

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2012 MAY -3 P 5:39

1. Minutes of the City Council Meeting, April 23, 2012.
2. Communication from the Mayor re: FY2013 Budget Proposal.
3. Communication from the Mayor re: Legal Department transfer request in the amounts of \$150.00 and \$300.00 which moves funds from Registry of Deeds to Office Supplies/Expenses and from Registry of Deeds to Instate Travel to fund office supplies and instate travel.
4. Communication from the Mayor re: two DPW transfer requests in the amounts of \$3,000.00 and \$3,000.00 which moves funds from Assistant Commissioner to Overtime-W/S Police.
5. Communication from the Mayor re: Fire Department transfer request in the amount of \$20,000.00 which moves funds from Undesignated to Call Fire Overtime to replenish funds that were substantially depleted due to the fire that occurred at Lake Williams Condominiums on April 23, 2012.
6. Communication from the Mayor re: Building Department/Inspections transfer request in the amount of \$325.00 which moves funds from Office Supplies to Board Secretary.
7. Communication from the Mayor re: Appointment of Robert Page to the Zoning Board of Appeals with term to expire May 5, 2017 and William King to remain as Alternate Member with term to expire May 5, 2014.
8. Communication from the Councilor Clancy re: Cultural District Resolution.
9. Communication from City Solicitor, Donald Rider re: Application to modify Special Permit, Marlborough Savings Bank, 81 Granger Blvd., Order No. 12-1004081C.
10. Communication from City Solicitor, Donald Rider, re: Special Permit, Xcellerex, Inc., 150-170 Locke Dr., in proper legal form, Order No. 12-1005011B.
11. Communication from David Mohler, Chairman of the Boston Region Metropolitan Planning Organization re: Assabet River Rail Trail-FY2013-2016, Transportation Improvement Program.
12. Minutes, Board of Assessors, May 6 & 27, 2011, August 18, 2011, September 15, 2011, October 5, 2011, November 9, 2011, January 17, 2012 and March 8, 2012.
13. Minutes, Council on Aging, April 10, 2012.
14. Minutes, Marlborough High School, April 4, 2012.
15. Minutes, Traffic Commission, March 27, 2012.
16. Minutes, Planning Board, April 9, 2012.
17. Notice of Casualty Loss to Building, 47 McNeil Circle.
18. CLAIMS:
 - A. Geraldo daSilva, 22 Winter St., other property damage

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From City Council

19. **Order No. 12-1004081B –Special Permit, Marlborough Savings Bank, 81 Granger Blvd., in proper legal form. Recommendation of the City Council is to table until May 7, 2012.**



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

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

APRIL 23, 2012

Regular meeting of the City Council held on Monday, APRIL 23, 2012 at 8:00 p.m. in City Council Chambers, City Hall. City Councilors present: Ossing, Pope, Oram, Robey, Delano, Jenkins, Elder, Tunnera, Seymour, and Landers. Absent: Clancy. Meeting adjourned at 8:42 PM.

ORDERED: That the Minutes of the City Council Meeting, APRIL 9, 2012, **FILE**; adopted.

ORDERED: That the PUBLIC HEARING On the Application for Special Permit from Xcellerex Inc., 150-170 Locke Dr., as a requirement to operate in compliance with specific Zoning Ordinance (Water Supply Protection District), Order No. 12-1005011, hearing recessed at 8:31 p.m.; adopted.

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

ORDERED: That the fire Department transfer request in the amount of \$99,568.14 which moves funds as itemized on the attached spreadsheet to fund the remaining balance of the recently signed contract with the International Association of Firefighters Local 1714, AFL-CIO for Fiscal years 2010, 2011, and 2012, refer to **FINANCE COMMITTEE**; adopted.

From Account					TO Account				
General Gov't					FIRE DEPARTMENT				
Available	Amount	ORG	OBJECT	Account Disc	Amount	Description	Org	Object	Available
\$ 177,849.36	\$ 49,381.00	11990006	57820	Reserve for Salaries					
\$ 245,553.00	\$ 50,105.14	11990006	51500	Fringe	\$ 5,184.53	Dpty Chiefs	12200001	50335	89498
					\$ 56,481.57	Firefighter	12200001	50450	751808
					\$ 3,386.11	Fire Capitan	12200001	50800	54570
					\$ 10,645.03	Fire Lieutenan	12200001	50810	118226
					\$ 793.18	First Respond	12200003	51226	12390
					\$ 4,854.59	Fire OT	12200003	51300	72684
					\$ 450.28	Fire OT Veh	12200003	51324	4836
					\$ 1,532.20	Fire Call OT	12200003	51328	20194
					\$ 1,542.47	Longevity	12200003	51430	21376
					\$ 1,276.48	Educ Inct	12200003	51440	67464
					\$ 1,260.59	Night Shift	12200003	51450	18045
					\$ 604.32	EMT	12200003	51480	30788
					\$ 3,130.99	Holiday	12200003	51490	116106
					\$ 8,325.80	Sick Leave	12200003	51920	6642
	\$ 99,486.14				\$ 99,468.14				

Reason: To fund Firefighters Labor Contract.

ORDERED: That the Special Permit from Marlborough Savings Bank, 81 Granger Blvd. in proper legal form, **MOVED TO ITEM 5**; adopted.

Councilor Delano abstained

ORDERED: That the Communication from Attorney Sem Aykanian re: Marlborough Savings Bank Special Permit, Order No. 12-1004081B, be moved to the next regularly scheduled meeting, **APPROVED**; adopted.

Councilor Delano abstained

ORDERED: That the Communication from Brian Falk and Arthur Bergeron, Associate and Attorney with Mirick, O'Connell, DeMallie and Lougee, LLP, filing disclosure statements as special municipal employees as they represent Xcellerex Inc, **FILE**; adopted.

ORDERED: That the Application for Junk Dealer's License, Tony Bitar, d/b/a Hannoush Jewelers, 601 Donald Lynch Blvd., refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Application for Application, Junk Dealer's License, Roman Kimyagarov, d/b/a Arthur & Sons Shoe Repair, 107 Main St., refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Department of Public Utilities, Condensed Financial Return for Yearend December 31, 2011, NSTAR Gas Company, **FILE**; adopted.

ORDERED: That the Minutes, Planning Board, March 26, 2012, **FILE**; adopted.

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

A. Kathleen Thompson, 244 Simpson Rd., residential mailbox claim 2(b)

ORDERED; That Mayor Vigeant and representatives from the Department of Public Works meet with the Operations and Oversight Committee to give the committee and the public more information about the new containerized trash system that is being implemented July 1, 2012. This is for informational purposes, to educate the Council and the public about details of the new system to help make the transition to the new system, refer to **OPERATIONS AND OVERSIGHT COMMITTEE**; adopted.

ORDERED: That the Public Facilities transfer request in the amount of \$100,000.00 which moves funds from Multi-Purpose Bond to Electricity and \$50,000.00 which moves funds from Natural Gas to Electricity to fund higher than anticipated electricity costs, **APPROVED**; adopted.

FROM:

Acct. # 60071106-59963	\$100,000.00
Multi Purpose Bond	
Acct. # 11920006-52200	\$50,000.00
Natural Gas	

TO:

Acct. # 11920006-52120	\$100,000.00
Electricity	
Acct. # 11920006-52120	\$50,000.00
Electricity	

ORDERED: That the transfer request in the amount of \$15,000.00 from Short Term Debt Interest to Summer Employment Initiative to fund the City of Marlborough's Youth Employment and Public Service Internship Programs, **APPROVED**; adopted.

FROM:

Acct. # 17520006-59254 \$15,000.00
Short Term Debt Interest

TO:

Acct. # 11210003-51250 \$15,000.00
Summer Employment Initiative

ORDERED: That the Special Permit from Marlborough Savings Bank, 81 Granger Blvd. in proper legal form, **TABLED UNTIL MAY 7, 2012**; adopted.

Councilor Delano abstained

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 8:42 PM.



City of Marlborough

Office of the Mayor

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2012 MAY -3 P 4:55

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

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

May 3, 2012

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

Re: FY2013 Budget Proposal

Honorable President Pope and Councilors:

As Chief Executive of the great City of Marlborough, I am proud to present before you tonight my administration's proposed Fiscal Year 2013 (FY13) budget. This budget was crafted through a process of communication and collaboration with our department heads and takes into account the fiscal and economic realities evident throughout the Commonwealth of Massachusetts that require responsible budgeting practices. I am happy to report to you that my proposed budget totals \$127,009,055.00 and represents an increase of 2.84% over the budget approved for FY12 and an anticipated increase of 1.1% on our tax levy.

The School operations budget represents an increase of 2.91% over FY12 and reflects my concerns regarding school spending and what I believed was a flawed budget process. I have directed to Superintendent Anthony Pope that the School Department needs to be more aggressive with Medicaid reimbursements in order to ensure that the City is receiving its fair share of available revenue from the federal government. At the request and support of the Superintendent and School Committee, budget shortfalls may call for transfers from the Medicaid reimbursement based on additional needs in the school budget and reimbursements received.

In terms of added personnel this budget represents a net gain of 1 ½ employees. I am fully funding operations for the Police and Fire Departments and have directed them to continue backfilling all retirements. In talking with Chief Leonard and after receiving input from Councilors, we will be instituting a dedicated officer to handle traffic duty.

As it further relates to public safety, I want to take this opportunity to notify you that both the Police and Fire Departments are currently exploring restructuring in their operations which may require a budgetary transfer later this year. The Police Department is considering the addition of a K-9 unit to better ensure their department has the resources to deal with situations and investigations of added complexity. In addition, the Fire Department is weighing operational restructuring so that their department is able to better adapt to meet the growing needs of our community. I have instructed both Chiefs to take all the necessary time they require to fully vet these proposals which is why they do not appear in this budget proposal.

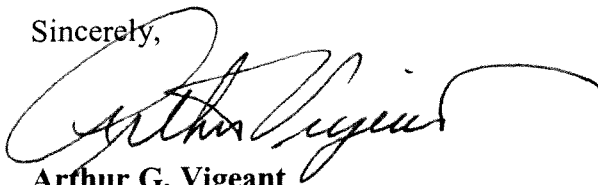
In the spirit of ensuring that our City's operations remain adaptable to meet our growing demands, I also wish to notify you that my office, in consultation with Comptroller Tom Abel, has been working on a reorganization plan of our financial departments and operations. This too requires a careful and deliberative process that I anticipate will be complete late this summer. I look forward to discussing a proposed plan with you at that time.

For your edification, I have enclosed a letter from City Solicitor Don Rider outlining Massachusetts General Law c. 44, § 32 detailing the forty-five day timetable for Council action on the FY13 Budget.

In conclusion, I would like to extend my sincere thanks to Comptroller Tom Abel and City Auditor Diane Smith for their cooperation and counsel throughout the entire budget process. In addition, I want to thank our Department Heads, their staffs, and every city employee for their dedication to our community and ensuring that our residents remain our first priority.

I look forward to working with you as this process unfolds. In the meantime, please do not hesitate to contact my office with any additional questions.

Sincerely,

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

Arthur G. Vigeant
Mayor



City of Marlborough
Legal Department

140 MAIN STREET
MARLBOROUGH, MASSACHUSETTS 01752
TEL. (508) 460-3771 FACSIMILE (508) 460-3698 TDD (508) 460-3610
LEGAL@MARLBOROUGH-MA.GOV

DONALD V. RIDER, JR.
CITY SOLICITOR

CYNTHIA M. PANAGORE GRIFFIN
ASSISTANT CITY SOLICITOR

BEVERLY J. SLEEPER
CHIEF PROCUREMENT OFFICER

ELLEN M. STAVROPOULOS
PARALEGAL

April 30, 2012

Mayor Arthur G. Vigeant
City Hall, 4th Floor
Marlborough, MA 01752

RE: City Council's Receipt of Mayor's Annual Budget

Dear Mayor Vigeant:

You have inquired as to how Massachusetts law determines the date of a city council's receipt of a mayor's annual budget.

In pertinent part, Mass. Gen. Laws c. 44, § 32 provides that a city council must take action, whether by approval, reduction or rejection, with respect to any amount recommended in a mayor's annual budget "within forty-five days after the receipt of the budget." Section 32 does not itself define how "the receipt of the budget" is determined, nor has there been occasion for a court to supply that definition. However, a proper reading of § 32 is that a city council receives the annual budget on the date when the mayor submits it to the city clerk on behalf of the city council.

