

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2013 JUL 18 P 1:14

1. Minutes of the City Council Meeting, July 8, 2013.
2. PUBLIC HEARING On the Petition of NGrid to install a Pull Box in the sidewalk at the intersection of Daniels Rd. and Graves Lane and to install 2-3" PVC duct bank in the sidewalk from existing Riser Pole to Pull Box., Order No. 13-1005467.
3. Communication from the Mayor re: FY14 Capital Bond Request.
4. Communication from the Mayor re: Appointment of Brian Doheny as Comptroller/Treasurer for term of two years effective on the first Monday following his appointment.
5. Communication from the Mayor re: Proposed Amendment to Chapter 468 of the Code of Marlborough.
6. Communication from Margaret Dwyer re: Resignation from the Marlborough School Committee effective immediately.
7. Communication from City Solicitor, Donald Rider re: Special Permit, 587 Bolton St., Inc. to serve food outdoors as the Bolton St. Tavern is located in an LI zone, 587 Bolton St., Order No. 13-1005456A.
8. Communication from City Solicitor, Donald Rider re: Special Permit, from Mirick O'Connell, on behalf of Sandra & Anthony Antico Real Estate LLC, for indoor recreation area that will include various children's entertainment features that can be used by children under the supervision of their parents or guardians for birthday parties and on other special occasions, 72 Jefferson St., Unit 103, Order No. 13-1005426B.
9. Communication from DPW Commissioner, Ronald LaFreniere re: Proposed Amendment to Chapter 510, Code of the City of Marlborough.
10. Communication from Historical Commission Chair, Gray Brown re: Historical Preservation Restriction – 197 Stow Rd.
11. Communication from Attorney Gadbois re: Historical Preservation Restriction – 197 Stow Rd.
12. Communication from Attorney Gadbois re: Application for Sewer Connection Permit, AvalonBay Communities, Inc., Simarano Dr.
13. Communication from MassDevelopment re: Approved Revenue Bond Project on behalf of Mass Memorial Healthcare.
14. Application for Renewal of Junk Dealer's License, Andrew Spaventa, ecoATM, 601 Donald Lynch Blvd.
15. Application for Secondhand Article Dealer's License, Theresa Denoncourt Smith, Hint of Class Consignment, 72B Hosmer St.
16. Minutes, Planning Board, June 3 & 17, 2013.
17. Minutes, Community Development Authority, June 27, 2013.
18. Communication from Hanover Insurance on behalf of Suzanne Degeorge, 5 Barnes Circle.
19. CLAIMS:
  - A. Leonard Tedoschi, 262 Pleasant St., pothole or other road defect

REPORTS OF COMMITTEES:

20. That the Mayor be requested to begin discussions with the Fire and Police Chiefs, and other appropriate municipal personnel, to explore options that would extend emergency services to the westerly section of the City including, but not limited to, the construction of a new fire station on land donated to the City by MetLife, the construction of a smaller "satellite" emergency services station, a partnership with the Town of Northborough and/or any other viable option that would meet the future emergency service needs of the City. And, it is further Ordered, that the Mayor explore the costs associated therewith and report his findings to the City Council within 90 days if possible. ....Submitted by Councilors Elder and Pope

UNFINISHED BUSINESS:

**From Public Services Committee**

21. **Order No. 12-1005250- Application of Yan Fang Ye for Taxi License at 20 Devens Street**  
The applicant is applying for a taxi license to create a business called Ye's Taxi. She reports that the business will be run out of her home as she currently owns both the property and the vehicle. Councilor Clancy and Chairman Landers are concerned that Devens Street is too narrow, particularly in the winter, for extra taxis to be parked out on the road. The applicant currently has one car and one taxi in the driveway and promises it will remain in the driveway.  
The applicant stated that the vehicle will be serviced at the dealership, not at the home. It is noted that Police Chief Leonard has approved her CORI report.

Motion made by Councilor Clancy, seconded by Councilor Jenkins to recommend approval of the taxi license to Yan Fang Ye, d/b/a Ye's Taxi with the following three conditions:

1)The license is approved for one (1) vehicle only; 2) The vehicle shall be parked in the driveway at all times and not on the street as agreed upon by applicant; 3) All new employees shall submit a CORI report to the Chief of Police for review and approval before commencing employment and/or operating any vehicle so licensed. Adopted 3-0



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

**JULY 8, 2013**

Regular meeting of the City Council held on Monday, JULY 8, 2013 at 8:00 p.m. in City Council Chambers, City Hall. City Councilors Present: Ossing, Pope, Oram, Robey, Delano, Jenkins, Elder, Tunnera, Clancy, and Landers. Councilor Seymour arrived at 8:32 PM. Meeting adjourned at 9:07 PM.

**ORDERED:** That the minutes of the City Council Meeting JUNE 17, 2013, **FILE**; adopted.

**ORDERED:** That the **PUBLIC HEARING** On the Application for Special Permit from Attorney Mitrakas on behalf of 587 Bolton St., Inc. to serve food outdoors as the Bolton St. Tavern is located in an LI zone, 587 Bolton St., Order No. 13-1005456, all were heard who wish to be heard, hearing recessed at 8:35 p.m.; adopted.

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

**The City Clerk read a disclosure statement on behalf of Councilor Seymour pursuant to MGL c. 39, § 23D that he will review all evidence received at tonight's public hearings, 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.**

**Councilor Seymour arrived at 8:32 PM during public hearing.**

**Letters of Support from George Voyiatzis and Bob Durand were submitted to the City Clerk as part of the record.**

**ORDERED:** Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Stanton Foundation Grant in the amount of \$25,000.00 awarded to the Police Department to launch City's first ever "K-9" Program; adopted.

**Suspension of the Rules requested-granted to allow the Mayor and DPW Commissioner to speak.**

**ORDERED:** That in order to help meet the emergency temporary water needs of the Town of Hudson, the City Council hereby authorizes the Mayor, pursuant to M.G.L. c. 40, § 4A, to enter into an Inter- Municipal Agreement with said Town, pursuant to the terms and conditions set forth therein; adopted.

**ORDERED:** That the Reappointments of William Brewin, Nena Bloomquist and Rustin Kyle as members of the Marlborough Public Library Board of Trustees expiring two years from date of City Council approval, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, AUGUST 26, 2013**, as date for a **PUBLIC HEARING** Proposed Amendment to the Code of the City of Marlborough, Zoning, Section 650-17, entitled "Table of Uses," by regulating the business uses entitled "Power laundries and dry cleaning" so as to separate into independent categories said uses and allow Dry Cleaning establishments as of right in the Business (B) district and in the Commercial Automotive (CA) district, in proper legal form from Assistant City Solicitor Panagore Griffin for advertising and referral refer to **URBAN AFFAIRS COMMITTEE, PLANNING BOARD AND ADVERTISE**; adopted.

ORDERED: That there being no objection thereto set **Monday, August 26, 2013** as date for a **PUBLIC HEARING** On the Application for Special Permit from Luiza DeMoura of Jump in with Us, Inc. to develop an inflatable playground and to accommodate birthday parties for kids and families from Tuesdays to Sundays, 10:00 AM to 7:00 PM, 19 Brigham St., Unit 6, refer to **URBAN AFFAIRS COMMITTEE AND ADVERTISE**; adopted.

ORDERED: That there being no objection thereto set **Monday, August 26, 2013** as date for a **PUBLIC HEARING** On the Application for Special Permit from Attorney Schaffer on behalf of Irene Kantor to operate a Martial Arts Studio located within an Industrial District where private indoor or outdoor recreation may only be allowed through Special Permit, 38 Brigham St., refer to **URBAN AFFAIRS COMMITTEE AND ADVERTISE**; adopted.

ORDERED: That the Minutes, Senior Center Advisory Committee, April 25, 2013, **FILE**; adopted.

ORDERED: That the Minutes, Traffic Commission May 28, 2013, **FILE**; adopted.

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

- A. Sergio Gonzalez, 56 Devens St. #2F, other property damage
- B. Bartolo Frullo, 6 Jefferson St., other property damage

#### Reports of Committees:

Councilor Landers reported the following out of Public Services Committee:

#### **Order No. 12-1005250- Application of Yan Fang Ye for Taxi License at 20 Devens Street**

The applicant is applying for a taxi license to create a business called Ye's Taxi. She reports that the business will be run out of her home as she currently owns both the property and the vehicle.

Councilor Clancy and Chairman Landers are concerned that Devens Street is too narrow, particularly in the winter, for extra taxis to be parked out on the road.

The applicant currently has one car and one taxi in the driveway and promises it will remain in the driveway.

The applicant stated that the vehicle will be serviced at the dealership, not at the home.

It is noted that Police Chief Leonard has approved her CORI report.

Motion made by Councilor Clancy, seconded by Councilor Jenkins to recommend approval of the taxi license to Yan Fang Ye, d/b/a Ye's Taxi with the following three conditions:

1)The license is approved for one (1) vehicle only; 2) The vehicle shall be parked in the driveway at all times and not on the street as agreed upon by applicant; 3) All new employees shall submit a CORI report to the Chief of Police for review and approval before commencing employment and/or operating any vehicle so licensed. Adopted 3-0

**Suspension of the Rules requested – granted****Councilor Pope abstained**

ORDERED: That the Petition from National Grid to Locate manholes, wires, and ducts, including the necessary sustaining & protecting fixtures, along and across the following public ways: Houde Street and Peltier Street Approximately 535 ft. north of the center line of the intersection of Houde Street and Peltier Street and continuing approximately 515 ft. in a southerly direction, **APPROVED WITH THE FOLLOWING CONDITIONS:** adopted:

- 1) Any necessary easements are to be obtained from affected property owners and shown on proposed plans.
- 2) A street opening permit must be applied for by the proposed contractor performing the work.
- 3) The contractor performing the work must obtain a street opening bond with the City of Marlborough for an amount to be determined by the City Engineer.
- 4) The contractor is to provide the Engineering Division preconstruction photos of driveways, sidewalks, lawn areas, and roadway areas impacted by all construction activities.
- 5) The contractor is to coordinate with the affected residents to have irrigation systems flagged before trenching begins and provide them a timetable of the proposed work.
- 6) A proper staging area is to be located/acquired before work commences – material and equipment is not to be parked/stockpiled within the city right of way.
- 7) The contractor is to ensure residents are always able to enter and exit their driveways (have necessary steel plating on site and accessible).
- 8) Ensure construction safety controls are established (signage, drums, police details, etc...) and are in accordance with the latest MUTCD standards.
- 9) Trench backfilling, compacting, temporary, and final paving are to be done in accordance with the City of Marlborough standard trenching details.
- 10) Trenches are to be paved or completely backfilled and compacted at the end of each work day. Trenches are never to be left unattended.
- 11) Post construction loaming and seeding are to be done in accordance with the 1995 MHD Standard Specifications sections 751 & 765.
- 12) Entire width of sidewalk (from back of curb to back of sidewalk) is to be included in final trench paving – any disturbed curbing is to be replaced.
- 13) Confirmation by the City of Marlborough Engineering Division that the Petition is current for the proposed work to be completed.
- 14) Confirmation by the City of Marlborough Engineering Division that this is not a joint petition with Verizon and that this petition is solely for the installation of National Grid owned underground infrastructure.
- 15) Completion of the project on or before November 30, 2013.

**Suspension of the Rules requested - granted****Councilor Pope abstained**

ORDERED: That the Petition from National Grid to Locate manholes, wires, and ducts, including the necessary sustaining fixtures along the following public ways: Houde Street and Duca Drive Approximately 150 ft. west of the centerline and continuing approximately 130 ft. in a east direction. Heavy duty hand holes #12, 11 and conduit on Duca Drive and Houde Street, be and is herewith **APPROVED WITH THE FOLLOWING CONDITIONS**: adopted.

- 1) Any necessary easements are to be obtained from affected property owners and shown on proposed plans.
- 2) A street opening permit must be applied for by the proposed contractor performing the work.
- 3) The contractor performing the work must obtain a street opening bond with the City of Marlborough for an amount to be determined by the City Engineer.
- 4) The contractor is to provide the Engineering Division preconstruction photos of driveways, sidewalks, lawn areas, and roadway areas impacted by all construction activities.
- 5) The contractor is to coordinate with the affected residents to have irrigation systems flagged before trenching begins and provide them a timetable of the proposed work.
- 6) A proper staging area is to be located/acquired before work commences – material and equipment is not to be parked/stockpiled within the city right of way.
- 7) The contractor is to ensure residents are always able to enter and exit their driveways (have necessary steel plating on site and accessible).
- 8) Ensure construction safety controls are established (signage, drums, police details, etc...) and are in accordance with the latest MUTCD standards.
- 9) Trench backfilling, compacting, temporary, and final paving are to be done in accordance with the City of Marlborough standard trenching details.
- 10) Trenches are to be paved or completely backfilled and compacted at the end of each work day. Trenches are never to be left unattended.
- 11) Post construction loaming and seeding are to be done in accordance with the 1995 MHD Standard Specifications sections 751 & 765.
- 12) Entire width of sidewalk (from back of curb to back of sidewalk) is to be included in final trench paving – any disturbed curbing is to be replaced.
- 13) Confirmation by the City of Marlborough Engineering Division that the Petition is current for the proposed work to be completed.
- 14) Confirmation by the City of Marlborough Engineering Division that this is not a joint petition with Verizon and that this petition is solely for the installation of National Grid owned underground infrastructure.
- 15) Completion of the project on or before November 30, 2013.

**Suspension of the Rules requested - granted****Councilor Pope abstained**

ORDERED: That the Petition from National Grid to Locate manholes, wires, and ducts, including the necessary sustaining fixtures along the following public way: Bergeron Road, Petition to install two new heavy duty hand holes on Bergeron Road between houses 64 & 56 and between houses 34 and 20. This petition is also to install 2-3" conduit to the southern side on Bergeron Road from Evelina Drive, **APPROVED WITH THE FOLLOWING CONDITIONS:** adopted.

- 1) Any necessary easements are to be obtained from affected property owners and shown on proposed plans.
- 2) A street opening permit must be applied for by the proposed contractor performing the work.
- 3) The contractor performing the work must obtain a street opening bond with the City of Marlborough for an amount to be determined by the City Engineer.
- 4) The contractor is to provide the Engineering Division preconstruction photos of driveways, sidewalks, lawn areas, and roadway areas impacted by all construction activities.
- 5) The contractor is to coordinate with the affected residents to have irrigation systems flagged before trenching begins and provide them a timetable of the proposed work.
- 6) A proper staging area is to be located/acquired before work commences – material and equipment is not to be parked/stockpiled within the city right of way.
- 7) The contractor is to ensure residents are always able to enter and exit their driveways (have necessary steel plating on site and accessible).
- 8) Ensure construction safety controls are established (signage, drums, police details, etc...) and are in accordance with the latest MUTCD standards.
- 9) Trench backfilling, compacting, temporary, and final paving are to be done in accordance with the City of Marlborough standard trenching details.
- 10) Trenches are to be paved or completely backfilled and compacted at the end of each work day. Trenches are never to be left unattended.
- 11) Post construction loaming and seeding are to be done in accordance with the 1995 MHD Standard Specifications sections 751 & 765.
- 12) Entire width of sidewalk (from back of curb to back of sidewalk) is to be included in final trench paving – any disturbed curbing is to be replaced.
- 13) Confirmation by the City of Marlborough Engineering Division that the Petition is current for the proposed work to be completed.
- 14) Confirmation by the City of Marlborough Engineering Division that this is not a joint petition with Verizon and that this petition is solely for the installation of National Grid owned underground infrastructure.
- 15) Completion of the project on or before November 30, 2013.

