

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2014 JUL -2 P 5: 28

1. Minutes of the City Council Meeting, MAY 19, 2014, Order No. 14-1005838A.
2. Minutes of the City Council Meeting, JUNE 16, 2014.
3. PUBLIC HEARING: On the Petition of NGrid and Verizon to propose installation of new joint owned stub pole #55-84 on public property. Pole will be set approximately 42' from existing joint owned pole #33. NGrid proposes installation of new joint owned anchor to be set in back of new Pole 55-84 to help support stub pole. Pole 55 currently has tree guy attached from Pole 55 to tree at 479 Hosmer St. that is to be removed. Customer requested to remove the tree guy, Order No. 14-1005849.
4. PUBLIC HEARING: On the Petition of NGrid and Verizon to relocate Pole 1, 2, 3, 4, and 12 on Simarano Dr. to accommodate City of Marlborough widening project, Order No. 14-1005850.
5. PUBLIC HEARING: On the Petition of NGrid and Verizon to relocate Pole 22 Simarano Drive and install new guy P21-84 to accommodate City of Marlborough widening project, Order No. 14-1005851.
6. Communication from the Mayor re: Capital Outlay transfer request in the amount of \$956,208.00 which moves funds from Undesignated Stabilization to School Equipment, Emergency Management, DPW Projects and Police Department as indicated on the attached spreadsheet.
7. Communication from the Mayor re: Building Department transfer request in the amount of \$33,580.00 which moves funds from Contract Services to various accounts as noted on the attached spreadsheet to fulfill obligation to Avalon Bay.
8. Communication from the Mayor re: Intermunicipal Agreement with Town of Hudson to assist with the Board of Health.
9. Communication from the Mayor re: Senior Center Budget.
10. Communication from the Mayor re: Appointments of Anthony Aruda and Ellen Silverstein to the Board of Assessors for terms of three years to expire from date of City Council approval.
11. Communication from the Mayor re: Reappointments of Robert Kays, Dennis Zilembo, Thomas Evangelous, and Brenda Calder to the Recreation Commission for various terms.
12. Communication from the Mayor re: Appointment of Assistant City Solicitor, Cynthia Panagore Griffin as Chair of the Cable Advisory Committee along with members IT Director, Mark Gibbs, MPS Finance Director, Michael Bergeron and city resident, William Spitzer and extend the opportunity for City Council to select a member as its fifth and final member.
13. Communication from the Mayor re: Appointment of Alfred Weaver to serve as his appointee on the OPEB Board of Trustees.
14. Communication from the Mayor re: Proposed Draft LED Sign Ordinance.
15. Communication from the Mayor re: Order of Taking by Eminent Domain; Order of Acceptance of Deeds; Order Transferring Care, Management and Control to the Conservation Commission; and Determination of Unique Acquisition in area known as Deer Foot Park.
16. Communication from the Mayor re: Order of Taking by Eminent Domain of Certain Strips of Land for the Purposes of Reconstructing and Maintaining Simarano Drive.
17. Communication from the Mayor re: Informational Letter Concerning City Towing Contracts.
18. Petition of NGrid and Verizon to relocate Pole 42 on Church Street and install a new guy Pole 42-84 on Plymouth Street.
19. Application for Renewal of Junk Dealer's License, Sergey Yeghiyan d/b/a CTC Gold Refinery, 149 Main Street.

**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.**

20. Communication from Jean & Michael Morrisey, 43 Sonia Drive re: Baby Safe Haven Signs.
21. Communication from Central Mass. Mosquito Control Project re: Investigation of Resident Complaints on various dates in July.
22. Minutes, Board of Assessors, April 29, 2014.
23. Minutes, Board of Health, May 13, 2014
24. Minutes, Conservation Commission, April 17, May 1, May 15, and June 5, 2014.
25. Minutes, Community Development Authority, May 29, June 16 and June 26, 2014.
26. Minutes, Commission on Disabilities, April 8, May 3, 2014.
27. Minutes, Fort Meadow Commission, May 22, 2014.
28. Minutes, License Commission, May 28, 2014.
29. Minutes, Planning Board, May 5, June 2, 2014.
30. Minutes, Traffic Commission, May 27, 2014.
31. Communication from Hanover Insurance Group, on behalf of Skinner Inc., 274 Cedar Hill Street.
32. Communication from Hanover Insurance Group, on behalf of Ellen Lowe, 19 Holly Hill Lane.
33. Communication from Hanover Insurance Group, on behalf of Kevin Mclellan, 20 Elm Heights Terrace.
34. CLAIMS:
  - A. James Rennie, 218 Ash Street, other property damage and/or personal injury
  - B. Mia Barbieri, 96 Blanchette Drive, pothole or other road defect
  - C. Brian Simoneau, 24 Anderson Road, pothole or other road defect
  - D. Roger Romito, 149 Main Street, #2, other
  - E. Bryan Tambeau, 8 Peirce Street, other property damage and/or personal injury

#### REPORTS OF COMMITTEES:

#### UNFINISHED BUSINESS:

#### **From Operations and Oversight Committee**

35. **Order No. 14-1005782 - Communication from Mayor Vigeant re: Inter-municipal Agreement - Town of Sudbury, Regional Veteran's District with the Town of Sudbury, with inter-municipal agreement (IMA) for the next two (Fiscal Years 2015 and 2016) fiscal years.** The Mass Department of Veterans' Services has again endorsed this effort and encouraged this two-year agreement.

The Operations and Oversight Committee reviewed the Mayor's letter dated April 25, 2014 requesting to enter into a two year agreement with the Town of Sudbury to continue the Regional Veteran's District started the previous year. The current inter-municipal agreement (IMA) with the Town of Sudbury has gone well between the two communities and Mayor Vigeant and Director of Veteran's Services Gary Brown believe the agreement should continue.

Recommendation of the Operations and Oversight Committee to is to approve the inter-municipal agreement (IMA) with the Town of Sudbury for a Regional Veteran's District. **Motion made by Councilor Landers, seconded by Councilor Delano, to approve, Carries 2-0 (Elder absent).**



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

**MAY 19, 2014**

Regular meeting of the City Council held on Monday, MAY 19, 2014 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Pope, Ossing, Robey, Delano, Page, Elder, Tunnera, Irish, Clancy and Landers. Absent: Oram. Meeting adjourned at 9:23 PM.

Presentation of Youth Service Awards to following recipients: Joseph Ciolino, Paige Lariviere, Alysha McGovern, Jaelyn Kassoy, Sydney Teele & Christina Furtado.

**ORDERED:** That the minutes of the City Council meeting MAY 5, 2014, **FILE**; adopted.

**ORDERED:** That the **PUBLIC HEARING** On the Application for Special Permit from Mark Donahue of Fletcher Tilton on behalf of Chick-Fil-A, Inc. to construct and operate an approximate 4,876 square foot single story building with drive-thru service restaurant at 230 Boston Post Rd. West, all were heard who wish to be heard, hearing recessed at 8:34 PM, adopted.

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

**ORDERED:** That the **PUBLIC HEARING** On the Proposed FY15 Municipal Operating Budget as submitted by Mayor Vigeant in the amount of \$137,433,613.00 for review and appropriation in which this spending plan reflects an increase of 3.98% over the approved Fiscal Year 2014 budget, all were heard who wish to be heard, hearing recessed at 8:38 PM; adopted.

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

**ORDERED:** That the Snow and Ice transfer request in the amount of \$1,640,000.00 which moves funds from Undesignated to Overtime-Snow & Ice, Snow Removal and Operating Expenses, refer to **FINANCE COMMITTEE**; adopted.

DEPT:		DPW				FISCAL YEAR:		2014			
Available Balance		FROM ACCOUNT:				TO ACCOUNT:				Available Balance	
Amount	Org Code	Object	Account Description:			Amount	Org Code	Object	Account Description:	Balance	
\$4,851,941.00	\$1,640,000.00	10000	35900	Undesignated Fund			\$265,000.00	14001203	51390	Overtime-Snow & Ice	-\$264,378.63
	<b>Reason:</b>	To fund the snow & ice deficit for FY 14									
					\$734,000.00	14001206	52960	Snow Removal		-\$733,769.51	
	<b>Reason:</b>										
					\$641,000.00	14001206	57040	Operating Expenses		-\$632,509.13	
	\$1,640,000.00	Total			\$1,640,000.00	Total					

ORDERED: That the Year-end Intra-Departmental transfer requests as noted on the attached spreadsheets to cover remaining expenses and balance accounts for FY14, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Police				FISCAL YEAR:		FY 2014		
Available Balance		FROM ACCOUNT:				TO ACCOUNT:				Available Balance
	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		
\$15,049.87	\$5,475.00	12100003	51920	Sick Leave Buy Back	\$5,475.00	12100001	50140	Police Chief Salary	\$14,154.32	
Reason:		Money available for transfer				Money needed to pay retro pay and new contract				
	\$5,475.00	Total			\$5,475.00	Total				

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		FIRE				FISCAL YEAR:		FY14		
Available Balance		FROM ACCOUNT:				TO ACCOUNT:				Available Balance
	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		
\$18,161.84	\$98.07	12200003	51430	LONGEVITY	\$98.07	12200003	51450	NIGHT SHIFT DIFFERENTIAL	\$9,058.89	
Reason:		Transfer is available due to retirements				Funds needed to complete FY14				
	\$98.07	Total			\$98.07	Total				

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Police				FY:		2014		
Available Balance		FROM ACCOUNT:				TO ACCOUNT:				Available Balance
	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		
\$15,049	\$2,500.00	12100003	51920	Sick Leave Buy-Back	\$2,500.00	12100003	51490	Holiday	\$27,432	
Reason:		Account will have surplus - fewer ofcs. buying back				Will need additional amount for last holiday of yr.				
\$15,049	\$1,000.00	12100003	51920	Sick Leave Buy-Back	\$1,000	12100006	55882	Meals for Prisoners	\$563	
Reason:		Account will have surplus - fewer ofcs. buying back				More long term prisoners than expected				
	\$3,500.00	Total			\$3,500.00	Total				

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:	Public Facilities			DATE:	5/12/2014	FY:	2014			
FROM ACCOUNT:					TO ACCOUNT:					
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$4,830	\$1,105.00	11920003	51430	Longevity	\$1,105.00	11920001	50292	Bldg Maint Craftsman	\$25,989	
	Reason:	Funds available			To cover salaries thru year end					
\$29,596	\$8,500.00	11920003	50560	Custodian	\$8,500.00	11920006	53999	Other Services	\$7	
	Reason:	Unfilled position			Renovations at DPW					
\$2,027	\$2,000.00	11920006	52250	Heating oil	\$2,000.00	11920006	53999	Other Services	\$7	
	Reason:	Decrease in use			Renovations at DPW					
\$39,901	\$20,000.00	11920006	52200	Natural Gas	\$20,000.00	11920006	53999	Other Services	\$7	
	Reason:	Decrease in cost per them			Renovations at DPW					
\$48,840	\$15,000.00	11920006	53420	Telephone Services	\$15,000.00	11920005	54310	Building Repairs	\$2	
	Reason:	Decrease in verizon data lines			Renovations at Walker Building					
\$46,605.00		Total			\$46,605.00	Total				

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:	Department of Public Works			FISCAL YEAR:	2014				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$55,612	\$425	60085006	55980	West WWTF	\$425	60080003	51470	Interim Foreman	\$24
	Reason:	Surplus anticipated			Anticipated cost to cover Chemist position scheduled time off.				
\$55,612	\$2,000	60085006	55980	West WWTF	\$2,000	60085006	52463	Rep/Maint. Westerly Plant	\$920
	Reason:	Surplus anticipated			Anticipated cost to cover supplies for maintenance.				
\$55,612	\$4,000	60085006	55980	West WWTF	\$4,000	60085006	54340	Maint. Machinery	\$603
	Reason:	Surplus anticipated			Anticipated cost to cover supplies for preventive maintenance.				
\$44,700	\$24,700	60080004	53110	Legal Services	\$24,700	60080006	55660	Pumping Station Main.	\$564
	Reason:	Anticipated surplus			Anticipated cost for repair/maint. at Hosmer Street Pump Station because of pump failure.				
\$44,700	\$20,000	60080004	53110	Legal Services	\$20,000	61090006	54620	Maintenance-Trenches	\$14,515
	Reason:	Anticipated surplus			Anticipated cost to permanently repair water trenches due to high number of winter water breaks.				
\$51,125		Total			\$51,125	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:					FISCAL YEAR:				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$77,794	\$77,794	61090006	52320	Water-MWRA	\$77,794	61090006	55740	Water Meters	\$0
		Reason: Anticipated surplus				Replacement for stopped residential meters.			
\$137,956	\$57,000	61090001	50740	Equipment Operators	\$57,000	61090006	54620	Maintenance-Trenches	\$14,515
		Reason: Surplus due to vacancies.				Anticipated cost to permanently repair water trenches due to high number of winter water breaks.			
\$1,402	\$1,402	61090003	51920	Sick Leave Buy Back	\$1,402	61090006	54620	Maintenance-Trenches	\$14,515
		Reason: Anticipated surplus				Anticipated cost to permanently repair water trenches due to high number of winter water breaks.			
\$1,590	\$340	61090003	51940	Clothing Allowance	\$340	61090006	54620	Maintenance-Trenches	\$14,515
		Reason:				Anticipated cost to permanently repair water trenches due to high number of winter water breaks.			
\$800	\$800	61090004	53174	Contract Services/Lab Testing	\$800	61090006	54620	Maintenance-Trenches	\$14,515
		Reason:				Anticipated cost to permanently repair water trenches due to high number of winter water breaks.			
	\$137,336	Total			\$137,336	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:					FISCAL YEAR:				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$3,600	\$3,600	61090006	54280	Water Billings	\$3,600	60080006	55660	Pumping Station Main.	\$564
		Reason: Anticipated surplus				Anticipated cost to cover required repair/maintenance at several sewer pump stations.			
\$800	\$800	60080003	51440	Educational Incentives	\$800	60080006	55660	Pumping Station Main.	\$564
		Reason: Anticipated surplus				Anticipated cost to cover required repair/maintenance at several sewer pump stations.			
\$14,489	\$7,000	60080001	50580	Assistant Chemist	\$7,000	60080006	55660	Pumping Station Main.	\$564
		Reason: Anticipated surplus				Anticipated cost to cover required repair/maintenance at several sewer pump stations.			
\$350	\$350	61090003	51440	Educational Incentives	\$350	61090003	51990	Meal Allowances	\$0
		Reason: Anticipated surplus				100% expended due to high volume of water breaks over winter.			
\$30,000	\$30,000	61090006	55700	Water Treatment Plant	\$30,000	60080006	55660	Pumping Station Main.	\$564
		Reason: Anticipated surplus				Anticipated cost to cover required repair/maintenance at several sewer pump stations.			
	\$41,750	Total			\$41,750	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:					FISCAL YEAR:				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$610.00	\$610	60081003	51430	Longevity	\$610	60081006	52464	Repair/Maintain East Plant	\$26,688
	Reason:	Anticipated surplus				Anticipated cost to cover end of year			
\$2,800.00	\$2,800	60081003	51440	Educational Incentive	\$2,800	60081006	52464	Repair/Maintain East Plant	\$26,688
	Reason:	Anticipated surplus				Anticipated cost to cover end of year			
\$492.00	\$492	60081003	51920	Sick Leave Buyback	\$492	60081006	52464	Repair/Maintain East Plant	\$26,688
	Reason:	Anticipated surplus				Anticipated cost to cover end of year			
\$1,265.00	\$1,000	60081003	51940	Clothing Allowance	\$1,000	60081006	52464	Repair/Maintain East Plant	\$26,688
	Reason:	Anticipated surplus				Anticipated cost to cover end of year			
\$5,000.00	\$3,000	60081004	53174	Contract Services/Lab Testing	\$3,000	60085005	55014	Lab/Testing Supplies	\$2,305
	Reason:	Anticipated surplus				Anticipated cost to cover end of year.			
	\$7,902	Total			\$7,902	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:					FISCAL YEAR:				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$26,953.00	\$500	14001101	50640	City Engineer	\$500	14001101	50700	Senior Engineer	\$14,078
	Reason:	Money available due to previous vacancy				Anticipated cost to cover remainder of FY14			
\$14,590.00	\$250	60080001	50580	Assistant Chemist	\$250	60081001	50910	Head Treatment Operator	\$10,448
	Reason:	Money available due to previous vacancy				Anticipated cost to cover remainder of FY14			
\$14,590.00	\$200	60080001	50580	Assistant Chemist	\$200	60085001	50910	Head Treatment Operator	\$10,455
	Reason:	Money available due to previous vacancy				Anticipated cost to cover remainder of FY14			
	\$950	Total			\$950	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT: Board of Health					FISCAL YEAR: FY 2014				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$6,341.50	\$3,500.00	15120001	50391	P/T Nurse	\$3,500.00	15120006	53180	Prof/ Tech. Services	\$1,927.52
	Reason:	Funds available due to retirement				Funds will pay for contract health inspections through June			
	\$3,500.00	Total			\$3,500.00	Total			

ORDERED: That the Public Facilities transfer request in the amount of \$230,000.00 to and from various accounts as noted on the attached spreadsheet to cover unanticipated expenses in an electrical utility line item, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:	Public Facilities				DATE:	5/12/2014		FY:	2014	
FROM ACCOUNT:				TO ACCOUNT:						
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$50,467	\$30,000.00	60086006	52935	Solid Waste Disposal	\$30,000.00	11920006	52120	Electricity	\$204,107	
Reason:				Transfer to pay from correct account		Transfer to charge to correct account				
\$124,109	\$50,000.00	14001303	50740	Streets Equip Operator	\$200,000.00	11920006	52120	Electricity	\$204,107	
Reason:				Surplus due to vacancies		Transfer to cover underfunded costs				
\$168,371	\$90,000.00	14001503	50740	Forestry Equip Operator						
Reason:				Surplus due to vacancies						
\$198,239	\$60,000.00	11990006	51500	Fringes						
Reason:				Money available for transfer						
	\$230,000.00	Total			\$230,000.00	Total				

ORDERED: That the Mayor re: transfer request in the amount of \$32,500.00 which moves funds from Undesignated to Open Space Stabilization to move funds received in FY13 from wireless antenna receipts to the Open Space Stabilization account, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:					FISCAL YEAR:	2014			
FROM ACCOUNT:				TO ACCOUNT:					
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$4,851,941.00	\$32,500.00	10000	35900	Undesignated Fund	\$32,500.00	83600	32918	Stabilization-Open Space	\$820,642.22
Reason:				To transfer annual wireless antennae payments received by the City in fiscal year 2013 to Open Space Stabilization					
	\$32,500.00	Total			\$32,500.00	Total			

ORDERED: That the Mayor's Office transfer request in the amount of \$850.00 which moves funds from Reserve for Salaries & Benefits to Executive Secretary to fund a step increase that was not factored in to the FY14 budget, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:	Mayor				FISCAL YEAR:	FY 2014			
FROM ACCOUNT:				TO ACCOUNT:					
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$521,561.00	\$850.00	11990006	57820	Reserve for Salaries & Ben.	\$850.00	11210002	50590	Exec Secretary	\$6,380.29
Reason:				Money available for transfer		Money needed to cover step increase for FY 14			
	\$850.00	Total			\$850.00	Total			



ORDERED: That the City Council for the City of Marlborough, having voted on September 10, 1934 to accept a deed to acquire, for public playground purposes, land now known as Stevens Park, located at 20 Martin Street, Marlborough Massachusetts, and shown on the Marlborough Assessor's Maps as Map 68, Parcel 5, which deed was recorded on October 16, 1934 at the Middlesex South District Registry of Deeds in Book 5870, Page 33, does hereby vote, by a two-thirds vote of all its members pursuant to M.G.L. c. 40, § 15A, to transfer the care, custody, management and control of Stevens Park to the Parks and Recreation Commission for park purposes, refer to **FINANCE COMMITTEE**; adopted.

ORDERED:

**A RESOLUTION  
TO APPLY FOR AND ACCEPT A GRANT  
FROM THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS,  
FOR THE RENOVATION OF STEVENS PARK**

WHEREAS, the City Council for the City of Marlborough voted on September 10, 1934 to accept a deed to acquire, for public playground purposes, land now known as Stevens Park, located at 20 Martin Street, Marlborough Massachusetts, and shown on the Marlborough Assessor's Maps as Map 68, Parcel 5, which deed was recorded on October 16, 1934 at the Middlesex South District Registry of Deeds in Book 5870, Page 33; and

WHEREAS, by vote of the City Council on \_\_\_\_\_, 2014, the care, custody, management and control of Stevens Park has been transferred to the Parks and Recreation Commission for park purposes, thereby permanently dedicating Stevens Park for park purposes;

WHEREAS, Stevens Park is a community-wide asset, and the preservation of and improvements to this facility are a priority of the city of Marlborough, as evidenced by the most recent Open Space and Recreation Plan; and

WHEREAS, Stevens Park's renovation will greatly enhance this facility with improved playground equipment, trees, benches, picnic tables, water bubbler, fencing, and a pavillion; and

WHEREAS, the main focus of this renovation is to upgrade the facility to improve its functionality and appearance; and

WHEREAS, the Commonwealth of Massachusetts' Executive Office of Energy and Environmental Affairs ("EOEEA") is offering reimbursable grants to cities and towns to support the preservation and restoration of urban parks through the Our Common Backyards grant program; and

WHEREAS, the project cost as outlined in the application totals \$611,000 (six hundred eleven thousand dollars), with the balance of the funding being provided from the Sligo Antenna Revolving account that was approved by the City Council. The total funding is available from the FY 2014 account and the FY 2015 account.

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

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

Refer to **FINANCE COMMITTEE**; adopted.

**ORDERED:** That the Grant Acceptance in the amount of \$45,451.00 from the Massachusetts Department of Transportation (MassDOT) to the Marlborough Council on Aging to cover approximately 80% of the cost to purchase an eight passenger handicapped accessible vehicle, refer to **FINANCE COMMITTEE**; adopted.

**ORDERED:** Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Ezra M. Cutting Trust awarded to the City of Marlborough in the amount of 6,000.00 to sustain the City's partnership with the Rivers Edge Arts Alliance to support performances that are part of the "Family Fun Festivals" that will provide quality entertainment for families in the Marlborough-Hudson region; adopted.

**ORDERED:** That pursuant to the provisions of § 53E½ of Chapter 44 of the General Laws of the Commonwealth of Massachusetts, the City Council of the City of Marlborough, upon the recommendation of the Mayor, does, to be effective during fiscal year 2015, re-authorize a revolving fund to be utilized by the Mayor. It is further ordered that:

(a) receipts credited to the fund shall be limited to an emergency dispatch fee due the City pursuant to its contract with Patriot Ambulance, unless otherwise directed by the General Laws; and

(b) expenditures from said fund shall be limited to public safety training; and

(c) the Mayor shall be the only officer authorized to approve expenditures from the same; and

(d) the Mayor shall prepare a year-end report identifying funds received, funds expended, description of expenditures and year-end balance; and

(e) no provisions of this order shall be changed unless approved by the Mayor and City Council.

Refer to **FINANCE COMMITTEE**; adopted.

**ORDERED:** That the Communication from Assistant City Solicitor Panagore-Griffin re: Site Plan Review for a hotel within the Results Way Mixed Use Overlay District, in proper legal form, Order No. 14-1005727A, **MOVED TO ITEM 31**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, JUNE 16, 2014** as date for a **PUBLIC HEARING** on the Application for Special Permit from Michael Almada of TRM, on behalf of TMobile to modify antennas at existing wireless communication facility at 860 Boston Post Rd., refer to **WIRELESS COMMUNICATIONS AND ADVERTISE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, JUNE 16, 2014** as date for a **PUBLIC HEARING** on the Application for Special Permit from Michael Almada of TRM, on behalf of TMobile to modify antennas at existing wireless communication facility at 460 Boston Post Rd., refer to **WIRELESS COMMUNICATIONS AND ADVERTISE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, JUNE 16, 2014** as date for a **PUBLIC HEARING** on the Petition of Teleport Communications America, LLC to install one four inch PVC conduit at an approximate depth of forty-eight inches, from existing Verizon manhole #608 on Donald Lynch Blvd., to the property line of the Mall at Solomon Pond, LLC; a distance of approximately twenty feet, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, JUNE 16, 2014** as date for a **PUBLIC HEARING** on the Petition of Teleport Communications America, LLC to install two four inch PVC conduits at an approximate depth of forty-eight inches, from existing Verizon manhole at 200 Donald Lynch Blvd., to utility pole #69 on Bigelow St.; a distance of approximately seven hundred twenty seven feet, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Application for Renewal of Second Hand Article's License, Gerald Dumais d/b/a Dumais & Sons, 67 Mechanic St., refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Communication from Central Mass. Mosquito Control Project re: Environmental Merit Award for 2014, **FILE**; adopted.

ORDERED: That the Minutes, Conservation Commission, April 3, 2014, **FILE**; adopted.

ORDERED: That the Minutes, Traffic Commission, March 25, 2014, **FILE**; adopted.

ORDERED: That the Minutes, License Board, March 26, 2014, **FILE**; adopted.

ORDERED: That the Minutes, Board of Health, February 11, 2014; adopted.

ORDERED: That the Minutes, Planning Board, April 28, 2014; adopted.

ORDERED: That the Community Development Authority, April 24; adopted.

ORDERED: That the Council on Aging, April 10, 2014; adopted.

ORDERED: That the Communication from Hanover Insurance Group, on behalf of Steven Hibbard, 8 Cusella Dr., refer to **LEGAL DEPARTMENT**; adopted.

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

- A. Anton Teodorescu, 9 Woodcock Lane, other property damage and/or personal injury
- B. Michael Guidotti, 11 Lark Dr., Hudson, pothole of other road defect claim

## Reports of Committees:

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

Convened: 5:17 PM

Recessed: 5:35 PM

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

- 1) **Order No. 14-1005743 - Application for Renewal of Junk Dealer License, Roman Kimyagarov, Arthur & Sons Shoe Repair, 107 Main Street.** Police Chief Leonard has approved the CORI report for Roman Kimyagarov and has no objection to the renewal of his Junk Dealer License. Mr. Kimyagarov is in his third year of business as a purchaser of gold or silver jewelry and coins such as broken jewelry, estate jewelry, silver coins, silver dollars or half-dollars. He offers a price based on the current market value of gold or silver.  
**Recommendation of the Public Services Committee is to approve a Junk Dealer License to Roman Kimyagarov, Arthur & Sons Shoe Repair. Motion made by Councilor Clancy, seconded by Councilor Irish, to approve the application. Carries 3-0.**
  
- 2) **Order No. 14-1005762 - Application for Renewal of Junk Dealer / Second Hand Article Dealer License by Theresa Denoncourt Smith, Hint of Class Consignment, 72A-B Hosmer Street.** Police Chief Leonard has approved the CORI report for Theresa Denoncourt Smith and has no objection to the renewal of her Junk Dealer/Second Hand Article Dealer License. Ms. Denoncourt Smith has been in business for six months and sells men's and women's clothing, costume jewelry, furniture such as wood tables and chairs, gift wares, lamps and dishware however no couches or bedding.  
**Recommendation of the Public Services Committee is to approve a Junk Dealer / Second Hand Article Dealer License to Theresa Denoncourt Smith, Hint of Class Consignment. Motion made by Councilor Clancy, seconded by Councilor Irish, to approve the application. Carries 3-0.**
  
- 3) **Order No. 14-1005669 x 13-1005591 - Junk Dealer Application Renewal, Jean Rabelo, Post Road Used Auto Parts of Marlborough, Inc., 785 Boston Post Road.** Police Chief Leonard has approved the CORI report for Jean Rabelo and has no objection to the renewal of her Junk Dealer License. Post Road Used Auto Parts is an automotive recycler who takes in cars from auctions and charity donations. They remove all usable parts and sell them and every other remaining part is removed from the cars and recycled including batteries and tires.  
**Recommendation of the Public Services Committee is to approve a Junk Dealer License to Jean Rabelo, Post Road Used Auto Parts. Motion made by Councilor Clancy, seconded by Councilor Irish, to approve the application. Carries 3-0.**

Motion made by Councilor Irish, seconded by the Chair, to recess the meeting and reconvene Wednesday, May 7<sup>th</sup> @ 5:15 PM. **Carries 3-0.**

Reconvened: 5:15 PM

Adjourned: 5:59 PM

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

Motion made by Councilor Clancy to reconvene the meeting, seconded by the Chair. **Carries 3-0.**

- 4) **Order No. 14-1005763 - Application for Renewal of Junk Dealer License by Tony Bitar, Hannoush Jewelers, 601 Donald Lynch Blvd.** Police Chief Leonard has approved the CORI report for Tony Bitar and has no objection to the renewal of his Junk Dealer License. Hannoush Jewelers purchases second hand gold from customers at a fair competitive price as a convenience to their customers. They only purchase gold or platinum jewelry, and coins for their gold value, not a collector's value.  
**Recommendation of the Public Services Committee is to approve a Junk Dealer License to Tony Bitar, Hannoush Jewelers. Motion made by Councilor Clancy, seconded by Councilor Irish, to approve the application. Carries 3-0.**
- 5) **Order No. 14-1005764 - Application for Renewal of Junk Dealer/Second Hand Article Dealer License by Mary Giorgi, Giorgi's Consignment Boutique, 266 Main Street.** Police Chief Leonard has approved the CORI report for Mary Giorgi and has no objection to the renewal of her Junk Dealer/Second Hand Article Dealer License. Ms. Giorgi has been in business for just over a year and sells high end women's clothing on consignment. She only accepts current season merchandise and no more than two years past the current style. She has a sixty day consignment period, at the end of the consignment period, it is the consignor's responsibility to contact the store to arrange pick-up of their unsold merchandise. If not retrieved in a timely manner, the items are donated.  
**Recommendation of the Public Services Committee is to approve a Junk Dealer/Second Hand Article Dealer License Mary Giorgi, Giorgi's Consignment Boutique. Motion made by Councilor Clancy, seconded by Councilor Irish, to approve the application. Carries 3-0.**
- 6) **Order No. 14-1005786 - Application for Renewal of Junk Dealer License by Robert Hoglund, CFO TVI, Inc., d/b/a Savers, 222A East Main Street.** Police Chief Leonard has approved the CORI report for Gary Zardas of Savers and has no objection to the renewal of their Junk Dealer License. Savers sells second hand merchandise, mostly clothing, also bedding and stuffed animals but no mattresses. They obtain their merchandise from two sources; they buy in bulk from any nationally recognized 503C charity and consumer donations at their drop off centers. They participate in a State licensed merchandise sterilization program and are also working with the City of Marlborough to have one of the first programs to monitor and prevent infestations of bed bugs.  
**Recommendation of the Public Services Committee is to approve a Junk Dealer License to TVI, Inc., d/b/a Savers. Motion made by Councilor Clancy, seconded by Councilor Irish, to approve the application. Carries 3-0.**
- 7) **Order No. 14-1005787 - Application for Renewal of Junk Dealer's License, Michael Komapovsky, d/b/a Aarus Art Gallery, 305 Lincoln Street.** Police Chief Leonard has approved the CORI report for Michael Komapovsky and has no objection to the renewal of his Junk Dealer License. Mr. Komapovsky is a licensed auctioneer and his main business is online auctions powered by auction engines.  
**Recommendation of the Public Services Committee is to approve a Junk Dealer License to Michael Komapovsky, d/b/a Aarus Art Gallery. Motion made by Councilor Clancy, seconded by Chair, to approve the application. Carries 3-0.**

Motion made by Councilor Clancy, seconded by Councilor Irish, to adjourn.

Councilor Ossing reported the following out of the Finance Committee:

Present: Chairman Ossing; Finance Committee members Councilors Robey, Oram (Present for Agenda items 4-8), Elder, and Irish. Councilors Pope (Present for Agenda item #8), Landers and Delano were also in attendance. The meeting convened at 6:03 PM.

1. **Order No. 14-1005736 – Transfer \$75,000.00 from the Undesignated Fund Account to Building Department Contract Services.** The Finance Committee reviewed the Mayor's letter dated March 20, 2014 requesting the transfer of \$75,000.00 from the Undesignated Fund Account to the Building Department Contract Services Account to supplement the Building Department inspectional services for the Avalon Bay project. **The Finance Committee voted 4 – 0 to approve the transfer.**
  
2. **Order No. 14-1005755 – Transfer \$152,246.17 from Firefighter Salary Account to Cover Three Retirements and Overtime.** The Finance Committee reviewed the Mayor's letter dated April 3, 2014 requesting transfers from the Firefighter Salary Account in the amount of \$152,246.17 to fund three firefighter retirements (\$82,246.17) and overtime (\$70,000.00). The Fire Chief recommended that the overtime transfer be reduced by \$20,000. **The Finance Committee voted 4 – 0 to approve the following transfers:**
  - **\$82,246.17 from Firefighter salaries to sick leave buy back**
  - **\$50,000.00 from Firefighter salaries to overtime**
  
3. **Order No.14-1005756 – Transfer \$70,000.00 from Undesignated Fund Account to Legal Services and \$3,800 in Internal Legal Department Transfers.** The Finance Committee reviewed the Mayor's letter dated April 3, 2014 requesting a transfer of \$70,000.00 from the Undesignated Fund account to the Legal Services Account for higher than anticipated outside legal services. Additionally, the Finance Committee reviewed \$3,800.00 of transfers internal to the Legal Department. **The Finance Committee voted 4 – 0 to approve the transfers. The Finance Committee agreed to support suspending the rules at the May 19, 2014 City Council meeting to report out the recommendation to approve.**
  
4. **Order No. 14-1005776 – Transfer \$295,000.00 from the Reserve for Salaries Account to Fund Medicare Insurance and Workers Compensation Insurance.** The Finance Committee reviewed the Mayor's letter dated April 25, 2014 requesting three transfers from the Reserve for Salaries Account to the following accounts:
  - \$35,000.00 to Medicare Insurance – Schools
  - \$125,000.00 to Medicare Insurance – City
  - \$135,000 to Workers Compensation Insurance

The Medicare accounts require the transfers to cover anticipated expenses directly linked to the cost of living and salary step increases. The workers compensation transfer is necessary to fund anticipated claims running higher than projected. **The Finance Committee voted 5 – 0 to approve the three transfers.**

**5. Order No. 14-1005777 – Transfer \$52,000.00 from DPW Accounts to Fund Hydrant Flushing Overtime and Sweeper Repairs.** The Finance Committee reviewed the Mayor's letter dated April 25, 2014 requesting two transfers internal to the DPW department to fund the following:

- \$30,000.00 to fund overtime for hydrant flushing
- \$22,000.00 to fund major repairs to a 12 year old street sweeper

**The Finance Committee voted 5 – 0 to approve the transfers.**

**6. Order No. 14-1005778 – Gift of \$30,000.00 from Atlantic Management Simarano Grant.** The Finance Committee reviewed the Mayor's letter dated April 25, 2014 requesting the acceptance of a \$30,000.00 gift from Atlantic Management to support the Simarano Drive upgrade project. **The Finance Committee voted 5 – 0 to Accept the Gift.**

**7. Order No. 14-1005780 – Bond for \$6,000,000.00 to Upgrade the Millham Water Treatment Plant.** The Finance Committee reviewed the Mayor's letter dated April 25, 2014 requesting the approval of a \$6,000,000.00 bond to upgrade the Millham Water Treatment Plant. The bond is required to fund upgrades to the plant due to newly enacted water regulations. **The Finance Committee voted 5 – 0 approve the following:**

- **Report out bond order with no recommendation to put in front of the City Council for a vote at the June 2, 2014 meeting**
- **Mayor to provide order with duration of loan in a format for advertising at the May 19, 2014 City Council meeting**
- **The FINANCE COMMITTEE agreed to support suspending the rules at the May 19, 2014 City Council meeting to recommend the advertising of the bond. (Bond was advertised on May 22, 2014).**

**8. Order No. 14-1005781 – SanDisk Corporation Tax Increment Financing (TIF).** The Finance Committee reviewed the Mayor's letter dated April 25, 2014 requesting the approval of the TIF proposal from SanDisk Corporation. The Finance Committee voted 5 - 0 to approve the following:

- The economic opportunity area
- The TIF plan and zone
- The TIF agreement
- Economic Development Incentive Program (EDIP) Preliminary Application
- The City Council Resolution

**The Finance Committee agreed to support suspending the rules at the May 19, 2014 City Council meeting to have the Solicitor place in proper format to support a City Council vote at the June 2, 2014 City Council meeting.**

The Finance Committee adjourned at 8:15 PM.

**Suspension of the Rules requested – granted**

ORDERED: That the Draft TIF Proposal between City of Marlborough and SanDisk Corporation, refer to **CITY SOLICITOR TO PLACE IN PROPER LEGAL FORM AND PLACE ON JUNE 2, 2014 AGENDA**; adopted.

