

REGULAR MEETING
MARCH 14, 2011

IN CITY COUNCIL
ABSENT:

CONVENED:
ADJOURNED:

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2011 MAR 10 P 5:13

1. Minutes of the City Council Meeting, February 28, 2011.
2. CONTINUED PUBLIC HEARING On the Application, new Pool Table license, The Lazy Dog, 31 Main St. Order No. 11-1002808A.
3. Communication from the Mayor re: transfer request in the amount of \$9,000.00 which moves funds from Unemployment to Retirement to fund an employee's special military assessment benefits.
4. Communication from the Mayor re: transfer request in the amount of \$35,000.00 which moves funds from Unemployment to Unemployment which will provide unemployment benefits for employees not funded in the original budget.
5. Communication from the Mayor re: transfer request in the amount of \$51,000.00 which moves funds from Undesignated to Open Space Stabilization to move the City's wireless antennae receipts for FY10 to the intended open space account.
6. Communication from the Mayor re: transfer request in the amount of \$2,532.00 which moves funds from Director Elderly to Principal Clerk to fund the Principal Clerk position for the rest of this fiscal year.
7. Communication from the Mayor re: Snow and Ice Removal Expenditure Request to increase deficit appropriation by \$250,000.00, Order No. 10/11-1002565-3C.
8. Communication from the Mayor re: Public Safety Revolving Account Order Amendment Request, Order No. 10-1002587B & X-09-1002244.
9. Communication from the Mayor re: Green Communities Gift Award.
10. Communication from the Mayor re: Fluoridation Equipment Upgrades for Millham Water Treatment Plant.
11. Communication from City Solicitor Donald Rider re: Proposed Salary Ordinance, Human Services Reorganization, 10/11-1002727B, X-11-1002832, X-10-1002728A, & X-11-1002817.
12. Communication from the Director of Public Facilities, John Ghiloni, re: Massachusetts Building Authority.
13. Communication from the Director of Public Facilities, John Ghiloni re: Renewal of Lease of Former Bigelow School, Order No. 10-1002497, X-09-1002135, & X-08-1001774B.
14. Application for Special Permit from Attorney Bergeron on behalf of Melanson Development Group, Inc. to expand the non-conforming use of the existing Walker house and barn located on 93 Framingham Rd.
15. Minutes, Planning Board, January 24 and February 14, 2011.
16. Minutes, Conservation Commission, February 3, 2011.
17. Minutes, Council on Aging, February 15, 2011.
18. CLAIMS:
 - A. Vicki Emerson, 72 Hillcrest Rd., other property damage
 - B. Sarah Richards, 18 Demers Dr., residential mailbox claim 2(a)
 - C. Majid Sairafi, 81 Woodland Dr., residential mailbox claim 2(a)
 - D. Babak Roushanaee, 50 Cotting Ave., 2nd fl., other property damage
 - E. Eugene Papalia, 81 Church St., other property damage
 - F. Mary Warzynski, 369 Dutton Rd., Sudbury, other property damage
 - G. Stella Luberto, 22 Fontaine St., other property damage
 - H. Kay Ritter, 17 Greenwood St., other property damage
 - I. Clementina Kennedy, 224 Brigham St., other property damage
 - J. Alan Liverman, 13 Graham Path, residential mailbox 2(b)
 - K. Downtown Marlboro LLC, 17 Weed St., other property damage

- L. William McCook, 119 Ash St., residential mailbox claim 2(a)
- M. Susan Wheeldon, 69F Phelps St., other property damage

REPORTS OF COMMITTEES:**UNFINISHED BUSINESS:****From Public Services Committee**

19. **Order No. 11-1002779 - Application of Ronald Roza, d/b/a Techcell USA for Junk Dealer's License at 276 Main Street.** The Committee discussed the application with Mr. Roza who noted that he would like to sell refurbished electronics, including computers and cell phones. **Recommendation of the Public Services Committee is to approve 3-0.**

From Legislative and legal Affairs Committee

20. **Order No. 10/11-1002730 - Communication from Mayor Stevens regarding proposed changes to the City Code regulating the construction of swimming pools.** The Committee reviewed the letter dated November 4, 2010 from Mayor Stevens. **Recommendation of the Legislative and Legal Affairs Committee is to approve the Order deleting Sections 557-1 through 557-6 of the City Code and providing reference to the Commonwealth of Massachusetts State Building Code 2-0 and under Suspension of the Rules to advertise Ordinance amendment and place item on the March 28, 2011 agenda as the advertisement cannot be published in time to comply with the ten day period prior to the March 14, 2011 agenda 3-0.**

From City Council

21. **Order No. 11-1002835 X-11-1002825 - Communication from the Mayor re: Veto of Order No. 11-1002825, Enforcement of City's Sidewalk Snow and Ice Removal Ordinances.** Recommendation of the City Council is to table until March 14, 2011.



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

**Lisa M. Thomas
140 Main St.**

**Marlborough, MA 01752
(508) 460-3775 FAX (508) 460-3723
FEBRUARY 28, 2011**

Regular meeting of the City Council held on Monday, FEBRUARY 28, 2011 at 8:00 p.m. in City Council Chambers, City Hall. City Councilors present: Ossing, Vigeant, Pope, Levy, Delano, Ferro, Elder, Tunnera, Seymour, Clancy and Landers. Meeting adjourned at 9:30 PM.

ORDERED: That the minutes of the City Council Meeting February 14, 2011, **FILE AS AMENDED**; adopted.

ORDERED: That Councilor Landers recognized Councilor Clancy as he was named Conservation Commissioner of the Year by the MA Conservation Commission, **FILE**; adopted.

ORDERED: That the PUBLIC HEARING On the application for new Pool Table License, the Lazy Dog, 31 Main St., Order No. 11-1002080A, **OPEN AND CONTINUE HEARING WITHOUT ANY EVIDENCE BEING HEARD TO THE MARCH 14, 2011 MEETING**; adopted. Councilors Present: Ossing, Vigeant, Pope, Levy, Delano, Ferro, Elder, Tunnera, Seymour, Clancy, & Landers.

ORDERED: That the Communication from the Mayor re: suspension requested for DPW intra-transfers as follows necessary to cover expenses in accounts that are at or nearing zero balances, refer to **FINANCE COMMITTEE**; adopted.

Transfer in the amount of \$900.00 from Chief Treatment Plant Operator to Interim Foreman-EWTP.

Transfer in the amount of \$9,021.00 from Equipment Operators - Streets to Interim Foreman.

Transfer in the amount of \$300.00 from Clothing Allowance to License and Inspection.

Transfer in the amount of \$900.00 from Educational Incentive to License and Inspection.

CITY OF MARLBOROUGH --BUDGET TRANSFERS--									
DEPT:		PUBLIC WORKS				FISCAL YEAR:		2011	
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$48,394	\$900	60081001	50910	Chief Treatment Plant Operator	\$900	60081003	51470	Interim Foreman-EWTP	\$131
	Reason:	Money available due to WC case				Higher than expected use due to non-work related injury to Head Treatment Operator			
\$273,616	\$9,021	14001303	5074	Equipment Operators - Streets	\$9,021	14001303	51470	Interim Foreman	\$24
	Reason:	Money available due to WC case				Supplemental funding required to cover year end appointments.			
\$1,790	\$300	14001503	51940	Clothing Allowance	\$300	14001506	54240	License & Inspection	\$0
	Reason:	Money available due to retirement				Additional funds needed to cover increased cost of State license renewals			
\$900	\$900	14001503	51440	Educational Incentive	\$900	14001506	54240	License & Inspection	\$0
	Reason:	Money available due to retirement				Additional funds needed to cover increased cost of State license renewals			

ORDERED: That the Communication from the Mayor re: DPW intra-transfers as follows with explanations noted on the spreadsheet, refer to **FINANCE COMMITTEE**; adopted.
 Transfer in the amount of \$706.00 from Assistant Commissioner to Principal Clerk.
 Transfer in the amount of \$3,500.00 from Chief Treatment Operator to Overtime-Regular-EWTP.
 Transfer in the amount of \$1,600.00 from Equipment Operators - Streets to Dispatcher.
 Transfer in the amount of \$13,200.00 from Equipment Operators - Streets to Overtime-Regular.
 Transfer in the amount of \$200.00 from Misc. Hand/Power Tool to Rep./Maint. Equipment.

CITY OF MARLBOROUGH --BUDGET TRANSFERS--									
DEPT:		PUBLIC WORKS				FISCAL YEAR:		2011	
Available Balance	Amount	FROM ACCOUNT:	TO ACCOUNT:	Account Description:	Amount	Account Description:	Account Description:	Available Balance	
\$50,505	\$706	60080001	50630	Assistant Commissioner	\$706	14001002	50520	Principal Clerk	\$14,362
		Reason: Money available due to retirement				Insufficient funds transferred to cover retroactive step increases			
\$48,394	\$3,500	60081001	50910	Chief Treatment Plant Operator	\$3,500	60081001	51310	Overtime-Regular-EWTP	\$5,679
		Reason: Money available due to WC case				Higher than expected use associated with major system repairs.			
\$273,616	\$1,600	14001303	50740	Equipment Operators - Streets	\$1,600	14001303	50790	Dispatcher	\$11,565
		Reason: Money available due to WC case				Insufficient funds transferred to cover retroactive step increases.			
\$273,616	\$13,200	14001303	50740	Equipment Operators - Streets	\$13,200	14001303	51310	Overtime-Regular	\$9,588
		Reason: Money available due to WC case				Supplemental funding required to cover year end cost based on 3-year average.			
\$228	\$200	14001506	54420	Misc. Hand/Power Tool	\$200	14001506	52500	Rep./Maint. Equipment	\$6
		Reason: Money available in account				Increase in repair cost associated with hand powered tools in lieu of purchasing replacement tools			

ORDERED: That the Communication from the Mayor re: Fire intra-transfers as follows with explanations noted on the spreadsheet, refer to **FINANCE COMMITTEE**; adopted.
 Transfer in the amount of \$16,807.38 moving funds from Firefighter to Additional OT.
 Transfer in the amount of \$466.40 moving funds from Fire Lieutenant to Additional OT.
 Transfer in the amount of \$8,771.34 moving funds from Firefighter to Additional OT.
 Transfer in the amount of \$10,849.44 moving funds from Longevity to Additional OT.
 Transfer in the amount of \$10,000.00 from EMT to Additional OT.
 Transfer in the amount of \$4,610.94 moving funds from Firefighter to Sick Leave Buy Back.

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Fire				FISCAL YEAR: 2011				
FROM ACCOUNT:				TO ACCOUNT:				Available
Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
\$16,807.38	12200001	50450	FIREFIGHTER	\$16,807.38	12200003	51300	ADDITIONAL OT	\$21,500
Reason: Retirement of employee								
\$466.40	12200001	50810	FIRE LIEUTENANT	\$466.40	12200003	51300	ADDITIONAL OT	\$21,500
Reason: To fund 111F payments for Lieutenant								
\$8,771.34	12200001	50450	FIREFIGHTER	\$8,771.34	12200003	51300	ADDITIONAL OT	\$21,500
Reason: To fund 111F payments for Lieutenant								
\$10,849.44	12200003	51430	LONGEVITY	\$10,849.44	12200003	51300	ADDITIONAL OT	\$21,500
Reason: Anticipated surplus								
\$10,000.00	12200003	51480	EMT	\$10,000.00	12200003	51300	ADDITIONAL OT	\$21,500
Reason: Anticipated surplus								
\$4,610.94	12200001	50450	FIREFIGHTER	\$4,610.94	12200003	51920	SICK LEAVE BUY BACK	\$26,246
Reason: Retirement of employee								
\$51,505.50				\$51,505.50				

ORDERED: That the Council on Aging transfer in the amount of \$4,385.00 which moves funds from Part-Time Nurse to Program Manager to appropriate funding for the part-time nursing account, **MOVE TO ITEM 19, HUMAN SERVICES COMMITTEE, REORGANIZATIONAL PLAN**; adopted.

