We have both hard copies and website addresses.

John Rowe: Asked to please have both hard copies and website addresses for Board members.

Alexandra De Palo: I will send both forms of communication. This is a one of a kind grant for our State and U.S.

John Rowe: Bob Landry had been keeping us informed about this Grant, he had been unable to attend most meetings.

Dr. Wong: This was a very competitive process. There are 11 partners, not just Cities and Towns, but Clinical Partners, Dr. Kumar is a big contributor. We are asking for participation from Marlborough.

John Rowe: Dr. John Curran has agreed to represent Marlborough; he has been going to these meetings and is very excited about the opportunity.

John Curran: I have no problem representing Marlborough I have been attending these meetings along with my wife who is also very involved. I ask that she been approved also, in the event I cannot attend, she will be present representing Marlborough's interests.

Motion made to approve Dr. John Curran and Mrs. Curran to represent the City of Marlborough on this committee. Thanked them both for being willing to attend these meetings and keep Board of Health informed of progress. Motion carried 2-0

OLD BUSINESS:

- 7: Minutes – Previous Meeting - June 3, 2014  
Board reviewed, accepted and placed on file. Motion carried 3-0
- 8: Assistant Sanitarian Monthly Report – June, 2014  
Board reviewed, accepted and placed on file. Motion carried 3-0
- 9: Public Health Nurse Monthly Report – June, 2014  
Board reviewed, accepted and placed on file. Motion carried 3-0

Adjourned at 8:30 PM

Respectfully submitted,

John Rowe, Chairman

Marlborough Board of Health Meeting October 7, 2014

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OF MARLBOROUGH

There was a meeting of the Marlborough Board of Health on Tuesday, October 7, 2014, City Hall, 3rd floor, Memorial Hall. 2014 FEB 17 10:45

Attending were: James Griffin, Chairman; John Curran, M.D., Vice Chair; Robin Williams, Member; Sam Wong, Interim Health Director; Nancy Cleary, Public Health Nurse; Linda Goodwin, Secretary.

New Business:

1: Chairman's Message

2: Executive Session:

Motion made to go into Executive Session according to MGL c.30A, Sec. 21(a)(3).

Roll Call:

John Curran, Yes

Robin Williams, Yes

James Griffin, Yes

Motion made and approved to go into Executive Session.

Regular Meeting will reconvene after Executive Session.

Meeting reconvened at 7:50 pm.

3: Master Wok – Violation Hearing

Sam Wong reviewed with Board ongoing issues that Deirdre O'Connor has had with Master Wok. We held an administrative hearing in city hall, they actually self-closed, and hired a new consultant. This is really their last chance.

Michael Kwan, Foodservice Consultant present with Ms. Ann, Manager. She has been the manager on site for 16 years. There is a large turnover of personnel. Once they are trained, corporate moves them to another location, or they leave. I have been training them every day, positive reinforcement, they are in much better shape, then when we started. We have a checklist that we go over every morning before the day starts, hard to unlearn bad habits. I will have this checklist translated into English for the health office, so you can see what we have been going over. They will get a booklet for themselves to review at the end of this

training. I feel there is a huge difference than when I started. When I leave the beginning of year I expect them to do fine.

Board questioned when contract was up? First week in January, 2015, I don't have the actual date on me.

I have been working with Corporate and have ordered new equipment that will help a lot with food service behavior, storage, cooling, etc.

Sam Wong stated there will be random inspections by Deirdre O'Connor both before and after contract expires.

Motion made to allow this one last chance if repeat violations occur the next meeting will be a revocation hearing. No further warnings will be issued. Applicant would not be allowed to apply for a new food permit for one year. Motion made by John Curran, seconded by Robin Williams. Motion carried 3-0

- 4: Recommendation from the Mayor re: Health Department supervision & oversight

Chairman read letter from Mayor extending Sam Wong's administration duties in the Board of Health office to include full administrative authority as well as full personnel supervision. Which Sam Wong graciously accepts such responsibility. Board very happy with Sam Wong's guidance and glad he has agreed to extend his responsibilities. Motion made to approve by John Curran, seconded by Robin Williams. Motion carried 3-0

