

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2013 FEB -7 P 2:02

1. Minutes of the City Council Meeting, January 28, 2013.
2. Communication from the Mayor re: Department of Public Works mid-year transfer request, which moves funds from and to various accounts noted on the spreadsheet, to fund line items associated with employee promotions, interim/temporary promotions due to absences and vacancies, and police overtime associated with water and sewer maintenance and repair.
3. Communication from the Mayor re: Executive Office of Public Safety and Security Grant awarded to the Fire Department in the amount of \$6,325.00. This grant is for the Student Awareness Fire Education (SAFE) program.
4. Communication from the Mayor re: Boston Scientific Phase II.
5. Communication from the Mayor re: Update on the Senior Citizen Property Tax-Workoff Program.
6. Communication from the Mayor re: Appointment of James Griffin to the Board of Health for a term of three years, expiring on February 1, 2016.
7. Communication from City Solicitor Rider re: Acceptance of 1965 Deed to City, parcel off Sudbury St.
8. Communication from City Solicitor Rider re: Special Permit, T-Mobile, 342 Lincoln Street, in proper legal form, Order No. 12-1005150C.
9. Communication from Xcellerex re: Updated Hazardous Materials Contingency Plan and Chemical List as required by Special Permit, Order No. 12-1005011B.
10. Application, Junk Dealer's License, Douglas Alexander, d/b/a Dougs Big Tool Box, 197 Boston Post Road West, Unit 266.
11. Minutes, Conservation Commission, February 2, February 16, & March 15, 2012.
12. Minutes, Council on Aging, January 8, 2013.
13. Minutes, Planning Board, December 17, 2012 & January 7, 2013.
14. Minutes, Traffic Commission, December 18, 2012.
15. Communication from Amica Insurance on behalf of Kevin W. Mcpherson, 42 Jackson Circle.
16. CLAIMS:
 - A. Commercial Property Management, 277 Main Street, other property damage
 - B. Ann Marie George, 155 Prospect Street, other property damage

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Personnel Committee

17. **Order No. 13-1005280 X12-1005246** – Appointment of Ronald Guest as the Parking Clerk. **Recommendation of the Personnel Committee is to approve the appointment of Ronald Guest as the Parking Clerk, 3-0.**

18. **Order No. 12-1005232** – Appointments of Kim Beauchemin, James David Elmore and Sandra Pirie-St Amour to the Arts Lottery Council for terms expiring on August 23, 2015. **Recommendation of the Personnel Committee is to approve the appointments of Kim Beauchemin, James David Elmore and Sandra Pirie-St Amour to the Arts Lottery Council for terms expiring on August 23, 2015, 3-0.**
19. **Order No. 12-1005214** – Reappointment of John Sahagian to the Zoning Board of Appeals for a period of five years expiring May 5, 2017, and Ralph Loftin as an alternate member for a term of two years expiring from date of City Council approval. **Recommendation of the Personnel Committee is to approve the Reappointment of John Sahagian to the Zoning Board of Appeals for a period of five years expiring May 5, 2017, and Ralph Loftin as an alternate member for a term of two years expiring from date of City Council approval, 3-0.**

From Public Services Committee

20. **Order No. 13-1005283** – Application for a Fuel Storage License for TJX Companies, Inc., 300 Puritan Way – 4,000 gallon above ground; 10,000 gallon underground – No. 2 Diesel Fuel. **Recommendation of the Public Services Committee is to approve the Fuel Storage License for TJX Companies, Inc., 300 Puritan Way – 4,000 gallon above ground; 10,000 gallon underground – No. 2 Diesel Fuel, 3-0.**
21. **Order No. 13-1005284** – Application for a Fuel Storage License for TJX Companies, Inc., 400 Puritan Way – 30,000 gallon (3 x 10,000) underground – No. 2 Diesel Fuel. **Recommendation of the Public Services Committee is to approve the Fuel Storage License for TJX Companies, Inc., 400 Puritan Way – 30,000 gallon (3 x 10,000) underground – No. 2 Diesel Fuel, 3-0.**

From Wireless Communications Committee

22. **Order No. 12-1005191B** –
The Wireless Committee met on 1/22/13 at 7:03 PM and took up Council Order No. 12-1005191. The request by T-Mobile Northeast LLC seeking permission to modify the Original Special Permit to allow the replacement of the existing six antennas with 6 newer models, add a GPS antenna with a 1/2” feed mounted to an existing support pipe, replace the existing 2106 equipment cabinet with a 6102 equipment cabinet, remove the existing GSM Tower Mounted Amplifiers and lastly consolidate the existing coax cables. The modification will actually result in a slight reduction of equipment at the site. The applicant submitted documentation of the Articles of Organization from the previous wireless site developer, OmniPoint Communications to the present applicant T-Mobile Northeast LLC. The applicant also presented evidence of a License Agreement with the Site Owner/Site Management LLC. The evidence submitted was given an approval by the City Solicitor who was present at the meeting. All of the evidence and conditions have been reviewed during the present and previous subcommittee meeting with slight modifications to the wording. Members Present: Councilors Clancy and Robey. Councilor Oram was absent due to a conflicting meeting. **Recommendation of the Wireless Communications Committee is to Suspend the Rules and refer to City Solicitor to place in proper legal form, 2-0.**



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

JANUARY 28, 2013

Regular meeting of the City Council held on Monday, JANUARY 28, 2013 at 8:00 p.m. in City Council Chambers, City Hall. City Councilors Present: Pope, Ossing, Oram, Robey, Delano, Jenkins, Elder, Tunnera, Seymour, Clancy, and Landers. Meeting adjourned at 9:04 PM.

ORDERED: That the Minutes of the City Council Meeting, JANUARY 28, 2013, **FILE**; adopted.

ORDERED: That the City Council President recognized Boy Scout Troop 303 for the Citizenship and Community Merit Badges, **FILE**; adopted.

ORDERED: That the newly appointed Firefighters John DeGiacomo, Omar Atocha-Torres, Michael Burnell, are recognized, **FILE**; adopted.

ORDERED: That the PUBLIC HEARING Application for Special Permit from Crown Castle, on behalf of T-Mobile, to exchange six existing antennas on a cell tower, 445 Simarano Dr., Order No. 12/13-1005249, **CONTINUED UNTIL FEBRUARY 25, 2013**; adopted.

Councilors Present: Pope, Ossing, Oram, Robey, Delano, Jenkins, Elder, Tunnera, Seymour, Clancy & Landers.

ORDERED: That the PUBLIC HEARING On Proposed Zoning Amendment by Attorney Bergeron by adding to Section 650-17, Table of Uses Regulation, an additional use, "Utility Service Vehicle Maintenance," said use to be allowed only in the Industrial zones; and by adding to Chapter 650 Section 650-18(A) new section (41) Utility Service Vehicle Maintenance, Order No. 12/13-1005267, all were heard who wish to be heard, hearing recessed at 8:39 p.m; adopted.

Councilors Present: Pope, Ossing, Oram, Robey, Delano, Jenkins, Elder, Tunnera, Seymour, Clancy & Landers.

ORDERED: PUBLIC HEARING On the Petition from NGrid to install six new heavy duty hand holes in the area of Bigelow Heights, URD, Bergeron Rd, Ahlgren Circle, Duca Dr., Rodgers Ave., Evelina Dr. and Houde St., Order No. 12/13-1005285; **CONTINUED UNTIL MARCH 11, 2013**; adopted.

Councilors Present: Pope, Ossing, Oram, Robey, Delano, Jenkins, Elder, Tunnera, Seymour, Clancy & Landers.

ORDERED: That the Police Department transfer request in the amount of \$132,623.00 which moves funds from and to various accounts as noted on the spreadsheet to pay for overtime costs associated with an increased number of vacant positions as well as several injuries, equipment for new hires, and a higher than anticipated need for overtime cell watch for female detainees, refer to **FINANCE COMMITTEE**; adopted.

ORDERED: That the Fire Department transfer request in the amount of \$102,605.48 which moves funds from and to various accounts as noted on the spreadsheet to pay for overtime costs associated with injuries of several firefighters early in the month of December and personal long term sick leave of others over the past several months, refer to **FINANCE COMMITTEE**; adopted.

ORDERED: That the Open Space transfer request in the amount of \$81,000.00 which moves funds from Undesignated to Stabilization-Open Space, refer to **FINANCE COMMITTEE**; adopted.

FROM:

Acct. # 10000-35900	\$81,000.00
Undesignated Funds	

TO:

Acct. # 83600-32918	\$81,000.00
Stabilization-Open Space	

ORDERED: That the Building Department transfer request in the amount of \$506.00 and \$900.00 which moves funds from In-State Travel to Zoning Board Member and In-State Travel to Board Secretary respectively due to an unanticipated increase in the number of Zoning Board of Appeals hearings, refer to **FINANCE COMMITTEE**; adopted.

FROM:

Acct. # 12410006-57100	\$506.00
In-state Travel	

TO:

Acct. # 1241003-51180	\$506.00
Zoning Board Member	

FROM:

Acct. # 12410006-57100	\$900.00
In-state Travel	

TO:

Acct. # 12410002-51050	\$900.00
Board Secretary	

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Conservation Grant in the amount of \$1,000.00 from the Butler Family foundation to assist with ongoing maintenance of the Felton Conservation Land fields and other conservation related materials; adopted.

ORDERED: That the Reappointment of David Brumby as Personnel Director for a term of three years upon approval, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the Reappointments of Harold Scheid and Bradford Dunn to Chief Assessor/Board of Assessors Chairman and Board of Assessors respectively for an additional sixty days, **APPROVED**; adopted.

ORDERED: That the Notification pertinent to Tax Bills, **FILE**; adopted.

ORDERED: That the 2013 City Council Regular Meeting Schedule and City Council Committee Assignments, **APPROVED**; adopted.

ORDERED: That the Agreement to Extend Time Limitations on the Application for Special Permit from Logical Partners, LLC to extend time limitations for construction of three Townhouse Condominium Units at 126 Pleasant St. to April 1, 2013, **APPROVED**; adopted.

Councilor Tunnera abstained

ORDERED: Petition from NGrid to install new intermediate p.11-5 approximately 35' north of existing p.11. This pole is necessary to provide new service to proposed solar project at 40 Washington Street, **REMOVED FROM AGENDA**; adopted.

ORDERED: Communication from Attorney Bergeron re: Proposed Zoning Amendment to Sections 650-40(F), 48(C)(1) and 47(F), 1) That Sec. 650-40(F) be amended by adding thereto the following new subsection 11

"(11) Bridges, walkways or passageways, enclosed or otherwise, connecting buildings located on different lots in a Limited Industrial district shall not thereby violate any lot setback provision of any building or buildings connected by said structures "

2) That Section 650-48(C)(1) be amended by adding thereto, at the end thereof, the following sentence:

"In a Limited Industrial district, the parking shall be provided within 500 feet of the building or structure to be served, on the building lot, on any lot under the same ownership, or on any lot subject to an easement to the owner of said building to be served which, in the opinion of the Building Commissioner, causes said parking to be available for the purposes of this section."

3) That Section 650-47(F) be amended by adding thereto the following subsection 5:

(5) In all Limited Industrial districts, the side yard landscaping requirement shall not apply to side yard or rear yard lines that bisect parking lots, if both lots are in common ownership or if there are parking easements that, in the opinion of the Building Commissioner, adequately allow for parking in one lot by persons using the other lot.

4) That the Table of Lot Areas, Yards and Height of Structures, which is referred to in Section 650-41, be amended by adding to the table of heights and their relationship to their distance from a Residential zone, the following:

"Over 500 feet from a residential zone: 85 feet"

Refer to **URBAN AFFAIRS COMMITTEE, PLANNING BOARD, AND ADVERTISE PUBLIC HEARING FOR FEBRUARY 25, 2013**; adopted.

- ORDERED: That the Communication from Paul Brodeur for Ward Park Neighborhood Association re: new Senior Center in Ward Park, **FILE AND REFER TO THE MAYOR**; adopted.
- ORDERED: That the Communication from Sudbury Companies Militia & Minute re: Permission to place a temporary sign on city property, at the corner of Route 20 and Hagar Road from Sept 22, 2013 to Sept 28, 2013, **APPROVED**; adopted.
- ORDERED: That the Minutes, Board of Assessors, November 29, & December 28, 2012, **FILE**; adopted.
- ORDERED: That the Minutes, Recreation Commission, December 11 & December 17, 2012, **FILE**; adopted.
- ORDERED: That the Minutes, Community Development Authority, January 3, 2013, **FILE**; adopted.
- ORDERED: That the Communication from Commerce Insurance on behalf of Bonnie Beland, 12 Hudson St, refer to the **LEGAL DEPARTMENT**; adopted.
- ORDERED: That the following **CLAIMS**, refer to the **LEGAL DEPARTMENT**; adopted.
- A. Eugene Hannay, 84 Barnard Road, residential mailbox claim 2(b)
 - B. Lisbeth Ambrosio, 275 Forest Street, residential mailbox claim 2(a)
 - C. Robert Cipriano, 56 Felton Street, residential mailbox claim 2(a)
 - D. Commercial Property Management, PO Box 5967, other property damage

Reports of Committees:

Councilor Delano orally reported the following out of the Operations and Oversight Committee:

Order No. 12-1005262 – The Operations & Oversight Committee met on 1/29/13 and took up Council Order No. 12-1005262 MEDC Master Plan. Discussions will continue at future meetings.