**Suspension of the Rules requested - granted****Councilor Pope abstained**

ORDERED: That the Petition from National Grid to Locate manholes, wires, and ducts, including the necessary sustaining fixtures along the following public ways: Houde Street and Rogers Avenue Approximately 195 ft. west of the centerline of the intersection of Houde Street and Rogers Avenue Heavy duty hand holes #10, #5 Rogers Avenue and 2-3" conduits on Rogers Avenue and Houde Street, **APPROVED WITH THE FOLLOWING CONDITIONS:** adopted.

- 1) Any necessary easements are to be obtained from affected property owners and shown on proposed plans.
- 2) A street opening permit must be applied for by the proposed contractor performing the work.
- 3) The contractor performing the work must obtain a street opening bond with the City of Marlborough for an amount to be determined by the City Engineer.
- 4) The contractor is to provide the Engineering Division preconstruction photos of driveways, sidewalks, lawn areas, and roadway areas impacted by all construction activities.
- 5) The contractor is to coordinate with the affected residents to have irrigation systems flagged before trenching begins and provide them a timetable of the proposed work.
- 6) A proper staging area is to be located/acquired before work commences – material and equipment is not to be parked/stockpiled within the city right of way.
- 7) The contractor is to ensure residents are always able to enter and exit their driveways (have necessary steel plating on site and accessible).
- 8) Ensure construction safety controls are established (signage, drums, police details, etc...) and are in accordance with the latest MUTCD standards.
- 9) Trench backfilling, compacting, temporary, and final paving are to be done in accordance with the City of Marlborough standard trenching details.
- 10) Trenches are to be paved or completely backfilled and compacted at the end of each work day. Trenches are never to be left unattended.
- 11) Post construction loaming and seeding are to be done in accordance with the 1995 MHD Standard Specifications sections 751 & 765.
- 12) Entire width of sidewalk (from back of curb to back of sidewalk) is to be included in final trench paving – any disturbed curbing is to be replaced.
- 13) Confirmation by the City of Marlborough Engineering Division that the Petition is current for the proposed work to be completed.
- 14) Confirmation by the City of Marlborough Engineering Division that this is not a joint petition with Verizon and that this petition is solely for the installation of National Grid owned underground infrastructure.
- 15) Completion of the project on or before November 30, 2013.

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





# IN CITY COUNCIL

JUNE 17, 2013

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

## ORDERED:

That there being no objection thereto set **Monday, July 22, 2013** as date for a **PUBLIC HEARING** on the Petition from National Grid to install a Pull Box in the sidewalk at the intersection of Daniels Rd. and Graves Ln. and to install a 2-3" PVC duct tape in the sidewalk from existing Riser to Pull Box, be and is herewith refer to **PUBLIC SERVICES COMMITTEE**.

ADOPTED

ORDER NO. 13-1005467



RECEIVED  
CITY CLERK'S OFFICE  
MARLBOROUGH  
JUL 18 A 11:50

*City of Marlborough*  
*Office of the Mayor*

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

*Arthur G. Vigeant*  
MAYOR

*Michael C. Berry*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

July 18, 2013

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

**Re: FY14 Capital Bond Request**

Honorable President Pope and Councilors:

Enclosed for your approval is the Capital Bond Request for FY14. This bond package represents projects of the highest priority and addresses a number of infrastructure, equipment, building maintenance, technology, and vehicle needs throughout our city.

These requests are the result of numerous collaborative meetings with both department heads as well as City Council members. Requests were carefully vetted and scrutinized to ensure we are addressing our city's greatest needs. I want to thank my leadership team as well as my friends on the City Council for their advocacy, participation and diligence throughout this process.

Any and all offsets to existing bond requests will be provided to the Finance Committee in no less than one week prior to their hearing.

Thank you in advance for your consideration. Please do not hesitate to contact me with any questions.

Sincerely,

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



**CITY OF MARLBOROUGH  
CAPITAL BUDGET  
FOR  
FISCAL YEAR 2014**

Rev.:  
Submitted:  
Rev. by Mayor:  
Approved:

# EQUIPMENT

<u>Equipment</u> Number	<u>Description</u>	<u>Odometer or</u> hours (*)	<u>Replace/New</u>	<u>New Description</u>	<u>Cost</u>
26	1995 Bombardier	1,433	Replace	Bombardier	\$ 153,560
45	1999 F-450	66,009	Replace	F-450 2WD DRW cab/chassis (swap CUES equip. off existing truck)	
104	1994 J.D. 544 G	7,414	Replace	Front End Loader	\$ 161,000
Paver	1988 Leeboy Paving Machine	1,600	Replace	Paving Machine	\$ 59,000
<b>Subtotal:</b>					<b>\$ 373,560</b>
 <b><u>DPW - WATER / WASTEWATER</u></b>					
52	2003 F-350	151,111	Replace	F-350 DRW 4WD w/utility body, lift gate, work lights, 9' plow	\$ 51,685
66	2003 Ford Ranger	216,562	Replace	F-350, DRW crew cab w/9' plow, utility body, lift gate	\$ 54,805
<b>Subtotal:</b>					<b>\$ 106,490</b>
 <b><u>DPW - ENGINEERING</u></b>					
80	2001 Ford Taurus	71,332	Replace	CMAX Hybrid	\$ 26,125
81	2000 F150	120,125	Replace	F150 Xtra cab-cross box	\$ 28,545
<b>Subtotal:</b>					<b>\$ 54,670</b>
<b>DPW Equipment Total:</b>					<b>\$ 534,720</b>
 <b>FIRE</b>					
	Fire Radio Box		Replace	Radio Box Repeater located at 100 Campus Drive	\$ 29,000.00
	Pumper Engine 5	88,253	Replace	Replace Engine 5	\$ 575,000.00
<b>Total Fire Equipment</b>					<b>\$ 604,000.00</b>
Emerg Mgt	<u>Ford Truck</u>		<u>Replace</u>	<u>Ford Truck</u>	\$ 30,000.00
<b>Total Emerg Mgt</b>					<b>\$ 30,000</b>
 <b><u>Police</u></b>					
	2001 Ford Taurus	35,000	Replace	2013 Ford Interceptor SUV	\$ 35,000.00
	Less Lethal Equipment		New	Tasers, less lethal shotguns etc.	\$ 45,000.00
	Mobile Data Term. 6 years Old		Replace	Mobile Data Terminals	\$ 12,000.00
<b>Total Police Equipment</b>					<b>\$ 92,000.00</b>
 <b><u>Public Facilities</u></b>					
	F450 Rack Truck		New	F450 Rack Truck with lift	\$ 53,000.00
	Equipment Schools			Equipment Schools	\$ 100,000.00
	Equipment City			Equipment City	\$ 100,000.00
<b>Total Public Facilities Equipment</b>					<b>\$ 253,000.00</b>
<b>Total Equipment</b>					<b>\$ 1,513,720</b>
<b>44s7(9) Total Five Year Equipment Bond</b>					<b>\$ 1,513,720.00</b>



CITY OF MARLBOROUGH

IN CITY COUNCIL

Marlborough, MA July 18, 2013

ORDERED:

That the sum of \$1,513,720 (one million five hundred thirteen thousand seven hundred twenty) dollars be and is hereby appropriated for departmental equipment.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$ 1,513,720.

Pursuant to the provisions of Chapter 44, Section 7 (9) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than five (5) years from its date of issue.

Building Renovation

FISCAL YEAR 2013

Public Facilities

	Building renovations		
Newton Street Parking Deck		\$	950,000
Central Fire Station	HVAV Upgrade	\$	150,000
	Roof Replacement	\$	250,000
City Hall/Walker	Bell tower/Roof/Gutters	\$	160,000
	Public Facilities Sub Total Building Renovations	\$	1,510,000.00

44s7(3A) Total Twenty Year Building Renovation Bond \$ 1,510,000.00



CITY OF MARLBOROUGH

IN CITY COUNCIL

Marlborough, MA July 17, 2013

ORDERED:

That the sum of \$1,510,000 (one million five hundred ten thousand) dollars be and is hereby appropriated for building renovations.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$1,510,000.

Pursuant to the provisions of Chapter 44, Section 7 (3A) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than twenty (20) years from its date of issue.

# STREET MAINTENANCE AND CONSTRUCTION PROJECTS

## RECONSTRUCTION

Bolton Street (Main to Union)	\$	450,000
Brimsmead Street (entire length)	\$	320,000
Church Street (Hildreth to Plymouth)	\$	550,000
Girard Street (entire length)	\$	170,000
Greenwood Street (lower)	\$	170,000
Howland Street	\$	240,000
Richard Road (entire length)	\$	310,000
Tremont Street	\$	320,000
Simarano Drive	\$	3,400,000
Houde Street	\$	800,000
Subtotal:	\$	<b>6,730,000</b>

## MILL & OVERLAY

Hudson Street (Union to Mechanic)	\$	50,000
Donald Lynch Boulevard (#423 to #728)	\$	250,000
Subtotal:	\$	<b>300,000</b>

## CRACK SEALING

Various Streets	\$	100,000
Subtotal:	\$	<b>100,000</b>

## OTHER STREET CONSTRUCTION

Elm Street over Millham Brook - Culvert Replacement/Extension	\$	150,000
Brigham Street - Drainage Improvements (#200 to Mill Street)	\$	40,000
Bolton Street Culvert Replacement	\$	150,000
Subtotal	\$	<b>340,000</b>

**44s7(5) Total Ten Year Street Bond** \$ **7,470,000**

## SIDEWALK CONSTRUCTION AND REPAIR

Various Sidewalks Middle School	\$	100,000
Subtotal:	\$	100,000

**44s7(6) total Five Year Sidewalk Bond** \$ **100,000**

**DPW Total Street Maintenance & Construction Projects** \$ **7,570,000**





CITY OF MARLBOROUGH

IN CITY COUNCIL

Marlborough, MA July 18, 2013

ORDERED:

That the sum of \$7,470,000 (seven million four hundred seventy thousand) dollars be and is hereby appropriated for street construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$7,470,000.

Pursuant to the provisions of Chapter 44, Section 7 (5) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than ten (10) years from its date of issue.



CITY OF MARLBOROUGH

IN CITY COUNCIL

Marlborough, MA July 18, 2013

ORDERED:

That the sum of \$100,000 (one hundred thousand) dollars be and is hereby appropriated for sidewalk construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$100,000.

Pursuant to the provisions of Chapter 44, Section 7 (6) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than five (5) years from its date of issue.

# SEWER PROJECTS

## SEWER MAINS

Pump Station - Donald Lynch Blvd	\$	20,000
Pump Station Generators (Various)	\$	180,000

<b>Subtotal</b>	<b>\$</b>	<b>200,000</b>
-----------------	-----------	----------------

<b>Subtotal</b>	<b>\$</b>	<b>-</b>
-----------------	-----------	----------

<b>44s8(15) Total Thirty Year Sewer Bond</b>	<b>\$</b>	<b>200,000</b>
--	-----------	----------------



CITY OF MARLBOROUGH

IN CITY COUNCIL

Marlborough, MA July 17, 2013

ORDERED:

That the sum of \$200,000 (two hundred thousand) dollars be and is hereby appropriated for sewer construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$ 200,000.

Pursuant to the provisions of Chapter 44, Section 8 (15) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than thirty (30) years from its date of issue.

## WATER PROJECTS

Replace Plastic Services (Evelina, Bergeron, Ahlgren Area)	\$	500,000
Broad Street (Clean and Line Lincoln to W. Main; Replace lead services)	\$	165,000
Northborough Road West (Remove 6" AC (1000'); Services to 16" Main)	\$	50,000
Hydrant Replacement (various locations-estimated 50 hydrants)	\$	120,000
<b>44s8(5) Total Forty Year Water Bond</b>	<b>\$</b>	<b>835,000</b>
Water Meters	\$	200,000
<b>44s8(7A) Total Ten Year Water Meter Bond</b>	<b>\$</b>	<b>200,000</b>
<b>Total Water Projects</b>		<b>\$1,035,000.00</b>



CITY OF MARLBOROUGH

IN CITY COUNCIL

Marlborough, MA July 17, 2013

ORDERED:

That the sum of 835,000 (three million one hundred seventy two thousand six hundred) dollars be and is hereby appropriated for water main construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$ 835,000.

Pursuant to the provisions of Chapter 44, Section 8 (5) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than forty (40) years from its date of issue.



CITY OF MARLBOROUGH

IN CITY COUNCIL

Marlborough, MA July 17, 2013

ORDERED:

That the sum of \$200,000 (two hundred thousand) dollars be and is hereby appropriated for water meters.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$ 200,000.

Pursuant to the provisions of Chapter 44, Section 8 (7A) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than ten (10) years from its date of issue.

**ENVIRONMENTAL AND SITE UPGRADES**

Hudson Street (Old Landfill)-Cap Repairs & Drainage Outlet & Concrete Swale Extension (grant application pending)	\$	300,000
<b>44s8(21) Total Thirty year Land Fill Cap &amp; Drain Repair Bond</b>	<b>\$</b>	<b>300,000.00</b>





CITY OF MARLBOROUGH

IN CITY COUNCIL

Marlborough, MA July 17, 2013

ORDERED:

That the sum of \$300,000 (three hundred thousand) dollars be and is hereby appropriated for repairs to the landfill cap and drainage system.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$300,000.

Pursuant to the provisions of Chapter 44, Section 8(21) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than thirty (30) years from its date of issue.

# FORESTRY, PARKS AND CEMETERY PROJECTS

## CEMETERIES

Evergreen Cemetery - Irrigation (Phase 1 - Old section by Main Entrance)	\$	20,600
<b>44s7(20) Total Five Year Cemetery Bond</b>	<b>\$</b>	<b>20,600</b>

## PARKS

Baldelli Field - Irrigation and Lighting	\$	210,000
High School - Tennis Courts	\$	385,000
<b>44s7(25) Total Fifteen Year Recreation Bond</b>	<b>\$</b>	<b>595,000</b>

**Total Forestry, Parks & Cemeteries Projects \$ 615,600**



CITY OF MARLBOROUGH

IN CITY COUNCIL

Marlborough, MA July 17, 2013

ORDERED:

That the sum of \$ 595,000 (five hundred ninety five thousand) dollars be and is hereby appropriated for the reconstruction of municipal outdoor recreational facilities.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$595,000.

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



CITY OF MARLBOROUGH

IN CITY COUNCIL

Marlborough, MA July 17, 2013

ORDERED:

That the sum of \$20,600 (twenty thousand six hundred) dollars be and is hereby appropriated for irrigation upgrades to Evergreen Cemetery. .

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$20,600.

Pursuant to the provisions of Chapter 44, Section 7 (20) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than five (5) years from its date of issue.

IT

IT  
City

Police	35 Computers	Cost \$800 Each	\$ 28,000.00
Fire	16 Computers	Cost \$800 Each	\$ 12,800.00
Email Archive/San	Replacement	2 at \$60,000 per unit	\$ 60,000.00
Barracudda Back up System	33TB	Cost \$35000 per unit	\$ 35,000.00
Laptop	Replacements	Cost \$1,000 each	\$ 20,000.00
Server	New	Cost \$10,000 per unit	\$ 10,000.00
		<b>Total City IT</b>	<b>\$ 165,800.00</b>
		<b>Total IT</b>	<b>\$ 165,800.00</b>
		<b>44s7(28) Total Ten Year Computer Hardware Bond</b>	<b>\$ 165,800.00</b>



CITY OF MARLBOROUGH

IN CITY COUNCIL

Marlborough, MA July 17, 2013

ORDERED:

That the sum of \$165,800 (one hundred sixty five thousand eight hundred) dollars be and is hereby appropriated for computer hardware.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$ 165,800.

