CONVENED: ADJOURNED:

RECEIVED CITY CLERK'S OFFICE CITY OF MARLBOROUGH

7011 SEP 22 P 2:50

- 1. Minutes of the City Council Meeting, September 12, 2011.
- 2. PUBLIC HEARING On the Application for Special Permit from AT & T Wireless PCS, LLC to modify an existing Special Permit (Order No. 99-8311B)) to accommodate three additional panel antennae for Long Term Evolution (LTE) wireless network, along with associated cabling and equipment at 175 Maple St., Order No. 11-1003004.
- 3. PUBLIC HEARING On the Application for Special Permit from Marlborough/Northborough Land Realty Trust to construct a development consisting of 5 multi-family residential buildings, with clubhouse, containing a total of 290 units on Rt. 20, Map 78, Lots 12, 14, 38 and 39, Order No. 11-1002986.
- 4. Communication from the Mayor re: Fire Department intra-departmental transfer requests in the amount of \$79,329.43 which moves funds from various accounts to OT to fund shift coverage as indicated on the attached spreadsheet.
- 5. Communication from the Mayor re: Fire Department transfer request in the amount of \$34,397.58 which moves funds from Fringes to Sick Leave for budgeted expenses associated with an employee's retirement.
- 6. Communication from the Mayor re: Legal Services transfer request in the amount of \$30,000.00 which moves funds from Short-Term Debt Interest to Legal Services to fund a variety of legal services.
- 7. Communication from the Mayor re: FY11 End of Year Close Timeline.
- 8. Communication from the Mayor re: Discontinuance and Abandonment of a Portion of Granger Boulevard.
- 9. Communication from the Mayor re: Japanese Exchange Visitors.
- 10. Communication from the Mayor re: Youth Commission Appointments/Reappointments of Peggy Schwarz Ayres, Rosalind Baker, John Nicholson, Jean Peters, Marylou Vanzini, Rick Lacina, Patty Zilembo, Deb Foster Smith and Danielle Gregoire.
- 11. Communication from the Assistant City Solicitor, Cynthia Panagore-Griffin re: Order of Acceptance-Jaworek School Driveway Layout As A Public Way Pursuant To State And Federal Requirements Of The Safe Routes To School Infrastructure Program.
- 12. Communication from the City Clerk re: Preliminary Municipal Election Call.
- 13. Application of Frederick Kenney, Jr. d/b/a The Carousel, for Junk Dealer's license at 266 Main St.
- 14. Minutes, Planning Board, August 1, 2011.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Finance Committee

15. Order No. 11-1002997 – Transfer \$179,973.09 to Fund DPW Engineers' Union Contract. The Finance Committee reviewed the Mayor's letter dated August 17, 2011 requesting the transfer of \$179,973.09 to fund the DPW Engineers' Union contract. Recommendation of the Finance Committee is to send transfer back to the Mayor 5-0.

- 16. Order No. 11-1002982 Transfer \$37,186.22 to Fund Fire Fighter Overtime. The Finance Committee reviewed the Mayor's letter dated July 27, 2011 requesting the following two transfer for firefighter overtime:
 - Transfer \$7,547.42 from Firefighter to Firefighter Overtime
 - Transfer \$29,638.80 from Firefighter to Firefighter Overtime

Recommendation of the Finance Committee is to approve both transfers 5-0.

- 17. **Order No. 11-1002995 Transfer \$100,000 to Fund Fire Fighter Overtime**. The Finance Committee reviewed the Mayor's letter dated August 23, 2011 requesting the following three transfers from short term interest accounts to firefighter overtime:
 - Transfer \$60,000 from City short term interest to Firefighter overtime
 - Transfer \$20,000 from Sewer short term interest to Firefighter overtime
 - Transfer \$20,000 from Water short term interest to Firefighter overtime

The Finance Committee noted that as of August 31, 2011, the Fire Department had spent \$125,000 in overtime in the first two months of the year. The balance in the overtime account is \$41,000 (including a \$17,000 transfer last month). If the \$37,000 transfer above is approved, the Fire Department will have \$78,000 for overtime. The Chief noted that overtime spending decreases after vacation season is over. Past performance indicates that this funding should last into 2012. Based on the unfilled positions (3) and individuals out on sick leave, the Chief will monitor overtime spending.

Recommendation of the Finance Committee is to deny the transfers 4-1 (Councilor Pope opposed)

18. Order No. 11-1002999 – Grant for \$95,091 to cover Dispatch Center Salary and Overtime. The Finance Committee reviewed the Mayor's letter dated August 24, 2011 requesting the approval of a \$95,901.00 reimbursement grant to cover salary and overtime costs in the 911 Dispatch Center. Recommendation of the Finance Committee is to approve the grant 5-0.

From City Council

- 19. Order No. 11-1002954C Application for Special Permit from AT & T Wireless PCS, LLC to modify an existing Special Permit (Order No. 03-100112B) to accommodate three additional panel antennae for 4G wireless network, associated cabling and equipment at 445 Simarano Dr. Recommendation of the City Council is to table to September 26, 2011.
- 20. **Order No. 11-1002955C** Application for Special Permit from AT & T Wireless PCS, LLC to modify an existing Special Permit (Order No. 97-6754F) to accommodate three additional panel antennae for 4G wireless network, associated cabling and equipment at 75 Donald Lynch Blvd. **Recommendation of the City Council is to table to September 26, 2011**.
- 21. Order No. 11-1002956C Application for Special Permit from AT & T Wireless PCS, LLC to modify an existing Special Permit (Order No. 08/09-1002083B) to accommodate three additional panel antennae for 4G wireless network, associated cabling and equipment at 860 Boston Post Rd. Recommendation of the City Council is to table to September 26, 2011.