Councilor Clancy reported the following out the Wireless Communications Committee:

The Wireless Committee met on 1/22/13 at 7:03 PM and took up Council Order No. 12-1005191.

The request by T-Mobile Northeast LLC seeking permission to modify the Original Special Permit to allow the replacement of the existing six antennas with 6 newer models, add a GPS antenna with a 1/2" feed mounted to an existing support pipe, replace the existing 2106 equipment cabinet with a 6102 equipment cabinet, remove the existing GSM Tower Mounted Amplifiers and lastly consolidate the existing coax cables. The modification will actually result in a slight reduction of equipment at the site.

The applicant submitted documentation of the Articles of Organization from the previous wireless site developer, OmniPoint Communications to the present applicant T-Mobile Northeast LLC. The applicant also presented evidence of a License Agreement with the Site Owner/Site Management LLC. The evidence submitted was given an approval by the City Solicitor who was present at the meeting.

All of the evidence and conditions have been reviewed during the present and previous subcommittee meeting with slight modifications to the wording.

Motion to approve made to by Councilor Robey seconded by the Chair. Motion was approved 2-0

Members Present: Councilors Clancy and Robey. Councilor Oram was absent due to a conflicting meeting.

Also: City Solicitor Rider

Applicants Present: David Scarfo

Councilor Robey requested that a **Suspension of the Rules** be granted at the next regular City Council to send to the City Solicitor to be placed in Proper Form. So voted 2-0

Councilor Landers reported the following out the Public Services Committee:

The Public Service Committee met on 1/22/13 at 6:30PM and took up:

1-7-13 – Order No. 13-1005283

Application by TJX, Companies, Inc., 300 Puritan Way for a Fuel Storage License at 300 Puritan Way – 4,000 gallon above ground; 10,000 gallon underground – No. 2 Diesel Fuel (license formerly held by Fidelity)

Motion made by Councilor Clancy, seconded by Jenkins, to recommend approval 3-0.

1-7-13 – Order No. 13-1005284

Application by TJX, Companies, Inc., 400 Puritan Way for a Fuel Storage License at 400 Puritan Way – 30,000 (3 x 10,000) gallon underground – No. 2 Diesel Fuel (license formerly held by Fidelity)

Motion made by Councilor Clancy, seconded by Jenkins, to recommend approval 3-0.

Members Present: Chairman Landers, Councilors Clancy, and Jenkins

Also Present: Fire Chief Fortin and Jim Blacquier, Manager of Home Office Facilities West, the TJX Companies, Inc.

Councilor Tunnera reported the following out the Personnel Committee:

The Personnel Committee met on 1/22/13 at 6:00PM and took up:

1-7-13 – Order No. 13-1005280: X-12-1005246

Communication from Mayor Vigeant with appointment of Ronald Guest as the Parking Clerk.

Motion made by Councilor Seymour, seconded by Elder, to recommend approval 3-0.

11-26-12 – Order No. 12-1005232

Communication from Mayor Vigeant with appointments of Kim Beauchemin, James David Elmore and Sandra Pirie-St. Armour to the Arts Lottery council for terms expiring on August 23, 2015.

Motion made by Councilor Seymour, seconded by Elder, to recommend approval 3-0.

11-5-12 – Order No. 12-1005214

Communication from Mayor Vigeant with reappointment of John Sahagian to the Zoning Board of Appeals for a period of five (5) years expiring May 5, 2017 and Ralph Loftin as an alternate member for a term of two (2) years expiring from the date of City Council approval.

Motion made by Councilor Seymour, seconded by Elder, to recommend approval 3-0.

Suspension of Rules requested – granted

ORDERED: Application from David Scarfo, agent for T-Mobile, for Special Permit for minor upgrades to existing telecom site located at 342 Lincoln St, be and is herewith refer to **CITY SOLICITOR TO PLACE IN PROPER LEGAL FORM PER INSTRUCTIONS FROM THE WIRELESS COMMUNICATIONS COMMITTEE;** adopted.

Suspension of Rules requested – granted

ORDERED: That the DPW transfer request in the amount of \$52,725.22 which moves funds from Reserve for Salaries to various accounts as noted below to fund the Marlborough Public Works Equipment Operators Association Contract, **APPROVED**; adopted.

TRANSFER REQUEST									
DPW LABOR CONTRACT									
FROM ACCOUNT					TO ACCOUNT				
AVAILABLE BALANCE	AMOUNT	ORG CODE	OBJECT	ACCOUNT DISCRIP	AMOUNT	ORG CODE	OBJECT	ACCOUNT DISCRIP	AMOUNT AVAIL
\$ 624,992.00	\$ 52,725.22	11990006	57820	Resrv Salaries	\$ 16,111.00	14001301	50740	OPERATORS	\$ 392,845.00
					\$ 510.00		51430	LONG	\$ 363.49
					\$ 401.00		51920	SLBB	\$ 34,150.00
					\$ 3,362.00	14001403	50745	MOTOR OPS	\$ 84,087.00
					\$ 1,146.00		50760	WORKING FORE	\$ 29,351.00
					\$ 11.00		51430	LONG	\$ 1.00
					\$ 14,565.00	14001503	50740	OPERATORS	\$ 310,752.00
					\$ 241.00		51920	SLBB	\$ 14,412.00
					\$ 224.00		51430	LONG	\$ 4,606.00
					\$ 1,120.38	60081001	50750	OPERATORS	\$ 29,021.00
					\$ 10.42		51430	LONG	\$ 901.00
					\$ 1,120.38	60085001	50750	OPERATORS	\$ 28,020.00
					\$ 68.04		51430	LONG	\$ 2,955.84
					\$ 1,120.00	61090001	50460	WR READERS	\$ 28,020.00
					\$ 12,325.00	61090001	50740	OPERATORS	\$ 333,247.00
					\$ 200.00		51430	LONG	\$ 1,126.00
					\$ 190.00		51920	SLBB	\$ 33,637.00
				Total	\$ 52,725.22				\$ 1,327,495.33
Reason:	To fund DPW Labors Contract								

Suspension of Rules requested – granted

ORDERED: That the Fire Department transfer request in the amount of \$111,570.94 which moves funds from Reserve for Salaries to various accounts as noted below to fund the Marlborough Firefighters Local 1714 Contract, **APPROVED**; adopted.

From Account					TO Account				
General Gov't					FIRE DEPARTMENT				
Available	Amount	ORG	OBJECT	Account Disc	Amount	Description	Org	Object	Available
\$ 624,992.00	\$ 111,570.94	11990006	57820	Reserve for Salaries	\$ 5,662.04	Dpty Chiefs	12200001	50335	192011
					\$ 72,456.53	Firefighter	12200001	50450	1677727
					\$ 5,338.54	Fire Capitan	12200001	50800	159335
					\$ 12,289.17	Fire Lieutenan	12200001	50810	245747
					\$ 746.45	First Respond	12200003	51226	21525
					\$ 2,083.33	Fire OT	12200003	51300	80301
					\$ 322.67	Fire OT Veh	12200003	51324	22338
					\$ 606.86	Fire Call OT	12200003	51328	40308
					\$ 1,535.68	Longevity	12200003	51430	44047
					\$ 2,742.28	Educ Inct	12200003	51440	103900
					\$ 1,087.97	Night Shift	12200003	51450	33672
					\$ 1,789.25	EMT	12200003	51480	73387
					\$ 83.33	Train Spec Ser	12200003	51481	6976
					\$ 3,326.78	Holiday	12200003	51490	195523
					\$ 1,500.08	Sick Leave	12200003	51920	180138
					\$ 111,570.94				
Reason:	To fund Firefighters Labor Contract.								

ORDERED: That the Open Space transfer of \$147,363.53 which moves funds from Open Space Stabilization to Open Space Acquisition to pay outstanding loan balance for purchase of Mount Ward/Ward Hill, **APPROVED**; adopted.

FROM:

Acct. # 83600-11520 \$147,363.53
Open Space Stabilization

TO:

Acct. # 19300006-58170 \$147,363.53
Open Space Acquisition

ORDERED: That the Conservation Officer be requested to update the Open Space Committee on the status of available parcels in the City, including a map showing each site, name of landowner, approximate cost of each parcel, and time or other such constraints that may be associated with the acquisition or purchase of key parcels on the list, refer to **OPEN SPACE COMMITTEE AND CONSERVATION OFFICER**; adopted.

ORDERED: That the City Council of the City of Marlborough hereby authorizes the Chief Procurement Officer to issue a Notice of Award to Sprint Spectrum, L.P. ("Sprint"), a wholly owned subsidiary of Sprint Nextel Corporation, for a fifteen (15)-year lease, in the amount of \$32,550.00 for the first year of the lease, increasing annually by three (3%) on each anniversary of the Rent Commencement Date, subject to the approval of the Commissioner of Public Works and the conditions set forth in the Special Permit issued by the City Council in Order No. 12-1004032E, dated April 9, 2012, and the Antenna Permit #AN-2012-002 dated August 17, 2012 issued by the Building Department pursuant to the applicable Articles and Sections of the Marlborough Zoning Ordinance; and it is **FURTHER ORDERED**: that the Mayor is hereby authorized to negotiate a lease with Sprint for its existing Facility at the Fairmount Hill Water Tank site, located at 115 Onamog Street, Marlborough, MA 01752, shown on Assessors' Map 81, Parcel 238. Said municipal property has been declared available for disposition by lease by City Council Order No. 01-9384, **APPROVED**; adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:04 PM.



City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Office of the Mayor

2013 FEB -7 A 11:53

140 Main Street
Marlborough, Massachusetts 01752
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www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

February 7, 2013

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

Re: Transfer Request – Department of Public Works

Honorable President Pope and Councilors:

I have enclosed for your approval a mid-year transfer request from the Department of Public Works (DPW).

The bulk of this transfer request is needed to fund line items associated with employee promotions, interim/temporary promotions due to absences and vacancies, and police overtime associated with water and sewer maintenance and repair.

Please do not hesitate to let me know if you have any further questions and thank you for your consideration.

Sincerely,

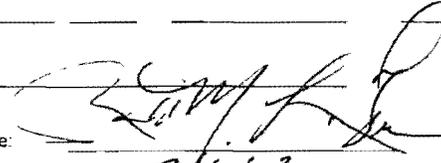
Arthur G. Vigeant
Mayor

CITY OF MARLBOROUGH
 -BUDGET TRANSFERS -

DEPT: PUBLIC WORKS		FISCAL YEAR: 2013							
Available Balance	Amount	FROM ACCOUNT:	TO ACCOUNT:	Available Balance					
		Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	
<u>\$4,220</u>	<u>\$1,500</u>	<u>14001103</u>	<u>51440</u>	<u>Educational Incentive</u>	<u>\$1,500</u>	<u>14001103</u>	<u>51310</u>	<u>Overtime-Regular</u>	<u>\$134</u>
	Reason:	<u>CBA payment did not need to be paid</u>						<u>Overtime associated with the spring/summer construction</u>	
<u>\$127,605</u>	<u>\$11,409</u>	<u>60085001</u>	<u>50850</u>	<u>Sewer Tr. Ptl. Operator-W</u>	<u>\$11,409</u>	<u>14001303</u>	<u>51310</u>	<u>Overtime-Regular</u>	<u>\$13,529</u>
	Reason:	<u>Vacancy in position since beginning of FY 13</u>						<u>Based on historical data to complete FY 13</u>	
<u>\$127,605</u>	<u>\$8,000</u>	<u>60085001</u>	<u>50850</u>	<u>Sewer Tr. Ptl. Operator-W</u>	<u>\$8,000</u>	<u>14001303</u>	<u>51470</u>	<u>Interim Foreman</u>	<u>\$697</u>
		<u>Vacancy in position since beginning of FY 13</u>						<u>Based on historical data to complete FY 13</u>	
<u>\$127,605</u>	<u>\$1,000</u>	<u>60085001</u>	<u>50850</u>	<u>Sewer Tr. Ptl. Operator-W</u>	<u>\$1,000</u>	<u>14001403</u>	<u>51470</u>	<u>Interim Foreman</u>	<u>\$183</u>
	Reason:	<u>Vacancy in position since beginning of FY 13</u>						<u>Funds needed to cover remainder of FY 13</u>	
<u>\$127,605</u>	<u>\$5,000</u>	<u>60085001</u>	<u>50850</u>	<u>Sewer Tr. Ptl. Operator-W</u>	<u>\$5,000</u>	<u>14001406</u>	<u>54810</u>	<u>Rep./Maint Supplies-Veh.</u>	<u>\$36,043</u>
	Reason:	<u>Vacancy in position since beginning of FY 13</u>						<u>Anticipated cost needed for parts and supplies for vehicle repairs to complete FY 13</u>	
<u>\$144,738</u>	<u>\$30,000</u>	<u>14001501</u>	<u>50690</u>	<u>Foreman</u>	<u>\$30,000</u>	<u>14001503</u>	<u>50740</u>	<u>Equipment Operators</u>	<u>\$241,127</u>
	Reason:	<u>Vacancy in position since beginning of FY 13</u>						<u>Line item funded position prior to foreman promotion</u>	
<u>\$135,639</u>	<u>\$6,400</u>	<u>60081001</u>	<u>50850</u>	<u>Sewer Tr. Ptl. Operator-E</u>	<u>\$6,400</u>	<u>14001503</u>	<u>51470</u>	<u>Interim Foreman</u>	<u>\$0</u>
	Reason:	<u>Vacancy in position since beginning of FY 13</u>						<u>Funds needed to cover remainder of FY 13</u>	
<u>\$135,639</u>	<u>\$2,000</u>	<u>60081001</u>	<u>50850</u>	<u>Sewer Tr. Ptl. Operator-E</u>	<u>\$2,000</u>	<u>14001506</u>	<u>54630</u>	<u>Tree Planting</u>	<u>\$2,064</u>
	Reason:	<u>Vacancy in position since beginning of FY 13</u>						<u>Funds needed to cover planting on Hudson St. and Granger Blvd.</u>	
	Reason:	_____						_____	