Pursuant to the provisions of Chapter 44, Section 7 (28) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than ten (10) years from its date of issue.

# TOTALS

## EXECUTIVE SUMMARY

Equipment	\$1,513,720.00
Total Street Maintenance and Construction Projects	\$7,470,000.00
Total Sidewalk Maintenance	\$100,000.00
Total Sewer Projects	\$200,000.00
Total Water Projects	\$1,035,000.00
Total Recreation Projects	\$0.00
Total Forestry, Parks, and Cemeteries Projects	\$615,600.00
Total Environmental and Site Upgrades	\$300,000.00
Total Public Facilities Projects	\$1,510,000.00
Total Technology Upgrades	\$165,800.00
<b>Total Capital Requests:</b>	<b>\$12,910,120.00</b>

### Capital Request By Department

DPW	\$10,155,320.00
Public Facilities	\$1,863,000.00
Fire	\$ 604,000.00
Police	\$ 92,000.00
Info Systems	\$ 165,800.00
Emerg Mgt	\$ 30,000.00
<b>Total Capital Requests:</b>	<b>\$12,910,120.00</b>

### Capital Request By Bond Term

	\$ -
Five Year Bonds	\$ 1,634,320.00
Ten Year Bonds	\$ 7,835,800.00
Fifteen Year Bonds	\$ 595,000
Tewnty Year Bonds	\$ 1,510,000.00
Thirty Year Bonds	\$ 500,000.00
Forty Year Bonds	\$ 835,000
<b>Total Capital Request</b>	<b>\$ 12,910,120.00</b>



RECEIVED  
CLERK'S OFFICE  
CITY OF MARLBOROUGH

2013 JUL 18 A 11:50

# City of Marlborough

## Office of the Mayor

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

*Arthur G. Vigeant*  
MAYOR

*Michael C. Berry*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

July 18, 2013

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

### **Re: Comptroller/Treasurer Appointment**

Honorable President Pope and Councilors:

I am pleased to submit for your approval the appointment of Mr. Brian Doheny as the new Comptroller/Treasurer for the City of Marlborough for a term of two years effective on the first Monday next following his appointment. For your information, I have included a copy of Mr. Doheny's resume.

Mr. Doheny comes to Marlborough from the City of Fitchburg where he has served as their Treasurer/Collector since 2007 and additionally as their Director of Finance and Administration since 2008. Mr. Doheny's experience in a comparable community will no doubt allow for a smooth transition.

Another aspect of Mr. Doheny's background that makes him such an outstanding candidate is his seventeen years as a Chief Financial Officer in the private sector. This is a tremendous asset that will compliment Mr. Doheny's public sector experience and further enhances his ability to deal with complex issues.

Lastly, I also wish to reiterate to you my desire to move forward with a financial reorganization. However, with the impending arrival of a new Comptroller, I believe it makes the most sense to allow him to come aboard and provide his input before any plan is proposed.

Thank you in advance for your consideration. Please do not hesitate to contact me with any questions.

Sincerely,

**Arthur G. Vigeant**  
Mayor



# BRIAN J. DOHENY

---

**Objective** To pursue a rewarding career in municipal accounting and finance.

**Education** 1988 Nichols College Dudley, MA  
**Bachelor of Science: Business Administration**  
▪ Major Concentration: ACCOUNTING

**Professional Experience** City of Fitchburg, Fitchburg, MA  
**Treasurer / Collector - Director of Finance and Administration 2008 – Current (Reappointed until July 1, 2016)**

- Communicate Financial Issues to the Mayor and City Council
- Supervision of all departments under Finance and Administration (Treasurer / Collector, Auditing, Assessing, Purchasing, IT, Payroll and Parking)
- Member of the Tax Increment Financing Committee
- Part of the Brownfield Committee to develop a plan for tax relief
- Increase stabilization account to over \$4mm from \$30k in 2007
- Negotiate with unions on behalf of the City on Health Insurance savings
- Oversee financial operations for the city's \$100mm budget
- Communicate with rating agencies to increase the city's bond rating
- Report directly to FEMA / MEMA for all reimbursements
- Work with Enterprise Funds to speed up collections
- Cost Long Term Costs for Capital projects for Enterprise Funds
- Rewrite city's school loan in order to save over \$500,k with the new interest rate
- Provide honesty and reliability in the city's finance department
- Work with school business administrator to calculate Net School Spending
- Communicate OPEB obligation to the Mayor, City Council and the Public
- Problem solver for any issues within Finance and Administration
- Appeared on Hank Phillippi Ryan (WHDH-TV) regarding Parking Control Issues

**Treasurer / Collector 2007 – Current (Reappointed until July 1, 2016)**

- Manage all municipal funds from departments and enterprise funds
- Maintain long and short term capital debt budgets and cash flows
- Develop collection strategies and policies to meet projected goals
- Invest trust funds to maximize return and minimize risk
- Reconcile bank accounts to the general ledger
- Oversee Payroll and Benefits to all city employees and retirees
- Assist delinquent tax payers with payment plans to become current
- Auction property taken by means of judgment or land of low value

Ampac Enterprises Inc., Shirley, MA

**Chief Financial Officer 1990 – 2007**

- Over site of all financial matters
- Responsible for budgeting, financial statements, cash flows
- Maintained a positive banking relationship with loan officers
- Negotiated lower borrowing rates and lending covenants
- Monitored and implement all computer networks and accounting systems
- Budgeted capital needs to continue growth potential
- Overseeing payroll and 401k plans
- Worked directly with the external auditors to verify information
- Responsible for inventory control and valuation

**Certification** Certified Massachusetts Municipal Collector and Treasurer



RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2013 JUL 18 AM 11:50

*City of Marlborough*  
*Office of the Mayor*

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

*Arthur G. Vigeant*  
MAYOR

*Michael C. Berry*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

July 18, 2013

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

**RE: Proposed Amendment to Chapter 468 of the Code of the City of Marlborough**

Honorable President Pope and Councilors:

Attached is the proposed order concerning amendments to the Peddlers and Soliciting ordinance (chapter 468 of the City Code). The proposal originated with the Labor Day Parade Committee, which is chaired by Council President Pope.

Since the proposed amendments to the ordinance concern the regulation of vendors at City-sponsored events, and the next City-sponsored event is the Labor Day Parade, it is important for the City Council to approve the order at its July 22<sup>nd</sup> meeting.

As you will see, the order is comprised of two parts – first, the “Emergency Preamble,” which is required by Section 20 of the City Charter and second, the order. According to Section 20, “[n]o ordinance shall be passed finally on the date on which it is introduced except in the cases of special emergency involving the health or safety of the people or their property.” Section 20 goes on to state that “[n]o ordinance shall be regarded as an emergency measure unless an emergency is defined and declared in a preamble thereto separately voted on....” Accordingly, the terms of the Emergency Preamble are governed by Section 20. In addition, Section 20 requires a 2/3rds vote to adopt the preamble.

Additionally, Chief Leonard has endorsed the requirement for a CORI check which is included in the proposed ordinance amendments.

I appreciate your immediate attention to this matter and will be happy to answer any questions you may have.

Sincerely,

**Arthur G. Vigeant**  
Mayor

## EMERGENCY PREAMBLE

WHEREAS, the deferred operation of the amendment to the City Code of the City of Marlborough, as set forth herein below, would tend to defeat its purpose, which is to make effective as soon as possible the provisions thereof, therefore it is hereby declared to be a Special Emergency Ordinance, necessary to the welfare, health and safety of the people or their property in the City of Marlborough.

THEREFORE, be it voted by the City Council of the City of Marlborough that the foregoing be declared an emergency measure as provided in Section 20 of the Charter of the City of Marlborough.

ADOPTED  
In City Council  
Order No. 13-

Adopted

Approved by Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY  
ATTEST:

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 468, ENTITLED "PEDDLING AND SOLICITING," AS FOLLOWS:

Chapter 468 is hereby amended by inserting the following:

§ 468-34 Additional Requirements For City-Sponsored Events

- A. The requirements of this section shall be in addition to other requirements of this chapter, other ordinances of the City Code, and state law.
- B. No hawker or peddler shall display, sell or offer goods or merchandise for sale without a license issued by the Event Director. Said license shall be person-specific and event-specific.
- C. Procedure for obtaining a license.
  - (a) An applicant for a license to display, sell or offer sell goods or merchandise for sale shall apply to the Event Director on the day of the event. Said license applicant must provide to the Event Director a copy of a current state-issued hawker and peddler

license issued to the applicant and a valid identification card which bears a recent photograph of the applicant such as a driver's license, military id or state-issued identification card.

- (b) No license shall issue without a successful CORI check. License applicants shall apply to the commonwealth of Massachusetts for a Criminal Offender Record Information ("CORI") check and provide a copy of a current CORI check to the Chief of Police no later than one week before the event.
- (c) The cost for each license shall be \$50.00 per person payable to the Event Director at the time of application by cash, check or money order made payable to the City of Marlborough. Charitable and non-profit organizations are exempt from paying said license fee.
- D. License holders shall prominently display the license on the cart or other apparatus used for the conveyance, storage or display of goods or merchandise.
- E. Failure to comply with this chapter or any other ordinance of the City or state law, or any fraud, misrepresentation or false statement made in connection with the application for a license or the selling of goods and merchandise may result in revocation by the Marlborough Police Department of the license described herein.

Chapter 468 is hereby further amended by inserting in § 468-31 after the words "§ 468-30" the words "and § 468-34."

Chapter 468 is also hereby further amended by inserting in § 468-32 after the words "§ 468-30" the words "and § 468-34."

ADOPTED  
In City Council  
Order No. 13-

Adopted

Approved by Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY  
ATTEST:

July 9, 2013

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2013 JUL -9 P 1:51

Ms. Lisa Thomas  
City Clerk  
City Hall  
Main Street  
Marlborough, Massachusetts 01752

Ms. Thomas,

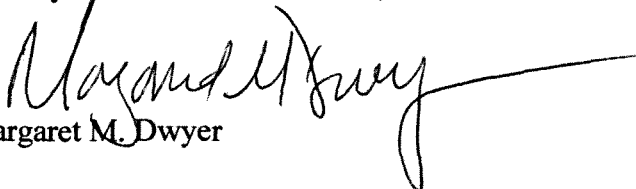
This letter serves as notice of my resignation from the Marlborough School Committee effective immediately.

It has been a labor of love to serve the students and families of this community. Speaking as a mother of four, I would like to acknowledge all of the outstanding teachers and administrators our family has encountered during our time in Marlborough Public Schools.

I would also like to honestly acknowledged that those areas that I learned Marlborough schools were weak in Marlborough when I was elected in 2007 – the high school 8-12 configuration, technology, a middle school that needed improvement, and the need to push for more neighborhood centered k-5 schools, as well as different sets of expectations for different kids – the school committee has addressed as a committee. Driving it all is a comprehensive strategic plan which did not exist for many years here in Marlborough for our schools – a plan that served us well this year with our interim superintendent, and which will serve the city well in this next transition with Mr. Langlois.

I would also like to publicly thank both the Mayor and the City Council for funding the third year of our five year strategic plan. I always knew the day would come when the schools would need to request additional positions for programming, it is essential to improving our students performance, particularly in our subgroups. As Marlborough is rapidly changing in terms of our student demographics, it is important to recognize our challenges and meet them head on. I am confident your investment will reap rewards in the most meaningful of ways – increased academic performance of ALL students.

I wish you all continued success, our kids deserve it.

  
Margaret M. Dwyer

Cc: Mayor Vigeant



RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

13 JUL 18 A 11:08

**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

**DONALD V. RIDER, JR.**  
CITY SOLICITOR

**CYNTHIA M. PANAGORE GRIFFIN**  
ASSISTANT CITY SOLICITOR

**BEVERLY J. SLEEPER**  
CHIEF PROCUREMENT OFFICER

**ELLEN M. STAVROPOULOS**  
PARALEGAL

July 17, 2013

Patricia Pope  
President  
Marlborough City Council

RE: Order No. 13-1005456 B  
Application for Special Permit  
587 Bolton St., Inc.  
587 Bolton Street, Marlborough

Dear President Pope and Members:

Pursuant to Chapter 650-59C(13) of the Marlborough Zoning Ordinance, I provide this letter as to the legal form of the City Council's proposed decision on the application submitted by 587 Bolton St., Inc., seeking permission to serve food and drink on an outdoor deck to be constructed at the existing restaurant on 587 Bolton Street.

I have enclosed a copy of the proposed decision. I certify that that decision is in proper legal form.

Very truly yours,

Donald V. Rider, Jr.  
City Solicitor

Enclosure

cc: Gregory Mitrakas, Esquire

**PROPOSED FINDINGS AND REASONS FOR APPROVAL  
OF SPECIAL PERMIT APPLICATION  
587 BOLTON ST., INC.  
CITY OF MARLBOROUGH, MA COUNCIL ORDER 13-1005456**

The City Council of the City of Marlborough hereby **GRANTS** the Application for Special Permit of Applicant, as provided in the Decision and **SUBJECT TO THE FOLLOWING FINDINGS OF FACT AND CONDITIONS:**

**EVIDENCE**

1. The Applicant is 587 Bolton St., Inc., a Massachusetts Business Corporation with a principal place of business at 19 Westgate Road, Framingham, MA 01701 (“Applicant”);
2. The location of the proposed project is 587 Bolton Street, Marlborough, MA and more particularly identified on the City of Marlborough Assessor’s Map as Map 30 Parcel 7 (“Site”);
3. The Applicant seeks a Special Permit to serve food and drink on an outdoor deck to be constructed on the Site (“Project”);
4. The outdoor deck shall be constructed according to the attached Plan of Patrick J. Slattery, Architect (“Plan”).
5. The Applicant is the Lessee of the Site for the purpose of this Special Permit Application;
6. The property is located in zone LI, which requires a Special Permit for the outdoor service of food;
7. The Building Inspector, on behalf of the City Planner, has properly provided a Certificate of Completeness of Application as required by Para. 7 of the Rules and Regulations of Application/Petition for Special Permit by the City of Council under the Marlborough Zoning Ordinance, Chapter 650-59;
8. The Applicant has complied with all the Rules and Regulations promulgated by the Marlborough City Council as they pertain to the Application for a Special Permit to allow the service of food outdoors on the Site;
9. A Public Hearing was held on July 8, 2013 in compliance with the requirements of the Code of the City of Marlborough and by the provisions of MGL Chapter 40A, as amended; and that all necessary abutters were provided notice as required by law, as certified by the Office of the Board of Assessors of Marlborough; and
10. The Applicant presented oral testimony and demonstrative evidence at the Public Hearing and demonstrated that the Project meets all applicable Special permit criteria provided by MGL Chapter 40A, as amended, and the Code of the City of Marlborough including, without limitation, Chapter 650, Section 18, Attachment of Uses 1:3 (31) and generally Section 650-59;

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



The City Council, pursuant to its authority under MGL Chapter 40A and the City of Marlborough Zoning Ordinance, Chapter 650, **GRANTS** the Applicant its Special Permit, **SUBJECT TO THE FOLLOWING CONDITIONS A THROUGH H:**

1. The Applicant has complied with all the Rules and Regulations promulgated by the Marlborough City Council as they pertain to the Application for a Special Permit to construct an outdoor deck on the Site and serve food on the same;
2. The Marlborough City Council finds that all necessary fees for said Special Permit have been paid;
3. The Marlborough City Council finds that the Application for Special Permit (“Application”) was properly completed and filed by Applicant, and that all necessary abutters were provided notice as required by law, as certified by the Office of the Board of Assessors of Marlborough prior to Application submission;
4. The Preliminary Site Plan accompanying said Application was completed in accordance with the all applicable Rules and Regulations;
5. The Summary Impact Statement filed with said Application is sufficient for said Application and that no further studies or requirements are necessary;
6. The City Department reports as required by the Code of the City of Marlborough have been received and incorporated as deemed appropriate by the said Marlborough City Council into this final decision;
7. The Marlborough City Council finds generally that the use sought by Applicant and its impact and characteristics, as conditioned hereinafter, are not in conflict with the public health, safety, convenience and welfare and are not detrimental or offensive; and further, that the construction of the outdoor deck and service of food on the same is appropriate for the Site and does not derogate from the intent and purpose of MGL Chapter 40A and/or the Code for the City of Marlborough;
8. The Marlborough City Council therefore **GRANTS** to the Applicant a Special Permit to construct an outdoor deck pursuant to the attached Plan and serve food on the same, pursuant to its authority under MGL Chapter 40A and the Code of the City of Marlborough, **with the following Conditions:**

- A. No Site Plan Review or approval as provided under Chapter 270, Building and Site Development, shall be required.
- B. Construction of the deck is to be in accordance with all applicable building codes currently in effect in the City of Marlborough and according to the attached Plan.
- C. Pursuant to recommendations from the Urban Affairs Committee of the Marlborough City Council, no patron shall be allowed on the deck except between the following hours on the following days:

Sunday: 10 am to 10 pm  
Monday: 11 am to 10 pm

Tuesday: 11 am to 10 pm  
Wednesday: 11 am to 10 pm  
Thursday: 11 am to 10 pm  
Friday: 11 am to 11 pm  
Saturday: 11 am to 11 pm

The hours listed above shall be subject to a review by the City Council one year after the date of final approval of this Special Permit; if the Chief of Police and the pertinent ward councilor deem the hours listed above to be unacceptable, the City Council may revisit those hours.

