

1. Minutes, City Council Meeting, September 8, 2008.
2. PUBLIC HEARING: On the Application from Attorney Arthur B. Bergeron, on behalf of 890 Post Rd LLC, re: modified version of adopting proposed New Car Dealership Overlay District.
3. Communication from the Mayor re: City Auditor, Diane Smith, providing status update and timeline pertinent to closing of the FY08 books and submittals required relative to free cash certification.
4. Communication from the Mayor re: grant money awarded to the Marlborough Public Library in the amount of \$20,000.00 from the Massachusetts Board of Library Commissioners to improve services for pre-teen and teen library users.
5. Communication from the Mayor re: grant money awarded to the Human Services Department in the amount of \$43,000.00 from the Metro/South West Regional Employment Board to pay for two contracted positions.
6. Communication from the Mayor re: appointment of Ronald Guest to a vacant position on the Cable Advisory Board with no term associated with said appointment.
7. Communication from the Mayor re: reappointments as follows: Alfred Hill & John Usinas to the Commission on Disabilities for terms expiring on November 6, 2011 and Bea Morris and Debra McManus to said Commission for terms expiring on November 6, 2010. Additionally, request that Richard Towle be switched to a full Commission member.
8. Communication from the Mayor re: reappointments of John Noble and Gary Brown to the Historical Commission for terms expiring on September 18, 2011.
9. Communication from the Mayor re: reappointment of James Holt as Caretaker of Soldiers and Sailors Graves for suggested term expiration of the 1st Monday of February 2010.
10. Communication from the Mayor re: reappointment of Gary Brown as the City's Director of Veterans Aid and Service for a term expiring on September 1, 2011.
11. Communication from the Mayor re: appointment of John Nicholson to the Youth Commission with no term associated with said appointment.
12. Communication from Arthur Bergeron, on behalf of 740-744 Boston Post Rd, LLC re: request for easement as shown on Assessor's map as Map 48, Parcel 32.
13. Communication from NSTAR to install 115' of 2.00" plastic gas main as a system improvement to supply 397 Stow Rd.
14. Communication from Jack Milgram, on behalf of Ming Wang, re: request to withdraw without prejudice application for Special Permit for 358-364 Lincoln St. (Order No. 08-1001805)
15. Communication from John Riordan, on behalf of Marlborough 2010 Inc., re: Report of Independent Public Accountants.
16. Minutes, Planning Board, August 13 & 18, 2008.
17. Minutes, MetroWest Regional Transit Authority, July 21, 2008.
18. CLAIMS:
 - A. Sanjay Khanderia, 110 Felton St., property damage & other
 - B. Gordon Watson, 10 Cardinal Ct., Stow, vehicle damage
 - C. Bruce Duncan, 276 Main St., vehicle damage & personal injury
 - D. Chung Lee, 90 Leoleis Dr., property damage

REPORTS OF COMMITTEES:

19. ORDERED: That the Commissioner of Public Works inventory all major storm water culverts throughout the city and assess the condition of these culverts for the purposes of identifying those with safety or operational deficiencies which should be considered for repair or replacement through future capital program or other funding.Submitted by Councilor Juaire

UNFINISHED BUSINESS:

From City Council

20. **Order No. 08-1001896 – Application for Fuel Storage License, Ayoub Engineering on behalf of ExxonMobile Corp., 260 West Main St. – Hunt's Mobile.** Work to upgrade underground piping to the tanks and the overhead fire suppression system has been inspected. Inspection of pipes converting gasoline to diesel has been completed. **Recommendation of the City Council is to table pending final inspection report from the Fire Chief and further recommend issuance of an amended Fuel Storage License upon receipt of final inspection reports. Report from the Fire Chief has been submitted. Additionally, applicant submitted the application fee by the to the City Clerk's Office.**

From Personnel Committee

21. **Order No. 08-1001968 – Appointment of Larry Wenzell to the Arts Lottery Council whose two year term expires on May 1, 2010. Recommendation of the Personnel Services Committee is to approve 3-0.**

From Legislative and Legal Affairs Committee

22. **Order No. 08-1949-1 – Appropriation of \$3,100.00 from the Belleview Avenue Sewer Account, number 30542306-55951, for the purposes of awarding damages for the acquisition of a permanent municipal utility easement by Eminent Domain in a certain strip of land located at the end of Belleview Avenue consisting of approximately 818 ± square feet, now or formerly owned by Richard C. DiMatteo and Jacqueline T. Di Matteo. Recommendation of the Legislative and Legal Affairs Committee is to approve appropriation 3-0.**
23. **Order No. 08-1949-2 – Order of Taking by eminent domain of a strip of land on Belleview Ave. for a permanent municipal utility easement. Recommendation of the Legislative and Legal Affairs Committee is to approve Order of Taking 3-0.**

From Public Services Committee

24. **Order No. 08-1001883 – Request for a Sewer Connection Compliance Certification from Brian Marchetti, Senior Project Engineer of Tetra Tech Rizzo, on behalf of First Student Inc., to construct a Bus Facility on Hayes Memorial Drive. Assistant DPW Commissioner recommended approval based on following conditions:**
1. The permit will lapse if connection is not made within 180 days of obtaining all permits.
 2. Any excess capacity available after the connection must be returned to the City.
 3. The permitted sewer capacity will be 650 GPD.

Recommendation of the Public Services Committee is to approve 3-0 based upon above conditions.

25. **Order No. 08-1001834 – Request for an extension of a Sewer Permit from David P. Gadbois, on behalf of Gutierrez Co., for Devonshire at 495 Center which is located between Forest St. and Hayes Memorial Dr.** Assistant DPW Commissioner recommended approval based on following conditions:
1. The sewer connection is limited to 56,000 gpd.
 2. The sewer connection shall lapse if the connection is not made within 18 months after the date of final approval.
 3. If the total volume is not needed, the surplus shall be returned to the City of Marlborough.

Recommendation of the Public Services Committee is to approve 3-0 based upon above conditions.

From Finance Committee

26. **Order No. 08-1001962 – Transfer \$91,355.88 from Public Safety Stabilization to Police Officer salary account.** The Mayor requested that the Finance Committee refer the letter dated July 28, 2008 recommending the transfer of \$91,355.88 from Public Safety Stabilization to Police Officer back to the Mayor. **Recommendation of the Finance Committee is to refer back to Mayor 5-0.**
27. **Order No. 08-1001966 – Funding the Glenbrook Drainage Project.** The Finance Committee reviewed the Mayor' letter dated August 8, 2008 requesting funding in the amount of \$130,000.00 to fund the Glenbrook Neighborhood Drainage Project. The City Council has previously approved \$40,000.00 to fund this project. The statement from Councilor Pope supporting this project was discussed during the meeting. **Recommendation of the Finance Committee is approve the transfer of \$130,000.000 from the Stabilization to the Drainage account 5-0 to fund the Glenbrook Neighborhood Drainage Project.**
28. **Order No. 08-1001950 – Request to Establish a Revolving Fund for Public Safety Training -** The Finance Committee reviewed the Mayor' letter dated July 1 2008 requesting a revolving fund be created for public safety training. The funding for this revolving fund will be provided by Patriot ambulance at \$45,000 per year for three years. **Recommendation of the Finance Committee is approve 5-0 the establishment of a Public Safety Training revolving fund as outlined in the order attached to the July 1, 2008 letter.**



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

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

**Marlborough, MA 01752
(508) 460-3775 FAX (508) 460-3723
SEPTEMBER 8, 2008**

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

ORDERED: Minutes, City Council Meeting, August 18, 2008, **FILE**; adopted.

ORDERED: That the following budget transfer request in the amount of \$2,550.60 which would move funds from Animal Inspector to Professional & Technical for the purpose of funding the Critter Control contract, **APPROVED**; adopted.

FROM:

Acct. # 15120003-50830 \$2,550.60
Animal Inspector

TO:

Acct. # 15120006-53180 \$2,550.60
Professional & Technical

ORDERED: That the reappointment of Paul Guinta to the Zoning Board of Appeals for five years whose two term expires on May 5, 2013, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the request to convert two existing Beer and Wine licenses to All Alcohol licenses, which will result in no change in the total number of active licenses, refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE**; adopted.

ORDERED: A. That, pursuant to an open space special permit granted by the Marlborough Planning Board on February 22, 2005, a deed dated May 16, 2008, from Henry H. Renaud, III, Marlo J. Renaud, Thomas A. Kehoe and Elizabeth J. Kehoe to the City of Marlborough, conveying a certain tract of open space land designated "Open Space (Passive Recreation) to City of Marlborough, Map 54, Parcel 29, Area: 102,650 s.f.+/-, (2.356 +/- acres)(18.3% wetlands)," as shown on a plan entitled, "Subdivision Plan of Land, Definitive Open Space, Lotting Plan Modification of Plan No. 277 of 2006 and Plan No. 868 of 2007, Berlin Farms, Marlborough, Mass.," Owner/Applicant: Berlin Farms 2007 Realty Trust, Charles V. Freeman, Trustee, P.O. Box 118, Hudson, MA 01749, Scale 1" = 40', Date: November 28, 2007, Prepared by: Inland Survey, Inc., dba Zanca Land Surveying, Civil Engineers and Land Surveyors, 16 Gleasondale Road, Stow, MA (978) 461-2355, (Sheet 2 of 6), said plan being last revised on January 17, 2008 and recorded at the Middlesex South District Registry of Deeds as Plan Number 140 of 2008, and to which plan reference is hereby made for a more particular description of said open space land, subject to the drainage easement

1
2

for the benefit of Lots 1, 2, 3 and 4 as shown on said plan, is accepted under the provisions of Mass. Gen. Laws c. 40, § 8C and is to be managed and controlled by the Marlborough Conservation Commission for the purposes of the promotion and development of natural resources, watershed protection, passive recreation, and conservation.

- B. That, since, pursuant to an open space special permit granted by the Marlborough Planning Board on February 22, 2005, the City of Marlborough is the accepting entity for the Berlin Farms open space parcel referenced in part A above, the amount of \$5,000.00 is accepted under the provisions of Mass. Gen. Laws c. 44, § 53A and is to be placed in the Conservation Maintenance Trust Fund, account #84500-48300, for the purposes of managing the Berlin Farms open space parcel and other conservation land, **refer to OPEN SPACE COMMITTEE**; adopted.

ORDERED: That the Tax Increment Financing Proposal from Sepracor Inc., a research-based pharmaceutical company dedicated to treating and preventing human disease, refer to **FINANCE COMMITTEE**; adopted.

ORDERED: That the City Council hereby authorizes Mayor Nancy E. Stevens to sign a Disclaimer of Interests In The Life Insurance Policy On The Life Of Nicholas Xenos in order to allow the proceeds of the life insurance policy owned by Nicholas Xenos to pass, not to the City, but instead to his widow Eleanor Xenos, **APPROVED**; adopted.

ORDERED: The City Council of the City of Marlborough hereby **GRANTS** the application for a Special Permit to METROPCS MASSACHUSETTS, LLC, having a usual place of business at 285 Billerica Rd, Chelmsford, MA as provided in the Decision and subject to the following Findings of Fact and Conditions.

EVIDENCE

1. The Applicant is METROPCS MASSACHUSETTS, LLC, having a usual place of business at 285 Billerica Rd., Chelmsford, MA 01824 (hereinafter "Applicant").
2. Through its Application for a Special Permit, the Applicant seeks permission to allow co-location of six (6) wireless communications antennas and one (1) GPS antenna on an existing telecommunications tower and supporting equipment on the ground within an existing compound (hereinafter "Proposed WCD Project"), substantially as depicted on a set of plans entitled "AT&T MARLBOROUGH" Chappell Engineering Associates, LLC, dated 1/30/08, revised 2/13/08 and 2/19/08, as submitted with the Special Permit Application, and as further revised 6/18/08 (hereinafter "Plans").
3. The location of the Proposed WCD Project is 75 Donald J. Lynch Boulevard. The site is more particularly identified on the Assessor's Map of the City of Marlborough as Parcel No. 2 of Plate 13. The owner of record for the site is Albert D. Bombard.

13

4. The Applicant is a sub-lessee of New Cingular Wireless, which owns the existing telecommunications tower at the site and leases the underlying compound area.
5. The Site is zoned LI. Wireless communication devices are allowed by grant of Special Permit in LI Zoning Districts.
6. The Special Permit is being sought pursuant to Article VI, Section 200-25 and Article VIII, Section 200-59 of the Zoning Code of the City of Marlborough.
7. Pursuant to the Rules and Regulations of Application for Special Permit ("Rules and Regulations"), the City Planner certified that the Special Permit application materials are complete and conform to said Rules and Regulations and that the Plans conform in all respects to the City Code.
8. The Applicant has complied with all of the applicable rules of the Rules and Regulations.
9. The City of Marlborough City Council held a public hearing on the Proposed WCD Project on June 9th, 2008, for which proper notice had been published and for which proper notice had been given to all parties entitled to notice under the law. Pursuant to MGL c. 40A, § 9, the ninety-day time limit for the City Council to make a decision on the Applicant's Special Permit was extended, by written agreement, until 5:00 p.m. on September 30, 2008, and a copy of that agreement was timely filed in the office of the City Clerk for the City of Marlborough.
10. The Applicant presented oral testimony and demonstrative evidence at the public hearing demonstrating that the Proposed WCD Project meets all the applicable Special Permit criteria of Article VI, Section 200-25 and Article VIII, Section 200-59.
11. The Applicant provided further oral testimony and demonstrative evidence to the City Council's Wireless Communications Committee regarding the Proposed WCD Project's compliance with the applicable Special Permit criteria.
12. The Council, in reviewing the Applicant's Special Permit application, considered the Review Standards and Development Requirements, as enumerated in Article VI, Section 200-25 and Article VIII, Section 200-59 of the City of Marlborough Zoning Ordinance, applicable to the proposed Wireless Communications Device.

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

- A) The Applicant has complied with all the Rules and Regulations promulgated by the Marlborough City Council pertaining to the said Application for a Special Permit.

- B) The Site is an appropriate location for the Proposed WCD Project and the Proposed WCD Project is in harmony with the general purpose and intent of the Zoning Ordinance of the City of Marlborough when subject to the appropriate terms and conditions of this Approval.
- C) The Applicant has complied with the applicable Review Standards and Development Requirements pertaining to Wireless Communications Devices, enumerated in Article VI, Section 200-25 and Article VIII, Section 200-59 of the City of Marlborough Zoning Ordinance, by siting, designing and screening its proposed WCD Project to minimize adverse impact on the abutting neighborhood and on nearby residential properties.
- D) The Council, pursuant to its authority under M.G.L. Chapter 40A and the City of Marlborough Zoning Ordinances, GRANTS the Applicant its Special Permit, SUBJECT TO THE FOLLOWING CONDITIONS NUMBERED 1 THROUGH 10:
- 1) The Proposed WCD Project shall be constructed, maintained and operated according to the specifications, terms and conditions of the Applicant's Special Permit Application, as amended during the application/hearing process, and in compliance with the Conditions of the Grant of Special Permit as well as with the conditions set forth in Chapter 200-25F of the Marlborough Zoning Ordinance.
 - 2) All plans, site evaluations, briefs and other documentation provided by the Applicant as part of this Special Permit Application are herein incorporated into and become a part of this Special Permit and become conditions and requirements of the same, unless otherwise altered by the City Council.
 - 3) The Applicant shall comply with all rules, regulations, ordinances and statutes of the City of Marlborough, the Commonwealth of Massachusetts and the Federal Government as they may apply to the construction, maintenance and operation of the Proposed WCD Project.
 - 4) All terms, conditions, requirements, approvals, plans and drawings required hereunder are hereby made a part of and incorporated herein as a condition to the issuance of this Special Permit.
 - 5) Applicant shall minimize the visual impacts of the Proposed WCD Project by screening and/or color coordination as may be depicted on the Plans and other demonstrative evidence submitted as part of the Application for Special Permit.

