

REGULAR MEETING
NOVEMBER 5, 2007

IN CITY COUNCIL
ABSENT:

CONVENED:
ADJOURNED:

1. Minutes, City Council Meeting, October 29, 2007.
2. PUBLIC HEARING: On the application of NSTAR to relocate existing vaults in Maple St. with state of the art equipment and to provide non interruptible access to Marlborough Fire Department's parking facility.
3. Communication from the Mayor re: Massachusetts Department of Revenue certifying the amount of available funds or "free cash" for FY07 in the amount of \$5,046,562.00.
4. Communication from Attorney Bergeron, on behalf of 890 Post Rd. LLC, requesting to withdraw without prejudice Order No. 07-1667A pertinent to new automobile dealerships as an allowable use in a business zone.
5. Communication from Linda Fossile, Secretary of Crystal Ridge Realty Trust, re: request for road acceptance of Danjou Dr.
6. Communication from Linda Fossile, Secretary of Crystal Ridge Realty Trust, re: request for road acceptance of Cleversy Dr.
7. Communication from Linda Fossile, Secretary of Crystal Ridge Realty Trust, re: request for road acceptance of Miele Rd. & Balcom Rd.
8. Application of NSTAR to install 250' of 2.00" plastic main as a system improvement to supply South St. in Marlborough from 401 South St. easterly to 417 South St.
9. Petition of Mass Electric to install 1-3' PVC conduit from existing transformer 7 to existing secondary handhole 7E.
10. Minutes, Planning Board, May 7, May 21, June 11, June 25, July 9, July 23, August 6, August 20, September 10, and September 24, 2007.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Finance Committee

11. **Order No. 07-1001693 - Maximum Step for Firefighter Ms. Richards** - The Finance Committee reviewed the Mayor's letter dated October 10, 2007 that recommended that Tricia Richard of the Fire Department receive the maximum salary step commensurate with her experience and overall length of service. Councilor Juaire read a public disclosure statement so that he could participate in the discussions. **Recommendation of the Finance Committee is to approve 3-2 (Webster/Juaire opposed)** a step 2 salary adjustment to \$46,799 retroactive to the start of employment.
12. **Order No. 07-1001692 - Public Facilities Transfers for Clothing and Custodian Overtime** - The Finance Committee reviewed the Mayor's letter dated October 10, 2007 requesting transfers for the Public Facilities Department totaling \$15,200.00 from Reserve for Salaries (\$3,200.00) to Clothing and from Custodian (\$12,000) to Overtime account. The additional funding for clothing is the result of the contract for same coming after the FY08 budget submittal. The Public Facilities Department FY08 budget had \$8,800.00 approved due to the resignation of one employee and a second out on injury. **Recommendation of the Finance Committee is to approve the transfer 5-0.**

13. **Order No. 07-1001654 - Fund Clerical Position for Code Enforcement Team** – The Finance Committee reviewed the Mayor’s letter dated August 20, 2007 to consider the feasibility of establishing a CODE ENFORCEMENT TEAM to formalize and facilitate code enforcement in the City and that the Mayor be requested to fund a clerical position in the Building Department to assist the Code Enforcement Team in the housing code functions of the office. **Recommendation of the Finance Committee is to accept and place the order on file 5-0.** The Mayor was requested to develop a job description for the Code Enforcement team and the requested clerical position. Councilors are to provide the Mayor with input on the job description.

From Legislative and Legal Affairs

14. **Order No. 07-1001675 - Communication from the Mayor re: amending the existing licensing agreement between the owner(s) of the property at 19 Weed Street and the City of Marlborough.** Legal and Legislative Affairs Committee reviewed the Mayor’s letter dated September 20, 2007 and a proposed order drafted by the City Solicitor. The Solicitor brought into question City Council’s ability to authorize the full extent of the requested amendment as well as the previously granted license as a portion of the layout on Weed Street may, in fact, be owned by the CDA though the Redevelopment Authority. As such, the Solicitor recommended rescinding the previous License and issuing a new License both for the previously approved encroachments along with the new request to the extent City Council has such authority. There was also discussion as to the inclusion of a “hold harmless” clause protecting the city from future claims for damage to the new brick façade as a result of the normal use and maintenance of the sidewalk areas. The Chair was in favor of including the “hold harmless” language; other members were not. **Recommendation of the Legislative and Legal Affairs Committee is to approve 2-1 (Levy opposed) the proposed order rescinding a prior License to Encroach as amended and grant a new License to Encroach for existing footings and handicap access ramp as well as a new brick façade , with no “hold harmless” language.**