- D. Applicant shall erect 2 signs advising patrons that smoking on the deck is prohibited; 1 sign shall be visible to patrons at the exit from the indoor restaurant onto the deck, and the other sign shall be visible to patrons who are located on the deck.
- E. The terms of this Special Permit will be reduced to writing in a recordable form acceptable to the City of Marlborough's Legal Department, and, prior to the issuance of any Building Permit, shall be recorded with the Middlesex South District Registry of Deeds at the Applicant's expense, with a copy of the recorded Special Permit provided forthwith by Applicant to the City Council, the Building Inspector, and the Legal Department.
- F. All work performed at the Site shall be in compliance with this Decision. No other building or construction shall occur or happen without a change or modification of this Special Permit.
- G. Given the existing green buffer serving as a so-called living fence between the Site and a residence located at 30 Reservoir Street, written evidence of a fully executed agreement between Applicant and the current owners of the residence at 30 Reservoir Street, declaring the owners' waiver of Applicant's construction of a minimum 6' high solid fence as otherwise called for by Chapter 650-18(31)(a)[2] of the Marlborough Zoning Ordinance, shall be provided by Applicant to the City Council, the Building Inspector, and the Legal Department simultaneously with the copy of the recorded Special Permit referenced in Condition E above; provided, however, that no building permit shall issue unless and until copies of said agreement have been so provided. If Applicant shall be unable to provide the said agreement as aforesaid, Applicant must, before the issuance of a building permit for the deck, either obtain a variance from the Marlborough Zoning Board of Appeals or establish compliance with the aforesaid Ordinance provision.
- H. Any service of alcoholic drinks on the deck shall be subject to prior approval by the Marlborough License Board and the Alcoholic Beverages Control Commission.



RECEIVED  
CITY CLERK  
CITY OF MARLBOROUGH  
2013 JUL 18 A 10 55

**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

**DONALD V. RIDER, JR.**  
CITY SOLICITOR

**CYNTHIA M. PANAGORE GRIFFIN**  
ASSISTANT CITY SOLICITOR

**BEVERLY J. SLEEPER**  
CHIEF PROCUREMENT OFFICER

**ELLEN M. STAVROPOULOS**  
PARALEGAL

July 17, 2013

Patricia Pope  
President  
Marlborough City Council

RE: Order No. 13-1005426B  
Application for Special Permit  
Sandra & Anthony Antico Real Estate LLC  
72 Jefferson Street, Marlborough

Dear President Pope and Members:

Pursuant to Chapter 650-59C(13) of the Marlborough Zoning Ordinance, I provide this letter as to the legal form of the City Council's proposed decision on the application submitted by Sandra & Anthony Antico Real Estate LLC, seeking permission to utilize Unit 103 at 72 Jefferson Street as a commercial indoor recreation establishment and place of amusement.

I have enclosed a copy of the proposed decision. I certify that that decision is in proper legal form.

Very truly yours,

Donald V. Rider, Jr.  
City Solicitor

Enclosure

cc: Arthur Bergeron, Esquire

**NOTICE OF DECISION  
GRANT OF SPECIAL PERMIT**

In City Council  
Order No. 13-1005426

Application of:  
Sandra & Anthony Antico Real Estate LLC  
72 Jefferson Street  
Marlborough, MA 01752

Locus:  
72 Jefferson Street, Unit 103  
Map 56, Parcel 150

**DECISION**

The City Council of the City of Marlborough voted to **GRANT** a Special Permit to Sandra & Anthony Antico Real Estate LLC (hereinafter “Applicant Landlord”) and Emad Guirguis d/b/a Hop N Jump (hereinafter “Applicant Tenant”), for a commercial indoor recreation establishment and place of amusement at 72 Jefferson Street, Unit 103, based on the Findings of Facts and Conditions attached hereto.

Decision filed: \_\_\_\_\_

The Decision of the City Council was filed in the Office of the City Clerk of the City of Marlborough on the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**APPEALS**

Appeals, if any, shall be made pursuant to Massachusetts General Laws, Chapter 40A, §17, and shall be filed within twenty (20) days after the date of the filing of this Notice of Decision in the Office of the City Clerk of the City of Marlborough, MA.

ATTEST:

City Clerk

**DECISION ON A SPECIAL PERMIT  
CITY COUNCIL ORDER NO. 13-1005426**

The City Council of the City of Marlborough hereby GRANTS the application for a Special Permit to Sandra & Anthony Antico Real Estate LLC (the “Applicant Landlord”) and Emad Guirguis d/b/a Hop N Jump (hereinafter “Applicant Tenant”), as provided in this Decision and subject to the following Findings of Facts and Conditions:

**FINDINGS OF FACTS AND CONDITIONS**

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 has duly filed his dba certificate with the City Clerk of the City of Marlborough to operate his business at the subject location.

2. The Applicant Landlord is the title owner of the property located at 72 Jefferson Street (the “Site”). Applicant Landlord and Applicant Tenant have executed or will execute a lease regarding Suite 103 at the Site, and its use pursuant to the terms of this special permit regarding Unit 103 at the Site.

3. The Applicants seeks permission to utilize Unit 103 as a commercial indoor recreation establishment and place of amusement.

4. The Applicant Landlord, on May 2, 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”). Through a notice filed with the Urban Affairs Committee, Applicant Tenant was added as an Applicant.

5. The Site contains an existing commercial building as shown on the site plan submitted with the Application, said site plan entitled “ ‘Special Permit Plan,’ Showing Existing Conditions at 72 Jefferson Street, Marlborough, Massachusetts, Date: April 25, 2013, Prepared by: Bibbo Brothers & Associates, 101 Hammer Street, Waltham, MA 02453, 1” = 20’ ” (the “Site Plan”), an 8½” x 11” version of which is attached hereto. 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 an indoor recreation area that will include various children’s entertainment features for birthday parties and other special occasions, and for children who, accompanied by an adult, can take advantage of these same play features.

7. The Site Plan was certified by the Building Inspector, acting as 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 June 17, 2013, 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, Gihan Touson, who will be managing the operation of the business, and whose husband, Emad Guirguis, is the Applicant Tenant, described the proposed business as being one that would provide an indoor venue for children's birthday parties and for children who, accompanied by an adult, can take advantage of the proposed indoor play facilities. She indicated that the business would not include a child care component, and that all children using the facility would need to be accompanied by an adult to provide supervision. In response to questions from city councilors, she indicated that:

- a) the parties would be scheduled for weekdays and weekends
- b) no food would be prepared on the premises
- c) the facility would be open to the general public to provide indoor play space for children on a daily basis.
- d) all recreation would occur indoors.

12. No member of the public spoke, either in favor or in opposition to the proposal.

13. Following the public hearing, the Urban Affairs Committee held meetings on June 24, 2013 and July 9, 2013 during which this Application was discussed. At those meetings, the parties discussed various issues and proposed permit conditions to deal with them.

**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 Unit 103 for an indoor recreation establishment and place of amusement is an appropriate use of the Unit 103-portion of the Site 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 Applicants, their successors and assigns, a Special Permit to operate an indoor recreation establishment and place of amusement as per plans filed with the City Council and the City Clerk, **SUBJECT TO THE FOLLOWING CONDITIONS**, which shall be applicable to Applicants' successors and assigns, and a violation of which shall be a violation of this Special Permit:

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 Applicants 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. Public Peace and Good Order: In the event that the Chief of Police determines that either the business of the Applicant Tenant is, or the clientele of the Applicant Tenant are, creating a condition that is contrary to public peace and good order, the Chief shall, in writing, notify the Applicant Tenant and demand corrective measures be put into effect within seven (7) days. Upon the failure or inability of the Applicant Tenant to correct such condition, the Police Chief may require the Applicant Tenant to employ one or more Police Detail Officers, during such hours and days as the Police Chief, in the exercise of his sole discretion, determines to be necessary for the purpose of correcting the condition. Applicant Tenant shall obtain appropriate CORI information regarding all employees of Applicant Tenant, and shall keep said information available for inspection by local police upon request.

4. Hours of Operation: The hours of operation of the facility shall not be earlier than 8:00 AM or later than 9:00 PM on any day.

5. Limits of Use: The proposed use of the premises is to provide a place for birthday parties and other parties for children, and to otherwise provide an indoor play facility for children who are accompanied and supervised by an adult. No other kinds of public amusement shall be allowed on the premises except those ancillary to this use, including but not limited to object painting and clay art.

6. Food Preparation: No food will be prepared or handled on the premises unless and until the tenant at the premises has obtained any license or other approval deemed necessary by the Director of the Marlborough Health Department.

7. Certificate of Occupancy Required: No use of the premises will be made pursuant to this special permit unless and until a Certificate of Occupancy has been obtained from the Building Inspector regarding the change of use of the premises.

8. No Expansion of Use Area: Only the area of Unit 103, containing approximately 5,000 sq. ft, which has been specified in a sketch in the files of the Urban Affairs Committee, a copy of which is attached hereto, 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.

9. Limitations on Use During Kelleher Field Events: The Applicant Tenant shall obtain information from the Marlborough Recreation Department to determine when Kelleher Field is being used for an event that is, in the opinion of the Recreation Director, a major sporting event. The Applicant Tenant shall not allow a party including more than 25 children to occur during the period beginning ½ hour before and ending ½ hour after the estimated time of said sporting event.

10. Subsequent Users: Before any successor tenant other uses Unit 103 for the uses allowed in this special permit, the Director of the Marlborough Health Department shall determine in writing that any permit required of Applicant Tenant, and any other permit determined by the Director to be necessary, has been obtained.

11. Required Approval regarding Sanitary Conditions: Prior to the beginning of operation of the business, the Director of the Marlborough Health Department shall determine in writing what, if any, special sanitary requirements are necessary in order to assure that the facility does not cause unusual health risks to those using the facility or to the public. The Director may later, in writing, amend and/or add to said requirements as he deems necessary. Such determination, and any such amendments and/or additions, shall be provided by the Director to the City Council. Any failure to comply with said sanitary requirements shall be a violation of this permit.

12. Maintenance Duties. Under the supervision of the Conservation Officer, the Applicant Landlord, its successors and assigns shall perform the following maintenance duties:

- a. Under the supervision of the Conservation Officer, the Applicant Landlord, its successors and assigns shall, at least once per month, from April 1 to November 1 of each year, maintain in perpetuity the portion of the Assabet River Rail Trail (“Rail Trail”) to the extent it abuts 72 Jefferson Street (“the Building”) and outward from the Building to a distance of three (3) feet on the other side (i.e., on the non-Building side) of the paved Rail Trail. Such maintenance shall include removal of all trash, debris, branches, leaves, etc.; mowing and trimming of all turf areas; pruning of trees; and the like.
- b. Under the supervision of the Conservation Officer, the Applicant Landlord, its successors and assigns shall, after each storm event, maintain in perpetuity the drainage swale and the drain pipe located in the Rail Trail as that swale and pipe approach the catch basin in Hudson Street. Such maintenance shall include the removal of all trash, debris, branches, leaves, etc. that may serve to impede or otherwise interfere with the drainage flow of water in the Rail Trail as it approaches Hudson Street.

In performing the above maintenance duties, the Applicant Landlord, its successors and assigns shall hold harmless the City, its agents, officials and employees from any suits, claims, injury,



liability, and costs arising from personal injuries and/or property damage sustained by or on behalf of Applicant Landlord, its successors and assigns.

13. 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 hearing being filed. The Applicant Landlord shall provide a copy of the recorded Special Permit to the City Clerk, the City Solicitor, and the Building Inspector.