Department Head signature: _____

Date: _____



 2/6/13

CITY OF MARLBOROUGH
 -BUDGET TRANSFERS -

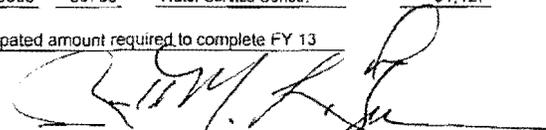
DEPT: PUBLIC WORKS

FISCAL YEAR: 2013

Available Balance	Amount	FROM ACCOUNT: Org Code	Object	Account Description:	Amount	TO ACCOUNT: Org Code	Object	Account Description:	Available Balance
<u>\$135,639</u>	<u>\$6,000</u>	60081001	50850	Sewage Tr. Plt. Operator-E	<u>\$6,000</u>	60080003	51380	Overtime W&S-Police	<u>\$0</u>
	Reason:	<u>Vacancy in position since beginning of FY 13</u>				<u>Anticipated amount required to complete FY 13</u>			
<u>\$135,639</u>	<u>\$1,000</u>	60081001	50850	Sewer Tr. Plt. Operator-E	<u>\$1,000</u>	60080005	54810	Repair&Maint. Supp/Veh-Sewer	<u>\$604</u>
	Reason:	<u>Vacancy in position since beginning of FY 13</u>				<u>Anticipated amount required to complete FY 13</u>			
<u>\$135,639</u>	<u>\$3,500</u>	60081001	50850	Sewer Tr. Plt. Operator-E	<u>\$3,500</u>	60081003	51310	Overtime -E	<u>\$6,377</u>
	Reason:	<u>Vacancy in position since beginning of FY 13</u>				<u>Needed because of CBA-comp. time buyback</u>			
<u>\$127,605</u>	<u>\$3,700</u>	60085001	50850	Sewer Tr. Plt. Operator-W	<u>\$3,700</u>	60085003	51310	Overtime-W	<u>\$4,966</u>
	Reason:	<u>Vacancy in position since beginning of FY 13</u>				<u>Needed because of CBA-comp. time buyback</u>			
<u>\$267,405</u>	<u>\$4,000</u>	61090001	50740	Equipment Operators	<u>\$4,000</u>	61090003	51380	Overtime W/S Police	<u>\$0</u>
		<u>Retirement / resignation</u>				<u>Anticipated amount required to complete FY 13</u>			
<u>\$267,405</u>	<u>\$860</u>	61090001	50740	Equipment Operators	<u>\$860</u>	61090003	51990	Meal Allowances	<u>\$1,973</u>
		<u>Retirement / resignation</u>				<u>Anticipated amount required to complete FY 13</u>			
<u>\$267,405</u>	<u>\$15,000</u>	61090001	50740	Equipment Operators	<u>\$15,000</u>	61090006	54620	Maintenance-Trenches	<u>\$28,852</u>
		<u>Retirement / resignation</u>				<u>Anticipated amount required to complete FY 13</u>			
<u>\$61,124</u>	<u>\$10,000</u>	60080001	50630	Assistant Commissioner	<u>\$10,000</u>	61090006	54810	Rep/Maint Supplies	<u>\$137</u>
		<u>Vacancy in position at beginning of FY 13</u>				<u>Anticipated cost to cover FY13</u>			
<u>\$61,124</u>	<u>\$4,959</u>	60080001	50630	Assistant Commissioner	<u>\$4,959</u>	61090006	55720	Hydrant Maintenance	<u>\$5,409</u>
	Reason:	<u>Vacancy in position at beginning of FY 13</u>				<u>Anticipated cost to cover FY 13</u>			
<u>\$135,639</u>	<u>\$10,000</u>	60081001	50850	Sewage Tr. Plt. Operator-E	<u>\$10,000</u>	61090006	55750	Water Service Constr.	<u>\$1,127</u>
	Reason:	<u>Vacancy in position since beginning of FY 13</u>				<u>Anticipated amount required to complete FY 13</u>			

Department Head signature:

Date:


 2/6/13



City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
Office of the Mayor

2013 FEB - 7 A 11: 54
140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

February 7, 2013

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

Re: Fire Safety Grant Acceptance

Honorable President Pope and Councilors:

The Marlborough Fire Department has been awarded a grant in the amount of \$6,325.00 by the Executive Office of Public Safety and Security.

This grant is for the Student Awareness Fire Education (S.A.F.E.) program. This grant opportunity does not require any matching funds from the city.

In accordance with Massachusetts General Laws, Chapter 44: Section 53A this grant was applied for and accepted by the Fire Department. In order for it to be expended for its intended purposes, I respectfully request your acceptance of this worthy grant.

Please do not hesitate to let me know if you have any further questions.

Sincerely,

Arthur G. Vigeant
Mayor

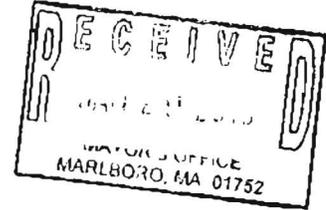


**CITY OF MARLBOROUGH
FIRE DEPARTMENT**

215 Maple Street, Marlborough, MA 01752
Business (508) 624-6986 Facsimile (508) 460-3795

January 22, 2013

The Honorable Arthur G. Vigeant, Mayor
City of Marlborough
140 Main Street
Marlborough, Ma. 01752



RE: FY13 S.A.F.E. Grant

Dear Mayor Vigeant,

Attached please find documentation in support of a grant in the amount of \$6,325.00 which has been awarded to the Fire Department through The Commonwealth of Massachusetts Executive Office of Public Safety and Security.

The FY13 S.A.F.E. Grant has been approved for funding and granted to the Marlborough Fire Department in order to provide student awareness of fire education programs as outlined in the application.

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

I would ask that this information be placed on the next available council agenda, and that you recommend and ask the City Council to approve the expenditure of these funds for the purposes of the grant by the Fire Department.

Sincerely,

James M. Fortin
Fire Chief

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: Fire DATE: 22-Jan-13

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: James M. Fortin, Fire Chief

NAME OF GRANT: FY13 Student Awareness of Fire Education Grant

GRANTOR: Commonwealth of Massachusetts

GRANT AMOUNT: \$6,325.00

GRANT PERIOD: 12 months

SCOPE OF GRANT/
ITEMS FUNDED Annual Student Awareness of Fire Safety Programs
Educational materials for various fire safety programs, lectures,
school visits, open house, seasonal safety awareness programs.

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: Grant expiration December 31, 2013

**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**

SCOPE OF WORK—Student Awareness of Fire Education (S.A.F.E.)

This grant is available to municipalities in order to provide student awareness of fire education programs, which shall include information about the risks caused by smoking.

Amounts received with each award will be specified in both the "Award Letter" and on the Commonwealth of Massachusetts Standard Contract Form issued to the jurisdiction. Recipient agrees that funds awarded through this grant will be used to supplement but not supplant federal, state or local funds.

Funds received must be expended by December 31, 2013. Recipients may apply for a 6-month extension through June 30, 2014. Extension applications must be received with FY 2013 year-end reports by January 31, 2014.

Any unexpended funds must be returned as soon as possible after the June 30, 2014 contract end date.

A report of spending of the prior year grant amount must be submitted prior to the release of new funds.

Changes to this scope may be made as part of the annual legislation authorizing this grant program.

The receipt of funds is subject to availability of funds and any other provisions specified in the appropriation of those funds.



City of Marlborough

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Office of the Mayor

2013 FEB -7 A 11: 54 140 Main Street
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Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

February 7, 2013

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

Re: Boston Scientific Phase II

Honorable President Pope and Councilors:

I have received correspondence from Boston Scientific regarding their intention to follow through and fulfill "Phase II" of our existing Tax Increment Financing (TIF) agreement that was adopted and agreed to in 2006. Enclosed is that correspondence from Mr. Paul Donhauser, Facilities Director for Boston Scientific which provides further details on the scope and timeline of this expansion.

The initiation of Phase II coincides with Boston Scientific's expansion in Marlborough and their announcement naming our community as their new global headquarters. This process does not require any local or state approval or certification, nor is any alteration being made to the existing agreement. However, in the spirit of ensuring open lines of communication, Boston Scientific saw fit to formally inform the city of their planned expansion and its correlation to our existing TIF agreement.

Please do not hesitate to let me know if you have any further questions.

Sincerely,

Arthur G. Vigeant
Mayor

February 7, 2013

Mayor Arthur G. Vigeant
City of Marlborough
140 Main St.
City Hall, 4th Floor
Marlborough, MA 01752

Dear Mayor Vigeant,

As a follow-up to our discussions over the preceding months, this letter serves as formal notification by Boston Scientific Corp. to the City of Marlborough of our intention to fulfill "Phase II" of our 2006 "Tax Increment Financing (TIF) Agreement" between the City and BSC.

Boston Scientific has already invested a total of \$100 million under "Phase I" of the agreement, including \$45.5 million in initial real estate acquisition and \$54.5 million in improvements to existing buildings 50, 100 and 200, totaling 504,000 square feet. We are currently completing another \$6 million in improvements to Buildings 50 and 100. It is our expectation that these additional assessed improvements will fall under the Phase I schedule, with TIF exemption benefits ending the last day of fiscal year 2022.

Per our TIF Agreement with the City, and based on our communications with the City that fell within the fiscal 2011 timeframe, Boston Scientific will now immediately undertake Phase II consisting of the following:

Scope

1. A new Building #300, consisting of 4 floors, or 110,000 square feet (about 125-130,000 s.f. inclusive of connecting, enclosed walkways)
2. Re-work parking and site civil to accommodate 1,800 people. The total additional employment is expected to meet the required headcount as set forth under the agreement for both Phases I and II.

Cost

1. New Building #300 is estimated to cost approximately \$30 million.

Schedule

1. Target for groundbreaking is April 2013
2. We plan to migrate approximately 300 employees from Natick to Marlborough beginning in March 2013, with the remainder upon completion of building 300.
3. Ribbon cutting targeted for April 2014

Boston Scientific intends to seek specified TIF exemption benefits as outlined in Phase II of the agreement upon completion of the Building 300 project and occupancy of the new building space, subject to the terms and obligations of the agreement.

We appreciate the City and Commonwealth's support for our Headquarters consolidation project and look forward to collaborating with you to ensure its timely and successful completion.

Best Regards,

A handwritten signature in cursive script that reads "Paul Donhauser". The signature is written in black ink and has a long, sweeping horizontal line extending to the right.

Paul Donhauser

cc: Mike Berry, Tim Cummings



City of Marlborough

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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Office of the Mayor

2013 FEB -7 A 11:54 140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur J. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

February 7, 2013

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

Re: Update on the Senior Citizen Property Tax-Workoff Program

Honorable President Pope and Councilors:

Last year we worked together to establish the Senior Citizen Property Tax Work-off Program (SCRPT) in our city to encourage and incentivize civic volunteerism among the senior community while providing them a measure of property tax relief. I am happy to provide you with an annual report of this program, which was called for in section 1 of the order adopted by City Council.

A total of 49 applicants were deemed eligible for the program and 25 seniors from that pool were selected through a random drawing. From there, seniors were able to sign up and interview for up to two of the available 25 opportunities throughout the city. Placements were then made according to availability, skill level, and mutual interest. Department heads are in charge of tracking the hours of their participants and reporting it to Council on Aging Director Jennifer Claro.

As the current program participants begin to reach their 125 volunteer hour maximum, I anticipate seeking your approval before the end of the fiscal year to involve the eligible applicants whose names were not selected during the initial drawing.

One particular benefit I wish to highlight has been the addition of greeters in the lobby of City Hall. Our greeters have allowed us to better serve our citizen customers by directing them to the appropriate offices, answering general questions, and ensuring our constituents have a centrally located resource to point them in the right direction.

Enclosed for your convenience is a full listing of program participants and their placement, correspondence from Council on Aging Director Jennifer Claro, and a copy of the order adopted last year establishing this program.

I want to thank you again for your partnership in getting this program off the ground. The feedback from department heads and program participants alike has been extremely positive. It is

my hope to continue working with you to make improvements to the program as needed and ensure this program will be a staple in our community for years to come.

Please do not hesitate to let me know if you have any additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Arthur G. Vigeant", with a long horizontal flourish extending to the right.

