

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2014 FEB 20 P 12:44

1. Minutes of the City Council Meeting, February 10, 2014.
2. PUBLIC HEARING On the Petition of NGRID and Verizon to relocate existing PC6 Laviolette Street 35' south towards the entrance to Lake Williams Condos. This will be used as a primary riser pole to feed a padmounted transformer. This is required to provide service to new building, Order No. 14-1005671.
3. PUBLIC HEARING On the Petition of NGRID and Verizon to relocate the following poles on West Hill Road: P12 (4' North), P15 (4' North), P18 (5' North), P27 (8' South), P28 (6' South), P31 (5' South), P30 (3.5' South) and installation of new Guy Stub Pole 12-84, Order No. 14-1005672.
4. PUBLIC HEARING On the Application for Special Permit from Bohler Engineering on behalf of VNG Co. to propose construction of a new compressed natural gas (CNG) facility with one new dispenser including minor site modifications and product piping at 413 Lakeside Avenue, Order No. 13/14-1005581C.
5. Communication from the Mayor re: DPW transfer requests totaling \$59,000.00 from and to various accounts as noted on the spreadsheets due to a noticeable increase in water main breaks.
6. Communication from the Mayor re: Fire Department transfer request in the amount of \$30,000.00 which moves funds from Educational and EMT to Contract Services for the purpose of utilizing an outside consulting firm to review policies, procedures, and overall operations of the Fire Department.
7. Communication from the Mayor re: Deficit Spending for Ice and Snow Account, cross referencing Order No. 14-1005686.
8. Communication from the Mayor re: Conservation Commission Appointments for the following with noted expiration terms:
Alan White, March 6, 2017, Lawrence Roy, March 7, 2016, Edward Clancy, March 6, 2017, John Skarin, March 7, 2016, David Williams, March 2, 2015 and Dennis Demers, March 2, 2015.
9. Application for Taxi License, Solomon Senteza, d/b/a Marlborough Taxi, 54B Charlesbank Way, Waltham, MA 02453. Note: Applicant stated that his business address is his residence in Waltham.
10. Application for Taxi License, Frank Sengabi, d/b/a Time Saver Transport, 900 Main St., Waltham, MA 02451. Note: Applicant stated that his business address is in Waltham.
11. Minutes, Conservation Commission, August 18, 2011, May 17, June 7, & June 21, 2012, February 7, March 7, March 21, April 4, April 25, May 9, May 23, June 6, July 1, July 18, August 22, September 5, September 19, October 3, October 17, November 7, November 21 and December 5, 2013.
12. Minutes, Recreation Commission, October 9, 2013.
13. Minutes, Planning Board, January 27, 2014.
14. Minutes, Marlborough Community Development Authority, November 21, and December 19, 2013.
15. Communication from Hanover Insurance Group, on behalf of Kathleen Blaisdell, 162 Kings Grant Rd.
16. Communication from Hanover Insurance Group, on behalf of Allan Black, 40 Bowstring Way.
17. Communication from Amica Mutual Insurance Company, on behalf of Louise Elias, 79 Deerfield Run, Unit 79.
18. CLAIMS:
 - A. Brad Leonard, 176 Beach St., other property damage
 - B. Daniel Donovan, 12 Fair St., other property damage
 - C. Alton Bradshaw, Jr., 66 Farrington Lane, residential mailbox claim 2(b)
 - D. Axel Knaf, 502 Williams St., pothole or other road defect

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:

19. The review of first responders being equipped with Naloxone "Narcan" to assist in life saving measures related to heroin overdoses. Refer to Human Services Committee.Submitted by Councilor Oram

UNFINISHED BUSINESS:

From Finance Committee

20. **Order No. 14-1005662 – Mid Year DPW Transfers for \$16,300.00.** The Finance Committee reviewed the Mayor's letter dated January 23, 2014 requesting two mid year transfers from within various DPW accounts totaling \$16,300.00. The purpose is to fund line items associated with interim/temporary promotions due to absences and vacancies, police overtime for details associated with water and sewer repairs, and overtime incurred from water main breaks. **The Finance Committee voted 4 – 0 (Councilor Irish absent) to approve the two transfers.**

From Urban Affairs Committee

21. **Order No. 14-1005670 - Communication from Tim Cummings, MEDC-Urban Land Institute (ULI TAP) Technical Assistance Program Final Report: Coordinating Action in Downtown Marlborough.**
-REFER TO URBAN AFFAIRS

A presentation of the final recommendations was made by the ULI panel of experts. In attendance were:

- Dick Lampman, G. Greene Construction (TAP Co-Chair - Construction)
- Scott Payette, Scott Payette Architects (TAP Co-Chair - Design)
- Andrew Suttor, Riemer & Braunstein
- Michelle Anders (SP), ULI Boston
- Michael Miller, MassDevelopment

Also in attendance was Tim Cummings, Executive Director MEDC

The panel presented the results of their observations, interviews, and discussions outlining their process, Planning Considerations, Challenges & Opportunities, Vision, and Recommendations.

Among other items of note the panel opined that downtown parking is "abundant" and that we only utilize approximately 50% of available-sufficient to support quite a bit of future growth.

Granger Boulevard is well under capacity and thus one or more lanes can be eliminated and used for bike lanes or pedestrian areas, streetscaping, or other visually appealing purposes. Recommended eliminating the "slip lane" feeding onto Granger from Route 20.

There is an opportunity to extend business hours to enhance the restaurant business. Lighting downtown, and in cross streets and alleys may need to be improved.

The current zoning is outdated and does not allow for mixed-use development and thus should be updated by means of an overlay district. A boutique type hotel may work well in an underutilized site, along with a gym/fitness center, and entertainment.

Allow for zero-foot setback minimums, change FAR (floor area ratios) requirements, change parking requirements to 2.5 space/1000 sq. ft. versus the current 10 space/1000, enforce current on-street parking regulations, and advertise free parking.

Establish a clearinghouse for incentives, financing, and tax credit programs.

Other recommendations were to maintain Main St. as a two-way thoroughfare, add bicycle lanes, extend the bike path downtown, reuse the US Postal Service Distribution Center parcel, and allow “blade” signs downtown.

Tim Cummings of the MEDC agreed to form a committee including local residents, MAPC, and city councilors to further study the details of a zoning change, gather stakeholder input, and make a recommendation back to the City Council for action by the beginning of May, 2014.

Motion made by Councilor Clancy to table, carried 5-0.

From Operations and Oversight Committee

22. **Order No. 14-1005647 - Communication from Mayor Vigeant requesting that a proposed Order which would revoke the City's acceptance of MGL Chapter 41, Section 100B and City of Marlborough, City Code Section 125-49, Retiree Indemnification Review Board be referred to the Operations and Oversight Committee for further discussion.**

-REFER TO OPERATIONS AND OVERSIGHT

Mayor Arthur Vigeant came before the Operations and Oversight Committee on February 3, 2014 to discuss the revocation of MGL Chapter 41, Section 100B per his letter dated January 9, 2014 to the City Council. In forty-one years there have been at most three cases of medical expenses, co-payments and medicines not covered by insurance, reimbursement to police officers or firefighters who have retired due to disability. Although the reimbursements were not for large amounts, the Mayor is concerned about potential abuse in the future as labor attorneys become involved in the reimbursement requests. The Committee believes the Mayor should provide some alternate solutions before revoking this local option.

Councilor Delano makes a motion to refer back to the Mayor. Councilor Landers seconds the motion to refer back to the Mayor. No discussion on the motion, all are in favor. It is approved, 3-0.

From Rules Committee

23. Overview of the Rules and minor technical adjustments as necessary – recommendation of Committee to approve minor technical adjustments. Vote 3-0 (copy of proposed Rules 2014 provided in councilors' mailboxes)



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

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

FEBRUARY 10, 2014

Regular meeting of the City Council held on Monday, February 10, 2014 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Pope, Oram, Ossing, Robey, Delano, Page, Tunnera, Irish, Clancy, and Landers. Absent: Elder. Meeting adjourned at 9:20 PM.

ORDERED: That the minutes of the City Council meeting JANUARY 27, 2014, **FILE**; adopted.

ORDERED: That the **PUBLIC HEARING** On the Application for Special Permit from Attorney Gadbois on behalf of DBK Realty, LLC, to construct a facility at 1000 Nickerson Rd. to store and use toxic chemicals in the manufacture of small specialty parts for the medical instrument, airline and defense industries, all were heard who wish to be heard, hearing recessed at 8:30 PM.

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

The City Clerk read a disclosure statement on behalf of Councilor Elder pursuant to MGL Chapter 39, § 23D that he will review all evidence received at tonight's public hearing, including but not limited to the relevant video recordings; and that he further intends to certify in writing that he has examined all such evidence, before the votes are taken on said applications.

City Council President Pope presented a proclamation to Attorney David Gadbois declaring March 6, 2014 as David Gadbois Day in the City of Marlborough.