FROM:

Acct. #15410001-50391 \$4,385.00
Part Time Nurse

TO:

Acct. # 15410001-50191 \$4,385.00
Program Manager

ORDERED: That the FY09 State and Tribal Grant (STAG) awarded to the City of Marlborough in the amount of \$485,000.00 which provides reimbursement monies for the design and construction of upgrades to the Westerly Wastewater Treatment facility to be used as outlined in MGL, Chapter 44, Section 53A, refer to **FINANCE COMMITTEE**; adopted.

ORDERED: That a petition to the General Court, accompanied by a bill for a special law relating to the city of Marlborough to be filed with an attested copy of this order, be, and hereby is, approved under Clause (1) of Section 8 of Article 2, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

Section 1. Notwithstanding Section 17 of Chapter 138 of the General Laws, the licensing authority of the City of Marlborough may grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises under Section 15 of said Chapter 138 to the Rick Lombardi and Julie Lombardi, d/b/a The Vin Bin, located at 91 Main Street, Marlborough, MA. The license shall be subject to all of said Chapter 138 except said Section 17. The applicant holds a Wine and Malt license which shall be surrendered upon licensing authority approval of the Package Store License.

Section 2. The licensing authority shall not approve the transfer of the license to any other location. The license may be reissued by the licensing authority to a new applicant at the same location if the applicant files with the licensing authority from the Department of Revenue indicating that the license is in good standing with the department and that all applicable taxes have been paid.

Section 3. If the license granted under this act is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, which may then grant the license to a new applicant.

Section 4. This act shall take effect upon its passage, refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE**; adopted.

ORDERED: That the Communication from the Mayor re: Veto of Order No. 11-1002825, Enforcement of City's Sidewalk Snow and Ice Removal Ordinances, **TABLED UNTIL MARCH 14, 2011**; adopted.

ORDERED: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING CHAPTER 551, ENTITLED "STREETS AND SIDEWALKS," AS FOLLOWS:

1. Section 551-25, entitled "Snow removal," is hereby amended:
 - a. by amending subsection A, by adding at the end of the subsection the following words:-- The mayor can, in his or her discretion, suspend enforcement of this subsection against any private resident upon a determination by the Commissioner of Public Works that extraordinary winter-time circumstances then exist in the City of Marlborough.
 - b. by adding a new subsection E containing the following words:-- Prior to any enforcement efforts by the City of Marlborough against any private resident for failure to remove snow in compliance with subsection A of this ordinance as amended, the City shall make a determination of its ability to remove snow from all sidewalks abutting any City-owned building or City-owned lot of land within 12 hours after the snow ceases to fall, if it ceases to fall in the daytime, and before 12:00 noon, if it ceases to fall in the nighttime.

2. Section 551-26, entitled "Ice removal," is hereby amended by adding at the end of the section the following words:-- The mayor can, in his or her discretion, suspend enforcement of this section against any private resident upon a determination by the Commissioner of Public Works that extraordinary winter-time circumstances then exist in the City of Marlborough.
3. The effective date of these amendments shall be thirty (30) days after their approval, refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE**; adopted.

ORDERED: That the Application for Taxi and Livery license, Metrowest Taxi, John St. Martin, 212 Sudbury St, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Minutes, Planning Board, January 10, 2011, **FILE**; adopted.

ORDERED: That the Minutes, Traffic Commission, December 21, 2010, **FILE**; adopted.

ORDERED: That the Minutes, Conservation Commission, March 18, 2010, October 14 & 21, 2010, November 4 and 18, 2010, December 16, 2010, **FILE**; adopted.

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

- A. George Cook, 94 Framingham Rd., other property damage
- B. Elizabeth Johnson,, 10 Commonwealth Ct., Apt 14, Brighton, other property damage,
- C. Anthony Mellace, 23 Dirado Dr, other property damage
- D. David Myers, 293 Stearns St., residential mailbox 2(a)
- E. David Lehmann, 587 Farm Rd., other property damage
- F. George Wright, 330 South St., other property damage
- G. Robert Jackson, 269 Clover Hill St., other property damage
- H. Laura Wilner, 172 Stearns St., residential mailbox 2(a)
- I. Elaine Derosa, 147 Chestnut Hill, other property damage
- J. Lisa Rockland, 566 Stow Rd., pothole or other road defect
- K. Warren Grasso, 5 Howe Ct., other property damage
- L. Louis Lambe, 18 Joseph North Rd., mailbox claim (type not noted)
- M. James Ryan, 150 Clover Hill St., other property damage

Reports of Committees:

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

Order No. 11-1002779 - Application of Ronald Roza, d/b/a Techcell USA for Junk Dealer's License at 276 Main Street. The Committee discussed the application with Mr. Roza who noted that he would like to sell refurbished electronics, including computers and cell phones. **Recommendation of the Public Services Committee is to approve 3-0.**

Councilor Seymour reported the following out of the Legislative and Legal Affairs Committee:

Order No. 10/11-1002730 - Communication from Mayor Stevens regarding proposed changes to the City Code regulating the construction of swimming pools. The Committee reviewed the letter dated November 4, 2010 from Mayor Stevens. **Recommendation of the Legislative and Legal Affairs Committee is to approve the Order deleting Sections 557-1 through 557-6 of the City Code and providing reference to the Commonwealth of Massachusetts State Building Code 2-0 and under Suspension of the Rules to advertise Ordinance amendment and place item on the March 28, 2011 agenda as the advertisement cannot be published in time to comply with the ten day period prior to the March 14, 2011 agenda 3-0.**

Suspension of the Rules requested – granted

ORDERED: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY DELETING IN THEIR ENTIRETY SECTIONS 557-1 (PERMIT REQUIRED), 557-2 (FENCES OR BARRIERS REQUIRED), 557-3 (INSPECTION REQUIRED), 557-4 (EXEMPTIONS), 557-5 (COMPLIANCE), AND 557-6 (VIOLATIONS AND PENALTIES) OF CHAPTER 557, AND ADDING THE FOLLOWING NEW PARAGRAPH TO THE SECTION OF CHAPTER 557 ENTITLED “GENERAL REFERENCES”:

Commonwealth of Massachusetts State Building Code, as amended (See 780 CMR), **ADVERTISED AND PLACE ON MARCH 28, 2011 AGENDA.**

ORDERED: That the DPW and Fire Chief review the attached letter recommending street markings for the fire hydrants and storm drains for identification in the winter months. Report results of the review to the Public Services Committee, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Police transfer requests as follows:
 Transfer in the amount of \$44,436.00 moving funds from Stabilization – Public Safety to Police Officers
 Transfer in the amount of \$84,208.00 moving funds from Police Officers to Regular Overtime
 Transfer in the amount of \$5,000.00 moving funds from Court OT to Holiday Pay, **APPROVED**; adopted.

FROM:

Acct. # 83600-32701	\$44,436.00
Stabilization-Public Safety	
Acct. # 12100001-50420	\$84,208.00
Police Officers	
Acct. # 12100003-51320	\$5,000.00
Court OT	

TO:

Acct. # 12100001-50420 \$44,436.00

Police Officers

Acct. # 12100003-51310 \$84,208.00

Regular OT

Acct. # 12100003-51490 \$5,000.00

Holiday Pay

ORDERED: That the Legal transfer request in the amount of \$25,000.00 which moves funds from Undesignated to Legal Services to fund a variety of legal services, **APPROVED**; adopted.

FROM:

Acct. # 10000-35900 \$25,000.00

Undesignated Fund

TO:

Acct. # 11510004-53110 \$25,000.00

Legal Services

ORDERED: That Item #19, Human Services Committee, Reorganizational Plan and Item #6, Council on Aging transfer in the amount of \$4,385.00 which moves funds from Part-Time Nurse to Program Manager to appropriate funding for the part-time nursing account, **MOVE TO ITEM #26, TRANSFER REQUEST IN THE AMOUNT OF \$21,111.00 TO FUND THE DIRECTOR OF HUMAN SERVICES FOR THE REMAINDER OF FY11**; adopted.

ORDERED: That the reappointment of Deborah Puleo as City Collector for a period of one year effective February 1, 2011, be and is herewith **APPROVED**.

ORDERED: That the reappointment of Lisa Thomas as City Clerk for a term to expire three years from date of confirmation, **APPROVED**; adopted.

ORDERED: That the appointment of Eric Asman to the Community Development Authority for a term to expire April 15, 2012, **APPROVED**; adopted.

ORDERED: That the reappointment of Mark Gibbs as Director of Information Technology for a term to expire three years from date of approval, **APPROVED**; adopted.

ORDERED: That the reappointment of Stephen Reid as the City of Marlborough Building Inspector for a term to expire three years from date of approval, **APPROVED**; adopted.

ORDERED: That the reappointment of Cynthia Panagore Griffin as Assistant City Solicitor for term of three years from date of confirmation as her current term expires on January 7, 2010, **APPROVED**; adopted.

Councilor Elder read a letter into record requested by Councilor Ferro written by John Raymond, President of the Marlborough Veteran's Council in support of Gary Brown, the Veterans Agent and denounced support of the reorganization of Veterans Services.

At Councilor Pope's request to recess at 9:05 PM and return to open meeting at 9:07 PM, **APPROVED**; adopted.

MOTION made by Council President Vigeant to support Councilor Ferro's motion which is to set the minimum salary of the Human Services Manager to \$41,135.00 and maximum salary of \$46,271.00, but only if the current Human Services Director's salary remains the same until the position is vacated. – **DOES NOT CARRY**.

MOTION made by Councilor Ferro to set the minimum salary of the Human Services Manager to \$41,135.00 and maximum salary of \$46,271.00. – **DOES NOT CARRY.**

MOTION made by Councilor Elder to set the minimum salary of the Human Services Manager to \$44,803.00 and maximum salary of \$50,397.00, **APPROVED AND REFER TO CITY SOLICITOR TO PUT IN PROPER LEGAL FORM;** adopted.

Councilor Ossing and Vigeant requested to be recorded in opposition.

MOTION made by Councilor Levy for friendly amendment to Councilor Ferro's motion, which was accepted by Councilor Ferro, to set the minimum salary of the Executive Director of Human Services to \$56,302.00 and maximum salary of \$63,332.00 to align with the incremental 4% increases per step. – **DOES NOT CARRY**

MOTION made by Councilor Elder to set the minimum salary of the Executive Director of Human Services to \$59,120.00 and maximum salary of \$66,500.00, **APPROVED AND REFER TO CITY SOLICITOR TO PUT IN PROPER LEGAL FORM;** adopted.

Councilor Ossing and Vigeant requested to be recorded in opposition.

MOTION made by Councilor Elder to set the minimum salary of the Part-Time Program Manager to \$19,000.00, **APPROVED AND REFER TO CITY SOLICITOR TO PUT IN PROPER LEGAL FORM;** adopted.

Councilor Ossing and Vigeant requested to be recorded in opposition.

MOTION made by Councilor Elder to set the salary of the Veteran's Agent, **TABLED;** adopted.

ORDERED: That the Council on Aging transfer in the amount of \$4,385.00 which moves funds from Part-Time Nurse to Program Manager to appropriate funding for the part-time nursing account, refer **BACK TO MAYOR;** adopted.