Therefore, if you submit your annual budget to the Marlborough City Clerk, in her capacity as Clerk of the Marlborough City Council, on Thursday, May 3, 2012, that date would be the date of receipt by the Council. In turn, the Council would be required by § 32 to take action within 45 days of May 3, 2012, i.e., on or before June 17, 2012. However, since that date will be a Sunday, Mass. Gen. Laws c. 4, § 9 dictates that the Council's 45-day deadline would be "on the next succeeding business day," i.e., Monday, June 18, 2012.

Thank you for your attention to this matter.

Very truly yours,

Donald V. Rider, Jr.
City Solicitor



City of Marlborough

Office of the Mayor

140 Main Street

Marlborough, Massachusetts 01752

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

www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Michael C. Berry
EXECUTIVE AIDE

2012 MAY -3 P 4:55

Patricia Bernard
EXECUTIVE SECRETARY

May 3, 2012

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

Re: Transfer Request – Legal Department

Honorable President Pope and Councilors:

I am submitting for your approval the following transfer requests for the Legal Department:

- 1) Transfer in the amount of \$150.00 from 11510006-53880 (Registry of Deeds) to 11510005-54220 (Office Supplies / Expenses)
- 2) Transfer in the amount of \$300.00 from 11510006-53880 (Registry of Deeds) to 11510006-57100 (Instate Travel)

The funds are available as a result of having fewer recordings than anticipated this year and are needed to fund the office supply and instate travel accounts through the remainder of this fiscal year.

Please do not hesitate to contact me with any additional questions.

Sincerely,

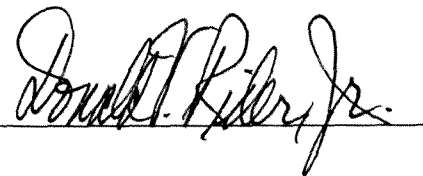
Arthur G. Vigeant
Mayor

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: LEGAL

FISCAL YEAR: 2012

Available Balance	FROM ACCOUNT:				Amount	TO ACCOUNT:			Available Balance
	Amount	Org Code	Object	Account Description:		Org Code	Object	Account Description:	
<u>\$1,349</u>	<u>\$150.00</u>	<u>11510006</u>	<u>53880</u>	<u>Registry of Deeds</u>	<u>\$150.00</u>	<u>11510005</u>	<u>54220</u>	<u>Office Supplies / Expenses</u>	<u>\$26</u>
	Reason:	<u>Fewer recordings than anticipated</u>				<u>Fund Office Supply account through the end of the fiscal year</u>			
<u>\$1,349</u>	<u>\$300.00</u>	<u>11510006</u>	<u>53880</u>	<u>Registry of Deeds</u>	<u>\$300.</u>	<u>11510006</u>	<u>57100</u>	<u>Instate Travel</u>	<u>\$68</u>
	Reason:	<u>Fewer recordings than anticipated</u>				<u>Fund Instate Travel account through the end of the fiscal year</u>			
	Reason:	_____				_____			
	Reason:	_____				_____			

Department Head 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

www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

RECEIVED

CITY CLERK'S OFFICE

CITY OF MARLBOROUGH

Michael C. Berry
EXECUTIVE AIDE

2012 MAY -3 P 4:55

Patricia Bernard
EXECUTIVE SECRETARY

May 3, 2012

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

Re: Transfer Request – Department of Public Works (DPW)

Honorable President Pope and Councilors:

I am submitting for your approval the following transfer requests for the DPW:

- 1) Transfer in the amount of \$3,000.00 from 60080001-50630 (Assistant Commissioner) to 60080003-51380 (Overtime – W/S Police)
- 2) Transfer in the amount of \$3,000.00 from 60080001-50630 (Assistant Commissioner) to 61090003-51380 (Overtime – W/S Police)

These transfers are necessary to fund overtime costs for the police department that were required during water and sewer related emergency repairs.

Please do not hesitate to contact me with any questions.

Sincerely,

Arthur G. Vigeant
Mayor



City of Marlborough

Office of the Mayor

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

Arthur G. Vigeant
MAYOR

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
Michael C. Berry
EXECUTIVE AIDE

2012 MAY -3 P 4:55

Patricia Bernard
EXECUTIVE SECRETARY

May 3, 2012

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

Re: Transfer Request – Fire Department

Honorable President Pope and Councilors:

I am submitting for your approval the following transfer request for the Fire Department:

- 1) Transfer in the amount of \$20,000.00 from 10000-35900 (Undesignated Fund) to 12200003-51328 (Call Fire Overtime)

This transfer is needed to replenish funds that were substantially depleted due to the fire that occurred at the Lake Williams Condominiums on West Main Street on April 23rd. In his enclosed letter, Acting Chief Fortin anticipates using these funds only in the event that incident call backs are required.

I would like to additionally take this opportunity to first thank Acting Chief Jim Fortin and the Marlborough Firefighters for their superb performance in executing their response plans during that fire. Their dedication and commitment to ensuring the safety of others was on full display and I am grateful for their service.

Our community also owes a debt of gratitude to the towns of Ashland, Berlin, Framingham, Hopkington, Hudson, Natick, Northborough, Shrewsbury, Stow, Sudbury, Wayland, and Westborough for their response and support in assisting our community during that challenging time.

Sincerely,

Arthur G. Vigeant
Mayor



City of Marlborough

FIRE DEPARTMENT

Memorandum

Date: May 1, 2012
To: Mayor Vigeant
From: Acting Chief James Fortin
Re: Call fire overtime account #12200003-51328

I am writing to request a transfer in the amount of \$20,000.00 from free cash to our call fire overtime account which was depleted as a result of the West Main Street fire on April 23, 2012.

My intention for this transfer request is solely to pay for any incident call backs; if there are remaining funds at the close of FY12, this would be returned to the general fund.

If you have any questions or need anything further, please do not hesitate to contact me.

Thank you for your attention to this matter.

James M. Fortin

Acting Fire Chief

TRANSFER REQUEST

FISCAL YEAR: 2012

Available Balance	Amount	FROM ACCOUNT:			Amount	TO ACCOUNT:			Available Balance
		Org Code	Object	Account Description:		Org Code	Object	Account Description:	
<u>\$2,919,581.00</u>	<u>\$20,000.00</u>	<u>10000</u>	<u>- 35900</u>	<u>Undesignated Fund</u>	<u>\$20,000.00</u>	<u>12200003</u>	<u>- 51328</u>	<u>Call Fire Overtime</u>	<u>\$1,916</u>

Reason: To replenish funds that were depleted due to the West Main Street fire on April 23, 2012



City of Marlborough
Office of the Mayor

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

Arthur G. Vigeant
RECEIVED MAYOR
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
Michael C. Berry
EXECUTIVE AIDE
2012 MAY -3 4:55
Patricia Bernard
EXECUTIVE SECRETARY

May 3, 2012

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

Re: Transfer Request – Building Department/Inspections

Honorable President Pope and Councilors:

I am submitting for your approval the following transfer requests for the Building Department:

- 1) Transfer in the amount of \$325.00 from 12410005-54220 (Office Supplies) to 12410002-51050 (Board Secretary)

The funds are required to pay for additional, unforeseen Planning Board and Zoning Board of Appeals meetings through the end of the remaining fiscal year.

Please do not hesitate to contact me with any additional questions.

Sincerely,

Arthur G. Vigeant
Mayor



City of Marlborough
Office of the Mayor

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

Arthur G. Vigeant
RECEIVED MAYOR
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
Michael C. Berry
EXECUTIVE AIDE
2012 MAY -3 P 4:55
Patricia Bernard
EXECUTIVE SECRETARY

May 3, 2012

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

Re: Appointments to the Zoning Board of Appeals (ZBA)

Honorable President Pope and Councilors:

I am submitting for your approval the name of Mr. Robert Page of 116 Broadmeadow Street for appointment as a Regular Member to the Zoning Board of Appeals (ZBA) in place of Mr. William King of Nashoba Drive. Mr. Page has been an alternate member of ZBA for several years and I believe will bring valuable experience as a full-time member. The expiration of Mr. Page's term will occur on 5/5/17.

Corresponding with this appointment, I would like to have Mr. William King remain on the ZBA as an Alternate Member with his term to expire on 5/5/14.

I appreciate your consideration and ask that you contact me with any additional questions.

Sincerely,

Arthur G. Vigeant
Mayor



City of Marlborough
Office of the City Council

140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3711 Facsimile (508) 460-3710 TDD (508) 460-3610
Email citycouncil@marlborough-ma.gov

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2012 MAY -3 P 4:58

Patricia A. Pope
PRESIDENT
Edward J. Clancy
VICE-PRESIDENT
Karen A. Boule
CITY COUNCIL ASSISTANT

May 3, 2012

President and Members
Marlborough City Council
City Hall
Marlborough, MA 01752

Reference: Cultural District Resolution

Dear President and Members:

On behalf of the Marlborough Downtown Village, I have attached a proposed City Council Resolution endorsing the application for a Massachusetts Cultural Council District, a designation offered through the Massachusetts Cultural Council.

The Marlborough Downtown Village has met over the past months to discuss and develop the application to the State of Massachusetts with the assistance of the Marlborough Economic Development Corporation. I attended many of these meetings and believe that the cultural designation will play a major role in the City's efforts to promote Main Street and make downtown the vibrant center many of us still remember.

Although City Council action is only required on the Resolution in support of the creation of a state-authorized cultural district, I have also enclosed an informational package that explains the benefits a cultural district will have on our community and includes the application and supporting documents from Mayor Vigeant.

Again, and on behalf of the Marlborough Downtown Village Association and its hardworking members, I look forward to your support and approval of the Cultural District Resolution and recommend that the matter be referred to committee for further discussion.

Sincerely

Edward J. Clancy
Edward J. Clancy
City Council Vice-President

enclosures

A resolution by the City of Marlborough to create a state-authorized cultural district for at least (5) years to be named: Marlborough Downtown Cultural District

WHEREAS, the City of Marlborough wishes to pursue a state-authorized cultural district through the enabling legislation (MGL Chapter 10 Section 5 8A); and

WHEREAS, the City of Marlborough has a mixed-use geographical area that has a concentration of cultural facilities and assets; and

WHEREAS, the City of Marlborough has held a public hearing and adopted a resolution proclaiming its interest in establishing a state-designated cultural district; and

WHEREAS, the City of Marlborough has created a broad and diverse partnership of stakeholders committed to cultural, community and economic development to provide oversight of the district; and

WHEREAS, the Massachusetts Cultural Council will be petitioned in accordance with its guidelines and criteria to designate said cultural district;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Marlborough:

Article 1. Endorses the submission of this application and agrees to foster the development of a cultural district.

Article 2. Endorses the state-sponsored cultural district goals: attracting artists and cultural enterprises, encouraging business and job development, establishing tourist destinations, preserving and reusing historic buildings, enhancing property values and fostering local cultural development.

Article 3. Will appoint a city official to represent the city within the district partnership of said cultural district.

Article 4. Encourages all who own property or businesses within said cultural district to involve themselves and participate in the full development of the cultural district.

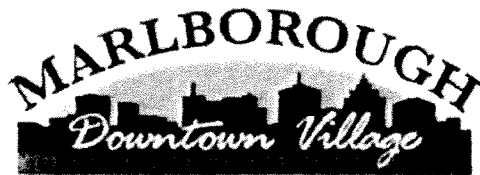
Article 5. Directs city agencies to identify programs and services that could support and enhance the development of the cultural district and ensure that those programs and services are accessible to the cultural district.

ADOPTED ON THIS _____ DAY MAY 2012

President of the City Council signature _____

Date signed _____

Mayor's signature _____



April 2, 2012

Councilor Ed Clancy
City Council
140 Main Street 2nd FL
Marlborough, MA 01752

Re: Cultural District Resolution Sponsorship

Dear Councilor Clancy:

On behalf of the Marlborough Downtown Village I would like to request your sponsorship of a resolution endorsing the application for a Massachusetts Cultural Council District. A designation offered through the Massachusetts Cultural Council.