ORDERED: That following transfer requests in the amount of \$63,559.06 which moves funds from Fringe to Sick Leave Buy Back to fund costs associated with the retirements of members of the Police and Public Works Departments, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --											
DEPT:		DPW - Water				FISCAL YEAR:		2014			
Available Balance		FROM ACCOUNT:				TO ACCOUNT:		Available Balance			
Amount	Org Code	Object	Account Description:			Amount	Org Code	Object	Account Description:		
\$463,313.00	\$18,740.88	11990006	51500	Fringes			\$18,740.88	61090003	51920	Sick Leave Buy Back	\$1,472.32
	Reason:	Sick Leave Buy Back					Retirement				

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		DPW - Streets Division				FISCAL YEAR:		2014		
Available Balance		FROM ACCOUNT:		TO ACCOUNT:				Available Balance		
Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:			
\$463,313.00	\$18,741.00	11990006	5150	Fringes	\$18,741.00	14001303	51920	Sick Leave Buy Back	\$2,183.89	
Reason:		Sick Leave Buy Back				Retirement				

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Police				FISCAL YEAR:		2014		
Available Balance		FROM ACCOUNT:		TO ACCOUNT:				Available Balance		
Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:			
\$463,313.00	\$26,077.18	11990006	51500	Fringes	\$26,077.18	12100003	51920	Sick Leave Buy Back	\$15,130.53	
Reason:		Sick Leave Buy Back				Retirement				

ORDERED: That the transfer request in the amount of \$12,000.00 which moves funds from Fringe to Actuarial Study to fund an actuarial study regarding our OPEB (Other Post-Employment Benefits) obligations, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Comptroller				FISCAL YEAR:		2014		
Available Balance		FROM ACCOUNT:		TO ACCOUNT:				Available Balance		
Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:			
\$463,313.00	\$12,000.00	11990006	51500	Fringes	\$12,000.00	11990006	53052	Actuarial Study	\$3,000.00	
Reason:		Surplus in account				Update OPEB report for GASB 45				

ORDERED: That the transfer request in the amount of \$10,000.00 which moves funds from Fringe to Conference & Training to fund participation in the Supervisory and Leadership Development Program through the Collins Center for Public Management, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Personnel				FISCAL YEAR:		2014		
Available Balance		FROM ACCOUNT:		TO ACCOUNT:				Available Balance		
Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:			
\$463,313.00	\$10,000.00	11990006	51500	Fringes	\$10,000.00	11520006	57380	Conference & Training	\$13,754.31	
Reason:		Surplus in account				Personnel Management training				

ORDERED: That the transfer request in the amount of \$1,710.00 which moves funds from P/T Nurse to Medical Supplies to fund higher than anticipated demand for flu vaccinations, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Board of Health				FISCAL YEAR:		2014		
Available Balance		FROM ACCOUNT:		TO ACCOUNT:				Available Balance		
Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:			
\$12,608.15	\$1,710.00	15120001	50391	Part Time Nurse	\$1,710.00	15120005	55050	Medical Supplies	\$152.93	
Reason:		Surplus due to retirement				Heavy activity this year for flu vaccines				

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Conservation Grant in the amount of \$2,000.00 from The Butler Family Foundation to assist with ongoing maintenance of the Felton Conservation Land and other conservation related maintenance; adopted.

ORDERED: That pursuant to Chapter 44, section 31D of the General Laws of the Commonwealth of Massachusetts, which authorizes the City to incur liability and make expenditures for any fiscal year in excess of appropriation for snow and ice removal, the City Council of the City of Marlborough, upon the recommendation of the Mayor, approves expenditures in excess of available appropriation up to \$1,250,000 for snow and ice removal for fiscal year 2014, refer to **FINANCE COMMITTEE**; adopted.

ORDERED: That the Reappointments of the following to the Disabilities Commission refer to **PERSONNEL COMMITTEE**; adopted.

Debra McManus for a term of two years, John Usinas for a term of three years, Richard Towle for a term of two years and Pat Winske for a term of three years.

ORDERED: That the Retirement of DPW Commissioner Ronald LaFrenier, **FILE**; adopted.

ORDERED: That the Appointment of John Ghiloni as DPW Commissioner for term of five years effective the day after his appointment, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED:

Be it ordained by the City Council of the City of Marlborough, acting upon a recommendation of the Mayor, that Article VI, Board of Tax Assessors, of the Code of the City of Marlborough (hereinafter, the "City Code"), as amended, be further amended as follows:

I. By striking paragraphs A. and B. in their entirety from § 67-27, and inserting in place thereof the following:

A. There shall be a Board of Tax Assessors comprised of three members who shall be appointed by the Mayor, subject to confirmation by the City Council, for a term of three years and until his/her successor is qualified.

B. No member of the Board of Tax Assessors shall receive compensation if he/she is an employee of the City of Marlborough or an employee of a vendor or company which provides contracted services to the Assessors' Office.

C. The members of the Board of Tax Assessors shall annually choose as Chairman one of their number who is not an employee of the Assessors' Office and not an employee of a vendor or company which provides contracted services to the Assessors' Office.

II. By striking in its entirety § 67-28, and inserting in place thereof the following new § 67-28:

§ 67-28 Principal Assessor; powers and duties.

- A. There shall be a Principal Assessor, appointed by the Mayor and subject to confirmation by the City Council, who shall serve a term of three years and until his/her successor is qualified. The Principal Assessor shall not be subject to an additional appointment by the Mayor to the Board of Tax Assessors.
 - B. The Principal Assessor shall serve as a member of the Board of Tax Assessors and shall oversee the day to day operations of the Assessors' Office. The Principal Assessor shall also be responsible for the administrative, technical and supervisory work related to the valuation and revaluation of all residential, industrial and commercial real estate and personal property, including triennial recertification in conformance with regulations of the Department of Revenue, and for the preparation of estimates of city-wide valuations for use in budget appropriations.
 - C. The Principal Assessor shall obtain evidence of all assets and income as required to be reported pursuant to all exemption and deferral programs, including certified or notarized statements, income tax returns or other verification satisfactory to the Principal Assessor.
 - D. Additional responsibilities of the Principal Assessor include managing the defense of the City in cases before the Appellate Tax Board or other governing bodies, and in conjunction with the Board of Tax Assessors, processing tax exemptions and abatements.
 - E. The Principal Assessor shall be qualified in accordance with the regulations of the Department of Revenue, and shall at the time of appointment be designated a Massachusetts Accredited Assessor (MAA), or shall obtain said designation within one year of appointment. The Principal Assessor shall also be designated a Certified General Real Estate Appraiser by the Commonwealth of Massachusetts at the time of appointment, or shall obtain said designation within one year of appointment.
- III. By striking from § 67-32, as amended, the word "Chairman" as it appears therein and inserting in place thereof the words "Principal Assessor," by striking the word "He" as it appears therein and inserting in place thereof the words "He/She," and by striking the words "Tax Assessing Department" and "Assessor's Office" as they appear therein and inserting in place thereof the words "Assessors' Office."

REFER TO LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE; adopted.

ORDERED:

Be it ordained by the City Council of the City of Marlborough, acting upon a recommendation of the Mayor, that § 67-10 of Article VI of the Code of the City of Marlborough (hereinafter, the "City Code"), as amended, be further amended as follows:

1. To paragraph A. of § 67-10, by deleting from the first sentence " , except for the initial term as set forth below." and by inserting a period after the word "years".

2. To paragraph A. of § 67-10, by inserting in the third sentence after the word "Marlborough" the words "and will be the Chief Financial Officer of the City."
3. To paragraph A of § 67-10, by deleting the last sentence of said paragraph.
4. To paragraph B. of § 67-10, by deleting the second sentence in its entirety and inserting in place thereof the following sentence: "He/She shall oversee and have administrative oversight of the Municipal Finance Department which shall include the offices of Collector and Assessors'."
5. By deleting in its entirety paragraph D. of § 67-10.

REFER TO LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE; adopted.

ORDERED:

Be it ordained by the City Council of the City of Marlborough, acting upon a recommendation of the Mayor, that § 7-31 of Article IV of the Code of the City of Marlborough (hereinafter, the "City Code"), as amended, be further amended as follows:

By inserting, after paragraph B., a new paragraph C.: "The Commissioner of Public Works shall assume the duties and responsibilities of the Water Registrar, City of Marlborough. Said Commissioner of Public Works shall comply with and be responsible for the duties of the Water Registrar as contained in §§ 510-14 and 608-8 of the City Code, and file reports as required by § 67-9 of the City Code."

REFER TO LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE; adopted.

ORDERED: That the Communication from Council President Pope re: Reappointment of Lisa Thomas as City Clerk for a three year term to expire on February 28, 2017, refer to **PERSONNEL COMMITTEE;** adopted.

