

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2012 JUL 19 P 1:50

1. Minutes of the City Council Meeting, July 9, 2012.
2. PUBLIC HEARING On the Petition from NGrid to have underground primary cable crossing for D'Angelo Dr. to provide new service to Ken's Food, Order No. 12-1005109A. **Item was tabled at the July 9, 2012 City Council meeting.**
3. PUBLIC HEARING On the Petition from NGrid to install new intermediate P. 4-51 on D'Angelo Dr. to provide new service to Ken's Food, Order No. 12-1005110A. **Item was tabled at the July 9, 2012 City Council meeting.**
4. Communication from the Mayor re: Update of the Emergency Notification System.
5. Communication from the Mayor re: Appointment of Mr. Michael Mendoza as Building Commissioner effective on date of confirmation by City Council for a term of three years.
6. Communication from the Mayor re: Reappointment of Mr. Daniel Brogie as Interim Principal Assessor for a period of 60 days commencing July 17, 2012.
7. Communication from the Mayor re: Appointment of Mr. Stephen Zepf, Mr. Michael Gibson and Mr. Pascal Chenais to the Youth Commission of which Mr. Zepf's term will expire three years from date of approval and Mr. Gibson's and Mr. Chesnais's term will expire two years from date of approval.
8. Communication from the Mayor re: Appointment of Mr. Shawn McCarthy to the Planning Board for a term of five years concluding on February 6, 2017.
9. Communication from the Mayor re: Appointment of Ms. Jeanne McGeough to the Council on Aging for a term of four years concluding on May 1, 2016.
10. Minutes, Planning Board, May 21, June 4, & June 18, 2012.
11. Communication from Amica re: Damage to Real Property, 44 First Rd.
12. CLAIMS:
 - A. Charles Rosenbaum 65 Fremont St., pothole or other road defect

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Public Safety

13. **Order No. 12-1004083A - Application for Taxi License, Asia Rowland, d/b/a Marlborough Taxi, 225 Cedar Hill Street, Suite 200. Chief Leonard has reported that CORI report is in order. Driver history has not been submitted. Motion made by Councilor Clancy, seconded by Councilor Jenkins, to recommend approval of a Taxi License to Asia Rowland, d/b/a Marlborough Taxi, 225 Cedar Hill Street, Suite 200 subject to receipt of driver history by the Chief of Police and further report by the Chief of Police to the City Council prior to the next regular meeting on July 23, 2012. Recommendation of the Public Services Committee is to approve 3-0.**
14. **Order No. 12-1005013 - Application for Junk Dealer's License, Sergey Yeghiyan, d/b/a C.T.C. Gold & Diamond Refinery, 149 Main St. Chief Leonard has reported that CORI is in order. Motion made by Councilor Jenkins, seconded by Councilor Clancy, to recommend approval of the renewal Junk Dealer's License to Sergey Yeghiyan, C.T.C. Gold & Diamond Refinery, 149 Main Street. Recommendation of the Public Services Committee is to approve 3-0.**

15. **Order No. 12-1005042 - Application for Junk Dealer's License by Tony Bitar, d/b/a Hannoush Jewelers, 601 Donald Lynch Blvd. Chief Leonard has reported that CORI is in order. Motion made by Councilor Clancy, seconded by Councilor Jenkins, to recommend approval of the renewal of a Junk Dealer's License to Tony Bitar, d/b/a Hannoush Jewelers, 601 Donald Lynch Blvd. Recommendation of the Public Services Committee is to approve 3-0.**



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

JULY 9, 2012

Regular meeting of the City Council held on Monday, JULY 9, 2012 at 8:00 p.m. in City Council Chambers, City Hall. City Councilors present: Pope, Oram, Robey, Delano, Jenkins, Elder, Tunnera, Seymour, Clancy, and Landers. Absent: Ossing. Meeting adjourned at 8:40 PM.

ORDERED: That the Minutes of the City Council Meeting, JUNE 18, 2012, **FILE AS AMENDED**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, SEPTEMBER 10, 2012**, as date for a **CONTINUED PUBLIC HEARING** for the Application for Special Permit from Sprint for modification of a wireless facility located at 75 Donald Lynch Blvd., **ADVERTISE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, SEPTEMBER 10, 2012**, as date for a **CONTINUED PUBLIC HEARING** for the Application for Special Permit from Sprint for modification of a wireless facility located at 860 Boston Post Rd., **ADVERTISE**; adopted.

ORDERED: That the **PUBLIC HEARING** set for July 9, 2012 on the Petition from National Grid to have underground primary cable crossing for D'Angelo Dr. to provide new service to Ken's Food, **TABLED UNTIL JULY 23, 2012**; adopted.

ORDERED: That the **PUBLIC HEARING** set for July 9, 2012 on the Petition from National Grid to install new intermediate P.4-51 on D'Angelo Dr. to provide new service to Ken's Food, **TABLED UNTIL JULY 23, 2012**; adopted.

ORDERED: That the Police transfer request in the amount of \$140,136.00 which moves funds from Reserve for Salaries to various accounts as noted on the attached spreadsheet to fund contract years 2010-2012 with the Massachusetts Coalition of Police (MASSCOP) Local 366 of the Marlborough Police Department, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH --BUDGET TRANSFERS--										
DEPT:		Gen Government			FISCAL YEAR:		Police			
Available Balance	Amount	FROM ACCOUNT: Org Code	Object	Account Description:	Amount	TO ACCOUNT: Org Code	Object	Account Description:	Available Balance	
\$927,326	\$140,136	11990006	57820	Reserve for Salaries	\$43,425	12100001	50820	Sergeants	\$693,887	
	Reason:	Funds are budgeted for FY 13				To Fund Labor Contract				
					\$11,397	12100001	50500	Captains	\$173,057	
	Reason:					To Fund Labor Contract				
					\$25,576	12100001	50510	Lieutenants	\$391,540	
	Reason:					To Fund Labor Contract				
					\$921	12100003	51380	O.T. Training	\$50,000	
	Reason:					To Fund Labor Contract				
					\$11,093	12100003	51310	OT Reg	\$260,000	
	Reason:					To Fund Labor Contract				
					\$1,627	12100003	51320	OT Court	\$203,000	
	Reason:					To Fund Labor Contract				
					\$135	12100003	51319	OT Cell Watch	\$7,000	
	Reason:					To Fund Labor Contract				
					Sub-Total				\$94,175	
CITY OF MARLBOROUGH --BUDGET TRANSFERS--										
DEPT:		Gen Government			FISCAL YEAR:		Police			
Available Balance	Amount	FROM ACCOUNT: Org Code	Object	Account Description:	Amount	TO ACCOUNT: Org Code	Object	Account Description:	Available Balance	
					\$7,874	12100003	51920	Sick Leave Buy Back	\$157,204	
	Reason:					To Fund Labor Contract				
					\$27,503	12100003	51440	Educational Incentive	\$590,566	
	Reason:					To Fund Labor Contract				
					\$4,051	12100003	51342	Longevity	\$178,370	
	Reason:					To Fund Labor Contract				
					\$4,946	12100003	51490	Holiday	\$280,000.00	
	Reason:					To Fund Labor Contract				
					\$1,425	12100003	51450	Night Shift Diff	\$116,981	
	Reason:					To Fund Labor Contract				
					\$161	12100003	51410	First Responder	\$55,645	
	Reason:					To Fund Labor Contract				
					Sub Total				\$45,961	
					Sub Total Page 1				\$94,175	
					Total				\$140,136	

