

REGULAR MEETING  
NOVEMBER 16, 2015

IN CITY COUNCIL  
ABSENT:

CONVENED:  
ADJOURNED:

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2015 NOV 12 P 12: 50

1. Minutes, City Council Meeting, November 2, 2015.
2. Communication from the Mayor re: Gift Acceptance in the amount of \$5,000.00 for the Police Department from Digital Federal Credit Union which will be used to supplement various programs and units within the department.
3. Communication from the Mayor re: Federal Emergency Management Grant Acceptance in the amount of \$262,763.08 to reimburse the city for 75% of the snow removal costs related to the 48-hour storm which occurred from January 26, 2015 to January 28, 2015.
4. Communication from the Mayor re: Gift Acceptance in the amount of \$5,000.00 for the Fire Department from Digital Federal Credit Union which will be used to invest in some needed information technology upgrades for the department.
5. Communication from the Mayor re: Council on Aging Grant from Executive Office of Elder Affairs in the amount of \$59,880.92 which will be effectively utilized for items such as senior transportation, programming activities, and administrative support.
6. Communication from City Solicitor, Donald Rider, re: House Bill 3377 – An Act Exempting Certain Positions in the Marlborough School Department from Civil Service Law, X14/15-1006043A.
7. Communication from Assistant City Solicitor, Cynthia Panagore Griffin, re: Decision on the Sign Ordinance Special Permit for Ayoub Engineering, Inc. on behalf of Nouria Energy/Shell Station, 413 Lakeside Avenue, in proper legal, Order No. 15-1006262A.
8. Application for Site Plan Review from Attorney Bergeron on behalf of Bolton Granger Realty Trust, George Voyiatzis Trustee, for the Atrium Place project at 21-29 South Bolton Street.
9. Communication from the Department of Public Utilities, re: Notice of Filing and Public Hearing on the Petition of NSTAR Gas d/b/a Eversource Energy for approval of its 3-year energy efficiency plan.
10. Communication from the Department of Public Utilities, re: Notice of Filing and Public Hearing on the Petition of Massachusetts and Nantucket Electric d/b/a National Grid for approval of its 3-year energy efficiency plan.
11. Minutes, Planning Board, October 5, 2015 and October 19, 2015.
12. Minutes, Cultural Council, November 2, 2015.
13. CLAIMS:
  - a. Brian Hogan, 40A Frost Road; Derry, NH, pothole or other road defect
  - b. Brendaline Willis, 40 Donna Lee Lane; Ashland, MA, pothole or other road defect

REPORTS OF COMMITTEES:

**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.**

## UNFINISHED BUSINESS:

**From Urban Affairs Committee**

14. **Order No. 15-1006262A: Application for Sign Ordinance Special Permit, Ayoub Engineering, Inc. on behalf of Nouria/Shell Station, to allow a new red LED price panel at 413 Lakeside Avenue.** The Urban Affairs Committee met with Steve Pedro of Ayoub Engineering for a continued discussion of the proposed LED price panel for the Shell Station located at 413 Lakeside Avenue. They reviewed the revised Signage Plan, dated October 2, 2015, and Decision on a Special Permit. Mr. Ayoub explained the changes to the proposed sign and the committee agreed the sign shall conform to the requirements of the sign ordinance without variance. The sign description was updated to reference the newly proposed sign dimensions and the Signage Plan dated October 2, 2015.

**Motion made by Councilor Elder, seconded by Chair, to approve as amended. The motion carried 4-0. Motion made by Councilor Clancy, seconded by Chair, to refer to the Legal Department to be placed in proper legal form. The motion carried 4-0 (Councilor Tunnera absent).**

**From Legislative and Legal Affairs Committee**

15. **Order No. 15-1006323A: Order of Acceptance of Layout of LaCombe St. as a Public Way and Eminent Domain Order of Taking; Quitclaim Deed for LaCombe St. Cul-de-Sac and Easements, referencing Order 14-1005847A.** Order No 14-1005847A had been referred to Public Services and the Planning Board in June of 2014. In July of 2014, the Planning Board recommended the City Council not accept LaCombe St. extension until the ownership issue of easterly side is cleared. That has been cleared and the 2015 order has also been referred to Planning Board for their recommendation. The city engineer went thru the plan of land shown as Exhibit A delineating each property and the chair read each of the property descriptions and the awards for each property. The awards will be paid from bonds the city received as subdivisions were created. The Assistant Solicitor confirmed that the language of the order does include the Quitclaim Deed from owner Paul DiTullio for drainage and flow easements.

**Motion made by Councilor Delano and seconded to recommend acceptance of layout of LaCombe Street as a Public Way and Eminent Domain Order of Taking pending a recommendation from the Planning Board. This would be reported out on Nov. 2<sup>nd</sup> and lay on table with a recommendation from Planning Board expected at the Nov. 16<sup>th</sup> Council meeting. The motion carried 3-0.**

16. **Order No. 15-1006342: Proposed Order for a Home Rule Petition Concerning Conveyance by the Division of Capital Asset Management and Maintenance of Permanent Easements to the City of Marlborough.** The city engineer identified the parcel on Farm Rd. needed for proposed construction by DPW of drainage improvements and the two parcels on Walker St. for future pedestrian improvements. The Assistant Solicitor discussed Section 4, which requires the City of Marlborough to convey to the Commonwealth for use by the Metropolitan District Commission or place under conservation restriction a parcel of land located in the city within the watershed of the Sudbury Reservoir that is equal to or greater than the total area proposed to be conveyed to the city. She also stated that the state is still owed a parcel from a prior petition and that our Conservation Officer has identified a parcel on Parmenter St. that would be placed under a conservation restriction and is large enough to satisfy both the past petition and this one. A title search is being completed now.

**A motion was made by Councilor Delano and seconded to recommend approval of the order for a Home Rule Petition to the General Court, which would authorize the Division of Capital Asset Management and Maintenance to convey permanent easements in land originally acquired for water quality protection for the Sudbury Reservoir in the City of Marlborough. The motion carried 3-0.**

**From Public Services Committee**

17. **Order No. 15-1006336A: Acceptance of Dicenso Boulevard as a Public Way.** City Solicitor Donald Rider explained this order as a request for the City Council to vote on the acceptance of Dicenso Boulevard as a public way and various related easements. The Indian Development Corporation, also known as Fafard Real Estate, in accordance with their development plan is looking to deed approximately fourteen easements which includes a ten foot wide pedestrian easement that runs from a twenty acre parcel the City acquired from them last year to Callahan State Park. City Solicitor Rider advised the committee their recommendation should be contingent upon the Planning Board providing a favorable report to the City Council.

**Motion made by Councilor Clancy, seconded by Chair, to approve the acceptance of Dicenso Boulevard as a Public Way and that its appurtenant easements be accepted as municipal easements pending a favorable report by the Planning Board. The motion carried 3-0.**

18. **Order No. 15-1006338A: Petition of National Grid to place new solely owned pole 59-80 to be set approximately 40' north of existing pole 59 to serve new UG services for traffic camera to be installed between 495 North & 495 South.** Crystal Tognazzi appeared before the committee on behalf of National Grid and explained the project. She met with the electrician from Mass Bay Electric, contractor for MassDOT traffic camera projects. The original plan was to go underground from pole 59-80 on Berlin Road and obtain proper permitting for underground site service. However, their trenching schedule fell behind and they asked if they could instead have another pole set across from the existing pole.

**Motion made by Councilor Clancy, seconded by Chair, to approve the petition of National Grid to place a new solely owned pole 59-80 to serve new UG services for traffic cameras to be installed between 495 North & 495 South. The motion carried 3-0.**

19. **Order No. 15-1006310A: Petition from Verizon New England Inc. to place two 4" conduits on the northeasterly side of Ames Street beginning at Pole T.20 ½, located on the northeasterly side of Ames Street, then running in a northwesterly direction a distance of approximately 495' to handhole #1, located on the northeasterly side of Ames Street, & then continuing in a northwesterly direction a distance of approximately 535' to a point on the northeasterly side of Ames Street.** Thomas Blicharz of UC Synergetic is the engineering and rights of way consultants for Verizon. On Ames Street, a developer proposed five buildings of fifty-five units each called Brookview Village. In order for Verizon and National Grid to get facilities, both power and communication, into this five building development, they proposed to dig a joint trench from a riser pole to be set with about 1,000 feet of underground trench placed from that riser. Cables will be placed underground in conduits and will enter the property of the developer and this 1,000 feet will be in the public way. This is a proposed joint trench with strict clearances between power and telephone cables.

**Motion made by Councilor Clancy, seconded by Chair, to approve the petition from Verizon New England Inc. to place two 4" conduits on the northeasterly side of Ames Street. The motion carried 3-0.**



**CITY OF MARLBOROUGH  
OFFICE OF CITY CLERK**

**Lisa M. Thomas**

**140 Main St.**

**Marlborough, MA 01752**

**(508) 460-3775 FAX (508) 460-3723**

**NOVEMBER 2, 2015**

Regular meeting of the City Council held on Monday, NOVEMBER 2, 2015 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Clancy, Oram, Ossing, Robey, Delano, Elder, Tunnera, Irish and Landers. Meeting adjourned at 8:26 PM.

**ORDERED:** That the Minutes of the City Council meeting OCTOBER 19, 2015, **FILE;** adopted.

**ORDERED:** That the Communication from the Mayor re: Notification of Free Cash in the amount of \$6,721,252.00, **FILE;** adopted.

**ORDERED:** Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the FY16 MA Cultural Grant Acceptance in the amount of \$10,600.00 by which funds will be dispersed by the Cultural Council later this year in support of worthy arts, humanities, music, and youth based initiatives throughout our community; adopted.

**ORDERED:** Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the FY16 Emergency Management Performance Grant in the amount of \$9,460.00 in which funds will be used to allow the City to reprogram 20 Public Safety radios to enable more effective communications with State Police and other local communities during emergencies; adopted.

**ORDERED:** That the Information Technology transfer request in the amount of \$450.00 which moves funds from On-line Information Services to Longevity to pay an employee's longevity payment in early December, be and is herewith **APPROVED;** adopted.

**ORDERED:** That the Communication from City Solicitor Rider re: OYO Sportstoy's Inc., TIF Proposal in proper legal form, Order No.15-1006335, **MOVE TO REPORTS OF COMMITTEE;** adopted.

**ORDERED:** That the Communication from City Solicitor Rider re: Memorandum of Understanding – Latino Health Insurance Program, Order No. 15-1006322, **MOVE TO REPORTS OF COMMITTEE;** adopted.

**ORDERED:** That the Communication from Metal Man Recycling, LLC re: Submittal and availability of a Phase 1, Initial Site Investigation & Tier 11, Classification Report in connection with a reportable release of petroleum located at 44 Brook St., refer to **CONSERVATION COMMISSION AND FILE;** adopted.

ORDERED: That the Minutes, Library Board of Trustees, September 1, 2015, **FILE**; adopted.

ORDERED: That the Minutes, Traffic Commission, September 25, 2015, **FILE**, adopted.

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

- a. Vilma Boaventura, 688 Boston Post Rd. East, Apt 224, pothole or other road defect
- b. Jeremiah Gordon, 750 Farm Rd., Apt 117, pothole or other road defect
- c. Michael Doak, 24 Oregon Rd., Southborough, MA, pothole or other road defect
- d. Steven Bober, 70 Melody Ln., pothole or other road defect
- e. Brenda Costa, 34 Rice St., other property damage and/or personal injury
- f. Evans Carter, PC, PO Box 812, Framingham, MA, pothole or other road defect

#### Reports of Committees:

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

Meeting Name: City Council Urban Affairs Committee

Date: October 27, 2015

Time: 5:30 PM

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

Convened: 5:30 PM

Adjourned: 5:43 PM

Present: Chairman Delano; Urban Affairs Committee Members Councilors Clancy, Elder, and Landers; (Councilor Tunnera absent); and Councilor Robey

Also Present: Steve Pedro, Ayoub Engineering; Robert Camacho, Building Commissioner

**Order No. 15-1006262: Application for Sign Ordinance Special Permit, Ayoub Engineering, Inc. on behalf of Nouria/Shell Station, to allow a new red LED price panel at 413 Lakeside Avenue.** The Urban Affairs Committee met with Steve Pedro of Ayoub Engineering for a continued discussion of the proposed LED price panel for the Shell Station located at 413 Lakeside Avenue. They reviewed the revised Signage Plan, dated October 2, 2015, and Decision on a Special Permit. Mr. Ayoub explained the changes to the proposed sign and the committee agreed the sign shall conform to the requirements of the sign ordinance without variance. The sign description was updated to reference the newly proposed sign dimensions and the Signage Plan dated October 2, 2015. **Motion made by Councilor Elder, seconded by Chair, to approve as amended. The motion carried 4-0. Motion made by Councilor Clancy, seconded by Chair, to refer to the Legal Department to be placed in proper legal form. The motion carried 4-0 (Councilor Tunnera absent.)**

**Motion made by Councilor Clancy, seconded by Chair, to adjourn. The motion carried 4-0 (Councilor Tunnera absent.) The meeting adjourned at 5:43 PM.**

Reports of Committees continued:

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

City Council Legislative and Legal Affairs Committee  
Tuesday, October 27, 2015 – In Council Chambers  
Minutes and Report

Present: Chairman Katie Robey, Councilor Delano, and Councilor Clancy  
Also present were Cathleen Liberty, Director of Public Health for Item 1; Assistant Solicitor Panagore Griffin & City Engineer Evan Pilachowski for Items 2 & 3; and Solicitor Rider for Item 4. The meeting was called to order at 6:05 PM.

**Order No. 15-1006322-Board of Health Memorandum of Understanding between City of Marlborough and the Latino Health Insurance Program, Inc. (LHIP)**

The chair went through the MOU, indicating a change to Section 10, Liability Insurance, which was modified by Beverly Sleeper, Marlborough's Procurement Officer, to show that LHIP shall maintain general liability insurance with the city (Community Partner) named as additional insured. The Director of Public Health was asked about the dates listed in the duration in Section 4 and agreed that it could be changed from August 3, 2015 to the date the MOU is approved by the full council. Section 5 Responsibilities of LHIP (a) Referrals and Section 6 Responsibilities of Community Partner (b) Referrals were discussed and it was agreed that the last sentence of 6(b) could be deleted as it contradicts what is in 5(a). The sentence to be deleted reads: Community Partner will designate a staff member to serve as a liaison to LHIP for care management and coordination.

Motion made by Councilor Delano and seconded to recommend approval of the MOU as amended. The vote carried 3-0.

**Order No. 15-1006323-Order of Acceptance of Layout of LaCombe St. as a Public Way and Eminent Domain Order of Taking; Quitclaim Deed for LaCombe St. Cul-de-Sac and Easements, referencing Order 14-1005847A**

Order No 14-1005847A had been referred to Public Services and the Planning Board in June of 2014. In July of 2014, the Planning Board recommended the City Council not accept LaCombe St. extension until the ownership issue of easterly side is cleared. That has been cleared and the 2015 order has also been referred to Planning Board for their recommendation. The City Engineer went thru the plan of land shown as Exhibit A delineating each property and the chair read each of the property descriptions and the awards for each property. The awards will be paid from bonds the city received as subdivisions were created. The Assistant Solicitor confirmed that the language of the order does include the Quitclaim Deed from owner Paul DiTullio for drainage and flow easements.

Motion made by Councilor Delano and seconded to recommend acceptance of layout of LaCombe Street as a Public Way and Eminent Domain Order of Taking pending a recommendation from the Planning Board. This would be reported out on Nov. 2<sup>nd</sup> and lay on table with a recommendation from Planning Board expected at the Nov. 16<sup>th</sup> Council meeting. The vote carried 3-0.

Reports of Committees continued:

**Order No. 15-1006342-Proposed Order for a Home Rule Petition Concerning Conveyance by the Division of Capital Asset Management and Maintenance of Permanent Easements to the City of Marlborough.**

The City Engineer identified the parcel on Farm Rd. needed for proposed construction by DPW of drainage improvements and the two parcels on Walker St. for future pedestrian improvements. The Assistant Solicitor discussed Section 4, which requires the City of Marlborough to convey to the commonwealth for use by the Metropolitan District Commission or place under conservation restriction a parcel of land located in the city within the watershed of the Sudbury Reservoir that is equal to or greater than the total area proposed to be conveyed to the city. She also stated that the state is still owed a parcel from a prior petition and that our Conservation Officer has identified a parcel on Parmenter St. that would be placed under a conservation restriction and is large enough to satisfy both the past petition and this one. A title search is being completed now.

A motion was made by Councilor Delano and seconded to recommend approval of the order for a Home Rule Petition to the General Court, which would authorize the Division of Capital Asset Management and Maintenance to convey permanent easements in land originally acquired for water quality protection for the Sudbury Reservoir in the City of Marlborough. The vote carried 3-0.

**Order No. 15-1006343-Water's Edger Subdivision, Proposed Acceptance of Deed of Open Space Parcels**

Because the Solicitor is still waiting for a response to questions about fulfillment of items from the original special permit for this development, he recommended the committee table this item.

A motion was made by Councilor Delano and seconded to table in committee. The vote carried 3-0.

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

Meeting adjourned at 7:00 PM.

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

Meeting Name: City Council Public Services Committee

Date: October 26, 2015

Time: 6:00 PM

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

Convened: 6:02 PM

Adjourned: 6:46 PM

Present: Chairman Landers; Public Services Committee Members Councilors Clancy and Irish; and Councilor Robey; Donald Rider, City Solicitor; John Ghiloni, Commissioner of Public Works

## Reports of Committees continued:

**Order No. 15-1006336: Acceptance of Dicenso Boulevard as a Public Way.** City Solicitor Donald Rider explained this order as a request for the City Council to vote on the acceptance of Dicenso Boulevard as a public way and various related easements. The Indian Development Corporation, also known as Fafard Real Estate, in accordance with their development plan is looking to deed approximately fourteen easements which includes a ten foot wide pedestrian easement that runs from a twenty acre parcel the City acquired from them last year to Callahan State Park. City Solicitor Rider advised the committee their recommendation should be contingent upon the Planning Board providing a favorable report to the City Council. **Motion made by Councilor Clancy, seconded by Chair, to approve the acceptance of Dicenso Boulevard as a Public Way and that its appurtenant easements be accepted as municipal easements pending a favorable report by the Planning Board. The motion carried 3-0.**

**Order No. 15-1006338: Petition of National Grid to place new solely owned pole 59-80 to be set approximately 40' north of existing pole 59 to serve new UG services for traffic camera to be installed between 495 North & 495 South.** Crystal Tognazzi appeared before the committee on behalf of National Grid and explained the project. She met with the electrician from Mass Bay Electric, contractor for MassDOT traffic camera projects. The original plan was to go underground from pole 59-80 on Berlin Road and obtain proper permitting for underground site service. However, their trenching schedule fell behind and they asked if they could instead have another pole set across from the existing pole. **Motion made by Councilor Clancy, seconded by Chair, to approve the petition of National Grid to place a new solely owned pole 59-80 to serve new UG services for traffic cameras to be installed between 495 North & 495 South. The motion carried 3-0.**

**Order No. 15-1006310: Petition from Verizon New England Inc. to place two 4" conduits on the northeasterly side of Ames Street beginning at Pole T.20 ½, located on the northeasterly side of Ames Street, then running in a northwesterly direction a distance of approximately 495' to handhole #1, located on the northeasterly side of Ames Street, & then continuing in a northwesterly direction a distance of approximately 535' to a point on the northeasterly side of Ames Street.** Thomas Blicharz of UC Synergetic is the engineering and rights of way consultants for Verizon. On Ames Street, a developer proposed five buildings of fifty-five units each called Brookview Village. In order for Verizon and National Grid to get facilities, both power and communication, into this five building development, they proposed to dig a joint trench from a riser pole to be set with about 1,000 feet of underground trench placed from that riser. Cables will be placed underground in conduits and will enter the property of the developer and this 1,000 feet will be in the public way. This is a proposed joint trench with strict clearances between power and telephone cables. **Motion made by Councilor Clancy, seconded by Chair, to approve the petition from Verizon New England Inc. to place two 4" conduits on the northeasterly side of Ames Street. The motion carried 3-0.**

Reports of Committees continued:

**Order No. 15-1006164A: Application, Fuel Storage License, Discount Gas, 50 Main Street, to increase Fuel Storage capacity from 15,000 to 18,000 gallons.** Motion made by Councilor Clancy, seconded by the Chair, to remove the item from the table. The motion carried 3-0. Vrej Askanian appeared before the committee to request an increase of the fuel storage license from 15,000 to 18,000 gallons for Discount Gas located at 50 Main Street. He explained by increasing his fuel storage capacity at the site, he would only require one delivery per week versus two fuel deliveries per week. It would be less of an inconvenience for the surrounding businesses and residences if deliveries were limited to once per week. The committee received a favorable review from the Site Plan Review Committee and Chairman Landers read their set of conditions for the record.