CITY OF MARLBOROUGH OFFICE OF CITY CLERK

Lisa M. Thomas 140 Main St. Marlborough, MA 01752 (508) 460-3775 FAX (508) 460-3723 SEPTEMBER 12, 2011

Regular meeting of the City Council held on Monday, SEPTEMBER 12, 2011 at 8:00 p.m. in City Council Chambers, City Hall. City Councilors present: Vigeant, Pope, Levy, Delano, Ferro, Elder, Tunnera, Seymour, Clancy, and Landers. Absent: Ossing. Meeting adjourned at 8:30 PM.

ORDERED: That the minutes of the City Council Meeting AUGUST 29, 201, FILE; adopted.

ORDERED: That the PUBLIC HEARING On the communication from Councilor Tunnera that the Zoning Ordinance of the City of Marlborough be amended by deleting Section 650-26(A)(1)(a) of the City Code as presently written and inserting in place thereof the following:

(a) Affordable Housing and Affordable Housing Units. The term "affordable housing" shall refer to "affordable housing units". The term "affordable housing units" shall mean those units of housing that are countable in the so-called Subsidized Housing Inventory (SHI) or any subsequent housing inventory used by the Department of Housing and Community Development of the Commonwealth of Massachusetts to determine the number of housing units in a community that are countable in meeting the City's obligation to maintain at least 10% of the total number of housing units in the city as affordable pursuant to Massachusetts General Laws Chapter 40B sections 20-23. Any development subject to this section shall provide that at least 15% of the housing units to be constructed are countable as affordable housing units in the SHI, or a sum not less than the amount necessary, in the opinion of the city council pursuant to the special permit process, to cause the construction of said number of affordable housing units shall be paid to the Marlborough Community Development Authority at such time as the City Council shall determine, Order No. 11-1002985, hearing recessed at 8:15 p.m., adopted.

Councilors Present: Vigeant, Pope, Levy, Delano, Ferro, Elder, Tunnera, Seymour, Clancy & Landers. Absent: Ossing

ORDERED: That the City of Marlborough hereby accepts the provisions of Section 59A of Chapter 48 of the General Laws, as amended, which authorizes the Marlborough Fire Department to aid another city, town, fire district or area under federal jurisdiction in the commonwealth or in any adjoining state in extinguishing fires therein, or rendering any other emergency aid or performing any detail as ordered by the head of the fire department, or the Massachusetts military reservation fire district and while in the performance of their duties in extending such aid the members of the Marlborough Fire Department shall have the same immunities and privileges as if performing the same within the City of Marlborough, APPROVED; adopted.

- ORDERED: That Capital Bond Request for FY12, refer to **FINANCE COMMITTEE**; adopted.
- ORDERED: That the Communication from the Emergency Manager, Donald Cusson, ré: Tropical Storm Irene, FILE; adopted.
- ORDERED: That there being no objection thereto set MONDAY, OCTOBER 3, 2011 as date for a PUBLIC HEARING on the Application for Special Permit from AT & T Wireless PCS, LLC to modify Special Permit 04-100527B to replace four existing panel antennae and the addition of three LTE antennas for Applicant's fourth generation (4G) wireless network along with associated cabling at 53 Brigham St., refer to WIRELESS COMMUNICATIONS COMMITTEE AND ADVERTISE; adopted.
- ORDERED: That the Minutes, Conservation Commission, June 2 & 16, July 7, and August 4, 2011, FILE; adopted.
- ORDERED: That the Minutes, Council on Aging, August 9, 2011, FILE; adopted.
- ORDERED: That the Minutes, Traffic Commission, July 26, 2011, FILE; adopted.
- ORDERED: That the following CLAIMS, refer to the LEGAL DEPARTMENT; adopted.
 - A. Alan Deamicis, 9 Blaiswood Ave., other property damage
 - B. Richard Clune, 77 Spring St., other property damage
 - C. Thomas Parks, 19 Brown St., other property damage

Reports of Committees:

Councilor Ferro reported the following out of the Finance Committee:

Order No. 11-1002997 – Transfer \$179,973.09 to Fund DPW Engineers' Union Contract. The Finance Committee reviewed the Mayor's letter dated August 17, 2011 requesting the transfer of \$179,973.09 to fund the DPW Engineers' Union contract. Recommendation of the Finance Committee is to send transfer back to the Mayor 5-0.

Order No. 11-1002982 – Transfer \$37,186.22 to Fund Fire Fighter Overtime. The Finance Committee reviewed the Mayor's letter dated July 27, 2011 requesting the following two transfer for firefighter overtime:

- Transfer \$7,547.42 from Firefighter to Firefighter Overtime
- Transfer \$29,638.80 from Firefighter to Firefighter Overtime

Recommendation of the Finance Committee is to approve both transfers 5-0.

Order No. 11-1002995 – Transfer \$100,000 to Fund Fire Fighter Overtime. The Finance Committee reviewed the Mayor's letter dated August 23, 2011 requesting the following three transfers from short term interest accounts to firefighter overtime:

- Transfer \$60,000 from City short term interest to Firefighter overtime
- Transfer \$20,000 from Sewer short term interest to Firefighter overtime
- Transfer \$20,000 from Water short term interest to Firefighter overtime

The Finance Committee noted that as of August 31, 2011, the Fire Department had spent \$125,000 in overtime in the first two months of the year. The balance in the overtime account is \$41,000 (including a \$17,000 transfer last month). If the \$37,000 transfer above is approved, the Fire Department will have \$78,000 for overtime. The Chief noted that overtime spending decreases after vacation season is over. Past performance indicates that this funding should last into 2012. Based on the unfilled positions (3) and individuals out on sick leave, the Chief will monitor overtime spending. **Recommendation of the Finance Committee is to deny the transfers 4-1 (Councilor Pope opposed)**

Order No. 11-1002999 – Grant for \$95,091 to cover Dispatch Center Salary and Overtime. The Finance Committee reviewed the Mayor's letter dated August 24, 2011 requesting the approval of a \$95,901.00 reimbursement grant to cover salary and overtime costs in the 911 Dispatch Center. Recommendation of the Finance Committee is to approve the grant 5-0.

