

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2014 MAY 29 P 12: 55

1. Minutes of the City Council Meeting, MAY 19, 2014.
2. PUBLIC HEARING On the Proposed Zoning Ordinance, Medical Marijuana Treatment Centers, Order No. 13/14-1005247E.
3. Communication from the Mayor re: 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.
4. Communication from the Mayor re: 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.
5. Communication from the Mayor re: Comp Time Payouts as noted on the attached spreadsheets.
6. Communication from the Mayor re: Renewal of Sligo Water Tank Revolving Fund.
7. Communication from the Mayor re: Renewal of Parks and Recreation Revolving Fund.
8. Communication from the Mayor re: Conservation Grant in the amount of \$1,000.00 from Dow Company to be utilized for general purposes associated with maintaining and beautifying the City.
9. Communication from the Mayor re: FY15 Deficit Spending for Snow & Ice Account.
10. Communication from the Mayor re: Appointments of Ryan Wambolt and Santiago Vergas as youth appointees to the Youth Commission for terms of one year from date of approval.
11. Communication from City Solicitor Rider re: SanDisk TIF, in proper legal form, Order No. 14-1005781A.
12. Communication from Paul DiTuillo re: Lacombe Street Extension Acceptance.
13. Petition from NStar to install 105' of 4" plastic gas main as a system improvement to 31 Wellington St.
14. 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.
15. Petition of NGrid and Verizon to relocate Pole 1, 2, 3, 4, and 12 on Simarano Dr. to accommodate City of Marlborough widening project.
16. Petition of NGrid and Verizon to relocate Pole 22 and install new guy P21-84 to accommodate City of Marlborough widening project.
17. Communication from Central Mass. Mosquito Control Project re: Investigation of Resident Complaints during May and June.
18. Communication from Central Mass. Mosquito Control Project re: Treatment of Areas where Mosquito Larvae are found.
19. Minutes, Recreation Commission, March 12, 2014.
20. Minutes, Board of Assessors, April 9, 2014.
21. Minutes, Traffic Commission, April 30, 2014.
22. CLAIMS:
 - A. Downtown Marlborough LLC, 17 Weed St., other property damage and/or personal injury

Electronic devices, including laptops, cell phones, pagers, and PDAs must be turned off or put in silent mode upon entering the City Council Chamber, and any person violating this rule shall be asked to leave the chamber. Express authorization to utilize such devices may be granted by the President for recordkeeping purposes.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Public Services Committee

23. **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.**
24. **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.**
25. **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.**
26. **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.**

27. **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.**
28. **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.**
29. **Order No. 14-1005787 - Application for Renewal of Junk Dealer's License, Michael Komapovsky, d/b/a Aaurus 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 Aaurus Art Gallery. Motion made by Councilor Clancy, seconded by Chair, to approve the application. Carries 3-0.**

From Finance Committee

30. **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.**
31. **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**

32. **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.**
33. **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.**
34. **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.**
35. **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).**
36. **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.**



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

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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 Kassooy, 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:		
\$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	52980	Snow Removal	-\$733,769.51
	Reason:								
					\$641,000.00	14001208	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		
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$15,049.87	\$5,475.00	12100003	51920	Sick Leave BuyBack	\$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 Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available 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 Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available 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	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 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			

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		
Available Balance	FROM ACCOUNT:				TO ACCOUNT:				Available Balance	
Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Amount	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				
Available Balance	FROM ACCOUNT:				TO ACCOUNT:				Available Balance
Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Amount	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				
Available Balance	FROM ACCOUNT:				TO ACCOUNT:				Available Balance
Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Amount	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, 6 High 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 7th @ 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.**

Reports of Committees cont'd:

- 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 Høglund, 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 Aaurus 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 Aaurus 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.

Reports of Committees cont'd:

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. 14-1005776 – 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 InsuranceThe 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.**
4. **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.**
5. **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.**

Reports of Committees cont'd:

6. 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).**

7. 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	
\$12,844.82	\$800.00	11510006	57600	Claims & Judgements	\$800.00	11510006	57100	Instate Travel	\$58.00
				Reason:				Fewer claims than anticipated	
\$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	
	\$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 1st 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.



IN CITY COUNCIL

MAY 5, 2014

Marlborough, Mass., _____ PAGE 1

ORDERED:

THAT, PURSUANT TO § 5 OF CHAPTER 40A OF THE GENERAL LAWS, THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, HAVING SUBMITTED FOR ITS OWN CONSIDERATION CHANGES IN THE ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, AS AMENDED, TO FURTHER AMEND CHAPTER 650, NOW ORDAINS THAT THE ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY ADDING THERETO AS FOLLOWS:

1. Section 650-17, entitled "Table of Uses," is hereby amended by adding to said section a new business use entitled, "Medical Marijuana Treatment Center," which shall be regulated, as follows:

RR	A1	A2	A3	RB	RC	B	CA	LI	I
N	N	N	N	N	N	N	SP	SP	SP

2. A new Section 650-32, entitled "MEDICAL MARIJUANA TREATMENT CENTERS," is hereby added, as follows:

650-32 MEDICAL MARIJUANA TREATMENT CENTERS

- A. Subject to the provisions of this Zoning Ordinance, Chapter 40A of the Massachusetts General Laws and 105 CMR 725.000 promulgated by the Commonwealth of Massachusetts Department of Public Health, the City of Marlborough Zoning Ordinance will not prohibit the location of a center for medical marijuana treatment within the City of Marlborough, but will instead regulate such centers. A Medical Marijuana Treatment Center should provide medical support, security, oversight by a physician, and standards that meet or exceed 105 CMR 725.000. These Centers should not compete to provide streamlined care to patients and should not provide a location for patients to wait for treatment in the vicinity of children. Therefore, to ensure that these Centers are located in such a way as to not pose a direct threat to the health or safety of either qualifying patients or the public at large, the provisions of this section will apply to all such Centers.
- B. For purposes of this chapter, the following definitions shall apply:



IN CITY COUNCIL

Marlborough, Mass., _____

MAY 5, 2014

PAGE 2

ORDERED:

1. CERTIFYING PHYSICIAN means a Massachusetts licensed physician (Medical Doctor or Doctor of Osteopathy) who certifies that, in his or her professional opinion, the potential benefits of the medical use of marijuana would likely outweigh the health risks for a qualifying patient.
2. DEBILITATING means causing weakness, cachexia, wasting syndrome, intractable pain, or nausea, or impairing strength or ability, and progressing to such an extent that one or more of a patient's major life activities is substantially limited.
3. DEBILITATING MEDICAL CONDITION shall mean cancer, glaucoma, positive status for human immunodeficiency virus (HIV), acquired immune deficiency syndrome (AIDS), hepatitis C, amyotrophic lateral sclerosis (ALS), Crohn's disease, Parkinson's disease, and multiple sclerosis (MS), when such diseases are debilitating, and other debilitating conditions as determined in writing by a qualifying patient's certifying physician.
4. HARDSHIP CULTIVATION REGISTRATION means a registration issued to a registered qualifying patient under the requirements of 105 CMR 725.035.
5. MARIJUANA shall mean all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; and resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil, or cake or the sterilized seed of the plant which is incapable of germination. The term also includes MIPs except where the context clearly indicates otherwise.



IN CITY COUNCIL

Marlborough, Mass.,

MAY 5, 2014

PAGE 3

ORDERED:

6. MARIJUANA-INFUSED PRODUCT (MIP) means a product infused with marijuana that is intended for use or consumption, including but not limited to edible products, ointments, aerosols, oils, and tinctures. These products, when created or sold by a Medical Marijuana Treatment Center, shall not be considered a food or a drug as defined in M.G.L. c. 94, § 1.
7. MEDICAL MARIJUANA TREATMENT CENTER shall refer to the site(s) of dispensing, cultivation, and preparation of marijuana; shall mean a not-for-profit entity registered under 105 CMR 725.100 and known thereunder as a registered marijuana dispensary (RMD), that acquires, cultivates, possesses, processes (including development of related products such as edible marijuana-infused products (MIPs), tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers; and shall be subject to the regulations under Section 650-32 of this ordinance.
8. MEDICAL USE OF MARIJUANA shall mean the acquisition, cultivation, possession, processing (including development of related products such as Marijuana-Infused Products (MIPs) that are to be consumed by eating or drinking, tinctures, aerosols, oils, or ointments), transfer, transport, sale, distribution, dispensing, or administration of marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers.
9. PERSON shall mean an individual or a non-profit entity.
10. PERSONAL CAREGIVER shall mean a person, registered by the Department, who is at least 21 years old, who has agreed to assist with a registered qualifying patient's medical use of marijuana, and is not the registered qualifying patient's certifying physician. An employee of a hospice provider, nursing, or medical facility or a visiting nurse, personal care attendant, or home health aide providing care to a qualifying patient may serve as a personal caregiver, including to patients under 18 years of age as a second caregiver.



IN CITY COUNCIL

Marlborough, Mass., _____ MAY 5, 2014
PAGE 4

ORDERED:

11. QUALIFYING PATIENT shall mean a Massachusetts resident 18 years of age or older who has been diagnosed by a Massachusetts licensed certifying physician as having a debilitating medical condition, or a Massachusetts resident under 18 years of age who has been diagnosed by two Massachusetts licensed certifying physicians, at least one of whom is a board-certified pediatrician or board-certified pediatric subspecialist, as having a debilitating medical condition that is also a life-limiting illness, subject to 105 CMR 725.010(J).
 12. REGISTERED QUALIFYING PATIENT means a qualifying patient who has applied for and received a registration card from the Commonwealth of Massachusetts Department of Public Health.
 13. REGISTRATION CARD means an identification card issued by the Commonwealth of Massachusetts Department of Public Health to a registered qualifying patient, personal caregiver, or dispensary agent. The registration card verifies either that a certifying physician has provided a written certification to the qualifying patient and the patient has been registered with the Department; that a patient has designated the individual as a personal caregiver; that a patient has been granted a hardship cultivation registration; or that a dispensary agent has been registered with the Department and is authorized to work at a Medical Marijuana Treatment Center.
- C. In such zoning districts where a Special Permit is required for a Medical Marijuana Treatment Center, the Special Permit Granting Authority shall grant the Special Permit only upon its written determination that any adverse effects of the proposed use will not outweigh its beneficial impacts to the City or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. In addition to any specific factors that may be set forth in this Ordinance, the determination shall include consideration of each of the following:
1. Social, economic, or community needs which are served by the proposal;
 2. Traffic flow and safety, including parking and loading;
 3. Adequacy of utilities and other public services;



IN CITY COUNCIL

Marlborough, Mass., _____ MAY 5, 2014
PAGE 5

ORDERED:

4. Neighborhood character and social structures;
5. Impacts on the natural environment;
6. Potential fiscal impact, including impact on City services, tax base, and employment; and
7. The ability for the Center to:
 - a. meet a demonstrated need;
 - b. provide a secure indoor waiting area for clients;
 - c. provide an adequate pick-up/drop-off area;
 - d. provide adequate security measures to ensure that no individual participant will pose a direct threat to the health or safety of other individuals; and
 - e. adequately address issues of traffic demand, parking, and queuing, especially at peak periods at the Center, and its impact on neighboring uses.

The Special Permit Granting Authority may require the applicant to provide a traffic study, at the applicant's expense, to establish the impacts of the peak traffic demand.

D. A Medical Marijuana Treatment Center shall not be located:

1. within five thousand (5,000) feet of another Medical Marijuana Treatment Center, as measured in a straight line from the nearest point of the proposed Center to the nearest point of the existing Center;
2. within five thousand (5,000) feet of a Narcotic Detoxification and/or Maintenance Facility, as defined in and regulated by the zoning ordinance of the City of Marlborough, and as measured in a straight line from the nearest point of the proposed Center to the nearest point of the existing Facility; nor,
3. within one thousand (1,000) feet of:
 - a. a school (as defined in § 517-2 of the Code of the City of Marlborough, as amended) located within the City of Marlborough;
 - b. a recreational facility (as defined in § 517-2 of the Code of the City of Marlborough, as amended); or
 - c. a park (as defined in § 517-2 of the Code of the City of Marlborough, as amended).



IN CITY COUNCIL

Marlborough, Mass., ~~_____~~ MAY 5, 2014
PAGE 6

ORDERED:

- d. an elderly housing facility (as defined in § 517-2 of the Code of the City of Marlborough, as amended); or
 - e. a retirement community (as defined in § 650-5 of the Zoning Ordinance of the City of Marlborough, as amended) located within the City of Marlborough.
- E. Nothing contained in Chapter 412 of the Code of the City of Marlborough, as amended, prohibiting the smoking, ingesting, or other use or consumption of marijuana in any place accessible to the public, shall be construed as applying to the medical use of marijuana inside a Medical Marijuana Treatment Center.
3. The effective date of these amendments shall be the date of their passage.

Be and is herewith REFER TO URBAN AFFAIRS COMMITTEE, PLANNING BOARD, AND ADVERTISE PUBLIC HEARING FOR JUNE 2, 2014

ADOPTED

ORDER NO. 13/14-1005247E



RECEIVED
CITY CLERK'S OFFICE
OF MARLBOROUGH

2014 MAY 29 A 11: 22

City of Marlborough
Office of the Mayor

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

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

May 29, 2014

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

Re: Transfer Request from Free Cash

Honorable President Pope and Councilors:

Respectfully submitted for your approval are the following two transfer requests:

- 1) Transfer in the amount of \$1,000,000.00 from 10000-35900 (Undesignated Fund) to 83600-32726 (Stabilization – OPEB)
- 2) Transfer in the amount of \$1,000,000.00 from 10000-35900 (Undesignated Fund) to 83600-32925 (Undesignated Stabilization)

The first transfer represents another significant step towards strengthening the city's financial foundation through proactive investments to our OPEB obligations, which helps ensure the long term financial security of the city.

With your support, I intend to utilize the second transfer for a short term capital request that will be presented to you at your next meeting.

In the meantime, please do not hesitate to contact my office with any questions or concerns.

Sincerely,

Arthur G. Vigeant
Mayor

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Mayor

FISCAL YEAR: 2014

Available
Balance

FROM ACCOUNT:

TO ACCOUNT:

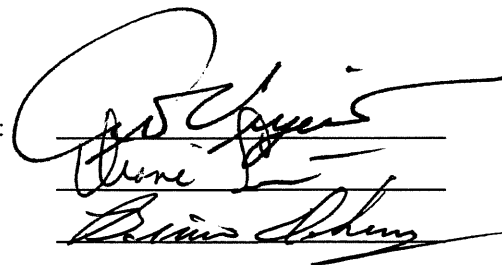
Available
Balance

Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$3,034,441.00</u>								
<u>\$1,000,000.00</u>	<u>10000</u>	<u>35900</u>	<u>Undesignated Fund</u>	<u>\$1,000,000.00</u>	<u>83600</u>	<u>32726</u>	<u>Stabilization-OPEB</u>	<u>\$4,000,000.00</u>
			Reason: <u>Partial funding of OPEB</u>					
			Reason: _____					
			Reason: _____					
			Reason: _____					
			Reason: _____					
			Reason: _____					
<u>\$1,000,000.00</u>	<u>Total</u>			<u>\$1,000,000.00</u>	<u>Total</u>			

Department Head signature:

Auditor signature:

Comptroller signature:





RECEIVED
CITY CLERK'S OFFICE
OF MARLBOROUGH

MAY 29 A 11:22

City of Marlborough

Office of the Mayor

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

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

May 29, 2014

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

Re: Transfer Request – Marlborough Economic Development Corp.

Honorable President Pope and Councilors:

Respectfully submitted for your approval is a transfer request on behalf of the Marlborough Economic Development Corporation (MEDC) to fully fund their Fiscal Year 2015 operations:

- 1) Transfer in the amount of \$513,915.00 from 27000099-42440 (Economic Development) to 11740006-53950 (MEDC Funding).

Since coming to office in 2012 I have seen firsthand how hard the MEDC staff has worked to build a reputation as an effective, reliable organization that not only builds news relationships with potential commercial tenants but strengthens the ones we have with many of our long term businesses. From TJX to Quest Diagnostics, Ken's Foods to SanDisk, the MEDC has earned my trust and proven worthy of our investment.

From a revenue standpoint, the local option hotels tax is up twelve-thousand dollars this quarter alone and I am very confident we will continue to have a sustainable revenue stream to fund their continued operations.

I have enclosed for your benefit a summary prepared by City Auditor Diane Smith that details the revenues taken since 2011, the pertinent transfer sheet and the detailed budget submittal prepared by MEDC Director Tim Cummings.

Thank you in advance for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Mayor

FISCAL YEAR: 2014

FROM ACCOUNT:

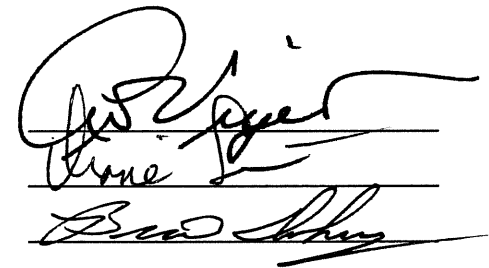
TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$687,196.72	\$513,915.00	27000099	42440	Economic Development	\$513,915.00	11740006	53950	MEDC Funding	\$0.00
	Reason:	<u>To allow the MEDC to continue it's work in promoting the economic development of the City for FY15</u>							
	Reason:	_____							
	Reason:	_____							
	Reason:	_____							
	Reason:	_____							
	Reason:	_____							
\$513,915.00	Total				\$513,915.00	Total			

Department Head signature:

Auditor signature:

Comptroller signature:



ECONOMIC DEVELOPMENT FUNDING

9/30/2011 State Aid	\$165,166.12
12/31/2011 State Aid	\$190,224.55
3/31/2012 State Aid	\$132,447.82
6/29/2012 State Aid	\$146,495.56
9/30/2012 State Aid	\$185,400.20
12/31/2012 State Aid	\$182,736.99
3/31/2013 State Aid	\$123,837.95
6/28/2013 State Aid	\$152,429.69
9/20/2013 State Aid	\$196,053.08
12/30/2013 State Aid	\$204,331.94
3/31/2014 State Aid	\$134,171.82
Total Funding	<u>\$1,813,295.72</u>

12/5/2011 CO# 11-1003048	-\$146,837.00
12/19/2011 CO# 11-1004004	-\$3,163.00
5/21/2012 CO# 12-1005008	-\$200,000.00
12/17/2012 CO# 12-1005205	-\$277,099.00
6/3/2013 CO# 13-1005418A	-\$499,000.00
Total Transfers	<u>-\$1,126,099.00</u>

Available for future transfers \$687,196.72

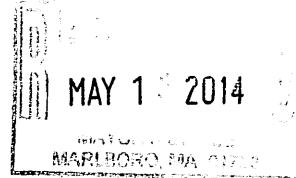


Marlborough
ECONOMIC DEVELOPMENT CORPORATION

Building on a Common Vision

May 13, 2014

Honorable Arthur G. Vigeant, Mayor
City Hall, 4th Floor
140 Main Street
Marlborough, MA 01752



RE: FY'15 Transfer Request

Dear Mayor Vigeant:

I am writing seeking a transfer request.

On behalf of the Marlborough Economic Development Corporation (MEDC), I am herewith submitting this letter requesting a transfer of funds to the Marlborough Economic Development Corporation in the amount of \$513,915.00 to fund operations and special projects for FY'15 as approved by the MEDC Board of Directors on March 12, 2014, which is a 2.99% increase over last year's budget.

Additionally, it would be our intention to come before the City Council in the next few months with a plan for a Revolving Loan Fund, which we could ask you to capitalize. We would be glad to present the program in further detail at your earliest convenience.

I would appreciate your approving this transfer request as soon as possible and allowing MEDC an opportunity to update the City Council on the progress made thus far in implementing the City's Economic Development Master Plan.

Thank you for your kind attention to this matter.

Very truly yours,


Tim Cummings
Executive Director

Attachments

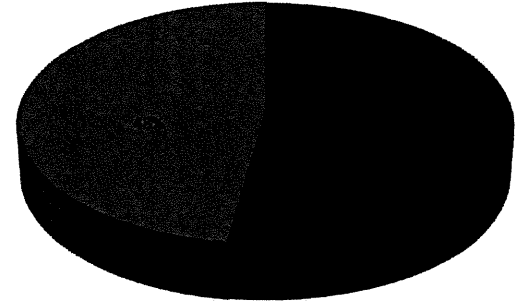
Cc: Diane Smith, Marlborough City Auditor
Brian Doheny, Marlborough City Comptroller/Treasurer



Mission: The Marlborough Economic Development Corporation (MEDC) is the state-chartered economic development arm of the City of Marlborough. It is our mission to stabilize the residential tax base by increasing the commercial tax revenue, in order to secure the future stability of our city and allow for higher quality of life for all its residents. We do this by working with municipal leaders and private investors to foster economic development, job growth, and community revitalization and expansion.

Overview: The Marlborough Economic Development Corporation (MEDC) requests a total budget of \$513,915 to fund its' operations and special projects. Administrative Expenses are allocated \$268,415 which represents 52% of the total budget while Special Projects represents 48% at an allocation of \$245,500.

