

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2013 DEC 12 P 12:58

1. Minutes of the City Council Meeting, December 2, 2013.
2. PUBLIC HEARING On the Application for Special Permit from Attorney Bergeron on behalf of Sandra & Anthony Antico Real Estate LLC and Sky Studios, Inc. to open commercial recreation establishment at the property, specifically an exercise and fitness facility at 289 Elm Street., Order No. 13-1005582. (*Motion in order to properly advertise for date/time certain in 2014*)
 - Communication from Attorney Bergeron of Sandra & Anthony Antico Real Estate LLC and Sky Studios, Inc. requesting to extend Time Limitations for a Public Hearing on Application for Special Permit, to open commercial recreation establishment at the property, specifically an exercise and fitness facility at 289 Elm Street, Order No. 13-1005582.
3. Communication from the Mayor re: Employee Recognition of Mr. Harry Butland, Jr.
4. Communication from the Mayor re: Veteran Service's transfer request in the amount of \$75,000.00 which moves funds from Undesignated to Veterans Benefits due to a rise in demand for benefits afforded to eligible veterans and their families.
5. Communication from the Mayor re: Legal Department transfer request in the amount of \$75,000.00 from Undesignated to Legal Services to fund anticipated legal expenses for the remainder of the fiscal year.
6. Communication from the Mayor re: IT/Building Department transfer request in the amount of \$27,000.00 which moves funds from Undesignated to Computer Software due to an increase in the size of building permits and said funds budgeted for use of GeoTMS software.
7. Communication from the Mayor re: Building Department transfer requests totaling \$17,500.00 for various reasons as noted on the attached spreadsheet.
8. Communication from the Mayor re: Council on Aging transfer request in the amount of \$308.64 which moves funds from Principal Clerk to Social Services Coordinator correcting a 2% COLA increase.
9. Communication from the Mayor re: Council on Aging Gift Acceptance in the amount of \$20,000.00 to be utilized for services and programs provided by the Council on Aging.
10. Communication from the Mayor re: Municipal Sewer Tie-In Requests.
11. Communication from the Mayor re: Affirmation of the Tax Rate.
12. Communication from City Solicitor Rider re: Special Permit, Jump In with Us, 19 Brigham St., Unit 6, in proper legal form, Order No. 13-1005482C.
13. Communication from DPW Commissioner, Ron LaFreniere re: Plowing of Private Ways, Noland Way and Spenser Circle.
14. Communication from Mass Development re: Final Approval to a Revenue Bond Project to be Financed on Behalf of Partners Healthcare System, Inc.
15. Minutes, Planning Board, November 18, 2013.
16. Minutes, Traffic Commission, October 22, 2013.
17. Communication from Hanover Insurance Group on behalf of Hillside School Inc., 404 Robin Hill St.

18. CLAIMS:

- a. Lynn Hubbard, 149 Main St., Apt 11, other property damage and/or personal injury
- b. Betsy Kirschbaum, 699 Hemenway St., pothole or other road defect claim
- c. Leslee Halleran, 16 Old Forge Ln., Sudbury, pothole or other road defect claim
- d. Stephen Bertulli, 182 White Pond Rd., Hudson, pothole or other road defect claim
- e. Keith Marhafer, 87 Teele Rd., Bolton, pothole or other road defect claim

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Finance Committee

19. **Order No. 13-1005590 – Transfer \$1,800.00 to Fund Employee Transfer in Comptroller’s Office.** The Finance Committee reviewed the Mayor’s letter dated October 31, 2013 requesting a transfer totaling \$1,800.00 to fund the longevity payment associated with the transfer of a School Department employee to the Comptroller’s Office. **The Finance Committee voted 4 – 0 to approve the transfer.**
20. **Order No. 13-1005599 – Transfer \$45,960.00 to Fund the DPW Engineer’s Contract.** The Finance Committee reviewed the Mayor’s letter dated November 4, 2013 requesting the transfer of \$45,960.00 from reserve for salaries to various DPW Engineering accounts to fund the DPW Engineers Local 176 contract covering fiscal years 2013, 2014 and 2015. **The Finance Committee voted 4 – 0 to approve the transfers.**
21. **Order No. 13-1005552 – Gift Award for \$750,000.00 for New Senior Center.** The Finance Committee reviewed the Mayor’s letter dated September 19, 2013 requesting the approval of a gift from Partners Healthcare Systems, Inc. for \$750,000.00 to replace the Senior Center. The Finance Committee requested the following from the Mayor:
 - The \$750,000.00 gift be used to reduce the amount of the \$6.5 million bond for the senior center.
 - The Auditor submit monthly financial reports to the City Council that document the expenditures for the senior center from the \$500,000 undesignated fund transfer for the design of the senior center, the \$6.5 million dollar bond for the construction of the senior center and the \$750,000.00 for the gift from Partners Health Care.

The Finance Committee voted 4 – 0 to approve the gift of \$750,000.00.

From Legislative and Legal Affairs Committee

22. **Order No. 13-1005600 - That the Marlborough City Council hereby accepts Massachusetts General Law Chapter 64L, s.2 Local Option Meals Excise which imposes a local sales tax upon the sale of restaurant meals originating within the City of Marlborough by a vendor at a rate of .75 per cent of the gross receipts of the vendor from the sale of restaurant meals. No excise shall be imposed if the sale is exempt under section 6 of chapter 64H. The vendor shall pay the local sales tax imposed under this section to the commissioner at the same time in the same manner as the sales tax due to the commonwealth.**
Motion made by Councilor Delano, seconded by Chairman Seymour, to recommend acceptance of MGL Chapter 64L, s.2 Local Option Meals Excise [imposing a local sales tax at a rate of .75 per cent]. The Committee voted 2-1 to Approve the Order. (Robey opposed)
23. **Order No. 13-1005601 - That the City of Marlborough establish in the city treasury a special revenue account to be known as the Parks and Fields Development Special Revenue Fund in the City of Marlborough, into which account shall be deposited a) certain receipts comprising a portion of the total restaurant meals tax received annually by the city; and b) any grants and monetary gifts or donations made to the city in furtherance of the purposes of this act. The purposes of this act, and of the Parks and Fields Development Special Revenue Fund, shall be to promote and to sustain the development of sports tourism through the development of parks and fields in the city of Marlborough and the local economy in the City of Marlborough; it is further ordered, that the City Solicitor be requested to draft *An Act Establishing A Parks and Fields Development Special Revenue Fund in the City of Marlborough* for adoption by the City Council, approval by the Mayor and petition to the Massachusetts Legislature.**
Motion made by Councilor Delano, seconded by Chairman Seymour, to recommend approval of “An Act Establishing A Parks and Fields Development Special Revenue Fund in the City of Marlborough” for adoption by the City Council, approval by the Mayor and petition to the Massachusetts Legislature. The Committee voted 2-0 to Approve the Order. (Robey voted present) Councilor Elder recused himself prior to above item being reported out.

From City Council

24. **Order No. 13-1005482C - Communication from City Solicitor Rider re: Special Permit, Jump In with Us, 19 Brigham St., Unit 6, in proper legal form, Order No. 13-1005482C. Recommendation of the City Council is to Table until the next City Council meeting.**



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

DECEMBER 2, 2013

Regular meeting of the City Council held on Monday, December 2, 2013 at 8:04 p.m. in City Council Chambers, City Hall. City Councilors Present: Pope, Ossing, Oram, Robey, Delano, Jenkins, Elder, Tunnera, Clancy, and Landers. Absent: Councilor Seymour. Meeting adjourned at 9:05 PM.

ORDERED: That the minutes of the City Council Meeting NOVEMBER 18, 2013, **FILE**; adopted.

ORDERED: That the **PUBLIC HEARING** On the Proposed Amendment to the Code of the City of Marlborough, Zoning, Section 650-17, Medical and Dental Clinics, Order No. 13-1005578, be **RESCHEDULED FOR JANUARY 13, 2014**; adopted.

ORDERED: Now being the time set for the **JOINT TAX CLASSIFICATION PUBLIC HEARING** with the Board of Assessors on Monday, DECEMBER 02, 2013 at 8:00 p.m. in Council Chambers, 2nd Floor, City Hall, 140 Main Street, Marlborough, MA to determine the percentage of the local tax levy to be borne by each class of property for Fiscal Year 2014. Massachusetts General Laws Chapter 40, Section 56 sets forth the procedures and responsibilities under the law, all were heard who wish to be heard, hearing recessed at 8:44 p.m.

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

Absent: Seymour.

ORDERED: That the transfer of \$30,275.00 (thirty thousand two hundred seventy five dollars) from Sale of Graves to Offset the FY2014 Tax Levy, **APPROVED**; adopted.

FROM:

Acct. # 27000-33020 \$30,275.00

Sale of Graves

TO:

Offset 2014 Tax Levy \$30,275.00

ORDERED: That the transfer of \$368,714.86 (three hundred sixty eight thousand seven hundred fourteen dollars and eighty six cents) from Acquifer Protection to Offset the FY2014 Tax Levy, **APPROVED**; adopted.

FROM:

Acct. # 61000-31200 \$368,714.86

Acquifer Protection

TO:

Offset 2014 Tax Levy \$368,714.86

ORDERED: That the transfer of \$2,000,000.00 (two million dollars) from Undesignated Funds to Offset the FY2014 Tax Levy, **APPROVED**; adopted.

FROM:

Acct. # 10000-35900 \$2,000,000.00

Undesignated Funds

TO:

Offset 2014 Tax Levy \$2,000,000.00

ORDERED: That the FY2014 Residential Factor of .79911 with a Corresponding CIP Shift of 1.40, **APPROVED**; adopted.

Councilor Oram requested to be recorded in opposition.

ORDERED: That the following percentage of FY2014 Tax Levy, **APPROVED**; adopted.