Site Plan Review Standard Conditions:

The main concern with this gas station is to be sure that no cars being repaired are blocking the access ways or sidewalks and that it is kept in an orderly and clean fashion. Therefore the following conditions shall apply and be ongoing throughout the operation of this gas station:

1. The project must conform to the City Council license for fuel storage and the ongoing annual renewal with the Fire Department.
2. No vehicles that are in the process of being serviced and repaired in the garage shall be parked on the sidewalk or other locations to obstruct the travelled way within the site.
3. All vehicles awaiting repair or waiting to be picked up shall be parked in the designated area shown on the approved plans. This area is located to the west of the building (between the building and Cotting Ave.) Five (5) cars can be parked in this location at one time. These cars shall not obstruct the traveled way or the sidewalk, and may not be parked on the street.
4. A building permit shall be obtained for the island canopy.
5. Once the occupancy permit is issued for the gas station the Police Department shall monitor the site periodically to ensure that conformance to the parking described above is being met.
6. The Planting Island shall be maintained with healthy plants. If plants die over time, these must be replaced.

**Motion made by Councilor Clancy, seconded by Chair, to approve the application for a Fuel Storage License to Discount Gas, 50 Main Street, to increase Fuel Storage capacity from 15,000 to 18,000 gallons. The motion carried 2-1 (Councilor Irish opposed).**

**Motion made by Councilor Clancy, seconded by Chair, to request a suspension of the rules at their November 2, 2015 City Council meeting to vote on the application. The motion carried 3-0.**

**Motion made by Councilor Clancy, seconded by Chair, to adjourn. The motion carried 3-0. The meeting adjourned at 6:46 PM.**

Reports of Committees continued:

Councilor Ossing reported the following out of the Finance Committee:

**Marlboro City Council Finance Committee  
Monday October 26, 2015  
In Council Chambers**

Present: Vice-Chair Robey; Finance Committee members Councilors Elder, Oram and Irish (Chairman Ossing was absent.) Councilors Clancy and Landers were also in attendance as well as Mayor Vigeant and Solicitor Rider. The meeting convened at 7:05 PM.

1. **Order #15-1006335 – OYO Sportstoy Tax Increment Financing (TIF):** The FINCOM reviewed the Mayor's letter dated October 1, 2015 requesting the approval of OYO Sportstoy, Inc.'s Economic Development Incentive Program (EDIP) Preliminary Application and a Tax Increment Financing Agreement between the city and OYO Sportstoy. The FINCOM voted 4 - 0 to recommend approval of the Resolution which authorizes the following activities necessary to pursue a Certified Project designation:
  - That the Massachusetts Economic Assistance Coordinating Council approve OYO Sportstoy, Inc.'s application for an EDIP Certified Project for ten (10) years.
  - The City Council of the City of Marlborough agrees to authorize the use of Tax Increment Financing (TIF) and submit the TIF agreement to the Massachusetts Economic Assistance Coordinating Council.

The FINCOM voted to recommend suspending the rules at the November 2, 2015 meeting to request action by full council vote at that meeting.

The FINCOM adjourned at 7:58 PM.

The Vice-chair asked the Solicitor to place the EDIP Preliminary Application, Proposed TIF Agreement and the Proposed Council Resolution in proper legal form on the November 2<sup>nd</sup> Council agenda.

**Suspension of the Rules requested - granted**

**ORDERED:** That the Application, Fuel Storage License, Discount Gas, 50 Main St., to increase Fuel Storage capacity from 15,000 to 18,000 gallons, **APPROVED**; adopted.

**Councilor Irish opposed**

**Suspension of the Rules requested - granted**

ORDERED: That the OYO Sportstoy's EDIP Application (TIF) Constructing a State-of-the-Art Manufacturing Facility and Corporate Headquarters to be located at 111 Locke Dr., with following documents attached, **APPROVED**; adopted.

1. City Council Resolution
2. The Economic Development Incentive Program (EDIP) Local Incentive Only Application
3. The TIF Agreement

ORDERED: That the Communication from City Solicitor Rider re: OYO Sportstoy's Inc., TIF Proposal in proper legal form, Order No.15-1006335, **FILE**; adopted.

**Suspension of the Rules requested - granted**

ORDERED:

**MEMORANDUM OF UNDERSTANDING BETWEEN  
THE LATINO HEALTH INSURANCE PROGRAM, INC.  
and  
THE CITY OF MARLBOROUGH**

1. Purpose of Memorandum of Understanding

The parties enter into this Memorandum of Understanding under the grant from the Massachusetts Department of Public Health Prevention and Wellness Trust Fund ("PWTF"), to the Town of Hudson, to address chronic health conditions in the towns of Hudson, Framingham, Northborough, and the City of Marlborough. The goal of the PWTF is to improve the health of people living with chronic conditions in the towns of Hudson, Framingham, Marlborough and Northborough, through enhanced care coordination, increasing patient and family education, and establishing clinical-community linkages.

The parties wish to further the clinical-community linkages goal of the PWTF by engaging in case management and referral of people with chronic conditions for assistance, as appropriate following protocols developed by PWTF.

This Memorandum of Understanding outlines the relationship between The Latino Health Insurance Program, Inc., and the City of Marlborough.

2. No Interference with Existing Agreements

This Memorandum of Understanding sets forth the agreement of the parties as to their rights and obligations under the PWTF, and does not alter nor interfere with any existing agreements between the parties.

### 3. Description of the Parties

The Latino Health Insurance Program, Inc. is a nonprofit, charitable corporation organized under the laws of the Commonwealth of Massachusetts, with principal offices at 276 Union Ave, 2d Floor, Framingham, Massachusetts 01702. The Latino Health Insurance Program, Inc., has three primary goals; to offer Latinos a community-based, culturally-specific program for health insurance enrollment and maintenance; to connect clients to the appropriate health and health care services (including primary care, oral health services, and specialty care); to promote a more effective use of preventive services, and to reduce chronic health conditions.

The City of Marlborough, a municipal corporation, Middlesex County in the Commonwealth of Massachusetts ("COMMUNITY PARTNER"); provides elder prevention services through referrals to the Community Health Worker.

### 4. Duration

The relationship between the parties as set forth in this Memorandum of Understanding shall begin on **November 2, 2015 and end on June 30, 2017** unless terminated earlier as set forth in paragraph 11 of this Memorandum of Understanding. This Memorandum of Understanding is not automatically renewable, and may be renewed only upon the written agreement of the parties.

### 5. Responsibilities of the Latino Health Insurance Program, Inc. (LHIP)

- (a) Referrals: LHIP will refer patients with chronic conditions to COMMUNITY PARTNER, in accordance with established PWTF protocols. LHIP will designate a liaison to COMMUNITY PARTNER who will serve as the contact person for the coordination of case management, referrals and advocacy.
- (b) Medical File Confidentiality: LHIP will comply with the provisions of the Health Insurance Portability and Accountability Act ("HIPAA") with respect to Protected Health Information (PHI) and shall treat such information as confidential. LHIP will obtain and document patient consent before referring a patient to COMMUNITY PARTNER.

## 6. Responsibilities of COMMUNITY PARTNER

- (a) Programs: COMMUNITY PARTNER will host and operate [check all that apply]:
- Chronic Disease Self-Management (CDSMP) courses in English
  - Tai Chi
  - MOB in English
  - Home Safety Assessments
- (b) Referrals: COMMUNITY PARTNER will receive referrals from LHIP and be responsible for enrolling those referrals and sending status updates, as agreed by the parties, for each referral.
- (c) Medical File Confidentiality: COMMUNITY PARTNER will take all reasonable steps to preserve the confidentiality of PHI. LHIP will provide PHI to COMMUNITY PARTNER upon the receipt of the patient's signed authorization.
- (d) Impermissible Disclosure of PHI: If an impermissible disclosure of PHI occurs, COMMUNITY PARTNER agrees to inform LHIP of the disclosure, as soon as practicable after discovering the disclosure.

## 7. Mutual Responsibilities

- (a) Communication: The designated COMMUNITY PARTNER staff shall be accessible to LHIP staff by telephone and email during normal, weekday business hours. LHIP liason (s) shall be available to COMMUNITY PARTNER by telephone and email during normal, weekday business hours.
- (b) Data: LHIP and COMMUNITY PARTNER will work together to collect and share data throughout the course of the PWTF grant period. Program data will be reported following the confidentiality and data sharing protocols outlined in paragraphs 5(b) and 6 (c) and (d) of this Memorandum of Understanding.
- (c) Program Evaluation: COMMUNITY PARTNER and LHIP will promptly and jointly develop evaluation protocols and engage in regular evaluation or program activities and outcomes as required by the PWTF. The parties agree to share outcomes when feasible, with patient consent, while safeguarding PHI.

## 8. No Partnership or Joint Venture

This Memorandum of Understanding shall not create a partnership or joint venture between the parties. Neither party may act as an agent, express or implied, for the other, nor may either party make any commitment, financial or otherwise, on behalf of the other. No employee of the LHIP shall be considered an employee of the COMMUNITY PARTNER. No employee of the COMMUNITY PARTNER shall be considered an employee of LHIP.

## 9. Indemnification and Hold Harmless Provisions

### (a) Indemnification of the COMMUNITY PARTNER

LHIP agrees at all times during the operation of this Agreement to indemnify and hold harmless the COMMUNITY PARTNER against any liability, loss, damages or expenses that COMMUNITY PARTNER may sustain, incur, or be required to pay by reason of any person's personal injury, death, or property loss or damage sustained because of the negligence acts or omissions of LHIP, or any of its employees, officers, agents, volunteers, or representatives, in providing services under the terms of this Memorandum of Understanding, except that the provisions of this clause shall not apply to liabilities, losses, charges, costs or expenses caused solely or resulting solely from the negligent acts or omissions of the COMMUNITY PARTNER or any of the COMMUNITY PARTNER's employees, officers, agents, volunteers, or representatives.

## 10. Liability Insurance

During the operation of this Memorandum of Understanding, the LHIP shall maintain General Liability insurance in amount not less than \$1,000,000 per incident/\$2,000,000 per coverage period. COMMUNITY PARTNER shall be named as an additional insured. Within ten (10) days of the execution of this Agreement by the LHIP, LHIP shall provide the COMMUNITY PARTNER with a certificate of insurance indicating the coverage as set forth in this paragraph, and indicating the COMMUNITY PARTNER as an additional insured for the limits specified above. The policy of insurance referenced in this paragraph shall provide that the insurer will provide at least thirty (30) days' notice to the COMMUNITY PARTNER if coverage is reduced, expires, or is cancelled. In the event that coverage is reduced, expires or is cancelled during the operation of this Agreement, the COMMUNITY PARTNER may pay the insurer directly to maintain the policy as in effect at the time of the notice of reduction, termination or expiration. The COMMUNITY PARTNER may deduct the amount of the payment of the full or partial insurance policy premium, from money owed or to be owed, to LHIP.

11. Termination

Either party may terminate this Memorandum of Understanding for any reason, without cause, upon thirty (30) calendar day's prior written notice to the other party. Written notice under this paragraph must be presented to the other party at the address set forth in paragraph 3 of this Memorandum of Understanding, by any of the following means: (a) Certified mail, return receipt requested; (b) By-Hand; (c) overnight delivery via any mail or delivery service that provides the sender with a record of the date of receipt by the receiving party.

12. Applicable Law

This Memorandum of Understanding shall be interpreted and construed by the laws of the Commonwealth of Massachusetts, without regard to conflict of laws provisions.

**THE LATINO HEALTH INSURANCE PROGRAM, INC., BY:**

**COMMUNITY PARTNER, CITY OF MARLBOROUGH BY:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

Milagros Abreu, President  
Name and Title

Arthur G. Vigeant, Mayor  
Name and Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**APPROVED;** adopted.

**ORDERED:** That the Communication from City Solicitor Rider re: Memorandum of Understanding – Latino Health Insurance Program, Order No. 15-1006322, **FILE;** adopted.

**ORDERED:** There being no further business, the regular meeting of the City Council is herewith adjourned at 8:26 PM.



*City of Marlborough*

*Office of the Mayor*

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

*Arthur G. Vigeant*  
MAYOR

*Nicholas Milano*  
EXECUTIVE AIDE

2015 NOV 12 A 11:01

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)

*Patricia Bernard*  
EXECUTIVE SECRETARY

November 12, 2015

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

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

Honorable President Clancy and Councilors:

Enclosed for your acceptance is a donation to the Marlborough Police Department from Digital Federal Credit Union ("DCU") in the amount of \$5,000.00.

As the attached Notification of Grant Award form and letter from Chief Mark Leonard indicate, the donation will be used to supplement various programs and units. I would like to extend my thanks to DCU for their gift to the Department.

I have also attached a letter regarding the gift from Chief Leonard, a letter from DCU, and a copy of the check.

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

Sincerely,

**Arthur G. Vigeant**  
Mayor

Enclosures



# City of Marlborough POLICE DEPARTMENT

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

MARK F. LEONARD  
Chief of Police

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

November 9, 2015

Dear Mayor Vigeant:

The Marlborough Police Department has recently received a gift award from Digital Federal Credit Union (DCU). DCU has donated \$5,000 to the police department for general use involving MPD programs. We will use these funds to supplement various MPD programs and units.

Attached is the corresponding "Notice of Grant Award" form and a letter from DCU that accompanied the donation. Should you have any questions, please do not hesitate to call.

Sincerely,

Mark F. Leonard  
Chief of Police

**CITY OF MARLBOROUGH  
NOTICE OF GRANT AWARD**

DEPARTMENT: Police DATE: 11/9/2015

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Chief Mark F. Leonard

NAME OF GRANT: Donation/Gift

GRANTOR: DCU - Digital Federal Credit Union

GRANT AMOUNT: \$5,000.00

GRANT PERIOD: \_\_\_\_\_

SCOPE OF GRANT/ Discretionary programs

ITEMS FUNDED Various MPD programs and/or equipment needs

IS A POSITION BEING  
CREATED: No

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

ARE MATCHING CITY  
FUNDS REQUIRED? No

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

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

ANY OTHER EXPOSURE TO CITY?  
No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: As soon as possible

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



October 15, 2015

Marlborough Police Department  
355 Bolton Street  
Marlborough MA 01752

To Whom It May Concern,

On behalf of Digital Federal Credit Union (DCU), I am pleased to provide the Marlborough Police Department with the enclosed check for \$5,000. This donation represents DCU's support of your organization's efforts in providing programs that will make a difference.

As a socially responsible organization, DCU is committed to partnering with other organizations, such as yours that make a difference in the communities we serve. We hope that our contribution makes a difference.

Thank you for all that you do. Please feel free to mail any questions and/or inquiries to Digital Federal Credit Union, Attn: Diana Taxiera, 220 Donald Lynch Blvd., Marlborough, MA 01752. DCU hopes that this contribution makes a difference.

For further information about DCU and our branch locations, or communities we serve, please visit our website at [www.dcu.org](http://www.dcu.org).



**Digital Federal Credit Union**

PO Box 9130 • Marlborough, MA 01752-9130 • 508.263.6700

DATE  
10/15/2015

CHECK NUMBER  
041142

Detach This Portion Before Depositing

INVOICE NUMBER	INVOICE DATE	DESCRIPTION	GROSS AMOUNT	DISCOUNT	NET AMOUNT
2015 Donation	10/15/2015	Vchr: VO077284 <i>gift account</i>	\$5,000.00	\$0.00	\$5,000.00
PRINT BATCH	VENDOR CODE	PAY TO NAME			NET TOTAL
1,851	MARLBORPOLI	CITY OF MARLBROUGH-POLICE DEPARTMENT			\$5,000.00



*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)

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2015 NOV 12 A 11:02

*Arthur G. Vigeant*  
MAYOR  
*Nicholas Milano*  
EXECUTIVE AIDE  
*Patricia Bernard*  
EXECUTIVE SECRETARY

November 12, 2015

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

**Re: Grant Acceptance – Federal Emergency Management Agency**

Honorable President Clancy and Councilors:

Enclosed for your acceptance is a grant to reimburse the City of Marlborough for costs related to snow removal. The Federal Emergency Management Agency through the Massachusetts Emergency Management Agency is reimbursing the City for 75% of the costs incurred during a 48 hour period from January 26, 2015, to January 28, 2015. The grant totals \$262,763.08.

From 3:00 am on January 26, 2015, to 2:59 am on January 28, 2015, the City of Marlborough incurred \$350,350.77 in costs for snow removal. On April 13, 2015, this storm was declared a disaster by President Obama, making this financial assistance available to the City.

For additional information, please see the attached letter and documentation from Don Cusson.

As we approach winter, I would like to thank all the employees at the Department of Public Works for their hard work during last year's historic winter. Commissioner Ghiloni, his staff, and Emergency Management Director Don Cusson did a great job in making sure the City was safely cleared of snow.

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

Sincerely,

**Arthur G. Vigeant**  
Mayor

Enclosures



*City of Marlborough*  
*Emergency Management*

696 CONCORD ROAD  
MARLBOROUGH, MASSACHUSETTS 01752-5617  
TEL. (508) 481-1933 ■ FACSIMILE (508) 460-3795 ■ TDD (508) 460-3610  
CELL (508) 726-1088 ■ PAGER (978) 803-2061

*Don Cusson*  
EMERGENCY MANAGEMENT  
DIRECTOR  
dcusson@marlborough-ma.gov

November 4, 2015

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

Honorable Mayor,

Enclosed, finally is a copy of the Contract from MEMA and the PW-00120 from FEMA for the Disaster: FEMA-4214-DR-MA for presentation to the Council for acceptance. This is for, Reimbursement for the Snow Removal City wide for a 48 hour period During Jan. 26<sup>th</sup> thru 28<sup>th</sup> snow storm, 0300 hours on 1/26/15 and extended for an eligible period of 48 hours until 0259 hours on 1/28/15, "Declared Disaster". The contract represents the 75% of what was spent in this 48 hour period. Request of \$ 350,350.77 on PW-00120, the contract represents 75%, \$262,763.08 is what we will be receiving from MEMA, (Massachusetts Emergency Management Agency).

Thanks to the endless time spent gathering and documentation, as every penny must be documented and certified, to Assistant Commissioner Tom Temple, Diane McNally, Marianne Moore as well as the Forman for keeping good records and documenting all operations. With-out their efforts and good record documentation, it would be difficult to have achieved this.

We are still working on other reimbursements because of this Declared Disaster in January. If there are any questions please feel free to call or email at any time.

Respectfully,

Donald E. Cusson

Cc; JGhiloni  
DSmith  
BDoheny  
TTemple

# COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



This form is jointly issued and published by the **Executive Office for Administration and Finance (ANF)**, the **Office of the Comptroller (CTR)** and the **Operational Services Division (OSD)** as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. Any changes to the official printed language of this form shall be void. Additional non-conflicting terms may be added by Attachment. Contractors may not require any additional agreements, engagement letters, contract forms or other additional terms as part of this Contract without prior Department approval. Click on hyperlinks for definitions, instructions and legal requirements that are incorporated by reference into this Contract. An electronic copy of this form is available at [www.mass.gov/osc](http://www.mass.gov/osc) under **Guidance For Vendors - Forms** or [www.mass.gov/osd](http://www.mass.gov/osd) under **OSD Forms**.