We are the sales and promotional arm for the City of Marlborough and this maintenance budget request will allow the MEDC to continue to advocate for infrastructure that supports economic development, promote and implement economic development policies and projects, to continue to promote and support hospitality and tourism and to maximize our efforts in business outreach, retention, expansion and attraction for the city.

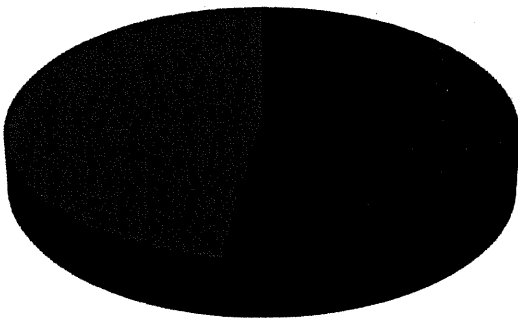


■ Administrative Expenses ■ Special Projects

Summary: The budget is divided into 3 categories which represent salaries, expenses and special projects. Salaries account for 38% of the budget and 14% accounts for the operations and administrative expenses of the office. Special projects represent 48% of the total budget with allocations spread over 4 specific areas. The following is a synopsis of budget line item allocations for the above listed categories.

Salaries and Benefits

\$194,300 in personnel, employer taxes and fringe benefits is allocated to 5 employees. The staffing schedule identifies 2 permanent full-time employees at \$130,300 including benefits, 2 permanent part-time employees at \$36,500 and 1 temporary summer part-time intern at \$2,500. Employer payroll taxes are allocated at \$25,000 based on the above staff schedule.



■ Salaries ■ Expenses ■ Special Projects

Expenses

\$74,115 is allocated to operating and administrative expenses. Materials and supplies covers collectively all operating supplies and services, which are defined as consumable commodities, necessary to conduct business: for example, office and custodial supplies, printing and reproducing marketing collateral, subscriptions, postage, repairs and office maintenance. Contracted services covers operating services obtained by contract with the outsourced vendor. For example, agreements with our accountant, marketing & communications manager and our payroll service provider. Occupancy covers office rent, insurance, utility expenses and capital outlay covers operating expenditures of significant amounts resulting in the acquisition or replacement for extending life of fixed assets such as computers, copiers, printers, etc.

The FY'15 expenditure breakdown is as follows:

- Materials & Supplies 18,215
- Contracted Services 27,200
- Occupancy 26,700
- Capital Outlay 2,000
- Total Expenses \$74,115



Special Projects

\$245,500 is allocated to special projects in order for MEDC to carry out the goals and objectives of the organization. The following goals were approved by the MEDC Board of Directors on March 12, 2014 (for a complete listing of the FY'15 Objectives please see *Attachment A*).

We believe these goals are important, achievable and reflect the values of our community and organization.

Goals:

- Renewed Commitment to the MEDC Mission Statement
- Continue to focus on the implementation of the Economic Development Master Plan
- Reduce Marlborough's vacancy rate

The FY'15 expenditure breakdown is as follows:

Business Retention & Expansion 101,000

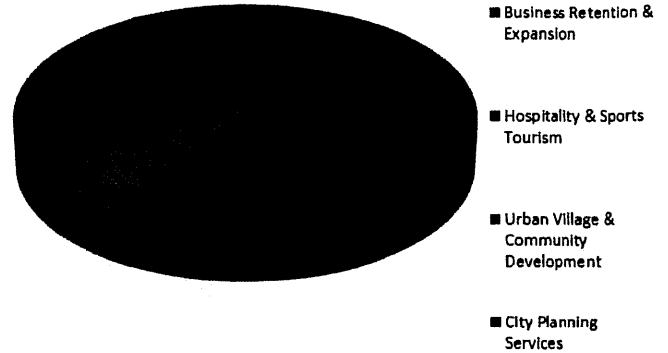
Hospitality & Sports Tourism 44,500

Urban Village & Community Development 15,000

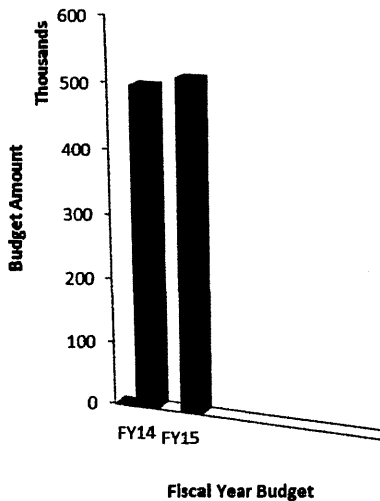
City Planning Services 85,000

Total Special Projects \$245,500

(For a complete listing of the FY'15 Special Projects, please see the *Special Accounts Attachment*)



FY14 vs FY15 Total Budget:
2.99% Overall Increase



Conclusion: Overall, the budget increased \$14,915 or 2.99%, with minor changes from the FY'14 budget of \$499,000.

The FY'15 Budget Narrative was created with the main goal of making the budget process more transparent to all stakeholders – by outlining the detailed budget in the following pages.

FY' 15 Budget Analysis

Administration	268,415	52%				
Special Projects	245,500	48%				
	513,915					
Project Structure	Total	Project Manager Salary	Support Staff	Administration (nonpayroll)	Project Dollars (nonpayroll)	% of Total Budget
BR&E	286,436	58,875	47,725	78,836	101,000	56%
Hospitality	81,417	19,500	6,905	10,512	44,500	16%
Urban Dev	48,117	15,700	6,905	10,512	15,000	9%
City Planning	97,946	3,925	3,765	5,256	85,000	19%
	513,915					100%

**The above data analysis outlines how FY' 15 will breakdown based on the % structure project dollars are allocated at*

Budget Overview

July 2014 through June 2015

Jul '14 - Jun 15

Ordinary Income/Expense

Expense

Insurance

5080 · Director's insurance 1,200.00

5085 · General Liability 600.00

Total Insurance 1,800.00

Payroll Expenses

5150 · Dental Insurance 375.00

5160 · ER Taxes 25,000.00

5165 · Health Insurance 3,125.00

5170 · Salaries 163,300.00Total Payroll Expenses 191,800.00

5005 · Advertising/Marketing 1,700.00

5030 · Computer Services & Licenses 3,940.00

5035 · Conferences/Meetings 1,500.00

5060 · Dues and Subscriptions 9,600.00

5100 · Internet service 720.00

5105 · Maintenance & Repair 600.00

5140 · Office Supplies 2,240.00

5180 · Payroll Fees 2,000.00

5185 · Phone 1,932.00

5190 · Postage and Delivery 400.00

5195 · Printing and Reproduction 400.00

5200 · Professional Development 2,500.00

5205 · Professional Fees 24,000.00

5235 · Rent 21,500.00

5240 · Service Charges 15.00

5250 · Special Projects/Consultant 245,500.00

5260 · Utilities 1,468.00

5265 · Web design and maintenance 300.00Total Expense 513,915.00Net Ordinary Income -513,915.00Net Income -513,915.00**FY' 15 Budget shown in QuickBooks Accountant 2013*



FY15

Economic Development Corporation	Expended & Encumbered	Expended & Encumbered as of 4/30/14	Original Appropriation	Expenditures	Request	Supervising Authority	Percent change	City Council Approval
	FY13	FY14	FY14	FY15	FY15	FY15		
Salaries								
Fulltime (1)	\$153,472	\$132,116	\$195,000	\$155,300		\$155,300	-20.36%	
Executive Director					\$78,500			
Executive Administrative Assistant					\$45,800			
Employee Benefits (Health, Dental, Professional Dev)	\$7,191	\$5,898	\$9,600		\$6,000		-37.50%	
Bonus	\$3,066							
Employer Taxes	\$19,303	\$16,733			\$25,000			
Temporary Help	\$27,383	\$2,394						
Parttime (2)	\$0	\$0	\$0	\$39,000		\$39,000		
Hospitality Sports Tourism Coordinator					\$19,500			
Internship					\$2,500			
Business Outreach Coordinator					\$17,000			
Salaries Total (Lines 1-2)	\$210,415	\$157,141	\$204,600	\$194,300	\$194,300	\$194,300	-5.03%	\$0
Expenses								
Materials & Supplies (3)	\$0	\$0	\$0	\$18,215		\$18,215	#DIV/0!	
Advertising/Marketing	\$8,949	\$22,347	\$1,020		\$1,700		66.67%	
Annual Report	\$15	\$15			\$15			
Business Travel	\$2,302	\$1,627						
Conferences/Meetings	\$5,550	\$10,195	\$1,500		\$1,500		0.00%	
Contribution/Sponsorship	\$14,450	\$500	\$3,000					
Events	\$1,978	\$19,242	\$9,700					
Gifts & Promotions	\$1,779	\$975	\$1,500					
Grants Awarded	\$70,279							
Maintenance & Repair	\$9,048	\$4,519			\$600			
Media Contractor	\$7,235	\$15,816						
Membership Fees/Subscriptions	\$6,972	\$9,026	\$7,880		\$9,600		22.14%	
Office Supplies	\$5,405	\$6,795	\$2,500		\$2,500		0.00%	
Postage & Delivery	\$701	\$984	\$780		\$400		-48.72%	
Printing & Reproduction	\$5,229	\$5,913	\$840		\$400			
Reimbursable Expenses	\$4,828	\$2,979	\$4,200					
Service Charges	\$7	\$5						
Software	\$1,683	\$1,892						
Website/Internet/Email	\$4,895	\$1,064	\$1,748		\$1,500		-14.19%	
Contracted Services (4)	\$88,241	\$0	\$0	\$27,200		\$27,200	#DIV/0!	
Accounting/Book Keeping					\$2,000			
Professional/Consultant Fees	\$22,528	\$13,889	\$20,340		\$22,000		8.16%	
IT Maintenance Services			\$900		\$1,200		33.33%	
ADP Payroll Services	\$1,908	\$1,768			\$2,000			
Occupancy (5)				\$26,700		\$26,700	#DIV/0!	
Lease Agreement	\$22,790	\$19,603	\$19,932		\$21,500		7.87%	
Office Insurance	\$564	\$948	\$600		\$600		0.00%	
Directors/Officers Liability Insurance	\$1,079	\$956	\$1,020		\$1,200		17.65%	
Park Insurance - Main Street	\$743		\$720					
Utilities	\$3,314.00	\$3,042	\$3,240		\$3,400		4.94%	
Capital Outlay (6)	\$0	\$0	\$0	\$2,000		\$2,000	#DIV/0!	
Computer Equip & Licenses	\$1,835	\$2,702	\$3,000		\$2,000		-33.33%	
Expenses Total (Lines 3-6)	\$294,308	\$146,801	\$84,400	\$74,115	\$74,115	\$74,115	-12.19%	\$0
Special Accounts								
Special Projects (7)	\$3,908	\$4,095	\$210,000	\$245,500		\$245,500	16.90%	
Business Retention & Expansion					\$101,000			
Hospitality & Sports Tourism					\$44,500			
Urban Village & Community Development					\$15,000			
City Planning Services					\$85,000			
Special Accts. Total (Line 7)	\$3,908	\$4,095	\$210,000	\$245,500	\$245,500	\$245,500	16.90%	\$0
THE GRAND TOTAL	\$508,631	\$308,037	\$499,000	\$513,915	\$513,915	\$513,915	2.99%	\$0
Total without Special Projects						\$268,415		
Special Projects						-47.77%		
Administrative Expenses						-52.23%		

PERMANENT FULL TIME											
CALCULATE 52 WEEKS OF PAY HERE - Annual Salary Increase of 3%											
FY 15 (July 2014 - June 2015)											
(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)
NAME	TITLE	WEEKLY SALARY BEFORE ANNIV.	ANNIV. DATE (for salary increases)	WEEKS TO ANNIV. DATE	LONGE- VITY AT % OR FLAT RATE	TOTAL SALARY TO ANNIV. DATE	WEEKLY SALARY AFTER ANNIV.	WEEKS LEFT IN BUDGET YEAR	LONGE- VITY AT % OR FLAT RATE	SALARY FROM ANNIV TO END	TOTAL SALARY FOR BUDGET YEAR
Tim Cummings	Executive Director	1485.67	1/1/15	26	37.14	38,627.47	1,530.24	26	38.26	39,786.30	78,413.77
Linda Martins	Executive Administrative Assistant	873.85	4/11/15	40	21.85	34,954.08	900.07	12	22.50	10,800.81	45,754.89
Grand Total											124,168.66
Employee Benefits/Payroll Taxes											
ITEMIZE AND JUSTIFY:											AMOUNT
Health Insurance		1 FT Employee @ 60%									\$ 375
Dental Insurance		1 FT Employee @ 60%									\$ 3,125
Professional Development		FT Employees									\$ 2,500
Employer Payroll Taxes		Based on 4 Perm Employees & 1 Temp Intern									\$ 25,000
Total											\$ 31,000
Salaries Fulltime (1)											\$124,168.66
Grand Total											155,168.66

Salaries Parttime (2)		PERMANENT PART TIME										
CALCULATE 52 WEEKS OF PAY HERE - Annual Rate Increase of 3%												
FY 15 (July 2014 - June 2015)												
(A) NAME	(B) TITLE	(C) Hours/ week	(D) Hourly rate before anniv.	(E) Anniv. Date	(F) Weeks to Anniv. Date	(G) Long- vity at % or flat rate	(H) Total Salary to Anniv.Date	(I) Hourly rate after Anniv.date	(J) Weeks left in Budget yr.	(K) Long- vity at % or flat rate	(L) Salary from Anniv to End	(M) Total Salary for Budget Yr
Deb Williams	Hospitality Sports Tourism Coordinator	20	18.56	3/20/2015	37	18.56	13,734.84	19.12	15	19.12	5,735.23	19,470.07
FY 15 (July 2014 - June 2015)												
(A) NAME	(B) TITLE	(C) Hours/ week	(D) Hourly rate	(E) Weeks	(F) Long- vity at % or flat rate	(G)	(H)	(I)	(J)	(K)	(L)	(M) Total Salary for Budget Yr
Michael McGuire	Business Outreach Coordinator	20	13.50	38	13.50							\$ 10,260
		40	13.50	12	13.50							\$ 6,480
												\$ 16,740
FY 15 (July 2014 - June 2015)												
Internship Program												
(A) NAME	(B) TITLE	(C) Hours/ week	(D) Hourly rate	(E) Weeks	(F) Long- vity at % or flat rate	(G)	(H)	(I)	(J)	(K)	(L)	(M) Total Salary for Budget Yr
Intern	Summer Internship (Mayor's Program)	20	8.00	12	8.00							\$ 1,920
												\$ 1,920
Salaries Parttime (2)												
Grand Total												\$ 38,130

Expenses (3-6)		SUMMARY OF NON-SALARIED EXPENDITURES				
Line	Account	Expended FY13	Expended FY14 as of 4/30/14	Appropriated FY14	Supervising Authority Request FY15	City Council Approval
3	M&S	\$ 151,305	\$ 103,894	\$ 34,648	\$ 18,215	
4	Cont.Serv.	\$ 112,677	\$ 15,657	\$ 21,240	\$ 27,200	
5	Occup.	\$ 28,490	\$ 24,549	\$ 25,512	\$ 26,700	
6	Cap.Outlay	\$ 1,835	\$ 2,702	\$ 3,000	\$ 2,000	
TOTALS		\$ 294,307	\$ 146,802	\$ 84,400	\$ 74,115	
7	Spec.Accts	\$ 3,908	\$ 4,095	\$ 210,000	\$ 245,500	
Expenses (3-7)						
GRAND TOTALS		\$ 298,215	\$ 150,897	\$ 294,400	\$ 319,615	

Expenses (3)		MATERIALS AND SUPPLIES						
This category covers collectively all operating supplies and services, which are defined as consumable commodities, necessary to conduct business: for example, office and custodial supplies, printing and reproducing marketing collateral, subscriptions, postage, repairs and office maintenance, etc.								
Please list any non-consumable item costing over \$100 on the Capital Outlay page. This would include office equipment.								
ITEMIZE AND JUSTIFY							Amount Requested	
Advertising/Marketing Supplies & Services (Ex. E-Newsletter & E-Survey Services, Creation of Marketing Flyers such as Retail/Marlborough Case Studies, etc.)							\$	1,700
State of Massachusetts Mandatory - Annual Report Filing							\$	15
Conferences/Meetings (Ex. Registration Fees for business events, luncheons, receptions & misc. attendance & hosting expenditures)							\$	1,500
Maintenance & Repair (Ex. Regular Office Cleaning, Office Fixtures & Dry Cleaning/Carpet Cleaning)							\$	600
Membership Fees/Subscriptions (Ex. CoStar Realty Services, Yearly Newspaper Subscriptions & Membership Dues)							\$	9,600
Office Supplies (Ex. Paper, pens, notepads, binders, paper clips, staples, labels, coffee, water, etc... - Including small/light office equip <\$100)							\$	2,500
Postage & Delivery (Ex. USPS Stamps & FedEx Services, Basic Office Mailings - Operational & Outreach)							\$	400
Printing & Reproduction (Ex. Xerox Services, Re-print Marketing Collateral & Special Article Poster Prints)							\$	400
Website/Internet/Email Services (Ex. Monthly web-hosting fee, internet connection & MS Email Hosted Exchange Server fees)							\$	1,500
TOTAL MATERIALS & SUPPLIES							\$	18,215

Expenses (4)	CONTRACTED SERVICES			
	Covers operating services obtained by contract with outsourced vendor. For example: accounting services, marketing & communications vendor, payroll services, etc.			
ITEMIZE AND JUSTIFY:				AMOUNT
Accounting/Book Keeping				\$2,000.00
- CPA on Retainer/Filings				
- Audit/QB Review				
- Fiscal End Process				
Professional/Consultant Fees				\$22,000.00
- Communications/Media Vendor				
IT Maintenance Services				\$1,200.00
- Tech on Retainer				
- Computer & Licensing Fees				
- Electronics: Maintenance & Repair				
ADP Payroll Services				\$2,000.00
- Processing Charges				
- Tax Services				
- Year End Processing				
TOTAL				\$27,200.00

Expenses (5)		OCCUPANCY			
Marlborough Economic Development Corporation (MEDC)				Requested Amount	
91 Main Street, Suite 203B / 204					
	Lease Agreement			\$	21,500
	Office Insurance			\$	600
	Directors & Officers Liability Insurance			\$	1,200
	Utilities			\$	3,400
	- Phone Service & Voicemail System				
	- Electricity Supply				
	TOTAL			\$	26,700

Special Projects (7)	SPECIAL ACCOUNTS						
	ITEMIZE AND JUSTIFY SPECIAL PROJECTS:						AMOUNT
	<u>Business Retention & Expansion</u>						
	Founders Reception	Annual Thank You event					\$ 3,000
	Marketing Collateral	Redesign, Content Changes & Printing					\$ 2,000
	Professional Mailing(s)	1-2 professional mailing(s)					\$ 2,500
	Create Guidebook	City of Marlborough's Development Guidebook					\$ 1,000
	Create Report w/ entity (i.e. PwC)	Business Climate Report					\$ 2,000
	Workshops (Chamber driven)	2 Free workshops for the business community					\$ 8,000
	Innovation Summit	Annual Retention event					\$ 6,000
	Feasibility Planning Study	Real Estate Development/Promote Econ Dev.					\$ 5,000
	Hosted Outreach Events (Attraction)	2 Outreach events/trips (i.e. w/ MassEcon & MassBio)					\$ 7,000
	Job Fair / Resume Workshop	Annual Workforce event(s)					\$ 10,000
	Trade Show Attendance & Participation	4 Trade Shows (1 a qtr.. Specific industries)					\$ 12,000
	Focus Group/Event (Retention)	Targeted event (i.e. Commercial Brokers)					\$ 2,500
	Media Buy ("Think Marlborough")	Targeted print/digital campaign					\$ 15,000
	Property Redevelopment (Problem Sites for Reuse)	Assist 3 property owners w/ planning & soft costs					\$20,000
	Identify surplus city property	To sell for additional revenue (work w/ DPW & Mayor)					\$ 5,000
					Total		\$ 101,000
	<u>Hospitality & Sports Tourism</u>						
	Dining Guides	Updates & Printing					\$ 2,500
	Visit-Marlborough Website	SEO / Updates					\$ 3,000
	Concierge Desk	Hospitality Guide/Staff at NESC					\$ 4,000
	Marlborough Restaurant Association	Training Initiative					\$ 5,000
	Buy Local Campaign	Dine or Buy Local Initiative					\$ 5,000
	Hospitality Business Association Plan	Match Grant Funding w/ MWTVB					\$ 25,000
					Total		\$ 44,500
	<u>Urban Village Development</u>						
	Downtown Beautification	Lighting, Landscaping, Signs, etc...					\$ 5,000
	Pocket Park	Continue w/ lease expenses & maintenance					\$ 5,000
	Downtown Events	Support other local organization(s) events					\$ 5,000
					Total		\$ 15,000
	<u>City Services</u>						
	City Planning Services - City of Marlborough	Analysis & Technical Assistance			Total		\$ 85,000
					TOTAL SPECIAL ACCOUNTS		\$ 245,500



The Goals and Objectives of MEDC for FY'15

Background

At our meeting of January 16, 2014, the Marlborough Economic Development Executive Committee recommends the following three (3) goals for FY'15. We believe these goals are important, achievable and reflect the values of our community & organization.

