

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2012 FEB 23 P 5:10

1. Minutes of the City Council Meeting, February 13, 2012.
2. CONTINUED PUBLIC HEARING On the Application for Special Permit from Rossella Mercuri, on behalf of Sprint, for modification of a wireless facility located at 115 Onamog St, Order No. 12-1004032A.
3. Communication from the Mayor re: IT transfer request in the amount of \$180,000.00 which moves funds from Undesignated to Capital Outlay-IT Equipment for the purpose of upgrades throughout the IT network.
4. Communication from the Mayor re: Building Department transfer request in the amount of \$4,000.00 which moves funds from Custodian to Gross OT due to a vacancy in the custodial staff.
5. Communication from the Mayor re: City Clerk transfer request in the amount of \$659.79 which moves funds from Sick Leave Buy Back to Election Programming associated with programming for the Presidential Primary.
6. Communication from the Mayor re: Emergency Management Grant in the amount of \$3,000.00 to support upgrades and/or purchases of equipment on an authorized list provided by Federal Emergency Management Agency (FEMA) as well as related training expenses.
7. Communication from the Mayor re: Massachusetts Department of Environmental Protection (Mass DEP) Grants of which the first grant is for \$105,000.00 and the second grant is to provide 80 hours of technical assistance awarded to DPW.
8. Communication from City Solicitor, Donald Rider, re: Proposed Ordinance on Residential Mailbox Claim Procedure, X10-1002619, 08/09-1001787E.
9. Communication from the City Clerk, Lisa Thomas, re: Presidential Primary Election Call.
10. Application for Special Permit from Attorney Sem Aykanian, on behalf of Marlborough Savings Bank, to modify Special Permit, Order No.09-1002152C, to allow operation of the drive-through teller from 8:00 AM to 8:00 PM seven days per week, and operation of the drive-through ATM 24 hours per day, seven days per week.
11. Communication from Attorney Bergeron on behalf of the Melanson Group, Inc. re: Walker Estate, Open Space Development.
12. Application for Junk Dealer's License, Thomas Zampini d/b/a Metal Man Recycling LLC, 51 Lacombe St.
13. Application for Taxi License, Asia Rowland, d/b/a Marlborough Taxi, address to be determined if granted license.
14. Minutes, Planning Board, January 23, 2012.
15. Minutes, Traffic Commission, December 20, 2011.
16. CLAIMS:
 - A. Kathleen Thompson, 244 Simpson Rd., residential mailbox claim 2(b)

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Finance Committee

17. **Order No. 12-1004039 – Police Department Overtime Transfers for \$154,000.00.** The Finance Committee reviewed the Mayor's letter dated January 18, 2012 requesting two transfers to fund the police department overtime account. The Police Chief stated that the \$25,000.00 transfer from the Stabilization Public Safety Account to fund Police Overtime is not needed at this time. **Recommendation of the Finance Committee is to approve the \$129,000.00 from Police Officers to Police Overtime, 5-0.**
18. **Order No. 12-1004026 – Transfer \$34,000.00 for Fire Fighter Sick Leave Buy Back.** The Finance Committee reviewed the Mayor's letters dated January 5 and 18, 2012 requesting the transfer of \$34,004.00 from Sewer Department Long Term Debt to Fire Fighter Sick Leave Buy Back account. The Mayor requested the order be withdrawn in a letter dated January 18, 2012. **Recommendation of the Finance Committee is to withdraw the transfer, 5-0.**
19. **Order No. 12-1004040 – Fire Department Transfers for Sick Leave Buy Back (3,140.00) and Vehicle Repair (\$20,000.00).** The Finance Committee reviewed the Mayor's letter dated January 18, 2012 requesting three transfers to fund Sick Leave Buy Back and Vehicle Repair. **Recommendation of the Finance Committee is to approve the following three transfers, 5-0:**
 - Transfer \$3,140.00 from Firefighter Longevity to Firefighter Sick Leave Buy Back
 - Transfer \$4,568.00 from Firefighter Longevity to Vehicle Repair
 - Transfer \$15,432.00 from Firefighter EMT to Vehicle Repair
20. **Order No. 12-1004043 – Review State Decision not to Provide Grant for Memorial Beach Project.** The Finance Committee reviewed the Mayor's letter dated January 18, 2012 informing the City Council that the grant application for the Memorial Beach Project was not selected for funding in FY2012. The Finance Committee agreed to allow the Mayor to use up to \$100,000.00 of the bond in order #11-1002818 (previously approved \$1,000,000.00) to start the design phase of the project and re-apply for the grant in FY13. The Finance Committee also asked for the Mayor to report back to the Finance Committee on the status of the project and grant in November 2012.

21. **Order No. 12-1004037 – Transfer \$878,045.70 to Purchase Containers for Trash Collection.** The Finance Committee reviewed the Mayor’s letter dated January 18, 2012 requesting two transfers totaling \$878,045.70 to purchase the containers for the automated curbside collection of solid waste and recyclables. **Recommendation of the Finance Committee is to table the following two transfers, 5-0:**
- Transfer \$303,805.00 from Sewer Department Long Term Debt Interest to Curb Containers Capital Outlay account
 - Transfer \$574,240.70 from Sewer Multi Purpose Bonds to Curb Containers Capital Outlay account



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

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

FEBRUARY 13, 2012

Regular meeting of the City Council held on Monday, FEBRUARY 13, 2012 at 8:00 p.m. in City Council Chambers, City Hall. City Councilors present: Ossing, Pope, Oram, Robey, Delano, Jenkins, Elder, Tunnera, Seymour, Clancy, and Landers. Meeting adjourned at 9:10 PM.

ORDERED: Minutes of the City Council Meeting, JANUARY 23, 2011, **FILE**; adopted.

ORDERED: That the **PUBLIC HEARING** On the Petition from National Grid to install 2 5" PVC electrical conduits concrete encased from manhole 1-1 to P.30, Robin Hill St., Order No. 11/12-1004012, hearing recessed at 8:05 p.m.; adopted.

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

ORDERED: That the **PUBLIC HEARING** On the Application for Special Permit from Rossella Mercuri, on behalf of Sprint, for modification of a wireless facility located at 115 Onamog St, Order No. 12-1004032, **CONTINUED UNTIL FEBRUARY 27, 2012**; adopted.

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

MOTION made by Council Clancy to request applicant sent notices to all abutters regarding the **CONTINUED PUBLIC HEARING** so that abutters be made aware of the February 27, 2012 Public Hearing -**CARRIES**

ORDERED: That the **PUBLIC HEARING** On the Application for Special Permit from Nissan Automobiles of Marlborough, Inc. to modify of a portion of its building which includes its showroom, customer service, and offices to add a second story, Order No. 12-1004033, hearing recessed at 8:44 p.m.; adopted.

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

ORDERED: That the transfer request in the amount of \$4,000.00 which moves funds from Program Manager to Program Funding for the purpose of adding classes and programs, refer to **FINANCE COMMITTEE**; adopted.

FROM:

Acct. # 15410001-50191

\$4,000.00

Program Manager

TO:

Acct. # 15410006-57072

\$4,000.00

Program Funding

ORDERED: That the transfer request in the amount of \$1,000.00 which moves funds from Out of State Travel to In-State Travel, **APPROVED**; adopted.

FROM:

Acct. # 11210006-57200

\$1,000.00

Out-of State Travel

TO:

Acct. # 11210006-57100

\$1,000.00

In- State Travel

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Commonwealth's Executive Office of Public Safety and Security Grant in the amount of \$53,185.00 awarded to the Police Department for reimbursement for the FY12 State 911 Support and Incentive Grant Program; adopted.

ORDERED: That the appointment of Patricia Carlson and Cheryl Soucy to the Commission on Disabilities for a term of three years from date of approval, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the appointment of Stephen P. Leduc and Sally Swartz to the Community Development Authority for a term of three years from date of approval, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the Communication from the Mayor re: Support of Waste Management/Trash Contract signed in December 2011, **FILE**; adopted.

ORDERED: That the City of Marlborough hereby accepts the provisions of Section 5K of Chapter 59 of the Massachusetts General Laws, as amended, which authorizes the City of Marlborough to establish a program for persons over the age of 60 to volunteer to provide services to the City in return for a reduction of their personal property tax exemption not to exceed \$1000.00 per property owner.

The Council on Aging, in cooperation with the Assessor's and Personnel Office of the City, shall have the responsibility to maintain a record for each taxpayer including, but not limited to, the number of hours of service and the total amount by which the property tax obligation has been reduced, refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE**; adopted.

ORDERED: That the following paragraph in proper legal form from the City Solicitor **APPROVED** and added to the City Council Rules effective February 13, 2012:

All members of the Marlborough City Council shall be considered as members of each of the Council's standing committees. The President shall name those members of each committee, to include its chairman and vice chairman, who are authorized to vote on matters while pending in committee; all other members of each committee are not authorized to vote on such matters while pending in committee. A quorum of the committee shall be determined on the basis of the voting members only.

MOTION made by Councilor Oram to get final approval from the Attorney General's office prior to the Council approval-**DOES NOT CARRY**

ORDERED: That there being no objection thereto set **MONDAY, MARCH 12, 2012**, as date for a **PUBLIC HEARING** for the Application for Special Permit from Sprint for modification of a wireless facility located at 2 Mount Royal Dr., refer to **WIRELESS COMMUNICATIONS COMMITTEE AND ADVERTISE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, MARCH 12, 2012**, as date for a **PUBLIC HEARING** on the Petition from National Grid to replace and relocate existing utility P.61 24' south east of present location toward property line of house 522 on Pleasant St. Along with this pole, P. 61-89 will be relocated to new location on private property, refer to **PUBLIC SERVICES**; adopted.

ORDERED: That the Minutes, Planning Board, January 9, 2012, **FILE**; adopted.

ORDERED: That the Minutes, Traffic Commission, October 25, 2012, **FILE**; adopted.

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

- A. Helen Quitt, 240 Main St. #309, pothole or other road defect
- B. Mike Morris, 39 Kings Grant Rd., other property damage
- C. Sharon Imperato, 46 Kings Grant Rd., other property damage
- D. Amy LaFreniere, 34 Goodnow Lane, residential mailbox claim 2(a)
- E. Nancy Seymour, 47 Bond St., pothole or other road defect

Reports of Committees:

Councilor Ossing reported the following out of the Finance Committee:

Order No. 12-1004039 – Police Department Overtime Transfers for \$154,000.00. The Finance Committee reviewed the Mayor's letter dated January 18, 2012 requesting two transfers to fund the police department overtime account. The Police Chief stated that the \$25,000.00 transfer from the Stabilization Public Safety Account to fund Police Overtime is not needed at this time. **Recommendation of the Finance Committee is to approve the \$129,000.00 from Police Officers to Police Overtime, 5-0.**

Order No. 12-1004026 – Transfer \$34,000.00 for Fire Fighter Sick Leave Buy Back. The Finance Committee reviewed the Mayor's letters dated January 5 and 18, 2012 requesting the transfer of \$34,004.00 from Sewer Department Long Term Debt to Fire Fighter Sick Leave Buy Back account. The Mayor requested the order be withdrawn in a letter dated January 18, 2012. **Recommendation of the Finance Committee is to withdraw the transfer, 5-0.**

Order No. 12-1004040 – Fire Department Transfers for Sick Leave Buy Back (3,140.00) and Vehicle Repair (\$20,000.00). The Finance Committee reviewed the Mayor's letter dated January 18, 2012 requesting three transfers to fund Sick Leave Buy Back and Vehicle Repair. **Recommendation of the Finance Committee is to approve the following three transfers, 5-0:**

- Transfer \$3,140.00 from Firefighter Longevity to Firefighter Sick Leave Buy Back
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- Transfer \$15,432.00 from Firefighter EMT to Vehicle Repair

Order No. 12-1004043 – Review State Decision not to Provide Grant for Memorial Beach Project. The Finance Committee reviewed the Mayor’s letter dated January 18, 2012 informing the City Council that the grant application for the Memorial Beach Project was not selected for funding in FY2012. The Finance Committee agreed to allow the Mayor to use up to \$100,000.00 of the bond in order #11-1002818 (previously approved \$1,000,000.00) to start the design phase of the project and re-apply for the grant in FY13. The Finance Committee also asked for the Mayor to report back to the Finance Committee on the status of the project and grant in November 2012.