APPROVE

Yea: \_\_\_ Nay: \_\_\_

Yea:

ADOPTED \_\_\_\_\_

In City Council

Order No. 13- \_\_\_\_\_

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

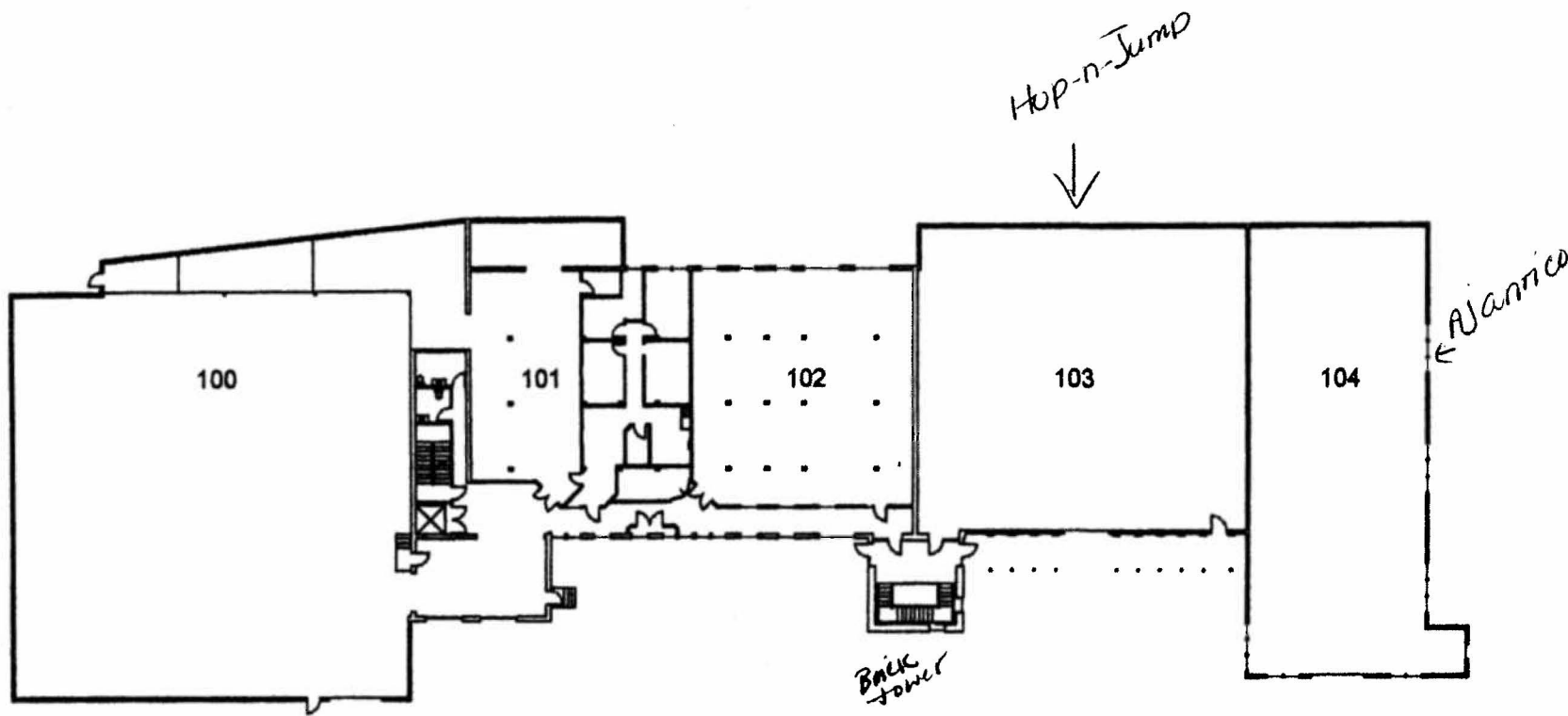
Patricia A. Pope

City Council President

A TRUE COPY

ATTEST:

City Clerk



**FIRST FLOOR**

**72 JEFFERSON STREET**

**MARLBOROUGH, MA**

**TENANT SPACE PLAN**

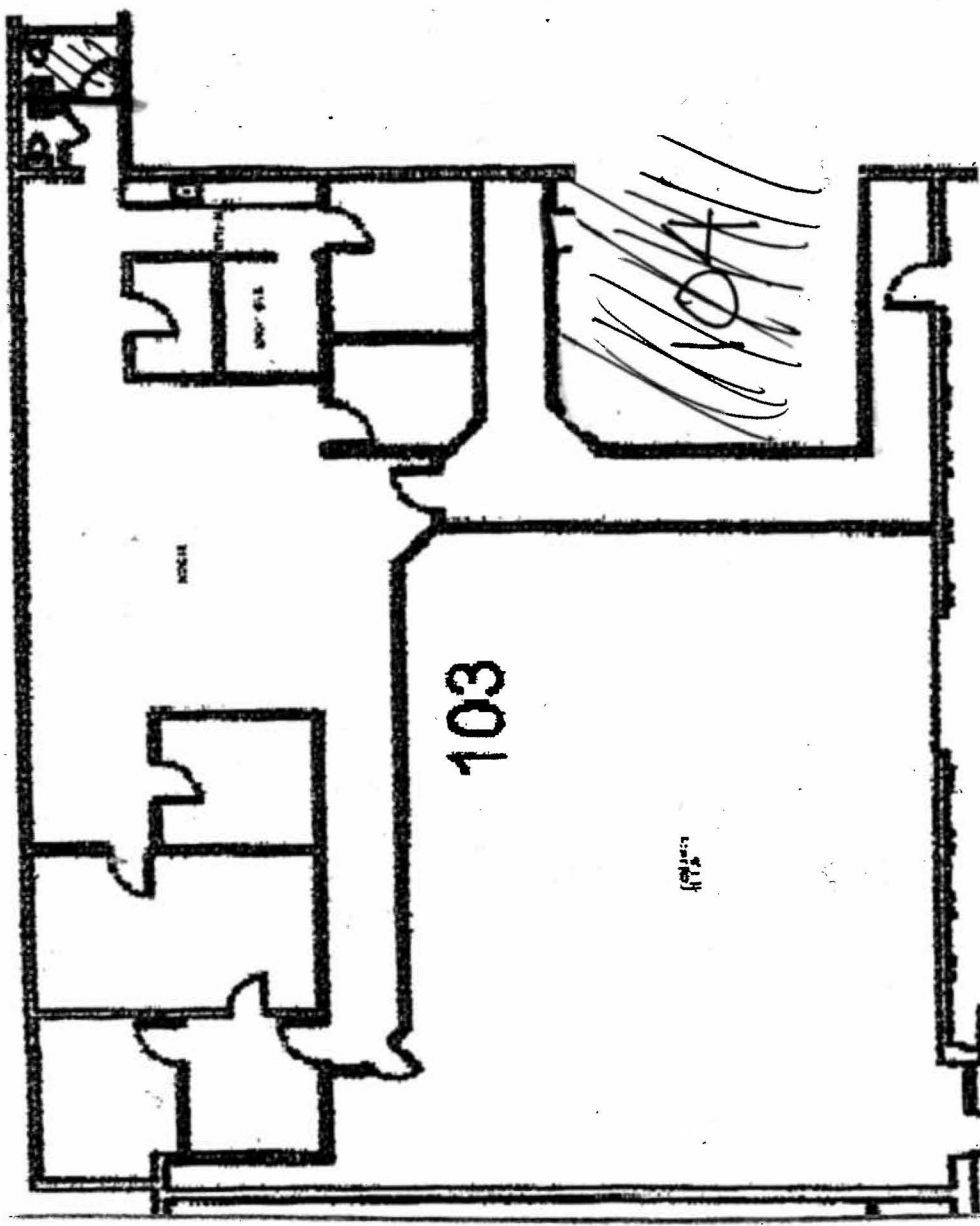
**1/30/2003**



**MAHONEY  
ARCHITECTS**  
70 Seven Star Lane  
Concord, MA  
978-287-4223

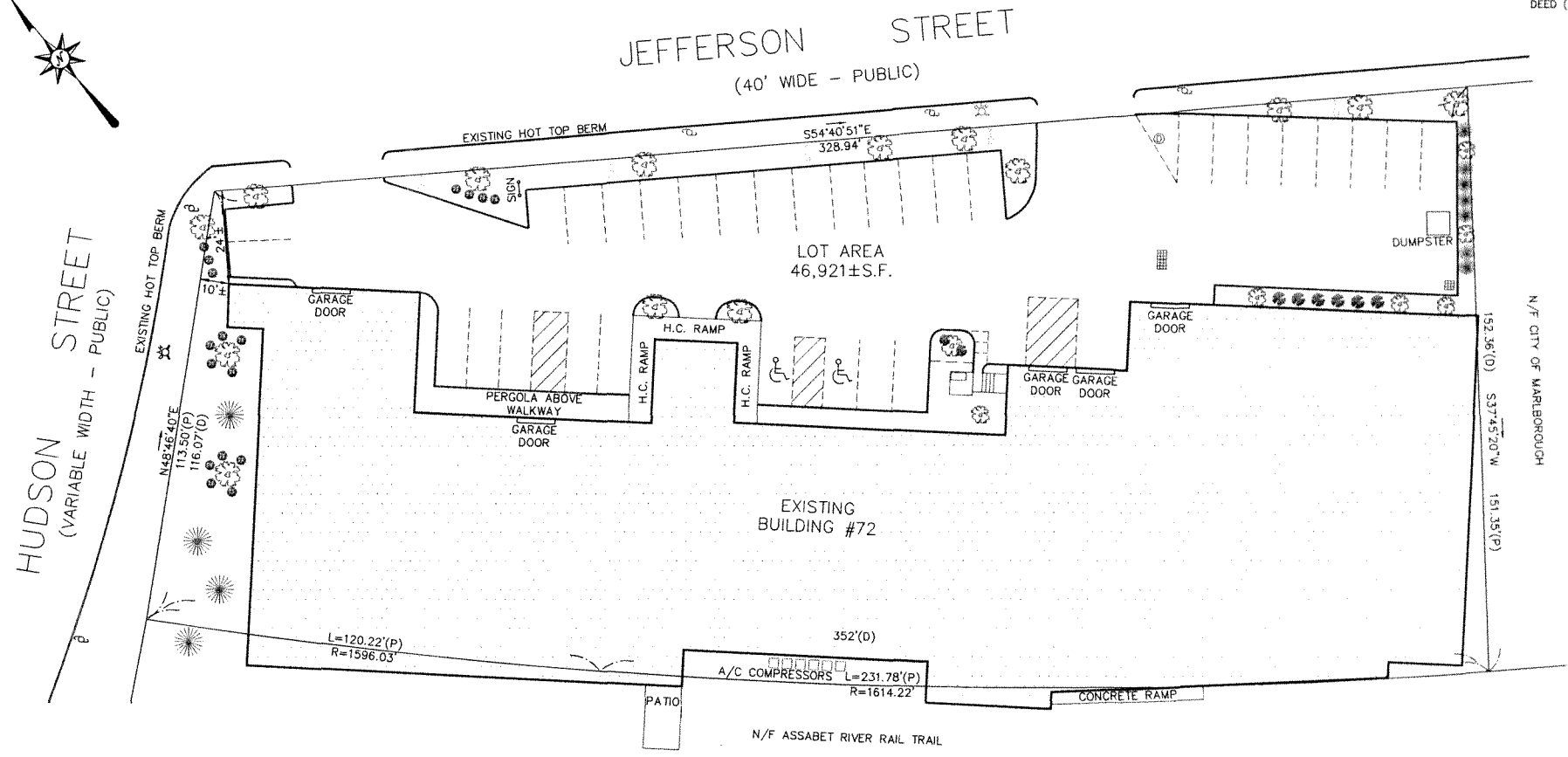
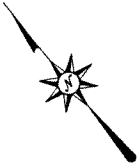
*[Handwritten signature]*

*F*



*Hop n Jump*

LEGEND  
 SURVEY (S)  
 PLAN (P)  
 DEED (D)



PARKING SPACES:  
 31 STANDARD  
 2 HANDICAP

OWNER:  
 SANDRA & ANTHONY  
 ANTICO REAL ESTATE LLC  
 72 JEFFERSON STREET  
 MARLBOROUGH, MA

DEED REFERENCE:  
 BOOK 34950 PAGE 257

PLAN REFERENCES:  
 MARLBOROUGH ENGINEERING DEPARTMENT  
 PLAN TITLED "ACQUISITION PLAN,  
 MARLBOROUGH HERITAGE STATE PARK"  
 DATED JAN. 17, 1993

AREA AND DIMENSIONS OF THE LOT SHOWN  
 ARE A COMPOSITE OF DEEDS OF RECORD  
 AND PLANS OF RECORD.

THE PROPERTY SHOWN IS LOCATED IN THE  
 CA ZONING DISTRICT.

THE PROPERTY SHOWN ON THIS PLAN IS IN  
 FLOOD ZONE "X", AREAS OF MINIMAL FLOODING,  
 AS DESIGNATED BY THE F.E.M.A. FLOOD  
 INSURANCE RATE MAP NUMBER 25017C0481E  
 DATED JUNE 4, 2010.

THIS PLAN WAS PERFORMED UNDER MORTGAGE LOAN  
 INSPECTION STANDARDS, AT NO TIME SHALL THIS PLAN  
 BE USED TO ESTABLISH LOT LINES. IT APPEARS THAT  
 THE BUILDING ENCRDACHES OVER THE LOT LINE.

**"SPECIAL PERMIT PLAN"**  
 SHOWING EXISTING CONDITIONS  
 AT 72 JEFFERSON STREET  
 MARLBOROUGH, MASSACHUSETTS

DATE: APRIL 25, 2013

PREPARED BY:  
**BIBBO BROTHERS & ASSOCIATES**  
 10 HAMMER STREET, WALTHAM, MA 02453  
 TEL: 781-891-0417 - bibbobrothers@comcast.net  
 RALPH J. BIBBO, JR., MANAGER, OWNER  
 ROBERT J. BIBBO, P.L.S., OWNER

GRAPHIC SCALE



( IN FEET )  
 1 inch = 20 feet

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH



2013 JUL 18 A 11:50

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

July 17, 2013

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

**RE: PROPOSED AMENDMENT TO CHAPTER 510, CODE OF THE CITY OF  
MARLBOROUGH**

Honorable President Pope and Councilors:

I am submitting for your review and approval the attached proposed amendment to Chapter 510 of the City Code which in part governs the city's sewerage system. This amendment has been recommended by the city's sewer consultant, CDM-Smith, Inc. as a pre-requisite for the city to qualify for a 0% financing rate under the state's SRF loan program which the city has used to fund the upgrades to its West and East wastewater treatment plants. The 0% financing rate would apply to any expenditures the city has or will incur to incorporate nutrient removal facilities at the plants.

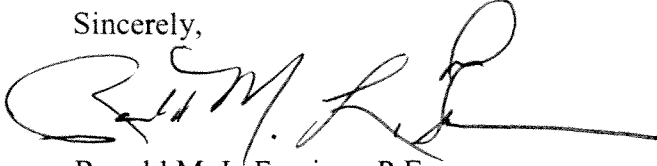
As you will note, the amendment proposes to define the discharge capacity at both of the city's treatment plants to the volumes of flow which the city has defined in its planning documents for these 2 plants.

The deadline for completing the amendment process under the loan program is August 16, 2013 and because the one and only city council meeting in August is on the 26<sup>th</sup>, I am requesting the council consider and act on this at your meeting on Monday, July 22<sup>nd</sup>.

Both Assistant Commissioner Michele Mochnoc-Higgins and I will be present at your meeting on Monday to answer any questions which the council may have regarding this ordinance change.

Should you have any questions regarding this matter, please do not hesitate to contact me, including this weekend, before Monday night's meeting. My mobile phone number is 508-958-1045 and you may also e-mail me with any questions at [rlafreniere@marlborough-ma.gov](mailto:rlafreniere@marlborough-ma.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald M. LaFreniere". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ronald M. LaFreniere, P.E.  
Commissioner of Public Works

Cc Mayor Arthur G. Vigeant  
Michele Mochnoc-Higgins  
Elena Proakis, CDM-Smith, Inc.

## Proposed modification to SECTION 510-4 BUILDING SEWER CONNECTIONS

Add after Item A (7):

(8) All sewer extension and building sewer connection permits shall only be issued if in accordance with the flow allocations in the December 3, 2007 Certificate of the Secretary of Energy and Environmental Affairs on the October 2007 *Phase IV Final Recommended Comprehensive Wastewater Management Plan/Final Environmental Impact Report* (CWMP/EIR), as stipulated below.

