

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2012 SEP 20 P 1:51

1. Metropolitan Area Planning Council - General Overlay Zoning Presentation.
2. Minutes of the City Council Meeting, September 10, 2012.
3. PUBLIC HEARING On the Application for Special Permit from David Scarfo, agent for T-Mobile, for minor upgrades to existing wireless facility at 157 Union St., Order No. 12-1005150.
4. PUBLIC HEARING On the Application for Special Permit from Attorney Brian Falk, on behalf of 54 Main St. LLC, to install a drive-thru service window which would be part of a new structure on the property for Dunkin Donuts restaurant replacing the existing Dunkin Donuts restaurant, which does not have a drive-thru service window at 54 Main St., Order No. 12-1005152.
5. Communication from the Mayor re: Police Department transfer request in the amount of \$42,576.00 which moves funds from Fringes to Sick Leave and Patrolman to fund benefits associated with the retirement of a Police Department employee.
6. Communication from the Mayor re: Conservation Acceptance Grant from Massachusetts Department of Conservation and Recreation in the amount of \$12,000.00 to enhance natural resources and allow for a more diverse 10 acre parcel of forest area that lies both in Marlborough and Sudbury.
7. Communication from the Mayor re: Council on Aging Grant from BayPath Elder Services in the amount of \$8,000.00 to assist in outreach efforts in underserved communities.
8. Communication from the Mayor re: Council on Aging Grant from the Executive Office of Elder Affairs in the amount of \$46,921.00 which will be utilized for programming needs and support services provided by the Council on Aging.
9. Communication from City Solicitor, Donald Rider, re: Resolution on Amending the South-West Quadrate EOA.
10. Minutes, Community Development Authority, August 30 & September 12, 2012.

REPORTS OF COMMITTEES:

11. ORDERED: That the City Council invite Commissioner Lafreniere and/or Assistant Commissioner Temple, along with a representative of Allied/Republic, to attend an Operations and Oversight committee meeting to update the City Council and the viewing public on the progress of the new curbside trash pickup program. Included in this review would be a discussion about remaining challenges, recycling rates, and a forum for questions from councilors, and a platform to further educate the public. ....Submitted by Councilor Delano

UNFINISHED BUSINESS:

**From Public Services Committee**

12. **Order No. 11/12-1003052 – Application of Yan Chun Zhang d/b/a Japan Car Service for Livery License at 197 Boston Post Road West.** Chief is without objection. Applicant stated that she operates the Japan One restaurant at Boston Post Road West and has plans to service students from the International Chinese Academy on Locke Drive. She stated that they approached her due to the language barrier when calling local taxi / livery companies. She plans to operate one vehicle at the present time; her application is for two vehicles. Councilor Clancy informed Mrs. Zhang that any additional drivers would have to submit their CORI and RMV driver history to the Chief of Police. Mrs. Zhang replied that the only other driver would be her husband. The Committee confirmed that he would also have to submit CORI and driver history. **Recommendation of the Public Services Committee is to approve the Livery License to Japan Car Services at 197 Boston Post Rd. 3-0.**
  
13. **Order No. 12-1005095 – Application of Gerald Dumais for Junk Dealers License, d/b/a Dumais and Sons, d/b/a 67 Mechanic Street.** Chief is without objection. Mr. Dumais stated that he has been open for many years and recently realized that he had not renewed his license. He stated that he is open one day per week at his Mechanic Street store. Mr. Dumais stated that he was told there are new requirements regarding CORI and reporting, and he has complied with the new requirement. Mr. Dumais questioned the difference between a Junk Dealer License and Pawn Broker License, and Chairman Landers stated that he would obtain the information and get back to him. **Recommendation of the Public Services Committee is to approve Junk Dealer License to Gerald Dumais 3-0.**
  
14. **Order No. 12-1005123 - Application of Richard Jenkins for Junk Dealer’s License, d/b/a MetroWest Rubbish Service, 19 Indian Lane.** Chief is without objection. Mr. Jenkins stated that he would cater to residential and small businesses for removal of items such as appliances, tires, couches and other similar items. He has received a permit from the Board of Health to remove solid waste and needs a junk dealer’s license in case items removed have value attached to them. He will not have a store. Items will be immediately taken to be disposed or recycled. There will be no storage at 19 Indian Lane which is his home and is used for licensing purposes only. Replying to the Councilor Landers, Mr. Jenkins stated that there is some difficulty with supplying used goods to non-profits as he could not vouch against bedbugs or that items would be operational. Any goods he disposes would be treated as junk. He stated that he has used BP in Hudson and another company in Framingham who recycles a lot of items others do not recycle. **Recommendation of the Public Services Committee is to approve Junk Dealer License to Richard Jenkins d/b/a MetroWest Rubbish, 19 Indian Ln. 2-0.**



# IN CITY COUNCIL

SEPTEMBER 10, 2012

Marlborough, Mass., \_\_\_\_\_

## ORDERED:

That the Metropolitan Area Planning Council (MAPC) presentation re: Technical Services for Zoning Overlay, be and is herewith **placed on the SEPTEMBER 24, 2012 City Council agenda.**

ADOPTED

ORDER NO. 12-1005166



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

**SEPTEMBER 10, 2012**

Regular meeting of the City Council held on Monday, SEPTEMBER 10, 2012 at 8:00 p.m. in City Council Chambers, City Hall. City Councilors present: Ossing, Pope, Oram, Robey, Delano, Jenkins, Elder, Tunnera, Seymour, Clancy, and Landers. Meeting adjourned at 8:55 PM.