CITY OF MARLBOROUGH
OFFICE OF CITY CLERK
Lisa M. Thomas
140 MAIN STREET
MARLBOROUGH, MASSACHUSETTS 01752
(508)460-3775 FAX (508)624-6504
OCTOBER 29, 2007

Regular meeting of the City Council held on Monday October 29, 2007 at 8:00 p.m. in City Council Chambers, City Hall. City Councilors present: Levy, Ossing, Pope, Vigeant, Katz, Ferro, Juairé, Schafer, Webster, Clancy and Towle. Councilor. Meeting adjourned at 9:08 p.m.

ORDERED: President Vigeant requested a moment of silence in memory of Steve Baldelli who passed away October 27, 2007. Our thoughts and prayers are with the family, **FILE**; adopted

ORDERED: Minutes, City Council meeting, OCTOBER 15, 2007, **FILE**; adopted.

ORDERED: That the WELCOME ceremony for our Japanese students from our sister city of Akiruno Japan, **FILE**; adopted.

ORDERED: Now being the time set for the PUBLIC HEARING on the petition of NSTAR to install 2000' of 8.00" plastic gas main as a system improvement to supply the Regency @ Assabet Ridge Development off Fitchburg St. and Crowley Dr., all were heard who wish to be heard, hearing adjourned at 8:17 p.m.; **IN PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: Now being the time set for the PUBLIC HEARING on the communication from the Council President re: proposed amendment to Section 200-17 "Table of Uses" of the City's Zoning Ordinance., all were heard who wish to be heard, hearing adjourned at 8:23 p.m.; **IN URBAN AFFAIRS COMMITTEE**; adopted.

ORDERED: At the Mayor's request to convene an executive session for the purpose of discussing strategy with respect to collective bargaining and/or litigation, the City Council moved to EXECUTIVE SESSION, **APPROVE**, returned to open meeting at 8:37 p.m.; adopted.

Yea: 6 – Nay: 4

Abstain: 1 (Councilor Juairé)

Yea: Katz, Webster, Clancy, Towle, Pope, Levy

Nay: Ferro, Schafer, Ossing, Vigeant

ORDERED: That the following budget transfer in the amount of \$1,400,000 for General Fund Health Insurance Trust to Stabilization account, refer to **FINANCE COMMITTEE**; adopted.

FROM:

Acct. #870-59610 \$1,400,000.00

General Fund Health Insurance Trust

TO:

Acct. #836000-11515 \$1,400,000.00

Stabilization

ORDERED: That the communication regarding certification of free cash, **FILE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, November 5, 2007** as date for a **PUBLIC HEARING** on the petition by NSTAR to relocate existing vaults in Maple St. with state of the art equipment and to provide non interruptible access to Marlborough Fire Department's parking facility, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, DECEMBER 3, 2007** as a date for a **PUBLIC HEARING** on the application for Special Permit from Sprint Wireless Broadband Company LLC, to modify the existing wireless facility located at 75 Donald Lynch Blvd, refer to **WIRELESS COMMUNICATION COMMITTEE, AND ADVERTISE**; adopted.

ORDERED: That the communication from the Marlborough Veterans Council regarding the Veteran's Day Parade, **FILE**; adopted.

ORDERED: That the communication from David B. Perini, Commissioner of the Executive Office for Administration and Finance, Division of Capital Asset Management, re: surplus state owned real property located in the City of Marlborough, refer to **OPEN SPACE PRESERVATION COMMITTEE**; adopted.

ORDERED: That Comprehensive Wastewater Management Plan and Environmental Impact Report Phase IV re: Assabet River Consortium, refer to **FINANCE COMMITTEE**; adopted.

ORDERED: That the minutes of the Traffic Commission meeting of September 25, 2007, **FILE**; adopted.

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

REPORTS OF COMMITTEES:

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

Order No. 07-1001675 - Communication from the Mayor re: amending the existing licensing agreement between the owner(s) of the property at 19 Weed Street and the City of Marlborough.

L&L reviewed the Mayor's letter dated September 20, 2007 and a proposed order drafted by the City Solicitor. The Solicitor brought into question City Council's ability to authorize the full extent of the requested amendment as well as the previously granted license as a portion of the layout on Weed Street may, in fact, be owned by the CDA

though the Redevelopment Authority. As such, the Solicitor recommended rescinding the previous License and issuing a new License both for the previously approved encroachments along with the new request to the extent City Council has such authority.