15

- 6) Applicant shall pay to the City of Marlborough Open Space Account #100-2410-44515, as mitigation for the alleged impacts caused by the subject of this Permit, the annual sum of One Thousand Five Hundred (\$1,500.00) dollars, the first payment due and payable at the time of the issuance of the building permit hereunder, or within one year of the approval of Special Permit, whichever is earlier, and the subsequent payments to be due and payable on January 2, or the first business day thereafter, of each calendar year in which the WCD referenced in this Permit is still in operation. Failure to make the payment in a timely manner shall constitute a violation of the Special Permit, and the Applicant shall pay an additional sum of \$500 per quarter or portion thereof after the payment due date that the Applicant has failed to make payment.
- 7) Applicant shall not utilize a permanent electrical generator, of any type, in connection with the operation of the Proposed WCD Project. Applicant shall be permitted to use a temporary electrical generator in connection with the operation of the Proposed WCD Project only in cases of power outages to the Proposed WCD Project and for purposes of routine testing and maintenance. The noise produced by the temporary generator shall conform to the City's noise ordinance set forth in Chapter 134 of the City Code.
- 8) No operation of this WCD shall commence until the Applicant has received written approval from the Building Inspector that all the above conditions have been satisfied.
- 9) Applicant shall be subject to site plan review if applicable.
- 10) In accordance with the provisions of Mass. Gen. Laws c. 40A, § 11, the Applicant at its expense shall record this Special Permit in the Middlesex South Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal having been filed.
- 11) Applicant shall securely attach cables to the outside of the tower in such a manner as to prevent noise and/or other disturbance that would be obtrusive to the neighborhood.

Councilor Delano submitted Condition #11 and a roll call vote of Special Permit included acceptance of Condition #11.

Yea: 11 – Nay: 0

Yea: Delano, Ferro, Schafer, Juaire, Seymour, Clancy, Landers, Ossing, Pope, Vigeant, Levy

ORDERED: The City Council of the City of Marlborough hereby **GRANTS** the application for a Special Permit to Boston Post 355 LLC to construct a carwash in a Business District, as provided in this Decision and subject to the following Findings of Facts and Conditions.

- 1) Boston Post 355 LLC is a Delaware limited liability company having a business address of 154 Southfield Rd, Concord, Massachusetts, and is hereinafter referred to as "Applicant".
- 2) Applicant is the owner of certain real property located at 355 Boston Post Road West, Marlborough, Massachusetts, as shown on the Marlborough Assessors Maps as Map 88 Parcel 15. The land is entirely located in a Business District and is also entirely located in the Water Supply Protection District.
- 3) The property is currently used as a contractor's yard for a landscaping and snowplowing business.
- 4) The Applicant, on or about April 25, 2008, filed with the City Clerk of the City of Marlborough an application for a Special Permit under the provisions of Article V Sec. 200-17 and pursuant to the procedures specified in Article VIII Section 200-59 of the Marlborough Zoning Ordinance.
- 5) In connection with the permit application, Applicant filed a Summary Impact Statement, certified list of abutters, filing fee and had previously filed twenty (20) copies of the Site Plan.
- 6) The Site Plan was certified by the City Planner for the City of Marlborough as having complied with Rule 4, items (a) through (m) of the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.
- 7) Pursuant to the Rules and Regulations of the City Council and applicable statutes of the Commonwealth of Massachusetts, the City Council established a date for a public hearing for the permit application and the City Clerk caused to be advertised said date in the Metrowest Daily News and sent notice of said hearing to abutters entitled to notice under law.
- 8) The Marlborough City Council, pursuant to MGL C.40A, held a public hearing on June 9, 2008, concerning the said application. The hearing was opened and closed at that meeting. Pursuant to MGL c. 40A, § 9, the ninety-day time limit for the City Council to make a decision on the Applicant's Special Permit was extended, by written agreement, until 5:00 p.m. on September 30, 2008, and a copy of that agreement was timely filed in the office of the City Clerk for the City of Marlborough.
- 9) Applicant's attorney presented testimony at the public hearing detailing the application, described the improvements to the environment resulting from improved stormwater control at the site, and showed renderings of the proposed carwash to emphasize the improved aesthetic appearance of the site that would result from approval.

17

- 10) Applicant provided further written and oral documentation to the City Council's Urban Affairs Committee regarding the impacts of the proposed project, and proposed building and related site modifications. In particular, Applicant presented a traffic study describing the likely impact of the proposed carwash on traffic, and a noise impact study dealing with the impact of the proposed carwash on surrounding properties.
- 11) Applicant provided the Urban Affairs Committee with revised site plans entitled "Proposed Site Plan Set for 355 Boston Post Road West" dated 10/17/07, revised 7/10/08, by Cabco Consult , and a final revised Planting Plan by Bartsch & Radner Design, Inc. dated 7/23/08) (hereinafter, "The Revised Plans".)

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

- A) The City Council finds that Applicant has complied with all the Rules and Regulations promulgated by the Marlborough City Council as they pertain to the Application.
- B) The City Council finds that the proposed use of the site, subject to the conditions imposed below, will be in harmony with the general purposes and intent of the zoning ordinance, in that it will improve the appearance of the site and will have no significant negative impacts upon abutters. The proposed use of the site, subject to the conditions imposed below, will not be in conflict with the public health, safety, convenience and welfare and will not be detrimental or offensive. The visual and noise impacts from the proposed use have been mitigated, and the limited hours of operation will minimize the noise and traffic impacts to neighbors.
- C) The City Council, pursuant to its authority under MGL C.40A §9 and under Chapter 200 of the Marlborough City Code, GRANTS the Applicant a Special Permit to allow a carwash on the premises, (the "Project"), SUBJECT TO THE FOLLOWING CONDITIONS:
 - 1) Compliance With Building Regulations. Construction of all structures on the site is to be in accordance with all applicable building codes in effect in the City of Marlborough and Commonwealth of Massachusetts. The Project shall be constructed, maintained and operated according to the specifications, terms, and conditions of the Applicant's Special Permit Application and Site Plan. The Site Plan referred to in this condition is the plan entitled "Proposed Site Plan Set for 355 Boston Post Road West" dated 10/17/07, by Cabco Consult, filed with the Special Permit Application, as amended during the application/hearing process before the City Council and/or the City Council's Urban Affairs Committee, all said revisions being reflected in a plans showing a revision date of 7/10/08 , and a final revised Planting Plan by Bartsch & Radner Design, Inc. dated 7/23/08) . All other terms, conditions, requirements, approvals, drawings and renderings required hereunder are made a part of and incorporated herein as a condition of the issuance of this Special Permit.

- 2) **Compliance With Site Plan Review.** The issuance of the Special Permit is further subject to detailed Site Plan Review, in accordance with the City of Marlborough Ordinance, prior to the issuance of the actual Building Permit; provided, however, that the Building Commissioner may issue a building permit prior to the completion of site plan review regarding work which, in his opinion, will not be affected by said site plan review. Any additional changes, alterations, modifications or amendments as required by Site Plan Review shall be further conditions attached to the Special Permit and no Occupancy Permit shall be issued until all conditions are complied with by the Applicant. Subsequent Site Plan Review shall be consistent with the Conditions of this Special Permit and Plans submitted, reviewed and approved by the City Council as the Special Permit granting authority. Any changes to the plans which alter the traffic patterns within the site, require the removal of landscaping, reduce the overall green space of the Project, or add any new element in Zone A other than the landscaping, will require subsequent approval by the City Council.
- 3) **Application and Documents.** All plans, drawings, site evaluations and documentation provided by the Applicant as part of this Special Permit Application are herein incorporated into and become a part of this Special Permit and become conditions and requirements of the same.
- 4) **Compliance with Local, State and Federal Laws.** Applicant agrees to comply with all rules, regulations and ordinances of the City of Marlborough, Commonwealth of Massachusetts and the Federal Government as they may apply to the construction, maintenance and operation of Applicant's facility, except pursuant to the terms of this Special Permit.
- 5) **Incorporation of Plans and Drawings.** All terms, conditions, requirements, approvals, plans, and drawings provided by the Applicant as part of this Special Permit Application and as amended during the application/hearing process before the City Council and/or the City Council's Urban Affairs Committee are herein incorporated into and become part of this Special Permit and become conditions and requirements of the same, unless otherwise altered by the City Council. The Site Plan referred to in this condition is the site plan referred to in Condition #1 above.
- 6) **Improvements Installed Prior to Certificate of Occupancy.** All site improvements, except those specified on the plans approved at Site Plan Review, that have been shown in renderings and/or are conditions of this Special Permit will be installed prior to the issuance of any temporary or permanent occupancy certificate. If all other work is completed between Oct. 1 and June 1, all landscaping plants will be required to be installed by June 1. Applicant agrees that the permanent maintenance of the landscaping and the other site improvements is an ongoing condition of this Special Permit.

- 7) Supplemental Permit Review Fee. Applicant shall, at the time of application for a Building Permit, pay the sum of \$2,000 to the City of Marlborough Inspectional Services Funds to offset the increase in cost associated with the project's construction such as materials, staff, equipment and supplies relative to permitting, monitoring and inspection of the project. Issuance of a final Occupancy Certificate by the Building Commissioner shall be deemed to have demonstrated compliance with the terms of this Condition.
- 8) Snow Storage. Snowmelt runoff will be directed toward catch basins. All snow will be stored in the designated paved area shown on the Revised Plans.
- 9) Catch Basins. All catch basins shall be installed in accordance with the plans submitted to the City Council and/or the City Council's Urban Affairs Committee. The catch basins shall be monitored on a semi-annual basis with reports given to the City Engineer and the Conservation Commission Agent. The catch basins are to be cleaned annually, or at more frequent intervals as determined necessary by the City Engineer and the Conservation Commission Agent.
- 10) Maintenance of Parking Areas. Parking areas will be swept and maintained as necessary. Pursuant to the provisions of MGL C.90 §18, the Applicant shall submit a written request and grant of authority to the Marlborough Traffic Commission (the "Commission") to promulgate legally enforceable rules and regulations for the control of on-site traffic and parking. Applicant shall be responsible for providing, installing and maintaining all signage or markings required by the Commission. Such signage or markings shall meet the standards of the Manual of Uniform Traffic Control Devices.
- 11) Compliance of Signs with Sign Ordinance. All building signage at the subject location shall comply with the existing City of Marlborough Sign Ordinance without a variance. The proposed freestanding sign for the project will be made of wood or a material appearing to be wood, and will be lit by indirect lighting. The sign will not be lit from ½ hour after closing to ½ hour before the opening of the carwash each day.
- 12) Exterior Light Fixtures. Exterior parking lot lighting shall not spill on to abutting residential property. Parking lot light poles shall not exceed 20 feet in height. Reflectors shall be utilized and configured to mitigate light from entering abutting properties. Light fixtures shall consist of pressure sodium lights not exceeding 200 watts. During the Site Plan review process, the location of the light pole shown on Sheet 6 of the Revised Plans as being located at a location behind the parking lot in the rear of the building will be moved to a location to the north of the dumpster shown on said plan.
- 13) Landscaping Maintenance. Applicant agrees to plant and maintain the Project landscaping as shown on the Site Plan as submitted to the City Council and/or the City Council's Urban Affairs Committee.
- 14) Dumpster Screening. Applicant agrees to screen the Project's trash area by constructing a suitable 6-foot high wooden screen fence.

- 15) Trash Pickup. Trash pick up and commercial deliveries will only be made from 7:00 AM through 5:00 PM Monday through Friday.
- 16) Hours of Operation. Hours of Operation will be limited to 7 AM to 7 PM, Monday through Saturday, and 8:00 AM to 6 PM on Sunday.
- 17) Facade Appearance. An artist-colored rendering of the proposed building façade for Applicant will be provided prior to Site Plan Approval. The building façade will consist of a red brick veneer, and will be configured as shown in renderings filed with the Urban Affairs Committee.
- 18) Noise Mitigation Enforcement. This special permit is being approved based upon the representation of Applicant that the noise caused by operation of equipment inside Applicant's building will not cause so-called noise "spikes" in excess of 53dbA at the easterly, westerly or rear property lines. Prior to the issuance of a Certificate of Occupancy regarding this project, Applicant will notify the owners and tenants of all abutting property, in a manner satisfactory to the Building Commissioner, that any noise complaints regarding business operations should be reported to the Code Enforcement Officer. Thereafter, the Code Enforcement Officer may, in said Code Enforcement Officer's discretion, order that sound testing be conducted forthwith by an independent certified sound engineer to be selected by the Code Enforcement Officer, with the advice of Applicant, at Applicant's cost. The sound engineer shall immediately conduct such sound testing as the sound engineer deems appropriate to determine whether, in fact, the operation of equipment inside Applicant's building is causing noise "spikes" exceeding 53bdA at the said easterly, westerly or rear property line; and the sound engineer shall present the results of his/her sound testing in a written report to be provided to both the Code Enforcement Officer and the Applicant. If the sound engineer determines that, in fact, the operation of equipment inside Applicant's building is causing noise "spikes" exceeding 53dbA at the said easterly, westerly or rear property line, the Code Enforcement Officer shall order Applicant to devise and implement such building or operations modifications as will eliminate said noise "spikes" within sixty (60) calendar days. Immediately upon either the expiration of that time period or the Applicant's implementation of such building and operational modifications, whichever is sooner, the Code Enforcement Officer shall order that sound retesting be conducted forthwith by the sound engineer, at Applicant's cost, to determine whether the operations or building modifications have eliminated the noise "spikes", and the sound engineer shall present the results of his/her sound retesting in another written reports to be provided to both the Code Enforcement Officer and the Applicant. If the sound engineer determines that the Applicant has not eliminated, within said sixty (60) calendar day period, the noise "spikes" exceeding 53dbA at the said easterly, westerly or rear property line, then all of Applicant's equipment operations determined by the sound engineer to cause said noise "spikes" will thereafter be prohibited until, if ever, the sound engineer, at Applicant's cost, certifies that no noise spikes exceeding 53dbA at the easterly, westerly or rear property line will occur thereafter; and the sound engineer shall provide his/her written certification to both the Code Enforcement Officer and the Applicant.