**ORDERED:** That the Minutes of the City Council Meeting, AUGUST 27, 2012, **FILE AS AMENDED**; adopted.

**ORDERED:** That the **CONTINUED PUBLIC HEARING** set for SEPTEMBER 10, 2012 on the Petition from NGrid to relocate existing P. 2, 25' in a NE direction from existing location and installation of a new anchor off of relocated P. 2 on Manning St, Order No. 12-1005121, all were heard who wish to be heard, hearing recessed at 8:03 p.m.; adopted.

**ORDERED:** That the **CONTINUED PUBLIC HEARING** On the Application for Special Permit from Sprint for modification of a wireless facility located at 75 Donald Lynch Blvd, Order No. 12-1005092A, all were heard who wish to be heard, hearing recessed at 8:11 p.m.; adopted.

**ORDERED:** That the **CONTINUED PUBLIC HEARING** On the Application for Special Permit from Sprint for modification of a wireless facility located at 75 Donald Lynch Blvd, Order No. 12-1005093A, all were heard who wish to be heard, hearing recessed at 8:16 p.m.; adopted.

**ORDERED:** It is moved, in conformance with the provisions of section 21(a)(3) of Chapter 30A of the General Laws of the Commonwealth, that the Marlborough City Council conduct an executive session for the purpose of discussing litigation strategy on a sewer contract dispute concerning 34 St. Martin Drive, as an open meeting may have a detrimental effect on the litigating position of the City of Marlborough, and the chair hereby declares that an open meeting may have that effect. It is further moved and stated that the Marlborough City Council will re-convene in open session after the executive session, **APPROVED**; adopted.

**Yea: 11- Nay: 0**

**Yea: Delano, Jenkins, Elder, Tunnera, Seymour, Clancy, Landers, Ossing, Pope, Oram & Robey**

ORDERED: That the City Clerk transfer request in the amount of \$3,000.00 which moves funds from Assistant City Clerk to Sick Leave Buy Back to fund costs associated with the resignation of an employee from the City Clerk's Office, be and is herewith refer to **FINANCE COMMITTEE**.

FROM:

Acct. # 11610002-50290 \$3,000.00  
Assistant City Clerk

TO:

Acct. # 11620003-51920 \$3,000.00  
Sick Leave Buy Back

ORDERED: That the Communication from the Mayor re: FY12 Year End Closing Update **FILE**; adopted.

ORDERED: That the Reappointment of Sheila Brecken to the Council on Aging for a period of four years to expire on May 2, 2016, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the Metropolitan Area Planning Council (MAPC) presentation re: Technical Services for Zoning Overlay, **PLACE ON THE SEPTEMBER 24, 2012 CITY COUNCIL AGENDA**; adopted.

ORDERED: That the Communication from Attorney Mitrakas, on behalf of Logical Partners, LLC, re: amendment to the Application for Special Permit to construct a three Townhouse Condominium Unit on Map 68, Lot 466, 126 Pleasant St., Order No. 12-1005151, refer to **URBAN AFFAIRS COMMITTEE**; adopted.

**Councilor Tunnera abstained**

ORDERED: That the Agreement to Extend Time Limitations on the Application for Special Permit from Metro PCS, LLC to extend time limitations to install a wireless communication facility onto the existing building located at 98 Pleasant St. to November 27, 2012 until 11:00 PM, **APPROVED**; adopted.

**Councilor Tunnera abstained**

ORDERED: That Communication from Cumberland Farms re: set of revised plans relative to the redevelopment project located at 412 & 418 Maple St., Order No. 12-1005081B, refer to **URBAN AFFAIRS COMMITTEE**; adopted.

ORDERED: That the Communication from Central Mass Mosquito Control Project re: Mosquito Control Update, **FILE**; adopted.

ORDERED: That the Minutes, Planning Board, July 23, 2012, **FILE**; adopted.

ORDERED: That the Minutes, Council on Aging, August 14, 2012, **FILE**; adopted.

ORDERED: That the Minutes, Community Development Authority, July 26, 2012, **FILE**; adopted.

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

A. Tandoori Grill Restaurant, 197-H Boston Post Rd W., other

## Reports of Committees:

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

**Order No. 11/12-1003052 – Application of Yan Chun Zhang d/b/a Japan Car Service for Livery License at 197 Boston Post Road West.** Chief is without objection. Applicant stated that she operates the Japan One restaurant at Boston Post Road West and has plans to service students from the International Chinese Academy on Locke Drive. She stated that they approached her due to the language barrier when calling local taxi / livery companies. She plans to operate one vehicle at the present time; her application is for two vehicles. Councilor Clancy informed Mrs. Zhang that any additional drivers would have to submit their CORI and RMV driver history to the Chief of Police. Mrs. Zhang replied that the only other driver would be her husband. The Committee confirmed that he would also have to submit CORI and driver history. **Recommendation of the Public Services Committee is to approve the Livery License to Japan Car Services at 197 Boston Post Rd. 3-0.**