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 AS FOLLOWS:

- I. Section 650-17, entitled "Table of Uses," is hereby amended:
 - i. by amending the business use entitled "Medical clinic" so as now to be entitled "Medical office/clinic"; and
 - ii. by regulating that business use, as amended, so as to allow medical offices and/or clinics as of right in the Business (B) district, as follows:

Medical office/clinic	RR	A1	A2	A3	RB	RC	RCR	B	CA	LI	I
	SP	SP	SP	SP	SP	Y	Y	Y	N	N	N

- II. Section 650-5, entitled "Definitions; word usage," is hereby amended:
- i. by amending the heading entitled "MEDICAL CLINIC" so as now to be entitled "MEDICAL OFFICE/CLINIC"; and
 - ii. by deleting the definition of "MEDICAL CLINIC" and inserting in place thereof a definition for "MEDICAL OFFICE/CLINIC," as follows:

MEDICAL OFFICE/CLINIC – Buildings or portions thereof used by or for licensed physicians and other licensed healthcare practitioners, at which not more than three (3) physicians at one time are practicing daily at the office or clinic with the necessary support staff and occupying a total of no more than 5,000 square feet of space which is designed, intended or used for providing, on a less than 24-hour basis, medical services, including but not limited to urgent care for the treatment of injuries or illness, laboratory testing and x-rays, and occupational health services for employers and employees; but, however, not including elective surgical care, dental clinics, narcotic detoxification and/or maintenance facilities, and medical marijuana treatment centers.

That there being no objection thereto set **Monday, March 10, 2014** as a date for a **PUBLIC HEARING**, refer to **PLANNING BOARD, URBAN AFFAIRS COMMITTEE AND ADVERTISE**; adopted.

ORDERED: That the Communication from City Solicitor Donald Rider re: Proposed Zoning Amendment, Dental Clinics containing the revisions recommended by the Committee, Order No. 13/14-1005578B, **MOVED TO ITEM 31**; adopted.

ORDERED: That the Communication from City Solicitor Donald Rider re: Application for Special Permit by Atty. Bergeron on behalf of Sandra & Anthony Antico Real Estate LLC and Sky High Studios, Inc. to open commercial recreation establishment at the property, specifically an exercise and fitness facility, at 289 Elm Street, in proper legal form, Order No. 13/14-1005582D, **MOVED TO ITEM 30**; adopted.

ORDERED: That the Communication from Tree Warden Christopher White re: Vegetation Management Plan 2014-2018, refer to **OPERATIONS AND OVERSIGHT COMMITTEE**; adopted.

ORDERED: That the Communication from Bohler Engineering on behalf of VNG Co. re: request to extend Time Limitations to hold **PUBLIC HEARING** on the Application for Special Permit, 413 Lakeside Ave. to propose construction of a new compressed natural gas (CNG) facility with one new dispenser including minor site modifications and piping to February 28, 2014 until 5:00 PM, Order No. 13-1005581, **APPROVED**; adopted.

ORDERED: That the Minutes, Board of Assessors, September 25, 2013 & January 23, 2014, **FILE**; adopted.

ORDERED: That the Minutes, Marlborough High School Council, January 8, 2014, **FILE**; adopted.

ORDERED: That Minutes, Planning Board, January 13, 2014, **FILE**; adopted.

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

- A. Yvonne Burton, 73 Minehan Lane, residential mailbox claim 2(a)
- B. Krista Duane, 562 Hemenway Street, pothole or other road defect
- C. Lorrain Galvin, 217 Miles Standish Drive, residential mailbox claim 2(a)

Reports of Committees:

Councilor Ossing reported the following out of the Finance Committee:

Present: Chairman Ossing; Finance Committee members Councilors Robey, Oram, and Elder. Councilors Pope, Clancy, Landers and Page were also in attendance. The meeting convened at 7:00 PM.

Order No. 14-1005662 – Mid Year DPW Transfers for \$16,300.00. The Finance Committee reviewed the Mayor's letter dated January 23, 2014 requesting two mid year transfers from within various DPW accounts totaling \$16,300.00. The purpose is to fund line items associated with interim/temporary promotions due to absences and vacancies, police overtime for details associated with water and sewer repairs, and overtime incurred from water main breaks. **The Finance Committee voted 4 – 0 (Councilor Irish absent) to approve the two transfers.**

Council President Pope orally reported that the Rules Committee met on February 3, 2014 to review the current City Council Rules. She reminded Council that they accepted the Rules at the Organizational Meeting. Some minor changes have been made and the Council Secretary will be providing a "clean" copy to all Councilors by which a vote can take place at the next meeting.

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

Committee members Delano, Clancy, Landers, Tunnera, & Page along with Councilors Elder, Irish, Oram, Robey, and President Pope were in attendance.

The Urban Affairs Committee met to take up **Order No. 14-1005670.**

Communication from Tim Cummings, MEDC-Urban Land Institute (ULI TAP) Technical Assistance Program Final Report: Coordinating Action in Downtown Marlborough. -REFER TO URBAN AFFAIRS

A presentation of the final recommendations was made by the ULI panel of experts. In attendance were:

- Dick Lampman, G. Greene Construction (TAP Co-Chair - Construction)
- Scott Payette, Scott Payette Architects (TAP Co-Chair - Design)
- Andrew Suttor, Riemer & Braunstein
- Michelle Anders (SP), ULI Boston
- Michael Miller, MassDevelopment

Also in attendance was Tim Cummings, Executive Director MEDC

The panel presented the results of their observations, interviews, and discussions outlining their process, Planning Considerations, Challenges & Opportunities, Vision, and Recommendations. Among other items of note the panel opined that downtown parking is "abundant" and that we only utilize approximately 50% of available-sufficient to support quite a bit of future growth.

Granger Boulevard is well under capacity and thus one or more lanes can be eliminated and used for bike lanes or pedestrian areas, streetscaping, or other visually appealing purposes. Recommended eliminating the "slip lane" feeding onto Granger from Route 20.

There is an opportunity to extend business hours to enhance the restaurant business. Lighting downtown, and in cross streets and alleys may need to be improved.

The current zoning is outdated and does not allow for mixed-use development and thus should be updated by means of an overlay district. A boutique type hotel may work well in an underutilized site, along with a gym/fitness center, and entertainment.

Allow for zero-foot setback minimums, change FAR (floor area ratios) requirements, change parking requirements to 2.5 space/1000 sq. ft. versus the current 10 space/1000, enforce current on-street parking regulations, and advertise free parking.

Establish a clearinghouse for incentives, financing, and tax credit programs.

Other recommendations were to maintain Main St. as a two-way thoroughfare, add bicycle lanes, extend the bike path downtown, reuse the US Postal Service Distribution Center parcel, and allow "blade" signs downtown.

Tim Cummings of the MEDC agreed to form a committee including local residents, MAPC, and city councilors to further study the details of a zoning change, gather stakeholder input, and make a recommendation back to the City Council for action by the beginning of May, 2014.

Motion made by Councilor Clancy to table, carried 5-0.

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

Present: Chairman Elder; Operations and Oversight Committee Members Councilors Delano and Landers, Councilors Page, Robey, Oram

Also Present: Mayor Arthur Vigeant

1-13-14- Order No. 14-1005647

Communication from Mayor Vigeant requesting that a proposed Order which would revoke the City's acceptance of MGL Chapter 41, Section 100B and City of Marlborough, City Code Section 125-49, Retiree Indemnification Review Board be referred to the Operations and Oversight Committee for further discussion.

-REFER TO OPERATIONS AND OVERSIGHT

Mayor Arthur Vigeant came before the Operations and Oversight Committee on February 3, 2014 to discuss the revocation of MGL Chapter 41, Section 100B per his letter dated January 9, 2014 to the City Council. In forty-one years there have been at most three cases of medical expenses, co-payments and medicines not covered by insurance, reimbursement to police officers or firefighters who have retired due to disability. Although the reimbursements were not for large amounts, the Mayor is concerned about potential abuse in the future as labor attorneys become involved in the reimbursement requests. The Committee believes the Mayor should provide some alternate solutions before revoking this local option.

Councilor Delano makes a motion to refer back to the Mayor. Councilor Landers seconds the motion to refer back to the Mayor. No discussion on the motion, all are in favor. It is approved, 3-0.

ORDERED: That the Fire Department transfer requests in the amount of \$48,704.98 which moves funds from Fringe to Firefighter to fund vacation buyback and a transfer in the amount of \$45,709.92 which moves funds from Fringe to Sick Leave and Firefighter to fund sick leave buy back and benefits associated with an anticipated retirement, **APPROVED**; adopted.

FROM:

Acct. # 11990006-51500	\$48,704.98
Fringe	

TO:

Acct. # 12200001-50450	\$48,704.98
Firefighter	

FROM:

Acct. # 11990006-51500	\$45,709.92
Fringe	

TO:

Acct. # 12200003-51920	\$37,063.80
Sick Leave	

Acct. # 12200001-50450	\$8,646.12
Firefighter	

ORDERED: That the Fire Department transfer request in the amount of \$100,000.00 which moves funds from Firefighter to Overtime due to injuries, unanticipated retirements and long term illnesses of several members of the department, **APPROVED**; adopted.