- 19) [Omitted]
- 20) Compliance with Related Permit. Applicant has also applied for a special permit, pursuant to Chapter 200-24, to construct a carwash in the Water Supply Protection District. Any conditions attached to the approval of that special permit are also incorporated herein and made a part hereof.
- 21) No Queuing on Rte. 20. Applicant will assure that no motor vehicle that is queuing and waiting for carwash or other service on the premises will be located on the Rte. 20 right of way. If the Chief of Police determines that this condition is not being complied with, the Chief may, in the Police Chief's absolute discretion, require the closing of the carwash for a period to be determined by the Police Chief or, if the Police Chief is unavailable, by his designee.
- 22) Limited Vacuum Operation. All exterior motor vehicle cleaning vacuums will be turned off and disabled when the carwash is not in operation. All exterior vacuums shall be located as shown on the Revised Plans.
- 23) Limited Left-Hand Turns. Applicant will, as part of its curb cut application to MassHighway, request that appropriate signage be installed to prohibit left-turns from the site from 4:00 PM to 6:00 PM from Monday through Friday. Provided that said signage is approved, Applicant will erect said signage and prohibit left-hand turns from the site during said periods. If the Police Chief later determines, based upon accident reports and other data he finds to be relevant, that left-hand-turns should be prohibited at the site at all times, he shall so notify the owner of the property, who shall then promptly apply to MassHighway, to cause said prohibition to come into effect. If said prohibition comes into effect, the owner of the property shall cause appropriate signage to be installed and shall thereafter cause said prohibition to be enforced on the site.
- 24) Car Wash Safety Factor. The Chief of Police or his designee shall have authority to order the carwash temporarily closed when an "icing" or unsafe condition on the public way exists due to the carwash or weather conditions, as determined solely by the Chief of Police or his designee.
- 25) Storage of Flammables Prohibited. No flammable materials, except those, like diesel and oil, that will be used to heat the premises, will be stored at the site.
- 26) Recordation. In accordance with the provisions of MGL C.40A, § 11, the Applicant at its expense shall record this Special Permit in the Middlesex South Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal having been filed, and before a Building Permit is issued.

Councilor Juaire filed a disclosure statement with the City Clerk's Office.

Yea: 10 – Nay: 1

**Yea: Delano, Ferro, Schafer, Juaire, Seymour, Clancy, Landers, Ossing,
Vigeant, Levy**

Nay: Pope

ORDERED: The City Council of the City of Marlborough hereby **GRANTS** the application for a Special Permit to Boston Post 355 LLC to construct a carwash in Zone B of the Water Supply Protection District, as provided in this Decision and subject to the following Findings of Facts and Conditions.

- 1) Boston Post 355 LLC is a Delaware limited liability company having a business address of 154 Southfield Rd, Concord, Massachusetts, and is hereinafter referred to as "Applicant."
- 2) Applicant is the owner of certain real property located at 355 Boston Post Road West, Marlborough, Massachusetts, as shown on the Marlborough Assessors Maps as Map 88 Parcel 15. The land is entirely located in a Business District and is also entirely located in the Water Supply Protection District.
- 3) The property is currently used as a contractor's yard for a landscaping and snowplowing business.
- 4) The Applicant, on or about April 24, 2008, filed with the City Clerk of the City of Marlborough an application for a Special Permit under the provisions of Article V Sec. 200-24 and pursuant to the procedures specified in Article VIII Section 200-59 of the Marlborough Zoning Ordinance.
- 5) In connection with the permit application, Applicant filed a Summary Impact Statement, certified list of abutters, filing fee and had previously filed twenty (20) copies of the Site Plan.
- 6) The Site Plan was certified by the City Planner for the City of Marlborough as having complied with Rule 4, items (a) through (m) of the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.
- 7) Pursuant to the Rules and Regulations of the City Council and applicable statutes of the Commonwealth of Massachusetts, the City Council established a date for a public hearing for the permit application and the City Clerk caused to be advertised said date in the Metrowest Daily News and sent notice of said hearing to abutters entitled to notice under law.
- 8) The Marlborough City Council, pursuant to MGL C.40A, held a public hearing on June 9, 2008, concerning the said application. The hearing was opened and closed at that meeting. Pursuant to MGL c. 40A, § 9, the ninety-day time limit for the City Council to make a decision on the Applicant's Special Permit was extended, by written agreement, until 5:00 p.m. on September 30, 2008, and a copy of that agreement was timely filed in the office of the City Clerk for the City of Marlborough.
- 9) Applicant's attorney presented testimony at the public hearing detailing the application, described the improvements to the environment resulting from improved stormwater control at the site, and showed renderings of the proposed carwash to emphasize the improved aesthetic appearance of the site that would result from approval.

- 10) Applicant provided further written and oral documentation to the City Council's Urban Affairs Committee regarding the impacts of the proposed project, and proposed building and related site modifications.
- 11) Applicant provided the Urban Affairs Committee with revised site plans entitled "Proposed Site Plan Set for 355 Boston Post Road West" dated 10/17/07, revised 7/10/08, by Cabco Consult, and a final revised Planting Plan by Bartsch & Radner Design, Inc. dated 7/23/08) (hereinafter, "The Revised Plans"). The revised plans show the snow storage area for the site, and also provide a table at Plan page 4 listing all development elements of this project that are in Zone A of the Water Supply Overlay District (hereinafter, "The Zone A Use Table").

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

- A) The City Council finds that Applicant has complied with all the Rules and Regulations promulgated by the Marlborough City Council as they pertain to the Application.
- B) The City Council finds that the proposed use of the site, subject to the conditions imposed below, will be in harmony with the general purposes and intent of the zoning ordinance, in that it will improve the appearance of the site, improve the water quality of the surface water at the site, and will have no significant negative impacts upon abutters. The proposed use of the site, subject to the conditions imposed below, will not be in conflict with the public health, safety, convenience and welfare and will not be detrimental or offensive. The City Council further finds that, subject to the permit conditions enumerated herein, the proposed use will not have an adverse impact on the Marlborough water supply.
- C) The City Council has reviewed the uses in this proposal that will be located in Zone A of the Water Supply Protection District, all as listed in The Zone A Use Table provided on Sheet 4 of the Revised Plans. The City Council finds that those uses located in Zone A are not unique to the use of the site as a carwash, but are uses that would be allowable in Zone A as accessory to uses that are otherwise allowable as of right in the underlying Business District. Therefore, the City Council finds that the proposed carwash is not located in Zone A, provided that the permit conditions imposed below are complied with.
- D) The City Council, pursuant to its authority under MGL C.40A §9 and under Chapter 200 of the Marlborough City Code, GRANTS the Applicant a Special Permit to allow a carwash on the premises, (the "Project"), SUBJECT TO THE FOLLOWING CONDITIONS:
 - 1) Compliance With Building Regulations. Construction of all structures on the site is to be in accordance with all applicable building codes in effect in the City of Marlborough and Commonwealth of Massachusetts. The Project shall be constructed, maintained and operated according to the specifications, terms, and conditions of the Applicant's Special Permit Application and Site Plan. The Site Plan referred to in this condition is the plan entitled "Proposed Site Plan Set for

355 Boston Post Road West” dated 10/17/07, revised 7/10/08 by Cabco Consult, and a final revised Planting Plan by Bartsch & Radner Design, Inc. dated 7/23/08) (hereinafter, “The Revised Plans”), filed with the Urban Affairs Committee during the application/hearing process. All other terms, conditions, requirements, approvals, drawings and renderings required hereunder are made a part of and incorporated herein as a condition of the issuance of this Special Permit.

- 2) **Compliance With Site Plan Review.** The issuance of the Special Permit is further subject to detailed Site Plan Review, in accordance with the City of Marlborough Ordinance, prior to the issuance of the actual Building Permit; provided, however, that the Building Commissioner may issue a building permit prior to the completion of site plan review regarding work which, in his opinion, will not be affected by said site plan review. Any additional changes, alterations, modifications or amendments as required by Site Plan Review shall be further conditions attached to the Special Permit and no Occupancy Permit shall be issued until all conditions are complied with by the Applicant. Subsequent Site Plan Review shall be consistent with the Conditions of this Special Permit and Plans submitted, reviewed and approved by the City Council as the Special Permit granting authority. Any changes to the plans which alter the traffic patterns within the site, require the removal of landscaping, reduce the overall green space of the Project, or add any new element in Zone A other than the landscaping, will require subsequent approval by the City Council.
- 3) **Application and Documents.** All plans, drawings, site evaluations and documentation provided by the Applicant as part of this Special Permit Application are herein incorporated into and become a part of this Special Permit and become conditions and requirements of the same.
- 4) **Compliance with Local, State and Federal Laws.** The Applicant agrees to comply with all rules, regulations and ordinances of the City of Marlborough, Commonwealth of Massachusetts and the Federal Government as they may apply to the construction, maintenance and operation of Applicant’s facility, except pursuant to the terms of this Special Permit.
- 5) **Incorporation of Plans and Drawings.** All terms, conditions, requirements, approvals, plans, and drawings provided by the Applicant as part of this Special Permit Application and as amended during the application/hearing process before the City Council and/or the City Council’s Urban Affairs Committee are herein incorporated into and become part of this Special Permit and become conditions and requirements of the same, unless otherwise altered by the City Council. The Site Plan referred to in this condition is the site plan referred to in Condition #1 above.
- 6) **Improvements Installed Prior to Certificate of Occupancy.** All site improvements, except those specified on the plans approved on site plan review, that have been shown in renderings and/or are conditions of this Special Permit will be installed prior to the issuance of any temporary or permanent occupancy certificate. If all other work is completed between Oct. 1 and June 1, all landscaping plants will be required to be installed by June 1. Applicant agrees

that the permanent maintenance of the landscaping and the other site improvements is an ongoing condition of this Special Permit.

- 7) Compliance with Conservation Commission Agent Recommendations. Applicant will demonstrate, to the satisfaction of the Site Plan Review Committee, that all "Criteria for Design" required in Section 200-24(F) will be complied with. Without limiting the foregoing, applicant will comply with the recommendations of the Conservation Commission Agent listed in her communication to the City Council dated July 5, 2008, a copy of which is on file with the City Council and attached hereto.
- 8) Snow Storage. Snowmelt runoff will be directed toward catch basins. All snow will be stored in the designated paved area shown on the Revised Plans.
- 9) Catch Basins. All catch basins shall be installed in accordance with the plans submitted to the City Council and/or the City Council's Urban Affairs Committee. The catch basins shall be monitored on a semi-annual basis with reports given to the City Engineer and the Conservation Commission Agent. The catch basins are to be cleaned annually, or at more frequent intervals as determined necessary by the City Engineer and the Conservation Commission Agent.
- 10) Maintenance of Parking Areas. Parking areas will be swept and maintained as necessary.
- 11) Landscaping Maintenance. Applicant agrees to plant and maintain the Project landscaping as shown on the Site Plan as submitted to the City Council and/or the City Council's Urban Affairs Committee.
- 12) Carwash Equipment Monitoring. All carwash equipment shall be monitored on an annual basis with reports given to the Director of the Water and Sewer division of the Department of Public Works. The purpose of said report shall be to demonstrate that the nature of the effluent discharged to the Marlborough sewer system is acceptable and that the total discharge to the system continues to average less than 750 gallons per day on a monthly average basis.
- 13) Disposal of Chemicals Containers. No container that has been used for the storage of chemicals used in the carwash process will be disposed of in the dumpster located on the property.
- 14) Storage of Flammables Prohibited. No flammable materials, except those, like diesel and oil, that will be used to heat the premises, will be stored at the site.
- 15) Activity Prohibition in Zone A. No activity that is accessory to a carwash, including but not limited to the pre-washing of cars, will be allowed in Zone A.
- 16) Compliance With Related Permit. Applicant has also applied for a special permit, pursuant to Chapter 200-17, to construct a carwash in a Business District. Any conditions attached to the approval of that special permit are also incorporated herein and made a part hereof.

- 17) As offsite mitigation because of the impact of this permit on the Water Supply Protection District, Applicant will, prior to the issuance of any occupancy permit for the project, pay the sum of Twenty Thousand (\$20,000) Dollars to the Open Space Stabilization Account.
- 18) Recordation. In accordance with the provisions of MGL C.40A, § 11, the Applicant at its expense shall record this Special Permit in the Middlesex South Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal having been filed, before a Building Permit is issued.

Councilor Juaire filed a disclosure statement with the City Clerk's Office.

Motion made by Councilor Ferro to delete Condition #17 in its entirety – Does Not Carry

Motion made by Councilor Pope to amend Condition #17 which reads “pay sum of Twenty Thousand (\$20,000) Dollars to the Conservation Maintenance Trust Fund” to read “pay sum of Twenty Thousand (\$20,000) Dollars to the Open Space Stabilization Account”. A roll call vote of Special Permit included amendment of Condition #17 by Councilor Pope.

Yea: 9 – Nay: 2

Yea: Delano, Schafer, Juaire, Seymour, Clancy, Landers, Ossing, Vigeant, Levy

Nay: Ferro, Pope

ORDERED: That Application from 890 Boston Post Rd LLC Order No. 08-1001833 for proposed change to zoning ordinance to create New Car Dealership Overlay District, is withdrawn with out prejudice, **APPROVED**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, SEPTEMBER 29, 2008** as date for a **PUBLIC HEARING** on the Application for modified version of proposed New Car Dealership Overlay District from Attorney Bergeron, on behalf of 890 Boston Post Rd LLC, refer to **URBAN AFFAIRS COMMITTEE, PLANNING BOARD AND ADVERTISE**; adopted.

ORDERED: That the minutes, Community Development Authority, June 19, & 30 2008, **FILE**; adopted.

ORDERED: That the minutes, Planning Board, July 14, 2008, **FILE**; adopted.

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

- A. Gary Mayo, 53 Dartmouth St., property damage
- B. Anthony Mulherin, 136 Chestnut St., vehicle damage
- C. John McStay, 28 Evelina Dr., vehicle damage
- D. Ron Rolly/Ron Michaux, 27 Taylor Rd., vehicle damage
- E. Catherine Hughes, 61 Ridge Rd., vehicle damage

Reports of Committees:

Councilor Clancy reported the following out of the Personnel Committee:

Order No. 08-1001968 – Appointment of Larry Wenzell to the Arts Lottery Council whose two year term expires on May 1, 2010. Recommendation of the Personnel Services Committee is to approve 3-0.

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

Order No. 08-1949-1 – Appropriation of \$3,100.00 from the Belleview Avenue Sewer Account, number 30542306-55951, for the purposes of awarding damages for the acquisition of a permanent municipal utility easement by Eminent Domain in a certain strip of land located at the end of Belleview Avenue consisting of approximately 818 ± square feet, now or formerly owned by Richard C. DiMatteo and Jacqueline T. Di Matteo. Recommendation of the Legislative and Legal Affairs Committee is to approve appropriation 3-0.

Order No. 08-1949-2 – Order of Taking by eminent domain of a strip of land on Belleview Ave. for a permanent municipal utility easement. Recommendation of the Legislative and Legal Affairs Committee is to approve Order of Taking 3-0.

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

Order No. 08-1001883 – Request for a Sewer Connection Compliance Certification from Brian Marchetti, Senior Project Engineer of Tetra Tech Rizzo, on behalf of First Student Inc., to construct a Bus Facility on Hayes Memorial Drive. Assistant DPW Commissioner recommended approval based on following conditions:

1. The permit will lapse if connection is not made within 180 days of obtaining all permits.
2. Any excess capacity available after the connection must be returned to the City.
3. The permitted sewer capacity will be 650 GPD.

Recommendation of the Public Services Committee is to approve 3-0 based upon above conditions.