Order No. 11-1002994 – \$7,500,000 Bond for School Renovations. The Finance Committee reviewed the Mayor's letter dated August 24, 2011 requesting the City Council approve a bond for \$7,500,000 for school renovations in order to receive the 54.6% reimbursement. The bond will cover new windows at the Kane School and windows, boilers and a roof at the high school. Mr. Ghiloni indicated that there is time for the Finance Committee to evaluate the bond. Recommendation of the Finance Committee is to table the bond 5-0.

- ORDERED: That the Application for Special Permit from AT & T Wireless PCS, LLC to modify an existing Special Permit (Order No. 03-100112B) to accommodate three additional panel antennae for 4G wireless network, associated cabling and equipment at 445 Simarano Dr., TABLED UNTIL SEPTEMBER 26, 2011; adopted.
- ORDERED: That the Application for Special Permit from AT & T Wireless PCS, LLC to modify an existing Special Permit (Order No. 97-6754F) to accommodate three additional panel antennae for 4G wireless network, associated cabling and equipment at 75 Donald Lynch Blvd., **TABLED UNTIL SEPTEMBER 26, 2011**; adopted.
- ORDERED: That the Application for Special Permit from AT & T Wireless PCS, LLC to modify an existing Special Permit (Order No. 08/09-1002083B) to accommodate three additional panel antennae for 4G wireless network, associated cabling and equipment at 860 Boston Post Rd., **TABLED UNTIL SEPTEMBER 26, 2011**; adopted.
- ORDERED: That the City Council **APPROVE**, in addition to those previously approved, the following potential suppliers of electricity in connection with the City's municipal aggregation program, adopted:
 - Constellation
 - Easy Energy LLC
 - GDF SUEZ Energy North America
 - Halifax-American Operating Co.
 - Hampshire Council of Governments
 - Integrys Energy Services, Inc.
 - Noble Americas Energy Solutions
 - Patriot Energy Group
 - TransCanada Power Marketing Ltd.
- ORDERED: That the reappointment of Sean Fay to the Planning Board with term expiring February 1, 2016, **APPROVED**; adopted.
- ORDERED: That the reappointment of Albert DeSimone as plumbing inspector for a three year term ending February 11, 2014, **APPROVED**; adopted.
- ORDERED: That the appointment of Brenda Calder to the Parks and Recreation Commission to serve out the remaining term of Robert Lazaros which expires on May 6, 2013 and to reappoint Jeffrey Long to said Commission for three year terms upon approval, **APPROVED**; adopted.
- ORDERED: That the reappointment of Jean Peters to the Library Board of Trustees for three year terms expiring February 3, 2014, **APPROVED**; adopted.

- ORDERED: That the reappointments of Dorothy Hodgson and Rita Connors and appointment of Marie Elwood to the Council on Aging Board of Directors for four-year terms expiring the first Monday in May 2015, **APPROVED**; adopted.
- ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 8:30 p.m.

IN CITY COUNCIL

| | 22 | 20 | |
|------|--------|----|--------|
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| **** | 100100 | 6 | 111400 |

AUGUST 29, 2011

ORDERED:

That there being no objection thereto set MONDAY, SEPTEMBER 26, 2011 as date for a PUBLIC HEARING on the Application for Special Permit from AT & T Wireless PCS, LLC to modify an existing Special Permit (Order No. 99-8311B)) to accommodate three additional panel antennae for Long Term Evolution (LTE) wireless network, along with associated cabling and equipment at 175 Maple St., be and is herewith refer to WIRELESS COMMUNICATIONS COMMITTEE AND ADVERTISE.

ADOPTED

ORDER NO. 11-1003004

IN CITY COUNCIL ————

Marlborough, Mass.,-

AUGUST 1, 2011

ORDERED:

That there being no objection thereto set MONDAY, SEPTEMBER 26, 2011, as date for a PUBLIC HEARING on Application for Special Permit from Marlborough/Northborough Land Realty Trust to construct a development consisting of 5 multi-family residential buildings, with clubhouse, containing a total of 290 units on Rt. 20, Map 78, Lots 12, 14, 38 and 39, be and is herewith refer to URBAN AFFAIRS COMMITTEE AND ADVERTISE.

ADOPTED

ORDER NO. 11-1002986

At Councilor Pope's request to recess at 8:24 PM and returned to open meeting at 8:26 PM, be and is herewith **APPROVED**.

Nancy E. Stevens MAYOR

Krista I. Holmi EXECUTIVE AIDE

Katherine M. GaRose **EXECUTIVE SECRETARY**

September 21, 2011

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

RE: Fire Department OT Transfer Requests

Honorable President Vigeant and Councilors:

Attached for your approval are numerous Fire Department intra-departmental transfer requests totaling \$79,329.43.

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

As you are aware, the Fire Department is operating with a significantly reduced firefighter contingent. The department has three firefighter openings, a total of five firefighters are out of service due to injury or long-term illness, and two additional firefighters have retired this September. This transfer is necessary to fund shift coverage.