FROM:

Acct. # 12200001-50450	\$100,000.00
Firefighter	

TO:

Acct. # 12200003-51300	\$100,000.00
Overtime	

ORDERED: That the Police Department transfer request in the amounts of \$168,090.00 and \$4,000.00 which moves funds from and to various accounts to fund overtime costs associated with retirements of and injuries to officers in the department and for in-service training for newly promoted officers as well as increased membership dues respectively, **APPROVED;** adopted.

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Police		FROM ACCOUNT:				TO ACCOUNT:				FY: 2014
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$1,319,816	\$91,000.00	12100001	50420	Police Officers	\$91,000.00	12100003	51310	OT - Regular	\$40,164	
	Reason:	Surplus due to vacancies and injuries				Funds needed because of high use due to vacancies and injuries				
\$204,841	\$47,590.00	12100003	51213	Public Safety Disp.	\$47,590	12100003	51310	OT - Regular	\$40,164	
	Reason:	Surplus due to vacancy and grant funds				Funds needed because of high use due to vacancies and injuries				
\$137,903	\$14,000.00	12100003	51320	OT - Court	\$14,000	12100003	51310	OT - Regular	\$40,164	
	Reason:	Fewer officers needed for court thus far				Funds needed because of high use due to vacancies and injuries				
\$137,903	\$5,500.00	12100003	51320	OT - Court	\$5,500.00	12100003	51319	OT - Cell Watch	\$183	
	Reason:	Fewer officers needed for court thus far				More prisoners needing suicide watch				
\$137,903	\$10,000.00	12100003	51320	OT - Court	\$10,000	12100003	51490	Holiday	\$99,171	
	Reason:	Fewer officers needed for court thus far				Several mid week holidays resulting in higher holiday pay				
	\$168,090.00	Total			\$168,090.00	Total				

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Police		FROM ACCOUNT:				TO ACCOUNT:				FY: 2014
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$137,903	\$2,000.00	12100003	51320	OT - Court	\$2,000.00	12100003	51395	In Service Training	\$1,883	
	Reason:	Fewer officers needed for court thus far				More funds needed due to new FTO's and Sgts.				
\$137,903	\$2,000.00	12100003	51320	OT - Court	\$2,000	12100006	57340	Dues and Subscriptions	\$32	
	Reason:	Fewer officers needed for court thus far				Increases in dues and subscription costs				
	\$4,000.00	Total			\$4,000.00	Total				

ORDERED: That the Public Facilities Department transfer request in the amount of \$10,000.00 which moves funds from Custodian to Gross Overtime due to weather related emergencies and HVAC issues, **APPROVED**; adopted.

FROM:

Acct. # 11920003-50560 \$10,000.00

Custodian

TO:

Acct. # 11920003-51300 \$10,000.00

Gross Overtime

ORDERED:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING CHAPTER 473, ENTITLED "POLES, WIRES AND CONDUITS," AND CHAPTER 7, ENTITLED "ADMINISTRATION," AS FOLLOWS:

- A. Chapter 473 is hereby amended by deleting section 473-1 in its entirety and replacing it with the following:

§ 473-1. Appointment of Inspector of Wires

The Mayor shall appoint an Inspector of Wires for a term of three years. The position of Inspector of Wires shall be a salaried position.

- B. Chapter 7 is hereby amended by deleting section 7-80 in its entirety and replacing it with the following:

§ 7-80. Assistant Plumbing Inspector & Assistant Wiring Inspector.

There shall be an Assistant Plumbing Inspector and an Assistant Wiring Inspector, who shall perform the duties of the Plumbing Inspector and the Wiring Inspector, respectively, as needed under the direction of the Building Inspector. The positions of Assistant Plumbing Inspector and Assistant Wiring Inspector shall be compensated in accordance with the salary ordinance on a per inspection basis.

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

Councilor Irish abstained

ORDERED:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING CHAPTER 125, ENTITLED "PERSONNEL," AS FOLLOWS:

POSITION	EFFECTIVE DATE	MINIMUM	MAXIMUM
Wiring Inspector* (* part-time salary based on a 19 hour work week)	1/2/14	630.80	630.80
Assistant Wiring Inspector & Assistant Plumbing Inspector	1/2/14	\$25.00 / per inspection	

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

Councilor Irish abstained

ORDERED: That the Building Department transfer requests totaling \$17,500.00 for various reasons as noted on the attached spreadsheet, **APPROVED**; adopted.

BUDGET TRANSFERS --									
DEPT:		Inspectional Services				FISCAL YEAR:		2014	
FROM ACCOUNT:						TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$17,000.00	\$17,000.00	83600	32703	Stabilizaiton - Bldg Dept	\$7,650.00	12410001	50260	Assistant Bldg Inspector	\$61,518.94
		Reason: To offset additional costs & promote timely inspections				To ensure adequate funding through FY14			
\$500.00	\$500.00	83600	32717	Stabilizaiton - Bldg Dept	\$6,850.00	12410001	50380	Electrical Inspector	\$13,285.43
		Reason: To offset additional costs & promote timely inspections				To ensure adequate funding through FY14 and to account for pending salary ordinance amendments			
					\$3,000.00	12410001	50960	Assistant Plumbing Inspector	\$356.88
		Reason:				To ensure adequate funding through FY14 and to account for pending salary ordinance amendments			
		Reason:							
	\$17,500.00	Total			\$17,500.00	Total			

Councilor Irish abstained

Yea: 9 - Nay: 0 – Absent: 1 – Abstain: 1

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

Absent: Elder

Abstain: Irish

**DECISION ON A SPECIAL PERMIT
CITY COUNCIL ORDER NO.**

The City Council of the City of Marlborough hereby GRANTS the application for a Special Permit to Sandra and Anthony Antico Real Estate LLC (the "Applicant Landlord") and Sky High Studios, Inc. (hereinafter "Applicant Tenant"), as provided in this Decision and subject to the following Findings of Fact and Conditions:

FINDINGS OF FACT

1. The Applicant Landlord is a duly organized and existing Massachusetts Limited Liability Company with its principal place of business located at 72 Jefferson Street, Marlborough, MA 01752. Applicant Tenant is a duly organized Massachusetts corporation with a principal place of business at 289 Elm Street, Suite 114, Marlborough, MA 01752.
2. The Applicant Landlord is the title owner of the property located at 289 Elm Street, which is shown on a plan attached to this decision as Attachment #1 (the "Site"). Applicant Landlord and Applicant Tenant have executed a Lease regarding Suite 114 at the Site, and Suite 114's use pursuant to the terms of this special permit.
3. The Applicants seeks permission to utilize Suite 114 as a commercial recreation establishment.
4. The Applicant Landlord and Applicant Tenant, on October 18, 2013, filed with the City Clerk of the City of Marlborough, an Application for a Special Permit under the provisions of §650-17 and pursuant to the procedures specified in §650-59 of the Marlborough Zoning Ordinance (the "Application").
5. The Site contains an existing commercial building as shown on the site plan submitted with the Application (the "Site Plan"), an 8 ½ x 11 version of which is attached hereto as Attachment #2. No modifications are proposed to the exterior of the building, no structural modifications are proposed to the interior of the building, and no parking areas will be created or modified.
6. The Applicants seek a special permit allowing the establishment of commercial recreation establishment that will provide for fitness training using both pole fitness and aerial aerobics techniques.
7. The Site Plan was certified by the Building Commissioner, acting on behalf of the City Planner, as having complied with Rule 5, items A through J, of the Rules and Regulations promulgated by the City Council for the issuance of a special permit.
8. Pursuant to the Rules and Regulations of the City Council and the provisions of M.G.L. c. 40A, the City Council established a date for public hearing for the Application and the City Clerk caused to be advertised said date in the MetroWest Daily News and sent written notice of said hearing to those abutters entitled to notice under law.

9. The Marlborough City Council pursuant to M.G.L. c. 40A held a public hearing on January 13, 2014, concerning the Application. The hearing was opened and closed at that meeting.

10. The Applicants' attorney presented evidence at the public hearing detailing the proposed use and its limited impact upon City services, the neighborhood and traffic.

11. At the public hearing, Lauren Forest, President of Sky High Studios, Inc., who will also be managing the operation of the business, described the proposed business as being one that would provide a unique combination of exercise instruction, combining two forms of adult (age 15 and older) exercise and fitness training that have become increasingly popular: pole fitness and aerial aerobics. She testified that neither of these forms of fitness training is currently available in this geographical area. She provided illustrations of the equipment to be used in such training. All of the equipment, she said, is currently available for viewing at the proposed permit location. She indicated at the public hearing that her hours of operation were proposed to be:

- Monday-Thursday: 10:00 AM – 9:00 PM
- Friday-Sunday: (regular) 10:00 AM – 4:00 PM
- Friday-Sunday (special events) 5:00 PM – 10:00 PM

She indicated that, given the location of Suite 114, the operation of the business would not in any way disrupt area residences. She estimated that the total number of people at the site at any one time would be 20, and that the peak parking demand would be for 20 parking spaces. She said that she also intends to allow the use of the facility for private functions. She showed building plans indicating where Suite 114 is located in the building, and showing that it is located far away from any residence in the area.