Residential 53.2 (Residential Property Valuation 66.57% of total valuation)

ORDERED: That the following percentage of FY2014 Tax Levy, **APPROVED**; adopted.

Commercial, Industrial, Personal 46.8 (CIP Valuation 33.43% of total valuation)

ORDERED: That the Fire Department transfer requests in the amount of \$48,704.98 which moves funds from Fringe to Firefighter to fund vacation buyback and a transfer in the amount of \$45,709.92 which moves funds from Fringe to Sick Leave and Firefighter to fund sick leave buy back and benefits associated with an anticipated retirement, refer to **FINANCE COMMITTEE AND CARRY OVER TO 2014**; adopted.

FROM:

Acct. # 11990006-51500 \$48,704.98

Fringe

TO:

Acct. # 12200001-50450 \$48,704.98

Firefighter

FROM:

Acct. # 11990006-51500 \$45,709.92

Fringe

TO:

Acct. # 12200003-51920 \$37,063.80

Sick Leave

Acct. # 12200001-50450 \$8,646.12

Firefighter

ORDERED: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING CHAPTER 473, ENTITLED "POLES, WIRES AND CONDUITS," AND CHAPTER 7, ENTITLED "ADMINISTRATION," AS FOLLOWS:

A. Chapter 473 is hereby amended by deleting section 473-1 in its entirety and replacing it with the following:

§ 473-1. Appointment of Inspector of Wires

The Mayor shall appoint an Inspector of Wires for a term of three years. The position of Inspector of Wires shall be a salaried position.

B. Chapter 7 is hereby amended by deleting section 7-80 in its entirety and replacing it with the following:

§ 7-80. Assistant Plumbing Inspector & Assistant Wiring Inspector.

There shall be an Assistant Plumbing Inspector and an Assistant Wiring Inspector, who shall perform the duties of the Plumbing Inspector and the Wiring Inspector, respectively, as needed under the direction of the Building Inspector. The positions of Assistant Plumbing Inspector and Assistant Wiring Inspector shall be compensated in accordance with the salary ordinance on a per inspection basis.

Refer to **FINANCE COMMITTEE AND CARRY OVER TO 2014**; adopted.

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

POSITION	EFFECTIVE DATE	MINIMUM	MAXIMUM
Wiring Inspector* (*part-time salary based on a 19 hour work week)	1/2/14	630.80	630.80
Assistant Wiring Inspector & Assistant Plumbing Inspector	1/2/14	\$25.00 / per inspection	

Refer to **FINANCE COMMITTEE AND CARRY OVER TO 2014**; adopted.

ORDERED: That the Mayor's Communication pertinent to the Open Space Plan, refer to **OPEN SPACE COMMITTEE AND CARRY OVER TO 2014**; adopted.

ORDERED: That, in order to further help meet the emergency temporary water needs of the Town of Hudson, the City Council hereby authorizes the Mayor, pursuant to M.G.L. c. 40, § 4A, to enter into a Renewal And Extension Of The Inter-Municipal Agreement with said Town pursuant to the terms and conditions set forth therein (attached Renewal And Extension Of Inter-Municipal Agreement and its attachment available for viewing in City Clerk's Office), **APPROVED**; adopted.

ORDERED: Communication from City Solicitor Rider re: Special Permit, Jump In with Us, 19 Brigham St., Unit 6, in proper legal form, Order No. 13-1005482B, **MOVED TO ITEM 17**; adopted.

ORDERED: That the Minutes, Community Development Authority, October 31, 2013, **FILE**; adopted.

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

- A. Sheldon Berenson, 90 Sudbury St., other property damage (2 claims)
- B. Matilda Muzzi, 19 Ashley Ln., pothole or other road defect claim

Reports of Committees:

Councilor Ossing reported the following out of the Finance Committee:

Present: Chairman Ossing; Finance Committee members Councilors Delano, Oram and Jenkins. Councilor Pope was also in attendance. The meeting convened at 7:02 PM.

Order No. 13-1005590 – Transfer \$1,800.00 to Fund Employee Transfer in Comptroller's Office. The Finance Committee reviewed the Mayor's letter dated October 31, 2013 requesting a transfer totaling \$1,800.00 to fund the longevity payment associated with the transfer of a School Department employee to the Comptroller's Office. **The Finance Committee voted 4 – 0 to approve the transfer.**

Order No. 13-1005599 – Transfer \$45,960.00 to Fund the DPW Engineer's Contract. The Finance Committee reviewed the Mayor's letter dated November 4, 2013 requesting the transfer of \$45,960.00 from reserve for salaries to various DPW Engineering accounts to fund the DPW Engineers Local 176 contract covering fiscal years 2013, 2014 and 2015. **The Finance Committee voted 4 – 0 to approve the transfers.**

Order No. 13-1005552 – Gift Award for \$750,000.00 for New Senior Center. The Finance Committee reviewed the Mayor's letter dated September 19, 2013 requesting the approval of a gift from Partners Healthcare Systems, Inc. for \$750,000.00 to replace the Senior Center. The Finance Committee requested the following from the Mayor:

- The \$750,000.00 gift be used to reduce the amount of the \$6.5 million bond for the senior center.
- The Auditor submit monthly financial reports to the City Council that document the expenditures for the senior center from the \$500,000 undesignated fund transfer for the design of the senior center, the \$6.5 million dollar bond for the construction of the senior center and the \$750,000.00 for the gift from Partners Health Care.

The Finance Committee voted 4 – 0 to approve the gift of \$750,000.00.

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

Present: Chairman Seymour and Committee Members Delano and Robey, Councilor Landers, Councilor Pope, Councilor Tunnera, Scott Landgren representing CDM Smith; Richard Tomanek; Tim Cummings representing MEDC; Mayor Arthur Vigeant; and Assistant City Solicitor Cynthia Panagore Griffin were also in attendance. Meeting called to order at 7:00 PM.

Order No. 13-1005600 - That the Marlborough City Council hereby accepts Massachusetts General Law Chapter 64L, s.2 Local Option Meals Excise which imposes a local sales tax upon the sale of restaurant meals originating within the City of Marlborough by a vendor at a rate of .75 per cent of the gross receipts of the vendor from the sale of restaurant meals. No excise shall be imposed if the sale is exempt under section 6 of chapter 64H. The vendor shall pay the local sales tax imposed under this section to the commissioner at the same time in the same manner as the sales tax due to the commonwealth.

The Committee watched a presentation by Scott Landgren, representing Camp Dresser & McKee Smith (CDM Smith), on the benefits of artificial turf fields to the City of Marlborough. The benefits include an increased use potential and provide the local youth sports in Marlborough with improved facilities. The Local Option Meals Excise Tax would provide the City of Marlborough the ability to upgrade and maintain local Parks and Recreation facilities. Councilors Pope, Delano, Landers and Seymour have received a lot of positive feedback on the proposal, but Councilor Robey has only heard from residents who oppose the measure.

Motion made by Councilor Delano, seconded by Chairman Seymour, to recommend acceptance of MGL Chapter 64L, s.2 Local Option Meals Excise [imposing a local sales tax at a rate of .75 per cent]. The Committee voted 2-1 to Approve the Order. (Robey opposed)

Order No. 13-1005601 - That the city of Marlborough establish in the city treasury a special revenue account to be known as the Parks and Fields Development Special Revenue Fund in the City of Marlborough, into which account shall be deposited a) certain receipts comprising a portion of the total restaurant meals tax received annually by the city; and b) any grants and monetary gifts or donations made to the city in furtherance of the purposes of this act. The purposes of this act, and of the Parks and Fields Development Special Revenue Fund, shall be to promote and to sustain the development of sports tourism through the development of parks and fields in the city of Marlborough and the local economy in the City of Marlborough; it is further ordered, that the City Solicitor be requested to draft *An Act Establishing A Parks and Fields Development Special Revenue Fund in the City of Marlborough* for adoption by the City Council, approval by the Mayor and petition to the Massachusetts Legislature.

Councilor Robey had concerns over the language in this order that money can only be appropriated from the special revenue fund via a majority vote from the City Council. Councilor Robey made a motion to require a supermajority vote to spend money from the fund, which did not carry in a 2-1 vote, with Councilors Seymour and Delano in opposition.

Reports of Committees Cont'd

Motion made by Councilor Delano, seconded by Chairman Seymour, to recommend approval of "An Act Establishing A Parks and Fields Development Special Revenue Fund in the City of Marlborough" for adoption by the City Council, approval by the Mayor and petition to the Massachusetts Legislature. The Committee voted 2-0 to Approve the Order. (Robey voted present)

Councilor Elder recused himself prior to above item being reported out.

ORDERED: That the Communication from Assistant City Solicitor Panagore Griffin pertinent to the following:

- a) Application for Junk Dealer License, Bernard Novitch;
- b) Order No. 13-100522: Referral to Legal Department and Code Officer;
- c) Report from City Solicitor Panagore Griffin – Bernard Novitch Matter Regarding a Secondhand Shop License (AKA "Junk Dealers License")

APPROVE MR. NOVITCH'S WITHDRAWAL OF HIS APPLICATION WITHOUT PREJUDICE; adopted.

ORDERED: That the Appointment of Leslie Biggar to the Council on Aging who will fill the balance of the term of Lynn Anderson which is due to expire on May 2, 2016, **APPROVED;** adopted.

ORDERED: That the Appointment of Dr. John Curran to the Board of Health for a term of three years to expire February 1, 2016, **APPROVED;** adopted

ORDERED: That the Appointment of Brian DuPont to the Planning Board for a five year term to expire on February 5, 2018 to replace longtime member Clyde Johnson, **APPROVED;** adopted.