<b>CONTRACTOR LEGAL NAME:</b> (and d/b/a): Marlborough (City of)		<b>COMMONWEALTH DEPARTMENT NAME:</b> Massachusetts Emergency Management Agency <b>MMARS Department Code:</b> CDA	
<b>Legal Address: (W-9, W-4, T&amp;C):</b> 140 Main Street Marlborough, MA 01752		<b>Business Mailing Address:</b> 400 Worcester Road, Framingham, MA 01702	
<b>Contract Manager:</b> Arthur G Vigeant		<b>Billing Address (if different):</b>	
<b>E-Mail:</b> avigeant@marlborough-m.gov		<b>Contract Manager:</b> Pam Riordan	
<b>Phone:</b> 508-460-3770	<b>Fax:</b>	<b>E-Mail:</b> pamelas.riordan@state.ma.us	
<b>Contractor Vendor Code:</b> VC6000192111		<b>Phone:</b> 508-820-1406	<b>Fax:</b> 508-820-1404
<b>Vendor Code Address ID (e.g. "AD001"):</b> AD___ (Note: The Address ID must be set up for EFT payments.)		<b>MMARS Doc ID(s):</b> CTFEMA4214MARLB00120 <b>RFR/Procurement or Other ID Number:</b> FEMA-4214-DR-MA	
<b>— NEW CONTRACT</b>		<b>— CONTRACT AMENDMENT</b>	
<b>PROCUREMENT OR EXCEPTION TYPE: (Check one option only)</b> <input type="checkbox"/> <b>Statewide Contract</b> (OSD or an OSD-designated Department) <input type="checkbox"/> <b>Collective Purchase</b> (Attach OSD approval, scope, budget) <input type="checkbox"/> <b>Department Procurement</b> (Includes State or Federal grants <b>815 CMR 2.00</b> ) (Attach RFR and Response or other procurement supporting documentation) <input type="checkbox"/> <b>Emergency Contract</b> (Attach justification for emergency, scope, budget) <input type="checkbox"/> <b>Contract Employee</b> (Attach Employment Status Form, scope, budget) <input checked="" type="checkbox"/> <b>Legislative/Legal or Other:</b> (Attach authorizing language/justification, scope and budget)		Enter Current Contract End Date <b>Prior</b> to Amendment: ____, 20__. Enter Amendment Amount: \$ _____. (or "no change") <b>AMENDMENT TYPE: (Check one option only. Attach details of Amendment changes.)</b> <input type="checkbox"/> <b>Amendment to Scope or Budget</b> (Attach updated scope and budget) <input type="checkbox"/> <b>Interim Contract</b> (Attach justification for Interim Contract and updated scope/budget) <input type="checkbox"/> <b>Contract Employee</b> (Attach any updates to scope or budget) <input type="checkbox"/> <b>Legislative/Legal or Other:</b> (Attach authorizing language/justification and updated scope and budget)	
The following <b>COMMONWEALTH TERMS AND CONDITIONS (T&amp;C)</b> has been executed, filed with CTR and is incorporated by reference into this Contract. <input checked="" type="checkbox"/> Commonwealth Terms and Conditions <input type="checkbox"/> Commonwealth Terms and Conditions For Human and Social Services			
<b>COMPENSATION:</b> (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00. <input type="checkbox"/> <b>Rate Contract</b> (No Maximum Obligation. Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) <input checked="" type="checkbox"/> <b>Maximum Obligation Contract</b> Enter Total Maximum Obligation for total duration of this Contract (or <b>new</b> Total if Contract is being ended). <b>\$262,763.08</b>			
<b>PROMPT PAYMENT DISCOUNTS (PPD):</b> Commonwealth payments are issued through <b>EFT</b> 45 days from Invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days ___% PPD; Payment issued within 15 days ___% PPD; Payment issued within 20 days ___% PPD; Payment issued within 30 days ___% PPD. If PPD percentages are left blank, identify reason: ___agree to standard 45 day cycle ___ statutory/legal or Ready Payments ( <b>G.L. c. 29, § 23A</b> ); <input checked="" type="checkbox"/> only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See <b>Prompt Pay Discounts Policy</b> .)			
<b>BRIEF DESCRIPTION OF CONTRACT PERFORMANCE OR REASON FOR AMENDMENT:</b> All work is subject to the Stafford Act and all requirements of 'Attachment A' are incorporated under this contract. (Reference CFDA# 97.036) PW-00120 To reimburse for FEMA 4214 January 26-28 <sup>th</sup> Blizzard Snow and Emergency Work at			
<b>ANTICIPATED START DATE:</b> (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: ___ 1. may be incurred as of the <b>Effective Date</b> (latest signature date below) and <b>no</b> obligations have been incurred <b>prior</b> to the <b>Effective Date</b> . ___ 2. may be incurred as of ____, 20__, a date <b>LATER</b> than the <b>Effective Date</b> below and <b>no</b> obligations have been incurred <b>prior</b> to the <b>Effective Date</b> . <input checked="" type="checkbox"/> 3. were incurred as of 01-26-2015 a date <b>PRIOR</b> to the <b>Effective Date</b> below, and the parties agree that payments for any obligations incurred prior to the <b>Effective Date</b> are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.			
<b>CONTRACT END DATE:</b> Contract performance shall terminate as of 6/30/2016, with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.			
<b>CERTIFICATIONS:</b> Notwithstanding verbal or other representations by the parties, the " <b>Effective Date</b> " of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor makes all certifications required under the attached <b>Contractor Certifications</b> (incorporated by reference if not attached hereto) under the pains and penalties of perjury, agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable <b>Commonwealth Terms and Conditions</b> , this Standard Contract Form including the <b>Instructions and Contractor Certifications</b> , the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in <b>801 CMR 21.07</b> , incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.			
<b>AUTHORIZING SIGNATURE FOR THE CONTRACTOR:</b> X:  Date: 1/16/15 (Signature and Date Must Be Handwritten At Time of Signature)		<b>AUTHORIZING SIGNATURE FOR THE COMMONWEALTH:</b> X:  Date: 1/30/15 (Signature and Date Must Be Handwritten At Time of Signature)	
Print Name: <u>Arthur G. Vigeant</u> Print Title: <u>Mayor</u>		Print Name: <u>David Mahr</u> Print Title: <u>Chief Administrative Officer</u>	

PW-00120

Capture Date: 10/10/2015 13:11				
<b>Federal Emergency Management Agency</b>				
<b>Project Application Grant Report (P.2)</b>				
<b>Disaster: FEMA-4214-DR-MA</b>				
Number of Records: 1				
Applicant ID: 017-38680-00 Bundle #: PA-01-MA-4214-PW-00120 (155)		Applicant: MARLBORO (RR NAME FOR MARLBOROUGH)		
PW #	Cat	Cost Share	Projected Completion Date	Approved PW Amount (\$)
PA-01-MA-4214-PW-00120(0)	B	N	10-13-2015	350,350.77
Facility Number:	1			
Facility Name:	MARLB01 - Snow Removal (Citywide)			
Location:	Citywide - GPS Location is 140 Main Street, Marlborough, MA 01752			
	<p>Snow Removal (City-wide)</p> <p>WORK COMPLETED</p> <p>The City of Marlborough utilized their force account labor, force account equipment, materials, rental equipment, and contract services to assist in their critical need for snow removal efforts. The Applicant's most critical needs began at 0300 hour on 01/26/15 and extended for an eligible period of 48 continuous hours until 0259 hour on 01/28/15. The public works department is responsible for maintaining 512 lane miles of plow able roadway.</p> <p>The Public Works Department (DPW), made continuous passes on roadways performing (salt, magnesium, and plowing). Eligible work performed for this 48 hour period includes plowing and spreading salt and other abrasives, removing snow from roads and city maintained area.</p> <p>Force Account Labor - The City of Marlborough utilized 64 employees; 63 full time and one part time employee from (Department of Public Works, Water &amp; Sewer Division, Forestry, Parks &amp; Cemeteries, Engineering Division, Easterly Wastewater Treatment Plant, Westerly Wastewater Treatment Plant, Fleet Maintenance Division, and Public Facility personnel) employees to work 944.25 ineligible regular hours, 20.5 eligible regular time hours, and 1244 overtime hours for a total of 2208.75 hours. The applicant has requested reimbursement in the amount of \$52,759.31. The applicant is claiming a fringe benefit rate of 1.45% for overtime, which does not include a social security fringe benefit.</p> <p>The City of Marlborough (DPW) employees were paid at time and a half, after 8 hours of regular time worked during the 48 hour snow removal duration per their employee payroll policy. All employee timesheets have been attached to this project worksheet. See attached pay policy, timesheets and payroll register.</p> <p>According to the Payroll Policy for Public Works, employees are allotted 2 hours of recuperation time. The employees working on snow removal did not take the recuperation time with the exception of 3 employees (Steve Colacchio, Ian Trottier, and Jeff D'Amico). These employees took the recuperation time and attached are their timecards to show they clocked out for the recuperation time. Everyone else worked through the emergency blizzard.</p> <p>Force Account Equipment -The City of Marlborough utilized their municipality owned equipment consisting of heavy duty trucks and detached plow, and sanders. The applicant used their equipment for a total of 3404.50 hours. Equipment hours exceed labor hours due to the attached items to the primary vehicles. Their equipment was operational during the entire 48 hour period, performing eligible work such as spreading salt and other abrasives, plowing, removing snow from roads and other city maintained areas. The City of Marlborough has requested reimbursement in the amount of \$71,368.00.</p> <p>Rental Equipment - The City of Marlborough utilized 6 pieces of rental equipment. The rental agreement prices were in place for 3 months. The cost for the rental equipment was then broken out on a cost per day. The amount is based on the 48 hour period; 2 day period in January, which has 31 days in that month. The City of Marlborough has requested \$980.02.</p> <p>Force Account Materials - The highway superintendent has provided all invoices for salt/sand and other abrasives. The applicant purchased rock salt for \$58.40/TN. The applicant used approximately 71.03 tons of salt at \$58.40/TN, equaling \$4,148.15, and 1,815/gal of mag 30%, at</p>			

\$1.15/gal, equaling \$2,087.25. The applicant is requesting reimbursement for materials used during the 48 hour snow removal at \$6235.40.

As part of the City's snow and ice program, they strictly used Sodium Chloride (Rock salt) and pre-wet, pre-treat and/or use as an anti-bonding agent to avoid snowpack on certain City of Marlboro (main runs hill areas and bridges) during their sanding/salting operations. The produce that was used to pretreat and/or pre-wet the rock salt was Caliber-M2000 with AP or Caliber-M1000. See attached bids for provide by the City of Marlborough.

The city of Marlborough has approximately 512 lane miles of roadways. Depending on the event, their application rate typically runs between 300-500 lbs. per lane mile. Because of the January 26-28 event brought freezing conditions, higher than normal snow accumulations, the City used anywhere from 500-600 lbs. per lane mile for this event. See attached breakdown per truck.

Material costs not included in this Project worksheet include items that are included in the FEMA equipment rate or are part of a Category E Project Worksheet as noted on the Materials Summary.

Contract Services - The City of Marlborough utilized (30) Contract Services to assist in their snow removal efforts. The applicant was charged at a lump sum rate which included labor, equipment. No materials were provided by these contractors. The contractors did not use any force account equipment provided by the applicant. A copy of the invoice along with clock in/out times are attached to each invoice. The City of Marlborough has requested reimbursement for contract services in the amount of \$216,592.39. A copy of the original bid contract for plowing/salting is attached along with copies of signed contracts for all contracts.

Meals - As part of each contractor contract, meals are provided. The City of Marlborough has requested \$8016.90 for contractor meals

Total Contract requested \$216,592.39 + 8016.90 for a total of \$224,609.29.

Total Amount Requested:	
Labor	\$ 52,759.31
Equipment	\$ 71,368.00
Materials	\$ 6,235.40
Rental Equipment	\$ 980.02
Contracts	\$224,609.29
TOTAL	\$355,952.02

DECLINING DIRECT ADMINISTRATIVE COSTS: The Applicant has declined to request reimbursement for direct administrative costs. Declining such costs does not exempt the Applicant from maintaining records adequately and documenting the source and application of funds as required in 44 CFR part 13.

CONTRACT/MATERIAL PURCHASES: 100% of all received invoices, and cancelled checks (or other proofs of payment) have been reviewed and are attached as supporting documentation.

#### All Projects Change in Scope

Applicant shall notify the Massachusetts Emergency Management Agency prior to initiating any work that changes the scope of approved work as given in this sub-grant application. Lorraine Eddy, email address Lorraine.eddy@state.ma.us.

HAZARD MITIGATION PROPOSAL: No measure has been considered feasible/reasonable and no further action is required for the HMP. Applicant is not requesting HMP.

PROCUREMENT: The Applicant has been advised by FEMA PAC and/or Project Specialist that in the seeking of proposals and letting of contracts for eligible work, the Applicant must comply with its Local, State and/or Federal procurement laws, regulations, and procedures.

The federal regulations at 2 C.F.R. §§ 200.317 to 326 set forth various procurement standards that a non-Federal entity must follow when using FEMA Public Assistance funding to finance procurements of property and services to perform the scope of work under a Public Assistance award. As detailed in those regulations, a state must use the same policies and procedures that it uses for procurements from its non-Federal funds. 2 C.F.R. § 200.317. A state must also comply with 2 C.F.R. § 200.322 (Procurement of Recovered Materials), must ensure that every purchase order or other contract included any clauses required by 2 C.F.R. § 200.326 (Contract Provisions), and must follow all applicable federal laws, executive orders, and implementing regulations. All other non-Federal entities, including non-state sub-recipients of a state, must follow the regulations at 2 C.F.R. § 200.318 (General Procurement Standards) through 2 C.F.R. § 200.326 (Contract Provisions). A non-Federal entity, however, may continue to apply with the former procurement standards applicable to FEMA awards formerly located at 44 C.F.R. Part 13 (for

Scope of Work:

states, local, and Indian tribal governments) or 2 C.F.R. Part 215 (for institutions of higher education, hospitals, and other nonprofit organizations) until the completion of one additional fiscal year after December 26, 2014. 2 C.F.R. § 200.110(a). This is an elective grace period and, if a non-Federal entity chooses to use the previous procurement standards before adopting the procurement standards in 2 C.F.R. pt. 200, must document this decision in its internal procurement policies.

**Records Retention.** The FEMA-State Agreement and 2 C.F.R. § 200.333 set forth the records retention requirements under the Public Assistance grant. The State is required to retain records for 3 years (except in certain rare circumstances described in 2 C.F.R. § 200.333) from the date it submits the final Federal Financial Report (SF 425) for the entire Public Assistance grant to FEMA in compliance with 2 C.F.R. § 200.333, notwithstanding the time period prescribed for sub-recipients. Sub-recipients are required to retain records for 3 years from the date that the State submits to FEMA the final expenditure report for the sub-recipient. The final expenditure report for the sub-recipient is the quarterly progress report in which the State indicates it reflects the last and final expenditures for the sub-recipient for the Public Assistance grant. FEMA will not confirm the quarterly progress report as the final expenditure report for a particular sub-recipient until the State has submitted all outstanding information and certifications required in 44 C.F.R. § 206.205 for all the sub-recipient's costs and work for the major disaster. See FEMA-State Agreement, ¶¶ V (E) and VI (E)."

**Insurance Purchase Requirements -** As a condition for receiving Public Assistance for permanent work, an applicant must obtain and maintain insurance to cover that facility for the hazard that caused the damage. Such coverage must, at a minimum, be in the amount of the estimated eligible damages for that structure prior to any reduction. The costs of Section 406 hazard mitigation measures are included in the amount of insurance required. If the requirement to purchase all insurance is not met, FEMA will not provide assistance for damage sustained in the current or a future disaster of the same type. If the applicant does not maintain all required insurance, FEMA will not provide any assistance for that facility in future disasters of the same type. An applicant is exempt from this requirement for:

- Projects where the eligible damage (before any reductions) is less than \$5,000; or
- Facilities for which, in the determination of the State insurance commissioner, the type and/or extent of insurance being required by FEMA is not reasonable. (This exemption does not apply to facilities insurable under the NFIP because insurance is both available and reasonable.)

**LARGE PROJECTS (\$121,600+), ANY CATEGORY:** When project worksheets are written as large projects, an adjustment must be made during the closeout process in order to match the actual eligible dollars spent. This will require an amendment to be written in EMMIE to capture the over-run/under-run.

**AT FINAL REVIEW**

Less \$3691.25 for Construction Materials Service outside 48 hours; less \$747.50 CE Mills outside 48 hours; less \$1162.50 for Top Notch outside 48 hours. Total deduction \$5601.25 from Contracts outside 48 hours.

1 PW	PWs (\$)	Subgrantee Admin Exp. (\$)	Total (\$)
<b>Amount Eligible (\$)</b>	350,350.77	0.00	350,350.77
<b>Federal Share (\$)</b>	262,763.08	0.00	262,763.08

<b>PA-01-MA-4214-PW-00120(0)</b> P	
Applicant Name: MARLBORO (RR NAME FOR MARLBOROUGH)	Application Title: MARLB01 - Snow and Emergency Work
Period of Performance Start: 04-13-2015	Period of Performance End: 10-13-2015

Bundle Reference # (Amendment #) PA-01-MA-4214-PW-00120(155)	Date Awarded 10-09-2015
---	----------------------------

**Subgrant Application - FEMA Form 90-91**

**Note:** The Effective Cost Share for this application is 75%

FEDERAL EMERGENCY MANAGEMENT AGENCY PROJECT WORKSHEET						
DISASTER		PROJECT NO.	PA ID NO.	DATE	CATEGORY	
FEMA	4214 - DR -MA	MARLB01	017-38680-00	07-02-2015	B	
APPLICANT: MARLBORO (RR NAME FOR MARLBOROUGH)				WORK COMPLETE AS OF: 07-02-2015 : 100 %		
Site 1 of 1						
DAMAGED FACILITY: MARLB01 - Snow Removal (Citywide)				COUNTY: Middlesex		
LOCATION: PA-01-MA-4214-PW-00120(0): Citywide - GPS Location is 140 Main Street, Marlborough, MA 01752				LATITUDE: 42.346694	LONGITUDE: -71.547726	
DAMAGE DESCRIPTION AND DIMENSIONS: PA-01-MA-4214-PW-00120(0): During the declared incident period of January 26th, 2015, to January 28th, 2015, the applicant's county had record or near record snowfall. It has been determined that it was beyond both local and state capabilities to adequately respond. Record or near record snowfall accompanied by icing conditions was deposited on public roads, right of ways, pedestrian walkways, parking lots, and other publicly maintained properties. Snow removal and spreading of salt and other abrasives were conducted as an emergency measures taken to save lives, protect public health and safety, and to protect improved property. The applicant took such actions as necessary to save lives, protect public health and safety, and protect improved property. Current Version:						
SCOPE OF WORK: PA-01-MA-4214-PW-00120(0): Snow Removal (City-wide)						
WORK COMPLETED The City of Marlborough utilized their force account labor, force account equipment, materials, rental equipment, and contract services to assist in their critical need for snow removal efforts. The Applicant's most critical needs began at 0300 hour on 01/26/15 and extended for an eligible period of 48 continuous hours until 0259 hour on 01/28/15. The public works department is responsible for maintaining 512 lane miles of plow able roadway. The Public Works Department (DPW), made continuous passes on roadways performing (salt, magnesium, and plowing). Eligible work performed for this 48 hour period includes plowing and spreading salt and other abrasives, removing snow from roads and city maintained area. Force Account Labor – The City of Marlborough utilized 64 employees; 63 full time and one part time employee from (Department of Public Works, Water & Sewer Division, Forestry, Parks & Cemeteries, Engineering Division, Easterly Wastewater Treatment Plant, Westerly						

Wastewater Treatment Plant, Fleet Maintenance Division, and Public Facility personnel) employees to work 944.25 ineligible regular hours, 20.5 eligible regular time hours, and 1244 overtime hours for a total of 2208.75 hours. The applicant has requested reimbursement in the amount of \$52,759.31. The applicant is claiming a fringe benefit rate of 1.45% for overtime, which does not include a social security fringe benefit.