ORDERED: That the Employee Benefits transfer request in the amount of \$51,002.00 which moves funds from Fringes to Sick Leave to fund benefits associated with the retirement of an employee in the Marlborough Fire Department, refer to **FINANCE COMMITTEE**; adopted.

FROM:

Acct. # 11990006-51500

\$51,002.00

Fringes

TO:

Acct. # 12200003-51920

\$51,002.00

Sick Leave

ORDERED: That item 8 of the July 9, 2012 City Council meeting, Communication from City Solicitor Rider re: Acceptance of Ewald Ave. and Muir Way as Public Ways, Order No. 11/12-1002807A, **MOVED TO ITEM 24**; adopted.

ORDERED: That item 9 of the July 9, 2012 City Council meeting, Communication from City Solicitor Rider re: Acceptance of Cleversy Drive as a Public Way, Order No. 11/12-1003095A, **MOVED TO ITEM 25**; adopted.

ORDERED: That item 10 of the July 9, 2012 City Council meeting, Communication from the Planning Board re: Subdivision Acceptance, Forest Grove Subdivision, Ewald Ave. and Muir Way and Easements, Order No. 11/12-1002807A, **MOVED TO ITEM 24**; adopted.

ORDERED: That item 11 of the July 9, 2012 City Council meeting, Communication from the Planning Board re: Subdivision Acceptance, Elm Farm Valley Estates, Cleversy Dr., Order No. 11/12-1003095A, **MOVED TO ITEM 25**; adopted.

ORDERED: That the Communication from Marlborough Retirement Board Director, Margaret Shea, re: FY2013 Operating Budget, **FILE**; adopted.

ORDERED: That the Agreement to Extend Time Limitations on the Application for Special Permit from Cumberland Farms, Inc., 412 & 418 Maple St. and Walker St. to construct a convenience store with gasoline sales on the subject parcels, Order No. 12-1005081A, to an extension of thirty days beyond the applicable statutory time-frame in which City Council must render a decision, **APPROVED**; adopted.

Councilor Seymour abstained

ORDERED: That there being no objection thereto set **Monday, August 27, 2012** as date for a **PUBLIC HEARING** on the Petition from NGrid to relocate existing P. 2, 25' in a NE direction from existing location and installation of a new anchor off of relocated P. 2 on Manning St, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That there being no objection thereto set **AUGUST 27, 2012** as date for a **PUBLIC HEARING** on the Application for Special Permit from Andy Candiello on behalf of MetroPCS Massachusetts, LLC, to install a Wireless Communications Facility onto the existing building located at 98 Pleasant St., refer to **WIRELESS COMMUNICATIONS COMMITTEE AND ADVERTISE**; adopted.

ORDERED: That the Application, Junk Dealer's License, Richard Jenkins, d/b/a MetroWest Rubbish Service, 19 Indian Lane, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

Councilor Jenkins abstained

ORDERED: That the Communication from Board of Selectmen, Town of Shrewsbury, re: Development of a More Effective Approach to Establishing a More Consistent Financial Relationship with the Commonwealth, **FILE**; adopted.

ORDERED: That the Minutes, Traffic Commission, May 29, 2012, **FILE**; adopted.

Reports of Committees:

Councilor Landers reported the following out of the Public Services Committee:

Order No. 12-1004083A - Application for Taxi License, Asia Rowland, d/b/a Marlborough Taxi, 225 Cedar Hill Street, Suite 200. Chief Leonard has reported that CORI report is in order. Driver history has not been submitted. **Motion made by Councilor Clancy, seconded by Councilor Jenkins, to recommend approval of a Taxi License to Asia Rowland, d/b/a Marlborough Taxi, 225 Cedar Hill Street, Suite 200 subject to receipt of driver history by the Chief of Police and further report by the Chief of Police to the City Council prior to the next regular meeting on July 23, 2012. Recommendation of the Public Services Committee is to approve 3-0.**

Order No. 12-1005013 - Application for Junk Dealer's License, Sergey Yeghiyan, d/b/a C.T.C. Gold & Diamond Refinery, 149 Main St. Chief Leonard has reported that CORI is in order. **Motion made by Councilor Jenkins, seconded by Councilor Clancy, to recommend approval of the renewal Junk Dealer's License to Sergey Yeghiyan, C.T.C. Gold & Diamond Refinery, 149 Main Street. Recommendation of the Public Services Committee is to approve 3-0.**

Order No. 12-1005042 - Application for Junk Dealer's License by Tony Bitar, d/b/a Hannoush Jewelers, 601 Donald Lynch Blvd. Chief Leonard has reported that CORI is in order. **Motion made by Councilor Clancy, seconded by Councilor Jenkins, to recommend approval of the renewal of a Junk Dealer's License to Tony Bitar, d/b/a Hannoush Jewelers, 601 Donald Lynch Blvd. Recommendation of the Public Services Committee is to approve 3-0.**

Suspension of the rules requested – granted

ORDERED: That the interim appointment of Deborah Fox as Collector, refer to **PERSONNEL COMMITTEE**; adopted.

Suspension of the rules requested – granted

ORDERED: That the \$ 200.00 gift presented to the City of Marlborough for the purchase of Blue Bird box supplies for the Felton Conservation Land located on Elm St., **APPROVED**; adopted.

Suspension of the rules requested – granted

ORDERED: That the Application for Junk Dealer's License, Thomas Zampini d/b/a Metal Man Recycling LLC, 51 Lacombe St., **APPROVED**; adopted.

ORDERED: That the Appointments of Patricia Zilembo, Kelly French and Joan D'Onofrio to the Youth Commission of which Patricia will serve as Chair for a term of three years from date of approval and Kelly and Joan will serve a term of two years from date of approval, **APPROVED**; adopted.