**Order No. 12-1005095 – Application of Gerald Dumais for Junk Dealers License, d/b/a Dumais and Sons, d/b/a 67 Mechanic Street.** Chief is without objection. Mr. Dumais stated that he has been open for many years and recently realized that he had not renewed his license. He stated that he is open one day per week at his Mechanic Street store. Mr. Dumais stated that he was told there are new requirements regarding CORI and reporting, and he has complied with the new requirement. Mr. Dumais questioned the difference between a Junk Dealer License and Pawn Broker License, and Chairman Landers stated that he would obtain the information and get back to him. **Recommendation of the Public Services Committee is to approve Junk Dealer License to Gerald Dumais 3-0.**

**Order No. 12-1005123 - Application of Richard Jenkins for Junk Dealer's License, d/b/a MetroWest Rubbish Service, 19 Indian Lane.** Chief is without objection. Mr. Jenkins stated that he would cater to residential and small businesses for removal of items such as appliances, tires, couches and other similar items. He has received a permit from the Board of Health to remove solid waste and needs a junk dealer's license in case items removed have value attached to them. He will not have a store. Items will be immediately taken to be disposed or recycled. There will be no storage at 19 Indian Lane which is his home and is used for licensing purposes only. Replying to the Councilor Landers, Mr. Jenkins stated that there is some difficulty with supplying used goods to non-profits as he could not vouch against bedbugs or that items would be operational. Any goods he disposes would be treated as junk. He stated that he has used BP in Hudson and another company in Framingham who recycles a lot of items others do not recycle. **Recommendation of the Public Services Committee is to approve Junk Dealer License to Richard Jenkins d/b/a MetroWest Rubbish, 19 Indian Ln. 2-0.**

**Suspension of the rules requested – granted**

ORDERED: That the Petition from National Grid, to have underground cable crossing D'Angelo Drive to provide new service to Ken's Food, **APPROVED WITH THE FOLLOWING CONDITIONS:**

- 1) There is a 16" Water Main on the westerly side of D'Angelo Drive. Proper horizontal and vertical clearances must be maintained at/about this utility;
- 2) Any of NGrid's crossing(s) of the water main should be perpendicular. If possible other utility crossings should be perpendicular to said public utility lines (sewer and drainage);
- 3) Please provide a plan of your proposed infrastructure installations. Please make sure that existing utility information is indicated on plan;
- 4) Please provide typical section(s) of your proposed infrastructure installations (manhole(s), duct work, any encasements, etc.). Please make sure that horizontal and vertical clearances to other utilities are indicated on these typical details;
- 5) Finally, if the permit is approved, I will need as-built information in paper form and electronic form. I need this information because a City Roadway Capital Improvement Project is planned for D'Angelo Drive. This new information will be important to include on the roadway reconstruction plan.
- 6) Subject to approval of the Road Opening Permit by the City of Marlborough Engineering Division; adopted.

**Suspension of the rules requested – granted**

ORDERED: That the Petition from National Grid, to install new intermediate P.4-51 on D'Angelo Drive to provide new service to Ken's Food, **APPROVED WITH THE FOLLOWING CONDITIONS:**

- 1) There is a 16" Water Main on the westerly side of D'Angelo Drive. Proper horizontal and vertical clearances must be maintained at/about this utility;
- 2) Any of NGrid's crossing(s) of the water main should be perpendicular. If possible other utility crossings should be perpendicular to said public utility lines (sewer and drainage);
- 3) Please provide a plan of your proposed infrastructure installations. Please make sure that existing utility information is indicated on plan;
- 4) Please provide typical section(s) of your proposed infrastructure installations (manhole(s), duct work, any encasements, etc.). Please make sure that horizontal and vertical clearances to other utilities are indicated on these typical details;
- 5) Finally, if the permit is approved, I will need as-built information in paper form and electronic form. I need this information because a City Roadway Capital Improvement Project is planned for D'Angelo Drive. This new information will be important to include on the roadway reconstruction plan.
- 6) Subject to approval of the Road Opening Permit by the City of Marlborough Engineering Division; adopted.

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council **APPROVES** the Police Department Grant in the amount of \$14,049.00 from the US Department of Justice Office, Edward Byrne Justice Assurances Grant to fund overtime, recertification, and supply costs for the Police Department's Rape Aggression Defense Systems (RAD) program; adopted.

ORDERED: That the Employee Benefits transfer request in the amount of \$51,002.00 which moves funds from Fringes to Sick Leave to fund benefits associated with the retirement of an employee in the Marlborough Fire Department, **APPROVED**; adopted.

FROM:

Acct. # 11990006-51500 \$51,002.00  
Fringes

TO:

Acct. # 12200003-51920 \$51,002.00  
Sick Leave

ORDERED: That the Appointment of Mr. Michael Gibson and Mr. Pascal Chenais to the Youth Commission whose terms will expire two years from date of approval, **APPROVED**; adopted.

ORDERED: That the Appointment of Ms. Jeanne McGeough to the Council on Aging for a term of four years concluding on May 1, 2016, **APPROVED**; adopted.

ORDERED: That the Appointment of Richard Collins to the Council on Aging for a term of three years expiring May 1, 2016, **APPROVED**; adopted.