There was also discussion as to the inclusion of a "hold harmless" clause protecting the city from future claims for damage to the new brick façade as a result of the normal use and maintenance of the sidewalk areas. The Chair was in favor of including the "hold harmless" language; other members were not. **Recommendation of the Legislative and Legal Affairs Committee is to approve 2-1 (Levy opposed) the proposed order rescinding a prior License to Encroach as amended and grant a new License to Encroach for existing footings and handicap access ramp as well as a new brick façade, with no "hold harmless" language.**

Councilor Ossing reported the following out of the Finance Committee:

Order No. 07-1001693 - Maximum Step for Firefighter Ms. Richards - The FINCOM reviewed the Mayor's letter dated October 10, 2007 that recommended that Tricia Richard of the Fire Department receive the maximum salary step commensurate with her experience and overall length of service. Councilor Juaire read a public disclosure statement so that he could participate in the discussions. **Recommendation of the Finance Committee is to approve 3-2 (Webster/Juaire opposed) a step 2 salary adjustment to \$46,799 retroactive to the start of employment.**

Order No. 07-1001692 - Public Facilities Transfers for Clothing and Custodian Overtime - The FINCOM reviewed the Mayor's letter dated October 10, 2007 requesting transfers for the Public Facilities Department totaling \$15,200.00 from Reserve for Salaries (\$3,200.00) to Clothing and from Custodian (\$12,000) to Overtime account. The additional funding for clothing is the result of the contract for same coming after the FY08 budget submittal. The Public Facilities Department FY08 budget had \$8,800.00 approved due to the resignation of one employee and a second out on injury. **Recommendation of the Finance Committee is to approve the transfer 5-0.**

Order No. 07-1001654 - Fund Clerical Position for Code Enforcement Team - The FINCOM reviewed the Mayor's letter dated August 20, 2007 to consider the feasibility of establishing a CODE ENFORCEMENT TEAM to formalize and facilitate code enforcement in the City and that the Mayor be requested to fund a clerical position in the Building Department to assist the Code Enforcement Team in the housing code functions of the office. **Recommendation of the Finance Committee is to accept and place the order on file 5-0.** The Mayor was requested to develop a job description for the Code Enforcement team and the requested clerical position. Councilors are to provide the Mayor with input on the job description.

1-4

Suspension of the Rules requested – granted; adopted.

ORDERED: That the City Council **APPROVE** the application of NSTAR to install 2000 feet of 8.00" plastic gas main as a system improvement to supply the Regency @ Assabet Ridge Development off Fitchburg Street and Crowley Drive in Marlborough with the following conditions; adopted:

- a) Conditions set forth in the DPW road opening permit;
- b) Satisfactory completion and outcome of public hearing on October 29, 2007.

Suspension of the Rules requested – granted; adopted.

ORDERED: That the City Council of the City of Marlborough **APPROVE**, having received the attached notification from the Chief of the Marlborough Fire Department that municipal property previously purchased by the City, consisting of a deed to the Town of Marlborough dated January 3, 1869, recorded with the South Middlesex Registry of Deeds, Book 1063, Page 137, and deed to the City of Marlborough dated April 23, 1908, recorded with the South Middlesex Registry of Deeds, Book 3362, Page 359 ("the Property"), identified and described on a plan, to be recorded in the South Middlesex District Registry of Deeds, is no longer needed for Fire Department purposes, the City Council, by two-thirds vote pursuant to Mass. Gen. Laws c. 40, § 15A, hereby transfers the care, custody, management and control of the Property to itself for the purpose of disposition by sale; adopted.

Yea: 11 – Nay: 0

Yea: Katz, Ferro Schafer, Juairé, Webster, Clancy, Towle, Ossing, Pope, Vigeant, Levy

Suspension of the Rules requested – granted; adopted.

ORDERED: That the City Council of the City of Marlborough **APPROVE**, having transferred to itself the care, custody, management and control of the Property, as described in Order No. 07-1001598, for the purpose of disposition by sale, hereby declares, pursuant to Mass. Gen. Laws c. 30B, § 16(a), that the Property is available for disposition by sale, and that said sale is subject to the following restrictions and terms, which shall run with the Property and shall be expressly included in any lease pertaining to said Property:

- 1) In the event that a restaurant, any entity serving alcoholic beverages of any kind to the public, and/or any entity providing entertainment of any kind to the public, is operating at the premises, then:
 - a) the serving of said alcoholic beverages, and the providing of said entertainment, shall be prohibited at said premises after 12:00 midnight on any day when said premises is open for operation;
 - b) appropriate ventilation shall be installed so as, in the opinion of the Marlborough Board of Health, to minimize any restaurant odors at neighboring properties to the greatest extent possible on any day when said restaurant is open for operation.