ORDERED: That the Appointment of Nancy Stevens as a Regular member of the Zoning Board of Appeals to complete the term of Bob Page due to expire on May 5, 2017, accepted and placed on **FILE;** adopted.

ORDERED: That the Communication from City Solicitor Rider re: Special Permit, Jump In with Us, 19 Brigham St., Unit 6, in proper legal form, Order No. 13-1005482B, **TABLED UNTIL THE NEXT CITY COUNCIL MEETING;** adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:05 PM.



IN CITY COUNCIL

OCTOBER 21, 2013

Marlborough, Mass., _____

ORDERED:

That there being no objection thereto set **Monday, DECEMBER 16, 2013** as date for a **PUBLIC HEARING** on the Application for Special Permit from Attorney Bergeron on behalf of Sandra & Anthony Antico Real Estate LLC and Sky Studios, Inc. to open commercial recreation establishment at the property, specifically an exercise and fitness facility at 289 Elm Street, be and is herewith refer to **URBAN AFFAIRS COMMITTEE AND ADVERTISE.**

Ninety days after public hearing is 3/16/14 which falls on a Sunday, therefore 3/17/14 would be considered the 90th day.

ADOPTED

ORDER NO. 13-1005582

MIRICK O'CONNELL

A T T O R N E Y S A T L A W

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

December 10, 2013 2013 DEC 10 P 4: 17

Councilor Trish Pope, President
Marlborough City Council
City Hall
Marlborough, MA 01752

Re: special permit application, Sky Studios, Inc et al, Order # 13-1005582

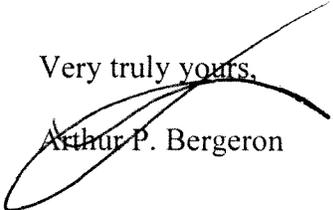
Dear Councilor Pope:

Pursuant to General Laws Chapter 40a sec 9, my clients Sky High Studios, Inc and Sandra & Anthony Antico Real Estate LLC hereby request that the Council agree to extend the deadline for a public hearing regarding the above-referenced matter to February 1, 2014. I also respectfully request that the public hearing in this matter, which is now scheduled for Monday December 16, 2013, be scheduled to Monday January 13, 2014.

When I first filed this special permit application on behalf of my clients in mid-October, and after the City Council scheduled the public hearing for December 16, I had requested that the City Clerk not publish the notice of the hearing immediately, since I knew there was no immediate time constraint and since my client was considering withdrawing and refiling. When my client later decided not to withdraw, I inadvertently failed to notify the City Clerk. I have apologized to the City Clerk for this error, which was my fault, not my client's. Chalk it up to old age and holiday revelry.

I hope that, in the spirit of the season and in consideration of my client's plight as a young business person eager to start her new business, the Council will be kind enough to agree to schedule the public hearing as soon as possible, ideally for Monday, January 13, 2014. Happy holidays.

Very truly yours,


Arthur P. Bergeron

MIRICK, O'CONNELL, DEMALLIE & LOUGEE, LLP

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www.mirickoconnell.com



City of Marlborough

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Office of the Mayor

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Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

December 12, 2013

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

Re: Employee Recognition

Honorable President Pope and Councilors:

I am pleased to inform you that Mr. Harry Butland, Jr. was recently recognized with the 2013 Regional Wastewater Treatment Plant Operator Excellence Award by the U.S. Environmental Protection Agency.

This is a strong testament to Mr. Butland's work ethic and outstanding performance as our Chief Operator at the Westerly Treatment Plant. I hope that you will join me in applauding Mr. Butland for attaining this remarkable accomplishment.

Sincerely,

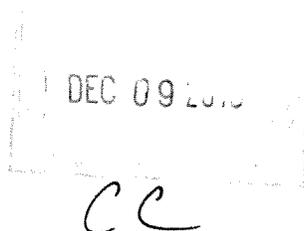
Arthur G. Vigeant
Mayor



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1
5 Post Office Square, Suite 100
BOSTON, MA 02109-3912

December 6, 2013

Honorable Arthur Vigeant, Mayor
City of Marlborough
City Hall
140 Main Street
Marlborough, MA 01752



Dear Mayor Vigeant:

On behalf of the U.S. Environmental Protection Agency (EPA) New England Office, we are pleased to have Harry Butland, Jr., Chief Operator of the Marlborough (Westerly), Massachusetts Wastewater Treatment Plant, selected as a **2013 Regional EPA Wastewater Treatment Plant Operator Excellence Award recipient**. Mr. Butland was nominated by the Central Regional Office of the Massachusetts Department of the Environmental Protection (MADEP) to acknowledge his outstanding work over the years for operating and maintaining the Marlborough (Westerly) Wastewater Treatment Plant. His award and acknowledgement from the MADEP and the EPA is extremely well deserved.

Mr. Butland is cordially invited to attend the annual New England Water Environment Association (NEWEA) Awards Luncheon on Wednesday, January 29th, 2014 from 11:00AM - 1:00PM at the Boston Marriott Hotel/Copley Place when he will be formally announced as one of the 2013 Regional EPA Award recipients. **One complimentary luncheon ticket will be reserved in his name.** If additional tickets are necessary, they may be purchased by contacting NEWEA directly:

NEWEA
10 Tower Office Park, Suite 601
Woburn, MA 01801

781-939-0908 (phone) 781-939-0907 (fax) www.newea.org

The NEWEA Registration desk will also provide conference badges that will allow admittance into the Exhibit Hall on the day of the luncheon. If one is interested in attending the on-going technical sessions during the conference (January 26th-29th, 2014), they would need to register directly with NEWEA.

If at all possible, we ask that Mr. Butland arrive at approximately 9:30AM on the day of the Awards Luncheon and report to a designated room for photos. Due to the large number of awards that will be announced and presented during the luncheon itself, this may be the only time set aside for formal picture taking.

Please contact David Chin (617-918-1764) of my staff should you have any questions on the awards luncheon. Once again, EPA would like to congratulate Harry on being selected as a 2013 Regional EPA Wastewater Treatment Plant Operator Award recipient.

Sincerely,



Mark Spinale, Manager
Municipal Assistance Unit

cc: Harry Butland, Jr., Chief Operator, Marlborough (Westerly) Wastewater Treatment Plant
Ronald LaFreniere, Public Works Commissioner
David Ferris, MADEP (via e-mail)
Paul Anderson, MADEP, CERO (via e-mail)
Margo Webber, MADEP, CERO (via e-mail)
Tom Bienkiewicz, MADEP, CERO (via e-mail)



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Arthur G. Vigeant
MAYOR

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EXECUTIVE SECRETARY

December 12, 2013

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

Re: Veterans Service's Transfer Request

Honorable President Pope and Councilors:

Enclosed for your approval is the following transfer request from the Veterans Service Office:

- 1) Transfer in the amount of \$75,000.00 from 10000-35900 (Undesignated Fund) to 15430006-57710 (Veterans Benefits)

This increase is needed due to the significant rise in demand for benefits afforded to eligible veterans and their families through the assistance program offered by the Commonwealth of Massachusetts under M.G.L. Chapter 115 ("Chapter 115 Benefits").

The Department of Veterans Services authorizes veterans' benefits paid by the Veteran Service Officer in each community and reimburses cities and towns for seventy-five percent (75%) of municipal outlays that the Secretary deems lawful and proper. Eligible dependents of deceased veterans are also provided with the same benefits under this program.

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

Sincerely,

Arthur G. Vigeant
Mayor

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Veterans

FISCAL YEAR: 2014

FROM ACCOUNT:

TO ACCOUNT:

Available
Balance

Amount

Org Code

Object

Account Description:

Amount

Org Code

Object

Account Description:

Available
Balance

\$5,028,941.00

\$75,000.00

10000

35900

Undesignated Fund

\$75,000.00

15430006

57710

Veterans Benefits

\$28,198.51

Reason:

Veterans Benefits running higher than anticipated

Reason:

Reason:

Reason:

Reason:

\$75,000.00

Total

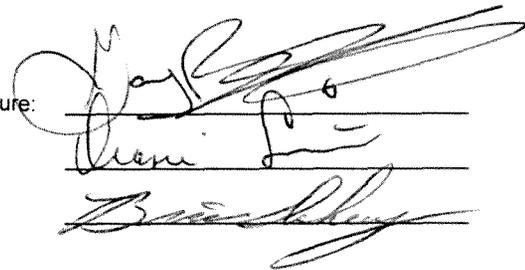
\$75,000.00

Total

Department Head signature:

Auditor signature:

Comptroller signature:





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City of Marlborough

Office of the Mayor

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Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

2013 DEC 12 A 11: 52

December 12, 2013

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

Re: Legal Department Transfer Request

Honorable President Pope and Councilors:

Enclosed for your approval is the following transfer request from the Legal Department:

- 1) Transfer in the amount of \$75,000.00 from 10000-35900 (Undesignated Fund) to 11510004-53110 (Legal Services).

This transfer request will fund anticipated legal expenses we have identified for the remainder of the fiscal year. The Legal Department remains involved in several cases that have required the utilization of outside counsel, several of which are ongoing.

For your information the Legal Department has compiled a breakdown of the expenditures so far this year that have made this request necessary.