**Suspension of the Rules requested – granted**

ORDERED: Ordered: that \$6,000,000 is appropriated for the purpose of financing the construction of improvements to the Millham Water Treatment Plant including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended by St. 1998, c.78; that to meet this appropriation the Treasurer with the approval of the Mayor and the (Auditor, Finance Committee or other appropriate local body or official) is authorized to borrow \$6,000,000 and issue bonds or notes therefore under (Chapter 44 of the General Laws or insert reference to other applicable general or special law governing the issuance of local bonds) and/or Chapter 29C of the General Laws, as most recently amended by St. 1998, c.78; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor and the (Auditor, Finance Committee or other appropriate local body or official) determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, as most recently amended by St. 1998, c.78; that the Treasurer with the approval of the Mayor [and the (Auditor, Finance Committee or other appropriate local body or official)] is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C, as most recently amended by St. 1998, c.78; and in connection therewith to enter into a loan agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project, **ORDERED ADVERTISED AND PLACE ON JUNE 2, 2014 AGENDA**; adopted.



**Suspension of the Rules requested – granted**

ORDERED: That the Legal Department transfer request in the amount of \$73,800.00 which moves funds from and to various accounts as noted on the spreadsheet to fund higher than anticipated outside legal expenses, **APPROVED**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Legal				FISCAL YEAR:		2014		
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$4,851,941.00	\$70,000.00	10000	35900	Undesignated Fund	\$70,000.00	11510004	53110	Legal Services	\$37,573.35	
Reason:						Legal expenses running higher than anticipated				
\$12,844.82	\$500.00	11510006	57600	Claims & Judgements	\$500.00	11510006	53880	Registry of Deeds	\$725.00	
Reason:		Fewer claims than anticipated				Fund account through end of fiscal year				
\$12,844.82	\$800.00	11510006	57600	Claims & Judgements	\$800.00	11510006	57100	Instate Travel	\$58.00	
Reason:		Fewer claims than anticipated				Fund account through end of fiscal year				
\$12,844.82	\$2,500.00	11510006	57600	Claims & Judgements	\$2,500.00	11510006	57350	Lawbook Updates	\$1,330.00	
Reason:		Fewer claims than anticipated				Fund account through end of fiscal year				
\$73,800.00		Total			\$73,800.00	Total				

**Suspension of the Rules requested – granted**

ORDERED: That the FY15 budget of \$137,086,523.00 which represents a 3.71% increase from the FY14 budget or an increase of \$4,904,195.00, **APPROVED**; adopted.

ORDERED: That the Mayor provides the status of the 2013 Tax Increment Finance (TIF) reports. Include copies of the reports, dates reports submitted, and remaining duration of the TIFs by June 30, 2014, refer to the **MAYOR AND REPORT BACK TO CITY COUNCIL BY THE END OF JUNE**; adopted.

ORDERED: That the City Council Operations and Oversight Committee be charged with the review of any departmental function which may not have been reviewed as a result of the streamlined approval of Mayor Vigeant’s FY2015 Municipal Budget. The Operations and Oversight Committee, after posting and proper notification to the Mayor and appropriate department manager(s), will undertake a collaborative review of any city department requested by individual City Councilors. This will allow for Councilors to ask any questions they may have regarding operations and/or finances, and for the public to be informed on said operations and finances. It has often been suggested during finance meetings that another forum would be more appropriate for City Councilors to ask questions not directly related to finance and this would provide a proper forum for such, refer to **OPERATIONS AND OVERSIGHT COMMITTEE**; adopted.

**ORDERED:****Site Plan Permit # \_\_\_\_\_****Site Plan Approval with Conditions****Applicant:** CSM Corporation, 500 Washington Ave., Ste. 3000, Minneapolis, MN 55415**Property Owner:** Atlantic-Marlboro Realty LLC, 205 Newbury Street, Framingham, MA 01701**Location:** 170 Forest Street (the "Site") being Lot 1C shown on an ANR plan entitled: "Plan of Land in Marlborough, Massachusetts (Middlesex County); Scale: 1" = 60'; April 16, 2014, Revised May 2, 2014; The BSC Group, Inc., 33 Waldo Street, Worcester, Massachusetts; Owned By: Atlantic-Marlboro Realty LLC"**Zoning District:** Limited Industrial (LI) underlying district and Results Way Mixed Use Overlay District (RWMUOD)**The following Site Plan Approval Final Conditions are based on the plans entitled:**

"Hilton Garden Inn Marlborough, Hills, Marlborough, MA, Dated March 6, 2014, Revised April 15, 2014" with a list of drawings as follows: C-101 Existing Conditions Plan, C-111 Site Preparation & Erosion Control Plan, C-121 Layout & Materials Plan, C-141 Grading & Utilities Plan, C-151 Planting Plan, C-311 Profiles, C-501 Details I, C-502 Details II, C-503 Details III, C-504 Details IV, and ES110 Site Plan Foot Candle Calculations (collectively, the "Plans").

**SITE PLAN APPROVAL FINAL CONDITIONS**

1. Construction of the Site shall be in conformance with the above referenced Plans, said Plans being incorporated herein by reference, and with the provisions of Chapter 270 of the Code of the City of Marlborough.
2. Four additional inspection ports shall be included in each of the subsurface detention area stormtech chambers for better inspection. These shall be located in the main chamber area in addition to those shown in the isolator rows.

**Preconstruction meeting:**

3. Prior to construction, a preconstruction meeting shall be held on-site with the Building Inspector, City Engineer, Conservation Officer, and site contractor responsible for the work. At the preconstruction meeting, said participants will review the Plans and conditions, exchange contact information including emergency contact numbers, and inspect erosion controls.
4. Prior to construction, the Applicant and the site contractor will provide to the Chief of Police a map showing the defined haul routes for the large amounts of materials to be removed from, or added to, the site. The Chief of Police will determine what, if any, details or restrictions will be placed on said haul routes.

**Stormwater:**

5. During construction, the site contractor and the person responsible for the Stormwater Pollution Prevention Plan and the NPDES general permit shall also be responsible for reporting (by e-mail) on a weekly basis to the Conservation Officer and the City Engineer, which reports will summarize the work that has been completed and compliance of the project with the site preparation and erosion control plan (sheet C-111 of the Plans). The weekly reports shall begin as soon as the work begins on the Site.
6. The Applicant, property owner, and site contractor shall be responsible for notifying the Conservation Officer in an expeditious manner if any visible siltation to the existing drainage system, and ultimately the wetlands, occurs. Immediate measures shall be taken to control the siltation source and to restore any impacted areas.
7. Prior to requesting the Certificate of Occupancy, the Applicant or its agent shall clean the detention basin, and all drainage pipes and catch basins, of accumulated sediment and debris. The underground detention areas shall also be inspected, and if necessary, cleaned. A site meeting with the Conservation Officer to inspect these structures is required before the Conservation Officer will provide a final signoff.
8. Prior to the issuance of the Certificate of Occupancy, the Applicant shall provide to the City Engineer and the Conservation Officer the final Stormwater Management Maintenance Plan, as outlined in the project's drainage report. The name, address and phone number of the contact person who will be in charge of authorizing the annual maintenance shall be provided to the Conservation Officer.
9. By June 1<sup>st</sup> of each year, an annual maintenance report shall be provided to the City Engineer and the Conservation Officer, which report shall describe the maintenance and operation procedures, as outlined in the Stormwater Management Maintenance Plan, that have been accomplished for that year. This reporting requirement will begin after the issuance of the Certificate of Occupancy.

**Landscaping:**

10. All modifications to approved C-151 Planting Plan which concern changes to the kind, size and placement of plant material shall receive the prior written approval of the Conservation Officer and shall be considered a minor change.
11. Prior to the final signoff, the Conservation Officer shall confirm by a site visit that the planting has been installed according to the approved landscaping plans, including C-151 Planting Plan, C-501 Details I and C-503 Details III, or according to a revision of said landscaping plans previously approved by the Conservation Officer.
12. Following 18 months of the final signoff of the site work by the Conservation Officer, the Property Owner shall replace any plant material that has died or is dying with a species of the same kind and size.
13. Any large rocks or boulders encountered while excavating the site shall be properly disposed of off-site.

14. At the time of planting and thereafter, mulch shall be placed so that it is not in contact with the trunk of newly planted trees and shrubs, as shown in the details on the C-151 Planting Plan.
15. At all times, landscaping will be properly maintained, replaced if necessary, and kept in good condition and in compliance with the C-151 Planting Plan.

**Building Permit issuance and review:**

16. Prior to the issuance of a Building Permit for the building to be located on the Site, Applicant shall pay to the City of Marlborough, in addition of any permit fees or costs, thirty thousand (\$30,000.00) for the purpose of the Building Inspector engaging the services of a third party consultant to review the building permit application, review reports and associated reviews incidental to the building permit, and to conduct inspections of the work performed under the building permit to include, but not limited to, inspection and review of fire blocking and fire stopping penetrations throughout the building, and to report findings to the Building Inspector.

**Prior to issuance of Certificate of Occupancy:**

17. An as-built plan must be submitted to the City Engineer for review prior to issuance of a final Certificate of Occupancy or a temporary Certificate of Occupancy. The as-built plan shall be prepared in accordance with the As-Built Plan Standards established by the City Engineer, which standards may be found on the City's website.
18. Work as provided for on the approved Plans shall be carried into effect and completed within three (3) years following the date of issuance of the Building Permit, unless the City Council, in writing, has granted an extension of time for completion of the work.
19. The City Council hereby retains jurisdiction over all signage of the project (pursuant to Section 650-33(H) (1) of the Code of the City of Marlborough) to the extent such signage requires a sign permit under the Sign Ordinance. The final design, material, dimensions, content and location of all such signage, including any freestanding entry signs and the project's internal signage, shall be subject to further review and sign permit approval from the City Council.

**Extended Stay:**

20. Except as provided herein, occupancy of the hotel shall be limited to temporary and short term occupancy, ordinarily and customarily associated with hotel use. Extended stay may be permitted beyond thirty days with approval of the Building Inspector. Such approval shall be granted only when an occupant has a verifiable employment contract or agreement coincident with the length of stay requested. Extended stay is permitted where the unit is rented by a business entity for use of its employees (customarily referred to as a Corporate Unit), so long as the occupant is an employee or guest of the business entity.

**General Provisions:**

- Construction Control: Due to the size of the building, the construction of the building is governed by the Construction Control provisions of the Massachusetts State Building Code, as amended.
- Use of crushed stone: Crushed stone shall be placed around the perimeter of the building to reduce exposure to fire due to lit smoking material.
- Proposed monument sign: As presented to the City Council, the proposed monument sign conforms to the Sign Ordinance of the City of Marlborough without variance and shall be externally lit.
- Minor changes: The City Council delegates to the Building Inspector the authority to approve minor changes to the approved Plans.
- Enforcement: The City Council designates the Building Inspector as the enforcing authority for violations of this permit.
- Parking Areas: (i) Parking areas will be swept, as necessary; and (ii) Pursuant to the provisions of M.G.L c.90, § 18, the Applicant shall submit a written request and grant of authority to the Marlborough Traffic Commission to promulgate legally enforceable rules and regulations for the control of on-site traffic and parking. The Applicant shall be responsible for providing, installing and maintaining all signage and/or markings required by the Marlborough Traffic Commission. Such signage and/or markings shall meet the standards of the Manual on Uniform Traffic Control Devices.
- Local Job Fair: In order to promote local jobs for local residences, the Applicant shall hold a Local Job Fair and shall give preference, where practical and reasonable, to the residents of the City of Marlborough.
- Prohibition of Cell Towers: Except for the sole benefit of the public safety departments, the school district, the public works department, and other departments of the City of Marlborough with the approval of the City Council, no wireless communication tower or device is permitted on the Site outside the building.
- Address on signage: Signage for the Site shall include the entire address, which is 170 Forest Street.

**Yea: 10 – Nay: 0**

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

**Absent: Oram**

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



**CITY OF MARLBOROUGH  
OFFICE OF CITY CLERK**

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

**JUNE 16, 2014**

Regular meeting of the City Council held on Monday, JUNE 16, 2014 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Pope, Oram, Ossing, Robey, Delano, Page, Elder, Tunnera, Irish, and Landers. Absent: Clancy. Meeting adjourned at 9:07 PM.

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

Shannon Boyle  
106 Preston Street  
Assabet Valley High School  
Will attend Assumption College

Christopher Gadd  
205 Church Street  
Marlborough High School  
Will attend Hofstra University

Cassidy Grace  
165 Roundtop Road  
Marlborough High School  
Will attend UMass Amherst

Matthew Thall  
49 Overlook Drive  
Marlborough High School  
Will attend Western New England College

Jillian Webb  
27 Redbud Way #23  
Marlborough High School  
Will attend Framingham State University

**ORDERED:** That the recognition of the following new Firefighter Recruits, **FILE**; adopted.

Joseph Bisazza  
Dana Soroka  
Craig Ahern  
Ryan DeGiacomo

**ORDERED:** That the minutes of the City Council meeting MAY 19, 2014, **TABLED**; adopted.

**Councilor Oram abstained**

ORDERED: That the minutes of the City Council meeting JUNE 2, 2014, **FILE**; adopted.

ORDERED: That the **PUBLIC HEARING** On the Application for Special Permit from Robert Stauber of Gensler, on behalf of Bank of America, to modify existing bank drive-thru from the existing condition of 1 ATM lane 1 VAT drive-up teller lane and 1 by-pass lane to 2 A TM lanes and 1 by-pass lane, 223 East Main St., Order No. 14-1005785, all were heard who wish to be heard, hearing recessed at 8:12 PM.

**Councilor Delano abstained**

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

**Absent: Clancy**

ORDERED: That the **PUBLIC HEARING** On the Application for Special Permit from Michael Almada of TRM, on behalf of T-Mobile to modify antennas at existing wireless communication facility at 860 Boston Post Rd., Order No. 14-1005820, all were heard who wish to be heard, hearing recessed at 8:16 PM.

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

**Absent: Clancy**

ORDERED: That the **PUBLIC HEARING** On the Application for Special Permit from Michael Almada of TRM, on behalf of T-Mobile to modify antennas at existing wireless communication facility at 460 Boston Post Rd., Order No. 14-1005821, all were heard who wish to be heard, hearing recessed at 8:20 PM.

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

**Absent: Clancy**

ORDERED: That the **PUBLIC HEARING** On the Petition of Teleport Communications America, LLC to install one four inch PVC conduit at an approximate depth of forty-eight inches, from existing Verizon manhole #608 on Donald Lynch Blvd., to the property line of the Mall at Solomon Pond, LLC; a distance of approximately twenty feet, Order No. 14-1005822, all were heard who wish to be heard, hearing recessed at 8:22 PM.

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

**Absent: Clancy**

ORDERED: That the **PUBLIC HEARING** On the Petition of Teleport Communications America, LLC to install two four inch PVC conduits at an approximate depth of forty-eight inches, from existing Verizon manhole at 200 Donald Lynch Blvd., to utility pole #69 on Bigelow St.; a distance of approximately seven hundred twenty seven feet, Order No. 14-1005823, all were heard who wish to be heard, hearing recessed at 8:23 PM.

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

**Absent: Clancy**

ORDERED: That the Communication from the Mayor re: Amended language for Renewal of Revolving Accounts per Finance Committee, **MOVED TO REPORTS OF COMMITTEES**; adopted.

ORDERED: That the Gift Acceptance in the amount of \$1,000.00 from David Balducci, owner of McDonald's Restaurant, to the City Scholarship Fund, **APPROVED**; adopted.

ORDERED: That the Appointment of Renee Perdicaro to the Cultural Council for a term to expire three years from date of City Council approval, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the Communication from City Solicitor Rider re: T-Mobile Special Permit, 75 Donald Lynch Boulevard, in proper legal form, Order No. 14-1005760A, **MOVED TO REPORTS OF COMMITTEE**; adopted.

ORDERED: That the Communication from Mark Donahue of Fletcher Tilton on behalf of Chick-Fil-A, Inc., re: to extend time limitations on application for Special Permit, to construct and operate an approximate 4,876 square foot single story building with drive-thru service restaurant at 230 Boston Post Road West, to September 9, 2014 until 5:00 PM, Order No. 14-1005761B, **APPROVED**; adopted.

ORDERED: That the Communication from NStar re: request to reschedule Public Hearing on the Petition to install 105' of 4" plastic gas main as a system improvement to 31 Wellington Street, Order No. 14-1005848, **RESCHEDULED TO JULY 21, 2014**; adopted.

ORDERED: That the Minutes, Fort Meadow Commission, September 19, 2013, **FILE**; adopted.

ORDERED: That the Minutes, Board of Health, April 1, 2014, **FILE**; adopted.

ORDERED: That the Minutes, License Board, April 30, 2014, **FILE**; adopted.

ORDERED: That the Minutes, Planning Board, May 19, 2014, **FILE**; adopted.

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

A. David Benway, 25 Flagg Road, other property damage and/or personal injury

Reports of Committees:

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

Convened: 6:40 PM

Adjourned: 6:44 PM

Present: Operations and Oversight Committee Members Councilors Delano and Landers; Chairman Elder (Absent)

Also Present: Mayor Arthur Vigeant; Gary Brown, Director of Veteran's Services

**Order No. 14-1005782 - Communication from Mayor Vigeant re: Inter-municipal Agreement - Town of Sudbury, Regional Veteran's District with the Town of Sudbury, with inter-municipal agreement (IMA) for the next two (Fiscal Years 2015 and 2016) fiscal years.** The Mass Department of Veterans' Services has again endorsed this effort and encouraged this two-year agreement.



## Reports of Committees Cont'd:

The Operations and Oversight Committee reviewed the Mayor's letter dated April 25, 2014 requesting to enter into a two year agreement with the Town of Sudbury to continue the Regional Veteran's District started the previous year. The current inter-municipal agreement (IMA) with the Town of Sudbury has gone well between the two communities and Mayor Vigeant and Director of Veteran's Services Gary Brown believe the agreement should continue.

Recommendation of the Operations and Oversight Committee to is to approve the inter-municipal agreement (IMA) with the Town of Sudbury for a Regional Veteran's District. **Motion made by Councilor Landers, seconded by Councilor Delano, to approve, Carries 2-0 (Elder absent).**

Motion made by Councilor Landers, seconded by Councilor Delano, to adjourn.

Councilor Robey reported the following out of the Wireless Communications Committee:

Present: Chairman Robey; Wireless Communications Committee members Councilors Clancy and Oram. Also present were Amber Debole from TRM and City Solicitor Donald Rider. The meeting convened at 7:20 PM.

**The Committee had met on May 27<sup>th</sup> and started discussing Order No. 14-10057960, an Application for a Special Permit by TRM on behalf of T-Mobile Northeast, LLC for minor upgrades to existing telecom site which consists of replacing all 9 existing antennas, adding a cable divider, fiber jumpers and hybrid cable to an existing tower at 75 Donald Lynch Blvd.** After some discussion on the Applicant's Proposed Decision, the applicant, requested the committee table the discussion to get clarification on recent Congressional laws related to wireless communication sites. After consulting with legal counsel, committee voted to table, 3-0.

On June 11, 2014, the Committee met to continue discussion on the Application for a Special Permit. A motion was made to remove the item from the table; the motion carried 3-0. Discussion of the Proposed Decision continued with amendments made to clarify the original Special Permit number, the work being completed and the plans being used, that the Public Hearing was opened and closed in one evening, and that the applicant shall pay to the Open space Account an annual payment of \$1,500.00, specifying the payment date.

The Committee voted 3-0 to recommend approval of the modification to the Special Permit as amended and to ask for a Suspension of the Rules at the June 16, 2014 meeting to refer the Decision to the City Solicitor to be put in proper legal form.

**The Committee voted 3-0 to also ask for a Suspension of the Rules for the City Council to vote on this matter in one meeting due to time constraints required under a Declaratory Ruling by the Federal Communications Commission to clarify Section 332(c)(7)(B) of the Communications Act of 1934, as amended, which states a State or local government must act within 90 days of receiving an application for a collocation (this application was received at the City Clerk's office on March 24, 2014 and 90 days would be June 22, 2014).**

Motion made and seconded to adjourn – carries 3-0

Meeting Adjourned: 7:45 PM

Recorded by: Chairman Robey

## Reports of Committees Cont'd:

Councilor Ossing report the following out the Finance Committee:

Present: Chairman Ossing; Finance Committee members Councilors Robey, Oram Elder, and Irish. Councilors Pope, Landers and Delano were also in attendance. The meeting convened at 7:01 PM.

**1. Order No. 14-1005811 – Transfer \$1,640,000.00 from the Undesignated Fund Account to Snow and Ice Accounts.** The Finance Committee reviewed the Mayor's letter dated May 15, 2014 requesting the transfer of \$1,640,000.00 from the Undesignated Fund Account to the following three snow and ice accounts:

- \$265,000.00 – Overtime Snow and Ice
- \$734,000.00 – Snow Removal
- \$641,000.00 – Operating Expenses

**The Finance Committee voted 5 – 0 to approve the transfers.**

**2. Order No. 14-1005812 – Year End Intra-Department Transfer Requests for \$298,241.07.** The Finance Committee reviewed the Mayor's letter dated May 15, 2014 requesting \$298,241.07 in year end intra-department transfers to cover remaining expenses and balance accounts for FY14. **The Finance Committee voted 5 – 0 to approve the intra-department transfers.**

**3. Order No. 14-1005813 – Transfer \$230,000.00 to Cover Electricity Expenses.** The Finance Committee reviewed the Mayor's letter dated May 15, 2014 requesting a transfer of \$230,000.00 from various accounts to cover unanticipated expenses in the electrical utility line item. **The Finance Committee voted 5 – 0 to approve the transfers.**

**4. Order No. 14-1005814 – Transfer \$32,500.00 from Undesignated Funds to Open Space Stabilization.** The Finance Committee reviewed the Mayor's letter dated May 15, 2014 requesting the transfer of \$32,500.00 from the Undesignated Funds account to the Open Space Stabilization account for the funds received from the FY13 wireless antenna receipts. **The Finance Committee voted 5 – 0 to approve the transfer.**

**5. Order No. 14-1005815 – Transfer \$850.00 from Reserve for Salaries to Executive Secretary.** The Finance Committee reviewed the Mayor's letter dated May 15, 2014 requesting an \$850.00 transfer from the Reserve for Salaries to the Executive Secretary account to fund the step increase that was not included in the FY14 budget. **The Finance Committee voted 5 – 0 to approve the transfer.**

**6. Order No. 14-1005816A/B – Grant for \$200,000.00 to Renovate Stevens Park.** The Finance Committee reviewed the Mayor's letter dated May 15, 2014 requesting the acceptance of a \$200,000.00 grant to renovate Stevens Park. **The Finance Committee approved the following 5 - 0:**

- **The order to transfer care, custody and management of Stevens Park to the Parks and Recreation Commission for park purposes**
- **The resolution to accept the \$200,000.00 grant to renovate Stevens Park**

## Reports of Committees Cont'd:

**7. Order No. 14-1005817 – Grant for \$45,451.00 to Purchase an Eight Passenger Handicapped Accessible Van.** The Finance Committee reviewed the Mayor's letter dated May 15, 2014 requesting the approval of a \$45,451.00 grant to fund 80% of the cost of an eight passenger handicapped accessible van. The City will cover the remaining 20% (\$11,363.00) from existing accounts. **The Finance Committee voted 5 – 0 approve the grant and expenditure of funds to purchase the van.**

**8. Order No. 14-1005819 – Renew Public Safety Revolving Fund for FY15.** The Finance Committee reviewed the Mayor's letter dated May 15, 2014 requesting the renewal of the Public Safety Revolving Fund for FY15. **The Finance Committee voted 5 - 0 to approve the renewal of the Public Safety Revolving Fund. The Mayor will confirm with the City Solicitor that revolving funds do not require an expenditure limit and report back the Council at the June 16, 2014 meeting.**

**9. Order No. 14-1005839 – Transfer \$2,000,000.00 from Undesignated Funds to the Stabilization Account (undesignated) and OPEB Stabilization Account.** The Finance Committee reviewed the Mayor's letter dated May 29, 2014 requesting the transfer of \$2,000,000.00 from the Undesignated Funds account to the following accounts:

- \$1,000,000.00 OPEB Stabilization account to strengthen the cities financial foundation to fund OPEB obligations,
- \$1,000,000.00 Undesignated Stabilization for future capital purchases

**The Finance Committee voted 5 – 0 to approve the transfers.**

**10. Order No. 14-1005840 – Transfer \$513,915.00 from the Economic Development Account to Fund MEDC for FY15.** The Finance Committee reviewed the Mayor's letter dated May 29, 2014 requesting the transfer of \$513,915.00 from the Economic Development account to fund MEDC for FY15. The funds are from the local options hotel tax. **The Finance Committee voted 4 – 1 (Councilor Oram opposed) to approve the transfer.**

**11. Order No. 14-1005841 – Transfer \$143,462.00 from the Reserve for Salaries Account to fund Comp Time Payout.** The Finance Committee reviewed the Mayor's letter dated May 29, 2014 requesting the transfer of \$143,462.00 from the Reserve for Salaries account to fund the comp time payout to different bargaining units throughout the city. **The Finance Committee voted 5 – 0 to approve the transfer.**

Reports of Committees Cont'd:

**12. Order No. 14-1005842 – Renew Sligo Hill Revolving Fund for FY15.** The Finance Committee reviewed the Mayor's letter dated May 29, 2014 requesting the renewal of the Sligo Hill Revolving Fund for FY15. **The Finance Committee voted 5 - 0 to approve the renewal of the Sligo Hill Revolving Fund with the following changes:**

- **Mayor to change the language to reflect the Department of Public Works utilizes the funds and DPW Commissioner authorizes and approves expenditures and prepares year end reports.**
- **Add the following language “no more than \$150,000.00 shall be expended during FY15 unless otherwise authorized by the City Council and the Mayor”.**
- **The City Council authorizes the expenditure of \$200,000.00 plus the \$270,745.00 in encumbered funds to be used with the grant for \$200,000.00 to renovate Stevens Park. These funds will be expended in FY14/15.**
- **Mayor to provide a clean copy of the order to reflect the above changes at the June 16, 2014 City Council Meeting.**

**13. Order No. 14-1005843 – Renew Parks and Recreation Revolving Fund for FY15.** The Finance Committee reviewed the Mayor's letter dated May 29, 2014 requesting the renewal of the Parks and Recreation Revolving Fund for FY15. **The Finance Committee voted 5 - 0 to approve the renewal of the Parks and Recreation Revolving Fund with the following changes:**

- **Add the following language “no more than \$150,000.00 shall be expended during FY15 unless otherwise authorized by the City Council and the Mayor”.**
- **Mayor to provide a clean copy of the order to reflect the above change at the June 16, 2014 City Council Meeting.**

**14. Order No. 14-1005845 – FY15 Snow & Ice Deficit Spending.** The Finance Committee reviewed the Mayor's letter dated May 29, 2014 requesting the City Council approve an order authorizing the City to incur liability and make expenditures in excess of appropriation for snow and ice removal. The Finance Committee amended the order to limit the approval of expenditures to \$1,000,000.00 above the approved FY15 budgeted amount of \$500,000.00 for snow and ice removal for fiscal year 2015. **The Finance Committee voted 5 – 0 to approve the amended order.**

**The Finance Committee agreed to support suspending the rules at the June 16, 2014 City Council meeting for all 14 items above.**

The Finance Committee adjourned at 9:23 PM.

**Suspension of the Rules requested – granted**

ORDERED:

**DECISION ON AN APPLICATION TO MODIFY  
SPECIAL PERMIT****T-MOBILE NORTHEAST LLC (OMNIPOINT HOLDINGS, INC.)**

The City Council of the City of Marlborough hereby GRANTS the application to modify Special Permit No. 98-7378 submitted by T-Mobile Northeast LLC, having its principal place of business at 12920 SE 38th Street, Bellevue, WA 98006, as provided in this Decision and subject to the following Findings of Fact and Conditions.

**EVIDENCE**

1. The applicant is T-Mobile Northeast LLC, with its principal office located at 12920 SE 38<sup>th</sup> Street, Bellevue, WA 98006 (the "Applicant").
2. Previously, the City Council granted to Omnipoint Holdings, Inc., Division of VoiceStream Wireless, Inc., a Special Permit to locate and operate a wireless communications facility located at 75 Donald Lynch Boulevard, Marlborough, MA (the "Original Special Permit"). In 2006, Omnipoint Holdings, Inc. converted into a limited liability company named T-Mobile Northeast LLC. The Original Special Permit is recorded at the Middlesex South District Registry of Deeds at Book 28457, Page 265.
3. Through its Application for a Special Permit to Modify an Existing Wireless Communication Facility (the "Application"), the Applicant seeks permission to allow replacement of nine (9) panel antennas currently located on the existing wireless communication facility with six newer models. Applicant also seeks to add one (1) fiber optic cable (1" O.D.), fiber jumpers and a hybrid cable to the existing wireless communication facility (the "Proposed WCF Project"), all substantially as depicted on a set of plans entitled "Site Name: BO139/75 Lynch Blvd. (ATT), Site Number: 4DE5139A, 75 Donald Lynch Boulevard, Marlboro, MA 01752," by AEG Advanced Engineering Group, PC, 500 North Broadway, East Providence, RI 02914, dated 2/3/14 and revised 2/26/14, a copy of which was provided in the Application (the "Plans").
4. The location for the proposed modification of the Original Special Permit is 75 Donald Lynch Boulevard in Marlborough, further described as Marlborough Assessors Map 13, Parcel 2 (the "Site"). The Site is owned by Albert D. Bombard. The Applicant is a licensee of AT&T at the Site.
5. The Proposed WCF Project is located in the Limited Industrial Zoning District. Wireless communication devices are allowed by grant of special permit in the Limited Industrial Zoning District.
6. The modification of the Original Special Permit is being sought pursuant to Article VI, Section 650-25 and Article VIII, Section 650-59 of the Zoning Code of the City of Marlborough.

7. Pursuant to the Rules and Regulations of Application for Special Permit ("Rules and Regulations"), the Building Inspector, on behalf of the City Planner, certified that the Special Permit application materials are complete and conform to said Rules and Regulations and that the Plans conform in all respects to the City Code.
8. The Applicant has complied with all of the applicable rules of the Rules and Regulations.
9. The City of Marlborough City Council held a public hearing on the Proposed WCF Project on May 5, 2014, for which proper notice had been published and for which proper notice had been given to all parties entitled to notice under the law.
10. The Applicant presented oral testimony and demonstrative evidence at the public hearing, demonstrating that the Proposed WCF Project meets all the applicable Special Permit criteria of Article VI, Section 650-25 and Article VIII, Section 650-59.
11. The Applicant provided further oral testimony and demonstrative evidence to the City Council's Wireless Communications Committee regarding the Proposed WCF Project's compliance with the applicable Special Permit criteria.
12. The Council, in reviewing the Application, considered the Review Standards and Development Requirements, as enumerated in Article VI, Section 650-25 and Article VIII, Section 650-59 of the City of Marlborough Zoning Ordinance, applicable to the Proposed WCF Project.

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

- A) The Applicant has complied with all the Rules and Regulations promulgated by the Marlborough City Council pertaining to the said Application for a Special Permit.
- B) The Site is an appropriate location for the Proposed WCF Project and the Proposed WCF Project is in harmony with the general purpose and intent of the Zoning Ordinance of the City of Marlborough when subject to the appropriate terms and conditions of this approval.
- C) The Applicant has complied with the applicable Review Standards and Development Requirements pertaining to Wireless Communications Devices, enumerated in Article VI, Section 650-25 and Article VIII, Section 650-59 of the City of Marlborough Zoning Ordinance, by siting, designing and screening its Proposed WCF Project to minimize adverse impact on the abutting neighborhood and on nearby residential properties.
- D) The Council, pursuant to its authority under M.G.L. Chapter 40A and the City of Marlborough Zoning Ordinances, **GRANTS** the Applicant a modification of the Original Special Permit (the "Modified Special Permit"), **SUBJECT TO THE FOLLOWING CONDITIONS NUMBERED 1 THROUGH 10:**

- 1) The Proposed WCF Project shall be constructed, maintained and operated according to the specifications, terms and conditions of the Application, as amended during the application/hearing process, and in compliance with the conditions of the grant of this Modified Special Permit, as well as with the conditions set forth in Chapter 650-25F of the Marlborough Zoning Ordinance.
- 2) All plans, photo renderings, site evaluations, briefs and other documentation provided by Applicant as part of the Application, as amended, are herein incorporated and become a part of this Modified Special Permit and become conditions and requirements of the same, unless otherwise altered by the City Council.
- 3) Applicant agrees to all rules, regulations, ordinances and statutes of the City of Marlborough, the Commonwealth of Massachusetts and the Federal Government as they may apply to the construction, maintenance and operation of the Applicant's existing WCF.
- 4) The issuance of this Modified Special Permit is further subject to Site Plan Review in accordance with the City of Marlborough's Ordinance, prior to the issuance of an actual building permit. Any additional changes, alterations, modifications or amendments, as required by Site Plan Review, shall be further approved by using a building permit application so long as the changes or modifications fall within the scope of section 6409, and subject to Site Plan Review. No occupancy permit shall be issued until the Applicant complies with all such further conditions, if any.
- 5) Applicant shall minimize the visual impacts of the Proposed WCF Project by screening and/or color coordination as may be depicted on the Plans and other demonstrative evidence submitted as part of the Application.
- 6) The Applicant agrees to and shall pay to the City of Marlborough Open Space Account #100-2410-44515 an annual payment of One thousand five hundred dollars (\$1,500), the first payment to be due and payable at the time of the issuance of the Building Permit hereunder, and the subsequent payments to be due and payable on or immediately after January 2 of each calendar year in which the WCF referred to in this Special Permit is still in operation. Applicant shall pay an additional sum of \$500 per quarter or portion thereof after the payment due date that the Applicant has failed to make payment.

- 7) Applicant shall not utilize a permanent electrical generator, of any type, in connection with the operation of the Proposed WCF Project. Applicant shall be permitted to use a temporary electrical generator in connection with the operation of the Proposed WCF Project only in cases of power outages to the Proposed WCF Project and for purposes of routine testing and maintenance. The temporary generator shall be operated in a safe manner and the noise produced by the temporary generator shall conform to the City's noise ordinance set forth in Chapter 431 of the City Code. Batteries used in operation of the facility shall be disposed of off-site at the expense of the Applicant. If any liquid or hazardous material is used by Applicant in conjunction with the temporary generator, Applicant must employ a secondary containment system.
  
- 8) As soon as practicable but in any event within one (1) month after the date when a certificate of use and occupancy has been issued to the Applicant by the City of Marlborough's Building Inspector for the Proposed WCF Project, Applicant shall submit a written report to the City Council; provided, however, that if the Proposed WCF Project has not yet become operational within the one-month period after said issuance date, then the Applicant must immediately provide the City Council with written notification as to the date when the Proposed WCF Project does become operational and, further, must submit said written report within one (1) month after said operational date. The written report to the City Council shall i) provide measurements as to the actual output of radio frequency energy emitted by the Proposed WCF Project; ii) shall include a professional opinion by a qualified third party certifying that the Proposed WCF Project fully complies with all applicable health and safety standards; and iii) shall provide measurements of the actual output of the total radio frequency energy being emitted by all Wireless Communications Facilities (as defined in Section 650-25 of the Marlborough Zoning Ordinance) then located at the Site. The Applicant agrees to and shall operate its Proposed WCF Project in compliance with all applicable health and safety standards. In the event that there are any changes in or upgrades to the Proposed WCF Project that may increase the actual output of radio frequency energy emitted by the Proposed WCF Project, the Applicant shall submit a letter to the City Council as soon as practicable but in any event within one (1) month after the date of completion of those changes or upgrades. The letter shall i) state what the changes or upgrades are; ii) shall provide measurements specifying how the actual output of radio frequency energy emitted by the Proposed WCF Project has been increased; iii) shall provide measurements of the actual output of all radio frequency energy being emitted by all hereinbefore-defined Wireless Communications Facilities then located at the Site; and iv) shall include a professional opinion by a qualified third party certifying that the Applicant's changes or upgrades have not caused the total radio frequency energy being emitted by all hereinbefore-defined Wireless Communications Facilities then located at the Site to exceed any applicable health and safety standards.



- 9) In accordance with the provisions of M.G.L. c. 40A, § 11, the Applicant at its expense shall record this Modified Special Permit in the Middlesex South District Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Modified Special Permit has elapsed with no appeal having been filed, and before the Applicant has applied to the Building Inspector for a building permit concerning the Proposed WCF Project. Applicant shall provide a copy of the recorded Modified Special Permit to the Building Inspector's office when the Applicant applies for the building permit, as well as a copy to the City Council's office and to the City Solicitor's office.
  
- 10) All conditions set forth in the Original Special Permit shall apply to this Modified Special Permit.

**Yea: 10 - Nay: 0 – Absent: 1**

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

**Absent: Clancy**

**Suspension of the Rules requested – granted**

**ORDERED:** That the Snow and Ice transfer request in the amount of \$1,640,000.00 which moves funds from Undesignated to Overtime-Snow & Ice, Snow Removal and Operating Expenses, **APPROVED;** adopted.