#### Old Business:

- 5: Proposed Board of Health Regulations Regarding Food Establishments

Board members will review and discuss at next monthly meeting. Motion made to table until next monthly meeting. Motion made by James Griffin, seconded by Robin Williams. Motion carried 3-0

#### Informational Purposes Only:

Sam Wong addressed Board suggesting that items 6-9 should be for informational purposes only. After reviewing each report if any Board member has any questions or remarks they could certainly be addressed at any meeting. Motion made to accept reports as informational, and Board members are always available for questions and/or support. Motion carried 3-0

- 6: Minutes – Previous Meetings - September 9 & 18, 2014  
Board reviewed, accepted and placed on file. Motion carried 3-0
- 7: Assistant Sanitarian Monthly Report – September, 2014  
Board reviewed, accepted and placed on file. Motion carried 3-0
- 8: Public Health Nurse Monthly Report – September, 2014  
Board reviewed, accepted and placed on file. Nancy Cleary informed Board that the annual flu clinic for the City will be Saturday, October 25<sup>th</sup>, from 9:00 am to 1:00, Employees flu clinic will be Thursday, October 30, 12:00 to 4:30 pm, City Hall, Memorial Hall. Motion carried 3-0
- 9: Contract Food Inspector's Monthly Report – September, 2014  
Board reviewed, accepted and placed on file. Motion carried 3-0

Motion made to adjourn: 8:50 pm

Respectfully submitted,

James Griffin, Chairman

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2015 FEB 17 A 10:45

## **Marlborough Board of Health Meeting Minutes November 5, 2014**

There was a meeting of the Marlborough Board of Health on Tuesday, November 5, 2014, City Hall, 3rd floor, Memorial Hall.

Attending were: James Griffin, Chairman; John Curran, M.D., Vice Chair; Robin Williams, Member; Sam Wong, Interim Health Director; Steven Ward Interim Administrator/Supervisor; Nancy Cleary, Public Health Nurse; Linda Goodwin, Secretary. Michael Berry, Executive Aide to Mayor.

Call meeting to order

Roll Call

James Griffin, Chairman; John Curran, MD, Vice-Chair; Robin Williams, Member. All members present.

### Administrative:

Minutes of Previous Monthly meeting – October 7, 2014  
Motion made to approve and place on file. Motion carried 3-0

### New Business:

1: Review of draft tobacco control regulations.

Sam Wong met with DJ Wilson, Tobacco Control from Boston. Board reviewed these draft ETS regulations checklist as well regulations restricting the sale of tobacco products. These changes will be incorporated into draft regulations and will be discussed at next monthly meeting. A public hearing will be scheduled January 6, 2015 and all current license holders and anyone from the public that is interested in these regulations will be invited for input to discuss these new regulations. Motion made to discuss draft regulations at next monthly meeting scheduled for Tuesday, December 2, 2014, 6:30 pm. Motion carried 3-0

2: Ebola planning update  
Sam Wong updated Board members on communication from the State regarding Ebola guidelines.

3: Variance Request – 23 Red Spring Road – Septic System

Michael Sullivan, Engineer present with Steven Bruell owner of the property. We are seeking a variance for 68' from the pond located near the property line, 100' is required per Title V, unless variance granted from local BOH. Applicant must meet maximum feasible compliance, which Board believes the 68' will meet this compliance. After reviewing plans submitted by applicant variance request was approved. Motion carried 3-0

4: Department Management Discussion

Motion #1

Motion made to remove all administrative authority and supervision of the Marlborough Board of Health/Health Department, its employees and its operations from Robert L. Landry, effective immediately, with the understanding that Mr. Landry will remain in the employ of the City of Marlborough as Sanitarian/Health Agent, working on behalf of the Board of Health and under the direction of an administrator to be designated by the Board of Health. Motion carried 3-0

Motion #2

Motion made that the Board of Health appoint Steven J. Ward as the Administrator/Supervisor of the Board of Health/Health Department on an interim basis, replacing Dr. Sam Wong of the Town of Hudson, effective upon the successful completion of his pre-employment screening process by the City of Marlborough Personnel Department. Mr. Ward shall have full authority to act on behalf of the Board as the Administrator with responsibility to include employee supervision, department operations and policy implementation. Motion carried 3-0

Old Business:

5: Master Wok – Update

Sam Wong: Because of Conflict of Interest with Food Contractor, and me, Deirdre O'Connor performed this surprise food inspection. Master wok has been working with a consultant, restaurant was found to be in compliance with a good inspection result.