ORDERED: That the Appointments Mark Vital and Nancy Klein to the Recreation Commission for terms of three years from date of approval, **APPROVED**; adopted.

ORDERED: That the Appointment of Robert Page to the Zoning Board of Appeals with term to expire May 5, 2017, **APPROVED**; adopted.

ORDERED: That the Communication from the Mayor re: appointment of Councilor Robert Tunnera to the Commission on Disabilities, **FILE**; adopted.

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

ORDERED: That item 10 of the July 9, 2012 City Council meeting, Communication from the Planning Board re: Subdivision Acceptance, Forest Grove Subdivision, Ewald Ave. and Muir Way and Easements, Order No. 11/12-1002807A, **FILE**; adopted.

ORDERED: WHEREAS, in the opinion of the City Council of the City of Marlborough, the common convenience and necessity require that EWALD AVENUE be accepted as a public way

from WILSON STREET to LINDA CIRCLE

and

that MUIR WAY be accepted as a public way

from EWALD AVENUE to Terminus

and that their appurtenant easements be accepted as municipal easements, all as shown on plans thereof and as hereinafter described:

DESCRIPTION

Plan entitled, "Plan of Acceptance, Ewald Avenue & Municipal Easements" (2 sheets), Date: December 30, 2003, Latest Revision Date: December 11, 2009, Scale: 1" = 40', prepared for City of Marlborough, MA, Cabco Consult, Land and Environmental Consulting Services, P.O. Box 14, Clinton, MA 01510, which plan is to be recorded herewith

and

Plan entitled, "Plan of Acceptance, Muir Way & Municipal Easements" (1 sheet), Date: December 30, 2003, Latest Revision Date: December 11, 2009, Scale: 1" = 40', prepared for the City of Marlborough, MA, Cabco Consult, Land and Environmental Consulting Services, P.O. Box 14, Clinton, MA 01510, which plan is to be recorded herewith.

Title to the roadways known as EWALD AVENUE and MUIR WAY, and title to all the municipal easements, including a cross country drainage easement across Lots 17, 16, 15, 14 and 13A, shown as DRAINAGE EASEMENT on the Muir Way plan above; a

drainage easement across Lot 35, shown as DRAINAGE EASEMENT on sheet 1 of the Ewald Avenue plan above; a 20' drainage easement lying northerly of Boston Post Road, shown as PROPOSED 20' DRAINAGE EASEMENT on Lot 2A on a plan entitled "Easement Plan of land in Marlborough, Mass., Owned by: John Hartley," Date: October 1997, Scale 1"=60', which plan is recorded at the Middlesex South District Registry of Deeds at Book 27948, Page 363 as Plan 1297 of 1997; and a flowage easement lying northerly of Boston Post Road, shown as PROPOSED FLOWAGE EASEMENT on Lot 2A on said Plan 1297 of 1997, has been granted to the City of Marlborough in a quitclaim deed from Richard Terrill, Trustee of Forest Grove Realty Trust u/d/t dated June 10, 1997, recorded with the Middlesex South Registry of Deeds in Book 27627, Page 525, said deed to be recorded herewith at the Middlesex (South District) Registry of Deeds.

IT IS THEREFORE ORDERED THAT:

EWALD AVENUE and MUIR WAY be accepted as public ways and their appurtenant easements be accepted as municipal easements in the City of Marlborough.

Yea: 10 – Absent: 1

Yea: Delano, Jenkins, Elder, Tunnera, Seymour, Landers, Ossing, Pope, Oram & Robey

Absent: Ossing

ORDERED: That item 11 of the July 9, 2012 City Council meeting, Communication from the Planning Board re: Subdivision Acceptance, Elm Farm Valley Estates, Cleversy Dr., Order No. 11/12-1003095A, **FILE**; adopted.

ORDERED: WHEREAS, in the opinion of the City Council of the City of Marlborough, the common convenience and necessity require that CLEVERSY DRIVE be accepted as a public way

from ELM STREET to Terminus

and that the appurtenant easements be accepted as municipal easements as shown on a plan thereof and as hereinafter described:

DESCRIPTION

Plan entitled, "Plan of Acceptance of Cleversy Drive and Easements in Marlborough, Massachusetts, Robert J. Parente, P.L.S., 15 Hickory Road, Southborough, MA. 01772, Date: Oct. 14, 2004, Revised April 15, 2007, Revised March 8, 2010, Scale: 1" = 40'", which plan is to be recorded herewith.

Title to the roadway known as CLEVERSY DRIVE, and title to all the municipal easements, including a utility easement within Lots 4, 5 and 12 running from Millham Street to Cleversy Drive shown as 30' WIDE UTILITY EASEMENT TO CITY OF MARLBOROUGH; a drainage easement within Lot 10, shown as DRAINAGE EASEMENT "A" TO CITY OF MARLBOROUGH on said plan; a drainage easement within Lots 8 and 10, shown as DRAINAGE EASEMENT "B" TO CITY OF MARLBOROUGH; and a flowage easement within Lots 8 and 10, shown as FLOWAGE EASEMENT TO CITY OF MARLBOROUGH on said plan, has been granted to the City of Marlborough in a quitclaim deed from Niel Fossile and Geraldine Fossile, Trustees of Elm Farm Realty Trust, u/d/t dated September 15, 2000, recorded with the Middlesex South Registry of Deeds in Book 31824, Page 160, said deed to be recorded herewith at the Middlesex County (South District) Registry of Deeds.

IT IS THEREFORE ORDERED THAT:

CLEVERSY DRIVE be accepted as a public way and its appurtenant easements be accepted as municipal easements in the City of Marlborough.

Yea: 10 – Absent: 1

Yea: Delano, Jenkins, Elder, Tunnera, Seymour, Landers, Ossing, Pope, Oram & Robey

Absent: Ossing

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 8:40 PM.



IN CITY COUNCIL

JULY 9, 2012

Marlborough, Mass., _____

ORDERED:

That the **PUBLIC HEARING** set for July 9, 2012 on the Petition from National Grid to have underground primary cable crossing for D'Angelo Dr. to provide new service to Ken's Food, be and is herewith **TABLED UNTIL JULY 23, 2012**.

ADOPTED

ORDER NO. 12-1005109A



IN CITY COUNCIL

JULY 9, 2012

Marlborough, Mass., _____

ORDERED:

That the **PUBLIC HEARING** set for July 9, 2012 on the Petition from National Grid to install new intermediate P.4-51 on D'Angelo Dr. to provide new service to Ken's Food, be and is herewith **TABLED UNTIL JULY 23, 2012**.