ORDERED: That the Application for Taxi License, Asia Rowland, d/b/a Marlborough Taxi, 225 Cedar Hill Street, Suite 200, refer **BACK TO PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 8:55 PM.



# IN CITY COUNCIL

AUGUST 27, 2012

Marlborough, Mass., \_\_\_\_\_

## ORDERED:

That there being no objection thereto set **MONDAY, SEPTEMBER 24, 2012**, as date for a **PUBLIC HEARING** for the Application for Special Permit from T-Mobile for minor upgrades to existing wireless facility at 157 Union St., be and is herewith refer to **WIRELESS COMMUNICATIONS COMMITTEE AND ADVERTISE.**

**Councilors Seymour and Robey abstained**

ADOPTED

ORDER NO. 12-1005150



# IN CITY COUNCIL

AUGUST 27, 2012

Marlborough, Mass., \_\_\_\_\_

## ORDERED:

That there being no objection thereto set **MONDAY, SEPTEMBER 24, 2012**, as date for a **PUBLIC HEARING** Application from Attorney Brian Falk, on behalf of 54 Main St. LLC, to install a drive-thru service window which would be part of a new structure on the property for Dunkin Donuts restaurant replacing the existing Dunkin Donuts restaurant, which does not have a drive-thru service window at 54 Main St., be and is herewith refer to **URBAN AFFAIRS COMMITTEE AND ADVERTISE.**

ADOPTED

ORDER NO. 12-1005152



*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](http://www.marlborough-ma.gov)

RECEIVED  
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CITY OF MARLBOROUGH  
2012 SEP 20 A 11:55  
*Arthur G. Vigeant*  
MAYOR  
*William C. Berry*  
EXECUTIVE AIDE  
*Patricia Bernard*  
EXECUTIVE SECRETARY

September 20, 2012

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

**Re: Transfer Request**

Honorable President Pope and Councilors:

I have enclosed for your approval the following transfer request:

- 1) Transfer in the total amount of \$42,576.00 from 11990006-51500 (Fringes) to the following accounts:
  - a. \$23,949.00 to 12100003-51920 (Sick Leave)
  - b. \$18,627.00 to 12100001-50420 (Patrolman)

This transfer will fund the benefits associated with the retirement of a Police Department employee. Please do not hesitate to let me know if you have any questions.

Sincerely,

**Arthur G. Vigeant**  
Mayor

## TRANSFER REQUEST

AVAILABLE BALANCE	AMOUNT	FROM ACCOUNT			TO ACCOUNT			AMOUNT AVAIL	
		ORG CODE	OBJECT	ACCOUNT DESCRIP	AMOUNT	ORG CODE	OBJECT	ACCOUNT DESCRIP	
			<b>General Government</b>				<b>Police</b>		
\$ 547,695.00	\$ 42,576.00	11990006		51500 Fringes	\$ 23,949.00	12100003	51920	Sick Leave	\$ 155,828.00
					\$ 18,627.00	12100001	50420	Patrolman	\$ 2,144,938.00
					\$ 42,576.00				

Reason: To fund benefits associated with the departure of an employee.

  
 \_\_\_\_\_  
 Department Head Signature



*City of Marlborough*  
*Office of the Mayor*

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*Arthur G. Vigeant*  
MAYOR  
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*Michael C. Berry*  
EXECUTIVE AIDE  
2012 SEP 20 A 11: 56  
*Patricia Bernard*  
EXECUTIVE SECRETARY

September 20, 2012

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

**Re: Conservation Grant Acceptance**

Honorable President Pope and Councilors:

The Massachusetts Department of Conservation and Recreation has selected the City of Marlborough to receive a Community Forest Stewardship Grant in the amount of \$12,000.00.

This is a reimbursable grant opportunity that is being matched by the Sudbury Valley Trustees, who are a local land trust. The Conservation Commission intends to utilize these funds on a ten acre parcel of forest area that lies in both the City of Marlborough as well as the Town of Sudbury. Some of the work that will be done will include brush clearing and prescribed control burning to achieve habitat restoration.

This grant will be a positive step for the City that will enhance our natural resources and allow for a more diverse forest. I respectfully seek your acceptance of this grant opportunity.

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

Sincerely,

Arthur G. Vigeant  
Mayor



# City of Marlborough Conservation Commission

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

September 18, 2012

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

RE: DCR Community Forest Stewardship Grant  
Desert Natural Area Pitch Pine-Scrub Oak Restoration Project

Dear Mayor Vigeant,

Attached please find documentation in support of the grant in the amount of \$12,000.00 which has been awarded to the city's Conservation Commission through the Commonwealth of Massachusetts Department of Conservation and Recreation's Community Forest Stewardship program.

The Conservation Commission is working in partnership with the Sudbury Valley Trustees to restore the pitch pine and scrub oak barrens with an emphasis on restoring and maintaining rare, threatened and endangered species and the natural community that supports them. The pitch pine scrub oak community is one of the most endangered ecosystems in the country and we have a small area located at the Desert Natural Area off Concord Rd. which straddles the Sudbury and Marlborough border. This natural community requires fire to stay healthy and viable, therefore a series of cuts and controlled prescribed burns are necessary to restore this habitat value. In addition to restoring this natural community the fire will also reduce the fuel load in the forest and reduce the chance of an uncontrolled wildfire. This management strategy, which is supported by the Natural Heritage and Endangered Species program, will hopefully return whip-poor-wills and wild lupines back to the area.