Arthur G. Vigeant
Mayor

2012-2013 SCRPT Volunteer Placements:

Contact:

HOUSING: Main Office

Doug Bushman - 508-624-6908

Robert Fagone
Audrey Allen
Patricia McClay
Jean Peters
Nan Fowler

HOUSING- Liberty Hill

Doug Bushman - 508-624-6908

*Looking for two-three new names for positions as of 11-26
Millissa Patulak
Jim Jones

RETIREMENT Board

Margaret Shea - 508-460-3772

JoAnn Chamberlin

COUNCIL ON AGING

Jennifer Claro - 508-485-6492

Marian Mamayek
Roberta Gray
Judy Jewett
Zoila Mercado

MAYOR'S OFFICE (Greeters)

Patricia Bernard - 508-460-3770

Mary Foley
Paulina Lynch
Patricia Hogan

PHOENIX PROGRAM

Tony Peterson - 508-460-3505

Marilyn Fenter

SPECIAL EDUCATION DEPARTMENT (needs 1 more)

Mary Jo Herter 508-460-3502 , ext 2

Leona Keefe
Judy Jewett (shared w/COA)

EARLY CHILDHOOD CENTER

Rebecca Zieminski - 508-460-3503

Ellen Dew
Jean Lane
Leona Keefe
Shirley Ossing

PUBLIC WORKS

Ron LaFrenier - 6910-7200

Mary Jerome
Rita Griffin
Rita Arthur

Not Placed yet due to work schedule was slated for Irrigation in Public Works for Spring



City of Marlborough

Council on Aging and Senior Center

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

January 24, 2013

The Honorable Mayor Vigeant
City of Marlborough
140 Main Street
Marlborough, Ma. 01752

Dear Mayor Vigeant,

I have good news to report on the city's first implementation of the Senior Tax Work-Off Program. Currently, we have twenty-five volunteers working in various departments throughout the city. Some of those departments include: the Public Schools, Public Works, MCDA-Housing, Retirement Board, Mayor's Office and the Council on Aging.

Several of our volunteers will soon be reaching their halfway point in completing their 125 hours of volunteer service for this year's SCRPT Program. I feel fortunate to have this opportunity to work with such a diverse group of talented volunteers who offer our city a wealth of professional experience which includes: teaching, nursing, housing programming, business and administrative experience, construction management and many more skill-sets. Speaking of skill sets, I recently had a conversation with Tom Cullen who is overseeing the volunteers with the Public Works Department. He shared the following, "Our volunteers are working out great. Each morning they come in and the first thing they ask is what would you like me to work on today?" Tom went out to say, "They are a breath of fresh air because they are from the old school on how to do things and late to work is not in their vocabulary."

Recently, I had the opportunity to speak with Paulina Lynch, A SCRPT volunteer you can find working as a greeter in city hall. In speaking with Ms. Lynch she simply could not say enough good things about her volunteer work with this program, Ms. Lynch stated, "I never let anyone pass me by without saying good morning and how may I help you." She was quick to also let me know, "I also make sure I tell everyone who leaves city hall to have a nice day." She laughed and said sometimes people will look back with a surprised look and say, "thank-you."

In closing, I would like to thank Patricia Bernard and Mike Berry from your staff who have been equally dedicated in providing the continual support needed to make this program a success for our City Departments and, equally important, our first class of SCRPT volunteers.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Claro". The signature is written in black ink and is positioned above the printed name.

Jennifer Claro

Marlborough Senior Center Director

ORDERED:

THAT the City Council for the City of Marlborough hereby accepts the provisions of M.G.L. c. 59, § 5K, which authorizes the City to establish a program for persons over the age of sixty (60) to volunteer their services to the City in exchange for a reduction, not to exceed \$1,000.00 in a given tax year, in the real property tax obligations of such persons;

AND, FURTHER, THAT, pursuant to M.G.L. c. 59, § 5K, the City Council for the City of Marlborough hereby adopts the following provisions regarding the implementation of this program:

- a) The program is to begin in Fiscal Year (tax year) 2013;
- b) The individual applying to participate in the program must have attained the age of sixty (60) years prior to the start of the tax year for which that applicant seeks a reduction in his or her real property tax obligation;
- c) The applicant seeking the reduction must have resided in the City for at least five (5) consecutive calendar years prior to the start of the tax year for which that applicant seeks a reduction in his or her real property tax obligation;
- d) The property as to which the tax reduction is sought must be owned by, or serve as the primary residence of, the applicant seeking the reduction. Qualified rental properties must be owner-occupied;
- e) The property as to which the tax reduction is sought shall be eligible for only one (1) abatement per tax year, no matter how many individuals may be the record owners of that property;
- f) The applicant seeking the reduction must have an annual gross income less than \$52,000 if a single filer, less than \$65,000 if filing as Head of Household, or less than \$78,000 if filing married or jointly, for the calendar year prior to the start of the tax year for which that applicant seeks a reduction in his or her real property tax obligations;
- g) No individual is eligible to seek a reduction in his or her real property tax obligations if, for the tax year he or she would otherwise be eligible, he or she is employed by the City of Marlborough on either a full-time or part-time basis;
- h) All individuals will be required to disclose any potential or perceived conflicts of interest on their application, including but not limited to, residing in the same residence or household with a full or part-time City employee, and working for a business or entity that performs contractual services for the City;
- i) If the number of eligible applicants for this program exceeds the number of available positions in a given fiscal year, a lottery shall be held to determine placement. From time to time, eligible applicants who possess unique skills or talents that would aid municipal operations may be placed in positions upon direct approval of the Mayor. The number of annual participants will not exceed 25 (fractional volunteers can be combined to equal one participant) without prior City Council approval;
- j) The Council on Aging, in cooperation with the Assessor's Office and the Personnel Department of the City, shall have the responsibility to maintain a record for each applicant participating in the program, including but not limited to records for the number of hours of service volunteered by each applicant and the total amount by which his or her real property tax obligation has been reduced on his or her tax bill. A copy of such records shall be provided to the applicant prior to the issuance of his or her actual tax bill;
- k) The Mayor's office will approve and authorize the placement of all program participants and the corresponding departments in which they are placed, and shall make such authorizations known to the City Council within 30 days of placement;

- l) Prior to the end of each fiscal year, the Mayor's office shall furnish an annual report and summary of this program to the City Council;
- m) During the annual Tax Classification process, the Mayor shall forward a request to the City Council to fund the program through the Overlay Account; and
- n) No provisions of this order shall be changed unless approved by the Mayor and City Council.

ADOPTED

In City Council
Order No. 12-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:



City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Office of the Mayor

140 Main Street
Marlborough, Massachusetts 01752
2013 FEB - 7 AM 5H
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

February 7, 2013

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

Re: Appointment to the Board of Health

Honorable President Pope and Councilors:

I am pleased to submit the name of Mr. James Griffin for appointment to the Board of Health. Mr. Griffin will serve for a term of three years to expire on February 1, 2016.

Mr. Griffin is a long time Marlborough resident who is looking forward to the opportunity to serve and give back to our community. He is a Licensed Respiratory Therapist in the Commonwealth of Massachusetts and has worked at the Dana Farber Cancer Institute and Metro West Health Center. I believe his background, education, and experience will be a great addition to the Board of Health.

In the coming months I hope to recruit a licensed physician to appoint to this Board so that we are compliant with state laws requiring that one member of every Board of Health is a physician.

Please do not hesitate to let me know if you have any additional questions.

Sincerely,


Arthur G. Vigeant
Mayor



City of Marlborough
Legal Department

140 MAIN STREET

MARLBOROUGH, MASSACHUSETTS 01752

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

LEGAL@MARLBOROUGH-MA.GOV

RECEIVED DONALD V. RIDER, JR.
CITY CLERK'S OFFICE CITY SOLICITOR
CITY OF MARLBOROUGH
CYNTHIA M. PANAGORE GRIFFIN
ASSISTANT CITY SOLICITOR
2013 FEB -7 A 11:58
BEVERLY J. SLEEPER
CHIEF PROCUREMENT OFFICER
ELLEN M. STAVROPOULOS
PARALEGAL

February 6, 2013

Patricia Pope
President
Marlborough City Council

RE: Acceptance of 1965 Deed to City –
Parcel Off Sudbury Street

Dear President Pope and Members:

I enclose for your reference a deed to the City signed on November 1, 1965 and recorded in the Middlesex South District Registry of Deeds on December 29, 1965, but evidently never presented to the City Council for a vote of acceptance. The deed purports to gift to the City 15.94 acres of land located off Sudbury Street in the vicinity of Farrington Lane, as depicted on the enclosed GIS graphic as Map 36, Parcel 12.

A proposed order of acceptance is enclosed for your deliberation and approval.

Thank you for your attention to this matter.

Very truly yours,

Donald V. Rider, Jr.
City Solicitor

Enclosures

cc: Arthur Vigeant, Mayor

REC 23-65 PM 3:50 311FE 0007.00

BK11017 PG005

77

DEED OF GIFT

George A. Parsons and Margaret W. Parsons, husband and wife, both of Marlborough, Middlesex County, Massachusetts, hereby GIVE, GRANT, AND CONVEY to the City of Marlborough a Municipal Corporation located in Middlesex County, Massachusetts with QUITCLAIM COVENANTS the land in Marlborough, Middlesex County, Massachusetts, bounded and described as follows:

Beginning at a point on the easterly side of Sudbury Street and at land of Robert L and Jane P. Spangenberg;

thence N16-43-45W 105.79 feet by said Sudbury Street to a point at land of William S and Barbara J. Fenter;

thence easterly 39.27 feet on a curve of 25 feet by said land of Fenter to a point;

thence N73-16-15E 175.00 feet by said land of Fenter to a point;

thence N16-43-35W 451.00 feet by said Fenter land and land of James L and Elsie M. Fowler and of James J and Carol E. McDonnugh to a point;

thence N73-16-15E 94.00 feet by land of Karl A. and Audrey M. Osterlund to a point;

thence N16-43-45W 172.27 feet by said land of Osterlund to a point;

thence N68-56-34E 472.30 feet by land of Eugene H and Elaine Mongeau to a point;

thence N34-12-24W 170.54 feet by said land of Mongeau to a point;

thence S74-72-49E 57.17 feet

S75-04-44E 307.93 feet and continuing southerly 245 feet more or less by a brook to its intersection with another brook, said last three courses by land of Claire Carver Trustee of St. Clare Realty Trust;

thence by the brook last mentioned southerly 625 feet more

or less by said land of St. Clare Realty Trust to a point;

thence S15-00-00E 03.19 feet and

S15-03-50W 95.36 feet by said land of St. Clare

Realty Trust to a point;

thence S22-23-10W 98.00 feet,

S49-10-30W 110.00 feet,

S47-24-52W 328.98 feet, and

S48-02-30W 37.65 feet by land of William O and

Valma Hubble to a point;

thence N14-05-21W 200.00 feet by land of Roland L and Arty

C. Letendre and land of Robert L and Jane P. Spangenberg to
a point;

thence S03-20-41W 246.59 feet by said land of Spangenberg to
a point of beginning.

The above described parcel contains 15.94 Acres of land and
is intended to describe the land shown on a nonrecorded plan of
land owned by George A and Margaret W. Parsons dated July 7, 1959
survey by McCarthy Engineering Service Inc, of Natick, Mass.

The below noted restrictions shall be imposed upon the
within described land:

1. The above described property shall only be used for one of
the following purposes:
 - A. Educational or School
 - B. Recreational
 - C. Conservational
 - D. Fire Station Purpose
 - E. Hospital Purpose
2. This property shall not be used as a Public Dump or other
similar type use which may be offensive to the surrounding
property.

No stamps required.

BK11017 PG007

Witness our hands and seals this 1st day of November, 1965.

Margaret Perry Wilson

George A. Parsons

Margaret Perry Wilson

Margaret W. Parsons

THE COMMONWEALTH OF MASSACHUSETTS

Middlesex ss.