ADOPTED

ORDER NO. 12-1005110A



City of Marlborough

Office of the Mayor

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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

140 Main Street

2012 JUL 19 A 11:46 Marlborough, Massachusetts 01752
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www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

July 19, 2012

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

Re: Update – Emergency Notification System

Honorable President Pope and Councilors:

I want to update the Council on the implementation of our new emergency notification system.

At the end of June, I signed off on an agreement with Blackboard Connect, the vendor we chose to operate our system after vetting their product with other communities and meetings that involved my office, Police Chief Mark Leonard, Fire Chief Jim Fortin, Emergency Management Director Don Cusson, and Information Technology Director Mark Gibbs.

In summation, this web based system will allow the city to communicate important and vital information to our residents at a minute's notice via telephone, email, or text message without the need for the purchasing of any hardware or telecommunications equipment. Furthermore, this system allows us to communicate this same vital information to the businesses in our community who wish to be included.

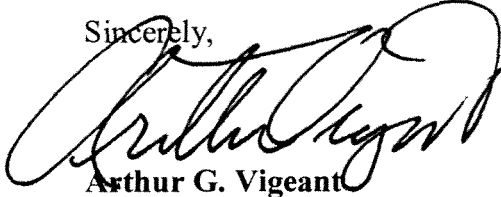
Recently, we had in-house training sessions from Blackboard Connect and employees from the Police, Fire, Public Works, Recreation, and I.T. Departments were all in attendance in addition to staff from the COA, Library, Board of Health, and Emergency Management. The goal of this new system is to allow the city to more effectively relay information to our residents in times of major power outages, weather emergencies, road closures, and Amber and Silver alerts for example. Notifications can be distributed city wide, by ward or precinct, and even by street. Additionally, this system will allow us to easily expand our notifications to include non-emergency items like recreation and school events and other announcements.

The next step in this process to commence over the next several weeks is to allow residents to sign up on Blackboard's website to tailor their preferred methods of communication and allow them to customize which type of notifications they wish to receive (for example: a resident may prefer text notifications limited only to emergency notifications). The I.T. Department is currently configuring the web portal which will be featured on the City of Marlborough homepage that will allow residents and businesses to sign up and subscribe to our notification system.

At this point, the City is prepared to use this system in the event of an emergency. However it is incumbent that we continue to spread the word about this new system throughout our community so that our notifications are able to reach the highest number of residents and businesses.

I want to thank the Council for their patience throughout this process. I am very confident in this system and believe it will be a tremendous benefit to our departments as well as our residents.

Sincerely,

A handwritten signature in black ink, appearing to read 'Arthur G. Vigeant', written in a cursive style.

Arthur G. Vigeant
Mayor



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2012 JUL 19 A 11:41

City of Marlborough
Office of the Mayor

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

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

July 19, 2012

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

Re: Appointment of Building Commissioner

Honorable President Pope and Councilors:

I am pleased to inform you that I have appointed Mr. Michael Mendoza to the position of Building Commissioner for a term of three years. Mr. Mendoza's appointment will take effect on the date of his confirmation by the Council.

Mr. Mendoza brings with him an impressive resume that includes lengthy stints as a Building Commissioner in the Town of Carver, Town of Hudson, and Town of Fairhaven. After completing a thorough interview process, I believe that Mr. Mendoza is the best candidate to carry out the duties and responsibilities of this very important position. For your convenience, I have included a copy of his cover letter and resume.

Thank you for your attention to this matter and do not hesitate to contact me with any questions.

Sincerely,

Arthur G. Vigeant
Mayor

June 3, 2012

To: Personnel Dept; City of Marlborough
140 Main St
Marlborough, MA 01752

Re: Building Commissioner

To Whom It May Concern:

Please except this letter as an application for the position of Building Commissioner to the City of Marlborough.

I have been working as a building official for over fifteen years, in both a city and town environment. I am Certified, as required under Massachusetts law and I have the necessary insight and understanding of the needs of the various boards and departments that shares in the decision making process. Someone, who has never worked in this position, could easily over look the concern of other departments; which could result in disharmony and delays. I have always made it a point to communicate with these other government entities for insuring less confusion, for the benefit of both the public and to the town.

To exemplify this, I have streamered lined the permitting process in my current job to expedite certain types of permits (shed, fences, etc.). This has helped to eliminate permit build up in the office and decrease the anxiety that the public sometimes experience when waiting for permits that are deemed "small jobs" in nature to them. I have also designed several informational handouts and inspection formats to assist both the public and the contractor in the inspection process.

But why I believe that I can better serve your community; just take a look at the communities that I have worked for and how that experience can benefit the City of Marlborough.

As the Building Commissioner in Hudson – I was involved in the additions to and fit up of the Digital plant (now Intel); various factory renovations; the construction of Wal-Mart and other similar projects during my tenure. My day usually started with meetings with architects and designers to help them get their projects off the ground. I know what has to be done to get commercial projects moving and that is experience that I can bring to your community.

In regards to the Hudson Building Department, I was originally hired to create for them a building department that could work for the various needs of the community. That is some thing that I did give them and the experience that I shall bring to this position also for your community.

As for Residential projects; whether I was working for the City of New Bedford or the Town of Carver, those are projects that I am very familiar with and have the expertise to bring to your community.

I have always tried to work with various departments to ensure compliance with the town's regulations; be it with providing technical support or direction to departments like the Planning Board, the Board of Health, Conservation, and to the Board of Appeals.

The Carver Fire Department and I have always maintained a very close working relationship. On many occasions, we would have to consult with each other, especially when there were over laps in jurisdiction. In this way, we were able to resolve any situation together and reduce internal misunderstandings.

In the past, I have also worked closely with several outside agencies, such as the Hudson Chamber of Commerce and the Economic Industrial Commission in addressing issues concerning business relocation and the effect local zoning ordinances would have on the interest of businesses.

In closing, the City of Marlborough has several types of construction needs and I feel with my past experience, I have the type of experience the city needs of its next Building Commissioner. As you have read, I am a hand on type of person. If it needs to be addressed, I address it and try to either fix it or improve it. For these reasons, I feel that I would have a lot to offer to the City of Marlborough as your next Building Commissioner. I would welcome the opportunity to meet with you to discuss this possibility.

Sincerely,

Michael Mendoza
740 Rockdale Ave
New Bedford, MA 02740

508 996 0374

Michael Mendoza
740 Rockdale Ave
New Bedford, Ma. 02740
(508) 996-0374

QUALIFICATIONS SUMMARY

A seasoned professional with over 10 years of construction evaluation and office management experience. With the ability to work with a wide variety of people and communicate complicated issues in simple language to people outside of the field.