We would ask that this information be placed on the next available 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 Conservation Commission.

If you have any questions on the above, please let me know.

Sincerely,

Edward Clancy  
Chairman

Priscilla Ryder  
Conservation Officer

Cc: Con. Com.

**CITY OF MARLBOROUGH  
NOTICE OF GRANT AWARD**

DEPARTMENT: Conservation DATE: 9/17/2012

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Priscilla Ryder

NAME OF GRANT: Community forest Stewardship Grant

GRANTOR: Department of Conservation and Recreation

GRANT AMOUNT: \$12,000

GRANT PERIOD: August, 2012- June 30-2013

SCOPE OF GRANT/ Funds to be used for the restoration of the pitch pine and scrub oak barrens to  
restore and maintain rare, threatened and endangered species and natural  
communities. This work includes community outreach and education.

ITEMS FUNDED Mowing and tree clearing  
\_\_\_\_\_  
\_\_\_\_\_

IS A POSITION BEING  
CREATED: no  
\_\_\_\_\_

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? N/A

ARE MATCHING CITY  
FUNDS REQUIRED? Yes

IF MATCHING IS NON-MONETARY (MAN HOURS, ETC.) PLEASE SPECIFY:  
Administrative time and volunteer time will be used as in-kind matchs as part of the  
grant program.

IF MATCHING IS MONETARY PLEASE GIVE ACCOUNT NUMBER AND DESCRIPTION OF CITY FUNDS TO  
BE USED:  
No city monatory matching funds are to be used. Sudbury Valley Trustees our  
partners in this project will be providing the monatory matching funds for this project.

ANY OTHER EXPOSURE TO CITY?  
\_\_\_\_\_

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: \_\_\_\_\_  
10/16/2012

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



RECEIVED AUG 13 2012

July 26, 2012

City of Marlborough Conservation Commission  
140 Main Street  
Marlborough, MA 01752  
Attention: Priscilla Ryder, Conservation Officer

Dear Priscilla,

It is my pleasure to inform you that the Massachusetts Forest Stewardship Program has selected the City of Marlborough to receive a state fiscal year 2013 **Community Forest Stewardship Grant** in the amount of **\$12,000**. This matching grant will assist in furthering the management recommendations and practices identified in the **Desert Natural Area Forest Stewardship Plan**. Specifically, the restoration of the pitch pine and scrub oak barrens with an emphasis on restoring and maintaining rare, threatened and endangered species and the natural community. Community outreach and education is also a stated objective for this ambitious project.

The City of Marlborough must match the grant amount requested, dollar for dollar, with other non-state funds or services. The grantee must finance 100% of the cost of the project, which can include: local funds or services, in-kind labor/contributions, materials, and equipment. We will not reimburse the grantee for any more than fifty percent of the eligible expenditures, up to the grant amount. You may use current reasonable rates (i.e., value of a professional consultant's time based upon his/her standard hourly rate of pay) when estimating the value of volunteer time or services. Enclosed you will find the forms necessary to fully account for the costs related to this project.

Funds will be disbursed within six weeks after the project is completed and all supporting documented expenses have been filed and verified with the DCR. Should funds not be utilized as approved, those funds may be transferred to another applicant. **To receive your matching grant funds, you must provide the DCR with copies of paid invoices, canceled checks by JUNE 30, 2013.** A completed Final Grant Report must be received no later than September 1, 2013.

We look forward to working with you to accomplish the goals of this worthwhile project. Should you have any questions, please contact me at 413-212-3039 or by email at [michael.downey@state.ma.us](mailto:michael.downey@state.ma.us)

Sincerely,

Michael Downey

Forest Stewardship Program Service Forester

COMMONWEALTH OF MASSACHUSETTS · EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS

Department of Conservation and Recreation  
740 South Street, PO Box 1433  
Pittsfield MA, 01202-1433  
413-442-8928 413-442-5860 Fax  
[www.mass.gov/dcr](http://www.mass.gov/dcr)



Deval L. Patrick  
Governor

Timothy P. Murray  
Lt. Governor

Richard K. Sullivan, Jr., Secretary  
Executive Office of Energy & Environmental Affairs

Edward M. Lambert Jr., Commissioner  
Department of Conservation & Recreation



*City of Marlborough*  
*Office of the Mayor*

*Arthur G. Vigeant*  
MAYOR

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*Michael C. Berry*  
EXECUTIVE AIDE

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2012 SEP 20 A 11:56  
*Patricia Bernard*  
EXECUTIVE SECRETARY

September 20, 2012

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

**Re: COA Grant Acceptance**

Honorable President Pope and Councilors:

The Marlborough Council on Aging (COA) was recently awarded a grant in the amount of \$8,000.00 by BayPath Elder Services to assist in outreach efforts in underserved communities. Last year this grant allowed the COA to provide ESL (English as a Second Language) classes and address other cultural needs.

I respectfully request your acceptance of this worthwhile grant. Please do not hesitate to let me know if you have any questions.