12. A number of Marlborough residents spoke in favor of the proposal. A petition supporting the proposal was also presented by Applicant Tenant. The petition, which includes over 100 signatures, is in the files of the Urban Affairs Committee. No one spoke in opposition to the proposal.

13. Following the close of the public hearing, the Urban Affairs Committee conducted meetings regarding the proposal on January 21, 2014. At that time, the members of the Committee developed proposed permit conditions that are reflected below. There was a vote of the Committee recommending approval of the proposal with those conditions. The vote was 5-0 in favor.

REASONS FOR APPROVAL OF APPLICATION FOR SPECIAL PERMIT

A. The City Council finds that the Applicants have complied with all Rules and Regulations promulgated by the Marlborough City Council for an application as they pertain to the Special Permit.

B. The use of Suite 114 for a commercial recreation establishment to provide instruction in pole fitness and aerial aerobics is an appropriate use of Suite 114 and is in harmony with the general purpose and intent of the Zoning Ordinance of the City of Marlborough, subject to appropriate terms and conditions provided for herein. The use sought and its impacts and characteristics are not in conflict with the public health, safety, convenience and welfare, provided the safeguards and limitations imposed herein are met.

C. The City Council, pursuant to its authority under M.G.L. c. 40A, § 9 and Chapter 650 of the Marlborough City Code, GRANTS the Applicant Landlord and the Applicant Tenant, their successors and assigns, a Special Permit to operate a commercial recreation establishment as per plans filed with the City Council and the City Clerk, SUBJECT TO THE FOLLOWING CONDITIONS:

1. Signage: Any signage installed or erected on the Site shall meet the requirements of the Sign Ordinance of the City of Marlborough, without variance.
2. Compliance with Local, State and Federal Laws: The Applicant Landlord and the Applicant Tenant agree to comply with all rules, regulations and ordinances of the City of Marlborough, Commonwealth of Massachusetts and the Federal Government as they may apply to the construction, maintenance, equipping and operation of the facility.
3. Hours of Operation: The hours of operation of the facility shall not be earlier than 8:30 AM or later than 9 PM on Mondays through Fridays, and between 10 AM and 4 PM on Saturdays, Sundays and holidays. For special events held on Fridays, Saturdays and Sundays, the facility shall not operate later than 10 PM.
4. Limits of Use: The proposed use of Suite 114 is to provide a place for pole fitness and aerial aerobic instruction and functions related thereto. No other kinds of recreation or public amusement shall be allowed on Suite 114 except those deemed by the Building Inspector to be ancillary to this use.
5. Certificate of Occupancy Required: No use of Suite 114 will be made pursuant to this special permit unless and until a Certificate of Occupancy has been obtained from the Building Commissioner regarding the use of Suite 114.
6. No Expansion of Use Area: Only the area of Suite 114, containing approximately 2,000 sq. ft, which has been specified in a sketch in the files of the Urban Affairs Committee, a copy of which is attached hereto as Attachment 3, will be used for the proposed use. To the extent that a substantial increase in the area used for this use is desired, the Building Inspector shall determine whether such increase constitutes a substantial change of the permitted use, and if so, no such expansion shall be permitted unless and until this special permit has been modified by the City Council.
7. No Alcohol. No alcohol shall be served or consumed at or in Suite 114.

8. As-Built Plans. The build-out of Suite 114 shall be completed, and the Applicant Landlord shall submit to the Building Inspector the as-built plans for Suite 114, on or before May 30, 2014. In the event this deadline is not complied with, the Applicant Landlord shall submit to the City Council, on or before June 12, 2014, a written report explaining the non-compliance.

9. Recordation: In accordance with the provisions of M.G.L. c. 40A, § 11, the Applicant Landlord shall, at its expense, record this Special Permit with the Middlesex South District Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal having being filed. Prior to the Building Inspector’s issuance of a building permit for Suite 114, the Applicant Landlord shall provide a copy of the recorded Special Permit to the City Clerk, the City Solicitor, and the Building Inspector.

Yea: 10 – Nay: 0 – Absent: 1

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

Absent: Elder

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 AS FOLLOWS:

I. Section 650-17, entitled “Table of Uses,” is hereby amended by regulating the business use entitled “Medical and dental clinic” so as to delete in its entirety “Medical and dental clinics” and to insert in its place the following two separate sections which will allow dental clinics as of right in the Business (B) district, as follows:

Medical clinics RR A1 A2 A3 RB RC RCR B CA LI I

SP SP SP SP SP Y Y N N N N

Dental clinics RR A1 A2 A3 RB RC RCR B CA LI I

SP SP SP SP SP Y Y Y N N N

II. A. Section 650-5, entitled “Definitions; word usage,” is hereby amended by inserting after the definition for “CUSTOMARY HOME OCCUPATION” the following definition:

DENTAL CLINIC – Buildings or portions thereof used by licensed dentists to provide dental care services on less than a 24-hour basis, and at which are employed not more than three (3) dentists practicing daily at the clinic with the necessary support staff.

B. Section 650-5, entitled "Definitions; word usage," is hereby amended by deleting from the heading "MEDICAL AND DENTAL CLINIC" the words "AND DENTAL" and by deleting from the definition of "MEDICAL AND DENTAL CLINIC" the comma which precedes the word "dental" and by deleting the word "dental" as follows:

MEDICAL CLINIC – An institution licensed under MGL c. 111, § 51 for the purpose of providing medical, surgical or mental health services on an outpatient basis.

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

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:20 PM.



IN CITY COUNCIL

Marlborough, Mass., _____ JANUARY 27, 2014

ORDERED:

That there being no objection thereto set **MONDAY, FEBRUARY 24, 2014**, as date for a **PUBLIC HEARING** on the Petition of NGRID and Verizon to relocate existing PC6 Laviolette Street 35' south towards the entrance to Lake Williams Condos. This will be used as a primary riser pole to feed a padmounted transformer. This is required to provide service to new building, be and is herewith refer to **PUBLIC SERVICES**.

ADOPTED

ORDER NO. 14-1005671



IN CITY COUNCIL

Marlborough, Mass., JANUARY 27, 2014

ORDERED:

That there being no objection thereto set **MONDAY, FEBRUARY 24, 2014**, as date for a **PUBLIC HEARING** on the Petition of NGRID and Verizon to relocate the following poles on West Hill Road: P12 (4' North), P15 (4' North), P18 (5' North), P27 (8' South), P28 (6' South), P31 (5' South), P30 (3.5' South) and installation of new Guy Stub Pole 12-84, be and is herewith refer to **PUBLIC SERVICES**.

ADOPTED

ORDER NO. 14-1005672



IN CITY COUNCIL

Marlborough, Mass., JANUARY 27, 2014

ORDERED:

That there being no objection thereto set **Monday, February 24, 2014** as a date for a **PUBLIC HEARING** On the Application for Special Permit from Bohler Engineering on behalf of VNG Co. to propose construction of a new compressed natural gas (CNG) facility with one new dispenser including minor site modifications and product piping at 413 Lakeside Avenue, be and is herewith refer to **URBAN AFFAIRS COMMITTEE AND ADVERTISE.**

Ninety days after public hearing is 05/25/14 which falls on a Sunday and 05/26/14 is a holiday, therefore 05/27/14 would be considered the 90th day.

ORDER NO. 13/14-1005581B

19

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CITY OF MARLBOROUGH

**AGREEMENT TO EXTEND
TIME LIMITATIONS**

Date: January 24, 2014

2014 JAN 28 P 3:25

Order No. # 13-1005581B

Application for Special Permit by Bohler Engineering, Southborough, MA on behalf of VNG CO., 150 Monument Road, Suite 500, Bala Cynwyd, PA 19004 to construct new compressed natural gas (CNG) facilities with one (1) new CNG dispenser including minor site modifications and product piping to the existing Shell gasoline station located at 413 Lakeside Avenue, Map 79, Lots 6B and 10A.

-Referred to Urban Affairs Committee


Public Hearing Date: February 24, 2014

The decision of the special permit granting authority shall be made within ninety days following the date of such public hearing. The required time limits for a public hearing and said action may be extended by written agreement between the petitioner and the special permit granting authority. A copy of such agreement shall be filed in the office of the City Clerk. Pursuant to Mass. General Laws, c.40A, s.9, as amended, the required time limits for action by the Marlborough City Council, as it is the special permit granting authority in the above referenced matter, are hereby extended, by agreement, as follows:

As previously extended, the time limit for action by the Marlborough City Council in which to hold the Public Hearing is hereby affirmed, by agreement, until 5:00 PM on February 28, 2014.

Final action on the proposed Special Permit shall occur by May 27, 2014 or by the 90th day from the date when the Public Hearing scheduled to open on February 24, 2014 closes, whichever is later.