The Chair of the Board of Directors is looking for approval of the following goals and objectives for FY'15 at the March 12th Board of Directors Meeting.

Goals

1. Renewed Commitment to the MEDC Mission Statement
2. Continue to focus on the implementation of the Economic Development Master Plan
3. Reduce Marlborough's vacancy rate

Objectives

- o The organization shall continue to strengthen relationships with strategic partners for concrete progress in areas that improve the community's quality of life by pursuing issues of mutual benefit to Marlborough and the strategic partners
- o Study the feasibility of obtaining the "Gutierrez Billboard" off of Rt. 495 to promote economic development for the benefit of Marlborough
- o Attract or absorb 100,000 net positive sq./ft. of commercial space in the City of Marlborough
- o Expand the existing employment base by 200 net positive jobs in select areas of the city
- o Create the City of Marlborough's Development Guidebook
- o Food Truck Outreach effort to see if there is interest as an amenity for our industrial parks
- o Identify and pursue recruitment of at least two foreign owned companies (as part of the overall attraction effort)
- o Maintain the general awareness of Marlborough as a pro-business municipality in the Commonwealth of Massachusetts
- o Continue to work toward assisting the City of Marlborough's Conservation & Department of Public Works to ensure Lake Williams Trail project is completed with a fountain (multi-year objective)
- o Obtain approval to have Marlborough district courthouse lights turned back-on
- o Be available to assist the owners of 3 properties with the planning and soft costs for the redevelopment of these problem sites and investigate possibilities of reuse, which meet our goals
- o Identify surplus city property, such as land off of Rt. 85 to sell for additional revenue (Work w/ Mayor/DPW)
- o Continue to investigate options for working with owners/brokers of commercial/industrial space to reduce the commercial vacancy rate. This may include but is not limited to keeping an inventory of vacant space and tracking lease agreements for upcoming terminations
- o Partner with entity (i.e. PwC) to develop a "business climate report" showing-off Marlborough's superior attributes for commerce

- Collaborate with area hotels to improve the experience of company employees and visitors to Marlborough
- Develop a visionary plan and mixed-use zoning ordinance for the downtown creating a “unique life style place” to attract new residents and visitors building upon the current character and cultural assets
- Continue to develop a specialized marketing campaign to attract association business to Marlborough hotels
- Market the areas within the city identified for development or redevelopment (43D Expedited Permitting)
- Continue with outreach program to select businesses within the city
- Provide a single point of contact for economic development a business ombudsman with clear authority from the city to coordinate all departments in business permitting
- Focus on attracting residential developers looking to develop high-end housing for the 35-55 market segments (and/or mixed use projects)
- Host 2 retention events (Annual Founders Reception/Innovation Summit)
- Host 2 workshops for business community to help improve and expand their business (Chamber event)
- Sponsor 2 outreach events/trips (attraction of new development/tenants)
- Continue w/ Job Fair
- Attend 4 trade shows (1 qtr.) in select industries/clusters Marlborough wants to further develop
- Continue w/ concierge desk
- Pocket park
- Media Buy Campaign
- Buy Local Campaign
- Loan Program

Metric to benchmark success

The City of Marlborough’s:

- Vacancy Rate
- Local Option
- Meals Revenue
- Rooms Revenue
- Net New Revenue Certification



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CITY OF MARLBOROUGH

2014 MAY 29 A.M.

City of Marlborough

Office of the Mayor

140 Main Street

Marlborough, Massachusetts 01752

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

www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

May 29, 2014

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

Re: Transfer Request – Comp Time Payouts

Honorable President Pope and Councilors:

Enclosed for your approval is a transfer request to fund the Comp-Time payouts to three different bargaining units throughout the city.

Last year, I was surprised by the vast accrual of amounts of comp-time throughout the city and felt that this situation warranted immediate action. Working with union leadership and Personnel Director David Brumby, we sought to rectify the situation and bring about some long term cost savings by paying out comp-time now rather than at a later date with a higher rate of reimbursement. This solution represents a win for both the city as well as our hard working employees.

Steps have now been put in place to ensure that moving forward comp-time is not left to accrue and carry over in to the next calendar year unless I sign off on it. I am more than happy to discuss this matter with you in greater detail at the next Finance Committee meeting.

Thank you in advance for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor

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

Department Head signature:

Auditor signature:

Comptroller signature:

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
<u>\$521,561.00</u>	<u>\$56,214.00</u>	<u>11990006</u>	<u>57820</u>	<u>Reserve for salaries</u>	<u>\$11,752.00</u>	<u>14001503</u>	<u>50740</u>	<u>Parks-Equip Operators</u>	<u>\$143,828.56</u>
	Reason:		<u>Comp Time Payoff</u>		<u>\$6,072.00</u>	<u>15120001</u>	<u>50390</u>	<u>BOH-Nurse</u>	<u>\$4,838.10</u>
					<u>\$3,113.00</u>	<u>60080001</u>	<u>50570</u>	<u>Sewer-Chemist</u>	<u>\$5,837.98</u>
					<u>\$169.00</u>	<u>60081001</u>	<u>50750</u>	<u>ETP-Equip Operators</u>	<u>\$4,165.32</u>
					<u>\$11,628.00</u>	<u>60081001</u>	<u>50850</u>	<u>ETP-Tr Plt Operators</u>	<u>\$25,233.16</u>
					<u>\$567.00</u>	<u>60081001</u>	<u>50910</u>	<u>ETP-Head Operator</u>	<u>\$5,909.63</u>
					<u>\$26.00</u>	<u>60085001</u>	<u>50750</u>	<u>WTP-Equip Operators</u>	<u>\$5,186.07</u>
					<u>\$5,555.00</u>	<u>60085001</u>	<u>50850</u>	<u>WTP-Tr Plt Operators</u>	<u>\$23,150.18</u>
					<u>\$908.00</u>	<u>60085001</u>	<u>50910</u>	<u>WTP-Head Operator</u>	<u>\$5,916.89</u>
					<u>\$1,354.00</u>	<u>61090001</u>	<u>50460</u>	<u>Water Meter Reader</u>	<u>\$4,165.32</u>
					<u>\$6,471.00</u>	<u>61090001</u>	<u>50690</u>	<u>Water-Foreman</u>	<u>\$18,439.13</u>
					<u>\$5,849.00</u>	<u>61090001</u>	<u>50740</u>	<u>Water-Equip Operators</u>	<u>\$107,105.32</u>
					<u>\$2,750.00</u>	<u>61090001</u>	<u>50780</u>	<u>Chief Pumping Station</u>	<u>\$5,365.66</u>
	<u>\$56,214.00</u>	Total			<u>\$56,214.00</u>	Total			

Department Head signature:

Auditor signature:

Comptroller signature:

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
<u>\$521,561.00</u>	<u>\$55,599.00</u>	<u>11990006</u>	<u>57820</u>	<u>Reserve for salaries</u>	<u>\$27,075.00</u>	<u>14920001</u>	<u>50166</u>	<u>Recreation-Prog Mgr</u>	<u>\$4,273.12</u>
	Reason:			<u>MMEA - Comp Time Payoff</u>	<u>\$11,461.00</u>	<u>11330002</u>	<u>50062</u>	<u>Treasurer-Finance Asst</u>	<u>\$14,081.10</u>
					<u>\$7,048.00</u>	<u>14001002</u>	<u>50520</u>	<u>DPW-Principal Clerk</u>	<u>\$3,719.16</u>
					<u>\$3,484.00</u>	<u>61090002</u>	<u>50520</u>	<u>Water-Principal Clerk</u>	<u>\$3,719.16</u>
					<u>\$3,333.00</u>	<u>12410002</u>	<u>50770</u>	<u>Bldg-Senior Clerk</u>	<u>\$13,230.14</u>
					<u>\$2,209.00</u>	<u>12410001</u>	<u>50370</u>	<u>Bldg-Plumbing Inspec</u>	<u>\$4,983.03</u>
					<u>\$493.00</u>	<u>14001002</u>	<u>50550</u>	<u>DPW-Head Clerk</u>	<u>\$4,184.55</u>
					<u>\$232.00</u>	<u>16100003</u>	<u>50860</u>	<u>Library-F/T Clerk</u>	<u>\$2,319.94</u>
					<u>\$146.00</u>	<u>15120002</u>	<u>50770</u>	<u>BOH-Senior Clerk</u>	<u>\$3,180.47</u>
					<u>\$118.00</u>	<u>16100001</u>	<u>50471</u>	<u>Library-Yound Adult Libr</u>	<u>\$3,753.12</u>
	<u>\$55,599.00</u>	Total			<u>\$55,599.00</u>	Total			

Department Head signature:



Auditor signature:



Comptroller signature:





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2014 MAY 29 A 11

City of Marlborough
Office of the Mayor

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www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

May 29, 2014

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

RE: Renewal of the Sligo Water Tank Revolving Fund

Honorable President Pope and Councilors:

Since 1996, the City Council has authorized revolving funds for the Public Facilities and Public Works departments, the purpose of which is to utilize income from telecommunications companies to maintain and improve neighborhood parks and property.

I am submitting for your approval the renewal of the revolving fund for the Sligo Water Tank site off Arnold Street. Revolving funds contain more controls and safeguards than those imposed on regular accounts, including annual reauthorization.

To be effective in Fiscal Year 2015, state law requires approval before the new fiscal year begins. The enclosed order, if approved, will accomplish that goal, and is submitted for your consideration.

As always, please feel free to contact me with any questions or concerns.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure

Sligo Water Tank Revolving Fund

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 Public Facilities Department. 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 Public Facilities Department, 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 Facilities shall be the only officer authorized to approve expenditures from the same; and

(d) the Commissioner of Public Facilities 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.

ADOPTED

In City Council

Order No.14-

Adopted

Approved by Mayor

Arthur G. Vigeant

Date:

A TRUE COPY

ATTEST:



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

MEMORANDUM

**TO: ARTHUR G. VIGEANT,
MAYOR**

**FROM: JOHN L. GHILONI,
COMMISSIONER OF PUBLIC WORKS**

DATE: MAY 29, 2014

RE: SLIGO ANTENNA REVOLVING ACCOUNT #26219701-52415

The Revenue and Expenditures for the Sligo Antenna Revolving Account #26219201-52415 is as follows:

Balance as of July 1, 2013:	\$	502,157.00
Funds received between July 1, 2013 and May 27, 2014:	\$	149,122.00
Funds expended between July 1, 2013 and May 27, 2014:	\$	(63,499.09)
Funds encumbered	\$	270,745.00
Balance:	\$	317,034.91

EXPENDITURE SUMMARY

Certified Connection	\$	125.40
Arrow Fence Co. Inc.	\$	3,454.00
Arrow Fence Co. Inc.	\$	2,896.00
Communication Supply Cameras	\$	6,546.32

Sligo Antenna Revolving Account
Page 2

Barbrick Tower	\$	4,930.00
Communication Supply Cameras	\$	158.00
Communication Supply Cameras	\$	6,839.37
Amstar of Western NE Rehabilitation of Sligo Tower	\$	34,950.00
Shephard Engineering	\$	3,600.00
Total:	\$	63,499.09



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
MAY 29 A 11:22

City of Marlborough
Office of the Mayor

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

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

May 29, 2014

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

RE: Renewal of Parks and Recreation Revolving Fund

Honorable President Pope and Councilors:

I am submitting for your approval the reauthorization of the Parks and Recreation revolving account. This account was created in FY2011 by the consolidation of the Fairmount and Easterly Treatment Plant revolving accounts.

As you are aware, state law requires that revolving accounts be reauthorized prior to the start of the new fiscal year. If the reauthorization does not occur, all funds within the revolving account will roll over into the general fund as of July 1, 2015.

I have included a year-end financial report submitted by Public Works Commissioner John Ghiloni, as well as a draft order for reauthorization.

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

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure

cc: Public Facilities Director, Solicitor

Parks and Recreation Revolving Fund

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) 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.

ADOPTED

In City Council

Order No. 14 -

Adopted

Approved by Mayor

Arthur G. Vigeant

Date:

A TRUE COPY

ATTEST:



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

MEMORANDUM

**TO: ARTHUR G. VIGEANT,
MAYOR**

**FROM: JOHN L. GHILONI, *JLG*
COMMISSIONER OF PUBLIC WORKS**

DATE: MAY 29, 2014

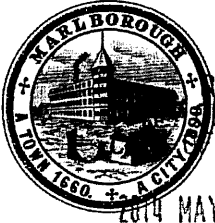
RE: PARKS AND RECREATION REVOLVING ACCOUNT; #26244401-52415

Pursuant to the provisions of Council Order #10-1002613, the revolving account established by this order had income and expenditures as shown below:

Balance as of July 1, 2013:	\$	369,941.24
Funds received between July 1, 2013 and May 27, 2014:	\$	111,526.00
Funds expended between July 1, 2013 and May 27, 2014:	\$	(7,000.00)
Funds encumbered	\$	3,000.00
Balance:	\$	477,467.00

EXPENDITURE SUMMARY

CDM Smith	\$	7,000.00
Total:	\$	7,000.00



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MARLBOROUGH

2014 MAY 29 A 11:22

City of Marlborough
Office of the Mayor

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Marlborough, Massachusetts 01752
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Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

May 29, 2014

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

Re: Conservation Grant Acceptance

Honorable President Pope and Councilors:

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

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

Sincerely,

Arthur G. Vigeant
Mayor



City of Marlborough Conservation Commission

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

May 28, 2014

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

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

Dear Mayor Vigeant,

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

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

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

Sincerely,

Priscilla Ryder
Conservation Officer

Cc: Con. Com.,
Diane Smith

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: Conservation DATE: 5/27/2014

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Priscilla Ryder

NAME OF GRANT: Gift

GRANTOR: Dow Chemical Company

GRANT AMOUNT: \$1,000

GRANT PERIOD: N/A

SCOPE OF GRANT/
ITEMS FUNDED Funds to be used for the Project Clean Sweep (2014) and city
beautification

IS A POSITION BEING
CREATED: no

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

ARE MATCHING CITY
FUNDS REQUIRED? No

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

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

ANY OTHER EXPOSURE TO CITY?
No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: None

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



The Dow Chemical Company
Midland, Michigan 48674
USA

May 9, 2014

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

Dear Ms. Ryder:

On behalf of The Dow Chemical Company, I am pleased to enclose a check in the amount of \$1,000 for the GAC: Project Clean Sweep.

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

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

Sincerely,

A handwritten signature in cursive script that reads "Jeanette".

Jeanette Bellaver
Global Contributions Administrator

Enclosure:
Check

THE DOW CHEMICAL COMPANY
PO BOX 1286
MIDLAND, MI 48641-1286



PAGE 1 OF 1

2100003 01 SD T 9398 DOWNM -P00003

2014/05/15



CITY OF MARLBOROUGH
140 MAIN ST
MARLBOROUGH MA 01752-3812

YOUR INVOICE NO.	INVOICE AMOUNT	DISCOUNT/DEDUCTION	NET AMOUNT	INVOICE DATE	OUR DOCUMENT NO.
U399814100000	1,000.00	0.00	1,000.00	05/09/2014	78260815
ATTACH/ATTN P RYDER PROJECT CLEAN SWEE					
TOTAL:			\$1,000.00		



DETACH AND RETAIN THIS STUB FOR YOUR RECORDS

CHECK # 0155199341 ATTACHED



THE DOW CHEMICAL COMPANY
PO BOX 1286
MIDLAND, MI 48641-1286

62-20
311

NO. 0155199341

CHECK DATE: 2014/05/15

One Thousand and 00/100 Dollars

PAY TO THE ORDER OF: CITY OF MARLBOROUGH
140 MAIN ST
MARLBOROUGH MA 01752-3812

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

NOT VALID AFTER 1 YEAR

Ronald C. Edmonds
AUTHORIZED SIGNATURE

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

⑈0155199341⑈ ⑆031100209⑆ 38572741⑈



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CLERK'S OFFICE
CITY OF MARLBOROUGH

City of Marlborough
Office of the Mayor

140 Main Street

Marlborough, Massachusetts 01752

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

www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

2014 MAY 29 A 11: 22

May 29, 2014

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

Re: FY15 Deficit Spending for Snow & Ice Account

Honorable President Pope and Councilors:

I have attached an order authorizing the city to incur liability and make expenditures for FY15 in excess of the approved appropriation for the purposes of snow and ice removal. This is done annually as required by M.G.L. Chapter 44, section 31D.

I appreciate your attention on this matter. Please do not hesitate to contact me with any questions.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure

ORDERED:

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

ADOPTED
In City Council
Order No. 14-

Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:



City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Office of the Mayor

2014 MAY 29 A 11: 23
140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

May 29, 2014

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

Re: Youth Commission Appointments

Honorable President Pope and Councilors:

I am pleased to submit for appointment Ryan Wambolt and Santiago Vargas, who were selected from an impressive pool of applicants from the Class of 2015 to serve as the youth appointees on the Youth Commission.

Ryan is an exemplary student and a recognized leader at Marlborough High School. He is eager to be a contributing member of the Youth Commission.

Santiago is an accomplished student from the Advanced Math & Science Academy and is especially interested to help our city improve its efforts around drug and alcohol awareness in the youth population.

Both students will serve a term of one year to expire one year from their date of approval. This time next year, I intend to present to you two new candidates to carry the torch as the voice of our youth.

I want to thank you in advance for your support of this initiative and I look forward to Ryan and Santiago's contributions.

Sincerely,

Arthur G. Vigeant
Mayor

Marlborough Youth Commission Application

NAME: Santiago Vargas D.O.B.: January 21 1997
HOME ADDRESS: [REDACTED], Marlborough Ma 01752
NAME & ADDRESS OF HIGH SCHOOL: Advanced Mathematics & Science Academy, 201 Forest St. Marlboro
HOME PHONE #: [REDACTED] EMAIL: santiago.vargas.921@gmail.com

PLEASE LIST THE MOST RECENT SPORTS, ACTIVITIES, OR ORGANIZATIONS YOU ARE INVOLVED WITH (INCLUDING NON-SCHOOL) AND INCLUDE A BRIEF DESCRIPTION OR ACCOMPLISHMENT YOU WISH TO NOTE:

- NHS - In February I was one of four members of my NHS chapter selected
- Student Government - I have been a part of this organization since 9th grade, I enjoy the involvement with my community and being able to make changes as needed.
- Science Department TA - I assist in running various chemistry, physics, and biology classes at the CP, Honors, and AP levels.
- MIT Delve/Junction - These are two series of classes held at MIT either during the summer or school year. I took classes in Statistics and Organic Chemistry.

What should the application packet should include?

- 1) A letter from the student addressed to Mayor Vigeant discussing why you are the best candidate to represent their fellow youth on the Commission and how you hope to benefit the community through your involvement (typed 250-400 words).
- ✓2) A letter of recommendation from a teacher, coach, mentor, or employer.
- 3) A copy of driver's license OR Student ID.
- ✓4) This completed application sheet!

DEADLINE: April 7, 2014 by 5:00 p.m.

Applications can be emailed to mberry@marlborough-ma.gov, dropped off to the Mayor's Office on the 4th floor of City Hall, or mailed to: Marlborough City Hall / 140 Main Street / 4th Floor / Marlborough, MA 01752.

Greetings Mr. Vigeant:

I would like to take a moment of your time to thank you for being so interested in incorporating our town's youth into your policies and changes. I respect what you are doing and hope that through the youth commission you will make Marlborough an even more pleasant town for kids, students and families alike. That being said, I feel that I make an excellent candidate to help you accomplish this task. Though I might be leaving for college in only a couple of years, I feel that I want to give back to the town in which I grew up in. I have a younger sibling who, I believe, should see the city the same way I do (and perhaps in an even more positive light). This role gives me a unique ability to make a substantial difference in how my younger sibling will be brought up and I would not make waste of such an opportunity. Marlborough has provided me an excellent setting in which I feel happy, safe, and free to go about my daily life. I do not ever feel that I need to think twice about going to the library, biking across town, or taking a run along the Assabet Rail Trail. I attend school at the Advanced Math and Science Academy, this setting provides me a unique opportunity to communicate regularly with students from other towns and cities. This means that I will be able to bring multiple perspectives to this commission and help Marlborough further improve from the vantage point of the youth. My family had a very tough time adjusting to America when we arrived from Colombia. We had unpleasant experiences trying to live in Boston and Miami; Marlborough was the first city where we felt at home. For this reason, I accredit this town with so much of the development as a student, a leader, and as an American citizen. I have met so many inspirational people along the way and hope to be able to give back to them and others in this town.