1-5

2) The exterior façade of the existing building, including brickwork, original lighting, entry-way doors (including garage bay doors) and windows, shall be retained as identical as possible to the building's finished condition as previously proposed by Grantor. Any exterior changes proposed by Grantee shall be subject to review and written approval by the Mayor of the City of Marlborough or by the Mayor's authorized designee. Grantee acknowledges that Grantee is aware that the building is within the Marlborough Center Historic District, a historic district on the National Register of Historic Places.

The Property is also subject to the agreement of the Grantee not to request from the City of Marlborough a Tax Increment Financing (TIF) agreement for the premises; and also to Grantee's conveyance of an appropriate easement(s).

And, further, that the City Council sets the price to be paid to be \$850,000.00, and thus authorizes the Mayor, by simple majority vote pursuant to Mass. Gen. Laws c. 40, § 3, to execute the deed of the Property to WRT Management Corp., subject to the above restrictions and terms; adopted.

Yea: 11 – Nay: 0

Yea: Katz, Ferro Schafer, Juairé, Webster, Clancy, Towle, Ossing, Pope, Vigeant, Levy

ORDERED: That the City Council **APPROVE** the following budget transfer in the amount of \$115,000.00 for the Hemenway sidewalk project; adopted.

FROM:

Acct. # 83600-11515	\$115,000.00
Stabilization	

TO:

Acct. # 19300006-58514	\$115,000.00
DPW Projects	

ORDERED: That all orders before the City Council and its committees shall become null and void and have no effect at the end of the two-year legislative session; provided, however, that this rule shall not apply to any order pertaining to an application for a special permit or for an amendment to a special permit already issued, which order the City Council shall take final action upon at its earliest convenience after the start of the new two-year legislative session so as to comply with the statutory requirement that such action be taken within ninety days, as may from time to time be extended, after the date of the relevant public hearing, refer to **RULES COMMITTEE**; adopted.

ORDERED: That the City Council **APPROVE** the transfer of \$1,000,000.00 from Health Insurance Trust to Stabilization Account; adopted.

FROM:

Acct. # 870-59610	\$1,000,000.00
Health Insurance Trust	

TO:

Acct. # 836000-11515	\$1,000,000.00
Stabilization	

1-6

ORDERED: That the City of Marlborough **APPROVE** a donation in the amount of \$10,000 from Robert Valchuis for tree restoration relative to his Farm Rd. subdivision project with following:

MOTION: To accept the gift of \$10,000 from Robert Valchuis, thank Mr. Valchuis for the generous gift, and allow the DPW Commissioner to approve the expenditure of the funds for tree replacement with priority given to Farm Rd. and other adjacent streets; adopted.

ORDERED: That the City Council of the City of Marlborough, **APPROVE** having received the attached notification from the Commissioner of Public Works that municipal property, previously taken by the City through eminent domain, consisting of a portion of a sewer trunk line off Phelps Street ("the Property") identified and described as "Parcel B" on a plan, to be recorded in the South Middlesex District Registry of Deeds, entitled "Plan of Land in Marlborough, MA, Municipal Utility Easement and Right-of-Way at 107 Phelps St., Owners: City of Marlborough, Date: 05/17/07, Scale: 1"=40," by InLand Survey, Inc. dba Zanca Land Surveying, and containing approximately 9,725 sq. ft. +/-, is no longer needed for such purpose as long as the various contingencies specified in the Commissioner's notification are met, the City Council, pursuant to the provisions of § 16(a) of Chapter 30B, hereby declares that the Property is available for disposition by sale;

Provided, however, that the Property may only be used for driveway improvements to the home, existing as of the date of the deed's execution, at 107 Phelps Street, shown as Map 72, Parcel 11A on the Marlborough Assessors Maps; and further may only be used to allow the development of one new lot upon Map 72, Parcel 11A, subdivided to conform to the subdivision control law, as applicable, as well as setback and related requirements, all in accordance with a plan entitled "107 Phelps Street, Sketch Plan #3, Date: 03/14/06, Scale: 1"=20," by InLand Survey, Inc. DBA Zanca Land Surveying;

And, further, that the City Council sets the minimum price to be paid pursuant to a determination of value attached hereto to be \$9,725.00, and thus authorizes the Mayor, by two-thirds vote, to convey the Property on such terms and conditions consistent with this order; adopted.