As you know, over the last couple of months the Marlborough Downtown Village has met to discuss and develop said application. This is the culmination of a lot of hard work put in by numerous volunteers who endeavor to enhance Marlborough's downtown area. Enclosed you will find the following items for you review:

- One Page Fact Sheet on the Cultural Council District Program
- Resolution of Endorsement by City Council (Stand Alone)
- Draft Of Cultural Council District Packet (Includes Resolution)

The Marlborough Downtown Village would be remiss not to publicly acknowledge the leadership provide by the Marlborough Economic Development Corporation (MEDC) on this initiative. Once the framework of the cultural district is in place it will make it easier to apply for grant funding when it becomes available and the City Council's support is essential.

Thank you for your continued support of Downtown and should you have any questions please do not hesitate to contact me at your earliest convenience.

Sincerely,

Mary Scott

Marlborough Downtown Village

Enclosure:	Exhibit A	One Page Fact Sheet on the Cultural Council District Program
	Exhibit B	Resolution of Endorsement by City Council (Stand Alone)
	Exhibit C	Draft Cultural Council Packet

Exhibit A One Page Fact Sheet on the Cultural Council District Program

MASSACHUSETTS CULTURAL DISTRICTS INITIATIVE



What is a cultural district?

A cultural district is a specific geographical area in a city or town that has a concentration of cultural facilities, activities, and assets. It is a walkable, compact area that is easily identifiable to visitors and residents and serves as a center of cultural, artistic, and economic activity.

What is the Massachusetts Cultural Districts Initiative?

On July 27, 2010, Governor Patrick signed a bill into law (M.G.L. c. 10, § 58A) that allows cities and towns to create state-sponsored cultural districts to stimulate new arts and cultural activity and attract creative businesses. The law directs the Massachusetts Cultural Council (MCC) to create a new program that designates local districts. The legislation also directs executive branch agencies, constitutional offices and quasi-governmental agencies to work with the MCC to identify services and programs that could support and enhance the development of cultural districts in Massachusetts.

What goals can a cultural district help a community achieve?

The law that created cultural districts has specific goals. They are: 1) attract artists and cultural enterprises, 2) encourage business and job development, 3) establish the district as a tourist destination, 4) preserve and reuse historic buildings, 5) enhance property values, and 6) foster local cultural development.

Who is eligible to apply for Cultural District designation?

Any city or town in the Commonwealth of Massachusetts is eligible to apply.

Can a city-wide, county-wide, regional-wide, or statewide effort be considered for Cultural District designation?

No, a cultural district is a geographical area of a city or town. The cultural district must have well-defined boundaries, be walkable, and widely accessible.

We are a city or town but haven't established a formal partnership, can we still apply?

No, a city or town must establish a partnership of stakeholders prior to applying for designation that has outlined a clear vision, goals, marketing plan and management for the district.

We are a city or town but haven't committed on a local level to establishing a cultural district, can we still apply?

No, a city or town must hold a public hearing with adequate notice for public input and pass a resolution making a commitment to establishing a state designated cultural district.

We have organizations outside of the geographic boundaries of the district that want to be included as partners, is this allowable?

Yes, cultural organizations located outside of the geographic boundaries of the cultural district may be involved in the partnership, but must provide programming on a regular basis within the district's boundaries.

Can a city or a town have more than one cultural district?

Yes, but the city or town will have to apply for each state designation separately.

Do grant funds come with a Cultural District designation?

The Cultural Districts Initiative will offer no grants or other financial rewards to communities, at least in the first year. The MCC has identified a number of state agencies whose programs and services may benefit your cultural district.

How long does a Cultural Districts designation last?

Once awarded, a Cultural District designation will be in effect for 5 years and renewed upon successful compliance with annual reporting requirements in prior years, and a recommitment by the city or town to continue their cultural districts work.

When is the deadline to apply for a designation?

The Massachusetts Cultural Districts Initiative has a rolling application process. There are no deadlines and the program accepts applications on an ongoing basis unless otherwise noted.

What is the application process?

There are three stages to the application process: confirm eligibility, the application, and a site visit.

Not all of the cultural assets, public amenities, marketing tools, or incentives described in the application are applicable to our district, can we still apply?

Yes. Not all elements of the application may be applicable to your district, nor is it expected that all elements mentioned in the application will have been completed prior to application.

Where can I find the online application?

<http://mass.cgweb.org/login.php>

Who can I contact for more information?

Meri Jenkins at 617-727-3668 x251

Exhibit B City Council Resolution

A resolution by the City of Marlborough to create a state-authorized cultural district for at least (5) years to be named: Marlborough Downtown Cultural District

WHEREAS, the City of Marlborough wishes to pursue a state-authorized cultural district through the enabling legislation (MGL Chapter 10 Section 58A); and

WHEREAS, the City of Marlborough has a mixed-use geographical area that has a concentration of cultural facilities and assets; and

WHEREAS, the City of Marlborough has held a public hearing and adopted a resolution proclaiming its interest in establishing a state-designated cultural district; and

WHEREAS, the City of Marlborough has created a broad and diverse partnership of stakeholders committed to cultural, community and economic development to provide oversight of the district; and

WHEREAS, the Massachusetts Cultural Council will be petitioned in accordance with its guidelines and criteria to designate said cultural district;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Marlborough:

Article 1. Endorses the submission of this application and agrees to foster the development of a cultural district.

Article 2. Endorses the state-sponsored cultural district goals: attracting artists and cultural enterprises, encouraging business and job development, establishing tourist destinations, preserving and reusing historic buildings, enhancing property values and fostering local cultural development.

Article 3. Will appoint a city official to represent the city within the district partnership of said cultural district.

Article 4. Encourages all who own property or businesses within said cultural district to involve themselves and participate in the full development of the cultural district.

Article 5. Directs city agencies to identify programs and services that could support and enhance the development of the cultural district and ensure that those programs and services are accessible to the cultural district.

ADOPTED ON THIS DAY OF _____ OF _____ (year) _____

President of the City Council signature _____
Date signed _____

Mayor's signature _____ Date signed _____

Exhibit C Draft of Cultural District Packet

Application | Cultural District For | Designation

Enclosed you shall find the necessary documentation and grant application to support the designation of a Cultural District in the City of Marlborough

April/2012





City of Marlborough
Office of the Mayor

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

Arthur G. Vigeant
MAYOR

Michael B. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

April 4, 2012

Attention: Ms. Meri Jenkins, Cultural Districts Initiative
Massachusetts Cultural Council
10 St. James Avenue, 3rd Floor
Boston, MA 02116-3803

RE: City of Marlborough's Request for a Cultural District

Dear Ms. Jenkins:

The City of Marlborough is pleased to submit for your consideration their application for a Cultural District.

Enclosed you will find the application and requisite material as outlined by you in your Cultural District Guidelines. The City of Marlborough recognizes the importance of promoting cultural assets and enhancing the vibrancy of the downtown through artistic and innovative measures. A cultural district designation would assist in this endeavor and is an initiative I wholeheartedly endorse.

The City of Marlborough has undertaken a major initiative by developing an Economic Development Master Plan, which recently won the 2011 Massachusetts' Planning Project of the Year Award. This blueprint outlines a creative economy as a key recommendation to a successful downtown for the City of Marlborough and implementing this initiative is a priority.

Thank you for your assistance and kind consideration of this application. Should you have any questions please do not hesitate to contact me at your earliest convenience.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure: Cultural District Application

A resolution by the City of Marlborough to create a state-authorized cultural district for at least (5) years to be named: Marlborough Downtown Cultural District

WHEREAS, the City of Marlborough wishes to pursue a state-authorized cultural district through the enabling legislation (MGL Chapter 10 Section 58A); and

WHEREAS, the City of Marlborough has a mixed-use geographical area that has a concentration of cultural facilities and assets; and

WHEREAS, the City of Marlborough has held a public hearing and adopted a resolution proclaiming its interest in establishing a state-designated cultural district; and

WHEREAS, the City of Marlborough has created a broad and diverse partnership of stakeholders committed to cultural, community and economic development to provide oversight of the district; and

WHEREAS, the Massachusetts Cultural Council will be petitioned in accordance with its guidelines and criteria to designate said cultural district;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Marlborough:

Article 1. Endorses the submission of this application and agrees to foster the development of a cultural district.

Article 2. Endorses the state-sponsored cultural district goals: attracting artists and cultural enterprises, encouraging business and job development, establishing tourist destinations, preserving and reusing historic buildings, enhancing property values and fostering local cultural development.

Article 3. Will appoint a city official to represent the city within the district partnership of said cultural district.

Article 4. Encourages all who own property or businesses within said cultural district to involve themselves and participate in the full development of the cultural district.

Article 5. Directs city agencies to identify programs and services that could support and enhance the development of the cultural district and ensure that those programs and services are accessible to the cultural district.

ADOPTED ON THIS DAY OF _____ OF _____ (year) _____

President of the City Council signature _____

Date signed _____

Mayor's signature _____ Date signed _____



Cultural District

Draft 4-4-12

The City of Marlborough shall assume no liability for the use of this map nor any errors, omissions, or inaccuracies contained therein regardless of how caused. The City of Marlborough assumes no liability for any decision made or action taken or not taken by the user in reliance upon any information furnished hereunder.

City of Marlborough



GIS

PARTNERSHIP STAKEHOLDERS

Marlborough Downtown Village – Cultural District Advisory Committee

Chair of Marlborough Downtown Village (Chair)
Executive Director of Chamber of Commerce
A representative from Marlborough's Historic Commission
A representative from Marlborough's Cultural Council
A representative from Olde Marlborough
Mayor's Designee

Professional Staff

MEDC
Mayor's City Hall Department Designee

I. Vision:

Downtown is the cultural heart of Marlborough, with a concentration of unique cultural assets, programs and organizations unparalleled in nearby towns within the MetroWest region of the Commonwealth. Marlborough Downtown Village, Olde Marlborough and Marlborough Regional Chamber of Commerce are three groups that promote the arts, history, and creative economy within the City of Marlborough and the greater region. The Downtown's natural cultural assets are utilized by residents from all parts of the city, and cultural stakeholders have endeavored to increase Downtown Marlborough's profile across the region and further expand upon its natural assets, which are currently underutilized. Downtown Marlborough's cultural profile envisions the idea of attracting visitors from across New England to many performances, exhibits and shows by national and regional artists and performers. This cultural renaissance will be enhanced through coordinated efforts to increase the visibility of diverse, local cultural assets that expand the range of arts-oriented programming in Downtown Marlborough.

We envision Downtown Marlborough as a cultural destination with weekly programming, and regular evening/weekend activities to attract artists and creative entrepreneurs to live and work in the district. The Cultural District Partnership Advisory Committee has established the following goals and objectives to help achieve this vision:

MARKETING: attract tourists, creative entrepreneurs, & residents, which shall improved the regional identity for the Greater Marlborough Area binding local marketing initiatives to similar efforts carried-out by the Commonwealth to maximize the synergistic externalities. This includes, but is not limited to ongoing publicity activities, features/ads in targeted media, enhanced web strategy to attract artists to live/work downtown and to further expand the creative economy.

PROGRAMMING: increase the number of cultural offerings, special events, & build upon the diversity of special events offered annually, increased focus on historic architecture and to develop a community performing arts/education program.

ORGANIZATION: promote joint planning, coordination, & facilitate information sharing among partners at quarterly meetings of district partnership advisory committee and regular meetings of partnership subcommittees to implement district objectives. Annual community meetings to engage all district stakeholders to further cultivate the cultural district priorities.

RESOURCES: promote economic growth, increase public/private investment in arts & culture funds to staff district partnership utilization & renewal of cultural assets using local, state and federal funding opportunities for artistic/creative business.

INFRASTRUCTURE: support downtown physical development zoning allows more arts uses including the ease of restrictions on commercial signage within the district initiatives. Additionally, efforts shall be made to improve the perception of the area by increasing public safety and improve cleanliness of the area.

II. Goals of the Cultural District:

Attract artists and cultural enterprises
Encourage business and job development
Establish the district as a tourist destination
Preserve and reuse historic buildings
Enhance property values
Foster local cultural development.