PROFESSIONAL EXPERIENCE

BUILDING COMMISSIONER, April 2000 to present
Town of Carver, Massachusetts

- Provided assistance to both large and small commercial and private entities, by way of creating informational booklets and handouts to guide them through the permitting process.
- Personally met with and assisted corporations in working out their concerns, whether they were local issues, zoning issues or permitting issues.
- Handled public inquires and complaints on various state and local issues.
- Attended court hearings as needed to address zoning/building code complaints at the district court house.
- Analyzed proposed construction sites for determinations of environmental (i.e. wetland determination), local zoning and other requirements for building projects.
- As the Building Department representative, at local board meetings, I provided the needed expertise on a variety of building, zoning and environmental issues.
- Filed and followed through with court action and State Building Board of Appeals actions when noncompliance to code had occurred.
- Supervised a staff of three (3) employees.

BUILDING COMMISSIONER, April 1994 to 2000

Town of Hudson, Massachusetts

- Provided assistance to both large and small commercial and private entities, by way of creating informational booklets and handouts to guide them through the permitting process.
- Personally met with and assisted corporations in working out their concerns, whether it be local issues, zoning issues or permitting issues.
- Acted as a mediator between various boards and the applicant to ensure compliance with their regulations and in the understanding of the needs of both parties.
- Introduced computerization to the office and created a functional filing system for both plans and permits which allowed for ease of retrieval.
- Organized and ran meetings for the public with various town departments and regulatory agencies (Board of Public Works, Board of Health, Fire and Police Department, Planning Board, Conservation Commission, etc.).
- Handled public inquires and complaints on various state and local issues.
- Analyzed proposed construction sites for determinations of environmental (i.e. wetland determination), local zoning and other requirements for building projects.
- As the chairman for the Town Mapping Program, I coordinated the necessary information, which resulted in the digitization of the Towns' Maps (zoning, flood, open space, etc.).
- As the Building Department representative, at local board meetings, I provided the needed expertise on a variety of building, zoning and environmental issues.
- Filed and followed through with court action and State Building Board of Appeals actions when noncompliance to code had occurred.
- Supervised nine employees (which includes the Animal Control Officer and the Sealer of Weights and Measures) and delegated the duties of each in addition to working daily with the public and professionals in the field (architects engineers, lawyers).

BECKY M, June 1991 to April 1994

- Worked on family fishing boat.
- Worked up from deck hand to navigator.
- Supervised a crew of four.
- Learned about survival on the sea and working as a team.

BUILDING COMMISSIONER, September 1987 to June 1991
Town of Fairhaven, Massachusetts

- Reviewed building plans and applications for both residential and commercial projects.
- Written articles for local newspapers to inform the public of changes to the codes, requirements for permits and flood zone requirements and/or restrictions.
- Provided to state agencies, changes in the state building codes to improve construction standards in the V, A and B Flood Zones.
- Ran public forums for victims of Hurricane Bob, to assist in rebuilding.
- Inspected auto repair and service stations for compliance to air quality regulations and proper disposal of oil and transmission fluids.
- Supervised six employees. Set their work schedule on a daily basis.

ASSISTANT STRUCTURAL ENGINEER, October 1985 to September 1987
City of New Bedford

- Reviewed plans for compliance with state and local requirements.
- Conducted field and site examinations.
- Attended conservation and Zoning Board of Appeals hearings.
- Assigned responsibilities to inspectors.
- Managed twelve people in the department.

EDUCATION

1983 graduate of Fitchburg State College - Fitchburg, Massachusetts, with a BS degree in Physical Geography, minor in Industrial Technology and emphasis in the fields of geology, remote sensing and meteorology.

PROFESSIONAL

Certified as a Building Commissioner by the State Board of Building Regulations and Standards; President of the South Eastern Massachusetts Building Officials Association; Past Chairman, of the Education Committee to the Southeastern MA Building Officials; Former President of the District 6 Building Officials.



City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH 140 Main Street
Marlborough, Massachusetts 01752
2012 JUL (508) 460-3698 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

July 19, 2012

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

Re: Reappointment of Interim Principal Assessor

Honorable President Pope and Councilors:

I am reappointing Mr. Daniel Brogie to the position of Principal Assessor on an interim basis for an additional sixty days. It was recently brought to my attention by President Pope that Mr. Brogie had not been sworn in to the position when he was originally appointed back in January. I regret the oversight and appreciate your understanding. His appointment is effective as of July 17, 2012.

It is my intention to present before you a permanent Principal Assessor candidate prior to the expiration of this interim appointment. Thank you for your attention to this matter and do not hesitate to contact me with any questions.

Sincerely,


Arthur G. Vigeant
Mayor



City of Marlborough

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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Office of the Mayor

140 Main Street

Marlborough, Massachusetts 01752

2012 JUL 19 A 11:47
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610

www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

July 19, 2012

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

Re: Youth Commission Appointments

Honorable President Pope and Councilors:

I am pleased to present to you the names of three candidates to serve on our City's Youth Commission. Those candidates are Mr. Steve Zepf, Mr. Michael Gibson, and Mr. Pascal Chesnais.

Mr. Zepf will receive a three year appointment from his date of approval. Mr. Chesnais and Mr. Gibson will receive two year appointments from their date of approval.

I have met with all three candidates and, like the Youth Commission appointees that preceded them, each possesses a diverse set of skills and experiences that I believe will allow them to be effective in serving the youth of our city.

Thank you for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor



City of Marlborough

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CITY CLERK
CITY OF MARLBOROUGH
Office of the Mayor

140 Main Street

2012 JUL 19 Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

July 19, 2012

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

Re: Planning Board Appointment

Honorable President Pope and Councilors:

I am pleased to present to you the name Mr. Shawn McCarthy to fill the sole remaining vacancy on the Planning Board. His appointment will be for five years and will conclude on February 6, 2017.

As a Marlborough resident for over 16 years, Mr. McCarthy has paid keen attention to the development our city has experienced over that period of time and is committed to carrying out his role as a member of the Planning Board fairly and impartially. My staff and I have each met with Mr. McCarthy and believe that he will make an excellent addition to the current board.

Thank you for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor



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OF MARLBOROUGH

City of Marlborough

Office of the Mayor

140 Main Street

Marlborough, Massachusetts 01752

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

www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

2012 JUL 19 A 11:41

July 19, 2012

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

Re: Council on Aging Appointment

Honorable President Pope and Councilors:

I am pleased to present to you the name Ms. Jeanne McGeough for appointment to the Council on Aging for a term of four years to conclude on May 1, 2016.