FROM:

Acct. #15410001-50391 \$4,385.00
Part Time Nurse

TO:

Acct. # 15410001-50191 \$4,385.00
Program Manager

ORDERED: That the transfer request in the amount of \$21,111.00 which moves funds from Undesignated to fund the Director of the Department of Human Services for the remainder of FY11, **APPROVED;** adopted.

FROM:

Acct. # 10000-35900 \$21,111.00
Undesignated Fund

TO:

Acct. # 15270001-50595 \$21,111.00
Human Services Director

Councilor Ferro requested to be recorded in opposition.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:30 p.m.



IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 28, 2011
PAGE 1

ORDERED:

That the PUBLIC HEARING On the application for new Pool Table License, the Lazy Dog, 31 Main St., Order No. 11-1002080A, be and is herewith **OPEN AND CONTINUE HEARING WITHOUT ANY EVIDENCE BEING HEARD TO THE MARCH 14, 2011 MEETING .**

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

(IN PUBLIC SERVICES COMMITTEE)

ADOPTED

ORDER NO. 11-1002808A



City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Office of the Mayor

2011 MAR 10 P 4:16

140 Main Street
Marlborough, Massachusetts 01752

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

Nancy E. Stevens
MAYOR

Krista J. Holmi
EXECUTIVE AIDE

Katherine M. LaRose
EXECUTIVE SECRETARY

March 8, 2011

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

Re: Transfer of Retirement Benefits

Honorable President Vigeant and Councilors:

As outlined in the attached memo from Comptroller/Treasurer Tom Abel, I have enclosed a budget transfer request in the amount of \$9,000.00 moving funds from Account No. 13100003-51730 (Unemployment) to Account No. 11970006-51770 (Retirement). This transfer request will fund an employee's special military assessment benefits.

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

Sincerely,

Nancy E. Stevens
Mayor

Enclosures



CITY OF MARLBOROUGH
OFFICE OF THE COMPTROLLER/TREASURER
140 MAIN STREET
MARLBOROUGH, MASSACHUSETTS 01752
VOICE (508) 460-3731 FACSIMILE (508) 481-5180 TDD (508) 460-3610

To: Mayor Stevens
From: Thomas J. Abel
Comptroller/Treasurer
Date: March 9, 2011

Re: Transfer Request Military Service Appropriation

The Commonwealth of Massachusetts Public Employee Retirement Administration Commission (PERAC) has notified the city that an additional retirement appropriation needs to be made by the city. This additional appropriation is to fund military service for one of our employees. This is a onetime additional appropriation for this individual.

As a result of the above, I am requesting you approve the attached transfer that moves \$9,000 dollars of surplus funds from account number 13100003-51730 Unemployment to account number 11940006-51770 Retirement.

TRANSFER REQUEST

AVAILABLE BALANCE	AMOUNT	FROM ACCOUNT			TO ACCOUNT			AMOUNT AVAIL
		ORG CODE	OBJECT	ACCOUNT DESCRIP	AMOUNT	ORG CODE	OBJECT ACCOUNT DESCRIP	
				School Support			Unemployment	
\$ 172,863.00	\$ 9,000.00	13100003	51730	Unemploy	\$ 9,000.00	11940006	51770 Retirement	\$ 2,147,032.00
					\$ 9,000.00			

Reason: To fund special military assessment associated with members military service



City of Marlborough
Office of the Mayor

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2011 MAR 10 P 11:11
140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610

Nancy E. Stevens
MAYOR

Krista J. Holmi
EXECUTIVE AIDE

Katherine M. LaRose
EXECUTIVE SECRETARY

March 8, 2011

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

Re: Transfer - Unemployment Benefits

Honorable President Vigeant and Councilors:

As outlined in the attached memo from Comptroller/Treasurer Tom Abel, I have enclosed a budget transfer request in the amount of \$35,000.00 moving funds from Account No. 13100003-51730 (Unemployment) to Account No. 11970006-51730 (Unemployment). This transfer request will provide unemployment benefits for employees not funded in the original budget. As always, please feel free to call with any questions or concerns.

Sincerely,

Nancy E. Stevens
Mayor

Enclosures



CITY OF MARLBOROUGH
OFFICE OF THE COMPTROLLER/TREASURER
140 MAIN STREET
MARLBOROUGH, MASSACHUSETTS 01752
VOICE (508) 460-3731 FACSIMILE (508) 481-5180 TDD (508) 460-3610

To: Mayor Stevens
From: Thomas J. Abel
Comptroller/Treasurer
Date: March 9, 2011

Re: Transfer Request Unemployment

I am requesting you approve the attached transfer that moves \$35,000 dollars of surplus funds from account number 13100003-51730 Unemployment to account number 11970006-51730 Unemployment. This request is being made to fund unemployment benefits for two employees who were not funded in the 2011 budget. The employees left the city after the submittal of the budget and therefore were not included in the final funding.

TRANSFER REQUEST

AVAILABLE BALANCE	AMOUNT	FROM ACCOUNT			TO ACCOUNT			AMOUNT AVAIL
		ORG CODE	OBJECT	ACCOUNT DESCRIP	AMOUNT	ORG CODE	OBJECT	
				School Support			Unemployment	
\$ 172,863.00	\$ 35,000.00	13100003	51730	Unemploy	\$ 35,000.00	11970006	51730 Unemployment	\$ 2,864.00
					\$ 35,000.00			

Reason: To fund unemployment benefits for two employees not budgeted.



City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Office of the Mayor

2011 MAR 10 P 11:16
140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610

Nancy E. Stevens
MAYOR

Krista J. Holmi
EXECUTIVE AIDE

Katherine M. LaRose
EXECUTIVE SECRETARY

March 8, 2011

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

Re: Transfer of Wireless Receipts

Honorable President Vigeant and Councilors:

As outlined in the attached memo from City Auditor Diane Smith, I have enclosed a budget transfer request in the amount of \$51,000.00 moving funds from Account No. 10000-35900 (Undesignated Funds) to Account No. 83600-32918 (Open Space Stabilization). This transfer request moves the City's wireless antennae receipts for fiscal year 2010 to the intended open space account.

As always, please feel free to call 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

March 8, 2011

MEMORANDUM

TO: Mayor Nancy E. Stevens

FROM: Diane Smith, City Auditor

RE: Wireless Antennae Receipts

The City received \$51,000.00 in wireless antennae receipts for fiscal year 2010. Per M.G.L. Ch 44 Sec. 53 any money received by the City belongs to the general fund and can only be expended by appropriation. A transfer request should be submitted to the City Council moving \$51,000.00 from Free Cash to Stabilization – Open Space for this was the intent of these monies.

Please contact this office if you should have any further questions regarding this information.

CC: Thomas Abel, Comptroller/Treasurer

TRANSFER REQUEST

FISCAL YEAR: 2011

Available Balance	Amount	FROM ACCOUNT:			Amount	TO ACCOUNT:			Available Balance
		Org Code	Object	Account Description:		Org Code	Object	Account Description:	
<u>\$1,459,278</u>	<u>\$51,000.00</u>	<u>10000</u>	<u>- 35900</u>	<u>Undesignated Funds</u>	<u>\$51,000.00</u>	<u>83600</u>	<u>- 32918</u>	<u>Stabilization-Open Space</u>	<u>\$780,774</u>
	Reason:	To transfer annual wireless antennae payments received by the City in fiscal year 2010 to Open Space Stabilization							



City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Office of the Mayor

2011 MAR 10 P 4:16 140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610

Nancy E. Stevens
MAYOR

Krista J. Holmi
EXECUTIVE AIDE

Katherine M. LaRose
EXECUTIVE SECRETARY

March 9, 2011

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

RE: Transfer Request - Council on Aging

Honorable President Vigeant and Councilors:

Attached for your approval is the following transfer request:

Transfer in the amount of \$2,532.00 moving funds from account number 1541001-50190 (Director Elderly) to account number 1541002-50520 (Principal Clerk).

As detailed in the attached memo from Council on Aging Director Jennifer Claro, this transfer enables the Principal Clerk position to be fully funded for the remainder of FY11.

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

Sincerely,

Nancy E. Stevens
Mayor

Enclosures



**City of Marlborough
Council on Aging and Senior Center**

**250 Main Street
Marlborough, MA 01752
Tele (508) 485-6492 Fax (508) 460-3726**

March 9, 2011

MEMORANDUM

To: Mayor Nancy E. Stevens
From: Jennifer C. Claro, COA Executive Director
RE: COA Transfer Request

I am submitting for your approval the following transfer request:

Transfer in the amount of \$2,532.00 moving funds from account number 15410001-50190 (Director Elderly) to account number 15410002-50520 (Principal Clerk). This transfer will provide the necessary funding to cover the Principal Clerk position for the remaining fiscal year.

TRANSFER REQUEST

Council on Aging

FISCAL YEAR: 2011

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$39,604</u>	<u>\$2,532.00</u>	<u>15410001</u>	<u>- 50190</u>	<u>Director Elderly</u>	<u>\$2,532.00</u>	<u>15410002</u>	<u>- 50520</u>	<u>Principal Clerk</u>	<u>\$10,625</u>

Reason: To Cover Principal Clerk's salary for remainder of FY11

Department Head Signature: Jennifer B. Plave

Date: March 9, 2011



City of Marlborough

Office of the Mayor

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

140 Main Street

Marlborough, Massachusetts 01752

2011 MAR 10 10 10 AM
Tel: (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610

Nancy E. Stevens
MAYOR

Krista J. Holmi
EXECUTIVE AIDE

Katherine M. LaRose
EXECUTIVE SECRETARY

March 10, 2011

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

RE: Snow and Ice Removal Deficit Request

Honorable President Vigeant and Councilors:

Pursuant to City Council Order No. **10-1002565-3A**, I am requesting further authorization to incur deficit costs in the Department of Public Works Snow and Ice Accounts.

As detailed in the attached correspondence from DPW Commissioner LaFreniere, to date, the City has incurred a total of \$1,683,501 in snow removal costs with an additional \$213,699 encumbered.

I hereby request your approval to increase the deficit appropriation by \$250,000 to a total of \$1,750,000 in excess of available appropriation. A modified order indicating this change is attached for your consideration.

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

Sincerely,

Nancy E. Stevens
Mayor

Enclosures



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

March 9, 2011

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

RE: SNOW & ICE; ACCOUNT DEFICIT AUTHORIZATION

Pursuant to City Council Order #10-1002565-3A, I hereby request further authorization to incur deficit costs in the department's Snow & Ice account. To date, we have received authorization to spend \$1,500,000 in deficit in our snow and ice accounts.

As shown on the attached spreadsheet, to date we have expended or encumbered a total of \$1,897,200 in snow removal costs.

I hereby request an additional \$250,000 be authorized to address our short-term funding needs.

Should you have any questions regarding the above, please do not hesitate to contact me.