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

Sincerely,

Arthur G. Vigeant
Mayor

Legal Services
FY2014

<u>Original</u> <u>Approp.</u>	<u>Transfer/</u> <u>Adjustment</u>	<u>Revised</u> <u>Budget</u>	<u>YTD Expended</u>	<u>ENC/REQ</u>	<u>Available</u>
\$100,000	\$47,204.64	\$147,204.64	\$60,018.51	\$83,131.09	\$4,055.04

Mirick O'Connell

Labor Counsel

\$40,506.06

July - \$7,400.98 August - \$5,525.17 September - \$9,542.71 October - \$18,037.20

Halloran & Sage, LLP

Santa Buckley

\$759.50

Wright – Pierce

SDCO ST. Martin

\$989.12 pending

August - \$591.01 August - \$211.26 October - \$186.85

Petrini & Associates

SDCO St. Martin

\$14,682.74

July – \$5,820.12 August - \$8,862.62

Don Anglehart

WeCare

\$31,044

July - \$4,495.00 August – November 15th - \$26,549

McGregor & Associates

Senior Center

\$1,264.50

Avery & Associates

Sudbury Street Sewer Easements

\$8,000

Fred Sleeper

Sudbury Street Sewer Easements

\$1,100



City of Marlborough

RECEIVED
CLERK'S OFFICE
OF MARLBOROUGH

Office of the Mayor

2013 DEC 12 A 11: 52

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

December 12, 2013

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

Re: I.T. / Building Department Software Transfer Request

Honorable President Pope and Councilors:

Enclosed for your approval is the following transfer request:

- 1) Transfer in the amount of \$27,000.00 from 10000-35900 (Undesignated Fund) to 11550004-52541 (Computer Software)

It should be of no surprise that the activity in the Building Department is at the highest it's been in years. Due to an extraordinary increase in the size of several building permits issued by the city so far this fiscal year, we have exceeded the funds that were budgeted for these fees.

Over the past 9 years we have budgeted around \$3,000.00 per month for each fiscal year. Our Information Technology Department currently pays a percentage of the total fees collected by the city using GeoTMS software on a monthly basis. Based on historical data and current trends, we estimate that the funds necessary to cover the remainder of this fiscal year's fees to be \$27,000.00

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

Sincerely,



Arthur G. Vigeant
Mayor

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: IT

FISCAL YEAR: 2014

FROM ACCOUNT:

TO ACCOUNT:

Available
Balance

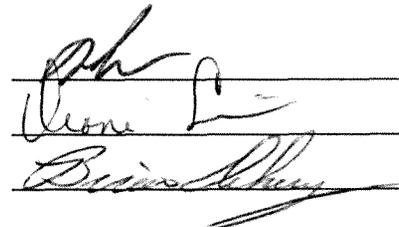
Available
Balance

Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$5,028,941.00</u>								
<u>\$27,000.00</u>	<u>10000</u>	<u>35900</u>	<u>Undesignated Fund</u>	<u>\$27,000.00</u>	<u>11550004</u>	<u>52541</u>	<u>Maint/Computer Software</u>	<u>\$13,672.14</u>
	Reason: <u>Extraordinary increase in building permits issued by the City</u>							
	Reason:							
	Reason:							
	Reason:							
	Reason:							
	Reason:							
<u>\$27,000.00</u>	Total			<u>\$27,000.00</u>	Total			

Department Head signature:

Auditor signature:

Comptroller signature:





City of Marlborough

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Office of the Mayor

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Arthur G. Vigeant
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Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

December 12, 2013

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

Re: Building Department Transfer Requests

Honorable President Pope and Councilors:

Enclosed for your approval are four transfer requests from the Building Department.

1) The first transfer will fund the standard pay increase due the new Assistant Building Inspector after six months of employment. Mr. Bob Speroni filled in as an Inspector for more than ten weeks this fall during the vacancy and hiring process. Due to his experience and time spent serving as Acting Building Commissioner for the city in 2012, he was compensated at a higher rate than his predecessor. This request includes funding to call upon Mr. Speroni when needed during times of high volume inspection and permit requests for the remainder of FY14.

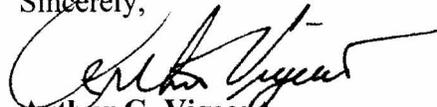
2) The second transfer will fund the part-time Wiring Inspector salary through the end of the fiscal year based on the revised ordinance submitted to you at your last meeting. This request also includes enough funds to continue paying a temporary inspector to complete those duties until a permanent hire is made.

3) The third and fourth transfers provide funding for the Assistant Plumbing Inspector at the new per inspection rate submitted at your last meeting. This Assistant Inspector only works during vacations and/or medical absences. To date in FY14, the Assistant Plumbing Inspector has completed nearly the same amount of inspections he completed in all of FY13. Moreover, there are several weeks already identified in 2014 in which planned absences will require his assistance.

Despite the constant flurry of activity many communities would be envious to have, the Building Department continues to provide quality customer service to our residents and business owners.

As always, please do not hesitate to let me know if you have any additional questions.

Sincerely,


Arthur G. Vigeant
Mayor

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Inspectional Services

FISCAL YEAR: 2014

FROM ACCOUNT:

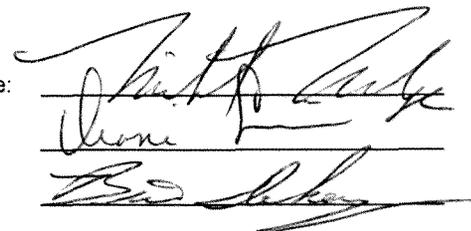
TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$17,000.00</u>	<u>\$17,000.00</u>	<u>83600</u>	<u>32703</u>	<u>Stabilizaiton - Bldg Dept</u>	<u>\$7,650.00</u>	<u>12410001</u>	<u>50260</u>	<u>Assistant Bldg Inspector</u>	<u>\$61,518.94</u>
	Reason:	<u>To offset additional costs & promote timely inspections</u>				<u>To ensure adequate funding through FY14</u>			
<u>\$500.00</u>	<u>\$500.00</u>	<u>83600</u>	<u>32717</u>	<u>Stabilizaiton - Bldg Dept</u>	<u>\$6,850.00</u>	<u>12410001</u>	<u>50380</u>	<u>Electrical Inspector</u>	<u>\$13,285.43</u>
	Reason:	<u>To offset additional costs & promote timely inspections</u>				<u>To ensure adequate funding through FY14 and to account for pending salary ordinance amendments</u>			
					<u>\$3,000.00</u>	<u>12410001</u>	<u>50960</u>	<u>Assistant Plumbing Inspector</u>	<u>\$356.88</u>
	Reason:					<u>To ensure adequate funding through FY14 and to account for pending salary ordinance amendments</u>			
	Reason:								
	<u>\$17,500.00</u>	<u>Total</u>			<u>\$17,500.00</u>	<u>Total</u>			

Department Head signature:

Auditor signature:

Comptroller signature:





City of Marlborough
Office of the Mayor

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2013 DEC 12 A 11: 52

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www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

December 12, 2013

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

Re: Council on Aging Transfer Request

Honorable President Pope and Councilors:

Enclosed for your approval are the following transfer requests from the Council on Aging:

- 1) Transfer in the amount of \$308.64 from 15410002-50520 (Principal Clerk) to 15410001-50996 (Social Services Coordinator).

The Social Services Coordinator is a non-union, part-time position that did not receive the 2% COLA increase at the beginning of the new fiscal year. This transfer will correct that error and ensure the employee receives this increase retroactively.

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

Sincerely,

Arthur G. Vigeant
Mayor



City of Marlborough

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CITY OF MARLBOROUGH

Office of the Mayor

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Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

December 12, 2013

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

Re: COA Gift Acceptance

Honorable President Pope and Councilors:

Enclosed for your acceptance is an anonymous gift donation in the amount of \$20,000.00 to be utilized for services and programs provided by the Council on Aging.

Though 'tis the season for generosity and goodwill towards men and women, I am amazed at this anonymous display of kindness from someone who obviously cares very deeply for our senior community.

Sincerely,

Arthur G. Vigeant
Mayor



City of Marlborough

Council on Aging and Senior Center

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

December 6, 2013

To: Mayor Arthur G. Vigeant

I would like to submit this anonymous donation for \$20,000.00 for your approval. This funding will allow our center to provide services, programs and current and future needs for our senior center.

Thank you for your consideration,

Jennifer Claro

CC: Diane Smith, Auditor

Brian Doheny, Comptroller

CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD

DEPARTMENT: Council On Aging DATE: December 6, 2013

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Jennifer Claro

NAME OF GRANT: _____

GRANTOR: "A Friend" anonymous

GRANT AMOUNT: \$20,000

GRANT PERIOD: not designated

SCOPE OF GRANT/
ITEMS FUNDED Program, services and needs for Marlborough
Senior Center

IS A POSITION BEING
CREATED: not at this time

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? n/a

ARE MATCHING CITY
FUNDS REQUIRED? n/a

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

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

ANY OTHER EXPOSURE TO CITY?
n/a

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

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

December 5, 2013

Jen Clard
Amy Loveless

Marlborough Senior Center
250 Main Street
Marlborough, MA 01752

Clard
Dear Ms. Loveless,

Please accept the enclosed \$20,000.00 check for the Senior Center to be used as you see fit for the benefit of the organization. The work and services that you and the Senior Center do for the community and the seniors is appreciated.

I hope and trust that all goes well with the construction and development of the new location and building.

Yours truly,

A Friend

THIS DOCUMENT CONTAINS MICROPRINTING IN THE BORDER AND A WATERMARK ON BACK

OFFICIAL CHECK

53-8421/2113

No. 30023747



st. mary's credit union

P.O. BOX 729
MARLBOROUGH, MA 01752-0729
1-508-490-8000
www.stmaryscu.org

03

12/05/13

20,000.00

TWENTY THOUSAND and 00/100USDollars

MARLBOROUGH SENIOR CENTER



Security Features details on Back

Drawer: St Marys Credit Union

[Handwritten Signature]
AUTHORIZED SIGNATURE

⑈ 300 23 74 7 ⑈ ⑆ 21 1384 214 ⑆ 00 20 7 228 23 ⑈



City of Marlborough

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CITY OF MARLBOROUGH

Office of the Mayor

140 Main Street

2013 DEC 12 A 11: 53 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

December 12, 2013

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

Re: Municipal Sewer Tie-In Requests

Honorable President Pope and Councilors:

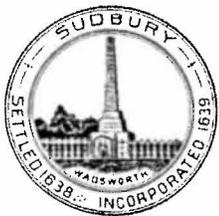
I recently met with officials from the Town of Sudbury at their request to discuss their desire in becoming a customer of the Easterly Treatment Plant in order to increase sewer capacity to meet the needs of future development. For your information, I have enclosed their most recent correspondence to my office.