Order No. 08-1001834 – Request for an extension of a Sewer Permit from David P. Gadbois, on behalf of Gutierrez Co., for Devonshire at 495 Center which is located between Forest St. and Hayes Memorial Dr. Assistant DPW Commissioner recommended approval based on following conditions:

1. The sewer connection is limited to 56,000 gpd.
2. The sewer connection shall lapse if the connection is not made within 18 months after the date of final approval.
3. If the total volume is not needed, the surplus shall be returned to the City of Marlborough.

Recommendation of the Public Services Committee is to approve 3-0 based upon above conditions.

Councilor Ossing reported the following out of the Finance Committee:

Order No. 08-1001962 – Transfer \$91,355.88 from Public Safety Stabilization to Police Officer salary account. The Mayor requested that the Finance Committee refer the letter dated July 28, 2008 recommending the transfer of \$91,355.88 from Public Safety Stabilization to Police Officer back to the Mayor. **Recommendation of the Finance Committee is to refer back to Mayor 5-0.**

Order No. 08-1001966 – Funding the Glenbrook Drainage Project. The Finance Committee reviewed the Mayor's letter dated August 8, 2008 requesting funding in the amount of \$130,000.00 to fund the Glenbrook Neighborhood Drainage Project. The City Council has previously approved \$40,000.00 to fund this project. The statement from Councilor Pope supporting this project was discussed during the meeting. **Recommendation of the Finance Committee is approve the transfer of \$130,000.000 from the Stabilization to the Drainage account 5-0, to fund the Glenbrook Neighborhood Drainage Project.**

Order No. 08-1001950 – Request to Establish a Revolving Fund for Public Safety Training - The Finance Committee reviewed the Mayor' letter dated July 1, 2008 requesting a revolving fund be created for public safety training. The funding for this revolving fund will be provided by Patriot Ambulance at \$45,000 per year for three years. **Recommendation of the Finance Committee is approve 5-0 the establishment of a Public Safety Training revolving fund as outlined in the order attached to the July 1, 2008 letter.**

Suspension of Rules requested - granted

ORDERED: That the reserve of funds through the Fairmont Hill Revolving Account and the Capital Outlay Accounts to provide for replacement of sidewalks along Liberty Street and the associated guardrail and retaining wall along Ward Park be dissected as follows according to a new total estimate of \$257,000.00:

Total Estimated project cost:	\$257,000.00
Existing funding from Capital Outlay Account:	\$60,000.00
Proposed funding from Fairmont Hill Revolving Account:	\$121,200.00
Additional funding required:	\$75,800.00

The deadline for contract execution would be September 18, 2008. Authorization for use of Fairmont Hill Revolving Account funds in excess of \$100,000.00, but not more than \$121,200.00, **APPROVED**; adopted.

Councilor Pope requested to be recorded in opposition.

Suspension of Rules requested - granted

ORDERED: That the reserve of funds through the Fairmont Hill Revolving Account and the Capital Outlay Accounts to provide for replacement of sidewalks along Liberty Street and the associated guardrail and retaining wall along Ward Park be dissected as follows according to a new total estimate of \$257,000.00:

Total Estimated project cost:	\$257,000.00
Existing funding from Capital Outlay Account:	\$60,000.00
Proposed funding from Fairmont Hill Revolving Account:	\$121,200.00
Additional funding required:	\$75,800.00

2



IN CITY COUNCIL

Marlborough, Mass., SEPTEMBER 8, 2008

ORDERED:

That there being no objection thereto set **MONDAY, SEPTEMBER 29, 2008** as date for a **PUBLIC HEARING** on the Application for modified version of proposed New Car Dealership Overlay District from Attorney Bergeron, on behalf of 890 Boston Post Rd LLC, be and is herewith **REFER TO URBAN COMMITTEE, PLANNING BOARD AND ADVERTISE.**

ADOPTED

ORDER NO. 08-08-1001833D



City of Marlborough
Office of the Mayor

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

Nancy E. Stevens
MAYOR

Karen H. Kisty
EXECUTIVE AIDE

Diane C. Halper
EXECUTIVE SECRETARY

31

September 23, 2008

Council President Arthur G. Vigeant
Marlborough City Council
Marlborough City Hall – 2nd Floor
140 Main Street
Marlborough, MA 01752

Honorable President Vigeant and Councilors:

Attached please find correspondence from City Auditor, Diane Smith, which provides a status update and timeline with respect to the closing of the FY08 books and submittals required relative to the free cash certification. As you will note, Ms. Smith anticipates concluding this process by October 17, 2008.

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

Sincerely,

Nancy E. Stevens
Mayor

32



CITY OF MARLBOROUGH

Office of the City Auditor

140 Main St.

Marlborough, MA 01752

508.460.3774

MEMORANDUM

TO: Mayor Nancy E. Stevens
FROM: Diane Smith, City Auditor
DATE: September 23, 2008
RE: FY08 End of Year Close Timeline

Attached for your review please find a timeline for the necessary steps to close the FY08 books and submit all required paperwork and reports to the state for free cash certification.

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

The remaining steps involved in closing the books will be completed as projected on the timeline and the end of year reports and paperwork will be submitted to the state for certification no later than October 17, 2008. I will be speaking with our representative at the Division of Local Services to let them know of our time frame and our tax rate hearing date so that they will work with us to get free cash certified prior to that date.

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

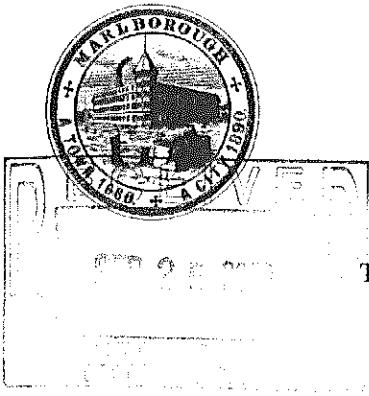
Cc: Thomas Abel, Comptroller/Treasurer

FY08 END OF YEAR CLOSE TIMELINE

9/23/2008

33

		DATE COMPLETED FY2008 EOY
JULY		
1st	Auditor and Collector reconcile receivable thru June 08	completed
8th	Final FY08 Invoices submitted to Auditors Office by departments	completed
11th	Final FY08 Accounts Payable Warrant Processed	completed
15th	FY08 Open Purchase Order List sent to Depts	completed
26th	Depts return Open PO List with FY08 Carryforwards	completed
27th-29th	Auditor reviews carryforwards	completed
AUG		
	Treasurer's Office reports FY08 non-check (wire) disbursements and receipts for May 08	completed
	Treasurer's Office reconciles bank statements and Cash balances thru Mar 08	completed
	Final School Accrued Summer payroll posted to ledger	completed
SEPT		
10th	Treasurer's Office reports FY08 non-check (wire) disbursements and receipts for June 08	completed
	Treasurer's Office reconciles bank statements and Cash balances thru June 08	
	Revenue ledger and expenditure ledger closed	
	Auditor reviews/reconciles all general ledger funds/accounts including but not limited to: payroll withholding accounts, due to/from accounts, bond payable accounts, statement of indebtedness w/Treasurer, OFU/OFS.	
OCT		
1st thru 15th	General Ledger Closed, reports prepared for State (balance sheet, detail fund balances, cash reconciliation, year end checklist info, undesignated fund balance proof, Collector/Auditor receivable reconciliation report, capital projects detail report, detail trial balance (all funds), Snow & Ice data sheet) Statement of Indebtedness from Treasurer	
17th	Health Insurance Incurred but not reported from Treasurer Submit all paperwork to State for free cash certification	
	Once paperwork is submitted to the state they may request additional info and approval typically takes 1-2 weeks after the submission date.	
DEC		
1st	Tax Rate Hearing- City Council	



City of Marlborough
Office of the Mayor

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

Nancy E. Stevens H
MAYOR

Karen A. Kisty
EXECUTIVE AIDE

Diane C. Halper
EXECUTIVE SECRETARY

September 23, 2008

Council President Arthur G. Vigeant
Marlborough City Council
Marlborough City Hall – 2nd Floor
140 Main Street
Marlborough, MA 01752

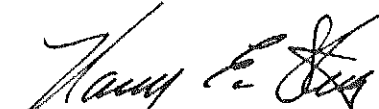
Honorable President Vigeant and Councilors:

The Massachusetts Board of Library Commissioners has provided the Marlborough Public Library with a grant in the amount of \$20,000. This focus of said grant is to improve services aimed at preteens and teen library users through the purchase of additional, age-appropriate selections, staff training, and upgrades to the Young Adult section.

Massachusetts General Laws, Chapter 44 Section 53A stipulates that grant funding be strictly applied to purposes outlined in the grant application and only with the approval of the mayor and city council.

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

Sincerely,


Nancy E. Stevens
Mayor



Marlborough Public Library

35 West Main Street
Marlborough, MA 01752
508-624-6900

42

September 8, 2008

Dear Mayor Stevens,

On behalf of the Marlborough Public Library, I am asking that you bring before the City Council a request of approval for a two year \$20,000 grant from the Massachusetts Board of Library Commissioners. The grant will be used for collection development, refurbishing the young adult area, and staff training.

I will be happy to provide you with more information if needed.

Thank you for your time,

A handwritten signature in cursive script that reads "Salvatore Genovese".

Salvatore Genovese, Director

4
13

CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD

DEPARTMENT: LIBRARY DATE: 9-8-08

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: SALVATORE GENOVESE

NAME OF GRANT: SERVING TWEEENS & TEENS

GRANTOR: MASSACHUSETTS BOARD OF LIBRARY COMMISSIONERS

GRANT AMOUNT: \$120,000.00

GRANT PERIOD: 2 YEARS

SCOPE OF GRANT/
ITEMS FUNDED COLLECTION DEVELOPMENT,
REFURBISHING YOUNG ADULT
AREA, AND STAFF TRAINING.

IS A POSITION BEING
CREATED: NO

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

ARE MATCHING CITY
FUNDS REQUIRED? NO

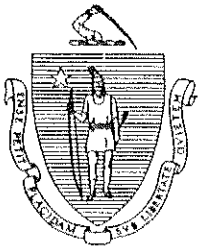
IF MATCHING IS NON-MONETARY (MAN HOURS, ETC.) PLEASE SPECIFY:

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

ANY OTHER EXPOSURE TO CITY?
NO

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: NO

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



Commonwealth of Massachusetts

Board of Library Commissioners

98 North Washington Street • Suite 401 • Boston, MA 02114

44

July 14, 2008

Salvatore Genovese
Marlborough Public Library
35 West Main Street
Marlborough, MA 01752

Dear Salvatore:

At its July 10th meeting, the Massachusetts Board of Library Commissioners approved a provisional **Serving 'Tweens and Teens** grant in the amount of **\$20,000** for your Library Services and Technology Act (LSTA) Special Project. The Board's approval is contingent upon the availability of funds and any conditions outlined on the attached recommendation.

Your project is tentatively scheduled to begin on October 1, 2008. However, this date is also dependent upon the final authorization, appropriation and allocation of FY2009 LSTA funds by the federal government prior to this date. Any public announcement of the grant prior to when you receive a contract from us in late August should include language that stipulates the availability of federal funds (as noted above).

In August you will receive your contract and further information about the management of your grant. Some programs will include workshops to be scheduled for the fall. If so, your consultant will notify the project's director about these workshops. In the meantime, you may discuss your provisional award with your project consultant, Shelley Quezada, at the Board of Library Commissioners if you have any questions.

We congratulate you on your successful grant proposal and are pleased that we can make LSTA funding available to assist you in providing improved library services to your community.

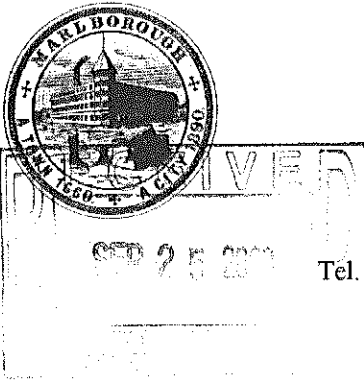
Sincerely yours,

A handwritten signature in cursive script that reads "Robert C. Maier".

Robert C. Maier
Director

Cc: Project Director, Eliza Langhans





City of Marlborough
Office of the Mayor

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

Nancy E. Stevens 51
MAYOR

Karen A. Kisty
EXECUTIVE AIDE

Diane C. Halper
EXECUTIVE SECRETARY

September 23, 2008

Council President Arthur G. Vigeant
Marlborough City Council
Marlborough City Hall – 2nd Floor
140 Main Street
Marlborough, MA 01752

Honorable President Vigeant and Councilors:

The Human Services Department has been awarded a grant in the amount of \$43,000 from the Metro/South West Regional Employment Board. These funds will be used to pay for two contracted positions – Partnership Director and Career Specialist – as well as associated administration expenses to provide a job development programs for those between the ages of 16 and 24.

As outlined in MGL Chapter 44, Section 53A, I am recommending that the City Council approve the expenditure of these funds for the purposes outlined. I respectfully request your approval this evening.

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

Sincerely,

Nancy E. Stevens
Mayor

CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD

DEPARTMENT: Human Services DATE: 09/23/08

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Rosalind Baker

NAME OF GRANT: Workforce Investment Act - MYWORK Program

GRANTOR: Metro Southwest Regional Employment Board

GRANT AMOUNT: \$43,000

GRANT PERIOD: 7/1/08 - 6/30/09

SCOPE OF GRANT/ ITEMS FUNDED Work readiness services for youth 16 to 24
Partnership Director
Supplies
Travel
Support Services
Meetings/Food

IS A POSITION BEING CREATED: No, it is a contract position

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

ARE MATCHING CITY FUNDS REQUIRED? No

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

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

ANY OTHER EXPOSURE No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: As soon as possible please.

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



53

City of Marlborough
Department of Human Services

Rosalind Baker, Director

Frank D. Walker Building
255 Main Street, Room 105
Marlborough, MA 01752
(508) 460-3739 ~ Fax (508) 460-3733

September 22, 2008

Mayor Nancy Stevens
City of Marlborough
Marlborough, MA 01752

Mayor Stevens,

Attached please find documentation in support of a grant in the amount of \$43,000.00 which has been granted to the Department of Human Services by Metro South West Regional Employment Board. This grant has been awarded to the City of Marlborough for the purpose of providing a comprehensive job development program for youth age 16 -- 24. This program has been successfully running for the past three years. Participants received career and educational counseling as well as job placement assistance.

In accordance with Massachusetts General Laws, Chapter 44 Section 53A this grant was applied for and accepted by the Department of Human Services but in order to be expended for the purposes of the grant the Mayor must recommend and the City Council must vote to approve the expenditure.