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

Sincerely,

Nancy E. Stevens

Mayor

Enclosure

CITY OF MARLBOROUGH BUDGET TRANSFERS

| | DEPT: FIRE | | | | | FISCAL YE | AR: 2012 | | |
|----------------------|-------------|-------------------|------------|---------------------------------|------------------|------------------|--------------|---|----------------------|
| A | | FROM ACCOUNT: | | | | TO ACCOL | | | |
| Available Balance | Amount | Org Code Ob | oject | Account Description: | Amount | Org Code | Object | Account Description: | Available Balance |
| \$63,836.36 | \$20,000.00 | 12200001 5 | 50130 | FIRE CHIEF | \$20,000.00 | 12200003 | 51300 | OVERTIME | \$8,101.30 |
| | Reason: | Transfer is avail | ilable due | to a resignation | | | , | | |
| \$2,438,988.33 | \$40,000.00 | 12200001 5 | 50450 | FIREFIGHTER | \$40,000.00 | 12200003 | 51300 | OVERTIME | \$8,101.30 |
| | Reason: | Transfer is avail | ilable due | to two retirements | | | | | |
| \$2,438,988.33 | \$6,329.43 | 12200001 5 | 50450 | FIREFIGHTER | \$6,329.43 | 12200003 | 51300 | OVERTIME | \$8,101.30 |
| | Reason: | Transfer is avail | ilable due | to 111F payments being made | to Firefighters | | | | |
| \$193,376.58 | \$10,000.00 | 12200003 5 | 51480 | EMT | \$10,000.00 | 12200003 | 51300 | OVERTIME | \$8,101.30 |
| | Reason: | Transfer is avail | ilable due | to 3 employees not enrolling in | EMT class | | | *************************************** | |
| \$3,000.00 | \$3,000.00 | 12200003 5 | 51412 | HAZMAT | \$3,000.00 | 12200003 | 51300 | OVERTIME | \$8,101.30 |
| | Reason: | Transfer is avail | ilable due | to 3 new Firefighters not being | hired until Janu | a <u>ry 2012</u> | | | |

Mayor's 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 Nancy E. Stevens MAYOR

Krista I. Holmi **EXECUTIVE AIDE**

Katherine M. GaRose **EXECUTIVE SECRETARY**

September 21, 2011

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

RE: Fire Transfer Request

Honorable President Vigeant and Councilors:

Attached is a transfer request in the amount of \$34,397.58 moving funds from account number 11990006-51500 (Fringes) to account number 12200003-51920 (Sick Leave). The transfer will move funds for budgeted expenses associated with an employee's retirement.

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

Sincerely.

Nancy E. Stevens

Mayor

Enclosure

TRANSFER REQUEST

| | | | | FROM ACC | TNUC | | TO A | ACCOUNT | | | | | |
|----------------|------------|-----|-----------|----------|---------|--------------------|------|-----------|----------|----------|--------------------|------------|------------|
| AVAIL BALAI | | AMO | TNUC | ORG CODE | OBJECT | ACCOUNT DESCRIP | AMC | DUNT | ORG CODE | OBJECT | ACCOUNT DESCRIP | AM0 AVA | DUNT NL |
| | | | | | General | Government | | | | Fire Dep | artment | | |
| \$ | 280,949.82 | \$ | 34,397.58 | 1199000 | 51500 |) Fringes | \$ | 34,397.58 | 12200003 | 51920 | Sick Leave | \$ | 173,987.44 |
| | | | | | | | \$ | 34,397.58 | | | | | |

Reason: To fund benefits associated with employees retirement.

140 Main Street

2011 SEP 22 P 12: 11 Marlborough, Massachusetts 01752 Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610 Nancy E. Glevens MAYOR

Krista J. Holmi EXECUTIVE AIDE

Katherine M. La Rose
EXECUTIVE SECRETARY

September 20, 2011

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

RE: Transfer Request for Legal Services

Honorable President Vigeant and Councilors:

A transfer is requested at this time to fund the Legal Services account in the Legal Department. As you know, this account is used to fund a variety of legal services ranging from arbitrators, who preside over arbitrations of labor grievances, to outside labor counsel, who represent the City at such arbitrations and at collective bargaining negotiations.

Transfer in the amount of \$30,000.00 moving funds from account number 17520006-59254 (Short-term Debt Interest) to account number 11510004-53110 (Legal Services).

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

Sincerely.

Nancy E. Stevens

Mayor

Enclosure

CITY OF MARLBOROUGH BUDGET TRANSFERS --

| | DEPT: | Short Term Debt Interest | FISCAL YEAR: | 12 | Legal | | |
|----------------------|-------------|--------------------------|--------------------------|-------------|-----------------|---|---|
| | | FROM ACCOUNT: | HOUAL TEAK. | 12 | TO ACCOUNT: | | |
| Available Balance | Amount | Org Code Object | Account Description: | Amount | Org Code Object | Account Description: | Available Balance |
| \$112,500 | \$30,000.00 | 17520006 59254 | Short Term debt Interest | \$30,000.00 | 11510004 53110 | Legal Services | \$50,000 |
| | Reason: | | | _ | | | |
| | - | | | | | *************************************** | |
| | Reason: | | | _ | | | |
| | Reason: | | | | | | |
| | • | - | Total | \$30,000.00 | | | *************************************** |
| | Reason: | To fund projected legal | service invoices | _ | | | |



City of Marlborough Signice of the Mayor

|2: կե 140 Main Street Marlborough, Massachusetts 01752 Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610 Nancy E. Stevens MAYOR

Krista I. Holmi EXECUTIVE AIDE

Katherine M. QaRose **EXECUTIVE SECRETARY**

September 20, 2011

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

RE: FY11 End of Year Close Timeline

Honorable President Vigeant and Councilors:

The attached correspondence from City Auditor Diane Smith provides a status update and timeline with respect to the closing of the FY11 books and submittals required for the certification of free cash. As you will note, Ms. Smith anticipates concluding this process by October 12, 2011.

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

Sincerely,

Nancy E. Stevens

Mayor

Enclosures



CITY OF MARLBOROUGH

Office of the City Auditor

140 Main St.

Marlborough, MA 01752 508.460.3774

MEMORANDUM

TO:

Mayor Nancy E. Stevens

FROM:

Diane Smith, City Auditor

DATE

September 20, 2011

RE:

FY11 End of Year Close Timeline

Attached for your review please find a timeline for the necessary steps to close the FY11 books and submit all required paperwork and reports to the state for free cash certification.

As you will note all reporting of disbursements and receipts have been completed and the Treasurer's office is working on cash reconciliation for June.

The remaining steps involved in closing the books will be completed as projected on the timeline and the end of year reports and paperwork will be submitted to the state for certification no later than October 12, 2011. I will be speaking with our representative at the Division of Local Services to let them know of our time frame and our tax rate hearing date so that they will work with us to get free cash certified prior to that date

The School Department has returned \$874,268.00 for ARRA Funds to the City by way of appropriation turn-backs. \$830,593.00 was owed for FY11 and \$43,675.00 was the balance owed for FY10. This will become part of the free cash certification.