Ms. McGeough is a highly motivated individual who is eager to serve the senior population in our community. She possesses many years of experience in various settings that I believe will be an asset to the planning and programming needs of our seniors. I look forward to her contributions as a member of the Council on Aging.

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

Sincerely,

Arthur G. Vigeant
Mayor

City of Marlborough
Commonwealth of Massachusetts

RECEIVED
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CITY OF MARLBOROUGH



May 21, 2012
7:00 PM

PLANNING BOARD 9 31

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, May 21, 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

May 7, 2012

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

To accept and file the meeting minutes.

SIGNS

The Planning Board had the opportunity to ask Ms. Wilderman, Code Enforcement Officer, and Mr. Stephen Reid, Building Commissioner, a few questions regarding the ongoing prohibited signs. Ms. Wilderman explained that in the past few months her documented violations and the process it takes to just to send out the violations. She stated that of the 25 sign violations all but two have rectified the violation. She stated that under the sign ordinance she can assign a fine of \$50.00, but under the blight ordinance she can issue fine violations up to \$300 per day, per violation.

They also discussed the collection bins. Mr. Reid stated it was more of a site plan issue because of the location of the bins taking over parking spaces or sidewalk space. He stated that there were a few placed at Fuji Steakhouse, after calling the business owner, they were removed.

Mr. Fay expressed his concern that property owners who have been denied a variance are in violation of the sign ordinance with banners and other non-permitted signs. He also

expressed concern that a property owner who is denied a variance could sue the City for selective enforcement with the current level of enforcement of sign violations.

Mr. Reid stated that some violations are easier to resolve than others, especially when there is a contact person. He stated sometimes it's a new manager or the companies think that it's okay to place the sign after certain times. Ms. Wilderman stated that if there is a contact person for the violators it was much easier, but she stated that some signs (ex. Telephone poles and yard signs) do not have a local contact or you get answering services when you do contact them.

Ms. Hughes also stated that it may be possible to utilize the summer internship program and having an intern with a city employee pick up the illegal signs. It was also suggested that some of the members will use their cameras to take pictures of the illegal signs, then send the violations to Mrs. Lizotte and she will then forward them to Ms. Wilderman's office.

CHAIRS BUSINESS

APPROVAL NOT REQUIRED PLAN

Map 21, River Road, Berlin *Submittal*

Mr. Dipersio presented the plan to the Board. The land's frontage is on River Street in Berlin, 16 total acres; 10 acres in Berlin and 6 acres in the City of Marlborough. Most of the land that is in Marlborough is wetlands and will be reviewed by the conservation

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

To accept and file correspondence; to have the City Engineer review the ANR known as "Plan of Land in Berlin and Marlborough" and to report back to the Planning Board at the next meeting with the findings.

141 Maple Street, ANR *Submittal*

Mr. David Humphrey presented the plan to the Planning Board. He stated that the owners have sold the building and are looking to preserve the remaining lot. Lot A consists 39,357 Square Feet with frontage on Maple Street and Lot B is consisting of 1.91 Acres and lot frontage on Valley Street.

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

To accept and file correspondence; to have the City Engineer review the ANR plan known as "141 Maple Street" and report back to the Planning Board at the next meeting with the findings.

PUBLIC HEARING

SUBDIVISION PROGRESS REPORTS

City Engineer Update

Mr. Cullen stated that Tim Collins, the Assistant City Engineer, will be meeting with a Howard Fafard later this week to discuss the West Ridge Estates and the Cider Mill Estates. He will also mention to Tim to ask about Blackhorse Farms.

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

To move up item 6B.

The Residences of Oak Crest Extension Request

Mr. John Breslouf, the developer, is asking the Board to extend his subdivision. He stated that the subdivision still needs the following preformed: set granite bounds, plant roadside trees, Misc clean up and As-Built plans need to be approved. All taxes to date have been paid as well as the Code Enforcer has seen no blight at the subdivision. Mr. Cullen stated that the developer has been very accommodating to all requests and sees no objection in granting an extension.

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

To accept and file the correspondence, to extend the subdivision to June 12, 2013 and to have the City Engineer to review the bond for a reduction.

Fiddlehead Correspondence from the City Engineer

Mr. Cullen stated that have fully reviewed the subdivision, the subdivision has been accepted by both the Planning Board and City Council and acceptance has been registered with the Registry of Deeds. He is recommending to release the remaining bond.

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

To accept and file correspondence, to release the reaming bond back to the developer.

Indian Hill

Correspondence from the Conservation Commission

The Conservation Commission has reviewed the draft plan "Indian Hill Park" Easement Plan of Land in Marlborough MA for the reduced easement width of 10 feet. They have recommend that the easement area is acceptable in size and concept and can easily accommodate a public access trail.

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

To accept and file correspondence.

All of the members were in agreement of the reduced easement. They discussed asking the City Solicitor whether the easement plan was in recordable from so that the Board could take a vote. The City Engineer state that he had not reviewed the final plan. The Board also discussed asking the City Solicitor for clarification on the notice issue and whether or not it was advisable to provide the abutter to the South with notice.

PENDING SUBDIVISION PLANS: Updates and Discussion

PRELIMINARY/ OPEN SPACE SUBDIVISION SUBMITTALS

DEFINITIVE SUBDIVISION SUBMISSIONS

SIGNS

UNFINISHED BUISNESS

INFORMAL DISCUSSION

COMMUNICATIONS/CORRESPONDENCE

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

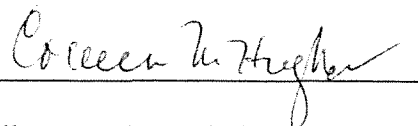
To accept all of the items listed under communications and/or correspondence.

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

To adjourn at 8:23 p.m.

A TRUE COPY

ATTEST:



Colleen Hughes, Clerk

City of Marlborough
Commonwealth of Massachusetts

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH



PLANNING BOARD
2012 JUL 10 A 9 39
Barbara L. Fenby, Chair
Colleen M. Hughes, Clerk
Philip J. Hodge
Edward F. Coveney
Clyde L. Johnson
Sean N. Fay

June 4, 2012
7:00 PM

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, June 4, 2012 in Memorial Hall, 3rd Floor, City Hall 140 Main Street, Marlborough, MA 01752. Members present: Barbara Fenby, Sean Fay, Philip Hodge, Edward Coveney and Clyde Johnson. Also present: City Engineer Thomas Cullen.

MINUTES

May 21, 2012

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

To table the meeting minutes until the next meeting.