Thank you,

Rosalind Baker
Director

FUTURE SKILLS INSTITUTE
 169 Pleasant Street Marlborough, MA
 FY 2008 Report

	MARLBOROUGH HIGH SCHOOL ■	FUTURE SKILLS INSTITUTE ■		DUPLICATE SERVICES ●
		IN SCHOOL	OUT OF SCHOOL	
INTAKE	185	22	68	N/A
WORK READINESS	69	25	65	152
TECHNICAL TRAINING	N/A	0	6	13
INTERNSHIP/ PLACEMENT	185	0	48	287
JOB FAIR/ CAREER EVENT	123	0	62	N/A
EDUCATION SERVICE	N/A	0	25	43
LIFESKILL OR REFERRALS	AS NEEDED	0	25	52
SUPPORT SERVICE	59	0	52	126
RESOURCE	185	22	68	337

■ - Actual number of customers who participated in the specified services

● - Actual number of services to customers

*** PLEASE REFER TO PAGE TWO FOR DESCRIPTION OF SERVICES***

DESCRIPTION OF SERVICES

INTAKE

The total number of individuals who registered for services

WORK READINESS

Includes Resume Writing, Filling Out Applications, Cover Letter, Preparing for Interview, Networking, Workplace Expectations, Financial Literacy

TECHNICAL / COMPUTER TRAINING

Microsoft Digital Literacy

INTERNSHIP / PLACEMENT

The total number of customers who received assistance for placement in jobs and internships

JOB FAIR / CAREER EVENT

The total number of customers who attended career related event hosted by Future Skills Institute

EDUCATION SERVICE

The total number of customers assisted with GED preparation, financial Aid Application, College Application, Career Research, and Training Support

LIFESKILLS / REFERRALS TO OTHER AGENCIES

The total number of customers who received personal support and or referred to specialized services

SUPPORT SERVICE

The total number of customers assisted with transportation, clothes, food, training supplies, and other assistance relating to obtaining employment or attending school

RESOURCE

The total number of customers who visited to used computers, fax, copiers, phone and other equipment of supplies as pertinent of employment or education.

54

Metro South/West Regional Employment Board
Contract

Agreement Number:

Name of the grant the contract will be charged to: Workforce Investment Act Title I Youth

Contractor:

Organization or Individual's Name: City of Marlborough, MA

Address: 140 Main Street, Marlborough, MA 01752

Contact Person: Rosiland Baker

Title: Director, Dept. of Human Services

Phone: (508) 460-3758 Fax:

Email: rbaker@ci.marlborough.ma.us

SS# (if the contractor is an individual):

Effective Period: July 1, 2008-June 30, 2009 Fiscal Year: FY2009 Total Amount: \$ 43,000

Type of Contract (check one):

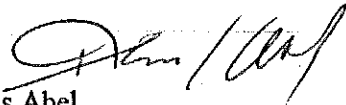
Cost-Reimbursement

Fixed Price/Product

Signatures:

Contractor:

Signature:




Name: Thomas Abel

Title: Comptroller

Date:

REB:

Signature:



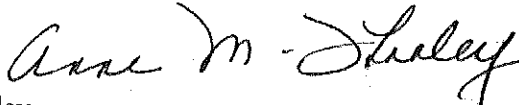
Sylvia Beville:

Executive Director:

Date: 7/1/08

ETA:

Signature:



Anne M. Whooley

Executive Director, MSW Employment and Training Administration

Date: 7/1/08

57

Metro South/West Regional Employment Board
Contract Budget

Contracting Organization: City of Marlborough, MA

Contact:

Name: Rosalind Baker

Title: Director, Dept. of Human Services

Phone: (508) 460-3758

Email: rbaker@ci.marlborough.ma.us

Date: June 28, 2007

Line Item	Amount Charged to Grant	Detail on attached budget narrative
Personnel	0	
Benefits	0	
Total Personnel	0	
Travel	480	"
Contracted services	32,560	"
Supplies, duplication, printing and postage	2,100	"
Space rental	3,000	"
Equipment and furniture purchase	0	
Equipment and furniture maintenance	0	
Communications	1,500	"
Printing	500	
Support Services	2,100	
Meetings/Food	760	
Total	43,000	

Metro Southwest Regional Employment Board (MSW REB)

58

WIA Youth SCOPE OF WORK for
City of Marlborough
July 1, 2008 – June 30, 2009

This contract represents a specific agreement between City of Marlborough and the Metro South/West Regional Employment Board Inc. to mutually work toward the establishment of and long-term growth of a local network of services that prepare young adults for work, place them in work and support them in the workplace.

The City of Marlborough will serve as the fiscal agent for Marlborough's WIA Youth contract, and will sub-contract with a Partnership Director who, as vendor for Marlborough's WIA contract, will be held accountable for the PARTNERSHIP DIRECTOR SCOPE OF WORK, attached.

The Partnership Director's (vendor's) success within that sub-contract will be measured using the following criteria:

- Marlborough WIA team meeting goals for youth participation. Marlborough WIA and non-WIA goals are as follows: **New WIA-eligible enrollees: 10 In-School, 10 Out-of-School. Further, 80 non-WIA eligible, low-income out-of-school young adults from Marlborough will be provided with job-readiness services, job or internship placement and support, and career and education exploration and assistance through Future Skills Institute.**
- Meet with the Youth Council regularly, establishing a firm foundation for the need of internship/job readiness and placement
- Work with area GED program administrators to assess the needs of youth in Marlborough and work creatively to help out-of-school youths gain the necessary prep classes for GED completion
- Providing timely and accurate program and financial reports, and timely and accurate billing. Reports and billing should be to the MSW REB no later than 15 days after the month being reported on;
- Implementation of the partnership development measurement tool – a Shared Youth Vision (attached; to be modified for local use)
- Capacity-building of the Marlborough Future Skills Institute to better serve low-income, at-risk young adults, including fund-raising, program and resource development, establishment and strengthening of administrative, monitoring and evaluation, and quality control systems. Evaluation and quality control will be done through survey evaluations of the services provided to youth 60%, employers 60%, community agencies and the town (5)
- Develop and implement strategies to build a capacity of volunteers to serve youth at the Marlborough FSI
- Raise \$10,000 for the Marlborough FSI

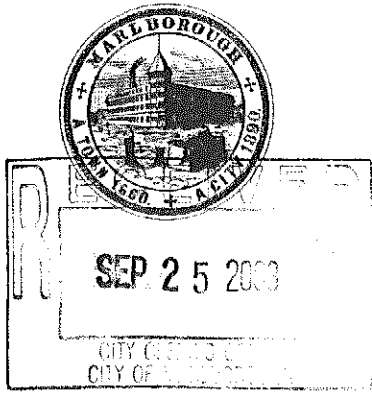
Staff located at the FSI site will fall under the day-to-day supervision and direction of the Partnership Director. Any questions or conflicts in those interactions should be brought to the attention of the MSW REB Young Adult Program Manager immediately. It is expected that all vendors and staff will adhere to MSW REB Policies and Procedures.

The MSW REB will help the local partnership develop a viable and sustainable fundraising strategy to support these efforts long-term.

All printed material and media interactions should include a written and/or verbal statement that this program is funded by the Metro South/West Regional Employment Board Inc.

**FY09 WIA Title I Youth
Community System Building Budget: MARLBOROUGH
Contractor: City of Marlborough**

Line Item	City of Marlborough	Budget Narrative
Wages	0	
Fringe	0	
Sub-Total Personnel	0	
Contracted Services	32,560	Partnership Director/Career Specialist full time position \$28/hour @ 24.5 hrs/week @ 9months . 2-3 Youth internship positions, \$8/hour@16 hrs/week \$5,120(\$20,000 additional will be provided by the P-21 grant)
Space Rental	3,000	Boys and Girls Club for program space.
Travel	480	Partnership Director travel to businesses and meetings estimated 1,200 miles @ .40/mile.
Equip. Purchase	0	Printer/fax machine, wireless internet cards
Equip. Maint.	0	
Communications	1,500	Cell phone for Partnership Director @ \$40/mo
Supplies	2,100	General supplies for Future Skills Institute office
Printing	500	Flyers and brochures to outreach to youth, other misc. printing and duplication costs
Support Services	2100	Incentives, transportation, clothes
Meetings/Food	760	
Other:		
TOTAL BUDGET	\$ 43,000	



City of Marlborough
Office of the Mayor

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

Nancy E. Stevens
MAYOR

Karen A. Kisty
EXECUTIVE AIDE

Diane C. Halper
EXECUTIVE SECRETARY

September 17, 2008

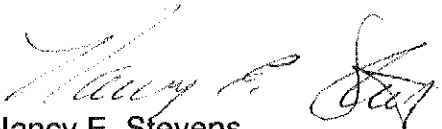
Council President Arthur G. Vigeant
Marlborough City Council
Marlborough City Hall – 2nd Floor
140 Main Street
Marlborough, MA 01752

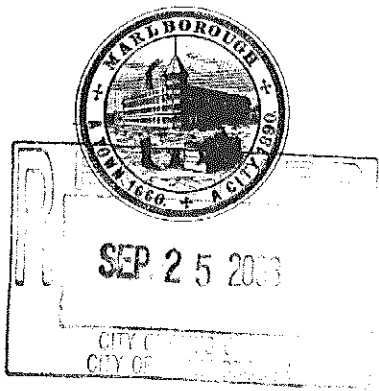
Honorable President Vigeant and Councilors:

I am submitting herewith the name of Ronald Guest for appointment to a vacant position on the Cable Advisory Board. No term is associated with said appointment. While this Board has limited activity at this time, the minimal number of members on this Board requires that all positions be filled should issues arise in reaching a quorum.

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

Sincerely,


Nancy E. Stevens
Mayor



City of Marlborough
Office of the Mayor

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

Nancy E. Stevens
MAYOR

Karen H. Kirby
EXECUTIVE AIDE

Diane C. Halper
EXECUTIVE SECRETARY

September 15, 2008

Council President Arthur G. Vigeant
Marlborough City Council
Marlborough City Hall – 2nd Floor
140 Main Street
Marlborough, MA 01752

Honorable President Vigeant and Councilors:

I am submitting the names of the following individuals for reappointment to the Commission on Disabilities with future appointment expirations as noted:

Alfred Hill	-	11/6/11
John Usinas	-	11/6/11
Bea Morris	-	11/6/10
Debra McManus	-	11/6/10

In addition, Victor Berch has moved out of the City; we thank him for his many years of service on this Commission. I would like to request that Richard Towle, recently appointed as an alternate on the Commission on Disabilities, be switched to a full Commission member to replace Mr. Berch.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Nancy E. Stevens".

Nancy E. Stevens
Mayor



City of Marlborough
Office of the Mayor

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

Nancy E. Stevens
MAYOR

Karen A. Kilty
EXECUTIVE AIDE

Diane C. Halper
EXECUTIVE SECRETARY

September 15, 2008

Council President Arthur G. Vigeant
Marlborough City Council
Marlborough City Hall – 2nd Floor
140 Main Street
Marlborough, MA 01752

Honorable President Vigeant and Councilors:

I would like to reappoint John Noble and Gary Brown to the Historical Commission each with a term expiration of 9/18/11. Both of these gentlemen have served on this Commission for many years and would provide continuity and draw from long-term reference in responding to future issues brought before the Historical Commission.

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

Sincerely,

Nancy E. Stevens
Mayor

City of Marlborough

Office of the Mayor

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

Nancy E. Stevens
MAYOR

Karen H. Kistly
EXECUTIVE AIDE

Diane C. Halper
EXECUTIVE SECRETARY

9

September 16, 2008

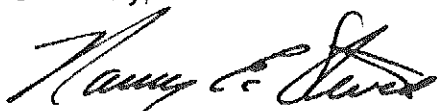
Council President Arthur G. Vigeant
Marlborough City Council
Marlborough City Hall – 2nd Floor
140 Main Street
Marlborough, MA 01752

Honorable President Vigeant and Councilors:

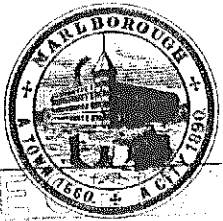
I would like to reappoint James Holt as Caretaker of Soldiers and Sailors Graves as he has performed, for many years, the job of honoring those military veterans buried in the City's cemeteries. While this position is an annual appointment with a February expiration which was missed, I would like to suggest that, in this instance, your approval of Mr. Holt's reappointment be for a 1 ½ year term allowing for continuation until the 1st Monday of February 2010.

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

Sincerely,



Nancy E. Stevens
Mayor



City of Marlborough
Office of the Mayor

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

Nancy E. Stevens
MAYOR

Karen A. Kisty
EXECUTIVE AIDE

Diane C. Halper
EXECUTIVE SECRETARY

September 15, 2008


Council President Arthur G. Vigeant
Marlborough City Council
Marlborough City Hall -2nd Floor
140 Main Street
Marlborough, MA 01752

Honorable President Vigeant and Councilors:

I submit the name of Gary Brown for reappointment as the City's Director of Veterans Aid and Service. Mr. Brown has provided support and resources to those veterans living in Marlborough from offering guidance through the myriad of paperwork which oftentimes must be completed to providing transportation to medical appointments at the VA hospital and performing funeral services for those who have served in our Armed Forces. His term of reappointment would expire on 9/1/11.

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

Sincerely,


Nancy E. Stevens
Mayor



City of Marlborough
Office of the Mayor

140 Main Street
Marlborough, Massachusetts 01752

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

Nancy E. Stevens
MAYOR

Karen A. Kisty
EXECUTIVE AIDE

Diane C. Halper
EXECUTIVE SECRETARY

September 24, 2008

Council President Arthur G. Vigeant
Marlborough City Council
Marlborough City Hall – 2nd Floor
140 Main Street
Marlborough, MA 01752

Honorable President Vigeant and Councilors:

I am submitting for John Nicholson for appointment to the Youth Commission replacing Fr. Jonathan Gaspar whose new pastoral duties have called for his transfer out of Marlborough.

Mr. Nicholson has been a Marlborough resident for 25 years. As an ordained deacon, he serves the Marlborough Police Department as chaplain and young people currently through youth ministry and previously through involvement with the LifeTeen youth programs provided by the former St. Mary and St. Ann's parishes. I believe Mr. Nicholson understands the issues which today's youth face and would prove a valuable asset to the Youth Commission.

As always, please call should you have any additional comments or questions.

Sincerely,

Nancy E. Stevens
Mayor

112

Deacon John Nicholson

302 Sudbury Street
Marlborough MA 01752
(508) 481-3667
deacon@fatimasudbury.org

Brief Biography

- Marlborough Resident for 25 years
- Married to wife Claire for 28 years
 - Three sons, Michael (age 24), Stephen (age 22), and Joseph (age 18)
 - All educated in the Marlborough Public Schools
- Ordained to the Permanent Diaconate in 2002 for the Archdiocese of Boston
 - Currently assigned to Our Lady of Fatima Parish, Sudbury, MA
 - Numerous responsibilities at parish level, including youth ministry
 - Chaplain Marlborough Police Department
- Family involvement in St Ann/ St Mary youth program until parish closings
- Professional: Consultant, Business Development Metallurgical Industry
- Education: BS Geology, Boston College
 - St. John's Seminary- Four Year Diaconate Formation Program

Deacon John Nicholson
302 Sudbury Street
Marlborough MA 01752
(508) 481-3667
deacon@fatimasudbury.org

Brief Biography

In 1983, my wife Claire and I made Marlborough our home and have raised three sons here: Michael (age 24), Stephen (age 22), and Joseph (age 18). All three of them were educated in the Marlborough Public School system. Our youngest son Joe is currently a freshman at Boston College. Son Michael teaches at St. John's High School in Shrewsbury, and son Stephen graduated from MIT in June and is now engaged in a year of service with the Jesuit Volunteer Corps. in Portland Oregon.