Order No. 12-1004037 – Transfer \$878,045.70 to Purchase Containers for Trash Collection. The Finance Committee reviewed the Mayor’s letter dated January 18, 2012 requesting two transfers totaling \$878,045.70 to purchase the containers for the automated curbside collection of solid waste and recyclables. **Recommendation of the Finance Committee is to table the following two transfers, 5-0:**

- Transfer \$303,805.00 from Sewer Department Long Term Debt Interest to Curb Containers Capital Outlay account
- Transfer \$574,240.70 from Sewer Multi Purpose Bonds to Curb Containers Capital Outlay account

Suspension of the Rules requested – granted

ORDERED: That the Fire Department transfer requests as follows with details noted in the spreadsheet, **APPROVED**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS									
DEPT: FIRE					FISCAL YEAR: 2012				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$1,514,055.76	\$25,000.00	12200001	50450	FIREFIGHTER	\$25,000.00	12200003	51300	OVERTIME	\$65,016.06
	Reason:	Transfer is available due to a retirement							
\$1,514,055.76	\$37,329.07	12200001	50450	FIREFIGHTER	\$37,329.07	12200003	51300	OVERTIME	\$65,016.06
	Reason:	Transfer is available due to 111F payments							
\$156,283.71	\$13,056.75	12200001	50335	DEPUTY CHIEF	\$13,056.75	12200003	51300	OVERTIME	\$65,016.06
	Reason:	Transfer is available due to 111F payments							

Suspension of the Rules requested – granted

ORDERED: That the transfer request in the amount of \$1,000.00 which moves funds from General Gov't/Fringes to Mayor/Sick Leave associated with the departure of an employee and \$1,124.75 from Sick Leave to several accounts noted on the communication to fund increases in Sick Leave Buy Back associated with January 2012 salary increases, **APPROVED**; adopted.

FROM:

Acct. # 11990006-51500

\$1,000.00

Fringes

TO:

Acct. # 11210003-51920

\$1,000.00

Sick Leave

TRANSFER REQUEST									
FROM ACCOUNT					TO ACCOUNT				
AVAILABLE BALANCE	AMOUNT	ORG CODE	OBJECT	ACCOUNT DESCRIP	AMOUNT	ORG CODE	OBJECT	ACCOUNT DESCRIP	AMOUNT AVAIL
				Sick Leave				Sick Leave	
			Collector					Various Departments	
\$ 1,499.73	\$ 1,124.75	11440003	51920	Sick Leave	\$ 26.22	11110003	51920	Sick Leave	\$ 2,173.44
					\$ 52.31	11330003	51920	Sick Leave	\$ 4,289.13
					\$ 24.13	11350003	51920	Sick Leave	\$ 1,955.49
					\$ 77.35	11410003	51920	Sick Leave	\$ 6,331.00
					\$ 831.63	11550003	51920	Sick Leave	\$ -
					\$ 55.81	12410003	51920	Sick Leave	\$ 8,252.29
					\$ 44.30	14001003	51920	Sick Leave	\$ 11,456.14
					\$ 13.00	15120003	51920	Sick Leave	\$ 3,819.24
					\$ 1,124.75				
Reason:					To fund increases in Sick Leave Buy Back associated with Jan 2012 salary increases.				

Suspension of the Rules requested – granted

ORDERED: That the transfer request in the amount of \$100,000.00 which moves funds from Long Term Debt Service to Water Service Fund due to an increase in water pollution from the Millham Treatment Plant, **APPROVED**; adopted.

FROM:

Acct. # 60075106-58964

\$100,000.00

Long Term Debt Interest

TO:

Acct. # 61090006-52322

\$100,000.00

Water Millham Reservoir Plant

Suspension of the Rules requested-granted

ORDERED: That as a result of the decision of Vestas Technology R&D Americas, Inc. not to construct a facility within the Crowley Drive Economic Opportunity Area, being a portion of Map 15, Lots 22 and 23, as well as Map 16, Lot 1A on the Marlborough Assessor's Map, the City Council requests that the Massachusetts Economic Assistance Coordinating Council decertify from the tax increment financing program the Certified Project of Vestas Technology R&D Americas, Inc. within the Crowley Drive Economic Opportunity Area, **APPROVED**; adopted.

Councilor Ossing abstained

ORDERED: That the reappointment of Deborah Puleo to the position of Collector effective February 1, 2012 for a period of one year, **APPROVED**; adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:10 p.m.



IN CITY COUNCIL

FEBRUARY 13, 2012

Marlborough, Mass.,

ORDERED:

That the PUBLIC HEARING On the Application for Special Permit from Rossella Mercuri, on behalf of Sprint, for modification of a wireless facility located at 115 Onamog St, Order No. 12-1004032, be and is herewith **CONTINUED UNTIL FEBRUARY 27, 2012.**

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

MOTION made by Council Clancy to request applicant sent notices to all abutters regarding the CONTINUED PUBLIC HEARING so that abutters be made aware of the February 27, 2012 Public Hearing -**CARRIES**

(IN WIRELESS COMMUNICATIONS COMMITTEE)

ADOPTED

ORDER NO. 12-1004032A



City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Office of the Mayor

2012 FEB 23 P 4: 35 140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

February 22, 2012

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

Re: Transfer Request from the IT Department

Honorable President Pope and Councilors:

I am submitting for your approval the following transfer request:

- 1) Transfer in the amount of \$180,000.00 from 10000-35900 (Undesignated Fund) to 19300006-58618 (Capital Outlay – IT Equipment).

This transfer request was submitted last year but was not carried over (backup documents enclosed). Also included is a detailed summary of this request from Information Technology Director Mark Gibbs which goes over the need for upgrades throughout our IT network.

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

Sincerely,

Arthur G. Vigeant
Mayor

TRANSFER REQUEST

AVAILABLE BALANCE	AMOUNT	FROM ACCOUNT		TO ACCOUNT			AMOUNT AVAIL
		ORG C	OBJECT	AMOUNT	ORG CODE	OBJECT	
		Undesignated Fund				Capital Outlay	
\$ 3,592,143.00	\$ 180,000.00	10000	35900 Undesignated Fund	\$ 180,000.00	19300006	58618 IT equipment	\$ 405,000.00

\$ 180,000.00

Reason To Fund Departmental Equipment for I.T. Please see attached request from Mayor



IN CITY COUNCIL

DECEMBER 5, 2011

Marlborough, Mass., _____

ORDERED:

That the Information Technology Capital transfer request in the amount of \$180,000.00 which moves funds from Undesignated to Capital Outlay-IT Equipment, be and is herewith refer to the **FINANCE COMMITTEE**. *Not carried over*

FROM:

Acct. # 10000-35900
Undesignated Fund

\$180,000.00

TO:

Acct. # 19300006-58618
Capital Outlay-IT Equipment

\$180,000.00

ADOPTED

ORDER NO. 11-1003093



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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

City of Marlborough
Office of the Mayor

2011 DEC -1 P 3 146 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610

Nancy E. Stevens
MAYOR

Krista J. Holmi
EXECUTIVE AIDE

Katherine M. LaRose
EXECUTIVE SECRETARY

November 30, 2011

Council President Arthur G. Vigeant
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Honorable President Vigeant and Councilors:

As requested in the November 21st meeting of the Finance Committee, I am submitting for your approval the following transfer to fund the Informational Technology capital request:

Transfer in the amount of \$180,000.00 moving funds from account number 10000-35900 (Undesignated Fund) to account number 19300006-58618 (Capital Outlay-IT Equipment).

Also attached for your information is a spreadsheet which includes the location and description of the proposed equipment, as well as a summary provided by IT Director Mark Gibbs.

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

Sincerely,

Nancy E. Stevens
Mayor

Enclosures

TRANSFER REQUEST

AVAILABLE BALANCE	AMOUNT	FROM ACCOUNT		TO ACCOUNT			AMOUNT AVAIL	
		ORG C	OBJECT	AMOUNT	ORG CODE	OBJECT		ACCOUNT DESCRIP
		Undesignated Fund		Capital Outlay				
\$ 7,468,863.00	\$ 180,000.00	10000	35900	Undesignated Fund	\$ 180,000.00	19300006	58618 IT Equipment	-

\$ 180,000.00

Reason To Fund Departmental Equipment for the I.T. Please see attached request from Mayor



City of Marlborough
Marlborough Public Schools
Information Technology

140 MAIN STREET
 MARLBOROUGH, MASSACHUSETTS 01752
 TEL. (508) 460-3763 FACSIMILE (508) 481-6058
 mgibbs@marlborough-ma.gov



Mark Gibbs
 IT DIRECTOR

November 30, 2011

TO: Finance Committee / City Council
 FROM: Mark Gibbs, Information Technology Director
 CC:
 RE: FY12 Computer and Network Equipment Needs

November 30, 2011

Dear Committee Members,

Below is a summary of the FY12 computer and equipment needs that encompasses both the city and MPS.

The computer replacement program objective has been to replace/recycle computers yearly over a 5 year period, ensuring that there are no computers older than 5 years in use. There are roughly 300 computers in the City and we would like to replace the oldest one-fifth of them, or 60 machines, this year. Most of these machines are at the DPW in addition to machines in City Hall, and the Walker Building that need to be replaced not including machines that are 5 years old and older. Our goal for the Public Library is to replace 10 computers a year. This will ensure that the public use machines are modern and can meet the needs of the library patrons.

After the committee meeting a further review of laptop needs revealed that replacements this year would primarily be aimed at school principals, assistant principals, district administrators and four city department heads. Their laptops would be rebuilt and redeployed to staff members that currently have old and out of warranty machines such as coordinators, SPED personnel, and other mobile users.

Network equipment and infrastructure upgrades this year would include the replacement of network switches that will address our increasing capacity needs as well as replacing equipment such as VPN hardware and firewalls, some of which is nearing obsolescence at 8 years old or older. It also includes the purchase of a spare network antenna. In the event that we lose one due to inclement weather it can be replaced immediately. Our current email spam filter is running at 80% utilization, soon to reach full capacity at which point email delivery will be impeded.

We would also like to replace several aging servers, such as our Vision, DocuShare and virtual servers and we would like to deploy a more powerful City domain controller.

Please feel free to contact me with any questions or concerns. I can be reached at 508-460-3763 or mgibbs@marlborough-ma.gov.

Sincerely,

Mark Gibbs,
Information Technology Director

Equipment	Location	Number	Cost
Desktops	DPW	30	30,000
	City Hall	20	20,000
	Walker Building	10	10,000
	Library	10	10,000
Network Equipment	Switches		32,000
	Wireless Radio		10,000
	Spam Filter		10,000
	Firewalls		8,000
Laptops	MPS	5	10,000
	City Hall	3	6,000
	MPD	2	4,000
Servers	Vision		10,000
	Virtual Server		15,000
	Domain Controller		5,000
	Total		180,000



City of Marlborough

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Office of the Mayor

2012 FEB 23 P 4: 35

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Arthur G. Vigeant
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February 22, 2012

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

Re: Request for Transfer of the Building Department

Honorable President Pope and Councilors:

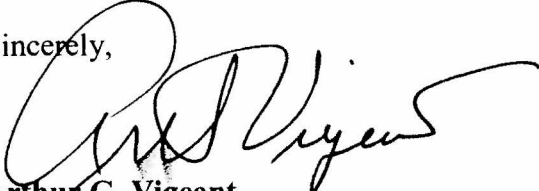
I am submitting for your approval the following transfer request:

- 1) Transfer in the amount of \$4000.00 moving funds from account number 11920003-50560 (custodian) to account number 11920003-51300 (Gross OT).