November 1, 1965

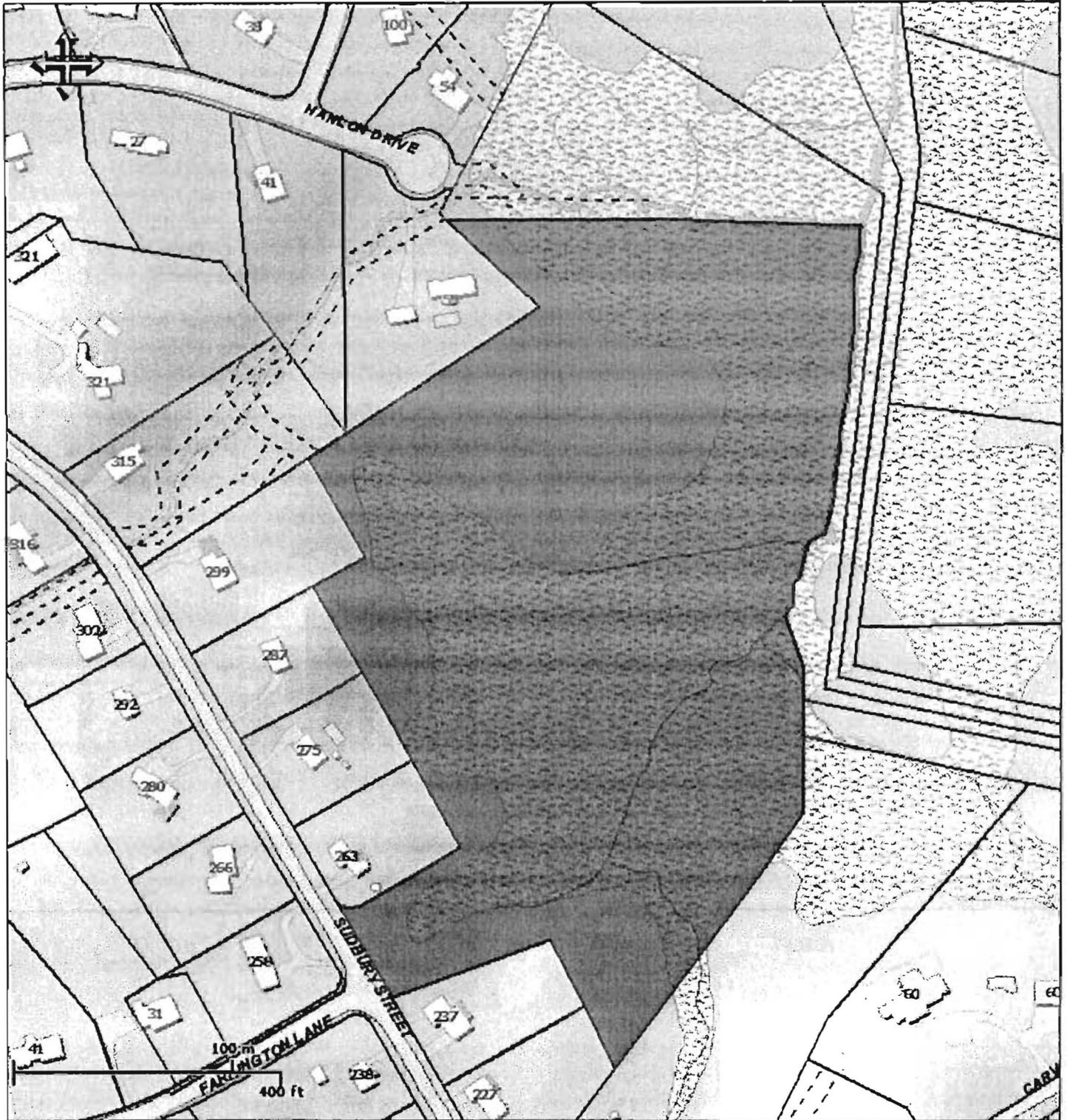
Then personally appeared the above named George A. Parsons
and acknowledged the foregoing instrument to be his free act
and deed, before me

William J. Steffen

William J. Steffen

Notary Public

My commission expires December 31, 1965



City of Marlborough



Map 36, Parcel 12

The City of Marlborough shall assume no liability for the use of this map for any errors, omissions, or inaccuracies contained herein regardless of how caused. The City of Marlborough assumes no liability for any decision made or action taken or not taken by the user in reliance upon any information furnished hereunder.



ORDERED:

That a quitclaim deed from George A. Parsons and Margaret W. Parsons, as husband and wife, to the City of Marlborough, executed on November 1, 1965 and recorded in the Middlesex South District Registry of Deeds on December 29, 1965 in Book 11017, Page 005, be and hereby is accepted as a gift.

ADOPTED
In City Council
Order No 13-100
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:



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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
City of Marlborough
Legal Department

140 MAIN STREET
MARLBOROUGH, MASSACHUSETTS 01752
TEL. (508) 460-3771 FACSIMILE (508) 460-3698 TDD (508) 460-3610
LEGAL@MARLBOROUGH-MA.GOV

DONALD V. RIDER, JR.
CITY SOLICITOR

CYNTHIA M. PANAGORE GRIFFIN
ASSISTANT CITY SOLICITOR

BEVERLY J. SLEEPER
CHIEF PROCUREMENT OFFICER

ELLEN M. STAVROPOULOS
PARALEGAL

February 7, 2013

Patricia Pope
President
Marlborough City Council

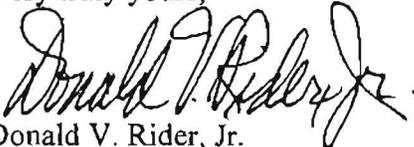
RE: Order No. 12-1005150C
Application to Modify Special Permit
T-Mobile Northeast LLC
342 Lincoln Street

Dear President Pope and Members:

Pursuant to Chapter 650-59C(13) of the Marlborough Zoning Ordinance, I provide this letter as to the legal form of the City Council's proposed decision on the application submitted by T-Mobile Northeast LLC to modify its existing special permit at 342 Lincoln Street. The application is to replace the existing (6) antennas for (6) newer models, add a GPS antenna with ½" feed mounted to an existing support pipe, replace the existing 2106 equipment cabinet with a 6102 equipment cabinet, remove the existing GSM Tower Mounted Amplifiers, and lastly consolidate the existing coax cables within T-Mobile's existing lease area.

I have enclosed a copy of the proposed decision. I certify that that decision is in proper legal form.

Very truly yours,


Donald V. Rider, Jr.
City Solicitor

Enclosure

cc: David J. Scarfo, Tower Resource Management, agent for T-Mobile

**DECISION ON AN APPLICATION TO MODIFY
SPECIAL PERMIT**

T-MOBILE NORTHEAST LLC

CITY COUNCIL ORDER NO. 12-1005150C

Re: 342 Lincoln Street

The City Council of the City of Marlborough hereby GRANTS the application to modify Special Permit No. 97-7199B, submitted by T-Mobile Northeast LLC, having a usual place of business at 15 Commerce Way, Suite B, Norton, MA 02766 as provided in this Decision and subject to the following Findings of Fact and Conditions.

EVIDENCE

1. The Applicant is T-Mobile Northeast LLC with its principal office located at 12920 SE 38th Street, Bellevue, WA 98006 (hereinafter, "the Applicant").
2. On November 10th, 1997, the City Council granted to Omnipoint Communications Inc. a special permit to locate and operate a wireless communications facility at the existing building located at 342 Lincoln Street, Marlborough, MA (hereinafter, "the Original Special Permit"). On June 30, 2009, Omnipoint Communications Inc. assigned its wireless markets in New England, and the assets relating thereto, including without limitation cell site and/or commercial and/or other leases under which it was a then-lessee, to Omnipoint Facilities Network 1, LLC. Later on June 30, 2009, Omnipoint Facilities Network 1, LLC merged with and into T-Mobile Northeast LLC, Applicant herein. The Original Special Permit is recorded at the Middlesex South District Registry of Deeds in Book 27967, Page 267. The site is more particularly identified on the Assessor's Map of the City of Marlborough as Map 69, Lot 263 (hereinafter, "the Site"). The owner of record for the Site is Lilien Realty, LLC.
3. Through its Application for a Special Permit to Modify an Existing Wireless Communication Facility (WCF) (hereinafter, "the Application"), the Applicant seeks permission to allow Applicant to replace the existing (6) antennas for (6) newer models, add a GPS antenna with ½" feed mounted to an existing support pipe, replace the existing 2106 equipment cabinet with a 6102 equipment cabinet, remove the existing GSM Tower Mounted Amplifiers and lastly consolidate the existing coax cables ("the Proposed WCF Project"). Thus, the modification will actually result in a slight reduction of equipment at the Site/WCF (Wireless Communication Facility). All substantially as depicted on a set of plans entitled "Site Name: BO012/342 LINCOLN, 342 Lincoln Street, Marlboro, MA 01752, Middlesex County, Site Number: 4DE5012A" by Advanced Engineering Group, P.C., 500 North Broadway, East Providence, RI 02914, dated 7/10/12 and last revised

7/31/12, a copy of which was provided in the Special Permit Application (hereinafter, "the Plans").

4. For purposes of the Application, the Applicant is a licensee of SBA Site Management, LLC, a Florida limited liability company, whose lease agreement to use the Site, pursuant to an Antenna Site Lease Agreement executed on August 21, 1997 and amended on September 24, 1997, has been assigned by the Site's owner to T1 Unison Site Management, LLC, a Delaware limited liability company, via a Rooftop Easement and Assignment Agreement recorded at the Middlesex South District Registry of Deeds in Book 57368, Page 261.
5. The Proposed WCF Project is located in the Business Zoning District. Wireless communication devices are allowed by grant of special permit in the Business Zoning District.
6. The modification of the Original Special Permit is being sought pursuant to Article VI, Section 650-25 and Article VIII, Section 650-59 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 Building Inspector, on behalf of 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 WCF Project on November 26th, 2012, for which proper notice had been published and for which proper notice had been given to all parties entitled to notice under the law.
10. The Applicant presented oral testimony and demonstrative evidence at the public hearing, demonstrating that the Proposed WCF Project meets all the applicable Special Permit criteria of Article VI, Section 650-25 and Article VIII, Section 650-59.
11. The Applicant provided further oral testimony and demonstrative evidence to the City Council's Wireless Communications Committee regarding the Proposed WCF Project's compliance with the applicable Special Permit criteria.
12. The Council, in reviewing the Application, considered the Review Standards and Development Requirements, as enumerated in Article VI, Section 650-25 and Article VIII, Section 650-59 of the City of Marlborough Zoning Ordinance, applicable to the Proposed WCF Project.

**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 WCF Project and the Proposed WCF 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 650-25 and Article VIII, Section 650-59 of the City of Marlborough Zoning Ordinance, by siting, designing and screening its Proposed WCF 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 a modification of the Original Special Permit (hereinafter, "Modified Special Permit"), **SUBJECT TO THE FOLLOWING CONDITIONS NUMBERED 1 THROUGH 9:**

- 1) The Proposed WCF Project shall be constructed, maintained and operated according to the specifications, terms and conditions of the Application, as amended during the application/hearing process, and in compliance with the conditions of the grant of this Modified Special Permit, as well as with the conditions set forth in Chapter 650-25F of the Marlborough Zoning Ordinance.
- 2) All plans, photo renderings, site evaluations, briefs and other documentation provided by Applicant as part of the Application, as amended, are herein incorporated and become a part of this Modified Special Permit and become conditions and requirements of the same, unless otherwise altered by the City Council.
- 3) 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 Applicant's WCF.
- 4) The issuance of this Modified Special Permit may be further subject to Site Plan Review. Any additional changes, alterations, modifications or amendments as may be required by Site Plan Review shall be further conditions attached to this Modified Special Permit.

- 5) Applicant shall minimize the visual impacts of the Proposed WCF Project by screening and/or color coordination as may be depicted on the Plans and other demonstrative evidence submitted as part of the Application.
- 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 Modified Special 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 the Modified 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 WCF referenced in this Modified Special Permit is still in operation. Failure to make the payment in a timely manner shall constitute a violation of the Modified 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 WCF Project. Applicant shall be permitted to use a temporary electrical generator in connection with the operation of the Proposed WCF Project only in cases of power outages to the Proposed WCF Project and for purposes of routine testing and maintenance. The temporary generator shall be operated in a safe manner and the noise produced by the temporary generator shall conform to the City's noise ordinance set forth in Chapter 431 of the City Code. Batteries used in operation of the facility shall be disposed of off-site at the expense of the Applicant. If any liquid or hazardous material is used by Applicant in conjunction with the temporary generator, Applicant must employ a secondary containment system.
- 8) As soon as practicable but in any event within one (1) month after the date when a certificate of use and occupancy has been issued to the Applicant by the City of Marlborough's Building Inspector for the Proposed WCF Project, Applicant shall submit a written report to the City Council; provided, however, that if the Proposed WCF Project has not yet become operational within the one-month period after said issuance date, then the Applicant must immediately provide the City Council with written notification as to the date when the Proposed WCF Project does become operational and, further, must submit said written report within one (1) month after said operational date. The written report to the City Council shall i) provide measurements as to the actual output of radio frequency energy emitted by the Proposed WCF Project; ii) shall include a professional opinion by a qualified third party certifying that the Proposed WCF Project fully complies with all applicable health and safety standards; and iii) shall provide measurements of the actual output of the total radio frequency energy being emitted by all Wireless Communications Facilities (as defined in Section 650-25 of the Marlborough Zoning Ordinance) then located at the Site. The Applicant agrees to operate its Proposed WCF Project in compliance with all applicable

health and safety standards. In the event that there are any changes in or upgrades to the Proposed WCF Project that may increase the actual output of radio frequency energy emitted by the Proposed WCF Project, the Applicant shall submit a letter to the City Council as soon as practicable but in any event within one (1) month after the date of completion of those changes or upgrades. The letter shall i) state what the changes or upgrades are; ii) shall provide measurements specifying how the actual output of radio frequency energy emitted by the Proposed WCF Project has been increased; iii) shall provide measurements of the actual output of all radio frequency energy being emitted by all hereinbefore-defined Wireless Communications Facilities then located at the Site; and iv) shall include a professional opinion by a qualified third party certifying that the Applicant's changes or upgrades have not caused the total radio frequency energy being emitted by all hereinbefore-defined Wireless Communications Facilities then located at the Site to exceed any applicable health and safety standards.