Board discussed inspection, and inspection report. In the future Board would like to have Consultant hire a sub-contractor for all future inspections. Motion carried 3-0

Informational Purposes Only:

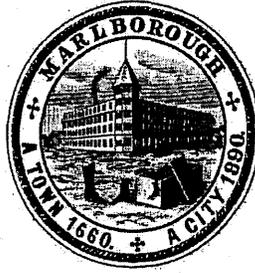
- 6: Assistant Sanitarian Monthly Report – October, 2014  
Motion made to accept and place on file. Motion carried 3-0
- 7: Public Health Nurse Monthly Report – October, 2014  
Motion made to accept and place on file. Motion carried 3-0
- 8: Contract Food Inspector's Monthly Report – October, 2014  
Motion made to accept and place on file. Motion carried 3-0

Next monthly meeting scheduled for Tuesday, December 2, 2014 – 6:30 pm  
Public Hearing for Tobacco Regulations Tuesday, January 6, 2014 – 6:30 pm

Motion made to adjourn: 8:50 pm

Respectfully submitted,

James Griffin, Chairman



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2015 FEB 17 A 10:46

**City of Marlborough  
Department of Health**

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

Regular meeting of the Board of Health held on Tuesday, December 2, 2014. Called to order by James Griffin, Chairman at 6:35 in Memorial Hall, City Hall, 3<sup>rd</sup> Floor.

PRESENT: James Griffin, Chairman (JG); John Curran, M.D., Vice Chair (JC); Robin Williams, Member (RW); Sam Wong, Hudson Public Health Director; Steven Ward Interim Public Health Director; Bob Landry, Sanitarian; Nancy Cleary, Public Health Nurse; Tina Nolin, Senior Clerk.

**Administrative:**

**1: Minutes Review: The board reviewed the minutes of the November 5, 2014 meeting.** RW made a motion to approve the minutes of the November 5 meeting and place on file. JC seconded. Motion carried 3-0

**New Business:**

**2A: Continued discussion of Draft Tobacco Control Regulations**

DJ Wilson, Tobacco Control from Boston, presented current Tobacco Policies available to municipalities. Policies fall under two regulations: 1) Restricting the Sale of Tobacco Products and 2) Prohibition of Smoking in Workplaces and Public Places.

Board expressed consensus to move forward with steps towards the adoption of both regulations. Steve Ward suggested considering the public hearing be extended to the February 3, 2015 meeting, rather than the January 6, 2015 meeting and using the longer lead time to formally inform stakeholders (schools, police, parks and recreation, healthcare facilities and pharmacies, etc.) and draft the regulations for the public. Feedback on the planning/marketing rollout could be given at the January 6, 2015. There was consensus among the Board to extend Public meeting until February 3<sup>rd</sup> meeting.

**2B: Ebola Update**

Sam Wong updated Board on the Marlborough Hospital meeting that he, Steve Ward and Nancy Cleary attended. Clinical aspects of preparedness: hospitals, ambulances etc. and Board of Health's role centering mainly on quarantine and isolation orders dominated the meeting.

**2C: Discussion of Fee Schedule**

In light of the number of establishments requiring multiple inspections to reach compliance, Steve Ward introduced adding a surcharge to the current fee schedule to cover these costs. A \$75 fee was suggested. The directive would be that the permit would not be renewed until surcharge payment had been received. Introduction of the fee would be direct and explicit in the Order Letter sent to an establishment. There was a brief discussion of overhauling the entire fee schedule but Steve said this should be handled at a later date. A draft amendment to the current fee schedule announcing the new surcharge fee for each repeated inspection due to violations will be presented at the January 6, 2015 meeting. Board expressed consensus on all points.