The City of Marlborough (DPW) employees were paid at time and a half, after 8 hours of regular time worked during the 48 hour snow removal duration per their employee payroll policy. All employee timesheets have been attached to this project worksheet. See attached pay policy, timesheets and payroll register.

According to the Payroll Policy for Public Works, employees are allotted 2 hours of recuperation time. The employees working on snow removal did not take the recuperation time with the exception of 3 employees (Steve Colacchio, Ian Trottier, and Jeff D'Amico). These employees took the recuperation time and attached are their timecards to show they clocked out for the recuperation time. Everyone else worked through the emergency blizzard.

Force Account Equipment –The City of Marlborough utilized their municipality owned equipment consisting of heavy duty trucks and detached plow, and sanders. The applicant used their equipment for a total of 3404.50 hours. Equipment hours exceed labor hours due to the attached items to the primary vehicles. Their equipment was operational during the entire 48 hour period, performing eligible work such as spreading salt and other abrasives, plowing, removing snow from roads and other city maintained areas. The City of Marlborough has requested reimbursement in the amount of \$71,368.00.

Rental Equipment – The City of Marlborough utilized 6 pieces of rental equipment. The rental agreement prices were in place for 3 months. The cost for the rental equipment was then broken out on a cost per day. The amount is based on the 48 hour period; 2 day period in January, which has 31 days in that month. The City of Marlborough has requested \$980.02.

Force Account Materials - The highway superintendent has provided all invoices for salt/sand and other abrasives. The applicant purchased rock salt for \$58.40/TN. The applicant used approximately 71.03 tons of salt at \$58.40/TN, equaling \$4,148.15, and 1,815/gal of mag 30%, at \$1.15/gal, equaling \$2,087.25. The applicant is requesting reimbursement for materials used during the 48 hour snow removal at \$6235.40.

As part of the City's snow and ice program, they strictly used Sodium Chloride (Rock salt) and pre-wet, pre-treat and/or use as an anti-bonding agent to avoid snowpack on certain City of Marlboro (main runs hill areas and bridges) during their sanding/salting operations. The produce that was used to pretreat and/or pre-wet the rock salt was Caliber-M2000 with AP or Caliber-M1000. See attached bids for provide by the City of Marlborough.

The city of Marlborough has approximately 512 lane miles of roadways. Depending on the event, their application rate typically runs between 300-500 lbs. per lane mile. Because of the January 26-28 event brought freezing conditions, higher than normal snow accumulations, the City used anywhere from 500-600 lbs. per lane mile for this event. See attached breakdown per truck.

Material costs not included in this Project worksheet include items that are included in the FEMA equipment rate or are part of a Category E Project Worksheet as noted on the Materials Summary.

Contract Services – The City of Marlborough utilized (30) Contract Services to assist in their snow removal efforts. The applicant was charged at a lump sum rate which included labor, equipment. No materials were provided by these contractors. The contractors did not use any force account equipment provided by the applicant. A copy of the invoice along with clock in/out times are attached to each invoice. The City of Marlborough has requested reimbursement for contract services in the amount of \$216,592.39. A copy of the original bid contract for plowing/salting is attached along with copies of signed contracts for all contracts.

Meals – As part of each contractor contract, meals are provided. The City of Marlborough has requested \$8016.90 for contractor meals

Total Contract requested \$216,592.39 + 8016.90 for a total of \$224,609.29.

Total Amount Requested:	
Labor	\$ 52,759.31
Equipment	\$ 71,368.00
Materials	\$ 6,235.40
Rental Equipment	\$ 980.02
Contracts	\$224,609.29
<b>TOTAL</b>	<b>\$355,952.02</b>

DECLINING DIRECT ADMINISTRATIVE COSTS: The Applicant has declined to request reimbursement for direct administrative costs. Declining such costs does not exempt the Applicant from maintaining records adequately and documenting the source and application of funds as required in 44 CFR part 13.

CONTRACT/MATERIAL PURCHASES: 100% of all received invoices, and cancelled checks (or other proofs of payment) have been reviewed and are attached as supporting documentation.

All Projects Change in Scope  
Applicant shall notify the Massachusetts Emergency Management Agency prior to initiating any work that changes the scope of approved work as given in this sub-grant application. Lorraine Eddy, email address Lorraine.eddy@state.ma.us.

HAZARD MITIGATION PROPOSAL: No measure has been considered feasible/reasonable and no further action is required for the HMP. Applicant is not requesting HMP.

PROCUREMENT: The Applicant has been advised by FEMA PAC and/or Project Specialist that in the seeking of proposals and letting of contracts for eligible work, the Applicant must comply with its Local, State and/or Federal procurement laws, regulations, and procedures.

The federal regulations at 2 C.F.R. §§ 200.317 to 326 set forth various procurement standards that a non-Federal entity must follow when using FEMA Public Assistance funding to finance procurements of property and services to perform the scope of work under a Public Assistance award. As detailed in those regulations, a state must use the same policies and procedures that it uses for procurements from its non-Federal funds. 2 C.F.R. § 200.317. A state must also comply with 2 C.F.R. § 200.322 (Procurement of Recovered Materials), must ensure that every purchase order or other contract included any clauses required by 2 C.F.R. § 200.326 (Contract Provisions), and must follow all applicable federal laws, executive orders, and implementing regulations. All other non-Federal entities, including non-state sub-recipients of a state, must follow the regulations at 2 C.F.R. § 200.318 (General Procurement Standards) through 2 C.F.R. § 200.326 (Contract Provisions). A non-Federal entity, however, may continue to apply with the former procurement standards applicable to FEMA awards formerly located at 44 C.F.R. Part 13 (for states, local, and Indian tribal governments) or 2 C.F.R. Part 215 (for institutions of higher education, hospitals, and other nonprofit organizations) until the completion of one additional fiscal year after December 26, 2014. 2 C.F.R. § 200.110(a). This is an elective grace period and, if a non-Federal entity chooses to use the previous procurement standards before adopting the procurement standards in 2 C.F.R. pt. 200, must document this decision in its internal procurement policies.

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- Projects where the eligible damage (before any reductions) is less than \$5,000; or.
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**AT FINAL REVIEW**

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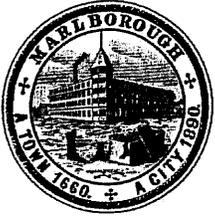
Current Version:

Does the Scope of Work change the pre-disaster conditions at the site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Special Considerations included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Hazard Mitigation proposal included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is there insurance coverage on this facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**PROJECT COST**

ITEM	CODE	NARRATIVE	QUANTITY/UNIT	UNIT PRICE	COST
		*** Version 0 ***			
		Work Completed			
1	9001	CONTRACT SERVICES	1/LS	\$ 224,609.29	\$ 224,609.29
2	9004	RENTED EQUIPMENT	1/LS	\$ 980.02	\$ 980.02
3	9007	LABOR	1/LS	\$ 52,759.31	\$ 52,759.31
4	9008	EQUIPMENT	1/LS	\$ 71,368.00	\$ 71,368.00
5	9009	MATERIALS	1/LS	\$ 6,235.40	\$ 6,235.40
		Direct Subgrantee Admin Cost			
6	9903	No Direct Administrative Costs	1/LS	\$ 0.00	\$ 0.00
		Other			
7	9999	Less ineligible contracts outside	1/LS	\$ -5,601.25	\$ -5,601.25

	48 Hours		
			<b>TOTAL COST</b>
			\$ 350,350.77
PREPARED BY KATHLEEN MURRAY	TITLE PACL	SIGNATURE	
APPLICANT REP. Donald Cusson	TITLE EMD Director	SIGNATURE	



*City of Marlborough*

*Office of the Mayor*

140 Main Street

Marlborough, Massachusetts 01752

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

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

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2015 NOV 12 A 11:02  
*Arthur G. Vigeant* MAYOR  
*Nicholas Milano* EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

November 12, 2015

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

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

Honorable President Clancy and Councilors:

Enclosed for your acceptance is a gift to the Marlborough Fire Department from Digital Federal Credit Union ("DCU") in the amount of \$5,000.00.

As the attached Notification of Grant Award form indicates, Chief Breen intends to use the gift to invest in some needed information technology upgrades for the Fire Department. I would like to extend my thanks to DCU for their gift to the Department.

I have also attached a letter regarding the gift from Chief Breen, a letter from DCU, and a copy of the check.

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

Sincerely,

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

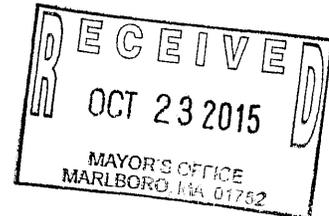
Enclosures



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

October 23, 2015

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



Dear Mayor Vigeant,

The Marlborough Fire Department has received a donation in the amount of \$5,000.00 from Digital Federal Credit Union.

Attached is a completed Notification of Grant Award form, a copy of their cover letter and check. I respectfully request that this be forwarded to the City Council for approval.

Please let me know if you have any questions.

Sincerely,

Kevin J. Breen  
Fire Chief

**CITY OF MARLBOROUGH  
NOTICE OF GRANT AWARD**

DEPARTMENT: Fire DATE: 10/23/2015

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

NAME OF GRANT: Donation

GRANTOR: Digital Federal Credit Union (DCU)

GRANT AMOUNT: \$5,000.00

GRANT PERIOD: \_\_\_\_\_

SCOPE OF GRANT/  
ITEMS FUNDED Information technology upgrades

IS A POSITION BEING  
CREATED: No

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

ARE MATCHING CITY  
FUNDS REQUIRED? No

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

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

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

ANY OTHER EXPOSURE TO CITY?  
No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: \_\_\_\_\_  
\_\_\_\_\_

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



October 15, 2015

Marlborough Fire Department  
215 Maple Street  
Marlborough MA 01752

To Whom It May Concern,

On behalf of Digital Federal Credit Union (DCU), I am pleased to provide the Marlborough Fire Department with the enclosed check for \$5,000. This donation represents DCU's support of your organization's efforts in providing programs that will make a difference.

As a socially responsible organization, DCU is committed to partnering with other organizations, such as yours that make a difference in the communities we serve. We hope that our contribution makes a difference.

Thank you for all that you do. Please feel free to mail any questions and/or inquiries to Digital Federal Credit Union, Attn: Diana Taxiera, 220 Donald Lynch Blvd., Marlborough, MA 01752. DCU hopes that this contribution makes a difference.

For further information about DCU and our branch locations, or communities we serve, please visit our website at [www.dcu.org](http://www.dcu.org).



INVOICE NUMBER	INVOICE DATE	DESCRIPTION	GROSS AMOUNT	DISCOUNT	NET AMOUNT
2015 Donation	10/15/2015	Vchr: V0077283	\$5,000.00	\$0.00	\$5,000.00

PRINT BATCH 1,851	VENDOR CODE MARLBOROUGHF	PAY TO NAME MARLBOROUGH FIRE DEPARTMENT	NET TOTAL \$5,000.00
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ORIGINAL CHECK HAS A VOID PANTOGRAPH AND IS PRINTED ON CHEMICAL REACTIVE PAPER - SEE BACK FOR DETAILS

ACCOUNTS PAYABLE

53-9182  
2113

DATE 10/15/2015	CHECK NO. 041144
--------------------	---------------------

PAY Five thousand and 00/100 Dollars Only \*\*\*\*\*

VOID AFTER 90 DAYS

AMOUNT \$5,000.00
----------------------

PAY TO ORDER OF  
 MARLBOROUGH FIRE DEPARTMENT  
 215 MAPLE STREET  
 MARLBOROUGH MA 01752

*Louis M. LaChapelle*



*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)

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2015 NOV 12 4:11:02  
*Arthur G. Vigeant* MAYOR  
*Nicholas Milano* EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

November 12, 2015

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

**Re: Grant Acceptance – Council on Aging**

Honorable President Clancy and Councilors:

I am pleased to inform you that the Marlborough Council on Aging (COA) has been awarded a grant in the amount of \$59,880.92 by the Executive Office of Elder Affairs. This is an annual recurring, formula-based grant given to the cities and towns based on our senior population.

This grant will be effectively utilized in multiple ways by our COA including but not limited to senior transportation, programming activities, and administrative support.

Enclosed is the relevant backup information and paperwork. I respectfully request your acceptance of this worthwhile grant so that the funds may be utilized for their intended purposes.

Sincerely,

  
Arthur G. Vigeant  
Mayor

Enclosures



*City of Marlborough*  
*Council on Aging and Senior Center*

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

*Patricia A. Pope*  
EXECUTIVE DIRECTOR

November 6, 2015

Dear Mayor Vigeant;

I am submitting a grant award for the amount of \$59,880.92 from the Executive Office of Elder Affairs. This essential funding will allow our Council on Aging to provide classes, transportation, programmatic, administrative support as well as additional enrichment opportunities for our Seniors

Sincerely,

Patricia A. Pope  
Executive Director

CITY OF MARLBOROUGH  
NOTICE OF GRANT AWARD

DEPARTMENT: Council on Aging DATE: November 6, 2015  
PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Patricia Pope  
NAME OF GRANT: 2015/2016 Formula Funding Grant  
GRANTOR: EOEA  
GRANT AMOUNT: \$59,880.92  
GRANT PERIOD: July 1, 2015 - June 30, 2016  
SCOPE OF GRANT/  
ITEMS FUNDED Programs and administrative support.  
Enrichment opportunities and transportation

IS A POSITION BEING  
CREATED:

n/a

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

ARE MATCHING CITY  
FUNDS REQUIRED?

n/a

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

n/a

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

n/a

ANY OTHER EXPOSURE TO CITY?

No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL:

as soon as possible.

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





**City of Marlborough  
Legal Department**

140 MAIN STREET

MARLBOROUGH, MASSACHUSETTS 01752

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

LEGAL@MARLBOROUGH-MA.GOV

November 12, 2015

Edward Clancy  
President  
Marlborough City Council

RE: House Bill 3377 - An Act Exempting Certain Positions in the Marlborough School  
Department from the Civil Service Law  
Order No. x14-1006043

Dear President Clancy and Members:

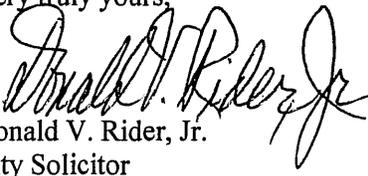
You will recall that in December 2014 the City Council approved a home rule petition exempting all positions in 3 School Department unions (cafeteria, clerical, custodial) from the operation of the civil service law, so long as people were hired into those positions by the School Department on or after July 1, 2014 (Order No. x14-1006043). Per the petition, anyone hired into those 3 unions prior to July 1, 2014 would continue to come under the operation of civil service. All 3 unions support the petition, as does the School Department.

The petition you approved was submitted to the State Legislature as House Bill 3377, entitled "An Act Exempting Certain Positions in the Marlborough School Department from the Civil Service Law." Recently, House counsel voiced a concern that H.3377, as currently drafted, would retroactively eliminate, without benefit of due process, the civil service rights and protections previously afforded to a particular class of people – namely, people hired into the 3 unions on or after July 1, 2014 but before whatever the effective date of H.3377 turns out to be. This concern is especially problematic because the School Department has advised me they have, in fact, hired people for civil service positions in a couple of the 3 unions since July 1, 2014.

Accordingly, I have enclosed a proposed amended home rule petition which, instead of exempting from civil service those hired by the School Department on or after July 1, 2014, would exempt only those hired after the bill's effective date (namely, the date of passage). Those hired prior to the bill's effective date would continue to come under the operation of the civil service law. Note that the enclosed amended petition has been approved not only by House counsel, but also by the chair of the House Committee on Bills in the Third Reading, which is poised to report it out at once to the full House pending approval by the Council.

Given that the Legislature's formal sessions will recess for the year on November 18, 2015, your vote to approve the proposed amended home rule petition this evening is respectfully requested. Thank you.

Very truly yours,

  
Donald V. Rider, Jr.  
City Solicitor

Enclosure

cc: Arthur G. Vigeant, Mayor  
Michael Bergeron, Executive Director of Finance & Operations, School Department

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
DONALD V. RIDER, JR.  
CITY SOLICITOR  
2015 NOV 12 A 11:30  
CYNTHIA M. PANAGORE GRIFFIN  
ASSISTANT CITY SOLICITOR  
ELLEN M. STAVROPOULOS  
PARALEGAL

ORDERED:

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

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

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

SECTION 1. Notwithstanding any general or special law to the contrary, all positions in the school department of the city of Marlborough, classified in the Municlass Manual within the General Administrative, Clerical, and Office Services Group, identified as Occupational Group 0300; within the Manual Labor Group, identified as Occupational Group 3500; within the Food Preparation and Service Group, identified as Occupational Group 7400; and within the Equipment, Facilities and Services Group, identified as Occupational Group 1600, shall be exempt from the provisions of chapter 31 of the General Laws.

SECTION 2. This act shall not impair the civil service status of a person holding a position described in section 1 on the effective date of this act.

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

ADOPTED

In City Council  
Order No. 15-100  
x14-1006043

Adopted

Approved by Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY  
ATTEST:



*City of Marlborough*  
**Legal Department**

140 MAIN STREET

MARLBOROUGH, MASSACHUSETTS 01752

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

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

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
DONALD V. RIDER, JR.  
CITY SOLICITOR

2015 NOV 12 10:51 AM  
CYNTHIA M. PANAGORE GRIFFIN  
ASSISTANT CITY SOLICITOR

ELLEN M. STAVROPOULOS  
PARALEGAL

November 12, 2015

Edward Clancy, President and Members  
Marlborough City Council

RE: Decision On A Sign Ordinance Special Permit - Nouria Energy/Shell Station  
Order No. 15-1006262

Dear President Clancy and Members:

Please find enclosed the above captioned Decision On A Sign Ordinance Special Permit.  
Said decision is in proper legal form for consideration by the body.

Very Truly Yours,



Cynthia Panagore Griffin

Enclosure

**ORDERED:**

**Marlborough, Mass., \_\_\_\_\_ 2015**

**DECISION ON A SPECIAL PERMIT**

**IN CITY COUNCIL**

---

Special Permit  
Nouria Energy/Shell Station  
Order No. 15-1006262

**DECISION ON A SIGN ORDINANCE SPECIAL PERMIT  
CITY COUNCIL ORDER NO. 15-1006262**

The City Council of the City of Marlborough hereby **GRANTS** the application for a Sign Ordinance Special Permit to Nouria Energy (the "Applicant") for the property located at 413 Lakeside Avenue, Marlborough, Massachusetts, as provided in this Decision and subject to the following Procedural Findings and Findings of Facts and Conditions.

**FINDINGS OF FACT AND RULING**

1. The Applicant is the owner of the property located at 413 Lakeside Ave., Marlborough, Massachusetts, as shown on the Marlborough Assessors Maps as Map 79, Parcel 10A (the "Site").
2. The Applicant seeks a Sign Ordinance Special Permit pursuant to Section 526-13 of the Code of the City of Marlborough, entitled Electronic Message Center Signs and Digital Display Signs (the "EMC and Digital Display Sign Ordinance"), to operate a free-standing sign to include a light emitting diode price sign (the "Sign") at the Site (the "Application").
3. The Sign is 6' wide by 16'-5 1/4" high overall, with a double -faced red light emitting diode price sign which has a display area of approximately 11.2 (5'-2' wide x 2'-2" high) square feet located below an internally-illuminated sign, on an approximately 22'-6" high free-standing pylon sign. The Sign installer is Station Glo of New England Inc. of 4 Noe Pl., Beacon Falls, CT 06403.
4. In connection with the Application, the Applicant has submitted schematic design plans of the Site and signage which plans show the Sign and the location of the Sign on the Site.

5. The Marlborough City Council held a public hearing on the Application on Monday, August 24, 2015.
6. The Applicant, through its representatives, presented testimony at the public hearing detailing the Sign. No individual in attendance at the public hearing spoke in opposition to the Sign.