- 9) In accordance with the provisions of M.G.L. c. 40A, § 11, the Applicant at its expense shall record this Modified Special Permit in the Middlesex South District Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Modified Special Permit has elapsed with no appeal having been filed, and before the Applicant has applied to the Building Inspector for a building permit concerning the Proposed WCF Project. Applicant shall provide a copy of the recorded Modified Special Permit to the Building Inspector's office when the Applicant applies for the building permit, as well as a copy to the City Council's office and to the City Solicitor's office.



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2013 FEB -1 P 12:39

30 January, 2013

City Council President
Patricia Pope
140 Main Street
Marlborough, MA 01752
508-460-3711

Dear Ms. Pope,

As required by the "Conditions" of granting a Special Permit, City Council Order # 12-1005011B, granted to Xcellerex, Inc., its successor and assigns, to continue the existing operation of a manufacturing, research and development facility in Zone B of the Water Supply Protection District, Xcellerex has submitted an updated Hazardous Materials Contingency Plan and Chemical List. The updated documents were submitted per condition #4 to the Fire Chief, Commissioner of Public works and Conservation Officer.

If you should have any questions pertaining to the material supplied please do not hesitate to call.

Best regards,

A handwritten signature in cursive script that reads "Cynthia K. Blais".

Cynthia K. Blais

Environmental, Health, & Safety Leader

978-793-9820

170 Locke Drive

Marlborough, MA 01752



5/16/11
2/4/2011

City of Marlborough, Massachusetts
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CITY OF MARLBOROUGH
CITY CLERK DEPARTMENT

2013 JAN 25 P 2:01

Lisa M. Thomas
City Clerk

MARLBOROUGH, MA

DATE: 1/25/2013

To the City Council:

Owner Name: Douglas Alexander

Residential Address: 197m Boston Post Rd West ; Unit 266

Telephone Number: 508-523-2837

Business Name: Dougs Big Tool Box

Business Address: 197m Boston Post Rd West ; Unit 266

Business Telephone Number: 508-523-2837

Owner Signature: *Douglas Alexander*

The above signed Douglas Alexander respectfully requests that he/she be

granted a Auto Dealer's license.

In City Council

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

Minutes

February 2, 2012 (Thursday)
Marlborough City Hall – 3rd Floor, Memorial Hall
7:00 P.M.

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2012 JAN 28 P 3:46

Present: Edward Clancy, Chairman; John Skarin, David Williams, Allan White, Dennis Demers and Priscilla Ryder-Conservation Officer

Absent: Lawrence Roy and Michele Higgins

Approval of Minutes: The minutes of December 1, 2011 and January 5, 2012 were unanimously approved as written.

Public Hearings:

Notice of Intent

17 Rolfe Rd. - Jonathan Skillings - Dennis Demers abstained from this discussion.

Proposes to install a sewer connection to his home and repave the driveway which crosses a wetland system and culvert.

This item was continued to the Feb. 16th meeting

Notice of Intent (continuation)

24 Hager St. - Lourival Santos

Proposes to make improvements to the barn, existing stone walls, gates, fences, sheds and landscape features and trees, within the buffer zone and Riverfront Area of Hop Brook

Mr. Lourival Santos was present. The Commission had a few more questions about the project. There was discussion about the barn and what type of foundation exists. Mr. Santos explained that the barn would be built on the same footings. The trees to be replaced must be on his own land and not on the state layout (unless he gets specific permission from the state MDOT)

The Commission closed the hearing and reviewed the draft Order of Conditions and voted unanimously 5-0 to issue the conditions as written and amended.

Request for Determination of Applicability (continuation)

621 Sudbury St. (the notice on the agenda was incorrect)

Proposal is to clear back yard and add some drainage trenches to direct water away from the yard.

Ms. Ryder explained that the Commission had issued a violation notice to Mr. Scola, the homeowner, asking him to stop his work near the wetland and file a Request for Determination of Applicability (RDA) to get permission to continue. Mr. Scola was present and explained that prior to buying the house; he had done research and found no wetlands. So, he proceeded to clear his back yard and improve some of the drainage, before being stopped by Ms. Ryder and being informed about the wetland. He said he'd do whatever was necessary to correct the violation. The commission asked why he needed the drainage trenches. He explained that lots of water comes off the street and around his house and stands in the back yard before draining into the wetland. He just wanted to direct the water around the flat part of the back yard, so he installed some French drains to help get the water to the wetland; the trenches are just filled with stone. He did remove some trees and flattened that area. He will be seeding the area with grass and some gravel in the spring to stabilize it.

- Ft. Meadow Reservoir Drawdown – the Commission discussed when to close the spillway gate at the Dam on the Reservoir, they decided they'd wait until the next meeting on Feb. 16th to decide.

Correspondence/Other Business:

The following correspondence was reviewed and the Commission voted to accept it and place on file.

- Public hearing notice for Board of Health hearing on modifications to Recycling/Rubbish drop off facility at EWWTP Feb. 14, 2012 at 6:30 PM at City Hall

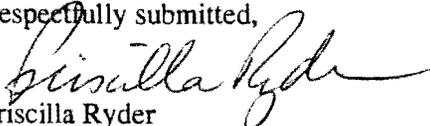
Meetings

- Next Conservation Commission Meetings will be February 16th, and March 1st, 2012
(Thursdays)

Adjournment

There being no further discussion the Commission voted 4-0 to adjourn the meeting at 8:50 PM

Respectfully submitted,


Priscilla Ryder
Conservation officer

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

Minutes

February 16, 2012 (Thursday)

Marlborough City Hall – 3rd Floor, Memorial Hall

7:00 P.M.

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2013 JAN 28 P 3:46

Members Present: - John Skarin- acting Chair, Dennis Demers, Dave Williams, Lawrence Roy, Allan White and Priscilla Ryder-Conservation Officer

Absent: Michele Higgins and Edward Clancy

Public Hearings:

Notice of Intent

17 Rolfe Rd. - Jonathan Skilling (Dennis Demers abstained due to a conflict of interest and left the room)

Proposes to install a sewer connection to his home and repave the driveway which crosses a wetland system and culvert.

Paul Demers representing Demers Construction was present. He provided a diagram of a new sewer line installation which will go from Rolfe Rd. up the driveway to the house which is currently served by a septic system. The sewer line will be jacked under the new 12" drain culvert under the driveway. Haybale and silt fencing are proposed on both sides of the driveway. They will pump around the culvert as needed during construction and will have additional erosion controls on hand should they be necessary. There was some discussion about the length of the line and the elevation of the connection. Mr. Demers pointed this out on the plan. Ms. Ryder noted she'd been out to the site several times, the project as proposed should serve to protect the wetland.

The Commission closed the hearing and voted unanimously 4-0 to issue a standard set of conditions for this project.

Request for Determination of Applicability

621 Sudbury St. – Matt Scola

Proposes to grade his back yard, remove some trees, add lawn area and add some drainage near wetlands.

Mr. Matt Scola, the owner was present. He explained that he wants to clear the back yard to his back property line. He added trenches on both sides of the yard to help drain the stormwater to the wetlands. The trenches are filled with stone and fabric and have been covered up. It has already relieved the drainage problem in the back yard. He will be adding some additional trenches around the house to help drain water away from the foundation. In the end, he would like to loam and seed the area he has cleared. He will be adding a gravel driveway down the side of the pool. In the future he'd like to install a shed or barn below the pool. He will include some additional landscaping next to the wetland area to restore the 20' buffer zone. Mr. Demers asked about the status of the drainage easement. Mr. Scola said it doesn't really drain in the easement; it does flow onto his property. Ms. Ryder will ask Engineering Dept. for input on this.

valve chamber, so excavation will be minor associated with electrical conduits which will go across the foot bridge to make a connection with the electric panel. They will need to dewater the pipe to make this connection. The clean water will be dumped into the fore bay channel, but will be adjusted for pH before being discharged. The Commission asked for more details on this discharge. Mr. Rullo said that it will be up to the contractor to provide these specifications. Work is anticipated in the spring/summer months. Allan White asked how much water they needed to dewater. Mr. Rullo said 1-2 million gallons which will be clean.

There being no further questions the hearing was closed. Ms. Ryder was asked to draft a set of conditions for the next meeting.

Discussion/Project Updates:

The Commission reviewed the following items and voted as noted:

- Botanical Inventory for Desert Natural Area done by Betty Wright- the Commission asked that Ms. Wright be thanked for all her hard work in putting this inventory together, it will be valuable as the area is managed.

- Violation Updates: 90 Crowley Dr.-Vestas and 150 Cook Ln.-Mauro Farm – Ms. Ryder discussed the two violations which occurred during the recent storm event.

Correspondence/Other Business:

The following correspondence was reviewed and the Commission voted unanimously to accept and place on file.

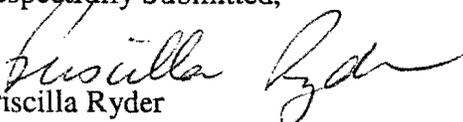
- Letter from Central Mass. Mosquito Control Project, dated Jan. 25, 2012 RE: CMMCP Water Management Job #889 Marlboro.
- Letter to Dale E. Richmond, dated Feb. 3, 2012 RE: "0" Crowley Dr. Vestas project – Marlborough, MA Wetland violation \$200 fine DEP 212-1083 Storm Water Ordinance violation \$300 fine.
- Letter to Martin Loïselle, Capital Group Properties LLC, dated Feb. 2, 2012, RE: Joint violation notice-Mauro Farm Subdivision-150 Cook Ln.; Wetland Violation-Enforcement Order DEP 212-1016, Fine \$300; Storm Water Ordinance violation – Fine \$300.

Meetings – Next Conservation Commission meetings March 1st and 15th, 2012 (Thursdays)

Adjournment

There being no further business the Commission voted unanimously to adjourn at 8:31 PM,

Respectfully Submitted,


Priscilla Ryder
Conservation Officer

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CITY OF MARLBOROUGH
CONSERVATION COMMISSION 2013 JAN 28 P 3:46

Minutes

March 15, 2012 (Thursday)

Marlborough City Hall – 3rd Floor, Memorial Hall
7:00 P.M.

Members Present: Edward Clancy-Chairman, John Skarin, Dennis Demers, Dave Williams, Lawrence Roy and Priscilla Ryder-Conservation Officer

Absent: Michele Higgins and Allan White

Public Hearings:

Request for Determination of Applicability
52 Paquin Dr. - Kenneth Vonasek

Proposes to remove and replace existing concrete sidewalks, add steps and add some planting beds though out the yard, near Ft. Meadow Reservoir.

Ken Vonasek was present and explained that they would like to remove the existing walkways and replace them with pavers. They will be doing a better entrance definition and installing several garden beds near the front of the house and along the back wall above the lake. They have a landscape contractor who will do the work, and had a landscape architect design the flower beds and will be installing some ornamental rocks as well. The Commission decided that although the work is near the lake, the work is minor in nature and as described should have no impact to the lake.

The Commission voted unanimously 5-0 to issue a negative Determination of Applicability with no conditions, thus Mr. Vonasek can proceed with his project.

Notice of Intent (Cont. - Review Draft Conditions)
379 Sudbury St. – Chris Mahoney of RE/MAX One Call Realty

Proposes to repair the existing septic system near wetlands.

The applicant was not present, but had provided a new plan dated Rev. 2/24/2012 “Relocated Foundation Drain” showing the foundation drain location. Ms. Ryder indicated that the Board of Health has also approved the septic system plans for this project. The Commission closed the hearing and reviewed a draft order of conditions.

The Commission voted unanimously to accept the Order of Conditions as drafted and amended.

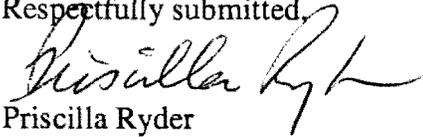
- 79 Chase Rd. - Ms. Ryder indicated she has been approached by the homeowners who want to install a retaining wall in their yard near a wetland because their land keeps sinking. Ms. Ryder showed the Commission several options. The Commission said that if the wall is outside the 20' buffer zone, that would be best. They will file shortly.

Meetings – Next Conservation Commission meetings – April 5th, and April 19, 2012
(Thursdays)

Adjournment

There being no further business the meeting was adjourned at 8:14 PM

Respectfully submitted,



Priscilla Ryder
Conservation Officer

Marlborough Council on Aging Board

Minutes: Tuesday, January 8, 2013 Meeting

Location: Mayor's Conference Room, City Hall, Marlborough, MA

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CITY OF MARLBOROUGH

2013 FEB - 1 A 10:36

Attendees: Lynn Anderson, Sheila Brecken, Jennifer Claro, Richard Collins, Jim Confrey, Rita Connors, Brenda Costa, Marie Elwood, Jeanne McGeough

I. Call to Order at 8:45 am.

II. December minutes were reviewed and approved by the board.

III. Director's Update

Jennifer brought sample newsletters for the board members to look at. The COA volunteers will need to fold and insert the pages for the 1,300 copies. The new publisher will be under contract for 1 year if our COA Director determines this is who will handle our newsletter.

The Mayor has asked Jennifer to review a grant application to the Cummings Foundation. Jennifer wants to ask for funds to help with the Senior Center computer room/ library and congregate meals. There are 6 grants for \$100,000 each available in MetroWest. The matching grant look favorable toward matching grant applications and was looking at some sort of match for the grant application, Jennifer stated.