Consequently, we have also received an inquiry from a developer in the Town of Berlin who has made a similar request to discuss the prospect of tying in to our sewer system. Before discussions advance any further in either case, I would make myself available to the City Council and/or a committee of its choice so that we may discuss these proposals as a matter of public policy to better assess what impact such endeavors would have on our community.

Thank you in advance for your consideration. Please let me know if you have any questions.

Sincerely,

Arthur G. Vigeant
Mayor



Maureen G. Valente
Town Manager

TOWN OF SUDBURY

Office of the Town Manager

www.sudbury.ma.us

278 Old Sudbury Road
Sudbury, MA 01776-1843

978-639-3381

Fax: 978-443-0756

Email: townmanager@sudbury.ma.us

December 6, 2013

DEC 09 2013

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

Dear Mayor Vigeant,

I am writing to see if we can set up a date for a follow up meeting regarding the interest of Sudbury in becoming a customer of Marlborough's Easterly Wastewater Treatment Plant. As you know, we are arriving at a critical stage for consideration of what capital project Sudbury will undertake to meet our wastewater treatment needs for our commercial district. At a maximum need of only 400,000 gallons per day, we can't help but look westward at Marlborough, where you will be embarking on upgrading your facility at a significant cost. In this environment where all municipal leaders need to consider sustainable ways of addressing our capital needs, I am hoping we can continue a very thorough analysis and consideration of the potential for an agreement that can be very beneficial to both our communities.

My team and I are ready to meet with you, City Councilors, city department heads – whoever you deem best to include in the next round of discussions – at your earliest convenience. Sudbury has a mandated deadline of January 31 for submission of articles for the 2014 Annual Town Meeting. Having even a preliminary sense of the terms Marlborough would contemplate to move forward with project discussions before then would be very helpful to us.

I will be calling your office in a few days to see if a date can be set up.

Meanwhile, I wish a wonderful Holiday season to you and your family.

Sincerely,

Maureen G. Valente
Town Manager



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CITY CLERK'S OFFICE
MARLBOROUGH

2013 DEC 12 A 11: 53

City of Marlborough

Office of the Mayor

140 Main Street

Marlborough, Massachusetts 01752

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

www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

December 12, 2013

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

Re: Affirmation of the Tax Rate

Honorable President Pope and Councilors:

The Department of Revenue has a sequence to their multi stage process of approving a tax rate. Each stage typically takes 1-3 days to approve once submitted. Despite having submitted the New Growth LA-13 on November 19th, due to short staffing at the DOR, internal reviewers did not give final approval to the (LA-13) until shortly after the public hearing on December 2nd.

As all forms have been approved, the DOR has asked that as a matter of protocol the City Council reaffirm its votes of December 2, 2013.

For your convenience, I have included below language for a motion of affirmation:

- Move to reaffirm the vote taken on December 2nd, 2013 to offset the tax levy by transferring \$30,275.00 from the sale of graves, \$368,714.86 from aquifer protection and \$2,000,000.00 in undesignated free cash AND further approve the Board of Assessor's recommendation of a FY2014 residential property tax levy of 53.21% and commercial, industrial and personal property FY14 tax levy of 46.79 %.

A revised LA-5 form will be available for signatures on Monday. Thank you for your cooperation.

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

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CITY OF MARLBOROUGH

2013 DEC 12 A 11:08

DONALD V. RIDER, JR.
CITY SOLICITOR

CYNTHIA M. PANAGORE GRIFFIN
ASSISTANT CITY SOLICITOR

ELLEN M. STAVROPOULOS
PARALEGAL

December 12, 2013

Patricia Pope
President
Marlborough City Council

RE: Order No. 13-1005482C
Application for Special Permit
Jump In With Us, Inc.
19 Brigham Street, Unit 6, Marlborough

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 Jump In With Us, Inc., seeking permission to utilize Unit 6 at 19 Brigham Street as a commercial indoor recreation establishment and place of amusement.

I have enclosed a copy of the proposed decision, which I have revised since the November 25 Council meeting. I certify that the decision, as revised, is in proper legal form.

Very truly yours,

Donald V. Rider, Jr.
City Solicitor

Enclosure

**NOTICE OF DECISION
GRANT OF SPECIAL PERMIT**

In City Council
Order No. 13-1005482D

Application of:

Jump In With Us, Inc.
85 Commons Drive, Unit 42
Shrewsbury, MA 01545

Locus:
19 Brigham Street, Unit 6
Marlborough, MA 01752
Map 104, Parcel 2A

DECISION

The City Council of the City of Marlborough votes to **GRANT** a Special Permit to Jump In With Us, Inc. (hereinafter "Applicant Tenant"), for a commercial indoor recreation establishment and place of amusement at 19 Brigham Street, Unit 6, Marlborough, MA based on the Findings of Facts and Conditions attached hereto.

Decision filed: _____

The Decision of the City Council was filed in the Office of the City Clerk of the City of Marlborough on the _____ day of _____, 2013.

APPEALS

Appeals, if any, shall be made pursuant to Massachusetts General Laws, Chapter 40A, §17, and shall be filed within twenty (20) days after the date of the filing of this Notice of Decision in the Office of the City Clerk of the City of Marlborough, MA.

ATTEST:

City Clerk

**DECISION ON A SPECIAL PERMIT
CITY COUNCIL ORDER NO. 13-1005482D**

The City Council of the City of Marlborough hereby GRANTS the application for a Special Permit to Jump In With Us, Inc. (hereinafter “Applicant Tenant”), as provided in this Decision and subject to the following Findings of Facts and Conditions:

FINDINGS OF FACTS AND CONDITIONS

1. The landlord is Foothills Corporation, a duly organized and existing Massachusetts corporation with its principal place of business located at 929 Boston Post Road East, Marlborough, MA 01752. Applicant Tenant is a duly organized and existing Massachusetts Corporation with its principal place of business at 85 Commons Drive, Unit 402, Shrewsbury, MA 01545 and has duly filed its Articles of Incorporation with the City Clerk of the City of Marlborough to operate his business at the subject location.

2. The landlord is the title owner of the property located at 19 Brigham Street (the “Site”). The landlord and Applicant Tenant have executed or will execute a lease regarding Unit 6 at the Site, and its use pursuant to the terms of this special permit regarding Unit 6 at the Site.

3. The Applicant Tenant seeks permission to utilize Unit 6 at the Site as a commercial indoor recreation establishment and place of amusement.

4. The Applicant Tenant, on June 27, 2013, filed with the City Clerk of the City of Marlborough, an Application for a Special Permit under the provisions of § 650-17 and pursuant to the procedures specified in § 650-59 of the Marlborough Zoning Ordinance (the “Application”).

5. The Site contains an existing commercial building. Unit 6 is shown in that building on plans submitted with or subsequent to the Application, the first said plan entitled “Overall Building Plan,” and the second plan being a sketch floor plan entitled “19 Brigham St. Unit # 6” (collectively, the “Plans”), both of which Plans are attached hereto. No modifications are proposed to the exterior of the building, no structural modifications are proposed to the interior of the building, and no parking areas will be created or modified.

6. The Applicant Tenant seeks a special permit allowing the establishment of an indoor recreation area that will include various children’s entertainment features for birthday parties and other special occasions, and for children who, accompanied by an adult, can take advantage of these same play features.

7. The Plans have been certified by the Building Inspector, acting on behalf of the City Planner, as having complied with Rule 7 of the Rules and Regulations promulgated by the City Council for the issuance of a special permit.

8. Pursuant to the Rules and Regulations of the City Council and the provisions of M.G.L. c. 40A, the City Council established a date for public hearing for the Application and the

City Clerk caused to be advertised said date in the MetroWest Daily News and sent written notice of said hearing to those abutters entitled to notice under law.

9. The Marlborough City Council pursuant to M.G.L. c. 40A held a public hearing on October 21, 2013, concerning the Application. The hearing was opened and closed at that meeting.

10. The Applicant presented evidence at the public hearing detailing the proposed use and its limited impact upon City services, the neighborhood and traffic.

11. At the public hearing, Thomaz DeMoura, representing Luiza DeMoura who will be managing the operation of the business and is the Applicant Tenant, described the proposed business as being one that would provide an indoor venue for children's birthday parties and for children who, accompanied by an adult, can take advantage of the proposed indoor play facilities. He indicated that the business would not include a child care component, and that all children using the facility would need to be accompanied by an adult to provide supervision. In response to questions from city councilors, he indicated that:

- a) the parties would be scheduled for weekdays and weekends;
- b) no food would be prepared on the premises;
- c) the facility would be open to the general public to provide indoor play space for children on a daily basis; and
- d) all recreation would occur indoors.

12. No member of the public spoke, either in favor or in opposition to the proposal.

13. Following the public hearing, the Urban Affairs Committee held a meeting on November 13, 2013 during which this Application was discussed. At that meeting, the parties discussed various issues and proposed permit conditions to deal with them.

REASONS FOR APPROVAL OF APPLICATION FOR SPECIAL PERMIT

A. The City Council finds that the Applicant Tenant has complied with all Rules and Regulations promulgated by the Marlborough City Council for an application as they pertain to the Special Permit.