CHAIRS BUSINESS

APPROVAL NOT REQUIRED PLAN

Map 13, River Road, Berlin

Decision

The City Engineer has reviewed the latest ANR Plan known as "Plan of Land in Berlin and Marlborough, MA" dated October 25, 2011 with last revision date of April 15, 2012. After the review, he can favorably recommend to the Planning Board to endorse this plan.

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

To accept and endorse a plan of land believed to be Approval Not Required of Plan of Land in Berlin and Marlborough, MA owned by Richard Casaceli, Casaceli River Road, LLC, 5 Coolidge Street, Hudson, MA 01749. Name of Engineer: Thomas Land Surveyors and Engineering Consultants, Inc. 265 Washington Street, Hudson, MA

01749. Deed of property recorded in Worcester County Registry of Deeds Book 7487, Page 373: Assessors Map 13 Parcels 26-1.

141 Maple Street, ANR
Decision

The City Engineer has reviewed the ANR plan known as Maple Street/Valley Street, Lots A & B dated April 23, 2012 with a revision date of June 4, 2012. After the review, he can favorably recommend to the Planning Board to endorse this plan.

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

To accept and endorse a plan of land believed to be Approval Not Required of Plan of Land in Marlborough, MA owned by Alfred Bonazzoli, JR. 13 Pendulum Pass, Hopkinton, MA 01748. Name of Land Surveyor: David Humprey, PLS, of Schofield Brothers, 1071 Worcester Road, Framingham, MA 01701. Deed of property recorded in Middlesex South Registry of Deeds Book 19514, Page 152: Assessors Map 82 Parcels 1285, 125A, 125B, 125C and 131.

PUBLIC HEARING

SUBDIVISION PROGRESS REPORTS

City Engineer Update

Mr. Cullen stated that he has been speaking to the developer of the Berlin Farms Subdivision and it working with him to complete his subdivision.

Country Club Estates

The City Solicitor brought a place before the Planning Board regarding the taking of land affecting 15 lots along Stow Road. The color coded map showed which lots have given deeds; one lot has recorded the deeds and three lots that have refused to give any of the land for the required easement. After conferring with the City Engineer, and Brian Faulk, Attorney for the developer, He has come up with alternative plan that shows that only smaller strips of land would have to be taken. In this case, all deeds not registered would be void, new deeds would be signed and then recorded in all the lots except the three lots were no action has been taken.

Mr. Fay has asked if the City Councilor for this ward was notified of this plan. Mr. Rider stated that he has not discussed this with him, but will do so if this is the action they are willing to take. The Board will wait to hear from the City Solicitor on the plan of action that is agreed upon by the City, the Developer and the current homeowners.

Indian Hill

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

To table the discussion of Indian Hill.

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

To remove the tabling.

Mr. Donald Rider, The City Solicitor, Priscilla Ryder, The Conservation Officer and Mrs. Lizotte discussed if the public hearing would be warranted since there is a change in the width of the easement. Mr. Rider's argument was that since they are gaining more of their exclusive use area, it's a minor change and a hearing would not be necessary. After Ms. Ryder had emailed and spoken to one of the trustees, and he was okay with just a verbal notice that this was happening, it was the opinion of the City Solicitor that a public hearing would not be necessary; the change in easement width would be noted on subdivision acceptance plans.

Mr. Fay questioned Mr. Rider if there were any executed change of subdivision plans to sign and if the City Engineer had to reviewed the plans. Mr. Cullen stated that when they get the acceptance plans, he will review them then. As for notification to the south abutter, Mr. Rider stated that no notification was necessary.

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

To endorse the change in easement width to be shown on the Acceptance Plans, which once accepted will be registered with the Registry of Deeds.

The Residences of Oak Crest

Mr. Cullen, City Engineer, has reviewed the bond reduction request and has the following history of reductions to provide:

- Initial bond \$128,000 (2/07)
- Reduction 1 \$108,000 (8/08)
- Reduction 2 \$50,000 (9/11)

He stated that he is comfortable to recommend to the Board to do a reduction from \$50,000.00 to \$41,000.00. He also noted that the listed remaining work that is to be completed should be completed by this years end and has recommended an updated subdivision completion schedule to note those completion dates.

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

To reduce the current bond amount from \$50,000.00 to \$41,000.00 and to have the developer submit a new completion schedule.

PENDING SUBDIVISION PLANS: Updates and Discussion

PRELIMINARY/ OPEN SPACE SUBDIVISION SUBMITTALS

DEFINITIVE SUBDIVISION SUBMISSIONS

SIGNS

MEDC, 169-171 Main Street

Arthur Bergeron, Attorney for the MEDC is asking to place a freestanding sign located at 169-171 Main Street. He stated that they have rented this location and have turned it into a park area for this summer. He spoke with the Building Commissioner and he said to come before the Board to discuss the sign prior to obtaining a sign permit because the parcel has no establishment to calculate the sign area. He stated the proposed sign would be 60' x 40" and not more than 4 feet high on posts and removed when the space was no longer used at the end of the summer season. They advised the Attorney that a permit was still needed as well as a variance request.

The Planning Board all agreed that the freestanding sign was more beneficial than a banner. They also thanked the Attorney for coming in and asking permission prior to erecting the sign.

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

To **GRANT** a variance for a 60" X 40" freestanding sign for the MEDC park located at 169-171 Main Street.

Sign Enforcement

Banners for the Taste of Marlborough have been placed at the locations to notify the patrons which the businesses are participating. In the past several years the Mayor's office has given their approval for this event to promote the cause. However the signs have been typically placed a few days prior, this year the signs have been placed two weeks prior to the event.

Mr. Fay discussed that the banners throughout the City was against the sign ordinance since it was not a Mayor's Office sponsored event. He provided complaint forms for members for them to complete and turn in to the Code Enforcement Department.

UNFINISHED BUSINESS

INFORMAL DISCUSSION

COMMUNICATIONS/CORRESPONDENCE

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

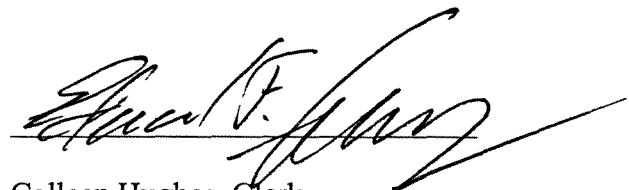
To accept all of the items listed under communications and/or correspondence.

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

To adjourn at 8:17 p.m.

A TRUE COPY

ATTEST:


Colleen Hughes, Clerk

City of Marlborough
Commonwealth of Massachusetts

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH



June 18, 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, June 18, 2012 in Memorial Hall, 3rd Floor, City Hall 140 Main Street, Marlborough, MA 01752.