III. Marketing Plan:

Suggestions:

- Website
- Newspaper articles
- Chamber of Commerce newsletters and website links
- Connection to MetroWest Travel & Tourism Bureau

IV. Management & Oversight of the District:

Fiscal management for the Downtown Cultural District will be performed by the Marlborough Regional Community Foundation, a division of the Marlborough Regional Chamber of Commerce, on behalf of the Marlborough Downtown Village who shall carry out all the duties associated with the creation and execution of the Downtown Marlborough Cultural District.

Cultural District Partnership Agreement

**MEMORANDUM OF AGREEMENT
BETWEEN
CITY OF MARLBOROUGH, MASSACHUSETTS
AND
MARLBOROUGH DOWNTOWN VILLAGE ASSOCIATION**

WHEREAS; The Marlborough Downtown Village Association is a group of dedicated volunteer business people and residents; and

WHEREAS; The mission of the Marlborough Village Association is a community of business owners, residents, professionals, employees, and landlords, working together for the common good of Marlborough's Main Street District; and

WHEREAS; The Marlborough Downtown Village Association maintains its fiscal accounts by and through the Marlborough Community Foundation, which acts solely as a fiscal agent on behalf of the Marlborough Downtown Village Association; and

WHEREAS; The Marlborough Downtown Village Association shall carry out all duties associated with the creation and execution of a "Cultural District" as set forth in Massachusetts General Law Chapter 10 Section 58A as appearing the 2012 official edition; and

WHEREAS; The Massachusetts Cultural Council requires as part of their state approval process for a "Cultural District" designation a partnership agreement and application between the Marlborough Downtown Village Association and The City of Marlborough; and

WHEREAS; The Marlborough Downtown Village Association and the City of Marlborough have come together to collaborate and to make said application to Massachusetts Cultural Council's Cultural District Designation Initiative; and

WHEREAS; the partners named above have agreed to enter into a collaborative agreement in which the Marlborough Downtown Village Association shall be the lead organization and named applicant and the other departments within the City of Marlborough shall be partners in this application; and

WHEREAS; the partners herein desire to enter into a Memorandum of Agreement setting forth the expectations by the collaborative; and

WHEREAS; the application prepared and approved by the collaborative is to be submitted to the Massachusetts Cultural Council on or before [application due date]; **NOW, THEREFORE, BE IT RESOLVED;**

I. PURPOSE

The purpose of this Memorandum of Agreement (MOA) is to set forth the responsibilities of the Marlborough Downtown Village and the City of Marlborough regarding implementation of the Cultural District Designation initiative through the Massachusetts Cultural Council.

II. HISTORY OF RELATIONSHIP

Marlborough Downtown Village Association has had a casual relationship with the City of Marlborough based upon a foundation of healthy respect for one another. The Marlborough Downtown Village's membership is made of up active residents and corporate citizens all of whom have played a critical role in ensuring the success of Marlborough. In the execution of the Memorandum it is fully expected that the Marlborough Downtown Village steering group shall meet with the City of Marlborough a few times throughout the year to discuss cultural district.

III. DEVELOPMENT OF APPLICATION

The application for a "Cultural District" designation first gained prominence in the fall of 2010 when Meri Jenkins of the Massachusetts Cultural Council met with the Marlborough Downtown Village to discuss this new initiative. From there the idea evolved into its current form after taking shape through seven working session of the Marlborough Downtown Village Association a public hearing of the City Council, an individual meeting with the Mayor, Mary Scott-Marlborough Downtown Village, Jim Ashe-Main Street Journal, Susanne Morreale Leeber-Marlborough Regional Chamber of Commerce, Tim Cummings-Marlborough Economic Development Corp. and Ed Clancy, City Councilor. The application was discussed at length to ensure details of the program were fully vetted.

IV. AUTHORITY

The City of Marlborough through the Mayor and/or their designee shall monitor the activities associated with the "Cultural District" designation to ensure that it following local ordinances and state law and fulfilling the municipality's goals for the cultural district.

V. THE GOALS OF CULTURAL DISTRICT INIVATIVE

The following are the enumerated goals of the “Cultural District”, which the Marlborough Downtown Village Association shall endeavor to achieve:

1. Attract artists and cultural enterprises
2. Encourage business and job development
3. Establish the district as a tourist destination
4. Preserve and reuse historic buildings
5. Enhance property values
6. Foster local cultural development.

NOW, THEREFORE, BE IT FURTHER RESOLVED;

VI. MARLBOROUGH DOWNTOWN VILLAGE ASSOCIATION RESPONSIBILITIES

To move forward and implement the goals of the downtown cultural district.

To hold at least four (4) cultural district meetings per year to report progress

To work in conjunction with the city of Marlborough and keep communications open.

Produce a report annually on activities and fiscal standing.

VII. CITY OF MARLBOROUGH RESPONSIBILITIES

Mayor and Council designate a liason between Marlborough Downtown village cultural district and the City.

Work with Marlborough Downtown Village on the planning of the annual report.

To release any grant or other funds in a timely manner as necessary and preserved for projects prescribed intended for the use of a cultural district as described above.

VIII. PERIOD OF AGREEMENT

This MOA shall be effective upon the approval of the Massachusetts Cultural Council and shall remain in effect until terminated by either party in accordance with the Section (below): MODIFICATIONS AND TERMINATION and/or as otherwise prescribed in Massachusetts General Law Chapter 10 Section 58A as appearing in the 2012 official edition, where it states that "Cultural District" designations shall expire and be subjected to renewal at the completion of five (5) years.

IX. DISPUTE RESOLUTION

The parties agree that, should any disagreements arise as a result of this MOA, the first attempt at resolution shall occur at the program office level with the area(s) of disagreement reduced to writing and submitted to the appropriate program office point of contact (POC). If a resolution cannot be reached at this level, the disagreement shall be raised and acted upon at the sole discretion of the Chief Elected Official of the City of Marlborough.

X. MODIFICATIONS AND TERMINATION

This MOA shall be modified at any time by mutual written consent of both parties. This MOA shall remain in effect from the date of approval by the Massachusetts Cultural Council until it is terminated by either party or as articulated in Massachusetts General Law Chapter 10 Section 58A. Furthermore, either party, upon 30 days written notice to the other party, may terminate the MOA at any time. A termination notice shall be delivered personally or by certified or registered mail and termination shall take effect 30 days after receipt of such notice.

Either party, upon written or oral notice to the other party, may temporarily suspend activities under this MOA when resource constraints or competing priorities necessitate. Notice of termination or suspension by the Marlborough Downtown Village shall be given to the Chief Elected Official for the City of Marlborough. Notice of termination or suspension by the MOA shall be given to the Chair of the Marlborough Downtown Village. The temporary suspension of activities may take effect immediately upon receipt of such notice.

XI. COSTS AND EXPENDITURES

Parties to this MOA are responsible for their own costs associated with carrying out activities under this MOA. Nothing in this MOA is intended to imply that the City of Marlborough shall appropriate funding for activities under this MOA.

XII. RELEASE OF INFORMATION TO THE MEDIA AND OTHER THIRD PARTIES

Only the Chief Elected Official in the City of Marlborough, Marlborough Downtown Village Chair or designee shall communicate officially the substance of this MOA to organizations and accredited members of the press expressing an interest in the "Cultural District" activities to be engaged in under this MOA.

It is the City of Marlborough's practice to provide a copy of this MOA to requesting media outlets only after both parties have signed the MOA and pursuant to all public record laws of the Commonwealth of Massachusetts.

The Marlborough Downtown Village hereby agrees, to the extent authorized by law, to coordinate with the City of Marlborough regarding information to be released to the media regarding actions taken under this MOA. The POCs for the City of Marlborough and the Marlborough Downtown Village for this purpose are identified in Appendix X.

By signing this MOA, each party represents it is fully authorized to enter into this MOA and accepts the terms, responsibilities, obligations and limitations of this MOA.

Date: _____

Date: _____

Arthur Vigeant

Mary Scott

Mayor

Chair

City of Marlborough

Marlborough Downtown Village
Association

Witness Thereof;

Date: _____

Name: _____

Title: _____



COMMONWEALTH OF MASSACHUSETTS
THE GENERAL COURT
STATE HOUSE, BOSTON 02133 1053

March 30, 2012

Massachusetts Cultural Council
Attention: Ms. Meri Jenkins, Cultural Districts Initiative
10 St. James Avenue, 3rd Floor
Boston, MA 02116-3803

RE: City of Marlborough's Cultural District Designation application

Dear Ms. Jenkins:

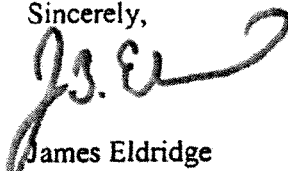
We write in strong support of the City of Marlborough's application to be designated as a Cultural District. A cultural district designation would assist Marlborough's efforts to promote its cultural assets and enhance the vibrant nature of Main Street and its local businesses.

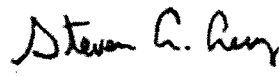
The City of Marlborough has undertaken a major initiative by developing an Economic Development Master Plan, which recently won the 2011 Massachusetts' Planning Project of the Year Award. This plan outlines a creative economy as a key recommendation to a successful downtown for the City of Marlborough. A cultural designation by the Massachusetts Cultural Council would help the city implement this priority.

A cultural designation would help the City of Marlborough focus on attracting artists and cultural enterprises, encourage business and job development, establish the downtown area as a tourist destination, preserve and reuse historic buildings, enhance property values, and foster local cultural development. We strongly support their efforts and their application for a cultural designation.

Thank you for your consideration of this application. Please do not hesitate to contact our offices should you have any questions regarding the application or this recommendation.

Sincerely,


James Eldridge
State Senator


Steven Levy
State Representative



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
DONALD V. RIDER, JR.
CITY SOLICITOR

2012 MAY -3 P 4:59
CYNTHIA M. PANAGORE GRIFFIN
ASSISTANT CITY SOLICITOR

BEVERLY J. SLEEPER
CHIEF PROCUREMENT OFFICER

ELLEN M. STAVROPOULOS
PARALEGAL

May 3, 2012

Patricia Pope
President
Marlborough City Council

RE: Order No. 12-1004081C
Application to Modify Special Permit
Marlborough Savings Bank
81 Granger Boulevard

Dear President Pope and Members:

Currently pending before the Council is the Marlborough Savings Bank ("MSB")'s application to modify its original special permit for 81 Granger Boulevard. However, it was brought to my attention this week that there may be a parking issue associated with that original special permit.

Specifically, the Marlborough Zoning Ordinance mandates that "[n]o permit shall be issued for the erection of a new structure ... unless the plans show the specific location and size of off-street parking required to comply with the regulations set forth in this Zoning Ordinance." The Permit Site Plan submitted in March 2009 by MSB as part of its original special permit application refers, on its cover sheet, to a so-called Parking Requirements Table (attached hereto as "Attachment A"). In turn, that Table refers to a proposed 25 parking spaces, with a footnote that states (with my underlining added):

Per City Ordinance Article VII Section 200-48.B(3) Shared Parking – 50%
Reduction Using City of Marlborough Structured Parking."

Thus, MSB's Parking Requirements Table proposed that the 50 off-street parking spaces otherwise required by the City's Zoning Ordinance enjoy a 50% reduction to 25, a proposal that MSB expressly based on a self-imposed restriction whereby its employees would use the City's two municipal parking garages so that all 25 off-street parking spaces at 81 Granger could be used solely by the Bank's customers.

Indeed, the Project Narrative, also submitted in March 2009 by MSB as part of its original special permit application, emphasized (at page 5, attached hereto as part of "Attachment B") the "concept of self-imposed restriction of [MSB] employees using the city parking [garages so as to] maintain[] more than ample parking at the site for customers." Noting (at page 5) that its employees at MSB's 166 Main Street facility "all use the municipal garages and will continue to do so when they move to the new building," MSB's Project Narrative made explicit (at page 5) that its proposal called

for employees of the bank to use the 'shared' parking contained within the two city parking structures on Granger Boulevard as the 'combined parking facilities' servicing our new building.