DEPT:		DPW				FISCAL YEAR:		2014			
FROM ACCOUNT:						TO ACCOUNT:					
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance		
\$4,851,941.00	\$1,640,000.00	10000	35900	Undesignated Fund	\$265,000.00	14001203	51390	Overtime-Snow & Ice	-\$264,378.63		
Reason:		To fund the snow & ice deficit for FY14									
					\$734,000.00	14001206	52960	Snow Removal	-\$733,769.51		
Reason:											
					\$641,000.00	14001206	57040	Operating Expenses	-\$632,509.13		
\$1,640,000.00		Total			\$1,640,000.00	Total					

**Suspension of the Rules requested – granted**

**ORDERED:** That the Year-end Intra-Departmental transfer requests as noted on the attached spreadsheets to cover remaining expenses and balance accounts for FY14, **APPROVED;** adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT:		Police				FISCAL YEAR:		FY 2014		
FROM ACCOUNT:					TO ACCOUNT:					
Available									Available	
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$15,049.87	\$5,475.00	12100003	51920	Sick Leave Buy Back	\$5,475.00	12100001	50140	Police Chief Salary	\$14,154.32	
Reason:		Money available for transfer				Money needed to pay retro pay and new contract				
	\$5,475.00	Total			\$5,475.00	Total				

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT:		FIRE				FISCAL YEAR:		FY14		
FROM ACCOUNT:					TO ACCOUNT:					
Available									Available	
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$18,161.84	\$98.07	12200003	51430	LONGEVITY	\$98.07	12200003	51450	NIGHT SHIFT DIFFERENTIAL	\$9,058.89	
Reason:		Transfer is available due to retirements				Funds needed to complete FY14				
	\$98.07	Total			\$98.07	Total				

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT:		Police				FY:		2014		
FROM ACCOUNT:					TO ACCOUNT:					
Available									Available	
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$15,049	\$2,500.00	12100003	51920	Sick Leave Buy-Back	\$2,500.00	12100003	51490	Holiday	\$27,432	
Reason:		Account will have surplus - fewer ofcs. buying back				Will need additional amount for last holiday of yr.				
\$15,049	\$1,000.00	12100003	51920	Sick Leave Buy-Back	\$1,000	12100006	55882	Meals for Prisoners	\$563	
Reason:		Account will have surplus - fewer ofcs. buying back				More long term prisoners than expected				
	\$3,500.00	Total			\$3,500.00	Total				

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:	Public Facilities			DATE:	5/12/2014	FY:	2014			
	FROM ACCOUNT:						TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$4,830	\$1,105.00	11920003	51430	Longevty	\$1,105.00	11920001	50292	Bldg Maint Craftsman	\$25,989	
	Reason:	Funds available						To cover salaries thru year end		
\$29,596	\$8,500.00	11920003	50560	Custodian	\$8,500.00	11920006	53999	Other Services	\$7	
	Reason:	Unfilled position						Renovations at DPW		
\$2,027	\$2,000.00	11920006	52250	Heating oil	\$2,000.00	11920006	53999	Other Services	\$7	
	Reason:	Decrease in use						Renovations at DPW		
\$39,901	\$20,000.00	11920006	52200	Natural Gas	\$20,000.00	11920006	53999	Other Services	\$7	
	Reason:	Decrease in cost per therm						Renovations at DPW		
\$48,840	\$15,000.00	11920006	53420	Telephone Services	\$15,000.00	11920005	54310	Building Repairs	\$2	
	Reason:	Decrease in verizon data lines						Renovations at Walker Building		
	\$46,605.00	Total			\$46,605.00	Total				

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:	Department of Public Works			FISCAL YEAR:	2014				
	FROM ACCOUNT:						TO ACCOUNT:		
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$55,612	\$425	60085006	55980	West WWTF	\$425	60080003	51470	Interim Foreman	\$24
	Reason:	Surplus anticipated						Anticipated cost to cover Chemist position scheduled time off.	
\$55,612	\$2,000	60085006	55980	West WWTF	\$2,000	60085006	52463	Rep/Maint. Westerly Plant	\$920
	Reason:	Surplus anticipated						Anticipated cost to cover supplies for maintenance.	
\$55,612	\$4,000	60085006	55980	West WWTF	\$4,000	60085006	54340	Maint. Machinery	\$603
	Reason:	Surplus anticipated						Anticipated cost to cover supplies for preventive maintenance.	
\$44,700	\$24,700	60080004	53110	Legal Services	\$24,700	60080006	55660	Pumping Station Main.	\$564
	Reason:	Anticipated surplus						Anticipated cost for repair/maint. at Hosmer Street Pump Station because of pump failure.	
\$44,700	\$20,000	60080004	53110	Legal Services	\$20,000	61090006	54620	Maintenance-Trenches	\$14,515
	Reason:	Anticipated surplus						Anticipated cost to permanently repair water trenches due to high number of winter water breaks.	
	\$51,125	Total			\$51,125	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:					FISCAL YEAR:				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$77,794	\$77,794	61090006	52320	Water-MWRA	\$77,794	61090006	55740	Water Meters	\$0
Reason: Anticipated surplus					Replacement for stopped residential meters.				
\$137,956	\$57,000	61090001	50740	Equipment Operators	\$57,000	61090006	54620	Maintenance-Trenches	\$14,515
Reason: Surplus due to vacancies.					Anticipated cost to permanently repair water trenches due to high number of winter water breaks.				
\$1,402	\$1,402	61090003	51920	Sick Leave Buy Back	\$1,402	61090006	54620	Maintenance-Trenches	\$14,515
Reason: Anticipated surplus					Anticipated cost to permanently repair water trenches due to high number of winter water breaks.				
\$1,590	\$340	61090003	51940	Clothing Allowance	\$340	61090006	54620	Maintenance-Trenches	\$14,515
Reason:					Anticipated cost to permanently repair water trenches due to high number of winter water breaks.				
\$800	\$800	61090004	53174	Contract Services/Lab Testing	\$800	61090006	54620	Maintenance-Trenches	\$14,515
Reason:					Anticipated cost to permanently repair water trenches due to high number of winter water breaks.				
\$137,336		Total			\$137,336	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:					FISCAL YEAR:				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$3,600	\$3,600	61090006	54280	Water Billings	\$3,600	60080006	55660	Pumping Station Main.	\$564
Reason: Anticipated surplus					Anticipated cost to cover required repair/maintenance at several sewer pump stations.				
\$800	\$800	60080003	51440	Educational Incentives	\$800	60080006	55660	Pumping Station Main.	\$564
Reason: Anticipated surplus					Anticipated cost to cover required repair/maintenance at several sewer pump stations.				
\$14,489	\$7,000	60080001	50580	Assistant Chemist	\$7,000	60080006	55660	Pumping Station Main.	\$564
Reason: Anticipated surplus					Anticipated cost to cover required repair/maintenance at several sewer pump stations.				
\$350	\$350	61090003	51440	Educational Incentives	\$350	61090003	51990	Meal Allowances	\$0
Reason: Anticipated surplus					100% expended due to high volume of water breaks over winter.				
\$30,000	\$30,000	61090006	55700	Water Treatment Plant	\$30,000	60080006	55660	Pumping Station Main.	\$564
Reason: Anticipated surplus					Anticipated cost to cover required repair/maintenance at several sewer pump stations.				
\$41,750		Total			\$41,750	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:					FISCAL YEAR:				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$610.00	\$610	60081003	51430	Longevity	\$610	60081006	52464	Repair/Maintain East Plant	\$26,688
		Reason: Anticipated surplus				Anticipated cost to cover end of year			
\$2,800.00	\$2,800	60081003	51440	Educational Incentive	\$2,800	60081006	52464	Repair/Maintain East Plant	\$26,688
		Reason: Anticipated surplus				Anticipated cost to cover end of year			
\$492.00	\$492	60081003	51920	Sick Leave Buyback	\$492	60081006	52464	Repair/Maintain East Plant	\$26,688
		Reason: Anticipated surplus				Anticipated cost to cover end of year			
\$1,265.00	\$1,000	60081003	51940	Clothing Allowance	\$1,000	60081006	52464	Repair/Maintain East Plant	\$26,688
		Reason: Anticipated surplus				Anticipated cost to cover end of year			
\$5,000.00	\$3,000	60081004	53174	Contract Services/Lab Testing	\$3,000	60085005	55014	Lab/Testing Supplies	\$2,305
		Reason: Anticipated surplus				Anticipated cost to cover end of year.			
	\$7,902	Total			\$7,902	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:					FISCAL YEAR:				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$26,953.00	\$500	14001101	50640	City Engineer	\$500	14001101	50700	Senior Engineer	\$14,078
		Reason: Money available due to previous vacancy				Anticipated cost to cover remainder of FY14			
\$14,590.00	\$250	60080001	50580	Assistant Chemist	\$250	60081001	50910	Head Treatment Operator	\$10,448
		Reason: Money available due to previous vacancy				Anticipated cost to cover remainder of FY14			
\$14,590.00	\$200	60080001	50580	Assistant Chemist	\$200	60085001	50910	Head Treatment Operator	\$10,455
		Reason: Money available due to previous vacancy				Anticipated cost to cover remainder of FY14			
	\$950	Total			\$950	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS -										
DEPT:		Board of Health				FISCAL YEAR:		FY 2014		
		FROM ACCOUNT:				TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$6,341.50	\$3,500.00	15120001	50391	P / T Nurse	\$3,500.00	15120006	53180	Prof / Tech. Services	\$1,927.52	
Reason:		Funds available due to retirement				Funds will pay for contract health inspections through June				
	\$3,500.00	Total			\$3,500.00	Total				

**Suspension of the Rules requested – granted**

**ORDERED:** That the Public Facilities transfer request in the amount of \$230,000.00 to and from various accounts as noted on the attached spreadsheet to cover unanticipated expenses in an electrical utility line item, **APPROVED;** adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Public Facilities			DATE:		5/12/2014		FY: 2014	
		FROM ACCOUNT:				TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$50,467	\$30,000.00	60086006	52935	Solid Waste Disposal	\$30,000.00	11920006	52120	Electricity	\$204,107	
Reason:		Transfer to pay from correct account				Transfer to charge to correct account				
\$124,109	\$50,000.00	14001303	50740	Streets Equip Operator	\$200,000.00	11920006	52120	Electricity	\$204,107	
Reason:		Surplus due to vacancies				Transfer to cover underfunded costs				
\$168,371	\$90,000.00	14001503	50740	Forestry Equip Operator						
Reason:		Surplus due to vacancies								
\$198,239	\$60,000.00	11990006	51500	Fringes						
Reason:		Money available for transfer								
	\$230,000.00	Total			\$230,000.00	Total				

**Suspension of the Rules requested – granted**

**ORDERED:** That the Mayor re: transfer request in the amount of \$32,500.00 which moves funds from Undesignated to Open Space Stabilization to move funds received in FY13 from wireless antenna receipts to the Open Space Stabilization account, **APPROVED;** adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT:								FISCAL YEAR:		2014
FROM ACCOUNT:					TO ACCOUNT:					
Available									Available	
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$4,851,941.00	\$32,500.00	10000	35900	Undesignated Fund	\$32,500.00	83600	32918	Stabilization-Open Space	\$820,642.22	
Reason:		To transfer annual wireless antennae payments received by the City in fiscal year 2013 to Open Space Stabilization								
\$32,500.00	Total					\$32,500.00	Total			

**Suspension of the Rules requested – granted**

**ORDERED:** That That the Mayor's Office transfer request in the amount of \$850.00 which moves funds from Reserve for Salaries & Benefits to Executive Secretary to fund a step increase that was not factored in to the FY14 budget, **APPROVED;** adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT:		Mayor						FISCAL YEAR:		FY 2014
FROM ACCOUNT:					TO ACCOUNT:					
Available									Available	
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$521,561.00	\$850.00	11990006	57820	Reserve for Salaries & Ben.	\$850.00	11210002	50590	Exec Secretary	\$6,380.29	
Reason:		Money available for transfer				Money needed to cover step increase for FY 14				
\$850.00	Total					\$850.00	Total			

**Suspension of the Rules requested – granted**

**ORDERED:** That the City Council for the City of Marlborough, having voted on September 10, 1934 to accept a deed to acquire, for public playground purposes, land now known as Stevens Park, located at 20 Martin Street, Marlborough Massachusetts, and shown on the Marlborough Assessor's Maps as Map 68, Parcel 5, which deed was recorded on October 16, 1934 at the Middlesex South District Registry of Deeds in Book 5870, Page 33, does hereby vote, by a two-thirds vote of all its members pursuant to M.G.L. c. 40, § 15A, to transfer the care, custody, management and control of Stevens Park to the Parks and Recreation Commission for park purposes permanently dedicated under the provisions of M.G.L. c. 45, § 3, **APPROVED;** adopted.

**Suspension of the Rules requested – granted  
ORDERED:**

**A RESOLUTION  
TO APPLY FOR AND ACCEPT A GRANT  
FROM THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS,  
FOR THE RENOVATION OF STEVENS PARK**

WHEREAS, the City Council for the City of Marlborough voted on September 10, 1934 to accept a deed to acquire, for public playground purposes, land now known as Stevens Park, located at 20 Martin Street, Marlborough Massachusetts, and shown on the Marlborough Assessor's Maps as Map 68, Parcel 5, which deed was recorded on October 16, 1934 at the Middlesex South District Registry of Deeds in Book 5870, Page 33; and

WHEREAS, by vote of the City Council on **June 16, 2014**, the care, custody, management and control of Stevens Park has been transferred to the Parks and Recreation Commission for park purposes, thereby permanently dedicating Stevens Park for park purposes;

WHEREAS, Stevens Park is a community-wide asset, and the preservation of and improvements to this facility are a priority of the city of Marlborough, as evidenced by the most recent Open Space and Recreation Plan; and

WHEREAS, Stevens Park's renovation will greatly enhance this facility with improved playground equipment, trees, benches, picnic tables, water bubbler, fencing, and a pavillion; and

WHEREAS, the main focus of this renovation is to upgrade the facility to improve its functionality and appearance; and

WHEREAS, the Commonwealth of Massachusetts' Executive Office of Energy and Environmental Affairs ("EOEEA") is offering reimbursable grants to cities and towns to support the preservation and restoration of urban parks through the Our Common Backyards grant program; and

WHEREAS, the project cost as outlined in the application totals \$611,000 (six hundred eleven thousand dollars), with the balance of the funding being provided from the Sligo Antenna Revolving account that was approved by the City Council. The total funding is available from the FY 2014 account and the FY 2015 account.

**NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:**

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

**APPROVED;** adopted.



**Suspension of the Rules requested – granted**

ORDERED: That the Grant Acceptance in the amount of \$45,451.00 from the Massachusetts Department of Transportation (MassDOT) to the Marlborough Council on Aging to cover approximately 80% of the cost to purchase an eight passenger handicapped accessible vehicle, **APPROVED**; adopted.

**Suspension of the Rules requested – granted**

ORDERED: That pursuant to the provisions of § 53E½ of Chapter 44 of the General Laws of the Commonwealth of Massachusetts, the City Council of the City of Marlborough, upon the recommendation of the Mayor, does, to be effective during fiscal year 2015, re-authorize a revolving fund to be utilized by the Mayor. It is further ordered that:

- (a) receipts credited to the fund shall be limited to an emergency dispatch fee due the City pursuant to its contract with Patriot Ambulance, unless otherwise directed by the General Laws; and
- (b) expenditures from said fund shall be limited to public safety training; and
- (c) the Mayor shall be the only officer authorized to approve expenditures from the same; and
- (d) no more than fifty thousand dollars shall be expended during Fiscal Year 2015, unless otherwise authorized by City Council and Mayor; and
- (e) the Mayor shall prepare a year-end report identifying funds received, funds expended, description of expenditures and year-end balance; and
- (f) no provisions of this order shall be changed unless approved by the Mayor and City Council.

**APPROVED**; adopted.

**Suspension of the Rules requested – granted**

ORDERED: That the Free Cash transfer requests in the amount of \$1,000,000.00 each which moves funds from Undesignated to Stabilization-OPEB and Undesignated Stabilization to strengthen the City's financial foundation through proactive investments to the OPEB and for an upcoming short term capital request, **APPROVED**; adopted.

CITY OF MARLBOROUGH									
BUDGET TRANSFERS -									
	DEPT:	Mayor					FISCAL YEAR:	2014	
Available									Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
\$3,034,441.00	\$1,000,000.00	10000	35900	Undesignated Fund	\$1,000,000.00	83600	32925	Undesignated Stabilization	\$7,240,668.34
	Reason:	To increase undesignated stabilization funds							
	\$1,000,000.00	Total			\$1,000,000.00	Total			

CITY OF MARLBOROUGH										
BUDGET TRANSFERS -										
DEPT:		Mayor				FISCAL YEAR:		2014		
FROM ACCOUNT:					TO ACCOUNT:					
Available									Available	
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$3,034,441.00	\$1,000,000.00	10000	35900	Undesignated Fund	\$1,000,000.00	83600	32726	Stabilization-OPEB	\$4,000,000.00	
Reason:		Partial funding of OPEB								
\$1,000,000.00	Total				\$1,000,000.00	Total				

**Suspension of the Rules requested – granted**

**ORDERED:** That the Marlborough Economic Development Corporation (MEDC) transfer request in the amount of \$513,915.00 which moves funds from Economic Development to MEDC Funding to fully fund their FY2015 operations, **APPROVED;** adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS -										
DEPT:		Mayor				FISCAL YEAR:		2014		
FROM ACCOUNT:					TO ACCOUNT:					
Available									Available	
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$687,196.72	\$513,915.00	27000099	42440	Economic Development	\$513,915.00	11740006	53950	MEDC Funding	\$0.00	
Reason:		To allow the MEDC to continue it's work in promoting the economic development of the City for FY15								
\$513,915.00	Total				\$513,915.00	Total				

**Councilor Oram requested to be recorded in opposition.**

**Suspension of the Rules requested – granted**

**ORDERED:** Ordered: hat the Comp Time Payouts as noted on the attached spreadsheets,  
**APPROVED;** adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	Various				FISCAL YEAR:	2014			
		FROM ACCOUNT:				TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$521,561.00	\$31,649.00	11990006	57820	Reserve for salaries	\$332.00	89000	17915	Retirement-Clerk	\$0.00	
	Reason:	Comp Time Payoff			\$343.00	11520001	50532	Personnel Assistant	\$3,925.23	
					\$101.00	11520002	50775	Personnel-Sr Clerk	\$3,286.99	
					\$446.00	14001001	50630	DPW-Asst Commissioner	\$7,317.67	
					\$1,983.00	14001101	50660	Asst City Engineer	\$6,590.87	
					\$654.00	14001101	50700	Grade 2 Engineer	\$7,862.81	
					\$513.00	14001101	50710	Jr Civil Engineer	\$15,731.08	
					\$2,728.00	14001301	50660	Streets-Asst City Eng	\$6,590.85	
					\$4,032.00	14001301	50690	Streets-Foreman	\$21,462.64	
					\$18,582.00	14001303	50740	Streets-Equip Operators	\$100,593.85	
					\$149.00	14001303	50790	Streets-Dispatcher	\$3,399.78	
					\$1,302.00	14001403	50745	Fleet-Motor Repairmen	\$12,495.96	
					\$14.00	14001403	50760	Fleet-Working Foreman	\$4,362.16	
					\$470.00	14001501	50690	Parks-Foreman	\$43,270.71	
	\$31,649.00	Total			\$31,649.00	Total				

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	Various					FISCAL YEAR:	2014		
		FROM ACCOUNT:					TO ACCOUNT:			
Available										Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		Balance
\$521,561.00	\$56,214.00	11990006	57820	Reserve for salaries	\$11,752.00	14001503	50740	Parls-Equip Operators		\$143,828.56
	Reason:	Comp Time Payoff			\$6,072.00	15120001	50390	BOH-Nurse		\$4,838.10
					\$3,113.00	60080001	50570	Sewer-Chemist		\$5,837.98
					\$169.00	60081001	50750	ETP-Equip Operators		\$4,165.32
					\$11,628.00	60081001	50850	ETP-Tr Pll Operators		\$25,233.16
					\$567.00	60081001	50910	ETP-Head Operator		\$5,909.63
					\$26.00	60085001	50750	WTP-Equip Operators		\$5,186.07
					\$5,555.00	60085001	50850	WTP-Tr Pll Operators		\$23,150.18
					\$908.00	60085001	50910	WTP-Head Operator		\$5,916.89
					\$1,354.00	61090001	50460	Water Meter Reader		\$4,165.32
					\$6,471.00	61090001	50690	Water-Foreman		\$18,439.13
					\$5,849.00	61090001	50740	Water-Equip Operators		\$107,105.32
					\$2,750.00	61090001	50780	Chief Pumping Station		\$5,365.66
	\$56,214.00	Total			\$56,214.00	Total				

CITY OF MARLBOROUGH									
BUDGET TRANSFERS --									
DEPT:		Various				FISCAL YEAR:		2014	
FROM ACCOUNT:						TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$521,561.00	\$55,599.00	11990006	57820	Reserve for salaries	\$27,075.00	14920001	50166	Recreation-Prog Mgr	\$4,273.12
	Reason:	MMEA - Comp Time Payoff			\$11,461.00	11330002	50062	Treasurer-Finance Asst	\$14,081.10
					\$7,048.00	14001002	50520	DPW-Principal Clerk	\$3,719.16
					\$3,484.00	61090002	50520	Water-Principal Clerk	\$3,719.16
					\$3,333.00	12410002	50770	Bldg-Senior Clerk	\$13,230.14
					\$2,209.00	12410001	50370	Bldg-Plumbing Inspec	\$4,983.03
					\$493.00	14001002	50550	DPW-Head Clerk	\$4,184.55
					\$232.00	16100003	50860	Library-F/T Clerk	\$2,319.94
					\$146.00	15120002	50770	BOH-Senior Clerk	\$3,180.47
					\$118.00	16100001	50471	Library-Young Adult Libr	\$3,753.12
	\$55,599.00	Total			\$55,599.00	Total			

**Suspension of the Rules requested – granted**

**MOTION made by Councilor Delano to reduce amount authorized to spend to \$50,000.00 – Carries.**

ORDERED: That pursuant to the provisions of § 53E½ of Chapter 44 of the General Laws of the Commonwealth of Massachusetts, the City Council of the City of Marlborough, upon the recommendation of the Mayor, does, to be effective during fiscal year 2015, re-authorize the revolving fund utilized by the Department of Public Works. It is further ordered that:

- (a) departmental receipts credited to the fund shall be limited to lease payments and fees due the City from owners of antennae and related telecommunications equipment on property that is maintained by, or assigned or transferred to be maintained by, the Department of Public Works, unless otherwise directed by the General Laws; and
- (b) expenditures from said fund shall be limited to the maintenance and related expenses for Sligo Hill and Stevens Park; and
- (c) the Commissioner of Public Works shall be the only officer authorized to approve expenditures from the same; and
- (d) no more than fifty thousand dollars shall be expended during Fiscal Year 2015, unless otherwise authorized by the City Council and Mayor; and
- (e) the Commissioner of Public Works shall prepare a year-end report identifying funds received, funds expended, description of expenditures and year-end balance; and

(f) no provisions of this order shall be changed unless approved by the Mayor and City Council.

Further, the City Council of the City of Marlborough, upon the recommendation of the Mayor, authorizes the expenditure of \$200,000.00 to match the \$200,000.00 Our Common Backyards Grant awarded to the City on April 29, 2014, along with the expenditure of \$270,745.00 in presently encumbered funds, all to be expended by the Department of Public Works in FY14/15 for the renovation of Stevens Park.

**APPROVED**; adopted.

**Suspension of the Rules requested – granted**

**MOTION made by Councilor Ossing to reduce amount authorized to spend to \$50,000.00 – Carries.**

**ORDERED:** That pursuant to the provisions of § 53E½ of Chapter 44 of the General Laws of the Commonwealth of Massachusetts, the City Council of the City of Marlborough, upon the recommendation of the Mayor, does hereby authorize a revolving fund during fiscal year 2015 for park and recreational facility maintenance and improvement purposes to be administered through the Department of Public Works. It is further ordered that:

(a) departmental receipts credited to the fund, unless otherwise directed by the General Laws, shall be limited to: 1) payments, fees and/or rental income due the City from owners of antennae and related telecommunications equipment located or co-located at the wireless communications facility situated on property under the care, custody, management and control of the Department of Public Works at the Easterly Wastewater Treatment Plant at 860 Boston Post Road in Marlborough or any land adjacent thereto; and 2) lease payments and fees due the City from owners of antennae and related telecommunications equipment located on Fairmount Hill; and

(b) that expenditures from said fund shall be limited to the maintenance and improvement of municipal parks and municipal recreational facilities; and

(c) that the Commissioner of Public Works shall be the only officer authorized to approve expenditures from the fund; and

(d) no more than fifty thousand dollars shall be expended during Fiscal Year 2015, unless otherwise authorized by the City Council and Mayor; and

(d) the Commissioner of Public Works shall prepare a year-end report identifying funds received, funds expended, description of expenditures and year-end balance; and

(e) no provisions of this order shall be changed unless approved by the Mayor and City Council.

**APPROVED**; adopted.

**Suspension of the Rules requested – granted**

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

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:07 PM.



# IN CITY COUNCIL

Marlborough, Mass., \_\_\_\_\_

JUNE 2, 2014

## ORDERED:

That there being no objection thereto set **MONDAY, JULY 7, 2014** as date for a **PUBLIC HEARING** on the Petition of NGrid and Verizon to propose installation of new joint owned stub pole #55-84 on public property. Pole will be set approximately 42' from existing joint owned pole #33. NGrid proposes installation of new joint owned anchor to be set in back of new Pole 55-84 to help support stub pole. Pole 55 currently has tree guy attached from Pole 55 to tree at 479 Hosmer St. that is to be removed. Customer requested to remove the tree guy.

Be and is herewith refer to **PUBLIC SERVICES COMMITTEE**.

ADOPTED

ORDER NO. 14-1005849





# IN CITY COUNCIL

Marlborough, Mass.,

JUNE 2, 2014

## ORDERED:

That there being no objection thereto set **MONDAY, JULY 7, 2014** as date for a **PUBLIC HEARING** on the Petition of NGrid and Verizon to relocate Pole 1, 2, 3, 4, and 12 on Simarano Dr. to accommodate City of Marlborough widening project, be and is herewith refer to **PUBLIC SERVICES COMMITTEE**.

ADOPTED

ORDER NO. 14-1005850



# IN CITY COUNCIL

Marlborough, Mass., JUNE 2, 2014

## ORDERED:

That there being no objection thereto set **MONDAY, JULY 7, 2014** as date for a **PUBLIC HEARING** Petition of NGrid and Verizon to relocate Pole 22 Simarano Drive and install new guy P21-84 to accommodate City of Marlborough widening project, be and is herewith refer to **PUBLIC SERVICES COMMITTEE**.

ADOPTED

ORDER NO. 14-1005851



*City of Marlborough*  
*Office of the Mayor*

RECEIVED *Arthur G. Vigeant*  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH MAYOR

2014 JUL -2 P 11:53  
*Michael C. Berry*  
EXECUTIVE AIDE

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

July 2, 2014

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

**Re: Transfer Request – Capital Outlay**

Honorable President Pope and Councilors:

Enclosed for your approval is a transfer request to fund capital outlay items in the School Department, Department of Public Works, Police Department, and Emergency Management.

Enclosed for your information is the pertinent back-up paperwork with additional details. Our Department Heads and I look forward to discussing these items with you in greater specificity in the coming weeks. Thank you in advance for your consideration.

Sincerely,

**Arthur G. Vigeant**  
Mayor

CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT: Mayor

FISCAL YEAR: 2015

Available  
Balance

FROM ACCOUNT:

TO ACCOUNT:

Available  
Balance

Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Amount
\$8,241,283.67								
\$956,208.00	83600	32925	Undesignated Stabilization	\$500,000.00	19300006	58630	School Equipment	\$0.00
	Reason: To fund capital outlay requests							
				\$378,243.00	19300006	58596	Emergency Management	\$0.00
	Reason:							
				\$27,985.00	19300006	58514	DPW Projects	\$0.00
	Reason:							
				\$49,980.00	19300006	58593	Dept Equipment Police	\$0.00
	Reason:							
	Reason:							
\$956,208.00	Total			\$956,208.00	Total			

Department Head signature:

Auditor signature:

Comptroller signature:

*[Handwritten Signature]*  
*[Handwritten Signature]*  
*[Handwritten Signature]*

## Mayor

---

**From:** Mark Leonard  
**Sent:** Tuesday, July 01, 2014 11:55 AM  
**To:** Mayor; Patricia Bernard  
**Subject:** MILO Range quote  
**Attachments:** Milo Range Pro Proposal for Marlborough PD 7-1-14.pdf

Mayor Vigeant,

Attached is a price quote for the MILO range we spoke about this morning. The range can be installed in our classroom, and be available anytime for our officers to train on. I think this system is a great way to provide realistic, scenario based training, and will eliminate the need to either rent or wait to schedule the shooting trailer each year (when we have to rent the trailer it costs us \$6,000 each time).

Thank you,

Mark F. Leonard  
Chief of Police  
Marlborough Police Department  
355 Bolton Street  
Marlborough, MA 01752  
Office: 508-485-1212 x6974  
Fax: 508-624-6938



**MILO RANGE PRO**  
**Interactive Firearms and Force Options Training**  
**Simulator**

*Proposal prepared for:*

**Chief Mark F. Leonard**  
**Marlborough Police Department**  
**Marlborough, MA**

July 1, 2014

Thank you for your interest in the Interactive MILO Range Firearms Training Simulators from FAAC Incorporated. This proposal will provide you with requested system information, specifications, pricing and details for the system and equipment for your training requirement.

The MILO Range use of force and firearms training simulators have been selected by the most demanding law enforcement, military and public safety agencies, and are in daily use around the world in over 40 countries. The MILO Range training system is a comprehensive solution that is designed to allow trainers the ability to give presentations and classes, conduct interactive testing and assessment, and provide immersive hands-on scenario based exercises with detailed debriefing and after action review. Each MILO system is designed to increase trainee knowledge, skills and confidence in a safe, challenging environment that is highly interactive and engaging.

Through our 20-year history of providing innovative interactive simulation training solutions, we have become widely regarded as a low-risk, highly reliable contracting and business partner. We have the industry's most dedicated and experienced sales and support team on staff, and all MILO customers receive the best technical service in the business, including free software updates, newly filmed and released scenarios with new exercises and environments to keep interest high and skills sharp.

On behalf of the entire MILO Range Team, I sincerely appreciate the consideration of our proposal for this requirement, and also to have the opportunity to be of service to the men and women of Marlborough Police Department.

Respectfully sent on 1 July, 2014

## **Chip Johnson**

**Eastern Sales Manager**

MILO Range Training Systems

FAAC Incorporated

Office: **800.344.1707**

Cell: **734.223.1875**

Fax: **734.531.4002**



Email: [chip.johnson@milorange.com](mailto:chip.johnson@milorange.com)

[www.milorange.com](http://www.milorange.com)

## MILO RANGE PRO TRAINING SIMULATOR SUITE

Item	Description	Qty	Unit Price	Extended Price
1	<p><b>MILO Range PRO HD system with 5.1 Audio System Includes:</b></p> <ul style="list-style-type: none"> <li>▪ MILO CPU 4 – Based on MS Windows 7 OS</li> <li>▪ HD Projector(1920 x 1080) 2800+ lumens high contrast</li> <li>▪ HD (12' x7') fast-fold projection Screen</li> <li>▪ 16-device Hit Detection Box with Flashlight option</li> <li>▪ All Power and Video Cables, Power Strip</li> <li>▪ Touch-screen LCD Flat Panel Monitor</li> <li>▪ Keyboard and Optical Mouse</li> <li>▪ Speakers/Digital Audio Sound System</li> <li>▪ (2)Transport Cases for System and Peripheral Items</li> <li>▪ <b>650+</b> Multi-Branching Interactive Scenarios are Pre-loaded as well as <b>55+</b> Skill Builder exercises</li> </ul>	1	\$42,000.00	\$42,000.00
	<p><b>Course Designer Program:</b> The Course Designer Program is editing software program that can be used to create lessons, tests and presentations for classrooms, auditoriums, and training rooms or for one on one instruction. Allows the user to utilize both digital video and computer graphics capabilities to create fully interactive training videos and/or graphics based training environments. <b>Includes HD Camera for scenario filming.</b></p>	Inc		
	<p><b>Dry-Fire Laser Training Inserts:</b></p> <ul style="list-style-type: none"> <li>• (2) Dry-Fire Weapon Lasers of your choice, MILO laser choices: 9mm, .40 or .45</li> </ul>	Inc		
	<p><b>OC Spray Training Devices:</b> Laser modified OC spray training devices for less-lethal applications. Thumb or trigger activation. <b>Includes (2) devices standard</b></p>	Inc		
	<p><b>Low Light Training Program:</b> Allows the trainee to use real flashlight in-conjunction with his/her weapon for low light training. This system is non-lane based which allows for multiple users. <b>Includes (2) MILO Supplied Surefire G2 Flashlight with IR lens.</b></p>	Inc		
	<p><b>MILO Trainee Action Capture (TAC) with Picture in Picture Video/Audio debrief:</b> Audio and color video capture of trainee's actions in a scenario for immediate or later debriefing and review.</p>	Inc		
	<p><b>Graph-X Targets:</b> Allows the user to utilize any of the Graph-X modules for Marksmanship, Shoot-house, Basic Targets and Range Practice includes <b>55+ interactive CGI skill-builder exercises</b></p>	Inc		



	<b>Statistics and Management:</b> Allows user to manipulate the database information as to create individual and/or group statistics using relevant filtering criteria.	Inc		
	<b>Baton/Punch/Strike Branching and Scoring:</b> Allows the trainer to manually branch the scenario while the trainee uses his actual baton or makes a strike.	Inc		
	<b>Delivery, Insurance and Standard 2-year Warranty</b>	Inc		
	<b>FREE Access to MILO Digital Scenario:</b> New HD Scenarios sent out- approx. 12-15 sent out a quarter.	Inc		
	<b>System and Peripheral Training – US sales only:</b> 4 Students at Client Site for three (3) days. Includes scenario editing and creation.	Inc		
<b>(A)</b>	<b>MILO RANGE PRO 4 TRAINING SYSTEM TOTAL (Qty.1)</b>		<b>\$42,000.00</b>	

<b>Requested Training Items</b>				
<i>*Select and add to Purchase Order as Needed</i>				
<b>Item</b>	<b>Description</b>	<b>Qty</b>	<b>Unit Price</b>	<b>Total Price</b>
1	<b>MILO modified Taser X26 Training device</b> —allows trainees to use Taser devices in scenarios and training events on the simulator.	2	\$1,995.00	\$3,990.00
2	<b>MILO air-recoil kit conversion for AR-15 Rifle:</b> Includes drop-in air recoil kit, MILO laser, (2) 12gm C02 magazines. Does <u>not</u> include weapon (uses user supplied unmodified pistol)	1	\$2,400.00	\$2,400.00
3	<b>Glock 17R Red Dry-Fire Training Pistol:</b> for use on MILO system with dry-fire laser inserts.	2	\$795.00	\$1,590.00
<b>(B)</b>	<b>Optional Training Items Total:</b>			<b>\$7,980.00</b>

<b>MILO Range Pro System and Requested Items Cost (A + B):</b>	<b>\$49,980.00</b>
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FAAC (Seller) STANDARD TERMS AND CONDITIONS

1. Orders should be issued to "FAAC Incorporated"
2. Payment Terms: NET 30 from date of invoice
3. Delivery: 75 Days ARO
4. Partial Shipment and/or Partial Invoice are: Permitted.
5. Warranty: 24 Months from date of shipment.
6. If this sale is subject to Use Tax, then you are liable for the tax and should make payment direct to your taxing authority. However, we may collect Sales Tax for the following States: AK, CA, CO, FL, HI, KS, MA, MI, MO, MS, NC, NJ, NV, NY, SC, TN, TX, UT
7. Quote Valid 120 days.
8. All prices quoted in US Dollars (\$USD)

PURCHASING/CONTRACTING INFORMATION

1. Cage Code – 3J401
2. Tax ID – 38-2690218
3. DUNS – 175204163
4. Vendor POC – [Kassandra.Harrington@milorange.com](mailto:Kassandra.Harrington@milorange.com)
5. Phone – 800-344-1707 x363
6. Email – [Contracts@faac.com](mailto:Contracts@faac.com)
7. Estimated Delivery Date – 45 Days ARO
8. Order Fax to 734.531.4002



*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

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

May 9<sup>th</sup>, 2014

**RE: Funds for Public Safety Radio System,**

**Honorable Mayor, Vigeant**

**There are three parts to the Public Safety Radio up-grade. Each brings us into the 21<sup>st</sup> century, especially where some of our equipment is not being supportive by the manufacture since it is obsolete.**

- 1. Marlborough Police & Fire Comparator (Voter) these are mechanical units that will be replaced with JPS electronic units. There are 3 Comparators and 27 JPS Voter Modules. These have not been supported since 2012. The reason we did not replace when they became no longer supported was we were waiting on the New Radio system to be released. The cost for this portion is \$47,337.00. This is a must as it votes the strongest signal when broadcasting out in the field and picked up at the dispatch. The mechanical units have failed many times and must be replaces with the newer technology.**
- 2. The new MCC7500 Dispatch console & K2 conventional redundant core radio system is the state of the art system. This solution will offer IP-based seamless connectivity between Marlborough Fire & PD's dispatch operators and field personnel with a scalable, flexible system architecture, sophisticated network management, security, and an easy migration to future capabilities. This is all three positions up-graded with the new software, computers and hardware. The total cost of this portion is \$324,212. Less a MCC7500/K-Core Promotion (Expires 6/30/14): (\$50,000.) Total cost \$ 274,212.**

**Today I have received confirmation of an extension (180 day) from May 15<sup>th</sup>, 2014 for the discount from Motorola.**

3. This portion would be the Point to Point from three locations connecting to dispatch and to the existing Point to Point system that connects four other locations to the present Point to Point. The elimination of the Verizon FDDA and the BANA lines from, New Horizon and the Easterly Waste Water Plant would pay for itself in three and a half years. These lines cost the city \$14,400.00 per year with four lines at each location to dispatch. These circuits are going to be no longer supportive from Verizon as they are pushing their FIOS, and our system does not work on FIOS. It is a matter of time when this happens. The cost to do these three locations would be \$56,694.