Members present: Barbara Fenby, Colleen Hughes, Sean Fay, Philip Hodge and Clyde Johnson. Also present: City Engineer Thomas Cullen.

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

To move up sections 5 and 3.

SUBDIVISION PROGRESS REPORTS

City Engineer Update

Mr. Cullen stated that his assistant has met with the engineers at Mauro Farms and that they said the sewer issue was been resolved. He also stated that his assistant met with Howard Fafard of Fafard Development regarding several subdivisions, nothing that was discussed during that meeting has been completed on any of the subdivisions.

Blackhorse Farms

Extension Request

Mr. Donald Seaberg is requesting on the developers behalf for a two year extension and also submitted a completion schedule for review.

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

To send the extension request to the City Engineer for his review and to report back to the Board at the next meeting.

Mrs. Lizotte noted that the current extension will lapse prior to the next meeting.

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

To grant an extension of the subdivision approval of Blackhorse Farm until July 15, 2012.

Mr. Fay stated the he visited the subdivision earlier in the day and that the chain was still blocking access to the neighborhood. He noted that as a condition of their last extension that the Board insisted that the developer open up the development to the neighborhood and police illegal dumping as the problem was caused by their inaction. He also noted that simple tasks requested by the Board such as cleanup of debris, had not been completed. Mr. Fay suggested asking the City Solicitor for guidance concerning the Board's options other than pulling the bond for the Subdivision since it appears that none of the developer's previous representations have been sincere.

Elm Farm Valley Estates

Plan of Acceptance Clarification

This subdivision is before the Public Services Committee for acceptance and while he was researching the correspondence, the City Solicitor noted that the plan of Acceptance was voted upon, however the date given in the acceptance letter to the City Council was not the corresponding date on the plan. Mrs. Lizotte noted that this was a scrivener's error.

To resolved the date discrepancy, both dates were included in a motion by Mr. Fay, seconded by Mr. Hodge, it was duly voted:

To send a favorable recommendation to the City Council to endorse the plan known as "Plan of Acceptance of Cleversy Drive and Easements, Marlborough, MA dated October 14, 2004 with the latest revision date of March 8, 2010".

Forest Grove

City Council Request

The City Solicitor noted that while reviewing the acceptance plans, the City Council never requested a acceptance letter from the Planning Board. Mr. Rider is asking the Board to do a retroactive letter dating back to Jan of 2011.

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

To send to a favorable recommendation to the City Council to endorse the plan known as "Plan of Acceptance of Ewald Ave and Municipal; Easements (Sheet 1 thru 2) and Muir Way and Easements (Sheet 1 of 1) dates, December 30, 2003 with the latest revision date of December 11, 2009.

APPROVAL NOT REQUIRED PLAN

Spencer Circle, Mauro Farms

Submittal & Decision

Mr. Zach Bemis presented the plan to the Planning Board. He stated that they are creating a new parcel to satisfy the abutting neighbor's complaints of adverse possession. Lot 18A will be reduced to 8,003 SF with 100 feet of frontage and not to be considered a building lot, Lot 18A will have 14,540 Sq Ft with 100 feet of frontage and Parcel A will have 6156 square feet with no frontage.

Prior to this meeting, Ms. Fenby granted the permission to start the review of the plan before the meeting, since there were time constraints of the summer meeting schedules. Mr. Cullen was able to review the ANR Plan known as lots 18A and 19A on Spencer Circle and is able to give a favorable recommendation to endorse the plan.

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

To accept and file correspondence; to accept and endorse a plan of land believed to be Approval Not Required of Mauro Farms, LLC 259 Turnpike Road, Suite 100, Southborough, MA 01772. Name of Engineer: Engineering Design Consultants 32 Turnpike Road, Southborough, MA 01772. Plan References 43 of 2012; 75 of 2008 and August 1969 City Layout of Cook Lane; Assessors Map 71 Parcels 254 and 255.

MINUTES

May 21, 2012

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

To table the meeting minutes until the next meeting.

June 4, 2012

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

To table the meeting minutes until the next meeting.

CHAIRS BUSINESS

APPROVAL NOT REQUIRED PLAN

PUBLIC HEARING

PENDING SUBDIVISION PLANS: Updates and Discussion

PRELIMINARY/ OPEN SPACE SUBDIVISION SUBMITTALS

DEFINITIVE SUBDIVISION SUBMISSIONS

SIGNS

MEDC, 169-171 Main Street

Arthur Bergeron came informally to the board asking if there was anyway to lower the sign then what was granted. The sign granted was to be no shorter than 4 feet to the ground, after placement Mr. Bergeron stated it was too high. It was decided that the Board would go out individually to review the current conditions, and then discuss at the next meeting.

Sign Enforcement

Banners for Taste of Marlborough

Ms. Wilderman responded to the written complaints regarding the numerous banners for the Taste of Marlborough from several Board members. In her response, she stated that when the festival began several years ago, the Mayor's office gave the approval for the banners, and since then, Mr. Reid has taken that approval and issued the banners. She has asked if the current Mayor has given approval, and she is still awaiting a response. She has spoken to the event chair and notified then that moving forward they will need to seek permission from the Planning Board and that signs need to be removed immediately from the buildings once the festival is over.

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

To accept and file correspondence, to send a letter thanking Ms. Wilderman in her efforts.

UNFINISHED BUISNESS

Master Calendar

Status

Mrs. Lizotte stated that the new calendar is on the website, and she will start to add the information for the Board to review.

INFORMAL DISCUSSION

COMMUNICATIONS/CORRESPONDENCE

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

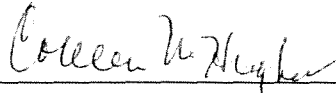
To accept all of the items listed under communications and/or correspondence.

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

To adjourn at 8:00 p.m.

A TRUE COPY

ATTEST:



Colleen Hughes, Clerk



AUTO HOME LIFE

Amica
PO Box 9690
Providence, RI 02940-9690

Toll Free: 1-888-70-AMICA
(1-888-702-6422)
Fax: 1-866-381-3239

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2012 JUL 11 A 9 26

July 10, 2012

City of Marlborough
140 Main St.
Marlborough, MA 01752
Attn City Clerk

File Number: 60001259667
Date of Loss: 07/03/2012
Owner/ Insured: Mark A. Wyckstrom
Street: 44 1st Road
Town: Marlborough
Type of Loss: Water

To Whom This May Concern:

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

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

Very truly yours,

Stephen R. Norsek

Stephen R. Norsek AIC
Claims Department
888-702-6422 x21133
SNORSEK@AMICA.COM