Both MSB's Permit Site Plan and MSB's Project Narrative are "conditions and requirements" of the original special permit, pursuant to Condition No. 14(a) of the original special permit which provides (with my underlining added):

All plans, photo renderings, site evaluations, briefs and other documentation provided by the Applicant as part of this Special Permit Application and as amended during the application/hearing process before the City Council and/or the City Council's Urban Affairs Committee are herein incorporated into and become a part of this Special Permit and become conditions and requirements of the same, unless otherwise altered by the City Council.

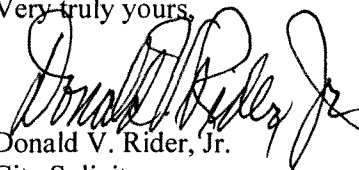
Given the above, the Council may wish to inquire into the extent to which MSB employees may not, in fact, all be using the two municipal parking garages on Granger Boulevard. If the Council finds that not all MSB employees are using those municipal parking garages, then – given the Bank's expressed willingness (Project Narrative, at page 6, attached hereto as the rest of Attachment B) "to accept a condition that bank employees refrain from using ground level [parking] spaces that are more suited to high turn-over patrons of downtown businesses" – the Council could consider adding such a condition to the modified special permit currently pending. The text of any such condition could provide as follows:

4. As per the Permit Site Plan and the Project Narrative submitted in 2009 by Applicant as part of its application for the Original Special Permit, all of Applicant's employees shall use only the parking spaces provided at either of the City of Marlborough's municipal parking garages located on Granger Boulevard, and Applicant's employees shall refrain from using municipal ground-level parking spaces that are more suited to high turn-over patrons of other downtown businesses.

Note that adding a 4th condition would mean changing "3" to "4" in finding of fact D of the proposed modified special permit previously certified by me.

Thank you for your attention to this matter.

Very truly yours,



Donald V. Rider, Jr.
City Solicitor

Attachments

cc: Sem Aykanian, Esquire

UGH
TS 01752

ATTACHMENT A

SHEET INDEX

- SHEET 1 COVER SHEET
- SHEET 2 EXISTING CONDITIONS
- SHEET 3 LAYOUT AND MATERIALS PLAN
- SHEET 4 GRADING AND UTILITIES PLAN
- SHEET 5 LANDSCAPE AND LIGHTING PLAN
- SHEET 6 EROSION AND SEDIMENTATION CONTROL PLAN
- SHEET 7 SITE DETAILS SHEET

NGS BANK
ET
IA 01752

ASSESSORS

MAP 70 LOTS 152, 157 & 209

REFERENCES

- | | |
|--|-------------------------------------|
| DEED BOOK 47991, PAGE 74 (FITZPATRICK) | PLAN IN BOOK 5559, PAGE 169 |
| DEED BOOK 43752, PAGE 247 (FITZPATRICK) | PLAN 812 OF 1978 (OLD RR LOCATION) |
| DEED BOOK 6091, PAGE 529 (RESERVATIONS) | PLAN 1482 OF 1968 (OLD RR LOCATION) |
| DEED BOOK 12446, PAGE 355 (CDA - PARCEL A) | PLAN 665 OF 1974 |
| DEED BOOK 12449, PAGE 66 (CDA - PARCEL B) | PLAN BOOK 15, PLAN 43 |
| DEED BOOK 52214, PAGE 259 (LARASSA) | PLAN 530 OF 1976 |

RECORD OWNERS

CATHERINE FITZPATRICK
33 VILLAGE DRIVE
MARLBOROUGH, MA 01752

MARLBOROUGH REDEVELOPMENT AUTHORITY
(MARLBOROUGH COMMUNITY DEVELOPMENT AUTHORITY)
30 NEWTON STREET
MARLBOROUGH, MA 01752

MICHAEL HOOPER
TRACY A. RIZZELLI
51 HOWE STREET
MARLBOROUGH, MA 01752

ZONING REQUIREMENTS TABLE

B - BUSINESS DISTRICT

DISTANCE FROM PROPERTY TO RESIDENTIAL DISTRICT (LAMBERT ST.) = 64 ± 1.4'

REGULATION	REQUIRED	PROPOSED
MIN. LOT AREA	5,000 SF	34,777 SF
MIN. FRONTAGE	50 FT	137.67 FT (GRANGER)
MIN. FRONT SETBACK	50 FT	63.6 FT
MIN. SIDE SETBACK	0 FT	14.4 FT
MIN. REAR SETBACK	0 FT	N/A
MAXIMUM HEIGHT	52 FT	36 FT
MAXIMUM LOT COVERAGE	80%	67.1%*

* SEE LAYOUT AND MATERIALS PLAN FOR LOT COVERAGE CALCULATION

→ PARKING REQUIREMENTS TABLE ←

OFFICES AND BANKS

REGULATION	REQUIRED	PROPOSED
ARTICLE VII, SECTION 200-48 (1 SPACE PER 250 SF)	50 SPACES	25 SPACES**
FRONT PARKING SETBACK	15 FT	15 FT
(STREET FRONTAGE PLANTING AREA)	5 FT	5 FT
SIDE PARKING SETBACK	5 FT	5 FT
(SIDE LINE PLANTING AREA)		

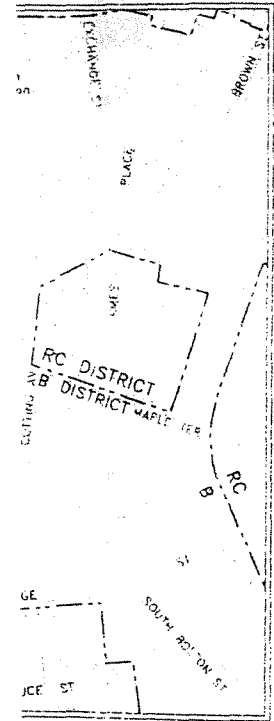
PARKING LOT PERMIETER PLANTING

** PER CITY ORDINANCE ARTICLE VII SECTION 200-47.D(5)(c) SHARED PARKING
50% REDUCTION USING CITY OF MARLBOROUGH STRUCTURED PARKING

LANDSCAPE REQUIREMENTS TABLE

REGULATION	REQUIRED	PROPOSED
SHRUBS	67***	67
TREES	9	9

*** PER CITY ORDINANCE ARTICLE VII SECTION 200-47.D(5)(c) SUBSTITUTION
OF SHRUBS WITH LAWN GRASS, 50% REDUCTION



TOR OF PLANNING _____
E CHIEF _____
G ENFORCEMENT OFFICER _____
D OF HEALTH AGENT _____
HIEF _____
NGINEER _____
RVATION OFFICER _____
L PERMIT # _____
AN APPROVAL # _____

PRE
M:
NO. BY
DATE:
SCALE:
PLOT DATE &
DATE REVISED
DWG: 14
LAYOUT:
SHEET: 1
PROJECT

Parking

Twenty-five (25) parking spaces are provided on site for customer use and are located around the building. The parking required for the proposed use per City Zoning Ordinance is one space per 250 square feet of office space or area. The proposed building has 12,500 square feet of bank/office space, requiring fifty (50) spaces. As per 200-48.B(3), Common Parking Areas and Mixed Uses, parking required for two (2) or more buildings or uses may be provided in combined parking facilities where such facilities will continue to be available for the several buildings or uses and provided that the total number of spaces is not less than the sum of the spaces required for each use individually, except that said number of spaces may be reduced by up to one-half (1/2) such sum if it can be demonstrated that the hours or days of peak parking need for the uses are so different that a lower total will provide adequately for all uses served by the facility. The proposal call for employees of the bank to use the "shared" parking contained within the two city parking structures on Granger Boulevard as the "combined parking facilities" servicing the new building. This is the case at the bank's 166 Main Street location. Currently, our 166 Main Street facility has four parking spaces. Employees all use the municipal garages and will continue to do so when they move to the new building.

This provision allows the City Planner and/or City Engineer to allow the proposed reduction on site by one-half (50 to 25) as long as the following requirements of this section of the Ordinance have been met:

- (a) Evidence of reduced parking needs is documented herein and based on accepted planning and engineering practice satisfactory to the City Planner and Engineer. The concept of self-imposed restriction of employees using the city parking maintains more than ample parking at the site for customers. Banking customers are never expected to exceed twenty-five at one time.
- (b) When the lower total is approved, Marlborough Savings Bank understands "*no change in any use shall thereafter be permitted without further evidence that the parking will remain adequate in the future, and if said evidence is not satisfactory, then additional parking shall be provided before a change in use is authorized*".

(c) Evidence of continued availability of common or shared parking areas is offered by way of the nature of "municipal parking". This fact is sufficient and should be found satisfactory to the City Solicitor. We would ask the City Council document the self-imposed restriction on employee parking within the approval documents.

(d) We do not feel that a determination of how a combined or multi-use facility is broken down into its constituent components need be made by the Planning Department in this case due to the nature of the municipal parking and the fact that abundant parking is available during the peak bank using times. A recent inventory of the two structures during bank business hours found seventy (70) vacant spaces in the east garage and seventy-two (72) vacant spaces in the west garage. The bank is willing to accept a condition that bank employees refrain from using ground level spaces that are more suited to high turn-over patrons of downtown businesses.

(e) As required with the reduction in the total number of parking spaces, allowed as a result of this subsection, one hundred fifty (150) square feet of open space (per parking space reduced) or 3,750 square feet has been provided in addition to that required by lot coverage provisions of this Chapter. The minimum open space required in the Business District is 20%. The project proposes 32% open space or 12% in excess. The additional required open space represents 10% of the site and therefore is compliant with this requirement.

Stormwater

Currently stormwater is collected on site via two catch basins connected to the city drainage system located in South Bolton Street. The existing conditions have been analyzed to determine the base conditions. The existing parking lot and grass area adjacent to South Bolton Street Extension feature a bowl-like depression that can hold runoff during rain events. The pipe connected to the city system provides a restriction on the draining of this depression. The proposed development of the site eliminates these depressions to suit the construction of the parking area and building to efficiently sheet water from areas and into a



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
OF MARLBOROUGH

2012 MAY -3 P 2: 57

DONALD V. RIDER, JR.
CITY SOLICITOR

CYNTHIA M. PANAGORE GRIFFIN
ASSISTANT CITY SOLICITOR

BEVERLY J. SLEEPER
CHIEF PROCUREMENT OFFICER

ELLEN M. STAVROPOULOS
PARALEGAL

May 3, 2012

Patricia Pope
President
Marlborough City Council

RE: Order No. 12-1005011B
Application for Special Permit
Xcellerex, Inc.
150-170 Locke Drive, Marlborough

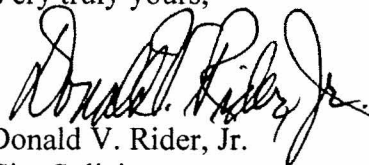
Dear President Pope and Members:

At the meeting of the Urban Affairs Committee held on Tuesday, May 1, 2012, a vote was taken by the Committee authorizing me to place this letter, along with the proposed special permit decision it certifies, onto the agenda for the meeting of the full City Council scheduled for May 7, 2012.

Accordingly, and pursuant to Chapter 650-59.C(13) of the Marlborough Zoning Ordinance, I provide this letter as to the legal form of the Council's proposed decision on the application submitted by Xcellerex, Inc. for a special permit at 150-170 Locke Drive in Marlborough. The application is for Xcellerex to continue its existing operation of a manufacturing, research and development facility in Zone B of the Water Supply Protection District, which is an overlay zoning district.

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

Very truly yours,


Donald V. Rider, Jr.
City Solicitor

Enclosure
cc: Brian R. Falk, Esquire

[DATE]

**NOTICE OF DECISION
GRANT OF SPECIAL PERMIT**

In City Council
Order No. 12-1005011B

Application of:
Xcellerex, Inc.

Locus:
150-170 Locke Drive
Map 53, Parcel 86

DECISION

The City Council of the City of Marlborough hereby **GRANTS** the Application of Xcellerex, Inc. as provided in the DECISION and subject to the following FINDINGS OF FACTS AND CONDITIONS.

Decision filed: []

The Decision of the City Council was filed in the Office of the City Clerk of the City of Marlborough on the [] day of [], 2012.

APPEALS

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

ATTEST:

City Clerk

XCELLEREX, INC.