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

- A. The Applicant has complied with all rules and regulations promulgated by the Marlborough City Council as they pertain to an application for a special permit under the EMC and Digital Display Sign Ordinance.
- B. The City Council finds that the Sign complies with the standards set forth in Section 526-13 B. of the EMC and Digital Display Sign Ordinance.
- C. The City Council finds, pursuant to Section 526-13 B. (16) of the EMC and Digital Display Sign Ordinance, that: all other signage on the Site is in compliance with zoning requirements; the Sign does not create unnecessary visual clutter or constitute signage overload for the lot or surrounding neighborhood or street; the Sign does not substantially block visibility of signs on abutting lots; the Sign does not substantially block solar access of, or the view from, windows of residential dwellings on abutting lots; the proposed illumination is appropriate to the Site and is appropriately located with respect to the character of the surrounding neighborhood; the scale and/or location of the Sign is appropriate; and the dimensions of the Sign comply with the area limitations of the EMC and Digital Display Sign Ordinance.
- D. The City Council, pursuant to its authority under the EMC and Digital Display Sign Ordinance, hereby GRANTS the Applicant a special permit for the Sign, SUBJECT TO THE FOLLOWING CONDITIONS, which conditions shall be binding on the Applicant, its successors and /or assigns:
  1. The Sign shall be operated in accordance with the EMC and Digital Display Sign Ordinance of the City of Marlborough. The Sign shall conform to the Sign Ordinance of the City of Marlborough without a request, or need, for a variance.
  2. All plans and other documentation provided by the Applicant as part of the Application, and as amended during the application/hearing process before the City Council and/or the City Council's Urban Affairs Committee, including the plan entitled "Nouria Energy Corporation, Marlborough, MA, 413 Lakeside Avenue, Sheet: Signage Plan SG-1a, prepared by Ayoub Engineering, Engineers & Architects, 414 Benefit Street, Pawtucket, Rhode Island 02861, Revision Date: 10/02/2015," are herein incorporated into and become a part of this Special Permit, and become conditions and requirements of the same, unless otherwise altered by the City Council.

Yea: \_\_\_\_\_ - Nay: \_\_\_\_\_ - Absent: \_\_\_\_\_

ADOPTED

In City Council

Order No. 15-1006262

Adopted: \_\_\_\_\_ 2015

Approved by Mayor

Arthur Vigeant

Date: \_\_\_\_\_ 2015

A TRUE COPY

ATTEST: \_\_\_\_\_ City Clerk

---

# MIRICK O'CONNELL

---

A T T O R N E Y S   A T   L A W

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2015 NOV 12 A 10:45

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

November 12, 2015

**VIA HAND DELIVERY**

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

Re: Site Plan Application for Atrium Place; 21-29 South Bolton Street

Dear Councilor Clancy:

Enclosed please find a Site Plan Review Application package submitted on behalf of my client, Bolton Granger Realty Trust, Trustee George Voyiatzis, for the Atrium Place project at 21-29 South Bolton Street.

Mr. Voyiatzis proposes a mixed use project in the City's new Marlborough Village Zoning District by adding four floors to the existing commercial property on the site with 40 new residential units. Pursuant to Section 650-18(42) of the Zoning Ordinance, the project requires Site Plan Review by the City Council in accordance with Section 270-2 of the City Code. I understand that this is the first mixed use project submitted under the new zoning provisions for the Marlborough Village District, and Mr. Voyiatzis is eager to get started on this exciting, transformative project in Downtown Marlborough.

Pursuant to City Council Order No. 91-3822A, I am notifying you that Mirick O'Connell, a firm which provides Outside Legal Counsel services to the City of Marlborough's Department of Public Works, is representing Bolton Granger Realty Trust this matter before the City Council.

Very truly yours,



Arthur P. Bergeron

APB/

cc: George Voyiatzis  
Brian R. Falk, Esq.



# City of Marlborough

## SITE PLAN APPROVAL APPLICATION (For Non-Residential and Major Residential Projects)

### Type of Hearing (check one)

Major Renovation       Minor Renovation

*Please Print*

DATE: 11/12/2015

### PROJECT

Name of facility: Atrium Place

Address: 21-29 S. Bolton St.

Assessor's Map No. 70 Parcel No. 145, 145A, 145B

### APPLICANT

Name: Bolton Granger Realty Trust - George Voyiatzis (Trustee)

Address: 29 South Bolton Street, Marlborough, MA 01752

Telephone: 508-860-1470 (Atty. Arthur P. Bergeron) Fax: 508-463-1385

Email: aberberon@mirickoconnell.com

### OWNER'S CONSENT

If applicant is not the owner, is written consent of the owner or owner's agent attached (see Section 270-2(B) (7))?       YES       NO

### PROPERTY OWNER

Name: Bolton Granger Realty Trust - George Voyiatzis (Trustee)

Address: 29 South Bolton Street, Marlborough, MA 01752

Telephone: 508-479-6405 Fax: -----

Email: gvoyiat17@aol.com

**APPLICANT'S ENGINEER (preparing site plan)**

Name: Christopher C. Charlton, PLS

Address: 105 Beaver St. Franklin, MA 02038

Telephone: 508-528-2528 Fax: 508-528-2528

Email: survey@clsurveyma.com

**APPLICANT'S LANDSCAPE ARCHITECT**

Name: Gino A. Pierdomenico

Address: 298 S. Worcester Street, Norton, MA 02766

Telephone: 617-719-2859 Fax: -----

Email: greenridge55@gmail.com

**PROJECT INFO**

**PROPOSED USE (see Section 63-5(B) (1))**

X  Non-Residential                       X  Residential

Provide a brief description of the project; including the proposed type of use, whether expansion of new, size of buildings, number of new parking spaces, any unusual utility use of impact on abutters (traffic, noise, lighting, odors, hazardous material, etc.)

The current single story commercial building will be expanded to accommodate 40 residential units. The proposed building mixed-use will total 5 floors and will be approximately 67,015 square feet.

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

Identify all zoning districts, including overlay zones applicable to this site. The zones must also be shown on the site plan cover sheet. (See Section 270-2 (C) (2) (b) (3)).

ZONING DISTRICT(S) Marlborough Village District

**WHAT OTHER PERMITS REQUIRED (check off which applies)**

- |   |   |
|---|---|
| <input type="checkbox"/> City Council for Special Permit                      | <input type="checkbox"/> Blasting Permit (Fire Dept)                |
| <input type="checkbox"/> ZBA Special Permit                                   | <input type="checkbox"/> Title V Approval (Board of Health)         |
| <input type="checkbox"/> ZBA Variance   | <input type="checkbox"/> Food Permit (Board of Health)              |
| <input type="checkbox"/> Wetlands Protection Act                              | <input checked="" type="checkbox"/> Building Permit (Building Dept) |
| <input type="checkbox"/> Section 404, Clean Water Act (Army Corps)            | <input type="checkbox"/> Sign Permit (Building Dept)                |
| <input type="checkbox"/> C 91 Waterways Permit                                |   |
| <input type="checkbox"/> Subdivision Control Act (Planning Board)             |   |
| <input type="checkbox"/> State Curb Cut (MA Highway)                          |   |
| <input type="checkbox"/> Indirect Access Permit (MA Highway)                  |   |
| <input type="checkbox"/> MEPA ENF or EIR (EOEA)                               |   |
| <input type="checkbox"/> Sewer Connection Permit (DPW, City Council, DEP)     |   |
| <input type="checkbox"/> Street Opening Permit (DPW, Engineering Dept)        |   |
| <input checked="" type="checkbox"/> Sewer Connection (DPW, City Council, DEP) |   |
| <input type="checkbox"/> Other: _____   |   |

WHAT IS THE FEDERAL FLOOD INSURANCE RATE ZONE? \_\_\_\_\_

**SUBMITTED PLANS AND REPORTS**

See Section 270-2 (C) for submission requirements. Please include a locus map per Section 270-2 (C) (2) (b) (1)

Proposed Addition to 21-29 South Bolton Street, Marlborough, MA 01752	11/12/15	Christopher C. Charlton, PLS
--	----------	------------------------------

Title	Date	Stamped By
-------	------	------------

**Fee**

For Minor Site Plan without a building: \$750

For a Minor Site Plan (with a building under 8,000 square feet): \$1,000, plus \$0.03 a square foot of building gross floor area

For a Major Site Plan (with a building over 8,000 square feet): \$2,000, plus \$0.06 square feet per square feet of building gross floor area

$$\begin{aligned}
 &67,015 \text{ s.f.} \times \$0.06 = \$4,020.90 \\
 &+ \$2,000.00 \\
 &\hline
 &\$6,020.90
 \end{aligned}$$

# PUBLIC NOTICE

Applicants for Site Plan Approval under Chapter 270-2 of the Marlborough City Code must publish a public notice in a newspaper of general circulation within the area at least once within two weeks of filing a Site Plan application using the format below. A copy of the public notice must be submitted with the application. Applications for Site Plan Approval shall not be certified as complete unless the public notice is properly published.

Date of Publication: November 16, 2015

Name of Newspaper: MetroWest Daily News  
(Form of notice attached)

## HISTORIC BUILDING NOTICE

Is the site within 250 feet of any building, cemetery or monument built before 1850?      **YES**      **NO**

If in doubt, ask the Historic Commission (508 481-2400). If the answer is **YES**, send a photocopy notice and one copy of the site plans (excluding utilities) to:

Chairman, Historic Commission  
City Hall  
Marlborough, MA 01752

## APPLICANT'S SIGNATURE

Arthur P. Bergeron (BRF)

Applicant or Representatives Signature

Arthur P. Bergeron, Esq., on behalf of the Owner/Applicant

11/12/15

Date

Applicant shall submit this form to the Building Dept with all required plans (8 copies of plans, 4 copies of Traffic and Drainage reports) after a "Pre-Application Review" with the City reviewing Authority at which most requirements can be examined and discussed.

The applicant maybe required to attend a Preliminary scoping session with the Site Plan Review Committee prior to submitting this form.

---

## Office Use Only:

Date Received: \_\_\_\_\_

Site Plan Number: \_\_\_\_\_

# SITE PLAN APPROVAL PUBLIC NOTICE FORM

Applicants for Site Plan Approval under Chap 270-2 of the Marlborough City Code must publish a public notice once in a newspaper of local circulation, using the format below at least once within two weeks of filing an application. A copy of the public notice must be submitted to the Building Dept with the application for Site Plan Approval.

Metrowest Daily News, Framingham 01701  
Advertising: Fax: 1-781-453-6650

---

## City of Marlborough Public Notice of Site Plan Submission

A proposed site plan has been submitted for the following project and is available for public inspections during regular business hours at the office of the Building Inspector, City Hall, Second Floor, 140 Main Street, Marlborough, MA 01752

Project Name and Type or Use: Atrium Place

Project Street Address: 21-29 South Bolton Street, Marlborough, MA

Applicant's Name: Bolton Granger Realty Trust

The City will accept public comments in written form until 14 days from the date of this publication. This notice is published in accordance with the City Code, Chapter 270-2 Site Plan Review and Approval.



**PROPOSED  
ADDITION TO:  
21-29 SOUTH BOLTON STREET  
MARLBOROUGH, MA 01752**

**SITE PLAN**

I CERTIFY THAT THIS PLAN WAS  
CREATED BY AN INSTRUMENT  
SURVEY ON THE GROUND  
PERFORMED APRIL 16, 2015 &  
THAT ALL STRUCTURES ARE  
LOCATED AS SHOWN HEREON.

CHRISTOPHER C. CHARLTON, PLS

**SITE PLANS:**  
ISSUED FOR SITE PLAN REVIEW  
DATE ISSUED: 11-12-15  
LATEST ISSUE: 11-12-15

INDEX:	LATEST ISSUE
C1 COVER SHEET	11-12-15
E1 EXISTING CONDITIONS	11-12-15
E2 PROPOSED CONSTRUCTION PLAN	11-12-15
E3 PROPOSED PERSPECTIVE VIEWS	11-12-15
E3.1 PROPOSED ELEVATIONS 1&2	11-12-15
E3.2 PROPOSED ELEVATIONS 3&4	11-12-15
E4 PROPOSED GROUND FLOOR	11-12-15
E4.1 PROPOSED RESIDENTIAL FLOOR PLAN	11-12-15
E5 LANDSCAPE PLAN	11-12-15

**ZONING TABLE**  
ZONING DISTRICT: MARLBOROUGH VILLAGE DISTRICT  
HISTORIC DISTRICT: N/A  
FLOOD PLAN DISTRICT: ZONE C  
PROPOSED USE: MIXED USE  
BUILDING AREA: 67,015 S.F.



21-29 SOUTH BOLTON STREET  
MARLBOROUGH, MA 01752  
  
ASSESSORS MAP: MARLBOROUGH,  
MAP 70, PARCEL 145, 145A, 145B

**PROPERTY OWNER:**  
BOLTON GRANGER R/T  
29 SOUTH BOLTON STREET  
MARLBOROUGH, MA 01752

**ENGINEER:**  
CHRISTOPHER C. CHARLTON, PLS  
CONTINENTAL LAND SURVEY, LLC  
105 BEAVER STREET  
FRANKLIN, MA 02038

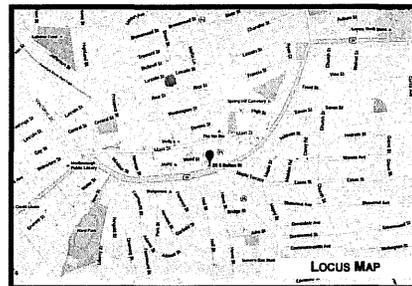
**DEVELOPER:**  
GEORGE VOVIATZIS  
81 CARTER DRIVE  
FRAMMINGHAM, MA 01701

**ARCHITECT:**  
NUNES / TRABUCCO ARCHITECTS  
109 HIGHLAND AVE., UNIT B1  
NEEDHAM, MA 02484

**LANDSCAPE DESIGNER:**  
GINO A. PIERDOMENICO  
296 S. WORCESTER STREET  
NORTON, MA 02766

**REVISION:**

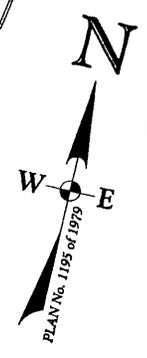
ZONING REQUIREMENT	REQUIRED	PROVIDED
LOT SIZE: 0.646 ACRES		
LOT FRONTAGE:	25	50
SIDE YARD SETBACK:	10	10
FRONT YARD SETBACK:	10	50
REAR YARD SETBACK:	10	3
BUILDING HEIGHT: 59'-8"		
LOT COVERAGE: 52%		
DISTANCE FROM RESIDENTIAL DISTRICT	300	96
PARKING SPACES	42	19
HANDICAPPED PARKING SPACES	1	1
PARKING LOT SETBACK	10	11
LANDSCAPING REQUIREMENTS	4,000 SQ/FT	5,672 SQ/FT



**APPROVED BY THE CITY OF MARLBOROUGH**

PLANNING: \_\_\_\_\_  
ENGINEERING: \_\_\_\_\_  
BUILDING: \_\_\_\_\_  
FIRE: \_\_\_\_\_  
POLICE: \_\_\_\_\_  
CONSERVATION: \_\_\_\_\_  
BOARD OF HEALTH: \_\_\_\_\_

**C1**



**COURT** (PUBLIC - 42.37' WIDE) **STREET**

**WEED** (PUBLIC - 33.0' WIDE) **STREET**

**STREET**

(PUBLIC - 86.0' WIDE)

**SOUTH BOLTON**

**GRANGER** (PUBLIC - 86.0' WIDE) **BOULEVARD**

CONCRETE  
SIDEWALK

LOADING  
DRIVEWAY

LANDING

**No. 21-29**  
ONE STORY  
COMMERCIAL  
HEIGHT=11.7'  
AREA=1102 LL

LOT AREA  
28,118 S.F.

CONCRETE  
SIDEWALK

PERGOLA

CATCH  
BASIN

I CERTIFY THAT THIS PLAN WAS  
CREATED BY AN INSTRUMENT  
SURVEY ON THE GROUND AND  
THAT ALL STRUCTURES ARE  
LOCATED AS SHOWN HEREON.