Apparently the Town of Holliston has a great transportation program and Jennifer is going to meet with Lina Arena DeRosa, Holliston COA Director to discuss how their system works for their senior transportation. Lynn Anderson volunteered to go with Jennifer to this meeting on January 29th at 10:00AM at the Holliston Senior Center.

IV. Board Updates

A. BayPath – budget was discussed due to expected cuts.

B. Friends – having elections this month. Bylaws changes will be voted on at this General Meeting by Friends Members. One new provision that is being introduced in these By-laws changes would allow general membership to vote on slate of board members and then the Friends board itself will elect officers.

C. Party Committee Report - Rita Connors thanked everyone for their help at the Christmas party. There was a great turnout even with the bad weather.

V. Old Business

1. The Coats System – Rita reported on new membership since last month's meeting which continues to increase.

2. By-Law Committee – Jim is meeting with the Mayor after the board meeting to go over the by-laws.

3. New Senior Center – the board discussed the "wish list" and talked about the importance of including the male senior population in deciding what is important to them for a Senior Center. Jim got an email from Jennifer regarding the RFP's for architect and project manager for the oversight of the new senior center.

VI. New Business

A. Jennifer is going to look into having a police officer to come and report to our COA Board on any any issues that we should know about regarding seniors in our community.

Meeting adjourned at 9:40 am.

The next board meeting will be 2/12/13 at 8:45am in Mayor's conference room, City Hall.

Respectfully submitted,
Brenda Costa
Marlborough Council on Aging Board Secretary

Call to Order
JAN 30 P 5:04

December 17, 2012

1. Chairperson Fenby called the Meeting of the Marlborough Planning Board to order at 7:00pm in Memorial Hall, 3rd Floor City Hall 140 Main Street, Marlborough, MA. Members present included, Colleen Hughes, Sean Fay, Philip Hodge, Edward Coveney and Shawn McCarthy

Timothy Collins was also present representing the Engineering Department.

1. Meeting Minutes:

A. November 26, 2012

Motion was made by Ms. Hughes, seconded by Sean Fay to accept the minutes of the November 26, 2012 meeting as amended. Motion carried.

B. December 3, 2012

Motion made by Mr. Fay, seconded by Ms. Hughes to accept the minutes of the December 3, 2012 meeting as submitted,. Motion carried.

2. Chair's Business:

A. Correspondence from Mayor Vigeant

Motion made by Ms. Hughes, seconded by Mr. McCarthy to accept the correspondence and place on file. Motion carried.

B. City Council Correspondence

i) 379 South Street

Motion made by Mr. McCarthy, seconded by Mr. Coveney to accept the correspondence and place on file. Motion carried.

C. Correspondence from Renzi Property

Motion made by Mr. McCarthy, seconded by Mr. Coveney to accept the correspondence and place on file. Motion carried.

D. Correspondence from City Solicitor Ryder

i) Dufresne Drive

There is no written update to be presented to the Board; Solicitor Ryder is waiting on information from the developer. No action.

3. Approval Not Required:

A. Lakeside Avenue

i) Submittal

In an atypical move the Board has agreed to review this prior to the New Year, due to the direct benefit to the City. The materials had been previously sent to Engineering and, Mr. Collins reported that the Engineering Department has had a chance to review the plans as submitted and finds that they are able to give a favorable recommendation for approval to the Board.

Motion made by Mr. McCarthy, seconded by Mr. Coveney to accept and endorse the plan. Motion carried.

4. Public Hearings: None

5. Pending Sub Division Plans: Updates and Discussion:

A. Update from City Engineer: No report

B. Blackhorse Farms

i) Bond Certificate

Request was made to stake the young trees to give them a fighting chance to survive the winter season as well as clean up the construction area; there is a large pile of debris left in the cul de sac roadway. This will be placed on the calendar for an update in September from the developer. Motion made by Mr. Coveney, seconded by Mr. McCarthy to accept this information and place it on file. Motion carried.

C. Country Club Estates

i) Amended Agreement

Monthly progress reports are to be submitted to the board; no representation will be required of the developer at each submittal.

Motion made by Mr. Fay, seconded by Mr. Coveney to sign the plan as well as accept and place in file. Motion carried.

6. Preliminary/Open Space Submissions/Limited Development Subdivisions: None

7. Definitive Subdivision Submission:

A. Ravenswood (January 9, 2013)

i) Correspondence from M. Hamor

Request was received from Mr. Hamor to withdraw his proposed plan without prejudice.

Motion made by Mr. Fay, seconded by Ms. Hughes to accept the correspondence and place it on file. Motion carried.

8. Signs

A. Marlborough Youth Baseball

Motion made by Mr. Coveney, seconded by Mr. McCarthy to table this item, as the proponent had not yet arrived. Motion carried. (Mr. Fay recused himself from this discussion due to a personal conflict.)

B. Trombetta's signage issue was briefly discussed with a request to add it to the next agenda for a discussion with Pamela Wilderman (Code Enforcement Officer) regarding the message board and multiple signs on the premise.

Motion was made by Ms. Hughes, seconded by Mr. Coveney to remove the Marlborough Youth Baseball Sign matter from the table. Motion carried.

Mr. Mark Chatalian arrived as the representative for Marlborough Youth Baseball to ask the Board to grant them a variance to allow the placement of approximately 50 off premise signs for the sole purpose of bringing awareness to the Registration Drive currently under way by the organization. The time duration they are requesting is approximately 3 months or until March 1, 2013.

Mr. McCarthy noted that the locations proposed by the organization are vague at best. Ms. Hughes noted that 3 months seems to be an excessive amount of time requested. Mr. Coveney proposed that the organization appear before the board with a shorter time frame requested. Chairperson Fenby requested that the organization go through the application process properly, this is currently acting out of order by appealing a decision that has not been made by the approving body (i.e.: the Building Commissioner).

Mr. Chatalian was given a formal sign permit application and asked to apply to the Building Department, including a complete listing of proposed locations with the application. Once the formal denial was in hand he could then apply to the Board for possible relief in the form of a Variance.

9.) Unfinished Business: None

10.) Informal Discussions: None

11.) Correspondence: None

12.) Public Notices of other Cities and Towns: None

Adjournment: Motion made by Mr. Coveney, seconded by Ms. Hughes to adjourn the motion passed unanimously.

Respectfully submitted,

Colleen Hughes

/mai

Call to Order 2013 JAN 30 P 5:04

January 7, 2013

The Meeting of the Marlborough Planning Board was called to order at 7:00pm in Memorial Hall, 3rd Floor City Hall 140 Main Street, Marlborough, MA. Members present: included Barbara Fenby, Colleen Hughes, Sean Fay, Philip Hodge and Shawn McCarthy. Also in attendance were Board Secretary Melissa Irish and City Engineer Tom Cullen.

1. Officer Selection:

Mr. McCarthy acting as President Pro tem opened the nominations for Chairperson.

Ms. Hughes nominated Dr. Barbara Fenby as Chairperson seconded by Mr. Hodge. Nominations were closed and Dr. Fenby was elected by unanimous vote.

Dr. Fenby opened nominations for Clerk.

Mr. Hodge nominated Ms. Hughes as clerk, seconded by Mr McCarthy. Nominations were closed and Ms. Hughes was elected by unanimous vote.

2. Meeting Minutes:

A. December 17, 2012

On a motion made by Mr. Fay, seconded by Ms. Hughes, it was voted to accept the minutes of the December 17, 2012 meeting as amended.

3. Chair's Business:

A. Correspondence from City Council

i. Zoning Amendment to Chapter 650-17

After a brief discussion regarding scheduling issues a Motion made by Ms. Hughes, seconded by Mr. Hodge to accept the correspondence, set a public hearing for the first meeting in February 2013 at 7:15pm, advertise and place on file. Motion carried

4. Approval Not Required: None

5. Public Hearings:

7:15pm, Section 650-b.B, 650-17 & 650-48.A

The Public Hearing was opened at 7:21pm Ms. Hughes read the notice into the record. The hearing was taken in the traditional 4 stages:

Presentation

Those speaking in Favor

Those speaking in Opposition

Questions from the Board Members

Presentation: Attorney Arthur Bergeron spoke representing the proponent.

Attorney Arthur Bergeron spoke representing his client, Partners Health Care. The proposed zoning change was actually originated with Council President Pope and the reasoning for the change is two-fold.

There is currently no reference in our zoning ordinance to "Data Storage/Telecommunication Facility". In accordance with Section 650.16 (B) of the City Code (Zoning):

All uses not noted in § 650-17, entitled "Table of Uses," shall be deemed prohibited, except where so to deem would interfere with or annul any other City of Marlborough ordinance, rule, regulation or permit.

[Added 11-19-2007 by Ord. No. 07-1001677B]

The City currently has such facilities because Retired Building Commissioner Stephen F. Reid considered it an adjunct use to an office facility. Unfortunately this creates a significant parking issue. The manpower to maintain such a facility is considerably less than would be required of an office or industrial use. For that reason the proponent has suggested that the parking regulations be amended to allow a significantly reduced parking area. However it would also include a stipulation that the parking required for an office or industrial use be set aside as green space in the event of a future sale for another use.

(It was noted that the City Council had held their public hearing on this issue in December 2012)

In Favor – no one spoke

In Opposition – no one spoke

Mr. Hodge questioned if generators or auxiliary power will be needed for the building in question?

Mr. John Messervy of Partner's Health Care answered yes there would be diesel fuel powered stand by generators for the building and the proper fuel storage licenses would be obtained.

Ms. Hughes asked if the generators in question would be large enough to power the entire 50,000 sq. ft. building?

Mr. Messervy answered that the building cannot be without power or cannot be allowed to "go down". The types of information they are storing are critical to their clients such as area hospitals that must remain in operation even during a crisis and must have access to the types of information that would be stored off site, i.e.; medical records etc. Diesel is the only fuel approved for the type of use proposed.

Mr. Hodge noted that noise and pollution are 2 large factors with diesel fuel generator.

Mr. Messervy noted that they would be used only in a true emergency or if they were asked to remove the building from the current electrical grid to free up capacity to stave off brown outs.

Mr. McCarthy asked if the City actually has the electrical capacity available that the company is looking for?

Mr. Messervy answered that the company has worked very closely with the Electric Co and will be running a direct feed to the building and will not be running from the street supply.

Mr. McCarthy noted he considers this a perfect neighbor and will be in support of the change

The public hearing was closed by Chairperson Fenby at 7:36pm. The Board will consider the proposal and make a determination.

6. Pending Sub Division Plans: Updates and Discussion:

A. Update from City Engineer:

Mr. Cullen handed out a current version of the Subdivision Status Report dated January 7, 2013. The report outlined the status of the currently 20 residential subdivisions within the City limits. Photographic evidence of the Blackhorse Farms Subdivision Blight (gravel & curbing pile) was supplied by Ms. Hughes to Mr. Cullen.

B. Mauro Farms

i) Correspondence from City Engineer

Mr. Fay reminded the Board of previously disclosed conflict and that his appointing authority has authorized him to act.

Ms. Hughes read the letter into the record.

Mr. Cullen supplied the board with a recommendation that the original bond amount of \$1,241,000.00 be reduced to the amount of \$850,000.00; representing a further reduction from the Engineering Departments proposed bond reduction No. 1 dated Nov. 30, 2012 of \$942,000.00.

On a motion by Mr. McCarthy, seconded by Mr. Hodge, it was voted to accept and place on file the communication and reduce the bond to \$850,000.00. Motion carried.

7. Preliminary/Open Space Submissions/Limited Development Subdivisions: None

8. Definitive Subdivision Submission:

A. Boston Scientific

i) Submission (May 3, 2013)

Mr. David Mackwell of Kelly Engineering Group located at 0 Campanelli Drive, Braintree, MA 02184 presented the sub division submission to the board, giving a brief summary of the proposed plan. The purpose is the reconfiguration of existing lot lines, and the shortening of an existing street terminating in a cul de sac thereby creating enough space for 1 additional lot in the existing area. Boston Scientific Corporation is in the process of moving their corporate headquarters from Natick to Marlborough.

Mr. McCarthy asked if parking for the new building will be addressed, Mr. Mackwell stated that will be addressed at the Site Plan Review level. Ms. Hughes asked if they would be asking for any waivers from the board regarding this subdivision? Mr. Mackwell replied yes they will be requesting waivers and they are all of technical nature he is currently working with Mr. Cullen in that regard.

On a motion made by Ms. Hughes, seconded by Mr. Fay it was voted to accept the submission, set a public hearing for the first meeting in February 2013 at 7:30pm, advertise and place on file. Motion carried.

9. Signs

A. Trombettas Farm

The Board discussed what it considers to be multiple violations of the Sign Ordinance at Trombetta's Farm including a new internally illuminated message board affixed to the existing free standing sign

Mr. Fay noted that the new message board is very bright and in his opinion, is a distraction to passing motorists. He stated that he views this non-permitted sign as a public safety hazard due to its proximity to a busy intersection as well as its proximity to two crosswalks frequented by people who are walking to the ice cream stand.

Chairperson Fenby noted that Mr. Trombetta may have misunderstood the Board's previous guidance in suggesting that all the signage be consolidated. This may be his effort to comply with that directive.