4. Total for the project would be:

1. Comparators replacement JPS Voting	47,337.00
2. MCC7500 System	274,212.00
3. Point to Point	56,694.00

**Total:** \$ 378,243.00

This would be a \$50,000. Savings if purchased by end of fiscal year 6/30/2014.

If there are any questions or more information is needed please do not hesitate to call or e-mail at any time.

Respectfully, Donald E. Cusson  
Emergency Management Director

Cc; Lenard  
Fortin  
Smith  
Doheny

## Mayor

---

**From:** Don Cusson  
**Sent:** Friday, May 16, 2014 11:42 AM  
**To:** Mayor; Michael Berry  
**Cc:** Diane Smith; James Fortin; Mark Leonard; John Ghiloni  
**Subject:** Emailing: request radio funds  
**Attachments:** request radio funds.doc

**Importance:** High

This is just an up-date. As I have received an extension on the discount from Motorola, 180 days from May 15th, 2014 for a savings of 50K.

Any questions please call or email thank you.

Don Cusson

City of Marlborough Emergency Management Director Donald E. Cusson  
696 Concord Road  
Marlborough, MA. 01752-5617  
[dcusson@marlborough-ma.gov](mailto:dcusson@marlborough-ma.gov)  
Cell [REDACTED]

Your message is ready to be sent with the following file or link attachments:

request radio funds

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

**City Capital Equipment/Technology Request for the 2014-2015 Budget Year**

Project	# of Computers	Unit Cost	Total
Backup SAN	1	\$60,000	\$60,000
Video Archive Server	1	\$20,000	\$20,000
Switch Replacements		\$25,000	\$25,000
PC Replacements	30	\$879	\$26,370
Wireless Antennas		\$10,000	\$10,000
City Fiber for DPW West, East, Senior Center, Jerico Hill, Switches & Details		\$120,000	\$120,000
<b>Total</b>			<b>\$261,370</b>

**School Capital Equipment/Technology Request for the 2014-2015 Budget Year**

Area	Target	Item	Qty	Unit Cost	Total
District	Network T	Wireless Antennas	1	\$50,000	\$50,000
		Blades for Switches	1	\$20,000	\$20,000
Students	Grade 4-5	Chromebooks	900	\$270	\$243,000
	Hildreth S	Chromebooks	40	\$270	\$10,800
	Whitcomb	Desktops	30	\$700	\$21,000
	Jaworek L	Desktops	25	\$700	\$17,500
	Kane Libra	Desktops	12	\$700	\$8,400
	Richer Libl	Desktops	12	\$700	\$8,400
	Whitcomb	Desktops	90	\$700	\$63,000
Staff	HS Grade	Laptops	25	\$850	\$21,250
	Hildreth S	Netbooks	20	\$500	\$10,000
	Whitcomb	Netbooks	90	\$500	\$45,000
	Jaworek T	Netbooks	60	\$500	\$30,000
	Whitcomb	Desktops	10	\$700	\$7,000
Parent Information Center	Workstations		5	\$1,000	\$5,000
Replacement Equipment	Computers		1	\$50,000	\$50,000
<b>Total</b>					<b>\$610,350</b>

**Patricia Bernard**

---

**From:** Patricia Bernard  
**Sent:** Wednesday, July 02, 2014 4:36 PM  
**To:** Patricia Bernard  
**Subject:** FW: capital request

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**From:** John Ghiloni  
**Sent:** Friday, June 27, 2014 2:22 PM  
**To:** Patricia Bernard  
**Subject:** RE: capital request

Trish,

Riding mower for Parks Dept     \$ 15,500  
Plate compactor                     \$ 5,285  
Tool boxes for water Dept trucks \$ 7,200

Thanks,  
John



*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 *Arthur G. Vigeant*  
CITY CLERK'S OFFICE MAYOR  
CITY OF MARLBOROUGH  
2014 JUL -2 P 4: 52  
*Michael C. Berry*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

July 2, 2014

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

**Re: Building Department Transfer Request**

Honorable President Pope and Councilors:

Enclosed for your approval is a transfer request in the amount of \$33,580.00 from the Building Department.

These funds are necessary to fulfill our obligation to Avalon Bay for an expedited inspection and building code review process, an accommodation they are being afforded through a voluntary mitigation payment of \$75,000 they made to the city.

After several meetings between our Building Department and Avalon's on-site management team regarding their construction schedule, we expect near daily inspections from now through the early part of 2015.

Our game plan is to utilize a combination of contract inspectors along with an increased utilization of our alternate Wiring and Plumbing Inspectors. Our alternate inspectors have strong track records and are trusted members of our inspectional team. I am confident that we will meet the high demand the Avalon Bay project will require in the coming months while ensuring our Building Department maintains the high level of responsiveness and customer service our residents and businesses deserve.

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

Sincerely,

Arthur G. Vigeant  
Mayor

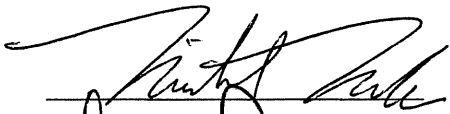



CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT: Building Department

FISCAL YEAR: 2015

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$75,000.00</u>	<u>\$33,580.00</u>	<u>12410004</u>	<u>53140</u>	<u>Contract Services</u>	\$10,400.00	<u>12410001</u>	<u>50970</u>	<u>Assistant Wiring Insp.</u>	<u>\$3,750.00</u>
				Reason: <u>Funds available through Avalon Bay mitigation payment</u>				<u>Necessary to complete add'l inspections for Avalon Bay</u>	
					\$16,000.00	<u>12410001</u>	<u>50250</u>	<u>Deputy Inspector</u>	<u>\$10,000.00</u>
								<u>Necessary to complete add'l inspections for Avalon Bay</u>	
					\$6,250.00	<u>12410001</u>	<u>50960</u>	<u>Assistant Plumb Insp</u>	<u>\$5,000.00</u>
								<u>Necessary to complete add'l inspections for Avalon Bay</u>	
					\$930.00	<u>12410006</u>	<u>57100</u>	<u>Instate Travel</u>	<u>\$4,420.00</u>
								<u>Necessary to reimburse inspectors for use of personal vehicle</u>	
	<b>\$33,580.00</b>	<b>Total</b>			<b>\$33,580.00</b>	<b>Total</b>			

Department Head signature: 

Auditor signature: 

Comptroller signature: 



*City of Marlborough*  
*Office of the Mayor*

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

RECEIVED *Arthur G. Vigeant*  
CITY CLERK'S OFFICE MAYOR  
CITY OF MARLBOROUGH  
*Michael C. Berry*  
2014 JUL -2 P 4: 53 EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

July 2, 2014

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

**Re: Intermunicipal Agreement**

Honorable President Pope and Councilors:

For the past month the Board of Health has been operating without the presence of Sanitarian/Health Director, who is on a leave of absence under the Family and Medical Leave Act (FMLA).

In that time, my office has assumed administrative oversight of the office and worked with Board personnel to ensure day to day operations run as best they can. As the workload of inspectional duties, plan reviews, and permit requests increase during the summer months, I believe the Board would benefit from having an experienced manager in the public health field assist them on a temporary basis as they carry out their responsibilities.

I approached the Town of Hudson in hopes that they may be able to assist us during this period of time and they were quick to respond and answer our call for support. Therefore, enclosed for your approval is an intermunicipal agreement with the Town of Hudson that will allow Dr. Sam Wong, Hudson's Director of Public and Community Health Services, to provide operational consulting and, if needed, emergency inspectional services, to our community in the short term.

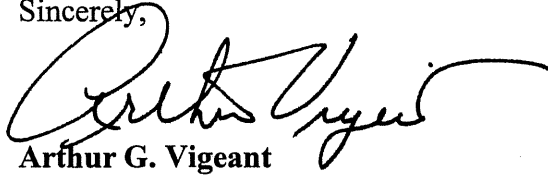
Dr. Wong will be relied upon to work in the Board of Health Office six hours per week to help manage workflow and provide both my office as well as the Board of Health with professional guidance on public health matters.

I have consulted with the Chairman of the Board of Health on this matter and they are supportive of this initiative. They will look to vote and authorize Dr. Wong to perform health inspections in the City of Marlborough at their next meeting.

I wish to thank Thomas Moses, Executive Assistant in Hudson as well as Dr. Wong for lending us their full support in this time. The Marlborough and Hudson Boards of Health have a long history of successful collaboration and this endeavor will be no different.

The Town of Hudson will be paid out of the contract services line item in FY15, though I wish to acknowledge that I anticipate making a transfer request later this fall to address any potential shortfalls.

Sincerely,

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

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

**INTERMUNICIPAL AGREEMENT**  
**Between the City of Marlborough and the Town of Hudson**

Pursuant to M.G.L. c. 40, § 4A, this Intermunicipal Agreement, approved by the Marlborough City Council and the Selectmen of the Town of Hudson (collectively, the "Parties"), is hereby entered into and is effective from 1st day of July, 2014 by and between the City of Marlborough ("Marlborough") and the Town of Hudson ("Hudson") in accordance with the following terms:

1. Purpose and Duties:

(A) This Agreement contractually enables the Director of Public and Community Health Services (the "Director") in the Town of Hudson to perform operational consulting in the office of the Board of Health of the City of Marlborough ("Board of Health"). The Director shall remain an employee of the Town of Hudson, and shall be subject to standard personnel practices thereof.

(B) The duties and responsibilities of the Director shall be as follows:

- i. Provide direction, advice, and professional guidance to the Board of Health and their employees regarding the execution of their daily responsibilities;
- ii. In conjunction with the Mayor's office, facilitating the delegation of duties in the Board of Health and offer recommendations to improve workflow;
- iii. In limited and/or emergency circumstances, assisting in the performance of health inspection services;
- iv. Maintaining separate and comprehensive records of all services performed for the City of Marlborough;
- v. Acting in the best interests of the health and well-being of the inhabitants of the City of Marlborough.

(C) In his consulting and advisory capacity, the Director shall NOT be responsible for the following:

- i. Approving expenditures, invoices or contracts pertaining to the Board of Health.
- ii. Authorizing time off for any employee or approving weekly time sheets.

2. Term: The term of this Agreement shall be from July 8, 2014 until November 1, 2014. The Town of Hudson and the City of Marlborough reserve the right to terminate this agreement at any time upon written notice of at least (15) business days. The Parties may extend this Agreement in one month increments.

3. Location and Time of Services: The Director shall work from the offices of the Board of Health for a period of six hours per week according to his availability and in consultation with the Mayor of Marlborough and the Executive Assistant of the Town of Hudson.

4. Compensation: The City of Marlborough agrees to pay the Town of Hudson the sum of \$1,250.00 per month for the services outlined in Section 1(B) of this Agreement. Payment shall be made monthly upon receipt of an invoice from the Town of Hudson. The City shall directly provide to the Director a stipend of \$50.00 per month for use of his personal vehicle for any and all travel expenses incurred in the performance of his duties under this Agreement.

5. Insurance: The Parties acknowledge that each maintains a minimum of \$1,000,000 of public liability and property damage insurance through the Massachusetts Interlocal Insurance Association (MIIA), and that each party is covered by insurance for this joint venture as stated in the General Liability Coverage Form MGP 001.
6. Amendments: This Agreement may be amended, extended, or modified only by a written instrument signed by both Parties.
7. Notice: Until changed by notice in the manner specified above in paragraph 6., the addresses and telephone numbers of the parties to this Agreement shall be:

**FOR THE CITY OF MARLBOROUGH:**

Arthur G. Vigeant, Mayor  
 City of Marlborough  
 140 Main Street  
 Marlborough, MA 01752  
 Telephone: (508) 460-3770

**FOR TOWN OF HUDSON:**

Thomas Moses, Executive Assistant  
 Town Of Hudson  
 78 Main Street  
 Hudson, MA 01749  
 Telephone: (978) 562-9963

IN WITNESS WHEREOF, the parties hereunto set their hands and seals this \_\_\_\_ day of \_\_\_\_\_, 2014.

**For City of Marlborough:**

**For Town of Hudson:**

\_\_\_\_\_  
 Arthur G. Vigeant, Mayor

\_\_\_\_\_  
 Thomas Moses, Executive Assistant

\_\_\_\_\_  
 Chair, Marlborough Board of Health

\_\_\_\_\_  
 Chair, Hudson Board of Health

\_\_\_\_\_  
 Diane Smith, City Auditor  
 Approved As To Available Funds  
 Purchase Req./P.O.#: \_\_\_\_\_

\_\_\_\_\_  
 Beverly J. Sleeper, Chief Procurement Officer  
 M.G.L. c. 30B Not Applicable

\_\_\_\_\_  
 Donald V. Rider, Jr., City Solicitor OR  
 Approved As To Form

\_\_\_\_\_  
 Cynthia Panagore Griffin, Assist. City Solicitor  
 Approved As To Form



*City of Marlborough*  
*Office of the Mayor*

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2014 JUL -2 P 4:53  
*Arthur G. Vigeant* MAYOR  
*Michael C. Berry* EXECUTIVE AIDE

140 Main Street  
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*Patricia Bernard*  
EXECUTIVE SECRETARY

July 2, 2014

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

**Re: Senior Center Budget**

Honorable President Pope and Councilors:

As the construction of our new senior center continues to move forward, I wish to revisit with you a financial matter arising from the gift of \$750,000.00 from Partners Healthcare that is to be put toward the construction of a senior center.


The senior center construction budget submitted to you in October 2013 showed a total projected cost of \$8,131,228.00. This figure included previously approved funds of \$500K for design and engineering. In December, the Council asked that I reduce the approved \$6.5 million bond request for the senior center by \$750,000.00.

Though I have long maintained that these funds are critical to this project, my project budget discussions with DPW Commissioner John Ghiloni over the past couple months have reinforced our need to revisit this directive. The Partners gift will supplement the \$6.5 million bond request and allow us to address contingencies and anticipated change orders that naturally occur with a new construction project of this size.

Although by law I am not required to reduce a bond request once it has gained full approval, in the spirit of collaboration and working together, I hope to enlist your full support in applying these funds toward our new senior center so that we may be united on this important project.

At this time, I would respectfully ask the Council to reconsider its directive that I reduce the senior center bond request by \$750,000.00. I will be happy to answer any and all questions you may have. Thank you in advance for your consideration.

Sincerely,

  
Arthur G. Vigeant  
Mayor



*City of Marlborough*  
*Office of the Mayor*

RECEIVED *Arthur G. Vigeant*  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2014 JUL -2 P 4:53  
*Michael C. Berry*  
EXECUTIVE AIDE

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*Patricia Bernard*  
EXECUTIVE SECRETARY

July 2, 2014

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

**Re: Board of Assessors**

Honorable President Pope and Councilors:

I am pleased to submit for your approval the following appointments to the Board of Assessors:

- Anthony Arruda for a three year term to expire from the date of Council approval
- Ellen Silverstein for a three year term to expire from the date of Council approval

Mr. Arruda is a longtime member of the Board of Assessors and has been instrumental in assisting with the transition of the Assessor's Office over the past year and a half. His institutional knowledge will be a continued asset on this board.

Ms. Silverstein responded to my office's city-wide outreach to licensed professionals who could lend their professional knowledge to a board or committee. She is a certified appraiser with extensive professional experience that will serve our city well. Ms. Silverstein does not perform any municipal or local appraisal work so her service on the board will not present any conflicts.

Lastly, I wish to appoint Bradford Dunn as the city's Principal Assessor for a three year term. Your approval of Mr. Dunn as Principal Assessor will concurrently allow him to serve as a member of the Board of Assessors per the revised ordinance passed in May (enclosed). Mr. Dunn has been our lead assessor since arriving as part of the Regional Resource Group team and has built great working relationships throughout City Hall and in the community.

With your approval of these appointments, we will complete the reforms made to both the Assessor's Office and the Board itself. Your input and support has been crucial to this process and I want to thank you for working with me to identify creative solutions that improve our operations.

Sincerely,

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



## IN CITY COUNCIL

Marlborough, Mass., \_\_\_\_\_

MAY 5, 2014

### ORDERED:

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

- I. By striking paragraphs A and B in their entirety from § 67-27, and inserting in place thereof the following:
  - A. There shall be a Board of Tax Assessors comprised of three members who shall be appointed by the Mayor, subject to confirmation by the City Council, for a term of three years and until his/her successor is qualified.
  - B. No member of the Board of Tax Assessors shall receive compensation if he/she is an employee of the City of Marlborough or an employee of a vendor or company which provides contracted services to the Assessors' Office.
  - C. The members of the Board of Tax Assessors shall annually choose as Chairman one of their number who is not an employee of the Assessors' Office and not an employee of a vendor or company which provides contracted services to the Assessors' Office.
- II. By striking in its entirety § 67-28, and inserting in place thereof the following new § 67-28:

§ 67-28 Principal Assessor; powers and duties.

  - A. There shall be a Principal Assessor, appointed by the Mayor and subject to confirmation by the City Council, who shall serve a term of three years and until his/her successor is qualified. The Principal Assessor shall not be subject to an additional appointment by the Mayor to the Board of Tax Assessors.
  - B. The Principal Assessor shall serve as a member of the Board of Tax Assessors and shall oversee the day to day operations of the Assessors' Office. The Principal Assessor shall also be responsible for the administrative, technical and supervisory work related to the valuation and revaluation of all residential, industrial and commercial real estate and personal property, including triennial recertification in conformance with regulations of the Department of Revenue, and for the preparation of estimates of city-wide valuations for use in budget appropriations.





# IN CITY COUNCIL

Marlborough, Mass.,

MAY 5, 2014

PAGE 2

## ORDERED:

- C. The Principal Assessor shall obtain evidence of all assets and income as required to be reported pursuant to all exemption and deferral programs, including certified or notarized statements, income tax returns or other verification satisfactory to the Principal Assessor.
- D. Additional responsibilities of the Principal Assessor include managing the defense of the City in cases before the Appellate Tax Board or other governing bodies, and in conjunction with the Board of Tax Assessors, processing tax exemptions and abatements.
- E. The Principal Assessor shall be qualified in accordance with the regulations of the Department of Revenue, and shall at the time of appointment be designated a Massachusetts Accredited Assessor (MAA), or shall obtain said designation within one year of appointment. The Principal Assessor shall also be designated a Certified General Real Estate Appraiser by the Commonwealth of Massachusetts at the time of appointment, or shall obtain said designation within one year of appointment.

III. By striking in its entirety § 67-32, and inserting in place thereof the following new § 67-32:

### § 67-32. Senior Assessor; Powers and Duties

- A. There shall be a Senior Assessor in the Assessor's Office who shall be a full-time employee. He/she shall assist the Principal Assessor in the performance of his/her duties and, in the absence of the same, shall assume the duties of said Principal Assessor in the administration and management of the Assessors' Office. His/her compensation shall be fixed by ordinance.

**First Reading, suspended; Second Reading, adopted; Passage to Enroll, adopted; Passage to Ordain; adopted. No objection to passage in one evening.**

ADOPTED  
In City Council  
Order No. 14-1005690B

Approved by Mayor  
Arthur G. Vigeant  
Date: May 13, 2014

A TRUE COPY  
ATTEST:

  
City Clerk



*City of Marlborough*  
*Office of the Mayor*

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

*Arthur G. Vigeant*  
MAYOR

2014 JUL -2 P 4:53  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

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)

July 2, 2014

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

**Re: Recreation Commission Reappointments**

Honorable President Pope and Councilors:

I am pleased to submit for your approval the following reappointments to the Recreation Commission:

- Robert Kays for a three year term to expire from the date of Council approval
- Dennis Zilembo for a two year term to expire from the date of Council approval
- Thomas Evangelous for a two year term to expire from the date of Council approval
- Brenda Calder for a three year term to expire from the date of Council approval

These individuals have worked tirelessly with our Recreation Department to provide activities and programs for children and families of all ages and interests. I have no doubt they will continue to do all they can to deliver a wide array of year round activities for all to enjoy.

Lastly, per City Charter, upon approval by the City Council for a new term, I will designate Robert Kays to continue serving as Recreation Commission Chairman for a two year term.

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

Sincerely,

Arthur G. Vigeant  
Mayor



*City of Marlborough*  
*Office of the Mayor*

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*Arthur G. Vigeant* MAYOR  
*Michael C. Berry* EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

July 2, 2014

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

**Re: Cable Advisory Committee**

Honorable President Pope and Councilors:

I have appointed Assistant City Solicitor Cynthia Panagore Griffin to Chair the city's Cable Advisory Committee which will be charged with handling the negotiations for the license renewals of Comcast and Verizon. Joining Ms. Griffin on the committee will be I.T. Director Mark Gibbs, MPS Finance Director Michael Bergeron, and city resident William Spitzer.

I wish to extend an opportunity to you to select a member of the Council to serve as the fifth and final member of this important committee. I anticipate the committee convening its first meeting by month's end.

Thank you in advance for your consideration.

Sincerely,

**Arthur G. Vigeant**  
Mayor



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*Office of the Mayor*

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*Arthur G. Vigeant* MAYOR  
*Michael C. Berry* EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

July 2, 2014

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

**Re: OPEB Board of Trustees Appointment**

Honorable President Pope and Councilors:

Per City Council Order No. 13-1005335C, I wish to inform you that I have appointed Mr. Alfred Weaver to serve as my appointee on the OPEB Board of Trustees. Mr. Weaver brings with him decades of experience as a financial adviser that will allow him to be an effective contributor to the tasks at hand.

Upon an appointment by Council President Pope, the Trustees may then convene their inaugural meeting and move this process forward. I have directed Comptroller/Treasurer Brian Doheny to take the lead and coordinate the initial meetings of the committee.

Thank you for your cooperation and do not hesitate to let me know if you have any questions.

Sincerely,

  
Arthur G. Vigeant  
Mayor



*City of Marlborough*  
*Office of the Mayor*

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*Arthur G. Vigeant*  
MAYOR  
*Michael C. Berry*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

July 2, 2014

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

**Re: Proposed Draft LED Sign Ordinance**

Honorable President Pope and Councilors:

Enclosed for your consideration is a draft proposed order concerning amendments to Chapter 526, the Sign Ordinance, which would regulate LED signs in the City.

I wish to thank former Mayor Nancy Stevens, Councilor Delano, Attorney Doug Rowe, Planning Board Chair Barbara Fenby, and local merchant Walter Enright for serving on the LED Sign Committee and having a substantive dialogue on this matter.

I anticipate this ordinance will receive further discussion by the Council. If I am able to help or answer any questions as this process unfolds please do not hesitate to let me know.

Sincerely,

**Arthur G. Vigeant**  
Mayor

**ORDERED:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING CHAPTER 526, ENTITLED "SIGNS," WHICH AMENDMENTS SHALL SUPERCEDE SECTION 526-7N AS PROMULGATED UNDER ORDER NO. 13-1005520A, AS FOLLOWS:

1. § 526-2, entitled "Definitions," is amended by inserting the following definitions:

DIGITAL DISPLAY SIGN: A sign or portion thereof that incorporates light-emitting diode (LED), fiber optic or similar technology to allow messages to change or stay static.

ELECTRONIC MESSAGE CENTER (EMC) SIGN: An on-premises electronically-activated changeable sign or portion thereof whose variable message and/or graphic presentation capability can be electronically programmed and have the capability of changing or staying static. EMCs typically use light-emitting diodes (LEDs) as a lighting source or similar technology.

PUBLIC SERVICE ANNOUNCEMENTS: An announcement made by a nonprofit or civic organization.

2. Chapter 526 is further amended by inserting after § 526-12 a new section, entitled "Electronic Message Center and Digital Display Signs," as follows:

§ 526-13. Electronic Message Center Signs and Digital Display Signs.

A. Applicability.

Notwithstanding any general ordinance or special law to the contrary, the following regulations governing Electronic Message Center ("EMC") Signs and Digital Display Signs shall be in effect.

The regulations in § 526-13 permit Digital Display signs and Electronic Message Center ("EMC") signs in all zoning districts except for Rural Residence ("RR") Districts, Residence ("A-1") Districts, Residential ("A-2") Districts, Residential ("A-3") Districts, Residential B ("RB") Districts, Residential C ("RC") Districts, Retirement Community Residential ("RCR") Districts, and the Downtown Business District outlined in § 526-9L., in which districts such signs are strictly prohibited. Digital Display signs and EMC signs shall be permitted with the approval of the Building Inspector and shall be subject to all other provisions governing signs in Chapter 526 of the City's sign ordinance. In the event of a conflict between these provisions

and other provisions governing signs in Chapter 526, these provisions shall prevail.

This § 526-13 shall apply to all exterior Digital Display signs and all exterior EMC signs, and also to all such signs that are within 3 feet of the interior of a business window and that are visible from the outside of the business window. It shall not otherwise apply to signs or displays located within a commercial structure.

B. Standards.

EMC signs and Digital Display signs shall be allowed, but only pursuant to the following standards:

1. Sign Type: EMC signs are permitted. They shall only be permitted as part of a freestanding sign and shall comply with all of the requirements of § 526-9.
2. Number of Signs: There shall only be one (1) EMC sign permitted on each nonresidential-zoned parcel.
3. Display Area: No more than twenty-five percent (25%) of the allowable sign face shall be dedicated to the EMC portion of said sign. The EMC display portion of said sign is not to exceed a maximum of twenty-four (24) square feet.
4. Design: The EMC area must be integral to the design of the sign and shall not be the dominant element. The EMC portion of the sign face shall not be the uppermost element, but shall instead be located in the bottom one-half ( $1/2$ ) of the sign face. Digital Display signs may be located on free standing signs and wall signs, but are prohibited on portable, temporary, awning, marquee or canopy, projecting banner, window sign, and suspended signs.
5. Automatic Dimming: No Digital Display sign or EMC sign shall be erected without an automatic light sensing device such as a light detector or photocell by which the sign's brightness can be dimmed when ambient light conditions darken.
6. Brightness and Color: The Digital Display sign or EMC sign must not display light of such intensity or brilliance so as to cause glare or otherwise impair the vision of any driver or result in a nuisance to any driver. Colors shall be permitted for electronic displays with a black background or field, and the light intensity shall not exceed a maximum luminance intensity level for all accessory and non-accessory EMC signs shall not exceed 350 (cd/m<sup>2</sup>) nits from sunset to sunrise, and 6,000 (cd/m<sup>2</sup>) nits from sunrise to sunset. A photoelectric sensor shall be installed on the sign structure and set to register the ambient light produced at sunset on any given day. The ambient light level shall determine the cutoff between the two (2) maximum luminance intensity levels, measured in nits, set forth above. Upon installation of the sign, an employee or agent of the Building Department shall confirm compliance with the above nit levels. EMC and Digital Display signs are subject to inspection at the discretion of the Building Inspector.

All lighting used to illuminate signs shall be installed so that neither direct nor reflected illumination from such lighting shall cause a public nuisance to adjacent lots or abutting streets. In addition to the maximum luminosity intensity levels set forth above, all displays should adjust brightness intensity according to ambient light conditions to ensure optimum legibility.

7. Inspections: Luminosity levels shall be inspected as needed by the City's zoning enforcement officer, or an agent of the City's zoning enforcement officer, using standard industry best practices for such measurement.

8. Effects: Except for temperature and time, the EMC message or the digital display shall not grow, melt, X-ray, scroll, write on, travel, inverse, roll, twinkle, snow, rotate, flash, blink, move, spin, wave, rumble or present pictorials or other animation and/or intermittent illumination. The message shall be limited to alphanumeric characters.

9. Operational Limitations: Such displays shall contain static messages only, and shall not have movement of any part of the sign structure, design, or pictorial segment of the sign, including the movement or appearance of movement of any illumination or the slashing, scintillating or varying of light intensity.

10. Minimum Display Time: Each message on the EMC sign must be displayed for a minimum of 10 seconds.

11. Message Change Sequence: The change of messages on an EMC sign must be accomplished with a maximum interval of no more than 0.3 seconds of time between messages.

12. Setbacks from Residential Zoned Areas: The sign must be set back a minimum distance of two hundred feet (200') from the nearest point of any abutting residentially zoned district. If, because of the shape, size and/or proximity of a commercial lot to a residentially zoned district it is not possible to place the sign more than 200 feet from the nearest point of an abutting residentially-zoned district, then the Planning Board may grant a variance for closer placement, provided that when located within 200 feet of a residentially-zoned district, all digital display portions of the sign shall be oriented so that no portion of the sign is visible from an existing primary residential structure in that district.

13. Hours of Operation: EMC signs shall be operational only during the time that the associated commercial operation is open for business to the public, and said signs shall be turned off at the conclusion of posted business hours.

14. Malfunctioning Signs: Signs that malfunction shall be turned off immediately.

15. Spacing: Digital Display signs and EMC signs shall be at least one hundred feet (100') apart. If, because of the shape and size of a commercial lot it is not possible to place a new sign more than 100 feet from an existing EMC sign or Digital Display sign, then the Planning Board may grant a variance for closer placement.



16. Public Service Announcements: EMC signs shall be available for public service announcements (PSAs). During a calendar year, ten percent (10%) of the operational time of EMC signs shall be made available at no cost to non-profit organizations for the display of PSA messages.

C. Legally Pre-Existing Non-Conforming EMC And Digital Display Signs.

Legally pre-existing non-conforming EMC signs and Digital Display signs, to the extent they have the technical capability to do so, shall be operated in conformance with the operational standards set forth in this § 526-13. In the absence of a light sensing device, sign owners shall ensure either that the signs are dimmed to meet brightness standards set forth in § 526-13 B(6.) above or that the signs are turned off from sunset to sunrise. All legally pre-existing non-conforming signs shall be brought into compliance with this amendment upon being significantly updated or replaced, as determined by the Building Inspector or a designee of the Building Inspector, or at the end of 10 years from the date of approval of this amendment, whichever is sooner.

D. Governmental Exemption.

Governmental entities are exempt from the above provisions and regulations.

ADOPTED  
In City Council  
Order No 14-  
Adopted

Approved by Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY  
ATTEST:



*City of Marlborough*  
*Office of the Mayor*

RECEIVED *Arthur G. Vigeant*  
CITY CLERK'S OFFICE MAYOR  
CITY OF MARLBOROUGH  
*Michael C. Berry*  
2014 JUL -2 P 4: 53 EXECUTIVE AIDE

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*Patricia Bernard*  
EXECUTIVE SECRETARY

July 2, 2014

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

**RE: Order Of Taking By Eminent Domain; Order of Acceptance Of Deeds;  
Order Transferring Care, Management and Control To the Conservation  
Commission; and Determination of Unique Acquisition**

Dear President Pope and Members:

Enclosed herewith please find three proposed orders, including an Order Of Taking By Eminent Domain and an Order Of Acceptance of Deeds for the purposes of augmenting the Desert Conservation Area with privately-owned parcels of land. These parcels, located in an area known as Deer Foot Park, are surrounded by conservation land. The third proposed Order would transfer the parcels to the care, management and control of the Conservation Commission.

In addition, the enclosures include the Chief Procurement Officer's determination that the location and unique qualities of the land satisfy the unique acquisition requirements of M.G.L. Chapter 30B, §16(e)(2). Also enclosed is a copy of the 1909 recorded plan for Deer Foot Park together with, for orientation and comparison, a GIS plan and a GIS aerial view.

This proposal is being requested on behalf of the Conservation Commissioner, Priscilla Ryder. The Commissioner and the Legal Department will be available to answer any specific questions relative to the project. As always, I am available to answer any questions that you may have concerning the attached.

Sincerely,

Arthur G. Vigeant  
Mayor

Enclosure

Cc: Priscilla Ryder, Conservation Commissioner  
Legal Department  
Deborah Fox, Tax Collector  
Bradford Dunn, Assessors' Office  
Beverly J. Sleeper, Chief Procurement Officer

**ORDERED:**

**Eminent Domain Order of Taking**

WHEREAS, the City Council of the City of Marlborough has determined that the public welfare, safety, and common convenience require that certain portions of land located off of Concord Road in the area known as "Deer Foot Park" as more particularly described herein, be taken in fee for conservation purposes and that the taking by eminent domain is reasonable and necessary to carry out the aforementioned purposes; and,

WHEREAS, in order to promote the public welfare, safety, common convenience, and necessity, it is necessary to take by Eminent Domain the easement interests in the land for the purposes and duration described herein; and,

WHEREAS, all preliminary requirements of Massachusetts General Laws Chapter 79 having been complied with;

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

**DESCRIPTION OF LAND TAKEN**

OWNER: Deborah Schreiber Rodriguez  
11942 St. Francis Way  
Michelleville, MD 20721

Those certain lots numbered 624, 625, 646, and 647 being approximately 0.23124426 acres as shown on "Plan of Lots Of Deer Foot Park Town of Hudson and Marlboro, Middlesex County, Mass., Belonging To W.M.A. Connelly of Boston, Mass.; Scale 50 Feet To An Inch; June 1909; N.W. Daley Surveyor, Salem, Mass." recorded in the Middlesex South Registry of Deeds at Plan Book 180 as Plan 42 (A of 2) of August 26, 1909, and also known and numbered as Map 3, Parcel 28 on the Assessors' Map of the City of Marlborough.

See also Deed In Lieu of Foreclosure conveying title to said lots to the City of Marlborough recorded herewith at the Middlesex South County Registry of Deeds in Book \_\_\_\_\_, Page \_\_\_\_\_.

OWNER: Bernard Collins  
4 Gigante Drive  
Stoneham, MA

Those certain lots numbered 176 and 177 being approximately 0.11478421 acres as shown on "Plan of Lots Of Deer Foot Park Town of Hudson and Marlboro, Middlesex County, Mass.,

Belonging To W.M.A. Connelly of Boston, Mass.; Scale 50 Feet To An Inch; June 1909; N.W. Daley Surveyor, Salem, Mass.” recorded in the Middlesex South Registry of Deeds at Plan Book 180 as Plan 42 (A of 2) of August 26, 1909. Said lots numbered 176 and 177 are also known and numbered as Map 3, Parcel 17 on the Assessors’ Map of the City of Marlborough.

See also Deed In Lieu of Foreclosure conveying title to said lots to the City of Marlborough recorded herewith at the Middlesex South County Registry of Deeds in Book \_\_\_\_\_, Page \_\_\_\_\_.

OWNER: Gerard Coolbrith  
56 William Ward Street  
Uxbridge, MA

Those certain lots numbered 115, 116, and 117 being approximately 0.12913223 acres as shown on “Plan of Lots Of Deer Foot Park Town of Hudson and Marlboro, Middlesex County, Mass., Belonging To W.M.A. Connelly of Boston, Mass.; Scale 50 Feet To An Inch; June 1909; N.W. Daley Surveyor, Salem, Mass.” recorded in the Middlesex South Registry of Deeds at Plan Book 180 as Plan 42 (A of 2) of August 26, 1909, and also known and numbered as Map 3, Parcel 13 on the Assessors’ Map of the City of Marlborough.

See also Deed In Lieu of Foreclosure conveying title to said lots to the City of Marlborough recorded herewith at the Middlesex South County Registry of Deeds in Book \_\_\_\_\_, Page \_\_\_\_\_.

OWNER: Raymond Perkins  
720 California Street  
Tallahassee, FL

That certain lot number 87 being approximately 0.06473829 acres as shown on “Plan of Lots Of Deer Foot Park Town of Hudson and Marlboro, Middlesex County, Mass., Belonging To W.M.A. Connelly of Boston, Mass.; Scale 50 Feet To An Inch; June 1909; N.W. Daley Surveyor, Salem, Mass.” recorded in the Middlesex South Registry of Deeds at Plan Book 180 as Plan 42 (A of 2) of August 26, 1909, and also known and numbered as Map 3, Parcel 10 on the Assessors’ Map of the City of Marlborough.

OWNER: Charles E. Elliot  
65 Mechanics Street  
Camden, ME

Those certain lots numbered 49 and 50 being approximately 0.08482553 acres as shown on “Plan of Lots Of Deer Foot Park Town of Hudson and Marlboro, Middlesex County, Mass., Belonging To W.M.A. Connelly of Boston, Mass.; Scale 50 Feet To An Inch; June 1909; N.W. Daley Surveyor, Salem, Mass.” recorded in the Middlesex South Registry of Deeds at Plan Book 180 as Plan 42 (A of 2) of August 26, 1909, and also known and numbered as Map 3, Parcel 6 on the Assessors’ Map of the City of Marlborough.