- (a) The City is divided into two sewer service areas, one tributary to the Easterly wastewater treatment facility (WWTF) and the other tributary to the Westerly WWTF, divided by a "WWTF Division Line" that runs north/south through the City, to the east of Route 495.
- (b) A total of 4.15 million gallons per day (mgd) average daily flow is allocated in the CWMP/EIR Certificate to the Westerly WWTF from the City of Marlborough and the Town of Northborough as described further in items [1] and [2] below. The actual allowable flow is dependent upon the permitted value in the facility's National Pollutant Discharge Elimination System (NPDES) permit. Sewer connection or extension permits shall only be approved if the resulting total flows to the Westerly WWTF are within the permitted flow allocation in the NPDES permit and if the flows are consistent with the following allocations:
  - [1] Up to 2.9 mgd of the total permitted average daily flow is allocated in the CWMP/EIR Certificate to originate from the western side of the City of Marlborough tributary to the Westerly WWTF through the year 2025.
  - [2] The remaining allocation between 2.9 mgd and the NPDES permitted average daily flow (up to 1.25 mgd) is allocated in the CWMP/EIR Certificate to originate from the Town of Northborough tributary to the Westerly WWTF through the year 2025. Note that the City of Marlborough is required via a January 1, 1990 intermunicipal agreement to provide the Town of Northborough with 0.80 mgd of sewer capacity, however this agreement expired as of January 1, 2010.
- (c) The flow limitation for the Easterly WWTF in effect on the date of the December 3, 2007 Certificate was 5.5 mgd on an average monthly basis, as permitted by the Easterly WWTF's October 19, 2006 NPDES permit. Sewer connection or extension permits through the year 2025 shall only be approved if the total flows to the Easterly WWTF are within this permitted flow allocation.
- (d) All flow allocations in the CWMP/EIR Certificate, as well as sewer connection or extension estimated flows, shall be based on average annual values.
- (e) Extensions tributary to the Easterly WWTF originating from beyond the area bounded by the town boundaries to the north, south and east, and by the WWTF Division line to the west require approval by the Mayor, the City Council, and, when applicable thresholds are exceeded, by MassDEP via a sewer extension permit. Similarly, sewer extensions tributary to the Westerly WWTF beyond the area bounded by the WWTF Division Line to the east, the town boundaries to the north and south, and the neighborhoods identified for sewerage in the CWMP/EIR in Northborough to the west require approval from the Mayor, City Council, and, as applicable, MassDEP. Flow from one side of the WWTF Division Line may be treated at the WWTF on the other side with prior City Council approval.

## Proposed modification to SECTION 510-4 BUILDING SEWER CONNECTIONS

Add after Item A (7):

(8) All sewer extension and building sewer connection permits shall only be issued if in accordance with the flow allocations in the December 3, 2007 Certificate of the Secretary of Energy and Environmental Affairs on the October 2007 *Phase IV Final Recommended Comprehensive Wastewater Management Plan/Final Environmental Impact Report* (CWMP/EIR), as stipulated below.

- (a) The City is divided into two sewer service areas, one tributary to the Easterly wastewater treatment facility (WWTF) and the other tributary to the Westerly WWTF, divided by a "WWTF Division Line" that runs north/south through the City, to the east of Route 495.
- (b) A total of 4.15 million gallons per day (mgd) average daily flow is allocated in the CWMP/EIR Certificate to the Westerly WWTF from the City of Marlborough and the Town of Northborough as described further in items [1] and [2] below. The actual allowable flow is dependent upon the permitted value in the facility's National Pollutant Discharge Elimination System (NPDES) permit. Sewer connection or extension permits shall only be approved if the resulting total flows to the Westerly WWTF are within the permitted flow allocation in the NPDES permit and if the flows are consistent with the following allocations:
  - [1] Up to 2.9 mgd of the total permitted average daily flow is allocated in the CWMP/EIR Certificate to originate from the western side of the City of Marlborough tributary to the Westerly WWTF through the year 2025.
  - [2] The remaining allocation between 2.9 mgd and the NPDES permitted average daily flow (up to 1.25 mgd) is allocated in the CWMP/EIR Certificate to originate from the Town of Northborough tributary to the Westerly WWTF through the year 2025. Note that the City of Marlborough is required via a January 1, 1990 intermunicipal agreement to provide the Town of Northborough with 0.80 mgd of sewer capacity, however this agreement expired as of January 1, 2010.
- (c) The flow limitation for the Easterly WWTF in effect on the date of the December 3, 2007 Certificate was 5.5 mgd on an average monthly basis, as permitted by the Easterly WWTF's October 19, 2006 NPDES permit. Sewer connection or extension permits through the year 2025 shall only be approved if the total flows to the Easterly WWTF are within this permitted flow allocation.
- (d) All flow allocations in the CWMP/EIR Certificate, as well as sewer connection or extension estimated flows, shall be based on average annual values.
- (e) Extensions tributary to the Easterly WWTF originating from beyond the area bounded by the town boundaries to the north, south and east, and by the WWTF Division line to the west require approval by the Mayor, the City Council, and, when applicable thresholds are exceeded, by MassDEP via a sewer extension permit. Similarly, sewer extensions tributary to the Westerly WWTF beyond the area bounded by the WWTF Division Line to the east, the town boundaries to the north and south, and the neighborhoods identified for sewerage in the CWMP/EIR in Northborough to the west require approval from the Mayor, City Council, and, as applicable, MassDEP. Flow from one side of the WWTF Division Line may be treated at the WWTF on the other side with prior City Council approval.



510-4 Building sewer connections.

A. Extensions of sewers shall be subject to approval by the City Council and the Mayor, and such extensions shall be made under the supervision of the Commissioner, subject to the following provisions:

[Amended 2-9-2004 by Ord. No. 04-9962C]

(1) Entrance fees for any service pipe connected into the public sewerage system shall be in accordance with the following schedule:

(a) Residential, single-family.

[Amended 7-25-2005 by Ord. No. 05-100841A]

[1] The owner of any single-family residential dwelling that has an occupancy permit from the Building Department effective on or before December 31, 2003, will be allowed to pay the amount of \$600 to connect to the municipal sewer system.

[Amended 8-29-2011 by Ord. No. 11-1002920B]

[2] The owner of any single-family home that received an occupancy permit from the Building Department which was effective after December 31, 2003, will pay the fee in effect at the time of connection.

(b) Residential, two- and three-family. Entrance fee, service pipes for two-family: \$6,000; for three-family: \$9,000.

[Added 12-20-2004 by Ord. No. 04-100616A]

(c) Nonresidential.

[1] Entrance fee shall be based on the size of the water service pipe as follows:

<b>Size (inches)</b>	<b>Fee</b>
3/4	\$4,000
1	\$5,000
1 1/2	\$6,000

Size (inches)	Fee
2	\$7,000
4	\$8,000
6	\$9,000
8	\$10,000
10	\$12,000
12	\$15,000

[2] Sewerage entrance fee for any water service larger than 12 inches shall be as determined by the Commissioner of Public Works with the approval of the Mayor.

(2) The service for the buildings under this section shall be paid entirely by the owner and shall include all labor, material, inspection and other charges related to the installation.

(3) The entrance fee for a single-family residence shall be payable at the time of the service connection; except that, at the discretion of the Department of Public Works, this payment, plus a service charge of 10%, may be paid over a twenty-year period.

(4) Entrance fees for all other connections shall be payable at the time of application for connection.

(5) The unpaid balance of any entrance fee due the City shall constitute a municipal lien on the property of the applicant.

(6) Secondary or branch mains connected to City main and service pipes connected thereto are as follows:

(a) Single-family residential subdivision or development. The entrance fee shall be \$5,000 for each connection of the secondary or branch main or mains to City mains, plus \$1,000 for each lot served by the secondary or branch main.

(b) Multifamily residential subdivision or development. The entrance fee shall be \$5,000 for each connection of the secondary or branch main or mains to City mains, plus \$500 for each living unit served by the secondary or branch main.

(c) Commercial or industrial subdivision or development. The entrance fee shall be \$5,000 for each connection of the secondary or branch main or mains to the City main, plus the nonresidential entrance fee listed in Subsection **A(1)(c)** for each service connected to the branch or secondary main.

(7) The service for the buildings under this section shall be paid entirely by the owner and shall include all labor, material, inspection and other charges related to the installation.

**B.** All work related to the installation, repair, extension or modification of building drains, building sewers and connections to public sewers shall be performed by persons licensed by the Commissioner. Work related to the installation of building sewers, sewer extensions and connections to public sewers shall be performed only under permit issued by the Commissioner. No unauthorized person shall uncover, make any connection with or opening into, use, alter or disturb any public sewer or appurtenance thereto. Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are being discharged into the system shall notify the Commissioner at least 45 days prior to the proposed change or connection.

**C.** Building sewer connection permit.

(1) There shall be two classes of building sewer connection permits, one for residential and commercial service and the other for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Commissioner.

(2) One copy of the permit shall be available for inspection at all times at the site of the work.

**D.** All costs and expense incidental to the installation, testing and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

**E.** The applicant for the building sewer permit shall notify the Commissioner at least 24 hours before beginning the work and also when the building sewer is ready for inspection, testing and connection to the public sewer. The testing and connection shall be made under the supervision of the Commissioner.

- F. Notification of the completion of the work with certification that all conditions of this chapter have been complied with shall be filed in writing with the Commissioner within 24 hours after the completion of the work covered in each permit.
- G. A separate and independent building sewer shall be provided for every building; except, where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building under permit issued by the Commissioner.
- H. Old building sewers or portions thereof may be used in connection with new buildings only when they are found, on examination and test by the Commissioner, to meet all requirements of this chapter.
- I. Where possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer. Ejector pumps, where necessary, are the property of the owner and shall be supplied, installed and maintained by the homeowner.
- J. The building drain system shall be so vented that under no circumstances will the seal of any appliance be subjected to a pressure differential in excess of one inch of water. All appliances connected directly or indirectly to the building drain shall have traps with a liquid seal not less than two inches in depth.



RECEIVED  
CITY CLERK'S  
CITY OF MARLBOROUGH

# City of Marlborough Historic Commission

2013 JUL 18 A 10: 31  
255 Main Street  
Marlborough, Massachusetts 01752  
Tel. (508) 460-3782

July 17, 2013

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

Re: Historic Preservation Restriction – 197 Stow Road

Dear Councilor Pope:

The Marlborough Historical Commission has considered the Historic Preservation Restriction which is being sought for the property located at 197 Stow Road in Marlborough, known on the Massachusetts Historical Commission Inventory as the Uriah Eager House.

This Commission finds the house and its attached barn to be historically relevant, its preservation valuable, and we fully support its preservation. We ask that the City Council support this restriction.

I am happy to answer any questions on this matter that the Council may have.

Sincerely,

  
Gary Brown, Chairman

DAVID P. GADBOIS

*Attorney-at-Law*

2 MOUNT ROYAL AVE., SUITE 202  
MARLBOROUGH, MASSACHUSETTS 01752

E-MAIL David@attygadbois.com

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2013 JUL 18 AM 9:06

FAX (508) 484-9435

PHONE (508) 481-0101

July 17, 2013

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

Re: Historic Preservation Restriction – 197 Stow Road

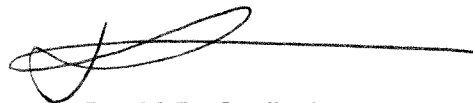
Dear Councilor Pope:

My client, 197 Stow Road Realty Trust, seeks a Historic Preservation Restriction pursuant to Massachusetts General Laws chapter 184 section 31, for its property located at 197 Stow Road, Marlborough, as a condition of a special permit that was approved for a Limited Development Subdivision by the Marlborough Planning Board.

This Historic Preservation Restriction which preserves both the interior and exterior architectural features of what is now on the Massachusetts Historical Commission Inventory as the "Uriah Eager House" has been approved by the Massachusetts Historical Commission and the Marlborough Historical Commission. Because the restriction is considered an interest in land, 197 Stow Road Realty Trust now presents this matter to the City Council seeking its approval as well.

I look forward to addressing any questions the Council has regarding this matter.

Sincerely,



David P. Gadbois

DAVID P. GADBOIS  
*Attorney-at-Law*  
2 MOUNT ROYAL AVE., SUITE 202  
MARLBOROUGH, MASSACHUSETTS 01752

PHONE (508) 481-0101

E-MAIL David@attygadbois.com

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2013 JUL 18 A 10:35  
FAX (508) 484-9435

Patricia Pope, President and  
Members of the City Council  
City Hall 140 Main Street  
Marlborough, MA 01752

July 18, 2013

RE: Application for Sewer Connection Permit  
AvalonBay Communities, Inc. Simarano Drive

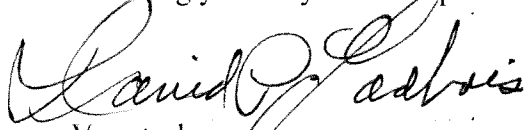
Dear Mr. President and Councilors:

I represent AvalonBay Communities, Inc. in the matter of its developing the property located on Simarano Drive. The development is part of "Forest Park Master Plan". It will consist of several buildings containing 350 apartment units with 556 bedrooms. When the development is completed the facilities will generate a total of 61,160 gallons of sewage per day.

Enclosed herewith please a copy of an application for a permit as provided for in 314CMR section 7.20. The project engineer, H.W. Moore Associates, Inc. prepared the application. It has been submitted to the Engineering Department at the DPW as required. The Sanitary Sewer Plans and Profiles and Detail were filed with the Engineering Department as part of the Site Plan Review Process.

My client hereby requests approval from the City Council of the attached "Application". Would you kindly place this matter on the agenda of your next regularly scheduled meeting, forward it to the appropriate committees for study and act on the same in a timely manner. My client is prepared to appear before the council or any of its committees at your convenience.

Thanking you for your anticipated cooperation and attention to this matter, I am



Very truly yours,  
David P. Gadbois, Attorney for  
AvalonBay Communities, Inc.  
Cc: City Engineer



# BRP WP 55, 71, 74

## Application for Permit for Sewer System Extension, Connection, or Industrial Wastewater

Permit Number \_\_\_\_\_

Town \_\_\_\_\_

The original of the transmittal form and this application, signed by the appropriate municipal official, should be submitted along with one copy to the appropriate Regional Office. The signature of the design engineer or other agent will be accepted only if accompanied by a letter of authorization. A copy of the transmittal form and fee (if applicable) should be submitted to the Boston Office.

**Important:** When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



If connection is to be made to the MWRA sewerage system, indicate "MWRA" in item 11.

If the project includes sewers, pumping stations, force mains, or siphons, construction plans must be submitted with the application.

If additional space is required to properly answer any questions, please attach additional sheets and refer to the attachments in the space provided.

### A. Applicant Information

1. Name and Address of Applicant:

AvalonBay Communities, Inc.

Name

51 Sleeper Street, Suite 750

Street address

Boston, MA

City/Town

02210

Zip Code

617-654-6500

Telephone Number (include area code and extension)

E-mail address (optional)

2. Name of Sewer System Owner:

Name

City of Marlborough

Municipality or Sewer District

Department of Public Works

Department

### B. Project Information

1. Type of Project:     Sewer Extension     Sewer Connection     Industrial Connection

2. Number of Residences to be served:

350

3. Number of Bedrooms:

556





# BRP WP 55, 71, 74

## Application for Permit for Sewer System Extension, Connection, or Industrial Wastewater

Permit Number \_\_\_\_\_

Town \_\_\_\_\_

### B. Project Information (Continued)

4. Industrial establishment to be served:

a. Not Applicable

Name \_\_\_\_\_

Address \_\_\_\_\_

Type of Establishment \_\_\_\_\_

Design Flow \_\_\_\_\_

5. Design Flow:

Sewage	<u>61,160</u>	_____
	Gallons per day	
Industrial Wastes	<u>0</u>	_____
	Gallons per day	
Total	<u>61,160</u>	_____
	Gallons per day	

6. Location, Length, Size and Capacity of Sewers to be Connected to the existing system (attach sketch):

a. On private property parallel to and east of Simarano Drive

Name of Street \_\_\_\_\_

1,080 ± LF

Length of Sewer

8"

Size of Sewer

1.3± CFS or 0.84± MGD

Flow Full Capacity

b.