Sincerely,

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

FISCAL YEAR 2011 SNOW AND ICE SUMMARY

ACCOUNT	FY 11 APPROPRIATION W/TRANSFERS	YEAR TO DATE EXPENDED	YEAR TO DATE OUTSTANDING ENCUMBERANCES	BALANCE
Overtime Snow and Ice (14001203-51390)	\$125,000.00	\$283,061.65	\$0.00	-\$158,061.65
Snow Removal 14001206-52960	\$275,015.00	\$1,302,515.73	\$183,057.45	-\$1,210,558.18
Snow and Ice Operating Expenses (14001206-57040)	\$100,000.00	\$97,923.60	\$30,641.09	-\$28,564.69
TOTAL	\$500,015.00	\$1,683,500.98	\$213,698.54	-\$1,397,184.52

AUTHORIZATIONS

TOTAL FY 11 SNOW AND ICE APPROPRIATION	FY 11 SNOW AND ICE DEFICIT AUTHORIZATION		RECOMMENDED ADDITIONAL DEFICIT AUTHORIZATION
\$500,000.00	Initial: 15-June-10	\$500,000.00	\$250,000.00
	18-Jan-11	\$500,000.00	
	10-Feb-11	\$500,000.00	

Starting Date	Time	Duration	Operation	Measurement in Inches	Action
December 8, 2010		4 hrs	sanding		callman
December 8, 2010		4 hrs	sanding		callman
December 12, 2010	6:45-11:30	5 hrs	sanding		general
December 14, 2010		4 hrs	sanding		callman
December 14, 2010		4 hrs	sanding		city only
December 20, 2010	21:00-1:30	4 hrs	sanding		general
December 22, 2010	15:15-2100	6 hrs	sanding		general
December 23, 2010	300-9:45	7 hrs	sanding	3	general
December 23, 2010		4 hrs	sanding		callman
December 26, 2010	15:30-19:00	3.5 hrs	sanding		general
December 26, 2010	19:00-24:00	5 hrs	plowing	11	general
December 27, 2010	0:00-15:00	15 hrs	plowing		general
December 27, 2010	15:00-18:00	2.5 hrs	sanding		general
December 29, 2010		7 hrs	removal		
January 8, 2011	6:45-10:30	4 hrs	sanding		general
January 8, 2011	22:30-24:00	4 hrs	sanding	1	general
January 9, 2011	0:00-1:45	4 hrs	sanding		city only
January 12, 2011	1:00-2:30	1.5 hrs	sanding		general
January 12, 2011	2:30-21:00	18.5 hrs	plowing	17	general
January 12, 2011	21:00-23:59	3 hrs	sanding		general
January 13, 2011		.5 hrs	sanding		callman
January 13, 2011		9 hrs	removal		
January 14, 2011		6 hrs	sanding		callman
January 18, 2011		5 hrs	removal		
January 18, 2011	4:45-7:45	3 hrs	sanding		general
January 18, 2011	7:45-18:00	11 hrs	plowing	7.5	general
January 18, 2011	18:00-20:30	2.5 hrs	sanding		general
January 19, 2011	4:00-7:30	3.5 hrs	sanding		general
January 20, 1900		2 hrs	sanding		city only
January 21, 2011	3:00-4:30	1.5 hrs	sanding		general
January 21, 2011	4:30-15:30	11 hrs	plowing	7	general
January 21, 2011	15:30-18:00	2.5 hrs	sanding		general
January 22, 2011		5 hrs	removal		city only
January 23, 2011		8 hrs	removal		
January 25, 2011	3:30-11:00	7.5 hrs	sanding	2	general
January 26, 2011	16:30-22:00	5.5 hrs	sanding		general
January 27, 2011	:01-14:00	14.5 hrs	plowing	12	general
January 28, 2011			sanding		callman
January 29, 2011	:01-8:00	8 hrs	removal		
February 1, 2011	8:00-9:00	1 hr	sanding		general
February 1, 2011	9:00-20:00	11 hrs	plowing	7	general
February 2, 2011	1:30-3:00	1.5 hrs	sanding		general
February 2, 2011	3:00-16:00	13 hrs	plowing	8	general
February 2, 2011	16:00-18:30	2.5 hrs	sanding		general
February 3, 2011	3:30-8:00	4.5 hrs	sanding		general
February 4, 2011		7 hrs	removal		
February 5, 2011	18:00-20:30	2.5 hrs	sanding		general
February 5, 2011	20:30-24:00	3.5 hrs	waterways		city only
February 6, 2011	3:30-8:00	4.5 hrs	sanding		general
February 8, 2011	30:-3:30	6.5 hrs	sanding		general

Starting Date	Time	Duration	Operation	Measurement in Inches	Action
February 8, 2011	3:30-9:00	2 hrs	plowing	2.5	general
February 21, 2011	5:30-11:30	6 hrs	sanding	1.5	general
February 25, 2011	7:00-10:00	3 hrs	sanding		spot city only
February 25, 2011	10:00-15:30	5 hrs	waterways		city only
February 25, 2011	18:00-22:30	4.5 hrs	sanding		general
February 27, 2011	1:30-8:00	7.5 hrs	sanding		general
February 27, 2011	8:00-12:30	4.5 hrs	plowing	4	general
February 28, 2011	5:00-9:00	4 hrs	sanding		general
March 9, 2011	5:30:7:00	1.5 hrs	sanding		spot city only
				83.5	

ORDERED:

That pursuant to Chapter 44, section 31D of the General Laws of the Commonwealth of Massachusetts, which authorizes the City to incur liability and make expenditures for any fiscal year in excess of appropriation for snow and ice removal, the City Council of the City of Marlborough, upon the recommendation of the Mayor, approves expenditures of \$1,750,000.00 in excess of available appropriation for snow and ice removal for fiscal year 2011.

ADOPTED

In City Council
Order No. 11-

Adopted

Approved by Mayor
Nancy E. Stevens
Date:

A TRUE COPY

ATTEST:



City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Office of the Mayor

2011 MAR 10 P 4:17
140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610

Nancy E. Stevens
MAYOR

Krista J. Holmi
EXECUTIVE AIDE

Katherine M. LaRose
EXECUTIVE SECRETARY

March 10, 2011

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

RE: Public Safety Revolving Account Order Amendment Request

Honorable President Vigeant and Councilors:

Last year your body reauthorized a revolving fund for emergency dispatch fees from the City's contract with Patriot Ambulance. This revolving fund was established for expenditures on public safety training. The enclosed memo from City Auditor Diane Smith details the need for a change request to the Public Safety Training Account order.

The attached order amends paragraph (d) of Order No. 10-1002587B to increase the allowed annual expenditures from \$45,000 to \$75,000. All of the other paragraphs of 10-1002587B remain the same.

As you are aware, revolving funds contain more controls and safeguards than those imposed on regular accounts including annual reauthorization, statutory caps and limits on annual expenditures. The enclosed order, if approved, will enable the Public Safety Training Account to be utilized for additional requested expenditures such as Police Department taser training, incident command training and firefighter rope rescue training.

I respectfully request your approval. 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: March 10, 2011
RE: Public Safety Training Revolving account

When the Public Safety Training Revolving account was re-authorized last June the maximum amount that could be expended during FY11 was \$45,000.00. To date, we have expended and encumbered approximately \$37,000.00.

The Police and Fire Departments have requested approval of additional training that is above and beyond the \$45,000.00 limit. Currently there is \$52,246.47 available in the revolving fund for additional training. I recommend that we amend CO# 10-1002587B and increase the amount to be expended during FY11 to no more than \$75,000.00.

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

Cc: Thomas Abel, Comptroller/Treasurer

ORDERED:

That pursuant to the provisions of § 53E½ of Chapter 44 of the General Laws of the Commonwealth of Massachusetts, the City Council of the City of Marlborough, upon the recommendation of the Mayor, does, to be effective during fiscal year 2011, amend paragraph (d) of Order No. 10-1002587B, which concerns a revolving fund to be utilized by the Mayor, as follows:

(a) receipts credited to the fund shall be limited to an emergency dispatch fee due the City pursuant to its contract with Patriot Ambulance, unless otherwise directed by the General Laws; and

(b) that expenditures from said fund shall be limited to public safety training; and

(c) that the Mayor shall be the only officer authorized to approve expenditures from the same; and

(d) no more than seventy-five thousand dollars shall be expended during Fiscal Year 2011, unless otherwise authorized by the City Council and Mayor; and

(e) the Mayor shall prepare a year-end report identifying funds received, funds expended, description of expenditures and year-end balance; and

(f) no provisions of this order shall be changed unless approved by the Mayor and City Council.

ADOPTED

In City Council

Order No. Order No. 10-1002587B/11-

Adopted

Approved by Mayor

Nancy E. Stevens

Date:

A TRUE COPY

ATTEST:

AS OF MARCH 10, 2011

FOR 2011 99

ACCOUNTS FOR: 262	SRF/CITY REVOLVING	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED

1210 MAYOR'S OFFICE								

0135 PUBLIC SAFETY TRAINING								

26213501 58520	PUBLIC SAFETY TRAINI	51,568	37,500.00	89,067.62	23,071.16	13,749.99	52,246.47	41.3%
	TOTAL PUBLIC SAFETY TRAINING	51,568	37,500.00	89,067.62	23,071.16	13,749.99	52,246.47	41.3%
	TOTAL MAYOR'S OFFICE	51,568	37,500.00	89,067.62	23,071.16	13,749.99	52,246.47	41.3%
	TOTAL SRF/CITY REVOLVING	51,568	37,500.00	89,067.62	23,071.16	13,749.99	52,246.47	41.3%
	TOTAL EXPENSES	51,568	37,500.00	89,067.62	23,071.16	13,749.99	52,246.47	



City of Marlborough

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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Office of the Mayor

140 Main Street

2011 MAR 10 P 4: Marlborough, Massachusetts 01752

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

Nancy E. Stevens
MAYOR

Krista J. Holmi
EXECUTIVE AIDE

Katherine M. LaRose
EXECUTIVE SECRETARY

March 10, 2011

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

RE: Green Communities Gift Award

Honorable President Vigeant and Councilors:

As detailed in the attached memo from Conservation Officer Priscilla Ryder, the City of Marlborough, as part of our Green Communities designation, has been awarded five Big Belly solar compactors. This gift of value must be accepted by the City Council.

As outlined in MGL, Chapter 44, Section 53A 1/2, I am recommending that the City Council approve this gift. Due to state requirements on the award, these units must be installed no later than April 15. I respectfully request your approval of the award this evening.

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

Sincerely,

Nancy E. Stevens
Mayor

Enclosures



City of Marlborough Conservation Commission

140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3768 Facsimile (508) 460-3747

*Edward Clancy – Chairman
Dennis Demers
Michele Higgins
Lawrence Roy
John Skarin
Allan White
David Williams
Priscilla Ryder Conservation Officer*

MEMORANDUM

To: Mayor Nancy Stevens
From: Priscilla Ryder, Conservation Officer
Date: March 9, 2011
RE: BigBelly Solar Compactor Award

Attached is the Big Belly Solar Compactor award that the city received as part of the Green Communities designation. These are given free to each community that becomes a Green Community. As required under MGL this award of 5 BigBelly Solar Compactors is a gift of value and must be accepted by the City Council. I have enclosed the following:

1. The award contract to be signed including the attachment implementation plan which includes the five locations the compactors will be placed and maintained
2. The gift acceptance form.

We had discussed putting this on the March 14th Council Agenda. Our deadline with the state is to have the compactors installed and a press conference held on or before April 15th.

Let me know if you need any additional information.

Many thanks!

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: Public Facilities DATE: 9-Mar-11

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: John Ghiloni

NAME OF GRANT: Green Communities Designation Award

GRANTOR: Massachusetts Department of Energy Resources (DOER)

GRANT AMOUNT: Award of 5 BigBelly Solar Compactors with a value of \$22,045

GRANT PERIOD: Compactors to be installed before April 15, 2011

SCOPE OF GRANT/
ITEMS FUNDED
As part of the Green Communities Designation, the state DOER has awarded to the city 5 Big Belly Solar Compactors with Bottle/can recycling units to be used on public properties.
The use of these compactors will reduce the cost of personnel time emptying trash cans, promote recycling and provide educational opportunities.