Marlborough Youth Commission Application

NAME: Ryan Wambolt D.O.B.: 6/20/1996
HOME ADDRESS: ~~XXXXXXXXXXXXXXXXXXXX~~ Marlborough MA 01752
NAME & ADDRESS OF HIGH SCHOOL: 431 Bolton St Marlborough MA 01752
HOME PHONE #: ~~XXXXXXXXXX~~ EMAIL: Rwamboltcairns@gmail.com

PLEASE LIST THE MOST RECENT SPORTS, ACTIVITIES, OR ORGANIZATIONS YOU ARE INVOLVED WITH (INCLUDING NON-SCHOOL) AND INCLUDE A BRIEF DESCRIPTION OR ACCOMPLISHMENT YOU WISH TO NOTE:

1. Student council - 9th → President, 10th → vice president, 11th grade → treasurer on e-board. Attended MASC the last 3 years
2. Community service - teach Sunday school, Soundboard. School committee, special olympics, sell tickets for the school.
3. 4-H, own a flock of award winning birds, care for a flock of sheep and cows for the summer.
4. AKC registered breeder, Earthdog club registered.

What should the application packet should include?

- 1) A letter from the student addressed to Mayor Vigeant discussing why you are the best candidate to represent their fellow youth on the Commission and how you hope to benefit the community through your involvement (typed 250-400 words).
- 2) A letter of recommendation from a teacher, coach, mentor, or employer.
- 3) A copy of driver's license OR Student ID.
- 4) This completed application sheet!

DEADLINE: April 7, 2014 by 5:00 p.m.

Applications can be emailed to mberry@marlborough-ma.gov, dropped off to the Mayor's Office on the 4th floor of City Hall, or mailed to: Marlborough City Hall / 140 Main Street / 4th Floor / Marlborough, MA 01752.

Youth Commission

Dear Mayor Vigeant,

First, I would like to say thank you for giving me the opportunity to be apart of the Youth Commission of Marlborough. There are many reasons why I would be an outstanding individual for this program. One reason why, is in school I do not just communicate with a couple individuals, but communicate with people from all walks of life. I am always friendly and open with everyone I meet. Throughout my life I have strived for perfection not only trying to improve things about myself but also the environment around me. Being part of student council, and STEM has allowed me to become an effective communicator and a student that stand up for my ideas. I also have the ability to give presentations to my superiors, and peers and have effectively represented the STEM program in many different areas such as, visiting individuals from other states who want to know more about the program. Also I have represented the STEM program at school committee meetings, and imputing my opinions on the different things that I saw and experienced. One thing that I have held throughout my high school career is to only offer criticism or compliant if you plan to do something about the problem or at least offer a way to fix the problem. Thank you once again for your time and the opportunity to be a part of the youth commission of Marlborough. It would be a great honor.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan Wambolt". The signature is fluid and cursive, with a large initial "R" and "W".

Ryan Wambolt



City of Marlborough
Legal Department

140 MAIN STREET

MARLBOROUGH, MASSACHUSETTS 01752

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

LEGAL@MARLBOROUGH-MA.GOV

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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

DONALD V. RIDER, JR.
CITY SOLICITOR

2014 MAY 29 A 9:53

CYNTHIA M. PANAGORE GRIFFIN
ASSISTANT CITY SOLICITOR

ELLEN M. STAVROPOULOS
PARALEGAL

May 28, 2014

Patricia Pope
President
Marlborough City Council

RE: SanDisk

Dear President Pope:

Pursuant to the vote of the Finance Committee on May 12, 2014, enclosed please find the following documents:

1. TIF agreement;
2. EOA application;
3. TIF Plan and Zone;
4. EDIP application; and
5. Resolution.

Thank you for your attention to this matter.

Very truly yours,

Donald V. Rider, Jr.
City Solicitor

Enclosures

cc: Arthur Vigeant, Mayor
Timothy Cummings, MEDC

TAX INCREMENT FINANCING AGREEMENT

BETWEEN

THE CITY OF MARLBOROUGH, SANDISK CORPORATION

AND

BGI HOLDINGS III, LLC

This **TAX INCREMENT FINANCING AGREEMENT** (the "**TIF Agreement**" or the "**Agreement**") is made by and between the City of Marlborough (the "**City**"), SanDisk Corporation (the "**Company**"), and BGI Holdings III, LLC (the "**Owner**").

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

WHEREAS, SanDisk is a domestic for-profit corporation having its principal U.S. headquarters located at 951 SanDisk Drive in Milpitas, California 95035, and is authorized to do business in Massachusetts; and

WHEREAS, the Owner is the fee owner of the parcel of land located at 200 Donald Lynch Boulevard, Marlborough, Massachusetts 01752, as further depicted on Marlborough City Assessor's Map 26, Parcel 9 (the "**Property**"); and

WHEREAS, the Company intends:

- 1) to lease from the Owner approximately 60,000 square feet of space of the approximately 121,598 square foot building, located at 200 Donald J. Lynch Boulevard, Marlborough, together with parking facilities and other improvements located thereon (hereinafter, the leased space is defined as the "**Project Area**"); and
- 2) to make improvements to the Project Area in furtherance of constructing a Northeast state-of-the-art research and development facility; and

WHEREAS, the Project Area is to be located within the boundaries of the Marlborough-Framingham Regional Economic Target Area (ETA) (as that term is used in Massachusetts General Laws, Chapter 23A, Section 3D, and referred to below as the "**ETA**"); and

WHEREAS, the Project Area is located within the 200 Donald J. Lynch Boulevard Economic Opportunity Area (EOA) (as that term is used in Massachusetts General Law, Chapter 23A, Section 3E, and referred to below as the "**EOA**"); and

WHEREAS, the Company expects to have based out of the Project Area approximately 80 permanent, full-time jobs presently located throughout Massachusetts, and beginning on the effective date of this agreement, to create and, over the term of the TIF Agreement, to maintain at the Project Area 60 new, permanent, full-time jobs open to qualified residents of Marlborough and the ETA; and

WHEREAS, the renovations to the Project Area are estimated to result in an initial capital investment by the Company of \$14.5 million (\$11.6 million taking into account an approximate \$2.9 million reimbursement from the Owner for tenant improvements) in combined soft, real property and personal property costs (the "**Project**"); and

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

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

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

WHEREAS, the Project and its related job creation will further the economic development goals and criteria established for the ETA and EOA; and

WHEREAS, by letter dated April 25, 2014, the Mayor recommended the TIF Plan and the TIF Agreement to the Marlborough City Council;

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

A. THE CITY'S OBLIGATIONS.

1. The City Council approved the provisions of this TIF Agreement on _____, 2014 pursuant to the Resolution attached hereto. The City Council hereby authorizes the Mayor to execute this TIF Agreement on the City's behalf, and to monitor and enforce compliance by the Company and the Owner with this TIF Agreement's terms. The Mayor is authorized to act for and on behalf of the City in proceedings relating to the approval of this Agreement by the Massachusetts Economic Assistance Coordinating Council (the "EACC").
2. A Tax Increment Financing exemption (the "Exemption") for the Project Area is hereby granted to the Company and the Owner by the City in accordance with Chapter 23A, Section 3E; Chapter 40, Section 59; and Chapter 59, Section 5, Cl. Fifty-first, of the Massachusetts General Laws. The Exemption shall be for a period of five (5) years (the "Exemption Term"), commencing on July 1, 2014 (the beginning of fiscal year 2015) and ending on June 30, 2019 (the end of fiscal year 2019). The Exemption shall pertain to real property taxes for the Project Area, according to the following schedules:

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

REAL PROPERTY EXEMPTION	
Fiscal Year	Exemption Percentage
2015	100%
2016	50%
2017	30%
2018	20%
2019	10%

3. The base valuation for the Project Area shall be the assessed valuation of the Project Area in the base year. The base year is the most recent fiscal year immediately preceding the fiscal year in which the property becomes eligible for the TIF exemption. As provided in 760 C.M.R. 22.05(4)(d), see 402 C.M.R. 2.22, the Project shall become eligible for the Exemption on the July 1st following the date on which the EACC approves the TIF Plan, which is expected to be June 24, 2014. Therefore, the exemption is expected to commence on July 1, 2014, which is the beginning of fiscal year 2015. Accordingly, the base year for this TIF Agreement will be fiscal year 2014. Consequently, the base valuation for the real property pertinent to the Project Area will be determined as of January 1, 2013.
4. The base valuation shall be adjusted annually by an adjustment factor, which reflects increased commercial and industrial property values within the community, as provided in Chapter 40, Section 59 of the Massachusetts General Laws and in 760 C.M.R. 22.05(4)(b), *see* 402 C.M.R. 2.22. This adjusted base valuation will remain fully taxable (i.e., the Tax Increment Financing Exemption shall not apply to or be calculated with respect to the adjusted base valuation and no portion of the adjusted base valuation shall be eligible for exemption from Chapter 59 property taxation) throughout the term of this TIF Agreement. Only the increased value or "increment" created by improvements will be the amount eligible for exemption from taxation.

B. THE COMPANY'S OBLIGATIONS AND THE OWNER'S OBLIGATIONS.

1. The City is granting the Tax Increment Financing Exemption for the Project Area in consideration of the following commitments:
 - (a) In anticipation of the receipt of the TIF benefits described in this Agreement, SanDisk Corporation agrees that it will lease the Project Area from the Owner;
 - (b) As part of leasing the Project Area, the Company agrees that it will make capital improvements which is currently estimated to be approximately \$14.5 million (\$11.6 million taking into account an approximate \$2.9 million reimbursement from the Owner for tenant improvements) in combined soft, real property and personal property costs, and that it will timely pay all municipal permit fees required in connection with such improvement and investment;
 - (c) The Company and the Owner agree to timely pay all of the taxes owed to the City by the Company and the Owner, respectively, over the term of this TIF Agreement; and
 - (d) The Company agrees to relocate to the Project Area 80 permanent full-time jobs existing as of February 25, 2014 and presently located throughout Massachusetts; and following February 25, 2014, to hire and, over the term of the Agreement, to maintain a minimum of 60 new permanent full-time employees (as "permanent full-time employee" is defined in 402 C.M.R. 2.03), to be employed at the Project Area and whose employment by the Company commences on or after February 25, 2014 ("New Permanent Full-Time Employees"). The following schedule details the Company's schedule of job creation:

SCHEDULE OF JOB CREATION	
End of Fiscal Year(s)	Minimum Cumulative New Permanent Full-Time Employee Requirement
June 30, 2015	20
June 30, 2016	20
June 30, 2017	20
June 30, 2018	0
June 30, 2019	0

The Company shall work in good faith in accordance with Section B.1(e) below and shall maintain a base employment figure of 80 permanent full-time jobs and create net new 60 full-time jobs to the Commonwealth of Massachusetts over the period starting on February 25, 2014, and maintain said employment job creation, in accordance with the Schedule of Job Creation referenced above, during the life of the Agreement.

- (e) Such New Permanent Full-Time Employees shall be exclusive of the Company's 80 permanent, full-time jobs located throughout Massachusetts as of February 25, 2014 and to be relocated to the Project Area. In meeting its cumulative New Permanent Full-Time Employee commitment above, and consistent with all federal, state and local laws and regulations, the Company may use commercially reasonable efforts to make available application opportunities for the New Permanent Full-Time Employee positions to qualified residents of Marlborough and then the regional ETA. Determination of whether any individual is qualified for any specific job or position shall be in the Company's sole discretion, and nothing herein shall be deemed to create any obligation of the Company to hire any of said residents. The Company will meet its obligation to make such application opportunities available to such residents if, in conjunction with the Mayor's office and the Marlborough Economic Development Corporation, the Company conducts a job fair in Marlborough for staffing its Project Area.
2. The Company shall submit annual written reports on job creation and maintenance at, job relocation to, and new investments at, the Project Area to the City of Marlborough Board of Assessors and Mayor and to the EACC by the end of December of each calendar year with respect to the immediately preceding fiscal year during which this TIF Agreement is in effect. Reports shall be submitted for fiscal year 2015 and for every fiscal year thereafter falling within the term of this TIF Agreement; thus, the report for fiscal year 2015, ending on June 30, 2015, shall be submitted by the end of December 2015. In addition to information that may be required by the EACC pursuant to 402 C.M.R. 2.14, the annual report shall be comprised of the following information:
- (a) Employment levels at the Project Area at the beginning and end of the reporting period, with a designation of the number of employees that are net new employees as of the effective date of this Agreement and the number of employees that were employed by the Company in Massachusetts prior to the effective date of this Agreement;
 - (b) The specific number of ETA and Marlborough residents respectively employed at the Project Area at the beginning and at the end of the reporting period;
 - (c) An accounting of the commercially reasonable efforts made by the Company to make New Permanent Full-Time Employee positions available to qualified residents of Marlborough and then to the regional ETA;

- (d) A narrative of the reasonable efforts made by the Company to solicit Marlborough businesses, vendors and suppliers to participate in requests for quotations for goods and services to be purchased by the Company as part of the Project, including but not limited to the improvements to the Project Area, as well as the purchase of new machinery and equipment as part of the Project (collectively, "Engage Local Businesses");
- (e) The Company's financial contribution to the City (including property taxes, motor vehicle excise taxes, and water and sewer fees) for the fiscal year; and
- (f) A description of any private investment, including but not limited to donations and/or perpetual maintenance of land for recreational purposes, made by the Company for the benefit of the community during the reporting period.

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

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

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

For example, if the actual cumulative New Permanent Full-Time Employee level at the end of FY 2015 is 10 instead of 20, then the real property tax exemption percentage otherwise applicable for FY 2016 would actually be (10/20) x 50%, or 25%.

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

4. The Company will be in default of its respective obligations under this TIF Agreement if the City determines that the Company fails to meet or comply with any of the requirements specified in Paragraphs 1 or 2 of this Section B or Paragraph 5 or 6 of this Section B below, and the City further determines that such failure continues or remains uncured for sixty (60) days (or such longer time as the City may deem appropriate under the circumstances) after the date of written notice, provided by the City to the Company, explaining in reasonable detail the grounds for or nature of such failure. Upon the City's determination that any default by the Company has continued or remained uncured for such period after the date of such written notice, the City may take such action as it deems appropriate to enforce the Company's obligations under this TIF Agreement, including but not limited to a request that EACC revoke its certification of the Project for eligibility for a Tax Increment Financing Exemption; any such request would be in addition to the automatic downward adjustment of the exemption schedules, as described in Section B.3 above. Upon any such decertification, the City shall have the right, upon written notice to the Company, to terminate the Tax Incremental Financing Exemption benefits described in Paragraph 2 of Section A, commencing as of the fiscal year in which the City has

determined the Company to be in default or, if such benefits have already been received by the Company, for the fiscal year in which the City has determined the Company to be in default, commencing as of the fiscal year immediately following that fiscal year. Any notice required hereunder shall be sent, certified mail, return receipt requested, or delivered in hand, to the Company at the Project Area's address and simultaneously to 951 SanDisk Drive, Milpitas, CA 95035, Attn: SVP and General Counsel and with a copy to 951 SanDisk Drive, Milpitas, CA 95035, Attn: Contracts Management. Said notice shall be effective upon receipt.

5. If, at any time prior to the expiration of the term on this Agreement, the Company moves from, vacates, abandons, or otherwise fails to maintain operations in the Project Area, the City shall be entitled to be paid back forthwith by the Company a sum equal to a proportionate share of the amount of tax savings that had been received by the Company under this Agreement in the fiscal year immediately prior to the fiscal year when the Company moves from, vacates, abandons, or otherwise fails to maintain operations at the Project Area, according to the following schedule:

COMPANY'S PAY-BACK SCHEDULE

FY that the Company Moves From, Vacates, Abandons, or Otherwise Fails to Maintain Operations at Project Area	Percentage of Tax Savings from Prior Fiscal Year to be Paid Back to City
2015	90%
2016	80%
2017	70%
2018	60%
2019	50%

Such pay-back amounts shall be paid back by the Company in full within thirty (30) days of a written demand by the City. If payment is not timely made, interest shall accrue at the rate of one percent (1%) per month until such time as full repayment has been made.

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

6. The Company shall use reasonable efforts to Engage Local Businesses to participate in requests for quotations for goods and services to be purchased by the Company as part of the Project, including but not limited to the improvements to the Project Area, as well as the purchase of new machinery and equipment as part of the Project. So long as the Company contacts the Marlborough Economic Development Corporation at the later of: (i) the beginning of the Project, or (ii) within a reasonable amount of time after the Agreement has been executed by all parties, with a description of the qualifications of the local businesses, vendors and suppliers from whom, at that time, the Company is seeking requests for quotations, the Company shall be

deemed to have made reasonable efforts to Engage Local Businesses under this Section 6. However, the extent to which the Company shall hire or purchase from local businesses, vendors and suppliers under this Section 6 shall be in Company's sole discretion, and nothing herein shall be deemed to require the Company to hire or purchase from local businesses, vendors and suppliers.

C. OTHER CONSIDERATIONS.

1. Pursuant to 760 C.M.R. 22.05(8)(d), *see* 402 C.M.R. 2.22, this Agreement shall be binding upon the Company and its successors and assigns, and upon the Owner and its successors and assigns, so long as the Project's certification has not been revoked by EACC.
2. This Agreement is subject to M.G.L. Chapter 23A, Sections 3A-3F inclusive; M.G.L. Chapter 40, Section 59; and M.G.L. Chapter 59, Section 5, Cl. Fifty-first.
3. The Owner shall pass along to the Company all real property tax savings resulting from this Agreement.
4. Should any part, term or provision of this Agreement be determined by any court of competent jurisdiction to be illegal or invalid, the validity of the remaining parts, terms, and provisions shall not be affected thereby and said illegal or invalid part, term or provision shall be deemed not to be a part of this Agreement.
5. The effective date of this Agreement shall be June 24, 2014, the (presumptive) date of the Economic Assistance Coordinating Council's approval of the TIF Plan.
6. All notices, reports or other communications required or permitted under this TIF Agreement must be in writing signed by a duly authorized representative of the City, Company, or Owner, or as the case may be, and shall be (i) hand delivered, (ii) delivered by a nationally recognized overnight delivery service, or (iii) mailed by certified or registered mail, return receipt requested, postage prepaid, to the parties at the following addresses or such other addresses as each may have specified to the other by such a notice:

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

COMPANY: SanDisk Corporation
Attention: James Goldsberry, Sr. Director
2 Robbins Road
Westford, MA 01886

cc: SanDisk Corporation
Corporate Real Estate and Tax
951 SanDisk Drive
Milpitas, CA 95035

SanDisk Corporation
Attn: SVP and General Counsel
951 SanDisk Drive
Milpitas, CA 95035

SanDisk Corporation
Attn: Contracts Management
951 SanDisk Drive
Milpitas, CA 95035

OWNER: BGI Holdings III, LLC
Attention: [name]
[address]

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

AGREED TO:

SANDISK CORPORATION

By: _____

Dated: _____, 2014

[name]
[title]
SanDisk Corporation

STATE OF CALIFORNIA

_____, ss.

On _____, 2014, before me, the undersigned notary public, personally appeared _____, as _____ of SanDisk Corporation, and proved to me through satisfactory evidence of identification, which was _____, that s/he is the person whose name is signed on the preceding or attached document.

Notary Public
Printed Name: _____
My Commission Expires: _____

BGI HOLDINGS III, LLC

By: _____

[name]
Manager
BGI Holdings III, LLC

Dated: _____, 2014

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

On _____, 2014, before me, the undersigned notary public, personally appeared _____, as manager of BGI Holdings III, LLC, and proved to me through satisfactory evidence of identification, which was _____, that s/he is the person whose name is signed on the preceding or attached document.

Notary Public
Printed Name: _____
My Commission Expires: _____

CITY OF MARLBOROUGH

By: _____

Arthur G. Vigeant
Mayor
City of Marlborough

Dated: _____, 2014

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

On _____, 2014, before me, the undersigned notary public, personally appeared Arthur G. Vigeant, as Mayor of the City of Marlborough, and proved to me through satisfactory evidence of identification, which was _____, that he is the person whose name is signed on the preceding or attached document.

Notary Public
Printed Name: _____
My Commission Expires: _____

CERTIFICATE OF AUTHORIZATION

I, _____, a duly elected Assistant Secretary of SanDisk Corporation (“SanDisk”), a Delaware corporation, do hereby certify that _____ [name] _____ is the duly-elected [corporate officer’s title] of SanDisk; that [corporate officer’s title + his/her name] is authorized and empowered to sign, seal, execute, acknowledge and deliver the Tax Increment Financing Agreement between the City of Marlborough, SanDisk Corporation, and BGI Holdings III, LLC; and that the signature of said [corporate officer’s title + his/her name] shall be and is valid and binding upon SanDisk, and its successors and assigns, for all purposes.

Signed: _____
 [name]
 Assistant Secretary
 SanDisk Corporation

Dated: _____, 2014

Place of Business: 951 SanDisk Drive, Milpitas, California 95035

AFFIX SEAL

In the event that the Assistant Secretary is the same person as the corporate officer authorized to sign the said Agreement for SanDisk, this Certificate must be counter-signed by another duly elected officer of SanDisk.