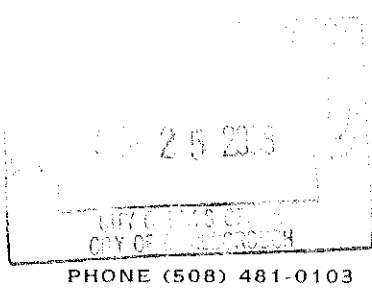
In September 2002, after attending St. John's Seminary in Brighton, MA for four years (evenings), I was ordained to the Order of Deacon for the Archdiocese of Boston. I was assigned by the Cardinal to Our Lady of Fatima Parish in Sudbury and am involved in many aspects of parish life, including youth ministry. Additionally, I serve the Marlborough Police Department as chaplain. This involves periodic "ride-alongs" with officers in an effort to get to know them and is a non-denominational role. In the past, on several occasions I have assisted with death notifications and been present to those who have lost a family member suddenly. I enjoy this ministry, but have not had as much opportunity to spend with officers as I would like due to my time constraints.

The majority of permanent deacons, while members of the clergy in the Catholic Church, are not paid and typically spend 15 to 20 hours a week in ministry. Most have occupations that are necessary to contribute to family support. For the last five years I have been a business development consultant in the metallurgical industry.

Claire and I, as well as our sons were involved with the LifeTeen youth program at St. Mary/St. Ann parishes until their closing in 2004.

I received a BS in Geology from Boston College in 1978.

12



ARTHUR P. BERGERON
Attorney-at-Law
27 PROSPECT STREET
MARLBORO, MASSACHUSETTS 01752

FAX (508) 485-8506

September 25, 2008

Councilor Arthur Vigeant, President
Marlborough City Council
City Hall
Marlborough, MA 01752

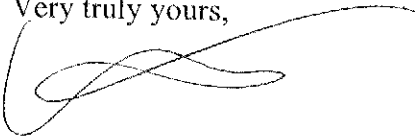
Re: request for easement

Dear Councilor Vigeant:

My client, 740-744 Boston Post Rd, LLC, hereby requests that the City Council grant it right of way easement to pass and repass over certain property owned by the City, shown on the Marlborough assessor's map as Map 48 Parcel 32. Through an apparent oversight, my client's predecessors never obtained a deeded right of way over that land, nor did John Hartley, who once owned the land, ever preserve a deeded right of way to the home now occupied by Richard Hureau.

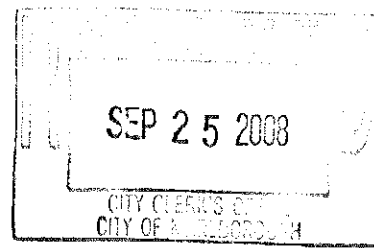
While both my client and Mr. Hureau have been using the land as a right of way for years, and probably acquired a right to it by adverse possession before the city acquired it, my client proposes to legitimize everyone's interest by:

- 1) Having the City convey a right of way to both my client and Mr. Hureau.
- 2) Requiring that my client continue to pave, plow, and maintain the right of way
- 3) Prohibiting parking on the right of way.

Very truly yours,

Arthur P. Bergeron



One NSTAR Way
Westwood, Massachusetts 02090



131

September 25, 2008

Ms. Lisa M. Thomas
City Clerk
City Hall
140 Main Street
Marlborough, MA 01752

Marlborough City Council,

Please approve for Grant purposes the following plan:

To install 115' of 2.00" plastic gas main as a system improvement to supply 397 Stow Rd. in Marlborough as follows.

Stow Rd. – From 394 Stow Rd. northeasterly to 397 Stow Rd..

Respectfully,

A handwritten signature in cursive script, appearing to read "Brian Blood".

Brian Blood
Manager of Gas Distribution
Southborough
508-305-6884
NSTAR Gas
157 Cordaville Rd.
Southborough, MA. 01772

132

Thomas, Lisa

From: City Council
Sent: Thursday, September 25, 2008 1:19 PM
To: Thomas, Lisa
Cc: Wright, Celeste; Lashmit, Tom; Cullen, Thomas; LaFreniere, Ron
Subject: Stow Road #397 - NStar Grant Plan

Lisa:

I spoke with our Engineering Division's, Tom Lashmit, and he is satisfied with the NStar plan for Stow Road submitted to your office this morning for placement on the September 29, 2008 agenda.

Thank you,
Karen Boule

14

TELEPHONE: 227-0878
FAX: 227-3797

LAW OFFICES OF
JACK P. MILGRAM

1 BILLINGS ROAD
QUINCY, MA 02171
jackp.milgram@verizon.net
http://www.milgramlaw.com

SYDNEY S. MILGRAM

September 24, 2008

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

RE: Application for Special Permit
Ming Wang, Jing-Wei Wang & Yi Wang
358-364 Lincoln Street
Marlborough, MA. 01752

Dear President Vigeant:

I write to you relative to the above captioned matter.

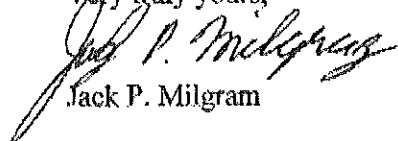
Request is hereby made that my clients be allowed to withdraw their application for a special permit, without prejudice.

In light of the objections of the Marlborough Historical Commission, my clients would prefer not to proceed at this time.

If you have any further questions or concerns, please do not hesitate to give me a call.

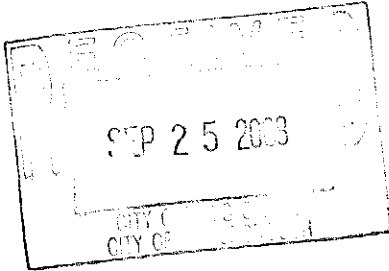
Thank you for your courtesy and cooperation.

Very truly yours,


Jack P. Milgram

JPM/jpm

151



John D. Riordan
Executive Director
(508) 229-2010
jriordan@marlborough2020.com

September 25, 2008

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

Re: Report of Independent Public Accountants
Marlborough 2010 Inc.

Dear Mr. President and City Councilors:

As specified by the provisions of its enabling legislation, Marlborough 2010 is to provide the City with audited statements of its financial condition biennially. Enclosed is the report of the independent auditors, O'Connor, Maloney & Co., P.C., compiled in conformity with generally accepted accounting principles for the years ended June 30, 2007 and June 30, 2008.

With kind regards, I am

Very Truly Yours,

A handwritten signature in cursive script that reads 'John D. Riordan'.

John D. Riordan

Enclosure

MARLBOROUGH 2010, INC.

FINANCIAL STATEMENTS

JUNE 30, 2008

153

O'CONNOR, MALONEY & COMPANY, P.C.

Certified Public Accountants

446 MAIN STREET, WORCESTER, MASSACHUSETTS 01608-2370

Telephone 508/757-6391 Facsimile 508/797-9307

REPORT OF INDEPENDENT PUBLIC ACCOUNTANTS

September 15, 2008

The Board of Directors
Marlborough 2010, Inc.

We have audited the accompanying statement of financial position of Marlborough 2010, Inc. as of June 30, 2008, and the related statements of activities and of cash flows for the year then ended. These financial statements are the responsibility of the Organization's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Marlborough 2010, Inc. as of June 30, 2008, and the changes in its net assets and its cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America.

O'Connor, Maloney & Company, P.C.

Certified Public Accountants

MARLBOROUGH 2010, INC.
STATEMENT OF FINANCIAL POSITION
JUNE 30, 2008

ASSETS

Current

Cash	59,381	
Grants Receivable	<u>91,355</u>	150,736

Property, Plant and Equipment, Net

12,596

Other

Security Deposit		<u>630</u>
------------------	--	------------

Total Assets

163,962

LIABILITIES AND NET ASSETS

Current

Current Portion of Long-Term Debt	2,657	
Accounts Payable and Accrued Expenses	11,664	
Deferred Revenue	<u>5,000</u>	19,321

Net Assets

Unrestricted	70,900	
Temporarily Restricted	<u>73,741</u>	<u>144,641</u>

Total Liabilities and Net Assets

163,962

See accompanying notes to financial statements.

MARLBOROUGH 2010, INC.
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED JUNE 30, 2008

Changes in Unrestricted Net Assets

Support and Revenue:

Member Fees	160,050	
Net Assets Released from Restrictions	<u>51,259</u>	211,309

Expenses:

Salaries and Related Costs	110,643	
Depreciation	1,399	
Advertising	676	
Community Development	12,645	
Conferences and Meetings	1,969	
Dues and Subscriptions	253	
Insurance	1,597	
Interest Expense	1,156	
Office Supplies	1,062	
Professional Fees	4,077	
Repairs and Maintenance	125	
Utilities	2,047	
Printing and Postage	932	
Rent	1,890	
Travel	320	
Meals and Entertainment	237	
Bank Fees	<u>5</u>	<u>141,033</u>

Increase in Unrestricted Net Assets

70,276

Changes in Temporarily Restricted Net Assets

Grants	125,000	
Net Assets Released from Restrictions	<u>(51,259)</u>	<u>73,741</u>

Increase in Net Assets

144,017

Net Assets, Beginning624**Net Assets, Ending**144,641

See accompanying notes to financial statements.

156

MARLBOROUGH 2010, INC.
STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED JUNE 30, 2008

INCREASE (DECREASE) IN CASH

Cash Flows from Operating Activities

Increase in Net Assets		<u>144,017</u>
Adjustments to Reconcile Increase in Net Assets to Net Cash Provided by Operating Activities:		
Depreciation	1,399	
Increase in Grants Receivable	(91,355)	
Increase in Security Deposit	(630)	
Decrease in Accounts Payable and Accrued Expenses	(3,247)	
Decrease in Deferred Revenue	<u>(5,000)</u>	<u>(98,833)</u>
Net Cash Provided by Operating Activities		45,184

Cash Flows from Investing Activities

Capital Expenditures		(13,995)
----------------------	--	----------

Cash Flows from Financing Activities

Repayments of Amounts Borrowed		<u>(17,343)</u>
--------------------------------	--	-----------------

Net Increase in Cash

13,846

Cash, Beginning

45,535

Cash, Ending

59,381

See accompanying notes to financial statements.

157

MARLBOROUGH 2010, INC.
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2008

Note 1. Organization

Marlborough 2010, Inc. (the Organization), a not-for-profit corporation, is located in Marlborough, Massachusetts. The Organization is a catalyst in stimulating projects that improve the quality of life and help achieve Marlborough's vision for the future, while also being a catalyst for positive change and an advocate of solutions and opportunities for the region's business and economic development through programs of planned cultural, historical, economic, housing, educational, industrial, professional, tourism and sports growth.

The Organization is exempt from income taxes under Section 501(c)(6) of the Internal Revenue Code.

Note 2. Summary of Significant Accounting Policies

Net assets, support and revenue, and gains and losses are classified based on the existence or absence of donor-imposed restrictions. Accordingly, net assets and changes therein are classified as follows:

Temporarily restricted net assets – Net assets subject to donor-imposed stipulations that may or will be met by actions of the Organization and/or the passage of time.

Unrestricted net assets – Net assets not subject to donor-imposed stipulations.

Grants and contributions are reported as temporarily restricted support if they are received with donor stipulations that limit the use of the donated assets. When a donor restriction expires, that is, when a stipulated time restriction ends or purpose restriction is accomplished, temporarily restricted net assets are reclassified to unrestricted net assets and reported in the statement of activities as net assets released from restrictions. Grants and contributions subject to donor-imposed stipulations that are met in the same reporting period are reported as unrestricted support.

Membership dues are recognized as revenue at the beginning of the applicable membership period. Revenue from programs and other sources is recognized in the period in which the services are provided and the costs are incurred.

Management uses estimates and assumptions in preparing financial statements in accordance with accounting principles generally accepted in the United States of America. Those estimates and assumptions affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities, and the reported revenues and expenses. Actual results could vary from the estimates that were used.

Property, Plant and Equipment are stated at cost and depreciated on a straight-line basis over the estimated useful lives of the assets.

MARLBOROUGH 2010, INC.
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2008

Note 3. Property, Plant and Equipment

Property, Plant and Equipment consists of:

Office Equipment and Furniture	13,995
Less: Accumulated Depreciation	<u>1,399</u>
Net	<u><u>12,596</u></u>

Note 4. Operating Lease

In April 2008, the Organization entered into a lease agreement with a term of four years for the use of operating facilities. The lease is renewable for one additional five year period.

Minimum future rental payments under this lease for each of the next five years and in the aggregate are:

Year Ending June 30:

2009	7,560
2010	7,695
2011	8,100
2012	<u>6,075</u>
Total	<u><u>29,430</u></u>

Rent expense under operating leases totaled \$1,890 in 2008.

Note 5. Long Term Debt

Long-Term Debt consists of:

Note payable to a bank, due in monthly installments of \$627, including interest at 8%, through July 2010, secured by all of the Organization's assets.

	2,657
Less: Current Portion	<u>2,657</u>
Net	<u><u>-</u></u>

City of Marlborough
Commonwealth of Massachusetts

SEP 9 2008

161



PLANNING BOARD

Barbara L. Fenby, Chair
Steve Kerrigan, Clerk
Philip J. Hodge
Edward F. Coveney
Clyde L. Johnson
Robert Hanson
Sean N. Fay

PLANNING BOARD MINUTES
Special Meeting Minutes
August 13, 2008
7:00 PM

Carrie Lizotte, Board Secretary
Phone: (508) 460-3769
Fax: (508) 460-3736
Email: CLizotte@marlborough-ma.gov

The Planning Board for the City of Marlborough met on Wednesday, August 13, 2008 in Memorial Hall, 3rd floor, City Hall, Marlborough, MA 01752 for a special meeting for two public hearings. Members present: Barbara Fenby, Chairperson, Steve Kerrigan, Clerk, Clyde Johnson, Philip Hodge, Edward Coveney, Robert Hanson and Sean Fay. Also present: Assistant City Engineer Richard Baldelli.

PUBLIC HEARINGS:

7:00 Pm
214 Wilson Street
Limited Development Subdivision

The Planning Board of the City of Marlborough held a public hearing on Wednesday, August 13, 2008, at 7:00 p.m. in Memorial Hall, 3rd Floor, City Hall, 140 Main Street, Marlborough on the Limited Development Subdivision proposed at 214 Wilson Street. Members present: Chairperson Barbara L. Fenby, Clerk Steven Kerrigan, Philip Hodge, Edward Coveney, Robert Hanson and Sean Fay. Also present: Assistant City Engineer Richard Baldelli.

The Chair introduced all of the members of the board including the City Engineer and the Planning Board Secretary. She advised the audience that everyone should direct questions to her and she will direct the questions to the proponent or others.

Mr. Kerrigan read the public hearing notice into record.

PLANNING BOARD
PUBLIC HEARING NOTICE

Notice is hereby given that the **Planning Board** of the City of Marlborough will hold a public hearing on Wednesday, August 13, 2008 at 7:00 P.M., at Memorial Hall, City Hall, 140 Main Street, Marlborough, MA on the following Application for a Special Permit for a Limited Development Subdivision, which proposal is herewith published in compliance with the requirements of the M.G.L. 41, §81T and is hereby set forth as follows:

NAME OF SUBDIVIDER: **SMC Realty Trust**
P.O. Box 551

162

Marlborough, MA 01752

NAME OF ENGINEER: Thomas Land Survey
265 Washington Street
Hudson, MA 017149

LOCATION OF PROPERTY: 1.92 Acres of land to create a limited development subdivision located at 214 Wilson Street.