IS A POSITION BEING
CREATED: No

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

ARE MATCHING CITY
FUNDS REQUIRED? No

IF MATCHING IS NON-MONETARY (MAN HOURS, ETC.) PLEASE SPECIFY:
Installation of the BigBelly Solar Compactors-

TO BE USED:

ANY OTHER EXPOSURE TO CITY?
no

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: Yes, March 28, 2011

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



RECEIVED
CLERK'S OFFICE
OF MARLBOROUGH

City of Marlborough
Office of the Mayor

2011 MAR 10 P 4:17

140 Main Street
Marlborough, Massachusetts 01752

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

Nancy E. Stevens
MAYOR

Krista J. Holmi
EXECUTIVE AIDE

Katherine M. LaRose
EXECUTIVE SECRETARY

March 9, 2011

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

RE: Grant Award – Fluoridation Equipment Upgrades for
Millham Water Treatment Plant

Honorable President Vigeant and Councilors:

The City of Marlborough has been awarded a grant from the Massachusetts Department of Public Health in the amount of \$13,600. The grant provides funds for upgrades to water fluoride equipment at the Millham Water Treatment Plant. As detailed in the attached Notice of Grant Award from Department of Public Works Commissioner Ron LaFreniere, the grant includes a 20% in-kind services match from the City.

As outlined in MGL, Chapter 44, Section 53A, I am recommending that the City Council approve the acceptance of this grant for the purposes outlined.

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

Sincerely

Nancy E. Stevens
Mayor

Enclosures



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

March 8, 2011

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

**RE: GRANT AWARD TO SUPPORT THE UPGRADES OF FLUORIDATION
EQUIPMENT AT THE MILLHAM WATER TREATMENT PLANT**

The City has been awarded a Grant from the Massachusetts Department of Public Health in the amount of \$13,600 with a 20% in-kind services match from the City. The grant will provide funds for upgrades to water fluoride equipment at the Millham Water Treatment Plant.

I request that this grant be submitted to the City Council for approval so we may complete the upgrades on or before June 30, 2011 as requested by the grant program.

Very truly yours,

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

Cc: City Council

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: Department of Public Works DATE: 8-Mar-11

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Ronald M. LaFreniere, Commissioner

NAME OF GRANT: Funds to Support Upgrade of Fluoridation Equipment at Millham Water Treatment Plant

GRANTOR: DPH-Department of Public Health

GRANT AMOUNT: \$13,600

GRANT PERIOD: Less than 4 months (March, 2011 to June 30, 2011)

SCOPE OF GRANT/
ITEMS FUNDED Fluoridation equipment upgrades at the Millham Water Treatment Plant to be completed by June 30, 2011.

IS A POSITION BEING
CREATED: No

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

ARE MATCHING CITY
FUNDS REQUIRED? 20% in-kind match from City

IF MATCHING IS NON-MONETARY (MAN HOURS, ETC.) PLEASE SPECIFY:
Matching funds will be covered through in-kind services

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

ANY OTHER EXPOSURE TO CITY?
No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: There is a small time period to procure the new facilities and have them installed by June 30, 2011. Timely acceptance by the Council is necessary to meet this deadline.

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



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
250 Washington Street, Boston, MA 02108-4619

DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

JUDYANN BIGBY, MD
SECRETARY

JOHN AUERBACH
COMMISSIONER

February 16, 2011

actually sent 2/23/11

Ronald LaFreniere
Commissioner
135 Neil Street
Marlborough, MA 01752

RE: RFR#107011 Funds to Support the Upgrade of Water Fluoride Equipment
Contract ID#: INTF3327P01107011047

Dear Mr. LaFreniere:

The Massachusetts Department of Public Health Bureau of Community Health and Prevention is pleased to inform you that your agency is being awarded funding for the application submitted through the Request for Response named above. The award amount is indicated below:

Maximum Obligation for FY2011:	\$13,600
Duration:	Up to 4 months (from March, 2011 to June 30, 2011)
Options to Renew:	No
Change of Scope Required:	No
Conditions Attached:	Yes
Federal Funds:	Yes

Since this award is supported in whole or in part with federal funds (CFDA#93.236) your agency is required to adhere to the auditing requirements of Federal OMB Circular A-133. For that reason, we encourage you to notify your CPA of this award.

Please read any attached conditions and respond within the timeframe specified. Complete and return the enclosed contract to the MDPH Purchase of Service (POS) Office by the date indicated on the face page of the contract package. If you have any questions regarding this award please contact the people indicated below:

Program Contact: Lynn Bethel, 617-624-6074, lynn.bethel@state.ma.us
Purchase of Service: Marla Siegel, 617-624-5811, marla.siegel@state.ma.us

This award is subject to funding by the legislature and/or federal grantor. Because this is a multi-year award, the funding specifications as defined within each fiscal year's award amount on the face page of the contract are specifically restricted to use during that fiscal year. Future year awards will be obligated separately prior to the beginning of each new fiscal year.

Any funds designated in the budget that are unspent in any fiscal year will not be available for expenditure in the subsequent fiscal year without a formal contract amendment re-authorizing these funds. The maximum obligation of the contract will automatically be reduced by the amount of the unspent funds from a prior fiscal year and the Department may adjust the encumbrance in the accounting system to reflect the unspent funds for the prior fiscal year.

An annual contract performance review process will be conducted for this contract. The contract performance review will include the examination of the results and measures component of the contract as well as overall performance related to the Scope of Service and DPH Contracting Principles.

On behalf of the Department, I want to thank you for your commitment to improve the health of the people of the Commonwealth.

Sincerely,



Cheryl Bartlett, RN
Interim Director, Bureau of Community Health and Prevention

cc: Lynn Bethel, Director, Office of Oral Health

COMMONWEALTH OF MASSACHUSETTS - STANDARD CONTRACT FORM



This form, to be used for New Contracts and Contract Amendments/Renewals, is jointly issued and published by the *Executive Office for Administration and Finance (ANF)*, the *Office of the Comptroller (CTR)* and the *Operational Services Division (OSD)* for use by all Commonwealth Departments. Any changes to the official printed language of this form shall be void. Additional non-conflicting terms may be added by Attachment. Contractors should only complete sections marked with a "→". For instructions and hyperlinks (italics), please view this form at: www.mass.gov/osc under *Guidance For Vendors - Forms* or at www.mass.gov/osd under *OSD Forms*.

→ Contractor Legal Name (and d/b/a): City Of Marlborough		Department MMARS Alpha Code and Name: DPH - Department of Public Health	
→ Legal Address (from W-9): 140 Main St, Marlborough, MA 01752-3812		Business Mailing Address: 250 Washington St., Boston, MA 02108	
→ Payment Remittance Address (from W-9): 140 Main St, Marlborough, MA 017523812		Billing Address (if different):	
→ Contract Manager: Ronald LaFreniere		Contract Manager: Maria Siegel	
→ E-Mail Address: rlafraniere@marlborough.ma.gov	→ Phone: 508-624-6910	E-Mail Address: maria.siegel@state.ma.us	Phone: 617-624-5811
→ Fax: 508-624-7699	→ TTY:	Fax: 617-624-5017	TTY:
→ State of Incorporation (if a corporation) or "N/A":		MMARS Doc ID(s): INTF3327P01107011047	
→ Vendor Code: VC6000192111		RFR/Procurement or Other ID Number (if applicable): 107011	
MMARS Object Code: P01		Account(s) Funding Contract: 4510-0222	

<p style="text-align: center;">X NEW CONTRACT</p> <p>COMPENSATION (Check only one): <input checked="" type="checkbox"/> Total Maximum Obligation of this Contract \$ <u>13,600.00</u> <input type="checkbox"/> Rate Contract (Attach details of rate(s) units and any calculations):</p> <p>The following COMMONWEALTH TERMS AND CONDITIONS for this Contract has been executed and filed with CTR (Check only one): <input checked="" type="checkbox"/> Commonwealth Terms and Conditions <input type="checkbox"/> Commonwealth Terms and Conditions For Human And Social Services</p> <p>PROCUREMENT OR EXCEPTION TYPE (Check one option only): <input type="checkbox"/> Single Department Procurement/Single Department User Contract <input type="checkbox"/> Single Department Procurement/Multiple Department User Contract <input type="checkbox"/> Multiple Department Procurement/Limited Department User Contract <input type="checkbox"/> Statewide Contract (OSD or an OSD-designated Department) <input checked="" type="checkbox"/> Grant (as defined by <u>815 CMR 2.00</u>) <input type="checkbox"/> Emergency Contract (attach justification) <input type="checkbox"/> Contract Employee (complete <u>Employment Status Form</u>) <input type="checkbox"/> Collective Purchase (attach OSD approval) <input type="checkbox"/> Legislative/Legal Exemption (attach authorizing language) <input type="checkbox"/> Other (Specify and attach documentation):</p> <p>ANTICIPATED START DATE: <u>03/15/2011</u> (Enter the Date Contract Obligations may begin. Review Certification for Effective Date Below prior to entry.) CONTRACT END DATE: <u>06/30/2011</u></p>	<p style="text-align: center;">CONTRACT AMENDMENT/RENEWAL</p> <p>ENTER CURRENT CONTRACT START and END DATES (prior to amendment) Current Start Date: _____ Current End Date: _____</p> <p>COMPENSATION: (Check Either, "No Compensation Change"; "Maximum Obligation" or "Rate change". ATTACH Amended Scope and Budget to support Amendment.) <input type="checkbox"/> NO Compensation Change (Skip to "OTHER" section below and select change) <input type="checkbox"/> Redistribute Budget Line Items (No Maximum Obligation Change) <input type="checkbox"/> Maximum Obligation Change. a) Current Total Contract Maximum Obligation: \$ _____ (Total Contract Maximum Obligation, including all prior amendments) b) Amendment Amount ("+" or "-"): \$ _____ c) NEW TOTAL CONTRACT MAXIMUM OBLIGATION: \$ _____ <input type="checkbox"/> Rate Changes to Rate Contract</p> <p>OTHER: (Check option, explain under "Brief Description" below, and attach documentation.) <input type="checkbox"/> Amend Duration Only (No Compensation or Performance Change) <input type="checkbox"/> Amend Scope of Services/Performance Only (no budget impact) <input type="checkbox"/> Interim Contract (Temporary Extension to complete new Procurement) <input type="checkbox"/> Other: (Describe Details and Attach documentation):</p> <p>ANTICIPATED START DATE: _____ (Enter the Date Amendment Obligations may begin. Review Certification for Effective Date Below prior to entry.) NEW CONTRACT END DATE: _____</p>
---	--

→ **PROMPT PAYMENT DISCOUNTS.** Contractor has agreed to the following Prompt Pay Discounts for the listed Payment Issue Date. See Prompt Payment Discount Policy.
 _____ % Within 10 Days _____ % Within 15 Days _____ % Within 20 Days _____ % Within 30 Days OR, Check off the following if:
 Contractor either claims hardship, or chooses not to provide PPD, or compensation is not subject to prompt pay discounts (grants, non-commodity or non-service compensation)

BRIEF DESCRIPTION OF CONTRACT PERFORMANCE OR REASON FOR AMENDMENT (Reference to attachments is insufficient):
 Grants To Public Entities. Support to Upgrade Water Fluoridation Equipment

CERTIFICATIONS: Notwithstanding verbal or other representations by the parties, or an earlier Start date listed above, the "Effective Date" of this Contract or Amendment shall be the latest date this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, a later Contract or Amendment Start Date specified above, or the date of any required approvals. By executing this Contract/Amendment, the Contractor makes, under the pains and penalties of perjury, all certifications required under the attached Contractor Certifications, and has provided all required documentation noted with a "→", or shall provide any required documentation upon request, and the Contractor agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein, including the terms of the applicable Commonwealth Terms and Conditions available at www.mass.gov/osc under Guidance For Vendors - Forms or at www.mass.gov/osd under OSD Forms, the terms of the attached Instructions, the Request for Response (RFR), solicitation (if applicable) or other authorization, the Contractor's response to the RFR or solicitation (if applicable), and any additional negotiated performance or budget provisions. The terms of this Contract shall survive its termination for the purpose of resolving any claim, dispute or other Contract action, or for effectuating any negotiated representations and warranties. **THE PARTIES HEREBY ALSO CERTIFY THAT (Check one option only):**

- the Contractor has NOT incurred any obligations triggering a payment obligation for dates prior to the Effective Date of this Contract or Amendment; OR
- any obligations incurred by the Contractor prior to the Effective Date of this Contract or Amendment (for which a payment obligation has been triggered) are intended to be part of this Contract/Amendment and shall be considered a final Settlement and Release of these obligations which are incorporated herein, and upon payment of these obligations, the Contractor forever releases the Commonwealth from any further claims related to these obligations.