Countersignature:



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

**Economic Development Incentive Program (EDIP)
 ECONOMIC OPPORTUNITY AREA (EOA) DESIGNATION APPLICATION**

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

PART I. PROPOSED EOA	
1. DESIGNATION OVERVIEW	
Name of Proposed EOA:	200 Donald J. Lynch Boulevard
Municipality:	City of Marlborough
EOA Designation is for:	<input checked="" type="checkbox"/> New EOA within a previously approved Economic Target Area <input type="checkbox"/> Amendment to a previously approved EOA
The area is being proposed for designation as the applicable parcels meet the eligibility criteria (see definitions as defined in M.G.L. Chapter 121A, §1 and M.G.L. Chapter 23A §3E):	<input type="checkbox"/> Blighted Open Area <input checked="" type="checkbox"/> Decadent Area <input type="checkbox"/> Substandard Area <input type="checkbox"/> Cumulative Job Loss
Effective Time Period for EOA Designation (Designation must remain in effect for a minimum of 5 Years and Maximum of 20 Years)	5 Years
2. EOA BOUNDARIES	
(a) Attachment A: Map of Proposed EOA Please attach a detailed map of the proposed EOA, indicating the existing streets, highways, waterways, natural boundaries and other physical features.	<input checked="" type="checkbox"/> Attached
(i) Please provide a detailed description of the EOA boundaries including parcel numbers and how said area conforms to the definition of either "Blighted Open Area", "Decadent Area", "Substandard Area and/or "Cumulative Job Loss" as marked in section 1. The proposed EOA is located at 200 Donald J. Lynch Boulevard in Marlborough, Massachusetts and is listed in Marlborough City Assessor's files as Map 26 Parcel 9. Please see the location map attached in "Attachment A". The proposed EOA is located along Donald J. Lynch Boulevard off Solomon Pond Road and with easy access to Rt. 290 & Rt. 495. The proposed EOA is also within the Solomon Pond Office Park, which is a "Limited Industrial" zone and created through an	

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economic development industrial corporation to bring down the area's unemployment rate. The office building where the proposed EOA is anticipated experienced a substantial change in the business and economic conditions reducing the demand for office space. To date the building has never been more than 50% occupied. The proposed EOA meets the definition of "Decadent Area" due to the recent, adverse and substantial changes to the area's business/economic conditions. Such adverse changes are evident by the current office market demand. Additionally, the condition of the building located at 200 Donald J. Lynch Boulevard, which has been more than 50% vacant for an extended period of time; needs major upgrading and maintenance to accommodate for a business to operate at the site.

3. REASON FOR DESIGNATION

(a) Please describe the reason for the proposed EOA Designation. Please include:

- (i) A brief narrative of why the EOA designation is important to the community.
- (ii) If a business has indicated an intention to locate or expand within the proposed EOA, please provide the name and brief description of the company. If applicable, attach the letter of intent.

(i) The City of Marlborough is seeking an EOA designation, because the community aspires to increase the number of jobs offered within the municipality and in the region. The City of Marlborough is within the Marlborough-Framingham Regional Economic Target Area ("ETA") and achieving the EOA designation will go a long way in helping the community achieve its long term economic goals. Additionally, the utilization of existing blighted/decadent commercial/industrial buildings or sites is an economic development goal, which the re-purposing of this building achieves.

(ii) The SanDisk Corporation has indicated an intention to locate within the proposed EOA. SanDisk is a global leader in flash storage solutions. For more than 25 years, SanDisk has expanded the possibilities of storage, providing trusted and innovative products that have transformed the electronics industry. Today, SanDisk's quality, state-of-the-art solutions are at the heart of many of the world's largest data centers, and embedded in advanced smart phones, tablets and PCs. SanDisk's consumer products are available at hundreds of thousands of retail stores worldwide. Please find the enclosed letter of intent in "Attachment B".

(b) Please describe the economic development goals for the proposed EOA during the first five years of EOA designation.

The SanDisk Corporation has targeted the proposed EOA to create a regional research and development facility. The proposed EOA site is currently owned by BGI Holdings III, LLC and is currently more than 50% vacant and unoccupied for more than 10 yrs.

Additionally, the economic development goals for the proposed EOA for the next five years include:

1. Creating approximately 60 new jobs in the Marlborough-Framingham Regional ETA,
2. Basing approximately 80 permanent, full-time jobs at the proposed EOA,
3. The proposed EOA will see a private investment of approximately \$14 million dollars in renovation, construction, fixtures, furniture, equipment and technology costs,
4. Increasing the City's commercial tax base,
5. Encouraging productivity in a commercially zoned area of the city; and
6. Promoting the restoration and revitalization of a decadent site.

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 MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

PART II. MUNICIPAL DESIGNATION PROCESS

1. MUNICIPAL AUTHORITATIVE REVIEW

EOA Authoritative Review Municipal Official or Board/Council/Etc.	The Mayor and Marlborough Economic Development				
Municipal Contact:	Full Name:	Tim Cummings	Title:	Executive Director	
Contact Address:	Street Address:	91 Main Street #204			
	City:	Marlborough	MA	Zip Code:	01752
Telephone Number:	508-229-2010				
Email Address:	tcummings@marlboroughedc.com				

(a) Indicate the local standards and procedures for review of project proposals including:

- (i) the application procedures,
- (ii) the timeframe for review and determination
- (iii) and the criteria and process for approval of project proposals

(iii) Attachments of any additional documentation required (if applicable)

(i) The Mayor and Marlborough Economic Development Corporation are authorized to review project proposals on behalf of the City of Marlborough. The Marlborough City Council is the legislative entity that ultimately approves all EOA Designations and Tax Increment Financing Agreements. All projects seeking EACC approval as an EDIP Certified Project, local execution of a TIF Agreement and local designation for a defined area as an EOA are forwarded to the Marlborough City Council upon recommendation from the Marlborough Economic Development Corporation and the Mayor along with other local stakeholders comprising of an Ad-Hoc Advisory TIF Committee. The Marlborough City Council will then send the EOA application and proposed TIF Agreement to the City Council Finance Committee for consideration and approval. Upon review and approval by the Finance Committee, the Marlborough City Council then formally approves the TIF Agreement and EOA Designation. Once the TIF Agreement is executed by the Mayor and the Project's signatory, the EOA application and TIF Agreement are forwarded to the EACC for approval and EDIP Project certification. (ii) The timeframe for review and determination is approximately 10 weeks. (iii) the municipality wants to ensure there is a substantial private investment and a corresponding commitment to increase the number of jobs located at a proposed EOA, while also meeting community development objectives.

2. LOCAL APPROVAL STREAMLINING

(a) Provide a proposal and plan (or attach existing plan) to increase the ease of doing business by streamlining delivery of local services within the EOA such as the municipality's permit, approval and license procedures. See: "Best Practice Model for Streamlined Local Permitting"

The City of Marlborough is a business-friendly community whose municipal officials are always willing to work with businesses to promote economic development. City officials help companies navigate the local permitting and zoning process and expedite these approvals whenever possible. The City of Marlborough implements an expedited permit review process that is coordinated by the City's administrative Site Plan Review Committee. The City's Building Inspector, Fire and Police Chief, as well as other professional staff, sit on the Site Plan Review Committee. Additionally, the EOA is in a commercial zoned area of the municipality and the use is "by-right", which further streamlines the review process. The municipality has also charged the Marlborough Economic Development Corporation to be an ombudsman and local contact for private entities that may need assistance through the permitting review process. Lastly, it would be remiss not to point out the fast-paced track record the City has when permitting projects. The proposed EOA is already adequately serviced by sewer, water, gas, electric, voice data and cable. At this time, no additional services are envisioned for the EOA.

(b) **Compliance with Community Reinvestment Act:** Include a copy of a municipal plan or policy, if any exists, which links the municipality's choice of banking institutions to the bank's compliance with the requirements of the Community Reinvestment Act.

Attached

N/A

PART III. SPECIAL REQUIREMENTS FOR LARGE MUNICIPALITIES

This section must be completed by any municipality or member of a regional ETA with a population that exceeds fifty thousand (50,000) people. The population threshold should be calculated based on the most recent statistics available from the U.S. Bureau of the Census.

Please check appropriate selection:

Municipality or regional ETA population exceeds 50,000 people (if checked, please complete the below Part III).

Municipality or regional ETA population is less than 50,000 people (if checked, Part III. is not required, please skip to Part IV.)

1. MUNICIPAL INFRASTRUCTURE SUPPORT

Provide an analysis of the existing infrastructure support and municipal services, including transportation access, water and sewer hook-ups, lighting, and fire and police protection to and for certified projects within the proposed EOA(s). Indicate if the existing level of services and infrastructure is adequate to support the anticipated development in the proposed EOA(s).

Provide a proposal for meeting additional demand for municipal services and infrastructure improvement, including costs and funding sources available for these improvements.

The proposed EOA is sited along the Donald J. Lynch Boulevard roadway and this roadway meets the demand needs and sufficiently supports the certified projects infrastructure requirements.

2. JOB TRAINING PROGRAMS

Describe the municipality's plans to secure access to publicly or privately sponsored training programs for employees of certified projects and for residents of the municipality/ETA.

The City through Marlborough Economic Development is going to assist the certified project in accessing the Commonwealth's workforce training program.

3. LOCAL COMMUNITY INVOLVEMENT

Describe the municipality's plans to increase the level of private sector involvement and the level of involvement by community development organizations in the economic revitalization of the area proposed for designation. For example, local involvement could include commitments from private persons to provide jobs and job training to residents or to employees who for certified projects in the proposed EOA(s).

The City using the resources of Marlborough Economic Development Corporation shall be actively promoting the Donald J. Lynch Boulevard as a corridor for business attraction and expansion. The City plans to partner with the land owners to appropriately market the area.

PART IV. MUNICIPAL BINDING WRITTEN OFFER

The municipality completing this application must provide a **binding written offer** to provide either tax increment financing or a special tax assessment to each certified project located within the proposed EOA(s).

Please attach a copy of the municipality's binding written offer.

- (i) **In cities**, this shall be in the form of a City Council Order or Resolution, along with a Certified Vote by the City Clerk.
- (ii) **In towns with Town Meeting form of government**, this shall be in the form of a Town Meeting Motion, along with a Certified Vote by the Town Clerk.
- (iii) **In towns with Town Council form of government**, this shall be in the form of a Town Council Order or Resolution, along with a Certified Vote by the Town Clerk.

Attached

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

PART V. APPLICATION AUTHORIZATION, CERTIFICATION & ACKNOWLEDGEMENT

I/We Arthur Vigeant (fill in name and title) of the applicant municipality applying for "Economic Opportunity Area" Designation from the Commonwealth of Massachusetts, Economic Assistance Coordinating Council hereby certify that I/we have been authorized to file this application and to provide the information within and accompanying this application and that the information provided herein is true and complete. I/we understand that the information provided with this application will be relied upon by the Commonwealth in deciding whether to approve "Economic Opportunity Area" Designation and that the Commonwealth reserves the right to take action against the applicant or any other beneficiary of the Economic Opportunity Area if the Commonwealth discovers that the applicant intentionally provided misleading, inaccurate, or false information. I/we make this certification under the pains and penalties of perjury.

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

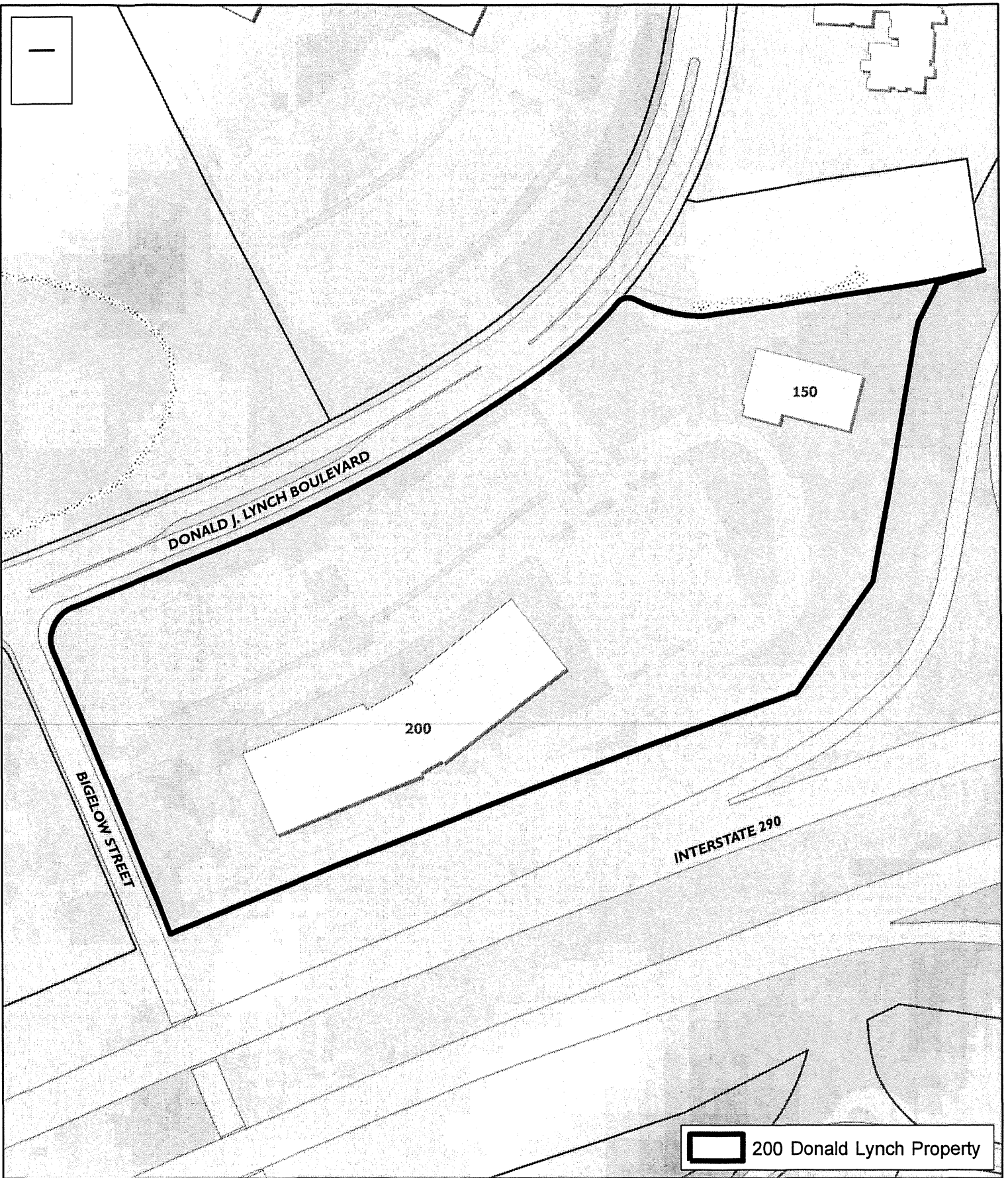
Signed:

_____	Mayor	April 23, 2014
Name	Title	Date

		Select mm/dd/yyyy
_____	_____	_____
Name	Title	Date

Attachment A

(location map)



City of Marlborough
Massachusetts



200 Donald Lynch Blvd



1 inch = 150 feet

Attachment B

(SanDisk letter of intent)

SanDisk

SanDisk Corporation
601 McCarthy Boulevard
Milpitas, CA 95035-7932
Phone: 408-801-1000
Fax: 408-801-8657

February 25, 2014

The Honorable Arthur Vigeant
Mayor of Marlborough
Marlborough City Hall
140 Main Street
Marlborough, MA 01752

RE: Incentives Letter

Dear Mayor Vigeant

Thank you for your interest in SanDisk's expansion plans. We (through our acquisition of Smart Storage Systems in Westford, MA) are exploring an expansion of our facilities to Marlborough, MA. We look forward to creating a partnership with the town of Marlborough as we consider this expansion.

SanDisk has identified a property in Marlborough and would lease approximately 57,000 SF. This property has been 65% vacant for an extended period of time and we are looking to invest a total of approximately \$9.5M for construction costs and personal property. This planned construction would transform a "shell" space into a state of the art office/R&D facility. The company expects to move ninety-five (95) existing full time jobs to Marlborough and hire 25 full time employees per year at this new facility for a period of three (3) years.

It is our intent to apply for this Economic Development Incentive Program for both the municipal incentives of (i) Special Tax Assessment and (ii) Tax Increment Finance (TIF) and any other programs which are available by the town of Marlborough and any state incentives such as the State Investment Tax Credit.

SanDisk is requesting that you accept this letter as a formal letter of intent required under the Economic Development Incentive Program. We welcome this potential opportunity to create a partnership with Marlborough and your willingness to assist SanDisk as we grow.

Sincerely yours,
James Goldsberry



Title: Sr. Director of Engineering

Cc: Tim Cummings: Marlborough Economic Development Corporation
Rob Anderson: Director

TAX INCREMENT FINANCING
PLAN & ZONE

City of Marlborough

200 Donald J. Lynch Boulevard EOA

MAY 2014

I. Location

A. Marlborough-Framingham Regional Economic Target Area (ETA)

The City of Marlborough proposes the establishment of the site-specific 200 Donald J. Lynch Boulevard Economic Opportunity Area ("EOA") and a Tax Increment Financing Zone ("TIF Zone") within the Marlborough-Framingham Regional ETA. The EOA will consist of the parcel of land located at 200 Donald J. Lynch Boulevard, as further depicted on Marlborough City Assessor's Map 26, Parcel 9.

B. Municipality

City of Marlborough, County of Middlesex, Commonwealth of Massachusetts.

C. TIF Zone

1. Location and Map

The TIF Zone is a portion of Marlborough City Assessor's Map 26, Parcel 9 and consists of approximately 60,000 square feet of space being leased by SanDisk ("SanDisk" or the "Company") in an approximately 121,598 square foot building, including parking facilities and other improvements, owned by BGI Holdings III, LLC (the "Owner") and located at 200 Donald J. Lynch Boulevard, Marlborough, Massachusetts 01752. A map showing the location of the TIF Zone is attached as Attachment A.

2. Legal Description:

A description of the TIF Zone is attached as Attachment B.

3. TIF Zone Issues:

None.

4. Property Owners within the proposed Zone:

200 Donald J. Lynch Boulevard is currently owned by the BGI Holdings III, LLC. SanDisk has targeted 200 Donald J. Lynch Boulevard for its expansion.

II. Duration of TIF Zone and Plan

The duration of the TIF Zone and Tax Increment Financing Plan ("TIF Plan") will be for a period of five years (Fiscal Years 2015 through 2019). The TIF Plan and Agreement herein shall commence upon final approval of the TIF Plan by the Economic Assistance Coordinating Council ("EACC"). SanDisk's eligibility for the tax increment exemption under the proposed Tax Increment Financing Agreement would commence on the first day of July of 2014.

III. TIF Zone and Economic Development

A. Continued Development Opportunity

Per its proposed TIF Agreement with the City of Marlborough, SanDisk intends to make capital investments at 200 Donald J. Lynch Boulevard estimated to be \$14.5 million (\$11.6 million taking into account a \$2.9 million reimbursement from the Owner for tenant improvements). The Company also anticipates relocating 80 full-time employees and creating 60 new, permanent full-time positions at the location over the first 3 (three) years of the proposed TIF Agreement.

B. Net Economic Benefit to the City of Marlborough

The benefits of SanDisk's investments that will accrue to the City of Marlborough are considerable and include the following:

- *Relocation of 80 permanent full-time employees to Marlborough;*
- *60 newly created full-time positions over the first 3 years of the proposed TIF Agreement;*
- *Significant new capital investment estimated to be \$14.5 million (\$11.6 million taking into account a \$2.9 million reimbursement from the Owner for tenant improvements);*
- *Increase in commercial tax revenues/base; and*
- *Higher and better use of existing land and building located at 200 Donald J. Lynch Boulevard that is currently shell space.*

C.-D. Analysis of Proposed and Potential Land Uses and Zoning

The 200 Donald J. Lynch Boulevard site is located within the City of Marlborough's Limited Industrial zoning district that allows for commercial uses per the City's Zoning Ordinance. SanDisk's proposed investment and use of the land/property will conform to the intent of the zoning districts in which it is located and achieve the economic development goals of the municipality for this corridor.

IV. TIP Zone Project

A. Private Projects.

SanDisk is a global leader in flash memory storage solutions, from research and development, product design and manufacturing to branding and distribution of OEM and retail channels. It is a Fortune 500 company that is headquartered in California. SanDisk's diverse product portfolio includes flash memory cards and embedded solutions used in smart phones, tablets, digital cameras, camcorders, digital media players and other consumer electronic devices, as well as USB flash drivers and solid-state drivers (SSD) for the computing market. SanDisk's products are used by consumers and enterprise customers around the world.

SanDisk is interested in establishing a Northeast regional research and development facility in a leased facility at 200 Donald J. Lynch Boulevard, Marlborough. The proposed project is anticipated to create 60 new, permanent,

full-time jobs, and to relocate 80 permanent, full-time jobs, for a projected total of 140 new, permanent, full-time jobs based out of Marlborough.

The proposed project will involve renovations to the existing leased building. The renovations are estimated to result in an initial capital investment for the Company of \$14.5 million (\$11.6 million taking into account a \$2.9 million reimbursement from the Owner for tenant improvements) in combined soft, real property and personal property costs (the "Project"). The renovations are expected to begin in the spring of 2014 and scheduled to be completed by fall of 2014.