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

September 20, 2013

To: Mayor Arthur G. Vigeant

I am submitting documentation for the Marlborough Council on Aging's FY13 BayPath Elder Services Grant, in the amount of \$8000.00. This is our second year to receive this funding to continue our outreach efforts to the underserved Latino communities. This funding provides needed cultural-sensitive services and programs as well as new opportunities, such as our popular ESL classes which are held twice a week to seniors 60 and over residing in Marlborough.

I would like to request that this grant funding be approved expeditiously in order to begin to funding our Fall Programs.

Thank you for your attention and consideration,

Jennifer Claro  
Marlborough Council on Aging  
Director

CITY OF MARLBOROUGH  
NOTICE OF GRANT AWARD

DEPARTMENT: Council on Aging DATE: 9-20-2012

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Jennifer Claro

NAME OF GRANT: Latino Multicultural Outreach to underserved seniors

GRANTOR: Bay Path Elder Services, Inc.

GRANT AMOUNT: \$8000.<sup>00</sup>

GRANT PERIOD: October 1, 2012 - September 30, 2013

SCOPE OF GRANT/  
ITEMS FUNDED Administrative and Program support  
ESL instructor, Latino Aerobic instructor, ESL materials,  
Social programs and supplies

IS A POSITION BEING  
CREATED: Stipend position - same as last year

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? not necessary PT position + again  
a stipend position

ARE MATCHING CITY  
FUNDS REQUIRED? no

IF MATCHING IS NON-MONETARY (MAN HOURS, ETC.) PLEASE SPECIFY:  
non-monetary - supervision, use of space, utilities etc...

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

ANY OTHER EXPOSURE TO CITY?  
no

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



# City of Marlborough

## Office of the Mayor

*Arthur G. Vigeant*  
MAYOR

RECEIVED  
CITY CLERK'S OFFICE  
OF MARLBOROUGH

*Michael C. Berry*  
EXECUTIVE AIDE

140 Main Street

2012 SEP 20 A 11:56

Marlborough, Massachusetts 01752

*Patricia Bernard*  
EXECUTIVE SECRETARY

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

[www.marlborough-ma.gov](http://www.marlborough-ma.gov)

September 20, 2012

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

**Re: COA Grant Acceptance (2)**

Honorable President Pope and Councilors:

The Executive Office of Elder Affairs has released their Formula Grants for Fiscal Year 2013. The City of Marlborough Council on Aging (COA) was awarded a grant in the amount of \$46,921.00 that will be utilized for programming needs and support services provided by the COA.

I respectfully request your acceptance of this grant. Please do not hesitate to let me know if you have any questions.

Sincerely,

**Arthur G. Vigeant**  
Mayor

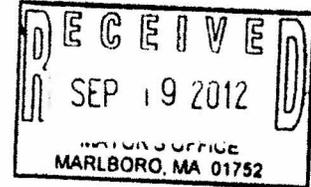


# City of Marlborough

## Council on Aging and Senior Center

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

September 19, 2013



To: Mayor Arthur G. Vigeant

I am submitting documentation for the Marlborough Council on Aging's FY13 Formula Grant award from the Executive Office of Elder Affairs, Commonwealth of Massachusetts, in the amount of \$46,921.00. This is a yearly grant award that is based on a funding application as well as the number of seniors over the age of 60 per individual city and town in Massachusetts. This important funding provides a myriad of program opportunities and support services to those 60 and over residing in Marlborough.

I would like to request that this grant funding be approved expeditiously in order to begin to funding our Fall Programs.

Thank you for your attention and consideration,

Jennifer Claro  
Marlborough Council on Aging  
Director

CITY OF MARLBOROUGH  
NOTICE OF GRANT AWARD

DEPARTMENT: Council on Aging DATE: 9-19-2012

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Jennifer Claro

NAME OF GRANT: FY 2013 Formula Grant

GRANTOR: Executive Office of Elder Affairs

GRANT AMOUNT: \$46,921.<sup>00</sup>

GRANT PERIOD: July 1 2012 - June 30, 2013

SCOPE OF GRANT/  
ITEMS FUNDED Program and services funding as well as administrative support  
Wellness Clinic, Exercise program, staff, volunteer and  
client transportation, office and program supplies,  
Membership dues, newsletter/public relations printing,  
conference/education training (Board + staff and  
volunteer recognition)

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:  
NO

IF MATCHING IS MONETARY PLEASE GIVE ACCOUNT NUMBER AND DESCRIPTION OF CITY FUNDS  
TO BE USED:  
NOT applicable

ANY OTHER EXPOSURE TO CITY?  
NO

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  
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**Table of Allocations**