AUTHORIZING SIGNATURE FOR THE CONTRACTOR:

→ X: [Signature] DATE: 3/18/11
 (Signature and Date Must Be Handwritten At Time of Signature)

→ Print Name: NANCY E. STEVENS
 → Print Title: MAYOR

AUTHORIZING SIGNATURE FOR THE DEPARTMENT:

X: _____ DATE: _____
 (Signature and Date Must Be Handwritten At Time of Signature)

Print Name: Toni Gustus
 Print Title: Director, Purchase of Service Office

Funds to Support the Upgrade of Water Fluoridation Equipment

With funding provided through this contract, the Program will adhere to the following:

1. Contribute at a minimum, 20% of non-federal/state funds to the activities carried out under this grant funding.
2. Complete all fluoridation equipment upgrades by June 30, 2011, and have all MassDEP inspections (if applicable) completed by July 30, 2011.
3. Participate in an approved one-day (at a minimum) fluoridation training within 12 months of receiving the first installment of funding, at the expense of the public water system (PWS). Approved fluoridation trainings are conducted by the Massachusetts Water Works Association, New England Water Works Association or the US Centers for Disease Control and Prevention.
4. Include in your annual Consumer Confidence Report (CCR) updated fluoridation information per MassDEP Drinking Water Program and the Office of Oral Health (refer to www.mass.gov/dep/water/drinking/systems.htm#ccr)
5. Translate the annual CCR in all languages needed to support all residents receiving water from the PWS. The translation will be done at the expense of the PWS.
6. If applicable, copies of dated packing slip(s) for equipment purchases must be included with the first and/or second invoice.
7. Submit the second and final invoice for payment with a signed attestation on the PWS' letterhead that the upgrade was completed and fluoridation has been reinstated, (see below)..

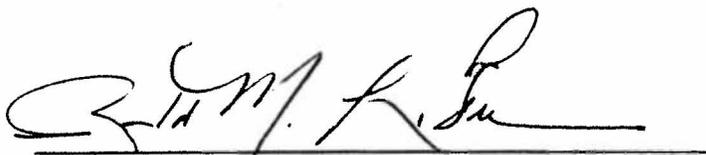
Note: Cut and paste the following language on the PWS letterhead and submit to the Office of Oral Health with the final invoice.

All fluoridation equipment upgrades were completed by June 30, 2011, and fluoridation has been reinstated.

I verify under penalty of perjury that the foregoing statement is true and correct. Executed on _____, by _____.

~~(Date)~~

~~(Signature)~~



Authorized Signature of Public Water System

3/8/11
~~Date~~



RECEIVED
CLERK'S OFFICE
MARLBOROUGH

City of Marlborough
Legal Department

140 MAIN STREET

MAR 10 P 4:53

MARLBOROUGH, MASSACHUSETTS 01752

TEL. (508) 460-3771 FACSIMILE (508) 460-3698 TDD (508) 460-3610

LEGAL@MARLBOROUGH-MA.GOV

DONALD V. RIDER, JR.
CITY SOLICITOR

CYNTHIA M. PANAGORE GRIFFIN
ASSISTANT CITY SOLICITOR

BEVERLY J. SLEEPER
CHIEF PROCUREMENT OFFICER

DENISE M. LINDBERG
PARALEGAL

March 10, 2011

Arthur Vigeant
President
Marlborough City Council

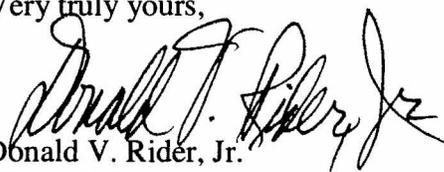
RE: Proposed Salary Ordinance
Human Services Re-Organization

Dear President Vigeant and Members:

I am enclosing a draft order for the proposed salary ordinance regarding the Human Services re-organization. The proposed ordinance reflects the salary ranges approved by Council at its February 28, 2011 meeting.

Thank you for your attention to this matter.

Very truly yours,


Donald V. Rider, Jr.
City Solicitor

Enclosure

cc: Nancy Stevens, Mayor

ORDERED:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING CHAPTER 125, ENTITLED "PERSONNEL," AS FOLLOWS:

POSITION	EFFECTIVE DATE	MINIMUM 1 st 6 mos.	STEP 1 2 nd 6 mos.	STEP 2 Next 12 mos.	MAXIMUM
Executive Director of Human Services	7/1/11	\$59,120.00	\$61,484.80	\$63,944.19	\$66,501.96
Human Services Manager	7/1/11	\$44,803.00	\$46,595.12	\$48,458.92	\$50,397.28
Council on Aging Program Manager	7/1/11	N/A	N/A	N/A	\$19,000.00

ADOPTED

In City Council
Order No. 11-
Adopted

Approved by Mayor
Nancy E. Stevens
Date:

A TRUE COPY
ATTEST:



City of Marlborough
Public Facilities Department

John L. Ghiloni, Director
Andrew J. White,
Assistant Director
85 Sawin Street
Marlborough, MA 01752
Phone: 508.460.3521
Fax: 508.460.3565

March 9, 2011

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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Re: Massachusetts School Building Authority

2011 MAR 10 P 12:09

Dear President Vigeant and Members:

The Massachusetts School Building Authority requires a Statement of Interest to be filed annually for districts applying for grants under the school building assistance program. The Statement of Interest must be submitted prior to applying for grant funding. These forms are not a request for funding and are not obligating the City of Marlborough to any projects.

A Statement of Interest has been filed for Richer School, Whitcomb School and Freeman School. A current vote of the City Council is required for the Statements of Interest to be valid.

The agenda item of the School Committee for March 8, 2011 is attached as Item 9E. This was a favorable vote by the School Committee. I have also attached a copy of the authorization.

If you have any questions or require additional information, please let me know.

Sincerely,

John L. Ghiloni
Director

Attachments (2)

cc: Mayor Nancy E. Stevens

ORDERED:

WHEREAS the Marlborough City Council, in accordance with its charter, by-laws and ordinances, has voted to authorize the Superintendent of the Marlborough Public Schools to submit to the Massachusetts School Building Authority the Statement of Interest dated January 26, 2011 for the Richer School-80 Foley Road, Whitcomb School-25 Union Street and ECC (Freeman School)-17 Washington Street which describes and explains the following deficiencies and the priority category for which the Marlborough Public Schools may be invited to apply to the Massachusetts School Building Authority in the future. Richer and Whitcomb have been submitted for Priority # 5 which is defined as the replacement, renovation or modernization of school facility systems such as roofs, windows, boilers, heating and ventilation systems, to increase conservation and decrease energy related costs in a school facility. ECC (Freeman School) has been submitted for Priority # 5 as well as Priority # 7 which is defined as the replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements, and hereby further specifically acknowledges that by submitting these Statement of Interests, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City to filing an application for funding with the Massachusetts School Building Authority, NOW THEREFORE the City Council of the City of Marlborough hereby authorizes the Superintendent of the Marlborough Public Schools to submit a Statement of Interest to the Massachusetts School Building Authority for the above-specified projects, be and is herewith APPROVED.

ADOPTED
In City Council
Order No. 11-
Adopted:

Approved by Mayor
Nancy E. Stevens
Date:

A True Copy,
ATTEST:

SCHOOL COMMITTEE
AGENDA ITEM SUMMARY
ACTION ITEM

Agenda Item # 9E

For School Committee Meeting
of March 8, 2011

SUBJECT:

Statement of Interest for Whitcomb, Richer and ECC (Freeman)

Person(s) preparing Agenda Item:

John L. Ghiloni

Listing of Attachments:

None

BACKGROUND:

The Massachusetts School Building Authority requires a Statement of Interest to be filed annually for districts applying for grants under the school building assistance program. The Statement of Interest must be submitted prior to applying for grant funding. These forms are not a request for funding and are not obligating the Marlborough Public Schools to any projects.

STATUS:

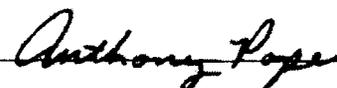
A Statement of Interest has been filed for Richer, Whitcomb and ECC and a current vote is required from the School Committee.

RECOMMENDATION:

That the Marlborough School Committee, in accordance with its charter, by-laws and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest dated January 26, 2011 for the Richer School-80 Foley Road, Whitcomb School-25 Union Street and ECC (Freeman School)-17 Washington Street which describes and explains the following deficiencies and the priority category for which the Marlborough Public Schools may be invited to apply to the Massachusetts School Building Authority in the future. Richer and Whitcomb have been submitted for Priority # 5 which is defined as the replacement, renovation or modernization of school facility systems such as roofs, windows, boilers, heating and ventilation systems, to increase conservation and decrease energy related costs in a school facility. ECC (Freeman School) has been submitted for Priority # 5 as well as Priority # 7 which is defined as the replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements, and hereby further specifically acknowledges that by submitting these Statement of Interests, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City to filing an application for funding with the Massachusetts School Building Authority.

Director's Approval: John Ghiloni (via email)

Recommended by the Superintendent:





City of Marlborough
Public Facilities Department

John L. Ghiloni, Director
Andrew J. White,
Assistant Director
85 Sawin Street
Marlborough, MA 01752
Phone: 508.460.3521
Fax: 508.460.3565

March 16, 2011

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

Re: Renewal of Lease of former Bigelow School

Dear President Vigeant and Members:

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2011 MAR 10 P 12:10

Pursuant to City Council Order N 08-1001774B, the Council authorized the lease of the former Bigelow School to the Assabet Valley Collaborative as approved by the Marlborough School Committee. I am requesting your approval to renew the lease of the former Bigelow School located at 57 Orchard Street to the Assabet Valley Collaborative for a period of one year from July 1, 2011 to June 30, 2012 in accordance with the terms and conditions of the Lease.

Please note that you approved the initial lease on June 23, 2008 and this renewal is the third of four renewal options provided for under the lease terms.

The agenda item of the School Committee for March 8, 2011 is attached as Item 9D. This was a favorable vote by the School Committee. I have also attached a copy of the renewal authorization.

If you have any questions or require additional information, please let me know.

Sincerely,

John L. Ghiloni
Director

Attachments (2)

cc: Mayor Nancy E. Stevens

ORDERED:

Pursuant to City Council Order No. 08-1001774B authorizing a lease effective July 1, 2008 to the Assabet Valley Collaborative of the former Bigelow School located at 57 Orchard Street, for a one-year term with the option to renew for four additional one-year terms, and the terms and conditions of the original lease, said renewal being the third of four options was approved by the School Committee on March 8, 2011, a copy of which is attached hereto and incorporated herein, said lease is hereby renewed for the one-year term from July 1, 2011 to June 30, 2012 in the amount of \$153,985.00 (\$10.30 per square foot), be and is herewith **APPROVED**.