**SPECIAL PERMIT (WATER SUPPLY PROTECTION DISTRICT)
FINDINGS OF FACT AND CONDITIONS**

**DECISION ON A SPECIAL PERMIT
CITY COUNCIL ORDER NO. 12-1005011B**

The City Council of the City of Marlborough hereby GRANTS the application for a Special Permit to Xcellerex, Inc., its successors and assigns, to continue the existing operation of a manufacturing, research and development facility in Zone B of the Water Supply Protection District, as provided in this Decision and subject to the following Findings of Facts and Conditions.

EVIDENCE

- 1) Xcellerex, Inc. is a Delaware corporation having a business address of 170 Locke Drive, Marlborough, MA 01752, and is hereinafter referred to as "Applicant."
- 2) Applicant is the lessee of three industrial buildings located at 150-170 Locke Drive, Marlborough, Massachusetts, as shown on the Marlborough Assessors Maps as Map 53, Parcel 86 (the "Site"). The Site is entirely located in the Limited Industrial District and is also entirely located in Zone B of the Water Supply Protection District, which is an overlay zoning district.
- 3) The Site is owned in fee simple by U.S. REIF 111 Locke Drive Massachusetts, LLC.
- 4) For more than eight years, the Site has been used by Applicant as a manufacturing, research and development facility. In conjunction with Applicant's use, toxic or hazardous materials, as that term is defined in § 650-24.C of the Marlborough Zoning Ordinance, are manufactured, used, stored and disposed of on the Site.
- 5) Applicant's use of the Site as a manufacturing, research and development facility is permitted by right in the Limited Industrial District, pursuant to § 650-17 and § 650-18 of the Marlborough Zoning Ordinance.
- 6) Applicant recently became aware that a Special Permit is required for Applicant's use of the Site under §§ 650-24.E(2)(c) and (d) of the Marlborough Zoning Ordinance.
- 7) Between January 30, 2012, and March 20, 2012, Applicant participated with the City in an informal preapplication review under § 650-24.G(1) and § 650-59.C(1)(a) of the Marlborough Zoning Ordinance. During the informal preapplication review, Applicant extensively communicated with the City's Conservation Officer, the Fire Department and the Department of Public Works. Further, Applicant has submitted for review a complete listing of the 365 chemicals used at the Site (the "Chemical List") and a draft of Applicant's Hazardous Materials Contingency Plan (the "Contingency Plan"). City officials provided comments to the documents which were incorporated therein by Applicant.

- 8) On March 20, 2012, Applicant was informed by City officials that no further edits needed to be made to the Chemical List or the Contingency Plan, and that the preapplication review process had been completed.
- 9) The Applicant, on or about March 22, 2012, filed with the City Clerk of the City of Marlborough an application for a special permit (the "Application") under the provisions of § 650-24 and pursuant to the procedures specified in § 650-59 of the Marlborough Zoning Ordinance.
- 10) In connection with the Application, Applicant filed a Summary Impact Statement, certified list of abutters, and filing fee, and had previously filed twenty-one (21) copies of the Site Plan.
- 11) In connection with the Application, Applicant submitted the Chemical List and its Contingency Plan, both as amended through the preapplication review.
- 12) The Site Plan was certified by the Building Commissioner for the City of Marlborough, on behalf of the City Planner for the City of Marlborough, as having complied with Rule 5, items A through J of the Rules and Regulations promulgated by the City Council for the issuance of a special permit.
- 13) Pursuant to the Rules and Regulations of the City Council and applicable statutes of the Commonwealth of Massachusetts, the City Council established a date for a public hearing for the Application and the City Clerk caused to be advertised said date in the Metrowest Daily News and sent notice of said hearing to abutters entitled to notice under law.
- 14) The Marlborough City Council, pursuant to MGL c. 40A, held a public hearing on April 23, 2012, concerning the said Application. The hearing was opened and closed at that meeting.
- 15) Applicant's attorney and representatives of the Applicant presented testimony at the public hearing detailing the Application and describing Applicant's operations on the Site.
- 16) At the public hearing four members of the public spoke in favor of the Application. One member of the public asked questions about the Application. No members of the public spoke against the Application.
- 17) Following the public hearing, the Urban Affairs Committee of the City Council met on May 1, 2012, to consider the Application. Applicant provided additional information and responded to questions regarding appropriate permit conditions, and reported on conversations with representatives of relevant City departments.

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

- A) The City Council finds that Applicant has complied with all the Rules and Regulations promulgated by the Marlborough City Council as they pertain to the Application.

B) The City Council finds that the continued use of the Site, subject to the conditions imposed below, will be in harmony with the general purposes and intent of the Zoning Ordinance, in that it will have no significant negative impact upon abutters. The continued use of the Site, subject to the conditions imposed below, will not be in conflict with the public health, safety, convenience and welfare and will not be detrimental or offensive. The City Council further finds that, subject to the permit conditions enumerated herein, the continued use of the Site will not have an adverse impact on the Marlborough water supply.

C) The City Council, pursuant to its authority under MGL c. 40A, § 9 and under Chapter 650 of the Marlborough City Code, GRANTS the Applicant a special permit to maintain and operate a manufacturing, research and development facility on the Site (the "Special Permit"), SUBJECT TO THE FOLLOWING CONDITIONS:

1) Compliance with Local, State, Federal and International Laws. The Applicant, its successors and assigns shall comply with all rules, regulations and ordinances of the City of Marlborough; the Commonwealth of Massachusetts, including but not limited to the Department of Environmental Protection; the Federal Government, including but not limited to the U.S. Environmental Protection Agency, the U.S. Food and Drug Administration, and the National Institutes of Health; and the European Union, including but not limited to the European Medicines Agency, insofar as all such rules, regulations and ordinances apply to the maintenance and operation of Applicant's facility, including but not limited to any and all reporting requirements.

2) Incorporation of Plans and Drawings. All terms, conditions, requirements, approvals, plans, drawings and other documentation, including the Chemical List and the Contingency Plan, provided by the Applicant as part of the Application, and as amended during the application/hearing process before the City Council, are herein incorporated into and become part of this Special Permit and become conditions and requirements of the same, unless otherwise altered by the City Council.

3) Toxic or Hazardous Materials. Applicant, its successors and assigns shall comply with all regulations and other directives promulgated by the City of Marlborough; the Commonwealth of Massachusetts, including but not limited to the Department of Environmental Protection; the Federal Government, including but not limited to the U.S. Environmental Protection Agency, the U.S. Food and Drug Administration, and the National Institutes of Health; and the European Union, including but not limited to the European Medicines Agency, relative to the on-Site manufacture, use, storage and disposal of toxic or hazardous materials, including but not limited to such materials as defined in § 650-24.C of the Marlborough Zoning Ordinance.

4) Hazardous Materials Contingency Plan and Chemical List. Upon City Clerk certification that the twenty-day period for appealing this Special Permit has elapsed with no appeal having been filed, the Applicant shall immediately distribute to the Fire Chief, the Commissioner of Public Works and the Conservation Officer a copy of the Contingency Plan, which was submitted with the Application and amended through the preapplication process, and an updated copy of the Chemical List, which was submitted with the Application and amended through the preapplication process, said Chemical List being a list of each chemical stored at the Site, the

typical quantity on hand, the typical order quantity, and the maximum quantity on hand at any one time. Thereafter, Applicant, its successors and assigns shall provide an updated copy of the Contingency Plan and of the Chemical List to said Fire Chief, Commissioner of Public Works and Conservation Officer on or before January 31 of every calendar year. If, at any time, there is a change in the names or contact information of the Xcellerex employees or agents listed in the Contingency Plan, or those of its successors or assigns, Applicant, its successor and assigns, shall notify in writing said Fire Chief, Commissioner of Public Works and Conservation Officer within thirty days of the date of said change.

5) Permits. Applicant shall continue to maintain all necessary permits from the Fire Department for the storage of combustible or flammable materials pursuant to 527 CMR 14.03.

6) Recordation. In accordance with the provisions of MGL c. 40A, § 11, Applicant, its successor and assigns shall at its expense record this Special Permit in the Middlesex South District Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal having been filed. Applicant shall forthwith provide a copy of the recorded Special Permit to the City Council's office and to the City Solicitor's office.

Yea: - Nay:

Yea:

Nay:

Signed by City Council President

ADOPTED
In City Council
Order No. 12-1005011B



RECEIVED
CLERK'S OFFICE
MAY 10 2012

Town of Stow

2 P 3:48

BOARD OF SELECTMEN

Stow Town Building

380 Great Road

Stow, Massachusetts 01775

(978) 897-4515 selectmen@stow-ma.gov Fax (978) 897-4631

April 10, 2012

David Mohler, Chairman
Boston Region Metropolitan Planning Organization
10 Park Plaza, Suite 2150
Boston, MA 02116

**RE: Assabet River Rail Trail (ARRT) – FFY 2013-16 Transportation
Improvement Program (TIP)**

Dear Mr. Mohler and Members of the MPO Board:

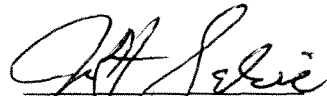
The Town of Stow is writing to urge and request that the MPO include the ARRT (Acton-Maynard) construction funding of \$7.3 million in the FFY 2013-16 TIP for year 2016. The MPO lists the ARRT in its Long Range Transportation Plan - Paths to a Sustainable Region - as a project to be funded between 2016 and 2020. For more than 20 years the ARRT has been a priority project for the region in general and especially for the five ARRT communities Acton, Maynard, Stow, Hudson, and Marlborough, who have joined forces under an Inter-Municipal Agreement (IMA) for the Advancement of the Assabet River Rail Trail. Over the years, all five communities have invested considerable money and resources towards the final goal of completing the ARRT over its entire length from downtown Marlborough, through downtown Hudson, Stow, downtown Maynard, to the south Acton train station. The Marlborough-Hudson section was completed with the help of MPO funding several years ago. Stow has purchased an easement over a private road, and is presently engaged in a feasibility design study.

The ARRT design has progressed significantly. MassDOT currently has the Acton-Maynard section under 25% design review. The final design should be easily done by 2016. The Acton-Maynard section connects the Fitchburg Commuter Rail Station in South Acton with downtown Maynard where Clock Tower Place (the former Digital Equipment Corp. headquarters) is an important regional employment centers. From there,

it runs southwesterly to the Maynard/Stow town line and the entrance to the Assabet River National Wildlife Refuge at White Pond Road.

Stow also urges the MPO to carry forward the remaining sum of the Congressional earmark for the ARRT into the FFY 2013-16 TIP. This will enable the Town of Stow to access the earmark for design funding when ready. Currently, the Town is funding its preliminary design efforts with its own funds.

Sincerely,



James H. Salvie,
Chairman

cc

Towns of Acton, Maynard, Hudson, City of Marlborough
Thomas Kelleher, ARRT, Inc.
Senator James Eldridge
Representative Kate Hogan
Congresswoman Niki Tsongas



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2012 APR 26 P 12:37

City of Marlborough

Office of the Assessors
140 Main Street
Marlborough, Massachusetts 01752
TDD (508) 460-3610
Phone: (508) 460-3779

**BOARD OF ASSESSORS
PUBLIC MEETING**

MAY 6, 2011

10:00 AM SCHEDULED

MINUTES

1. CALL TO ORDER: MEETING CALLED TO ORDER AT 10:05 AM
2. ROLL CALL: MR. TRODELLA, MR. BROGIE & MR. ARRUDA PRESENT
3. ACCEPTANCE OF MINUTES FROM APRIL 15, 2011 MEETING. MOVED BY ARRUDA, SECOND BY BROGIE - UNANIMOUS
4. EXECUTIVE SESSION: REVIEW AND DISCUSSION OF PENDING ATB CASES/ABATEMENTS MOVED BY ARRUDA, SECOND BY BROGIE - UNANIMOUS
5. RESUME OPEN MEETING: MOVED BY ARRUDA, SECOND BY BROGIE - UNANIMOUS
6. VOTE ON ATB CASES/SETTLEMENTS & ABATEMENTS DISCUSSED/REVIEWED IN EXECUTIVE SESSION: ARRUDA MOVED TO ACCEPT PROPOSED SETTLEMENTS ON THE FOLLOWING PROPERTIES: See attached. SECOND BY BROGIE. PASSED - UNANIMOUS.