<b>Municipality</b>	<b>Elders aged 60+</b> <i>per 2010 census</i>	<b>FY2013</b>	<b>Formula Grant Payment #1</b> <i>may be adjusted per COA "Statement of Grant/ Allocation Balance" for FY2012</i>
Leicester	2,111	\$ 14,777.00	\$ 7,388.50
Lenox	1,843	\$ 12,901.00	\$ 6,450.50
Leominster	8,023	\$ 56,161.00	\$ 28,080.50
Leverett	514	\$ 3,598.00	\$ 1,799.00
Lexington	7,898	\$ 55,286.00	\$ 27,643.00
Leyden	146	\$ 3,500.00	\$ 1,750.00
Lincoln	1,518	\$ 10,626.00	\$ 5,313.00
Littleton	1,746	\$ 12,222.00	\$ 6,111.00
Longmeadow	4,081	\$ 28,567.00	\$ 14,283.50
Lowell	15,200	\$ 106,400.00	\$ 53,200.00
Ludlow	4,750	\$ 33,250.00	\$ 16,625.00
Lunenburg	2,106	\$ 14,742.00	\$ 7,371.00
Lynn	14,483	\$ 101,381.00	\$ 50,690.50
Lynnfield	2,793	\$ 19,551.00	\$ 9,775.50
Malden	9,834	\$ 68,838.00	\$ 34,419.00
Manchester	1,435	\$ 10,045.00	\$ 5,022.50
Mansfield	2,987	\$ 20,909.00	\$ 10,454.50
Marblehead	4,920	\$ 34,440.00	\$ 17,220.00
Marion	1,437	\$ 10,059.00	\$ 5,029.50
Marlborough	6,703	\$ 46,921.00	\$ 23,460.50
Marshfield	5,143	\$ 36,001.00	\$ 18,000.50
Mashpee	4,374	\$ 30,618.00	\$ 15,309.00
Mattapoisett	1,704	\$ 11,928.00	\$ 5,964.00
Maynard	1,883	\$ 13,181.00	\$ 6,590.50
Medfield	2,010	\$ 14,070.00	\$ 7,035.00
Medford	11,425	\$ 79,975.00	\$ 39,987.50
Medway	2,003	\$ 14,021.00	\$ 7,010.50
Melrose	5,979	\$ 41,853.00	\$ 20,926.50
Mendon	939	\$ 6,573.00	\$ 3,286.50
Merrimac	1,232	\$ 8,624.00	\$ 4,312.00



*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](mailto:LEGAL@MARLBOROUGH-MA.GOV)

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CITY OF MARLBOROUGH

**DONALD V. RIDER, JR.**  
CITY SOLICITOR

**CYNTHIA M. PANAGORE GRIFFIN**  
ASSISTANT CITY SOLICITOR

**BEVERLY J. SLEEPER**  
CHIEF PROCUREMENT OFFICER

**ELLEN M. STAVROPOULOS**  
PARALEGAL

September 20, 2012

Patricia Pope  
President  
Marlborough City Council

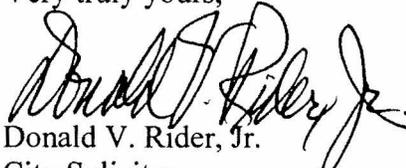
RE: Resolution on Amending the South-West Quadrante EOA

Dear President Pope and Members:

In 1998, the City Council approved a tax increment financing agreement with Ken's Foods. That agreement recited that Ken's facility, located on Parcel 8 of Map 116 and Parcel 5 of Map 115 of the Marlborough Assessors Maps, was situated in the so-called South-West Quadrante Economic Opportunity Area. However, those 2 parcels had been actually situated in the so-called Cedar Hill EOA. Accordingly, in order to amend this apparent scrivener's error from 1998, I have attached a Resolution for your consideration and approval.

Please let me know if you have any questions on the above. Thank you for your attention to this matter.

Very truly yours,

  
Donald V. Rider, Jr.  
City Solicitor

Attachment

**RESOLUTION:**

**WHEREAS**, on November 23, 1998, the City Council of the City of Marlborough (“the City”) adopted an order (Order No. 98-7900A) approving a Tax Increment Financing Agreement (“the TIF Agreement”) between the City and Ken’s Foods, Inc./MIP Realty Trust (“Ken’s Foods”); and

**WHEREAS**, the TIF Agreement between the City and Ken’s Foods recites that the Ken’s Foods facility at 1 D’Angelo Drive in Marlborough is located within the South-West Quadrangle Economic Opportunity Area (“South-West Quadrangle EOA”), and that that facility consists of Parcel 8 on Map 116 and Parcel 5 on Map 115 of the Marlborough Assessors’ Maps; and

**WHEREAS**, however, due to an apparent scrivener’s error, the South-West Quadrangle EOA, approved by the City Council on August 26, 1996 (Order No. 96-6753) and later approved by the Massachusetts Economic Assistance Coordinating Council (“EACC”) on October 30, 1996, in fact does not include either Parcel 8 on Map 116 or Parcel 5 on Map 115 of the Marlborough Assessors’ Maps; and

**WHEREAS**, parcel 8 on map 116 and parcel 5 on map 115 of the Marlborough Assessors’ Maps, among other parcels, had been included in an amendment to the Cedar Hill Economic Opportunity Area (“Cedar Hill EOA”), adopted by the City Council on August 28, 1995 (Order No. 95-5962A), later approved by the EACC on September 27, 1995; and

**WHEREAS**, Mass. Gen. Laws c. 23A, § 3E(4)(d) provides in relevant part that an EOA retains its designation as an economic opportunity area “for at least five years and not more than twenty years from the date it is so designated, as determined by the EACC;” and

**WHEREAS**, since the effective period for the Cedar Hill EOA was designated by the EACC on September 27, 1995 to be five years, the Cedar Hill EOA ceased to retain its designation as an economic opportunity area on September 27, 2000; and