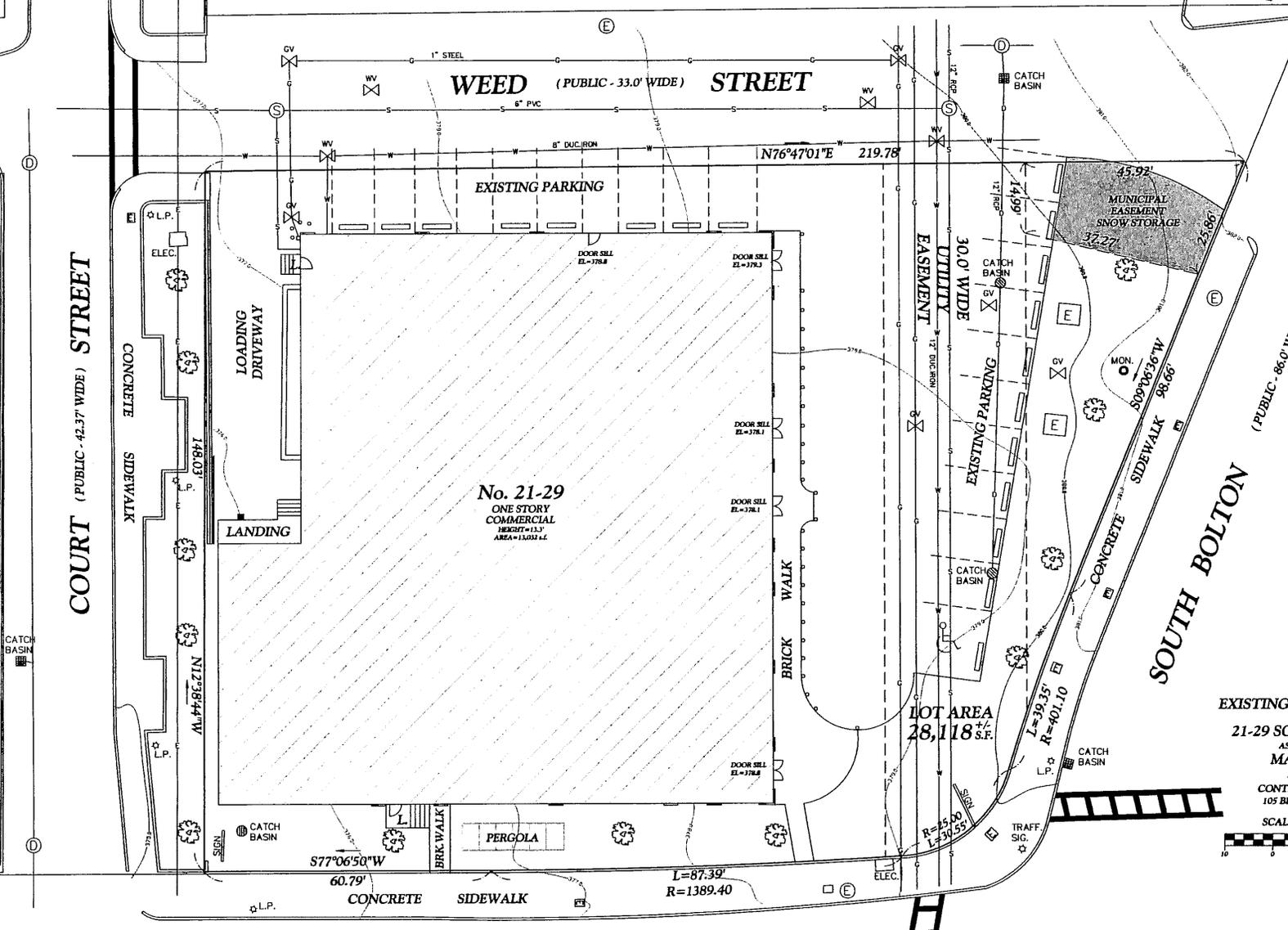
CHRISTOPHER C. CHARLTON, PLS

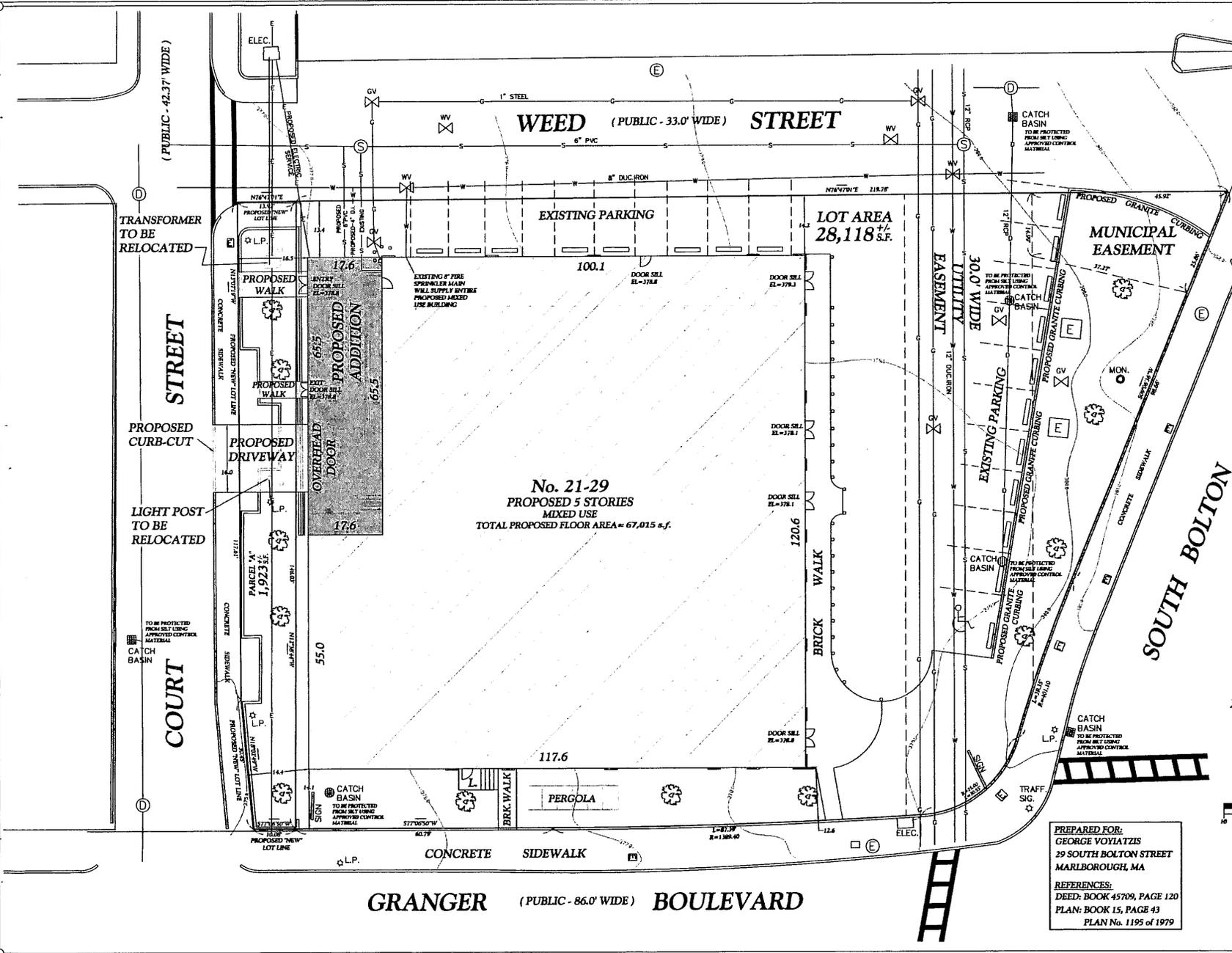
PREPARED FOR:  
GEORGE VOYIATZIS  
29 SOUTH BOLTON STREET  
MARLBOROUGH, MA  
REFERENCES:  
DEED: BOOK 45709, PAGE 120  
PLAN: BOOK 15, PAGE 43  
PLAN No. 1195 of 1979

EXISTING CONDITIONS SITE PLAN  
LOCATED AT  
**21-29 SOUTH BOLTON STREET**  
ASSESSOR'S PARCEL # 0070-0145  
**MARLBOROUGH, MA**  
MIDDLESEX COUNTY  
CONTINENTAL LAND SURVEY, LLC  
105 BEAVER STREET, FRANKLIN, MA  
(508) 528 - 2528  
SCALE: 1"=10' OCTOBER 26, 2015



**E1**





I CERTIFY THAT THIS PLAN WAS CREATED BY AN INSTRUMENT SURVEY ON THE GROUND PERFORMED APRIL 16, 2015 & THAT ALL STRUCTURES ARE LOCATED AS SHOWN HEREON.

CHRISTOPHER C. CHARLTON, PLS

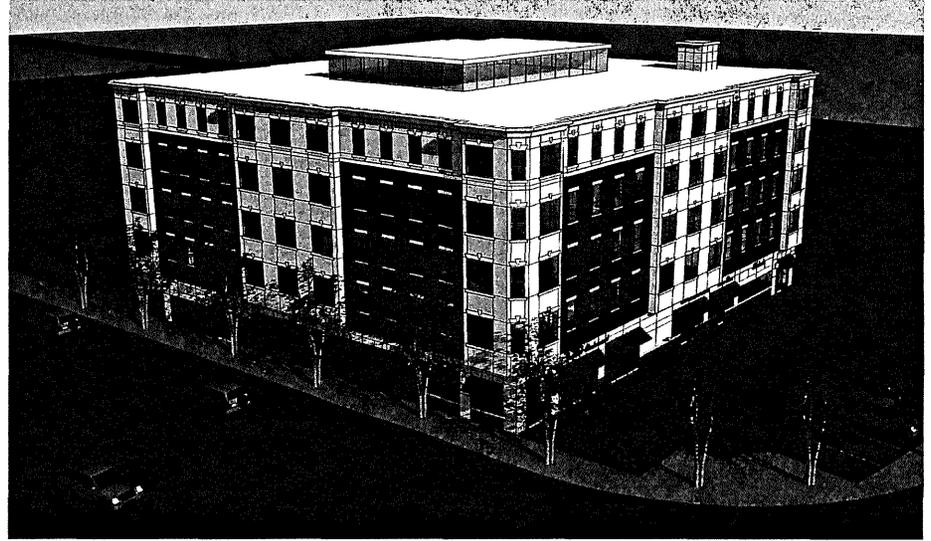
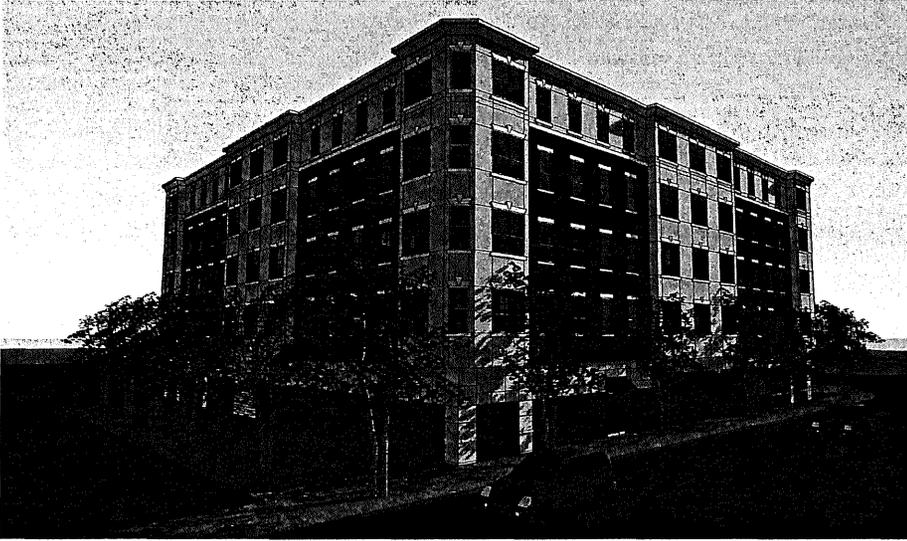
**CONSTRUCTION NOTES:**  
- ANY FENCE OR BARRICADES (AS DETERMINED BY THE CITY) TO THE INFORMATION SHOWN ON APPROVED SITE PLANS SHALL BE SUBMITTED TO THE BUILDING COMMISSIONER & CITY ENGINEER AS A SEWER PLAN REVISION FOR APPROVAL PRIOR TO THE WORK BEING COMPLETED.  
- ANY WORK AND MATERIAL WITHIN THE CITY RIGHT-OF-WAY SHALL CONFORM TO THE CITY OF MARLBOROUGH REQUIREMENTS.  
- ALL HANDICAP PARKING, RAMP, AND ACCESS SHALL CONFORM TO AAS REQUIREMENTS.  
- ALL EROSION CONTROL MEASURES SHALL BE IN PLACE PRIOR TO CONSTRUCTION. EROSION CONTROL SHALL CONFORM TO THE CITY OF MARLBOROUGH CONSERVATION COMMISSION REQUIREMENTS AS STATED IN THE ORDER OF CONDITIONS.  
- ALL PAVEMENT MARKINGS & SIGNS SHALL CONFORM TO THE MUTCD REQUIREMENTS.

**SITE PLAN**  
FOR THE  
**PROPOSED ADDITION TO:**  
**21-29 SOUTH BOLTON STREET**  
ASSESSORS PARCEL # 0070-0145  
MARLBOROUGH, MA  
MIDDLESEX COUNTY  
CONTINENTAL LAND SURVEY, LLC  
105 BEAVER STREET, FRANKLIN, MA  
(508) 529-2528  
SCALE: 1"=10' OCTOBER 26, 2015  
REVISED 10-30-15



PREPARED FOR:  
GEORGE VOYIATZIS  
29 SOUTH BOLTON STREET  
MARLBOROUGH, MA  
**REFERENCES:**  
DEED: BOOK 45709, PAGE 120  
PLAN: BOOK 15, PAGE 43  
PLAN No. 1195 of 1979

**E2**



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Atrium Place  
 - 29 S. Bolton St.  
 Marlborough, MA 01752


**NUNES • TRABUCCO • ARCHITECTS**  
 1410 Highland Avenue  
 978-88-8888

Henderson, Massachusetts 02462  
 Tel: 978-444-8888

SCALE: PERSPECTIVE  
 VIEWS

Drawn by	LT
Check by	MTA
Date:	12/MAY/15
Scale:	AS NOTED
Project No.	0158

**E3**



1 SOUTH BOLTON ELEVATION  
A2.0  
1/8" = 1'-0"



1 SIDE ELEVATION  
A2.0  
1/8" = 1'-0"

These Elevation drawings were prepared by NUNES • TRABUCCO • ARCHITECTS, Inc. for the use of the client. They are intended for use only in connection with the project and shall not be used for any other purpose without the written consent of NUNES • TRABUCCO • ARCHITECTS, Inc.

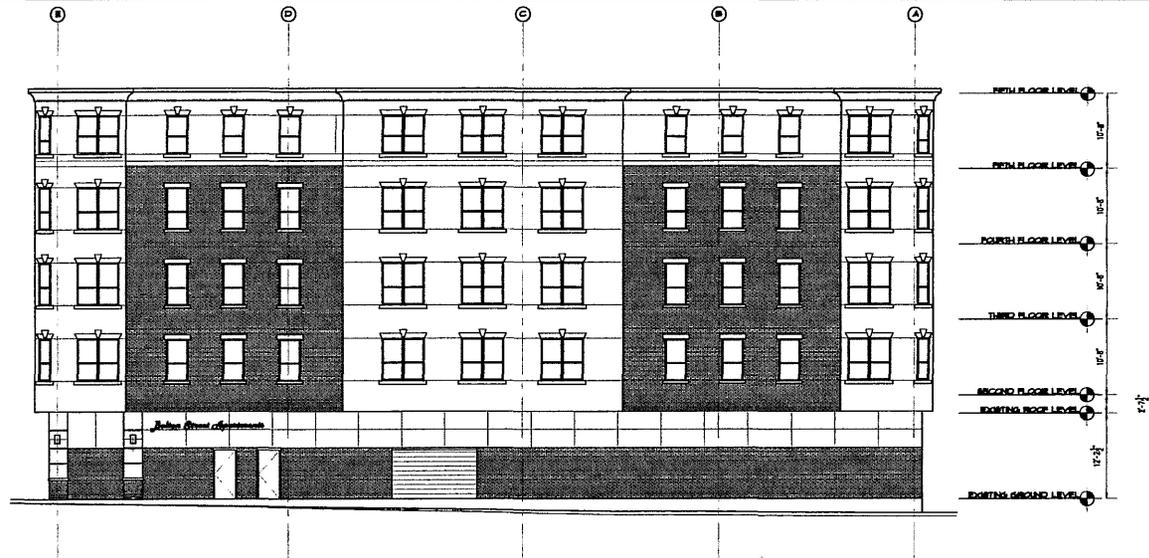
Atrium Place  
29 S. Bolton Street  
Marlborough, MA 01752

NUNES • TRABUCCO • ARCHITECTS  
1110 Highland Avenue  
781-464-9880  
Needham, Massachusetts 02462  
Tel: 781-444-4514

Elevations 1 & 2

Drawn By:	LT
Check By:	NIA
DATE:	11/NOVEMBER/15
SCALE:	AS NOTED
PROJECT NO.:	0158

E3.1



1  
A2.1  
REAR ELEVATION  
1/8" = 1'-0"



1  
A2.1  
SIDE ELEVATION  
1/8" = 1'-0"

These drawings are the property of Nunes-Trabucco Architects, Inc. and are not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Nunes-Trabucco Architects, Inc.

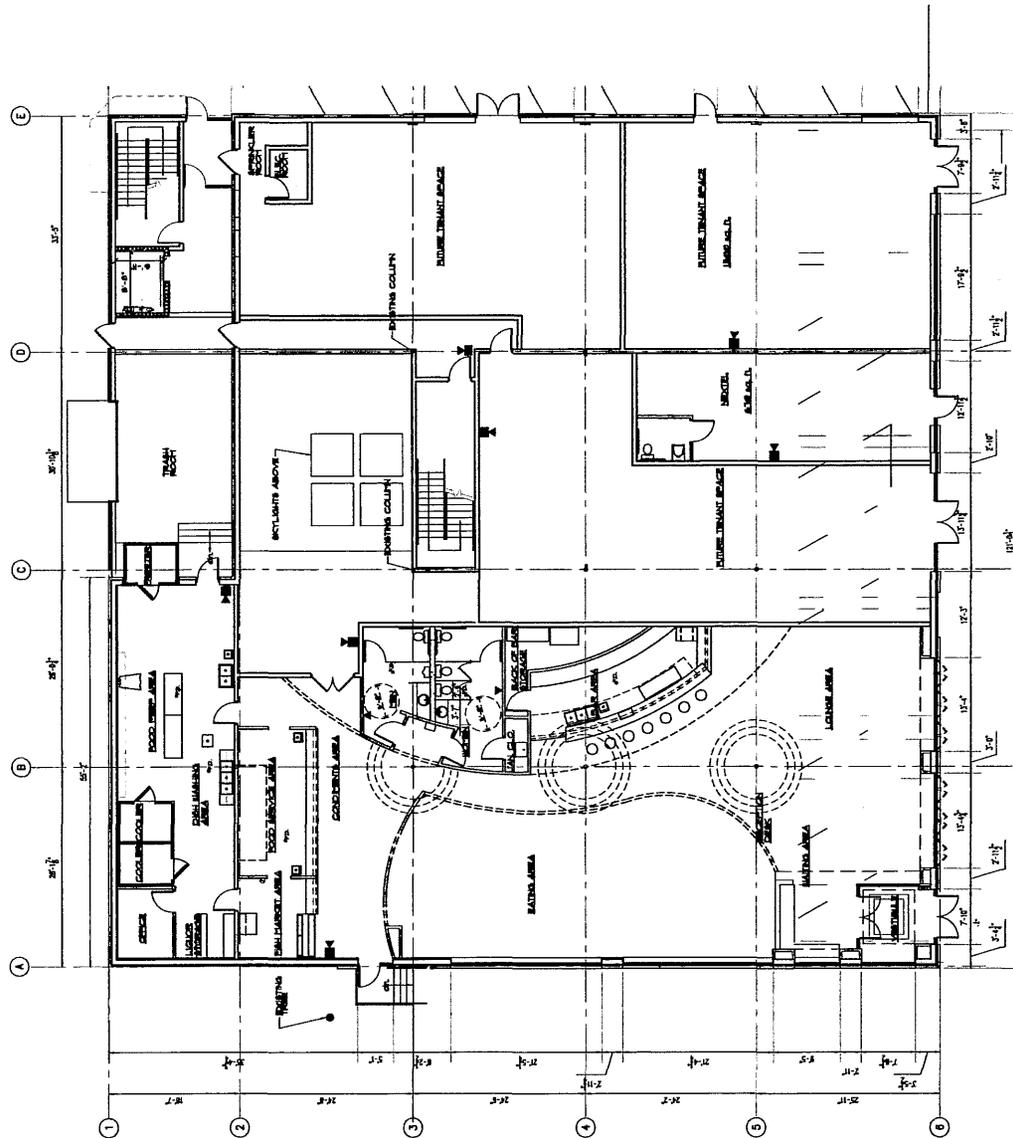
Atrium Place  
21-29 S. Bolton Street  
Marlborough, MA 01752

NUNES • TRABUCCO • ARCHITECTS  
1410 Highland Avenue  
781-465-9888  
Needham, Massachusetts 02462  
Tel 781-444-9889

Elevations 3&4

DATE:	11/NOVEMBER/15
SCALE:	AS NOTED
PROJECT NO.:	0156

E3.2



**FLOOR PLAN**  
 1  
 A1.0  
 1/8" = 1'-0"

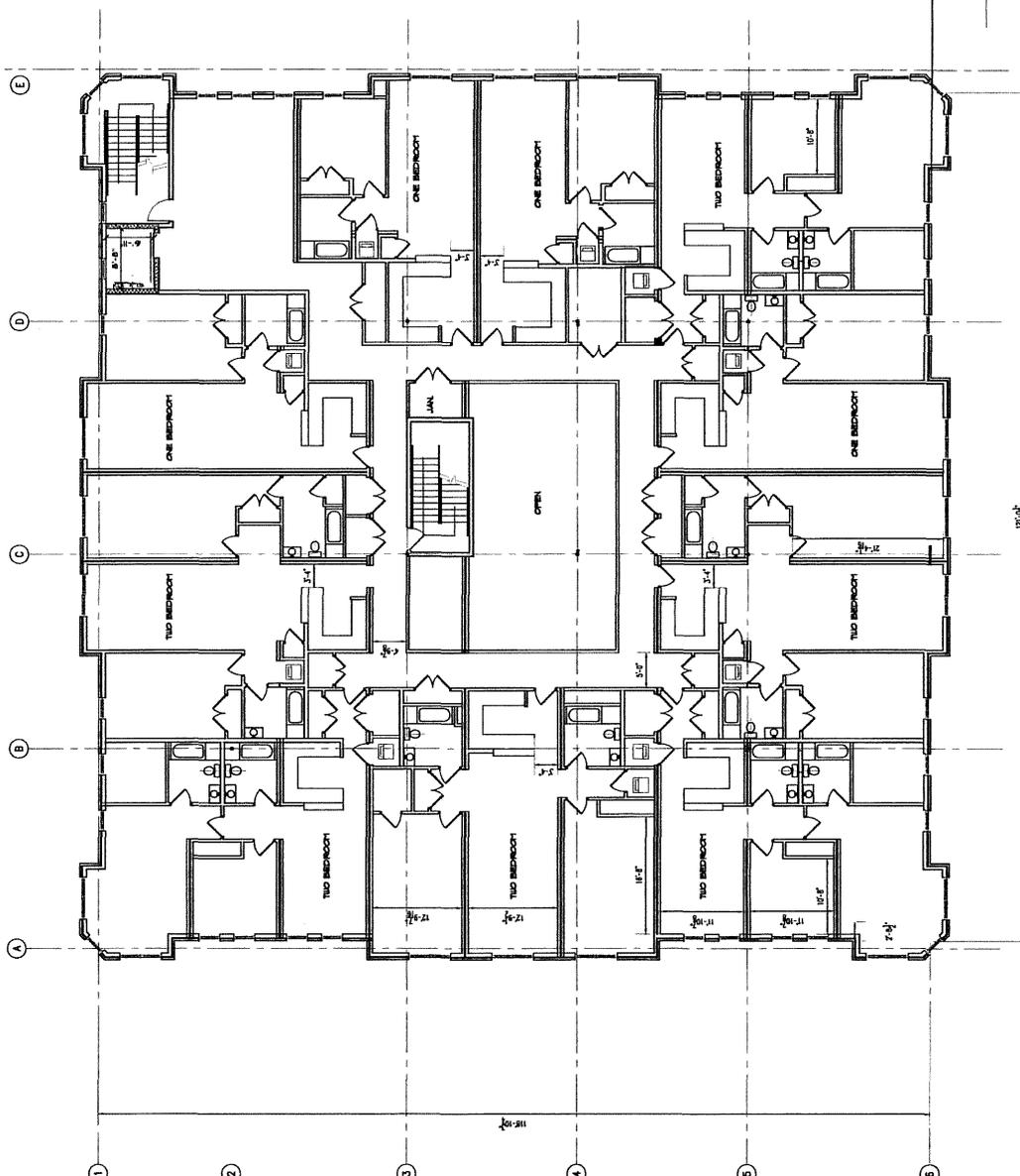
**Atrium Place**  
 21-29 S. Bolton St.  
 Marlborough, MA 01752