Yea: 11 – Nay: 0

Yea: Katz, Ferro Schafer, Juaire, Webster, Clancy, Towle, Ossing, Pope, Vigeant, Levy

ORDERED: The City Council **APPROVE**, by simple majority vote, a permanent sewer easement granted to the City, to include a right of way to and over the Property at 107 Phelps St. for the purpose of constructing and maintaining said easement for sewer purposes, and the easement area shall be kept free by the easement's grantors, their successors and assigns, of all buildings, trees or vegetation which would affect said easement; adopted.

Yea: 11 – Nay: 0

Yea: Katz, Ferro Schafer, Juaire, Webster, Clancy, Towle, Ossing, Pope, Vigeant, Levy

1-7

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned 9:08 p.m., **FILE**; adopted.

2-1



IN CITY COUNCIL

Marlborough, Mass., OCTOBER 29, 2007

ORDERED:

That there being no objection thereto set **MONDAY, November 5, 2007** as date for a **PUBLIC HEARING** on the petition by NSTAR to relocate existing vaults in Maple St. with state of the art equipment and to provide non interruptible access to Marlborough Fire Department's parking facility, be and is herewith refer to **PUBLIC SERVICES COMMITTEE**.

ADOPTED

ORDER NO. 07-1001708

2-2



157 Cordaville Road
Southborough, MA 01772

To: City Consul
140 Main Street
Marlboro, Ma 01752

NSTAR Gas planning to relocate existing Vaults in Maple Street with state of art equipment and also to provide non interruptible access to Marlboro Fire department parking facility.

Attached drawings will show the new location, we have applied to the Marlboro Engineering department for permit after three month review they requested we submit to the City consul for review. It is essential to install this gas Vaults this year to maintain reliable gas flow since the old vaults in bad shape and need replacement

Please review and approved

If you have any questions please contact me at 339-222-0968

Sincerely,
Shoukry Ibrahim
Shoukry Ibrahim, P.E.
Principal engineer
NSTAR Gas

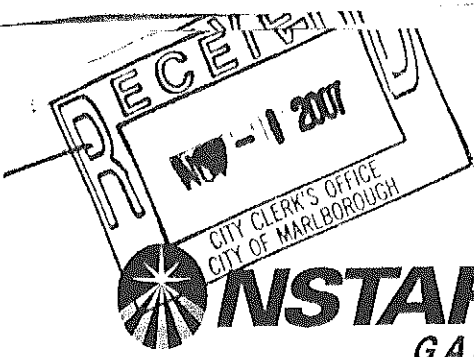
*P.A NOV 5th
letter to ABUTTA
Public Service*

Shoukry F. Ibrahim, P.E.
Principal Engineer
157 Cordaville Road, Southborough, MA 01772



508-305-6956
NSTAR Gas
One NSTAR Way
Westwood, MA 02090-9230
Cell: 339-222-0968
Email: shoukry.ibrahim@nstar.com

2-3



157 Cordaville Road
Southborough, MA 01772

DATE: 11/1/07

To: City Consul
140 Main Street
Marlboro, Ma 01752

NSTAR Gas planning to relocate existing Vault in Maple Street with state of art equipment and also to provide non interruptible access to Marlboro Fire department parking facility.

Attached new drawing will show the new location, this should supersedes any drawings issue to city council before for this application

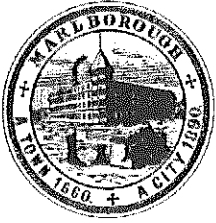
We have submit same update drawings to the Engineering Department for review

It is essential to install this single Vault ASAP to maintain reliable gas flow to Fire department, DPW and Neighbors since the old vault keep filling with rain water due to low location in street and need replacement

Please review and approved

If you have any questions please contact me at 339-222-0968

Sincerely,
Shoukry Ibrahim
Shoukry Ibrahim, P.E.
Principal engineer
NSTAR Gas



3-1

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

November 1, 2007

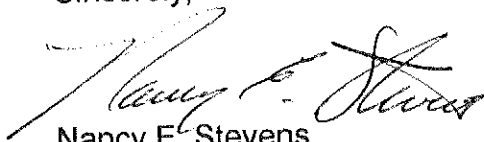
Council President Arthur G. Vigeant
Marlborough City Council
Marlborough City Hall – 2nd Floor
140 Main Street
Marlborough, MA 01752

Honorable President Vigeant and Councilors:

It is with great pleasure that I inform you that the Massachusetts Department of Revenue has certified the amount of available funds, or "free cash", for the City of Marlborough for FY07 in the amount of \$5,046,562.