This transfer is needed to fund overtime caused by a vacancy in the custodial staff.

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

Sincerely,


Arthur G. Vigeant
Mayor

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Public Facilities

DATE: 22-Feb-12

FY: 2012

Available Balance	Amount	FROM ACCOUNT:			Amount	TO ACCOUNT:			Available Balance
		Org Code	Object	Account Description:		Org Code	Object	Account Description:	
<u>\$57,864</u>	<u>\$4,000.00</u>	<u>11920003</u>	<u>50560</u>	<u>Custodian</u>	<u>\$4,000.00</u>	<u>11920003</u>	<u>51300</u>	<u>Gross OT</u>	<u>\$1,772</u>
	Reason:	<u>vacant position</u>				<u>vacant position</u>			
	Reason:	_____				_____			
	Reason:	_____				_____			
	Reason:	_____				_____			
	Reason:	_____				_____			
	Reason:	_____				_____			
	Reason:	_____				_____			

Dept Head signature: *John T. H. [Signature]*

Mayor signature: _____



City of Marlborough

Office of the Mayor

140 Main Street

Marlborough, Massachusetts 01752

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

Arthur G. Vigeant

RECEIVED MAYOR

CITY CLERK'S OFFICE

CITY OF MARLBOROUGH

Michael C. Berry

EXECUTIVE AIDE

2012 FEB 23 P 4:53

Patricia Bernard

EXECUTIVE SECRETARY

February 22, 2012

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

Re: Request for Transfer from City Clerk

Honorable President Pope and Councilors:

I am submitting for your approval the following transfer request:

- 1) Transfer in the amount of \$659.79 moving funds from account number 11610003-51920 (Sick Leave Buy Back) to account number 11620004-53932 (Election Programming)

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

Sincerely,

Arthur G. Vigeant
Mayor



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

**Lisa M. Thomas
City Clerk**

February 21, 2012

Mayor Arthur G. Vigeant
President Patricia Pope
140 Main St.
Marlborough, MA 01752

Dear Mayor and Council President:

I respectfully request approval at the February 27, 2012 City Council meeting for an Intra-departmental transfer of \$659.79 to cover the cost of Election Programming for the Presidential Primary, February 21, 2012. On November 18, 2011, I encumbered \$3,356.06 via a Purchase Order for the Election Programming account which reflected the total balance for that account. I am now in receipt of a bill from the vendor, LHS. The total cost is \$4,015.85; therefore I request an Intra-departmental transfer from account 11610003-51920, Sick Leave Buy Back to account 11620004-53932, Election Programming. Please see attached spreadsheet, copy of Purchase Order, and LHS Invoice. Thank you in advance for your attention to this matter.

Sincerely,

Lisa M. Thomas
City Clerk

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT:

City Clerk's Office

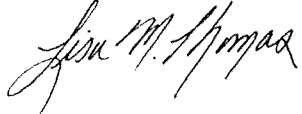
DATE:

February 14, 2012

FY:

12

Available Balance	FROM ACCOUNT:				Amount	TO ACCOUNT:			Available Balance
	Amount	Org Code	Object	Account Description:		Org Code	Object	Account Description:	
<u>\$1,981.96</u>	<u>\$659.79</u>	<u>11610003</u>	<u>51920</u>	<u>Sick Leave Buy Back</u>	<u>\$659.79</u>	<u>11620004</u>	<u>53932</u>	<u>Election Programming</u>	<u>\$0</u>
	Reason:	<u>Monies available as no SLBB is owed</u>				<u>Cover full costs of election programming</u>			
	Reason:	_____				_____			
	Reason:	_____				_____			
	Reason:	_____				_____			
	Reason:	_____				_____			
	Reason:	_____				_____			

Dept Head signature: 

Mayor signature: _____



City of Marlborough
 140 Main Street
 Marlborough, Massachusetts 01752

Purchase Order

Fiscal Year 2012 Page 1 of 1

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES AND SHIPPING PAPERS.

Purchase Order # **20121036-00**

Do Not Combine Purchase Order Numbers on an Invoice

B-I-L-L

CITY CLERKS OFFICE
 MARLBOROUGH CITY HALL
 140 MAIN STREET
 MARLBOROUGH MA 01752

R-O-U-N-D

LHS ASSOCIATES INC.
 13 BRANCH STREET
 METHUEN MA 01844

S-H-I-P

CITY CLERKS OFFICE
 MARLBOROUGH CITY HALL
 140 MAIN STREET
 MARLBOROUGH MA 01752

Federal Corporate Tax I.D. No. 04-6001399

Municipal Purchase Tax Exempt

Vendor Phone Number 888-547-8683		Vendor Fax Number 508-687-3670		Requisition Number 20121311		Delivery Reference			
Date Ordered 11/18/2011		Vendor Number 2622		Date Required		Freight Method/Terms		Department/Location CLERK, SUPPLIES & MATERIALS	
Item#	Description/Part No.	Qty	UOM	Unit Price	Extended Price				
1	Programming Expenses for Presidential Primary 11620004 - 53932	1.0	Each	\$3,356.060	\$3,356.06	Programming Expenses for Presi The Above Purchase Order Number Must Appear On All Correspondence - Packing Sheets And Bills Of Lading \$3,356.06			

Diana Pina
 City Auditor

Department Head

Mayor

The City's General Terms & Conditions Are Incorporated Herein

Supplies & Services under \$5,000 requires periodic price list checks or price quotes. Supplies & Services over \$25,000 requires bid/proposal & contract, unless specifically exempted by c.30B. Sole Source, Emergency, Exempt, Increasing or Extending Contracts requires approval by the Chief Procurement Officer.

PO Total \$3,356.06

LHS ASSOCIATES INC.

10 MANOR PARKWAY
 SALEM, NH 03079
 USA

INVOICE

Invoice Number: 35952
 Invoice Date: Feb 9, 2012
 Page: 1

Voice: 978-683-0777
 Fax: 603-212-0028

Bill To:
MARLBOROUGH CITY CLERK 140 MAIN STREET MARLBOROUGH, MA 01752

Ship to:
MARLBOROUGH CITY CLERK 140 MAIN STREET MARLBOROUGH, MA 01752

Customer ID	Customer PO	Payment Terms	
101700		Net 30 Days	
Sales Rep ID	Shipping Method	Ship Date	Due Date
	Courier		3/10/12

Quantity	Item	Description	Unit Price	Amount
1.00	E30-53	ACCUVOTE CODING 03/06/12	3,997.0000	3,997.00
1.00	E99-99	SHIPPING AND HANDLING	18.8500	18.85

Subtotal	4,015.85
Sales Tax	
Total Invoice Amount	4,015.85
Payment/Credit Applied	
TOTAL	4,015.85

Check/Credit Memo No:



City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Office of the Mayor

2012 FEB 23 P 4: 35

140 Main Street

Marlborough, Massachusetts 01752

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

www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

February 22, 2012

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

Re: Emergency Management Grant Acceptance

Honorable President Pope and Councilors:

I am submitting for your approval a grant in the amount of \$3000.00 that the Commonwealth of Massachusetts has been holding back as 2009 emergency management funds.

Once released to the City, these funds will be used to support upgrades and/or purchases of equipment on an authorized list provided by the Federal Emergency Management Agency (FEMA) as well as related training expenses.

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

Sincerely,

Arthur G. Vigeant
Mayor



City of Marlborough
Emergency Management

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

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

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

February 16, 2012

Mayor Vigeant;

Enclosed is a copy of a CERT Grant needed to go to the Council for adoption. As you can see it is 2009 funds that are just being available to the communities. Which must be spent by 6/30/2012, \$3, 00.00

These are funds for a small drill and keeping the Volunteers' involved and a portion could be used for equipment purchase to support the program from an Authorized Equipment list provided by FEMA.

As you can see this would require Council approval as soon as possible as the time is short to expend these funds and coordinate a small drill or refresher.

Thank you very much and if there are any questions please call or email at any time.

Respectfully,


Donald E. Cusson

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: Emergency Management DATE: 2/16/2012

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Donald E. Cusson

NAME OF GRANT: CERT

GRANTOR: MEMA

GRANT AMOUNT: \$3,000.00

GRANT PERIOD: 3-1-2012 to 6-30-2012

SCOPE OF GRANT/
ITEMS FUNDED Small drill, refresher training and equipment for volunteers Purchased of Authorize
equipment list from FEMA.

IS A POSITION BEING
CREATED: NO

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? _____

ARE MATCHING CITY
FUNDS REQUIRED? NO

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

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

ANY OTHER EXPOSURE TO CITY?
No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: 15 days

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

COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



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

CONTRACTOR LEGAL NAME: CITY OF MARLBOROUGH (and d/b/a): Marlborough CERT		COMMONWEALTH DEPARTMENT NAME: Massachusetts Emergency Management Agency MMARS Department Code: CDA	
Legal Address: (W-9, W-4,T&C): 140 MAIN ST, MARLBOROUGH, MA 01752-3812		Business Mailing Address: 400 Worcester Road, Framingham, MA 01702-5399	
Contract Manager: Donald E. Cusson		Billing Address (if different):	
E-Mail: dcusson@marlborough-ma.gov		Contract Manager: Jeffrey Timperi	
Phone: 508-481-1933	Fax:	E-Mail: Jeff.Timperi@state.ma.us	
Contractor Vendor Code: VC6000192111		Phone: 508-820-2019	Fax: 508-820-2030
Vendor Code Address ID (e.g. "AD001"): AD001 (Note: The Address ID must be set up for EFT payments.)		MMARS Doc ID(s): FY122009CCPMARLBORO00	
<input checked="" type="checkbox"/> NEW CONTRACT		<input type="checkbox"/> CONTRACT AMENDMENT	
PROCUREMENT OR EXCEPTION TYPE: (Check one option only) <input type="checkbox"/> <u>Statewide Contract</u> (OSD or an OSD-designated Department) <input type="checkbox"/> <u>Collective Purchase</u> (Attach OSD approval, scope, budget) <input checked="" type="checkbox"/> <u>Department Procurement</u> (Includes State or Federal grants 815 CMR 2.00) (Attach RFR and Response or other procurement supporting documentation) <input type="checkbox"/> <u>Emergency Contract</u> (Attach justification for emergency, scope, budget) <input type="checkbox"/> <u>Contract Employee</u> (Attach <u>Employment Status Form</u> , scope, budget) <input type="checkbox"/> <u>Legislative/Legal or Other:</u> (Attach authorizing language/justification, scope and budget)		Enter Current Contract End Date <u>Prior</u> to Amendment: _____, 20____. Enter Amendment Amount: \$ _____, (or "no change") AMENDMENT TYPE: (Check one option only. Attach details of Amendment changes.) <input type="checkbox"/> <u>Amendment to Scope or Budget</u> (Attach updated scope and budget) <input type="checkbox"/> <u>Interim Contract</u> (Attach justification for Interim Contract and updated scope/budget) <input type="checkbox"/> <u>Contract Employee</u> (Attach any updates to scope or budget) <input type="checkbox"/> <u>Legislative/Legal or Other:</u> (Attach authorizing language/justification and updated scope and budget)	
The following COMMONWEALTH TERMS AND CONDITIONS (T&C) has been executed, filed with CTR and is incorporated by reference into this Contract. <input checked="" type="checkbox"/> Commonwealth Terms and Conditions <input type="checkbox"/> Commonwealth Terms and Conditions For Human and Social Services			
COMPENSATION: (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00. <input type="checkbox"/> <u>Rate Contract</u> (No Maximum Obligation. Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) <input checked="" type="checkbox"/> <u>Maximum Obligation Contract</u> Enter Total Maximum Obligation for total duration of this Contract (or <u>new</u> Total if Contract is being amended). \$3,000.00			
PROMPT PAYMENT DISCOUNTS (PPD): Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days ___% PPD; Payment issued within 15 days ___% PPD; Payment issued within 20 days ___% PPD; Payment issued within 30 days ___% PPD. If PPD percentages are left blank, identify reason: ___agree to standard 45 day cycle ___ statutory/legal or Ready Payments (<u>G.L.c. 29, § 23A</u>); <input checked="" type="checkbox"/> only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See <u>Prompt Pay Discounts Policy</u> .)			
BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT: The CERT intends to conduct a drill and purchase allowable equipment for its members			
ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: <input checked="" type="checkbox"/> 1. may be incurred as of the <u>Effective Date</u> (latest signature date below) and <u>no</u> obligations have been incurred <u>prior</u> to the <u>Effective Date</u> . <input type="checkbox"/> 2. may be incurred as of _____, 20____, a date <u>LATER</u> than the <u>Effective Date</u> below and <u>no</u> obligations have been incurred <u>prior</u> to the <u>Effective Date</u> . <input type="checkbox"/> 3. were incurred as of _____, 20____, a date <u>PRIOR</u> to the <u>Effective Date</u> below, and the parties agree that payments for any obligations incurred prior to the <u>Effective Date</u> are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.			
CONTRACT END DATE: Contract performance shall terminate as of <u>June 30, 2012</u> , with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.			
CERTIFICATIONS: Notwithstanding verbal or other representations by the parties, the " <u>Effective Date</u> " of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor makes all certifications required under the attached <u>Contractor Certifications</u> (incorporated by reference if not attached hereto) under the pains and penalties of perjury, agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable <u>Commonwealth Terms and Conditions</u> , this Standard Contract Form including the <u>Instructions and Contractor Certifications</u> , the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in <u>801 CMR 21.07</u> , incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.			
AUTHORIZING SIGNATURE FOR THE CONTRACTOR: X: Date: <u>2/23/12</u> (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>Arthur G. Vigeant</u> Print Title: <u>Mayor</u>		AUTHORIZING SIGNATURE FOR THE COMMONWEALTH: X: _____ Date: _____ (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>David Mahr</u> Print Title: <u>Chief Fiscal Officer</u>	

COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



COMMONWEALTH OF MASSACHUSETTS
CONTRACTOR AUTHORIZED SIGNATORY LISTING

Issued May
2004



CONTRACTOR LEGAL NAME :
CONTRACTOR VENDOR/CUSTOMER CODE:

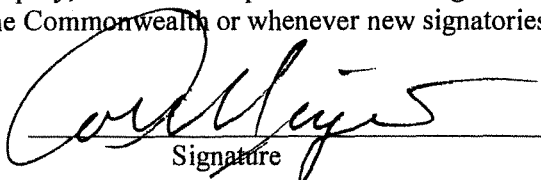
INSTRUCTIONS: Any Contractor (other than a sole-proprietor or an individual contractor) must provide a listing of individuals who are authorized as legal representatives of the Contractor who can sign contracts and other legally binding documents related to the contract on the Contractor's behalf. In addition to this listing, any state department may require additional proof of authority to sign contracts on behalf of the Contractor, or proof of authenticity of signature (a notarized signature that the Department can use to verify that the signature and date that appear on the Contract or other legal document was actually made by the Contractor's authorized signatory, and not by a representative, designee or other individual.)

NOTICE: *Acceptance of any payment under a Contract or Grant shall operate as a waiver of any defense by the Contractor challenging the existence of a valid Contract due to an alleged lack of actual authority to execute the document by the signatory.*

For privacy purposes **DO NOT ATTACH** any documentation containing personal information, such as bank account numbers, social security numbers, driver's licenses, home addresses, social security cards or any other personally identifiable information that you do not want released as part of a public record. The Commonwealth reserves the right to publish the names and titles of authorized signatories of contractors.

AUTHORIZED SIGNATORY NAME	TITLE
Donald E. Cusson	Emergency Manager

I certify that I am the President, Chief Executive Officer, Chief Fiscal Officer, Corporate Clerk or Legal Counsel for the Contractor and as an authorized officer of the Contractor I certify that the names of the individuals identified on this listing are current as of the date of execution below and that these individuals are authorized to sign contracts and other legally binding documents related to contracts with the Commonwealth of Massachusetts on behalf of the Contractor. I understand and agree that the Contractor has a duty to ensure that this listing is immediately updated and communicated to any state department with which the Contractor does business whenever the authorized signatories above retire, are otherwise terminated from the Contractor's employ, have their responsibilities changed resulting in their no longer being authorized to sign contracts with the Commonwealth or whenever new signatories are designated.


Signature

Date: 2/22/12

Title: Mayor

Telephone: 508-460-3770

Fax: 508-460-3698

Email:

[Listing can not be accepted without all of this information completed.]

A copy of this listing must be attached to the "record copy" of a contract filed with the department.

**COMMONWEALTH OF MASSACHUSETTS
CONTRACTOR AUTHORIZED SIGNATORY LISTING**

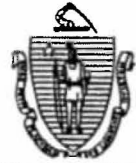
Issued May
2004



CONTRACTOR LEGAL NAME :
CONTRACTOR VENDOR/CUSTOMER CODE:

COMMONWEALTH OF MASSACHUSETTS
CONTRACTOR AUTHORIZED SIGNATORY LISTING

Issued May
2004



CONTRACTOR LEGAL NAME :
CONTRACTOR VENDOR/CUSTOMER CODE:

PROOF OF AUTHENTICATION OF SIGNATURE

This page is optional and is available for a department to authenticate contract signatures.
It is recommended that Departments obtain authentication of signature for the signatory
who submits the Contractor Authorized Listing.

This Section MUST be completed by the Contractor Authorized Signatory in presence of notary.

Signatory's full legal name (print or type):

Title:

X Donald E. Cuss

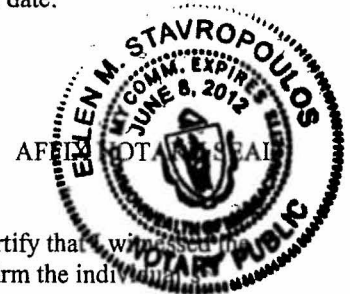
Signature as it will appear on contract or other document (Complete only in presence of notary):

AUTHENTICATED BY NOTARY OR CORPORATE CLERK (PICK ONLY ONE) AS FOLLOWS:

I, Ellen M. Stavropoulos (NOTARY) as a notary public certify that I witnessed
the signature of the aforementioned signatory above and I verified the individual's identity on this date:

February 22, 20 12.

My commission expires on:



I, _____ (CORPORATE CLERK) certify that I witnessed
signature of the aforementioned signatory above, that I verified the individual's identity and confirm the individual's
authority as an authorized signatory for the Contractor on this date:

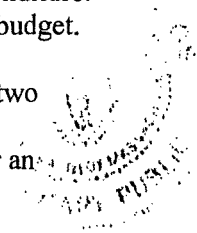
_____, 20 ____.

AFFIX CORPORATE SEAL

**MASSACHUSETTS EMERGENCY MANAGEMENT AGENCY
PROJECT MANAGEMENT OFFICE**

Special Conditions and Reporting Requirements for EMPG, CCP, and HMEP Sub-Recipients

1. **Emergency Management Performance Grant (EMPG) and Citizen Corps Program (CCP) sub-recipients** agree to adhere to all policies and guidance documents set by the U.S. Department of Homeland Security-Federal Emergency Management Agency (DHS/FEMA) and the Massachusetts Emergency Management Agency (MEMA) regarding use of the U.S. DHS-FEMA federal homeland security funding.
2. **Hazardous Material Emergency Preparedness (HMEP) sub-recipients** agree to adhere to all policies and guidance documents set by the U.S. Department of Transportation – Pipeline and Hazardous Materials Safety Administration (DOT/PHMSA) and MEMA regarding use of the U.S. DOT-PHMSA funding.
3. All sub-recipients agree that a detailed budget and plan must be submitted to MEMA for review and approval prior to execution of a contract for grant activities. EMPG and CCP budgets and plans shall adhere to the applicable U.S. DHS program guidelines and application kit. HMEP budgets and plans shall adhere to the U.S. DOT PHMSA program guidelines.
4. Any adjustment within a sub-recipient's approved budget in excess of ten percent (10%) of the approved budget must be reviewed and approved by MEMA prior to expenditure. A contract amendment may be required prior to performance under an adjusted budget.
5. Any substantive adjustment to a sub-recipient's scope of work (e.g., conduct of two exercises rather than four) must be reviewed and approved by MEMA prior to expenditure. A contract amendment may be required prior to performance under an adjusted scope of work.
6. Sub-recipients agree to be compliant with the National Incident Management System (NIMS). This includes participation (when requested) in the annual, on-line NIMSCAST. NIMS is a comprehensive incident response system, developed by the Department of Homeland Security as required by HSPD-5. Implementation of and compliance with NIMS is critical to ensuring full and robust preparedness across the nation and in the Commonwealth of Massachusetts.



7. Sub-recipients agrees to comply with the following:

Administrative Requirements

44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments;

2 CFR Part 215, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (OMB Circular A-110);

Cost Principles

2 CFR Part 225, Cost Principles for State, Local, and Indian Tribal Governments (OMB Circular A-87);

2 CFR Part 220, Cost Principles for Educational Institutions (OMB Circular A-21);

2 CFR Part 230, Cost Principles for Non-Profit Organizations (OMB Circular A-122);
Federal Acquisition Regulations (FAR), Part 31.2 Contract Cost Principles and Procedures, Contracts with Commercial Organizations.

Audit Requirements

OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*

8. Sub-recipients agree that federal funds under this award will be used to supplement, and not supplant, state or local funds.
9. Sub-recipients understand and agree that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government without the express prior written approval of U.S. DHS and/or U.S. DOT.
10. **Press.** Sub-recipient agrees to proactively notify MEMA of any interactions or planned media outreach regarding activities funded under this grant program.
11. **Release of Information.** All records, papers and other documents of any kind related to the funded activity in any manner and kept by sub-recipients of these funds shall be made promptly available upon request to any person authorized by MEMA for inspection and copying.
12. **Civil Rights Requirements.** All sub-recipients, regardless of the type of entity or the amount awarded, are subject to the prohibitions against discrimination in any program or activity and may be required by the DHS, DOT, or MEMA, through selected compliance reviews, to submit data to ensure their services are delivered in an equitable manner to all segments of the service population and their employment practices comply with equal employment opportunity requirements.

13. **Limited English Proficiency.** All sub-recipients of funding under this grant are required to take reasonable steps to ensure that persons of limited English proficiency have meaningful access to assistance services regarding the development of proposals and budgets and conducting grant funded activities.
14. **Americans with Disabilities Act.** All federal grant sub-recipients must comply with the Americans with Disabilities Act (ADA); (i.e., "all state and local government entities do not discriminate against people with disabilities in their programs, services and activities. State and local governments must take steps to examine their programs and establish a plan for compliance with the law.")
15. **Discrimination Prohibited.** No person shall on the grounds of race, color, religion, national origin, sex or sexual orientation be excluded from participation in, be denied the benefits of, or be subjected to discrimination under or denied employment in connection with any programs or activity funded through MEMA and shall otherwise comply with all applicable state anti-discrimination law including but not limited to the provisions of G.L. c. 151B. Sub-recipients of funds are also subject to the provisions of Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1974, as amended; Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681; the Age Discrimination Act of 1975, 42 U.S.C. § 6102; and DOJ Non-Discrimination Regulations 28 CFR Part 42, Subparts C, D, E, and G.
16. **Reporting of Adverse Finding of Discrimination.** It is the responsibility of all sub-recipients, sub-grantees, and contractors under grants, to report to MEMA, any finding of discrimination after a due process hearing, on the basis of race, color, religion, national origin, sex or sexual orientation by a federal or state court or administrative agency.
17. **Equal Opportunity Program Requirements.** It is the responsibility of all sub-recipients to ensure that their employment practices comply with Equal Opportunity Requirements, 28 CFR 42.207 and 42.301.
18. **Application of Special Conditions to Sub-Recipient Grantees:** If a sub-recipient proposes to engage in sub-granting activities, it shall ensure its sub-grantees adhere to all applicable DHS/FEMA, and/or U.S. DOT, and MEMA special conditions.
19. **Reporting.** Sub-recipients agree to submit timely and accurate Close-Out, Match, and De-Obligation Reports as needed and directed. Failure to comply with this condition may result in the withholding of sub-recipient funds until the delinquent report is received.
20. **Cash Management.** Sub-recipients acknowledge that this program is a reimbursable grant program and that under no circumstances may federal funds be held in an account pending payment of an invoice for more than 72 (business) hours from the time the funds are transferred from the Commonwealth to the grant sub-recipient.
21. **Contractor/Consultant Rates.** Compensation for individual consultant services is to be reasonable and consistent with the amount paid for similar services in the market place. Consideration can be given to compensation, including fringe benefits, for those individuals whose employers do not provide the same. Time and effort reports are required for consultants.
22. **Monitoring.** Sub-recipients agree to cooperate with MEMA monitoring and site visits.