B. The use of Unit 6 for an indoor recreation establishment and place of amusement is an appropriate use of the Unit 6-portion of the Site and is in harmony with the general purpose and intent of the Zoning Ordinance of the City of Marlborough, subject to appropriate terms and conditions provided for herein. The use sought and its impacts and characteristics are not in conflict with the public health, safety, convenience and welfare, provided the safeguards and limitations imposed herein are met.

C. The City Council, pursuant to its authority under M.G.L. c. 40A, § 9 and Chapter 650 of the Marlborough City Code, **GRANTS** the Applicant Tenant, its successors and

assigns, a Special Permit to operate an indoor recreation establishment and place of amusement as per plans filed with the City Council and the City Clerk, **SUBJECT TO THE FOLLOWING CONDITIONS**, which shall be applicable to Applicant Tenant's successors and assigns, and a violation of which shall be a violation of this Special Permit:

1. Signage: Any signage installed or erected on the Site shall meet the requirements of the Sign Ordinance of the City of Marlborough, without variance.

2. Compliance with Local, State and Federal Laws: The Applicant Tenant agrees to comply with all rules, regulations and ordinances from the City of Marlborough, the Commonwealth of Massachusetts, and Federal Government as they may apply to the construction, maintenance of equipment and operation of the facility and public peace and good order in the event that the Chief of Police determines that either the business or the applicant tenant are acting contrary to public peace and good order. The Chief shall notify the applicant in writing and deem corrective measures be put into effect in seven days. Upon the failure or inability of the applicant tenant to correct such measures, the Police Chief may require the applicant tenant to employ one or more police detail officers during such hours or days that he Police Chief in exercise of the sole discretion deemed to be necessary for the purpose of correcting the conditions.

3. Public Peace and Good Order: Applicant Tenant shall obtain appropriate CORI information regarding all employees of Applicant Tenant, and shall keep said information available for inspection by local police upon request.

4. Parking: No on-street parking shall be permitted on Brigham Street or any other abutting side street or public way.

5. Hours of Operation: The hours of operation of the facility shall not be earlier than 8:00 AM or later than 8:00 PM on any day. If the Ward Councilor, Chief of Police or other Councilor has not heard of any complaints in a year's time, then the hours of operation can remain the same.

6. Limits of Use: The proposed use of the premises is to provide a place for birthday parties and other parties for children, and to otherwise provide an indoor play facility for children who are accompanied and supervised by an adult. No other kinds of public amusement shall be allowed on the premises except those ancillary to this use, including but not limited to the use of inflatable devices.

7. Food Preparation: No food shall be prepared, handled, or consumed by the public at or in Unit 6 unless and until the Applicant Tenant obtains a permit and any other approvals from the Director of the Marlborough Board of Health and pays the accompanying fees.

8. Certificate of Occupancy Required: No use of the premises will be made pursuant to this special permit unless and until a Certificate of Occupancy has been obtained from the Building Inspector regarding the change of use of the premises.

9. No Expansion of Use Area or Change in Area Configuration: Only the area of Unit 6, containing approximately 6,000 sq. ft., which has been specified in the Plans attached

hereto, will be used for the proposed use. To the extent that a substantial increase in, or a change in the configuration of, the area used for this use is desired, the Building Inspector shall determine whether such increase or change constitutes a substantial change of the permitted use, and if so, no such area increase or configuration change shall be permitted unless and until this special permit has been modified by the City Council.

9. Subsequent Users: Before any successor tenant uses Unit 6 for the uses allowed in this special permit, the Director of the Marlborough Health Department shall determine in writing that any permit required of Applicant Tenant, and any other permit determined by the Director to be necessary, has been obtained.

10. Required Approval Regarding Sanitary Conditions: Prior to the beginning of operation of the business, the Director of the Marlborough Health Department shall determine in writing what, if any, special sanitary requirements are necessary in order to assure that the facility does not cause unusual health risks to those using the facility or to the public. The Director may later, in writing, amend and/or add to said requirements as he deems necessary. Such determination, and any such amendments and/or additions, shall be provided by the Director to the City Council. Any failure to comply with said sanitary requirements shall be a violation of this permit.

11. Recordation: In accordance with the provisions of M.G.L. c. 40A, § 11, the Applicant Tenant shall, at its expense, record this Special Permit with the Middlesex South District Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal hearing being filed. The Applicant Tenant shall provide a copy of the recorded Special Permit to the City Clerk, the City Solicitor, and the Building Inspector.

APPROVE

Yea: ___ Nay: ___

Yea:

ADOPTED _____

In City Council

Order No. 13-1005482D

Adopted: _____

Patricia A. Pope

City Council President

A TRUE COPY

ATTEST:

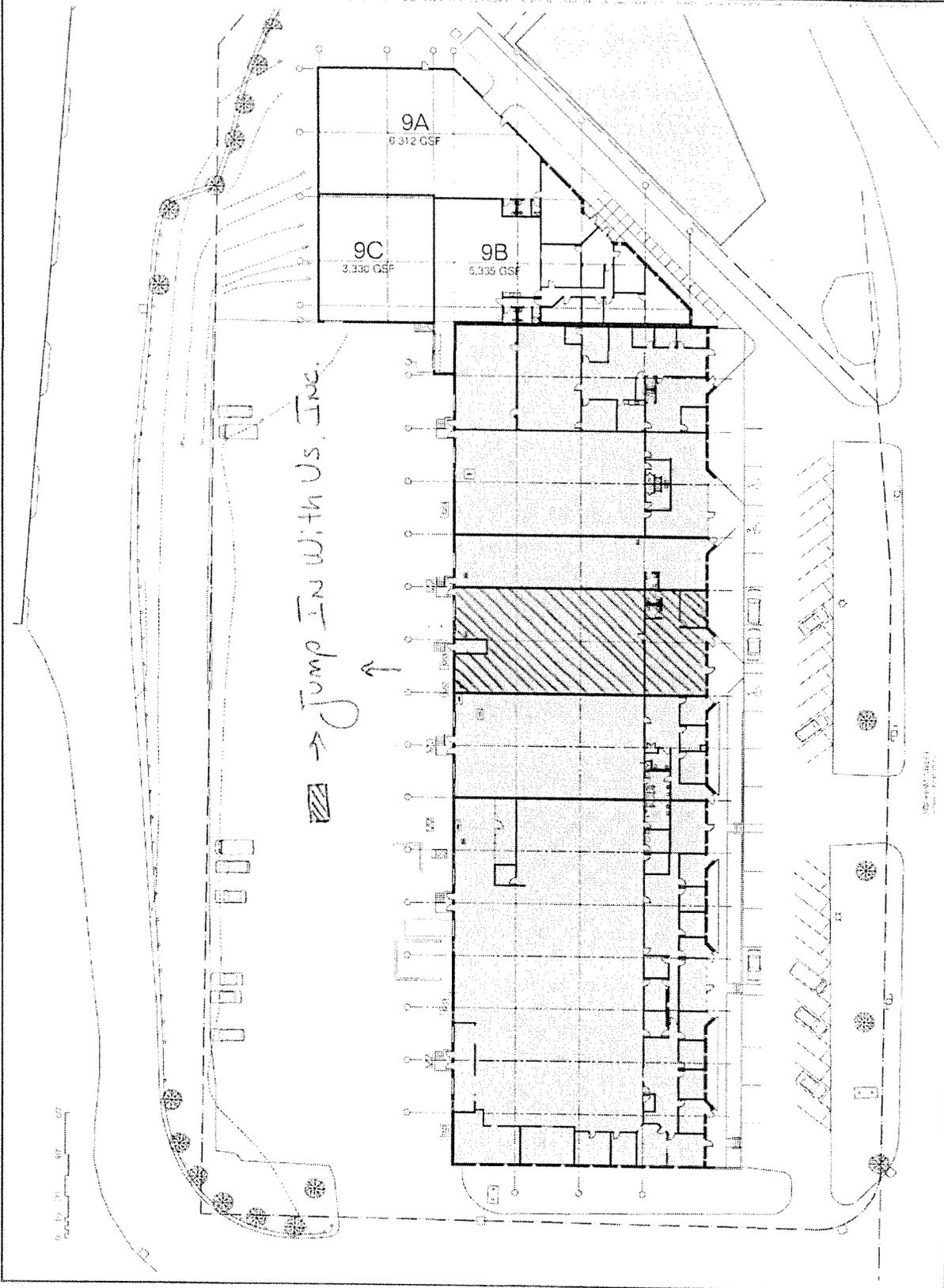
City Clerk

First Colony
Development
Co., Inc.

4900-B South First Street, Suite 100
Newport News, VA 23602
Tel: 757-246-0000
Fax: 757-246-0001
www.firstcolony.com

UNIT NO. 9
PHEASANT CREEK
VALENTIA, VA 23061

OVERALL
BUILDING
PLAN



DATE: 08/21/07
DRAWN BY: [illegible]



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2013 DEC -4 A 11: 01

CITY OF MARLBOROUGH
Department of Public Works
Office of the Commissioner
135 Neil Street
Marlborough, Massachusetts 01752
(508) 624-6910 Ext. 7200
Facsimile (508) 624-7699 TDD (508) 460-3610

December 3, 2013

President and Members
Marlborough City Council
City Hall
140 Main Street
Marlborough, MA 01752

**RE: CHAPTER 40 SECTION 6-C
PLOWING OF PRIVATE WAYS**

Dear President and Members,

Below please find one private way being submitted for your approval under the above-Massachusetts General Law. The private ways are:

Nolan Way – Mauro Farms Subdivision, off Cook Lane
Spenser Circle – Mauro Farms Subdivision, off Nolan Way

I have attached herewith a draft council order which, if approved, would permit the removal of snow and ice from this private way. Should you have any questions, please do not hesitate to contact me.