OWNER: Amy Demerse  
P.O. Box 1052  
Eagle River, AK

Those certain lots numbered 69 and 70 being approximately 0.10927456 acres as shown on “Plan of Lots Of Deer Foot Park Town of Hudson and Marlboro, Middlesex County, Mass., Belonging To W.M.A. Connelly of Boston, Mass.; Scale 50 Feet To An Inch; June 1909; N.W. Daley Surveyor, Salem, Mass.” recorded in the Middlesex South Registry of Deeds at Plan Book 180 as Plan 42 (A of 2) of August 26, 1909, and also known and numbered as Map 3, Parcel 6A on the Assessors’ Map of the City of Marlborough.

OWNER: Joseph Hayes  
13 Blake Street  
Beverly, MA

That certain lot number 21 being approximately 0.02066116 acres as shown on “Plan of Lots Of Deer Foot Park Town of Hudson and Marlboro, Middlesex County, Mass., Belonging To W.M.A. Connelly of Boston, Mass.; Scale 50 Feet To An Inch; June 1909; N.W. Daley Surveyor, Salem, Mass.” recorded in the Middlesex South Registry of Deeds at Plan Book 180 as Plan 42 (A of 2) of August 26, 1909, and also known and numbered as Map 3, Parcel 16 on the Assessors’ Map of the City of Marlborough.

<u>OWNER</u>	<u>MARLBOROUGH ASSESSORS MAP/PARCEL</u>	<u>AREA (+/- Acres)</u>	<u>AWARD</u>
Deborah Schreiber Rodriguez	3/28	0.23124426	\$0.00
Bernard Collins	3/17	0.11478421	\$0.00
Gerard Coolbrith	3/13	0.12913223	\$0.00
Raymond Perkins	3/10	0.06473829	\$1,000.00
Charles E. Elliot	3/6	0.08482553	\$1,000.00
Amy Demerse	3/6A	0.10927456	\$1,000.00
Joseph Hayes	3/16	0.02066116	\$1,000.00

ADOPTED  
In City Council  
Order No. 14-  
Adopted

Approved By Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY  
ATTEST:

**ORDERED:**

That pursuant to Section 14 of Chapter 40 of the General Laws of Massachusetts, the City does hereby accept for conservation purposes title, by deeds of conveyance, to certain parcels of land located within the area known as Deer Foot Park, which is located off of Concord Road, said deeds to be recorded herewith at the Middlesex County South Registry of Deeds, an appropriation of money for said purposes having been heretofore approved and presently available in Account No. 30046006-58160 and in Account No. 30046006-58160.

GRANTOR: Deborah Schreiber Rodriguez

Those certain lots numbered 624, 625, 646, and 647, being approximately 0.23124426 acres, as shown on "Plan of Lots Of Deer Foot Park Town of Hudson and Marlboro, Middlesex County, Mass., Belonging To W.M.A. Connelly of Boston, Mass.; Scale 50 Feet To An Inch; June 1909; N.W. Daley Surveyor, Salem, Mass." recorded in the Middlesex South Registry of Deeds at Plan Book 180 as Plan 42 (A of 2) of August 26, 1909, and also known and numbered as Map 3, Parcel 28 on the Assessors' Map of the City of Marlborough.

GRANTOR: Steven J. King

Those certain lots numbered 519 and 520, being approximately 0.11478421 acres, as shown on "Plan of Lots Of Deer Foot Park Town of Hudson and Marlboro, Middlesex County, Mass., Belonging To W.M.A. Connelly of Boston, Mass.; Scale 50 Feet To An Inch; June 1909; N.W. Daley Surveyor, Salem, Mass." recorded in the Middlesex South Registry of Deeds at Plan Book 180 as Plan 42 (A of 2) of August 26, 1909, and also known and numbered as Map 3, Parcel 25 on the Assessors' Map of the City of Marlborough.

GRANTORS: Robert A. Barden and Alice C. Barden

That certain lot numbered 384, being approximately 0.07805326 acres, as shown on "Plan of Lots Of Deer Foot Park Town of Hudson and Marlboro, Middlesex County, Mass., Belonging To W.M.A. Connelly of Boston, Mass.; Scale 50 Feet To An Inch; June 1909; N.W. Daley Surveyor, Salem, Mass." recorded in the Middlesex South Registry of Deeds at Plan Book 180 as Plan 42 (A of 2) of August 26, 1909, and also known and numbered as Map 3, Parcel 21 on the Assessors' Map of the City of Marlborough.

GRANTOR: Robert A. Barden

That certain lot numbered 385, being approximately 0.0573921 acres, as shown on "Plan of Lots Of Deer Foot Park Town of Hudson and Marlboro, Middlesex County, Mass., Belonging To W.M.A. Connelly of Boston, Mass.; Scale 50 Feet To An Inch; June 1909; N.W. Daley Surveyor, Salem, Mass." recorded in the Middlesex South Registry of Deeds at Plan Book 180 as Plan 42 (A of 2) of August 26, 1909, and also known and numbered as Map 3, Parcel 22 on the Assessors' Map of the City of Marlborough.

GRANTOR: George Lohmiller

Those certain lots numbered 292, 293, and 294, being approximately 0.17217631 acres, as shown on "Plan of Lots Of Deer Foot Park Town of Hudson and Marlboro, Middlesex County, Mass., Belonging To W.M.A. Connelly of Boston, Mass.; Scale 50 Feet To An Inch; June 1909; N.W. Daley Surveyor, Salem, Mass." recorded in the Middlesex South Registry of Deeds at Plan Book 180 as Plan 42 (A of 2) of August 26, 1909, and also known and numbered as Map 3, Parcel 19 on the Assessors' Map of the City of Marlborough.

GRANTOR: Bernard Collins

Those certain lots numbered 176 and 177, being approximately 0.11478421 acres, as shown on "Plan of Lots Of Deer Foot Park Town of Hudson and Marlboro, Middlesex County, Mass., Belonging To W.M.A. Connelly of Boston, Mass.; Scale 50 Feet To An Inch; June 1909; N.W. Daley Surveyor, Salem, Mass." recorded in the Middlesex South Registry of Deeds at Plan Book 180 as Plan 42 (A of 2) of August 26, 1909. Said lots numbered 176 and 177 are also known and numbered as Map 3, Parcel 17 on the Assessors' Map of the City of Marlborough.

GRANTOR: Gerard Coolbrith

Those certain lots numbered 115, 116, and 117, being approximately 0.12913223 acres, as shown on "Plan of Lots Of Deer Foot Park Town of Hudson and Marlboro, Middlesex County, Mass., Belonging To W.M.A. Connelly of Boston, Mass.; Scale 50 Feet To An Inch; June 1909; N.W. Daley Surveyor, Salem, Mass." recorded in the Middlesex South Registry of Deeds at Plan Book 180 as Plan 42 (A of 2) of August 26, 1909, and also known and numbered as Map 3, Parcel 13 on the Assessors' Map of the City of Marlborough.

ADOPTED

In City Council  
Order No. 14-  
Adopted

Approved By Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY

ATTEST:



**ORDERED:**

That the City Council of the City of Marlborough, by two-thirds vote pursuant to Mass. Gen. Laws c. 40, § 15A, hereby transfers to the Conservation Commission of the City of Marlborough for conservation purposes, including increasing open space, preserving vistas, providing wildlife habitat, and enabling future passive recreational opportunities in conjunction with existing and proposed public passive recreational amenities, the care, custody, management, and control of the following lots in the area known as Deer Foot Park, pursuant to Mass. Gen. Laws c. 40, § 8C, for incorporation into the surrounding Desert Natural Conservation Area:

1. Those certain lots numbered 624, 625, 646, and 647, being approximately 0.23124426 acres, as shown on “Plan of Lots Of Deer Foot Park Town of Hudson and Marlboro, Middlesex County, Mass., Belonging To W.M.A. Connelly of Boston, Mass.; Scale 50 Feet To An Inch; June 1909; N.W. Daley Surveyor, Salem, Mass.” recorded in the Middlesex South Registry of Deeds at Plan Book 180 as Plan 42 (A of 2) of August 26, 1909, and also known and numbered as Map 3, Parcel 28 on the Assessors’ Map of the City of Marlborough.
2. Those certain lots numbered 519 and 520, being approximately 0.11478421 acres, as shown on “Plan of Lots Of Deer Foot Park Town of Hudson and Marlboro, Middlesex County, Mass., Belonging To W.M.A. Connelly of Boston, Mass.; Scale 50 Feet To An Inch; June 1909; N.W. Daley Surveyor, Salem, Mass.” recorded in the Middlesex South Registry of Deeds at Plan Book 180 as Plan 42 (A of 2) of August 26, 1909, and also known and numbered as Map 3, Parcel 25 on the Assessors’ Map of the City of Marlborough.
3. That certain lot numbered 384, being approximately 0.07805326 acres, as shown on “Plan of Lots Of Deer Foot Park Town of Hudson and Marlboro, Middlesex County, Mass., Belonging To W.M.A. Connelly of Boston, Mass.; Scale 50 Feet To An Inch; June 1909; N.W. Daley Surveyor, Salem, Mass.” recorded in the Middlesex South Registry of Deeds at Plan Book 180 as Plan 42 (A of 2) of August 26, 1909, and also known and numbered as Map 3, Parcel 21 on the Assessors’ Map of the City of Marlborough.
4. That certain lot numbered 385, being approximately 0.0573921 acres, as shown on “Plan of Lots Of Deer Foot Park Town of Hudson and Marlboro, Middlesex County, Mass., Belonging To W.M.A. Connelly of Boston, Mass.; Scale 50 Feet To An Inch; June 1909; N.W. Daley Surveyor, Salem, Mass.” recorded in the Middlesex South Registry of Deeds at Plan Book 180 as Plan 42 (A of 2) of August 26, 1909, and also known and numbered as Map 3, Parcel 22 on the Assessors’ Map of the City of Marlborough.
5. Those certain lots numbered 292, 293, and 294, being approximately 0.17217631 acres, as shown on “Plan of Lots Of Deer Foot Park Town of Hudson and Marlboro, Middlesex County, Mass., Belonging To W.M.A. Connelly of Boston, Mass.; Scale 50 Feet To An Inch; June 1909; N.W. Daley Surveyor, Salem, Mass.” recorded in the Middlesex South

- Registry of Deeds at Plan Book 180 as Plan 42 (A of 2) of August 26, 1909, and also known and numbered as Map 3, Parcel 19 on the Assessors' Map of the City of Marlborough.
6. Those certain lots numbered 176 and 177, being approximately 0.11478421 acres, as shown on "Plan of Lots Of Deer Foot Park Town of Hudson and Marlboro, Middlesex County, Mass., Belonging To W.M.A. Connelly of Boston, Mass.; Scale 50 Feet To An Inch; June 1909; N.W. Daley Surveyor, Salem, Mass." recorded in the Middlesex South Registry of Deeds at Plan Book 180 as Plan 42 (A of 2) of August 26, 1909. Said lots numbered 176 and 177 are also known and numbered as Map 3, Parcel 17 on the Assessors' Map of the City of Marlborough.
  7. Those certain lots numbered 115, 116, and 117, being approximately 0.12913223 acres, as shown on "Plan of Lots Of Deer Foot Park Town of Hudson and Marlboro, Middlesex County, Mass., Belonging To W.M.A. Connelly of Boston, Mass.; Scale 50 Feet To An Inch; June 1909; N.W. Daley Surveyor, Salem, Mass." recorded in the Middlesex South Registry of Deeds at Plan Book 180 as Plan 42 (A of 2) of August 26, 1909, and also known and numbered as Map 3, Parcel 13 on the Assessors' Map of the City of Marlborough.
  8. That certain lot number 87 being approximately 0.06473829 acres as shown on "Plan of Lots Of Deer Foot Park Town of Hudson and Marlboro, Middlesex County, Mass., Belonging To W.M.A. Connelly of Boston, Mass.; Scale 50 Feet To An Inch; June 1909; N.W. Daley Surveyor, Salem, Mass." recorded in the Middlesex South Registry of Deeds at Plan Book 180 as Plan 42 (A of 2) of August 26, 1909, and also known and numbered as Map 3, Parcel 10 on the Assessors' Map of the City of Marlborough.
  9. Those certain lots numbered 49 and 50 being approximately 0.08482553 acres as shown on "Plan of Lots Of Deer Foot Park Town of Hudson and Marlboro, Middlesex County, Mass., Belonging To W.M.A. Connelly of Boston, Mass.; Scale 50 Feet To An Inch; June 1909; N.W. Daley Surveyor, Salem, Mass." recorded in the Middlesex South Registry of Deeds at Plan Book 180 as Plan 42 (A of 2) of August 26, 1909, and also known and numbered as Map 3, Parcel 6 on the Assessors' Map of the City of Marlborough.
  10. Those certain lots numbered 69 and 70 being approximately 0.10927456 acres as shown on "Plan of Lots Of Deer Foot Park Town of Hudson and Marlboro, Middlesex County, Mass., Belonging To W.M.A. Connelly of Boston, Mass.; Scale 50 Feet To An Inch; June 1909; N.W. Daley Surveyor, Salem, Mass." recorded in the Middlesex South Registry of Deeds at Plan Book 180 as Plan 42 (A of 2) of August 26, 1909, and also known and numbered as Map 3, Parcel 6A on the Assessors' Map of the City of Marlborough.
  11. That certain lot number 21 being approximately 0.02066116 acres as shown on "Plan of Lots Of Deer Foot Park Town of Hudson and Marlboro, Middlesex County, Mass., Belonging To W.M.A. Connelly of Boston, Mass.; Scale 50 Feet To An Inch; June 1909;

N.W. Daley Surveyor, Salem, Mass.” recorded in the Middlesex South Registry of Deeds at Plan Book 180 as Plan 42 (A of 2) of August 26, 1909, and also known and numbered as Map 3, Parcel 16 on the Assessors’ Map of the City of Marlborough.

ADOPTED

In City Council  
Order No. 14-  
Adopted

Approved By Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY

ATTEST:

Page 2  
Letter to Mayor RE: Deer foot Park Parcels  
June 30, 2014

If you have any questions or require further information, please let me know.

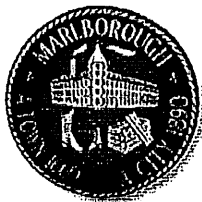
Sincerely,

A handwritten signature in cursive script that reads "Beverly J. Sleeper".

Beverly J. Sleeper  
Chief Procurement Officer

cc: Cynthia Panagore Griffin, Assistant City Solicitor  
Priscilla Ryder, Conservation Agent

City of Marlborough



**PROCUREMENT OFFICE**

140 Main Street, 3<sup>RD</sup> Floor, Marlborough, MA 01752

DIRECT DIAL (508) 460-3707 FACSIMILE (508) 460-3747 TDD (508) 460-3610

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

June 30, 2014

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

RE: Unique Acquisition of Real Property – Deer Foot Park Parcels

Dear Mayor Vigeant:

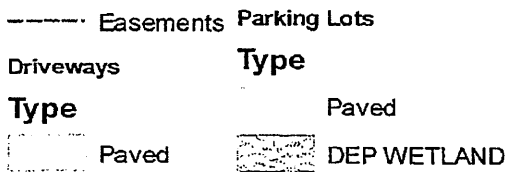
Pursuant to the provisions of M.G.L. c. 30B, § 16, the City must solicit proposals prior to obtaining real property valued in excess of \$25,000 *unless* the City Council determines in writing that advertising for the submissions of proposals will not benefit the City's interests because of the unique qualities or location of the property needed (M.G.L. c. 30B, § 16(e)(2)). It is my understanding that the City is interested in acquiring parcels of land located within the area known as Deer Foot Park as shown on "Plan of Lots of Deer Foot Park Town of Hudson and Marlboro, Middlesex County, Mass., Belonging to W.M.A. Connelly of Boston, Mass.; Scale 50 Feet to An Inch; June 1909; N.W. Daley Surveyor, Salem, Mass." Recorded in the Middlesex South Registry of Deeds in Plan Book 180 as Plan 42 (A of 2) of August 26, 1909 and identified as Assessor's Map 3, Parcels 28, 25, 21, 22, 19, 17, and 13 (the "Land"), which have a total assessed value of \$31,800. The parcels remain privately-owned and are located in an inaccessible/unbuilt subdivision dating from around WWI, called Deer Foot Park. It is my understanding that these parcels originally were conveyed to WWI veterans, but none of the parcels were ever developed, and no roads ever built.

For the City Council's deliberation and approval, I have determined that the location and qualities of the Land satisfy the unique requirements of the City pursuant to M.G.L. c. 30B, § 16(e)(2). Specifically, the Land consists of wooded open space, uniquely situated because it abuts existing City open space parcels, which has been designated as potential open space by the City's 2011-2018 Open Space and Recreation Plan and upon which the City proposes to accept for conservation purposes. The City seeks to acquire this property in order to increase open space, to preserve vistas, to provide wildlife habitat, and to enable future passive recreational opportunities in conjunction with existing and proposed public passive recreational amenities.

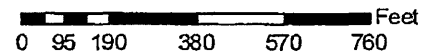
In light of the foregoing, it is my opinion that it is proper to waive the advertisement requirements of M.G.L. c. 30B, § 16 with respect to the acquisition of the Land. Pursuant to M.G.L. c. 30B, § 16, I will publish this determination along with the names of parties having a beneficial interest in the property as required under M.G.L. c. 7C, § 38, the location and size of the property, and the proposed purchase price in the Commonwealth's Central Register not less than thirty (30) days before the City accepts the deeds for nominal consideration from the owners of these parcels.



# Deer Foot Park (Desert Conservation Area)



1 inch = 389 feet



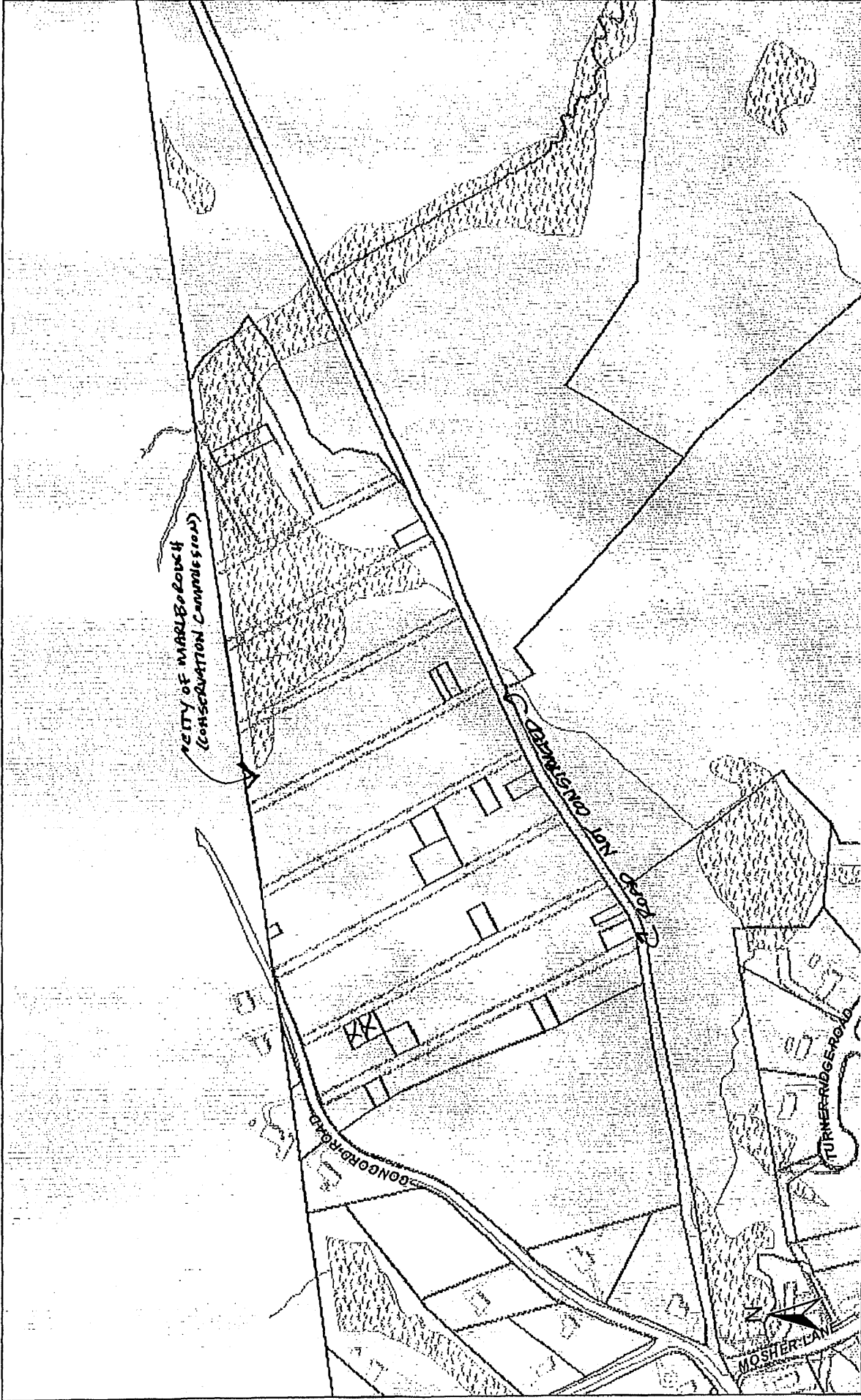
July 2, 2014

City of Marlborough

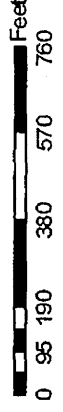


All Marlborough GIS data is to be considered a generalized spatial representation that is subject to revision. This information is provided as a visual representation only and is not to be used as a legal or official representation of legal boundaries. This web site is not intended to be used as the exclusive basis for decision-

# Deer Foot Park (Desert Conservation Area)



1 inch = 389 feet



July 2, 2014



All Marlborough GIS data is to be considered a generalized spatial representation that is subject to error. This information is provided as a visual representation only and is not to be used as a legal or official representation of legal boundaries. This web page is not intended to be used as the exclusive basis for decision.

---	Easements	Parking Lots
---	Driveways	Type
---	Type	Paved
---	Paved	DEP WETLAND





*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  
2014 JUL -2 P 4: 53

*Arthur G. Vigeant*  
MAYOR  
*Michael C. Berry*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

July 2, 2014

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

**Re: Order Of Taking By Eminent Domain Of Certain Strips Of Land For The  
Purposes Of Reconstructing And Maintaining Simarano Drive**

Honorable President Pope and Councilors:

Enclosed herewith please find an Order Of Taking By Eminent Domain. The proposed taking is for the purpose of acquiring permanent and temporary easements which will enable the Department of Public Works to reconstruct and maintain Simarano Drive, including but not limited to new sidewalks, guardrails, and repaving. This taking is a necessary step that is part of the \$1.65 million MassWorks grant awarded to the city last year.

This proposal is being requested on behalf of the Department of Public Works. The Commissioner and/or City Engineer will be available to answer any specific questions relative to the project.

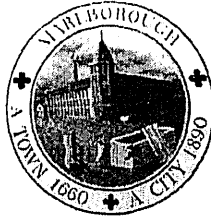
I am available to answer any questions that you may have concerning the attached. Thank you in advance for your consideration.

Sincerely,

**Arthur G. Vigeant**  
Mayor

Enclosure

Cc: Donald V. Rider, Jr., City Solicitor  
Cynthia Panagore Griffin, Assistant City Solicitor  
John Ghiloni, Commissioner  
Evan Pilachowski, City Engineer  
Timothy Cummings, Director, MEDC



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

July 3, 2014

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

RE: Order Of Taking By Eminent Domain Of Certain Strips Of Land For The  
Purposes Of Reconstructing and Maintaining Simarano Drive

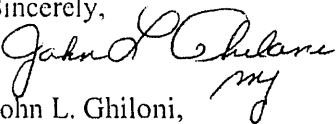
Dear Mayor Vigeant:

I request that you send the attached Order Of Taking By Eminent Domain concerning certain strips of land, as more fully described within the proposed Order of Taking By Eminent Domain, to the City Council for their action.

The taking is for the purpose of acquiring permanent and temporary easements which will enable the Department of Public Works to reconstruct and maintain Simarano Drive, including but not limited to new sidewalks, guardrails, and repaving.

The City Engineer, Evan Pilachowski, is available to answer any specific questions relative to the project.

Sincerely,

  
John L. Ghiloni,  
Commissioner

Enclosure

Cc: Donald V. Rider, Jr., City Solicitor  
Cynthia Panagore Griffin, Assistant City Solicitor  
Evan Pilachowski, City Engineer  
Timothy Cummings, Director, MEDC

**ORDERED:**

**Eminent Domain Order of Taking**

WHEREAS, the City Council of the City of Marlborough has determined that the public welfare, safety, and common convenience require that the easement interest in certain portions of land located on Simarano Drive and Ames Street, as more particularly described herein, be taken for the purpose of the reconstruction, construction, and maintenance of improvements to Simarano Drive and Ames Street, and for other municipal purposes, and that the taking by eminent domain is reasonable and necessary to carry out the aforementioned purposes; and,

WHEREAS, in order to promote the public welfare, safety, common convenience, and necessity, it is necessary to take by Eminent Domain the easement interests in the land for the purposes and duration described herein; and,

WHEREAS, all preliminary requirements of Massachusetts General Laws Chapter 79 having been complied with;

NOW, THEREFORE, IT IS HEREBY ORDERED that the City Council of the City of Marlborough, acting in accordance with the power and authority conferred by the City Charter, Division 1, Section 30, Massachusetts General Laws, Chapter 79 and every power and authority thereto enabling, and in the exercise of the power and authority conferred by said laws, does hereby take by Eminent Domain the easement interests in the following described land, including all trees and other vegetation thereon.

**DESCRIPTION OF LAND TAKEN**

**1. Street address: 200 Forest Street, Marlborough, MA 01752**

Permanent easements: Being portions of the property located on Simarano Drive, with a street address of 200 Forest Street, Marlborough, MA, known and numbered as Map 101, Parcel 2 on the Assessors' Map of the City of Marlborough, and described as follows, all parcel references being to Sheet 4 of 17 of a set of plans dated May 28, 2014 and entitled "Simarano Drive Road Improvements in the City of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc.":

- (1) Parcel E-01: 1,010 S.F. for sidewalk purposes;
- (2) Parcel E-02: 3,335 S.F. for sidewalk and guardrail purposes;
- (3) Parcel D-01: 540 S.F. for drainage improvements purposes; and
- (4) Parcel D-02: 864 S.F. for drainage improvements purposes.

Temporary easement for grading purposes: Being a 13,630 S.F portion of the property located on Simarano Drive, with a street address of 200 Forest Street, Marlborough, MA, known and numbered as Map 101, Parcel 2 on the Assessors' Map of the City of Marlborough, and shown as Parcel TE-06 on Sheet 4 of 17 of a set of plans dated May

28, 2014 and entitled "Simarano Drive Road Improvements in the City of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Simarano Drive and Ames Street.

OWNER: Atlantic-Marlboro Realty LLC  
205 Newbury Street  
Framingham, MA 01701

**2. Street Address: 257 Simarano Drive, Marlborough, MA**

Temporary easement for grading purposes: Being a 1,185 S.F. portion of the property located at 257 Simarano Drive, Marlborough, MA, known and numbered as Map 112, Parcel 4 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-09 on Sheet 4 of 17 of a set of plans dated May 28, 2014 and entitled "Simarano Drive Road Improvements in the City of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

Temporary easement for grading purposes: Being an 1,465 S.F. portion of the property located at 257 Simarano Drive, Marlborough, MA, known and numbered as Map 112, Parcel 4 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-10 on Sheet 4 of 17 of a set of plans dated May 28, 2014 and entitled "Simarano Drive Road Improvements in the City of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

Said temporary easements shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Simarano Drive and Ames Street.

OWNER: 257 Simarano LLC  
5 Mount Royal Avenue, Suite 200  
Marlborough, MA 01752

**3. Street Address: 377 Simarano Drive, Marlborough, MA 01752**

Temporary easement for grading purposes: Being a 470 S.F. portion of the property located at 377 Simarano Drive, Marlborough, MA, known and numbered as Map 116, Parcel 10 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-13 on Sheet 4 of 17 of a set of plans dated May 28, 2014 and entitled "Simarano Drive Road Improvements in the City of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

Temporary easement for grading purposes: Being a 675 S.F. portion of a parcel located at 377 Simarano Drive, Marlborough, MA, known and numbered as Map 116, Parcel 10 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-14 on Sheet 4 of 17 of a set of plans dated May 28, 2014 and entitled "Simarano Drive Road Improvements in the City of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

Said temporary easements shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Simarano Drive and Ames Street.

OWNER: 377 Simarano Drive LLC  
377 Simarano Drive  
Marlborough, MA 01752

**4. Street Address: 445 Simarano Drive, Marlborough, MA 01752**

Permanent easement for drainage purposes: Being a 799 S.F. portion of the property located at 445 Simarano Drive, Marlborough, MA, known and numbered as Map 116, Parcel 1 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel D-03 on Sheet 4 of 17 of a set of plans dated May 28, 2014 and entitled "Simarano Drive Road Improvements in the City of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

Temporary easement for grading purposes: Being a 1,080 S.F. portion of the property located at 200 Forest Street, Marlborough, MA, known and numbered as Map 116, Parcel 1 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-15 on Sheet 4 of 17 of a set of plans dated May 28, 2014 and entitled "Simarano Drive Road Improvements in the City of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

Temporary easement for grading purposes: Being a 925 S.F. portion of the property located at 200 Forest Street, Marlborough, MA, known and numbered as Map 116, Parcel 1 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-16 on Sheet 4 of 17 of a set of plans dated May 28, 2014 and entitled "Simarano Drive Road Improvements in the City of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

Temporary easement for grading purposes: Being a 730 S.F. portion of the property located at 200 Forest Street, Marlborough, MA, known and numbered as Map 116, Parcel 1 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-17 on Sheet 4 of 17 of a set of plans dated May 28, 2014 and entitled "Simarano Drive Road Improvements in the City of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

OWNER: 445 Simarano Drive Marlborough LLC

c/o RAM Management Co., Inc.  
200 U.S. Route One, Suite 200  
Scarborough, ME 04074

Said temporary easements shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Simarano Drive and Ames Street.

**5. Street Address: 107 Simarano Drive, Marlborough, MA 01752**

Temporary easement for grading purposes: Being a 2,930 S.F. portion of the property located at 107 Simarano Drive, Marlborough, MA, known and numbered as Map 116, Parcel 12 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-12 on Sheet 4 of 17 of a set of plans dated May 28, 2014 and entitled "Simarano Drive Road Improvements in the City of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Simarano Drive and Ames Street.

OWNER: BP Crane Meadow LLC  
c/o Boston Properties  
800 Boylston Street  
Boston, MA 02199

**6. Street Address: 400 Puritan Way, Marlborough, MA 01752**

Permanent easement for roadway, sidewalk and guardrail purposes: Being a 8,390 S.F. portion of the property located on Simarano Drive with a street address of 400 Puritan Way, Marlborough, MA, known and numbered as Map 112, Parcel 6A on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel E-04 on Sheet 4 of 17 of a set of plans dated May 28, 2014 and entitled "Simarano Drive Road Improvements in the City of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

Temporary easement for grading purposes: Being a 6,950 S.F. portion of the property located on Simarano Drive with a street address of 400 Puritan Way, Marlborough, MA, known and numbered as Map 112, Parcel 6A on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-08 on Sheet 4 of 17 of a set of plans dated May 28, 2014 and entitled "Simarano Drive Road Improvements in the City of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Simarano Drive and Ames Street.

OWNER: The TJX Companies, Inc.  
770 Cochituate Road  
Framingham, MA 01701

**7. Street Address: 300-350 Puritan Way, Marlborough, MA 01752**

Permanent easement for roadway, sidewalk and guardrail purposes: Being a 2,325 S.F. portion of the property located on Simarano Drive with a street address of 300-350 Puritan Way, Marlborough, MA, known and numbered as Map 112, Parcel 6 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel E-03 on Sheet 4 of 17 of a set of plans dated May 28, 2014 and entitled "Simarano Drive Road Improvements in the City of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

Temporary easement for grading purposes: Being an 8,235 S.F. portion of the property located on Simarano Drive with a street address of 300-350 Puritan Way, Marlborough, MA, known and numbered as Map 112, Parcel 6 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-07 on Sheet 4 of 17 of a set of plans dated May 28, 2014 and entitled "Simarano Drive Road Improvements in the City of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Simarano Drive and Ames Street.

OWNER: The TJX Companies, Inc.  
770 Cochituate Road  
Framingham, MA 01701

**8. Street Address: 292 Ames Street, Marlborough, MA 01752**

Temporary easement for grading purposes: Being a 920 S.F. portion of the property located at 229 Ames Street, Marlborough, MA, known and numbered as Map 89, Parcel 99 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-02 on Sheet 4 of 17 of a set of plans dated May 28, 2014 and entitled "Simarano Drive Road Improvements in the City of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Simarano Drive and Ames Street.

OWNER: Marlborough/Northborough Land Realty Trust  
1 Wall Street  
Burlington, MA 01803

**9. Street Address: 11 Atkinson Drive**

Temporary easement for grading purposes: Being a 910 S.F. portion of the property located on Ames Street with a street address of 11 Atkinson Drive, Marlborough, MA, known and numbered as Map 89, Parcel 80 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-01 on Sheet 4 of 17 of a set of plans dated May 28, 2014 and entitled "Simarano Drive Road Improvements in the City of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Simarano Drive and Ames Street.

OWNER: Marlborough/Northborough Land Realty Trust  
1 Wall Street  
Burlington, MA 01803

**10. Street Address: 100 Campus Drive, Marlborough, MA 01752**

Temporary easement for grading purposes: Being a 2,240 S.F. portion of the property located on Simarano Drive with a street address of 100 Campus Drive, Marlborough, MA, known and numbered as Map 100, Parcel 19 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-04 on Sheet 4 of 17 of a set of plans dated May 28, 2014 and entitled "Simarano Drive Road Improvements in the City of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

Temporary easement for grading purposes: Being a 5,520 S.F. portion of the property located on Simarano Drive with a street address of 100 Campus Drive, Marlborough, MA, known and numbered as Map 100, Parcel 19 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-05 on Sheet 4 of 17 of a set of plans dated May 28, 2014 and entitled "Simarano Drive Road Improvements in the City of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."



Said temporary easements shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Simarano Drive and Ames Street.

OWNERS: Hines Global REIT Marlborough Campus II LLC  
2800 Post Oak Boulevard, Suite 800  
Houston, TX 77056

**11. Street Address: 377 Simarano Drive, Marlborough, MA 01752**

Temporary easement for grading purposes: Being a 3,200 S.F. portion of the property located on Simarano Drive with a street address of 377 Simarano Drive, Marlborough, MA, known and numbered as Map 112, Parcel 10A on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-11 on Sheet 4 of 17 of a set of plans dated May 28, 2014 and entitled "Simarano Drive Road Improvements in the City of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Simarano Drive and Ames Street.

OWNER: Synopsys, Inc.  
700 East Middleford Road  
Mountain View, CA 94043

**12. Street Address: Off Simarano Drive**

Temporary easement for grading purposes: Being a 34,085 S.F portion of the property located off Simarano Drive and of Ames Street, Marlborough, MA, known and numbered as Map 101, Parcel 2 on the Assessors' Map of the City of Marlborough, and shown as Parcel TE-03 on Sheet 4 of 17 of a set of plans dated May 28, 2014 and entitled "Simarano Drive Road Improvements in the City of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Simarano Drive and Ames Street.

OWNER: Avalon Marlborough LLC  
51 Sleeper Street, Suite 750  
Boston, MA 02210

**AWARDS**

The City Council hereby makes the following awards for damages for the owner or owners of record:

<b><u>OWNER</u></b>	<b><u>MARLBOROUGH ASSESSORS MAP/PARCEL</u></b>	<b><u>AREA</u></b>	<b><u>AWARD</u></b>
Atlantic-Marlboro Realty LLC 205 Newbury Street Framingham, MA 01701	Being portions of 101/2	Permanent easements: 1,010 S.F.; 3,335 S.F.; 540 S.F.; 864 S.F.; & Temporary easement: 13,630 S.F.	
257 Simarano LLC 5 Mount Royal Avenue Suite 200 Marlborough, MA 01752	Being portions of 112/4	Temporary easement: 1,185 S.F. ; Temporary easement: 1,465 S.F.	
377 Simarano Drive LLC 377 Simarano Drive Marlborough, MA 01752	Being portions of 116/10	Temporary easement: 470 S.F. ; Temporary easement: 675 S.F.	
445 Simarano Drive Marlborough LLC c/o RAM Management Co., Inc. 200 U.S. Route One Suite 200 Scarborough, ME 04074	Being portions of 116/1	Permanent easement: 799 S.F.; Temporary easement: 1,080 S.F. ; Temporary easement: 925 S.F.; Temporary easement: 730 S.F.	