If you have any questions please feel free to contact me directly.

Cc: Thomas Abel, Comptroller/Treasurer

| ······································ | | | DATE COMPLETED | |
|---|---|--|--|--|
| | | | FY2011 EOY | |
| | | | | |
| *************************************** | | | | |
| IULY | 1st | Auditor and Collector reconcile receivables thru June 2011 | completed | |
| | 11th | Final FY11 Invoices submitted to Auditors Office by departments | completed | |
| | 14th | Final FY11 Accounts Payable Warrant Processed | completed | |
| | 15th | FY11 Open Purchase Order List sent to Depts | completed | |
| | 28th | Depts return Open PO List with FY11 Carryforwards | completed | |
| | | Auditor reviews carryforwards | completed | |
| Marketon Toylor Last Last Mark (Marketon) | | | completed | |
| NUG | 17th | Final School Accrued Summer payroll posted to ledger | completed | |
| | 26th | Treasurer's Office reports FY11 non-check (wire) disbursements and receipts for June 11 | | |
| | | Treasurer's Office reconciles bank statements and Cash balances thru Mar 11 | | |
| SEPT | 19th | Treasurer's Office reconciles bank statements and Cash balances thru Apr 11 | completed | |
| | | Revenue ledger and expenditure ledger closed | | |
| | | Auditor reviews/reconciles all general ledger funds/accounts including but not limited | | |
| | | to: payroll withholding accounts, due to/from accounts, bond payable | | |
| | | accounts, statement of indebtedness w/Treasurer, OFU/OFS. | | |
| | | | | |
| СТ | 3rd thru 11th | General Ledger Closed, reports prepared for State (balance sheet, detail | | |
| | | fund balances, cash reconciliation, year end checklist info, undesignated | | |
| | | fund balance proof, Collector/Auditor receivable reconciliation report, | | |
| *************************************** | | capital projects detail report, detail trial balance (all funds), Snow & Ice data sheet) | | |
| | | Statement of Indebtedness from Treasurer | | |
| | T T T S A S A S A S A S A S A S A S A S | Health Insurance Incurred but not reported from Treasurer | | |
| W. V. V. | 12th | Submit all paperwork to State for free cash certification | | |
| | | | | |
| | ************************************** | Once paperwork is submitted to the state they may request additional info and | | |
| The bost of the second | | approval typically takes 1-2 weeks after the submission date. | | |
| DEC | 6th | Tax Rate Hearing- City Council | | |
| *************************************** | | | | |
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Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610

Nancy E. Stevens MAYOR

Krista I. Holmi executive aide

Katherine M. LaRose
EXECUTIVE SECRETARY

September 20, 2011

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

RE: Discontinuance and Abandonment of a Portion of Granger Boulevard

Honorable President Vigeant and Councilors:

As recommended in the attached correspondence from the Commissioner of Public Works, Ron LaFreniere, I request your consideration to abandon a small portion of the City's right-of-way from Granger Boulevard in the vicinity of 12 Main Street.

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

Sincerely,

Nancy E. Stevens

Mayor

Enclosure



CITY OF MARLBOROUGH

Department of Public Works Office of the Commissioner 135 Neil Street

Marlborough, Massachusetts 01752

(508) 624-6910 Ext. 7200 Facsimile (508) 624-7699 TDD (508) 460-3610

MEMORANDUM

TO:

NANCY E. STEVENS

MAYOR

FROM:

RONALD M. LAFRENIERE, P.E.

COMMISSIONER

DATE:

SEPTEMBER 16, 2011

RE:

DISCONTINUANCE AND ABANDONMENT OF A PORTION OF

GRANGER BOULEVARD

At the request of Mr. David Renzi, owner of property located at 12 Main Street, the department has prepared the attached plan of abandonment of a small portion of Granger Boulevard.

This plan depicts a portion of the city's layout for Granger Boulevard which inadvertently was taken by the Massachusetts Highway Department on behalf of the city in 1982 to facilitate the construction of Granger Boulevard.

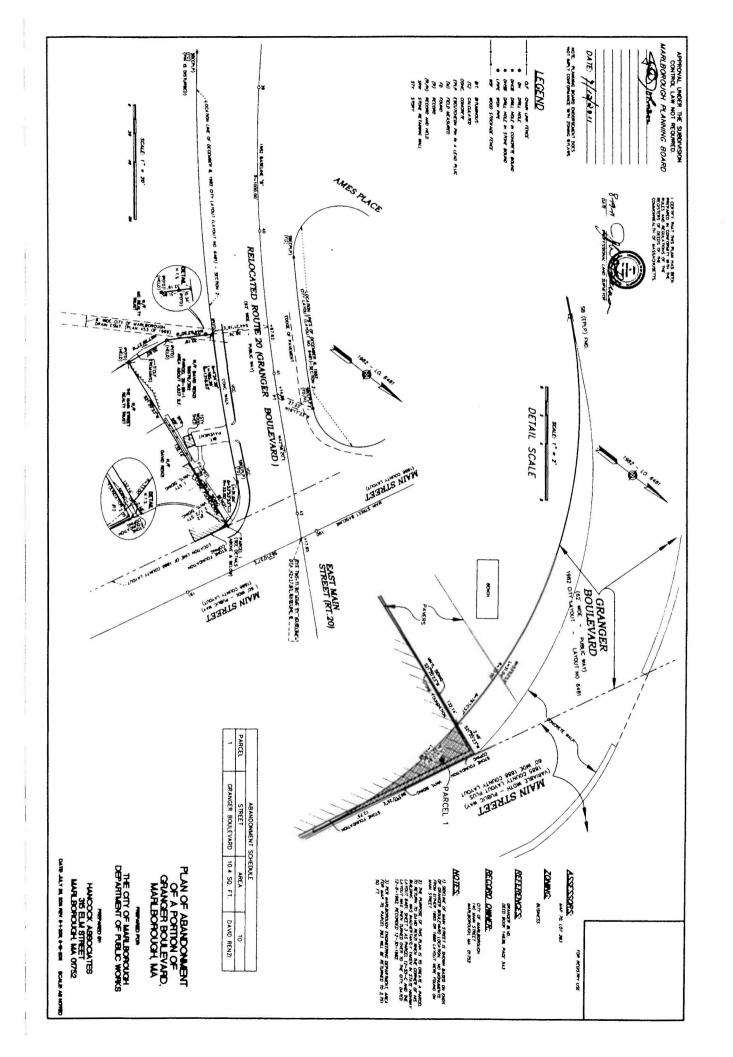
On behalf of the Department of Public Works, I recommend that the city abandon this small piece of land back to the Renzi family at this time.