By: Bohler Engineering



Acting on behalf of, and at the direction of, Petitioner

By: City Council President

Patricia A. Pope, acting on behalf of, and at the direction of, the
Special Permit granting authority: Marlborough City Council



IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 10, 2014

ORDERED:

That the Communication from Bohler Engineering on behalf of VNG Co. re: request to extend Time Limitations to hold PUBLIC HEARING on the Application for Special Permit, 413 Lakeside Ave. to propose construction of a new compressed natural gas (CNG) facility with one new dispenser including minor site modifications and piping to February 28, 2014 until 5:00 PM, Order No. 13-1005581, be and is herewith **APPROVED.**

ADOPTED

ORDER NO. 13/14-1005581C



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FEB 20 A 11: 23

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

February 20, 2014

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

Re: DPW Transfer Request

Honorable President Pope and Councilors:

Enclosed for your approval are various mid-year transfer requests from the Department of Public Works (DPW) totaling \$59,000.00. The city has experienced a noticeable increase in water main breaks largely associated with aging pipes and greater fluctuations in temperatures attributable to the severe cold we have experienced over the past several months.

The funds being transferred are from existing accounts within the DPW budget that are available due to vacancies and retirements.

Please do not hesitate to contact me with any questions.

Sincerely,

Arthur G. Vigeant
Mayor

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Department of Public Works

FISCAL YEAR: 2014

Available Balance	FROM ACCOUNT:				Amount	TO ACCOUNT:			Available Balance
	Amount	Org Code	Object	Account Description:		Org Code	Object	Account Description:	
<u>\$24,289</u>	<u>\$7,000</u>	<u>60080001</u>	<u>50580</u>	<u>Assistant Chemist</u>	<u>\$7,000</u>	<u>61090006</u>	<u>55710</u>	<u>Water Maintenance</u>	<u>\$8,316</u>
	Reason:	<u>Money available due to previous vacancy</u>				<u>Higher than normal water main breaks</u>			
<u>\$125,475</u>	<u>\$9,000</u>	<u>60081001</u>	<u>50850</u>	<u>Sewage Tr Plt Opera</u>	<u>\$9,000</u>	<u>61090006</u>	<u>54620</u>	<u>Maintenance/Trenches</u>	<u>\$0</u>
	Reason:	<u>Money available due to retirement</u>				<u>Funds needed to perform roadway repairs associated with emergency leaks/breaks</u>			
<u>\$125,475</u>	<u>\$9,000</u>	<u>60081001</u>	<u>50850</u>	<u>Sewage Tr Plt Opera</u>	<u>\$9,000</u>	<u>61090006</u>	<u>54620</u>	<u>Maintenance/Trenches</u>	<u>\$0</u>
	Reason:	<u>Money available due to W.C.</u>				<u>Funds needed to perform roadway repairs associated with emergency leaks/breaks</u>			
<u>\$125,580</u>	<u>\$7,000</u>	<u>60085001</u>	<u>50850</u>	<u>Sewage Tr Plt Opera</u>	<u>\$7,000</u>	<u>61090006</u>	<u>55750</u>	<u>Water Service Const.</u>	<u>\$5,340</u>
	Reason:	<u>Money available due to W.C.</u>				<u>Anticipated funds needed to cover materials for breaks</u>			
<u>\$125,580</u>	<u>\$10,000</u>	<u>60085001</u>	<u>50850</u>	<u>Sewage Tr Plt Opera</u>	<u>\$10,000</u>	<u>61090003</u>	<u>51310</u>	<u>Water Overtime</u>	<u>\$51,446</u>
	Reason:	<u>Money available due to W.C.</u>				<u>Higher than anticipated system repairs</u>			
	<u>\$42,000</u>	Total			<u>\$42,000</u>	Total			

Department Head signature: _____

Auditor signature: _____

Comptroller signature: _____

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Department of Public Works

FISCAL YEAR: 2014

FROM ACCOUNT:

TO ACCOUNT:

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
\$358,656.00	\$5,000	14001303	50740	Equipment Operators	\$5,000	14001305	55310	Highway Constr Mate	\$8,076
	Reason:	<u>Money available due to retirement</u>				<u>Funds needed to perform roadway repairs associated with emergency leaks/breaks</u>			
\$358,656.00	\$12,000	14001303	50740	Equipment Operators	\$12,000	14001304	53140	Contract Services	\$4,666
	Reason:	<u>Money available due to retirement</u>				<u>Anticipated cost to cover the removal/disposal of material collected from spring time sweeping program</u>			
	Reason:	_____				_____			
	Reason:	_____				_____			
	Reason:	_____				_____			
\$17,000	Total				\$17,000	Total			

Department Head signature: _____

Auditor signature: _____

Comptroller signature: _____



City of Marlborough

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CITY OF MARLBOROUGH

Office of the Mayor

2014 FEB 20 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

February 20, 2014

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

Re: Fire Department Transfer Request

Honorable President Pope and Councilors:

Several weeks ago I outlined to you my intention to utilize the services of an outside consulting firm to review the policies, procedures, and overall operations of the Marlborough Fire Department. To that end, I am pleased to submit for your approval an intra-department transfer request of \$30,000.00 to fund this endeavor.

I anticipate this review to take approximately eight to twelve weeks that will include a collaborative information gathering and operational assessment process. Chief James Fortin and the members of the Fire Department will be involved in various capacities depending on who the consultant is and how they choose to go about their evaluation.

Once concluded, our goal is to have a better, more comprehensive understanding of all aspects the Fire Department's operations, what are strengths are, and where we can improve.

I look forward to working with you as this process unfolds and will be happy to answer any questions you may have.

Sincerely,

Arthur G. Vigeant
Mayor

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Fire Department

FISCAL YEAR: 2014

FROM ACCOUNT:

TO ACCOUNT:

Available
Balance

Amount

Org Code

Object

Account Description:

Amount

Org Code

Object

Account Description:

Available
Balance

\$79,265.98

\$15,000.00

12200003

51440

Educational

\$30,000.00

12200003

53140

Contract Services

\$0.00

Reason: Fewer than expected obtained college credits
and unfilled positions

For review of departmental policies, procedures, etc

\$56,605.25

\$15,000.00

12200003

51480

EMT

Reason: Fewer than expected certified as EMT's
and unfilled positions

Reason:

Reason:

Reason:

\$30,000.00

Total

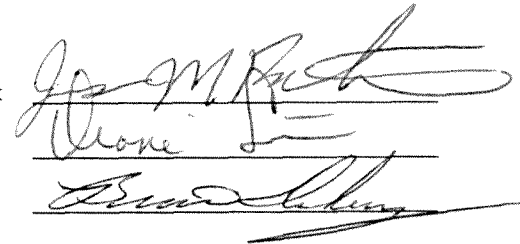
\$30,000.00

Total

Department Head signature:

Auditor signature:

Comptroller signature:





City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Office of the Mayor

2014 FEB 20 A 11:24

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

February 20, 2014

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

Re: Deficit Spending for Snow and Ice Account

Honorable President Pope and Councilors:

Pursuant to Order No. 13-1005441A, I have attached for your approval a proposed order authorizing the city to incur additional liability and make expenditures for FY14 in excess of the approved appropriation for the purposes of snow and ice removal. The attached order will allow deficit spending up to \$1.5 million dollars.

Given the recent instances of significant snowfall and the mounting accumulation of related expenses, I deem it necessary to respectfully seek your immediate approval of the enclosed order this evening.

This item will replace a similar request made at your February 10, 2014 meeting. In the meantime, please do not hesitate to contact me with any questions.

Sincerely,

Arthur G. Vigeant
Mayor

ORDERED:

That pursuant to Chapter 44, section 31D of the General Laws of the Commonwealth of Massachusetts, which authorizes the City to incur liability and make expenditures for any fiscal year in excess of appropriation for snow and ice removal, the City Council of the City of Marlborough, upon the recommendation of the Mayor, approves expenditures in excess of available appropriation up to \$1,500,000 for snow and ice removal for fiscal year 2014.

ADOPTED
In City Council
Order No. 14 -

Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
FEB 20 A 11:24

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

February 20, 2014

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

Re: Conservation Commission Reappointments

Honorable President Pope and Councilors:

Submitted for your approval are the following reappointments to the Conservation Commission:

- Alan White for a term of three years to expire 3/6/2017
- Lawrence Roy for a term of two years to expire 3/7/2016
- Edward Clancy for a term of three years to expire 3/6/2017
- John Skarin for a term of two years to expire 3/7/2016
- David Williams for a term of one year to expire 3/2/2015
- Dennis Demers for a term of one year to expire 3/2/2015

The new terms for these appointments are staggered due to the fact that all the memberships of the commission had expired. I am confident that these experienced individuals will continue putting forth their best efforts to protect the environmental interests of the city and ensure full compliance with all state, local, and federal regulations.