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

Thomas Dipersio, the developer's engineer, presented to the board the plans for the new limited development subdivision for 214 Wilson Street. Mr. Dipersio explained that the proposed limited development subdivision would be possible since the lots meet the current rules with the newly created lot meets the 2 1/2 times requirement for zoning. He presented to the board several different plans, one showing the "Conventional Layout" plan for lot 1 being a single house lot with frontage along Wilson Street and lot 2 being a single house lot coming of a newly created cul-de-sac. He showed another plan being the "limited development layout" with the exiting house being lot 1 with 27,396.93 square feet with and lot 2 being a new lot with 56,293.30 square feet.

The plans have been reviewed by the engineering department as well as through the site plan committee. The plans presented tonight were with the corrections and comments the engineering department suggested. The Site Plan Committee correspondence was in regards to the fire apparatus and would have adequate access in case of emergency.

In Favor

Robert Saragain
200 Wilson Street

Mr. Saragian is the direct property abutter to where the new street. He is questioning if the street would have adequate access for the fire apparatus. Mr. Dipersio stated that he has reviewed the plans with the Site Plan Committee and all members agreed emergency vehicles would have the access with the street. Mr. Saragain also asked if the property sells would a new developer come in with a new set of standards and disregard all the ones in place? Mr. Hodge explained the special permit would remain in place with the land. Mr. Saragain stated he was pleased with the project and that the developer is doing a first class job.

Mary Doherty
229 Wilson Street

Ms. Doherty is concerned about the blasting. Ms. Fenby explained to her that the blasting is in prevue of the Fire Department and that the developer has to follow the guidelines.

Anita Byron
24 Linda Circle

Ms. Byron is also concerned of the blasting that will occur. She is asking if there will be a pre-blast inspection and if her house is damaged by the blasting who will be responsible. Ms. Fenby explained that blasting is in the fire department prevue and will follow the set guidelines for blasting.

163

Marilyn King
157 Ewald Ave

Ms. King asked if there would be an easement of trees. The developer explained that he is not intending to clear cut the trees. He stated that he is willing to leave a buffer of existing trees.

Joe Andrew
151 Ewald Ave

Mr. Andrew is asking for a buffer zone of trees between the property lines. Mr. Andrews' property is in an Open Space development where the zoning is different. Mr. Hodge explained the differences of an open space subdivisions and a conventional subdivisions with the restrictions of trees.

Jim King
157 Ewald Ave

Mr. King is concerned about what can be built on that property. The property is zoned A-1 which allows single family residences only. Mr. King also asked for the developer to leave as much of the tree line if possible.

In Opposition

No one spoke in Opposition.

General Comments from the Board

Mr. Hodge asked Mr. Dipersio if they were looking for any special waivers. Mr. Dipersio stated they were looking for a 40 foot driveway waiver even though the plans do show a 50 foot waiver. Mr. Hodge did also state that the plans do not show a conventional subdivision plan. Mr. Dipersio stated that he followed what the limited development rules and regulations called for by showing the lots. Mr. Hodge stated that he would like to see the less dense plan.

Mr. Kerrigan asked Mr. Garofalo if he had any objections to adding any special conditions to his permits (such as trees). Mr. Garofalo stated that he had no objections to adding within reason requests.

The public hearing closed at 7:30PM.

7:30 Pm
Marlboro Elms
289-401 Elm Street
Definitive Development Subdivision

The Planning Board of the City of Marlborough held a public hearing on Wednesday, August 13, 2008, at 7:30 p.m. in Memorial Hall, 3rd Floor, City Hall, 140 Main Street, Marlborough on the Definitive Development Subdivision proposed at 289-401 Elm Street. Members present: Chairperson Barbara L. Fenby, Clerk Steven Kerrigan, Philip Hodge, Edward Coveney, Robert Hanson and Sean Fay. Also present: Assistant City Engineer Richard Baldelli.

The Chair introduced all of the members of the board including the City Engineer and the Planning Board Secretary. She advised the audience that everyone should direct questions to her and she will direct the questions to the proponent or others.

Mr. Kerrigan read the public hearing notice into record.

164

**PLANNING BOARD
PUBLIC HEARING NOTICE**

Notice is hereby given that the **Planning Board** of the City of Marlborough will hold a public hearing on Wednesday, August 13, 2008 at 7:30 P.M., at Memorial Hall, City Hall, 140 Main Street, Marlborough, MA on the following Definitive Subdivision Plan "Marlboro Elms" subdivision which proposal is herewith published in compliance with the requirements of the M.G.L. 41, §81T and is hereby set forth as follows:

NAME OF SUBDIVIDER: Marlboro Elms, Inc.
10 Turnpike Road
Southborough, MA 01772

NAME OF ENGINEER: Cubellis, Inc.
97 Libbey Industrial Parkway
Weymouth, MA 02189

LOCATION OF PROPERTY: Several parcels of land located on the northerly side of Elm Street and adjacent to Interstate Route 495

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

Cliff Shorer, the owner of the property spoke on the proposed development that is it a fairly large site within the Limited Industrial Zoning that was the old Honeywell site. This site has the MHQ headquarters, the old Macneil Engineering Building and is home to the Marlborough Historical Home of Peter Rice where the Historical Society meets. When he presented the preliminary plan (withdrawn without prejudice) the Planning Board was interested in seeing the street that they proposed connect to Elm Street and not be a cul-de-sac. This plan shows a street that uses existing driveways on Elm Street. His goal and hope is to have all owner occupied buildings.

Sean McCarthy; the developers Engineer, stated that they are proposing to subdivide the four existing properties into five properties. The site is extremely hilly and does have many existing wetlands. There is an existing detention basin which they are keeping and adding two more detention basins. They are proposing new treatment for the stormwater runoffs. They are proposing a side walk on one side of the street. They have already met with the Conservation Commission and are working with the Commission at this time on how to protect the site.

In Favor

Neil Litch
57 West Main Street

Mr. Litch has concerns on the emergency access. Mr. McCarthy explained that the roadway will be standard width and emergency access will adequate.

Bill Murtagh
32 Roosevelt Street

Mr. Murtagh is concerned about the wetlands on this site.

165

Robert Kane
Marlborough Historical Society

Mr. Kane represents the Marlborough Historical Society. The Society purchased the Peter Rice Homestead; however, they do not own the land where the house sits. They are seeking to possibly purchase the land where the house is located or have Mr. Schror create a lot with an ANR plan to lease the land to them. Mr. Schror stated that they could carve out a legitimate lot for the Society.

Mary Schofield
262 Elm Street

Ms. Schofield is concerned about the traffic. She stated that the traffic coming down the hill is already bad. Ms. Fenby stated that the developers submitted a traffic study at the time of submittal and that the traffic study will be considered when the plans are reviewed.

In Opposition

John Tondaro
37 Roosevelt Street

Mr. Tondaro stated he believes there are more wetlands than what was presented on this plan. Mr. Steve Campbell, the Developers Engineer, stated that they were walking the site with the Conservation Commissioner within the next week and will work out the conservation issues.

General Comments from the Board

Mr. Hanson asked if they were expecting much traffic. Mr. Shorer stated that most traffic from the buildings now generally turn right onto Elm Street to go to Route 495 instead of turning left onto Elm Street.

Mr. Fay stated that the previous preliminary plans showed the road on the Northern part of the parcel would affect the existing wetlands, how does the proposed plan protect the wetlands?

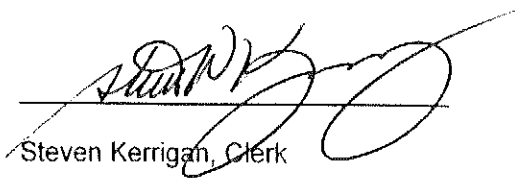
The public hearing closed at 8:00pm.

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

To adjourn at 8:00 p.m.

A TRUE COPY

ATTEST:


Steven Kerrigan, Clerk

City of Marlborough
Commonwealth of Massachusetts

SEP 0 2008

16/4



PLANNING BOARD

Barbara L. Fenby, Chair
Steve Kerrigan, Clerk
Philip J. Hodge
Edward F. Coveney
Clyde L. Johnson
Robert Hanson
Sean N. Fay

PLANNING BOARD MINUTES
August 18, 2008
7:00 PM

Carrie Lizotte, Board Secretary
Phone: (508) 460-3769
Fax: (508) 460-3736
Email: CLizotte@marlborough-ma.gov

The Planning Board for the City of Marlborough met on Monday, August 18, 2008 in Memorial Hall, 3rd floor, City Hall, Marlborough, MA 01752. Members present: Barbara Fenby, Chairperson, Steve Kerrigan, Clerk, Clyde Johnson, Philip Hodge, Robert Hanson and Sean Fay. Also present: City Engineer Thomas Cullen.

MINUTES

Meeting Minutes July 14, 2008

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

To accept and file the meeting minutes.

CHAIR'S BUSINESS

The Commonwealth of Massachusetts
National Register of Historic Places
175 Maple Street

The Commonwealth of Massachusetts is pleased to announce that the Dennison Manufacturing Co. Building of Marlborough is being considered by the Massachusetts Historical Commission for a nomination to the National register of Historic Places. A meeting conducted by the Commission will take place on September 10, 2008 at the Massachusetts State Archives.

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

To accept and file correspondence; to send College Street, LLC congratulations in their nomination.

Proposed change in Zoning, Retirement District
Correspondence from Attorney David Gadbois

Attorney Gadbois is asking for the Planning Board to delay their Public Hearing on the Retirement Community Zoning Ordinance to September 8, 2008.

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

167

To accept and file correspondence, to delay the public hearing at Attorney Gadbois' request to September 8, 2008 and to notify the City Council at the change of the public hearing date so that they may take into consideration the opinion of the Planning Board.

APPROVAL NOT REQUIRED PLAN

*Phelps Street
ANR Submittal*

Mr. Fay left the room due to a conflict of being an abutter to the project.

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

To table the ANR submittal until the end of the meeting.

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

To remove the ANR off the table.

The applicants were not present for their submittal. The Planning Board has questions regarding the set time frame of 21 days for approval. With the dates being spread out during the summer months the Board would like deny the submittal without prejudice and ask the applicants to resubmit the ANR plan at the next scheduled meeting. Mr. Hodge also asked for the Engineering Department to do an informal review.

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

To **DENY** without prejudice the ANR plan known as "Phelps Street"; owned by: Mr. Joel Cain and Mr. Noel Cain; Engineered by Inland Survey and to have the ANR Plan resubmitted at the next schedule meeting.

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

To refer the ANR plan to the Engineering Department for an informal review.

Mr. Fay returned.

PUBLIC HEARING

SUBDIVISION PROGRESS REPORTS

Update from City Engineer

Mr. Cullen provided the Planning Board with a new detailed report: the Fiddlehead subdivision he is anticipating the award for contractor by the beginning of September and the O'Leary's Landing subdivision, he has advised the developer to start the acceptance through the City Council. He has directed his Assistant City Engineer to review the Water's Edge Subdivision with the Conservation Commissioner for additional comments. He stated that at the Acre Bridge Estates has had significant work to the subdivision including pavement and cul-de-sac issues are close to being resolved.

*Blackhorse Farms (Slocumb Lane)
Correspondence from Code Enforcement*

Ms. Wilderman sent correspondence to the developers Engineer to take the following steps to secure the subdivision from disrepair. Her suggestions are:

168

- Reinstate the hay bales.
- Refresh all silt fencing around the site.
- Check Conditions of the filter bags in catch basins.
- Provide screening (i.e. arborvitae) or agree to fencing between Mr. O'Brien's property.
- Possible hydro-seed for slope stability.

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

To accept and file correspondence and ask Ms. Wilderman to provide an update when one becomes available.

Mr. Hanson excused himself from the meeting for a family emergency.

Gristmill III, Carisbrooke I (Farrington Lane)

Tim Collins, Asst Civil Engineer, has been reviewing the files for the Gristmill III Subdivision and has found the subdivision has been inactive since 1992, when the current bond was reduced to \$10,000.00. Interest to the bond with today's date being \$14,244.00. The Engineering Department has asked the original Engineer for the development, Thompson-Liston, to provide a quote to have additional surveys performed, plans drawn up to correct municipal drain easements as well as the acceptance plans for the roadways in this subdivision and any additional legal fees that be needed.

The City also had an account with the General Fund with a balance of \$11,566.61 which is the remainder of the bond that was used to complete Carisbrooke II. Carisbrooke II, streets and easements, have not been accepted by the City of Marlborough and is Department of Public Works' intent to combine both remaining bond monies to complete the necessary work for both subdivisions.

The Engineering is requesting to the Planning Board that they start the necessary steps to secure the money from Marlborough Savings Bank.

The Planning Board members agreed to start the process to rescind the subdivision and the bond monies. The Planning Board would like to begin the process and will ask the Legal Department for the guidelines of rescinding the subdivisions.

On a motion by Mr. Kerrigan, seconded by Mr. Hanson it was duly voted:

To accept and file correspondence, to ask the legal department for their guidance in rescinding the Gristmill III and Carisbrooke II subdivisions.

Mauro Farm (Cook Lane)

Phasing Request

At the request of the developer, they are asking to withdrawal without prejudice their phasing proposal.

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

To accept and file correspondence and withdrawal the request of phasing without prejudice.

Pembroke Street

Request for modification of subdivision plan

Attorney Arthur Bergeron is requesting the subdivision plan approved by the Planning Board on June 12, 2008 be modified. In a letter by the Building Commissioner to the ZBA it was made clear that the waivers were approved on the subdivision plan were worded incorrectly. In the acceptance letter by the Planning Board it also stated a plan would not be signed until after a covenant is signed by the Board. His client was not anticipating preparing or filing a covenant since no road work or easements are not specified in the plan. His client is requesting for the Board to approve a modification subdivision plan with the waiver language has been adjusted to eliminate references to setbacks, vote on the modifications in a way that omits reference to any setback variances being required and omit its approval for any required covenant.

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

To accept and file all correspondence.

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

To refer the modified plans to the Engineering Department for their review, ask if the change in language meets Building Commissioner Stephen Reid's approval and place the request on the September 8, 2008 meeting.

PENDING SUBDIVISION PLANS: Updates and Discussion

PRELIMINARY/ OPEN SPACE SUBDIVISION SUBMITTALS/ LDS SUBMITTALS

LDS Submittal

214 Wilson Street

Engineering Correspondence

Tim Collins of the Engineering Department sent correspondence stating that he has reviewed the LDS plan, stated that the plan meets the requirements of the Limited Development Subdivision and the Planning Board should consider granting approval of the Special Permit.

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

To accept and file correspondence.