Please let me know if you require any further information concerning my recommendation.

cc:

Donald Rider, City Solicitor

Thomas E. Cullen, Jr., P.E., City Engineer



Nancy E. Glevens MAYOR Krista I. Holmi

Krista F. Holmi EXECUTIVE AIDE

Katherine M. LaRose
EXECUTIVE SECRETARY

September 20, 2011

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

RE: Japanese Exchange Visitors

Honorable President Vigeant and Councilors:

As you are aware, since 1998 the City of Marlborough has enjoyed a Sister City/Student Exchange program with Akiruno City, Japan. On September 26th, eight students and their five chaperones from Akiruno City will arrive in Marlborough to participate in this year's exchange.

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

I am requesting the opportunity to make a presentation to our Japanese visitors at the Council meeting on Monday, October 3, 2011. The City Council has graciously received the visitors from our Sister City in the past, and we appreciate the opportunity to acknowledge their visit again this year.

Sincerely,

Nancy É. Stevens

Mayor



City of Marlborough EXTER of the Mayor

CITY CLERKS

2011 SEP 22 Rariborough, Massachusetts 01752 Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610 Nancy E. Stevens

Krista I. Holmi EXECUTIVE AIDE

Katherine M. GaRose **EXECUTIVE SECRETARY**

September 22, 2011

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

RE: Youth Commission Appointments/Reappointments

Honorable President Vigeant and Councilors:

I am submitting for your approval the following appointments and reappointments to the Marlborough Youth Commission:

Reappointments:

Peggy Schwarz Ayres Rosalind Baker John Nicholson

Appointments:

Jean Peters Marvlou Vanzini Rick Lacina Patty Zilembo Deb Foster Smith Danielle Gregoire

Numerous worthy Marlborough initiatives such as the Youth Works Program, the Mayor's Youth Service Awards, the Children's Summer Lunch Program, the Holiday Helper Program, the Kindergarten Readiness Project and planned activities for children with developmental disabilities are all made possible through the dedicated efforts of this volunteer commission. We are grateful to have their support and commitment to the youth of Marlborough.

Please note that this communication supersedes my previous appointment/reappointment letter dated May 5, 2010, which remains in the Personnel Committee (reference Council order 10-1002573). Upon approval, each newly appointed member and re-appointed member will serve a term of three years from the date of confirmation.

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

Sincerely.

Nancy E. Stevens

Mayor



City of Marlborough

DONALD V. RIDER, JR. CITY SOLICITOR

Legal Department CEIVED

CITY CLERK'S OFFICE CYNTHIA M. PANAGORE GRIFFIN CITY OF MARL 80ROUGH ASSISTANT CITY SOLICITOR

MARLBOROUGH, MASSACHUSETTS 01752

BEVERLY J. SLEEPER

Tel. (508) 460-3771 FACSIMILE (508) 460-3698 2000 \$508 2420-50101: 2 3 HIEF PROCUREMENT OFFICER

LEGAL@MARLBOROUGH-MA.GOV

ELLEN M. STAVROPOULOS **PARALEGAL**

September 22, 2011

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

Re:

Order of Acceptance

Jaworek School Driveway Layout As A Public Way Pursuant To State And Federal Requirements Of

The Safe Routes To School Infrastructure Program

Dear President and Members,

Please find a proposed order of acceptance for the above-referenced driveway at the Jaworek School as a public way. This unusual request is made pursuant to a requirement of the Massachusetts Department of Transportation ("MassDOT") and the Federal Highway Administration ("FHWA") for participation in the Safe Routes To School Infrastructure Program through which MassDOT will use federal funds to make safety improvements along the Jaworek School driveway. The attached copy from the MassDOT's Safe Routes To School study provides an aerial view of the driveway and program information.

In addition, the School Committee, responsible for the care of school buildings and grounds, voted at its August 30, 2011 meeting to endorse acceptance of the driveway as a public way for the purposes of the Safe Routes To School Infrastructure Program. After acceptance, title to the driveway layout will remain in the City Council and care will remain with the School Committee.

Lastly, the attached letter from MassDOT provides reasons for the street acceptance requirement. If you need further information, please do not hesitate to contact me.

Very truly yours,

Cynthia Panagore Griffin Assistant City Solicitor

Attachments

School Committee Cc:

Ronald M. LaFreniere

Upthea Anafore &

ORDERED:

WHEREAS, the School Committee of the City of Marlborough has endorsed acceptance of the driveway layout, which includes the sidewalks, at the Jaworek School by the City Council as a public way pursuant to the requirements for approval by the Massachusetts Department of Transportation and the Federal Highway Administration for a program of safety improvements along said driveway layout under the Safe Routes To School Infrastructure Program, and

WHEREAS, in the opinion of the City Council, the common convenience and necessity require that the LAYOUT OF THE ENTRANCE DRIVEWAY AT THE JAWOREK SCHOOL be accepted as a public way

From HOSMER STREET to terminus at the entrance to the Jaworek School building

Title to said layout of the entrance driveway shall remain in the City of Marlborough, and control of said layout of the entrance driveway shall remain with the School Committee.