SanDisk is the only project envisioned for the TIF Zone.

A Marlborough City Council vote approving the 200 Donald J. Lynch Boulevard EOA, and the TIP Plan and Zone, as certified by the Marlborough City Clerk, is provided as a part of Attachment C, attached hereto.

B. Public Projects.

No other projects, public or private, are anticipated for the TIF Zone.

V. Financing for Planned TIF Project.

A. Anticipated Financing for the 200 Donald J. Boulevard Project:

Financing for the TIF Project will be self-financed from private sources.

B. Anticipated Financing for Other Projects:

No other projects, public or private, are anticipated for the TIF Zone.

VI. Tax Increment Financing.

A Marlborough City Council vote, as Certified by the Marlborough City Clerk approving the TIF Agreement, and which has been executed by the Marlborough Mayor, as directed by the Marlborough City Council, pursuant to M.G.L. 40, § 59 and M.G.L. c. 59, § 5, is provided in Attachment C, attached hereto.

Please refer to TIF Agreement for exemption schedule in Attachment C.

VII. Approval of the TIF Project.

A. Approval Process:

All projects seeking EACC approval as an EDIP-certified project, local execution of a TIF Agreement and local designation for a defined area as an EOA are forwarded to the Marlborough City Council upon recommendation from the Marlborough Economic Development Corporation and the Mayor along with other local stakeholders comprising an Ad-Hoc Advisory TIF Committee. The Marlborough City Council will then send the EOA application and proposed TIF Agreement to the City Council Finance Committee for consideration and a recommendation as to approval. Upon review and the approval recommendation by the Finance Committee, the Marlborough City Council then formally approves the TIF Agreement and EOA designation. Once the TIF Agreement is executed by the Mayor and the Project's signatory (here, including SanDisk and the property owner), the EOA application and TIF

Agreement are forwarded to the EACC for approval and EDIP-certified project certification is designated.

B. Person authorized to execute the TIF Agreement with SanDisk:

The Mayor of the City of Marlborough is authorized to execute the TIF Agreement, as directed by the vote of the Marlborough City Council.

C. Evidence of Local Approval:

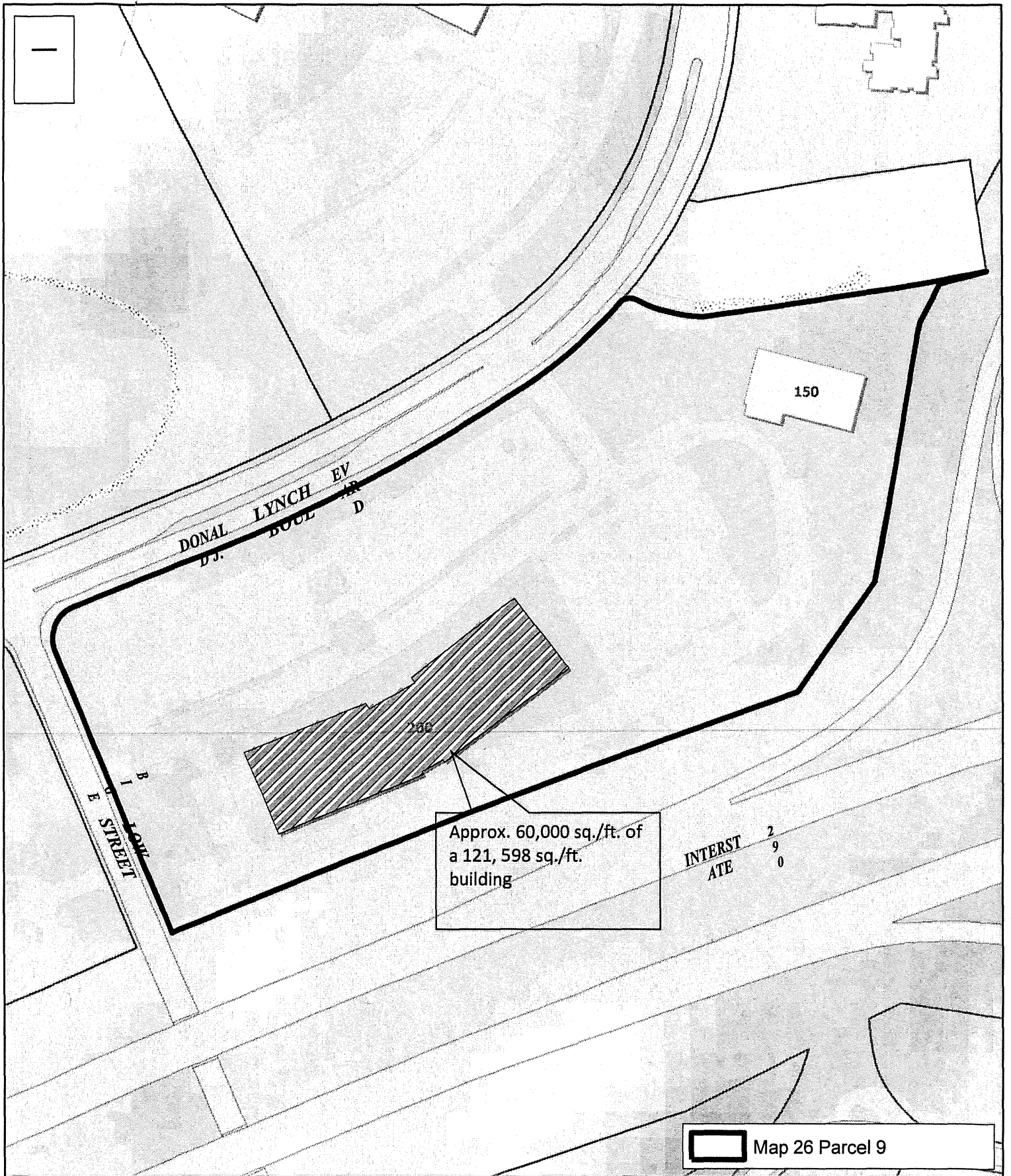
See Attachment C: The Marlborough City Council Resolution dated

D. EACC Approval.

The request to the EACC for approval of the TIF Plan and Zone and EOA Application is provided as part of this document.

Attachment A

Map of TIF Zone, 200 Donald J. Lynch Boulevard, Marlborough, MA



City of Marlborough
Massachusetts



200 Donald Lynch Blvd



1 inch = 150 feet

Attachment B

Description of TIF Zone, 200 Donald J. Lynch Boulevard, Marlborough, MA

The TIF Zone is approximately 60,000 rentable square feet in the approximately 121,598 rentable square foot building located at 200 Donald J. Lynch Boulevard in Marlborough, Massachusetts (see Exhibit A), and is comprised of approximately 40,000 square feet on the second floor of the building and approximately 20,000 square feet on the first floor of the building. The building is located on approximately 8.33 acres in Marlborough as depicted on Marlborough City Assessor's Map 26, Parcel 9.

Attachment C

The Marlborough City Council Resolution dated _____



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

**Economic Development Incentive Program (EDIP)
PRELIMINARY APPLICATION**

The following information is required by the Massachusetts Office of Business Development (MOBD) and the Economic Assistance Coordinating Council (EACC) to make a preliminary determination on the eligibility of a project under the Economic Development Incentive Program. This application must be returned in electronic form to your MOBD Regional Director and a hardcopy with original signature(s) mailed to: EDIP Manager, MOBD, 10 Park Plaza, Suite 3730, Boston, MA 02116. Please refer to the EDIP Guidelines, www.mass.gov/hed/edip and your MOBD Regional Director for assistance with this application.

PART I. COMPANY OVERVIEW				
1. COMPANY INFORMATION				
Company Name:	SanDisk Corporation			
Project Location Address:	Street Address:	200 Donald Lynch Boulevard		
	City:	Marlborough	MA	Zip Code: 01752
Company Headquarters Location:	City:	Milpitas	State:	CA
FEIN (Federal Employer Identification Number):	77- 0191793			
DUA # (Dept. of Unemployment Assistance #):				
Type of Organization:	(a) Type of Organization: Corporation			
Company's Taxable Year End:	12/31/2014			
NAICS Code:	334110			
Is the applicant classified as a MA Department of Revenue Manufacturer?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
Company's outside of Massachusetts sales as a percentage of total sales: (a) currently (b) projected upon completion of proposed project:	(a) Current Outside of MA sales as of 12/31/2012 : 99% (b) Projected Outside of MA sales upon completion of project: % Additional Information (if necessary): The projected outside of MA sales is not currently available as the Company is still in the process of gathering the data.			
2. COMPANY CONTACT				
Executive Officer/ Company Designee:	Full Name:		Title:	
Contact (if different from above):	Full Name:	James Goldsberry	Title:	Senior Director Sys Design Mgmt
Contact Address:	Street Address:	2 Robbins Rd		

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

City:	Westford	State:	MA	Zip Code:	01886
Telephone Number:	978-303-8530				
Email Address:	james.goldsberry@sandisk.com				

3. COMPANY DESCRIPTION & HISTORY

Please provide a brief description and history of the company.

SanDisk Corporation (NASDAQ:SNDK), a Fortune 500 and S&P 500 company, is a global leader in flash storage solutions. For more than 25 years, SanDisk has expanded the possibilities of storage, providing trusted and innovative products that have transformed the electronics industry. Today, SanDisk's quality, state-of-the-art solutions are at the heart of many of the world's largest data centers, and embedded in advanced smart phones, tablets and PCs. SanDisk's consumer products are available at hundreds of thousands of retail stores worldwide. For more information, visit www.sandisk.com.

PART II. ECONOMIC DEVELOPMENT PROJECT

1. PROPOSED BUSINESS EXPANSION PROJECT

(a) Please provide a description of the proposed expansion project.

The new SanDisk space in Marlborough will provide approximately 60,000 SF of renovated space which will match the SanDisk brand and mirror standards established for SanDisk's headquarters building. These updates will include 15,000 SF of modern Lab Facilities and a "town hall" meeting space within the café area to accommodate quarterly staff meetings. In addition to the new open workstation concept, a new customer facing lobby area will be constructed to showcase the SanDisk brand. The space will have approximately 15 conference rooms which will have full audiovisual integration for increased collaboration.

(b) Does the current public infrastructure meet the proposed certified project's needs? If no, please explain.

Yes No

If no, please explain:

2. PROJECT TIMELINE

(a) Please indicate the date a Letter of Intent was sent to the municipality and cc: MOBD Regional Director:	(b) Date the applicant expects to begin the project:	(c) Date the applicant expects to complete the project:	(d) Date the applicant expects to open the facility:
2/25/2014	5/15/2014	8/1/2014	8/15/2014

Additional Information (if necessary) on Project Timeline:

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

3. INVESTMENT BREAKDOWN

Please provide a breakdown of the expected investment required and associated costs.

Land: \$0
 Construction: \$10,081,900
 Machinery & Equipment: \$4,440,000
Other : \$0
 Total Projected Investment: \$14,521,900

Additional Information (if necessary) on Investment:

4. MASSACHUSETTS EMPLOYMENT

(a) Is the applicant new to Massachusetts?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
(i) If no, where are the existing Massachusetts facilities?	Westford MA N/A <input type="checkbox"/>
(ii) If no, what is the applicant's full-time, permanent employment in Massachusetts (total of all MA facilities)?	80 full-time permanent MA employees as of 2/25/2014 N/A <input type="checkbox"/>
(b) Will the proposed economic development project require and/or trigger the closing or consolidation of any Massachusetts facilities or the elimination of any other jobs currently in Massachusetts? If yes, please give location of facility and explain.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please explain:

5. PROJECT LOCATION EMPLOYMENT

Please indicate the number of:

(a) Full-Time Permanent Jobs to be Created (net new to facility and Massachusetts):	(b) Full-Time Permanent Employment to be Retained (number of employees currently at the Project Location, if any):	(c) Full-time Permanent Employees to be transferred from other Massachusetts Locations to Project Location (if any):	(d) Total Full-Time Permanent Existing Jobs to be Retained at Project Location (Sum of questions 5b. and 5c.):
60		80	80

Additional Information (if necessary) on Project Location Employment:

(e) What action will the applicant take to recruit employees from among residents of the municipality and/or Economic Target Area?

Sandisk intends to continue to recruit and hire locally. Job postings will be made on major recruiting web sites. SanDisk will participate and partner with local Engineering College fair programs. SanDisk will participate in the City of Marlborough sponsored job fairs.

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

(f) Will the project result in significant spin off economic benefit and support Massachusetts based suppliers and contractors? Please explain.

Yes - Facility construction and fit up will be conducted by a company headquartered in MA. Sandisk has established and intends to foster continued business with EMC as a strategic customer.

6. FACILITY

(a) Will the applicant own or lease/rent the facility where the business expansion/relocation will occur?	Lease <input checked="" type="checkbox"/> Own <input type="checkbox"/>	
(i) If leasing/renting, identify the developer/landlord and state who will be the taxpayer of record for purpose of paying local real estate taxes?	BGI Holdings III, LLC	N/A <input type="checkbox"/>
(ii) If owning, will the applicants fully occupy the space?	Yes <input type="checkbox"/> No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
(iii) If the applicant will not fully occupy the space, does it intend to lease/rent the remaining space? If yes, to whom (if known)?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, to whom?	N/A <input checked="" type="checkbox"/>
(b) Is the site of the facility a 43D Preferred Development Site? If yes, name site.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, name site:	N/A <input type="checkbox"/>
(c) Does the proposed expansion project involve the renovation and reuse of an abandoned building?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
(i) If yes or unsure, how long has the building been vacant or unused (if known, state date)	months Vacant since: <i>Select mm/dd/yyyy</i>	N/A <input type="checkbox"/>
(ii) If yes, during the period of time that the building has been vacant or unused, what percentage of the building was vacant and unused? If the percentage varied during this time period, provide information for each change in the percent of vacant space and the applicable time period.	% vacant Details:	N/A <input type="checkbox"/>

7. INCENTIVES & FINANCING

(a) Please indicate which incentives the applicant is seeking in relation to the expansion project.	State Investment Tax Credit	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	Local Real Estate Tax Incentive	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	State Abandoned Building Renovation Deduction	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

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

<p>(b) Is the applicant seeking tax incentives from the Massachusetts Life Science Center? If yes, please explain as this may affect the potential EDIP benefits.</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If, yes please explain:</p>								
<p>(c) Please provide detailed information on any other sources of public or quasi-public funding that has been received or will be sought to contribute towards the financing of the proposed expansion.</p>	<p>None</p>								
<p>(d) Has the applicant previously been approved as a “Certified Project” by the Economic Assistance Coordinating Council (EACC)?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>								
<p>If yes, what is the Project (i) name; (ii) municipality; (iii) approval date?</p>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; padding: 5px;"> <p>(i) Project Name:</p> <p>(ii) Project Municipality:</p> <p>(iii) Project Approval Date: <i>Select mm/dd/yyyy</i></p> </td> <td style="width: 20%; padding: 5px; text-align: center;"> <p>N/A <input checked="" type="checkbox"/></p> </td> </tr> </table>	<p>(i) Project Name:</p> <p>(ii) Project Municipality:</p> <p>(iii) Project Approval Date: <i>Select mm/dd/yyyy</i></p>	<p>N/A <input checked="" type="checkbox"/></p>						
<p>(i) Project Name:</p> <p>(ii) Project Municipality:</p> <p>(iii) Project Approval Date: <i>Select mm/dd/yyyy</i></p>	<p>N/A <input checked="" type="checkbox"/></p>								
<p>(e) Please indicate whether the applicant has utilized other sources of public or quasi-public funding in the past. If applicable, please explain specific uses of funding and amount. If other, please give details on the funding source.</p>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; padding: 5px;"><i>Select Funding Source</i></td> <td style="width: 20%; padding: 5px; text-align: center;">N/A <input checked="" type="checkbox"/></td> </tr> <tr> <td style="padding: 5px;"><i>Select Funding Source</i></td> <td style="padding: 5px; text-align: center;">N/A <input checked="" type="checkbox"/></td> </tr> <tr> <td style="padding: 5px;"><i>Select Funding Source</i></td> <td style="padding: 5px; text-align: center;">N/A <input checked="" type="checkbox"/></td> </tr> <tr> <td style="padding: 5px;">If applicable or other, please explain:</td> <td style="padding: 5px; text-align: center;">N/A <input checked="" type="checkbox"/></td> </tr> </table>	<i>Select Funding Source</i>	N/A <input checked="" type="checkbox"/>	<i>Select Funding Source</i>	N/A <input checked="" type="checkbox"/>	<i>Select Funding Source</i>	N/A <input checked="" type="checkbox"/>	If applicable or other, please explain:	N/A <input checked="" type="checkbox"/>
<i>Select Funding Source</i>	N/A <input checked="" type="checkbox"/>								
<i>Select Funding Source</i>	N/A <input checked="" type="checkbox"/>								
<i>Select Funding Source</i>	N/A <input checked="" type="checkbox"/>								
If applicable or other, please explain:	N/A <input checked="" type="checkbox"/>								

PART III. LABOR AFFIRMATION

1. CERTIFICATION OF STATE & FEDERAL EMPLOYMENT LAWS

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

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

2. COMPANY DISCLOSURE

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

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

IV. AUTHORIZATION & CERTIFICATIONS

1. CERTIFICATE OF GOOD STANDING

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

*Applications will not advance to the supplemental round until a Certificate of Good Standing is received. The certificate must be dated within 6 months of the anticipated EACC meeting that the project is coming forth for review.

To obtain a Certificate of Good Standing visit:

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

Attached

Date of DOR Application for Certificate of Good Standing: *Select mm/dd/yyyy*


Notes:

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

2. AUTHORIZATION & CERTIFICATION

I/We, Rick Friedman, Sr. Director, Real Estate (names and titles) of the applicant business applying for "Certified Project" status from the Commonwealth of Massachusetts, Economic Assistance Coordinating Council hereby certify that I/we have been authorized to file this application and to provide the information within and accompanying this application and that the information provided herein is true and complete and that it reflects the applicant's intentions for investment, job creation and sales. I/we understand that the information provided with this application will be relied upon by the Commonwealth in deciding whether to approve "Certified Project" status and that the Commonwealth reserves the right to take action against the applicant or any other beneficiary of the Certified Project if the Commonwealth discovers that the applicant intentionally provided misleading, inaccurate, or false information. I/we make this certification under the pains and penalties of perjury.

Signed:


 Sr. Director, Real Estate April 30, 2014
Name Title Date

Name Title Date
Select mm/dd/yyyy

3. CERTIFICATION AS TO ACCURACY AND PUBLIC RECORDS LAW ACKNOWLEDGEMENT

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

Signed:

 Sr. Director, Real Estate April 30, 2014
Name Title Date

Name Title Date
Select mm/dd/yyyy

RESOLUTION:

WHEREAS, the City Council of the City of Marlborough strongly supports increased economic development to provide additional jobs for qualified residents of the City and the Marlborough-Framingham Regional Economic Target Area ("ETA"), which shall enhance the commercial and industrial activity within the City, and to promote and develop a healthy economy and stronger tax base; and

WHEREAS, the City of Marlborough is a part of the regional ETA; and

WHEREAS, the City Council of the City of Marlborough supports and endorses the economic development goals for the ETA; and

WHEREAS, the City Council of the City of Marlborough desires a beneficial economic use creating jobs for local residents, expanding business within the City, and developing a healthy robust economy and stronger tax base for Map 26, Parcel 9 on the Marlborough Assessor's Map; and

WHEREAS, the City Council of the City of Marlborough desires that the area be designated as the 200 Donald J. Lynch Boulevard Economic Opportunity Area; and

WHEREAS, the City Council of the City of Marlborough finds that the 200 Donald J. Lynch Boulevard Economic Opportunity Area meets the regulatory criteria defined as a "decadent area"; and

WHEREAS, the City Council of the City of Marlborough finds that the 200 Donald J. Lynch Boulevard Economic Opportunity Area meets the local criteria and economic development goals set forth in the original Economic Target Area application; and

WHEREAS; the City Council of the City of Marlborough further supports and endorses the economic development goals contained in the 200 Donald J. Lynch Boulevard Economic Opportunity Area application; and

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

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Marlborough that the following activities which are necessary to pursue a Certified Project designation within the 200 Donald J. Lynch Boulevard Economic Opportunity Area in the City' of Marlborough be authorized:

1. The City Council of the City of Marlborough hereby approves the 200 Donald J. Lynch Boulevard Economic Opportunity Area ("EOA") and authorizes the submission of the 200 Donald J. Lynch Boulevard EOA application (attached hereto as Exhibit 1) to the Massachusetts Economic Assistance Coordinating Council, said EOA to be comprised by Map 26, Parcel 9 on the Marlborough Assessor's Map; and
2. The City Council of the City of Marlborough hereby adopts the tax increment financing plan and authorizes the submission of a tax increment financing plan (attached hereto as Exhibit 2) to the Massachusetts Economic Assistance Coordinating Council; and

3. The City Council of the City of Marlborough agrees to authorize the use of tax increment financing and the submission of the tax increment financing agreement (attached hereto as Exhibit 3) to the Massachusetts Economic Assistance Coordinating Council; and
4. The City Council of the City of Marlborough hereby requests that the Massachusetts Economic Assistance Coordinating Council approve SanDisk Corporation's designation as an EDIP-certified project (attached hereto as Exhibit 4); and further, that:
 - a. The project, as proposed, is consistent with and can reasonably be expected to benefit significantly from inclusion in the 200 Donald J. Lynch Boulevard EOA;
 - b. The project will not overburden the City of Marlborough's infrastructure and utilities servicing the 200 Donald J. Lynch Boulevard EOA;
 - c. The project as described in the proposal will have a reasonable chance of increasing employment opportunities for residents of the Marlborough-Framingham Regional ETA; and
 - d. The City Council approves SanDisk Corporation's request that the project be designated by the Massachusetts Economic Assistance Coordinating Council as an EDIP-certified project for five (5) years.