Name of Street \_\_\_\_\_

Length of Sewer \_\_\_\_\_

Size of Sewer \_\_\_\_\_

Flow Full Capacity \_\_\_\_\_

c.

Name of Street \_\_\_\_\_

Length of Sewer \_\_\_\_\_

Size of Sewer \_\_\_\_\_

Flow Full Capacity \_\_\_\_\_

7. Location, Length, Size and Capacity of Pumping Stations to be Connected to the existing system:

a. Not Applicable

Pump Station Location \_\_\_\_\_

Number of Pumps \_\_\_\_\_

Pump Size \_\_\_\_\_

Pump Capacity \_\_\_\_\_

b.

Pump Station Location \_\_\_\_\_

Number of Pumps \_\_\_\_\_

Pump Size \_\_\_\_\_

Pump Capacity \_\_\_\_\_



# BRP WP 55, 71, 74

## Application for Permit for Sewer System Extension, Connection, or Industrial Wastewater

Permit Number \_\_\_\_\_

Town \_\_\_\_\_

### B. Project Information (continued)

8. General Description of Sewers and Pump Stations within the existing sewer system which will transport the flow from the proposed sewer extension of connection to the receiving Wastewater Treatment Facility. If the sewer extension or connection includes a privately owned pump station, the application must include documentation detailing plans for the continual operation, maintenance, financial assurance for emergency repair and long-term replacement of the privately owned pump station.

Sewage from the Project Site will connect to the City of Marlborough's municipal sewer system at the intersection of Forest Street at Simarano Drive and Ames Street. From this connection point the sewer system flows in a northerly direction towards Glen Street and ultimately flows to the west to the City's Westerly Wastewater Treatment Plant. Gravity sewer mains along this route vary in size from 8" diameter up to 30" diameter pipe.

9. Receiving Wastewater Treatment Facility:

Name City of Marlborough Westerly Wastewater Treatment Facility

Average Daily Flow 2.5 to 2.6  
Million gallons per day

Design Flow 2.89 - current Operating Permit; 4.15 - design capacity  
Million gallons per day

10. Does the discharge contain any industrial waste?  Yes  No

If yes, list any pollutants which you know or have reason to believe are discharged or may be discharged. For every pollutant you list, please indicate its approximate concentration in the discharge and any analytical data in your possession which will support your statement. Additional wastewater analysis may be required as part of this application.

Pollutant	Concentration	Analytical Data
_____	_____	_____
_____	_____	_____
_____	_____	_____

11. Does the discharge contain any industrial waste containing substances or materials which could harm the sewers, wastewater treatment process, or equipment; have an adverse effect on the receiving water; or could otherwise endanger life, limb, public property, or constitute a nuisance?

Yes  No



**BRP WP 55, 71, 74**

**Application for Permit for Sewer System Extension,  
Connection, or Industrial Wastewater**

Permit Number

Town

**B. Project Information (continued)**

12. Do the wastewaters receive any pretreatment prior to discharge?

Yes  No                      If yes, provide detailed description.

13. List, in descending order of significance, the four (4) digit standard industrial classification (SIC) Codes which best describe the facility producing the discharge in terms of the principal products for services provided. Also, specify each classification in words.

SIC Code

Specify

8811

Apartments

A.

14. Is the Proposed Discharge Consistent with Existing Sewer Use Regulations?

Yes  No

15. Is there a site of historic or archeological significance, as defined in regulations of the Massachusetts Historical Commission, 950 CMR 71.00, which is in the area affected by the proposed extension or connection?

Yes  No

16. Does this project require a filing under 301 CMR 11.00, the Massachusetts Environmental Policy Act?

Yes  No

If yes, has a Filing been made?

Yes  No

17. Name and Address of Mass. Registered Professional Engineer Designing Proposed System:

Timothy D. Paris P.E. - H. W. Moore Associates, Inc.

Name

112 Shawmut Avenue

Street

Boston, MA

City/Town

617-357-8145

Telephone Number

02118

Zip Code

37944

Mass. P.E. Number



**BRP WP 55, 71, 74**

**Application for Permit for Sewer System Extension,  
Connection, or Industrial Wastewater**

Permit Number \_\_\_\_\_

Town \_\_\_\_\_

**C. Certification**

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment of knowing violations."

(I will be responsible for publication of public notice of the applicable permit proceedings identified under 314 CMR 2.06(1)(a) through (d).)

Lars Unhjem

Printed Name of Applicant

Development Director

Title

Lars Unhjem

Signature of Applicant

7/17/2013

Date Signed

Frederick A. Keylor

Name of Preparer

Project Manager, H. W. Moore Assoc., Inc.

Title

617-357-8145

Phone Number

**D. General Conditions**

1. General Conditions

a. All discharge authorized herein shall be consistent with the terms and conditions of this permit and the approved plans and specifications. The discharge of any wastewater at a level in excess of that identified and authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such a violation may result in the imposition of civil and/or criminal penalties as provided for in Section 42 of the State Act.

b. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:

- (1) Violation of any terms or conditions of the permit;
- (2) Obtaining a permit by misrepresentation or failure to disclose fully all relevant facts; and
- (3) A change in conditions or the existence of a condition which requires either a temporary or permanent reduction or elimination of the authorized discharge.

c. In the event of any change in control or ownership of facilities from which the authorized discharges originate, the permittee shall notify the succeeding owner or operator of the existence of this permit by letter, a copy of which shall be forwarded to the Director. Succeeding owners or operators shall be bound by all the conditions of this permit, unless and until a new or modified permit is obtained.



# BRP WP 55, 71, 74

## Application for Permit for Sewer System Extension, Connection, or Industrial Wastewater

Permit Number \_\_\_\_\_

Town \_\_\_\_\_

### D. General Conditions (continued)

d. The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges; nor does it authorize or relieve the permittee of any liability for any injury to private property or any invasion of personal rights; nor any infringement of Federal, State, or local laws or regulations; nor does it waive the necessity of obtaining any local assent required by law for the discharge authorized herein.

e. The provisions of this permit are severable, and the invalidity of any condition or subdivision thereof shall not make void any other condition or subdivision thereof.

f. All information and data provided by an applicant or a permittee identifying the nature and frequency of a discharge shall be available to the public without restriction. All other information (other than effluent data) which may be submitted by an applicant in connection with a permit application shall also be available to the public unless the applicant or permittee is able to demonstrate that the disclosure of such information or particular part thereof to the general public would divulge methods or processes entitled to protection as trade secrets in accordance with the provisions of M.G.L. c.21, s.27(7). Where the applicant or permittee is able to so demonstrate, the Director shall treat the information or the particular part (other than effluent data) as confidential and not release it to any unauthorized person. Such information may be divulged to other officers, employees, or authorized representatives of the Commonwealth or the United States Government concerned with the protection of public water or water supplies.

#### g. Transfer of Permits

(1) Any permit issued pursuant to these regulations is valid only for the person to whom it is issued, unless prior to transfer:

(a) The current permittee notifies the Department at least 30 days in advance of the proposed transfer date; and

(b) The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibilities and liability to the new permittee.

#### 2. Special Conditions

---

---

---

---

---



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection – Sewer Connections/Extensions

DEP Use Only:

**BRP WP 55, 71, 74**

Permit Number

**Application for Permit for Sewer System Extension,  
Connection, or Industrial Wastewater**

Town

---

**E. Approval Recommended**

Signature and Title of appropriate Municipal Official:

Printed Name of Official

Title

Phone Number

Signature

Date Signed

---

**DEP Use Only**

Date Issued

Regional Sewer Permits Coordinator

Effective Date of Permit



# MASSDEVELOPMENT

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2013 JUL 17 P 3:10

99 High Street  
Boston, Massachusetts  
02110

Tel: 617-330-2000  
800-445-8030

Fax: 617-330-2001

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

July 11, 2013

**City Council  
Marlborough City Hall  
140 Main Street  
Marlborough, MA 01752**

**Dear Members of the Council:**

The Massachusetts Development Finance Agency has approved a revenue bond project to be financed on behalf of UMass Memorial Healthcare located in the cities on the attached list to be issued pursuant to Chapter 23G and 40D of the General Laws. A summary of the project is attached for your information.

The Agency's policy is to advise the appropriate local and regional planning agencies to ascertain the relationship of a proposed project to any existing state, local or regional comprehensive plan.

The purpose of this letter is to notify you of the project and to request that you advise in the event that the proposed project conflicts with an existing local or regional comprehensive plan. If you would like further information on the project, or if you would like the Agency to consider any comments you may have, please give me a call.

Sincerely,

**Deborah Boyce  
Vice President**

**Enclosure: Summary**

cc: **Edwards Wildman Palmer LLP  
111 Huntington Avenue  
Boston, MA 02199  
Attn: Kris Mousette, Esq.**

DB/jck

**UMASS MEMORIAL HEALTH CARE, INC.**

**REQUEST:** To assist the applicant in financing a not for profit project, approval of the proposed project for a MassDevelopment 501(c)(3) Tax-Exempt Lease is requested.

<b><u>BORROWER:</u></b>	<b><u>Borrower:</u></b> UMass Memorial Health Care, Inc. and UMass Memorial Medical Center, Inc. (together, with any parent, subsidiary, or other affiliate) 365 Plantation Street Worcester, MA 01605	<b><u>User(s):</u></b> UMass Memorial Health Care, Inc. UMass Memorial Medical Center, Inc. Tri-River Family Health Center The Clinton Hospital Association HealthAlliance Hospitals, Inc. Marlborough Hospital Wing Memorial Hospital Corporation
-------------------------	---	---

**PROJECT LOCATIONS:** See attached

**PROJECT:** Proposed is the financing of a variety of medical and nonmedical equipment acquisitions, including a linear accelerator upgrade, PACU patient monitors, angiography equipment, arthroscopy towers, a prescription system, bed replacements, as well as a variety of patient monitoring, operating room, diagnostic, and information technology equipment and related renovations. Lease proceeds will also finance certain costs of issuing the lease.

**GUIDELINE ISSUES:** None

<b><u>SOURCES &amp; USES:</u></b>	<b><u>Sources:</u></b> <b>Total:</b>	\$20,000,000
	<b><u>Uses:</u></b> <b>Total:</b>	\$20,000,000

**LEASE AMOUNT:** \$20,000,000

<b><u>EMPLOYMENT:</u></b>	Current employment at project site:	6,300
	Total employment in state:	6,300
	Borrower projected new employment at site:	0
	MDFA calculated new construction jobs:	0

**INSTITUTION:** UMass Memorial Health Care, Inc. (UMMHC) was formed to develop and coordinate an integrated health care delivery system, and is the sole member of UMass Memorial Medical Center Inc. (UMMMC) UMMHC is the direct or indirect member, stockholder, owner or partner of approximately 25 corporations, limited liability companies or partnerships that provide a broad range of health care and related services to Worcester and the surrounding central Massachusetts communities.



UMMMC operates an acute care hospital with 725 staffed beds located on two inpatient campuses in Worcester and provides a full range of services, including all major specialties and subspecialties of inpatient care and ambulatory care. It is a Level I trauma center and also operates a 45-bed psychiatric unit located on the site of Worcester State Hospital.

Marlborough Hospital provides a wide range of inpatient and outpatient medical, surgical and ancillary services, including oncology, laboratory, diagnostic imaging, physical therapy, cardiac rehabilitation, inpatient and outpatient mental health services, as well as diabetes education and management.

Other primary affiliated entities include UMass Memorial Realty, Inc.; UMass Memorial Hospitals, Inc. (Marlborough Hospital, The Clinton Hospital Association, Central New England Health Alliance, Inc., HealthAlliance Hospitals, Inc., Wing Memorial Hospital Corporation); UMass Memorial Behavioral Health System, Inc.; Community Healthlink, Inc.; UMass Memorial Health Ventures, Inc.; Commonwealth Professional Assurance Company, Ltd.; and UMass Memorial Medical Group, Inc. UMMHC and its affiliates also operate a number of related health care business and support organizations.

**PUBLIC PURPOSE  
BENEFIT:**

The proceeds of the lease will permit UMMHC to provide state-of-the-art care and reduce healthcare costs.

**PRINCIPALS:**

David Bennett, Chair, UMMHC & UMMMC  
Eric Dickson, MD, MHCM, President & CEO, UMMHC  
Charles E. Cavagnaro III, MD, FACP, Interim President & CEO, UMMMC  
Todd Keating, Senior Vice President & CFO, UMMHC  
Robert Feldmann, Vice President Finance, Corporate Controller, UMMHC

**BOARD ACTION:**

Approve the resolution authorizing Official Action and Final Approval for a MassDevelopment 501(c)(3) Tax-Exempt Lease.

**UMass Memorial Health Care, Inc.  
Project Locations**

55 Lake Ave, North, Worcester, MA 01655;  
281 Lincoln Street, Worcester, MA 01605  
119 Belmont Street, Worcester, MA 01605  
281 East Hartford Avenue, Uxbridge, MA 01569  
201 Highland Street, Clinton, MA 01510  
275 Nichols Road, Fitchburg, MA 01420  
60 Hospital Road, Leominster, MA 01453  
157 Union Street, Marlborough, MA 01752  
40 Wright Street, Palmer, MA 01069



RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

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

2013 JUL 15 A 11:59

**Lisa M. Thomas  
City Clerk**

MARLBOROUGH, MA

DATE: 06/24/2013

**To the City Council:**

Owner Name: ecoATM Inc. / Andrew Spaventa

Residential Address: 10515 VISTA SORRENTO PKWY SAN DIEGO CA 92121-2712

Telephone Number: (858) 367-5941

Business Name: ecoATM

Business Address: 601 Donald Lynch Blvd.

Business Telephone Number: (858) 381-5552

Owner Signature: 

The above-signed \_\_\_\_\_ respectfully requests that he/she be  
granted a junk dealer's \_\_\_\_\_ license.

**In City Council**

pd  
\$25



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

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2013 JUL 17 P 2:53

**Lisa M. Thomas  
City Clerk**

MARLBOROUGH, MA

DATE: July 17, 2013

**To the City Council:**

Owner Name: Theresa M. Denoncourt Smith

Residential Address: 84 Stow Road, Marlborough

Telephone Number: 508-251-1582

Business Name: Hint of Class Consignment Inc.

Business Address: 72B Hosmer Street

Business Telephone Number: 508-259-4429

Owner Signature: *Theresa Denoncourt Smith*

The above-signed Hint of Class Consignment Inc. respectfully requests that he/she be granted a Secondhand Article Dealer's license.

**In City Council**

**MARLBOROUGH PLANNING BOARD  
MARLBOROUGH, MA 01752**

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

**Call to Order**

**June 3, 2013**  
2013 JUL 18 AM 11:38

The Meeting of the Marlborough Planning Board was called to order at 7:00pm in Memorial Hall, 3<sup>rd</sup> Floor City Hall 140 Main Street, Marlborough, MA. Members present included Barbara Fenby, Sean Fay, Philip Hodge, Edward Coveney, Shawn McCarthy and Clyde Johnson. Also in attendance were Board Secretary Melissa Irish and City Engineer Thomas Cullen Colleen Hughes was absent.

**1. Meeting Minutes:**

**A. May 20, 2013**

On a motion made by Mr. Fay, seconded by Mr. Coveney, it was voted to table the minutes of the May 20, 2013 meeting. Motion carried.