7. PUBLIC INPUT: NO MEMBERS OF THE PUBLIC PRESENT

8. OLD BUSINESS: NONE

9. NEW BUSINESS : NONE

10. ADJOURNMENT: 11:07 AM



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2012 APR 26 P 12:38

City of Marlborough
Office of the Assessors
140 Main Street
Marlborough, Massachusetts 01752
TDD (508) 460-3610
Phone: (508) 460-3779

**BOARD OF ASSESSORS
PUBLIC MEETING**

MAY 27, 2011

10:00 AM SCHEDULED

MINUTES

1. CALL TO ORDER: MEETING CALLED TO ORDER AT 10:05 AM
2. ROLL CALL: MR. BROGIE & MR. ARRUDA PRESENT
3. EXECUTIVE SESSION: REVIEW AND DISCUSSION OF PENDING ATB CASES/ABATEMENTS MOVED BY ARRUDA, SECOND BY BROGIE - IN FAVOR 2-0
4. RESUME OPEN MEETING: MOVED BY ARRUDA, SECOND BY BROGIE - 2-0 IN FAVOR
5. VOTE ON ATB CASES/SETTLEMENTS & ABATEMENTS DISCUSSED/REVIEWED IN EXECUTIVE SESSION: ARRUDA MOVED TO ACCEPT PROPOSED SETTLEMENTS ON THE FOLLOWING PROPERTIES: See attached. SECOND BY BROGIE. PASSED - 2-0 IN FAVOR
6. TRANSFER OF FUNDS FROM OVERLAY TO OVERLAY SURPLUS

7. PUBLIC INPUT: NO MEMBERS OF THE PUBLIC PRESENT

8. OLD BUSINESS: NONE

9. NEW BUSINESS : NONE

10. ADJOURMENT: 10:29 AM



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2012 APR 26 P 12:38

City of Marlborough
Office of the Assessors
140 Main Street
Marlborough, Massachusetts 01752
TDD (508) 460-3610
Phone: (508) 460-3779

**BOARD OF ASSESSORS
PUBLIC MEETING**

AUGUST 18, 2011

10:00 AM SCHEDULED

MINUTES

1. CALL TO ORDER: MEETING CALLED TO ORDER AT 10:02 AM
2. ROLL CALL: MR. BROGIE & MR. ARRUDA PRESENT
3. EXECUTIVE SESSION: REVIEW AND DISCUSSION OF PENDING ATB CASES/ABATEMENTS MOVED BY BROGIE, SECOND BY ARRUDA, PASSED IN FAVOR 2-0
4. RESUME OPEN MEETING: MOVED BY ARRUDA, SECOND BY BROGIE, PASSED IN FAVOR 2-0
5. VOTE ON FY 2009 – 2011 PENDING ATB CASES/SETTLEMENTS DISCUSSED/REVIEWED IN EXECUTIVE SESSION: ARRUDA MOVED TO ACCEPT PROPOSED SETTLEMENTS ON THE FOLLOWING PROPERTIES: See attached. SECOND BY BROGIE. PASSED 2-0 IN FAVOR.
6. PUBLIC INPUT: NO MEMBERS OF THE PUBLIC PRESENT
7. OLD BUSINESS: NONE

8. NEW BUSINESS : NONE

9. ADJOURNMENT: 10:20 AM



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2012 APR 26 P 12:38

City of Marlborough

Office of the Assessors
140 Main Street
Marlborough, Massachusetts 01752
TDD (508) 460-3610
Phone: (508) 460-3779

**BOARD OF ASSESSORS
PUBLIC MEETING**

SEPTEMBER 15, 2011

10:00 AM SCHEDULED

MINUTES

1. CALL TO ORDER: MEETING CALLED TO ORDER AT 10:04 AM
2. ROLL CALL: MR. BROGIE & MR. ARRUDA PRESENT
3. EXECUTIVE SESSION: REVIEW AND DISCUSSION OF PENDING ATB CASES/ABATEMENTS MOVED BY BROGIE, SECOND BY ARRUDA, PASSED IN FAVOR 2-0
4. RESUME OPEN MEETING: MOVED BY ARRUDA, SECOND BY BROGIE, PASSED IN FAVOR 2-0
5. VOTE ON PENDING ATB CASES/SETTLEMENTS DISCUSSED/REVIEWED IN EXECUTIVE SESSION: ARRUDA MOVED TO ACCEPT PROPOSED SETTLEMENTS ON THE FOLLOWING PROPERTIES: See attached. SECOND BY BROGIE. PASSED 2-0 IN FAVOR.
6. PUBLIC INPUT: NO MEMBERS OF THE PUBLIC PRESENT
7. OLD BUSINESS: NONE

8. NEW BUSINESS : NONE

9. ADJOURNMENT: 10:28 AM



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2012 APR 26 P 12:38

City of Marlborough
Office of the Assessors
140 Main Street
Marlborough, Massachusetts 01752
TDD (508) 460-3610
Phone: (508) 460-3779

**BOARD OF ASSESSORS
PUBLIC MEETING**

OCTOBER 5, 2011

10:00 AM SCHEDULED

MINUTES

1. CALL TO ORDER: MEETING CALLED TO ORDER AT 10:00 AM
2. ROLL CALL: MR. BROGIE & MR. ARRUDA PRESENT
3. EXECUTIVE SESSION: REVIEW AND DISCUSSION OF PENDING ATB CASES/ABATEMENTS MOVED BY BROGIE, SECOND BY ARRUDA, PASSED IN FAVOR 2-0
4. RESUME OPEN MEETING: MOVED BY ARRUDA, SECOND BY BROGIE, PASSED IN FAVOR 2-0
5. VOTE ON PENDING ATB CASES/ABATEMENT SETTLEMENTS DISCUSSED/REVIEWED IN EXECUTIVE SESSION: ARRUDA MOVED TO ACCEPT PROPOSED SETTLEMENTS ON THE FOLLOWING PROPERTIES: See attached. SECOND BY BROGIE. PASSED 2-0 IN FAVOR.
6. PUBLIC INPUT: NO MEMBERS OF THE PUBLIC PRESENT
7. OLD BUSINESS: NONE

8. NEW BUSINESS : NONE

9. ADJOURNMENT: 10:34 AM



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2012 APR 26 P 12:38

City of Marlborough
Office of the Assessors
140 Main Street
Marlborough, Massachusetts 01752
TDD (508) 460-3610
Phone: (508) 460-3779

**BOARD OF ASSESSORS
PUBLIC MEETING**

NOVEMBER 9, 2011

10:00 AM SCHEDULED

MINUTES

1. CALL TO ORDER: MEETING CALLED TO ORDER AT 10:01 AM
2. ROLL CALL: MR. BROGIE & MR. ARRUDA PRESENT
3. EXECUTIVE SESSION: REVIEW AND DISCUSSION OF PENDING ATB CASES/ABATEMENTS MOVED BY BROGIE, SECOND BY ARRUDA, PASSED IN FAVOR 2-0
4. RESUME OPEN MEETING: MOVED BY ARRUDA, SECOND BY BROGIE, PASSED IN FAVOR 2-0
5. VOTE ON PENDING ATB CASES/SETTLEMENTS DISCUSSED/REVIEWED IN EXECUTIVE SESSION: ARRUDA MOVED TO ACCEPT PROPOSED SETTLEMENTS ON THE FOLLOWING PROPERTIES: See attached. SECOND BY BROGIE. PASSED 2-0 IN FAVOR.
6. PUBLIC INPUT: NO MEMBERS OF THE PUBLIC PRESENT
7. OLD BUSINESS: NONE

8. NEW BUSINESS : NONE

9. ADJOURNMENT: 10:14 AM



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2012 APR 26 P 12:38

City of Marlborough
Office of the Assessors
140 Main Street
Marlborough, Massachusetts 01752
TDD (508) 460-3610
Phone: (508) 460-3779

**BOARD OF ASSESSORS
PUBLIC MEETING**

JANUARY 17, 2012

10:00 AM SCHEDULED

MINUTES

1. CALL TO ORDER: MEETING CALLED TO ORDER AT 10:00 AM
2. ROLL CALL: MR. BROGIE & MR. ARRUDA PRESENT
3. EXECUTIVE SESSION: REVIEW AND DISCUSSION OF PENDING ATB CASES/ABATEMENTS MOVED BY BROGIE, SECOND BY ARRUDA, PASSED IN FAVOR 2-0
4. RESUME OPEN MEETING: MOVED BY ARRUDA, SECOND BY BROGIE, PASSED IN FAVOR 2-0
5. VOTE ON FY 2009 – 2011 PENDING ATB CASES/SETTLEMENTS DISCUSSED/REVIEWED IN EXECUTIVE SESSION: ARRUDA MOVED TO ACCEPT PROPOSED SETTLEMENTS ON THE FOLLOWING PROPERTIES: See attached. SECOND BY BROGIE. PASSED 2-0 IN FAVOR.
6. PUBLIC INPUT: NO MEMBERS OF THE PUBLIC PRESENT
7. OLD BUSINESS: NONE

8. NEW BUSINESS : NONE

9. ADJOURNMENT: 10:34 AM



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2012 APR 26 P 3:05

City of Marlborough

Office of the Assessors
140 Main Street
Marlborough, Massachusetts 01752
TDD (508) 460-3610
Phone: (508) 460-3779

BOARD OF ASSESSORS
PUBLIC MEETING

MARCH 8, 2012

10:00 AM SCHEDULED

MINUTES

1. CALL TO ORDER: MEETING CALLED TO ORDER AT 10:05 AM
2. ROLL CALL: MR. BROGIE & MR. ARRUDA PRESENT
3. OLD BUSINESS: MINUTES ACCEPTED FROM PRIOR MEETINGS:

MAY 6, 2011
MAY 27, 2011
AUGUST 15, 2011
SEPTEMBER 18, 2011
OCTOBER 5, 2011
NOVEMBER 9, 2011
DECEMBER 1, 2010
JANUARY 17, 2012

MOTION TO ACCEPT BY MR. ARRUDA, SECOND BY MR. BROGIE
PASSED IN FAVOR 2-0

4. EXECUTIVE SESSION: REVIEW AND DISCUSS FY 2012 REAL & PERSONAL PROPERTY ABATEMENT APPLICATIONS. MOVED BY BROGIE, SECOND BY ARRUDA
5. RESUME OPEN MEETING: MOVED BY ARRUDA, SECOND BY BROGIE
6. VOTE ON FY 2012 ABATEMENT APPLICATION REVIEWED IN EXECUTIVE SESSION: ARRUDA MOVED TO ACCEPT GRANTED REAL AND PERSONAL PROPERTY ABATEMENT APPLICATIONS, SECOND BY BROGIE. PASSED 2-0 IN FAVOR. ARRUDA MOVED TO ACCEPT DENIED REAL AND PERSONAL PROPERTY ABATEMENT APPLICATIONS, SECOND BY BROGIE. PASSED IN FAVOR 2-0.
7. PUBLIC INPUT: NO MEMBERS OF THE PUBLIC PRESENT
8. NEW BUSINESS : DISCUSSION OF THE FY 2013 TRIENNIAL RECERTIFICATION
9. ADJOURNMENT: 10.37 AM

MEETING NAME: MARLBOROUGH COUNCIL ON AGING

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Date: Tuesday, April 10, 2012

2012 MAY -1 A 11: 56

Time: 8:30 AM

Location: Marlborough Senior Center, 250 Main St., Marlborough, MA

PRESENT:

Lynn Anderson; Sheila Brecken; Jennifer Claro; Jim Confrey; Brenda Costa; Marie Elwood

EXCUSED:

MEETING MINUTES:

I. The meeting was called to order at approx. 8:30 a.m..

II. The March meeting minutes were reviewed and approved by the board.

III. Director's Report

The United Way needs additional space for the food boxes. Jennifer indicated that the Senior Center could possibly be used, which would make it easier for Seniors to access food.

Sheila and Jennifer attended the Executive Transportation Committee meeting which oversees the MWRTA. They are invited to the educational forum in June for feedback on transportation issues.

Jennifer is in talks with the Callahan Center in Framingham for Marlborough seniors to participate in field trips there.

The Marlborough COA received a \$2,000 grant through the EOE for Charlie Cards for seniors and for transportation for ESO classes that are not on the MWRTA route.

The COA budget is in process for submission to the City. Additional funding has been approved by the City Council for Men's Programming.