This is confirmation of the sound fiscal management practices which continue in place. I would like to thank the entire financial team – Comptroller Tom Abel, Auditor Diane Smith, Assessor Tony Trodella and Collector Deb Puleo – for their committed efforts to in closing the FY07 books in a timely and comprehensive manner. I would also like to thank the Council for their cooperative effort in ensuring the financial health of the City.

Sincerely,


Nancy E. Stevens
Mayor



October 30, 2007

City Auditor
City of Marlborough

To the City Auditor:

Based upon the unaudited balance sheet submitted by the City, I hereby certify that the amount of available funds or "free cash" as of July 1, 2007 for the City of Marlborough is:

General Fund	\$ 5,046,562
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This certification is in accordance with the provisions of the Massachusetts General Laws Chapter 59, Section 23, as amended.

Please forward copies to the Mayor or City Manager, Treasurer, Collector and the Board of Assessors.

Sincerely,

A handwritten signature in cursive script that reads 'Gerard D. Perry'.

Gerard D. Perry
Director of Accounts

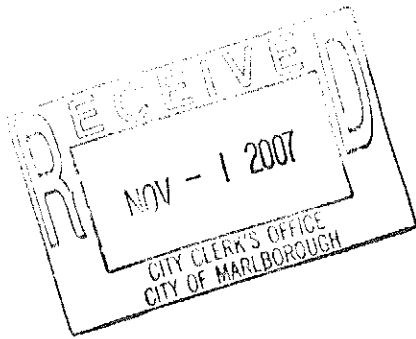
GDP:ccg

4

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

PHONE (508) 481-0103

FAX (508) 485-8506



Nov. 1, 2007

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

Re: request to withdraw Order #07-1667A

Dear Councilor Vigeant:

My client, 890 Boston Post Rd LLC, which had filed the above-referenced proposed ordinance change to allow new automobile dealerships as an allowable use in a Business Zone, requests that this request be withdrawn without prejudice. Several councilors have indicated to me that they would not have adequate time to consider this order before the end of the current City Council term. My client will probably file a modified version of this proposal in January.

Very truly yours,

Arthur P. Bergeron

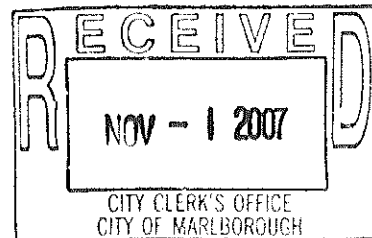
Crystal Ridge Realty Trust

P.O. Box 676, Marlboro, MA 01752

508-485-9499

October 22, 2007

Karen Boule, Secretary
City of Marlborough
City Council
140 Main Street
Marlborough, MA 01752



Re: Request for Road Acceptance
Danjou Drive

Ms. Boule:

We are requesting to be placed on the City Council agenda for the next scheduled meeting on Monday, October 29th.

We would like to request that the City Council consider our request for the acceptance of Danjou Drive as a public way. Since all of the requirements have been met, we would appreciate the reduction of the bond along with the acceptance of the roadway.

If you should have any questions or require additional information, please feel free to contact me. We would appreciate your attention regarding this matter.

Sincerely,

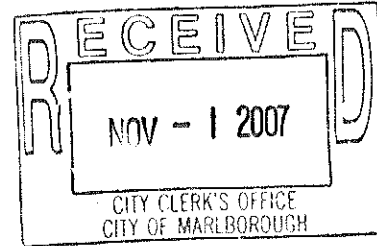
Linda Fossile, Secretary
CRYSTAL RIDGE REALTY TRUST

cc: Michael J. Norris, Attorney
Tom Cullen, City Engineer
Planning Board

Elm Farm Realty Trust

P.O. Box 676, Marlboro, MA 01752

508-485-9499



October 22, 2007

Karen Boule, Secretary
City of Marlborough
City Council
140 Main Street
Marlborough, MA 01752

Re: Request Road Acceptance
Cleversy Drive

Ms. Boule:

We are requesting to be placed on the City Council agenda for the next scheduled meeting on Monday, October 29th.