<p>BP Crane Meadow LLC c/o Boston Properties 800 Boylston Street Boston, MA 02199</p>	<p>Being a portion of 116/12</p>	<p>Temporary easement: 2,930 S.F.</p>	
<p>The TJX Companies, Inc. 770 Cochituate Road Framingham, MA 01701</p>	<p>Being portions of 112/6</p>	<p>Permanent easement: 2,325 S.F.; Temporary easement: 8,235 S.F.</p>	
<p>The TJX Companies, Inc. 770 Cochituate Road Framingham, MA 01701</p>	<p>Being portions of 112/6A</p>	<p>Permanent easement: 8,390 S.F.; Temporary easement: 6,950 S.F.</p>	
<p>Marlborough/Northborough Land Realty Trust 1 Wall Street Burlington, MA 01803</p>	<p>Being a portion of 89/99</p>	<p>Temporary easement: 920 S.F.</p>	
<p>Marlborough/Northborough Land Realty Trust 1 Wall Street Burlington, MA 01803</p>	<p>Being a portion of 89/80</p>	<p>Temporary easement: 910 S.F.</p>	
<p>Hines Global REIT Marlborough Campus II LLC 2800 Post Oak Boulevard Suite 800 Houston, TX 77056</p>	<p>Being portions of 100/19</p>	<p>Temporary easement: 2,240 S.F.; Temporary easement: 5,520 S.F.</p>	
<p>Synopsys, Inc. 700 East Middleford Road Mountain View, CA 94043</p>	<p>Being a portion of 112/10A</p>	<p>Temporary easement: 3,200S.F.</p>	
<p>Avalon Marlborough LLC 51 Sleeper Street, Suite 750 Boston, MA 02210</p>	<p>Being a portion of 101/2</p>	<p>Temporary easement: 34,085 S.F.</p>	

ADOPTED  
In City Council  
Order No. 14-  
Adopted

Approved By Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY  
ATTEST:



*City of Marlborough*

*Office of the Mayor*

RECEIVED *Arthur J. Vigeant*  
CITY CLERK'S OFFICE MAYOR  
CITY OF MARLBOROUGH

2014 JUL -2 P 4:53  
*Michael C. Berry*  
EXECUTIVE AIDE

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

July 2, 2014

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

**Re: Informational Letter Concerning City Towing Contracts**

Honorable President Pope and Councilors:

Chief Procurement Officer Beverly Sleeper has completed her work establishing formal agreements for contractors performing police ordered tows throughout the City, due to vehicles involved in an accident (City or non-City), or due to a breakdown of a City vehicle. This letter is to provide you some background on the matter and why this new process will benefit our city.

A contract for the towing and storage of motor vehicles is exempt from c.30B procurement process (M.G.L. c.30B, §1(b)(21)). The benefit of a written contract and tow rotation list is that it standardizes municipal tow services, provides a fair and equitable rotation of police order tows, provides for recovery of administration costs at the City's discretion, requires storage facilities located within the City for convenient access for consumers, establishes greater vendor accountability for compliance with all local, state and federal laws and zoning regulations, provides reasonable security for stored vehicles and inside storage for vehicles awaiting legal process to protect as evidence.

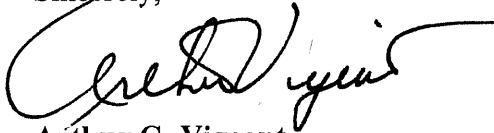
Although a contract for these services is exempt and the City makes no guarantee as to the volume of tows under the contract, the City of Marlborough reviewed the current arrangement with vendors and determined that it was in the City's best interest to consider a written contract and cost considerations with the following favorable provisions:

- For the privilege of being on the City's tow list rotation, rather than charge a percentage of the revenue received by a vendor, the City requires the vendor to pay the sum of \$1,500 annually for the revenue generated to the vendor from police ordered tows. Net revenue generated to the City is \$6,000 as the City's list is done based on a weekly rotation for up to 4 vendors.
- Revenue generating contract provided for cost savings to the City by elimination of police ordered tow budget line item previously funded at \$2,000 annually and/or costs incurred by other City departments for City vehicles towed.

- City shall be a named additional insured on the vendor's insurance policies while serving on the City's tow rotation list per contract requirements.
- City will no longer be charged for police order tows of City vehicles and vendor agrees to accept reimbursement from the City's insurer for non-accident related ordered tows in the amount not to exceed \$100.00 or such other amount authorized by the City's insurance provided for claim related ordered tows.
- City, through the vendor, will have access to backup and support equipment in addition to the requirements of the City and to meet the City's needs beyond the normal call which may include taxi service, warehousing, construction equipment, road barriers, and dumpster service.

Our City is fortunate to have such dedicated and proactive employees that constantly look out for the city's best interests. I hope you have found this information informative.

Sincerely,

A handwritten signature in black ink, appearing to read "Arthur G. Vigeant", written in a cursive style.

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

City Clerks Office  
Copy

**PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS**

Hopedale, MA 01747

February 20, 2013

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2014 JUN 30 A 10:19

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

**MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.**

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

**Plymouth Street & church Street**

**NGRID request to relocate Pole 42 Church Street and install a new guy Pole 42-84 Plymouth Street.**

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

Plan No. **17089089** Dated: **06/13/2014**

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

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

**MASSACHUSETTS ELECTRIC COMPANY**

By: Chris Montalto  
Manager of Distribution Design

**VERIZON NEW ENGLAND, INC.**

By: [Signature]  
Manager, R.O.W.

**ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS**

*City Clerks Office  
Copy*

Hopedale, MA 01747

February 20, 2013

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

Notice having been given and public hearing held, as provided by law, IT IS HEREBY ORDERED:  
**that MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.** be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the  
**13th day of June, 2014**

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

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

Plan No. **17089089** Dated: **06/13/2014** filed with this order.

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

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

**Plymouth Street & church Street**  
**NGRID request to relocate Pole 42 Chruch Street and install a new guy**  
**Pole 42-84 Plymouth Street.**

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

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

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

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

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

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



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

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

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

Council of the City of

Marlborough, Massachusetts

**CERTIFICATE**

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

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

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

Pole & UG Petition/Permit Request Form

City Town of City of Marlboro WR # 17089089  
(circle one)

Install One <sup>SO</sup>JO Poles on Plymouth Street  
(quantity) (circle one) (street name)

Remove \_\_\_\_\_ <sup>SO</sup>JO Poles on \_\_\_\_\_  
(quantity) (circle one) (street name)

Relocate One <sup>SO</sup>JO Poles on Chruch Street  
(quantity) (circle one) (street name)

Beginning at a point approximately \_\_\_\_\_ feet \_\_\_\_\_ of the centerline  
(distance) (compass heading)  
of the intersection of Church Street and Plymouth Street  
(street name)

and continuing approximately \_\_\_\_\_ feet in a \_\_\_\_\_ direction.  
(distance) (compass heading)

Install underground facilities:

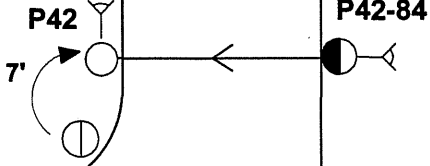
Street(s) \_\_\_\_\_

Description of Work:

Relocate P42 Church Street and install new guy P42-84 Plymouth Street

ENGINEER Bruce Kut

DATE 06/13/14



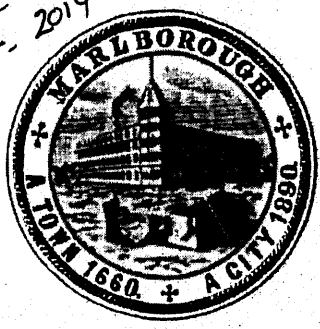
**CHURCH STREET**

**PLYMOUTH STREET**

City of Marlboro request the relocation of P42 approximately 7' east to accommodate road widening project. Also install new guy P42-84.

<p align="center"><b>JOINT OWNED POLE PETITION</b></p>	<p align="center"><b>nationalgrid</b> And <b>Verizon New England, Inc.</b></p>
<p>● Proposed NGRID Pole Locations</p>	
<p>○ Existing NGRID Pole Locations</p>	<p>Plan Number: 17089089</p>
<p>● Proposed J.O. Pole Locations</p>	<p>To Accompany Petition Dated: 06/12/14</p>
<p>Ⓛ Existing J.O. Pole Locations</p>	<p>To The: City Of Marlboro</p>
<p>⊕ Existing Telephone Co. Pole Locations</p>	<p>For Proposed: Rel Pole: P42 Location: Church Street</p>
<p>⊙ Existing NGRID Pole Location To Be Made J.O.</p>	<p>Date Of Original Grant: TEXT</p>
<p>⊗ Existing Pole Locations To Be Removed</p>	
<p align="center"><b>DISTANCES ARE APPROXIMATE</b></p>	

Pol  
\$25-2013  
\$25-2014  
1/16/14



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

**Lisa M. Thomas  
City Clerk**

MARLBOROUGH, MA

DATE: 6-18-14

**To the City Council:**

Owner Name: Yeghyan, Sergey (Sergey Yeghyan)

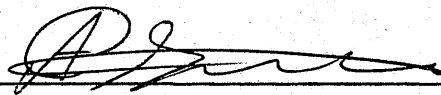
Residential Address: 67 Spring st #2 Watertown MA 02472

Telephone Number: 617-800-4206

Business Name: CTC Gold Refinery

Business Address: 149 Main st Marlborough MA

Business Telephone Number: 508-251-1051

Owner Signature: 

The above-signed \_\_\_\_\_ respectfully requests that he/she be granted a JUNK/SECOND HAND Dealer's license.

**In City Council**

**Lisa Thomas**

---

**From:** City Council  
**Sent:** Friday, June 27, 2014 12:20 PM  
**To:** Lisa Thomas  
**Subject:** For July 7, 2014 Agenda: From Jean & Michael Morrisey of 43 Sonia Drive, Marlborough with attached Communication, and request for installation of Baby Safe Haven signs.  
**Attachments:** IMG\_2938.JPG; CambSign.jpg

**From:** Babysafehaven [mailto:babysafehaven@aol.com]  
**Sent:** Monday, June 23, 2014 7:13 PM  
**To:** City Council  
**Subject:** Communication, and request for installation of Baby Safe Haven signs.

Dear City Council President Patricia Pope, and the Marlborough City Council,

We are writing as Marlborough residents, and the founders of the Baby Safe Haven New England foundation, requesting for the City of Marlborough to install the blaze yellow Baby Safe Haven road signs in the proximity of the city's fire stations, police station, and the Marlborough Hospital.

These signs are on all Worcester and Cambridge fire stations, and are one of the best public awareness campaigns we can have due to their 24/7 public viewing on mostly busy streets.

We've attached two pictures of signs, from Worcester and Cambridge.

The sale price of these signs is somewhere near \$40.00 per sign, and if the City would install them we can have a fund raising event to obtain the funds for the signs. Any additional moneys accumulated could go to help purchase signs for contiguous towns.

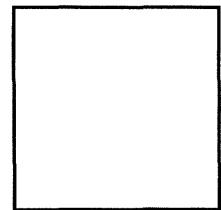
We can make ourselves available for an upcoming City Council meeting to discuss this request.

Thank you for your time and consideration.

Sincerely,

Jean & Michael Morrisey  
43 Sonia Drive  
Marlborough, MA 01752  
508 251 2895

Video of signs in Cambridge:



Cambridge Fire Stations Baby Safe Haven signs  
01:27 - from Baby Safe Haven / Added 6 years ago  
Cambridge, MA, Fire Stations Baby Safe Haven signs  
<https://vimeo.com/750011>

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2014 JUN 30 A 9:57

# BABY SAFE HAVEN

Please Note: NEVER OPEN this door unless you are a **STAFFED** member of the hospital.

\* If you are a **STAFFED** member of the hospital, you must have a **KEY** to enter this room. Do not give your key to anyone else.

Only staff members who have been given keys should enter this room. Do not allow anyone else to enter.

**NO QUESTIONS ASKED!**

For further information, call the hospital's main office.



# BABY SAFE HAVEN

Please leave **NEWBORN** baby at Hospital  
E.R. or a **STAFFED** Police/Fire/E.M.S. Station

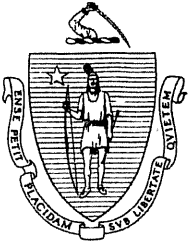


If no answer at station dial 9-1-1 and stay  
with baby until help arrives or go directly to  
Hospital E.R. ASK 9-1-1 OPERATOR how you  
should care for baby while you wait for help!

Girls and Women who have just given birth should also  
consider being seen by an E.R. Doctor. Childbirth in some  
cases can be a MAJOR MEDICAL EMERGENCY!

**NO QUESTIONS ASKED!!!**

You can remain anonymous, but information may be given.  
Thank You



*The Commonwealth of Massachusetts*

STATE RECLAMATION & MOSQUITO CONTROL BOARD

**CENTRAL MASSACHUSETTS  
MOSQUITO CONTROL PROJECT**

111 Otis Street, Northborough, MA 01532-2114  
Telephone (508) 393-3055 Fax (508) 393-8492

www.cmmcp.org



COMMISSION CHAIRMAN  
RICHARD J. DAY

EXECUTIVE DIRECTOR  
TIMOTHY D. DESCHAMPS

June 17, 2014

City of Marlboro  
Health Department  
Marlboro, MA 01752

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

**July 2, 9, 16, 23, 30**

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

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

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

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

Sincerely,

*Timothy D. Deschamps*

Executive Director

cc: City/Town Clerk  
Police Department



CITY OF MARLBOROUGH

BOARD OF ASSESSORS

MEETING MINUTES: April 29, 2014

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2014 JUN 13 P 12: 13

1. CALL TO ORDER: 2:10 pm  
MEMBERS PRESENT: Anthony Arruda, Bradford Dunn  
Also in attendance: Paula Murphy, Head Clerk
2. Motion to Accept: Minutes of the April 9, 2014 meeting : Mr. Arruda, second Mr. Dunn  
Vote: 2-0
3. DISCUSSION AND VOTE: Real Estate abatement applications
  - 423 Donald J Lynch Blvd: settlement of 2013 ATB appeal and 2014 appeal  
Motion to Grant: Mr. Arruda, second Mr. Dunn, Vote: 2-0
  - 28 Wilshire Way #65, 740 Farm Rd #209, 472 & 478 Lincoln St, 127-139 Lakeside Ave, 701 Boston Post Rd East, 450 Boston Post Rd (3 parcels 73-31,31A,31B), 313 Boston Post Rd West, 100-900 Nickerson Rd (9 parcels 88-29A,32,33,34,89-4,5,6,7, 100-11)  
Motion to Deny: Mr. Arruda, second Mr. Dunn, Vote: 2-0
  - 251 Locke Dr : Motion to table for further discussion: Mr. Arruda, second Mr. Dunn
4. MOTION TO CONCLUDE - Mr. Arruda, second Mr. Dunn  
Meeting Adjourned : 3:45

6-3-14

  
\_\_\_\_\_

MARLBOROUGH BOARD OF HEALTH MEETING MAY 13, 2014

RECEIVED  
CITY CLERK'S OFFICE  
MARLBOROUGH

2014 JUN 27 P 4:36

There was a meeting of the Marlborough Board of Health on Tuesday, May 13, 2014, City Hall, 1st floor, Committee Room.

Attending were: John Rowe, Chairman; John Curran, M.D., Member; James Griffin, Member; Robert Landry, Sanitarian; Linda Goodwin, Secretary.

NEW BUSINESS:

- 1: FOLLOW UP – JAKE’S RESTAURANT – (AUDITOR HIRED)  
Bob Landry: Jake’s has an Auditor in place. They have had one audit, two more audits and they will be in compliance. Audit reports will be forwarded to the Board of Health. Motion made to accept report. Motion carried 3-0
- 2: COPY OF DRAFT AUDIT REPORT OF BOH FILES  
Motion made to accept report and place on file. Motion carried 3-0
- 3: FOOD ESTABLISHMENT INSPECTIONS (CONTRACT COMPANY HIRED)  
Maureen Lee has been hired as a contract food inspector. I believe she is hired until the end of June and then starting July 1<sup>st</sup> to July 1<sup>st</sup>, completing one full round of inspections. Her inspection reports will be sent to the Board of Health office, once completed, and kept on file in our office. Motion made to accept report. Motion carried 3-0
- 4: 2015 BUDGET SUBMITTED & APPROVED

The City’s 2015 Budget was submitted to Finance Committee; accepted and approved. No Budget hearings required.

OLD BUSINESS:

1: MINUTES – MEETING – APRIL, 2014

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

2: SANITARIAN'S REPORT – APRIL, 2014

Bob Landry: Discussed several ongoing issues in monthly report. New Hope Church on Main Street, will be taking over Our Father's Table. Vickie Caleem from a Northborough Church will be running Our Father's Table; they provide 1 meal a day to the homeless, or anyone in need. The church that does Our Father's Table now is in dire need of repairs, needs a new kitchen, bathrooms, etc., and just has no funding for such renovations. The new church is in much better shape has a new kitchen, 2 handicapped bathrooms, etc. It will be a much better fit, and can accommodate more people.

As far as the food inspections go, I believe that the contractor will do the inspections and if a re-inspection is required we will do the re-inspection. She had to actually close a restaurant, and Deirdre had to go down and close because the contractor was not sworn in.

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

3: ASSISTANT SANITARIAN'S REPORT – APRIL, 2014

Bob Landry: Reviewed and discussed with Board report for April. Right now we are in the middle of doing pool inspections; VGB covers that were previously installed are being recalled or expiring. The Company has sent re-call notices to each establishment with these types of pool drain covers, and recall notices were sent with our applications to renew their pool permits. All paperwork needs to be reviewed and verified that they have removed and replaced these drain covers before any inspections or pool permits can be issued. Creates more work because, this often requires a return inspection to issue pool permit.

Board discussed the possibility of charging a re-inspection fee?

Bob Landry: If we have to return more than once we do charge a re-inspection fee of \$50. All fees go to the general fund, not back to the Board of Health; we do not generate enough money to hire a part time inspector, even with no benefits.

PAGE 3

Board discussed the possibility of reviewing all permit fees? We should look at our fee structure, especially if we are called to a place 2 or 3 times for re-inspections. We are severely short staffed as it is, this may cut down on re-inspections if they know there will be a cost associated with not being ready the first time. Board to revisit and discuss at next monthly meeting. Motion made to approve report and place on file. Motion carried 3-0

- 4: PUBLIC HEALTH NURSE REPORT – APRIL, 2014  
Board reviewed report. Motion made to accept report and place on file.  
Motion carried 3-0

MOTION MADE TO ADJOURN: 7:30 pm

Respectfully submitted,

John Rowe, Chairman

**CITY OF MARLBOROUGH  
CONSERVATION COMMISSION**

**Minutes**

**April 17, 2014 (Thursday)**

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

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CITY OF MARLBOROUGH

2014 JUN 13 P 3:47

**Present: Members Present:** John Skarin- Acting Chairman, Lawrence Roy, David Williams, and Dennis Demers.

Also present was: Priscilla Ryder-Conservation Officer

**Absent:** Edward Clancy-Chairman and Allan White

**Approval of Minutes:** The Minutes of April 3, 2014 were reviewed and unanimously approved.

**Public Hearings:**

Request for Determination of Applicability

734 Pleasant St. - Kimberly Pippin

Kimberly Pippin was present. She explained that she wants to install a shed which will be 35' from the edge of the wetlands. The shed will be approximately 10 x14 in size and will be located next to the lawn in an area that is clear. The Commission reviewed the plans and there being no further discussion voted unanimously-4-0 to issue a negative determination with no conditions as the site is flat and not much earth moving is needed.

Request for Determination of Applicability

82 Littlefield Ln. - Darren Rose owner

Robert Parente P.E. for the project was present and represented the owner. He explained that the house was built in the 1980's and is 75' from the adjacent wetlands. They would like to build a deck on the back of the house which is near an existing drainage swale that drains to the wetland. After some discussion about erosion controls and the future need to repair the driveway, the Commission closed the hearing and voted unanimously 4-0 to issue a negative determination with standard conditions

Request for Determination of Applicability

11 Bouffard Dr. - Diane Dudek

Stephen Detwiller, the contractor, was present and represented the owner, Diane Dudek. He proposed to install 180 sq. ft. of patio pavers in the existing back yard of this house which is next to a wetland. The closest point is 35' from the wetland. No clearing or work outside the existing yard is proposed. They will need to bring in 7-8" of fill to level out the yard. The pavers will be as pervious as the grass is so the infiltration will be the same. They will strip the loam and use it to grade and level the rest of the yard. All disturbed areas not covered with pavers will be loamed and seeded. After some discussion about the adjacent vernal pool and the construction methods to be used, the

Commission closed the hearing and voted unanimously 4-0 to issue a negative determination with standard conditions.

#### Request for Determination of Applicability

173 Lakeshore Dr. - William Brady, Jr.

William Brady, Jr. was present and explained that they want to replace the deck and stairs at this property. They will need to add some additional supports and will be digging holes for sonotubes. The deck will be flush with the room below. He showed the Commission some structural plans and the supports needed. He has been working with the building department to make sure it meets code and is safe. The Commission asked that all excess soil be removed from the site. The hearing was closed. The Commission voted unanimously 4-0 to issue a negative determination with standard conditions.

#### Notice of Intent

64 Western view Dr. – Patrick Dunn

Patrick Dunn was present and explained that he wants to replace an existing house, deck and stairs to the water's edge next to Ft. Meadow Reservoir. The house has already been demolished and he will be reinforcing the existing foundation before he rebuilds the house. Some excavation around the foundation will be needed to make some repairs. He will be adding a large deck and replacing the stairs that lead to the water and a small landing next to the water's edge. He also noted that he would like to install a removable dock in the future. The deck will be 20' from the wetland at the closest point and is located on the back slope and will be installed on sonotubes. The dock will be 4'x20' and will be removable.

An abutter Laura Davis said she was eager to see some improvements to this property, but has been concerned about the management of the site. After some discussion about the lot and steep slopes and care needed to protect the wetlands, the Commission closed the hearing and voted unanimously 4-0 to issue an Order of Conditions with standard conditions.

#### Notice of Resource Area Delineation

Hudson St. (Map 30, Parcel 20 and Map 43, Parcel 86C) - Christopher of Sage Investors, Inc Atty. Sandra Austin, Tom Dipersio – Engineer, and Dave Crossman, wetland consultant were all present.

Mr. Dipersio explained that Dave Crossman flagged the wetland associated with the intermittent stream that runs through this property which are shown on the plans. Ms. Ryder indicated that she had checked the fags and recommended the following changes. Move flags #8 & 9 upland 10 feet, remove flag #14 and connect flag #13 with #15. There were a few other flags missing, but their approximate location in the field look correct. Mr. John Lally of 281 Hudson St. asked how different this was from the

previous plans. Mr. Dipersio indicated it was almost the same. After some discussion, the Commission voted unanimously 4-0 to accept the delineation as amended above.

**Notice of Intent (Continuation)**

397 Bolton Street - The Marlborough Community Development Authority

At the applicants' request, this item was continued to the May 1, 2014 meeting.

**Draft Order of Conditions:**

- 93 Framingham Rd. – Draft Order of Conditions - the Commission reviewed a set of draft conditions and discussed some minor changes to the conditions. The Commission voted unanimously 4-0 to accept the conditions as written and amended.

**Certificates of Compliance:**

- 212-860 & 212-979 929 Boston Post Rd East – Full Certificate. The Commission reviewed both these orders and Ms. Ryder acknowledged that all conditions had been met. The Commission voted unanimously 4-0 to issue a full Certificate of Compliance for both DEP 212-860 and DEP 212-979.
- DEP 212-787 615 Berlin Rd. subdivision drainage - This project has been completed for some time, but the detention basin is across the street on Berlin Rd. and was never released. As-built plan and all conditions have been met per Ms. Ryder's site visit. The Commission voted 4-0 unanimously to issue a full Certificate of Compliance.

**Discussion:**

Project updates: Ms. Ryder noted the following update:

- Avalon Bay Ratify – Violation letters to Avalon Bay Communities, Inc., dated April 7, 2014 and April 11, 2014 RE: Joint violation notice – Avalon Marlborough - Simarano Dr. Wetland Violations DEP 212-1115; Storm Water Ordinance violations – Fines \$200.

The Commission reviewed the violation notices and voted unanimously to ratify the violation notices.

- Mauro Farm on Cook Lane seems to be under control, but worth monitoring if it rains hard.
- Ames St. – the replication area for the wetland violation will be constructed next week. Ms. Ryder will be away, but several members asked to be called to do the inspection when it is being installed.

**Correspondence/Other Business:** The following correspondence was reviewed and the Commission voted to accept and place on file:

- Letter from AMEC Environmental and Infrastructure, Inc., dated March 27, 2014 RE: 2014 Yearly Operational Plan for Right of Way Management, CSX Transportation, Inc.

- Letter from MassDOT, dated March 28, 2014 RE: Proposed herbicide applications along the state's highway right of ways.

**Meetings:** Next Conservation Commission meetings: May 1<sup>st</sup> and May 15<sup>th</sup>, 2014 (Thursdays).

**Adjournment:** There being no further business, the meeting was adjourned at 8:12 PM

Respectfully submitted,

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

Priscilla Ryder  
Conservation Officer



CITY OF MARLBOROUGH  
CONSERVATION COMMISSION

Minutes

May 1, 2014 (Thursday)

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

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CITY OF MARLBOROUGH

2014 JUN 13 P 3:47

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

**Absent:** Dennis Demers

**Public Hearings:**

Request for Determination of Applicability

113 Beach St. - Ezat M. Sohi

Mr. Sohi was present and explained that he would like to expand the existing deck by 4'. The new deck will be on sonotubes, so only a small amount of excavation is needed. Work will be 85' from the wetland. The Commission discussed the back yard and the proximity to wetlands and Ms. Ryder noted bittersweet vines are present and should be removed. The Commission closed the hearing and voted unanimously 5-0 to issue a negative Determination of Applicability with no conditions. He can proceed with his project.

Notice of Intent (Continuation)

397 Bolton Street - The Marlborough Community Development Authority

Proposes to expand the existing parking lot including additional drainage control near wetlands. At the applicants request this item was continued to the May 15<sup>th</sup> meeting to give them a chance to revise the plans.

Notice of Intent (Continued to June 19, 2014)

358 Berlin Rd. - Marlborough Brazilian SDA Church

Proposes to repair and replace their existing parking lot, reinforce some walls, and clean the accumulated debris from the brook, add some landscaping and install a wooden fence near wetlands. At the applicants request this item was continued to the June 19, 2014 meeting.

**Discussion:**

Project updates:

- Avalon Bay Marlborough DEP 212- 1115- violation discussion with applicant and contractor. Tony Sanchez of Avalon, Tim Chorey from VHB, Connor Nagal and Carl Bucknell from LNM Construction were all present. Ms. Ryder noted that the Avalon Project has received its third violation due to silty water leaving the site and as part of the last violation notice had been asked to come in and explain to the Commission what they are doing and what they have done to correct the problems. Mr. Sanchez explained that it is a complicated project containing difficult soil which is hard to control. He reviewed

the violations and the steps they have taken to correct each violation. He turned it over to Tim Chorey who walked the Commission through items as shown on the plans. They have been using a pumping system to pump water through a stable swale with flocculants and then settling it out in a tank. Two baker tanks with baffles are to be delivered tomorrow. They have divided the site into 4 main discharge points, each with its own treatment train. They have looked at sediment Basins A & B to confirm that they can handle the volumes proposed and have ordered the baker tanks with 1200 gallon capacity. Each treatment train was described and they will all be maintained regularly. The jute and “curtains” will be replaced as needed once the flocked material is attached to it. Basin D1 has the tank first and the treatment swale after. They have been using stump grindings and are using a flocculant called PAM on the soil as a soil stabilizer along with hydro seed/tack mix. He also explained that they are trucking material to the adjacent property, Atlantic Co., and using it as fill on that site. Erosion controls and pumping are being used to prevent mud from leaving the site. Mr. Sanchez explained that they now have a new protocol on site and every day, evening and weekend when it rains someone will be out checking the site. Chairman Clancy noted that they had been warned about how difficult this soil is to handle, and hopes they appreciate the Commission’s knowledge about the situation. Mr. Sanchez acknowledged the challenge and gave his commitment that they would work carefully to ensure no further violations occur. They will be relying on the whole VHB team including Griffin Ryder and Craig Lizotte who can also provide input and oversight on the property. After further discussion, the Commission indicated they could proceed, but that any further violation would be met with stiffer fines and stiffer enforcement actions. Mr. Sanchez hoped they would not have to return and assured the Commission they would do a better job controlling the site.

- Ames St. project report. Ryan Bianchetto from Allen and Major was present. He explained that they have constructed the wetland replication area that was required as part of their violation notice for the project. The first phase of restoration, the “pre-replication”, as required by the Order of Conditions, has been completed. He explained that they made some slight changes with Ms. Ryder’s blessing to add a stone channel where the water runs, to prevent erosion. As a temporary measure the water is being diverted through a pipe which will remain in place until such time the replication area vegetation takes and is well established. This will prevent erosion. He reviewed his wetland replication report dated 4-25-14 and explained the steps that were taken in the replication process. John Skarin explained that he did go out to take a look at the area and confirmed that it looked adequate. Ms. Ryder asked whether the soil elevation would indeed maintain the hydric soils necessary, since she was not available to check before they brought in the top soil. Mr. Bianchetto explained that he believes they did. The Commission noted that the replication area would need to be monitored for success over the next two years. A monitoring report will be due in July and then again in October and then in May.

Mr. Clancy also noted that the Commission has received a letter asking for approval of some minor changes to the plans to include some garages and a maintenance building. Mr. Clancy asked Ms. Ryder to invite them to come to the next meeting to discuss.

- 164 Stevens St. - Mr. Skarin has left a note on the excavator machine at this property noting that they may be close to or doing work within a wetland without a permit. When Ms. Ryder returned from vacation she followed up with the owner. They have stopped all work and will file for a permit to do some landscaping and other work on the house some of which will be within the 100 foot buffer zone.

**Correspondence:** The following letter was reviewed and unanimously voted to place on file:

- Letter from Nationalgrid, dated April 21, 2014 RE: Vegetation Management Plan.

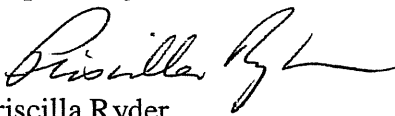
**Other Business:**

- Ms. Ryder noted that the local cable company would like to do some 10 minutes shows on each of the city's conservation land trails in the city. Several Commission members expressed an interest in participating.
- Desert Natural Area- prescribed burn. Ms. Ryder announced that if weather and staff conditions are as required, the burn may take place on Tuesday May 6 or Wednesday May 7 of next week.

**Meetings:** Next Conservation Commission meetings – May 15<sup>th</sup> and June 5, 2014 (Thursdays)

**Adjournment:** There being no further business, the meeting was adjourned at 8:20 PM.

Respectfully submitted,



Priscilla Ryder  
Conservation Officer

**CITY OF MARLBOROUGH  
CONSERVATION COMMISSION**

**Minutes**

**May 15, 2014 (Thursday)**

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

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2014 JUN 13 P 3:47

**Present:** Edward Clancy, Chairman, Karin Paquin (new member), Lawrence Roy, John Skarin and Priscilla Ryder-Conservation Officer

**Absent:** Dave Williams, Dennis Demers and Allan White.

**Public Hearings:**

Notice of Intent (Continuation)

397 Bolton Street - The Marlborough Community Development Authority

Doug Bushman, Director of Housing and Bill Lyons P.E. of Fort Hill Infrastructure Services LLC, were both present. Mr. Bushman explained that they had made changes to the plans based on input from the City Engineer and to address the Commission's concerns. Mr. Lyons stepped through the changes that had been made on the new plans dated May 15, 2014 which included:

- Expanding the parking lot, but moving it away from the wetland and off the sewer line
- Expansion now has 61 parking spaces
- Subsurface detention basin area has been adjusted to be away from all utilities- Evan Pilachowski, the new City Engineer, provided input on the drainage report and approved same.
- A water quality unit will be installed to clean water before it gets into the subsurface detention basin

Mr. Lyons explained they are trying to hit a funding deadline on the state level to get these upgrades in place. The Commission asked that detail sheet #6 be modified to correspond to the site plan sheet for the drainage system. They also required that the operation and maintenance plan specify the snow dumping location which will be on the police station side. The abutters Mr. Cochran from 421 Bolton St. asked about snow storage. He also noted that he thought there was a holding tank for the roof runoff near one of the buildings. Mr. Lyons indicated that he would check. Mr. Bushman also explained that this is phase 1 of the project. Phase 2 of the project will involve adding sidewalks, curbing and adjust parking spaces around the horse shoe shaped driveway to address fire department issues. There being no further discussion the hearing was closed. Later in the meeting, the Commission reviewed the draft Order of Conditions for this project. The Commission made some changes based on the hearing information, #40 & #38 were amended. #42 was added re: Operation and Maintenance plan. The Commission voted unanimously 4-0 to issue the Order of Conditions as written and amended.

**Certificates of Compliance:**

- DEP 212-587 120 Bartlett St. (Full) – Ms. Ryder indicated that this work had been done a long time ago, and then was removed. A full certificate is recommended. The Commission voted unanimously 4-0 to issue a full Certificate of Compliance for this project.

- DEP 212-1111 148 Phelps St. (Full) - Ms. Ryder indicated she has done an inspection and all conditions have been met. The Commission voted 4-0 unanimously to issue a full Certificate of Compliance for this project.

#### **Extension Permits:**

- DEP 212-858 Ft. Meadow weed maintenance discussion regarding minor modifications to the Order of Conditions. Mr. Thomson, Chairman of the Ft. Meadow Commission, was present and explained that the lake consultants have asked for permission to use a new herbicide called Clipper, active ingredient flumioxizin to control the spread of fanwort. As outlined in a letter from Aquatic Control Technologies dated May 1, 2014. Diquat the herbicide used for milfoil control, is not effective on Fanwort. The restrictions on use of Flumioxizin are the same as that of Diquat, therefore, the Order of Conditions would not need to change. The Order of Conditions will expire this year, but in Hudson the Order of Conditions for weed control will expire next year. The consultant will file a full Notice of Intent next year to provide more background on the use of the various herbicides. The Commission discussed this new herbicide and decided that, because the MSDS sheet and information provided by the consultant seem the same as Diquat and the Order is still valid, therefore the Commission voted unanimously 4-0 to approve the use of Flumioxizin as a minor modification to the plans, to allow for treatment this spring to control fanwort.
- Felton Conservation Land – License Agreement for mowing 2014-2015. Ms. Ryder indicated that she has discussed the mowing of the Felton Conservation Land with Mr. Donald Wright. Mr. Wright has agreed to mow the Felton Conservation Land again and is interested in signing another one year license agreement to do so. The Commission agreed that Mr. Wright has been doing a great job and voted 4-0 unanimously to approve and sign the license agreement. The Commission Members signed the agreement.

#### **Discussion**

- **MassDOT – Request permission to mill & repave I-495 ramps.** William Clougherty of Mass Dept. of Transportation was present and explained that they have funds left over and would like to mill and pave the I-495 ramps to Simmarano Dr. He provided a map showing the location of the ramp resurfacing work and the wetland areas adjacent to this work. All work will be within the roadway and curbing. They will add silt sacks and straw wattles in the areas closest to the wetlands. The Commission approved the plans as submitted.

#### **Project Updates:**

- **DEP 212-1114 Overlook at Lake Williams** – pre-construction meeting as required by Order of Conditions. Rick Roper of Crabtree Development, Mike Saccone and Jason Walker of MDR Construction the land prep and site contractors and Desheng Wang, erosion control consultants were all present. Mr. Saccone explained that there were some slight changes to the plans per the permit from Mass DOT which included the addition of one catchbasin, accommodating a sidewalk area on the beautification plans and the enlargement of the construction entrance. The rest of the plan remains the same as originally approved. The Commission agreed to accept these changes. Mr. Wang and Mr. Walker stepped through the construction sequencing they are planning to follow including: 1) construction entrant off Rte. 20 will require a local detain; 2)

Clearing area in phase 1; and 3) Blasting and constructing the detention basin (water based emulsion to be used in blasting material), then they will clear the staging area up the hill for stockpile of materials as shown on the plans. Mr. Wang explained the sequencing, which will minimize or eliminate the need for any flocculants material to be used. They will use the blast rock on the site for erosion controls and will have lots of wood chips and stump grindings. The treatment train will be as shown and water collected at each discharge point. He explained that it is very important to find the starting point and treat on the way down. They are aware of how sensitive this site is, not only to the water supply adjacent, but to Rte. 20 as well. Mr. Roper assured the Commission that his team would be able to control the site during construction and that Mr. Wang would be in charge of ensuring this control. The Commission thanked them for coming in and expressed hope that they would not have any violations.