Sincerely,

Arthur G. Vigeant
Mayor

RD
\$100



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

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CITY OF MARLBOROUGH

2014 FEB 14 A 9:11

**Lisa M. Thomas
City Clerk**

**CITY OF MARLBOROUGH
TAXI AND/OR LIVERY SERVICE LICENSE APPLICATION**

I. TYPE OF LICENSE: _____ ✓ TAXI _____ LIVERY

2. APPLICANT'S (LICENSEE) INFORMATION:

- A. Name: SOLOMON SENTGZA
- B. Address: 54B CHARLESBANK WAY - WALTHAM MA 02453
- C. Telephone Number: 781-315-2917
- D. Business Name: MARLBOROUGH TAXI
- E. Business Address: _____
- F. Business Number: 978-335-0350

3. NUMBER OF VEHICLES: 01+

APPLICANT'S SIGNATURE *S. Sentgza*

**CITY OF MARLBOROUGH
TAXI/LIVERY LICENSE**

is hereby granted a Taxi/Livery License as approved by the City Council of the City of Marlborough on . In accordance with the Code of the City of Marlborough, Chapter 568, this License shall expire two (2) years from the date of issue. Application for renewal of said License shall be made to the City Council through the Office of the City Clerk.

EXPIRATION DATE: _____

A TRUE COPY

ATTEST:
City Clerk

PS \$100



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

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CITY OF MARLBOROUGH

2014 FEB 19 A 10:32

**Lisa M. Thomas
City Clerk**

**CITY OF MARLBOROUGH
TAXI AND/OR LIVERY SERVICE LICENSE APPLICATION**

I. TYPE OF LICENSE: ✓ TAXI _____ LIVERY _____

2. APPLICANT'S (LICENSEE) INFORMATION:

- A. Name: FRANK SENGABI
- B. Address: 6 KIMBALL CT #005 WOBURN MA 01801
- C. Telephone Number: 781 492 5318
- D. Business Name: TIME SAVER TRANSPORT
- E. Business Address: 900 MAIN ST WALTHAM MA
- F. Business Number: _____

3. NUMBER OF VEHICLES: 1

APPLICANT'S SIGNATURE [Signature]

**CITY OF MARLBOROUGH
TAXI/LIVERY LICENSE**

is hereby granted a Taxi/Livery License as approved by the City Council of the City of Marlborough on . In accordance with the Code of the City of Marlborough, Chapter 568, this License shall expire two (2) years from the date of issue. Application for renewal of said License shall be made to the City Council through the Office of the City Clerk.

EXPIRATION DATE: _____

A TRUE COPY

ATTEST:

City Clerk



CITY OF MARLBOROUGH RECREATION DEPARTMENT

239 Concord Road
Marlborough, Massachusetts 01752
Tel (508) 624-6925 FAX (508) 624-6940 CITY (508) 460-3610

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

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2014 FEB 10 P 3:51

DIRECTOR
David T. Grasso

PROGRAM MANAGER
Charles Thebado

October 9, 2013

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 Vital, Commissioner Klein, and Commissioner Zilembo.

Also attending: Recreation Director David Grasso, Recreation Program Manager Chuck Thebado, General Foreman of the Forestry, Parks and Cemetery Division, Chris White, Boy Scout Troop 2 member, Michael DelGenio and his father Joe DelGenio.

Approval of minutes 09-11-2013:

On a motion duly made by Commissioner Vital and seconded by Commissioner Klein, it was unanimously:

VOTED: To approve the 09-11-13 minutes.

Parks Report:

General Foreman gave the following updated parks report:

- The Convoy of Hope Event at Stevens Park, is being held on October 12th – Parks will provide them with trash bags and extra barrels. If anything else is needed, they are to contact Chris White.
- Please contact all leagues regarding their last game of the season. As soon as we know when the leagues end their season, we will start winterizing the fields and removing goals.
- Memorial Beach: Workers are on site and working on the Memorial Beach Improvements Project.
- Baldelli Field : There was a brief discussion regarding lights and irrigation, which is part of the Parks, Forestry, & Cemetery capital bond request.
- Stevens Park: A master plan is needed for improvements to be done.
- Much needed repairs to the HS Tennis courts are part of the Parks, Forestry, & Cemetery capital bond request.

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

Old/ New Business:

Michael DelGenio, a member of Boy Scout Troop 2 of Marlborough, informed the Commission that he is working towards his final achievement, the rank of Eagle Scout. In order to become an Eagle Scout he is required to have an Eagle Scout Service Project benefiting a nonprofit organization. The project he would like to propose to the Commission is to install concrete slabs in the dugouts on the upper baseball field at Stevens Park. He explained the purpose of installing these slabs is to keep the foot traffic of the players from tearing up the grass and loam that is presently there. He also stated through his correspondence with the building inspector, that if he was only to build a slab it would not require any building permits. He presented pictures to the Commission of the proposed construction. Mr. Michael DelGenio requested the Commission's permission to proceed with his proposed Eagle Scout Project and thanked the Commission and the Department for their time and consideration.

On a motion duly made by Commissioner Vital and seconded by Commissioner Calder, it was unanimously:
VOTED: To approve the above proposal and to work field maintenance details with Mr. White.

Mr. Michael DelGenio thanked the Commission for their time and approval of his proposed project.


Recreation Report:

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

- A few new skateboard structures will be added to Ward Park's skatepark.
- Safety repairs and a couple of new small structures will be added to the Ghiloni Skateboard Park.
- Looking at signs at various parks regarding hours of operation.
- Working to finalize the schedule of the Ski program which begins the first Thursday in January, 2014.
- Chuck is also finalizing all details for the fall program schedule.
- Chuck is attending the MEDC meetings on an advisory capacity regarding field improvements with the Youth Sports Partnership Group.
- There was a brief discussion regarding the USA Pickle Board Association.

Meeting adjourned at 4: 50pm.

Attest to:



Simela Perdikomatis

Senior Clerk/Comm. Secretary

**MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752**

RECEIVED
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CITY OF MARLBOROUGH
January 27, 2014

Call to Order

2014 FEB 11 A 10:36

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

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

1. Meeting Minutes:

A. Regular Meeting January 13, 2014

On a motion made by Ms. Hughes, seconded by Mr. Fay it was voted to approve the minutes of the January 13, 2014 meeting as amended. Motion carried.

2. Chair's Business:

A. Meeting Dates Calendar 2014

On a motion made by Ms. Hughes, seconded by Mr. Fay, it was voted to accept the amended schedule of meeting dates. Motion carried.

B. Country Club Estates Amendment and Assignment of Agreement

On a motion made by Mr. Fay, seconded by Mr. Hodge it was voted to approve and endorse the Amendment and Assignment of Agreement as presented. Motion Carried

C. Country Club Estates Performance Bond, acceptance of new, release of original

On a motion made by Mr. Hodge, seconded by Mr. McCarthy it was voted to accept the new Performance Bond in the amount of Forty Five Thousand Dollars (\$45,000.00) and release the original bond on the amount of Two Hundred Forty Six Thousand Dollars (\$246,000.00). Motion carried.

D. Digital Electronic and LED sign committee update

Chairperson Fenby updated the Board on the upcoming meeting of the newly formed committee. Chairperson Fenby was looking to see if the Board had any desired direction or specific input they wanted to make sure was relayed to the committee.

After discussion several talking points were discovered. It is noted that this Board has no objection to the technology per se. Possibility to be considered if a sign of this nature is proposed can the allowable dimensions be reduced due to the visibility and brightness issues. Clarification was requested of what the actual issue that this committee is trying to address.

3. Approval Not Required: None

4. Public Hearings: None

5. Pending Sub Division Plans: Updates and Discussion:

A. Engineers Report

Assistant City Engineer Timothy Collins reported out to the Board the current status of the Engineering Department. Effective at the next meeting and continuing as necessary Mr. Mark Dascoli will be accompanying Mr. Collins to the meetings. Once Mr. Dascoli is adequately prepared Mr. Collins and Mr. Dascoli will share the responsibility of attending the Planning Board meetings. Mr. Cullen has resigned as the City Engineer. Commissioner LaFreniere has also submitted his resignation effective March 6, 2014, until that time Mr. LaFreniere will be the Acting City Engineer as well as the Commissioner of Public Works. Mr. Collins will keep the Board apprised of changes as they occur.

Mr. Collins has been made aware that the LaCombe Street Subdivision Engineer has come to an agreement with the NStar regarding the rights and or ownership of a contested piece of property. The issues are being worked out between the parties and the subdivision will be working towards street acceptance.

Regarding the Berlin Farms Subdivision Mr. Freeman has not been in contact with the Engineering Department regarding the outstanding issues. This matter will be moved forward by the Board in the spring.

B. Walker Brook Estates (March 2, 2014) Discussion as necessary

Item noted as informational to keep apprised of timing.

C. Hudson Street Crossing (March 2, 2014) Discussion as necessary

Item noted as informational to keep apprised of timing.

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

7. Definitive Subdivision Submission: None

8. Signs:

A. First Church – Letter from Code Enforcement

Ms. Hughes read the letter from the Code Enforcement Officer Pamela Wilderman, rescinding the banner permit into the record.

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

After much discussion it is the interest of the Board, to have the proponent reappear in front of the Board to discuss the issue of the “wooden” banner and work together to come to a resolution of the issue.