Mr. Coveny questioned whether a permit had been pulled for the electrical work necessary to light the sign.

Code Enforcement Officer Wilderman stated that Mr. Trombetta needs to produce properly permitted documentation outlining all of the signage on the property including the above mentioned message board.

Mr. Fay again noted that he wants the electronic sign turned off until proof of all proper permits are in place.

The Board requested that Ms. Wilderman send correspondence to Trombetta's notifying them of the violations and requesting that they submit proof that their signage is properly permitted.

10. Unfinished Business:

MYBA proposed off premise signs:

(Due to a conflict Mr. Fay recused himself from this discussion.)

A letter was sent from Code Enforcement Officer Wilderman to the MYBA President Mark Chatalian in regards to his complete disregard of the direction of this Board. The organization has been given until the 11th of January to remove all the signs that have currently been placed out on City Property without the benefit of proper permits or variance.

On a motion made by Mr. McCarthy, seconded by Ms. Hughes the Code Enforcement Officer was directed to make one more phone call to the organization regarding removal of the signs and encouraging the organization to comply with the rules as they were presented.

The motion carried with Mr. Hodge in opposition.

11. Informal Discussions: None

12. Correspondence: None

A. DCR Hazard Mitigation grant applications

On a motion made by Ms. Hughes, seconded by Mr. McCarthy it was voted to accept the correspondence and place on file. Motion carried.

13. Public Notices of other Cities and Towns:

A. Town of Berlin, Zoning Board of Appeals (2 matters) Public Hearing (Jan 9)

B. Town of Sudbury, Zoning Board of Appeals, Public Hearing (Jan 7)

On a motion made by Ms. Hughes, seconded by Mr. McCarthy it was voted to accept the correspondence and place on file. Motion carried.

Adjournment: On a motion made by Mr. Hodge seconded by Mr. McCarthy it was voted to adjourn at 8:07pm.

Respectfully submitted,

Colleen Hughes

/mai



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2013 JAN 31 A 8 42

**CITY OF MARLBOROUGH
OFFICE OF TRAFFIC COMMISSION
140 MAIN STREET
MARLBOROUGH, MASSACHUSETTS 01752**

Traffic Commission Minutes

The Regular Meeting of the Traffic Commission was held on December 18, 2012 at 11:00 a.m. in the City Council Committee Room, City Hall. Members present: Chairman - Police Chief Mark Leonard, Vice Chairman – DPW Commissioner Ronald LaFreniere, Fire Chief James Fortin and City Clerk Lisa Thomas. Also present: City Engineer Thomas Cullen, Asst. City Engineer Tim Collins. Minutes taken by: Karen Lambert, MPD Records Clerk.

1- Minutes

The minutes of the Traffic Commission meeting of Tuesday, November 27, 2012.

MOTION was made, seconded, duly VOTED:
TO APPROVE

2-New Business

2a) Communication from Constance Bandes, re: Request for roadway markings on Williams St.

The Mayor's office forwarded an e-mail from Ms. Bandes regarding this issue. Ms. Bandes stated in her e-mail that "the stretch of road where Williams Street meets Southborough's Jericho Hill Road is a head-on collision waiting to happen." She noted that Jericho Hill Road has a yellow line down the center while Williams Street does not. Drivers coming from the opposite direction have come very close to hitting her car and others. She is requesting that a center line continue onto Williams Street "before a fatality occurs". Commissioner LaFreniere advised that the City follows very specific standards with regard to painting center lines on a roadway. He said that "it boils down to the width of travel." It is the City's position that the roadway must be at least 24 feet wide for a center line. He does not feel that the width of this roadway is appropriate; however, the City did paint edge lines.

Commissioner LaFreniere advised that he has already forwarded background information to the Mayor's office and he will follow up with them.

MOTION was made, seconded, duly VOTED to ACCEPT and place on file.

2b) Communication from Councilor Tunnera, re: Lighting on Kirby St.

Chief Leonard asked if anyone was aware of the formal process for requesting new street lights. Commissioner LaFreniere advised that the request needs to be initiated by the Mayor's office. They need to send a request to National Grid. The Commissioner believes he has the specific form that needs to be filled out. Tim Collins presented a diagram showing Kirby Street, the utility poles in the area and the crosswalk in question (at Elm St. and Kirby St.) He noted that there is a light on the opposite side. If this is truly the closest pole there should be sufficient lighting unless the light is out. Chief Leonard advised that he would check to see if the light was working. If the light is out there should be a phone number on the pole to call to fix it.

MOTION was made, seconded, duly VOTED to REFER to Chief Leonard to see if the light is working properly.

2c) School Zone – Marlborough High School

Commissioner LaFreniere questioned what, in general, should be done when a regulation was warranted when added but then circumstances change. The school zone at the High School was warranted when the school included the 8th grade. Now that the 8th grade is no longer there, the criteria for a school zone is no longer met and the school zone should be removed. He was questioning how this would translate into many other things that are done. Some of the other criteria for a school zone are 1) dropping the speed limit down to 20 mph during school hours and 1) the existence of a crosswalk. The Commissioner asked Chief Leonard, from a public safety standpoint, does the school zone on Stevens Street help? He noted that there is a 600 – 700 foot gap between the Middle School and High School Zone. The Chief advised that it is probably "not a great loss to take it down" as there are not a lot of walkers here. The Commissioner asked if anyone had spoken to Councilor Clancy as he is the one who requested the school zone in the first place. He said that he would be happy to speak to him about it. If all set, we should probably move forward to remove the HS School Zone.

MOTION was made, seconded, duly VOTED to REFER to Commissioner LaFreniere to speak with Councilor Clancy before any changes were made to the existing School Zone at the High School.

2d) West Main St. at South St. signals – timing.

Commissioner LaFreniere had received complaints about the length of time cars had to wait at the light at this intersection during evening peak hours. He explained that the timing sequence includes 10 seconds dedicated to a left turn out of South Street onto West Main Street. This gives a short period of time to cross over oncoming traffic. The problem develops when the left turning vehicle is not in the queue early enough and it then prevents other vehicles from going straight. They are backed up behind the left turning vehicle. He advised that they could change the timing to set up dedicated left

turn movements for both sides. The roadway can't be made any wider because the City can't take any more land from the Dr.'s office on the corner. In addition he commented that "takings" are very expensive. Commissioner LaFreniere suggested adding an additional 5 seconds onto the dedicated left turn movement, i.e. increasing it from 10 seconds to 15 seconds. He realizes that this doesn't sound like much but it is actually adds an additional 50%. It would allow for an additional 2 or 3 vehicles to make the turn. Perhaps 3 to 4 cars could now clear the intersection. This is probably the best place to start. Some research will need to be done to get a baseline for what the improvements should look like. Tom Cullin said that they could do baseline timing from 3:30 to 6:00. This would also provide background information if it was determined that "takings" truly were necessary. Commissioner LaFreniere said that normally they would try to increase the entire cycle by five seconds by taking some time from somewhere else. However, in this situation it would cause more trouble. It was agreed upon that they would wait until January to begin a study of the existing situation. Once they have a baseline, they will change the timing sequence and see what happens with the queue and evaluate the situation further.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING and the DPW to temporarily alter the timing sequence by adding an additional 5 seconds to the dedicated left turn movement from South Street to West Main Street.

2e) 2013 Traffic Commission meeting schedule.

Lisa Thomas asked the Commission to please remember that when the Traffic Commission meeting falls on the morning after the City Council meeting it can be difficult for her to attend. The meeting is normally scheduled for the last Tuesday of the month at 10:00am.

MOTION was made, seconded, duly VOTED to APPROVE the meeting schedule for 2013. ALL IN FAVOR.

3-Old Business

3e) Silver St. parking concerns.

Chief Leonard advised that the letter to residents regarding the new parking restrictions went out about a week ago. A copy also went to the Mayor and the Ward 4 Coucilor – Rob Tunnera. Commissioner LaFreniere asked if there has been any response to the letter. Chief Leonard and Tim Collins advised that they have not heard anything. The Chief also prepared the new regulation for the parking restriction and presented it for a vote.

MOTION was made, seconded, duly VOTED to APPROVE the new regulation. ALL IN FAVOR.

3g) Communication from Meagan McLean, re: crosswalk sight distance concerns near 655 Farm Road.

Chief Leonard prepared the regulation for the new parking restriction on both sides of Farm Road and presented it for a vote. He noted that this should address the concerns that were raised on several occasions from the condo management and residents. It will also help with future concerns with the new traffic signals that are planned for the area. The only real conflict may be with the residents of the condos who frequently park out front on Farm Road, however, it will help that the management office is also in favor of the parking restrictions. Tim Collins asked if a letter should go out to the residents prior to any changes being made. Chief Leonard asked how much of a burden this would be for Engineering. He was advised that it would be a letter going to the management office which they could in turn distribute to residents.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to prepare the letter to the residents.

MOTION was also made, seconded, duly VOTED to APPROVE the new regulation. ALL IN FAVOR.

3f) Communication from Shawn Butland, re: truck exclusion on Ferrecchia Drive.

Tim Collins advised that the counts failed and that there are not results available yet.

MOTION was made, seconded, duly VOTED:

To TABLE until results are available.

3i) Traffic concerns in the vicinity of 31 Lincoln Street.

Chief Leonard advised that he has not heard from the residents of 31 Lincoln Street. Commissioner LaFreniere advised that the curve ahead sign was ready to be installed. He asked Tim Collins to review the entire street for him to make sure there are no overlaps on any restrictions.

MOTION was made, seconded, duly VOTED to REFER to the DPW to install the curve ahead sign and to REFER to ENGINEERING to review any and all restrictions in this area.

3j) Forest St. speed limits.

Update: Chief Leonard advised that he sent the information discussed at the last meeting to AMSA. Tim Collins said that he received a call from AMSA regarding street sign information, i.e. who we have used etc. and he forwarded them this information. They said they would take care of getting the school zone properly signed.

Additional Items not on agenda:

1) Advance warning signage for truck exclusion on Farm Road.

Chief Leonard advised that he received an e-mail from Councilor Jenkins on this issue. Engineering provided a large map of the area. Commissioner LaFreniere said that this should not be too big of an issue as it is simply advisory signage. It is really just a matter

of creating the sign. It was reviewed that commercial vehicles are excluded from this road, with the exception of those having a local delivery permit. It is also to keep trucks off the side roads. Tom Cullin will coordinate this with Southborough.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to arrange for the appropriate sign.

2) Ames Place – question on missing signage.

Chief Leonard was contacted by an attorney who owns a multi-family home here. This is a dead end street with no cul-de-sac and no turn around. The concern is with regard to plowing. It appears that there used to be no parking signs here and now they are gone. Chief Leonard advised that he went to take a look at the street and found that one side was signed and the other was not. He noted that Ames Place has about six houses on it. Commissioner LaFreniere and Tom Cullin advised that they would go take a look at it today. If signs should be there they will get them back up.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING and the DPW to reinstall the proper signage.

3a) Municipal off street parking regulation.

MOTION was made, seconded, duly VOTED:
To TABLE.

3b) High School parking regulations.

MOTION was made, seconded, duly VOTED:
To TABLE.

3c) Stop signs on Bigelow Street.

MOTION was made, seconded, duly VOTED:
To TABLE.

3d) Traffic Commission rules and regulations update.

MOTION was made, seconded, duly VOTED:
To TABLE.

3h) Communication from Christian Dumais, re: Parking concerns on High Street.

MOTION was made, seconded, duly VOTED:
To TABLE – Still under review.

3i) Problems with Parking on Newton Street.

This item was not listed on agenda – but Tim Collins had asked that it be added on again for further discussion.

MOTION was made, seconded, duly VOTED:
To TABLE.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 12:03 am.

Respectfully submitted,

Karen L. Lambert
Records Clerk
Marlborough Police Department

List of documents and other exhibits used at the meeting:

- Meeting Agenda for Tuesday, December 18, 2012 (Including City of Marlborough Meeting Posting)
- Forwarded e-mail from Michael Berry to Chief Leonard, dated 11/30/12, re: request from Constance Bades for line painting on Williams St. at Jericho Hill Rd.
- Email chain from Councilor Tunnera, starting 11/6/12, re: Street lights near Kirby Street.
- Traffic Commission Meeting Schedule for 2013.
- New Regulation re: parking restrictions on Silver Street.
- Letter from Chief Leonard to Silver Street residents re: No Parking Regulation.
- New Regulation re: parking restrictions on Farm Road.
- E-mail from Tim Collins to Chief Leonard, re: Farm Road – No parking distances.

Additional Handouts

- Baystate Road Program Local Technical Assistance Program (LTAP) – Tech notes, Re: Pavement markings: Centerlines & Edgelines.



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RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2013 JAN 28 A 10:19

January 22, 2013

Marlborough City Hall
140 Main St
Marlborough MA 01752

Clark's

File Number: 60001426379
Date of Loss: 12/22/2012
Owner/ Insured: Kevin W. Mcpherson
Street: 42 Jackson Circle
Town: Marlborough
Type of Loss: Other

To Whom This May Concern:

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

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

Very truly yours,

David A. Kjellman

David A. Kjellman CPCU
Claims Department
800-592-6422 x21793
DKJELLMAN@AMICA.COM