**NUNES-TRABUCCO-ARCHITECTS**  
 1410 Highland Avenue  
 Needham, Massachusetts 02462  
 781-441-1000

**Ground floor Plan**

Drawn by	LT
Check by	NTA
DATE	11/NOVEMBER/15
SCALE	AS NOTED
PROJECT NO.	0158

**E4**



FLOOR PLAN

1  
A1.1  
1/8" = 1'-0"

Atrium Place  
21-29 S. Bolton St.  
Marlborough, MA 01752

NUNES • TRABUCCO • ARCHITECTS  
1410 Highland Avenue  
Needham, Massachusetts 02462  
Tel: 781-444-8222

Residential Floor Plan

DATE BY	LT
DATE BY	NTA
DATE	11/NOVEMBER/15
SCALE	AS NOTED
PROJECT NO.	0156

E4.1

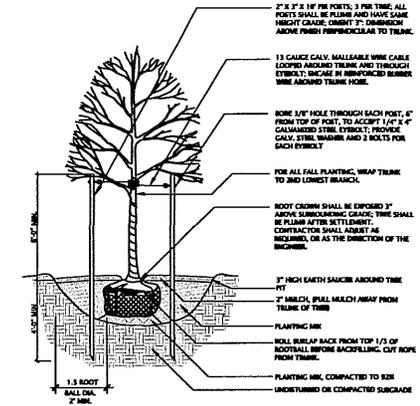


**NOTES AND SPECIFICATIONS**

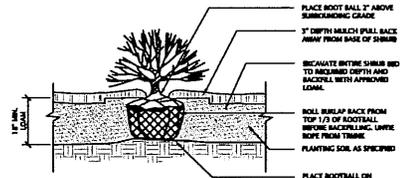
- The existing conditions and base plan information have come from a plan submitted by the owner and prepared by Continental Land Survey LLC dated 4/21/15. The layout of work should be adjusted to reflect field conditions. It is recommended that any discrepancies be reviewed with the Owner, Installation Contractor(s) and the Landscape Designer to propose logical adjustments.
- Hang "Din Safe" to verify all utility locations prior to the start of work.
- Contractor shall take steps to protect any existing trees within the work area prior to the start of work. Any trees that are to be removed must have the stump removed as well as adjacent soil to prevent damage to the building foundation. In such cases they should be ground down as far as possible below finished grade.
- All plants will conform to the current "The American Standard for Nursery Stock" published by the American Association of Nurserymen. All plants will be balled in burlap or container grown as indicated per plant list.
- The lawn areas should have a minimum of 6" of screened loam. Tree, shrub and potted bed areas and ground cover areas should have a minimum of 6" of screened loam. The final specifications are the decision of the Owner and Contractor based on the existing soil conditions and soil compaction issues that may occur during construction.
- NOTE: Modifications to the grading in the landscaped areas are subject to approval by the City Engineer in the field. The installation of loam and the final grading of the lawn and planting areas shall maintain positive surface drainage to existing or new catch basin areas and adjacent paved surfaces to prevent ponding or pooling of surface water within the landscaped and lawn areas.
- All trees and shrubs shall be planted slightly above 1" on shrubs and perennials—2" for trees) the finished grade as they grow in the ground or the container or firm constructed earth in plant pits. The plant pits should be a minimum of twice the plant ball or container size. Clear and expose the root flare of any balled in burlap tree or shrub to make certain that the root flare is not covered with soil.
- Amend the existing soil for new loam with compost or composted loam during installation. If the excavated soil is rocky and poor, remove from the site and use loam-compost mix for the planting backfill material.
- Use the excess soil to create soil "saucers" around the trees and larger (3" and greater) deciduous, evergreen or broadleaf plants.
- Install shredded pine bark mulch (medium brown color) for all planting beds and individual plants in lawn areas. The "base measure" depth for trees and shrubs will be 3" and for perennials and ground covers will be 1 to 2" depth. Do not use aged mulch or ground recycled wood, stumps or pellets. Review final mulch selection with the Owner and Landscape Designer.
- Contractor shall stain or grey all decks and flowering trees 2.5" contractor and greater evergreen trees greater than 6 feet in height. Review materials and methods with the Owner and Landscape Designer. Generally, the street trees will be stained with a minimum of two coats (2" x 3" minimum) but ground anchors with who may be used within bed areas if it is determined that there will not be a safety issue with public access. Staining or greying of trees and evergreens smaller than these specifications should be discussed with the Owner and Landscape Designer prior to installation.
- The Owner and Landscape Designer will make the final decision on any plant substitutions. Selected specimens must be tagged or reviewed and approved by the Owner and/or Landscape Designer.
- The Contractor shall maintain all new plants until provisional acceptance by the Owner and/or Landscape Designer. All new plants will be guaranteed to be alive and capable of new growth for a period of one year from the date of acceptance. Transplanted plants will not be guaranteed. The Owner and/or Landscape Designer will make the final acceptance at the end of the guarantee period. Any plants deemed unacceptable prior to the end of the guarantee period shall be replaced promptly at the contractor's expense including the installation cost.

**PLANT LIST**

Code	Quantity	Name	Size	Remarks
AF	3	Acer freemanii Arctostaphylos—Arctostaphylos	1.5-4' caliper	Sub. Acer rubrum var. spicatum
EDW	3	Betula nigra Lambertii—Ostrya flexilis	12-14ft	3 trees minimum along River
CKS	3	Cornus amomum—Cornus	1-3.5' caliper	1 to 12 ft high single stem low branched or 4 to 10 ft high shrub. Sub. Spargangia heavy
MAI	2	Magnolia heisteria Linn. var. heisteria	1.5-3' caliper	Low branched or 4 to 10 ft high shrub. Sub. Spargangia heavy
PCC	4	Pyrus calleryana Cleveland Select	1.5-4' caliper	Select for uniform single leader
ZS	3	Zelkova serrata Green Vein or Village Green	1.5-4' caliper	Sub. Quercus alba var. prinus
BAV	8	Banksia Green Vein—Green Vein	1.5-2' caliper	Sub. Banksia Green Vein
BCG	25	Burns Green Mammee—Green Mammee	1.5-2' caliper	Sub. Mammee Green Leader
CSA	15	Conocarpus compositus—Conocarpus	3 gallon pot	Sub. Cot. Coral Beauty or similar
FG	14	Ficus religiosa—Ficus religiosa	10-12" pot	Sub. Ficus religiosa
HL	12	Hydrangea paniculata Little Lime—Little Lime	7 gallon pot	Sub. Hydrangea Panic and Short
JMB	3	Jasione Blue—Blue Mound Holly	2-4" high	Sub. Blue Princess
JMB	4	Jasione Blue—Blue Mound Holly	4-6" high	Sub. Blue Princess
JCS	1	Jasione Blue—Cherry Girl Holly	4-6" high	Sub. Blue Princess
JAL	17	Jasione Blue—Jasione Holly	7 gallon pot	Sub. Blue Princess
JCB	41	Jasione Blue—Jasione Holly	7 gallon pot	Sub. Blue Princess
JMB	7	Jasione Blue—Jasione Holly	7 gallon pot	Sub. Blue Princess
JMB	7	Jasione Blue—Jasione Holly	7 gallon pot	Sub. Blue Princess
RL	8	Rhododendron—Rhododendron	1.5-3" high	Sub. Rhododendron
RYK	12	Rhododendron—Rhododendron	7 gallon pot	Sub. Rhododendron
TRF	8	Thuja occidentalis—Thuja	1.5-3" high	Sub. Thuja occidentalis
TRV	5	Thuja occidentalis—Thuja	1-4" high	Sub. Thuja occidentalis
VPS	4	Viburnum plicatum—Viburnum	4-6" high	Sub. Viburnum plicatum
WNV	8	Wisteria floribunda—Wisteria	5 gallon pot	Sub. Wisteria floribunda
<b>Perennials/Grasses</b>				
ADL	50	Aspidistra—Aspidistra	1 gallon pot	1" spacing. Sub. Aspidistra
CBP	100	Carex lasiocarpa—Carex	1 gallon pot	1" spacing. Sub. Carex lasiocarpa
FMB	20	Festuca ovina—Festuca	1 gallon pot	1" spacing. Sub. Festuca ovina
HBR	75	Hemerocallis—Hemerocallis	1 gallon pot	1" spacing. Sub. Hemerocallis
JAL	3	Jasione—Jasione	2 gallon pot	1" spacing. Sub. Jasione
PS	15	Phlox subulata—Phlox	1 gallon pot	1" spacing. Sub. Phlox subulata
PS	15	Phlox subulata—Phlox	1 gallon pot	1" spacing. Sub. Phlox subulata
RF	25	Rhododendron—Rhododendron	1 gallon pot	1" spacing. Sub. Rhododendron
UM	170	Urtica dioica—Urtica	1 gallon pot	1" spacing. Sub. Urtica dioica

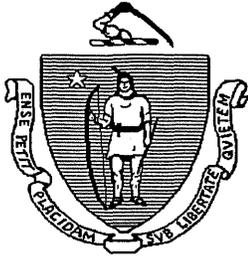


**DECIDUOUS TREE PLANTING**  
NOT TO SCALE



**SHRUB PLANTING**  
NOT TO SCALE

Date	Rev	Date	Revision	By
11/12/2015				
AS NOTED				
Sheet:	Proposed Landscape Development Notes, Details & Specifications			
2 of 2	29 Bolton Street, Marlborough, MA			
Drawn by:	One Story Commercial and Proposed Multi-Story Residential			
Checked by:	Gino A. Pierdomenico			
Scale:	Landscape Design and Site Services			
Sheet No.:	E5.1			



RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

# The Commonwealth of Massachusetts 9 56

## DEPARTMENT OF PUBLIC UTILITIES

### NOTICE OF FILING AND PUBLIC HEARING

D.P.U. 15-164

November 2, 2015

Petition of NSTAR Gas Company d/b/a Eversource Energy, pursuant to G.L. c. 25, § 21, for approval by the Department of Public Utilities of its Three-Year Energy Efficiency Plan for 2016 through 2018.

On October 30, 2015, NSTAR Gas Company d/b/a Eversource Energy ("Company"), filed with the Department of Public Utilities ("Department") a petition for approval of a three-year energy efficiency plan, covering calendar years 2016 through 2018 ("Three-Year Plan"). The Company filed its Three-Year Plan pursuant to An Act Relative to Green Communities, Acts of 2008, c. 169, § 11 ("Green Communities Act"), and Investigation by the Department of Public Utilities on its own Motion into Updating its Energy Efficiency Guidelines Consistent with An Act Relative to Green Communities, D.P.U. 08-50 (2008); D.P.U. 08-50-A (2009); D.P.U. 08-50-B (2009); D.P.U. 08-50-C (2011); D.P.U. 08-50-D (2012). The Department has docketed this matter as D.P.U. 15-164.

The Green Communities Act requires the Commonwealth's electric and gas distribution companies, and municipal aggregators with certified efficiency plans ("Program Administrators") to develop energy efficiency plans that provide for the acquisition of all available energy efficiency and demand reduction resources that are cost-effective or less expensive than supply. G.L. c. 25, § 21. To accomplish this goal, Program Administrators are required to develop three-year energy efficiency plans, in consultation with the Energy Efficiency Advisory Council ("Council"), and submit such plans to the Department. G.L. c. 25, § 21. Once a plan is submitted, the Green Communities Act requires the Department to: (1) consider the plan; (2) provide an opportunity for interested persons to be heard in a public hearing; and (3) within 90 days after the submission of the plan, issue a decision on the plan that ensures that all energy efficiency and demand reduction resources that are cost-effective or less expensive than supply have been identified and captured by the Program Administrator. G.L. c. 25, § 21.

The Company's proposed Three-Year Plan includes energy efficiency programs for residential, low-income, and commercial and industrial customers. The Plan also includes the Company's Residential Conservation Service filing. The Company's proposed budget for the three-year period is \$148,749,172 (\$47,728,000 in 2016, \$49,315,346 in 2017, and \$51,705,827 in 2018) and includes a performance incentive.

If the Company's Three-Year Plan is approved as proposed, the Company states that its proposed budgets will have the following effects:

- A residential heating customer (R-3) using 131 therms per month could experience a monthly peak bill decrease of \$0.80 or 0.5 percent in 2016; a monthly peak bill increase of \$3.85 or 2.6 percent in 2017; and a monthly peak bill increase \$0.86 or 0.6 percent in 2018.
- A residential low-income (R-4) customer using 120 therms per month could experience a monthly peak bill decrease of \$0.60 or 0.5 percent in 2016; a monthly peak bill increase of \$2.87 or 2.5 percent in 2017; and a monthly peak bill increase of \$0.63 or 0.5 percent in 2018; and
- Bill impacts for commercial and industrial customers will vary. These customers should contact the Company for specific bill impact information.

Customers who participate in energy efficiency programs may experience a monthly bill decrease over the duration of the Three-Year Plan. For specific bill impacts, please contact the Company as indicated below.

Copies of the Three-Year Plan are on file at the Department's offices, One South Station - 5<sup>th</sup> Floor, Boston, Massachusetts 02110 for public viewing during business hours and on the Department's website at <http://www.mass.gov/dpu>. Documents on the Department's website may be accessed either by browsing for documents by industry (e.g., Electric or Gas) at <http://web1.env.state.ma.us/DPU/FileRoom/dockets/byindustry> or by looking up the docket by its number in the docket database at <http://web1.env.state.ma.us/DPU/FileRoom/dockets/bynumber>. A copy is also on file for public view at the office of Eversource Energy, One NSTAR Way, Westwood, Massachusetts 02090 and on the Company's website. Any person desiring further information regarding the Three-Year Plan should contact counsel for the Company, John K. Habib, Esq., or Jessica Buno, Esq., at (617) 951-1400. Any person desiring further information regarding this notice should contact David Gold or Shannon Sawyer, Hearing Officers, Department of Public Utilities, at (617) 305-3500.

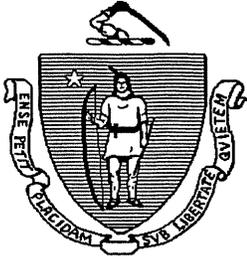
The Department will conduct a public hearing to receive comments on the proposed Three-Year Plan. The hearing will take place on **November 30, 2015, 2:00 p.m.** at the Department's offices, One South Station - 5<sup>th</sup> Floor, Boston, Massachusetts 02110. Any person who desires to comment may do so at the time and place noted above or submit written comments to the Department not later than the close of business (5:00 p.m.) on **November 30, 2015**.

Any person who participated in the Council process or whose interests were represented by a member of the Council, and who desires to participate in the evidentiary phase of this proceeding must file a written petition for leave to intervene with the Department not later than the close of business on **Monday, November 2, 2015**. Any person who did not participate in

the Council process or whose interests were not represented by a member of the Council, and who desires to participate in the evidentiary phase of this proceeding must file a written petition for leave to intervene with the Department not later than the close of business on **Friday, November 13, 2015**. A petition for leave to intervene must satisfy the timing and substantive requirements of 220 C.M.R. § 1.03. Receipt by the Department, not mailing, constitutes filing and determines whether a petition has been timely filed. A petition filed late may be disallowed as untimely, unless good cause is shown for waiver under 220 C.M.R. § 1.01(4). To be allowed, a petition under 220 C.M.R. § 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10. All responses to petitions to intervene must be filed by the close of business of the second business day after the petition to intervene was filed.

An original and one (1) copy of all written comments or petitions to intervene must be filed with Mark D. Marini, Secretary, Department of Public Utilities, One South Station - 5<sup>th</sup> Floor, Boston, Massachusetts 02110, not later than the close of business on the dates noted above. One copy of all written comments or petitions to intervene should also be sent to the Company's attorneys, John K. Habib, Esq., and Jessica Buno, Esq., Keegan Werlin LLP, 265 Franklin Street, Boston, Massachusetts 02110, and by email, [jhabib@keeganwerlin.com](mailto:jhabib@keeganwerlin.com) and [jbuno@keeganwerlin.com](mailto:jbuno@keeganwerlin.com).

All documents should also be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to [dpu.efiling@state.ma.us](mailto:dpu.efiling@state.ma.us), and the hearing officers [david.j.gold@state.ma.us](mailto:david.j.gold@state.ma.us) or [shannon.sawyer@state.ma.us](mailto:shannon.sawyer@state.ma.us) or (2) on a CD-ROM. The text of the e-mail or CD-ROM must specify: (1) the docket number of the proceeding D.P.U. 15-164; (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic filing should also include the name, title, and telephone number of a person to contact in the event of questions about the filing. All documents submitted in electronic format will be posted on the Department's website: <http://www.mass.gov/dpu>.



# The Commonwealth of Massachusetts A 10: 4 b

## DEPARTMENT OF PUBLIC UTILITIES

### NOTICE OF FILING AND PUBLIC HEARING

D.P.U. 15-168

November 2, 2015

Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, pursuant to G.L. c. 25, § 21, for approval by the Department of Public Utilities of its Three-Year Energy Efficiency Plan for 2016 through 2018.

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On October 30, 2015, Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid ("Company"), filed with the Department of Public Utilities ("Department") a petition for approval of a three-year energy efficiency plan, covering calendar years 2016 through 2018 ("Three-Year Plan"). The Company filed its Three-Year Plan pursuant to An Act Relative to Green Communities, Acts of 2008, c. 169, § 11 ("Green Communities Act"), and Investigation by the Department of Public Utilities on its own Motion into Updating its Energy Efficiency Guidelines Consistent with An Act Relative to Green Communities, D.P.U. 08-50 (2008); D.P.U. 08-50-A (2009); D.P.U. 08-50-B (2009); D.P.U. 08-50-C (2011); D.P.U. 08-50-D (2012). The Department has docketed this matter as D.P.U. 15-168.

The Green Communities Act requires the Commonwealth's electric and gas distribution companies, and municipal aggregators with certified efficiency plans ("Program Administrators") to develop energy efficiency plans that provide for the acquisition of all available energy efficiency and demand reduction resources that are cost-effective or less expensive than supply. G.L. c. 25, § 21. To accomplish this goal, Program Administrators are required to develop three-year energy efficiency plans, in consultation with the Energy Efficiency Advisory Council ("Council"), and submit such plans to the Department. G.L. c. 25, § 21. Once a plan is submitted, the Green Communities Act requires the Department to: (1) consider the plan; (2) provide an opportunity for interested persons to be heard in a public hearing; and (3) within 90 days after the submission of the plan, issue a decision on the plan that ensures that all energy efficiency and demand reduction resources that are cost-effective or less expensive than supply have been identified and captured by the Program Administrator. G.L. c. 25, § 21.