**2D: Sully's First Edition Pub**

Richard Sullivan of Sully's First Edition Pub appeared before the Board for multiple and repeat violations of the 1999 Food Code as determined in recent food inspections. Maureen Lee, current Food Consultant for the City presented her inspection findings, showing a lack of progress on significant violations, while acknowledging progress has been made in other compliance areas.

Steve Ward presented for the Board's consideration the recommendations of the Health Department, including time table, which was read into the public record. Due to Mr. Sullivan's difficulty hearing, Sam Wong gave him the recommendation document to read and went over it with him. Mr. Sullivan confirmed he understood what was being required and that non-compliance on any point could lead to suspension of his permit. Mr. Sullivan was given a copy of the recommendation document.

RW motioned to accept the written recommendation document/letter and read into the public record with the addition of requiring the education of staff in correct kitchen/food safety. JC seconded the motion. Motioned carried 3-0.

**2D: Safety Clean looking for Guidance concerning amending the 1981 site assignment to include handling medical waste**

Steve Ward reported that at this time he did not have any new information to report as he had not heard any further information from the individual representing Safety Clean.

**Old Business****3: Master Wok update**

Steve Ward reported that that the consultant for Master Wok was submitting the updates the Board asked for, but that they were somewhat too general in nature. Mr. Ward was unable to get a sense of true changes in the sanitary practice and general sanitary environment of the food establishment. He suggested that the Department may need to conduct an inspection via an independent consultant.

**Additional Business: Informational Purposes Only**

**From the Interim Administrator/Supervisor:**

- 1) Introduction of the significant need for future changes to large Temporary Food Events. Currently not enough structure and need to develop SOPs and brought to Board.
- 2) Continuing food violations at The Prospector East Saloon were discussed. Steve Ward presented Mr. Robert Kays', owner of the establishment, Extension Letter regarding the installation of a required hand sink. The letter was accepted and Steve reported the Health Department would send a letter to Mr. Kays stipulating a date for which the sink needed to be in, with failure to do so resulting in an appearance before the Board. Board expressed consensus on all points.
- 3) Report on various changes in practices at the Health Department, e.g., time logs and project spreadsheets that would enable accurate determination of long term staffing needs. Additionally, the board was updated regarding possible consultants to assist in administrative/program development.
- 4) Board apprised of the Departments search for an Assistant Sanitarian.

Next Monthly meeting scheduled for Tuesday, January 6, 2015 – 6:30 pm

Public Hearing for Tobacco Regulations Tuesday, February 3, 2015 – 6:30 pm

Motion made to adjourn: 9:03 (Motion carried 3-0)

Respectfully submitted,

James Griffin, Chairman



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2015 FEB 17 A 10:47

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

Regular meeting of the Board of Health held on Tuesday, January 6, 2015. Called to order by James Griffin, Chairman at 6:45 in Memorial Hall, City Hall, 3<sup>rd</sup> Floor.

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

**Administrative:**

**1: Minutes Review: The board reviewed the minutes of the December 2, 2014 meeting.** RW made a motion to approve the minutes of the December 2 meeting and place on file. JC seconded. Motion carried 3-0

**New Business:**

**2A: Tobacco Regulation Update**

DJ Wilson, Tobacco Control from Boston, presented regulations with requested definitions added (Nursing Homes, Bed & Breakfasts, Hotels/Motels and Municipal Buildings) and additional language added to Section 4 (Smoking Prohibited) that specified and defined the "no smoking regulation within 15 feet of any municipal building entrance way accessible to the public." There was unanimous consensus among Board members regarding the new language.

DJ presented information on conducting the tobacco regulation public hearing scheduled for February 3<sup>rd</sup>.

Steve W. updated Board on the Health Departments outreach efforts to community and city stakeholders, and its future outreach efforts to tobacco vendors.

Steve W. suggested for the Board's consideration two meetings in February 1) devoted to the public hearing regarding the tobacco regulations and 2) meeting to address general monthly BOH issues. There was unanimous consensus among the Board to hold the two meetings.