LACOMBE BUSINESS CENTER
58 LACOMBE STREET
MARLBOROUGH, MA 01752

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2014 MAY 23 A 10: 50

May 23, 2014

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

RE: Lacombe Street Extension Acceptance

Dear Councilors,

The Lacombe Street Extension subdivision has been completed and I would like to petition the Marlborough City Council to have the Street accepted as a Public Way along with accepting the municipal drainage easement and municipal flowage easement.

I would like to bring to your attention the following items :

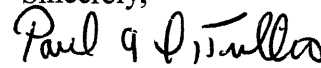
- Construction of the subdivision was completed in November 1998
- The “one year maintenance period” expired in December of 1999. At that time the bond was reduced by the Marlborough Panning Board to \$2,000.00 – the bond amount to have Acceptance Plans completed.

The Acceptance Plans could not be completed until I could attain the rights to a 15 foot strip of land owned by NSTAR Gas Company, so the entire roadway for this subdivision could be deeded over to the City of Marlborough as part of becoming a Public Way.

After many years of negotiating, I finally obtained the rights to this strip of land on December 11, 2013 (recorded at the South Middlesex Registry of Deeds as Book 63119 Page 15) and now have the ability to transfer the property to the City of Marlborough and have this section of Lacombe Street become a Public Way. The Acceptance Plan and deed have been delivered to the D.P.W. – Engineering Division and the Legal Department for their review.

I look forward to working with the City of Marlborough to have this project completed. Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,


Paul A. DiTullio



One NSTAR Way
Westwood, Massachusetts 02090

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2014 MAY 27 P 1:30

May 15, 2014

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

Marlborough City Council:

Please approve for Grant purposes the following plan:

To install 105' of 4" LP plastic gas main as a system improvement to 31 Wellington Street, Marlboro.

Wellington Street – 105' from # 29 easterly to # 31

Respectfully,

A handwritten signature in black ink, appearing to read "Nathan Guite", written over a horizontal line.

Nathan Guite
Manager of Distribution
NSTAR Gas
157 Cordaville Rd.
Southborough, MA. 01772

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

Hopedale, MA 01747

RECEIVED May 9, 2014
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2014 MAY 27 A 11: 44

TOWN CLERK

To the City Council
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:

479 Hosmer Rd

Propose the installation of new joint owned stub pole location #55-84 on public property. Pole will be set approximately 42 ft from existing joint owned pole #55. Propose installation of new joint owned anchor to be set back of new pole 55-84 to support stub pole. Pole 55 has tree guy from pole to tree at 479 Hosmer St. Customer requested us to remove the tree guy.

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. **16763824** Dated: **04/17/2014**

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: Christopher Montalto ms.
Manager of Distribution Design

VERIZON NEW ENGLAND, INC.

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

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

Hopedale, MA 01747

May 9, 2014

By the City Council
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
9th day of May, 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. **16763824** Dated: **04/17/2014** 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:--

479 Hosmer Rd

Propose the installation of new joint owned stub pole location #55-84 on public property. Pole will be set approximately 42 ft from existing joint owned pole #55. Propose installation of new joint owned anchor to be set back of new pole 55-84 to support stub pole. Pole 55 has tree guy from pole to tree at 479 Hosmer St. Customer requested us to remove the tree guy.

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 _____ 2014

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 _____ 2014 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

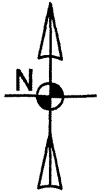
I hereby certify that the foregoing is a true copy of a joint location order and certificate of hearing with notice adopted by the City Council of the City of Marlborough, Massachusetts, on the _____ day of

_____ 2014 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



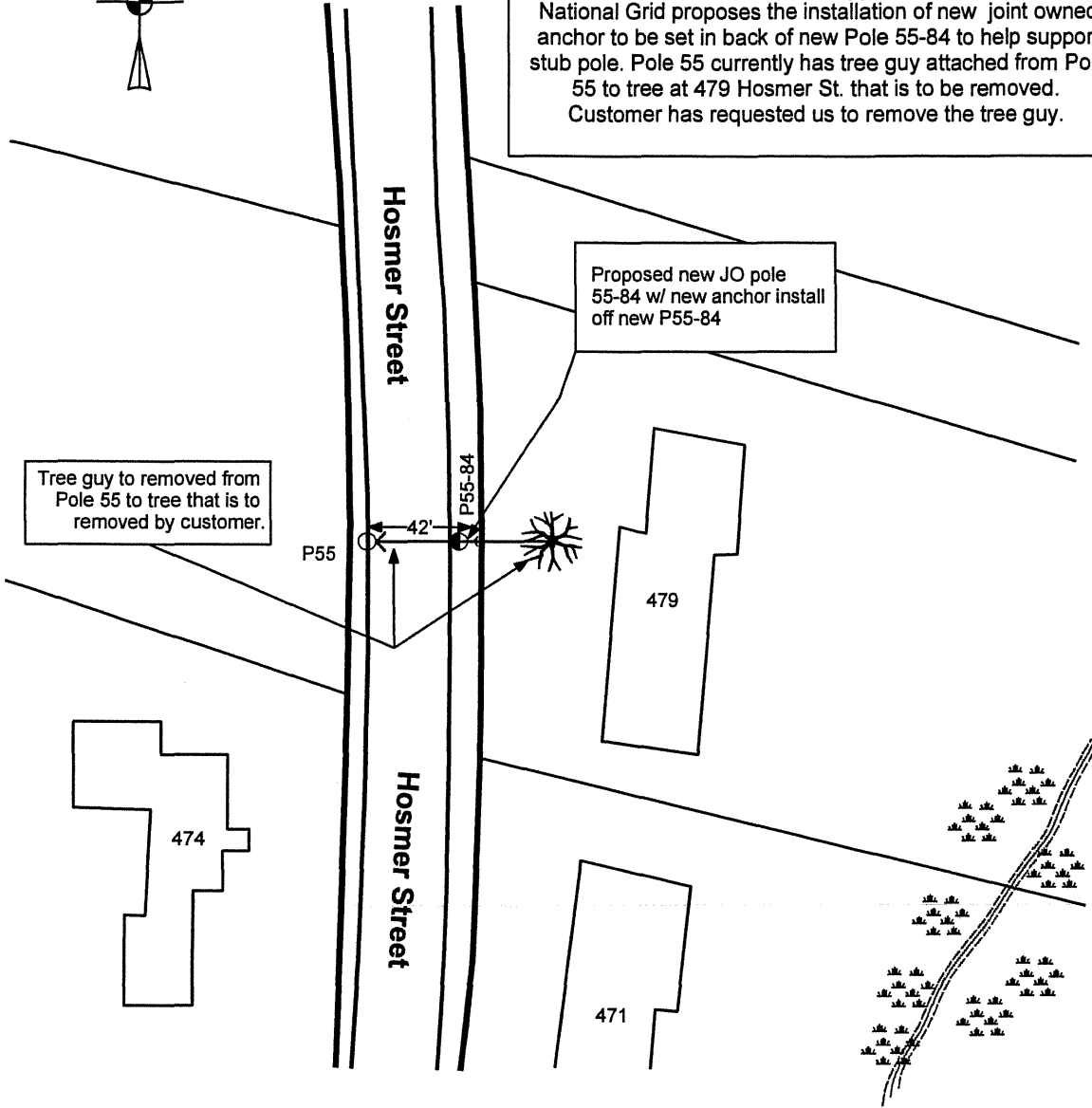
National Grid proposes the installation of new joint owned stub pole location #55-84 on public property. Pole will be set approximately 42' from existing joint owned pole # 55. National Grid proposes the installation of new joint owned anchor to be set in back of new Pole 55-84 to help support stub pole. Pole 55 currently has tree guy attached from Pole 55 to tree at 479 Hosmer St. that is to be removed. Customer has requested us to remove the tree guy.

LEGEND








- P#55  Existing Joint owned pole location
- P# 55-84  Proposed joint owned pole location
-  Proposed anchor/guy location
-  Existing tree guy to be removed
-  Existing tree location to be removed
-  Existing wetland location
-  Water location

Proposed new JO pole 55-84 w/ new anchor install off new P55-84

Tree guy to removed from Pole 55 to tree that is to removed by customer.



JOINT OWNED POLE PETITION

-  Proposed NGRID Pole Locations
-  Existing NGRID Pole Locations
-  Proposed J.O. Pole Locations
-  Existing J.O. Pole Locations
-  Existing Telephone Co. Pole Locations
-  Existing NGRID Pole Location To Be Made J.O.
-  Existing Pole Locations To Be Removed

DISTANCES ARE APPROXIMATE

nationalgrid

And

Verizon New England, Inc.

Date: 4/17/2014

Plan Number: 16763824

To Accompany Petition Dated: 04/17/2014

To The: City Of Marlborough

For Proposed: JO Pole: 55-84 & anchor Location: in front of 479 Hosmer Rd

Date Of Original Grant: TEXT

PETITION FOR JOINT POLE RE-LOCATIONS

Hopedale, MA 01747

April 14, 2014

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2014 MAY -9 A 8:49

To the City Council
of the City of Marlborough, Massachusetts

MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.

request permission to relocate poles, wires, cables and fixtures, including anchors, guys and other such necessary sustaining and protecting fixtures, along and across the following public way or ways:-

Poles 1,2,3,4 & 12 Simarano Dr

Relocate existing jointly owned poles 1,2,3,4, & 12 Simarano Dr to accommodate City of Marlboro road widening project.

Wherefore they ask that they be granted a joint relocation for and permission to erect and maintain poles, wires, cables and fixtures to be placed thereon, together with anchors, guys and other such sustaining and protecting fixtures as they must find necessary, said poles to be located substantially in accordance with the plan filed herewith marked: Plan No. 16451032 Dated: 03/10/2014

Also for permission to lay and maintain underground cables conduits, wires and necessary equipment 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: Christopher Montalto MB
Manager of Distribution Design

VERIZON NEW ENGLAND, INC.

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

ORDER FOR JOINT POLE RELOCATION

Hopedale, MA 01747

April 14, 2014

By the City Council
of the City of Marlborough, Massachusetts

IT IS HEREBY ORDERED:

that **MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.** be and they are hereby granted a joint relocation for and permission to erect and maintain poles and wires to be replaced 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 **15th day of April, 2014**

All construction under this order shall be in accordance with the following conditions:-
Poles shall be sound and timber, and reasonably straight, and shall be set substantially at the points indicated upon the plan marked:

Plan No. **16451032** Dated: **03/10/2014** filed with said petition.

There may be attached to said poles by said **MASSACHUSETTS ELECTRIC COMPANY** necessary wires, cables and fixtures and by said **VERIZON NEW ENGLAND, INC.** not to exceed **40** wires and **4** cables and all of said wires and cables shall be placed at a height of not less than **18** feet from the ground at highway crossings, and not less than 16 feet from the ground elsewhere.

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:-

Poles 1,2,3,4 & 12 Simarano Dr

Relocate existing jointly owned poles 1,2,3,4, & 12 Simarano Dr to accommodate City of Marlboro road widening project.

Also that permission be and herby is granted to each of said Companies to lay and maintain underground cables, conduits, wires and necessary equipment in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each 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 _____ 2014

Clerk of Council

CERTIFICATE

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 _____ 2014

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

We hereby certify that on _____ 2014 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
_____ 2014 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 Marlborough WR # 16451032
Town of Marlborough
(circle one)

Install 1 ^{SO}
(quantity) JO Poles on Simarano Drive
(circle one) (street name)

Remove _____ ^{SO}
(quantity) JO Poles on _____
(circle one) (street name)

Relocate 6 ^{SO}
(quantity) JO Poles on Simarano Drive
(circle one) (street name)

Beginning at a point approximately _____ feet _____ of the centerline
(distance) (compass heading)

of the intersection of Forest Street and Simarano Drive
(street name)

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

Install underground facilities:

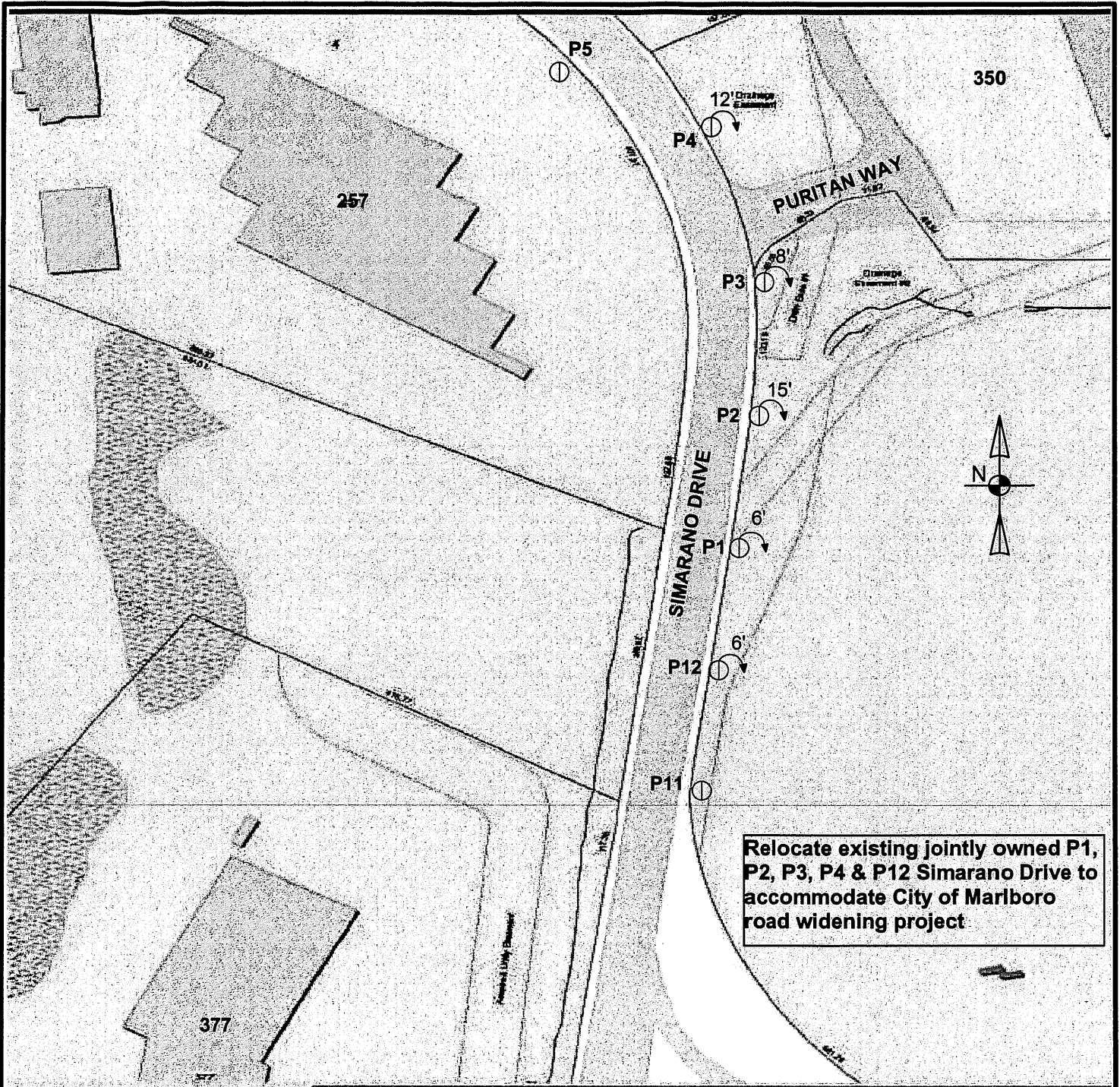
Street(s) _____

Description of Work:

Relocate P1, P2, P3, P4, P12, P22 and install new P21-84 on Simarano Drive to accommodate City of Marlboro road widening project.

ENGINEER Bruce Kut

DATE 03/10/14



JOINT OWNED POLE PETITION	
●	Proposed NGRID Pole Locations
○	Existing NGRID Pole Locations
◐	Proposed J.O. Pole Locations
⊕	Existing J.O. Pole Locations
⊙	Existing Telephone Co. Pole Locations
⊗	Existing NGRID Pole Location To Be Made J.O.
⊗	Existing Pole Locations To Be Removed
DISTANCES ARE APPROXIMATE	

nationalgrid And Verizon New England, Inc.	
Date:	03/10/14
Plan Number:	16451032
To Accompany Petition Dated:	03/10/14
To The:	City Of Marlborough
For Proposed:	Relocate Pole: Multiple Location: Simarano Dr
Date Of Original Grant:	TEXT

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

Hopedale, MA 01747

April 14, 2014

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2014 MAY -9 A 8:49

To the City Council
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:

Poles 22, 21-84 Simarano Dr

Relocate pole 22 Simarano Dr and install new guy pole 21-84 to accommodate City of Marlboro road widening project.

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. **16451032** Dated: **03/10/2014**

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: Christopher Montalto MB
Manager of Distribution Design

VERIZON NEW ENGLAND, INC.

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

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

Hopedale, MA 01747

April 14, 2014

By the City Council
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
14th day of April, 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. **16451032** Dated: **03/10/2014** 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:--

Poles 22, 21-84 Simarano Dr
Relocate pole 22 Simarano Dr and install new guy pole 21-84 to
accommodate City of Marlboro road widening project.

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 _____ 2014

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 _____ 2014 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

_____ 2014 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 Marlborough WR # 16451032
Town of Marlborough
(circle one)

Install 1 ^{SO}
(quantity) JO Poles on Simarano Drive
(circle one) (street name)

Remove _____ ^{SO}
(quantity) JO Poles on _____
(circle one) (street name)

Relocate 6 ^{SO}
(quantity) JO Poles on Simarano Drive
(circle one) (street name)

Beginning at a point approximately _____ feet _____ of the centerline
(distance) (compass heading)

of the intersection of Forest Street and Simarano Drive
(street name)

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

Install underground facilities:

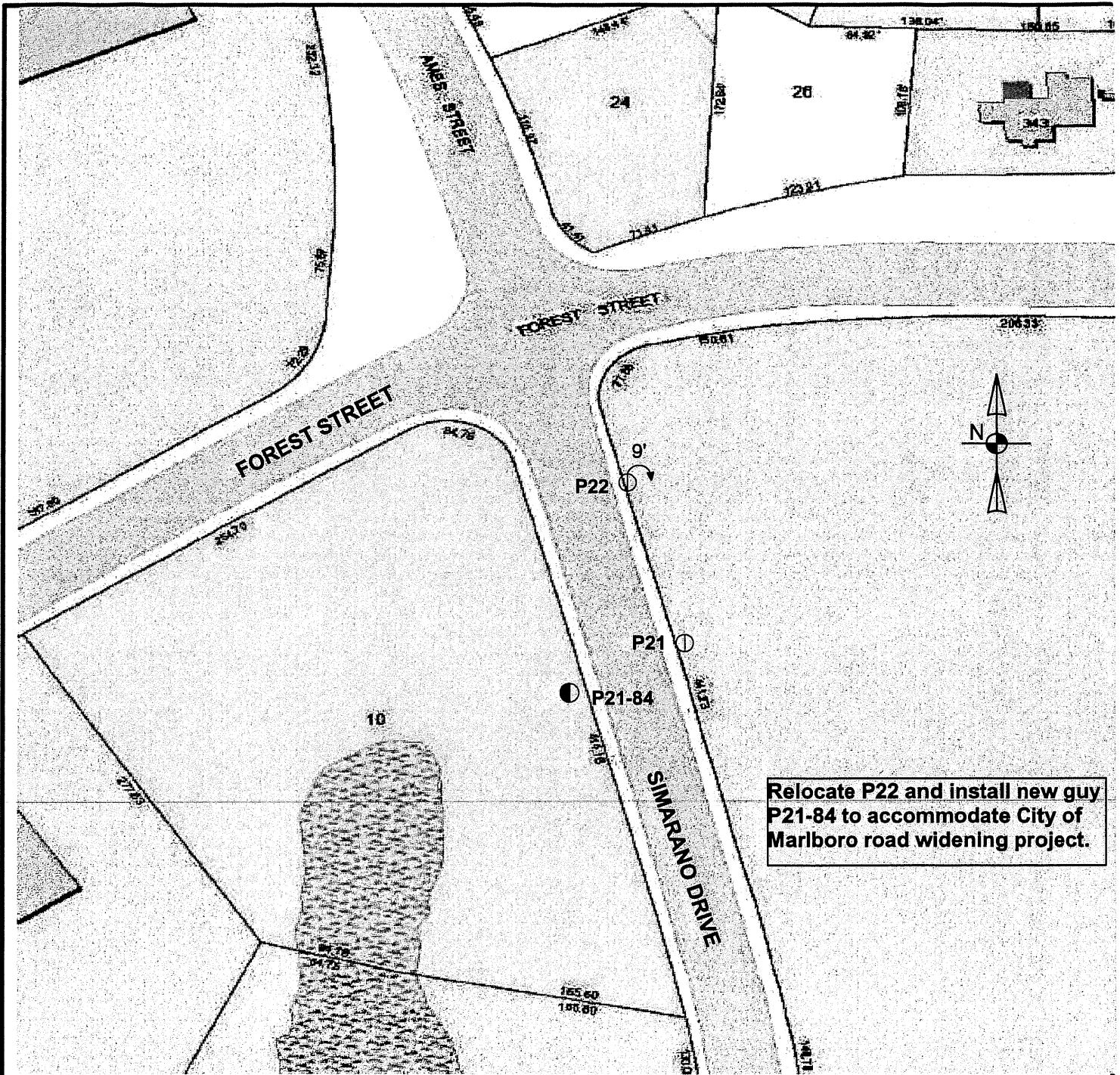
Street(s) _____

Description of Work:

Relocate P1, P2, P3, P4, P12, P22 and install new P21-84 on Simarano Drive to accommodate City of Marlboro road widening project.