- **DEP 212-1117 The Preserve at Ames** – Modifications to plans. Kevin Maley of Fairfield Marlborough Partnership and John Shipe of Columbia Design group were present. Mr. Shipe explained that they had some minor modifications they would like to share with the Commission to see if the Commission would entertain these changes as minor not needing further review. He explained that they would like to add 10 garages which will have 4' overhangs over the back curb. They are all to be located on the existing pavement parking stalls. They have reviewed the plan in light of the additional roof tops and have modified the plan to reduce the impervious area by reducing the sidewalk width, changing the walkway layouts and adding a maintenance area within one of the buildings, they are also adding a mail kiosk area and some additional parking to compensate for that lost. Chairman Clancy noted that the Commission would need some additional information to make this determination including: a cross section of the garage; what the grading will be behind the buildings, will drainage on the parking lot need to be modified, have drainage calculations been modified (if necessary); and what storage restrictions will be implemented for residents renting the garages. The Commission wants to ensure that no one can store hazardous materials that could get into the water supply. Mr. Maley indicated they can provide this information based on other properties with garages that they own. The Commission continued this discussion to the next meeting- June 5<sup>th</sup>- to allow the applicant to provide the above noted items at which time, the Commission will determine if amendments to the Order of Conditions are warranted or not.

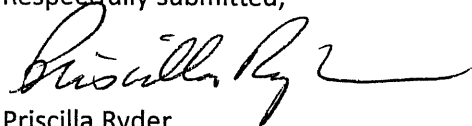
**Correspondence/Other Business:**

There was no other business

**Meetings:** Next Conservation Commission meetings – June 5<sup>th</sup> and June 19<sup>th</sup>, 2014 (Thursdays)

**Adjournment:** As there was no other business, the meeting was adjourned at 9:05 PM.

Respectfully submitted,



Priscilla Ryder  
Conservation Officer

**CITY OF MARLBOROUGH  
CONSERVATION COMMISSION**

**Minutes**

**June 5, 2014 (Thursday)**

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

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CITY OF MARLBOROUGH

2014 JUN 20 A 11:57

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

**Absent:** David Williams

**Approval of Minutes:** The minutes of April 17, 2014, May 1<sup>st</sup> and May 15<sup>th</sup>, 2014 were all reviewed and unanimously approved as written.

**Public Hearings:**

Notice of Intent

525 Maple St. - NGP Management

Michael Scott of Waterman Design and George Delegas, project architect, were present. Mr. Scott explained that they propose to redevelop the property containing the former Registry of Motor Vehicle to a Dunkin Donuts at 525 Maple St. The site only contains the 100' buffer zone from two separate wetland systems. The first is the wetlands across the street on Maple St. associated with the Sudbury Reservoir, the other is across Mill St. and is a small wetland whose buffer extends onto this property as shown on the plans. He showed the proposed plans which show a new building, new parking and drive thru layout, landscaping, and an underground detention/stormwater infiltration system. Because, the Sudbury Reservoir is an Outstanding Resource Water the drainage must be treated first of runoff which it is designed to do. Mr. Scott indicated he had spoken with the City Engineer Mr. Pilachowski and will be making some adjustments to the drainage based on his input but, wanted to know if the Commission had any other changes that should be incorporated. The Commission discussed the soil boring pictures and the high water table in this area. Groundwater is 3 ½ -4 ½ feet below the surface. They will be bringing in soil to raise the site, so the infiltration system will be 2' above the ground water table. They will need to load and unload a tractor trailer truck which will not be able to drive on to the site, so they are proposing to widen the roadway on Mill St. to accommodate this delivery. In addition, because the site is so small, the infiltration system is close to the roadway. The City engineer was not keen on this as it will harm the roadway over time. Mr. Scott will be including an underdrain along Maple St. to ensure that any water breakout will not affect the roadway. After some discussion about drainage and the abutters concerns to be sure drainage will not affect them, the Commission asked the applicant to come back to the next meeting with the following additional information:

1. Confirmation from the city engineer that the drainage as designed is adequate and meets the stormwater regulations,

2. Ensure all existing utilities are to remain are shown on the plans
3. Show erosion control locations
4. Add inspection ports to the infiltration system
5. Review landscaping plan with Chris White (during site plan review is OK)
6. Adjust snow removal criteria in O & M plan to remove it from site, not pile on pervious areas.

This project will also need approval from City Council, ZBA, and Planning Board. The hearing was continued to the June 19<sup>th</sup> meeting in order to allow time to provide the above information.

#### Request for Determination of Applicability

##### 225 Boundary St. - The City of Marlborough DPW

Jim Finegan of Woodard and Curran and Michele Higgins of the city's DPW were present. Mr. Finegan explained that the City is under a consent order to improve the drinking water quality from the water treatment plant, the new system must be in by Dec. 31, 2014. Today the system draws the water from Millham Reservoir, filters it, chlorinates to disinfect, and sends it to a clear well which then goes to the distribution system. The new system will take it from chlorine disinfection to the clear well then through a new ultra violet light treatment system and back out to distribution. The work involves installation of a new building which is 30' x 34' to house the pipeline and UV units. Some new piping will need to be installed to get water to the UV system and back to the distribution system. The plan shows the new building, piping, erosion controls, and drainage. The base elevation of the building is just below the high water elevation, so dewatering will likely be necessary, although they are hoping to do this work in the fall when the water table may be lower. The small detention basin behind the building should never over flow, however, the Commission requested that an emergency spillway be provided, and this will be added. After further discussion about the process, the Commission closed the hearing and voted unanimously 6-0 to issue a Negative Determination of Applicability with conditions as noted above.

#### Certificates of Compliance:

- DEP 212-167 Boston Post Rd. (Bronx Office Park) – re-issue- Ms. Ryder noted that this is an old filing but the certificate never got recorded. The Commission voted 6-0 to re-issue the Certificate of Compliance for this project.
- DEP 212-767 25 Balcom Rd. (Full) – The file is now complete and the house is about to be sold. Ms. Ryder did a site inspection and confirmed all was in order. The Commission voted 6-0 unanimously to issue a full certificate of compliance with ongoing conditions.

#### Discussion

- Ames St. (Preserve @ Ames) (212-1117) – Minor modification to plans.  
Ryan Bianchitto from Allen and Major; and. Kevin Maley of Fairfield Marlborough Partnership were present. Mr. Bianchitto explained that as outlined in the letter dated May



29, 2015 from Timothy J. Williams, PE of Allen and Major, Fairfield would like to make some minor changes to the plans which includes; slight adjustment to the building footprint, addition of 10 standalone garages over existing parking spaces, a mail kiosk, slight changes to club house and changes to the sidewalk/access walkway configuration. Slight changes to the landscape plan are also proposed. He explained that the outside perimeter of the work area does not change. Two of the garages do stick out into the detention basins, but do not change the volumes or impact that design. They did revise the drainage report and noted that the peak flows did not change. Although there is 17,000 square feet of additional impervious area due to these changes it is spread out across the project and does not require any of the detention basins or drainage structures to change. The garages will be slab on grade and wood framed with a slight pitch to the roof. Roof runoff is collected and put into the storm drain system. The Commission discussed the contaminated soil which is now proposed to be buried in a pile at the front, so these changes don't affect this soil issue. The Commission noted that there is a drain pipe under garage #1 which should be relocated, so it is not under the building. Mr. Bianchitto confirmed this could be moved. Because of the changes to impervious area, the Commission asked that the City Engineer review these changes as well and provide his input to these changes. Mr. Demers expressed concern with the burying of the soil on site, and said that this could be added to the pile behind Wendy's, so it's all in the same place; he is still not comfortable with burying the materials on site as proposed.

- OARS – Discussion regarding “wild trout bearing streams in Marlborough, Hudson, Sudbury and Concord study”. Sue Flint, staff scientist and Alison Fields Juma Executive Director of OARS the local watershed advocacy group for the Sudbury, Assabet and Concord River watersheds were present and made a presentation about some of the work they are doing including 1) Trout stream assessment, 2) Water quality monitoring, 3) Water Chestnut mapping, 4) Passage clearing and 5) SWIMI – water volume and water use assessment. The majority of the discussion revolved around the Trout stream assessment where OARS and Trouts Unlimited did a recent study on native brook trout streams project for this area. Sue Flint presented maps and data of the study area at the Desert Natural Area (DNA) and their tributaries which contain native brook trout and were looking to evaluate the health of the streams and any problems or obstacles for the trout in this area. They provided a slide show presentation and identified several culverts that are blocking the migration of trout further upstream. Several large and long culverts were identified in the Carisbrooke subdivision are preventing brook trout from migrating up further either because of their length – too dark for the trout to want to swim up, or the culvert is too high and will not allow fish to move up stream. One culvert at the DNA is preventing migration and is rotting out so should be replaced. Trout Unlimited is willing to invest in making changes to any of these culverts – either removing them, or adjusting them to allow for better fish passage.

OARS will work with the Commission and the neighbors to see if there is any buy in to advance any of these projects.

Ms. Flint also provided an overview of the water quality monitoring that has been done over the years and some of the data that is showing improvements to water quality based on the reduction of phosphorus from all the treatment plants along the river. As phosphorous is going down, nitrates seem to be rising, which is a curious phenomenon they are still trying to figure out. Over all, the river health appears to be improving based on the monitoring results, which is good news.

Ms. Juma gave a short overview of the water chestnut problem and mapping and monitoring that OARS is doing. They have an active crew of volunteers working on harvesting the water chestnut which is helpful in reducing its spread, but needs vigilance and ongoing monitoring to keep in check on the Assabet River. She also discussed the project they have been working on to provide safe passage along the rivers and have developed a protocol for clearing downed trees in the river, to allow for passage and still sustain wildlife. She submitted a protocol they have put together and which other Commissions have adopted. She also briefly described an initiative they are working on with all the communities in the watershed to comply with some new state regulations that balances water withdrawals in the watershed with river flow health. OARS is working with Marlborough on this as well. The Commission thanked Ms. Flint and Ms. Juma for their presentation and their efforts on protecting the river.

- Check with Commission Members about having a July 3<sup>rd</sup> meeting. The Commission determined they would NOT have a meeting on July 3<sup>rd</sup> as it is the day before the holiday, therefore, there will only be one meeting in July and that will be on July 17<sup>th</sup>.

**Project Updates:**

- DEP 212-1114 Overlook at Lake Williams - Ms. Ryder provided the Commission with the wetland replication plan for the wetland that was disturbed during the test pit exploration last year. Per the Order of Conditions, they were required to provide a restoration plan. The Commission reviewed the plan, and based on Ms. Ryder's recommendation, voted unanimously 6-0 to approve the plans as presented.
- Ft. Meadow Reservoir – weed treatment - Ms. Ryder announced that the lake will be treated with an herbicide on June 11, 2014 to control Eurasian Water Milfoil and Fanwort which are invasive plants invading the lake.

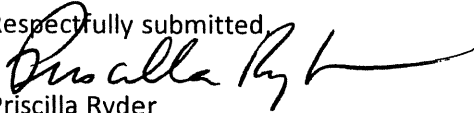
**Correspondence/Other Business:**

- New England Wildflower Society control of Black Swallowort - Ms. Ryder asked the Commission if they could spend \$150 to do an herbicide spraying for Black Swallowort which is an invasive plant just taking hold at the entrance to the Desert Natural Area. The Commission approved and said to move forward with this treatment.

**Meetings:** Next Conservation Commission meetings – June 19<sup>th</sup> and July 17<sup>th</sup>, 2014  
(Thursdays)

**Adjournment:** There being no further discussion the meeting was adjourned at 9:35 PM.

Respectfully submitted



Priscilla Ryder

Conservation Officer

Marlborough Community Development Authority

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

MINUTES OF MEETING

2014 JUN 23 P 12: 19

Thursday, May 29, 2014, 8:30 a.m.  
140 Main St., Mayor's 4<sup>th</sup> FL Conference Room

Members Present: Mayor Vigeant, Steve Vigeant, Eric Asman, Joyce Torelli, Steve Leduc, Diane Smith, Brian Doheny.

Members Excused: Lynn Faust, Sally Swartz

Others present, Arthur Bergeron, Esq., Monica Ally representative from BayPath, Douglas Bushman, Anne Marie Blake, Brian Shifrin, Esq.

Meeting opened at 8:32 a.m. by Steve Vigeant. Motion by Steve LeDuc to go into executive session at 8:32 a.m. Roll call: Steve Vigeant, aye; Eric Asman, aye; Joyce Torelli, aye; Steve LeDuc, aye. Meeting adjourned to Executive Session.

Regular meeting resumed at 9:03. Motion by Steve LeDuc and seconded by Steve V. to take the Winter St. sale to top of agenda, motion passed. A discussion ensued about how the sale of Winter St. was handled. Steve Leduc asked why the sale was not listed on the MLS and the Mayor said he did not sign the papers as he felt there was a possible conflict of interest. On a motion by Eric Asman and seconded by Joyce Torelli, the board voted to reject the bid on Winter St. and start the process over. Steve V. wanted to make sure the process was handled correctly. Anne Marie stated each item under 30B and the Board voted: 1) to make the Winter St. property available for sale; 2) to use the restrictions currently attached to the property with the exception of #4 which will be the responsibility of the Buyer; 3) to set the minimum acceptable price at \$450,000. The motion passed with 1 Nay. A subcommittee consisting of Joyce and Eric will select three agents and they will select an agent to list the property on the MLS by the lowest % or flat fee offered by agents who submit a quote. On a motion by Steve V. and seconded by Steve L. the commission should be set at a max of 4%, motion passed with 1 Nay.

On a motion by Steve L. and seconded by Steve V. the Board voted to move the discussion of the Financial Manager's status to the next item on the agenda. On a motion by Steve L and seconded by Eric, the financial manager will be paid full time through July 31<sup>st</sup> and then offered a 25 hrs. per week position to the end of December. Payment will come from CDA funds. Motion passed.

Since there were visitors present, the Board voted to move the Baypath discussion up. Monica Ally from BayPath Elder Services discussed what BayPath does and handed out a handout. They are proposing having Elder care support at 140 Main St. Doug Bushman indicated that there is room for them now to have office space for the grant. Once the COA moves to their new facilities, BayPath has indicated that they may want to take over their vacated space. A RFP would have to be used. There would also be office space available at our Pleasant and Bolton St. locations at a later date depending on the need for the Grant. On a motion by Steve V. and seconded by Steve L. the Board approved submitting the letter of participation.

Minutes of CDA Board Meeting  
Page Two  
May 29, 2014

The Board then reverted to the normal order of business.

The minutes of April 24, 2014 were accepted.  
The Board approved the CDA and Housing accounts payables.

Housing Director's Report:

The Board voted to have the Mayor sign the contract for the Bolton St. electrical boxes once the lowest responsive bidder is approved.

The Board approved the Section 8 payment standards and FMR.

The Secretary introduced and read in full the Resolution Authorizing Contract for Financial Assistance for State-Aided Capital Improvement Work Plan or Development No. 5001 for the Housing Program. Chairman Vigeant moved that the resolution be adopted as introduced and read, motion was seconded by Steve V. The following roll call votes were 5 Ayes and 0 Nays. The Chairperson thereupon declared said motion carried and said resolution adopted.

Financial Manager's Report:

The Board voted to appropriate \$1,000 for office expenses.  
The Board approved additional CDA funds to complete two housing rehab cases (approx. \$6,000).

Meeting adjourned at 9:50 a.m.

Respectfully submitted,

Anne Marie Blake

**Marlborough Community Development Authority**

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CITY OF MARLBOROUGH

**MINUTES OF SPECIAL MEETING**

2014 JUN 17 A 9:13

**Monday, June 16, 2014, 8:30 a.m.  
140 Main St., Mayor's 4<sup>th</sup> FL Conference Room**

Members Present: Lynn Faust, Eric Asman, Sally Swartz, Steve Leduc

Also Present: Anne Marie Blake

Absent: Mayor Vigeant, Joyce Torelli

Meeting opened at 8:30 by Vice-Chairwoman Faust

Purpose of Meeting: Vote to approve/not approve sale of 2 LIP Units

On a motion by Eric Asman and seconded by Steve Leduc, the board voted unanimously to approve the sales of the LIP units at 32 Violetwood Circle and 35 High St. #17. Both units are to be sold with Deed Restrictions to keep them on the Subsidized Housing Inventory. DHCD has also approved the sales.

Meeting adjourned at 8:34 a.m.

Respectfully submitted,

Anne Marie Blake

MINUTES OF MEETING

2014 JUL -1 A 9 02

Thursday, June 26, 2014, 4:15 p.m.  
140 Main St., Mayor's 4<sup>th</sup> FL Conference Room

Members Present: Mayor Vigeant, Lynn Faust, Joyce Torelli, Steve Leduc, Diane Smith, Brian Doheny.

Members Excused: Sally Swartz, Eric Asman

Others present: Douglas Bushman, Anne Marie Blake

Meeting opened at 4:21 p.m by Mayor Vigeant

The minutes of May 26, 2014 and June 16, 2014 were accepted.  
CDA and Housing Bills were accepted.

New Business:

The Board voted to table a vote for a new Treasurer.

The Board unanimously voted a vote of appreciation to Steve Vigeant for his years of dedication to the CDA.

Property Committee Report:

The property committee reported that they had met and it was decided that they would sell surplus properties to produce operating funds for the short term and lease non-surplus properties to produce operating income. They submitted a list of surplus properties that they are looking at disposing of by auction. They also talked about developing lots at Main and Bolton St. Ext. to develop or lease the land. They would request assistance from MAPC for technical assistance. The Board voted to accept the committee report with Steve Leduc saying he was opposed to selling land to produce operating revenue.

Financial Manager's Report:

The Board voted to allow the accounts receivables to be reduced by \$90,312.61.

The Board voted to hold the Clinton St. property.

The Financial Manager asked the Board for an ok to her to accept the bids on a housing case because the bids varied from \$7,500 to \$15,000. The Board gave permission to accept the bids.

The Financial Manager asked the Board to allow her to work full time until the end of October instead of part-time until the end of December. The Board said no, that for now, they would like to hold off on changing their decision.

Housing Director's Report:

The Board voted to approve the lowest responsible/responsive bidder for the Bolton St. Parking (Phase I). S.I. Services, Inc.

The Board voted to approve the 2014-2019 DHCD Capital Improvement Plan

The Board voted to close-out the Health and Safety Grant FISH 170045.

Meeting adjourned at 4:49 p.m.

Respectfully submitted, Anne Marie Blake

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## **CDA Property Committee Report**

**26 June 2014**

A meeting was held of the property committee on 25 June 2014.

It was decided that a two-fold strategy should be adopted:

1. Sell surplus properties to produce operating funds for the short term (1 year).
2. Lease non-surplus properties to produce operating income.

### **Surplus properties and their sale:**

The list of properties that should be sold as surplus are:

1. 16 Clinton St. (58-7)
2. Winter St. (68-52)
3. Parking Lot 70-133 (By old Holland Woodworking)
4. Parking Lot 70-215 (by Rowe's Law Office)

The committee suggests to dispose of these properties by auction.

### **Lease high value properties to produce operating income:**

1. The corner lots at Main and Bolton St. Ext. (70-216, 70-217)
  - 1.1. Request MEDC to assist with hiring MAPC for technical assistance.
  - 1.2. Develop this corner, leasing the land.
  - 1.3. Most recent study showed City already had plenty of parking.
  - 1.4. Could be redeveloped with parking under building.
2. City Hall (if income not sufficient from (1.) above.)



TO: Mayor Arthur G. Vigeant, Chair and MCDA Board of Directors  
FROM: Anne Marie Blake, Financial Manager  
DATE: June 23, 2014  
RE: Financial Manager's Report

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Financial Manager's Report for June 26, 2014

Winter St. Property

Bids are due July 15<sup>th</sup>. I've sent out two proposal packages.

16 Clinton St. Property

We received no bids on our second round for the sale of Clinton St. The IG's office suggested that if we go out to bid again, we not put a minimum price and see what we get for offers. Decision needed to re-list or hold property.

Housing Rehab

Bids are due tomorrow on one of our roof projects. Our Rehab Inspector and I visited the second roof project and the work needed is beyond what our program can do, so I've been working with Ana Christina about trying to have some of the work completed by others (Second Saturday, Home Depot, etc.). If the soffit and siding work can be completed by others, then we may be able to do the roof portion.

Accounts Receivable:

After reviewing almost all of the housing rehab files, the amount of the reduction to our housing rehab accounts receivable is \$90,312.61. I still have a couple of more files that need review and I'll try to get to them before fiscal year end. Diane checked with the outside auditor and they feel an adjustment is in order. *I would like approval of the Board to make a year-end adjustment of 90,312.61 by vote.*


Financial Manager's Position:

The cost of my salary between July 31 and Dec. 31 is approximately \$18,000. I have moved \$20,000 into a City's CDA account in order to continue to be paid by the City. At this time I do not want to accept the offer of part time from August 1 thru Dec. 31. Instead I would ask the Board to allow me to continue working full time until the \$18,000+ is used. This would mean I could work thru Oct. or the first week of Nov.

NSP Grant

DHCD has extended our NSP grant to June 30, 2016. We currently have about \$250,000 in program income funds.

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TO: Mayor Arthur G. Vigeant, Chair MCDA & MCDA Board of Commissioners  
FROM: Douglas M. Bushman, Housing Director MCDA-Housing Division   
DATE: Friday, June 20<sup>th</sup>, 2014  
RE: MCDA-Housing Division Board Report – June /2014 Monthly Meeting  
FOR: MCDA-Housing Division Board Meeting Thursday, June 26<sup>th</sup>, 2014

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**A. Housing Director Report**

Please see the Bookkeeping / Finance Administration Report for updated budget information.  
The following were the Work Orders and Vacancy counts for month of May:

<b>Work Orders Processed -</b>	<b>093</b>
<b>Vacancies -</b>	<b>002</b>
<b>Apartment Turnovers -</b>	<b>002</b>
<b>Vacant Apartments</b>	<b>000</b>
<b>667 Applications for May</b>	<b>009</b>
<b>State Elderly Waiting List -</b>	<b>374</b>
<b>AHVP Applications in May</b>	<b>010</b>
<b>AHVP Waiting List</b>	<b>184</b>

**State Elderly Waiting List February Waitlist Statistics**

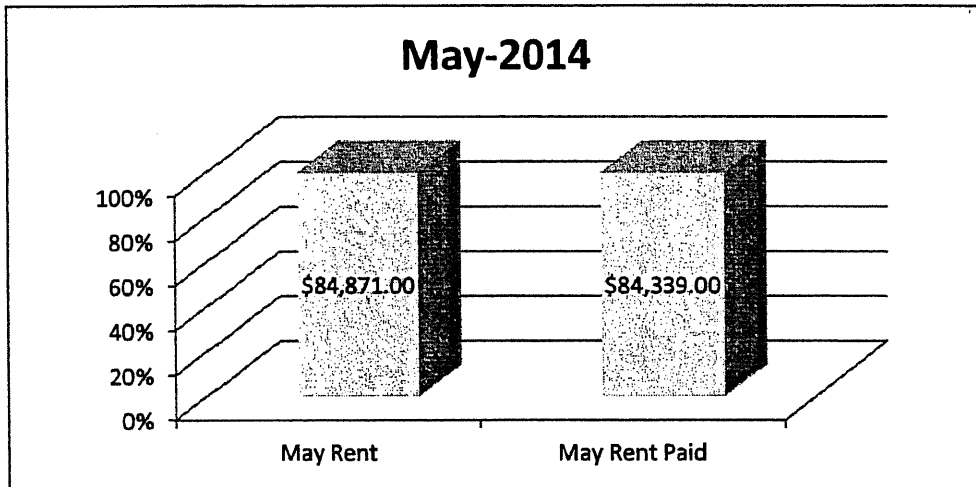
<b>Elderly Marlborough Residents</b>	<b>110</b>
<b>Elderly Non Marlborough Residents</b>	<b>76</b>
<b>Non Elderly Marlborough Residents</b>	<b>80</b>
<b>Non Elderly Non Marlborough Residents</b>	<b>81</b>
<b>Two bedroom waitlist</b>	<b><u>27</u></b>
<b>Total</b>	<b>374</b>

**NO VACANCIES AT THIS TIME FOR 667/State Elderly**

The following items were addressed by the MCDA Housing Director for the April/May 2014 Time Period:

**1. Motion to Approve Payables Registry – Please see list of checks for approval. (See Attachment A)** ✓

Bills Payable - June \$117,479.13<sup>1</sup> (Includes May Payroll)<sup>2</sup>  
 Payroll - May: \$36,643.63<sup>3</sup>  
 667 Rental Income - May: \$84,339.00 (99.4% Collection Rate)



May 2014*	
May Rent	\$84,871.00
May Rent Paid	\$84,339.00
% Collected	99.4%
Amount Collected Since July-May	\$936,748.28

\*data from PHAS Rent Collection Report

<b>May 2014 Total Cash Deposits</b>	<b>\$81,123.19</b>
Cash deposits may be higher or lower than Rent Charged due to tenants paying in advance.	

**2. Motion to Approve Housing Budgets / Monthly Budget Reports – Please see attached monthly budget reports prepared by Milne, Shaw & Robillard, P.C. (See Attachment B)** ✓

<sup>1</sup> This includes a payment in amount of \$53,175.00 for the Courtyard which DHCD will reimburse the MCDA

<sup>2</sup> Bills Payable for May was \$194,677.55

<sup>3</sup> Pay roll for May was \$29,556.14

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3. **Section 8 Terminations & New Vouchers**– On June 16, 2014 we held the second termination hearing for the former tenant of South High Street. The MCDA had three witnesses two Marlborough Police Officers and Pam Wilderman Code Enforcement Officer. The Hearing Officer was Brian Boggia the E.D. of the Wayland Housing Authority. This case was re-tried due the Tenant contesting how the first Hearing Officer wrote the decision. (See Attachment C-Updated Termination Matrix) ✓
  4. **Supportive Housing Grant with BayPath Elderly Services** – The grant has been submitted along with a letter of support from the MCDA Tenant Association. As of the date of this Report we have not yet received confirmation of award. (See Attachment D) ✓
  5. **DHCD HLAPP 667 GRANT – Meeting with DHCD** – We are still awaiting the outcome of the May 13<sup>th</sup>, inspection of the properties by representatives from both DHCD and Massachusetts Housing Partnership (represented by Laura F. Shufelt) when they conducted a tour of the three 667 elderly properties and discussed the funding plan. In addition, no decision has been made yet concerning 20 Front Street’s HLAPP grant request.
  6. **Smoking Policy for State Public Housing.** As reported in April DHCD has released information concerning the banning of smoking in state public housing developments. This is not mandatory. Staff is working on several recommendations for the MCDA Board. At this time we have sent a survey to all residents about proposed changes in the current smoking policy which allows smoking in units but not in common areas or anywhere in a building outside of a unit. (See Attachment E) ✓
  7. **Section 8 Landlord Annual Fee.** In 2013 I requested from HUD clarification if a PHA could assess a one-time annual fee on Section 8 landlords to pay for the processing of annual certifications and the annual inspections. HUD responded stating it is not allowed but they did not cite a specific statute and/or regulation or even a written policy. I will be following up asking for a letter of further clarification. However, I do understand that this is not official policy at this time for the MCDA it is only for information purposes. (See Attachment F) ✓
  8. **On-Going and Planned Capital Improvement Projects.** We have at this time multiple construction projects that we are moving forward on. See Below

#	FISH	NAME	STATUS	
1	170016	Liberty Hill Elevators/Repair	Completed	(\$5,000.00)
2	170022	20 Front Street Paving /Deck	Completed	(\$87,000.00)
3	170027	Pleasant Street Boilers	Completed	(\$456,000.00)
4	160028	Bolton Street 2 Unit Mod	Completed	(\$25,000.00)
5	170030	Bolton Street Parking - PHASE ONE	Plans Revised due to issues with Retaining Wall over Pip new plans to be submitted to Cons. Com. for approval	(\$322,000.00)
6	170033	CIP Training	ON-GOING	
7	170035	Liberty Hill Water Pipes	Completed	(\$10,000.00)
8	170036	Liberty Hill Courtyard	Construction Started Oct/29/2013	(\$137,000.00)
9	170037	Liberty Hill GMPI Bathtubs	Completed	(\$32,000.00)
10	170038	HEALTH AND SAFETY DHCD SPC. GRANT	Completed	(\$25,000.00)
11	170039	Pleasant Street Asbestos Removal	Completed	(\$62,000.00)
12	170040	DOER Demo Project - Bolton Street	Completed	(\$22,000.00)
13	170042	Elect. Boxes/Load Centers - Bolton Street	In Design Stage	(\$38,000.00)
13	170043	Bolton Street Flooring Project	Completed	(\$24,000.00)
14	170044	240 Main Street Lib Hill Backup Generator	In Design Stage	(\$120,000.00)
15	NON-FISH	DOER Monitoring Project	Completed	(\$18,000.00)
16	NON-FISH	240 Main Street Canopy	Completed	(\$12,500.00)
17	NON-FISH	Pleasant Street Plumbing Repair in Bld. B	Completed	(\$1,750.00)
18	NON-FISH GRANT	Lighting and Utility Upgrades for all three 667 properties Bolton ST - Insulation - Complete Pleasant ST - Lights - Complete Liberty Hill Lights -	Construction Phase	(\$120,000.00)
19	NON-FISH GRANT	30 New HVAC Units Bolton Street	Construction	(\$150,000.00)
19	170045	Health & Safety Grant DHCD Canopy	Completed	(\$20,750.00)

EST. CONSTRUCTION/MOD SPENDING NOV-2012 TO NOV-2014 - \$1,700,000.00

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- a. **Liberty Hill Courtyard** – S.I. Services, Inc., has resumed construction with estimated completion by June/2014. The Marlborough Tenant Association is preparing for a rededication ceremony for the Court Yard sometime in late June/2014.
- b. **Motion to Approve Lowest & Responsive Bidder: Bolton Street Parking Phase I (Expansion of Parking Lot)** – The Bid was held on Wednesday, June 18, 2014. The only bidder was S.I. Services in the amount of \$291,000.00. There may be funding issues. The construction estimate was \$247,863.23 leaving a deficit of \$43,136.77. However, \$2,500.00 was set aside in the current fiscal year for this project and for FISH project 170042 (Electrical Panel Upgrades we are UNDER budget by over \$50,000.00 I am asking for a Motion to Approve the Lowest and Responsive Bidder (S.I. Services) provided they are approved by both DHCD and the A/E Firm Fort Hill and that appropriate funding be secured. Other sources of gap funding could come from fiscal year 2015 extraordinary income projects. (See Attachment G)
- c. **GRANT- Back-Up Generator for Liberty Hill Apartments FISH 170044** – As previously reported the Work Order has been signed and approved by DHCD. IN April a site visit was held with the DHCD selected electrical engineers Nangle Engineering Incorporated located in Danvers, MA. It is anticipated that this project could be completed by August/September 2014. DHCD is reviewing the final design and options.
- d. **DHCD Health & Safety Grant FISH 170045:** A contractor has been selected to repair the canopy walk area at 240 Main Street. This project is being funded by DHCD in the form of a Grant. The company is T. M. Masonry. The work is completed. The grant award is \$20,750.00 and includes \$500.00 for administrative expenses. The contract amount is \$17,400.00
- e. **NSTAR / Rise Engineering Projects (Grant)** – Work at Bolton Street and Pleasant Street have been completed. Ram Electrical started the work at 240 Main Street on Tuesday, April 15, 2014. All work is expected to be completed in early June. A close out document will be provided.
- f. **Agreement with ABCD for HVAC Upgrades Bolton Street (Grant Estimate \$125,000.00)** As reported last month Bruce Ledgerwood from ABCD (non-profit) has been working with the MCDA to utilize LEAN energy efficiency funding to install two different types of high efficiency HVAC heating and cooling systems. ABCD has agreed to provide the funding to install 30

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upgraded HVAC systems using two different manufactures (Mitsubishi and Fujitsu). Now, ABCD has announced that they have additional funding for more units for the Fujitsu type for a total of 36 units.

- g. Bolton Street Electrical Boxes FISH 170042:** At this time Giombetti Electric is the lowest bidder. Currently the boxes are the Federal Pacific type which has been of some concern to other apartment complexes over the years. Work is to commence in early June/2014. Contract amount is \$13,542.00
- 9. Motion to Approve 2014-2019 DHCD Capital Improvement Plan**– For board review and approval is the FISH DHCD five (5) year Capital Improvement Plan (C.I.P.). It calls for construction spending in the amount of \$893,221.00 over the next five (5) years to fund thirty-three (33) planned projects at all four (4) property location. These dollar amounts can and most probably will change based on increased funding from DHCD. This also does not include other grant funding outside of DHCD such as the air source heat pump project at Bolton Street funded by ABCD. (See Attachment H) ✓
- 10. Rededication of the Liberty Hill Court Yard Scheduled for Tuesday, July 15<sup>th</sup>, 2014.** A The Courtyard project is near 100% completion. We have reached out to Ernest Holt's family for a rededication of the Courtyard. In 1980 it was dedicated to Mr. Holt who was the original Executive Director of the Marlborough Public Housing Authority and the first Housing Director for the MCDA. (See Attachment I) ✓
- 11. 240 Main Street Elevator Fine** – No court date set. The law firm of Mayer, Antonellis, Jachowicz & Haranas, LLP from Framingham filed the appeal with my assistance
- 12. MCDA-Housing Division Utility Report for 667 Properties.** As requested last month the MCDA Board would like to see monthly utility reports. We have a continuing concern with the water usage especially at Pleasant Street. We have submitted utility bills and reports to Public Works for further clarification of this issue. In 2012 a new water meter was installed by Public Works at Pleasant Street. (See Attachment J) ✓
- 13. Restart of Empowerment Program** – On Wednesday, June 11, 2014 Andrew Skoog, the new Empowerment Coordinator put on an event at the Marlborough Public Library educating Section 8 clients about the MCDC's Financial Fitness Center. About five (5) people came to this event and at least one (1) signed up for additional financial coaching. After conducting a review of the event, Mr. Skoog has determined that the low turn-out was due to the event being scheduled on a Wednesday. Another event about the Financial Fitness Center is being scheduled in the Marlborough Public Library for Saturday, June

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28, 2014, time TBA. The program ends June 30, 2014 as grant funds will be extinguished.

**14. Updated Section 8 Administrative & Annual/Five Year Plans** – Mr. Skoog will be assisting in moving this project to completion after several months of being stalled. Staff has reviewed all of the Draft Chapters of an updated Section 8 plan. Once there is a final internal review it will be submitted in Draft form to MCDA Board Member Stephen Vigeant in June for further suggestions and review. After receiving Board comments, changes and other suggestions then a final draft will be made available for public comment. After comment period and other changes are made then the Board can vote for final approval. The Section 8 Administrative plan was last updated in 2000. Also to be reviewed is the upcoming Annual & Five Year Plans due in calendar year 2015.

**15. Approved MCDA Housing Director's Contract** – DHCD has approved the Housing Director's contract. However, DHCD is still making provisions for the dissolution of all housing authorities if the legislation for regionalization is approved. (Please See Attachment K) ✓

**16. Approval of the 2014-2018 CIP Plan** – The 2014-2018 CIP Plan has already been approved by DHCD on June 17, 2014. (See Attachment L) ✓

**17. MCDA Administration Changes and New Initiatives.** Staff is currently working on the Section 8 direct deposit system. We have experienced significant communications and technical issues with Citizens Bank. However with the assistance of City of Marlborough's IT department we have resolved them and we are planning for our first use of the system on July 1, 2014. Special mention goes to City of Marlborough IT director Mark Gibbs and his staff. Also Marty Nickerson and Vonnie Morris MCDA Staff have done an extraordinary job of coordinating and implementing this project.

**18. College & High School Intern Program.** The new college interns have started in June. The MCDA has been allocated two interns Logan Everett and Diana DeStefano. The High School interns will start June 24<sup>th</sup>, 2014. One college intern has been assigned to Valerie Wilkinson and one to the Central Office.

**B. State Public Housing, Section 8/Voucher Housing, Bookkeeping / Finance Administration, & Utility Reports**

The three above-referenced housing reports are attached.