**WHEREAS**, the TIF Agreement between the City and Ken’s Foods calls for the tax exemptions recited therein to run through Fiscal Year 2014 (ending on June 30, 2014); and

**WHEREAS**, both the City and Ken’s Foods desire that the TIF Agreement remain in full force and effect from September 27, 2000 through Fiscal Year 2014, including that Ken’s Foods continue to receive, from September 27, 2000 through Fiscal Year 2014, the benefit of the tax exemptions contemplated by the TIF Agreement between the City and Ken’s Foods; and

**WHEREAS**, since the effective period for the South-West Quadrangle EOA was designated by the EACC on October 30, 1996 to be twenty years, the South-West Quadrangle EOA will continue to retain its designation as an economic opportunity area until October 30, 2016;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Marlborough that a petition be submitted by the City to the Massachusetts Economic Assistance Coordinating Council (“EACC”):

- a. to amend the Cedar Hill EOA so as to exclude Parcel 8 on Map 116 and Parcel 5 on Map 115 of the Marlborough Assessors’ Maps, effective retroactive to the date of the EACC’s approval of the Cedar Hill EOA on September 27, 1995; and
- b. to amend the South-West Quadrangle EOA so as to include Parcel 8 on Map 116 and Parcel 5 on Map 115 of the Marlborough Assessors’ Maps, effective retroactive to the date of the EACC’s approval of the South-West Quadrangle EOA on October 30, 1996.

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MARLBOROUGH

2012 SEP 19 P 3:30

**Marlborough Community Development Authority**

**MINUTES**

**Thursday, August 30, 2012, 8:30 a.m**  
**140 Main St., Mayor's 4<sup>th</sup> FL Conference Room**

Members Present: Mayor Vigeant, Steve Vigeant, Eric Asman, Lynn Faust, Steve LeDuc, Sally Swartz, Joyce Torelli, Diane Smith, Tom Abel

Also Present: Doug Bushman, Anne Marie Blake, Linda Overing and John Ryan of Breezeway Farm Consulting, Rich Conley, contingency from Advocates, press

Mayor called the meeting to order at 8:30 A.M.

The Board approved the minutes of July 26, 2012.

The Board approved the Housing and CDA bills payable.

Doug Bushman, Housing Director, presented the Housing report which was accepted as presented and is attached as reference. The Board approved the year-end financial statements. Rick Conley, Housing's accountant discussed the financial status of the budget items with particular attention to the balance in the reserves. The Advocates were also in attendance to discuss their role with respect to Housing. A discussion followed about their units being put on our Affordable Housing Inventory. Due to confidentiality laws, they weren't sure this was possible. A memo of understanding will be drawn up, 1 for Front St. with Housing and 1 with the CDA. Letters will be sent to the banks Doug is working with to clarify their services before a decision is made to transfer funds to a new bank and Avidia Bank is to be contacted for consideration. Doug and his staff are also working on updating the Policies and Procedures Manual. Doug to review current State Elderly housing reserves, capital project needs and DHCD project grants to determine sufficiency of funding.

Linda Overing presented the Breezeway Farm Consulting Report which was accepted as presented and attached as reference. Linda distributed an outline of the proposed grant with Hudson for discussion. The Board voted to approve going forward with a regional application with Hudson, which most likely would include 2 street projects and a commercial façade rehab program.

A short discussion about was held about an offer from Fairbanks Development LLC to purchase 57 Harrison Place. The Board voted to move forward with the rehab. We are waiting on the final specs from the Rehab Specialist.

Due to a shortness of time, the board suggested holding another meeting in two weeks in order to discuss 16 Clinton St. Anne Marie will schedule.

The Board approved a 2% cost of living increase for Anne Marie Blake. Steve LeDuc suggested a recurring performance/salary review each November.

Respectfully submitted,

Anne Marie Blake

Marlborough Community Development Authority

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CITY OF MARLBOROUGH

MINUTES

2012 SEP 19 P 3:30

**Wednesday, September 12, 2012, 4:00 p.m**  
**140 Main St., Mayor's 4<sup>th</sup> FL Conference Room**

Members Present: Mayor Vigeant, Steve Vigeant, Eric Asman, Lynn Faust, Steve LeDuc, Joyce Torelli

Also Present: Councilman Clancy, Anne Marie Blake

Absent: Sally Swartz

Mayor called the meeting to order at 4:05 P.M.

A discussion was held on how to proceed with 16 Clinton St. Joyce Torelli passed out examples of the type of homes were selling in Marlborough and their costs. Her recommendation was to build a single family Cape Cod style home similar to Emmett St.

The board decided to not move forward with rehabbing. They agreed that a single family home would fit best in that neighborhood. Councilman Clancy also agreed and said that because of the demographics of the neighborhood he would also like to see a single family home.

The board unanimously voted to move forward with demolition and build a single family home.

They would like Anne Marie to start the demolition process. She will come up with a list of tasks and a timeline.

Housing: *The board unanimously voted to approve line-item 12-1, Main St. Asbestos Clean Up, from Account Number 4610-Extraordinary Non-Capitalized projects funded by the MCDA-Housing Division non restricted reserve account.*

Meeting adjourned at 4:55 p.m.

Respectfully submitted,

Anne Marie Blake