23. **Safeguarding and Access to Security Sensitive Data and Information.** All sub-recipients agree to adhere to proper administrative handling when handling grant-program related documents labeled Sensitive Security Information (SSI), Protected Critical Infrastructure Information (PCII), For Official Use Only (FOUO), etc.
24. **Copyright/Licenses.** The sub-recipient acknowledges that MEMA, DHS, and DOT reserve a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for federal or state purposes: (1) the copyright in any work developed under an award or sub-award; and (2) and rights of copyright to which a sub-recipient or sub-grantee purchases ownership with Federal support.
25. **Acknowledgement in Published Materials. EMPG and CCP sub-recipients agree** that any publication (e.g., written, visual, or sound) it or its contractors issues describing programs or projects funded in whole or in part with federal funds, contain the following statement:
- "This document was prepared under a grant from FEMA's Grant Programs Directorate, U.S. Department of Homeland Security. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of FEMA's Grant Programs Directorate or the U.S. Department of Homeland Security."
26. **Acknowledgement in Published Materials. HMEP sub-recipients agree** that any publication (e.g., written, visual, or sound) it or its contractors issues describing programs or projects funded in whole or in part with federal funds, contain the following statement:
- "This document was prepared under a grant from U.S. DOT PHMSA. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of the U.S. DOT PHMSA."
27. **Procurement.** Sub-recipient agrees to adhere to the applicable state, local, and other applicable procurement requirements.
28. **Equipment Specifically Intended for Regional-Use:** Sub-recipients who procure these equipment items (e.g., regional emergency shelter trailers, regional foam trailers, etc) shall, at a minimum, meet the following requirements:
- i. identify one entity as the owner who will be responsible for storage and maintenance of the item;
 - ii. ensure notification, as appropriate, is provided to the surrounding communities about the item, its use, and how to obtain further information related to the item;
 - iii. ensure a Standard Operation Procedure (or like document) document is developed that details, at a minimum, the proper storage, deployment, use, and maintenance of the item;
 - iv. ensure a Memorandum of Understanding is developed and agreed to, as appropriate, by entities who may request the item.
29. **Disposal and sale of equipment purchased via DHS funds.** Any proposed sale and/or disposal must adhere to current MEMA policy.

30. **User Fees.** Any proposed 'user fees' related to equipment, items, services, etc acquired via DHS funding must be pre-approved by MEMA.
31. **Environmental Planning and Historic Preservation (EHP). EMPG and CCP sub-recipients** shall not undertake any project having the potential to impact Environmental or Historical Preservation (EHP) resources without the prior approval of FEMA, which is done through MEMA. EHP activities include, but are not limited to, communications towers, physical security enhancements, new construction, and modifications to buildings, structures and objects that are 50 years old or greater. Sub-recipients must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground disturbing activities occur during project implementation, the sub-recipient must ensure monitoring of ground disturbance, and if any potential archeological resources are discovered, the sub-recipient will immediately cease construction in that area and notify FEMA, MEMA, and the appropriate State Historic Preservation Office. Any construction activities that have been initiated without the necessary EHP review and approval will result in a non-compliance finding and will not be eligible for FEMA funding.
32. **Property acquired with grant funds.** MEMA requires that property - with a unit cost of \$500.00 or greater and that has a shelf-life of one year or greater - acquired with federal homeland security grant funds be tagged and tracked using a computer-based inventory system. **EMPG and CCP sub-recipients agree**, when practicable, any equipment purchased with homeland security grant funding shall be prominently marked as follows: "Purchased with funds provided by the U.S. Department of Homeland Security."
33. **Reporting of violations (fraud, waste, and abuse).** It is the responsibility of all grant sub-recipients and their respective agency personnel, grantees, and contractors under grants, to report to MEMA any alleged violations, serious irregularities, sensitive issues, or overt or covert acts that would use public funds or perform program or administrative requirements in a manner not consistent with grantor agency statutes, related laws and regulations, appropriate guidelines, or purposes or objectives of the grant.
34. **Federal Drug Free Workplace Requirements.** As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620—
- A. The applicant certifies that it will or will continue to provide a drug-free workplace by:
- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 - (b) Establishing an on-going drug-free awareness program to inform employees about—
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
 - (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 810 7th Street, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted—
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant: Place of Performance (Street address, city, county, state, zip code)

35. **Lobbying.** As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the sub-recipient certifies that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

- (c) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-grants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

36. **Debarment, Suspension, and Other Responsibilities.** As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510—

- A. The applicant certifies that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and
- B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

37. **Internet Access.** Sub-recipients must have Internet access.

38. **Email addresses.** Sub-recipient project directors of grant programs must have individual email addresses.

As the duly authorized representative of the sub-recipient, I hereby certify that the sub-recipient will comply with the above conditions.

Signature of Authorized Signatory

Date

Printed Name

Title

**COMMONWEALTH OF MASSACHUSETTS
CONTRACTOR AUTHORIZED SIGNATORY LISTING**

Issued May
2004



CONTRACTOR LEGAL NAME :
CONTRACTOR VENDOR/CUSTOMER CODE:

PROOF OF AUTHENTICATION OF SIGNATURE

**This page is optional and is available for a department to authenticate contract signatures.
It is recommended that Departments obtain authentication of signature for the signatory
who submits the Contractor Authorized Listing.**

This Section MUST be completed by the Contractor Authorized Signatory in presence of notary.

Signatory's full legal name (print or type):

Title:

X _____

Signature as it will appear on contract or other document (Complete only in presence of notary):

AUTHENTICATED BY NOTARY OR CORPORATE CLERK (PICK ONLY ONE) AS FOLLOWS:

I, _____ (NOTARY) as a notary public certify that I witnessed
the signature of the aforementioned signatory above and I verified the individual's identity on this date:

_____, 20 ____.

My commission expires on:

AFFIX NOTARY SEAL

I, _____ (CORPORATE CLERK) certify that I witnessed the
signature of the aforementioned signatory above, that I verified the individual's identity and confirm the individual's
authority as an authorized signatory for the Contractor on this date:

_____, 20 ____.

AFFIX CORPORATE SEAL



City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
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

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

February 22, 2012

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

Re: Request for Approval of Mass DEP Grants for

Honorable President Pope and Councilors:

The City of Marlborough has been notified by the Massachusetts Department of Environmental Protection (Mass DEP) that we have qualified for two separate grants associated with the new containerized curbside solid waste and recyclables collection program.

The first is a grant for \$105,000 to offset a portion of the costs to purchase the containers we will need for the solid waste side of the collection program and provide informational materials. The second is a grant to provide technical assistance to the city to promote and implement the program (backup information enclosed).

I respectfully request your approval of these grants.

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

Sincerely,

Arthur G. Vigeant
Mayor

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: Public Works DATE: 22-Feb-12

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Ron LaFreniere, Commissioner of Public Works

NAME OF GRANT: SMRP

GRANTOR: DEP

GRANT AMOUNT: \$105,000

GRANT PERIOD: June 30, 2012 - Decmeber 31, 2012

SCOPE OF GRANT/
ITEMS FUNDED Purchase of curbside solid waste containers
Curbside solid waste containers
and informational materials

IS A POSITION BEING
CREATED: No.

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

ARE MATCHING CITY
FUNDS REQUIRED? City funds will be needed to cover the full cost of the containers

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

IF MATCHING IS MONETARY PLEASE GIVE ACCOUNT NUMBER AND DESCRIPTION OF CITY FUNDS
TO BE USED: Estimated city funds for the solid waste containers is approximately \$305,735. The accounts
proposed to fund the purchase of these containers are Long Term Debt Interest, 60075106-58964 (\$303,805)
and/or Multi Purpose Bond, 60071106-59963 (\$574,240.70)

ANY OTHER EXPOSURE TO CITY? 3-year commitment to containerized collection program

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: June 15, 2012 but earlier approval is required
to implement new program by July 2012.

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

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: Public Works DATE: 22-Feb-12

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Ron LaFreniere, Commissioner of Public Works

NAME OF GRANT: DEP Technical Assistance Program

GRANTOR: DEP

GRANT AMOUNT: 80 person hours of technical assistance

GRANT PERIOD: Through June 30, 2012/August 15, 2012

SCOPE OF GRANT/
ITEMS FUNDED Technical assistance to promote and implement containerized curbside collection of solid waste and recyclables. Development of revised city ordinances to be consistent with the new program.

IS A POSITION BEING
CREATED: No.

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? No

ARE MATCHING CITY
FUNDS REQUIRED? No.

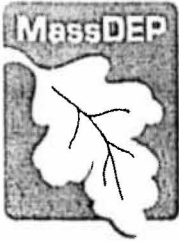
IF MATCHING IS NON-MONETARY (MAN HOURS, ETC.) PLEASE SPECIFY:
N/A...Assistant Commissioner will be working with technical assistance personnel.

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

ANY OTHER EXPOSURE TO CITY?
No.

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: None specified, but project is proposed to be completed by June 30, 2012 with final report delivered August 15, 2012. Immediate approval is requested to begin promotion and implementation program.

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



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

ESC's 11/1/11 @ 2:30pm

Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

DEVAL L. PATRICK
Governor

RICHARD K. SULLIVAN JR.
Secretary

TIMOTHY P. MURRAY
Lieutenant Governor

KENNETH L. KIMMELL
Commissioner

October 28, 2011

Mayor Nancy E. Stevens
City of Marlborough
140 Main Street
Marlborough, MA 01752

Dear Mayor Stevens,

Congratulations! It is my pleasure to inform you that the Massachusetts Department of Environmental Protection (MassDEP) has awarded the City of Marlborough a Sustainable Materials Recovery Program Municipal Grant. The City of Marlborough will receive up to \$100,000 for Wheeled Recycling Carts and up to \$5,000 for Education Materials to publicize the new single stream recycling program.

The Sustainable Materials Recovery Program (SMRP) was created under 310 CMR 19.300-303 and the Green Communities Act, which directs a portion of the proceeds from the sale of Waste Energy Certificates to recycling programs approved by MassDEP. The SMRP solicitation, issued April 21, 2011, offered funding to cities, towns and regional entities - as well as certain non-profit organizations that provide services to them - for recycling, composting, reuse and source reduction activities that will increase diversion of municipal solid waste and household hazardous waste from disposal. MassDEP received applications from 118 municipalities, regional groups and non-profits, totaling \$2.4 million in requested funds.

The terms and conditions of your grant are outlined in the attached document, which contains key dates and deadlines specific to your award. This information has also been provided to the municipal recycling contact copied below. Should you have any questions, please call Tina Klein at (617) 292-5704.

Thank you for your commitment to advancing recycling and waste reduction in Massachusetts. Together our efforts will reduce greenhouse gas emissions, conserve natural resources, and save energy, while also supporting jobs and reducing disposal costs for waste generators and municipalities.