**2. Chair's Business:**

**A. Response from Legal Department regarding 0 Woodcock Lane proposal**

Mr. McCarthy read the response from the Legal Department into the record.

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

On a motion made by Mr. Fay, seconded by Mr. Coveney it was voted to forward the response from the Legal Department to the proponent.

**B. Country Club Estates - Request for executive session**

Mr. Fay read the request from the Legal Department into the record.

On a motion made by Mr. Fay, seconded by Mr. Coveney it was voted to table this item, with the intent to enter into Executive Session prior to the end of the meeting. Motion carried.

**3. Approval Not Required: None**

**4. Public Hearings:**

**A. Proposed Moratorium, Medical Marijuana Treatment Center, Zoning Changes Section 650-5 & addition of new Section 650-32. Public Hearing (7:15pm)**

The public hearing was opened at 7:15pm Mr. Fay read the notice into record. The hearing was taken in the traditional 4 stages:

Presentation

Those speaking in Favor

Those speaking in Opposition

Questions from the Board Members

Presentation: No one was in attendance to present.

In Favor/Questions: None

In Opposition: None

Questions from the Board Members: None

The Public Hearing was closed by Chairperson Fenby at 7:21pm.

On a motion by Mr. Fay, seconded by Mr. Coveney it was duly voted to:

Make a favorable recommendation to the City Council regarding changes to the City of Marlborough Zoning Ordinance as defined by City Council Order #12/13-1005247A.

The motion carried by a vote of 5-1(Hodge)-0.

On a motion made by Mr. Fay, seconded by Mr. Coveney a 5 minute recess was called at 7:22pm. Meeting reconvened at 7:26pm.

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

##### **A. Ravenswood Road Subdivision – Request for Extension – Additional Info**

Request for extension of time for additional 60 days from Mr. Joseph Peznola Engineer of record for this project, was read into record by Mr. Fay. The additional 60 days brings the date to act to August 18, 2013.

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

Mr. Fay read in the communication from Mr. Peznola in response to public questioning regarding the sight distances on Sudbury Street.

On a motion made by Mr. Fay, seconded by Mr. Coveney, it was voted to accept the communication and place it on file, as well as refer it to the Engineering Dept. Motion carried.

It was noted to keep this item for reporting purposes on the next Planning Board agenda as well.

##### **B. Addition Hill - Boston Scientific Way – Lot Release Request**

Mr. Fay read the request from Attorney Bergeron of Mirick O’Connell Attorneys At Law into the record, requesting the release of all lots associated with this project. Lots include but not limited to Lots #1, 5, 6, 7 & 8.

On a motion made by Mr. Fay, seconded by Mr. Coveney it was voted to accept the communication and place it on file as well as approve the lot releases as noted. Motion carried.

##### **C. Addition Hill – Boston Scientific – Subdivision Performance Bond**

Mr. Fay read the request from Attorney Bergeron of Mirick O’Connell Attorneys At Law into the record, requesting the acceptance of the bond amount set for the above referenced project. The amount set by the Engineering Department is \$268,000.00. The performance bond is underwritten by Travelers Casualty and Surety Company of America.

On a motion made by Mr. Fay, seconded by Mr. Coveney it was voted to accept the communication as well as the \$268,000.00 performance bond as presented. Motion carried.

**D. Walker Brook Estates – Engineering Review/Comments**

This item was tabled until the next regularly scheduled meeting.

**E. City Engineers Report**

City Engineer Thomas Cullen updated the Board regarding the status of the Subdivisions Blackhorse Farms, Mauro Farms & Shaugnessy Estates. Work in progressing on all of projects. There has been no further communication from Mr. Freeman regarding the Berlin Farms Subdivision.

Engineer Cullen also updated the Board regarding the Boston Scientific walkthrough that was done along the rail trail. Multiple locations were viewed and discussions are proceeding regarding maintenance agreements and possible improvements.

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

**7. Definitive Subdivision Submission: None**

**8. Signs: None**

**9. Unfinished Business:**

**A. Blackhorse Farms Estate**

Information was part of the Engineers Report (Item 5E.)

It was noted to keep this item for reporting purposes on the next Planning Board agenda as well.

**B. Berlin Farms**

Information was part of the Engineers Report (Item 5E.)

It was noted to keep this item for reporting purposes on the next Planning Board agenda as well

**10. Informal Discussions:**

**A. Mr. Christopher Heinz – 108 Framingham Road**

Mr. Christopher Heinz presented to the Board 2 possible scenarios for land he currently owns in the rear of 108 Framingham Rd. Mr. Heinz presented an informal rendering of possible configurations one with a full City complaint roadway and on with a possible common drive. Both scenarios would render 2 additional house lots with proposed common area and the far end.

It was suggested to Mr. Heinz to seek the counsel of a Professional Engineer to work through the faults and or merits as well as compliance of both proposals then proceed as directed by the Engineer.

Mr. Fay was called from the meeting at 7:46pm

On a motion made by Mr. McCarthy seconded by Mr. Coveney, it was voted to remove the Country Club Estates discussion from the table. Motion carried.

On a motion made by Mr. McCarthy, seconded by Mr. Coveney, it was voted in conformance with the provisions of sections 21(a)(6) and 21(a)(7) of Chapter 30A of the General Laws of the Commonwealth, that the Marlborough Planning Board conduct an executive session:

1. for the purpose of considering the value of real property in the Country Club Estates subdivision on Stow Road, Robert Road and Country Club Circle, as an open meeting may have a detrimental effect on the negotiating position of the City of Marlborough, and the chair hereby declares that an open meeting may have that effect as well as
2. for the purpose of complying with clause 26(i) of section 4 of Chapter 7 of the General Laws of the Commonwealth, which provides that an appraisal of real property acquired or to be acquired is exempt from public disclosure until (1) a final agreement is entered into or (2) any litigation relative to such appraisal has been terminated, or (3) the time within which to commence such litigation has expired, and the chair hereby declares that none of those events has occurred in this matter.

It is further moved and stated that the Marlborough Planning Board will reconvene in open session after the executive session.

Roll Call vote is required for entrance into executive session:

Mr. Johnson – Yes  
Mr. McCarthy – Yes  
Mr. Coveney – Yes  
Mr. Hodge – Yes  
Chairperson Fenby – Yes

Executive Session entered into at 7:51pm

Open Session reconvened at 8:20pm

On a motion made by Mr. Hodge, seconded by Mr. Coveney it was voted to authorize Chairperson Fenby to work with City Solicitor Rider to compile the necessary paperwork to submit the matter discussed during the executive session to the Full City Council for action. Motion carried.

**11. Correspondence:** None

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

- A. **Town of Framingham Planning Board, Public Hearing June 20, 2013**
- B. **Town of Framingham Planning Board, Notice of Decision May 13, 2012**
- C. **Town of Berlin Board of Appeals, Hearing Notice June 12, 2013**
- D. **Town of Berlin Zoning Board of Appeals, Hearing Notice June 12, 2013**
- E. **Town of Hudson Zoning Board of Appeals, Public Hearing June 13, 2013**

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

**Adjournment:** On a motion made by Mr. Johnson, seconded by Mr. Coveney it was voted to adjourn at 8:23pm.

Respectfully submitted,

Colleen Hughes

/mai



**MARLBOROUGH PLANNING BOARD  
MARLBOROUGH, MA 01752**

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

**Call to Order**

June 17, 2013 A 11:38

The Meeting of the Marlborough Planning Board was called to order at 7:00pm in Memorial Hall, 3<sup>rd</sup> Floor City Hall 140 Main Street, Marlborough, MA. Members present included Barbara Fenby, Sean Fay, Colleen Hughes and Shawn McCarthy. Also in attendance were Board Secretary Melissa Irish and Assistant City Engineer Timothy Collins. Philip Hodge, Edward Coveney and Clyde Johnson were absent.

**1. Meeting Minutes:**

**A. May 20, 2013**

On a motion made by Ms. Hughes, seconded by Mr. McCarthy, it was voted to accept the minutes of the May 20, 2013 meeting. Motion carried.

**B. June 3, 2013**

This item was left on the table until the next regularly scheduled meeting.

**2. Chair's Business:**

**A. Correspondence to the City Council regarding Country Club Estates**

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

Ward 1 City Councilor Joseph Delano was in attendance and voiced his concerns regarding the proposed agreement between the developer and the City. He is looking to be reassured that the City will not be held liable and will be compensated should any issues arise.

Mr. Fay and Chairperson Fenby both reiterated that Eminent Domain was the only avenue of resolution available, either in a fee interest or easement capacity. There is 6 months' worth of work in this agreement and the Board feels confident in it.

**B. Meeting Date Change**

Due to conflicts with individual schedules the next meeting of the Planning Board will take place on July 15, 2013 taking the place of the previously scheduled July 8, 2013 meeting.

**3. Approval Not Required: None**

**4. Public Hearings: None**

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

**A. Ravenswood Road Subdivision – Engineering Update**

On a motion made by Ms. Hughes, seconded by Mr. McCarthy the reading of the full update was to be waived and the update placed on file as well as supplied to the proponent. Motion carried.

Much discussion ensued regarding the purported sight lines and certain members of the Board still feel the distance is inadequate. There is still concern regarding the width of the proposed

roadway as well.

The Board has suggested that a site meeting be posted and all interested members meet in the field to discuss and clarify their concerns.

It was noted to keep this item for reporting purposes on the next Planning Board agenda as well.

**B. Walker Brook Estates – Engineering Update & Request for Extension**

Ms. Hughes read the request for extension in to the record. On a motion made by Ms. Hughes seconded by Mr. McCarthy the correspondence was accepted and placed on file. Motion carried.

On a motion made by Mr. Fay, seconded by Mr. McCarthy it was voted to grant the request for extension to July 16, 2013.

The Engineering Report has been forwarded to Mr. Saluk previously.

**C. Engineers Report**

Ms. Hughes read into record the letter that was sent to the Mauro Farms subdivision regarding the current drainage issues. On a motion made by Ms. Hughes, seconded by Mr. McCarthy the information was accepted and placed on file.

It was noted to keep this item for reporting purposes on the next Planning Board agenda as well.

Mr. Collins noted that the wiring had been delivered to the Blackhorse Farms Estates and the work was proceeding regarding the street lighting.

Mr. Collins reported that unfortunately there has been no communication with Mr. Freeman regarding the Berlin Farms subdivision.

Mr. Fay noted he would try and open up communications with Mr. Freeman directly.

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

**7. Definitive Subdivision Submission: None**

**8. Signs: None**

**9. Unfinished Business:**

**A. Blackhorse Farms Estate**

Information was part of the Engineers Report (Item 5C.)

It was noted to keep this item for reporting purposes on the next Planning Board agenda as well.

**B. Berlin Farms**

Information was part of the Engineers Report (Item 5C.)

It was noted to keep this item for reporting purposes on the next Planning Board agenda as well

**10. Informal Discussions: None**

**11. Correspondence: None**

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

**A. Town of Sudbury Zoning Board of Appeals Public Hearing, June 17, 2013  
(5 matters)**

**B. Town of Sudbury Zoning Board of Appeals Public Hearing, June 17, 2013**

**C. Town of Framingham Planning Board Public Hearing, June 20, 2013**

**D. Town of Sudbury Board of Appeals, Notice of Decision**

**E. Town of Sudbury Board of Appeals, Notice of Decision**

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

**Adjournment:** On a motion made by Mr. McCarthy, seconded by Ms. Hughes it was voted to adjourn at 7:47pm.

Respectfully submitted,

Colleen Hughes

/mai

**Marlborough Community Development Authority**

**MINUTES**

**Thursday, June 27, 2013, 8:30 a.m.  
140 Main St., Mayor's 4<sup>th</sup> FL Conference Room**

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2013 JUL 16 A 11:59

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

Also Present: Doug Bushman, Anne Marie Blake, Linda Overing of Breezeway Farm Consulting

Absent: Tom Able

The Mayor called the meeting to order at 8:32 A.M.  
The Board approved the minutes of June 27, 2013.  
The Board approved the Housing bills payable.  
The Board approved the CDA bills payable.

Breezeway Farm Consulting Report: Linda Overing gave an update of the housing rehab cases. We have just signed contracts for another full case which should start next week. The other case that is still open is the roof repair in Hudson. We are awaiting the approved specs from the homeowner.

Clinton St: The board voted to move forward with the demolition of 16 Clinton St. as soon as the ZBA appeal period is over. Demolition will be coordinated with the asbestos removal and should be completed within 60 days. Anne Marie and Linda have visited several modular home construction firms and gotten more information on estimating costs of construction. There will be additional costs for excavation for the foundation and for meeting the stretch building costs, bringing estimated costs of construction to approximately \$250,000. We need a detailed plan and specifications for the house in order to get a more accurate cost estimate. A sub-committee of Anne Marie, Lynn Faust, Councilman Ed Clancy and Joyce Torelli was appointed to bring back a design and cost estimates to the Board next month.

A licensed construction supervisor will be required to oversee the foundation excavation. The Board would also like someone to provide clerk of the works oversight during construction by the modular company. Anne Marie and Linda will evaluate the current contract with the Town's Rehabilitation Specialist to see if it will satisfy these requirements.

Harrison Place: We received a ruling from Atty. Cipriano that Joyce Torelli could not be the listing agent for Harrison. Attached is a copy of his letter. Joyce has already identified a Marlborough agent who is willing to act as seller's agent. The Board voted to authorize the Mayor to sign the listing agreement and he and Joyce will negotiate the final sale price.

The Breezeway Farm report was accepted and is attached for reference.

The Board voted to extend the Breezeway Farm Consulting Contract thru July 31, 2013.

Financial Manager's Report:

The Board approved awarding the contract for the demolition of 16 Clinton Street to Leone's Landscaping and Construction, the low bidder, at a cost of \$16,460.00. The Board gave confirmatory vote to the refinance request that Eric approved earlier this month.

The Financial Manager's Report was accepted.

Housing Director's Report:

Doug discussed the High Leverage Asset Preservation Program (HLAPP) grant. The Board voted to pursue bond funds to pay for its portion of the 1/3 matching grant. The mayor is authorized to sign a letter to DHCD that the MCDA will pursue such funding.

The Board voted to amend the CIP Plan to include a new boiler at the Pleasant St. community room and approved the final plan with the inclusion of the Boiler.

The Board was notified that the Pleasant St. boiler project would require \$125,000 from the 667 reserves, which has been sequestered since 2010 for this project. It had been anticipated that only \$100,000 would be needed but the bids received were higher than expected and DHCD notified this office that the whole \$125,000 would be required to complete the project. However, DHCD also agreed - due to the higher bids - to increase their grant amount by \$32,000 for total grant amount approaching \$220,000.00.

The Housing Director's Report was accepted and is attached for reference.

Respectfully submitted,

Anne Marie Blake



The Hanover Insurance Company  
Citizens Insurance Company of America

Property Unit  
PO Box 15147  
Worcester MA 01615-0147  
Telephone: 800-628-0250 Ext: 5808  
Fax Number: 508-926-5660

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2013 JUL 17 A 9:25

July 11, 2013

CITY CLERK'S OFFICE  
140 MAIN STREET  
MARLBOROUGH MA 01752

Re: Our Insured: Suzanne A. Degeorge  
Policy Number: HPN 0981816  
Claim Number: 15-00131694 002  
Date of Loss: 07/06/2013  
Property Address: 5 BARNES CIR 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,  
*Robert Dichiaro*

Robert Dichiaro  
Inside Property Adjuster  
Citizens Insurance Company of America