IT IS THEREFORE ORDERED THAT:

The ENTRANCE DRIVEWAY LAYOUT AT THE JAWOREK SCHOOL be accepted as a public way in the City of Marlborough.

ADOPTED
In City Council
Order No. 11Adopted

Approved by Mayor Nancy E. Stevens Date:

A TRUE COPY ATTEST:

RECOMMENDED SCOPE OF WORK AND CONCEPTUAL COST ESTIMATE:

25% CONTINGENCY &

CONSTRUCTION ENGINEERING

8' WIDE ASPHALT SIDEWALK & **GRANITE CURB** \$72,500 (INCLUDING RAMPS) (600 LF +/-) PAVEMENT OVERLAY AT INTERSECTION \$25,000 SIGNS & STRIPING \$3,000 **BIKE RACKS & CONCRETE PAD** \$13,500 LANDSCAPING \$4,000 **DRAINAGE IMPROVEMENTS** \$15,500 TRAFFIC CONTROL/ MOBILIZATION / FIELD OFFICE \$19,500

TOTAL

Location of Proposed Sidewalk and Bike Racks Along Southerly Edge of Driveway

R1-1 STO

W16-7p

1

The will have broken better from the transport to the

S1-1

(A)

W16-9p



Jaworek School

N.T.S.

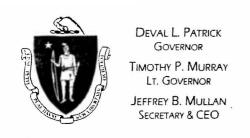
Entrance -Construct ADA Ramps and Painted Crosswalk Remove Portion of Sidewalk Remove Crosswalk Install ADA Ramps & Reconstruct Crosswalk **Pavement** Overlay Construct 3-4' Wide Grass Panel and 8'Wide Asphalt Sidewalk; Retain Existing Light Install New **Poles** Bicycle Racks Install ADA Ramps & Crosswalks (Typ.) W16-7p Meet Existing Sidewalk Before Grace Circle Construct 5' Wide Asphalt Sidewalk

\$38,500

= \$191,500

Figure 5: Recommendation 1- Construct Sidewalk along School Driveway







August 15, 2011

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

RE:

Marlborough ----

Safe Routes to School Infrastructure Program

Jaworek Elementary School Project File No. 606231

Dear Mayor Stevens:

This is in response to the City's above-referenced application for funding pursuant to the Safe Routes to School Program ("SRTS") filed with the Massachusetts Department of Transportation (the "Department").

Following a review by the Department's Right of Way staff, and discussion with representatives of the Federal Highway Administration ("FHWA"), it has been determined that Marlborough's proposal regarding the City's retention of a perpetual interest in the property, does not conform to federal guidelines for the project. In particular, the City's proposal does not satisfy the requirement of providing "a permanent municipal easement on the area of the new sidewalk infrastructure on the Jaworek School property."

According to the FHWA, the Safe Routes to School Program requires adherence to the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

As the school in question is in public ownership, the School District or the City likely owns the land in fee. The FHWA requires either ownership in fee, or by permanent easement, or by a ninety-nine-year lease, for a proponent to meet the threshold for federal reimbursement under its various programs. According to our Community Compliance staff, however, due to budgetary problems, there have been unanticipated closures nation-wide of schools under consideration for the SRTS program.

To address this level of uncertainty, in the instance of the Jaworek Elementary School, FHWA and Department staffs recommend that the driveway and the sidewalks which are to serve the students be laid out as a public way and accepted by the City. The school facility itself does not have to be added to the layout.

Designating the driveway and the sidewalks as a public way would provide reassurance to the Department and the Massachusetts Division of FHWA under the SRTS program that the

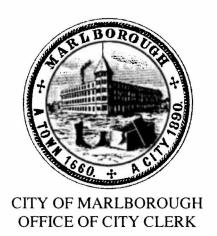
public improvements to the driveway and the sidewalks would remain in place as such to serve the intended programmatic needs, so long as the school remains in operation.

Very truly yours,

Owen P. Kane Senior Counsel

cc:

Cynthia Panagore Griffin



That the City Clerk be and is herewith directed to have proper notices issued notifying the VOTERS of the City of Marlborough that the **PRELIMINARY MUNICIPAL ELECTION** will be held in the polling locations as noted below on **OCTOBER 4, 2011** as follows: Office of Mayor.

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

POLLING LOCATIONS ARE AS FOLLOWS:

WARD ONE: Prec. 1 and 2 Francis J. Kane School, 520 Farm Rd. WARD TWO: Prec. 1 and 2 Francis J. Kane School, 520 Farm Rd.

WARD THREE: Prec. 1 Masonic Hall, 8 Newton St. (corner of Main/Newton Sts.), rear

WARD THREE: Prec. 2 Raymond J. Richer School, 80 Foley Rd., Room 103

WARD FOUR: Prec. 1 and 2 Boys & Girls Club, 169 Pleasant St.

WARD FIVE: Prec. 1 Senior Center, 250 Main St.

WARD FIVE: Prec. 2 Masonic Hall, 8 Newton St. (corner of Main/Newton Sts.), rear

WARD SIX: Prec. 1 and 2 1LT Charles W. Whitcomb School, 25 Union St., Library

WARD SEVEN: Prec. 1 and 2 Hildreth School Gymnasium, 85 Sawin St.

\$25.00 pd.