Sincerely,

Kenneth L. Kimmell
Commissioner

cc: Tom Temple, Recycling Coordinator
Irene Congdon, MassDEP Municipal Assistance Coordinator



Checklist for Wheeled Recycling Carts Grant Award

Name of Municipality: MARLBOROUGH

Instructions:

- Read this document carefully to familiarize yourself with the process and pre-requisites for the grant.
- Fill out this checklist, have it signed by an authorized municipal official, and return it to MassDEP no later than June 15, 2012.
- Once we've received your checklist we'll send you a Grant Agreement. Return the signed Grant Agreement to MassDEP no later than June 30, 2012.
- Expend funds as specified in your Grant Agreement.
- Submit an invoice to MassDEP, for reimbursement of grant expenditures.

All funds must be spent and invoices received by MassDEP by December 31, 2012.

STEP ONE: Program Approval

Check the box and circle the applicable municipal decision-making body below, to indicate that the necessary approval has been secured for this grant.

- The municipality's (circle one: Board of Selectmen, City Council, Board of Health, Town Meeting) has voted to fund and implement a curbside recycling program with wheeled carts, which will be operated for a minimum of 3 years.

STEP TWO: Cart Funding and Ownership

Check the box (A or B) that describes how your municipality will fund the balance of the cart costs (i.e. the portion not covered by the grant).

- A. Municipality has appropriated funds for the purchase of carts OR,
- B. Municipality's contracted hauler will purchase the carts with the following conditions (must check both boxes below):
 - Municipality has signed a collection contract with a hauler that includes the provision of wheeled recycling carts.
 - This collection contract stipulates that the municipality becomes the owner of the carts at the end of the contract.

STEP THREE: Signature of Authorized Official

I have reviewed and am familiar with the information contained in this checklist. The information contained in this checklist is to the best of my knowledge, true, accurate and complete. I am fully authorized to make this attestation on behalf of the Grantee municipality.

Print Name: _____ Title: _____

By: _____
(Signature) (Date)

Contact Tina Klein with any questions: 617-292-5704 or Tina.Klein@state.ma.us

Return the completed checklist to:

Tina Klein
MassDEP, Consumer Programs
One Winter Street, 7th Floor
Boston, MA 02108

**Massachusetts Department of Environmental Protection
FY12 In-Kind Technical Assistance Project
For City of Marlborough**

Scope of Work

Municipal Assistance Coordinator from the Massachusetts Department of Environmental Protection (MassDEP), **Irene Congdon**, has been assigned to work with the **City of Marlborough** on the project titled **Recycling and Solid Waste Program Assistance** as outlined in this Scope of Work. **Irene Congdon** shall spend a maximum of **80 hours** on this project. Work performed by **Irene Congdon (IC)** on this project will be completed no later than June 30, 2012.

Project Summary: The City of Marlborough has approximately 38,000 residents and 12,500 household units that participate in the current curbside trash and recycling program. Residents can put out unlimited amounts of trash weekly. Paper is picked up one week and containers the next week. Bulky waste is collected at the drop off facility. The drop off user fee of \$50 is charged yearly, and is free for seniors. At the curb, bulky waste is collected by calling Republic, the city's contract hauler, and paying them directly. The schools and municipal buildings are also participating in the cities collection and disposal contracts.

Many cities have expanded their recycling program to single stream (SSR) and most are using the two cart program to implement this expansion. In Central Mass, Leominster and Gardner have recently changed to an automated two cart curbside program where residents receive one container for trash and a second container for single stream recycling. Fitchburg has already voted to start a SSR program and Worcester has SSR with Pay As You Throw for trash.

This Technical Assistance project will help the city implement an automated curbside program which would provide households with up to 3 units per building with a 64 gallon container for trash and a 96 gallon container for bi-weekly Single Stream Recycling collection. The goal is to have a cleaner city, with a higher recycling rate and a cost effective program. The City of Marlborough signed the contract with Republic Services to start this new cart program in July of 2012.

The **City of Marlborough** has designated Thomas Temple, Assistant Commissioner of Operations, as the Project Coordinator (PC) to function as the key point of contact with **Irene Congdon** throughout the project.

Scope of Work and Deliverables

Task One: Implementation Plan

5hrs, Completion Date: February 2012

The City of Marlborough has just signed a new curbside collection contract with Republic until June 2016. The City of Marlborough also has a disposal/ processing contract with WeCare until 2018 and pays \$109 per ton of trash. The new contract was just signed the end of December to start the automated cart program. Mr. Temple has a draft implementation plan for this program.

Subtasks include:

- A. Republic Services (RS), PC and IC will review the implementation plan of the program

Deliverables will include:

- The final implementation plan

Task Two: Recycling & Solid Waste Ordinance

35 hrs, Completion date: May 2012

The City of Marlborough's trash and recycling programs are paid for through the tax base. The City's Ordinance for solid waste should be revised to reflect the means of collection and disposal in the city. The draft ordinance will be prepared by the DPW and IC and sent to the Operations and Oversight Committee (OOC) then to the City Council to be approved.

Subtasks include:

- A. IC and PC will develop the Recycling & Solid Waste Ordinance.
- B. IC and PC will present the proposed ordinance and draft implementation plan to the OOC then to the City Council.

Deliverables will include:

- Final Recycling & Solid Waste Ordinance

Task Three: Develop and Disseminate Publicity Materials 40 hrs, Completion Date: May 2012

The new automated collection is expected to be up and running by the summer of 2012. The next step is to introduce the program to the public.

Subtasks include:

- A. IC and PC will put together a draft memo for the Mayor to email out to staff and officials about the facts of the approved program.
- B. PC working with Republic in having collection trucks and carts at city sites and events, to get the public aware of the program.
- C. PC will work with Republic on the cart purchase and distribution
- D. IC will work with PC and Republic to develop press releases, flyers, website information and mailer to keep the public informed of the approved program.
- E. IC to provide Power Point presentation about the approved program, which could be used at various meeting and put on local cable.

Deliverables will include:

- Department informational flyer and other education materials.
- Power Point presentation about the proposed program, which could be used at various meeting and put on local cable.

Final Report

Completion date: August 15, 2012

After the conclusion of this project, Irene Congdon will complete a final report summarizing the project, conclusions, and recommendations or next steps (as appropriate) in a format prescribed by MassDEP. A copy of the report will be provided to the City. The report and all deliverables generated through this project will be filed with MassDEP and may be provided to other municipalities interested in implementing a similar initiative.

IN WITNESS WHEREOF, the **City of Marlborough** hereby accepts the above terms and conditions:

City of Marlborough approves this Scope of Work:

Name (please print)

Signature

Title

Date

The Department of **Environmental Protection** approves this Scope of Work:

Name (please print)

Signature

Title

Date



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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2012 FEB 23 P 2:20
DONALD V. RIDER, JR.
CITY SOLICITOR
CYNTHIA M. PANAGORE GRIFFIN
ASSISTANT CITY SOLICITOR
BEVERLY J. SLEEPER
CHIEF PROCUREMENT OFFICER
ELLEN M. STAVROPOULOS
PARALEGAL

February 23, 2012

Patricia Pope, President
Marlborough City Council
City Hall
Marlborough, MA

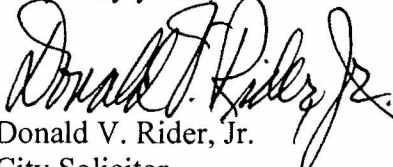
RE: Proposed Ordinance on Residential Mailbox Claim Procedure

Dear President Pope and Members:

It has come to my attention that the ordinance providing a claim procedure for damage to residential mailboxes due to snow plow operations expired on June 30, 2011. Accordingly, I enclose for the Council's consideration the same ordinance language as was previously approved, except that there is no sunset provision. If approved, the ordinance would apply to mailbox claims accruing on or after March 1, 2012, or whichever other date the Council deems appropriate.

Thank you for your attention to this matter.

Very truly yours,


Donald V. Rider, Jr.
City Solicitor

Enclosure

cc: Arthur G. Vigeant, Mayor

ORDERED:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY ADDING TO SECTION 7-13 OF CHAPTER 7 OF ARTICLE II THE FOLLOWING NEW PARAGRAPH:

Any written claim presented to the City of Marlborough alleging that a residential mailbox has been damaged by the operation of a snow plow shall be granted upon written confirmation provided by the Department of Public Works to the Legal Department that City of Marlborough snow plow operations were in effect during the date when, and on the street where, the claimed mailbox damage occurred; provided, however, that such claim must be accompanied both by an auto-dated photograph(s) of the damaged mailbox as well as by a paid receipt showing the actual cost of the mailbox's repair or replacement; and provided, further, the maximum amount of reimbursement shall be set at Seventy-Five and 00/100 (\$75.00) Dollars, except that in the absence of such photograph(s) and/or such paid receipt, the maximum amount of reimbursement shall be set at Thirty and 00/100 (\$30.00) Dollars. This paragraph shall be applicable to only those mailbox claims accruing on or after March 1, 2012.

ADOPTED

In City Council

Order No. 12-

Adopted

Approved by Mayor

Arthur G. Vigeant

Date:

A TRUE COPY

ATTEST:



CITY OF MARLBOROUGH
OFFICE OF CITY CLERK

That the City Clerk be and is herewith directed to have proper notices issued notifying the VOTERS of the City of Marlborough that the **PRESIDENTIAL PRIMARY ELECTION** will be held in the polling locations as noted below on **TUESDAY, MARCH 6, 2012** as follows: President, State Committee Man, State Committee Woman and Ward Committee members.

THE POLLS WILL OPEN AT 7:00 A.M. AND WILL CLOSE AT 8:00 P.M.

POLLING LOCATIONS ARE AS FOLLOWS:

WARD ONE: Prec. 1 and 2	Francis J. Kane School, 520 Farm Rd.
WARD TWO: Prec. 1 and 2	Francis J. Kane School, 520 Farm Rd.
WARD THREE: Prec. 1	Masonic Hall, 8 Newton St. (corner of Main/Newton Sts.), rear
WARD THREE: Prec. 2	Raymond J. Richer School, 80 Foley Rd., Room 103
WARD FOUR: Prec. 1 and 2	Boys & Girls Club, 169 Pleasant St.
WARD FIVE: Prec. 1	Senior Center, 250 Main St.
WARD FIVE: Prec. 2	Masonic Hall, 8 Newton St. (corner of Main/Newton Sts.), rear
WARD SIX: Prec. 1 and 2	1LT Charles W. Whitcomb School, 25 Union St., Library
WARD SEVEN: Prec. 1 and 2	Hildreth School Gymnasium, 85 Sawin St.

(508) 485-4882
Fax: (508) 624-4110
E-mail: sem.aykanian@verizon.net

Sem Aykanian

Attorney at Law

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

John Cotting House
74 Main Street
Marlborough, MA 01752

2012 FEB 22 P 3:52

February 21, 2012

Office of the City Clerk
ATT: MS. LISA THOMAS
140 Main Street
Marlborough, MA 01752

RE: MARLBOROUGH SAVINGS BANK, 81 GRANGER BOULEVARD

Dear Ms. Thomas:

As you know, I represent Marlborough Savings Bank relative to its operations at 81 Granger Boulevard and the enclosed Special Permit Amendment Application.

You will recall that in June of 2009, the Marlborough City Council, by Order No. 09-1002152C, issued a Notice of Decision and Grant of Special Permit to my client for the construction and maintenance of a drive through teller line and ATM services at the above referenced location.

At this point in time, my client seeks to amend the Special Permit as it relates to the hours of operation of both the teller line and ATM. Accordingly, I have enclosed the following items in connection with the same:

1. Filing Fee in the amount of \$250.00
2. Special Permit Application Certification executed by Stephen Reid
3. Certification of Applicant and Tax Collector regarding municipal charges
4. Attorney's certification of service to City departments
5. Application for Special Permit (Amendment)
6. Certified list of abutters.

It is my understanding that you will transmit this matter to the full City Council for their action. My only request is that the matter not be scheduled for public hearing between the dates of February 29 through March 7 as I will be travelling outside of the Commonwealth.

If there are any questions or any further information needed, please do not hesitate to call.

Very truly yours,



Sem Aykanian, Esq.

SA/sf

enc.