We would like to request that the City Council consider our request for the acceptance of Cleversy Drive as a public way. Since all of the requirements have been met, we would appreciate the reduction of the bond along with the acceptance of the roadway.

If you should have any questions or require additional information, please feel free to contact me. We would appreciate your attention regarding this matter.

Sincerely,

Linda Fossile, Secretary
ELM FARM REALTY TRUST

cc: Michael J. Norris, Attorney
Tom Cullen, City Engineer
Planning Board

Apple Orchard Realty Trust

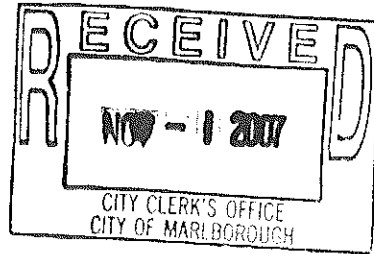
P.O. Box 676, Marlboro, MA 01752

508-485-9499

7

October 22, 2007

Karen Boule, Secretary
City of Marlborough
City Council
140 Main Street
Marlborough, MA 01752



Re: Request for Road Acceptance
Miele Road & Balcom Road

Ms. Boule:

We are requesting to be placed on the City Council agenda for the next scheduled meeting on Monday, October 29th.

We would like to request that the City Council consider our request for the acceptance of Miele Road and Balcom Road as a public way. Since all of the requirements have been met, we would appreciate the reduction of the bond along with the acceptance of the roadway.

If you should have any questions or require additional information, please feel free to contact me. We would appreciate your attention regarding this matter.

Sincerely,

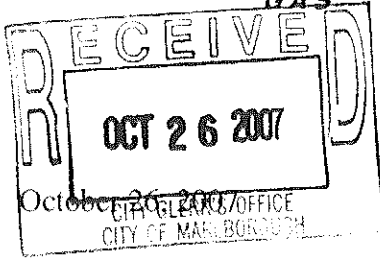
Linda Fossile, Secretary
Apple Orchard Realty Trust

cc: Michael J. Norris, Attorney
Tom Cullen, City Engineer
Planning Board



One NSTAR Way
Westwood, Massachusetts 02090

8



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 250' of 2.00" plastic gas main as a system improvement to supply 417 South St. in Marlborough as follows.

South St. – From 401 South St. easterly to 417 South St..

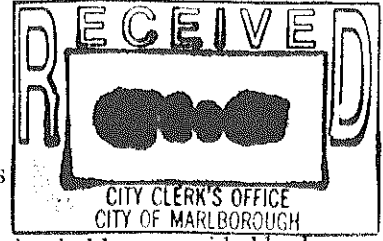
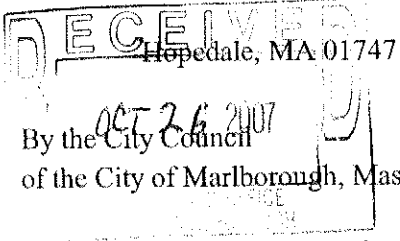
Respectfully,

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

9-1

ORDER FOR MANHOLE AND DUCT LOCATIONS

October 25, 2007



Notice having been given and a public hearing held, as provided by law, IT IS HEREBY ORDERED:

that MASSACHUSETTS ELECTRIC COMPANY be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the 25th day of October, 2007

All construction under this order shall be in accordance with the following conditions:--

Manholes and ducts shall be set substantially at the points indicated upon the plan marked--

MASSACHUSETTS ELECTRIC COMPANY

Plan No. 2007-131

Dated: 09/21/2007

The following are the public ways or parts of ways along which the manholes/ducts above referred to may be installed, and the number of manholes/ducts which may be installed thereon under this order:--

Evelina Drive

Install 1-3" PVC conduit from existing transformer 7 to existing secondary handhole 7E. Abandon direct buried cable for the reason of multiple cable faults in existing direct buried cable.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Marlborough, Massachusetts held on the _____ day of _____ 2007