Very truly yours,

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

cc: Mayor Arthur G. Vigeant
Donald Rider, City Solicitor
Thomas P. Temple, Assistant Commissioner- Operations
Thomas E. Cullen, Jr., City Engineer

ORDERED:

That the Department of Public Works be authorized to plow and remove snow from the following ways, in accordance with the provisions of Massachusetts General Law Chapter 40, Section 6-C, provided, that said way be of such construction and condition that, in the opinion of the Commissioner of Public Works, said plowing can be safely and conveniently accomplished:

Nolan Way – Mauro Farms Subdivision, off Cook Lane
Spenser Circle – Mauro Farms Subdivision, off Nolan Way



CITY OF MARLBOROUGH
Department of Public Works
Engineering Division
135 Neil Street
Marlborough, Massachusetts 01752
(508) 624-6910 Ext. 7200
Facsimile (508) 624-7699 * TDD (508) 460-3610

December 2, 2013

Marlborough Planning Board
Attn.: Dr. Barbara Fenby
140 Main Street –City Hall
Marlborough, Ma 01752

**Re Mauro Farm Subdivision; Nolan Way and Spencer Circle;
Request to plow**

Dear Ms. Fenby:

Pursuant to the developer's request, received on December 2, 2013, the Engineering Division has reviewed the conditions within the referenced subdivision, and finds the site conditions acceptable for the City of Marlborough's Department of Public Works (DPW) to conduct snow and ice removal. We have forwarded the necessary information to the DPW's Street Division so that Nolan Way and Spenser Circle will be placed on the list for snow removal operations.

By way of this letter, we have notified the Commissioner of Public Works that Nolan Way and Spenser Circle meet all of our requirements for snow removal and should be placed on the list of streets for plowing that will be submitted to the City Council pursuant to M.G.L. Chapter 40, Section 6-C. A copy of the draft council order and Commissioner LaFreniere's letter submitting same is also attached.

If you have any questions please do not hesitate to contact me.

Very truly yours,

Timothy F. Collins
Assistant City Engineer

cc Ronald M. LaFreniere – P.E., Commissioner
Thomas P. Temple, Assistant Commissioner – Operations
Thomas E. Cullen, Jr. – P.E., City Engineer
Martin E. Loiselle, Jr. - Capital Group Properties



MASSDEVELOPMENT

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2013 DEC -4 P 1:28

99 High Street
Boston, Massachusetts
02110

Tel: 617-330-2000
800-445-8030

Fax: 617-330-1001

www.massdevelopment.com

December 2, 2013

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

Dear Members of the Council:

The Massachusetts Development Finance Agency will be considering final approval to a revenue bond project to be financed on behalf of Partners Healthcare System, Inc. located in the cities listed on the attached sheet to be issued pursuant to Chapter 23G and 40D of the General Laws. A summary of the project is attached for your information.

The Agency's policy is to advise the appropriate local and regional planning agencies to ascertain the relationship of a proposed project to any existing state, local or regional comprehensive plan.

The purpose of this letter is to notify you of the project and to request that you advise in the event that the proposed project conflicts with an existing local or regional comprehensive plan. If you would like further information on the project, or if you would like the Agency to consider any comments you may have, please give me a call.

Sincerely,

Lyle Lawrence
Senior Vice President

Enclosure: Summary

cc: Edwards Wildman Palmer LLP
111 Huntington Avenue
Boston, MA 02199
Attn: Christie Martin, Esq.

LL/jck

PARTNERS HEALTHCARE SYSTEM, INC.

REQUEST: To assist the applicant in financing a not for profit project, approval of the proposed project for a MassDevelopment 501(c)(3) Tax-Exempt Bond issue is requested.

<u>BORROWER:</u>	<u>Borrower:</u> Partners HealthCare System, Inc. ("PHS") (together, with any parent, subsidiary, or other affiliate) Prudential Center 800 Boylston St., 11 th floor Boston, MA 02199	<u>User(s):</u> Partners HealthCare System, Inc.; Brigham and Women's Health Care, Inc.; (the "Brigham"); The Brigham and Women's Hospital, Inc. ("BWHC"); The Massachusetts General Hospital ("MGH"); The General Hospital Corporation (the "General"); Brigham and Women's Faulkner Hospital, Inc. ("Faulkner"); The Spaulding Rehabilitation Hospital Corporation ("Spaulding"); North Shore Medical Center, Inc. ("NSMC"); Martha's Vineyard Hospital, Inc.; Nantucket Cottage Hospital; Newton-Wellesley Hospital; The McLean Hospital Corporation; Partners Continuing Care, Inc.; Neighborhood Health Plan, Inc. "NHP"); Cooley Dickinson Health Care Corporation and Subsidiaries ("CDHCC"); various other PHS affiliates
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PROJECT LOCATIONS: See Attachment B

PROJECT: Proposed is the financing of (1) the construction of a 360,000 s.f. building at the Brigham to house clinical and research space and parking; (2) the construction of an underground parking facility at the Brigham; (3) the construction of a 132-bed, 240,000 s.f. replacement facility for Spaulding; (4) the construction of a new power plant at NSMC; (5) the development and implementation of a system-wide common revenue processing and clinical application system; the building of a data center for backup and disaster recovery; (6) the building an analytic data warehouse; and (7) the renovation, equipping and furnishing of various facilities and the acquisition or construction of various other capital improvements. Bond proceeds will also finance certain costs of issuing the Bonds.

In addition, subject to market conditions, PHS may refinance all or a portion of its Series D, Series E, Series F, Series G and Series I bonds issued through HEFA, as well as its Series K bonds issued through MassDevelopment.

GUIDELINE ISSUES: None

**ATTACHMENT B
PARTNERS HEALTHCARE SYSTEM SERIES M (2014)**

ADDRESSES OF PROJECTS TO BE FINANCED THROUGH SERIES M (2014)

#	Street	City
150	Infirmery Way	Amherst
313	Northampton Rd.	Amherst
100, 170	University Dr.	Amherst
175	State St.	Belchertown
115	Mill St.	Belmont
127	Pleasant St.	Belmont
Parking Garage	165 Cambridge St.	Boston
77	Avenue Louis Pasteur	Boston
16, 30, 40, 40R, 60, 66, 80, 90, 100	Blossom St.	Boston
1	Bowdoin Sq.	Boston
800	Boylston St.	Boston
500	Brookline Ave.	Boston
165, 175, 185, 275, 316	Cambridge St.	Boston
215, 255, 265, 267, 273, 275	Charles St.	Boston
388	Commonwealth Ave.	Boston
0, 2, 5, 10	Emerson Pl.	Boston
74	Fenwood Rd.	Boston
Area Bounded by	Fenwood Rd., Vining St., Vining St. Ext.	Boston
15, 45, 48, 70, 75	Francis St.	Boston
30, 32, 35, 55	Fruit St.	Boston
Parking Garage	Fruit St.	Boston
70	Fulton St.	Boston
12	Garden St.	Boston
332	Hanover St.	Boston
1, 3, 9	Hawthorne Place	Boston
101, 116	Huntington Ave.	Boston
181, 221	Longwood Ave.	Boston
125, 99	Nashua St	Boston
25	North Anderson St.	Boston
1, 10	North Grove St.	Boston
10, 15, 40	Parkman St.	Boston
Parking	Parkman St.	Boston
Parking	Richardson Fuller Bldg, 221 Longwood Ave.	Boston
10	Vining St.	Boston
294	Washington St.	Boston
10	Whittier Pl.	Boston
830, 850	Boylston St.	Brookline
185	Alewife Brook Parkway	Cambridge
1575	Cambridge St.	Cambridge
38, 62	13th St.	Charlestown
Parcel 6	Charlestown Navy Yard	Charlestown
100	First Ave.	Charlestown
73	High St.	Charlestown
76	Monument St.	Charlestown

80, 100, 151	Everett Ave.	Chelsea
100, 102	Endicott St.	Danvers
311	Service Rd.	East Sandwich
238	Northampton St.	Easthampton
19-23	Norwood St.	Everett
10, 40	Main St.	Florence
15	Straw Ave.	Florence
20	Patriot Place	Foxborough
232-234, 380	Russell St.	Hadley
4	West St.	Hatfield
640, 1133, 1153	Centre St.	Jamaica Plain
3297	Washington St.	Jamaica Plain
38	Mulberry St.	Leeds
1	Maguire Rd.	Lexington
480, 490, 496, 500	Lynnfield St.	Lynn
694	Western Ave.	Lynn
1	Widger Rd.	Marblehead
559	Forest St.	Marlborough
57	Prospect St.	Nantucket
128	First Ave.	Needham
2000, 2014	Washington St.	Newton
8, 22	Atwood Dr.	Northampton
76	Carlton Dr.	Northampton
2, 90	Conz St.	Northampton
1, 9	Denniston Pl.	Northampton
264	Elm St.	Northampton
25	Graves Ave.	Northampton
168	Industrial Dr.	Northampton
241	King St.	Northampton
30, 61, 193	Locust St.	Northampton
1	Hospital Rd.	Oak Bluffs
17	Centennial Pk.	Peabody
6	Essex Center Dr.	Peabody
300	Broadway	Revere
300	Ocean Ave.	Revere
1	Dove Ave.	Salem
116R, 55, 57, 79, 81	Highland Ave.	Salem
108	Jefferson Ave.	Salem
280-D	Route 130	Sandwich
21	Elm St.	So. Deerfield
235	Greenfield Rd.	So. Deerfield
84	Williamsette St.	South Hadley
6	Parc Pl. & Big Y Shopping Center	Southampton
9	Hope Ave.	Waltham
40, 52	Second Ave.	Waltham
1245, 1828-1832	Centre St.	West Roxbury
65	Springfield Rd.	Westfield
45	Colpitts Rd.	Weston
14	Williams St.	Williamsburg
58	Old North Rd.	Worthington

**MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752**

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

November 18, 2013
2013 DEC -3 A 9 45

Call to Order

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 Colleen Hughes, Barbara Fenby, Philip Hodge, Edward Coveney & Shawn McCarthy. Also in attendance were Board Secretary Melissa Irish and City Engineer Thomas Cullen. Sean Fay was absent.