IV. Board Updates

A. There was no Friends report.

B. Brenda Costa reported that BayPath is now accepting letters of intent for funding of next year's Title III grants. The board discussed the current status of this past

year's grant. Jennifer had a question regarding the possible congregate housing site proposed by BayPath, which Brenda will check the status on for the next meeting.

C. Sheila suggested that the party committee meet possibly in May/June to discuss the Fall 2012 – Spring 2013 schedule of events.

V. Old Business

A. Board appointments and reappointments are still pending.

B. Jennifer reported that the COATS system is running smoothly.

C. Transportation was discussed in the Director's Report above.

D. The Senior of the Year nominations were reviewed, discussed and voted on for the upcoming Mayor's event on Wed., May 23rd at 5:00 pm. Jennifer will now meet with the recipients and their families.

VI. New Business

A. The Senior's Cable show, "Next Steps" is being broadcast by Marlborough Cable Access on Channel 8 (Comcast) and Channel 34 (Verizon) as follows:

Sunday	8:30 pm
Tuesday	5:00 pm
Wednesday	8:30 pm
Thursday	1:00 pm

B. Paulina Lynch, submitted her resignation from the Board. Paulina has served for many years and her dedication and contribution to the board will be missed.

VII. Meeting adjourned at approx. 9:35 am.

Marlborough High School
School Council
Meeting Minutes – April 4, 2012

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

In attendance – Sharon Buckley, Lauren Fay David Friess Sue Gordon, John Grace, Linda Layer, Marlene Manell, Heidi Matthews, Darren McLaughlin Alex Norton, Sherry Norton, Bill Rigney, Debra Roy, Gail Yosca, George Whapham

Absent – Rachel Dass, Cathy Mogavero,

I. School Update

1. On March 14th at Algonquin RHS, MHS Jazz Ensemble participated in MAJE Central District Festival They received a Gold Medal.
 - a. 3 students received Outstanding Musicianship Awards were presented to: Lucas Allen, guitar; Colin Davis, piano and Nick Mosca, alto sax.
2. On March 24th the MHS Jazz Ensemble participated in the MAJE State Festival MHS Jazz Ensemble received a Gold rating
 - a. 5 students received Outstanding Musicianship Awards were presented to: Lucas Allen, guitar; Colin Davis, piano and Nick Mosca, alto sax, Chris Syers, trombone and Steve Wagner ,trombone. *This Gold rating enables the group to perform at MAJE's Gold Medal Showcase at the Hatch Shell in Boston on May 13th. Open to the public.*
3. MICCA - March 30 – April 1, 2012 was the MICCA Music Festival. MHS competed and received the following medals:
 - a. String Ensemble Bronze
 - b. Concert Band Bronze
 - c. Mixed Chorus Silver
 - d. Wind Ensemble Gold
 - e. Acappella Choir Gold
4. MHS Wizard of Oz production fabulous – kudos to all who had a role
5. Real World Design Challenge – Tuesday, April 10th – Lt. Governor presenting State 1st place award to students
 - a. Students traveling to Washington, DC for Nationals during April vacation

II. BCAP (Building Curriculum Accommodation Plan) Review

1. Deb asked School Council members to research other school plans as we will be working on the BCAP at the next couple of meetings
2. Note: DCAP – District is District plan

III. Reviewed SAT Test Scores – Information distributed.

IV. STEM

1. Bill attended 21st Century Education Conference today at PTC
 - a. Government, Higher Education Industry components
2. In final throes of STEM recruitment – acceptances have been announced, wait lists going out next week
3. Titanic STEM expo at Field House Friday 04/13/12, 8-11am

V. Advisory Period – Information since last meeting

1. 6 activities completed
2. Looking for \$ to pay people to complete lessons over the summer for the 2012-2013 school year

VI. Discussion about SAT prep course – course is offered in the fall and in the spring

VII. AP Discussion

1. Next Year is 5th year of 5 year grant
2. We hope it will continue or find another way to pay
3. AP tests - \$87/Test. We are trying to help the kids pay for the tests
4. Deb to bring data next meeting regarding AP scores

VIII. Budget Process

1. Different this year, more condensed
2. 75% of budget is salaries
3. Looking to increase staffing, lower class size
4. Hope to reinstate SPED coordinator
5. Trying to keep teacher to student load equitable

IX. Retirements – Mrs. Simmons and Mrs. Roche

1. Hope to have a full time French teacher for the next school year

X. Major difficulties currently with technology

1. Server down, trying to fix
2. Some student work lost

XI. New Principal – Craig Hardimon

Next Meeting – Wednesday, May 2, 2012 @ 6:00PM

Meeting Minutes Respectfully Submitted by Sue Gordon



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2012 APR 24 P 2: 21

**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, March 27, 2012 at 10:00 a.m. in the City Council Committee Room, City Hall. Members present: Chairman - Police Chief Mark Leonard, Vice Chairman – DPW Commissioner Ronald LaFreniere, 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, February 28, 2012.

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

2-New Business

2a. Communication from Patricia Cox, re: Speed limit signage on Warren Ave.

It was discussed that this is a thickly settled area and that signage does make sense. Ron LaFreniere noted that a specific speed sign could not be used in this area because it is not a special speed zone; however, “thickly settled” signage was a possibility. All agreed.

MOTION was made, seconded, duly VOTED to REFER to the DPW to determine proper signage and installation.

3-Old Business

3c. Stop signs on Bigelow Street.

There is no new update on this issue, however, Chief Leonard commented that he still thinks a compromise is necessary and feels that the solar powered speed signs are the best option. These signs are very costly though and may be prohibitive.

MOTION was made, seconded, duly VOTED to TABLE until funding issues can be resolved.

3d. Traffic Commission rules and regulations update.

Tim Collins advised that their aide has gone through most of the book and is planning to go out and verify the information. She is using it as a “filler project”. Chief Leonard advised that General Code is looking for feedback from us by next Monday. He did e-mail Trista at General Code last week and advised that the Traffic Commission is working on the project. He asked if Engineering would be available to get together at the end of next week to review what they have so far.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING and CHIEF LEONARD to work together on updating the draft for General Code.

Item not on Agenda:

A brief discussion followed regarding the members of the Traffic Commission. Only three members were present as a new fire chief is in the process of being hired and there is no City Planner position at this time. The Commission had worked with the Legal Department to revise the language outlining the members of the Traffic Commission. The language needed to be approved by the legislature. The language was still to include the City Planner as it was determined that this is the best position to be a part of the Traffic Commission. The new language, however, would provide that the Mayor could make an appointment to the Commission in the absence of a City Planner.

Chief Leonard advised that he would follow up with Legal on the status. The Commission would like to get this issue finalized as three members of the Traffic Commission are required for a quorum.

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.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 10:38 am.

Respectfully submitted,

Karen L. Lambert
Records Clerk
Marlborough Police Department

List of documents and other exhibits used at the meeting:

- Meeting Agenda for Tuesday, March 27, 2012

-Includes the following attachments:

*E-mail from Karen Lambert to Chief Leonard, dated 3/14/12, re: Complaint from resident of 97 Warren Ave. (Patricia Cox)

-Additional Handouts

*None

City of Marlborough
RECEIVED
CITY CLERK'S OFFICE
Commonwealth of Massachusetts

2012 APR 24 A 11: 58



April 9, 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, April 9, 2012 in Memorial Hall, 3rd Floor, City Hall 140 Main Street, Marlborough, MA 01752. Members present: Barbara Fenby, Sean Fay, Colleen Hughes, Philip Hodge, Edward Coveney and Clyde Johnson. Also present: City Engineer Thomas Cullen.

MINUTES

March 26, 2012

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

To accept and file the meeting minutes.

CHAIRS BUSINESS

43 Kinder Circle

Fence permit

Some of the members have visited the site to look at the natural vegetation of the required buffer. In their findings they could see the reasoning of adding a fence to detour the debris from Jean Road. The Board would like to review the subdivision files and minutes to see the reasoning of the buffer for that particular lot. Mrs. Lizotte will research the minutes and also ask Priscilla Ryder if she would have any further comments regarding the buffer. Mr. Cullen was also asked to speak to Mr. LaFreniere to see if he remembered the reasoning.

The homeowner, Frank Brockmeyer, presented photos of the property. He stated that he wants to add a fence to protect his children.

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

To table the motion.

APPROVAL NOT REQUIRED PLAN

PUBLIC HEARING

SUBDIVISION PROGRESS REPORTS

City Engineer Update

Mr. Cullen stated there was not much to report. Mr. Fay commented on the extension date of Blackhorse Farms and that it is approaching.

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

To send a reminder notice to the developers their extension deadline is approaching.

PENDING SUBDIVISION PLANS: Updates and Discussion

PRELIMINARY/ OPEN SPACE SUBDIVISION SUBMITTALS

DEFINITIVE SUBDIVISION SUBMISSIONS

SIGNS

Rotary Club

Elaine McDonald is asking on the behalf of the Rotary Club to place A Frame signs for the Rotary Club's Spring Recycle Day being held at the Middle School on Saturday May 12. She is asking to place 5 A-Frame signs with two near the entrances to the Middle School and the rest next to the entrances into the city between May 6th and May 12th. She stated that in the fall when these were placed with the Planning Board's permission they noted that the signs helped with their efforts in letting the public know the date and place of collections.

On a motion by Mr. Coveney, seconded by Mr. Johnson, with Ms. Fenby and Mr. Hodge opposing, it was duly voted:

To allow 5 the A Frame signs to be placed at the Middle School Entrances and the Entrance into the City Signs from Sunday May 6th to May 12th only.

Directional Signs, MASS DOT

Marlborough Airport

Mr. Thomas Mahoney of MASSDOT/Aeronautics Division has returned to the Board with new photos. However, the Board stated at the last meeting that these photos need to show the height of the poles and add Marlboro Airport to the signs as shown in a few of the other signs. Mr. Mahoney will return to the sign shop and return to the Board once he has revised the signs.

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

To table any decision until the next meeting.

INFORMAL DISCUSSION

637 Sudbury Street

Attorney Sem Aykanian discussed the premise of the proposed project. He discussed the nature of the waivers and stated that the Engineer, Matthew Hamor of Hancock Associates, would discuss them further.

Mr. Hamor presented a new plan showing where the possible trail would begin to meet with the existing open space trails that connect to the Forest Trail Subdivision. Several Board members were concerned because the steep nature of the land. He also presented the proposed

subdivision plan. He noted that this plan is similar a low impact subdivision and is what they are seeing in other communities. Also discussed was whether to keep the road vs. public, proposed grass shoulders vs. sidewalks and Cape Cod berm vs. granite curbing.

Mr. Fay stated he likes the trail connection. Mr. Hodge asked if they have secured the easements for the sewer and if they have discussed this project with any of the surrounding neighbors. Mr. Hamor stated they are in the process of securing the easements with the owner of the neighboring subdivision; they have not discussed the project with the neighbors.

Mr. Hamor stated once they have a more detailed plan, they may come in once more prior to submitting a subdivision plan.

COMMUNICATIONS/CORRESPONDENCE

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

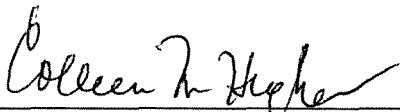
To accept all of the items listed under communications and/or correspondence.

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

To adjourn at 8:05 p.m.

A TRUE COPY

ATTEST:



Colleen Hughes, Clerk

LaMarche Associates

P.O. Box 179
Natick, MA 01760
508-650-9777
Fax: 508-650-9870

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

April 26, 2012

2012 MAY -2 P 3:48

Building Commissioner/Inspector of Buildings
MARLBOROUGH, MA 01752

Board of Health/Board of Selectmen
MARLBOROUGH, MA 01752

NOTICE OF CASUALTY LOSS TO BUILDING

UNDER MASSACHUSETTS GENERAL LAWS, CHAPTER 139, SECTION 3B

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

Insured: JOHN & MARY HART KOVACH

Loss Location: 47 MCNEIL CIR
MARLBOROUGH, MA 01752

Policy Number: HP450615

Date of Loss: 4/26/2012

Cause of Loss: Water

LA File Number: MA-2-21317

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

Tony Rossetti
Adjuster