The Company's proposed Three-Year Plan includes energy efficiency programs for residential, low-income, and commercial and industrial customers. The Plan also includes the Company's Residential Conservation Service filing. The Company's proposed budget for the three-year period is \$927,520,685 (\$295,180,258 in 2016, \$312,349,936 in 2017, and \$319,990,491 in 2018) and includes a performance incentive.

If the Company's Three-Year Plan is approved as proposed, the Company states that its proposed budgets will have the following effects:

- A residential customer (R-1) using 600 kilowatt-hours per month could experience a monthly bill increase of \$1.56 or 1.2 percent in 2016; a monthly bill decrease of \$0.06 or 0 percent in 2017; and a monthly bill decrease of \$0.17 or 0.1 percent in 2018;
- A low-income (R-2) customer using 600 kilowatt-hours per month could experience a monthly bill increase of \$0.33 or 0.4 percent in 2016; a monthly bill decrease of \$0.04 or 0 percent in 2017; and a monthly bill decrease of \$0.04 or 0 percent in 2018; and
- Bill impacts for commercial and industrial customers will vary. These customers should contact the Company for specific bill impact information.

Customers who participate in energy efficiency programs may experience a monthly bill decrease over the duration of the Three-Year Plan. For specific bill impacts, please contact the Company as indicated below.

Copies of the Three-Year Plan are on file at the Department's offices, One South Station - 5<sup>th</sup> Floor, Boston, Massachusetts 02110 for public viewing during business hours and on the Department's website at <http://www.mass.gov/dpu>. Documents on the Department's website may be accessed either by browsing for documents by industry (e.g., Electric or Gas) at <http://web1.env.state.ma.us/DPU/FileRoom/dockets/byindustry> or by looking up the docket by its number in the docket database at <http://web1.env.state.ma.us/DPU/FileRoom/dockets/bynumber>. A copy is also on file for public view at the office of, National Grid, 40 Sylvan Road, Waltham, Massachusetts 02451 and on the Company's website. Any person desiring further information regarding the Three-Year Plan should contact counsel for the Company, Andrea G. Keeffe, Esq., at (781) 907-2123. Any person desiring further information regarding this notice should contact Jeffrey Leupold or Clayton Hale, Hearing Officers, Department of Public Utilities, at (617) 305-3500.

The Department will conduct a public hearing to receive comments on the proposed Three-Year Plan. The hearing will take place on **November 30, 2015, 2:00 p.m.** at the Department's offices, One South Station – 5<sup>th</sup> Floor, Boston, Massachusetts 02110. Any person who desires to comment may do so at the time and place noted above or submit written comments to the Department not later than the close of business (5:00 p.m.) on **November 30, 2015**.

Any person who participated in the Council process or whose interests were represented by a member of the Council, and who desires to participate in the evidentiary phase of this proceeding must file a written petition for leave to intervene with the Department not later than the close of business on **Monday, November 2, 2015**. Any person who did not participate in the Council process or whose interests were not represented by a member of the Council, and who desires to participate in the evidentiary phase of this proceeding must file a written petition for leave to intervene with the Department not later than the close of business on **Friday, November 13, 2015**. A petition for leave to intervene must satisfy the timing and substantive requirements

of 220 C.M.R. § 1.03. Receipt by the Department, not mailing, constitutes filing and determines whether a petition has been timely filed. A petition filed late may be disallowed as untimely, unless good cause is shown for waiver under 220 C.M.R. § 1.01(4). To be allowed, a petition under 220 C.M.R. § 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10. All responses to petitions to intervene must be filed by the close of business of the second business day after the petition to intervene was filed.

An original and one (1) copy of all written comments or petitions to intervene must be filed with Mark D. Marini, Secretary, Department of Public Utilities, One South Station - 5<sup>th</sup> Floor, Boston, Massachusetts 02110, not later than the close of business on the dates noted above. One copy of all written comments or petitions to intervene should also be sent to the Company's attorney, Andrea G. Keefe, Esq., National Grid, 40 Sylvan Road, Waltham, Massachusetts 02451-1120, and by email, [andrea.keeffe@nationalgrid.com](mailto:andrea.keeffe@nationalgrid.com).

All documents should also be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to [dpu.efiling@state.ma.us](mailto:dpu.efiling@state.ma.us), and the hearing officers [jeffrey.leupold@state.ma.us](mailto:jeffrey.leupold@state.ma.us) and [clayton.hale@state.ma.us](mailto:clayton.hale@state.ma.us) or (2) on a CD-ROM. The text of the e-mail or CD-ROM must specify: (1) the docket number of the proceeding D.P.U. 15-168; (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic filing should also include the name, title, and telephone number of a person to contact in the event of questions about the filing. All documents submitted in electronic format will be posted on the Department's website: <http://www.mass.gov/dpu>.

2015 NOV -3 A 10:58

**MARLBOROUGH PLANNING BOARD  
MARLBOROUGH, MA 01752**

**Call to Order**

**October 5, 2015**

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

Edward Coveney was absent.

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

**1. Meeting Minutes:**

**A. Regular Meeting September 28, 2015**

On a motion made by Mr. McCarthy, seconded by Mr. Hodge, it was voted to approve the minutes of the September 28, 2015 regular meeting as amended. Motion carried with Mr. DuPont abstaining.

**2. Chair's Business:**

An update will be provided at the next meeting updating the changes to be made to the Planning Board page on the website.

**3. Approval Not Required: Decisions due by October 19, 2015**

**A. Walker Brook Estates – Melanson Development**

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

Titled: Revised Definitive Property Plan  
Walker Brook Estates  
93 Framingham Road  
Marlborough, MA 01752

Prepared By: Bruce Saluk & Assoc., Inc.  
576 Boston Post Road East  
Marlborough, MA 01752

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

**B. Crowley Drive – First Colony Development**

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

Titled: Plan of Land, in Marlborough, Mass

Prepared For: First Colony Crowley Drive One, LLC

Prepared By: Whitman & Bingham Associates, LLC  
510 Mechanic Street  
Leominster, MA 01453

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

**C. Boston Post Rd East – Village Plaza**

This item has not been released from the Engineering Department as of yet. Decision will be rendered for the October 19, 2015 meeting.

**D. Cider Mill Estates – FRE Builders**

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

Titled: Plan of Land

Prepared For: Owner  
West Hill LLC  
In Marlborough, MA 01752

Prepared By: Guerriere & Hanlon Inc.  
Engineering and Land Surveying  
33 West Street  
Milford, MA 01757

On a motion made by Mr. Fay, seconded by Mr. McCarthy it was voted to accept the correspondence and place it on file as well as endorse the plan. Motion carried.

**4. Public Hearings: 7:15pm** None

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

**A. Engineers Report:**

City Engineer Pilachowski noted that both LaCombe Street and DiCenzo Boulevard are in the City Councils hands for acceptance. The Cider Mill issues noted from the last meeting have been corrected very quickly.

**B. Bond Reduction Request – Toll Brothers (Stow Rd)**

Ms. Hughes read the request for the reduction received from Attorney Falk of Mirick O’Connell into the record.

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

On a motion made by Mr. Fay, seconded by Ms. Hughes it was voted to table this item until the end of the agenda. Motion carried.

On a motion made by Mr. Fay, seconded by Mr. DuPont it was voted to move up agenda item 10A. Motion carried.

**10. Informal Discussions:**

**A. Pre-application Informal Discussion Proposed Open Space Development**

**Goodale Street**

Mr. Thomas DiPersio Jr., and Mr. Paul Richardi presented to the Board the concept for the proposed Open Space Subdivision off of Goodale Street.

The proposed subdivision would consist of 2 lots with a total area of 11.75 acres. The land is bordered on one side by the Town of Hudson and Taylor Road on the other side. The land in question is part of the former subdivision Goodale Farms more specifically the section to be known as Beauregard Circle. The proposal calls for 7 house lots. In a conventional subdivision layout the 6 lots would be along a 735' cul de sac roadway with 1 lot on Goodale Street. In an Open Space Subdivision the 7 lots would be along a 500' cul de sac roadway. The area in question consists of both areas of wetlands and areas of ledge with steep inclines throughout.

The Open Space concept would allow for the ability to settle all the house lots on the more "friendly" part of the parcel.

Chairperson Fenby inquired as to the Open Space dedicated parcel, does that connect to any other trail system currently in place within the City and in essence will the land be useable for recreation at all?

Ms. Hughes noted that this proposal should be discussed with the Conservation Officer prior to moving forward.

Mr. Fay questioned the location of the stream on Taylor Road and the location that the stream flows into where is it in relation to the proposed development?

Ward One City Councilor Mr. Joseph Delano was in attendance and was acknowledged allowing him to ask questions of the developer. He questioned if the houses would be of like size and style to the existing homes? Would there be any detrimental effect to the current property owners. He did not feel that this would development would be met with a positive reaction from the neighbors they would want open space around them not development.

Mr. DiPersio noted that there would be a buffer zone and the proposed houses will be comparable in size to what is already there.

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

**7. Definitive Subdivision Submission: None**

**9. Unfinished Business:**

**A. Blackhorse Farms Update**

Ms. Hughes read into the record the correspondence that was sent to FRE Builders requesting a representative to appear at the meeting this evening.

Attorney Beattie was in attendance to address the Boards concerns. Attorney Beattie handed out a construction schedule however this was an internal schedule that FRE uses and not the format the City Engineer normally sees. Attorney Beattie also noted that the subdivision has been at a standstill due to difficulties with the Inspectional Services Department Attorney Beattie claims there has been a building permit application awaiting approval for 2-3 months.

Attorney Beattie notes that the only items truly remaining are the sidewalk installation and finish

coats on both the roadway and sidewalks.

Ms. Hughes noted her frustration at the lack of communication between the Board and the Developer. The Board has had to ask and or threaten action in order to get any type of updates. This is just unacceptable.

Attorney Beattie's response to her frustration was "You asked I am here".

Mr. Fay noted that Attorney Beattie was not there in July when the request for extension was approved in a much shorter time frame than requested. It is Mr. Fay's opinion that he is done voting favorably for any further requested extensions.

Attorney Beattie countered that argument with the Developer has lost sales at this subdivision due to the composting facility that is run in close proximity to this location.

Ms. Hughes questioned why there was no dialogue from the developer regarding the perceived building permit issue. The Board was kept in the dark.

City Engineer Pilachowski noted that some of the items that have been noted on the construction schedule as not applicable are items that do need to be accomplished.

Mr. Fay questioned why the paving could not be completed?

City Engineer Pilachowski noted that it could be completed however there is a very short time frame from today forward in order to accomplish the final coat, there is a larger time frame to get to the binder course alone.

Mr. Fay noted that the neighbors have suffered enough. Mr. Fay wants the subdivision completed to make it look more like a neighborhood instead of a construction zone.

On a motion made by Mr. Hodge, seconded Mr. Fay it was voted to require the developer to install the binder coat (at the least) to the sidewalk area and have that verified by the Engineering Department prior to the next meeting. As well as have the developer or representatives appear at the next meeting with a request for extension, properly filled out in hand. Motion carried.

On a motion made by Ms. Hughes, seconded by Mr. Fay it was voted to refer the construction schedule supplied by the developer to the Engineering Department for review. Motion carried.

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

### **B. Mauro Farms Update**

City Engineer Pilachowski had no update for the Board.

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

## **10. Informal Discussions:**

### **A. Pre-application Informal Discussion Proposed Open Space Development Goodale Street**

This item was moved up in the agenda.

## **11. Correspondence:**

### **A. Citizen Planner Training Collaborative Fall Workshops 2015**

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

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

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

**B. Town of Framingham, Planning Board Public Hearing October 8, 2015**

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

On a motion made by Mr. Fay, seconded by Mr. DuPont it was voted to remove item 5B from the table. Motion carried.

On a motion made by Mr. Fay seconded by Ms. Hughes it was voted to approve the request for a reduction to the bond, number 81961944 in the amount of \$12,000.00 thus reducing the held amount to \$33,000.00. This reduction is contingent upon proof supplied to the Board Secretary that the City Solicitor is in agreement with Attorney Falk's reasoning. Motion carried.

**Adjournment:** On a motion made by Mr. McCarthy, seconded by Mr. Fay it was voted to adjourn at 7:52pm. Motion carried.

Respectfully submitted,

Colleen Hughes  
Clerk

/mai

2015 NOV -3 A 10:59

**MARLBOROUGH PLANNING BOARD  
MARLBOROUGH, MA 01752**

**Call to Order**

**October 19, 2015**

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

Shawn McCarthy was absent.

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

**1. Meeting Minutes:**

**A. Regular Meeting October 5, 2015**

On a motion made by Mr. Fay, seconded by Mr. Coveney, it was voted to table the minutes of the October 5, 2015 regular meeting. Motion carried.

**2. Chair's Business:**

**Discussion/Update regarding Planning Board presence on City's website**

Chairperson Fenby updated the Board regarding the website. Chairperson Fenby and Mr. DuPont met earlier with Secretary Melissa Irish and made a few changes to the website with additional updates to come.

Chairperson Fenby also passed out to the members an application that is currently used in another community for any submission to the Board. Members of the Board were very receptive to the idea of an application for submission to the Board. Mr. DuPont and Ms. Irish will coordinate getting that form created.

On a motion made by Mr. Coveney, seconded by Mr. Fay it was voted to ask Mr. Gibbs, IT Director for the City of Marlborough to grant Mr. DuPont access to the Website in order to make changes/updates. Motion carried.

**A. Correspondence from the Code Enforcement Officer**

Items 2A, 5B & 9A have been combined to be taken up under agenda item 5B.

**B. Correspondence from the City Solicitor regarding acceptance of DiCenzo Blvd.**

Ms. Hughes read the correspondence from Solicitor Rider into the record.

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

**3. Approval Not Required: Decisions due by October 19, 2015**

**A. Boston Post Rd East – Village Plaza**

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

On a motion made by Mr. Coveney, seconded by Mr. DuPont it was voted to accept the correspondence and place it on file as well as endorse the place contingent upon a cursory review by City Engineer Pilachowski once the mylar plan is received. Motion carried with Mr. Fay in opposition. Motion carried.

My Fay noted his opposition to approving this A.N.R plan as the proponent has not supplied the Board with the appropriate mylar to sign at this meeting. The proponent has created his own hardship by being ignorant to the required process.

**4. Public Hearings: 7:15pm**      None

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

**A. Engineers Report:**

City Engineer Pilachowski noted that he inspected the Cider Mill Estates subdivision today and was pleased with the condition of the site.

**B. Request for extension (Blackhorse Farms)**

Agenda Items 2A, 5B & 9A have been combined.

Ms. Hughes read the correspondence from the Code Enforcement Officer (Item 2A) into the record as well as the emailed correspondence from Attorney Beattie and the written request for extension as supplied by Patrick Drake into the record. On a motion made by Ms. Hughes, seconded by Mr. Coveney all correspondence was accepted and placed on file. Motion carried.

Attorney Beattie was in attendance to represent FRE Development.

After much discussion regarding the realism or feasibility of completion of the subdivision by the requested date the following action was taken.

On a motion made by Mr. DuPont, Seconded by Mr. Fay it was voted to grant the extension as requested by FRE Development to complete the site work by April 29, 2016, and the Engineering work by June 2016. It was also noted that this is the absolute last extension that will be granted to this subdivision. Motion carried.

Ms. Hughes noted her opposition to approving the requested extension as this developer has constantly ignored the Board and has had more than enough time to complete this subdivision.

**C. Request for Bond Amount – Howes Landing**

Ms. Hughes read correspondence from to following into the record;  
Request from Attorney Paul Galvani to set the bond amount,  
Determination of Bond amount from City Engineer Pilachowski &  
Request for continuance on Bond amount from Attorney Paul Galvani.

On a motion made by Ms. Hughes, seconded by Mr. DuPont it was voted to:  
Accept and place on file the correspondence as well as refer the Performance Bond and Open Space Quit Claim Deed to the Legal Department for proper format as well as table the bond request until the November 16, 2015 meeting. Motion carried.

**10. Informal Discussions:** None

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

**7. Definitive Subdivision Submission:** None

**8. Signs:** None

**9. Unfinished Business:**

**A. Blackhorse Farms Update**

This item was taken up under agenda item 5B.

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

**B. Mauro Farms Update**

Ms. Hughes read Assistant City Engineer Collins' correspondence to the developer into the record.

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

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

**D. Commonwealth Heights Update**

Ms. Hughes read the correspondence from Mr. Weiss into the record. Mr. Weiss was in attendance to answer any questions.

Mr. Weiss informed the Board that when this subdivision was originally approved there was a Partnership in place that unfortunately has since dissolved. Gutierrez Co. is looking for a new partner to move this subdivision forward with. There have been companies interested in partnering and hopefully he will have a developer on board shortly. It is the intention to construct the subdivision as it was approved.

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

**10. Informal Discussions:** None

**11. Correspondence:** None

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

**A. Town of Southborough, Board of Appeals Public Hearing, October 28, 2015**

**B. Town of Framingham, Planning Board Public Hearing, September 26 (1)  
October 26 (2).**

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

**Adjournment:** On a motion made by Mr. DuPont, seconded by Mr. Coveney it was voted to adjourn at 7:48pm. Motion carried.

Respectfully submitted,

Colleen Hughes  
Clerk

/mai

CITY OF MARLBOROUGH MEETING MINUTES

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

Meeting: Marlborough Cultural Council

Date: November 2, 2015

2015 NOV -9 A 8: 08

Time 7:00pm

Location: Mayors Conference Room, 4th Floor  
City Hall, 140 Main Street  
Marlborough, MA 01752

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

The Meeting was called to order by Chair, J. David Elmore at 7:15pm

1. Reviewed and approved minutes of December 8, 2014 voting meeting
2. Reviewed Correspondence
3. Nomination/Voting for Approval of Officers (remain the same)  
J. David Elmore, Chair  
Mark Barlett, Treasurer  
Sandra Pirie-St.Amour, Secretary
4. Reviewed Approval Guidelines. (No changes)
5. Reviewed Finances/Spreadsheet. (\$10,937 to be awarded)
6. Reviewed Grant Applications for compliane with MCC guidelines. Agreed that 4 applications would be denied and 16 approved. Allocated value of awards based on benefit to community and funds available.
7. Voted as follows for FY 2016 grant applications
 

DENIED . . . . . (criteria for denial)	APPROVED . . . . . \$ ALLOCATED
Blue Hill Adventure . . . . .(c, i, b)	Hudson Arts Alliance. . . . . \$1,587
Metrowest Symphony Orchestra (c)	Ghost Light Players . . . . . \$1,500
The Marlble Collection . . . . .(d)	Assabet Valley Master Singers . . . . . \$700
The Audio Journal . . . . . (c, d)	Richer Elementary School. . . . . \$1,750
.....	Northboro Area Community Chorus . . . . . \$300
.....	The Discovery Museum . . . . . \$250
.....	Ruth Horcovitz . . . . . \$250
.....	Friends of Marlboro Public Library Yacyshyn Concert. . . \$350
.....	Friends of Marlboro Public Library Special Programs. . . \$350
.....	Friends of Marlboro Public Library McConnell Series. . . \$350
.....	Jaworeck Elementary School . . . . . \$1,750
.....	Marlboro High Tri-M Music Honor Society. . . . . \$500
.....	Chamber Music Metrowest. . . . . \$350
.....	Symphony Pro Musica . . . . . \$250
.....	Handel & Hayden Society . . . . . \$350
.....	New Reperatory Theatre. . . . . \$350
8. Meeting was adjourned at 8:15pm

Respectfully submitted by Sandra Pirie-St.Amour, Secretary, Marlborough Cultural Council November 4, 2015