**CITY OF MARLBOROUGH
OFFICE OF THE CITY CLERK**

APPLICATION TO CITY COUNCIL FOR ISSUANCE OF SPECIAL PERMIT

1. Name and address of Petitioner or Applicant:

Marlborough Savings Bank

2. Specific Location of property including Assessor's Plate and Parcel Number.

81 Granger Boulevard Map 70 Parcel 152 (1)

3. Name and address of owner of land if other than Petitioner or Applicant:

Fitzpatrick Family Investment Trust, 3 Reservoir Lane, Upton, MA

4. Legal interest of Petitioner or Applicant (owner, lessee, prospective owner, etc.) Owner and Lessee

5. Specific Zoning Ordinance under which the Special Permit is sought: Section 650-16 of the
Article _____ Section _____ Paragraph _____ Sub-paragraph _____ Zoning Ordinance

6. Zoning District in which property in question is located:

Business Zone

7. Specific reason(s) for seeking Special Permit

Petitioner seeks review of hours of operation pursuant to existing
Special Permit and revision to allow operation of the drive-through teller
seven days per week, 8:00am to 8:00pm, and operation of the drive-through
ATM 24 hours per day, seven days per week.

8. List of names and addresses of abutter. SEPARATE SHEET ATTACHED

PETITION IS HEREBY MADE FOR THE ISSUANCE OF A SPECIAL PERMIT BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH AND IS BASED ON THE WITHIN PETITION OR APPLICATION AS FILED HERewith AND MADE PART OF SAID PETITION.

Marlborough Savings Bank

Signature of Petitioner or Applicant
By their Attorney, Sem Aykanian, Esq.
Address: 74 Main Street

Marlborough, MA 01752

Telephone No. (508) 485-4882

Date: 2-21-12

City Clerk's Office

LIST OF NAMES AND ADDRESS OF ABUTTERS
AS REQUESTED ON THE APPLICATION FOR SPECIAL PERMIT OF:

Marlborough Savings Bank

(Name of Petitioner)

FOR THE ISSUANCE OF SPECIAL PERMIT BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH UNDER CHAPTER 650, ZONING, OF THE CODE OF THE CITY OF MARLBOROUGH.

(Abutters as defined in §650-59, Section 4H, **Powers and Procedure of Special-Permit Granting Authorities**)

See Attached



**CITY OF MARLBOROUGH
MARLBOROUGH, MASSACHUSETTS 01752**

City Hall
140 Main St.

Marlborough, Massachusetts 01752

Voice (508) 460-3775 Facsimile (508) 460-3723 TTD (508) 460-3610

President and Members City Council

Date: 2.21.12

**SPECIAL PERMIT APPLICATION
CERTIFICATION BY PLANNING DEPARTMENT**

Project Name: Marlborough Savings Bank Main Office

Project Use Summary: Banking/Drive-Through

Project Street Address: 81 Granger Boulevard

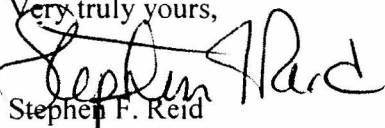
Plate: 70 Parcel: 152 (1)

Applicant/Developer Name: Marlborough Savings Bank

Plan Date: NA Revision Date: NA

Dear President and Members:

In accordance with the City Council's Rules for Special Permit Applications, I hereby certify that the Site Plan filed with the City Clerk has been reviewed by the Building Department within the limits of work shown on the plan, and that said plan meets all prior referenced informational requirements of Section 7; that the plan conforms in all aspects to City Code and to these Rules and Regulations, and that any necessary zoning variances have been already granted by the Marlborough Zoning Board of Appeals, and any applicable appeal period concerning said variances have run.

Very truly yours,

Stephen F. Reid
Building Commissioner

**Application Fee to submit to
City Clerk's office**

\$ 250.00

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



**Lisa M. Thomas
City Clerk**

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all Municipal tax returns and paid all Municipal taxes required under law.

S. A. Hyatt

Signature of Applicant

SEAN A. HANNAH ATTORNEY

Attorney on behalf of Applicant, if applicable

The Special Permit Package will not be accepted unless this certification clause is signed by the applicant and the Tax Collector.

Deborah A. Puleo

Tax Collector

MIRICK O'CONNELL

ATTORNEYS AT LAW

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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2012 FEB 13 P 3:57

Arthur P. Bergeron
Mirick O'Connell
100 Front Street
Worcester, MA 01608-1477
abergeron@mirickoconnell.com
t 508.929.1652
f 508.463.1385

February 13, 2012

Via Hand Delivery

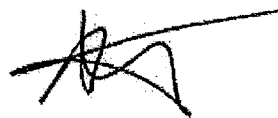
Councilor Patricia Pope
Marlborough City Council
City Hall
140 Main Street
Marlborough, MA 01752

Re: Walker Estate

Dear Councilor Pope:

My client, Melanson Development Group, Inc., which has acquired the house on Framingham Road that was formerly owned by Mayor Frank Walker, hereby requests that the City assent to my client's recent filing of a proposal to develop that land as a so-called "open space development", which would include certain land behind it in which the City has a fee interest because of the existence there of a sewer trunk line. If my client is successful in receiving a special permit from the Planning Board, my client will again request that the City convey to it a fee interest in the land behind the Walker Estate in which a sewer trunk line is located. Please refer this matter to the appropriate committee

Very truly yours,



Arthur P. Bergeron

APB/lmb

MIRICK, O'CONNELL, DEMALLIE & LOUGEE, LLP

WORCESTER | WESTBOROUGH | BOSTON

www.mirickoconnell.com



City of Marlborough, Massachusetts
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CITY OF MARLBOROUGH

2012 FEB 13 P 2:36

Lisa M. Thomas
City Clerk

MARLBOROUGH, MA

DATE: 1-27-12

To the City Council:

Owner Name: Thomas Zampini

Residential Address: 8 Shady Lane Framingham, MA

Telephone Number: 508-479-1736

Business Name: Metal MAN Recycling LLC

Business Address: 51 Lacombe St. Marlboro

Business Telephone Number: 508-479-3934

Owner Signature: Thomas Zampini

The above-signed Thomas Zampini respectfully requests that he/she be granted a Junk Dealers license.

In City Council

\$100.00 pd 2/23/12



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

2012 FEB 23 P 2:46

**Lisa M. Thomas
City Clerk**

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

I. TYPE OF LICENSE: _____ TAXI _____ LIVERY

2. APPLICANT'S (LICENSEE) INFORMATION:

- A. Name: ASIA NABAKKA (Kaweasa) Rowland
- B. Address: 16 2nd Street, Frammingham, MA 01702
- C. Business Name: Marlborough Taxi
- D. Business Address: To be determined if granted a taxi license
- E. Telephone Number(s): 508-881-3111

3. NUMBER OF VEHICLES: Five (5)

APPLICANT'S SIGNATURE ASIA NABAKKA

u

**CITY OF MARLBOROUGH
TAXI/LIVERY LICENSE**

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

EXPIRATION DATE: _____

A TRUE COPY
ATTEST:

City Clerk

City of Marlborough
Commonwealth of Massachusetts

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CITY OF MARLBOROUGH



January 23, 2012
7:00 PM

PLANNING BOARD

Barbara L. Fenby, Chair
Colleen M. Hughes, Clerk
Philip J. Hodge
Edward F. Coveney
Clyde L. Johnson
Sean N. Fay

Carrie Lizotte, Board Secretary

Phone: (508) 460-3769

Fax: (508) 460-3736

Email: CLizotte@marlborough-ma.gov

The Planning Board for the City of Marlborough met on Monday, January 23, 2012 in Memorial Hall, 3rd Floor, City Hall 140 Main Street, Marlborough, MA 01752. Members present: Barbara Fenby, Sean Fay, Colleen Hughes, Philip Hodge and Edward Coveney. Also present: City Engineer Thomas Cullen.

MINUTES

January 23, 2012

On a motion by Ms. Hughes, seconded by Mr. Fay, it was duly voted, with minor amendments:

To accept and file the meeting minutes.

CHAIRS BUSINESS

Meeting Schedule

The members discussed the dates; they will let the secretary know if there are any dates that conflict with their schedules.

APPROVAL NOT REQUIRED PLAN

Mauro Farm. Lot 17R

Submittal

Mr. Fay duly noted his conflict is on file with the Mayor's office.

Mr. Cullen has reviewed the ANR plan known as "Mauro Farms. Lot 2R, Lot 17R, Lot A & B" and can recommend to the endorse the plan.

On a motion by Ms. Hughes, seconded by Mr. Coveney, it was duly voted:

To accept and endorse a plan of land believed to be Approval Not Required of Mauro Farms, LLC 259 Turnpike Road, Suite 100, Southborough, MA 01772. Name of Engineer: WSP Sellis, 9 Trolley Crossing Road, Charlton, MA 01507. Deed of property recorded in South Middlesex Registry of Deeds Book 50671, Page 318: Assessors Map 71 Parcels 250, 251 and 253.

PUBLIC HEARING

93 Framingham Road, Open Space Subdivision Submittal, 7:15PM

The Planning Board of the City of Marlborough held a public hearing on Monday, January 23, 2012, at 7:15p.m. in Memorial Hall, 3rd Floor, City Hall, 140 Main Street, Marlborough on the Open Space Special Permit Known as "93 Framingham Road", located off of Framingham Road, Marlborough, MA. Members present: Chairperson Barbara L. Fenby, Clerk Colleen Hughes, Philip Hodge, Sean Fay and Edward Coveney. Also present: City Engineer Thomas Cullen.

Ms. Hughes read the advertisement into record.

Notice is hereby given that the Planning Board of the City of Marlborough will hold a public hearing on Monday, January 23, 2012 at 7:15 P.M., at Memorial Hall, City Hall, 140 Main Street, Marlborough, MA on the following Open Space Development Plan known as "93 Framingham Road" in which the proposal is herewith published in compliance with the requirements of the M.G.L. 41, §81T and is hereby set forth as follows:

NAME OF SUBDIVIDER: Melanson Development Group, Inc.
P.O. Box 564
Woburn, MA 01801

NAME OF ENGINEER: Bruce Saluk & Associates
576 Boston Post Road East
Marlborough, MA 01752

LOCATION OF PROPERTY: Property located at 93 Framingham Road
Map 93, Parcels 87, 93 and 94.

A plan of the proposed subdivision is on file in the City Clerk's Office, the Planning Board Office, and the City Engineer's Office and may be seen prior to the public hearing.

Bruce Saluk of Bruce Saluk and Associates presented both the conventional plan as well as the plan for the open space special permit. The conventional plan shows 8 lots with all lots being in the A2 zone with a minimum lot of 18,000 Sf and at least 120 feet of frontage. Two of the lots are directly on Framingham Road, while the other 6 would be on a street with two cul de sacs, adding approximately 340 feet roadway. He displayed the wetlands were to the rear of the property and would be left undisturbed.

He also presented the Open Space Special Permit Plan which shows 8 lots all within the A2 lot summary for Open Space Zoning of 12,000 SF and 50 feet of frontage. The Plan shows landscaping along Framingham Road with the majority of houses set back as all lots would have frontage on Framingham Road, as driveways served through a "loop road", with a two way and a one way entrance. The Open Space lot is roughly 2.2 acres with a portion of the Open Space parcel being owned by the City of Marlborough. There would be two parking spaces along the loop road and a wooded 20 foot open space, sewer and drainage access that would allow city residents access the open space parcel.

Ms. Fenby asked about sidewalks and the 24' roadway width. Mr. Saluk stated that he can work the sidewalks into the plan and will discuss the roadway width with the Fire Department once the plans are generated.