9. Unfinished Business:

A. Berlin Farms

This item was covered in the Engineers Report

It was noted to that this item will be brought forward again in the spring and is to be on the April 7, 2014 Agenda.

10. Informal Discussions: None

11. Correspondence: None

12. Public Notices of other Cities and Towns:

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

B. Town of Sudbury, Earth Removal Board, Notice of Decision

C. Town of Sudbury, Zoning Board of Appeals, Public Hearing February 3, 2014

D. Town of Framingham, Planning Board, Public Hearing February 6, 2014

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

Adjournment: On a motion made by Mr. Hodge, seconded by Mr. Fay it was voted to adjourn at 7:45pm. Motion carried.

Respectfully submitted,

Colleen Hughes

/mai

Marlborough Community Development Authority

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MINUTES

2014 FEB 11 A 9:46

Thursday, November 21, 2013, 8:30 a.m.
140 Main St., Mayor's 4th FL Conference Room

Members Present: Mayor Vigeant, Steve Vigeant, Eric Asman, Joyce Torelli, Sally Swartz, Brian Doheny, Diane Smith, Lynn Faust

Also Present: Doug Bushman, Anne Marie Blake, press

Meeting opened at 8:32 by Vice-Chair, Lynn Faust
Minutes of last meeting accepted.
Housing and CDA bills payable approved.

Housing Director's Report:

Doug Bushman presented his report to the Board. He reported that Hurley, O'Neill & U Company has just begun the Section 8 audit for 2012-2013 and as part of the audit the MCDA Board must complete the Inquiry of those Charged with Governance form. Then Mr. Bushman updated the Board on the status of the Capital projects.

Mr. Bushman discussed the need for a MCDA CORI/Screening Policy. He presented a draft which was adopted in part from the template provided by the DCJIS. The checks would cover housing applicants and employees. Lynn is to review the draft and work with Doug Bushman before it is accepted as completed.

Housing has received another grant from National Grid which would cover replacing and upgrading various electrical lights, and other items at both Bolton and Pleasant Street. The grant funds would also pay for additional security lighting at Pleasant St. The Board unanimously voted to accept the grant. However, Doug Bushman wants to review the contract before final signature by the Mayor. The Board agreed.

The Housing Director's report was accepted.

Financial Manager's Report:

Anne Marie updated the Board on the Addendum issue for the Clinton St. modular home RFP which extended the due date and answered questions about the budget being too low and if funds would be available to complete the project. A discussion followed on the budget being too low at \$211,640 based on that feedback, the new estimate of \$256,000+ and market value around \$325,000. Upon further discussion it was decided to cancel the RFP and sell the property.

On a motion by Lynn Faust to cancel the Request for Proposals issued for modular construction at 16 Clinton Street due December 19, 2013 and make the property available for sale, was seconded by Joyce Torelli and unanimously voted.

A discussion started by Lynn Faust followed and the Board discussed the properties that the CDA owns and the disposal/leasing of some in order to generate income for the CDA. A subcommittee consisting of Steve Leduc, Lynn Faust and Joyce Torelli was to meet on Monday to determine the best way to handle each property.

Anne Marie asked the board from what account she should pay the approx. \$12,000 invoice for retirement that was going to be issued shortly, the Board advised her to take from the CDA checking account.

Anne Marie asked for permission to spend the remaining block grant program income on one or two emergency roof projects which would generate some admin. How much would depend on the Hudson rehab/rehab case which is not completed. *On a motion by Steve Vigeant to approve the use of the remaining program income was seconded by Eric Asman and unanimously approved.*

On a motion by Lynn Faust and seconded by Steve Vigeant, the board unanimously voted to make Anne Marie Blake the interim Secretary.

Due to the Christmas Holiday, the next Board meeting will be held on Thursday, December 19st, at 8:30 a.m.

Meeting adjourned at 9:42. Respectfully submitted, Anne Marie Blake

Marlborough Community Development Authority

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CITY OF MARLBOROUGH

MINUTES

2014 FEB 11 A 9:42

**Thursday, December 19, 2013, 8:30 a.m.
140 Main St., Mayor's 4th FL Conference Room**

Members Present: Mayor Vigeant, Steve Vigeant, Eric Asman, Sally Swartz, Brian Doheny, Diane Smith

Also Present: Douglas M. Bushman, Anne Marie Blake, press

Absent: Joyce Torelli, Lynn Faust

Meeting opened at 8:32 by Chairman Vigeant
Minutes of last meeting accepted.
Housing and CDA bills payable approved.

Housing Director's Report:

Budget reports from old accountant were brought up to date by new firm.

Purchased a new sander for the pickup truck cost \$5,000.00. This was an emergency purchase. The former sander was purchased in 2001 and Marlborough Public Works said it could not be fixed

Received grant to monitor the two units with new HVAC systems at Bolton Street which received them in 2013, funding supplied by DHCD.

Discussion about elevator fine due to new DPS regulations passed in 2013 but MCDA never properly notified as other properties were. Doug attended a hearing, didn't think they'd be assessing fines. Files an appeal, said he's not paying fine. Private company may file suit to stop this new regulation. The Elevators passed inspection in December of 2013 they are inspected on a monthly basis by the contracted elevator company.

Working with City's impact team to handle tenants who make calls to 911 for non-emergencies.

Have revised CORI policy.

Identified 6 Sect. 8 tenants who they would like to terminate. One withdrew, working on terminating 5 others. Last year one tenant lawyered up and it cost \$7,000. It was a recommendation to go thru the first step and then the board will decide how to move forward. Courtyard is on hold. However, the sidewalks to allow tenants to access the backdoor at 240 Main Street in the Courtyard are finished.

HUD-SMOC Section 8 rents going up \$60.00

Motion by Steve V and seconded by Mayor to approve closing out asbestos Cert. of Completion. Approved.

Motion by Steve V. and seconded by Mayor to approve Section 8 Utility Allowance. Approved.

The Housing Director's report was accepted.

Financial Manager's Report:

With regard to selling Clinton St. on a motion by the Mayor and seconded by Steve V, the board voted to sell for the lower of the Assessor's appraisal or our appraised value and restricted to Variance of ZBA. Approved.

On a motion by Eric and seconded by Steve V. the board approved Anne Marie spending up to \$5,000 for consulting services as needed. Approved.

On a motion by Steve V. and seconded by Eric, the Board approved a request to write off a Housing Rehab loan in the amount of \$590.00 for a property at 43 Tavitan Blvd #23.

Meeting adjourned at 9:15. Respectfully submitted, Anne Marie Blake

Property Unit
PO Box 15147
Worcester MA 01615-0147
Telephone: 774-269-5934 Ext:
Fax Number: 508-926-5660

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

February 03, 2014

2014 FEB 10 AM 11:25

CITY CLERK'S OFFICE
140 MAIN ST
MARLBOROUGH MA 01752

Re: Our Insured: Kathleen Blaisdell
Policy Number: HVN 5446545
Claim Number: 15-00254437 001
Date of Loss: 01/25/2014
Property Address: 162 KINGS GRANT RD MARLBOROUGH MA

To whom it may concern :

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

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

Sincerely,

Dionysi McGowan, AIC, AINS, AIS

Dionysi McGowan, AIC, AINS, AIS
Outside Property Adjuster
Massachusetts Bay Insurance Company
dmcgowan@hanover.com

cc: legal

Property Unit
PO Box 15147
Worcester MA 01615-0147
Telephone: 800-628-0250 Ext: 5400
Fax Number: 508-926-5660

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

February 10, 2014

2014 FEB 13 A 10: 25

CITY CLERK'S OFFICE
140 MAIN ST
MARLBOROUGH MA 01752

Re: Our Insured: Allan Black
Policy Number: HPN 9672587
Claim Number: 15-00264255 001
Date of Loss: 02/08/2014
Property Address: 40 BOWSTRING WAY MARLBOROUGH MA

To whom it may concern :

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

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

Sincerely,

Brad Baldwin

Brad Baldwin
Associate Adjuster
Citizens Insurance Company of America



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

Toll Free: 1-800-59-AMICA
(1-800-592-6422)
Fax: 1-888-818-7529

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CITY OF MARLBOROUGH

2014 FEB 18 A 10:49

February 12, 2014

MARLBOROUGH CITY CLERK'S OFFICE
140 Main Street
Marlborough, MA 01752

File Number: 60001741387
Date of Loss: 02/10/2014
Owner/ Insured: Louise B. Elias
Street: 79 Deerfield Run, Unit 79
Town: Marlborough
Type of Loss: Water

To Whom This May Concern:

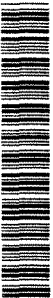
Please be advised that we insure the above named individual(s). A claim has been made for Damage to Real Property and as the insurer; we are presently in the process of adjusting the loss.

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

Sincerely,

Victoria E. Williams

Victoria E. Williams AIC, AINS
Claims Department
800-592-6422 x21815
VWILLIAMS@AMICA.COM



CC: Legal