**MARLBOROUGH COMMISSION ON DISABILITIES**

**MINUTES FOR MEETING APRIL 8, 2014**

**MAYOR'S CONFERENCE ROOM 4<sup>TH</sup> FLOOR**

**CITY HALL**

RECEIVED  
CITY CLERK'S OFFICE  
MAY 24 9 52 AM '14  
MARLBOROUGH

**ATTENDANCE: JOHN USINAS, RICHARD TOWLE, DEBRA MCMANUS, PATTY CARLSON, WARD COUNCILOR ROBERT PAGE, CHERYL SOUCY.**

**DEBRA MCMANUS CALLED THE MEETING TO ORDER AT 4:00 PM.**

**RICHARD TOWLE READ THE MINUTES. ACCEPTED 6 TO 0.**

**CHERYL SOUCY GAVE THE TREASURER'S REPORT \$9,602.70. ACCEPTED 6 TO 0.**

**NEW BUSINESS**

**CHERYL SOUCY WAS WELCOMED BACK FROM HER ABSENCE & PUT RIGHT TO WORK**

**THERE ARE TWO H.P. PARKING SPACES IN THE POST OFFICE PARKING LOT. ONE SIGN IS KNOCKED DOWN & THE OTHER SPACE NEEDS TO BE RE-PAINTED. WILL CALL JOHN GHOLONI.**

**JOHN USINAS OPENED A DISCUSSION CONCERNING SUMMER CAMP SCHOLARSHIPS. JOHN MADE A MOTION WE PUT ASIDE \$5,000.00 FOR THE CAMP**

**BUDGET. ACCEPTED 6 TO 0. RICHARD TOWLE MADE A MOTION TO TABLE THE DISCUSSION TO EXPAND NEEDS ASSESSMENT TO INCLUDE FINANCIAL NEED UNTIL WE KNOW IF WE SEE IF WE EXCEED THE ALLOTTED \$5,000.00. ACCEPTED 6 TO 0. A MOTION WAS MADE FOR PAT WINSKE TO HANDLE CAMP SCHOLARSHIPS. ACCEPTED 6 TO 0.**

**OLD BUSINESS**

**PATTY CARLSON RECEIVED THE COD BROCHURES BACK FROM BEVERLEY SLEEPER WITH A FEW SUGGESTIONS. SHE WILL UPDATE THEM FOR THE MAY MEETING.**

**THE MEETING ADJOURNED AT 4:40 PM.**

**RESPECTFULLY SUBMITTED,  
DEBRA MCMANUS**

**NEXT MEETING TUESDAY MAY 6, 2014 AT 4:00 PM,  
CITY HALL IN THE MAYOR'S CONFERENCE ROOM  
ON THE 4<sup>TH</sup> FLOOR.**

2014 JUN 30 A 9:43

**MARLBOROUGH COMMISSION ON DISABILITIES  
MINUTES FOR MEETING MAY 3, 2014  
MAYOR'S CONFERENCE ROOM 4<sup>TH</sup> FLOOR  
CITY HALL**

**ATTENDANCE: JOHN USINAS, RICHARD TOWLE, DEBRA MCMANUS, PATTY CARLSON, DAVID CORREIA, ADVOCACY DIRECTOR, METROWEST INDEPENDENT LIVING CENTER.**

**DEBRA MCMANUS CALLED THE MEETING TO ORDER AT 4:03 PM.**

**A MOTION WAS MADE TO ACCEPT THE MINUTES AS STATED. ACCEPTED 4 TO 0.**

**DEBRA MCMANUS GAVE THE TREASURER'S REPORT \$9,763.78. ACCEPTED 4 TO 0.**

**DAVID CORREIA EXPLAINED HIS RESPONSIBILITIES AS ADVOCACY DIRECTOR:**

- **HANDLING ACCESS COMPLAINTS**
- **NETWORKING**
- **ADVOCACY – INDIVIDUAL & STATEWIDE**
- **SECTION 8 HOUSING VOUCHER ADVOCACY AT STATEHOUSE**
- **SPEAKS PORTUGUESE**

**THE MWILC HAS:**

- **A DURABLE MEDICAL EQUIPMENT REUSE PILOT PROGRAM (DME)**
- **MONEY FOLLOWS THE PERSON ASSISTANCE PROGRAM**
- **PCA PROGRAM TO START IN SEPT.**
- **NEW TRANSITIONAL ADULT PROGRAM (TAP) – YOUNG ADULTS AGES 14 TO 21, AFTERSCHOOL PROGRAM.**

**DAVID CORREIA PASSED OUT FOLDERS WITH INFORMATION ABOUT MWILC TO COD MEMBERS.**

**THE PUBLIC BODY CHECKLIST FOR CREATING AND APPROVING MINUTES, POSTING A MEETING NOTICE, & ENTERING INTO EXECUTIVE SESSION WERE READ ALOUD & REVIEWED BY THE COD MEMBERS.**

**THE HANDICAPPED PARKING SPACES AT THE POST OFFICE HAVE NOT BEEN CORRECTED. DEBRA MCMANUS WILL CONTACT JOHN GHILONI.**

**DEBRA MCMANUS MET WITH TOM HEALY AT THE SHELL STATION & POINTED OUT THE AAB VIOLATIONS & DISCUSSED POSSIBLE SOLUTIONS. SOME VIOLATIONS HAD BEEN ADDRESSED. TOM HEALY WILL FOLLOW UP WITH THEIR PLANS.**

**PAT WINSKE CALLED MIKE MENDOZA CONCERNING THE LAKE WILLIAMS CONDOS. THERE APPEARS TO BE 4 FLOORS WHICH REQUIRES AN ELEVATOR. THERE WERE ORIGINALLY ONLY 3 FLOORS.**

**PATTY CARLSON PASSED OUT THE FINAL VERSION OF THE COD BROCHURE. IT WAS APPROVED 4 TO 0. 500 COPIES APPROVED 4 TO 0. PATTY WILL ORDER THE COPIES.**

**THE MEETING ADJOURNED AT 5:09 PM.**

**RESPECTFULLY SUBMITTED,  
DEBRA MCMANUS**

**NEXT MEETING TUESDAY JUNE, 1, 2014 AT 4:00 PM, CITY HALL IN THE MAYOR'S CONFERENCE ROOM ON THE 4<sup>TH</sup> FLOOR.**

2014 JUN 25 P 3:02



**CITY OF MARLBOROUGH**  
Marlborough, Massachusetts 01752

## Fort Meadow Commission



**TOWN OF HUDSON**  
Hudson, Massachusetts 01749

### May 22, 2014 Fort Meadow Commission Meeting Minutes

7:06 PM - Meeting called to order in the Marlboro City Hall.

**In attendance:**

- Marlborough Commissioner Thomson, DelGenio and Agent Gould
- Hudson Agent Pelletier
- 1 Resident

**Minutes:**

- Minutes from September 19, 2013 meeting reviewed, amended and approved by Commissioners Thomson and DelGenio
- Weed Control
  - Effectiveness survey to be carried out on May 23, 2014
- NE INT League request
  - Slalom Double Header competition lake use application submitted.
  - Motion approved to hold event August 8 thru 10
- Litchfield buoy request
  - Agent Gould will put out a buoy in front of his property
- Large Wakes
  - Commission will actively inform boaters that they are responsible for their wakes. With large wake generating activities to be conducted in the middle of the larger (west) basin.
- Commissioner Thomson to contact legal department regarding noise ordinance.
- Budget
  - \$400 dock supplies
  - \$20,000 weed control
  - \$900 Instate travel
  - DelGenio Buoy
  - Thomson Cleats
  - Gould light and boat hook.
- Duty Schedule
  - Draft form submitted and reviewed by all

8:03 PM - Meeting adjourned

2014 Remaining Meeting Schedule (all meetings at 7:00 PM third Thursday)

**Hudson**  
June 19  
August 21

**Marlboro**  
July 17  
September 18

**MINUTES OF THE LICENSE BOARD MEETING HELD MAY 28, 2014**

RECEIVED  
CLERK'S OFFICE  
CITY OF MARLBOROUGH

There was a regular monthly meeting of the License Board held on Wednesday, May 28, 2014 at 7:30 pm, City Hall, 3rd floor, Memorial Hall. 2014 JUN 27, P 4: 36

Attending were: Walter Bonin, Chairman; James Riessle, Member; Gregory Mitrakas, Member; Linda Goodwin, Secretary.

Meeting was called to order by Walter Bonin, Chairman at 7:30 pm.

NEW BUSINESS:

- 1: MASONIC CORP – CATERING BY TASTY HOME COOKING - 6 - ALL ALCOHOL ONE DAY PERMITS

Ed Walsh presented 6 ALL alcohol one day permit applications. Motion made to approve by Gregory Mitrakas, seconded by James Riessle. Motion carried 3-0

- 2: ITAM – OUTDOOR PAVILLION – 5 – ONE DAY ALL ALCOHOL PERMITS

John Manning presented- 5 - ALL alcohol one day permits applications for outdoor pavilion at ITAM. Motion made to approve by Gregory Mitrakas, seconded by James Riessle. Motion carried 3-0

- 3: MARLBORO MOOSE – OUTDOOR PAVILLION – 9 – ONE DAY ALL ALCOHOL PERMITS

Nancy Roynane presented – 9 – ALL alcohol one day permit applications for outdoor pavilion at Moose Lodge. Motion made to approve by Gregory Mitrakas, seconded by James Riessle. Motion carried 3-0

- 4: I.C. PARENTS ASSOCIATION – 1 – ONE DAY BEER/WINE PERMIT

Heather Short present for the Parents Association. End of year event. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

5: TRANSFER OF ALL ALCOHOL RESTAURANT LICENSE

FROM: KARIFF MARLBOROUGH – 31-33 MAIN STREET  
TO: 31-35 MAIN STREET, LLC with DESMOND McKANE, MANAGER  
PLEDGE OF LICENSE TO KARIFF MARLBOROUGH  
FULL ENTERTAINMENT LICENSE

Attorney David Officer present with new owners. Desmond McKane will be named the manager, and will be spending the bulk of time there. They will be doing renovations, knocking down an existing wall which divides the restaurant from the bar area. It will now all be one big room. They will be changing the front entrance to this location, right now its two doors, we will eliminate one. This will be a casual sports bar, Irish menu, family restaurant. Entertainment will consist of light acoustics; we are not interested in rock bands, etc. We will have a DJ on Trivia Nights, once in a while an Irish band, etc. We will be open 7 days a week 11:30 am until 2:00 am. They are not interested in attracting a younger crowd. They want to be fit in and be good neighbors.

Mary Rowe: Concerned with the noise that late at night? Especially when patrons exit they can be loud, talking, laughing, etc. I hope you will keep the doors closed and keep the entertainment inside?

Desmond McKane: We really do not anticipate any problems, but if it becomes an issue we will post a police detail to remind them to move along. We have two other locations one in Shrewsbury, one in Worcester, we have not had any issues at either location.

Board discussed the past history with noise, disorderly patrons, etc. Reminding all that noise travels at night. If we do receive complaints the hours can and will be scaled back.

Desmond McKane agreed, but there will be no issues.

Neighbors living at the end of the property had other issues: cars (blocking in his car in his own driveway), patrons (outdoor restroom), fighting, etc. Owner has good intentions, but when people drink they become different people.

Desmond McKane stated he will be on the property, and to call him any time with any issues.



PAGE 3

Board discussed application, all seems in order. Motion made to approve at this time. If any issues or concerns arise we will revisit. Motion made by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

Motion made to approve full entertainment license 11:00 am to 1:00 am. Motion carried 3-0

Motion made to approve pledge of license to property owner: Kariff Inc. address and information on file. Motion carried 3-0

- 6: LTR CODE ENFORCEMENT – RE: PAUL EGIZI (M&P AUTO SALES)  
LOCATED AT 37 EAST MAIN STREET

Board reviewed letter and current license for location, will visit location and discuss at next monthly meeting. Motion carried 3-0

OLD BUSINESS:

- 1 : MINUTES PREVIOUS MEETING – APRIL, 2014  
Motion made to accept and place on file. Motion carried 3-0

MOTION MADE TO ADJOURN: 8:45 PM

Respectfully submitted,

A handwritten signature in black ink that reads "Walter Bonin". The signature is written in a cursive, slightly slanted style.

Walter Bonin, Chairman

**MARLBOROUGH PLANNING BOARD  
MARLBOROUGH, MA 01752**

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
May 5, 2014  
2014 JUN 17 A 11:40

**Call to Order**

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

**1. Meeting Minutes:**

**A. Regular Meeting April 28, 2014**

On a motion made by Mr. Fay, seconded by Mr. DuPont it was voted to accept the minutes of the April 28, 2014 meeting as amended. Motion carried. Mr. Hodge abstained.

**2. Chair's Business:**

**A. Correspondence from City Solicitor re: Submission of plans to the Board**

Ms. Hughes read into the record the communication from Solicitor Ryder defining the timing and process for the submission of plans to the Board.

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

**3. Approval Not Required:**

**A. 637/661 Sudbury Street (Ravenswood Properties) (May 27, 2014)**

Mr. Joseph Peznola of Hancock Associates presented the proposed plan to the Board. The plan proposes to "swap" 2 pieces of land between House #637, House #661 and a rear parcel called 4A. The ending result will allow the removal of House #661 from the Proposed Jenks Rd Subdivision.

On a motion made by Mr. Fay, seconded by Mr. Coveney it was voted to refer the plan to the Engineering Department for review. Motion carried.

**B. Boston Scientific 100 Boston Scientific Way (May 27, 2014)**

Mr. David Mackwell of Kelly Engineering presented the proposed plan to the Board. The plan proposes to "swap" land between Building #50 and Building #100 on Boston Scientific Way.

On a motion made by Mr. Fay, seconded by Mr. Coveney it was voted to refer the plan to the Engineering Department for review. Motion carried.

**4. Public Hearings: None**

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

**A. Engineers Report**

Mr. Collins supplied to the Board a recent subdivision status report, it is his intention to familiarize the new City Engineer with the existing subdivisions on the report and then move forward with each as appropriate.

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

**7. Definitive Subdivision Submission: None**

**8. Signs:**

**A. Correspondence from City Code Enforcement Officer to Sonai Patel**

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

On a motion made by Mr. Fay, seconded by Ms. Hughes it was voted to accept the correspondence and place on file. Mr. Fay commended Ms. Wilderman on the crafting of the letter, job well done.

**9. Unfinished Business:**

**A. Decision ANR Adjacent to 200 Forest Street (May19)**

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 and endorse the plan of land believed to be Approval Not Required, Titled: Plan of Land in Marlborough, Middlesex County, Owned by: Atlantic-Marlboro Realty LLC, Prepared by: The BSC Group, 33 Waldo Street, Worcester, MA Dated: April 16, 2014 with a revision date of May 2, 2014. Motion carried.

**B. Berlin Farms possible action on bond**

Mr. Fay noted to the Board that in his opinion the Board has bent over backwards in its attempts to induce Mr. Freeman into completing this subdivision. The Board can no longer sit back and let things continue as they are. The Board is in no way trying to harm Mr. Freeman on the contrary everything has been done to try to assist him. It is unfortunate that Mr. Freeman has forced this result.

On a motion made by Ms. Hughes, seconded by Mr. Coveney it was voted to start the process to pull the existing bond approximately \$147,000.00 and have the paperwork available for action at the next regularly scheduled meeting May 19, 2014. Motion carried

**10. Informal Discussions:**

**A. 108 Framingham Rd. Chris Heinz 'potential' development 108 Framingham Rd**

Mr. Christopher Heinz current owner and occupant of 108 Framingham Rd came in front of the Board to discuss the possibility of putting a home on a current parcel located directly behind his current home. This parcel is a landlocked single parcel. The plans Mr. Heinz provided were not in proper form and was met with a generally unfavorable response.

**11. Correspondence: None**

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

**A. Town of Framingham, Planning Board Public Hearing, May 12, 2014**

**B. Town of Southborough, Planning Board Public Hearing, May 19, 2014**

On a motion made by Ms. Hughes, seconded by Mr. Hodge 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 8:00pm. Motion carried.

Respectfully submitted,

Colleen Hughes

/mai

**MARLBOROUGH PLANNING BOARD  
MARLBOROUGH, MA 01752**

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

**Call to Order**

June 2, 2014  
2014 JUN 17 A 11:40

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

Also in attendance was Board Secretary Melissa Irish, Assistant City Engineer Timothy Collins & City Engineer Evan Pilachowski.

**1. Meeting Minutes:**

**A. Regular Meeting May 5, 2014 (tabled 5-19)**

On a motion made by Ms. Hughes, seconded by Mr. Coveney it was voted to table the minutes of the May 5, 2014 meeting until the next meeting. Motion carried.

**B. Regular Meeting May 19, 2014**

On a motion made by Ms. Hughes, seconded by Mr. Coveney it was voted to accept the minutes of the May 19, 2014 meeting as amended. Motion carried, with Chairperson Fenby and Mr. Coveney abstaining.

**2. Chair's Business:**

**A. Request for information/plans Robert O. & Andrea K. Bullard**

Ms. Hughes read the request into the record.

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

On a motion made by Mr. DuPont, seconded by Mr. Fay it was voted to send a letter to Mr. Bullard from the Board noting that the Planning Board is not the Keeper of the Requested Records, the official keeper of the records is the City Clerk. That information can be obtained either at the Middlesex Registry of Deeds, Cambridge or by using the Registry website at [www.cambridgedeeds.com](http://www.cambridgedeeds.com). Motion carried.

**B. Update regarding the LED Sign Committee**

Chairperson Fenby updated the Board on the progress of the LED sign committee. The committee is moving right along on the crafting of the new proposed ordinance. Another update will be coming soon.

**3. Approval Not Required: None**

**4. Public Hearings: None**

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

**A. Engineers Report**

Mr. Collins informed the Board that paper copies of the Berlin Farms plans were received late in the day on Friday, they have yet to be reviewed. The Mauro Farms Subdivision has not yet

forwarded a current construction schedule to the Engineering Department, he will follow up.

**B. Hudson St Open Space Special Permit Request for Extension**

Ms. Hughes read the request from Attorney Austin into the record.

On a motion made by Ms. Hughes, seconded by Mr. Coveney it was voted to accept the Correspondence and place it on file as well as grant the extension as requested to June 19, 2014.

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

**7. Definitive Subdivision Submission: None**

**8. Signs:**

**A. Communication from Code Enforcement Officer**

Ms. Hughes read the communication into the record.

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

**9. Unfinished Business:**

**A. Berlin Farms possible action by Board**

Mr. Steve Poole was in attendance to update the Board on the progress of the subdivision. There is grading work to still be done but the final plans have been delivered to the Engineering Department for review (in paper form). Work is still ongoing.

On a motion made by Ms. Hughes seconded by Mr. Hodge it was voted to table this item and have it appear on the June 16, 2014 agenda. Motion carried.

**B. Mauro Farms, Legal Department Update**

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

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

The Board accepted the determination as made by Solicitor Rider to acknowledge the completion date of the Mauro Farms Subdivision to be March 22, 2016.

On a motion made by Ms. Hughes, seconded by Mr. Fay it was voted to forward Solicitor Riders letter to the Developer as well as the Code Enforcement Officers notes and to request an updated construction schedule. Motion carried.

**C. Walker Brook, Legal Department Update**

Solicitor Rider updated the Board regarding the review of the proposed covenant is ongoing and edits are being made.

On a motion made by Mr. Fay, seconded by Ms. Hughes it was voted to table the discussion and to review the covenant once it is in final form. Motion carried.

**D. Hudson St, Legal Department Update**

Solicitor Rider updated the Board on his discussions with Attorney Austin. Attorney Austin was present to collaborate with Solicitor Rider in the discussion.

Attorney Austin made note that it is the intention of the developer to convey back to the City any excess land that is not required for the development. Chairperson Fenby has asked the Board members to each take a few moments and visit the proposed area of development and look at the topography where the proposed crossing connection is to be located linking in to the existing rail trail. The Engineering Department is asked to look into the possible driveway placement issue at 281 Hudson Street. Chairperson Fenby will speak with Conservation Officer Ryder regarding the Open Space area and access/crossing of Hudson St itself.

#### **E. Proposed Medical Marijuana Treatment Center Ordinance-Discussion Maps**

Solicitor Rider updated the Board by presenting 2 maps each map outlined prohibited areas for the "Treatment Center" locations. According to the proposed ordinance the facilities would be allowed only in the Commercial Automotive Zone, The Limited Industrial Zone and the Industrial Zones with further restrictions as to exact locations.

Map 1 included 6 types of protected areas but did not include recreation facilities as previously defined in the existing sex offender ordinance nor did it include daycare centers.

The Board could offer an amendment to the Council regarding deleting the term recreational facilities and changing the term/definition of "school" to "early education providers".

Map 2 included 5 types of protected areas removing "early education providers"

The Buffer areas proposed by the ordinance are: There cannot be an additional "Center" within 5,000 feet of an existing "Center", nor a Narcotic Detoxification Center.

As well there are 5 uses that a "Center" cannot be within a 1,000 feet of, they are proposed to include: a school as defined in chapter 517-2 of the Code of the City of Marlborough, a recreational facility as defined in chapter 517-2 of the Code of the City of Marlborough, a park as defined in chapter 517-2 of the Code of the City of Marlborough, an elderly housing facility as defined in chapter 517-2 of the Code of the City of Marlborough & a retirement community as defined in chapter 517-2 of the Code of the City of Marlborough.

Solicitor Rider did note that the new Overlay District that was approved by the City Council directly prohibits a "Center" from even being considered anywhere within the Overlay District.

The Planning Board's Public Hearing for this proposed Zoning Amendment is scheduled for June 16, 2014 at 7:15pm. The Boards' recommendation to the Council will then be due by July 7, 2014.

#### **10. Informal Discussions:**

Ms. Hughes questioned the City Engineer as to what stage the LaCombe St subdivision was currently at? Mr. Collins responded that the subdivision in question was actually on the agenda for the City Council that evening. If that is the case the Council will be referring it back to the Board for discussion/recommendation at the next meeting.

Ms. Hughes requested that this item be kept on for the next agenda.

**11. Correspondence:** None

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

- A. Town of Sudbury, Zoning Board of Appeals, Public Hearing June 6, 2014**
- B. Town of Framingham, Planning Board Public Hearing June 9, 2014**
- C. Town of Hudson, Zoning Board of Appeals Public Hearing (2) June 12, 2014**
- D. Town of Hudson, Zoning Board of Appeals Notice of Decision (6)**

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

**Adjournment:** On a motion made by Mr. DuPont, seconded by Mr. Coveney it was voted to adjourn at 8:06pm. Motion carried.

Respectfully submitted,

Colleen Hughes

/mai



2014 JUN 26 P 3:13



**CITY OF MARLBOROUGH  
OFFICE OF TRAFFIC COMMISSION  
140 MAIN STREET  
MARLBOROUGH, MASSACHUSETTS 01752**

**Traffic Commission Minutes**

The Regular Meeting of the Traffic Commission was held on Tuesday, May 27, 2014 at 10:00 a.m. in the City Council Committee Room, City Hall. Members present: Chairman - Police Chief Mark Leonard, DPW Commissioner John Ghiloni and City Clerk Lisa Thomas. Also present: City Engineer Evan Pilachowski and Assistant City Engineer Tim Collins and local resident Jim Joubert Minutes taken by: Karen Lambert, MPD Records Clerk.

**1- Minutes**

The minutes of the Traffic Commission meeting of Wednesday, April 30, 2014.

MOTION was made, seconded, duly VOTED:  
TO APPROVE

*Chief Leonard requested a Suspension of Rules to begin the meeting with Old Business – Agenda Item 3c) as Mr. Joubert was in attendance for this issue.*

**3-Old Business**

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

Mr. Joubert was in attendance inquiring as to the status of this issue. Chief Leonard gave an overview for the benefit of new City Engineer Evan Pilachowski and new DPW Commissioner John Ghiloni. He explained how Bigelow Street was a rural country road that almost “overnight” became a heavily traveled roadway due to the opening of the Mall and New England Sports Center on Donald Lynch Blvd. Attempts were made at the time to discourage people from taking this route, however, this just sends drivers to other areas. The stop signs were installed in '96 or '97 in an attempt to discourage speeding and excessive travel on this roadway. A formal request was submitted to the Traffic Commission by Mr. Joubert to revisit the issue. A town meeting was held at Hillside School in 2011 for further discussion. It was found that the existing stop signs on Bigelow Street do not meet the warrants (i.e. requirements) for stop signs. There were strong opinions on both sides, with many residents wanting them to stay in place and

many wanting them taken down. It is an issue the Traffic Commission has discussed many many times.

Tim Collins came up with an alternative plan whereby three of the signs would be removed and three would remain. Three of the signs could be justified if sidewalks were eventually installed and a pedestrian walk area created that would join the neighborhoods. It was also determined that no stop signs should be removed without some type of mitigation. The Traffic Commission felt that the use of two solar powered speed signs would be a good alternative to remind people of speed concerns and traffic. Chief Leonard went on to explain that these signs are very expensive and there is no funding secured at this time. It is an issue that has been kept on the agenda for a long time, however, it can't be addressed without funding. Chief Leonard has also discussed the issue with Mayor Vigeant, however, no capital funding is available either. There are plans for expansion of the NESC and that is where we may be able to find some mitigation money.

Mr. Joubert was not happy with how long the process has taken as he wants all the signs taken down immediately. Lisa Thomas commented that all department heads have to wait patiently. She sees this when she is waiting on special permits. Chief Leonard commented that he is hoping to move along with this issue also. He received a complaint this past weekend about people going through the stop signs. Councilor Pope is also aware of the issue and expressed her willingness to approach developers on mitigation money. As a Traffic Commission this is where we stand on the issue. Lisa Thomas summed it up by saying that for us to negotiate what may or may not have been put in place properly, we need to have a procedure and plan in place with proper documentation and reasoning behind it.

MOTION was made, seconded, duly VOTED to keep this item on the Agenda until such time that funding becomes available.

## **2-New Business**

### **2a) Sight distance concerns – Chestnut St. @ Mechanic St.**

The Traffic Commission received an e-mail from local resident, Jessica Pomerleau, on this issue. She explained that "There is a bush, on the left (at the bottom of Chestnut St.), that blocks the sight to Mechanic Street that you have to turn on". She said that you have to pull way into the intersection in order to see around the bush and now you are putting yourself in danger of an accident. Tim Collins advised that there is a City Ordinance that says that all brush within 25 feet of an intersection can't be taller than 2 feet. We can notify Pam Wilderman, of Code Enforcement, to take a look at the area.

Tim Collins advised that he would go out and measure at the site and let Pam Wilderman know if she need to address the issue with the resident. The resident may need to cut back the brush.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to work with CODE EFORCEMENT if necessary.

**2b) Communication from Doreen Howes regarding crosswalks.**

In her correspondence Ms. Howes said that she walks daily around town and on the Rail Trail and has several areas of concern.

- 1) East Main Street – Across from Sperry’s Liquors - sidewalk is closed.
- 2) City “red” crosswalks.
- 3) Lincoln Street crosswalks – intersection of Huntington, Washington and Highland Streets.

Ken Calder, Street Division Supervisor for the DPW, responded to her directly with regard to the areas of concern. One of the issues, which the Traffic Commission discussed further, was that the City usually waits until the end of the summer to paint crosswalks in preparation for Labor Day. Commissioner Ghiloni advised that he is going to request that the sidewalks be painted now rather than waiting.

The “red crosswalks” were also discussed. Commissioner Ghiloni talked about how they are very slippery when wet. He knows they are very warn but has been looking into changing them and has gotten some prices to do so. Tim Collins commented that the full crosswalk was not really intended to be red. It was supposed to have been a “ribbon of red” that would interact with the brick on the sidewalk.

Ken Calder has already responded to Ms. Howes that the crosswalks will be painted. The issue now is more of an FYI.

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

**2c) Elimination of “Bump Out” on Main St. & Newton St.**

Tim Collins requested that this item be added to the Agenda. In his e-mail, he noted that there is a drainage problem here (at the westerly corner of the intersection of Newton Street and Main Street). The mulch from the “bump out” washes into the storm drain when there is heavy rain. Elimination of the “bump out” will serve three purposes:

- 1) It will create an extra space on Main Street.
- 2) It will eliminate the drainage problem.
- 3) It will reduce the landscaping cost (mulch no longer washed away).

It was the consensus of the Traffic Commission that the “bump out” should be removed. Tim advised that he would also update the Downtown Parking Map to reflect the change.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING and the DPW to make the necessary changes.

**3-Old Business****3a) Municipal off street parking regulation.**

Commissioner Ghiloni had a question on the Windsor Street Lot. He was told that vehicles couldn't be towed from here because there were no signs for parking restrictions. One of his foreman had attempted to have a truck towed from here but it was not signed as a municipal lot with enforceable rules. Further discussion followed on the rules for municipal lots and the specifics of Municipal lot vs. City owned lot. Chief Leonard advised that a municipal lot was supposed to be 2 hour parking unless designated as all day. This became a problem for employee parking as employees can't be expected to move their cars every two hours. Chief Leonard recalls that the Traffic Commission did create a list of municipal lots. Tim Collins advised that he would look into this.

Commissioner Ghiloni also brought up problems with the parking garage. He said there was an issue with motorcycles left there for the winter or when someone was on vacation for a week or two. Chief Leonard recalls that we did restrict commercial vehicles from here. Also, parking can be restricted form 2:00am to 5:00 am. It appears that the problem stems from habitual issues.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to review city owned vs. municipal lots.

**3g) Traffic concerns regarding decorative lights at 2-10 Boston Post Road East.**

The Agenda packet included a copy of the letter Pam Wilderman sent to the property owner advising that the decorative string of lights is not in compliance with the Marlborough City Code for signs, i.e. Chapter 526-2., and therefore needs to be removed within 48 hours to avoid further fines or sanctions.

MOTION was made, seconded, duly VOTED to REMOVE this item from the next Agenda as the issue is being addressed by Code Enforcement.

**3h) Request for "Hidden Driveway" sign at 898 Concord Road.**

Tim Collins advised that he and Evan Pilachowski went out to see this area. He provided a diagram of the roadway highlighting the driveway in question and also a copy of a memo to The Traffic Commission indicating his findings. He is recommending that a Blind Driveway Sign be placed 200 feet in advance of the driveway. This is based on three factors: 1) width of the roadway, 2) bend in the roadway and 3) change in elevation. The homeowner will also be requested to do some minor trimming and clearing.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING for Tim Collins to send a letter to the homeowner advising that the City will install the sign and asking for them to cut back the brush.

**3e) Discussion regarding Assabet Valley Rail Trail connection to downtown.**

Engineering submitted the proposed plan (discussed by the Traffic Commission at the last meeting) to Priscilla Ryder and her Committee. The Traffic Commission had suggested painting bike symbols on the road, however, there was some "flak" about people thinking this is where bikes where supposed are supposed to be. It was determined that signs along the route indicating "Downtown Bike Loop" should be used instead. Also, signs

indicating "Steep Grade" should be used. There was also concern about the bike rack being located at the Walker Building as they wanted to encourage people to ride down Main Street. Tim Collins does not feel that that Main Street is set up for bikes. He said that it is better to park bikes at The Walker Building and walk down Main Street. All agreed that this was a better option.

MOTION was made, seconded, duly VOTED to REFER back to ENGINEERING to work with Priscilla Ryder.

**3i) Sight distance concerns at Winthrop St. & Lincoln St.**

Tim Collins presented a diagram of this location. He proposed eliminating parking 60 feet from the intersection and would put the "No Parking Here to Corner" sign back up. This would allow a driver to stop at the stop line and ease out to see 200 feet. This is an existing regulation that would be reposted.

MOTION was made, seconded, duly VOTED to REFER to Engineering and the DPW to install the proper signage as per the existing regulation.

**3j) Request for pedestrian crossing signs on Lincoln St. @ Renaissance Lofts.**

Evan Pilachowski said that he did some research on Chief Fortin's question on ways to highlight the crosswalk. He found a section in the MUTCD regarding crosswalk markings which referred to yield triangles that could be painted on the road along with corresponding signs. He passed out a copy of this page of the manual. Commissioner Ghiloni's concern was that if we did this here others would also be wanting midblock crosswalks of this type.

Chief Leonard explained how the Traffic Commission tries not to use midblock crosswalks, however, this one was approved as part of the site plan for the Lofts. They received a special permit for the crosswalk and only came to the Traffic Commission when they were looking for the best place to put it. This particular crosswalk, historically, keeps getting concerns. Tim Collins thinks they actually installed the crosswalk before inquiring as to the best location. He would have preferred to see the crosswalk at the driveway opening to what used to be the loading dock.

Chief Leonard asked about the maintenance involved with painted yield signs. Tim Collins thought that The Lofts were supposed to build and maintain the crosswalk as part of the Special Permit. Lisa Thomas advised that she will locate the special permit and forward it to the group so the language can be reviewed.

MOTION was made, seconded, duly VOTED to REFER Lisa Thomas, City Clerk, to locate and forward the language for the Special Permit.

**3k) No parking signage on Liberty Street.**

Tim Collins provided an aerial photo of this location and said that it is not "conducive" to park on both sides of the street, however, it also doesn't make sense for there to be "No Parking" on both sides. The parking in this area is "prime". The problem seems to be stemming from #41 and #45. No. 45 is a two family with six bedrooms. Technically

they would need 8 parking spots, however, there are not enough available. They may actually only have the space for two vehicles. No. 41 may assume that they have more parking than they actually do. Either Engineering or Code Enforcement will need to look into this and correspond with No. 41. There is no regulation that says you can only park in front of your own house. The initial complaint came from No. 41. They said that there was a problem getting emergency vehicles through.

Tim Collins said that it is not a busy road and may actually make sense to pull over and let someone else go by. He said that they have the same situation on Howe Street where you sometimes have to pull over to let someone else go by in the opposite direction. He agrees that it is a very congested area and that the driveways can't accommodate parking for everyone. It almost seems like the Traffic Commission is being asked to mediate a neighbor dispute. It may be an issue better left alone. It will cause more problems if parking is restricted on either side.

Chief Leonard advised that he would get in touch with No. 41 and explain the situation. It does not seem appropriate to create a fulltime parking restriction when it is not really necessary. All were in favor.

MOTION was made, seconded, duly VOTED to REFER to Chief Leonard to discuss with the residents of No. 41.

**3f) Communication from Kraft Tire & Auto regarding Brigham/Maple/Walker St. intersection.**

Commissioner Ghiloni advised that he will go back and try to talk to Mr. Kraft. The two have not yet connected to discuss the issue.

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

**3b) High School parking regulations.**

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

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

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

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

Respectfully submitted,

Karen L. Lambert  
Records Clerk  
Marlborough Police Department

**List of documents and other exhibits used at the meeting:**

-Meeting Agenda for Wednesday, May 27, 2014 (Including City of Marlborough Meeting Posting.

-E-mail from Jessica Pomerleau to City Clerk's office, dated 4/16/14, re: Public Safety Issue (forwarded by Steve Kerrigan to Chief Leonard and John Ghiloni on 4/17/14.)

-E-mail from Doreen Howes to Ken Calder, dated 5/8/14, re: Marlboro – East Main St., Lincoln St. and City Crosswalks, along with back and forth correspondence between the two.

-E-mail from Tim Collins to Chief Leonard, dated 5/14/14, Re: Traffic Commission Agenda Item ("Bump out" on corner of Newton & Main) along with a diagram.

-E-mail from Amy Mullen to Ken Calder, dated 4/10/14, re: Liberty Street (and related correspondence from Tim Collins).

-Copy of letter from Pam Wilderman to Sonal Patel, dated 4/30/14, re: Window Lighting at 2 Boston Post Road.

-E-mail from Andy Bruster to Matt Elder, dated 3/31/1, re: Traffic Issues (along with related correspondence.

**Additional Handouts**

-Memo from Tim Collins to Chief Leonard, dated 5/23/14, re: Blind driveway sign request - #898 Concord Road along with diagram.

-Large aerial view photo of Liberty Street with regard to the parking review.

-Copy of page from MUTCD Regulations, Section 3B.18 Crosswalk Markings.

Property Unit  
PO Box 15147  
Worcester MA 01615-0147  
Telephone: 508-878-870-7534 Ext:  
Fax Number: 508-878-5660  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2014 JUN 13 A 9:26

June 09, 2014

CITY CLERK'S OFFICE  
140 MAIN ST  
MARLBOROUGH MA 01752

Re: Our Insured: SKINNER INC  
Policy Number: ZDN 5229086  
Claim Number: 15-00336831 001  
Date of Loss: 05/27/2014  
Property Address: 274 CEDAR HILL ST MARLBOROUGH MA

To whom it may concern :

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

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

Sincerely,  
*Timothy Morneau*  
Timothy Morneau  
Outside Property Adjuster  
Massachusetts Bay Insurance Company

CC: LEGAL 6/13/14  
*[Signature]*



Property Unit  
PO Box 15147  
Worcester MA 01615-0147  
Telephone: 508-816-4973 Ext:

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
Fax Number: 508-926-5660

June 12, 2014

2014 JUN 19 A 10:42

CITY CLERK'S OFFICE  
140 MAIN ST  
MARLBOROUGH MA 01752

Re: Our Insured: Ellen Lowe  
Policy Number: HVN 6588331  
Claim Number: 15-00344897 001  
Date of Loss: 06/07/2014  
Property Address: 19 HOLLY HILL LANE MARLBORO MA

To whom it may concern :

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

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

Sincerely,

*Thomas Gorski*

Thomas Gorski  
Property Adjuster  
Massachusetts Bay Insurance Company

CC Legal

Property Unit  
PO Box 15147  
Worcester MA 01615-0147  
Telephone 508-816-4973 Ext:  
Fax Number 508-928-5660  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

June 17, 2014

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2014 JUN 23 A 10: 03

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2014 JUN 23 A 10: 03

CITY CLERK'S OFFICE  
140 MAIN ST  
MARLBOROUGH MA 01752

Re: Our Insured: Kevin Mclellan  
Policy Number: HPN 8922433  
Claim Number: 15-00349103 001  
Date of Loss: 04/25/2014  
Property Address: 20 ELM HEIGHTS TER MARLBOROUGH MA

To whom it may concern :

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

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

Sincerely,

*Thomas Gorski*

Thomas Gorski  
Property Adjuster  
Citizens Insurance Company of America