**3: Sully's First Edition Pub (Hearing)**

Richard Sullivan of First Edition Pub appeared for the second time before the Board for continued multiple and repeat violations of the 1999 Food Code as determined in recent food inspections. Maureen Lee, current Food Consultant for the City presented her latest inspection findings, showing a lack of progress on significant violations. Steve Ward presented for the Board's consideration the recommendations of the Health Department, including a new time table, which was read into the public record.

JC motioned to accept the written recommendation document/letter read into the public record. RW seconded the motion. Motioned carried 3-0.

**4: Sisters of St. Anne's (Variance Request – 2-Bay Sink)**

Paul Gaudet appeared before the Board to request approval to continue with his establishment's current 2-Bay sink and emergency sanitizing policy, and not to be required to install a 3-bay sink. After a lengthy discussion there was consensus among the Board to approve Sisters of St Anne's request to continue with their current 2-bay sink and appropriate sanitization policy for the time being. However, there was also Board consensus that Marlborough would be moving toward mandatory 3-bay sinks in most establishments in the foreseeable future, but that this would require education, roll-out time and staff to implement.

**5: Prospector (Status Update)**

Maureen Lee, food inspector for the city, confirmed that she had not been to the Prospector for final inspection, but that she had spoken to the plumber who reported that the rough plumbing was complete and presented the paper work showing that the actual sink would be in Thursday of this week (Jan 8) at which time he would install it. Maureen agreed to inspect after the January 8<sup>th</sup> date.

**6: Fee Schedule**

Steve W. presented a proposed new Fee Schedule for the Health Department and reviewed with members the current versus new fees, as well as several proposed date changes for permits and licenses. Steve W. informed that this was only one of several iterations of the schedule over the following few months, and that the Mayor's Office was currently working on a fee survey as part of the process. A specific mention of a new \$75 surcharge for food re-inspections to cover unanticipated work for extra inspection was called out and briefly discussed. Future discussion on the fee schedule is anticipated in future BOH meetings.

**7: DPW YOP**

RW motioned to accept if the Conservation Commission feels it is complete. JC seconded. Motion passed 3-0.

**Additional Business: Informational Purposes Only**

**From the Interim Administrator/Supervisor:**

Board was updated on Health Department's ongoing reorganization & restructuring, as well as changes in practices at the Health Department, e.g., time logs and project spreadsheets that would enable accurate determination of long term staffing needs. Board apprised of the confirmation that consultants Peter Wilner and Dan Ottenheimer would both be coming on board to assist the department in administrative/program development.

Next Monthly meeting is the Public Hearing for Tobacco Regulations Tuesday, February 3, 2015 – 6:30 pm, with a second meeting being held on Tuesday, February 17<sup>th</sup> at 6:30 pm.

JG motioned to adjourn; seconded by RW at 9:55 pm (Motion carried 3-0)

Respectfully submitted,

James Griffin, Chairman



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

Toll Free: 1-800-59-AMICA  
(1-800-592-6422)  
Fax: 1-888-999-4776

February 4, 2015

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

File Number: 60002035730  
Date of Loss: 02/02/2015  
Owner/ Insured: Ketan R. Shah  
Street: 33 Peltier Street  
Town: Marlborough  
Type of Loss: Freeze

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2015 FEB - 6 A 10:57

To Whom This May Concern:

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

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

Sincerely,

*W. Nathan Matko*

W. Nathan Matko AIC, API, AINS  
Claims Department  
800-592-6422 x21805  
NMATKO@AMICA.COM

CC: LEGAL 2/6/15 *[Signature]*



Property Unit  
PO Box 15147  
Worcester MA 01615-0147  
Telephone: 508-344-7592 Ext:  
Fax Number: 508-926-5660  
CITY OF MARLBOROUGH

February 06, 2015

2015 FEB 18 P 3:52

MARLBORO TOWN CLERK  
355 BOLTON STR  
MARLBORO MA 01752

Re: Our Insured: Samuel Lombardo  
Policy Number: HVN 6363798  
Claim Number: 15-00487786 001  
Date of Loss: 02/04/2015  
Property Address: 23 SHELLY LANE MARLBORO MA

To whom it may concern :

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

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

Sincerely,

*Leland Craver*

Leland Craver  
Outside Property Adjuster  
Massachusetts Bay Insurance Company