City of Marlborough, Massachusetts CITY CLERK DEPARTMENT

RECEIVED CITY CLERK'S OFFICE CITY OF MARLBOROUGH

2011 SEP 21 A 9 52

Lisa M. Thomas City Clerk

MARLBOROUGH, MA

DATE: SEPT 21,2011

To the City Council:

| In City Council |
|--|
| |
| The above-signed Arederick Kenney Jr. respectfully requests that he/she be granted a |
| The above-signed Arederick Kenney Jr. respectfully requests that he/she be |
| Owner Signature / resource / three 1 |
| Owner Signature: Treslevel Lange |
| Business Telephone Number: 928 568 -8215 |
| Business Address: 266 MAIN ST, MANBUROUGH NA 01752. |
| Business Name: THE CAROUSEL/CONSIGNMENTS for CHILDREN WER |
| |
| Telephone Number: 978 568 -8215 |
| Residential Address: 13 Florence ST Hudson 174 01749 |
| |
| Owner Name: FREDERICK KENNEY JN |

City of Marlborough RECEIVED CAMP MONEY OF MASSACHUSETTS CITY OF MADI POPULOU CITY OF MARLBOROUGH

2011 SEP 13 P 12: 08



August 1, 2011 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 (508) 460-3736 Fax:

Email: CLizotte@marlborough-ma.gov

The Planning Board for the City of Marlborough met on Monday, August 1, 2011 in The Senior Center, 250 Main Street, Marlborough, MA 01752. Members present: Barbara Fenby, Phillp Hodge, Colleen Hughes, Clyde Johnson. Also present: City Engineer Thomas Cullen.

MINUTES

July 18, 2011

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

To accept and file the meeting minutes.

CHAIRS BUSINESS APPROVAL NOT REQUIRED PLAN

Crowlev Drive

Submittal

Mr. Deli Priscolli presented the ANR Plan for Crowley Drive. This plan shows the two ANR lots consisting of Lot 2A with 11.38 acres and Lot 2B with 8.36 acres, all in the Limited Industrial Zone. He explained that Lot2B is intended to be used for the construction of Vestas.

Correspondence from City Engineer

Mr. Cullen had reviewed the submitted plan known as ANR Crowley Drive dated July 26, 2011 and can give a favorable recommendation to the Planning Board to endorse the ANR plan.

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

To accept and file all correspondence.

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

To accept and endorse a plan of land believed to be Approval Not Required of First Colony Crowley Drive Two, LLC, 929 Boston Post Road East, Marlborough, MA 01752. Name of Engineer: CGC Associates, 84 Main Street, Wilmington, MA 01887. Deed of property recorded in South Middlesex Registry of Deeds Book 54694, Pages 394 & 446: Assessors Map 15 Parcel 22 & 23.

93 Framingham Road

Decision

Mr. Cullen has reviewed the ANR Plan known as 93 Framingham Road dated June 24, 2011 with a revision date of July 13, 2011 and can give a favorable recommendation for the Planning Board to endorse the ANR plan.

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

To accept and endorse a plan of land believed to be Approval Not Required of Melanson Development Group, P.O. Box 564, Woburn, MA 01801. Name of Engineer: Bruce Saluk & Associates, Inc., 576 Boston Post Road East, Marlborough, MA 01752. Deed of property recorded in South Middlesex Registry of Deeds Book 11714, Page 398: Assessors Map 93 Parcel 87.

11 Paquin Drive

Decision

Mr. Cullen has reviewed the ANR Plan known as 11 Paquin Drive dated July 11, 2011 with a revision date of July 13, 2011 and can give a favorable recommendation to the Planning Board to endorse the ANR plan.

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

To accept and endorse a plan of land believed to be Approval Not Required of Rich Berte, 11 Paquin Drive, Marlborough, MA 01752. Name of Engineer: Bruce Saluk & Associates, Inc., 576 Boston Post Road East, Marlborough, MA 01752. Deed of property recorded in South Middlesex Registry of Deeds Book 49994, Page 386 and Deeds Book 16496, Page 541: Assessors Map 7 Parcels 44 and 99.

PUBLIC HEARING

SUBDIVISION PROGRESS REPORTS

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

To move up agenda item 5C.

The Residences of Oak Crest

Request for Bond Reduction

Mr. Breslouf is requesting a bond reduction for his subdivision. He submitted a revised subdivision completion schedule for the City Engineer to review.

Tax Collector Correspondence

Ms. Puleo, the City Collector, has certified the following map and parcels are current: Map 6 Parcels 167, 168, 169. 170 & 800.

Code Enforcement Correspondence

Ms. Pamela Wilderman, City of Marlborough's Code Enforcer, stated that the subdivision is in compliance. She noted there was a small amount of debris, but the site appeared to be in order.

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

To accept and file all correspondence, to refer the request of the bond reduction to the City Engineer for a full review.

City Engineer Update

Mr. Cullen stated that he has added the approval dates of the subdivision status list and that since the last meeting they have been reviewing several subdivisions.

Fiddlehead (Perry Lane)

The Assistant City Solicitor, Cynthia Panagore-Griffin has written the deeds and the legal descriptions for this subdivision. She has also provided copies of the acceptance plan and the recorded definitive subdivision plan for the Boards' review. She is recommending the Planning Board to endorse the acceptance of Perry Lane and appurtenant easements.

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

To accept and file correspondence; to endorse the acceptance plans and appurtenant easements for the subdivision known as "Acceptance Plan of Perry Lane and Municipal Easements; Marlborough, MA; Middlesex South County; Date: 03/23/2010 by Inland Survey, Inc. 16 Gleasondale Road, Suite 1-2, Stow, MA 01775".

PENDING SUBDIVISION PLANS: Updates and Discussion

PRELIMINARY/ OPEN SPACE SUBDIVISION SUBMITTALS

DEFINITIVE SUBDIVISION SUBMISSIONS

SCENIC ROADS

SIGNS

Sudbury Companies Militia & Minute

The SCMM is requesting permission to place a temporary directional sign on at the corner of Route 20 (Boston Post Road East) and Hagar Road for their annual event held at the Wayside Inn from September 17, 2011 to September 25, 2011.

There was some question from Mr. Cullen about the exact layout. He stated that they should also try to contact the Mass Highway Department due to the Route 20 being a part of the State Highway System.

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

To accept and file correspondence to allow the directional signs to be placed from September 17, 2011 to September 25, 2011.

INFORMAL DISCUSSION

COMMUNICATIONS/CORRESPONDENCE

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

To adjourn at 7:45 p.m.

A TRUE COPY

ATTEST:

Colleen Hughes, Clerk