Correspondence from Building Commissioner

Stephen Reid, the Building Commissioner of Marlborough, sent correspondence to the Planning Board regarding the review of the Conventional and LDS schemes of the development. He stated each method creates two lots with the conventional creating two more balanced lots but consumes a substantial amount of land for the creation of a traditional roadway and demolishes the existing house. The LDS method shows a much greater size new LDS lot and allows the existing home, landscape and substitutes a conventional width driveway with a simple hammerhead type turnaround. Mr. Reid, as the Zoning Enforcement Officer, believes in his opinion that this plan is the less intense use of the parcel overall and is more appropriate then creating a covenantal public road or more public maintenance.

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

To accept and file correspondence

Mr. Hodges' opinion still differs from the written ordinance at this time. With this subdivision still being under the ordinance as it is written and not what the ordinance was intended to be (2 ½ times the lot size vs. 2 ½ times zoning requirement). Mr. Hodge is looking for a plan that shows a less dense area.

1/6/10

Mr. Fay is not agreeing with Mr. Hodge or Mr. Johnson. He stated that the current ordinance does not say less dense just less intense and he believes the plan before the Board has proven that. Mr. Fay has concerns about the timing issue. He stated that the Board has not had enough time to decide if this is a good fit with the current neighborhood and he does not feel comfortable making a final decision at this time.

Mr. Kerrigan also agrees with Mr. Fay and Mr. Reid's determination is accurate. He also discussed how he has not seen any minutes from the meeting and the fact and findings have not been discussed.

Mr. Garofalo stated that both he and his Engineer have read the ordinance and he believes that he has followed the ordinance. He also stated that the original home on the property is being purchased and he is looking to close on this deal. He is asking the Planning Board if they can make a decision as soon as possible.

Ms. Fenby stated that with only 5 members present at this time, Mr. Garofalo would not have the vote that is needed.

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

To table any decision by the Board until the September 8, 2008 meeting.

DEFINITIVE SUBDIVISION SUBMISSIONS

SCENIC ROADS

SIGNS

INFORMAL DISCUSSION

COMMUNICATIONS/CORRESPONDENCE

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

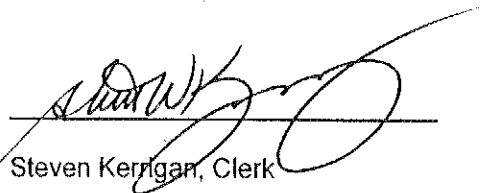
To accept all of the items listed under communications and/or correspondence.

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

To adjourn at 8:00 p.m.

A TRUE COPY

ATTEST:



Steven Kerrigan, Clerk

171

MetroWest Regional Transit Authority

Advisory Board Meeting Minutes Monday, July 21, 2008

The Metrowest Regional Transit Authority Advisory Board meeting was held on July 21, 2008 at 4:00 p.m., at the maintenance and operations facility of the MWRTA, located at 160 Waverley Street, Framingham, MA., at the call of Chairman, John Stasik, Framingham. Mr. Stasik asked for a roll call of communities. In attendance was; Carl Damigella, Holliston, Philip Jack, Ashland, returning as advisory board member replacing Paul Monaco, Edward Carr, Administrator, Charles Stevenson, Counsel, Elise Marcil, Disabled Community Representative, Frank Hess, sitting in for Christopher Peck, Sherborn, Gary Daugherty, Hopkinton, Joseph Nolan, Wayland. A quorum was declared. Audience members included, Donna Jacobs, from the Metrowest Growth Management Committee, Ted Welte, from the Metrowest Chamber of Commerce and Paul W. Spooner, from Metrowest Center for Independent Living. Carl Damigella made a motion to waive the reading of the previous minutes; it was seconded by Joseph Nolan; and approved unanimously. Gary Daugherty made a motion to approve the previous minutes; it was seconded by Carl Damigella, and approved with one abstention from Joseph Nolan.

Administrator's report:

- **Fixed Route Service:**

The fixed route system has successfully been amalgamated with Natick, and the RTA is now running the same system throughout the authority. One of the goals is to improve on time scheduling during late afternoon traffic congestion.

- **Demand Response:**

The RTA is up and running with the new call center. There have been a few challenges, but overall, the transition of the **Marlborough/Southborough demand response call center** has been positive. The RTA's broker, First Transit, took the lead in setting it up. WRTA (Worcester Regional Transit Authority), and their broker PBSI, were extremely cooperative, and Busy Bee did an excellent job in picking up the slack left over from AVCOA (Assabet Valley Council on Aging). The RTA is now providing approximately 2,000 trips a month in the "west region" with the service, but there is still some work that needs to be done as far as registering the customers and finding efficiencies within the system. The RTA is currently working with some of **the towns with whom they have COA (Council on Aging) contracts**, to extend the current contracts, and plan out how the RTA can interface into the demand response service currently provided.

- **ADA RIDE Implementation:**

The transitional working meetings between staff of THE RIDE and the RTA have started and will continue to be scheduled on a monthly basis.

- **Planning:**

The "Eliot Service" proposal for the Suburban Mobility Program has become a different proposal, which the RTA will now refer to as "**The Green Line Project**". MWGMC has been helpful in developing the project into something the MPO (Metropolitan Planning Organization) is interested in supporting.

The CTPS (Central Transportation Planning Staff) study contract has finally been executed thanks to some help from Rick Leary, of the MBTA. The RTA should have them on board shortly to help with service planning.

- **Outreach:**

Most of the outreach is still focused on the **demand response ridership** in the "west region".

Some outreach has been done with the **Framingham** disabled community regarding **THE RIDE**.

Paul Spooner and Ed Carr had some preliminary meetings regarding the **Consumer Advisory Group**.

The RTA did previous outreach with **neighborhood youth**, last week. At no cost to the Authority, approximately 25 teenagers cleaned up the RTA's maintenance facility parking lot, and will be back again on July 22nd to finish the job. They also took a tour of the maintenance facility and learned about the bus system. Mr. Carr thanked Margo Deane and Charlie Sisitsky of **Framingham** for making it possible.

First Transit has been doing **surveys on some of the routes** for the RTA. Of 84 riders surveyed, the RTA has found that 25 riders are interested in serving on the Consumer Advisory Group.

- **Research:**

The RTA is continuing to work with the **GEO Labs at Bridgewater State** to improve the RTA's customer service by making some changes to the web mapping, and searching for ways to **integrate the system into the demand response service**. Larry Harman with GEO Labs, has been very helpful with implementation of the software choices and the direction the RTA needs to pursue in the call center.

- **Marketing:**

The RTA is currently working with Maureen Crocker, whose marketing firm, **Crocker Design**, was recently hired to develop marketing options for the RTA.

Mr. Carr did a survey of the **marketing budgets** of other RTA's. Most range from .08% to 1.05% of their operating budgets. From FY 06 to FY 08 most RTA's reduced

the line item to cover shortfalls in other areas. The total amount spent was estimated at a low of \$20K to a high of \$110K, with PVTA (Pine Valley Transit Authority), spending the largest amount. From a percentage point the RTA would range from a low of \$4K to a high \$50K. There is **\$5K in the RTA's operating budget for marketing**, and there is also another \$17K in mitigation money that is earmarked for marketing. The towns of Natick and Framingham are holding transportation mitigation funds whose usage and total amount haven't been identified as yet, though these could be used for marketing purposes.

Mr. Carr has begun working with Pegasus, the Local Access channel in Natick, to write and produce an hour long TV show on the RTA that will air in the fall. The first 50 minutes of the show will consist of several segments including legislative history, and planning, along with current operations of both fixed route and demand response. It will also focus on community segments. Each of these segments will consist of 10 minutes of taping. Those segments, along with the rest of the program will be aired in each individual community.

Comments from the Administrators Report:

Philip Jack asked about the status of the **CTPS Study**. Mr. Carr replied he had an upcoming meeting on the following Thursday with the MBTA, and CTPS. Mr. Carr stated that a representative of CTPS would be at the next board meeting.

Mr. Stasik asked that each member community provide him with information regarding their individual needs before next Thursday's meeting with CTPS. Mr. Stasik commented that the CTPS Study will help with the RTA's marketing plans as well. It was stated that a rider from Natick can now go all the way to Marlborough and back on the system.

Mr. Carr talked about the **call center** and how the process works. At this point the focus is on Marlborough and Southborough customers. Mr. Carr announced that the basic change for the customer was a new phone number. As the system grows he expects to reach out to the other member communities. He also responded that the **Dial-A-Ride service now being provided in Marlborough and Southborough** satisfies the ADA responsibility in the "west region". Mr. Carr stated that **Ashland and Holliston would be the next two communities** in line to receive the service, although Ashland is now being provided some ADA service through Busy Bee.

Mr. Nolan was hesitant about spending marketing funds on the system when it is still in its development stages. Mr. Carr agreed that the Dial-A-Ride service is in its early stages however, he feels that marketing the fixed route portion of the system would be in the best interest of the RTA at this time.

Mr. Carr told Mr. Stasik that he would email him a copy of the June ridership data. Mr. Stasik also wanted to see copies of the surveys that were done on the buses in July. The survey results of the 84 riders were 76 positive, and 6 negative on fixed route service currently being provided by the RTA. Mr. Nolan stated that he thought the percentage was positive.

Old Business:

- **Disabled Community Representative (Ashland)**

A motion was made by Philip Jack; to **appoint Martin Shapiro from Ashland to be the new Disabled Community Representative** to the Advisory Board; it was seconded by Carl Damigella, and approved unanimously.

- **Consumer Advisory Group:**

Mr. Paul Spooner, Chairman of the future CAG (Consumer Advisory Group), spoke about how he thought the CAG should be formed. He suggested that riders from the different bus routes as well as demand response users and people interested in transportation make up the group. He feels that a diverse group would serve the RTA well.

Mr. Carr mentioned that the disabled community from Framingham has contacted him about forming a "free standing", disabled consumer committee.

Mr. Jack asked if the Authority's ADA committee was still meeting. Mr. Carr told the board that the ADA committee, was no longer meeting and that the committee was only formed to develop an ADA plan for the RTA.

Mr. Spooner asked the board how they wanted him to proceed. The board decided that Mr. Spooner and Mr. Carr would screen potential members and present their recommendations to the board.

New Business:

- **Green Line Project:**

Donna Jacobs of MWGMC, presented to the board an update on the "Green Line Project". She stated that the "**Green Line Project**" has passed the CMAQ (Congestion Management Air Quality), qualifications. Due to the MPO preference the decision was made by Mr. Carr to apply with the destination as Woodland Station rather than Elliot Station.

Outreach to Newton-Wellesley Hospital produced a quick 51 positive responses for using future bus services. Also, a new apartment complex has been built near the hospital that could produce potential ridership as well. Ms. Jacobs stated there is a large reverse commute ridership in the eastern edge of Wellesley. Ms. Jacobs also mentioned potential ridership numbers from Wellesley neighborhoods.

She talked about **JARC (Job Access Reverse Commute)**, and how capital expenses (new buses), could be considered under JARC for the project. Ms. Jacobs presented to the board a copy of the diagram that was submitted with the application depicting the RTA routes and how they intersect with major routes and MBTA train stations throughout the system.

Mr. Nolan asked what the ability is for the RTA to stop in a **non-member RTA community**. Mr. Carr replied that the RTA would need to apply for a street license in those communities. Mr. Nolan also asked, if funded, what the **time line would be for the Green Line Project**. Mr. Carr thought that next year would be a probable start time.

Mr. Jack asked if **Wellesley would also be assessed** regarding the proposed project. Mr. Carr replied no, the project is not a reality as of yet, Wellesley is at the MPO table and the town would certainly like to see the service happen, **as well as Newton**. Ms. Jacobs stated that Wellesley and Newton are part of the MPO so they could be served by the project even though they are not members of the RTA. She also noted that possibly the two communities could be assessed "in some way" to help fund the project.

Mr. Carr announced that he has had discussions with Frank DeMasi of Wellesley about transportation entities, and Mr. DeMasi expressed to him that Wellesley may be interested in possibly doing some fully funded contracts with the RTA to provide some of the service. Mr. Carr also stated that it is within Wellesley's rights to contract with the RTA for services, even though they do not belong to the RTA. Mr. Carr added that the RTA has statutory authority to contract with non member communities for services.

- **Appointment of New Officers:**

Carl Damigella, Clerk of the Advisory Board, made a motion that would allow him to cast one vote to keep the present membership of officers; it seconded by Mr. Nolan, and approved unanimously.

- **Mission Statement:**

Mr. Stasik discussed the final draft of the goals/objectives document and passed out a copy of the mission statement along with it. Mr. Stasik asked the members to review both documents and be **prepared to vote on the mission statement** at the next meeting. Mr. Stasik also told the board that he had appointed a **financial sub committee** to review the auditing reports that the board would be receiving. Members of the committee include Christopher Peck, of Sherborn, and Charles Hughes, of Natick.

Mr. Stasik added that in the member's package was also a copy of an **outline of the by-laws** for the RTA Advisory Board. He hoped to have assistance from committee members to help draft a by-law document by the next meeting.

Other Business:

Marketing:

David Parker, customer service representative of the RTA formally invited the members of the advisory board to the first annual **employee appreciation Labor Day cookout**, to be held on Sunday, August 31st, 2008, from 12:00 p.m.-4:00 p.m. He asked the members to RSVP by August 15th.

174

Eva Willens presented the board with an update regarding on going **marketing goals**. She had a meeting with Susan Tordella, Director of the Metrowest/495 Transportation Management Association, Vera Kolas, Southborough's Town planner, and Eugene Kennedy, of the Framingham Planning Department regarding mitigation funds available to the RTA for the promotion of public transit in Metrowest. She mentioned that the RTA hired Crocker Design, a small marketing firm, to assist the RTA in developing a marketing plan. **Distributing new schedules is first on the agenda** to be accomplished, also branding various bus stops. Mr. Nolan suggested some type of **demand response brochure** be designed for those member communities that do not have fixed route service, but are part of the RTA. Mr. Nolan also talked about using **electronic means** to advertise the RTA.

Mr. Jack questioned whether or not the RTA should expend monies on printed schedules before the CTPS study is concluded.

Comments from the board:

Mr. Carr announced that the **state budget has passed**, and that the portion of the budget affecting the state's RTAs survived the governor's veto. He mentioned three subjects pertaining to the budget that were important regarding the RTA's.

- 1.) The **inter district funds** were approved for next year.
- 2.) **The MBTA error has been corrected** in the budget, so that any RTA assessment will be off set against the **MBTA assessment**. He stated that the RTA will be receiving their local assessment cash in July, 2009, instead of having to wait until January, 2010. It will be received in quarterly installments. He also added that when the correct cherry sheets come out it will show a zero assessment for the MWRTA.
- 3.) The budget includes **\$57 million dollars for the state's RTAs**.
 - Ms. Marcil mentioned that in the goals/objectives document #4, under service, that it should state: to form a "Consumer Advisory Group", not a Paratransit Advisory Group.
 - The board thanked Elise Marcil for her service on the board as the Disabled Community Representative.

The next meeting date was set for Monday, September 15, 2008.

Mr. Stasik asked for a motion to adjourn at 5:40 p.m.; it was moved by Mr. Damigella; seconded by Mr. Jack, and approved unanimously.

###

177

Certificate

The undersigned being the duly qualified clerk of the MetroWest Regional Transit Authority Advisory Board, acknowledges that the foregoing minutes accurately reflect the actions taken at a legally convened meeting of the Advisory Board held on July 21, 2008.

Carl Damigella, Holliston