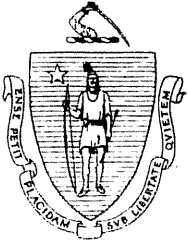
ENGINEER Bruce Kut

DATE 03/10/14



JOINT OWNED POLE PETITION	
●	Proposed NGRID Pole Locations
○	Existing NGRID Pole Locations
◐	Proposed J.O. Pole Locations
◑	Existing J.O. Pole Locations
⊕	Existing Telephone Co. Pole Locations
⊙	Existing NGRID Pole Location To Be Made J.O.
⊗	Existing Pole Locations To Be Removed
DISTANCES ARE APPROXIMATE	

nationalgrid And Verizon New England, Inc.	
Date:	03/10/14
Plan Number:	16451032
To Accompany Petition Dated:	03/10/14
To The:	City Of Marlborough
For Proposed:	Rel / Inst Pole: Multiple Location: Simarano Drive
Date Of Original Grant:	TEXT

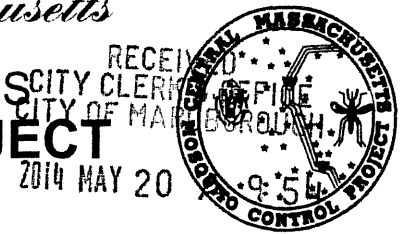


The Commonwealth of Massachusetts

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

May 19, 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 May and June 2014:

May 29, June 4,11,18,25

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

M E M O

**Central Mass.
Mosquito Control
Project**

www.cmmcp.org



DATE: May 27, 2014
SUBJECT: Upcoming mosquito season
TO: CMMCP member cities and towns
FROM: Timothy Deschamps, Executive Director

The Central Massachusetts Mosquito Control Project has been treating areas throughout your community where mosquito larvae are found. These inspections of larval mosquito sites will continue throughout the summer month. We have also begun a preemptive program of catch basin treatments where West Nile Virus was found last year to reduce *Culex* mosquito populations.

Warming temperatures coupled with standing water from spring rains have resulted in the season's first emergence of adult mosquitoes. CMMCP is prepared to begin limited adult mosquito spraying on or around June 2nd, weather permitting (night time temperatures and wind are the limiting factors this time of year). The Ultra Low Volume Spray operations for adult mosquitoes will be conducted in residential areas by **request only**, and only after an investigation has confirmed the existence of mosquitoes has exceeded a pre-determined threshold. The spraying is done after sunset utilizing hand-held or truck mounted sprayers.

Spray schedules have been mailed to Town/City Clerk; Health and Police Departments, and are on our website here: <http://www.cmmcp.org/pesticide.htm>. This information is also on our phone system after 3:30pm each day. These dates are subject to change due to inclement weather and/or high mosquito populations. Anyone who wishes to have their property **excluded from spraying** should notify the city/town clerk and the CMMCP office at (508) 393-3055 or no_spray@cmmcp.org.

We are continuing with our goal to reduce the need for adult mosquito spraying. We have placed an increased emphasis on larviciding, water management, source reduction and public education.

Please feel free to contact our office if we may be of assistance to you.

(508) 393-3055 Monday-Friday 7:00 AM to 3:30 PM

Thank you



follow us on
twitter

<https://www.facebook.com/Central.Mass.Mosquito>

<https://twitter.com/CMassMosquito>



**CITY OF MARLBOROUGH
RECREATION DEPARTMENT**

239 Concord Road
Marlborough, Massachusetts 01752
Tel (508) 624-6925 FAX (508) 624-6940 TTY (508) 460-8610

RECEIVED
CITY CLERK'S OFFICE
MARLBOROUGH

2014 MAY 15 P 12: 27

COMMISSIONERS
Brenda Calder
Thomas Evangelous
Robert Kays, Chairman
Nancy Klein
Mark Vital
Dennis Zilembo

DIRECTOR
David T. Grasso

PROGRAM MANAGER
Charles Thebado

March 12, 2014

Pursuant to notice duly filed with the City Clerk, a meeting of the Parks and Recreation Commission was held at 4:00pm., at the Recreation Commission Office.

Present were Commission Members: Chairman Kays, Commissioner Calder, Commissioner Zilembo, Commissioner Vital, Commissioner Evangelous and Commissioner Klein.

Also attending: Recreation Director David Grasso, Recreation Program Manager Chuck Thebado, General Foreman of the Forestry, Parks and Cemetery Division, Chris White and Conservation Officer Priscilla Ryder.

Approval of minutes 01-08-2014

On a motion duly made by Commissioner Vital and seconded by Commissioner Zilembo, it was unanimously: **VOTED:** To approve the 01-08-2014 minutes.

Old/New Business:

Conservation Officer Priscilla Ryder informed the Commission she is working on Memorial Beach signs regarding hours of operation and would like to know their opinion and suggestions.

There was a brief discussion regarding the walking trail to have it open nine months out of the year and have more restricted schedule during swimming lessons season. There was also a brief discussion if animals will be allowed during swimming season or if allowed at all.

One of the suggestions the Commission suggested is: "No swimming if lifeguard is not on duty". The Commission also suggested two signs: One sign for the fall, winter and spring and a second sign for the summer.

The Commission asked Conservation Officer Ryder to check with the Legal Department regarding legal issues that might rise when the Memorial Beach is open to residents and lifeguard is not on duty.

Conservation Officer Ryder stated that she will draft couple of signs and will presented to the Commission for their approval on the next Commission meeting.

The Commission thanked Ms. Ryder for her time and work to the Memorial Beach Project.

Parks Report:

General Foreman gave the following updated parks report:

- Stevens Park - Working to complete upgrades for the following projects: Lighting, playground, and tennis courts area.
- Removed snow from six fields and will try to do more as soon as possible.
- Baldelli and Hildreth Fields: Waiting for quotes.
- Pre order fertilizer.
- Weather permitted will start working and preparing fields for the upcoming season.

The Commission thanked Mr. White for his updated parks report.

Recreation Report:

Recreation Director David Grasso and Program Manager Chuck Thebado gave the following updated report:

- Project Winter Adventure went well – we had 42 kids signed.
- All winter programs went well.
- We just finalized our spring programs. We are offering 42 programs for youth and adults.
- All spring and Project Summer Adventure is online.
- We are in the process to start interviews for summer employees. \
- The majority of last years employees are returning.
- Beach and Pools ran great last year. Pools never closed.
- Clean sweep is May 3rd.
- Summer concerts are booked contingent on the approval of City Council funding.

There was a brief discussion regarding soccer nets for the Needham Soccer Tournament.

The Commission thanked Mr. Grasso and Mr. Thebado for their updated report.

Meeting adjourned at 5:08pm.

Attest to:



Simela Perdikomatis
Senior Clerk/Comm. Secretary

CITY OF MARLBOROUGH

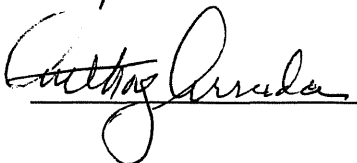
BOARD OF ASSESSORS

MEETING MINUTES: April 9, 2014

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2014 MAY 20 P 4:11

1. CALL TO ORDER: 2:35 pm
MEMBERS PRESENT: Anthony Arruda, Bradford Dunn
Also in attendance: Paula Murphy, Head Clerk
2. Motion to Accept minutes of the February 20, 2013 meeting : Mr. Arruda, second Mr. Dunn
Vote: 2-0
3. Motor Vehicle Excise Tax and Clause Exemption abatements were approved by Board.
4. Excise Tax Commitments 02-2014, 23-2013, 27-2012, 27-2011, bill date 4/7/14 were approved by board.
5. DISCUSSION AND VOTE: 41A Senior Tax Deferral applications; motion to approve: Mr. Arruda, second: Mr. Dunn, Vote: 2-0
Exempt Tax status for Raymond Rd parcel: motion to deny: Mr. Arruda, second: Mr. Dunn, Vote: 2-0
Application for Statutory Exemption under chapter 59, section 5, clause 3 starting Fiscal 2015 for 86 Pleasant St; motion to approve: Mr. Arruda, second: Mr. Dunn, Vote: 2-0
6. DISCUSSION AND VOTE: Real Estate abatement applications
377 Simarano Dr, 28 Boston Post Rd East, 2-10 Boston Post Rd East, 200 Donald J Lynch Blvd, Donald J Lynch Blvd (14-7), Robin Hill St (14-6), Donald J Lynch Blvd (14-4 & 14-5), 28 Lord Rd #267, 28 Lord Rd #280, 28 Lord Rd #285, 420 Lakeside Ave #103,
Motion to Grant: Mr. Arruda, second Mr. Dunn, Vote: 2-0
7. DISCUSSION AND VOTE: Real Estate abatement applications
300-350 Value Way, 400 Value Way, 82 Northboro Rd, 33 Boston Post Rd West, Boston Post Rd West (79-49A) : settlement on 2014 appeal contingent on withdrawal of 2013 appeal,
Motion to Grant: Mr. Arruda, second Mr. Dunn, Vote: 2-0
8. DISCUSSION AND VOTE: Real Estate abatement applications
107 Simarano Dr, Cedar Hill St parcels (116-5, 116-11), 257 Simarano Dr, 627 Donald J Lynch Blvd, 67 Forest St, Forest St (90-5), 277 Boston Post Rd West, 265-A lakeside Ave, 910 Boston Post Rd East, 80 Broadmeadow St, 400 Donald J Lynch Blvd,
Motion to Deny: Mr. Arruda, second Mr. Dunn, vote 2-0
9. MOTION TO CONCLUDE - Mr. Arruda, second Mr. Dunn
Meeting Adjourned : 4:22

4/29/14



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**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 Wednesday, April 30, 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, Fire Chief James Fortin and City Clerk Lisa Thomas. Also present: City Engineer Evan Pilachowski and Assistant City Engineer Tim Collins, Minutes taken by: Karen Lambert, MPD Records Clerk.

1- Minutes

The minutes of the Traffic Commission meeting of Tuesday, March 25, 2014.

MOTION was made, seconded, duly VOTED:
TO APPROVE

2-New Business

2a) Request for "Hidden Driveway" sign at 898 Concord Road.

The residents from this address submitted a formal request to the Traffic Commission. They stated in their letter, "The problem is that neither our driveway nor our mailbox is visible when traveling southwest until one is past the main part of the bend in the road. At that point, a car has very little time to stop, especially if they are going fast." They feel that a 'hidden driveway' sign may be helpful in making drivers more aware of the situation.

Chief Leonard advised that this type of issue would usually be referred to engineering for review. Tim Collins said that he thinks they may have looked at this area in the past. He recalls tree growth being a problem. Tree trimming would be helpful in opening up the view. He will check on it and confirm if it is a sight distance issue or a foliage issue. The homeowner may have to take care of some of the issue.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to review the issue and advise.

2b) Sight distance concerns at Winthrop St. & Lincoln St.

The Traffic Commission received a complaint with regard to a sight distance problem at this location. It appears that cars parked in front of The Lofts on the corner of Lincoln Street and Winthrop Street are blocking the view of oncoming traffic going east on Lincoln Street. This makes it dangerous to exit Winthrop Street onto Lincoln Street.

Chief Leonard doesn't think there are any parking restrictions on that side of the street. It could be that cars are parking too close to the intersection. Pam Wilderman commented that we may find that cars parked legally still impede the vision of drivers due to the crest of the hill. Chief Leonard advised that we may to look into the area as a whole. The next Agenda item also concerns this same area but relates to the crosswalk in front of the Lofts.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING for review and recommendations.

2c) Request for pedestrian crossing signs on Lincoln St. @ Renaissance Lofts.

This request came from the one of the property managers at this location. Tim Collins advised that he has been out to review the area. He presented photos from different angles. He noted that advance warning signs are up and there is also a sign for the crosswalk. Chief Leonard advised that he has spoken to the property manager directly and it appears that what he is actually looking for is a crosswalk cone like on Main Street. Chief Leonard went on to explain some history behind these cones. They cost close to \$300 each. They tend to not last long as they "disappear" or get hit by a car. There is the possibility of asking them to "adopt" the cone and be responsible for taking it in and out, however, he is reluctant to do this as he doesn't like the idea of sending someone in and out of a busy roadway. Chief Fortin asked if there was some type of reflective pavement that would highlight the crosswalk.

Tim Collins said that the crosswalk is so close to the signalized intersection that it actually makes more sense to walk up the street and cross at the signalized intersection. However, all realize that no one would do this to get to the lot across the street.

Pam Wilderman commented that it seems to be more of a traffic issue. She said that people are not inclined to slow down here. Drivers are looking ahead to the light or coming down the hill. Chief Leonard was looking for any suggestions. He can try to work on enforcement but there is definitely a grade issue here. There is really not too much that can be done.

He does not think we want to restrict parking on this side of the street as it would just cause problems on the other side. Tim Collins said that the lot across the street holds about 40 cars. Chief Leonard said that the problem could be with cars parking out front for the coffee shop. There is a city wide ordinance that states no parking 20 feet from an intersection. Chief Fortin asked if signs could be posted that marked the area stating no parking here to corner or possibly paint the corners to highlight the no parking area.

Chief Leonard said that we obviously don't do this on every intersection, however, in this instance it may be necessary. Tim Collins suggested marking two spots that are legally spaced so that cars won't park so close to the crosswalk. Chief Leonard advised that he would talk to the property manager who made the request and continue to monitor the area.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING and to the DPW to review the options available to highlight the no parking area and crosswalk situation and make suggestions.

MOTION was made, seconded, duly VOTED to REFER to Chief Leonard to contact the gentleman who made the request and to the POLICE DEPARTMENT to continue to monitor the situation.

2d) No parking signage on Liberty Street.

Chief Leonard received a complaint from Liberty Street residents regarding the parking situation there. They noted in their e-mail that "a large number of people moved into the two family house near the end. They are parking on their front lawn, on the sidewalk and on each side of the street making it virtually impossible for cars to get through and people to walk safely." They said that there used to be no parking signs here, however, they seem to be missing.

Pam Wilderman has ticketed vehicles and tried to contact the landlord by first class and certified mail, both of which were returned to sender. Chief Leonard advised that he would ask officers to ticket any illegally parked cars and check if any signs were missing. As of this date, he had not had a chance to get out to the location.

Pam Wilderman said that the problem really does appear to be with a specific location. The fence has been taken down on the front lawn and now cars are parking there with their ends sticking out into the street. They are in violation of zoning, parking regulations and city codes. She said she will continue to deal with this issue.

Chief Leonard would like someone to confirm the no parking regulations here and check if the appropriate signs are missing.

MOTION was made, seconded, duly VOTED to REFER to the DPW to check on this area and advise.

Fire Chief Fortin asked if he could make a point here. He has been at Hillside School recently for games and noticed that the parking signs are very old and hard to read. They need to be replaced.

3-Old Business

3e) Communication from Michael Oliveira, re: Price Chopper driveway on Hosmer St. traffic concerns.

Update: Pam Wilderman said that the bushes here have been cut back. The Traffic Commission had also suggested naming the Price Chopper driveway to highlight it, however, Mr. Connors is actually trying to discourage traffic from actually using this driveway. Pam Wilderman said that now that the bushes are cut back it's not really necessary. This issue has now been addressed.

3f) Discussion regarding Assabet Valley Rail Trail connection to downtown.

Tim Collins presented a large photo of the area with a diagram of the proposal. All agree that most people are going to go straight across Lincoln Street to get to the downtown area. The diagram showed the bike crossing printed on the road with advance warning signs. They are proposing that a bike logo be placed right along the route to follow including the bike crossing area on the second crossing. There would also be a bike rack with signage that includes instructions on both ways to go back (either to cross at the light further up Lincoln Street or at Cashman).

Chief Leonard's original concern was with kids coming down the hill on their bikes on the grade, however, he agrees that the options are limited. The possibility of a sign stating "steep grade" was suggested as this could at least alert parents. All agreed that this was a good idea. Tim Collins will add this to the diagram and send a PDF to the Chief and then forward it to Priscilla Ryder (as she made the original request for the Traffic Commission to review the plan).

MOTION was made, seconded, duly VOTED to REFER Tim Collins to make the change to the diagram and forward it to the Chief and Priscilla Ryder.

3g) Communication from Kraft Tire & Auto regarding Brigham/Maple/Walker St. intersection.

Tim Collins went out to this location yesterday for 30 minutes. He was there from 1:30 to 2:00pm and observed 50 vehicles in the area. At no instance was there a vehicle that could not get through the intersection. He also observed 6 vehicles exit Kraft's parking lot without a problem. Commissioner Ghiloni said that he was there at 5:00pm and could not get out. Tim Collins said that it could be a light issue. The light is green for 15 seconds. He observed 35 vehicles there for less than 10 seconds and 10 vehicles there for 15 seconds. If 3 cars backed up, you can't get out of the lot and it effects the whole intersection.

Tim Collins said that between 4:00 and 6:00pm there is a longer green light at the Maple Street Intersection. This light has an extra 15 seconds of green due to the volume of traffic at that time. The intersection of Mill St. and Walker St. has 15 seconds of green with no extra time allowed. It may be necessary to increase the maximum green times for this intersection at rush hour. Chief Fortin asked if we have a traffic count here. Tim Collins thinks that this was done at one time. Commissioner Ghiloni mentioned that he went out to talk to Mr. Kraft, however, he was not available at the time.

Chief Leonard said that other than waiting for a redesign of the intersection (which could be years away), adding green time during the busiest hours is really the only way to create a gap. Even 3-4 seconds at rush hour would at least allow a few more cars to take the left turn. It was noted that this was also done at the intersection of Bolton St. and

Union St. and the intersection of Bolton St. and Lincoln St. Tim Collins advised that in order to change the timing they would have to abide by the cost outlined in the Siemen's contract. He believes that the hourly rate is \$89.00 per hour.

MOTION was made, seconded, duly VOTED to REFER back to ENGINEERING to take care of this issue.

3h) Traffic concerns regarding decorative lights at 2-10 Boston Post Road East.

Tim Collins sent an e-mail to the Traffic Commission outlining the city's sign ordinance. The regulations actually includes an area where a "string of lights" can be a distraction to drivers. He noted in his e-mail, "If the Traffic Commission were to deem the lights are adversely affecting the safe vision of operators of vehicles moving on a public road, that would add credence to the Building Department's complaint that the lights are in violation of the Sign Ordinance."

Pam Wilderman advised that she has already received another request for this same type of lighting.

The Traffic Commission discussed the issue and all agreed that the lights are a distraction to drivers and therefore, a public safety concern.

MOTION was made, seconded, duly VOTED to REFER back to CODE ENFORCEMENT to handle the issue with the support of the Traffic Commission.

3a) Municipal off street parking regulation.

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

3b) High School parking regulations.

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

3c) Stop signs on Bigelow Street.

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

3d) Traffic Commission rules and regulations update.

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

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 10:44 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, April 30, 2014 (Including City of Marlborough Meeting Posting.

-E-mail from Christine Keene to Chief Leonard, dated 4/2/14, re: Driveway Sign Request.

-Copy of a letter from Flo Villeneuve to Chief Leonard, not dated, re: sight distance concerns at Lincoln St. & Winthrop St.

-E-mail from Nick Marchewka to Chief Leonard, dated 4/10/14, re: crosswalk pedestrian signage.

-E-mail from Sharon Judd to Ken Calder, dated 4/11/14, re: Inquiry on parking – Liberty Street. Including response from Pam Wilderman and Chief Leonard.

-E-mail from Tim Collins to Traffic Commission Members, dated 3/26/14, re: Illuminated windows (Including a copy of the sign ordinance) and a response from Pam Wilderman.

Additional Handouts

-None