ADOPTED
In City Council
Order No. 11-

Approved by Mayor
Nancy E. Stevens
Date:

A TRUE COPY
ATTEST:

City Clerk

SCHOOL COMMITTEE
AGENDA ITEM SUMMARY

Agenda Item # 9D

For School Committee Meeting
of March 8, 2011

SUBJECT:

Bigelow School

Listing of Attachments:

None

BACKGROUND:

The School Committee voted to lease the Bigelow School to Assabet Valley Collaborative on June 10, 2008 for a term of one year. The terms of the lease also allow for renewal of four additional one- year periods at the sole discretion of the City of Marlborough. The School Committee authorized the first renewal in February of 2009 and the second renewal in March of 2010. This is the third request for the renewal of the lease.

STATUS:

The Assabet Valley Collaborative has requested to lease the building for one additional year from July 1, 2011 to June 30, 2012.

RECOMMENDATION:

That the School Committee approves the renewal of the lease to Assabet Valley Collaborative for an additional year beginning on July 1, 2011 and ending on June 30, 2012 at the current rate of \$10.30 per square foot.

Approved by Director of Public Facilities: John Ghiloni (via email)

Recommended by the Superintendent:

Anthony Pope

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

APPLICATION TO CITY COUNCIL FOR ISSUANCE OF SPECIAL PERMIT

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

1. Name and address of Petitioner or Applicant:

2011 MAR 10 P 3:45

Melanson Development Group, Inc., 60 Glenwood Avenue, Woburn, MA 01801

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

93 Framingham Road, Marlborough, MA 01752; Assessors Plate 93, Parcels 87, 92, 93 & 93A

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

Mercedes Walker c/o Celeste Walker, 990 Central St., Apt. 2, Jamaica Plain, MA 02130-3029

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

5. Specific Zoning Ordinance under which the Special Permit is sought:

Article IV Section 650-12 Paragraph _____ Sub-paragraph _____

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

Residential A-2

7. Specific reason(s) for seeking Special Permit

Applicant is seeking a special permit to expand the non-conforming use of the existing Walker house and barn, which is non-conforming as a 2-family house, so that the existing house and barn will accommodate seven (7) residential condominium units, and to expand and change the living area in the existing structures and the parking near the existing structures to accommodate this increased use of the property.

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

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

*Bryan E. Melanson
2011, 02*

Signature of Petitioner or Applicant
Bryan E. Melanson, President

Address: Melanson Development Group, Inc.

60 Glenwood Avenue, Woburn, MA 01801

Telephone No. (781) 844-4540

Date: March, 2011

City of Marlborough
Commonwealth of Massachusetts

RECEIVED
CLERK'S OFFICE
CITY OF MARLBOROUGH

2011 MAR -1 A 9 26



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

PLANNING BOARD MINUTES

January 24, 2011

7:00 PM

The Planning Board for the City of Marlborough met on Monday, January 24, 2011 In Memorial Hall, 3rd floor, City Hall, Marlborough, MA 01752. Members present: Barbara Fenby, Colleen Hughes, Clerk, Philip Hodge, Edward Coveney and Sean Fay. Also present: City Engineer Thomas Cullen.

MINUTES

Meeting Minutes January 10, 2011

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

To table the minutes until the next meeting.

CHAIRS BUSINESS

Mr. Fay stepped out of the room.

Open Space Meeting, Shoestring Hill

Ms. Hughes attended a meeting regarding an new Open Space Concept plan on the proposed Shoestring Hill Subdivision. She stated the proposed open space plan shows a larger amount of open space, more of a buffer space between the houses on Desimone Drive, less roadway and a possible walking trail to Jericho Hill. They are still proposing a double barrel roadway and have reduced the number of housing lots to 54. Ms. Hughes stated that the Engineer for the project will be in contact with Mrs. Lizotte to come before the board informally at the next meeting.

APPROVAL NOT REQUIRED PLAN

PUBLIC HEARING

SUBDIVISION PROGRESS REPORTS

Update from City Engineer

Mr. Cullen stated that they are reviewing the Indian Hill subdivision and preparing the necessary documents to complete the subdivision.

Berlin Farms (Long Drive)

Construction Schedule & Subdivision Extension

Mr. Freeman stated in correspondence that the street light is scheduled for installation by the end of this month (weather permitting), the detention basin fencing will be installed by early spring and the final clean up will be performed by the end of May 2011. In a previous request the developer had requested a subdivision extension. The Planning Board granted an extension to tonight's meeting. They discussed further extending the subdivision until the first meeting in June.

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

To accept and file correspondence; to grant an extension of the subdivision to June 6, 2011.

Blackhorse Farms (Slocumb Lane)

Correspondence from Attorney Beattie

Attorney Beattie sent a status letter stemming from the last Planning Board meeting in which he attended on behalf of his client. In his letter he expressed his willingness to reduce communications between his client and the Board to writing. Mr. Beattie raised two additional issues in his letter:

- **Slocumb Lane Open Gate and Plowing:** Mr. Beattie stated that at the request of the Planning Board, the gate was left open from January 10, 2011 to January 24, 2011 and the roadway will be plowed in it's entirety during the snowstorms.
- **Slocumb Lane Erosion Controls:** Mr. Beattie stated that the major snowstorm of January 12, 2011 inhibited a detailed inspection of the erosion controls and he stated once the weather permits, any collapsed silt fencing, deteriorated or damaged hay bales will be replaced.

Mr. Beattie also stated the developer does have a prospective buyer of one of the lots and if the negotiations are completed, they expect to be developing the lot in a timely manner.

Mr. Beattie also proposed moving the gate halfway down the roadway as a middle ground and raised the issue of potential illegal dumping. Mr. Beattie questioned whether policing such dumping would serve his client or the City's police services well.

He has asked the Planning Board to review the proposal.

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

To accept and file correspondence.

Mr. Cullen stated that he has seen the site plan for the building lot that has a potential buyer and it would serve no purpose for the Planning Board to allow the gate to be moved down the roadway beyond this lot. Mr. Cullen stated he would rather see the developer build the rest of the roadway and complete the subdivision. Mr. Fay stated he would rather see the gate open and stated that it was the developer's responsibility to plow and maintain the roadway and to monitor

the property for illegal dumping. Mr. Fay stated that the developer is burdened only by a self-created hardship.

Mr. Hodge agreed with Mr. Fay, that a half-way gate will not work in the City's favor. The Board collectively agreed that point 1 of Mr. Beattie's letter was not an acceptable compromise, however they all agreed that point 2 was acceptable.

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

To send the following correspondence to Attorney Beattie:

Thank you for your correspondence of January 17, 2011. The Board agrees with the second point on page two of your letter. Please inform the City Engineer and the Board as to the date you anticipate addressing the erosion control so that the City Engineer has the option of sending a representative.

With regard to point 1, the Board disagrees. When the Board asked that the gate be removed from the roadway, it was the stated expectation of the Board that the developer would be responsible for plowing, maintenance and monitoring of illegal dumping for the entirety of the roadway.

If you wish to discuss this further we would welcome your presence at our next meeting on February 14, 2011. The Board appreciates your ongoing participation in this matter.

Fahey Street

Correspondence from Assistant City Solicitor Panagore-Griffin

The Assistant City Solicitor has provided a copy of the Order of Acceptance, Easement Deed and the copy of receipts from the Middlesex Registry of Deeds as proof the City has accepted certain easements. All items have been recorded and receipts have been provided.

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

To accept and file the correspondence.

Release of Bond

The developer stated that all recordings and easements have been processed, he is kindly asking for his bond to be released.

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

To accept and file the correspondence, to reduce the bond from \$66,000.00 to \$0.00 and to change the subdivision status to completed.

Mr. Fay stepped out of the room

Water's Edge (Worster Drive)

Correspondence from Attorney Flood

Attorney Christopher Flood and his client were in attendance at the previous meeting held on January 10, 2011. Attorney Flood sent correspondence in regards to several items that were addressed at the meeting and that his client will perform before the Planning Board can accept his roadways:

- Remove the couch that is on Gaucher Circle;
- Replace all missing "trail" signs;
- Remove the dead tree leaning over the Gaucher Circle.

The Planning Board confirmed at the last meeting that in the Open Space parcel fencing around the detention basin was not in the original acceptance plans and does not need to be installed. The developer expects to have all items completed within 30 days and will notify the Planning Board when all items have been addressed.

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

To accept and file correspondence; to follow up the request of completion for the first meeting in March.

Mr. Fay returned to the room.

PENDING SUBDIVISION PLANS: Updates and Discussion

PRELIMINARY/ OPEN SPACE SUBDIVISION SUBMITTALS

DEFINITIVE SUBDIVISION SUBMISSIONS

SCENIC ROADS

SIGNS

INFORMAL DISCUSSION

COMMUNICATIONS/CORRESPONDENCE

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

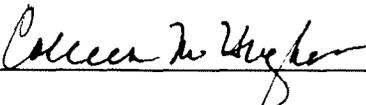
To accept all of the items listed under communications and/or correspondence.

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

To adjourn at 7:30 p.m.

A TRUE COPY

ATTEST:



Colleen Hughes, Clerk

City of Marlborough
Commonwealth of Massachusetts

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CITY OF MARLBOROUGH

2011 MAR -1 A 9 26



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

February 14, 2011
7:00 PM

The Planning Board for the City of Marlborough met on Monday, February 14, 2011 in Memorial Hall, 3rd floor, City Hall, Marlborough, MA 01752. Members present: Barbara Fenby, Colleen Hughes, Clerk, Clyde Johnson, Edward Coveney and Sean Fay. Also present: City Engineer Thomas Cullen.

MINUTES

Meeting Minutes January 10, 2011

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

To accept and file the amended meeting minutes.

CHAIRS BUSINESS

Meeting Schedule

There was no conflict with the proposed schedule.

City Council Correspondence

Zoning Change, Retirement Community

The Planning Board set a date of March 14, 2011 at 7:15pm.

Mr. Fay stepped out of the room due to a conflict of interest.

Shoestring Hill

Informal Discussion

Mr. Robert Moss, the developer and Michael Sullivan, the engineer, brought an informal plan to the Planning Board to discuss an Open Space Concept. Mr. Moss described to the Board a previous meeting with held the City Engineer, DPW Commissioner, Conservation Commissioner, and Planning Board member, Colleen Hughes.

This new plan shows the total parcel of 88 acres with 17 acres of wetlands and 70 acres of upland area. This plan shows buildable dwelling units as 54 using the open space zoning requirements of A1 and 15,000 SF per lot. The overall open space would amount to 61 acres.

Mr. Moss stated that this plan was overall more perceptive of the use of the land. He also stated that the possibility after the final engineering concepts, the total number of lots can be reduced due including removing the lots by the vernal pools and the two lots at the front entrance of the boulevard.

Mr. Cullen stated that he is more comfortable with this plan and it's moving in the right direction. Mr. Johnson also stated that this plan was more pleasing; however he still has reservations about the amount of wetlands that exist on the property. Mr. Coveney stated he likes this concept better than the previous plan. Ms. Hughes stated that they did a good job on the presentation and that she is interested to see the final concept. Ms. Fenby stated this concept was more likely to "fly" than the previous concepts.

Ms. Fenby asked about the linking of the trail systems. Mr. Moss said it was his desire to have the right of way land on Desimone Drive access to have the residents use that trail system to connect to Jericho Hill.