1. Meeting Minutes:

A. Regular Meeting November 4, 2013

On a motion made by Ms. Hughes, seconded by Mr. Hodge it was voted to table the minutes of the November 4, 2013 meeting. Motion carried.

2. Chair's Business:

A. Country Club Estates Update

City Solicitor Donald Rider and Attorney Brian Falk updated the Board on the current status of Country Club Estates as the subdivision is clearing the final hurdles to be formally accepted by the City. The developer is requesting permission to replace the existing bond instead of going through the process of a bond reduction request. Attorney Falk wanted to get the feeling of the board prior to starting the formal process. It was the recommendation of the Board that Attorney Falk submit his request in writing for the Board to possibly act on at its next meeting December 2, 2013.

3. Approval Not Required: None

4. Public Hearings: None

5. Pending Sub Division Plans: Updates and Discussion:

A. Engineers Report

Mr. Cullen reported that the subdivision status report was undergoing some updates and expansion. The expansion will allow for a clearer understanding of what funding is left in the associated development bonds. From this information the older incomplete subdivisions will be contacted in an effort to bring them through completion.

Mr. Cullen continued his report with information regarding the Mauro Farms subdivision the developer has paved the southerly section and is currently working on the punch list items along the Reagin Lane section.

B. Mauro Farm Update

Mr. Cullen covered this information in the Engineers Report.

C. Extension Request Blackhorse Farms

Attorney Beattie of FRE Development was in attendance to present the extension request.

On a motion made by Ms. Hughes, seconded by Mr. Coveney it was voted to accept the correspondence from Benchmark Engineering for a two-year extension and refer the request to the Engineering Department. Motion carried.

Further discussion regarding the subdivision included updates on the setting of street lighting, paving of the sidewalks and the filling of identified areas of excavation. There is progress being made and it is noted by the Board.

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

7. Definitive Subdivision Submission: None

8. Signs:

A. Marlborough Rotary Club (Turkey Shoot)

Mr. Charles Enright presented the request of the Rotary Club. Due to the change in venue for this annual event they are requesting to place 3 off premise signs for a short duration November 19, 2013-November 24, 2013. This is a very well attended event and unfortunately the normal venue (Assabet Valley High School) is under renovation and the event cannot be held there this year.

The proposed locations for the off premise signs are as follows:

- 133 East Main St – TD Bank Driveway entry
- 87 Mill St – Al Brodeur’s Auto Body
- 2 South Bolton St – Marshall Insurance

On a motion made by Ms. Hughes, seconded by Mr. Coveney it was voted to approve the variance allowing for the placement of three (3) temporary off premise signs at the following locations :

- 133 East Main Street
- 87 Mill Street
- 2 South Bolton Street

For the time frame of November 19, 2013 – November 24, 2013.

Motion carried.

Requirement of the Board that the City Seal be affixed to each individually approved sign with the text “Variance Approved by the Planning Board” attached with the date of approval.

B. Brasileirinho Market

Mr. Jardel Fernandes presented the request of the market to the Board. After discussion between the Board and Mr. Fernandes it was requested that the Market, Travel Agency and Bakery work together to reconfigure the existing signage in an attempt to present a unified more aesthetically pleasing design for the plaza. The secondary requirement will be that the currently unused light box be removed from the end of the building which is facing the roadway.

It is the request of the Board that the proponent reappear at the next regularly scheduled meeting to provide an update to the Board.

C. First Church Congregational (Continued discussion)

No one from the Church appeared.

Ms. Hughes read a communication from the Code Enforcement Officer Pamela Wilderman into the record.

On a motion made by Ms. Hughes, seconded by Mr. Coveney it was voted to forward a copy of the letter to the Church. Motion carried.

D. Communication from Code Enforcement Officer

Regarding The Westender Restaurant and Country Club Signage

Ms. Hughes read the correspondence into the record.

On a motion made by Mr. Hodge, seconded by Mr. McCarthy the correspondence was accepted and placed on file. Motion carried.

9. Unfinished Business:

A. Berlin Farms

On a motion made by Mr. Hodge, seconded by Mr. Coveney it was voted to authorize City Engineer Cullen to send a letter to Mr. Freeman requiring that he finish the subdivision to the approved standards or contact the Board directly, and further noting that the Bond may be in jeopardy should the developer not comply. Motion carried.

It was noted to keep this item for reporting purposes on the next Planning Board agenda as well.

B. Blackhorse Farms Estates

This information was covered in Item 5C discussion.

It was noted to keep this item for reporting purposes on the next Planning Board agenda as well.

10. Informal Discussions: None

11. Correspondence: None

12. Public Notices of other Cities and Towns:

A. Town of Sudbury Zoning Board of Appeals, Public Hearing December 2, 2013

B. Town of Sudbury Earth Removal Board, Public Hearing December 16, 2013

C. Town of Framingham Planning Board, Public Hearing November 20, 2013

D. Town of Framingham Planning Board, Public Hearing December 9, 2013

E. Town of Framingham Planning Board, Public Hearing November 20, 2013

F. Town of Framingham Planning Board, Public Hearing December 9, 2013

On a motion made by Ms. Hughes, seconded by Mr. Hodge it was voted to accept the notices A-B and place on file. Motion carried.

Adjournment: On a motion made by Mr. McCarthy, seconded by Mr. Coveney it was voted to adjourn at 7:57pm.

Respectfully submitted,

Colleen Hughes

/mai



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CITY OF MARLBOROUGH

2013 DEC 10 A 10:45

**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 Tuesday, October 22th, 2013 at 10:00 a.m. in the City Council Committee Room, City Hall. Members present: Chairman - Police Chief Mark Leonard, DPW Commissioner Ronald LaFreniere and Fire Chief James Fortin. Also present: City Engineer Thomas Cullen and Asst. City Engineer Tim Collins. Minutes taken by: Carrie Lizotte, MPD Records Clerk.

1- Minutes

The minutes of the Traffic Commission meeting of Tuesday, September 24th, 2013.

MOTION was made by Commissioner LaFreniere, seconded Chief Fortin, it was duly VOTED: TO APPROVE

2-New Business

2a) School Zone Crosswalk (Jaworek School), Hosmer Street at Stacy Road.

This was a last minute addition to the Agenda:

Chief Leonard motioned to suspend the rules, Duly Voted by Commissioner LaFreniere and Chief Fortin.

A concerned parent notified Ms. Lambert with the Marlborough Police Department regarding the dangerous road conditions trying to use the crosswalk from Stacey Road crossing over Hosmer Street to the Jaworek School. She stated that the flashing warning light is not working and drivers are not stopping for neither the parents nor children that are trying to cross the street to get to the school.

Tim Collins stated their contractor was already diagnosing the reasons why the signal was not working, and stated it should be fixed by this Friday. Commissioner LaFreniere stated they will review the paint lines at the crosswalk and will repaint them if necessary. Chief Leonard stated he will have extra patrols in the area for the time being and using

one of the speed boards. It was also discussed possibly using the cross walk boards that could be kept at the school and be brought in by the school. All members agreed to look at the signage on Hosmer Road to see if more advance warning signs need to be placed.

3-Old Business

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

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

3e) Request to restrict parking on Kirby St.

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

3f) Communication from Councilor Clancy, re: request for signage on Bolton St.

MOTION was made, seconded, duly VOTED:
To TABLE

3g) Whitcomb School parking lot – One-Way and No Parking

Tom Cullen stated that he was able to view the morning bus routes coming into the Whitcomb School. He stated that the bus stacking is in two cycles and he stated that seems to be fine. The stop sign at the crosswalk should be changed to a yield for pedestrians. Mr. Cullen stated he was going with the Chief this afternoon to review the afternoon conditions and will report back at the next meeting. It was also suggested by Commissioner LaFreniere to have a plan with the designated signage available to review.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 10:35 am.

Respectfully submitted,

Carrie A. Lizotte
Records Clerk
Marlborough Police Department

List of documents and other exhibits used at the meeting:

- Meeting Agenda for Tuesday, September 24th, 2013 (Including City of Marlborough Meeting Posting)
- Draft of Minutes from meeting on September 24, 2013.
- Copy of email regarding School Zone Crosswalk at Jaworek School.



The Hanover Insurance Company
Citizens Insurance Company of America

Property Unit
PO Box 15147
Worcester MA 01615-0147
Telephone: 978-870-7534 Ext:
Fax Number: 508-926-5660

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

December 02, 2013

2013 DEC -9 A 11: 16

CITY CLERK'S OFFICE
140 MAIN ST
MARLBOROUGH MA 01752

Re: Our Insured: HILLSIDE SCHOOL INC
Policy Number: ZBN 8774841
Claim Number: 15-00212774 001
Date of Loss: 11/23/2013
Property Address: 404 ROBIN HILL STREET MARLBOROUGH MA

To whom it may concern :

Claim has been made involving loss, damage or destruction of the above captioned property, which may either exceed \$1,000.00 or cause Mass. General Laws, Ch. 143, Sec. 6 to be applicable. If any notice under Mass. General Laws, Ch. 139, Sec. 3B is appropriate, please direct it to the attention of the undersigned and include a reference to the captioned insured, location, policy number, date of loss, and claim number.

On this date, I caused copies of this notice to be sent to the persons named above at the addresses indicated above by first class mail.

Sincerely,
Timothy Morneau
Timothy Morneau
Outside Property Adjuster
Citizens Insurance Company of America

CC: LEGAL 12/9/13 