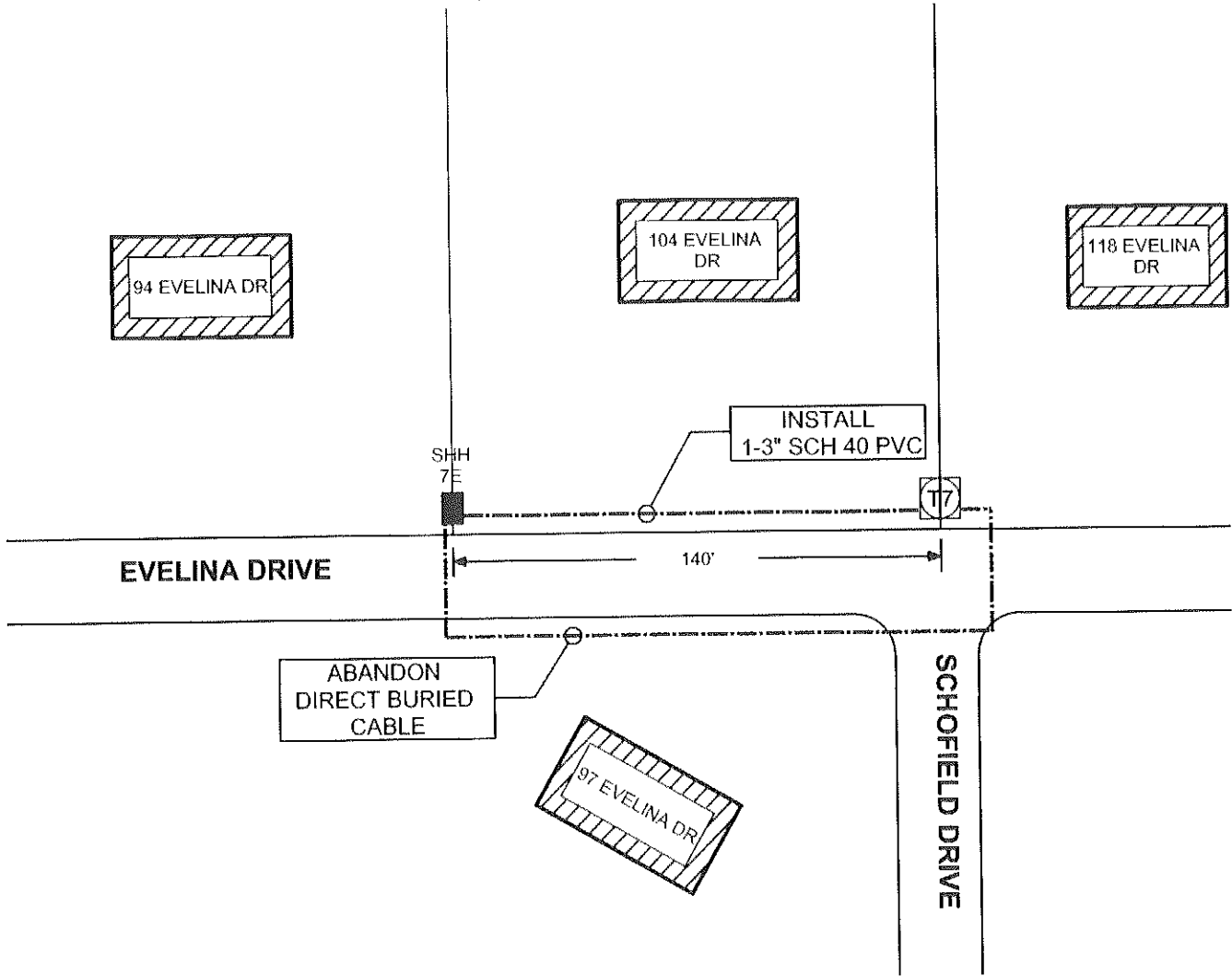
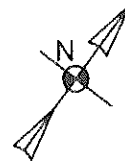
Clerk of Council

Received and entered in the records of location orders of the City of Marlborough, Massachusetts

Book: _____ Page: _____

City Clerk

NATIONAL GRID IS REQUESTING TO INSTALL 1-3" SCH 40 PVC CONDUIT FROM EXISTING TRANSFORMER 7 TO EXISTING SECONDARY HANDHOLE 7E AND ABANDON DIRECT BURIED CABLE FOR THE REASON OF MULTIPLE CABLE FAULTS IN EXISTING DIRECT BURIED CABLE.



UNDERGROUND PETITION		nationalgrid
Urd Pole	3-Phase Pad	
Manhole	Xfmr Foundation	Date: 9/21/2007
Pull Box	Primary Ug Wire	Plan Number: 2007-131
Hand Hole	Secondary Ug Wire	To Accompany Petition Dated: October 25, 2007
	Street Light Wire	To The: CITY Of MARLBOROUGH
Single Phase Pad	Service Arrow	For Proposed: 1-3" PVC Location: EVELINA DR
DISTANCES ARE APPROXIMATE		Date Of Original Grant: -