Before Ms. Fenby opened the public hearing to the residents, she had Ms. Hughes read the correspondence from the Conservation Committee into record. The Committee stated the following:

- Wetlands are at the eastern edge of the property and will need to be protected;

- Wetland and riverfront boundary lines were delineated and approved by the Commission in 2010;
- The Commission finds the 71,704 Sf of open space is appropriately located and is important to protect the backup water supply for the Sudbury Reservoir;
- Suggested that the open space be protected for watershed and conservation purposes and sometime in the near future the linked pond on Maple Street could be future developed;
- The Commission stated that the design guidelines protects the Sudbury Reservoir watershed, provides protection to Walker Brook and will provide protection along the wildlife and river corridor by keeping development away from this sensitive resource.

The Commission stated that the proposed Open Space project meets the intent of the Open Space Development Ordinance and would be more environmentally friendly than the proposed conventional plan.

Ms. Fenby opened the hearing to the floor.

In favor:

Christopher Heinz
108 Framingham Road

Mr. Heinz stated that if he was given a choice, he preferred the Open Space plan. His reasoning was that the homes are pushed back from the street; proposed plantings will screen the lights from the homes and road tracks. He would like the Board to consider adding mileage signs due to speeding along this portion of Framingham Road.

William Brewin
126 Woodridge Road

Mr. Brewin asked if the homes would be single family, if the stonewalls were to remain and asked about the water connections throughout the subdivision. The zoning only allows single family residences, the stonewall is to remain except removal for roadways and the water connections were shown on the plan by Mr. Saluk. Mr. Brewin also commented that he would like to see the remaining tree line remain, only removal of the necessary trees.

George Cook
94 Framingham

Mr. Cook stated he preferred the Open Space Plan. He questioned who would have access the open space parcel, Ms. Fenby stated that it was accessible to everyone.

Annette Fillion
18 Beverly Drive

Ms. Fillion asked about the remaining Walker Estate and she shared her concerns regarding the traffic and snow build up. Mr. Melanson stated that the Walker House may be demolished in the future, however he has no immediate plans to do so.

In Opposition:

Thelma Balsam
125 Framingham Road

Ms. Balsam stated that she does not understand the reasoning behind the detention basin and that it will cause more bugs. Mr. Cullen gave a brief description of how a detention basin works in relation to a subdivision.

Maryann Hopkins
151 Framingham Road

Ms. Hopkins questioned the ANR lots in the conventional subdivision, the maintenance of the proposed lots, the maintenance of the open space and need for open space. It was explained to Ms. Hopkins that an ANR lot is an approval not required lot, that the maintenance of the road will most likely fall into the homeowners through and home owners association since it will remain a private road and open space care will be determined by the developer. Ms. Fenby stated that the open space is there to do several things as outlined in the Conservations correspondence.

Dick Anderson
193 Dartmouth

Mr. Dartmouth questioned the size of the homes and the spacing between the homes. Mr. Melanson stated the size of the homes would be determined by the market; however he expects the homes may be in the 2,000 sq foot range. The zoning side setback itself allows homes 10 feet from the property line. Ms. Fenby suggested that the residents should take a look at the previous permitted Open Space Subdivisions to see the spacing and how the feel of the open space concept. Mr. Anderson stated he was not in favor of this concept.

The Public hearing portion closed at 8:10 pm.

Mr. Fay stated his concerns were that there were no sidewalks shown on the plans and the access to the open space on a private way.

The Planning Board discussed the City's parcel and the developer not owning this parcel. They would like the developer to return to the Board to discuss his justification on moving forward on the subdivision on land he does not own.

On a motion by Ms. Hughes, seconded by Mr. Coveney it was duly voted:

To accept and file the Conservation Commission correspondence.

On a motion by Mr. Fay, seconded by Ms. Hughes, it was duly voted:

To send correspondence to the developer asking him to attend the next Planning Board meeting to discuss the ownership of the open space parcel.

SUBDIVISION PROGRESS REPORTS

City Engineer Update

Mr. Cullen stated that they are closer to wrapping up the acceptance for West Ridge Estates and that after review Cleversy Drive for the Public Services Committee, there was a pivot in the asphalt that will need to be corrected.

Berlin Farms (Long Drive)

Extension request, Correspondence from the City Collector

Ms. Puleo explained that the property known as Map 54 Parcel 28 is current on their taxes; however the property known as Map 54 Parcel 803 is in Tax Title for FY'11 and has past due balances in FY'12.

Code Enforcement

Ms. Wilderman has reviewed the subdivision for any signs of blight. She found the subdivision in good condition, noting there was a basketball hoop that may interfere with the snow plows and needs to be removed.

City Engineer

Mr. Collins, the assistant City Engineer, has reviewed the subdivision for the extension request and is recommending the Board to consider a 6 month extension. He noted the remaining work is a certificate of completion from the Conservation Commission, landscaping for the detention basin and As Built and Acceptance Plans.

On a motion by Ms. Hughes, seconded by Mr. Coveney it was duly voted:

To accept and file all correspondence.

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

To table the extension request and to notify the developer that the Planning Board cannot act on any request unless all taxes are current.

PENDING SUBDIVISION PLANS: Updates and Discussion

PRELIMINARY/ OPEN SPACE SUBDIVISION SUBMITTALS

DEFINITIVE SUBDIVISION SUBMISSIONS

SIGNS

Portable Emergency Signs

Mr. Fay has proposed correspondence that outlines the use of the mobile emergency notification signs.

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

To send the correspondence to the Mayor, copying Mr. Cusson, the DPW Commissioner and the Building Commissioner.

Temporary Off-Premise Signs

Mr. Fay wrote down the comments and concerns from the last meeting including the items that were discussed by the Building Commissioner. After several conversations with other members of the community, it was discussed to take "baby steps" in changing a portion of the sign ordinance. It was suggested to locate the rewritten sign ordinance from several years ago. The secretary will locate a copy of the proposed changes to the sign ordinance and pass along a copy to the members.

INFORMAL DISCUSSION

GIS

Mr. LaFreniere responded to the request of Mr. Bowen's appearance before the Planning Board. He stated that with Mr. Bowen was available during the day during normal work hours for any consultation the members may need.

COMMUNICATIONS/CORRESPONDENCE

On a motion by Ms. Hughes, seconded by Mr. Coveney, it was duly voted:

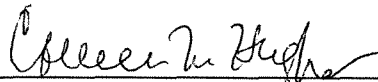
To accept all of the items listed under communications and/or correspondence.

On a motion by Mr. Coveney, seconded by Ms. Hughes, it was duly voted:

To adjourn at 8:45 p.m.

A TRUE COPY

ATTEST:



Colleen Hughes, Clerk

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CITY OF MARLBOROUGH

2012 FEB 15 A 9 58



**CITY OF MARLBOROUGH
OFFICE OF TRAFFIC COMMISSION
140 MAIN STREET
MARLBOROUGH, MASSACHUSETTS 01752**

Traffic Commission Minutes

The Regular Meeting of the Traffic Commission was held on Tuesday, December 20, 2011 at 11:00 a.m. in the City Council Committee Room, City Hall. Members present: Chairman Police Chief Mark Leonard, Acting Fire Chief Fred Flynn and City Clerk Lisa Thomas. Also present: City Engineer Thomas Cullen and Asst. City Engineer Tim Collins, Minutes taken by: Karen Lambert, MPD Records Clerk.

1- Minutes

The minutes of the Traffic Commission meeting of Tuesday, October 25, 2011.
(Note: November Meeting Cancelled)

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

2-New Business

2a. Parking violation fines.

This item was added to the agenda by Chief Leonard. It has come to his attention that parking violation fines should have been increased from \$10.00 to \$15.00. He noted that in Article VI, Enforcement; Penalties, Section 44 – Penalties for Parking Violations, it clearly states the increase in the fine and also that it was amended 1/7/98. The Chief asked Lisa Thomas if she had a copy of the amendment. Lisa advised that she would try to find it for the next meeting. Unless the Commission finds something to the contrary, the fines should be increased.

MOTION was made, seconded, duly VOTED to REFER to City Clerk, Lisa Thomas, for review and discussion at next meeting.

2b. Communication from Lynn Royal, re: Request for “Dead End” sign on Cotting Ave.

Ms. Cotting noted in her correspondence that it is not clear that this is a dead end street until the driver has passed Maple Terrace. Cars then use her driveway to turn around.

She noted that others actually reverse at an unsafe speed. It was discussed that a "Dead End" sign is simply a warning sign and does not required a regulation.

MOTION was made, seconded, duly VOTED to REFER to the DPW for installation of the dead end sign.

2c. 2012 Traffic Commission meeting schedule.

The schedule cannot be put together yet because the City Council meeting schedule has not been finalized. Lisa Thomas advised that she will not know the full schedule until mid to late January. As soon as she knows she will let the Chief know. The next meeting is scheduled for January 31st at 10:00am. Lisa commented that changing the meeting time to 11:00 may be better for her as it would give her more time to finish up City Council business.

MOTION was made, seconded, duly VOTED to refer to Lisa Thomas to clarify/confirm city council meeting schedule for next Traffic Commission meeting.

Additional Item no on Agenda:

Chief Leonard received an e-mail from General Code (not included in agenda packet but passed out). It was from Trista Marisa, the editor who will be working on the draft of the Vehicles and Traffic Chapter. She asked if she could delete the existing histories and "start fresh" with the new chapter. She stated in her correspondence, "Since provisions will likely be deleted, moved or added by the City, the historical information in the existing legislation may no longer be accurate." The Commission determined that this makes sense and that it would be more user friendly. Lisa Thomas still has the old paper information on file. Lisa commented that any amendments that are created later are put at the top of the page. They can be clicked on and opened to read. They would be inserted at a later date. All agreed that a fresh start sounded good. Lisa asked about the ability to include maps, however, it was noted that this may be better as a "Phase 2" as the current price does not include maps.

MOTION was made, seconded, duly VOTED to refer to Chief Leonard to respond to Trista Marisa, of General Code, that the Commission agrees to delete the history and go forward.

3-Old Business

3c. Stop signs on Bigelow Street.

Engineering provided a quote from Marlin Controls, Inc. indicating a price of approx. \$10,000 for each solar powered speed sign. The quote is from 2009 so would probably be higher now but at least it gives the Commision something formal to bring to the Mayor. Chief Leonard advised that he would forward this information to the Mayor. He would like to have a tentative plan in place before any signs are taken down. He noted that budget issues should be coming up soon.

MOTION was made, seconded, duly VOTED to refer to Chief Leonard to forward this information to the Mayor's Office.

3e. Communication from Michael Manning.

Tom Cullen advised that he has not yet had an answer from the DOT on this issue.

MOTION was made, seconded, duly VOTED to TABLE.

3f. Communication from Sgt. Ney, re: Belmont St. parking

Chief Leonard prepared the regulation that will restrict parking on the entire South Side of Belmont Street and from the two ends on the North Side of the street. It was presented to the Commission for a vote. A notice to residents was also prepared and presented to the Commission for a vote.

MOTION was made, seconded, duly VOTED to APPROVE the regulation. All in Favor.
MOTION was made, seconded, duly VOTED to APPROVE the notice to residents. All in Favor.

The DPW will distribute the Notice to Residents advising of the change.

3a. Municipal off street parking regulation.

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

3b. High School parking regulations.

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

3d. Traffic Commission rules and regulations update.

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

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 11:25 pm.

Respectfully submitted,

Karen L. Lambert - Records Clerk, MPD

List of documents and other exhibits used at the meeting:

- Meeting Agenda for Tuesday, December 20, 2011

-Includes the following attachments:

***City of Marlborough Meeting Posting.**

*Correspondence for Lynn Royal to City Council and Department of Traffic dated 12/4/11, re: Dead End sign on Cotting Ave.

*Copy of Article VI – Enforcement; Penalties, from Vehicles and Traffic Manual.

*Copy of Notice to Residents regarding new parking restrictions on Belmont Street.

*Copy of Amendment to Rules and Regulations re: new parking restrictions on Belmont Street.

-Additional Handouts

*Copy of quote from Marlin Controls regarding Solar Powered Speed Signs.

*E-mail from Trista Marisa to Chief Leonard, dated 12/7/11, re: GENERAL CODE: Vehicles and Traffic Draft Chapter – preliminary question.