Mr. Moss stated he was pleased with the informal process and stated that he will continue working on this plan before he returns with an open space special permit.

Mr. Fay returned to the room.

APPROVAL NOT REQUIRED PLAN

108 Kelber Drive Submittal

Mr. Mark Evangelous resides at 108 Kelber Drive and owns the abutting property Lot10A Labrache Lane. He is looking to carve out a section of the existing lot and create Lot 10B consisting of 5,238 S.F.

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

To accept and refer the proposed plan to the City Engineer for his review and recommendation at the next meeting on Monday, February 28, 2011.

PUBLIC HEARING

SUBDIVISION PROGRESS REPORTS

Update from City Engineer

Mr. Cullen stated that he and his staff is working on the last pieces of the Indian Hill Subdivision and the Forest Trail Subdivision. He stated that he has been working with the engineer to make the necessary corrections on the plans. He also stated he was working with Mrs. Lizotte to contact the bank's attorney for the Shaungnessy Estates subdivision to complete the remaining work. He also stated he has received emails from the developer of Berlin Farms regarding the lighting on the street and its expected date for erection of the light.

Blackhorse Farms (Slocumb Lane)

The Developer's Attorney, Paul J. Beattie, responded to the Planning Board's correspondence from their last meeting. In his correspondence, Mr. Beattie stated that his client will continue to plow Slocumb Lane and leave the gate open. He also stated that when the weather permits, his client will do a more detailed inspection on the erosion controls.

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

To accept and file correspondence.

Shorter Street

The Planning Board asked the legal department if they could accept the subdivision if the turn around for Shorter Street has not been accepted by the City Council. According to the Assistant City Solicitor, stated in her research that a deed that was purported to grant the easement to the City was recorded in 2003, however it was not presented or ever accepted by the City Council. At the present time, the easement is in the Public Services Committee of the City Council. It is the Legal Department's opinion that the Planning Board should recommend to the public Services Committee that the City not accept the easement. She also stated that the remaining bond monies of \$1,000.00 should remain in place.

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

To accept and file correspondence, send notification to the City Council Public Services Committee not to accept the turn around easement and keep the remaining bond monies in place.

PENDING SUBDIVISION PLANS: Updates and Discussion

PRELIMINARY/ OPEN SPACE SUBDIVISION SUBMITTALS

DEFINITIVE SUBDIVISION SUBMISSIONS

SCENIC ROADS

SIGNS

INFORMAL DISCUSSION

COMMUNICATIONS/CORRESPONDENCE

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

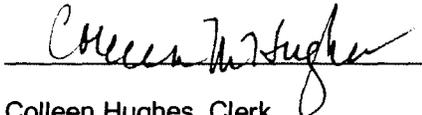
To accept all of the items listed under communications and/or correspondence.

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

To adjourn at 7:55 p.m.

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ATTEST:


Colleen Hughes, Clerk

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CITY OF MARLBOROUGH
CONSERVATION COMMISSION
MINUTES

2011 MAR -1 P 3:54

February 3, 2011
Memorial Hall, 3rd Floor, City Hall
Marlborough, MA 01752

Members Present: Edward Clancy-Chairman, David Williams, Lawrence Roy, Michelle Higgins, and Priscilla Ryder-Conservation Officer;

Absent: John Skarin, Dennis Demers, and Allan White,

Approval of Minutes - The minutes of March 18, 2010, October 14th and 21, 2010, November 4th and 18th, 2010 and December 16, 2010 were reviewed and the Commission unanimously voted to accept them as written.

Public Hearing(s) – None

Discussion:

- Flagg Brook Wildlife Management Area-Draft License Agreement discussion with Pat Huckery Division of Fisheries and Wildlife. - Ms. Ryder explained that Ms. Huckery was not able to make it this evening, but would come to the Feb. 17th meeting to discuss the license agreement. The Commission will discuss with Ms. Huckery the limits of hunting on the state owned property, what is reasonable for hunting and should it be limited to bow hunting etc. Mr. Williams suggested inviting the ward councilor to the meeting as well. Mr. Clancy asked if a larger version of the map could be provided for the meeting. This discussion was continued to the Feb. 17, 2011 meeting.
- The Desert Natural area – Discuss management options:
 - The Commission reviewed several letters and memos sent to them including:
 - E-mail chain from Priscilla Ryder to Laura Mattei on Dec. 23, 2010 RE: The Desert Natural Area.
 - Draft letter to abutters from Erin Snook SVT Community Outreach Coordinator
 - Citizen Science Turtle Survey of Memorial Forest – Volunteer Job Description Turtle Survey
 - E-mail chain from Bruce Osterling dated January 7, 2011 Subject: FW: SVT Coldwater stream summary.
 - Ms. Ryder noted that SVT has been granted an AmeriCorps Volunteer to work on outreach and environmental education, her name is Erin Snook. Ms. Snook will be doing some outreach at the SVT memorial forest and was wondering if the Marlborough Conservation Commission wanted to be included in this education effort. No funding is required for the city to participate. The Commission voted unanimously to participate in this educational and outreach component of this project, including participation in the turtle survey (if they want to extend it onto Marlborough property).

- Ms. Ryder also discussed the memo from Bruce Osterling; who is a member of Trouts Unlimited. They are looking for trout streams in this area that might need restoration to improve habitat. They did a walk with Division of Fisheries and Wildlife (MDFW) in November. The e-mail provides a summary from Alicia Norris Fisheries Biologist MDFW which summarizes her observations of both Cranberry Brook and Trout Brook. Cranberry Brook has not previously been sampled by MDFW, so they anticipate doing some additional survey of this stream in the summer of 2011. Based on the summer survey they will look at:
 - Low-Flow Assessment of Weir Structures- Because fish survey work occurs during summer low-flow periods, we will take this opportunity to observe and assess the weir structures and their potential as barriers to fish passage.
 - Other- Based on observations and discussion from our first site visit, some topics for additional discussion include:
 - Large wood addition and coldwater habitat relative to weir structure removal
 - Development of BMPs for coldwater streams at pipeline right-of-way crossing
 - Beaver population benefits, trade-offs, and possible management strategies

There will be another walk once the snow melts to evaluate the streams some more. Ms. Ryder will let the Commission know when that will take place if others want to join.

- “2010 Aquatic Vegetation Management Program - Monitoring and Management Recommendations Ft. Meadow Reservoir – prepared by: Aquatic Control Technology, Inc.” The Commission reviewed the report and recommendations for further treatment for the coming year. They will wait to hear from the Ft. Meadow Commission on what is anticipated and what recommendation they wish to follow.
- MACC – Edward Clancy awarded the annual Environmental Service Awards. Some Commission members indicated they would be able to attend the ceremony on March 5th at Holy Cross in Worcester. Ms. Ryder will poll the rest of the members to see who wants to attend.

Correspondence/Other Business

- Letter to Todd Lyons, dated Dec. 17, 2010, RE: Wetland Violation-DEP 212-1016, Fine \$100; Cook Lane Subdivision-Mauro Farm.- The Commission voted to accept and place on file. Ms. Ryder indicated that the consultant working on this project will be providing some additional information about the floc/polymer being used, so there is a better understanding of the controls needed before spring comes.
- Tara Mitchell (DOT) dated Jan. 10, 2011, RE: Poison Ivy Location – YOP MAP - The Commission reviewed and voted unanimously to approve this request to allow for treatment of

poison ivy along Rte. 20 at the I-495 over pass, and the treatment of the invasive plant Pepper weed on the 290 westbound right before Exit 25.

- Letter from Dept. of the Army, dated Jan. 11, 2011 RE: Military Munitions Response Program, Site-AEDB-R#: MAHQ-003-R-01, Shaughnessy's Farm Rifle Range. Ms. Ryder indicated she had called the Army on this to find out what they are looking for. Apparently there was a National Army Reserve unit that used this property for a rifle range during World War I training events. The Army is required to check all these sites to see if there is excessive lead in the soil, and if so clean it up. They will be doing the investigations in the spring. The Mayor granted permission.
- Snow disposal guidance – MassDep - Ms. Ryder provided the Commission with the state guidance on snow disposal. No disposal is permitted in or near wetlands, unless there is an emergency at which time the Commission needs to provide permission at the local level.

Project Updates

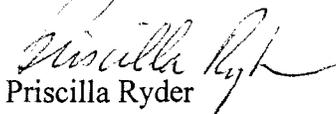
- Indian Hill Open Space Review - Ms. Ryder said that as part of the Target site opening, the City Council Special Permit condition requires the protection of the top of the hill. Ms. Ryder indicated she's been working with City Solicitor Rider and Tom Cullen from the DPW on getting the land transfer documents submitted by the Fafard Co. It is almost done. A deed was to have been provided today, but didn't arrive. Ms. Ryder explained the limit of the land to be deeded to the city for conservation purposes which includes the slope behind Target and the wooded hill on the top as well as the new parking lot area for people wanting to walk up the hill. The Commission also discussed whether they would ever consider adding a cell tower to the top of the hill. After some discussion the Commission determined that the cell tower would not be compatible with the conservation and "preserve all open space" requirement of the Special Permit, so suggested this not be considered in any land transfer deal. This land transfer document need to be submitted to City Council for their Feb. 14th meeting and then have a final vote on Feb. 28th. Given the tight time frame the Commission voted unanimously to recommend to the City Council that this bill be accepted for Conservation purposes as is required in the Special Permit requirements for the Indian Hill development.

Meetings

- Next Conservation Commission meetings – February 17th and March 3rd, 2011 (Thursdays).

Adjournment - There being no further business the meeting was adjourned at 8:15 PM.

Respectfully submitted,


Priscilla Ryder
Conservation

MEETING NAME: MARLBOROUGH COUNCIL ON AGING

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Date: Tuesday, February 15, 2011

Time: 8:30 AM

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

2011 MAR -3 A 9:48

PRESENT:

Sheila Brecken, Jim Confrey; Rita Connors; Marie Elwood; Jack Gracey; Dorothy Hodgson; Paulina Lynch

EXCUSED:

Rita Gardner, Brenda Costa

MEETING MINUTES:

- I. The meeting was called to order at 8:30 a.m.. This meeting was originally scheduled for 2/8/11, but due to inclement weather conditions and the delayed opening of the Senior Center, the meeting was postponed to the 15th.
- II. The January meeting minutes were reviewed and approved by the board.
- III. Director's report
Discussion ensued regarding budget status. New budget due out in March. Valentine party was a success. Jack is currently looking into purchasing an HD tv for the center, as well as setting up a facility-wide Wi-Fi local network.
- IV. Board Updates
 - a. Dottie Hodgson reported that the Friends membership is at 415 members:
- V. Old Business
Newsletter was discussed. This month's edition was better than last month's. Question regarding timing of newsletter.
Rita Connors again suggested having the newsletter edited to minimize duplication. The newsletter no longer advertizes trips not related to Council on Aging. It was suggested to add more information about the book and computer clubs and to add a health page to the newsletter. As requested by the Board at their last meeting, free distribution of the newsletter has been discontinued.

Jack spoke with Chief Leonard, regarding having an officer attend board meetings, but due to the current high leave of absence rate, he is unable to at this time. He will look into it in the future, when officers have returned to duty.

Jack spoke with John Ghiloni regarding the front steps. The step issue is on John's list and it was suggested that Jack ask him to make it a priority.

VI. New Business

Jack will look into the garden project that was talked about last year. It is believed the garden club was going to assist in the project.

VII. Adjournment was called at 9:35 a.m..

Respectfully submitted,

James Confrey

Vice-President